

EPPING FOREST DISTRICT COUNCIL COUNCIL MINUTES

Committee: Council **Date:** 20 February 2014

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 10.08 pm

Members Present: Councillors Mrs M Sartin (Chairman), A Boyce (Vice-Chairman), K Angold-Stephens, K Avey, R Bassett, W Breare-Hall, K Chana, T Church, Mrs R Gadsby, P Gode, Mrs A Grigg, D Jacobs, Mrs S Jones, Ms H Kane, P Keska, J Knapman, Ms Y Knight, Mrs J Lea, L Leonard, A Lion, Mrs M McEwen, H Mann, J Markham, S Murray, Mrs C Pond, B Rolfe, 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, A Watts, Mrs E Webster, C Whitbread, Mrs J H Whitehouse, J M Whitehouse, D Wixley, N Wright and J Wyatt

Apologies: Councillors Mrs H Brady, R Butler, G Chambers, Mrs T Cochrane, R Cohen, L Girling, J Hart, Ms J Hart, A Mitchell MBE, G Mohindra, R Morgan, J Philip and Ms S Watson

Officers Present: G Chipp (Chief Executive), D Macnab (Deputy Chief Executive), 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 S Mitchell (PR Website Editor)

90. 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.

91. MINUTES

RESOLVED:

That the minutes of the meeting held on 17 December 2013 be taken as read and signed by the Chairman as a correct record.

92. DECLARATIONS OF INTEREST

(a) Declarations

(i) Pursuant to the Council's Code of Member Conduct, Councillors Shiell and J H Whitehouse declared an interest in agenda item 12 (Report of the Cabinet – Budgets and Council Tax Declaration 2014/15) by virtue of being Trustees of Epping Forest Re-use which was proposed to receive a grant from the District Development Fund. The Councillors had determined that their interest was pecuniary and that they

would leave the meeting for this item if there was specific discussion about this aspect of the proposed budget.

(ii) Pursuant to the Council's Code of Member Conduct, Councillor Stavrou declared an interest in agenda item 12 (Report of the Cabinet – Budgets and Council Tax Declaration 2014/15) by virtue of having been a Trustee of Epping Forest Re-Use in the past. The Councillor had determined that her interest was not pecuniary and that she would remain in the meeting for the consideration of that aspect of the budget.

(b) Dispensations

The Council noted that the Monitoring Officer had granted dispensations to the following "dual hatted" District Councillors (who were also Parish or Town Councillors) to enable them to take part and vote on agenda item 12 (Report of the Cabinet – Budgets and Council Tax Declaration 2014/15) and in particular the Local Support Grant to Parish and Town Councils: K Angold-Stephens, K Avey, H Brady, W Breare-Hall, G Chambers, K Chana, A Church, R Gadsby, L Girling, P Gode, A Grigg, S Jones, H Kane, J Knapman, J Lea, A Lion, A Mitchell, G Mohindra, R Morgan, S Murray, J Phillip, C Pond, B Sandler, P Smith, D Stallan, S-A Stavrou, T Thomas, H Ulkun, L Wagland, S Watson, A Watts, E Webster, J M Whitehouse, D Wixley, N Wright, J Wyatt.

93. ANNOUNCEMENTS

(a) Announcements by the Chairman of the Council

(i) "Youth Makes Music" Concert

The Chairman reported that she had attended the Rotary Club of Epping "Youth Makes Music" concert held at St John's Church, Epping. She advised that the concert had showcased the exceptional talent of young musicians from local schools in the District and the standard had been very high.

(ii) Commonwealth Day Flag

Commonwealth Day Flag – the Chairman advised that she had attended Ingatestone Hall together with representatives of other Essex councils to receive a Commonwealth Flag which was to be flown at the Civic Offices on 10 March 2014 (Commonwealth Day). Members noted that this would be the first occasion on which the flag had been flown throughout the UK and that the intention was to extend the flying of this flag to all countries forming the Commonwealth in 2015.

(iii) Councillor S Murray

The Chairman congratulated Councillor Murray who had received a lifetime achievement award in the Essex Teaching Awards 2014. The Chairman's congratulations were echoed by all members of the Council.

(iv) Epping Forest District Council Anniversary

The Chairman reported that 1 April 2014 would be the 40th anniversary of the Council.

The Chairman announced that she intended sending the flowers from tonight's meeting to Beechlands Care Home, Alderton Hill, Loughton.

(b) Announcements by the Leader of the Council

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

(c) Announcements by Portfolio Holders

(i) Housing Portfolio Holder

Councillor Stallan reported that a meeting had been arranged for 10 March 2014 to progress the Oakwood Hill Environmental Improvement Scheme. He agreed to keep members informed of further progress at future meetings.

(ii) Safer, Greener and Transport Portfolio Holder

Councillor Waller referred to an article in the local Guardian newspaper which had suggested that burglary was a particular problem in the Epping Forest District. He said that he was glad to have this opportunity to reassure residents that homes in the Epping Forest District were not the most likely to be burgled in Essex. He stated that the Analyst in the Council's Community Safety Team had provided him with Home Office figures and that of all the districts and boroughs in Essex, Epping Forest District ranked eighth out of fourteen in terms of all burglary. Although this was not as good as one would wish it was nothing like as bad as reported in the newspaper.

