

## EPPING FOREST DISTRICT COUNCIL COUNCIL MINUTES

<b>Committee:</b>	Council	<b>Date:</b>	22 February 2018
<b>Place:</b>	Council Chamber, Civic Offices, High Street, Epping	<b>Time:</b>	7.30 - 10.15 pm
<b>Members Present:</b>	Councillors D Stallan (Chairman), R Bassett (Vice-Chairman), R Baldwin, A Beales, N Bedford, H Brady, W Breare-Hall, R Brookes, R Butler, G Chambers, D Dorrell, R Gadsby, L Girling, A Grigg, S Heap, L Hughes, R Jennings, H Kane, S Kane, H Kauffman, P Keska, J Knapman, A Lion, L Mead, G Mohindra, S Murray, S Neville, A Patel, J Philip, C P Pond, C C Pond, C Roberts, D Roberts, B Sandler, M Sartin, G Shiell, P Stalker, D Sunger, E Webster, C Whitbread, H Whitbread, J H Whitehouse, J M Whitehouse and D Wixley		
<b>Apologies:</b>	Councillors N Avey, A Boyce, K Chana, J Jennings, S Jones, Y Knight, J Lea, M McEwen, R Morgan, B Rolfe and S Stavrou		
<b>Officers Present:</b>	G Chipp (Chief Executive), D Macnab (Deputy Chief Executive and Director of Neighbourhoods), C O'Boyle (Director of Governance), R Palmer (Director of Resources), A Hall (Director of Communities), S Hill (Assistant Director (Governance)), S Kits (Social Media and Customer Services Officer), P Maddock (Assistant Director (Accountancy)), J Whittaker (Finance Officer), R Perrin (Democratic Services Officer) and P Seager (Chairman's Secretary)		

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### 87. WEBCASTING INTRODUCTION

The Assistant Director, Governance reminded everyone present that the meeting would be broadcast live to the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

### 88. COUNCILLOR B SURTEES

It was with much sadness that the Chairman informed the Council of the death of Councillor Brian Surtees.

Councillor B Surtees had represented the Chipping Ongar, Greensted and Marden Ash Ward of the District as a Liberal Democrat Councillor from 2014 to 2018. He had served on many of the Council's Committees, Sub-Committees, Select Committees and member bodies during this time. He had also been a very active member of his local community, an Ongar Town Councillor and Minister for the Church of England.

Members paid tribute to the memory of Councillor B Surtees and stood for a minute's silence in his memory.

### 89. COUNCILLOR D COLLINS

It was with much sadness that the Chairman informed the Council of the death of former Councillor Diana Collins.

Diana Collins had represented the Epping Hemnall Ward between 1991-1999 and the Passingford Ward between 2001 and 2011 as a Conservative Councillor. She

had been the Leader of the Council between 2006 – 2011 and Leader of the Conservative Group from 2004 to 2011. She had served and attended many of the Executive Committees, Sub-Committees, Select Committees and Outside Bodies that had related to her Executive position. She had also supported a large number of local charities and charity groups in the district.

Members paid tribute to the memory of former Councillor D Collins and stood for a minute's silence in her memory.

## **90. MINUTES**

### **RESOLVED:**

That the minutes of the Council meetings on 14 December 2017 and 21 December 2017 be taken as read and signed by the Chairman as a correct record.

## **91. DECLARATIONS OF INTEREST**

(a) Pursuant to the Council's Staff Code of Conduct, S Hill (Assistant Director of Governance) declared a personal interest in agenda item 18 (Appointment of Returning and Electoral Registration Officer and Associated Matters). He advised that he had determined that his interest was pecuniary and that he would leave the meeting for the consideration and voting on the matter.

(b) Pursuant to the Council's Staff Code of Conduct, D Macnab (Deputy Chief Executive and Director of Neighbourhoods), C O'Boyle (Director of Governance) and R Palmer (Director of Resources) declared a personal interest in agenda item 22 (Appointment of Acting Chief Executive and Associated Matters). They advised that they had determined that their interest was pecuniary and that they would leave the meeting for the consideration and voting on the matter.

