

EPPING FOREST DISTRICT COUNCIL CABINET MINUTES

Committee: Cabinet **Date:** 10 September 2012

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.00 - 8.55 pm

Members Present: C Whitbread (Chairman), Ms S Stavrou (Vice-Chairman), R Bassett, W Breare-Hall, Mrs A Grigg, D Stallan, H Ulkun and G Waller

Other Councillors: K Angold-Stephens, K Avey, Ms J Hart, Ms H Kane, J Knapman, Mrs J Lea, A Mitchell MBE, G Mohindra, J Philip, Mrs M Sartin, Ms G Shiell, Mrs P Smith and Mrs L Wagland

Apologies: Mrs E Webster

Officers Present: D Macnab (Deputy Chief Executive), G Chipp (Chief Executive), I Willett (Assistant to the Chief Executive), J Gilbert (Director of Environment and Street Scene), A Hall (Director of Housing), C O'Boyle (Director of Corporate Support Services), R Palmer (Director of Finance and ICT), D Newton (Assistant Director (ICT)), R Pavey (Assistant Director (Revenues)), C Pasterfield (Principal Valuer/Surveyor), G J Woodhall (Democratic Services Officer), T Carne (Public Relations and Marketing Officer), P Seager (Chairman's Secretary) and S G Hill (Senior Democratic Services Officer)

31. WEBCASTING INTRODUCTION

The Chairman made a short address to remind all present that the meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

32. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillors K Avey and W Breare-Hall declared a personal interest in agenda item 8, Development & Design Brief – St John's Road Area, Epping, by virtue of being members of Epping Town Council. The Councillors had determined that their interest was non-pecuniary and would remain in the meeting for the consideration of the issue.

(b) Pursuant to the Council's Code of Member Conduct, Councillor C Whitbread declared an interest in agenda item 8, Development & Design Brief – St John's Road area, Epping, by virtue of being a resident of Epping. The Councillor had determined that his interest was non-pecuniary and would remain in the meeting for the consideration of the issue. In addition, the Councillor gave the following personal statement:

"There are a number of questions relating to this site this evening and these refer in part to the question of a supermarket being built there. I wish to state that:

(a) in my own response as a local resident to the public consultation, I stated that I was opposed to the provision of a supermarket;

(b) *my view has always been that the approved development brief should achieve the twin goals of revitalising the High Street economy and preserving its essential character;*

(c) *it has never been my view that maximising the financial return on the Council's landholding in that area should be the only objective of the Authority, community benefits are equally important in my mind; and*

(d) *the decision as to whether a supermarket or indeed any other form of development will form part of the brief is not mine as Leader of the Council but one for the whole Council."*

(c) Pursuant to the Council's Code of Member Conduct, Councillor R Bassett declared an interest in agenda item 10, ICT Capital Requirements, by virtue of the nature of his employment. The Councillor had determined that his interest was pecuniary and would leave the meeting for the consideration of the issue.

33. MINUTES

Resolved:

(1) That the minutes of the meeting held on 23 July 2012 be taken as read and signed by the Chairman as a correct record.

34. REPORTS OF PORTFOLIO HOLDERS

Housing

The Housing Portfolio Holder reminded the Cabinet about the Member Briefing Session that had been organised on the impact and implications of the Government's Welfare Reforms. The session had been scheduled for Wednesday 26 September 2012 at 6.00pm in Committee Rooms 1 and 2, and it was hoped that the Briefing would finish before the start of Area Planning Sub-Committee East at 7.30pm. The Portfolio Holder stated that it was important for Members to attend as the reforms would affect both Council and private tenants.

35. PUBLIC QUESTIONS

(i) The following public question was asked by Mr A Long:

"Can residents assume that, given the inclusion in the design and development brief of leisure and community uses, that these are regarded as viable possible uses, contrary to previous statements during the public consultation period?"