Councillor Waller continued that the true figure reflected the fact that the District abutted Greater London, with excellent transport links which unfortunately enabled many burglars to enter and leave the District quickly making the task of detection especially difficult.

The Portfolio Holder pointed out that in the District there had been a 15% reduction in all burglary in 2013 and an 18% reduction in domestic burglaries in that year. He referred to a meeting he had attended earlier in the day at which the Chief Constable had stated that he regarded domestic burglary as one of his top priorities.

Councillor Waller expressed disappointment that the true situation had been misrepresented because undue fear of crime could act as a severe limitation on people's lives. In conclusion he stated that whilst there was absolutely no cause for complacency, people should know that the Epping Forest District was a safe place in which to live and work.

(iii) Planning Portfolio Holder

Councillor Bassett advised that an appeal had been lodged against the decision of the Secretary of State to refuse planning permission and uphold an Enforcement Notice concerning a Gypsy, Roma and Traveller site at Sunnyside, Carthegena Estate. The Portfolio Holder advised that normally such appeals were defended by the Secretary of State without the need for any input from the local planning authority but that Council Officers were liaising with Counsel in order to determine whether the Council should have an input into this appeal.

(iv) Leisure and Wellbeing Portfolio Holder

Councillor Webster reported that the Epping Forest Sports and Health Inclusion Project had been recognised as best practice and had received funding from Essex County Council of £38,500 for the delivery of the programme for a further year.

The Portfolio Holder advised that the Epping Forest Youth Council had been nominated for a High Sheriff's award for their work concerning safety around young people. The Chairman asked the Portfolio Holder to pass on the District Council's congratulations to the Youth Council.

94. PUBLIC QUESTIONS (IF ANY)

The Council noted that there were no public questions to be considered at this meeting.

95. QUESTIONS BY MEMBERS UNDER NOTICE**(a) Dog Fouling****(i) By Councillor Leonard to Councillor Breare-Hall, Environment Portfolio Holder**

"I would like to ask the Portfolio Holder for Environment:

(a) whether he is aware of the on-going concern of Loughton residents (including those in my own ward) about the irresponsible activities of dog owners and walkers and the potential health hazards from dog fouling that this nuisance poses;

(b) if he has any plans to educate local residents and enforce bye laws to improve the situation;

(c) whether he can offer support to Loughton Town Council in dealing with dog fouling on the football pitches in the Roding Valley and take specific action on footways around the Council flats in Oakwood Hill; and

(d) if he is prepared to meet me to discuss some innovative actions being taken by other councils in addressing this widespread problem?"

Response by Councillor Breare-Hall, Environment Portfolio Holder

"I am indeed aware of the concern that is caused to residents through dog fouling and the irresponsible behaviour of some dog owners and walkers. I'm sure Councillor Leonard will recall that, for this very reason, in December 2012 I asked the Cabinet to agree three new Dog Control Orders. These included placing a requirement upon dog owners to remove dog faeces deposited on any public land, and dog waste bins exist throughout the District to assist owners in this requirement.

Officers have checked their records for the last 12 months and, of 160 complaints received, 59 related to Loughton generally, 2 to the Roding Valley Park and Recreation Ground and none to the Oakwood Hill area. However, I fully appreciate that these statistics do not mean that dog fouling is not occurring in these areas, and I have therefore asked officers to visit the locations mentioned.

Officers are always willing to engage with Town and Parish Councils to see what assistance can be provided, including targeted enforcement activity. I have therefore also asked that contact be made with the Clerk to Loughton Town Council.

With regard to meeting to discuss this matter further, I'm pleased that Councillor Leonard and I have already had an opportunity to do this, and I am grateful to Councillor Leonard for bringing to my attention the unusual approach adopted by another local authority. I am always happy to consider innovative ideas that may be applied here in Epping Forest, and will be asking officers to look further at these, mindful of course, on this budget night, of the financial practicalities".

Supplementary Question from Councillor Leonard arising directly out of the original Question or the Reply

"Do you agree that the Dog Control Orders should be enforced more strictly?"

Response by Councillor Breare-Hall

"Dog fouling is a difficult issue especially with limited resources but if there is a particularly bad problem in an area more resources can be devoted to it".

96. 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 to give an oral update of their written reports.

(a) The Leader of the Council

Councillor Whitbread referred to the recent inclement weather and, whilst expressing greatest sympathy with the people who lived in the worst affected areas in Somerset and the Thames Valley, drew attention to a number of flooding incidents which had occurred in this District. He advised that as usual when faced with an emergency, the community had pulled together to support and help each other. He referred to the assistance given by Town and Parish Councils and expressed thanks to the District Council's own Land Drainage Team who had worked extremely hard monitoring and reacting to rising water levels, ensuring that storm grills and culverts were kept clear and that sandbags were available to those householders at immediate risk.

