

EPPING FOREST DISTRICT COUNCIL CABINET MINUTES

Committee: Cabinet **Date:** 1 September 2016

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.00 - 7.50 pm

Members Present: C Whitbread (Chairman), W Breare-Hall, A Grigg, H Kane, A Lion, J Philip, G Mohindra and G Waller

Other Councillors: R Baldwin, J Jennings, S Kane, J Lea, A Mitchell, D Stallan, J H Whitehouse, J M Whitehouse and D Wixley

Apologies: S Stavrou and R Bassett

Officers Present: G Chipp (Chief Executive), D Macnab (Deputy Chief Executive and Director of Neighbourhoods), C O'Boyle (Director of Governance), R Palmer (Director of Resources), D Bailey (Head of Transformation), S G Hill (Assistant Director (Governance & Performance Management)), E A Ainslie (Environmental Co-Ordinator), G. Nicholas (National Management Trainee), S Kits (Social Media and Customer Services Officer), G J Woodhall (Senior Democratic Services Officer) and A Rose (Marketing & Digital Content Officer)

36. WEBCASTING INTRODUCTION

The Leader of Council 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.

37. DECLARATIONS OF INTEREST

There were no declarations of interest pursuant to the Council's Member Code of Conduct.

38. MINUTES

Decision:

(1) That the minutes of the meeting held on 21 July 2016 be taken as read and signed by the Leader of Council as a correct record.

39. REPORTS OF PORTFOLIO HOLDERS

There were no verbal reports from Portfolio Holders on current issues concerning their areas of responsibility.

40. PUBLIC QUESTIONS

There were no questions received from the public for the Cabinet to consider.

41. OVERVIEW AND SCRUTINY

The Cabinet noted that there was nothing to report by the Chairman of the Overview & Scrutiny Committee, as the Committee had not met since the last meeting of the Cabinet on 21 July 2016.

42. ASSET MANAGEMENT AND ECONOMIC DEVELOPMENT CABINET COMMITTEE - 30 JUNE 2016

The Portfolio Holder for Asset Management & Economic Development presented the minutes of the meeting of the Asset Management & Economic Development Cabinet Committee, held on 30 June 2016.

The Cabinet Committee had made a recommendation to the Cabinet concerning the award of the construction contract for the Epping Forest Shopping Park to McLaughlin & Harvey; however, this had been the subject of a separate report to the last meeting of the Cabinet and had already been agreed. Other issues considered by the Cabinet Committee included: a progress report by the Economic Development Team; a progress report by the Asset Management Co-Ordination Group; and a progress report on the Epping Forest Shopping Park.

Decision:

(1) That the minutes of the meeting of the Asset Management & Economic Development Cabinet Committee, held on 30 June 2016, be noted.

Reasons for Decision:

The Cabinet was satisfied that the Cabinet Committee had fully addressed all the relevant issues.

Other Options Considered and Rejected:

The Cabinet was satisfied that the Cabinet Committee had considered all the relevant options and that there were no further options to consider.

43. FINANCE AND PERFORMANCE MANAGEMENT CABINET COMMITTEE - 14 JULY 2016

The Finance Portfolio Holder presented the minutes of the meeting of the Finance & Performance Management Cabinet Committee, held on 14 July 2016.

The Cabinet Committee had made recommendations to the Cabinet concerning the Financial Issues Paper. There were no other issues considered by the Cabinet Committee.

Decision:Financial Issues Paper

(1) That the establishment of a new budgetary framework, outlining the budget guidelines for 2017/18 be set, with the following elements:

- (a) the ceiling for Continuing Services Budget net expenditure to be no more than £13.107million including net growth;

- (b) the ceiling for District Development Fund expenditure to be no more than £259,000;
 - (c) balances continue to be aligned to the Council's net budget requirement and be allowed to fall no lower than 25% of the net budget requirement; and
 - (d) the District Council Tax not be increased with the charge for a Band 'D' property remaining at £148.77 per annum;
- (2) That a revised Medium Term Financial Strategy for the period to 2019/20 be developed accordingly;
- (3) That communication of the revised Medium Term Financial Strategy to staff, partners and other stakeholders be undertaken;
- (4) That the reductions for the Parish support grants in equal stages to achieve complete removal by 2019/10 be taken forward; and
- (5) That the Government's offer of a four-year funding settlement be taken forward.