The Portfolio Holder for Asset Management & Economic Development gave the following response:

"The public consultation made it clear that, without considerable financial contribution from the District Council, some of the options were not financially viable. Ultimately viability will depend upon the overall mix of a scheme for the whole site. We have had one unsolicited approach from a developer that included a small multi-screen cinema along with a supermarket. This was not a specific option consulted upon - although the cinema and associated uses has been picked up through the consultation feedback."

(ii) The following public question was asked by Mr A Long:

“Given the current hazardous state of the pavement outside the library, church and registry office, is it the Council’s intention to leave this until the future use of the St Johns Road site been determined ?”

The Portfolio Holder for Asset Management & Economic Development gave the following response:

“The repair and maintenance of the highways is a County Council function, not the District Council’s – however I have asked that your concern be relayed to the appropriate officers at Essex County Council and I can confirm that this was done on 7 September 2012.”

(iii) The following question was asked by Mr S Harding:

“The St John’s Road design and development brief acknowledges overwhelming public opposition to large scale retail on the site, and the Leader of Epping Forest District Council has stated his personal opposition to large scale retail on the site. Why therefore does the design and development brief still permit large scale retail on the site?”

The Portfolio Holder for Asset Management & Economic Development gave the following response:

“The Leader of Council has made his personal position clear on previous occasions and I do not intend to repeat it here. The Brief, as you will hear shortly ,is the culmination of lengthy consultation, expert studies and planning policies. The scale and design of any of the uses within the site will of course need to respect the remainder of the Brief which refers to the conservation area, preservation of the historic character. Any retail needs to be complimentary to the High Street.”

(iv) The following question was asked by Mr S Harding:

“Page 20 of the St John’s Road design and development brief states that in open responses, 26% of consultation respondents stated their opposition to a new supermarket and that this was “balanced” by 3% who stated that a new supermarket is needed. How does Epping Forest District Council define the word “balanced”?”

The Portfolio Holder for Asset Management & Economic Development gave the following response:

“This section of the report summarises only how people answered question 3 of the consultation - using their own words. In other sections they were given lists of possible uses to select from/add to or were asked to agree or disagree with the project objectives. It was not intended to suggest that the views expressed for and against a large supermarket were equal in number. I am therefore happy to amend the wording to ‘compared with’ rather than balanced.”

(v) The following questions was asked by Ms K Gilroy:

“What steps will lthe Council take to encourage either public or commercial leisure use on the site?”

“What steps will the Council take to encourage hotel use on the site?”

The Portfolio Holder for Asset Management & Economic Development gave the following response:

“Leisure and hotel uses are within the contemplation of the current draft Development Brief. In the event that the Development Brief is adopted then it would be at the next stage of the process where the freehold landowners would look to explore the potential of different development mixes with interested parties. That would of course include both the Town and County Councils.”

(vi) The following question was asked by Ms L Brinklow:

“As new legislation criminalising squatting has recently come into force, has Epping Forest District Council's stance on the 24 hour on-site security arrangements for the St John's Road site changed?”

The Portfolio Holder for Asset Management & Economic Development gave the following response:

“The reference to security of the site is understood to refer to the County Council's arrangements in relation to the school site. The stance taken and costs incurred are those of the County Council not the District Council.”

(vii) The following question was asked by Ms L Brinklow:

“Given that the report is neutral as regards to land use, is the intention to permit any kind of development on the site provided it takes place within the parameters of the design brief and provides the required capital receipt to the three landowners?”

The Portfolio Holder for Asset Management & Economic Development gave the following response:

“The intention of the brief is to reflect the planning policies and reports, widespread consultation and expert advice. The Brief will be a material consideration in considering any development proposal which comes to application stage.”

(viii) The following question was asked by Mr P Double:

“St John's Road site report does not say how big large scale retail could be. Whilst this remains an option what does the Council consider to be the maximum acceptable size?”

The Portfolio Holder for Asset Management & Economic Development gave the following response:

“The appropriateness of the size and scale of any retail or any other type of development would be the subject of a specific planning application. The Council would not fetter its discretion at this stage of the process.”