The Leader stated that several years ago, when a number of responsibilities had been taken back by the Environment Agency, this Council had taken the decision to retain and resource its own Land Drainage Team. This had been in recognition that flooding was the highest risk on the Council's Emergency Planning Risk Register, and a topic of serious concern to many local people. He expressed the view that in the light of the recent bad weather this had proved to be the correct decision.

Councillor Whitbread reported that he had met with the Leader and Planning Portfolio Holder of Harlow Council to consider Local Plans. He reminded members that under the "Duty to Co-operate" the Council was required to consult with neighbouring

authorities and said he was pleased that the dialogue with Harlow was leading to a clearer understanding of the major issues facing both councils.

The Leader stated that he had attended the Master Planning Workshop at North Weald Village Hall on 25 January 2014. He stated that the workshop had been well attended by local residents who should be congratulated for their positive approach to the exercise.

Councillor Whitbread reported that he had attended the launch of the Investors in Youth Awards at the Marriott Hotel, hosted by Eleanor Laing, MP. He advised that this had been another very positive event aimed at encouraging businesses to provide employment opportunities to local young people. He pointed that the Council's own Apprentice Scheme was proving very successful and he expressed the hope that as many local businesses as possible would give local young people a chance to gain employment and develop new skills.

The Council noted that on 6 February 2014, the Leader had attended the Essex Leaders' and Chief Executives' Forum in Chelmsford. The topics considered had included a draft Economic Development Strategy for the County in respect of which he had sought to ensure that Epping Forest District received a fair share of any external funding. He continued that the meeting had also received presentations on the progress being made on Health and Social Care Integration and the implications of the new Care Bill, which would lift the cap on care costs, and place considerable financial strain on the County Council. He reported that the meeting had also been advised of some review work that was due to start shortly on the Inter-Authority Waste Agreement.

(b) Other Portfolio Holders

There were no updates from other Portfolio Holders on their written reports.

97. QUESTIONS BY MEMBERS WITHOUT NOTICE

(a) Housing Portfolio

Councillor Murray asked the Housing Portfolio Holder which of the five achievements summarised in his written report was he most proud.

Councillor Stallan, Housing Portfolio Holder, said he was very proud of the Council House Building Programme which, if the estimated timescale and budget were met, would result in completion in 2015 of the first Council-built residential units for 30 years in Harveyfields, Waltham Abbey. He continued that the increase in the provision of off-street parking throughout the District was important and was being well received by residents in the areas where schemes had already been provided. The Portfolio Holder said that due to careful financial management a sum of £200,000 was being provided for the Oakwood Hill Environmental Improvement Scheme in Loughton. He said that little work had been undertaken on the Estate since he had first visited it in the 1980s and that there had been a marked deterioration of the environment. He was pleased therefore that match funding was being provided by Essex County Council and he said he hoped that Loughton Town Council would also contribute towards the proposed improvements. Councillor Stallan said that the Welfare Reform Mitigation Plan was very important because it was helping to minimise the effects of the Government's Welfare Reforms. In summary, Councillor Stallan said that he was proud of all of the five achievements mentioned in his written report.

(b) Bridge between Buckhurst Hill and Chigwell

Councillor Spencer asked the Safer, Greener and Transport Portfolio Holder if he would ask the Essex County Council Highways Portfolio Holder why the contractors working on the bridge had not built their site office on stilts as the area was known to flood and now that the site office had flooded there would presumably be an even longer delay in completing the works.

Councillor Waller, Safer, Greener and Transport Portfolio Holder said that he had little influence over the County Council Highways Portfolio Holder on this matter or any other County Council highways and transportation issues. He agreed, however, to pass on Councillor Spencer's comments to the County Council Portfolio Holder.

(c) Food Banks

Councillor Murray asked the Leader of Council for a comment about the continued use of a food bank in Loughton. He pointed out that the results of national research published during the day had stated that rising food prices, low pay and reducing income had led to an increased demand for food banks.

Councillor Whitbread, Leader of the Council, stated that food banks provided a much needed resource at a time when the country had suffered one of its hardest recessions. He said he would be happy to visit the food bank in Loughton. He agreed that the need for food banks had been due to rising food prices and in particular the rise in prices in relation to basic foods.

(d) St John's Road Area, Epping

Councillor J H Whitehouse referred to the statement made at the last Council meeting by the Asset Management and Economic Development Portfolio Holder about a report being submitted shortly regarding the future of the St John's Road area of Epping and asked if a progress report could now be made as it had been two months since the last Council meeting.

Councillor Grigg, Asset Management and Economic Development Portfolio Holder, said that a report would be submitted to the next Cabinet meeting regarding the District Council, Essex County Council and Epping Town Council entering into negotiations with a mixed development preferred bidder for a fixed period.

(e) Street Lighting

Councillor Knapman referred to the majority of street lights in the District being switched off at midnight with only a few in the vicinity of bus stops being left on. He said that he thought agreement had been reached with Essex County Council for street lights in the vicinity of London Underground stations to be kept on later. He asked the Safer, Greener and Transport Portfolio Holder if he agreed and if he would make further representations to the County Council on this matter. He also pointed out that Parish or Town Councils could take on responsibility for street lights.

