

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee:	Council	Date:	Tuesday, 11 October 2022
Place:	Council Chamber - Civic Offices	Time:	7.00 - 8.35 pm
Members Present:	Councillors M Sartin (Chairman), D Sunger (Vice-Chairman), I Allgood, C Amos, R Balcombe, R Baldwin, R Bassett, N Bedford, P Bolton, H Brady, R Brookes, I Hadley, H Kane, S Kane, P Keska, J Leppert, A Lion, J Lucas, T Matthews, C McCredie, L Mead, R Morgan, S Murray, C Nweke, S Patel, J Philip, Caroline Pond, C C Pond, R Pugsley, K Rizvi, B Rolfe, P Stalker, B Vaz, C Whitbread, J H Whitehouse, J M Whitehouse, K Williamson and D Wixley		
Members Present (Virtually):	Councillors P Bhanot, E Gabbett, S Heap and H Whitbread		
Apologies:	L Burrows, S Heather, R Jennings, J Jennings, J Jogia, H Kauffman, J Lea, J McIvor, M Owen, A Patel, S Rackham, D Stocker and S Yerrell		
Officers Present:	G Blakemore (Chief Executive), A Small (Section 151 Officer), G Woodhall (Team Manager - Democratic & Electoral Services), J Leither (Democratic Services Officer), T Carne (Corporate Communications Team Manager) and P Seager (Chairman's Officer)		
Officers Present (Virtually):	N Boateng (Service Manager (Legal) & Monitoring Officer) and L Kirman (Democratic Services Officer)		

26. WEBCASTING INTRODUCTION

The Democratic Services Manager 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.

27. DECLARATIONS OF INTEREST

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

28. MINUTES

RESOLVED:

That the minutes of the Council meeting held on 11 October 2022 be taken as read and signed by the Chairman as a correct record.

29. IN MEMORY OF HER MAJESTY THE LATE QUEEN ELIZABETH II

The Chairman invited Council to join her in two minutes silence as a mark of respect for the late Queen Elizabeth II.

The Chairman of Council delivered the first response followed by the Leader of Council, Group Leaders and other Members of the Council who paid fitting and respectful tributes to Her late Majesty.

The Council expressed its sadness at the passing of Her late Majesty Queen Elizabeth II and conveyed their gratitude and thanks for Her late Majesty's unstinting and dedicated service to the United Kingdom and the Commonwealth Realms during her 70 year reign.

30. ANNOUNCEMENTS

(a) Announcements by the Chairman of the Council

(i) Operation London Bridge

The Chairman expressed her sincere thanks to Tom Carne, the Corporate Communications team and all those involved who worked extremely hard in the period following on from the death of Her late Majesty. She also recognised the hard and dedicated work of Pat Seager, who had been involved in coordinating every aspect of what had to be put in place as set out in 'Operation London Bridge'. Her attention to detail ensured that everything which had to be done, was done in an extremely professional manner.

This included working with the Reverend Lee Batson and Epping Town Council to organise a very well attended service to commemorate the life of Her late Majesty, which was held in St John's Church in Epping on the 14 September 2022.

The Chairman also thanked everyone for attending the service and also for attending the Civic Offices for the reading of the Proclamation of the Accession of King Charles III.

The Chairman advised that she represented the district at the Service of Commemoration and Thanksgiving which was held in Chelmsford Cathedral on the 18 September 2022

(ii) Children's Summer Holiday Activities

The Chairman highlighted the Wellbeing & Community Partnerships Portfolio Holder report regarding the Children's Summer Holiday Activities that was put in place by the Council. She advised that she attended a few of the activities, which were very well attended and appreciated by the parents of the children who attended these activities.

The Play in the Park roadshows was one of activities that happened in different wards of the district and it was thought, that in the coming year, it would be good for members to attend this event in their ward to see what was being provided for our young people in the district.

(iii) Opening of Spinks House

The Chairman attended the opening of Spinks House, a pair of semidetached houses in Waltham Abbey, which had been named after the late former Councillor Don Spinks. She cut the ribbon alongside his widow Liz Webster, who was also a former member of the Council and a Waltham Abbey Town Councillor.

