

EPPING FOREST DISTRICT COUNCIL COUNCIL MINUTES

Committee: Council **Date:** 26 September 2013

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 8.53 pm

Members Present: Councillors Mrs M Sartin (Chairman), A Boyce (Vice-Chairman), K Angold-Stephens, K Avey, Mrs H Brady, W Breare-Hall, K Chana, T Church, Mrs T Cochrane, L Girling, P Gode, Mrs A Grigg, J Hart, D Jacobs, Mrs S Jones, Ms H Kane, P Keska, J Knapman, Ms Y Knight, L Leonard, Mrs M McEwen, A Mitchell MBE, G Mohindra, R Morgan, S Murray, Mrs C Pond, B Sandler, Ms G Shiell, Mrs P Smith, P Spencer, D Stallan, Ms S Stavrou, Mrs T Thomas, H Ulkun, Mrs L Wagland, G Waller, Ms S Watson, A Watts, C Whitbread, Mrs J H Whitehouse, J M Whitehouse, D Wixley, N Wright and J Wyatt

Apologies: Councillors R Bassett, G Chambers, R Cohen, Mrs R Gadsby, Ms J Hart, Mrs J Lea, A Lion, H Mann, J Markham, J Philip, B Rolfe and Mrs E Webster

Officers Present: G Chipp (Chief Executive), D Macnab (Deputy Chief Executive), C O'Boyle (Director of Corporate Support Services), R Palmer (Director of Finance and ICT), I Willett (Assistant to the Chief Executive), G Lunnun (Assistant Director (Democratic Services)), S G Hill (Senior Democratic Services Officer), J Leither (Democratic Services Assistant) and T Carne (Public Relations and Marketing Officer)

34. WEBCASTING INTRODUCTION

The Assistant to the Chief Executive 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.

35. DISTRICT COUNCILLOR COLIN FINN AND FORMER DISTRICT COUNCILLOR DEREK COUSINS

It was with much sadness that the Chairman informed the Council of the deaths of Councillor Colin Finn and former Councillor Derek Cousins.

Members were informed that Colin Finn had represented the Loughton Forest Ward on Epping Forest District Council as a Loughton Residents Association (LRA) Councillor from 2010. He had previously served as a Conservative County Councillor for the Loughton St Johns Division from 2001 to 2005 and for the Loughton South Division from 2005 to 2009.

Derek Cousins was a former District and Parish Councillor who represented the North Weald Basset Ward from 1991 to 1995.

The Council stood for a minute's silence in tribute to the memories of Councillor Colin Finn and former Councillor Derek Cousins.

The Chairman and Councillors M McEwen, K Angold-Stevens, C Whitbread, A Watts and the Chief Executive, G Chipp on behalf of the staff paid tribute to the memory of Colin Finn. Councillor Angold-Stevens read a tribute from Councillor J Markham in his absence. Councillor A Grigg paid tribute to the memory of Derek Cousins.

36. MINUTES

RESOLVED:

That the minutes of the meeting held on 30 July 2013 be taken as read and signed by the Chairman as a correct record.

37. DECLARATIONS OF INTEREST

Pursuant to the Council's Code of Member Contact, Councillor H Kane declared a non pecuniary interest in agenda item 11 (Statutory Statement of Accounts 2012/13 – disposal of assets) by virtue of being the Assistant Finance and Technology Portfolio Holder.

38. ANNOUNCEMENTS

(a) Chairman's Announcements

(i) Events

The Chairman reported on some of the events she had attended since the last meeting of the Council. The Chairman thanked Members for their support at the Afternoon Tea Party hosted at her home by the River Stort in August. Over £800 had been raised for the Chairman's charities.