(c) Pursuant to the Council's Staff Code of Conduct, A Hall (Director of Communities) declared a personal interest in agenda item 22 (Appointment of Acting Chief Executive and Associated Matters). He advised that he had determined that his interest was non-pecuniary but he would leave the meeting for the consideration and voting on the matter.

(d) Pursuant to the Council's Staff Code of Conduct, S Hill (Assistant Director of Governance) declared a personal interest in agenda item 22 (Appointment of Acting Chief Executive and Associated Matters). He advised that he had determined that his interest was non-pecuniary and he would remain in the meeting for the consideration and voting on the matter.

## **92. ANNOUNCEMENTS**

(a) Announcements by the Chairman of Council

(i) Chairman's Events

The Chairman advised that he had attended and represented the Council at a number of events around the District since the last meeting.

(ii) Chairman's Civic Dinner

The Chairman asked Members to advise the Chairman's Secretary, Pat Seager whether they were attending the Chairman's Civic Dinner on Friday 16 March 2018.

(iii) Floral Display

The Chairman announced that he intended to send the flowers from tonight's meeting to Councillor S Stavrou.

**93. PUBLIC QUESTIONS (IF ANY)**

**(a) Traders at the Debden Broadway**

**Question from Duncan Gould to Councillor A Grigg, Assets and Economic Development Portfolio Holder**

"I would like to ask some questions at the meeting on Thursday 22 February as set out below. Some context is put at the start to clarify the questions.

The responses just received from a detailed written survey completed by approximately 30 (out of around 45) of the traders on Debden Broadway tell us at least three things:

- many of the businesses are suffering badly, unfortunately made worse by the opening of new business park, as footfall is being taken away from the Broadway (unlike was expected);
- the rent rises being seen of c40% this year will for many put them out of business. Even small rises are unsupportable for some of the traders. It seems keys may soon be handed back by more than a few traders, potentially worsening footfall and income to the Council; and
- the traders' own customers are saying that the severely inadequate parking caused by recent changes is putting those customers off coming back.

Hence my questions are:

1. What do you think is really going on, and what steps can be taken straight away to ensure that this historic shopping area survives before businesses collapse/customers go elsewhere?
2. The traders themselves in the survey have detailed a number of recommendations. How can their first-hand experience of the situation also best be assessed and acted on with some urgency? And
3. What else would need to happen to move this issue forward with pace?"

**Reply of Councillor A Grigg, Assets and Economic Development Portfolio Holder**

"I would like to thank Mr Gould for his question that covers a number of related points.

The Council manages a significant commercial estate comprising of commercial, light industrial and retail premises, in numerous locations across the District. As with all

the Council's assets, income received from shops and businesses in The Broadway goes towards funding the public services provided by this Council on behalf of everyone who lives and works in our District. It is, therefore, very much in the Council's interest, to ensure that The Broadway continues to thrive and remain a vibrant local shopping centre.

In the past, consultants reported that 85% of spending by Epping Forest residents was being spent outside our District. This led Members to invest in the Shopping Park in order to encourage a shift in that trend by giving our residents more opportunity to spend in our area. This, in turn, enables us to continue with our policies of quality services combined with low Council Tax.

In the Broadway, as with any High Street, some businesses do better than others for a variety of reasons, and some traders have concerns that their businesses are not performing to their expectations. However, I can confirm that demand for premises on The Broadway remains at a high level. There are significant levels of interest in any unit that becomes vacant, with demand well in excess of supply. It is also a fact that this interest is from a more diverse range of commercial tenants, including café and restaurants, which will both increase dwell time in The Broadway and encourage trade throughout the day and evening. Such expressions of interest support our belief that there may be an increase in footfall, which should continue to rise with the new residential developments at Burton Road, and Vere Road, to the benefit of all tenants on The Broadway.