(ix) The following question was asked by Mr P Double:

“Will Epping Forest District Council compensate for any impact of development on house values in adjacent streets to the St John's Road site?”

The Portfolio Holder for Asset Management & Economic Development gave the following response:

“The questions implies that development will adversely impact on adjacent house prices. The requirements of the Brief for quality development in keeping with the historic character of the area does not support this assumption. Of course any planning application will be open to comment from those adjacent in the normal manner.”

(x) The following question was asked by Mr C Geddes:

“Epping Forest District Council stated in its consultation documents that leisure use on the St John's Road site was unviable. Was a feasibility study undertaken to support that assertion, given that a feasibility study into leisure use on the site has only just been commissioned?”

The Portfolio Holder for Asset Management & Economic Development gave the following response:

“Financial viability advice was taken from property consultants CBRE in relation to the options consulted upon. The Leader of Council has asked for a further piece of work to be undertaken to establish whether a replacement facility for Hemnall Street could be accommodated on the Town Council site.

The piece of viability work will now be looking at different options and an update on this work will be given as part of Steve Walker's presentation later on.”

(xi) The following question was asked by Ms S Allison:

“Will Epping Forest District Council give assurances that, in connection with the development proposals and access for the St John's Road site, the "green" character of the entry to Epping from the south will be maintained and, in particular, that no mature trees will be affected, removed or destroyed by hard paving?”

The Portfolio Holder for Asset Management & Economic Development gave the following response:

“Throughout the development of the Brief the character of the St John's area has been recognised. The Brief specifically deals with the role of trees, planting and landscaping at page 32 (page 40) of the agenda.

Trees play an important role in the character of Epping, both in terms of its wider setting, but also in the character of the immediate area with the row of mature plane trees along the High Street. This makes a significant contribution to the character of the area and should be given due consideration and protection.

Further on, when referring to access from the High Street and a potential new junction the Brief highlights that care will be required to ensure that the junction and the visibility splays do not affect the existing mature trees.

The "green" character of the entry to Epping from the south is an intrinsic part of the Brief.”

(xii) The following question was asked by Ms S Allison:

“Does Epping Forest District Council agree that the St John's Road site is of such significance to the character and future of the town that a full Environmental Impact Assessment should be conducted and made available for consultation as part of any future planning process for the site?”

The Portfolio Holder for Asset Management & Economic Development gave the following response:

"The process of preparing the brief has had regard to many factors which would be relevant to an Environmental Impact Assessment (EIA), but the Brief has not attempted to undertake an EIA for all of the options or possibilities which have been considered.

In due course any specific proposal put forward, would also have to be considered from an EIA perspective, and whether it required such a formal assessment if the nature and scale of the proposal would have significant environmental effects."

36. OVERVIEW AND SCRUTINY

In the absence of the Chairman and Vice-Chairman of the Overview & Scrutiny Committee, the Chairman of the Constitution & Member Services Scrutiny Panel reported that the following items of business had been considered at the meeting of the Overview & Scrutiny Committee held on 4 September 2012:

- (a) a presentation from the Superintendent of Epping Forest on the management and future development of the Forest and its facilities;
- (b) the establishment of a new Task & Finish Panel to review the Council's Licensing procedures; and
- (c) three reports from the Constitution & Member Services Scrutiny Panel:
 - (i) alterations to the terms of reference for the Audit & Governance Committee;
 - (ii) the limits of jurisdiction of the Members Complaints Panel; and
 - (iii) the operation of substitutions at meetings.

The Cabinet's agenda was reviewed but there were no specific issues identified on any of the items being considered, although the Committee welcomed the progress made to not site the Waste Management Depot at North Weald Airfield.

37. DEVELOPMENT AND DESIGN BRIEF - ST JOHN'S ROAD AREA, EPPING

The Portfolio Holder for Asset Management & Economic Development presented a report concerning the Development & Design Brief for the St John's Road area in Epping.

