



### NOTICE OF COUNCIL MEETING

You are hereby summoned to a meeting of the **EPPING FOREST DISTRICT COUNCIL** to be held in the **COUNCIL CHAMBER, CIVIC OFFICES, HIGH STREET, EPPING** at 7.30 pm on **Thursday, 25 May 2017** for the purpose of transacting the business set out in the agenda.

A handwritten signature in black ink, appearing to read 'Glen Chipp'.

**Glen Chipp**  
Chief Executive

**Democratic Services  
Officer:**

Council Secretary: Simon Hill  
Tel: 01992 564249 Email:  
[democraticservices@eppingforestdc.gov.uk](mailto:democraticservices@eppingforestdc.gov.uk)

#### WEBCASTING/FILMING NOTICE

Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed. The meeting may also be otherwise filmed by third parties with the Chairman's permission.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy.

Therefore by entering the Chamber and using the lower public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for web casting and/or training purposes. If members of the public do not wish to have their image captured they should sit in the upper council chamber public gallery area or otherwise indicate to the Chairman before the start of the meeting.

If you have any queries regarding this, please contact the Public Relations Manager on 01992 564039.

**BUSINESS****1. WEBCASTING INTRODUCTION**

This meeting is to be webcast. Members are reminded of the need to activate their microphones before speaking. The Assistant Director of Governance and Performance Management will read the following announcement:

“The chairman would like to remind everyone present that this meeting will be broadcast live to the internet (or filmed) and will be capable of repeated viewing (or another use by such third parties).

If you are seated in the lower public seating area it is likely that the recording cameras will capture your image and this will result in the possibility that your image will become part of the broadcast.

This may infringe your human and data protection rights and if you wish to avoid this you should move to the upper public gallery.”

**2. ELECTION OF CHAIRMAN**

To elect a Chairman of the Council for the municipal year 2017/18.

The new Chairman will then make a declaration of acceptance of office.

**3. APPOINTMENT OF VICE-CHAIRMAN**

To appoint a member to be a Vice-Chairman of the Council for the municipal year 2017/18. Nominations received will be reported at the meeting. The new Vice-Chairman will then make a declaration of acceptance of office.

**4. MINUTES (Pages 5 - 16)**

To approve as a correct record and sign the minutes of the meeting held on 25 April 2017 (attached) subject to an amendment to the Planning Application Reference (EPF/2550/16) – Woodview, Lambourne Road, Chigwell being corrected to EPF/2473/16 under items 109 (Declarations of Interest) and 118 (Planning Application Woodview, Lambourne Road, Chigwell). This reference being the correct application number for this development.

**5. DECLARATIONS OF INTEREST**

To declare interests in any item on the agenda.

**6. ANNOUNCEMENTS**

(a) **Apologies for Absence**

(b) **Chairman’s Announcements**

**7. REPORT OF THE APPOINTMENT PANEL**

Report to follow regarding:

(a) Notice of Constitution of Political Groups, Group Leaders and Deputies;

- (b) Appointments made by the Leader to the Cabinet, Cabinet Committees and Outside Organisations carrying out Executive Functions;
- (c) Membership, Chairmanship and Vice-Chairmanship of Committees, Sub-Committees and Panels (Non-Executive Bodies);
- (d) Appointments to Outside Organisations carrying out Council, regulatory or non-Cabinet Functions.

The Council will need to vote on (c) and (d) where the number of nominations exceeds the number of places available.

## 8. SCHEME OF DELEGATIONS BY OR ON BEHALF OF THE COUNCIL

### Recommendation:

To note the scheme of delegation which are the responsibility of the Council to determine.

The Constitution requires that the scheme of delegation should be agreed at the Annual meeting. No new delegations have been made. Details of the delegations can be found contained within the Constitution.

## 9. COUNCIL MEETING DATES FOR 2017/18

### Recommendation:

That during 2017/18 ordinary meetings of the Council be held on the following dates;

27 July 2017;  
 26 September 2017;  
 2 November 2017;  
 21 December 2017;  
 22 February 2018;  
 24 April 2018; and  
 24 May 2018.