Councillor Waller, Safer, Greener and Transport Portfolio Holder, said it was also his understanding that street lights in the vicinity of London Underground stations in the District would be kept on until the trains stopped running in the early hours. He said he would make further representations to the County Council. On the wider issue he advised that there had been no noticeable increase in road traffic accidents or crime as a result of street lights being switched off. The Portfolio Holder continued that the

matter had been discussed earlier in the day at a meeting of the Police and Crime Panel and discussions would continue. In relation to Parish and Town Councils taking over responsibility for street lighting, he said that this should be encouraged if they were prepared to accept the costs and responsibilities.

(f) Council House Building

Councillor Markham referred to a statement made by the Prime Minister about the delivery of affordable homes during the term of the current Government and asked the Housing Portfolio Holder how many affordable homes had been built since 2010.

Councillor Stallan, Housing Portfolio Holder, said he did not have a figure for the country but would ask officers to provide members with details. He stated that in relation to the Epping Forest District there had been no affordable properties built by the Council for 30 years which was the reason for introducing the Council House Building Programme.

(g) Parking Enforcement

Councillor Pond asked the Safer, Greener and Transport Portfolio Holder why parking restrictions were not enforced in the evenings or on Sundays.

Councillor Waller, Safer, Greener and Transport Portfolio Holder, stated that parking enforcement should not be restricted to 9 until 5 although it should be accepted that the majority of enforcement would be undertaken during the working day. He said that the North Essex Parking Partnership needed to be reminded of the need to enforce restrictions which applied outside of the normal working day and he agreed to raise this matter with the senior officer for the western area of the North Essex Parking Partnership at a meeting due to be held shortly.

(h) Parking Bays in Loughton High Road

Councillor Mann advised that the white lines denoting some 20/30 parking bays in Loughton High Road had been worn away and this resulted in drivers parking in such a way that they used an area larger than a parking bay and thereby exacerbated the lack of parking. He pointed out that this practice also led to confrontations between drivers. He asked the Portfolio Holder if the lines could be repainted.

Councillor Waller, Safer, Greener and Transport Portfolio Holder, said that this was another matter to be discussed with the senior officer for the western area of the North Essex Parking Partnership. He said it was not just a matter of repainting the lines but also of maintaining them. He pointed out, however, that there would be a need to await better weather before repainting the lines.

(i) Planning Application Forms

Councillor Wagland said that approximately one year ago she had made representations to the Government about the need to include a "statement of truth" at the end of planning application forms as this was common practice on many other documents. She said that the Government had agreed to do so and having recently seen an application form from another authority it had included such a statement. Councillor Wagland said she assumed, therefore, that the necessary regulations had been made to include the statement and she asked the Planning Portfolio Holder if he supported this approach and if this Council had amended its forms to include such a statement. She suggested that the requirement should be published locally.

Councillor Bassett, Planning Portfolio Holder, said that he totally agreed with the inclusion of a “statement of truth” on planning applications forms and that he had a meeting arranged with Planning Officers on the following day at which he would raise the issue in order to establish the current situation.

(j) Discretionary Housing Payments

Councillor J M Whitehouse said that this Council had been included on a list of authorities which had allocated a low level of Discretionary Housing Payments to those in need. He sought views on why this had been the case and on details of the amount spent to date.

Councillor Stavrou, Finance and Technology Portfolio Holder, advised that £54,232 had been spent out of a total Discretionary Housing Payments budget of £206,998, consisting of 51 awards to Council tenants, 28 awards to RSL tenants and 23 awards to private tenants. She continued that exceptional hardship payments expenditure amounted to £1,844 from the total budget of £20,670 for 12 claimants. Councillor Stavrou stated that she was working with officers to identify those who were really struggling with a view to spending the total budget.

98. MOTIONS

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

99. REPORT OF THE CABINET - TRANSFER OF HOUSING REVENUE CAR PARKS TO THE GENERAL FUND

Mover: Councillor Stavrou, Finance and Technology Portfolio Holder

Councillor Stavrou presented a report stating that there were two car parks which were still accounted for within the Housing Revenue Account (HRA). She reminded members that on the introduction of HRA self financing, the Council had resolved that the HRA should be maintained predominantly as a landlord account and HRA assets that were not held for social housing purposes should be accounted for within the General Fund. Members noted that the two car parks in question were provided for any resident of the District wishing to shop at The Broadway, Loughton and were therefore unrelated to the social housing activity of the HRA.

Report as first moved **ADOPTED**

RESOLVED:

That, with effect from 1 April 2014, the car parks at Burton Road and Vere Road, Loughton currently accounted for within the Housing Revenue Account be transferred to the General Fund.

100. REPORT OF THE CABINET - TREASURY MANAGEMENT STRATEGY AND INVESTMENT STRATEGY 2014/15 AND 2016/17

Mover: Councillor Stavrou, Finance and Technology Portfolio Holder

Councillor Stavrou presented a report on the Council's Treasury Management Strategy and Investment Strategy.