Reasons for Decision:

The Cabinet was satisfied that the Cabinet Committee had fully addressed all the relevant issues.

Other Options Considered and Rejected:

The Cabinet was satisfied that the Cabinet Committee had considered all the relevant options and that there were no further options to consider.

44. EQUALITY POLICY 2016

The Leader of Council presented a report on the Equality Policy 2016, in the absence of the Portfolio Holder for Governance & Development Management who had tendered his apologies for the meeting.

The Leader reported that the Equality Act 2010 placed a number of duties upon the Council including the Public Sector Equality Duty (PSED). This was a wide ranging duty and proactive requirement to integrate consideration of equality and good relations into the day-to-day business of public authorities. Consideration of how a function could affect different groups in different ways could lead to the function having the intended effect and lead to greater equality and better outcomes. It required equality considerations to be reflected in the design of policies and the delivery of services, including internal policies, and for these to be kept under review.

The Leader stated that the Council had arrangements in place to deliver the work required and ensure its equality responsibilities were met. This work was supported by an Equality Framework which included an Equality Policy. The current policy was agreed in 2011 and considerable progress had been achieved since then, but the policy needed updating to reflect our current position and arrangements for the delivery of our equality work.

In response to questions from the Members present, the Assistant Director of Governance (Governance & Performance Management) stated that the Council had

no intention to remove services or methods of communication from the public, but was looking to enhance existing services and channels as part of the Customer Contact project within the Transformation Programme.

Decision:

(1) That the Council's Equality Policy 2016 be recommended to the Council for adoption.

Reasons for Decision:

The Council was responsible for the development and coordination of an approach to its statutory equality duties, and their delivery. The adoption of a policy provided good evidence of proactive or forward-thinking management in relation to our equality work and provided guidance for staff.

Other Options Considered and Rejected:

To not have a policy; however this would reduce clarity and structure regarding the Council's equality work.

45. DRAFT LOCAL PLAN CONSULTATION STRATEGY

The Portfolio Holder for Planning Policy presented a report on the draft Local Plan Consultation Strategy.

The Portfolio Holder reported that this report sought agreement for the Consultation Strategy for the forthcoming Regulation 18 consultation on the Draft Local Plan scheduled for 31 October 2016 to 12 December 2016. Following the Local Plan Issues and Options consultation, the Council had reviewed the methodologies used and the comments received. In deciding the best consultation approaches for the Draft Local Plan, lessons learned and previously used and useful engagement practices were considered. Members had requested that a Public Relations consultancy (Remarkable consultants) be commissioned to offer specialist support and to review the Council's engagement methods to date, the adopted Local Plan Consultation Strategy, and Statement of Community Involvement (SCI). The outcome of the review had resulted in the proposed Draft Local Plan Consultation Strategy submitted for approval, to guide the approach to be taken for the upcoming statutory consultation.

In response to questions from the Members present, the Portfolio Holder stated that the number of staffed exhibitions around the District had been reduced from the number that were previously held for the 'Issues and Options' consultation to align more closely with the proposed development. The Portfolio Holder was not minded to hold additional exhibitions in the Debden area as there would be sufficient time for residents of Debden to visit the planned static information display at Loughton Library from 31 October to 12 December as well as the staffed exhibition in Loughton scheduled for 7 November 2016. The Director of Neighbourhoods added that the staffed exhibition in Chigwell had been moved from the Parish Council Offices as this venue was considered too small for the likely attendance. The Portfolio Holder also confirmed that the dates listed in the draft Strategy for the exhibitions had been finalised.

The Portfolio Holder reassured the Cabinet that, although the layout had not yet been finalised, there would be scope for respondents to make additional comments on the web forms for the Consultation, as the Council would want as much feedback as

possible from residents. To artificially restrict the information gathered would not be beneficial for either the Council or the draft Local Plan. It was confirmed that the Member Toolbox would be distributed electronically initially on 7 October 2016, with printed copies distributed to Members after the Council meeting on 18 October 2016. The information leaflets to be distributed to households within the District could also be distributed to local businesses to give as much publicity as possible for the Consultation.