The Council has invested in The Broadway improvement scheme and it should be noted that other retailers have demonstrated confidence in its future. For example the major refurbishment of Sainsbury's, the new M&S Simply Food in the petrol station and the prospective tenants expressing interest in the new retail shops in the Landmark Development.

It is true that rents are increasing. However, this is from a comparatively low base position, and whilst appearing significant in percentage terms, is not excessive in overall quantum terms. Current rents and proposed increases are still extremely competitive when compared to other similar locations within the M25.

It is suggested that tenants of the Shopping Park have benefited unfairly from rent-free periods. It is, in fact, normal practice to allow rent free periods over the time tenants are fitting out units at their cost, and tenants in The Broadway have, over the years, benefited from similar arrangements. At the time of the Shopping Park planning application, an impact assessment on local shopping centres was undertaken. Whilst this demonstrated no significant negative effect, it is our intention to commission a further impact assessment once all the units have traded for a period of time. I will keep Members advised of the outcome and any action I propose if there is demonstrable negative effect.

We are very happy to continue to liaise with Tenants and The Broadway Town Centre Partnership, who we have supported by way of grant-aid over a number of years. To date, and to the best of our knowledge, no tenant has ever returned their keys and I believe that our estates and valuation staff currently have the skills, experience and flexibility to support our tenants in remaining viable.

Finally, I have taken on board the concerns regarding parking at The Broadway. I know that there is a Parking Review for the area underway and I will be liaising with the Safer, Cleaner and Transport Portfolio Holder to ensure that future shopper parking requirements are being addressed as part of the review.

I appreciate that this is a long answer, but the topic is important. I will provide a written copy of my response to Mr Gould and Members.”

**Supplementary Question from Duncan Gould to Councillor A Grigg, Assets and Economic Development Portfolio Holder**

“How was the footfall of The Broadway being measured before and after the opening of the Retail Park?”

**Reply of Councillor A Grigg, Assets and Economic Development Portfolio Holder**

“There continues to be a great number of enquiries regarding any shops that became vacant in The Broadway. With the housing developments near by, there is an expectation that these residents would use the shops increasing footfall. Furthermore, there is a new restaurant opening with extended opening hours, which would create another reason for people to visit The Broadway and provide an opportunity for them to spend money in the shops.

With regards to a further retail impact study, this would be carried out later in the year, when all the units at the Retail Park had been let and were trading.”

**94. QUESTIONS BY MEMBERS UNDER NOTICE**

**Question to Councillor W Breare-Hall, Portfolio Holder for Environment Portfolio Holder by Councillor R Butler.**

“Could the Environment Portfolio Holder confirm that the tons of waste paper collected weekly by our waste contractor throughout Epping Forest is actually being recycled and not shipped off to a landfill site far away?”

There have been recent reports in the media that waste paper being shipped off to India and other countries and not being recycled but left in landfill sites. Could the portfolio Holder guarantee that this is not happening in Epping Forest?”

**Answer to Councillor R Butler from Councillor W Breare-Hall, Portfolio Holder for Environment Portfolio Holder.**

“Ensuring the public can have confidence that the material they sort and put out for recycling is actually being recycled is very important, and something this Council takes very seriously. Articles in the press that highlight rogue traders and bad practice can inevitably cause concern.

I am pleased, therefore, to have this opportunity to reassure Epping Forest residents that all the recyclable material processed on our behalf by Biffa, our waste and recycling contractor, is indeed being recycled, and is not sent to landfill.

Biffa take the recycling collected from our doorsteps to their Material Recycling Facility in Edmonton, where it is separated, sorted and sold on to various companies who then use those materials in their manufacturing processes. Until recently, all of the paper produced by the Material Recycling Facility was being sold to China. This has now changed, due to the Chinese Government’s decision to encourage the use of their own recycling materials. However, Biffa continue to sell the recycling materials to other national and international businesses for use as raw material.

I hope this alleviates any concerns Cllr. Butler had, and I encourage him and all our residents to continue recycling as much of their waste as possible, safe in the knowledge that they really are helping reduce our impact on the environment.”