The Portfolio Holder advised that the Council had £61 million of investments and £185 million of borrowing so it was important to have strategies in place setting out how those balances were managed. She stated that the strategies were updated annually and came before the Council as part of the budget process. She advised that the strategies were based on advice from the Council's Treasury Management Advisers to ensure that all the necessary requirements were met.

Councillor Stavrou stated that the Finance and Performance Management Cabinet Committee and the Audit and Governance Committee received mid year and end of year reports on Treasury Management and the most recent report received in the November 2013 cycle of meetings had shown that there had been no breach of Prudential Indicators for the first half of the financial year 2013/14.

The Council noted that the current capital programme could be financed without any additional borrowing.

Councillor Stavrou stated that the strategies also set out who the Council invested with, how much was invested and for how long. She assured the Council that the lists were updated regularly to take account of changes in credit ratings and other relevant information.

Councillor Stavrou invited Councillor Watts, Chairman of the Audit and Governance Committee to present the views of that Committee.

Councillor Watts advised that the Audit and Governance Committee had considered the strategies to be comprehensive and sound. He expressed support of the increased use of building societies on the counter party list and drew attention to the possibility of investing in housing association schemes. He advised that the Audit and Governance Committee had requested reports on the authorised limit and operational boundary for external debt.

Report as first moved **ADOPTED**

RESOLVED:

That the following documents attached to these minutes as Appendix 1 be adopted:

- (a) Treasury Management Strategy Statement and Annual Investment Strategy 2014/15 to 2016/17;
- (b) Minimum Revenue Provision Statement;
- (c) Treasury Management Prudential Indicators for 2014/15 to 2016/17;
- (d) the rate of interest to be applied to any Inter-Fund Balances; and
- (e) Treasury Management Policy Statement.

101. REPORT OF THE CABINET - BUDGETS AND COUNCIL TAX DECLARATION 2014/15

The Chairman announced that she proposed to take the items on holding a recorded vote before the report of the Cabinet.

(a) Recorded Votes at Budget Meetings

The Council received a letter dated 4 February 2014 from Brandon Lewis MP, Parliamentary Under Secretary of State, Department for Communities and Local Government stating that the Government's expectation was that at this year's budget meetings, all principal councils would adopt the practice of recorded votes on any decision relating to the budget or council tax, not only on the substantive budget motions agreeing the budget, setting council taxes or issuing precepts, but also on any amendments proposed at the meeting.

Members noted that to facilitate the Government's wishes, the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 which would come into force on 25 February 2014 would make it mandatory for councils as soon as it was practicable to amend their Standing Orders so as to include provisions requiring recorded votes at budget meetings. Recognition that it might not be possible to amend Standing Orders before budget meetings this year, Brandon Lewis had stated that he expected councils to adopt the practice of recorded votes by resolving to do so in line with the regulations.

RESOLVED:

That recorded votes be taken on any decision relating to the budget or council tax for 2014/15.

(b) The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014**Motion moved by Councillor Watts and seconded by Councillor Whitbread:**

"That the Council's Constitution be amended to include provisions requiring recorded votes at budget meetings".

Carried

RESOLVED:

That Council Procedure Rule 17 (Voting) be amended by the addition of the following new sub-paragraph:

"17.6 Voting at Budget Decision Meetings

In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, immediately after any vote is taken at a budget decision meeting there must be recorded in the minutes of the proceedings of that meeting the names of the persons who cast a vote for the decision or against the decision or who abstained from voting.

"Budget decision" means a meeting at which:

(a) a calculation is made (whether originally or by way of substitute) in accordance with any of the Sections 31A, 31B, 34 to 36A, 42A, 42B, 45 to 49, 52ZF, 52ZJ of the Local Government Finance Act 1992, as amended; or

(b) a precept is issued under Chapter 4 of Part 1 of that Act,

and includes a meeting where making the calculation or issuing the precept as the case may be was included as an item of business on the agenda for that meeting.

References to a vote are references to a vote not only on the substantive budget motions agreeing the budget, setting council taxes or issuing precepts, but also on any amendments proposed at the meeting”.

(c) Report of the Cabinet

Mover Councillor Stavrou, Finance and Technology Portfolio Holder

Councillor Stavrou presented a report on the Council's Budgets and the Council Tax Declaration 2014/15.

The Portfolio Holder apologised to members for the postponement of this Council meeting for two days which had arisen because when the referendum limit for a council tax increase for 2014/15 had been announced on 5 February 2014, the Police and Crime Commissioner's budget had exceeded the limit and had to be reconsidered. She advised that it had only been this afternoon when the revised precept figure had been received which together with precepts from other authorities enabled the setting of the overall council tax.

Councillor Stavrou referred to the Council's lengthy and robust process for setting its own budget. Detailed growth lists had been considered by the Finance and Performance Management Cabinet Committee and the Cabinet itself whilst the Joint Finance and Performance Management Cabinet Committee and Finance and Performance Management Scrutiny Panel meeting had received detailed Directorate budgets and had been given the opportunity to question all the Directors and Portfolio Holders.