31. PUBLIC QUESTIONS (IF ANY)

Question by Mr Jim Padfield, resident of Moreton and High Laver to Councillor J Philip, Finance Portfolio Holder.

Tilegate Farm

The residential development of nine acres of open field Green Belt in Magdalen Laver remains a source of concern for the Residents of the Lavers. Documentation downloaded and retained by the Parish Council Clerk from the Council's Planning Search website indicates that Officers granted a residential permission to a newly erected "stables". The permission included the dumping of many hundreds of tons of waste material under the pretext of "landscaping". The Parish Council notified the District Council about the dumping and queried the residential permission. The entire Application documentation was then internally removed from the Council records including from EFDC Planning Search.

The investigation undertaken by the District Councils Internal Auditors denies the veracity of the Parish Clerk's documents copied from the Councils website, they state: "Without a proper digital forensic investigation, which would be costly to the Council, the documents you submitted as evidence of their existence cannot be verified." No consideration has been given by the Auditor as to how and why a Parish Council Clerk would both fraudulently construct these documents and also fabricate the associated contemporaneous email trail between the Parish Council and the District Council. No explanation has been given as to why the "Stables" were built to residential standards. This issue is just one of many on the site. Yet another Application is pending. Probity in the planning system is absolutely critical to its function. Should not the Council now properly investigate this issue whatever the cost?

Response given by Councillor J Philip, Finance Portfolio Holder.

At the request of the Chief Executive, the Chief Internal Auditor, who was independent of the Council, and the Council's Corporate Fraud Manager examined seventeen allegations from Mr Padfield suggesting potential fraud and collusion regarding the Tilegate Development. The investigation involved interviews with relevant officers and a review of planning files as well as the documentation available to the public on the Council's website.

On the 19 April 2022, the Chief Internal Auditor gave a detailed reply back to Mr Padfield, to each of the 17 allegations and concluded in her letter, "Our investigation has not found any evidence of fraud by Council officers. The information supplied by the applicant has been appropriately scrutinised by officers and there was no evidence of favouritism. Several officers were involved in the process and sign off / approval was granted at the appropriate levels. Unless you are able to provide new or fresh evidence of fraud, I deem this investigation to be closed."

On 20 April 2022 Mr Padfield formally replied to the Chief Internal Auditor's letter with further concerns regarding the residential stable conversion, with the nub of Mr Padfield's email being the Council's denial of the existence of an application. As with the original investigation, the relevant officers were interviewed, with a review of planning files, as well as the documentation available to the public on the Council's website. The Chief Internal Auditor concluded "The 'missing' application was thoroughly investigated by officers at the time and she was content with their conclusions. Without a proper digital forensic investigation, which would be costly to the Council, the documents submitted as evidence of their existence cannot be

verified. Both this allegation and the previous one was about officers colluding. As with my original investigation, this investigation has found that proper processes have been followed with adequate oversight by Senior Officers. There was no evidence of collusion between officers or the Applicant.

Regarding why “no explanation has been given as to why the ‘Stables’ were built to residential standards,” the Chief Internal Auditor was unable to comment on this, as that was down to the professional judgement, she stated that she was unqualified to do so. Instead, she ensured the Council followed the correct processes and that there was adequate evidence to corroborate this.

Supplementary question from Mr Jim Padfield to Councillor J Philip, Finance Portfolio Holder

Why are you not policing more diligently the delegated powers given to officers?

Reply of Councillor J Philip, Finance Portfolio Holder

We do scrutinise very carefully the delegated decisions that are made by officers. We have been through the Constitution Working Group on many occasions looking at which decisions are delegated. A decision by members who have an application in their ward are able to call that decision in then it would go to a planning committee meeting. It is equally possible for planning and Town and Parish Councils to indicate on planning grounds why they want an application to come to committee, as long as they are willing to attend that committee meeting and speak on behalf of the Town or Parish Council. Members we have looked into this matter in great detail and there is no evidence of what Mr Padfield was alleging and he was confident, that on this occasion, the Council had followed their processes correctly.

32. QUESTIONS BY MEMBERS UNDER NOTICE

The Council noted that there were no questions by members under notice that had been submitted for consideration at this meeting.