## **95. REPORTS FROM THE LEADER AND MEMBERS OF THE CABINET**

The Council received written reports from all the Portfolio Holders. The Chairman invited the Leader to provide an oral report and any other members of the Cabinet to give an update of their written report, if required.

### **(a) Leader of Council**

The Leader advised that following the Council decision on 14 December 2017 to agree the Draft Local Plan, they were working towards the submission deadline. He would be supporting the process throughout this period and would be attending the Duty to Co-operate meetings.

In addition, he had recently attended sites in Epping, North Weald and Coopersale to look at the construction of new housing stock. He thanked A Hall and P Pledger who had accompanied him and advised that with the adjusted housing policy, more local residents should benefit from these houses.

Lastly, the Leader advised that this would be the last meeting of the current Chief Executive, Glen Chipp. He took the opportunity to thank him for his loyal service over the past 5 years and thanked him on a personal level for his support and guidance.

## **96. QUESTIONS BY MEMBERS WITHOUT NOTICE**

### **(a) Epping Forest District Health & Wellbeing Strategy**

Councillor J H Whitehouse asked the Portfolio Holder for Leisure and Community Services, what consultation had been done with the groups, she thought would benefit by the initiatives in the Epping Forest District Health & Wellbeing Strategy 2018-2028?

Councillor G Mohindra, the Health and Wellbeing Champion for West Essex replied on behalf of Councillor H Kane as he had been involved with the Strategy. He assured Councillor J H Whitehouse that the strategy itself had been done in consultation with voluntary groups including VAEF, dentists, opticians and other local groups and he would send a list of organisations to her.

### **(b) Alternative use of funding for the Police**

Councillor S Murray asked the Safer, Greener and Transport Portfolio Holder whether any consideration had been given to the District Development Funding for the extra Policing, to be alternatively used to fund the reintroduction of street lighting throughout the hours of darkness in the District.

Councillor S Kane advised that many residents had advocated the extra support to the local police and the Safer Communities Programme. Although it was not a statutory service, a three year initiative had been considered to bridge the gap between the shortfall of police officers today and the increase in police officers promised by the Police, Fire and Crime Commissioner, Roger Hurst.

(c) Policing Presence in the District

Councillor D Sunger asked the Safer, Greener and Transport Portfolio Holder what was being done to increase the policing presence in the district, especially in the Chigwell area.

Councillor S Kane advised that, in addition to the proposed Council funding for additional police officers, the Council had provided further funding for the Parkguard initiative, which provided a visual reassurance for residents and a valuable method of gathering information. The Council had been working closely with both the Essex Police and Metropolitan Police to provide a police presence in the Chigwell area. He advised that any crimes should be reported to the 101 hotline or if it was emergency to 999.

(d) Debden Parking Review

Councillor C Roberts asked the Safer, Greener and Transport Portfolio Holder that as landlord's of retail units on The Broadway, Debden and with the current parking review taking place; could this be an opportunity to provide the same concessions to customers as the retail park.

Councillor S Kane advised that there were many factors effecting the trading at The Broadway which included the parking. He advised that the Council had a duty to get the balance right between residents, commuters and businesses and the parking review would be the correct process.

(e) Local Plan – Member Involvement

Councillor J M Whitehouse asked the Planning and Governance Portfolio Holder whether he could give an update on his commitment to involve members in the implementation of the Local Plan.

Councillor J Philip advised that the calendar of meetings had re-established the Local Plan Cabinet Committee and there would be a Members briefing on the 15 March 2018. It had not been decided how exactly the Master Plans would be dealt with although the Council would be considering the planning approaches through the Constitutional Working Party.

(f) Localism Task and Finish Panel Essex County Council (ECC)

Councillor C C Pond asked the Leader to respond and attend the ECC Task and Finish Panel's request regarding what prospective services they would like devolved to the District Council.