The Portfolio Holder stated that the Council, together with Essex County Council, had commissioned Allied Morrison Urban Practitioners to produce a Development and Design Brief for an area of St John's Road which was predominantly in public ownership. The draft report, which was presented for Cabinet approval and recommendation, was the culmination of initial stakeholder workshops, Project Board meetings, a traffic impact study, an area specific retail study, planning policies, financial appraisals and an extensive consultation process with local residents.

The Cabinet received a presentation on the Development & Design Brief from Allies Morrison Urban Practitioners. The presentation was comprised of the following sections:

- The Project;
- Work So Far;
- Public Consultation;
- Consultation Responses;
- Principles of the Brief;
- Key Components; and
- Conclusions.

The Environment Portfolio Holder, who was also a local ward member for Epping, stated that the Brief offered a unique opportunity for Epping. The concerns of the local residents had been incorporated in the Brief and Leisure uses in the area would be fully considered. The concept of the 'pocket park' was welcomed but the Portfolio Holder did not favour the provision of a Hotel, or the demolition of the carpet shop. It was a good, positive document that was good for the town of Epping.

A query was raised about the ownership of the land that the school was built on, and whether this issue had been broached with the County Council. The Director of Corporate Support Services responded that the County Council had taken legal advice and were happy with their position. The Director added that no formal comments had been received from the County Council regarding the Brief, and that their position concerning the need to raise a capital receipt from the site had been maintained. No formal comments had been received from the Town Council, only comments from individual Town Councillors. Although this Council only owned 16% of the land in question, it was accepted that the District Council had a role in planning for the future development of the area.

When asked about the effect of the Brief on the new Local Plan, the Planning Portfolio Holder replied that the Brief would need to be compared very carefully with the prospective Local Plan, but the Brief would be material evidence for the Local Plan. The Leader stated that the Director of Planning & Economic Development would give a full written answer to the member in due course. However, the Portfolio Holder for Asset Management & Economic Development acknowledged that there was a potential conflict between the Brief and the Local Plan. No decision had yet been made about the approach to be taken to planning applications, whether they would be made in a coordinated fashion or piecemeal; it was felt that there would probably be a number of individual applications made for the area.

The consultant from Allies Morrison Urban Practitioners stated that, with three public sector landowners and a number of other private landowners in the area, this was an ideal opportunity for the public sector landowners to act together to redevelop the area. The Brief, when agreed, would be a material consideration in planning terms for any applications received for that part of Epping. A District Councillor, who was also a Town Councillor, stated that the Town Hall in Epping was not fit for purpose but no decision had yet been made by the Town Council to vacate the premises. The Portfolio Holder for Asset Management & Economic Development concluded that this was a good opportunity to enhance the area of St John's Road for the benefit of local residents and Epping.

Decision:

- (1) That the content and results of the consultation exercise, and its impact on the Brief, be noted;
- (2) That the Development and Design Brief prepared by Allies Morrison Urban Practitioners be agreed;

- (3) That the Portfolio Holder be authorised to make any drafting changes and to present the final Brief to the Council on 27 September 2012;
- (4) That the additional feasibility study in relation to the leisure use of Epping Hall be noted; and
- (5) That the Development and Design Brief be recommended to the Council for approval at its meeting on 27 September 2012.

Reasons for Decision:

To redevelop the area of St John's Road in Epping for the benefit of both local residents and the wider town.

To comply with the original decision of the Cabinet in March 2008 to redevelop the area.

Other Options Considered and Rejected:

To acknowledge the work undertaken to date but not proceed to agree a Brief. However, this may lead to criticism for wasting time and resources from not only the public but also fellow landowners.

To ask for further work or studies to be undertaken subject to timescales and costs being agreed.

38. HOUSING STRATEGY - KEY ACTION PLAN 2012/13

On behalf of the Chairman of the Housing Scrutiny Panel, who was unable to attend the meeting, the Director of Housing presented the Scrutiny Panel's report on the Housing Strategy Key Action Plan for 2012/13.