The Portfolio Holder stated that 2013/14 had been a difficult year in terms of the budget. Draft grant figures from central Government issued in late summer had been worse than previously indicated and had necessitated substantially increasing the need for net savings in the Council's Medium Term Financial Strategy. Councillor Stavrou stated that fortunately the Government's proposal to top slice the New Homes Bonus by diverting funds to Economic Partnerships had resulted in a national outcry and had led to this idea not being pursued.

The Council noted that although Council Tax collection rates had reduced it had not been to the extent anticipated and the provision of hardship funds for supporting local Council Tax and Discretionary Housing Payments were likely to be adequate this year.

Councillor Stavrou stated that the final report on the restructuring of the Council's top management had not been submitted to the Council until late December 2013 leaving the accountants a lot of work to do in a short space of time to align budgets with the new four Directorate structure from April 2014. The Portfolio Holder stated that business rates retention was an ongoing problem with the Department for Communities and Local Government (DCLG) making up the rules as matters progressed. She said it had been known that additional grant would be payable to councils where DCLG had changed the system and in doing so had caused a reduction in a council's income. It had been known that this Council would receive a grant but the amount of £400,000 had only been confirmed at the beginning of February 2014 and as a result that sum had been added to the District Development

Fund. Members noted that a sum of £250,000 had been provided in 2014/15 to meet the cost of potential business rate appeals.

Councillor Stavrou reminded members that the financial issues paper considered in September 2013 had set a target of achieving £700,000 net savings. She reported that the target had been achieved mainly due to the Top Management Restructure which in a full year would achieve savings of £350,000, the investment of capital in acquiring a long lease at Torrington Drive, Loughton which would boost revenue by approximately £200,000 per annum, and changes to fees and charges which were estimated to achieve approximately £150,000. The Portfolio Holder explained that the proposed changes in parking tariffs would be the first for five years and were being introduced not only to increase income but also to address the representations from local traders about town centre parking spaces being taken by commuters. Councillor Stavrou advised that the revised proposals would provide an opportunity to better manage parking spaces and make them available to shoppers.

The Council noted that a key theme in the budget was Economic Development and provision had been made for an Assistant Director post to have specific responsibility as well as additional funding being provided.

Councillor Stavrou reported that it had been possible to achieve a balanced budget and investment in priority areas without increasing the District Council Tax. She continued that Epping Forest District Council had been a low Council Tax Council for many years and the Cabinet intended it to remain so. She cautioned that whilst the recession might be over, austerity for the public sector was likely to continue for some time.

Councillor Stavrou expressed her thanks to Bob Palmer, Peter Maddock and their staff for the work in preparing the budget under more difficult circumstances than normal.

Councillor Murray expressed support for the District Council budget but not those of the County Council and the Police and Crime Commissioner having regard to the services they provided. Councillor Angold-Stephens supported Councillor Murray's views.

Councillor J M Whitehouse expressed support for the District Council budget but expressed concern that the Council was being asked to include additional income of £150,000 from fees and charges before knowing what changes would be made to car parking tariffs. He also urged caution about some District Council services which whilst continuing were showing signs of strain. He also referred to the current spend on consultants and asked that careful consideration be given to this in future.

Councillor Knapman drew attention to the savings forced upon the County Council, the level of which would not have been achieved without cutting services. He also expressed concern about the budget of the Police and Crime Commissioner.

Councillor McEwen echoed Councillor Knapman's comments about the County Council's budget.

Councillor Stavrou thanked members for their comments. She re-emphasised the reasons for revising car parking tariffs and said that consultants were only engaged when the Council officers did not have the necessary expertise.

Councillor Waller advised that a report on the details of the proposed car parking tariffs would be submitted to the Cabinet at which time other members would be able

to contribute to the debate and, if necessary, call in the decision for further consideration.

Councillor Whitbread thanked Councillor Stavrou for her work in progressing the budget.

Councillor Sartin reminded members that at the Annual Council meeting in May 2013 she had advised that it was not her intention during her year of office as Chairman of Council to vote at Council meetings and she would therefore be abstaining from voting on this matter.

Report as first moved **ADOPTED**

RESOLVED:

Budget

- (1) That the list of CSB growth and savings for the 2014/15 budget (set out in Annex 1 to these minutes) be approved;
- (2) That the list of District Development Fund items for the 2014/15 budget (set out in Annex 2 to these minutes) be approved;
- (3) That the revenue estimates for 2014/15 and the draft Capital Programme for 2014/15 be approved as set out in Annexes 3, 4 (a-g) and 5 to these minutes including all contributions to and from reserves as set out in the attached Annexes;
- (4) That the Medium Term Financial Forecast be approved as set out in Annexes 8 a and 8 b to these minutes;
- (5) That the 2014/15 HRA budget be approved and that the application of rent increases and decreases resulting in an average increase of 4.91% from £91.10 to £95.59, be approved;
- (6) That the Council's policy of retaining revenue balances at no lower than £4.0M or 25% of the net budget requirement whichever is the higher for the four year period to 2016/17 be amended to no lower than £4.0M or 25% of the net budget requirement whichever is the higher during the four year period up to and including 2017/18;
- (7) That the report of the Chief Financial Officer on the robustness of the estimates for the purposes of the Council's 2014/15 budgets and the adequacy of the reserves (Annex 9 attached to these minutes) be noted.