Councillor C Whitbread advised that he would attend the meetings and respond to the request about services that EFDC would benefit in providing and taking from ECC.

(g) Local Plan – Jessel Green

Councillor S Murray asked the Planning and Governance Portfolio Holder whether the Cabinet had faith in the Local Plan and whether Loughton, in particular Jessel Green had been treated fairly.

Councillor J Philip advised that he had faith in the Local Plan and that with the hierarchy of assessment that had been required in terms of how the sites were

assessed, it had been clear that green space within a built up area would be rated as a higher selection choice for proposed development. He stated that at the beginning of the process, five green sites within Loughton had been selected for housing and by the time the Council had reached Regulation 19, this had been reduced to one and the area had been reduced to 50%. Some changes had occurred and he would have been happy for more housing within Theydon Bois, although the sites were not available. He was confident that the Local Plan would be submitted within the required time scales.

## **97. MOTIONS**

The Chairman reported that there were no motions to be considered at this meeting.

## **98. PAY POLICY STATEMENT 2018/19**

**Mover: Councillor A Lion, Portfolio, Technology and Support Services**

Councillor A Lion submitted a report regarding the Council's Pay Policy Statement for 2018/19 which was required by Section 38(1) of the Localism Act 2011 to be published each financial year. It specifically included the Council's approach to its highest and lowest paid employees.

Report as first moved **ADOPTED**

### **RESOLVED:**

That, the Council's Pay Policy Statement for 2018/19 attached as Appendix 1 to these minutes be adopted.

## **99. CALENDAR OF COUNCIL MEETINGS 2018/19**

**Mover: J Philip, Planning and Governance Portfolio Holder.**

Councillor J Philip submitted a report regarding the Calendar of Council meetings for 2018/19.

Report as first moved **ADOPTED:**

### **RESOLVED:**

That, as attached at Appendix 2 to these minutes, the draft Calendar of Council meetings for 2018/19 be adopted.

## **100. TREASURY MANAGEMENT STRATEGY STATEMENT 2018/19**

**Mover: Councillor G Mohindra, Finance Portfolio Holder.**

Councillor G Mohindra presented a report on the Council's Treasury Management Strategy, Annual Investment Strategy and the prudential indicators.

Report as first moved **ADOPTED**

### **RESOLVED:**

That the following documents attached to these minutes as Appendices 3 and 4 be adopted;



- (a) Treasury Management Strategy Statement 2018/19;
- (b) Minimum Revenue Provision Strategy;
- (c) Treasury Management Prudential Indicators for 2018/19 to 2020/21;
- (d) Rate of interest to be applied to any inter-fund balances; and
- (e) The Treasury Management Policy Statement.

#### **101. COUNCIL BUDGET 2018/19**

##### **Mover: Councillor G Mohindra, Finance Portfolio Holder**

Councillor G Mohindra presented a report on the Budget and Council Tax Declarations for 2018/19. He thanked Finance Officers for an excellent budget and sound financial advice.

There voted for the recommendations (41) namely: R Baldwin, R Bassett, A Beales, N Bedford, H Brady, W Breare-Hall, R Butler, G Chambers, D Dorrell, R Gadsby, L Girling, A Grigg, L Hughes, B Jennings, H Kane, S Kane, H Kauffman, P Keska, J Knapman, A Lion, L Mead, G Mohindra, S Neville, A Patel, J Philip, C C Pond, C P Pond, C Roberts, D Roberts, B Sandler, M Sartin, G Shiell, P Stalker, D Stallan, D Sunger, E Webster, C Whitbread, H Whitbread, J H Whitehouse, J M Whitehouse and D Wixley.

There voted against the recommendation (1) namely: S Murray

Abstentions (2) namely: R Brookes and S Heap.