33. REPORTS FROM THE LEADER & MEMBERS OF THE CABINET

The Council received written reports from Portfolio Holders. The Chairman invited the Leader of Council to provide an oral report and the opportunity for other members of the Cabinet to give updates on matters concerning their relevant portfolios.

(a) Leader of Council

Councillor C Whitbread asked for his name to be associated with the Chairmans earlier comments on congratulating Pat Seager, Tom Carne and the Corporate Communications Team on how well and professional they acted on bringing Operation London Bridge into fruition.

Since the last Council meeting, he reported that he had been having regular meetings with the Harlow and Gilston Garden Town board, separate to the meetings where issues were discussed that were pertinent to Epping Forest in making sure that it was understood what was happening.

He advised that the Council were also playing an active role in the devolution piece following on from the Governments White Paper on Levelling Up. There was a certain element of this paper that the Council hoped to get the best from for the district in the future. It was not devolution that was originally anticipated with local

government reform, this was very much around seeing how the Council can operate better as a West Essex Alliance. The work between Uttlesford, Harlow and Epping Forest along that corridor were going to become more important as time goes on, bearing in mind, that the Government have now announced investment loans. This Council was committed to getting the best we can for the people of Epping Forest, whether that be in skills, employment and opportunities because we want to see Epping Forest prosper and do well. In order to do this, as a Council, we need to make sure that we remain in a good financial position and stated that he had been working closely with Councillor J Philip, Finance Portfolio Holder to deliver a budget in the most productive way possible.

He stated that he was proud of the progress that this Council were making with its Council Housebuilding Programme, where we were seeing the delivery of quality council homes for the future.

The Corporate Plan was being developed, which was a strategic document for the future and was an important piece of work that we had been doing collaboratively across the council which has been challenging as it was a very difficult time for everyone, the cost-of-living crisis that was affecting residents across the district, and the impact on us as a Council as we were all affected by inflation.

(b) Internal Resources Portfolio Holder

Councillor S Kane advised that he would like to update members on the Local Land Charges position. Members will be aware that there had been quite a backlog over the last few months with up to 10 weeks and more for land searches to be completed. This was a result of a government initiative to centralise the registry search function with an online database. The Council have had to upload over 60,000 records to the central system, which required data cleansing, data formatting having to re-submit file errors to the government database. He stated that he was pleased to inform members that the government have now accepted the data that we have updated and the team were now busy working on the backlog which they have gotten down to 7 weeks and by the end of this month we should be back to the normal 10 day turnaround time.

(c) Finance Portfolio Holder

Councillor J Philip advised that looking forward to next year the financial situation was bad. Just to summarise we have a projected expenditure of somewhere in the region of £19 million and a predicted income of around £15 million therefore leaving a gap of around £4 million between what we need and what we think we have got. The HRA was all right at the moment but in 10 or 11 years' time it will move into a more challenging financial position but we have the time to work on that and I know that Councillor H Whitbread will be looking at the 30 year plan to bring that into balance.

This Council had a real problem coming in the next financial year and were looking at that gap of £4 million. There were a lot of things we did not yet know and probably wont know for a while in terms of where inflation was going, what were the costs going to be for energy supplies and how much money the Council were going to get from Government, we were therefore taking our best estimates at the moment and he fully expected those estimates to change between now and when a report comes to Cabinet in December with an updated view of the budget. He also expected the budget to change again at Januarys Cabinet and the final budget to Council in February 2023.

He stated that the Council would continue to protect its frontline services and make sure that the most vulnerable in our society were looked after but there will be costs and will be things that we have to pass on. A detailed report will go to scrutiny but at this moment in time so much was unknown.

(d) Housing Portfolio Holder

Councillor H Whitbread highlighted the event with the opening of Spinks House in Waltham Abbey. She thanked the Chairman for attending and former district Councillor Liz Webster and stated that these two large family homes in the heart of Waltham Abbey were a real testament to how successful the Councils house building programme had been. These new houses have been built to the highest standards in an energy efficient way particularly in mind of the current energy crisis in trying to reduce the cost of energy for our tenants.

The HRA account was something she was going to be looking at in close detail in the coming weeks and months, considering the challenges around inflation and how this may affect the future of the Councils Housebuilding programme. A comprehensive 30 year business plan had been set regarding regeneration and council house building which may now have to be slightly modified to take into account the cost of borrowing. She highlighted that this Council was very focused on council housebuilding and their regeneration programme.