Declaration of Council Tax

- (8) That it be noted that under delegated authority the Director of Finance & ICT, in consultation with the Finance and Technology Portfolio Holder, calculated the Council Tax Base 2014/15:
 - (a) for the whole Council area as 50,679.4 (Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended); and
 - (b) for dwellings in those parts of its area to which a Parish precept relates as set out below and in Annex 6 attached to these minutes:

	Tax Base
Abbess, Beauchamp & Berners Roding	202.4
Buckhurst Hill	5,016.0
Chigwell	5,737.7
Epping Town	4,828.3
Epping Upland	403.0
Fyfield	404.4
High Ongar	527.5
Lambourne	825.0
Loughton Town	11,828.2
Matching	415.5
Moreton, Bobbingworth and The Lavers	541.2
Nazeing	1,975.9
North Weald Bassett	2,422.4
Ongar	2,609.1
Roydon	1,264.7
Sheering	1,274.0
Stanford Rivers	343.6
Stapleford Abbots	493.8
Stapleford Tawney	77.4
Theydon Bois	1,938.3
Theydon Garnon	81.3
Theydon Mount	108.7
Waltham Abbey Town	7,131.1
Willingale	229.9

(9) That the following amounts be calculated for the year 2014/15 in accordance with sections 31 to 36 of the Local Government Finance Act 1992:

- (a) £123,761,841 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils;
- (b) £113,144,884 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act;
- (c) £10,616,957 being the amount by which the aggregate at 9 (a) above exceeds the aggregate at 9 (b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act);
- (d) £209.49 being the amount at 9 (c) above (Item R), all divided by Item T (the amount at 8 (a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts);
- (e) £3,077,383 being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act (as per Annex 6 attached to these minutes);

- (f) £148.77 being the amount at 9 (d) above less the result given by dividing the amount at 9 (e) above by Item T (8 (a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates;

(10) That it be noted that the County Council, the Police Authority and the Fire Authority have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each of the category of dwellings in the Council's area as shown in Annex 7 attached to these minutes;

(11) That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts in Annex 7 Part B (attached to these minutes) as the amounts of Council Tax for 2014/15 for each part of its area and for each of the categories of dwellings; and

(12) That in accordance with section 52ZB of the Local Government Finance Act 1992, Council determines that the amount of Council Tax shown at (9) (f) of £148.77 for 2014/15, being unchanged from 2013/14 is not excessive and therefore there is no need to hold a local referendum.

There voted for the recommendation: (43) namely: Councillors Angold-Stephens, Avey, Bassett, Boyce, Breare-Hall, Chana, Church, Gadsby, Gode, Grigg, Jacobs, Jones, Kane, Keska, Knapman, Knight, Lea, Leonard, Lyon, McEwen, Mann, Markham, Murray, Pond, Rolfe, Sandler, Shiell, Smith, Spencer, Stellan, Stavrou, Thomas, Ulkun, Wagland, Waller, Watts, Webster, Whitbread, J H Whitehouse, J M Whitehouse, Wixley, Wright, Wyatt.

Abstentions (1) namely: Councillor Sartin (non voting Chairman)).

102. 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.

Members were encouraged to attend the next meeting of the Committee to be held on 25 February 2014 at which a presentation would be made from officers from the Mental Health Services of the West Essex Clinical Commissioning Group.

(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:

(i) Report of the Constitution and Member Services Scrutiny Panel – Annual Review of Contract Standing Orders and Financial Regulations.

Mover: Councillor Watts, Vice-Chairman of the Panel, in the absence of the Chairman

Councillor Watts presented a report of the Panel following the annual review of Contract Standing Orders and Financial Regulations which provided controls on contract procedures and financial governance.

Report as first moved **ADOPTED**

RESOLVED:

That the proposed changes to CSOs listed below be adopted and published in the Council's Constitution:

(a) CSO 35 (Local Businesses)

That CSO 35 (Local Businesses) be re-positioned within CSOs to give it greater prominence and an index at the beginning of CSOs to aid navigation by officers be added to the published version;

(b) CSO 16 (Receipt, Custody and Opening of Quotations)

That CSO 16 (Opening of Tenders and Quotations – Contracts in Excess of £25,000) be amended as follows:

“Quotations and tenders received in accordance with these Standing Orders shall be opened at one time, as follows:

(i) in respect of contracts with an estimated value exceeding £25,000 but not exceeding £50,000, the relevant Chief Officer in the presence of or at least one of his principal or senior officers and a representative of the Director of Governance, shall open the quotations received; and shall maintain a record of all such quotations;

(ii) in respect of contracts with an estimated value in excess of £50,000 the Portfolio Holder concerned, in the presence of authorised representatives of the Director of Governance and the relevant Chief Officer, shall open the tenders which, in the normal course of events, will not be less than three working days after the closing date for receipt of those tenders; and

(iii) the Director of Governance or his/her authorised representative shall maintain and sign a record of all tenders opened, which record shall also be signed by the member of the Cabinet in attendance (in respect of contracts valued in excess of £50,000 only) and the representative of the Chief Officer concerned.”