It is a requirement of the Constitution that a programme of ordinary meetings of the Council be approved at the annual meeting of the Council.

## 10. EXCLUSION OF PUBLIC AND PRESS

**Exclusion:** To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

Agenda Item No	Subject	Exempt Paragraph Number	Information
Nil	Nil	Nil	

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the

information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

**Background Papers:** Article 17 of the Constitution (Access to Information) define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

(a) disclose any facts or matters on which the report or an important part of the report is based; and

(b) have been relied on to a material extent in preparing the report and does not include published works or those which disclose exempt or confidential information and in respect of executive reports, the advice of any political advisor.

The Council will make available for public inspection for four years after the date of the meeting one copy of each of the documents on the list of background papers.

## EPPING FOREST DISTRICT COUNCIL COUNCIL MINUTES

- Committee:** Council **Date:** 25 April 2017
- Place:** Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 9.10 pm
- Members Present:** Councillors J Lea (Chairman), D Stallan (Vice-Chairman), N Avey, R Baldwin, R Bassett, A Beales, N Bedford, A Boyce, H Brady, W Breare-Hall, R Brookes, R Butler, K Chana, D Dorrell, R Gadsby, A Grigg, S Heap, L Hughes, R Jennings, J Jennings, H Kane, S Kane, H Kauffman, P Keska, J Knapman, A Lion, M McEwen, L Mead, A Mitchell, G Mohindra, R Morgan, S Murray, A Patel, J Philip, C P Pond, C C Pond, C Roberts, D Roberts, B Rolfe, B Sandler, G Shiell, S Stavrou, D Sunger, B Surtees, G Waller, E Webster, C Whitbread, H Whitbread, J H Whitehouse, J M Whitehouse and D Wixley
- Apologies:** Councillors G Chambers, L Girling, S Jones, Y Knight, S Neville and M Sartin
- 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), S Hill (Assistant Director (Governance & Performance Management)), A Hall (Director of Communities), N Richardson (Assistant Director (Development Management)), S Kits (Social Media and Customer Services Officer), R Perrin (Democratic Services Officer), P Seager (Chairman's Secretary) and V Messenger (Democratic Services Officer (Trainee))
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### 107. WEBCASTING INTRODUCTION

The Assistant Director of Governance and Performance Management 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.

### 108. MINUTES

#### RESOLVED:

That the minutes of the Council meeting on 17 February 2017 be taken as read and signed by the Chairman as a correct record.

### 109. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor G Mohindra declared a non pecuniary interest in item 12, Planning Application EPF/2473/16 Woodview, Lambourne Road, Chigwell by virtue of being the Chairman of the Epping Forest Conservative Association and the applicant being a donor. The Councillor advised that he would remain in the meeting for the duration of the discussion and voting on the application.

(b) Pursuant to the Council's Code of Member Conduct, Councillor C C Pond declared a non pecuniary interest in item 12, Planning Application EPF/2473/16

Woodview, Lambourne Road, Chigwell by virtue of being a member of the Victorian Society. The Councillor advised that he would remain in the meeting for the duration of the discussion and voting on the application.

(c) Pursuant to the Council's Code of Member Conduct, Councillor A Patel declared a non pecuniary interest of item 12, Planning Application EPF/2473/16 Woodview, Lambourne Road, Chigwell. The Councillor advised that following consideration of the Public Perception test he would leave the meeting for the duration of the discussion and voting on the application.

#### **110. FORMER COUNCILLOR MICHAEL TOMKINS**

It was with sadness that the Chairman informed the Council of the death of former Councillor Michael Tomkins.

Michael Tomkins had served as a Conservative District Councillor representing the Grange Hill Ward from 1988 until 1996. He had served on various Committees including Audit and Business Rate Consultative Panel, Creation of Parishes (Working Group), Community Charge and Housing Benefits Panel (Review Board), Council Strategy (Working Group), Environment (Working Group), Environmental Protection, Epping Forest (unparished area) Advisory Forum, Grant Aid Panel, Hospital Services, Housing Committee, Housing Benefits review Board, Licensing Panel, Personnel Sub-Committee, Planning Applications (Roding Road), Plans Sub-Committee 'B'; Policy & Co-Ordinating Committee, Public Health Committee, Public Services (Working Group); and Traps Hill Development. He was also a County Councillor for Chigwell & Loughton Broadway from 2005 to 2009.