The Director of Housing reported that, in accordance with its Terms of Reference, and following a detailed report from the Director, the Housing Scrutiny Panel had considered, and recommended for adoption, a Housing Strategy Key Action Plan for 2012/13, which had been attached as an Appendix to the report. This had followed the previous Housing Portfolio Holder's decision, on the Scrutiny Panel's recommendation, that the production of the next Housing Strategy should be deferred for one year, and produced in 2013/14. The Scrutiny Panel had also considered in detail a 12-Month Progress Report on last year's Key Action Plan, on which feedback had been provided to the Housing Portfolio Holder and the Director of Housing, and which had informed the new Key Action Plan for 2012/13 that was being recommended to the Cabinet. In answer to a question about Action Point 17, the Director of Housing stated that funding was available from the Homes & Communities Agency for housing associations to bid for, and it was hoped that some funding would be obtained for developments within the District.

Decision:

- (1) That the proposed Housing Strategy Key Action Plan for 2012/13, as recommended by the Housing Scrutiny Panel and attached as an Appendix to the report, be adopted.

Reasons for Decision:

The previous Housing Portfolio Holder had agreed the Scrutiny Panel's

recommendation that the production of the next Housing Strategy should be deferred for one year. The Housing Strategy 2009-2012 included a Key Action Plan, which the Cabinet had agreed should be updated each year, for the duration of the Housing Strategy.

Other Options Considered and Rejected:

- (i) To not agree the latest Key Action Plan; or
- (ii) to propose different actions.

39. ICT CAPITAL REQUIREMENTS

The Portfolio Holder for Finance & Technology presented a report on the capital requirements for Information & Communications Technology (ICT) projects in 2013/14.

The Portfolio Holder stated that, historically, ICT were allocated £300,000 per annum in the Capital programme for the updating and maintenance of the core technical infrastructure. Following the revision of the Capital programme, this allocation had been removed and now all proposed ICT projects were considered on an annual basis. Two projects had been identified for 2013/14 and the estimated project costs were:

- (i) Upgrading of the Telephony System £210,000; and
- (ii) Expansion of the Storage Area Network £20,000.

In respect of the upgrading of the Telephony System, the Assistant Director (ICT) clarified that the installation of three new telephony switches was anticipated, and the telephony would accept outside calls made on land lines as calls were only routed through the internet internally within the building. For the expansion of the Storage Area Network, the Portfolio Holder confirmed that the Council was looking for the best possible value for the upgrade, and that a measured approach whereby the Council would buy additional space when required was the best way to achieve this.

Decision:

- (1) That the proposed ICT projects to upgrade the Telephony System and expand the Storage Area Network be scheduled for the financial year 2013/14; and
- (2) That a sum of £230,000 be included in the Capital programme for 2013/14 to progress these ICT projects:
 - (a) Upgrading of the Telephony System (£210,000); and
 - (b) Expansion of the Storage Area Network (£20,000).

Reasons for Decision:

The projects were necessary to maintain the current ICT infrastructure, improve business continuity within the Council and allow staff to fully utilise the benefits available from ICT systems. The ability to take and make telephone calls was absolutely essential and a failure to upgrade the current system would put this functionality at risk.

Other Options Considered and Rejected:

To not approve one or more of the proposed projects, however this could impact on the reliability of the ICT infrastructure and the Council would be vulnerable in the event of a Disaster Recovery situation.

40. LANGSTON ROAD RETAIL PARK - PLANNING FEES

The Portfolio Holder for Asset Management & Economic Development presented a report about the Council paying 50% of the additional fees incurred for the planning application for a new retail park at Langston Road in Loughton.

The Portfolio Holder reported that the Council had agreed in July 2010 to enter into negotiations with Polofind Ltd to jointly develop a retail park at Langston Road in Loughton. Planning approval was given in February 2012, subject to a Section 106 agreement which was completed in July 2012. The Council also entered into an agreement with Polofind Ltd to pay half of the total fees and disbursements incurred for the planning application, and had already paid £79,455 so far. However, the planning process had taken longer than expected and had incurred additional fees. Therefore, the Council now owed Polofind Ltd a further £44,000 + VAT, as part of the agreement.