Report as first moved **ADOPTED**

##### **RESOLVED:**

##### **Budget**

- (1) That the list of CSB growth and savings for the 2018/19 budget (set out in Annex 1) be approved;
- (2) That the list of District Development Fund and Invest to Save items for the 2018/19 budget (set out in Annexes 2 and 3 to these minutes) be approved;
- (3) That the revenue estimates for 2018/19 and the draft Capital Programme for 2018/19 be approved as set out in Annexes 4, 5 (a-f) and 6 to these minutes including all contributions to and from reserves as set out in the attached Annexes;
- (4) That the Medium Term Financial Strategy be approved as set out in Annexes 9 a and 9 b to these minutes;
- (5) That the 2018/19 HRA budget be approved on the basis that the contribution to the self-financing reserve continues to be suspended, and that the application of rent decreases resulting in an average decrease of 1% from £96.30 to £95.34, be approved;

(6) That the Council's policy of retaining revenue balances at no lower than £4.0M or 25% of the net budget requirement whichever is the higher for the four year period to 2020/21 be amended to no lower than £4.0M or 25% of the net budget requirement whichever is the higher during the four year period up to and including 2021/22;

(7) That the report of the Chief Financial Officer on the robustness of the estimates for the purposes of the Council's 2018/19 budgets and the adequacy of the reserves (Annex 10 attached to these minutes) be noted.

#### **Declaration of Council Tax**

(8) That it be noted that under delegated authority the Director of Resources, in consultation with the Finance Portfolio Holder, calculated the Council Tax Base 2018/19:

(a) for the whole Council area as 53,562.8 (Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended); and

(b) for dwellings in those parts of its area to which a Parish precept relates as set out below and in Annex 7 attached to these minutes:

	Tax Base
Abbess, Beauchamp & Berners Roding	224.1
Buckhurst Hill	5,211.0
Chigwell	6,125.3
Epping Town	5,251.6
Epping Upland	407.5
Fyfield	413.4
High Ongar	553.2
Lambourne	884.9
Loughton Town	12,408.9
Matching	439.1
Moreton, Bobbingworth and The Lavers	584.1
Nazeing	2,064.9
North Weald Bassett	2,544.3
Ongar	2,726.1
Roydon	1,337.5
Sheering	1,352.0
Stanford Rivers	357.5
Stapleford Abbots	522.3
Stapleford Tawney	79.5
Theydon Bois	1,986.8
Theydon Garnon	84.4
Theydon Mount	118.4
Waltham Abbey Town	7,650.3
Willingale	235.7

(9) That the following amounts be calculated for the year 2018/19 in accordance with sections 31 to 36 of the Local Government Finance Act 1992:

- (a) £117,101,309 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils;
  - (b) £105,454,170 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act;
  - (c) £11,647,139 being the amount by which the aggregate at 9 (a) above exceeds the aggregate at 9 (b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act);
  - (d) £217.45 being the amount at 9 (c) above (Item R), all divided by Item T (the amount at 8 (a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts);
  - (e) £3,480,955 being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act (as per the attached Annex 7 to these minutes);
  - (f) £152.46 being the amount at 9 (d) above less the result given by dividing the amount at 9 (e) above by Item T (8 (a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.
- (10) That it be noted that the County Council, the Police Authority and the Fire Authority have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each of the category of dwellings in the Council's area as shown in Annex 8 (attached to these minutes);
- (11) That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts in Annex 8 Part B (tabled) as the amounts of Council Tax for 2018/19 for each part of its area and for each of the categories of dwellings.
- (12) That in accordance with section 52ZB of the Local Government Finance Act 1992, Council determines that the amount of Council Tax shown at (9) (f) of £152.46 for 2018/19, being an increase of 2.48% from 2017/18 is not excessive and therefore there is no need to hold a local referendum.

## **102. OVERVIEW AND SCRUTINY COMMITTEE**

The Council noted the written report from Councillor M Sartin, the Chairman of the Overview and Scrutiny Committee.

**103. CONSTITUTION WORKING PARTY REPORT**

**Mover: Councillor M Sartin, Vice-Chairman of the Constitution Working Party, in the absence of the Chairman**

Councillor M Sartin presented a report of the Constitution Working party following a review of the Procurement Rules.