The Chairman informed the Council that she had been delighted to be invited back to the Bobbingworth Nature Reserve (former landfill site), as this had been a project which she had been closely involved with in the past when she was the Portfolio Holder for the Environment. She advised the Council that there had been many years of planning and work to take this piece of land from being a former landfill site to the nature reserve it had now become. The Chairman added that the nature reserve now had an official recognition as a Queen Elizabeth II Field, as well as receiving an Essex Wildlife Trust Living Landscapes Award. Finally a wooden plaque had been unveiled which officially named the viewing mound as 'Colin's Mound' in recognition of Colin Thompson's (former clerk to Moreton, Bobbingworth and the Lavers Parish Council) for his determination and work to see this piece of land brought back to a use where people near and afar could come and enjoy the countryside.

The Council noted that the Chairman had also attended the official opening of the four environmentally friendly Straw Bale Houses at High Ongar. She had been invited into one of the houses where the tenant had informed her that the houses were cool in the summer and retained the heat when the weather was cooler. The downside to the opening had been the weather which had demonstrated the weather proofing of the houses due to the heavy rain.

(ii) Floral Display

The Chairman announced that she intended to send the flowers from tonight's meeting to the residential home, Cunningham House, North Weald.

(b) Announcements by the Leader of Council

The Leader advised that he had no announcements to make under this heading.

(c) Announcements by Portfolio Holders**(i) Asset Management and Economic Development Portfolio Holder**

Councillor Grigg advised that there was an amendment to her supplementary report, regarding the release of a restructure covenant on land at 94/94a Lawton Road, Loughton as a decision had not been agreed and the matter would go before Cabinet on the 21 October 2013.

39. PUBLIC QUESTIONS (IF ANY)

The Council noted that there were no public questions for this meeting.

40. QUESTIONS BY MEMBERS UNDER NOTICE

The Chairman reported there were no questions by members under notice to be considered at this meeting.

41. REPORTS FROM THE LEADER AND MEMBERS OF THE CABINET

The Council received written reports from the Asset Management and Economic Development Portfolio Holder, the Environment Portfolio Holder, the Finance and Technology Portfolio Holder, the Housing Portfolio Holder, the Leisure and Wellbeing Portfolio Holder, the Planning Portfolio Holder, the Safer, Greener and Transport Portfolio Holder and the Support Services Portfolio Holder.

The Chairman invited the Leader to provide an oral report and other members of the Cabinet give an oral update of their written reports.

(a) The Leader of the Council

Councillor Whitbread advised that he had attended a meeting on 1 August of the Essex Leaders and Chief Executives. George Keiffer, Vice Chairman of the South East Local Enterprise Partnership had given a presentation on the future of Governance Arrangements and Growth Strategy. The Leader advised the Council that he would continue to ensure the best deal for Epping Forest, from the South East Local Enterprise Partnership.

Councillor Whitbread reported that in mid August he had hosted a visit to the District by Councillor Finch, the new Leader of Essex County Council. Along with many local authorities in the region, the County Council was facing an enormous financial challenge. Its funding issues were compounded by an ageing population, placing increasing pressure on Adult Social Care budgets. In response, the County would be undertaking a transformation programme designed to improve efficiency by adopting a largely commissioning model. In addition, the results of the Community Budget pilot would also be published.

The Leader stated that he believed it was important to co-operate with neighbouring authorities, not only on the Local Plan issues. He added that the Council would continue to do this through the Joint Locality Board with the County Council.

The Leader advised that he had been delighted to attend two openings earlier this month. One had been the official opening of the "Straw Bale" Housing Development at Millfields, High Ongar. He stated that he had been greatly impressed by this innovative scheme and all involved should be applauded.

The second event he had attended had been the official opening of the new Epping St John's Secondary School, undertaken by the Bishop of Chelmsford. He reported that the new building was a first class learning environment with state of the art IT equipment, as well as high quality sports facilities, which he was advised would be made available to the wider community. He said it had been good to see the pupils taking such obvious pride in their new School.

Finally, continuing on the theme of young people, he updated the Council on the progress of the Council's Apprenticeship Scheme, to give local young people a start on a future career. He stated that youth unemployment was of great concern and as well as encouraging other local employers to take on young people, the 9 apprentices taken on by the Council would be trained and given experience in a number of roles. The initial group would comprise of 7 business administration posts and two construction roles, hopefully this would demonstrate the Council's commitment to the future of young people.