The Director for Finance & ICT added that the Council could claim VAT back from Her Majesty's Revenue & Customs, therefore the supplementary estimate was for £44,000, not £52,800 as quoted in the report.

Decision:

(1) That, in order to pay the Council's 50% share of additional fees relating to the planning application for a new retail park at Langston Road, a supplementary District Development Fund estimate in the sum of £44,000 be recommended to the Council for approval.

Reasons for Decision:

To comply with the agreement previously entered into with Polofind Ltd.

Other Options Considered and Rejected:

To break the agreement entered into with Polofind Ltd, however this would jeopardise the viability of the whole project.

41. NATIONAL NON DOMESTIC RATES - DEBT RECOVERY BUDGET

The Portfolio Holder for Finance & Technology presented a report regarding the Debt Recovery Budget in 2013/14 for National Non Domestic Rates.

The Portfolio Holder reported that 50% of the Non-Domestic Rates (NDR) income collected by the Council was to be retained locally from 1 April 2013 and therefore the effective management of NDR accounts would increase in significance to the financial position of the authority. Some NDR debts were uncollectable and with an on-going liability the arrears position would worsen. The proposal was to create a fund from which insolvency action could be taken against these companies and individuals to finalise the accrual of the debt and allow occupiers to take up the premises who would meet their rating liability.

The Portfolio Holder added that the debtor would be expected to keep up to date with the current year's liability whilst also paying off the outstanding debt. It was also confirmed that the Council would only take enforcement action as a last resort, if all other measures failed. The Cabinet debated whether the decision to take enforcement action should be an Officer or Portfolio Holder decision. The Director of Finance & ICT felt that the decision would be a operational matter and could be left to Officers, and it was highlighted that Portfolio Holder decisions had to be published on the Council's website as well as subject to call-in. The Cabinet agreed that the decision should be an Officer one, but in consultation with the Portfolio Holder.

Decision:

- (1) That research be continued on appropriate enforcement methods to protect the Council's financial position, including consulting with the Finance & Technology Portfolio Holder in any decision to instigate insolvency proceedings for Non-Domestic Rate debts against an individual or company;
- (2) That any underspends on salaries in the Revenues section of the Finance & ICT Directorate in 2012/13 be used for the purposes of debt recovery; and
- (3) That £25,000 be included as a Continuing Services Budget growth item for 2013/14 for insolvency action to be taken against certain Non-Domestic Rates debts.

Reasons For Decision:

To assist in the efficient management of NDR accounts with the aim of increasing collection rates to the authority.

Other Options Considered and Rejected:

To take no insolvency action against these companies and individuals and allow the debts to accrue.

42. JOB EVALUATION

The Portfolio Holder for Support Services presented a report about the review of the Job Evaluation Maintenance Policy.

The Portfolio Holder reminded the Cabinet that Job Evaluation was implemented by the Council in 2003 as part of the nationally agreed Single Status Agreement. Since 2003 the Policy had stated that an employee had the right of appeal to an officer/trade union Appeal Panel and that the decision of the Appeals Panel was final within the Council. However, the Council's Constitution continued to include re-grading matters within the Terms of Reference for the Member Staff Appeals Panel. Four posts, involving 7 members of staff (1 post was a benchmark post which covered 4 employees), had appealed under these terms, which had now been heard and concluded.

The Portfolio Holder reported that concerns had been raised by Unison's Regional Officer on the implementation of the Policy, and specifically the Appeals Procedure. As a result both Unison and GMB representatives had withdrawn their support from the Job Evaluation process until matters were clarified. The Staff Appeals Panel had indicated to the Acting Chief Executive that it did not wish to consider job evaluation matters. If it was decided to reflect their wishes then the Constitution would need to be amended accordingly. This would be a matter for consideration by the Constitution and Members Services Scrutiny Standing Panel.