Members paid tribute to the memory of former District Councillor Michael Tomkins and stood for a minute's silence in his memory.

#### **111. ANNOUNCEMENTS**

(a) Announcements by the Chairman of Council

(i) Chairman's Events

The Chairman advised that her Charity Quiz night had raised £1040. She had also attended the Council's Celebrating Success event at the Civic Offices, met with His Royal Highness Prince Henry of Wales in Epping Forest for the Wood Pasture Restoration Project and for the Queen's Scouts Awards she had attended Windsor Castle with Bear Grylls.

(ii) Change of Date for Council

The Council noted the change of date and that the July Council meeting would now be held on Thursday 27 July 2017.

(iii) Floral Display

The Chairman announced that she proposed to send the flowers from this evenings meeting to Mrs Tomkins.

#### **112. PUBLIC QUESTIONS (IF ANY)**

The Council noted that there were no public questions submitted for consideration at the meeting.

**113. QUESTIONS BY MEMBERS UNDER NOTICE**

The Council noted that there were no public questions submitted for consideration at the meeting.

**114. REPORTS FROM THE LEADER AND MEMBERS OF THE CABINET****(a) The Leader of the Council**

The Leader informed members that he had attended a number of meetings representing the Council since the last meeting and thanked those who had recently attended the Local Plan workshop.

He advised that he had visited the Epping Forest Shopping Park and noted that good progress was being made in time for the completion date in late September 2017. Furthermore, he had also visited the new depot at Oakwood Hill with other Cabinet Members, where they would be actively pursuing full use of the space available as part of the transformation process and similarly, he had met with the Assets and Economic Development Portfolio Holder, Epping Town Council and the nominated partner Frontier Estates regarding the St John's Epping Site.

In addition the Leader had met with the Police and Crime Commissioner for Essex, Roger Hirst and Essex Leaders to discuss concerns generated by unauthorised incursions and developments by the traveling community, which would ensure that all forms of development were properly regulated and sections of the community were treated equally.

Finally he had recently attended the staff briefings, where Chief Executive and himself had presented their vision for the future of the Council. He advised that a Task and Finish Panel had been set up to review the scrutiny of the Transformation process.

**(b) Planning Policy Portfolio Holder**

The Planning Policy Portfolio Holder advised that he had been very grateful to the Members who had attended the recent Place Making workshop and that the South of District's workshop would be on Thursday 27 April 2017. He advised that they were drawing up a list of remaining workshops for the year and where possible he would try and avoid weekends. He stated that further evidence bases were currently being considered and he would feed back the information to Members as part of the regulation 18 consultation. There had also been a number of new sites identified which had not yet been analysed and this would be reported back to Members.

**(c) Governance and Development Management Portfolio Holder**

The Governance and Development Management Portfolio Holder highlighted a number of items which included a revenue increase of 15% in the last two years in both Building and Development Control, which had been reinvested in the service and thanked the Legal Section who had completed the recent Leisure, Off Street Parking and St John's Road Development site contracts.

**115. QUESTIONS BY MEMBERS WITHOUT NOTICE****(a) Potential use of Zinc Arts, Ongar for Homeless Accommodation**

Councillor P Keska asked the Housing Portfolio Holder whether the potential use of Zinc Arts, Ongar for homeless single people or a single parent with a child would be temporary and whether she could give any information on the long term arrangements.