She advised that she had been involved in an event held in collaboration with Voluntary Action Epping Forest which hosted Ukrainian refugees and their host families in the Civic Offices. This was an opportunity to introduce these people to the various relevant community partners from the NHS who attended and gave out covid vaccinations, the local Job Centre, the Community Police team and the Councils housing team. As well as being an information event it also gave the refugees and host families to socialise.

Last month she advised that she visited the Ninefields Estate in Waltham Abbey along with the Police, Fire and Rescue Service, Citizens Advice and NHS Partners and got involved with a door knocking activity where we were seeking to find people who had various different needs and required support. This was really a successful event with hundreds of doors knocked on and support and referrals given where necessary.

(e) Place Portfolio Holder

Councillor N Bedford advised that following on from Inspector Jonathan Ball who had been working very closely with the Council and the officers who have been doing an extremely diligent job in making sure that they get the changes to the further main modifications to the Local Plan. We were expected to launch at the end of the month and there will be an update on the website. It was critical that we are clear what this stage of the consultation was about, which was the further changes to the further main modifications only and it was not an opportunity to resubmit previous representations or main modifications that have not changed. Some points to note were that representations will be encouraged to be made online as much as possible, although emails and hard submissions were possible.

E-mail and phone contacts for Planning Policy would be provided for those with queries and updated guidance made available. All material will be made available online and would be supported by hard copies at the Civic Offices and at libraries. Members will be updated via the members briefing notes notification which will go out

externally to consultee on the database and via Council press and social media promotions.

We were ensuring officer awareness across the Council via the staff news letter with direct liaison across teams.

34. QUESTIONS BY MEMBERS WITHOUT NOTICE

(a) Refuse Services

Councillor S Murray stated his question was to the Contracts and Commissioning Portfolio Holder and in his absence, he asked if he could put his question to the Leader of Council?

He stated that there had been varying differences with the refuse services recently and he noted that the Council were going out to tender for the contract, he asked what lessons have the Council learnt from this experience over the last 6 months and how were those lessons going to be reflected in the new tender?

Councillor C Whitbread stated that he arrived home from work this evening to find his bin had not been emptied, the bottles hadn't either and the recycling bags had blown across the road. He sympathised with residents as he knew and understood their frustrations with the service Biffa were currently affording to residents across the district.

There had recently been a meeting with Biffa where we asked them for more live information to be supplied to us and to his knowledge that had not happened. Their website was never up to date with the correct information and he was as frustrated as every other resident in the district with this problem.

The lessons learned, not all of this was Biffa's fault. A year ago, we were commending Biffa for keeping their operations running smoothly during the Pandemic, so what has changed. Biffa were currently trying to retain a workforce and that was the biggest issue.

The Council do not have money they have residents' money to pay for services and we will make sure, as a Council, that we hold Biffa responsible for providing this service.

(b) Council House Delivery

Councillor H Kane asked the Housing Portfolio Holder if she could advise about the Council's record of the council house delivery and regeneration in Waltham Abbey?

Councillor H Whitbread advised that Waltham Abbey was the place where the Council started its house building programme 10 years ago. There were 10 properties that were due to be delivered in Waltham Abbey this year, there was Spinks House, which had been referred to earlier in her portfolio holder report, this consisted of two large new family homes for local people. There was another development in Waltham Abbey which would provide another 8 affordable units. Waltham Abbey was a key place where the Council want to deliver new homes. We have, as a Council, always been committed to continue with the delivery of new Council housing stock and the 30-year business plan set out an ambitious target for delivery.

Harveyfields in Waltham Abbey recently had £114,000 spent on a regeneration programme which included, tidying up the bin areas, looking at the paving and the outdoor spaces. Regeneration was the core of the Councils bricks and mortar which she spoke about often in meetings.

(c) Homeless Enquiries

Councillor C Amos referred to the report of the Housing Portfolio Holder and asked about the 91 homeless enquiries during the month of August and wondered if for future reports if members could have a summary as to how all those homeless people were helped with their enquiries.