Report as first moved **ADOPTED**

**RESOLVED:**

That the Council's updated Procurement Rules, attached as Appendix 5 to these minutes, be adopted.

**104. COUNCILLOR D DORRELL**

The Chairman advised that in accordance with the Local Government and Housing Act 1989 and the Local Government (Committee and Political Groups) Regulations 1990, Councillor D Dorrell had given notice that he had joined the Conservative Group.

**RESOLVED:**

(1) That in accordance with the Local Government and Housing Act 1989 and the Local Government (Committee and Political Groups) Regulations 1990, Councillor D Dorrell had given notice that he had joined the Conservative Group; and

(2) The Council also noted that following this notification there had been no request for a review of pro rata membership of Committee and Sub-Committee places pending the forthcoming elections.

**105. APPOINTMENT OF RETURNING AND ELECTORAL REGISTRATION OFFICER AND ASSOCIATED MATTERS**

The Monitoring Officer presented a report to the Council regarding the appointment of an Electoral Registration Officer and Returning Officer.

**RESOLVED:**

(1) That, in accordance with the Representation of the People Act 1983 and all related legislation, S Hill, be confirmed as Electoral Registration Officer (ERO) for the Council with immediate effect with authority to appoint deputy or deputies as may be required;

(2) That, in terms of Section 41 of the Local Government Act 1972 and all related legislation, and with immediate effect, S Hill be appointed as Returning Officer for the Council, with authority to act in that capacity for elections to the District Council and all or any parish and town councils within the Epping Forest District. This appointment to continue until a further review of the position when a new chief executive was appointed by the Council;

(3) That the Council's Returning Officer/Electoral Registration Officer be also appointed or authorised to act in respect of all related electoral, poll or referendum duties, including those in relation to County Council elections,

elections to the European Parliament (if required), and for national and regional or local polls and referendums;

(4) That, in relation to the duties of Returning Officer or any other electoral, referendum or polling duties arising from such appointment, the Returning Officer shall be entitled to be remunerated in accordance with scale of fees approved by the Council for local elections, or the relevant scale of fees prescribed by a Fees Order in respect of national, regional or European Parliament elections, polls or referendums;

(5) That in all cases where it is a legal requirement or normal practice to do so, fees paid to the Returning Officer shall be superannuable, and the Council shall pay the appropriate employer's contribution to the superannuation fund, recovering such employer's contributions from central government or other local authorities or agencies where this can be done;

(6) That, in relation to the conduct of local authority elections and polls, and elections to the United Kingdom Parliament, and all other electoral duties where the Council is entitled by law to do so, the Council shall take out and maintain in force insurance indemnifying the Council and the Returning Officer against legal expenses reasonably incurred in connection with the defence of any proceedings brought against the Council or the Returning Officer and/or the cost of holding another election in the event of the original election being declared invalid (provided that such proceedings or invalidation are the result of the accidental contravention of the Representation of the People Acts or other legislation governing the electoral process, or accidental breach of any ministerial or other duty by the Returning Officer or any other person employed by or officially acting for him in connection with the election or poll); and

(7) That any such insurance carrying an 'excess' clause by which an initial portion of risk is not insured, the Council, through its internal insurance fund or otherwise, will indemnify the Returning Officer up to the value of such excess.

#### **106. EXTRAORDINARY COUNCIL MEETING**

The Chairman of the Council reported that an Extraordinary Council meeting would be held on 24 April 2018 to confer the Freedom of the District on 56 Squadron RAF and would be followed by the Ordinary Council meeting at 8 pm.

##### **RESOLVED:**

(1) That a Extraordinary Council meeting of Epping Forest District Council be convened at 7pm on 24 April 2018 for the sole purpose of conferring the Freedom of Epping Forest District on Number 56 Squadron RAF be approved; and

(2) That the change of time of the Ordinary Council meeting of Epping Forest District Council to 8pm for the purposes of transacting the normal items of business for that evening, be approved.