(b) Planning Portfolio Holder

The Leader of the Council on behalf of the Planning Portfolio Holder reminded all Councillors to attend the Workshop 4 on the Local Plan to be held on the 5 October 2013 and to register with the Forward Planning Team as soon as possible.

42. QUESTIONS BY MEMBERS WITHOUT NOTICE

(a) Street Lighting Consultation

Councillor Spencer asked what was the District Council's official response to the County Council's Street Lighting consultation and did it mention underground stations and the adjacent areas.

Councillor Waller, Safer, Greener and Transport Portfolio Holder, advised that a letter had been received from County Councillor Rodney Bass which indicated that the areas around the underground stations would continue to be lit. In the District Council's response attention had been drawn to a number of CCTV cameras in the district which were useful during the hours of darkness and required lighting in these areas. Councillor Waller said that overall he did not have any objections to this proposal as in those areas in Essex where lights had been extinguished after midnight the trend in terms of crime and vehicle accidents was comparable with areas that were still lit.

(b) Council Housebuilding Programme

Councillor Murray asked that given over the last 32 years the District had lost approximately 6,500 units of council housing what kind of replacement rate did the Portfolio Holder think there would be over the next 10-20 years.

Councillor Stallan, Housing Portfolio Holder, advised that the Council Housebuilding Programme this Council was proposing was not intended to replace the 6,500 houses that Councillor Murray was referring to which he assumed included properties sold through the Right to Buy scheme. Councillor Stallan said the Council should be proud of the fact that it was starting to build Council houses in the district again. He

said houses would be built on small areas in the district where it had been difficult to rent the garages as identified in a Cabinet report last year. The scheme was for local people who had lived in the district for three years.

(c) Council Housebuilding Programme

Councillor J H Whitehouse referred to the proposal to allow tenants living in two or three bedroom flats to join the Housing Register and bid for houses. She asked how would priority be determined and whether tenants living in houses would be allowed to bid for houses in another part of the District.

Councillor Stallan, Housing Portfolio Holder, advised that the proposal had been introduced to encourage tenants in flats to transfer to houses to free up flats to accommodate homeless applicants and enable non-homeless applicants to bid for houses. Councillor Stallan advised that he would need to consult with Officers regarding the question of priority and whether those tenants already in houses would be able to participate. He added as soon as he had an answer he would publish it in the Council Bulletin.

(d) New Housing Register

Councillor Thomas stated that 1,800 home seekers had registered or were likely to be registered to remain on the Housing Register but there were 1,400 home seekers yet to respond. She said she was aware that officers were contacting these residents and obviously this would take time and she sought an assurance that home seekers would not be removed from the list until their situations had been assessed despite missing the re-registration date.

Councillor Stallan, Housing Portfolio Holder, confirmed that although the deadline for responding had passed, Officers would still be contacting and adding residents eligible to be registered.

(e) North Weald Airfield

Councillor Watson asked the Finance and Technology Portfolio Holder if she would like to comment on the recent accounts that had been filed by the operators of the North Weald Market. She said the accounts showed net liabilities of over £100,000 as of December 2012. She asked what steps had been taken to reduce the risks to which the Council might be exposed and the impact this might have on the reserves.

Councillor Stavrou, Finance and Technology Portfolio Holder, replied that she had not seen the company's accounts that the Councillor had referred to and that she would take advice and submit a full response to the Councillor as soon as possible.

(f) Workshop 4

Councillor Smith asked the Leader of the Council, on behalf of the Planning Portfolio Holder, if he would announce the venue for the Workshop 4 training which would be held on 5 October 2013.

Councillor Whitbread, Leader of the Council advised that the venue was Epping Hall.