Councillor S Stavrou advised that Zinc Arts had approached the Council regarding the 25 units, which had proved hard to occupy and the recent planning permission that had been acquired for the educational block to become residential flats. The Council had been pleased to receive the offer, as there was a nationwide shortage of homeless accommodation although to commit to placing 25 individuals or single parent families within one area had to be investigated by officers. Therefore to comply with the national guidelines to remove homeless households from bed & breakfast accommodation, the Council would embark upon a limited trial for 3 months with three household or individuals. The Council would not be committed to either taking up the remaining units or extending the commitment. She advised that other authorities could take up these opportunities if the Council did not and the homelessness applicants could be placed on licence, which allowed for them to be moved on within 7 days or if they were causing a nuisance within 24 hours, therefore allowing the Council control.

(b) Squash Courts - Epping Leisure Centre

Councillor J H Whitehouse asked the Leisure and Community Services Portfolio Holder whether she was aware that following the reduction in courts from four to two at Epping Leisure Centre, the Epping Squash Club currently had 7 teams in the Essex League, a growing junior section which coached 20-30 young players every Saturday during term time and the effect it would have.

Councillor H Kane advised that the new leisure contact with Places for People intended to convert two of the four courts at Epping Sports Centre, to meet with the demand for wider health and fitness use. She had met with the Squash Club to discuss their concerns and would give a detailed response in the Members Bulletin.

(c) Civil Enforcement Officers

Councillor C C Pond asked the Safer, Greener & Transport Portfolio Holder whether that now the Council had taken on the Off Street Parking, if he knew how many Civil Enforcement Officers would be on duty in the district on a normal working day, Sunday's and evenings.

Councillor G Waller advised that the Council's car parks were being run more effectively and efficiently than before with enforcement being carried out more regularly in line with the charges adopted two years ago. He advised that enforcement had been taking place at weekends and would do so in the evenings too, as resources provided and although he could not advise an exact figure, it would be certainly be more than in the past.

(d) Green and Open Spaces

Councillor S Murray asked the Planning Policy Portfolio Holder whether the controversial proposals in the Local Plan around Jessel Green and Rochford Green, in Loughton were at odds with a Conservative leaflet advising that they would protect open spaces.

Councillor J Philip advised that green open spaces across the district would be protected as much as possible. The aim of the Local Plan was to provide the amount



of housing required and no more than absolutely necessary, whilst allowing the Council to be in control, in terms of planning in the district.

(e) Anti-Social Behaviour - Epping

Councillor N Avey asked the Safer, Greener & Transport Portfolio Holder about the continued reports of anti-social behaviour in Epping High Street.

Councillor G Waller advised that anti-social behaviour had been considered at the last meeting between the Community Safety Team and the Police, where there had been a reported 90% fall in anti-social behaviour in Epping High Street. Although he advised that this generally created displacement with more anti-social behaviour occurring. Reports had been received concerning the grounds of St Margaret's Hospital and recommendations from the Community's Safety Team had been given to the Hospitals Estate Manager. Further anti-social behaviour had also been reported in Coopersale, Epping and he advised that the Community Safety Team had been working closely with the Police to try to resolve the issues.

(f) Potential Use of Zinc Arts, Ongar for Homeless Accommodation

Councillor B Surtees asked the Housing Portfolio Holder whether she was aware of the disquiet by some Ongar residents regarding the proposal of 25 units to accommodate homeless individuals at Zinc Arts site in Ongar. Residents felt that this had been a change of use and asked what the management strategy would be in place, to ensure that the needs of different users of the site would be met.

Councillor S Stavrou advised that the management structure was not under the Council's control due to the building and facilities not being owned by the Council, but the pilot scheme would allow the Council to monitor the situation.

(g) Swimming pools

Councillor R Brookes asked the Leisure and Community Services Portfolio Holder whether she could confirm in writing the guaranteed times for swimming pool use at the Loughton, Ongar and Waltham Abbey swimming pools for swimming clubs.

Councillor H Kane advised that she would.

(h) Flowers

Councillor D Wixley advised that he had received favourable comments about the flowers beds in Loughton and he would like those comments to be passed onto the relevant department.

Councillor W Breare-Hall advised that the Grounds Maintenance Department were responsible and worked very hard to make the district an attractive place and he would pass on the comments.