The Cabinet welcomed the draft Strategy presented by the Portfolio Holder, and felt that the Council was much better prepared than it had been for the 'Issues and Options' stage. The Portfolio Holder stated that lessons from the 'Issues and Options' consultation had been incorporated and the Consultation was being publicised on social media in order to widen the reach of the publicity.

Decision:

(1) That the Consultation Strategy for the draft Local Plan, as set out in Appendix 1 of the report, be agreed.

Reasons for Decision:

The Council was required to follow the engagement methods outlined in the Statement of Community Involvement adopted in 2013. In addition, and in order to ensure that the consultation for the Draft Plan was successful, consultants had been commissioned to update the Council's Consultation Strategy ensuring that it was in line with the Statement of Community Involvement, the Council's adopted Local Plan Consultation Strategy and took account of the lessons learnt from previous engagement exercises.

Other Options Considered and Rejected:

To not approve the Draft Local Plan Consultation Strategy; however, this could lead to the draft Local Plan being found to be 'unsound' at the Examination in Public.

46. TRANSFORMATION PROGRAMME - MONITORING REPORT JUNE/JULY 2016

The Leader of Council presented a report highlighting the progress with the Transformation Programme during June and July 2016.

The Leader stated that regular monitoring reports on the progress of the Transformation Programme would be presented to the Cabinet, and this was the report for June and July 2016. It was anticipated that the format of the report would evolve over time in order to remain an effective tool for highlighting progress, slippage and remedial actions being undertaken. This particular report included progress for all chartered projects, as well as progress on key aspects of the Transformation Programme, and also highlighted the level of resources involved in the Programme.

The Leader reported that, overall, progress indicators for 'cost', 'delivery / outcomes / outputs' and 'benefits' remained 'Green'. The status indicator for 'time' was reported as 'Amber' to highlight that 33 actions (from a total of 294) were overdue, but Project and Programme Managers had actions in place to deal with any potential negative effects. Progress would be kept under review and it was anticipated that the status of the majority of these items would return to Green in the next report.

The Finance Portfolio Holder highlighted that there had been no cost implications arising from the Programme so far, and the Leader undertook to report back to Members as to why the annual review report to the Communities Select Committee for the Limes Farm Centre had been delayed for six months to March 2017, as the Housing Portfolio Holder had tendered her apologies for the meeting and was not in attendance.

Decision:

(1) That the progress of the projects within the Transformation Programme for June and July 2016, alongside the planned actions for August 2016, be noted.

Reasons for Decision:

To inform the Cabinet of progress with the Transformation Programme, including work streams, programmes and projects.

Other Options Considered and Rejected:

None, as failure to monitor and review the progress of the Transformation Programme and to consider corrective action where necessary, could have negative implications for the Council's reputation, and might mean the opportunities for improvement were lost.

47. ENVIRONMENTAL CHARTER AND OBJECTIVES

The Portfolio Holder for Safer, Greener & Transport presented a report on the Environmental Charter and Objectives.

The Portfolio Holder reported that climate change was one of the most dangerous threats the world was facing today and there was little doubt that human activity was the primary driver of the observed changes in climate. In recognition of this, the Council had become a signatory to the Nottingham Declaration in 2007. The Climate Change Strategy was published in 2009 in order to demonstrate how the commitments of the Declaration would be met, and now required updating. The Nottingham Declaration had now essentially been replaced by the Climate Local Agreement and Framework. This was developed by the Local Government Association as a mechanism that local authorities could use to identify, and make a public statement of their commitment to, appropriate climate change initiatives. It was therefore considered appropriate that the Council had its own Environmental Charter based on the Climate Local Framework, to be signed by the Leader of Council and Chief Executive on behalf of the Council, and the associated Commitments and Actions framework to demonstrate how the Council would fulfil its obligations under the Charter.