(g) Recycling Credits

Councillor Leonard asked the Environment Portfolio Holder why it took so long for Essex County Council (ECC) to refund recycling credits to the District Council and

could he ask officers to find the reasons for it. He added that the credits should be in the District Council's bank account and not that of ECC.

Councillor Breare-Hall, Environment Portfolio Holder, informed the Councillor that he had a meeting arranged with representatives of ECC to discuss the Inter-Authority Agreement regarding receiving credits from ECC and would be entering into a discussion regarding the future of those arrangements. He would report back on the outcome of the meeting.

(h) Potential Parking Site near Epping Underground Station

Councillor Avey asked about leasing a site near to Epping Underground Station to serve as a car park to help clear the streets of Epping around the underground station of commuters' vehicles. He asked why this proposed site could not be cleared and converted into a car park by Christmas. Councillor Avey added that the double yellow lines on the streets near to Epping Underground Station needed renewing and revising to meet the new situation.

Councillor Waller, Safer, Greener and Transport Portfolio Holder, advised that the Director of Environment and Street Scene had met with the owner of the site and an assessment was being made. There were considerable obstacles to the conversion of this site being:

- demolition works;
- a new vehicle access would be required;
- the ground was considered likely to be contaminated with asbestos; and
- the owner of the site would like to maximise the value of his asset.

Councillor Waller added that a full assessment of the site would be needed to see whether use of the site as a car park was feasible in terms of finance.

(i) Reduction of the Non-Domestic Rating List

Councillor Mohindra asked what strategies were in place to deal with the reduction of the non-domestic rating list values.

Councillor Stavrou, Finance and Technology Portfolio Holder, advised that it was a concern to the Council and the whole of the District Council's income streams were being looked at. She advised that responses were being made to three government consultations at present but the Government keep revising its intentions and it was not yet known exactly how much money would be received. She stated that the growth aspect for the Council was very important and would be given the attention it deserved.

(j) Silver Sunday

Councillor J H Whitehouse informed the Council of an event called Silver Sunday, started in 2012 by Westminster City Council. She informed the Council that this was an annual event and would begin on 6 October 2013 and last for one month. She explained that the idea was to reach out to older people, particularly those who were socially isolated. She asked if the Community Development team would be able to hold an event to sponsor Silver Sunday on behalf of this Council.

Councillor Whitbread, Leader of the Council advised that he had heard of Silver Sunday and informed the Councillor that he would look into the possibility of the

Council being involved to highlight this event. He stated that the Council had a very active area of staffing in these events.

(k) Citizens Advice Bureau

Councillor Murray stated that many Members in the south of the district were concerned regarding the news of the long term plan of the District's Citizens Advice Bureau (CAB) to centralise within Epping and run satellite services to the south of the district. He asked the Leader of the Council if he was aware of the proposal and if he considered it satisfactory provision for the essential services that the CAB offered.

Councillor Murray stated that in his view a satellite service run from an Epping central office to an area, for example the former Chigwell Urban District, could not be regarded as acceptable by this Council.

Councillor Whitbread, Leader of the Council, agreed that it was a concern as the CAB was important to this district as there would always be people that needed the help and support of the CAB. He pointed out that the council currently contributed £113,000 per year to the CAB which was more than most other councils. He advised that he was aware of office issues for the CAB as they had to move out of their premises in Epping so that it could be redeveloped.

The Leader advised the Council that there would be an opportunity at the next Overview and Scrutiny meeting to ask questions directly to representatives of the CAB. He advised that Members should be fully aware of how much support the Council had given to the CAB.