(i) Steam Room at Waltham Abbey Leisure Centre

Councillor R Butler asked the Leisure and Community Services Portfolio Holder whether considerations had been made for a steam room and sauna in the new Waltham Abbey Sports Centre.

Councillor H Kane advised that she was aware of residents concerns and negotiations were taking place in the planning of the sports centre.

(j) Business Rates for Local Businesses

Councillor J M Whitehouse asked the Finance Portfolio Holder to consider the allocation of grants for business rates, in particularly for local retail businesses that played an important role in the community as local services and also to start up businesses that were not expecting the big rate rises that had occurred.

Councillor G Mohindra advised that the Council was a major land owner and would ensure that the retail units would be fully supported as in previous years.

(k) Increase in Fly Tipping

Councillor J Knapman asked the Environment Portfolio Holder that whilst he understood the changes made to the recycle centres in the district meant that they were no longer accepting household DIY waste, would he agree that there had been a significant increase in fly tipping. In particular, that the savings incurred by Essex County Council (ECC) were now a burden to this Council.

Councillor W Breare-Hall advised that there had been an increase in fly tipping in the District and County wide. He indicated that he was not in a position to make a direct link between ECC's decision and the increase in flying tipping, although it was being monitored. He advised that both himself and other counterparts were working closely with the ECC to try and address the problem. If a link was discovered, the County had committed to review the policy after a 3 month period.

(l) Ongar High Street

Councillor B Surtees asked the Safer, Greener & Transport Portfolio Holder whether he was aware that a highways assessment vehicle had been seen reversing onto the Ongar High Street; and whether he agreed that the poor state of the road which was rapidly reaching crisis point, was a major safety issue especially for pedestrians and two wheeled vehicles.

Councillor G Waller advised that he had not been aware of the highways assessment vehicle reversing onto Ongar High Street. He had been aware of the roads state and fully recognised the danger to pedestrians, cyclist and motor cycles. He stated that the road surface had been put down some years ago and Essex Highways were considering the best way forward to repair the surface, as it was major works and would cause traffic problems, diversions and disturbance to residents. He advised that Essex Highways were dealing with the issue and he would support any member in pursuing this matter.

## 116. MOTIONS

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

## 117. EPPING FOREST LOCAL HIGHWAYS PANEL - MATCH FUNDING

**Mover: Councillor G Waller, Safer, Greener and Transport**

Councillor G Waller presented a report on seeking a supplementary District Development Fund estimate of £50,000 to match fund the contribution from Essex County Council to the Epping Forest Local Highways Panel in order to implement Highway Improvement Schemes across the District.

Report as first moved **ADOPTED**

**RESOLVED:**

That a supplementary District Development Fund of £50,000 for 2017/18 be approved.

**118. PLANNING APPLICATION EPF/2473/16 – WOODVIEW, LAMBOURNE ROAD, CHIGWELL**

**Mover: Councillor B Sandler, Chairman of District Development Management Committee**

The Assistant Director of Governance (Development Management) presented a report regarding a planning application for the demolition of the existing 22 bedroom residential dwelling, the associated 3 bedroom retirement dwelling and garages/outbuildings, and replacement with a new three storey 72 bedroom care home, and one three storey block containing 25 retirement living apartments, together with the provision of 51 car parking spaces and landscaping.

Report as first moved **ADOPTED**

**RESOLVED:**

That the planning Application EPF/2473/16 – Woodview, Lambourne Road, Chigwell be granted subject to the following conditions;

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
2. No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
3. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
  - The parking of vehicles of site operatives and visitors
  - Loading and unloading of plant and materials
  - Storage of plant and materials used in constructing the development
  - The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
  - Measures to control the emission of dust and dirt during construction, including wheel washing
  - A scheme for recycling/disposing of waste resulting from demolition and construction works.
4. No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - recommendations) has been submitted to the Local Planning Authority and approved in writing. The development

shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.

5. All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.

6. If any tree, shrub or hedge shown to be retained in Sharon Hosegood Associates 'Supplementary Arboricultural Report' dated 23rd December 2016 (Ref : SHA 270 Rev A) is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased during development or within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.