#### **107. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS**

(a) The Council received an oral report from Councillor H Kane, the Council's representative on the Royal Gun Powder Mills Ltd. She advised that a new business

plan had been put forward for the future of the Royal Gun Powder Mills. The proposals had been submitted to the foundation company and a joint working arrangement had been suggested with consultations starting between stakeholders, neighbours and EFDC. She would keep members informed on the progress.

(b) The Council received an oral report from Councillor M Sartin, on behalf of Councillor R Morgan, the Council's representative on the Stansted Airport Community Trust Fund. She advised that two grants from the district had been successful which included the North Weald Airfield Museum and Epping Ongar Railway. Members were advised that there was an opportunity for organisations within a 10 mile radius of Stansted Airport to qualify and asked members to make organisations aware of these grants where possible.

(c) The Council received an oral report from Councillor M Sartin, the Council's representative on the Stansted Airport Consultative Committee. She advised that Stansted Airport Ltd had submitted a planning application to Uttlesford District Council, to grow passenger numbers from 35 million to 40 million passengers per annum.

(d) There were no requests made for written reports by representatives on joint arrangements and external organisations for the next meeting.

#### 108. EXCLUSION OF PUBLIC AND PRESS

##### **RESOLVED:**

That, in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the item of business set out below as it would involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12(A) of the Act indicated and the exemption is considered to outweigh the potential public interest in disclosing the information:

<b><u>Agenda Item No</u></b>	<b><u>Subject</u></b>	<b><u>Exempt Information Paragraph Number</u></b>
22	Appointment of Acting Chief Executive and Associated Matters	1

#### 109. APPOINTMENT OF ACTING CHIEF EXECUTIVE AND ASSOCIATED MATTERS

##### **Mover: The Leader of Council**

The Leader submitted a report regarding the appointment of Acting Chief Executive and Associated Matters.

##### **RESOLVED:**

(1) That D Macnab, Deputy Chief Executive and Director of Neighbourhoods, be designated Acting Chief Executive with effect from 23 February 2018 for a fixed period until 22 February 2019; on existing terms and conditions and salary of annum (as at 1 April 2017) as outlined in the report;

(2) That an option to extend the arrangement above (1) for up to 6 months, subject to the agreement of both parties be agreed;

- (3) That, in accordance with Section 4(1) of the Local Government and Housing Act 1989, the Acting Chief Executive be designated Head of Paid Service with effect from 23 February 2018;
- (4) That Settlement Agreements for R Palmer, Director of Resources and C O'Boyle, Director of Governance, be approved;
- (5) That the cost of the proposal under (4) be met from existing provision approved in the District Development Fund budget for 2017/18 relating to the implementation of the Common Operating Model;
- (6) That the Chief Executive, G Chipp, be authorised to agree and sign off final terms of the Settlement Agreements under (4) above;
- (7) That P Maddock, Assistant Director – Accountancy and Deputy Chief Finance Officer, be designated as Chief Finance Officer, on a temporary basis, being the officer having responsibility under Section 151 of the Local Government Act 1972, Section 73 of the Local Government Act 1985 and Section 114 of the Local Government Finance Act 1988 with immediate effect;
- (8) That S Hill, Assistant Director – Governance and Deputy Monitoring Officer, be designated as Monitoring Officer, on a temporary basis, in accordance with Section 5 of the Local Government and Housing Act 1989 and Sections 26-37 of the Localism Act 2011 for the purpose of performing the duties imposed by those sections; and to be responsible for any Parish or Town Councils which are affiliated for the time being to the Epping Forest Standards Committee under Chapter 7 of the Localism Act with immediate effect;
- (9) That consequential changes made by the Leader of the Council to the Scheme of Executive Delegation be noted;
- (10) That the proposed changes to the Council Scheme of Delegation attached at Appendix 6 be approved; and
- (11) That a further report on the Common Operating Model, covering the new management structure for the Council, be brought to Council on 24 April 2018.

**CHAIRMAN**