43. MOTIONS

(a) Whipps Cross University Hospital

Moved by Councillor Murray and Seconded by Councillor Gode

"This Council notes:

- (1) that the Care Quality Commission carried out unannounced inspections at the Whipps Cross University Hospital in May and June;
- (2) that as a result of these inspections:
 - (a) the hospital failed to meet national regulations in the three areas of cleanliness and infection control, safety and availability and suitability of equipment and support to staff;
 - (b) the hospital was found to be failing to meet 10 out of the 16 national standards of quality and safety;
 - (c) the Barts Health NHS Trust has been instructed by the Care Quality Commission to make urgent improvements to protect patients at the Whipps Cross University Hospital; and

This Council resolves to:

- (1) enquire of the Trust why this situation was allowed to develop;
- (2) seek clear assurances from the Trust that steps have been taken and will

continue to be taken to rectify these findings; and

(3) seek the strongest possible assurances from the Trust that all future patient care at the Whipps Cross University Hospital will reach the standards required by both the Care Quality Commission and patients and their families”.

Motion as first moved ADOPTED

RESOLVED:

That this Council notes:

(1) that the Care Quality Commission carried out unannounced inspections at the Whipps Cross University Hospital in May and June;

(2) that as a result of these inspections:

(a) the hospital failed to meet national regulations in the three areas of cleanliness and infection control, safety and availability and suitability of equipment and support to staff;

(b) the hospital was found to be failing to meet 10 out of the 16 national standards of quality and safety;

(c) the Barts Health NHS Trust has been instructed by the Care Quality Commission to make urgent improvements to protect patients at the Whipps Cross University Hospital; and

That this Council resolves to:

(1) enquire of the Trust why this situation was allowed to develop;

(2) seek clear assurances from the Trust that steps have been taken and will continue to be taken to rectify these findings; and

(3) seek the strongest possible assurances from the Trust that all future patient care at the Whipps Cross University Hospital will reach the standards required by both the Care Quality Commission and patients and their families.

44. STATUTORY STATEMENT OF ACCOUNTS 2012/13

Mover: Councillor Watts, Chairman of the Audit and Governance Committee

Councillor Watts submitted a report which had been considered by the Audit and Governance Committee. He advised that in order to allow members time to consider the Statutory Statement of Accounts they had been issued with the Council agenda prior to the completion of the external audit and to consideration of the accounts by the Audit and Governance Committee. He drew attention to the Members' Allowances on page 195 and the updated page which had been tabled. Councillor Watts advised that the external auditors had concluded that they were satisfied that, in all significant respects, the Council had put in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources for the year ended 31 March 2013.

Councillor Watts thanked the Director of Finance and ICT and his staff and the external auditors for their work in relation to the preparation of the Statutory Statement.

Councillor Stavrou, Finance and Technology Portfolio Holder thanked Councillor Watts, the Audit and Governance Committee and Officers for their work. She drew attention to the Council's financial position as set out in the Statement.

Report as first moved ADOPTED

RESOLVED:

That the Statutory Statement of Accounts for 2012/13 be adopted.

45. REPORT OF THE CABINET - SUPPLEMENTARY CAPITAL ESTIMATES

Mover: Councillor Grigg, Asset Management and Economic Development Portfolio Holder

Councillor Grigg, Asset Management and Economic Development Portfolio Holder presented reports seeking supplementary capital estimates for a new CCTV system at the Langston Road Depot in Loughton and to progress the development of the site of the Sir Winston Churchill Public House, The Broadway, Loughton.

The Portfolio Holder advised that the CCTV systems at Langston Road were old, unreliable and difficult to repair. Equipment had been loaned from Essex Police but this was a temporary arrangement and could not be sustained. In light of the possible development of the site, investment had been restricted in recent years, however, it was known that the site would remain operational until 2016 and recommended that the CCTV systems on site be replaced. The Portfolio Holder advised that the new equipment would be reused at the new depot site and that £15,000 was for the CCTV equipment with a further £5,000 for the removal and reinstatement of the new equipment.

In relation to the site of the Sir Winston Churchill Public House it had become apparent that external legal resources would be required to prepare and negotiate a development agreement.

Report as first moved ADOPTED

RESOLVED:

(1) That a supplementary capital estimate of £20,000 in 2013/14 be approved for the installation of new CCTV systems at the Langston Road Depot, Loughton; and

(2) That a supplementary capital estimate of £75,000 in 2013/14 be approved in order to instruct external solicitors to prepare and negotiate a development agreement for the site of the Sir Winston Churchill Public House, The Broadway, Loughton.