7. Soft landscaping shall be implemented as shown on Tim Moya Associates, 'Tree and Hedgerow planting plan', Drawing number 160836-L-01 rev b, dated December 2016; and; Tim Moya Associates, 'soft landscaping - shrub, herbaceous, grass and bulb planting plan', drawing number 160836-L-02 Rev a, dated December 2016; unless the Local Planning Authority gives its prior written approval to any alterations.

8. No works shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented prior to occupation and should include but not be limited to:

i) Limiting discharge rates to 2l/s for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change.

ii) Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.

iii) Sufficient storage should be provided to ensure that in the event of pump failure no flooding will occur during a 1 in 30 year event.

iv) Provide sufficient treatment for all elements of the development. Treatment should be demonstrated to be in line with the guidance within the CIRIA SuDS Manual C753.

9. No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented. The scheme shall be implemented as approved.

10. No works shall take place until a Maintenance Plan detailing the maintenance arrangements including who is responsible for different

elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority. Should any part be maintainable by a Maintenance Company, details of long term funding arrangements should be provided.

11. The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

12. An internal/external bat survey of the main house and trees (if affected) shall be undertaken to include emergence re-entry surveys for bats if necessary. These surveys should be submitted to EFDC. Should the surveys reveal presence of bats, then a detailed mitigation strategy must be written in accordance with any guidelines available from Natural England (or other relevant body) and submitted to EFDC. In some cases a European Protected Species Licence may be required from Natural England. All works shall then proceed in accordance with the approved strategy with any amendments agreed in writing.

13. The ponds within 250m of the application site be subjected to a Habitat Suitability Index survey and the results submitted to EFDC for approval. Should the HSI survey reveal the suitability of the ponds for Great crested newts then a full survey needs to be carried out. These surveys should also be submitted to EFDC. If these surveys reveal the presence of GCNs then a detailed mitigation strategy must be written in accordance with any guidelines available from Natural England (or other relevant body) and submitted to EFDC. In some cases a European Protected Species Licence may be required from Natural England. All works shall then proceed in accordance with the approved strategy with any amendments agreed in writing.

14. A method statement be written and submitted for pre- and during the construction for issues concerning hedgehogs, birds, reptiles, invertebrates and invasive species. Details in the Phase 1 habitat survey by CGO Ecology Ltd submitted May 2016.)

15. The development be carried out in accordance with the flood risk assessment (RPS - Flood Risk Assessment including SuDS Strategy, Ref HLEF47138/001R, October 2016) and drainage strategy submitted with the application unless otherwise agreed in writing with the Local Planning Authority.

16. No conversion/demolition or preliminary groundwork's of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority.

17. Prior to the first occupation of the development the vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking and turning areas shall be retained in perpetuity for their intended purpose.

18. There shall be no discharge of surface water onto the Highway.

19. The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site. Should any discoloured or odorous soils be encountered during development works or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped, the Local Planning Authority contacted and a scheme to investigate the risks and / or the adoption of any required remedial measures be submitted to, agreed and approved in writing by the Local Planning Authority prior to the commencement of development works. Following the completion of development works and prior to the first occupation of the site, sufficient information must be submitted to demonstrate that any required remedial measures were satisfactorily implemented or confirmation provided that no unexpected contamination was encountered.

20. The development hereby permitted will be completed strictly in accordance with the approved drawings numbered H.16.01 (9-) 5; (9-) 4 Rev B; (9-) 2 Rev F; (21) 6; (21) 5; (00) 13; (00) 7; (00) 15; (00) 14; (00) 5; (00) 6; (00) 4; (00) 12; (21) 2; 21(10.)

21. Prior to the undertaking of any demolition or preliminary groundworks, details of a programme of historic building recording in accordance with a written scheme of investigation shall be submitted to the local planning authority for approval in writing. The development shall approve in accordance with the agreed details.

22. The 25 elderly retirement living apartments hereby approved shall only be occupied by residents who are 60 or more years old, except where the partner of a resident is 55 or more years old.