The Portfolio Holder added that the Council had recently obtained legal advice regarding its redundancy procedure and in relation to Chief Officers and the Constitution. It had asked for further advice in this area and Management Board had decided that they would request legal advice on the Terms of Reference for the Staff Appeals Panel regarding Job Evaluation at the same time. The Director of Corporate Support Services informed the Cabinet that Counsel's opinion had now been received, and this had favoured the retention of grievances as well as dismissals for consideration by the member Staff Appeals Panel.

The Portfolio Holder for Planning reported that the Union representatives had been content with the revised terms of reference for the Staff Appeals Panel when the issue had been considered by the Joint Consultative Committee. It was felt that the Council's management was better placed to deal with disciplinary matters and the Staff Appeals Panel should only consider dismissals.

Decision:

- (1) That the amendments to the Job Evaluation Maintenance Policy and associated documents, as recommended by the Joint Consultative Committee and set out in the Appendices of the report, be agreed;
- (2) That the Terms of Reference for the Staff Appeals Panel be referred to the Constitution & Member Services Scrutiny Standing Panel for amendment; and
- (3) That the Chairman of the Constitution & Member Services Scrutiny Panel be requested to extend invitations to the trade unions and the Chairman of the Staff Appeals Panel to attend the meeting of the Scrutiny Panel when the Terms of Reference for the Staff Appeals Panel was considered.

Reasons for Decision:

The Policy would clarify the Job Evaluation Maintenance Policy and associated documents and reflect the Council's current structure. The Terms of Reference for the Staff Appeals Panel was at odds with the Council's Policy. Agreement was required as to how the Job Evaluation Maintenance Policy - Appeals Procedure would operate in the future.

Other Options Considered and Rejected:

To not agree the amendments to Policy and allow the current status quo to continue, or substitute it with another approach.

43. RELOCATION OF WASTE MANAGEMENT DEPOT TO NORTH WEALD AIRFIELD

The Portfolio Holder for Asset Management & Economic Development presented a report about the possible relocation of the Council's Waste Management Depot to North Weald Airfield.

The Portfolio Holder reported that, as proposals for the redevelopment of the Langston Road depot site progressed, it was necessary to consider how best to provide this facility at an alternative location. It had previously been considered that land within the North Weald Airfield boundary could be suitable, but it was now suggested that, due to the possible implications for the future uses of the Airfield, the complications surrounding a covenant and technical considerations, the proposal to

relocate the depot to the Airfield should be abandoned. This report was considered by the North Weald Airfield and Asset Management Cabinet Committee at its meeting on 5 September 2012, and they supported the proposal, with the proviso that local ward members for any future potential location should be informed and involved at the earliest possible opportunity.

The Director of Environment & Street Scene added that the new Waste Management Contract was due to be let in November 2014, and therefore a new location realistically had to be found and agreed upon by early 2014. It was not inconceivable that the depot could be both outside the District, or even outside the County. However, it was recognised that the most cost effective option would be for the Council to retain ownership of any new depot facility.

Decision:

- (1) That the current waste management depot located at Langston Road not be relocated to land at North Weald Airfield;
- (2) That alternative locations be investigated alongside other contractual options for future depot re-provision; and
- (3) That the comments of the North Weald Airfield and Asset Management Cabinet Committee, including the early involvement of Ward Members for possible new sites, be noted.

Reasons for Decision:

To enable strategic decisions to be made around the future uses of North Weald Airfield without the complications that the presence of a waste management depot would bring.

Other Options Considered and Rejected:

None, other than to retain North Weald Airfield as a possible location for the re-provision of a waste management depot.

44. ERNST & YOUNG REVIEW OF THE HALCROW REPORT

The Portfolio Holder for Asset Management & Economic Development presented a report on the review of the Halcrow report regarding aviation intensification at North Weald Airfield by Ernst & Young.