The Portfolio Holder announced that, in recent developments, the Council had reduced its carbon footprint by 331 tonnes, which equated to a 9% reduction, was installing energy efficient windows in Council properties, and had engaged a company to monitor and reduce the Council's electricity usage. It was also intended to install electric car charging points in the Council-owned car parks. The Environment Portfolio Holder reminded the Cabinet that recycling was also part of this process, and encouraged all Portfolio Holders to embrace this initiative.

The Portfolio Holder for Technology & Support Services highlighted that L.E.D. lighting had been installed throughout the Civic Offices, alongside sensors which turned the lights off if there was no movement in a particular room for a period of

time. The Council's Environmental Co-Ordinator added that the Superintendents turned off all lights and shut all windows in the evening as well, and all staff were encouraged to switch off lights and computer monitors when they had finished using them.

It was highlighted that the Commitments and Actions framework was a little too general with no targets or goals currently included, and that the Environmental Charter should be incorporated in the policies of the forthcoming Local Plan. The Portfolio Holder for Safer, Greener & Transport emphasised that progress with the Commitments and Actions framework would be regularly reported on, while the Environment Portfolio Holder added that the Council worked to a range of Key Performance Indicators for Recycling which was also regularly reported to the Environment Select Committee. The Portfolio Holder for Planning Policy reassured the Cabinet that factors such as the Environmental Charter would be considered and included in the final Local Plan.

Decision:

- (1) That the Environmental Charter, attached at Appendix 1 of the report, and the associated Commitments and Actions, attached at Appendix 2 of the report, be endorsed; and
- (2) That the Environmental Charter be approved for signature by the Leader of Council and the Chief Executive on behalf of the Council.

Reasons For Decision:

The Council's commitment to environmental issues had been outlined in the Climate Change Strategy, which was now out of date and required revision. The Charter and associated documents had been developed in accordance with the express wish of the Neighbourhoods and Communities Select Committee on 11 November 2015.

Other Options Considered and Rejected:

The Council had discounted the option of not having an environmental policy in place as, being a significant local employer and a provider of services, it could be criticised for not demonstrating its commitment to the 'green agenda' particularly in a time of transformation.

48. CORPORATE PLAN - KEY ACTION PLAN 2017/18

The Leader of Council presented a report on the Key Action Plan for 2017/18, which would form part of the Corporate Plan 2015-20.

The Leader reminded the Cabinet that the Corporate Plan was the Council's key strategic planning document, setting out the priorities over the five-year period from 2015/16 to 2019/20. The priorities or Corporate Aims were supported by Key Objectives, which provided a clear statement of the Council's overall intentions for these five years. The Key Objectives were delivered by an annual Action Plan, with each year building upon the progress against the achievement of the Key Objectives for previous years. The annual Action Plans contained a range of measures designed to achieve specific outcomes and were working documents. As such, the Action Plans were subject to change and development to ensure the actions remained relevant and appropriate, and to identify opportunities to secure further progress or improvement. Therefore, it had been proposed that the Leader should be authorised to agree any further changes, in consultation with the Chief Executive. Progress in

relation to individual actions and deliverables was reviewed by the Cabinet and the Overview and Scrutiny Committee on a quarterly and annual basis.

The Finance Portfolio Holder confirmed that the action to implement the sale of “higher value” empty Council properties to pay the Government’s annual levy and meet the requirements of the Housing and Planning Act 2016 ((i)(a)2), was the Council’s current understanding of future Government requirements.

Decision:

(1) That the Corporate Plan Key Action Plan for 2017/18 be recommended to the Council for approval; and

(2) That the Leader of Council, in consultation with the Chief Executive, be authorised to agree any further changes to the Action Plan following its approval by the Council.

Reasons for Decision:

The annual adoption of an Action Plan in a timely way supported the delivery of the Council’s Key Objectives and informed the budget setting process.

Other Options Considered and Rejected:

To not adopt an annual Action Plan, although this might mean that the potential to make progress was not identified and taken forward, and that opportunities for improvement were lost.

49. ANY OTHER BUSINESS

Decision:

(1) That, as agreed by the Leader of Council and in accordance with Section 100B(4)(b) of the Local Government Act 1972, the following items of urgent business be considered following the publication of the agenda:

(a) Car Parking and Affordable Housing Plan – Vere Road, Loughton.