46. REPORT OF THE CABINET - LANGSTON ROAD RETAIL PARK

Mover: Councillor Grigg, Asset Management and Economic Development Portfolio Holder

Councillor Grigg, Asset Management and Economic Development Portfolio Holder submitted a report to the Council seeking a supplementary District Development Fund estimate regarding the Langston Road Retail Park.

The Portfolio Holder advised that the estimated cost of submitting a detailed planning application and undertaking a contamination survey would be £150,000.

Report as first moved ADOPTED

RESOLVED:

That a supplementary District Development Fund estimate in the sum of £150,000 in 2013/14 be approved to cover the Council's share of the cost of contamination investigations and to make a detailed planning application for the proposed Retail Park.

47. OVERVIEW AND SCRUTINY

(a) Report of the Chairman of the Overview and Scrutiny Committee

The Council received a written report from Councillor Morgan, the Chairman of the Overview and Scrutiny Committee.

Councillor Morgan informed the Council that CAB speaker Stephanie Chambers would be attending the Overview and Scrutiny Meeting on the 15 October 2013 to answer questions. If Members had any questions they would like to ask please could they send them to Democratic Services beforehand so she would be able to prepare the answers.

(b) Reports of the Overview and Scrutiny Committee

The Chairman announced that there were no reports to be considered under this item.

(c) Reports of Overview and Scrutiny Panels

The Chairman announced that there were no reports to be considered under this item.

48. REPORT OF THE LICENSING COMMITTEE - SCRAP METAL DEALERS

Mover: Councillor Angold-Stephens, Chairman of the Committee

The Chairman of the Licensing Committee, Councillor Angold-Stephens, presented a report regarding the Scrap Metal Dealers Act 2013.

He advised Members that metal theft had become a scourge across the country and the Government had brought in new legislation to enable Councils to regulate Scrap Metal Dealers. There were two types of licence, a premises licence and an operators licence, the latter would include itinerant dealers who might trade across district boundaries.

Councillor Angold-Stephens said the Licensing Manager had taken part in a working group of Essex Licensing Officers and as a result a statement of licensing policy had been drawn up which would be largely common through all local authorities in Essex, although local modifications would be permitted.

Report as first moved ADOPTED**RESOLVED:**

- (1) That officers carry out a consultation on the draft policy attached as an Appendix to these minutes;
- (2) That the licence fees set out in this report be adopted;
- (3) That the schedule of delegations set out in the draft policy take effect immediately; and
- (4) That the Director of Corporate Support Services and the Director of Environment and Street Scene be given delegated authority to authorize officers to carry out inspections of the sites and vehicles used and to conduct investigations and to issue and undertake prosecutions that may arise under the Act.

49. ANNUAL COUNCIL MEETING - 2014

The Council was informed that the Local Elections (Ordinary Day of Elections in 2014) Order 2013 changed the date of local elections in England in 2014 so that it was the same as the date of the European Parliamentary elections (22 May 2014).

Members noted the implications of the Order and the need to change the date of the Annual Council meeting in 2014.

RESOLVED:

- (1) That the effects of The Local Elections (Ordinary Day of Elections in 2014) Order 2013 be noted; and
- (2) That the date of the Annual Council meeting in 2014 be changed from 20 May to 10 June.

50. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS

The Council received a report from Councillor Chambers, one of the Council's representatives on the West Essex Wellbeing Joint Committee.

Councillor J H Whitehouse stated that Councillors Chambers and Boyce represented the whole District on the Committee and she asked how other Councillors and the public could be made aware of items under discussion.

Councillor Boyce stated that he had not yet been to a meeting of the Committee and would need to consider how this could be done. He agreed with a suggestion from Councillor J H Whitehouse that details could be placed in the Council Bulletin.

CHAIRMAN