23. That planning permission be issued after the completion of a legal agreement (Section 106 of the Town and Country Planning Act 1990) that ensures a satisfactory financial contribution in respect of:-

- (a) £443,885 for off-site Affordable Housing; and
- (b) £55,720 for provision of local early years childcare places.

#### **119. OVERVIEW AND SCRUTINY COMMITTEE**

The Council noted the written report of the Overview and Scrutiny Committee from February 2017 and that there were no other questions.

#### **120. OVERVIEW & SCRUTINY RULE 53 (CALL-IN AND URGENCY)**

The Council noted that the Chairman of the Council had agreed that the following decisions be treated as a matter of urgency and not subject to the call-in provisions of the Constitution, in accordance with Overview and Scrutiny Rule 53 (Call-In and Urgency):

##### **1. Planning Application Fees - Government Increase**

- (a) That the Cabinet accepts the offer from the Department for Communities and Local Government (DCLG) to increase planning application fees by 20% from July 2017;

(b) That the Cabinet commits to spending the additional income on planning functions; and

(c) That the Director of Resources be authorised to complete the Proforma required by the DCLG to accept the offer.

2. Former Waltham Abbey Police Station – Potential Purchase

(a) That officers of the Council's Asset Management Service be authorised to seek to obtain the property at the best possible price, but within the parameters set out in the body of the report;

(b) That if an agreement is reached with Essex Police Estates (subject to contract) within these parameters, a further report seeking the necessary funding for the capital expenditure within the Council's Capital Programme and any resulting revenue consequences be presented to a future meeting of the Cabinet; and

(c) That officers of the Communities Directorate be instructed to continue to pursue every possible external funding opportunity to contribute to the potential costs.

3. Epping Forest Shopping Park – Authority To Enter Into Agreements For Lease And Leases With Retail Tenants

(a) That the Cabinet agree the Terms of the Agreement for Lease and Lease with Next Holdings Ltd as contained in Appendix 1 of the report and authorise the Director of Neighbourhoods (in consultation with the Director of Resources, the legal advisors the Asset Management and Economic Development Portfolio Holder) to enter into the lease;

(b) That delegated authority be granted to the Director of Neighbourhoods (in consultation with the Director of Resources, the legal advisors and the Asset Management and Economic Development Portfolio Holder) to waive the Council's Financial Regulations to authorise him to enter into further leases with tenants at the Epping Forest Shopping Park in the future, on the condition that they too are in accordance with the previously agreed development appraisal and planning conditions;

(c) That, subject to (1) and (2), above delegated authority be granted to the Director of Neighbourhoods (in consultation with the Director of Resources, the legal advisors and the Asset Management and Economic Development Portfolio Holder) to enter into documentation associated with the Leases;

(d) That the waiving of the call-in procedure with respect to this and future Leases be sought to reflect the timescales required to achieve a September 2017 opening; and

(e) That Procurement Rules 18.2(b) be waived to allow for the Lease and future Leases to be signed rather than sealed.

**121. POLICE AND CRIME COMMISSIONER FOR ESSEX**

The Chairman reported that the Police and Crime Commissioner for Essex, Roger Hirst had requested to attend a future meeting in the new municipal year regarding the joint responsibilities around community safety and local solutions and approaches.

**RESOLVED:**

That the Police and Crime Commissioner for Essex, Roger Hirst be invited to a future meeting of the Council in the new municipal year.

**122. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS**

(a) The Council received the a written report regarding Loughton Leisure Centre Customer Forum from Councillor R Brookes and Councillor G Chambers, as the Council's representative.

(b) Councillor G Mohindra gave a verbal update on Health and Wellbeing Agenda. He advised that the West Essex and East Hertfordshire Health Board Members meeting had not yet taken place, although senior officers between the areas had and he would report back to members when he had further information. Regarding the Epping Health and Wellbeing Board, he informed members that this meeting was chaired by Dr Kamal Bishai and was well attended by Public Health, Essex representatives and the voluntary sector and he recommended members attended.

**CHAIRMAN**