50. CAR PARKING AND AFFORDABLE HOUSING PLAN - VERE ROAD, LOUGHTON

The Portfolio Holder for Asset Management & Economic Development presented a report for a car parking and affordable housing plan at Vere Road in Loughton.

The Portfolio Holder reported that the Asset Management & Economic Development Cabinet Committee had previously considered and adopted the Broadway Regeneration Action Plan, which set out a “road map” for the planned approach to the development of the various sites in The Broadway area of Loughton. There were five different areas of Council-owned land in Vere Road, Loughton, to the north of The Broadway, which currently provided either Council-owned garages or public car parking spaces, and that there was also a requirement for the Council to provide sufficient land for 58 car parking spaces to be constructed by the developer of the site of the former Sir Winston Churchill Public House, Higgins Homes, on one or two of the sites, at the developer’s expense.

The Cabinet Committee had considered three options for a cohesive plan for future car parking arrangements and affordable housing developments along Vere Road,

and the recommended approach (option 3) was one that offered a balanced approach, providing around 96 public car parking spaces (compared to the current 63 spaces) and 10 new affordable rented properties. Higgins Homes had offered to meet the cost of re-constructing some of the public car parking spaces, and it was proposed that the costs of re-constructing the remaining public car parking spaces be assessed, with a view to appropriate budget provision being made to undertake the works within the Capital Programme for 2017/18.

The Finance Portfolio Holder added that there had been a robust discussion at the Cabinet Committee on this item.

Decision:

(1) That Option 3 within the report, a balanced approach to Affordable Housing and Public Car Parking, be pursued to provide a cohesive Car Parking and Affordable Housing Plan for Vere Road, Loughton;

(2) That the previous Cabinet decision to provide Moat Housing with a 999-year lease to develop Site 1 (see Appendix 1 of the report) for affordable housing be rescinded and that approximately 50 car parking spaces for the use of residents of the private development by Higgins Homes on the site of the former Winston Churchill Public House be constructed on Site 1, with the construction costs met by Higgins Homes in accordance with the Development Agreement between the two parties;

(3) That Site 2 (see Appendix 1) be re-constructed by Higgins Homes to provide approximately 8 car parking spaces for the Higgins Homes development and approximately 55 public car parking spaces, with the construction costs met by Higgins Homes;

(4) That Site 3 (see Appendix 1) be marked-out, equipped and included within the Council's pay and display regime to provide approximately 7 public pay and display car parking spaces;

(5) That the 20 Council-owned garages on Site 4 (see Appendix 1) be demolished and that Site 4 be re-constructed and equipped to provide approximately 34 public car parking spaces;

(6) That planning permission be sought for the development of 10 affordable rented flats, with associated car parking, on Site 5 (see Appendix 1) in accordance with the Development Appraisal already approved by the Council Housebuilding Cabinet Committee; and

(7) That the Director of Neighbourhoods be authorised to:

(a) obtain a budget estimate for the cost of reconstructing and equipping Sites 3 and 4 (see Appendix 1) for the provision of this work; and

(b) seek the inclusion of appropriate budget provision for the work within the Capital Programme for 2017/18, when the Capital Programme was next reviewed.

Reasons for Decision:

Under the Development Agreement between the Council and Higgins Homes, the Council had an obligation to provide sufficient land for the provision of 58 car parking

spaces on its land for the occupants of the new development being constructed on the site of the former Sir Winston Churchill Public House. Accordingly, and in view of proposals previously agreed by Members to provide affordable housing on two of the sites at Vere Road, there was a need to formulate a cohesive plan for future car parking arrangements and affordable housing developments along Vere Road.

Other Options Considered and Rejected:

To maximise the provision of affordable housing on Site 1 and Site 5, with reduced public car parking provision in Vere Road (option 1).

To Maximise the provision of public car parking with no affordable housing provision (option 2).

51. EXCLUSION OF PUBLIC AND PRESS

The Cabinet noted that there was no business which necessitated the exclusion of the public and press from the meeting.

CHAIRMAN