Considering the financial challenges that we were all facing at present she thought homelessness would become a more pressing issue. She went on to explain that the people she had referred to in her report were homeless but not rough sleepers. The usual process would be that they would contact the Council and be put into temporary accommodation whilst more permanent accommodation was sought and whilst in temporary accommodation the Council officers would give them various support and advice. One area where there had been great success around homelessness prevention and the numbers that we were now seeing have increased.

Homelessness adds a pressure to the general fund and also to the Councils temporary housing stock, we were therefore mindful to help these people and get them out of temporary accommodation as soon as possible. We also try to keep homeless people in the Councils own properties such as Norway House and Hemnall House but due to the increased demand we do have some people in B&B accommodation. She advised that she would be happy to provide a detailed summary in her next report to Council.

Action: A detailed summary of homeless people to be provided in the next Portfolio Holder report to Council.

(d) Tree Planting

Councillor C C Pond advised his question was to the Technical Services Portfolio Holder. Last winter a large number of trees were planted further to a grant on Jessel Green and Rochford Green in Loughton. There was a considerable amount of attrition generally from trees but because these trees were planted quite late in the year many of them have failed. What were the plans and the financial situation as to how the failed trees might be replaced as this was now the tree planting season and remedial action needed to be taken soon.

Councillor K Williamson advised that he did not know the situation regarding the trees, but he would speak to officers and get back to him.

Action: Councillor Williamson to provide details to Councillor Pond regarding the failed trees.

(e) Safer Streets Scheme

Councillor T Matthews asked the Housing Portfolio Holder for an update on the Safer Streets Scheme on Ninefields in Waltham Abbey and if she could elaborate the work around the door knocking activities with the Community Partners.

Councillor H Whitbread advised that over £300,00 worth of investment was going into the Ninefields Estate. This was a grant received from the Home Office working in

partnership with the Police, Fire and Crime Commissioner and had been matched funded by the District Council. This grant would be used to improve spaces by increasing lighting, CCTV, litter and fly tipping on the estate and generally making it a more pleasant environment for people to live. There was also ongoing work with the Ninefields Residents' Association and meeting with key community partners to decide how this money was going to be allocated.

The door knocking scheme was led by the Fire and Rescue Service and the first question they asked residents was 'do you have a fire alarm fitted and working', if the answer was no then they would go into the properties and replace or install new fire alarms.

Also involved were representatives from the NHS and Mental Health Services who were asking people if they had any issues with their health and then trying to get them some help and support that they required. EFDC's Community Champions and Officers, who did a fantastic job of co-ordinating, helping to collate the information and signposted people to the support they needed.

This was a trial that took place in Ninefields, which was a condensed area and it was something the Council were keen to roll out across the district, particularly in some of our more deprived areas.

(f) Rising Energy Crisis

Councillor S Patel asked the Housing Portfolio Holder if the Council were looking into warm rooms or those types of schemes for our residents?

Councillor H Whitbread stated that numerous conversations had happened with voluntary partners around warm rooms as she was conscious about the ever-increasing energy bills. There had been a price guarantee from the Government which should help to ease some of the issues, but some people will still be struggling with energy costs. Voluntary Action Epping Forest were looking at initiatives around various community hubs for delivering a scheme.

Essex County Council will be giving grants to Town and Parish Councils and community groups to set up appropriate warm spaces for people to go to sit in the warm with a hot drink. This Council was looking to deliver this scheme in conjunction with our community partners.

(g) Local Plan

Councillor S Heap asked the Place Portfolio Holder that according to the Local Plan this district had to build 2.6 dwellings every day and did he think this could be achieved?

Councillor N Bedford advised that the Council were bringing forward the Local Plan and if 2.6 dwelling per day was the target then yes, the Council would have to adhere to that figure. He reminded members that the Council had already built many dwellings which would also be included in that figure and now the backlog from the SAC was being cleared and further dwellings were in the pipeline to be built. Some of the planning applications now coming forward have increased the numbers on sites.

He therefore concluded that the Council were getting back on track and moving forward to meet their targets and deliver the Local Plan in a timely manner.