The Portfolio Holder reminded the Cabinet that Halcrow had been appointed by the Council in 2010 to undertake a review of aviation intensification at the Airfield, with consideration given to any supporting infrastructure that might be required. Halcrow had reported to the North Weald Airfield & Asset Management Cabinet Committee and then to the Cabinet in March and April 2011. Subsequent to that time, no further activity had been undertaken, due in significant part to the inter-relationship between development at the Airfield and other estate management issues such as the redevelopment of the Langston Road depot site. In mid 2011, following funding from Improvement East, Ernst and Young (E&Y) were appointed to undertake an overview of the present situation, including the comments and recommendations of the Halcrow report and to recommend to the Council how it should best proceed, taking into consideration both aviation and non-aviation developments at the Airfield. A final version of their report was received towards the end of 2011.

This report was considered by the North Weald Airfield and Asset Management Cabinet Committee at its meeting on 5 September 2012. The Cabinet Committee recommended that Work Packages 1 and 2 should be progressed, with work package 1 to include consultation with local residents. Consultants should also be appointed to advise the Council on the future potential development of the Airfield, at an estimated cost of £150,000. Finally, the Cabinet Committee felt that the minimum terms for leases at the Airfield should be extended to April 2015. In view of the need to align consideration of the future of the Airfield with the ongoing review of the Local Plan, The Cabinet was advised that early consideration was now required in respect of seeking consultancy advice on the future development options for the Airfield.

The Portfolio Holder added that it was accepted at the Cabinet Committee meeting that the lack of public consultation over the proposals was an omission by Ernst & Young and that it was vital to include it within work package 1. It was generally agreed by the Cabinet Committee that, as a major asset of the Council, the future development of the Airfield should now be progressed. There was an issue over integrating the proposed consultation with the Local Plan process, but it was important to start the process now.

It was queried whether the consultation process for the future of North Weald Airfield would be District-wide through the Local Plan process as there would be a risk that the Council's Local Plan would be found unsound otherwise. The Planning Portfolio Holder agreed that it was a balancing act but that any sensible suggestions from the consultation could form part of the Local Plan. It highlighted to the Cabinet that there was a potential serious risk of the Council's Local Plan being found unsound by having documents going in several different directions at once. The situation with St John's road in Epping was slightly different as the consultation had already been undertaken and the information gleaned had been feed into the Local Plan process. The Acting Chief Executive pointed out that the Issues & Options Consultation document for the Local Plan had a separate section for North Weald Airfield; previous consultations over the Airfield had had District-wide elements and the Cabinet was reassured that this consultation would be no different. The Leader stated that the Director of Planning & Economic Development would provide a written response to Members before the Council meeting scheduled for 27 September 2012.

Decision:

- (1) That the Ernst and Young overview of North Weald Airfield be noted;
- (2) That the comments of the North Weald Airfield & Asset Management Cabinet Committee be noted, including the extension of the minimum terms for leases at the Airfield to April 2015;
- (3) That work package 1 and 2, recommended by Ernst & Young, be agreed for implementation, with work package 1 to include consultation with local residents;
- (4) That the appointment of consultants to advise on the future potential development of the Airfield be agreed;
- (5) That a supplementary District Development Fund estimate in the sum of £150,000 be recommended to the Council for approval, to enable the consultancy exercise to be undertaken; and
- (6) That the use of the Government Procurement Service Framework Agreement, or similar suitable framework, for the appointment of consultants be approved.

Reasons for Decision:

To consider what the next steps might be in defining potential development options for North Weald Airfield, taking into consideration the views of the North Weald Airfield and Asset Management Cabinet Committee and aligning those steps with the ongoing review of the Local Plan.

Other Options Considered and Rejected:

The only alternative option was not to consider the report at this stage, which would delay any further consideration of the future development options for the Airfield and might possibly prejudice the validity of the Local Plan at the inquiry stage.

45. ANY OTHER BUSINESS

It was noted that there was no other urgent business for consideration by the Cabinet.

CHAIRMAN