(h) Air Pollution Mitigation Strategy

Councillor J M Whitehouse advised that his question was to the Place Portfolio Holder and stated that it was now getting on for 2 years since the interim air pollution mitigation strategy was adopted and asked if there were any updates on the results of the monitoring that had been carried out and were there any changes in air pollution since it was adopted. He also asked about the allocation of funds from the Section 106 agreements.

He noted that the last meeting of the Portfolio Holder Advisory Working Group had been cancelled and wondered if a new meeting had been arranged and if so, what was the date.

Councillor N Bedford stated that the Air Pollution Mitigation Strategy was agreed 2 years ago and the air quality monitoring was not due to take place until 2024, this may be brought forward to 2023. All signs currently point to the air quality being improved but this was due to Covid and the lockdown but also there had been a massive increase to the number of electric vehicles and changing habits of road drivers going through the forest.

Another contributory factor was the Mayor of London will be bringing forward his plans, which all residents have been made aware of that next year he will be imposing the ULEZ up to the boundary with Epping Forest. This will impact on the residents of Epping Forest and we were doing everything that we can to be in discussions with the Mayors office to see what we can bring forward but unfortunately we were only a small cog in the Mayors wheel and all of the surrounding boroughs around London will want to bring in similar schemes.

The S106 monies have been accruing and these funds have been set aside for the air quality monitoring.

The Portfolio Holder Advisory Group meeting was cancelled as there was nothing to contribute to that meeting but if members have any new ideas or items for discussion, please bring them forward. He stated that he looked forward to the next Portfolio Holder Advisory Group meeting, to be arranged.

(i) Street Trees

Councillor D Wixley advised his question was to the Technical Services Portfolio Holder and stated that he understood that EFDC planted street trees on behalf of Essex County Council who provide the funding for that. He had recently been informed that the funding had been substantially reduced for last year and he wondered what the current situation was and how many street trees can be planted this year.

Councillor K Williamson advised that he could not provide an answer but would speak with officers and get back to Councillor Wixley.

Action: To provide an answer to Councillor Wixley's question regarding the planting of street trees.

(j) Land Searches

Councillor S Murray asked the Internal Resources Portfolio Holder that did he realise the delay on land searches could have a very real effect, particularly of first-time property buyers who were negotiating mortgage deals, which were short-term limited

offers and did he have idea of how many first-time buyers have lost their deals due to waiting for land searches. When they lose these deals, they then have to negotiate a new deal which costs more. Therefore, did the Portfolio Holder understand the impact to house buyers and did he have any evidence of how many people have lost mortgage deals because of the delay in waiting for land searches?

Councillor S Kane advised that he did understand the impact of house buyers waiting for land searches and stated that he had no way of knowing how many people had lost their mortgage deals as that information would not be available to him. He stated that this was in no way avoidable, it was a government edict and the Council had to do this by milestones, it was their dates and the scale of the work was not known beforehand. We submitted our data and then an unknown number then came back to be corrected with a finite date for those to be re-submitted. He realised the impact on people was 10 weeks and more waiting time but I am pleased to say that we were over that hurdle now and can focus on reducing the backlog and returning to normal within a month.

35. MOTIONS

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

36. ONGAR NEIGHBOURHOOD PLAN

Mover: Councillor N Bedford, Place Portfolio Holder

Councillor N Bedford advised that all the details of the Ongar Neighbourhood Plan were contained in the report on page 59 of the agenda

He had asked officers to prepare some questions and answers that he may have been asked or assist in understanding the plan and what implications it might have going forward:

(a) What weight will the policies in the Ongar Neighbour Plan have once it was made (adopted) by the Council?

Once the Ongar Neighbourhood Plan was 'made' by the Council it would form part of the statutory development plan. Consequently, its policies will carry full weight in assessing planning applications where the Ongar Neighbourhood Plan was considered to be a material consideration. This is stated in paragraph 1.2 of the Ongar Neighbourhood Plan itself.

(b) What happens if a policy or policies contained within the Ongar Neighbourhood Plan conflicted with a policy or policies in the adopted Local Plan (adopted 1998 with alterations 2006)?

The Ongar Neighbourhood Plan had been developed with full regard to the policies contained in the adopted Local Plan. However should a policy conflict arise between the two Plans [Section 38\(5\) of the Planning and Compulsory Purchase Act 2004](#) requires that the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan. This would therefore be the policy or policies in the Ongar Neighbourhood Plan.

(c) What is the relationship between the policies in the Ongar Neighbourhood Plan's and the policies in the emerging Local Plan?

There was no legal requirement to examine the Ongar Neighbourhood Plan policies against policies in the emerging Plan. However, as the Ongar Neighbourhood Plan states at section 5.4 'Local Strategic Policies':

'It is advisable to take account of the emerging Epping Forest Local Plan 2011 to 2033. The evidence behind the emerging local plan was part of the evidence base for the neighbourhood plan (where relevant).'

It goes on to state in the same section that:

'The Ongar Neighbourhood Plan Steering Group (Ongar Neighbourhood Plan Community Group ONPCG) has worked in liaison with Epping Forest District Council throughout the preparation of the plan to reduce the risk of disparities between the emerging Local Plan and the Neighbourhood Plan.'

(d) What weight will the policies in the Ongar Neighbourhood Plan (ONP) have if the emerging Local Plan was adopted by the Council in the future?

The Ongar Neighbourhood Plan will sit alongside a newly adopted Local Plan as part of the Development Plan and as such its policies will continue to attract full weight in relation to planning applications where the Ongar Neighbourhood Plan was considered to be a material consideration.

(e) What happens if a policy or policies contained within the Ongar Neighbourhood Plan conflicted with a newly adopted Local Plan policy or policies?

Section 5.4 'Local Strategic Policies' of the Ongar Neighbourhood Plan states that:

'The Ongar Neighbourhood Plan Steering Group (Ongar Neighbourhood Plan Community Group ONPCG) has worked in liaison with Epping Forest District Council throughout the preparation of the plan to reduce the risk of disparities between the emerging Local Plan and the Neighbourhood Plan.'

However should a policy conflict arise between the two Plans [Section 38\(5\) of the Planning and Compulsory Purchase Act 2004](#) requires that the conflict must be resolved in favour of the policy which was contained in the last document to become part of the development plan. This would therefore be the policy or policies contained in any newly adopted Local Plan.

(f) Will the Ongar Neighbourhood Plan need to change as the emerging Local Plan progresses towards potential adoption, if a new local Plan was adopted?

The Examining Inspector for the Ongar Neighbourhood Plan stated on page 11 of her examination report in relation to the emerging Local Plan that:

'There are also a number of references throughout the Plan to the emerging local plan. These references will need to be carefully reviewed to ensure they are up to date and clearly indicate the emerging status of the local plan and may well have to be changed as the Plan progresses to its next stages.'

Report as first moved **ADOPTED**

RESOLVED:

That the Ongar Neighbourhood Plan was 'made' (adopted) as part of the Epping Forest District's statutory development plan.

37. AUDIT & GOVERNANCE COMMITTEE - ANNUAL REPORT 2021/22**Councillor P Bolton, Chairman of the Audit & Governance Committee**

Councillor P Bolton reported on the Audit & Governance Annual Report for 2021/22.

The Finance Portfolio Holder, Councillor J Philip thanked Councillor I Hadley, Chairman for the 2021/22 municipal year and members of the Audit and Governance Committee for their work throughout the year

RESOLVED:

That the Audit & Governance Annual Report for 2021/22 be noted.

38. OVERVIEW AND SCRUTINY COMMITTEE**Councillor H Kane, Chairman of the Overview and Scrutiny Committee**

Councillor H Kane presented her progress report from the Overview and Scrutiny Committee meetings held on the 26 July 2022 and 27 September 2022.

She advised that an extra meeting of the Overview and Scrutiny Committee had been called for Thursday 3 November 2022 to scrutinise the business case for the transfer of the Grounds Maintenance to Qualis.

RESOLVED:

That the progress report of the Overview and Scrutiny Committee meetings held on the 26 July 2022 and 27 September 2022 be noted.

39. JOINT ARRANGEMENTS & EXTERNAL ORGANISATIONS**(a) The Royal Gunpowder Mills**

The Council received a written the report regarding the Royal Gunpowder Mills from Councillor H Kane, the Council's representative. She advised that the Royal Gunpowder Mills was now open to the public every weekend and that there were lots of tourists visiting from all over the country but very few from the district.

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

CHAIRMAN