(c) CSO 19 (Acceptance of Quotations/Evaluation of Tenders)

That CSO 19 (Acceptance of Quotations – Contracts Exceeding £25,000 but Not Exceeding £50,000) be amended as shown below:

“(1) a Chief Officer may, subject to the provisions of Standing Order C4 (Contracts exceeding £25,000 but not exceeding £50,000) accept the lowest quotation received in respect of a contract not exceeding £50,000 in value or amount; a quotation other than the lowest received shall not be accepted until the relevant Portfolio Holder has considered a report from the appropriate Chief Officer or other person.

- (3) Paragraph (1) above shall not apply where:
- (i) the tender documentation prepared by the Chief Officer and submitted to prospective tenderers specifies that the acceptance of any tender will be not only based on consideration of price but also on an assessment of quality; and
 - (ii) where sub-paragraph (i) above applies, the methodology for assessing tenders on the basis of price and quality shall be documented and signed by the Chief Officer prior to the opening of tenders and retained as part of the contract documentation.
 - (iii) the relevant Chief Officer has obtained approval in advance of the terms under which quotations will be accepted from the Cabinet or the relevant Portfolio Holder and acceptance of a quotation is fully in compliance with that decision in which case the results of the evaluation process shall be reported back to the Cabinet or the Portfolio Holder as appropriate.
 - (iv) in cases where quotations received exceed the limit of £50,000, provided that the lowest quotation exceeds the pre-contract estimate by no more than 10%.”
- (d) CSO 12 (Contract Extensions)

That a new CSO (to be numbered C12) be approved as follows:

“C12 Contract Extensions

- (a) No contract in excess of £25,000 shall be extended (other than extensions provided for under CSO 11 (serial contracts) without prior approval by a Portfolio Holder or the Cabinet. Any such proposal shall explain the circumstances which leads the relevant Chief Officer to recommend that course of action and indicate the terms on which the contract is to be extended and a date on which the proposed extension will terminate.
 - (b) No more than two contract extensions shall be approved in respect of any one contract.”
- (2) That any further alterations to CSOs and Financial Regulations to reflect any other changes arising from the recent Directorate restructuring be delegated to the Assistant to the Chief Executive for incorporation in final version before publication.

(ii) Report of the Constitution and Member Services Scrutiny Panel – Review of Officer Delegation

Mover: Councillor Watts, Vice-Chairman of the Panel, in the absence of the Chairman

Councillor Watts presented a report of the Panel following the annual review of Officer Delegation.

Members noted that the report dealt with those delegated authorities which needed to be approved by the Council (ie. non-Cabinet functions). Councillor Watts advised that the review had taken account of the new Directorate structure to come into effect on 1 April 2014.

By leave of the Council, Councillor Watts replaced the schedule of Planning Services delegations circulated with the agenda with a tabled schedule as the former had not account of changes approved by the Council on 5 November 2013.

Report as amended **ADOPTED**

RESOLVED:

(1) That the alterations (shown in black highlighting) to the attached schedules of officer delegation (Appendix 2 to these minutes) reflecting the new Directorate structure be approved with effect from 1 April 2014;

(2) That the revised schedule of Council functions be published in the Council's Constitution; and

(3) That as the delegated authorities in respect of Deputy Monitoring Officer, Deputy Electoral Registration Officer and Deputy RIPA Officer cannot be finalised at present due to pending appointments required under the implementation of the new Directorate structure, once an appointment has been made, the decisions of the Director of Governance and the Chief Executive be added to the Schedule.

(iii) Report of the Constitution and Member Services Scrutiny Panel – Vice Chairman of Council – Review of Appointment Procedure

Mover: Councillor Watts, Vice Chairman of the Panel, in the absence of the Chairman

Councillor Watts presented a report of the Panel following a review of the process for the nomination to and appointment of the Vice-Chairman of Council.

By leave of the Council, Councillor Watts amended the recommendations of the Panel in order to resolve a duplication, by deleting the proposed paragraph (c) of Article 5.03 and replacing it with the proposed paragraph (h).

Amendment moved by Councillor Angold-Stephens and seconded by Councillor Mann

That the proposed paragraph (a) of Article 5.03 be amended by the addition of the words "from two or more groups or an independent member" after the words "District Councillors".

Lost

Report as amended **ADOPTED**

RESOLVED:

That Paragraphs 5.02 and 5.03 of Article 5 in the Constitution (Chairman of Council) be amended as set out in Appendix 3 to these minutes so as to provide a new process for appointing a Vice-Chairman of Council.

(Recorded in accordance with paragraph 17.5 of the Council Procedure Rules, that Councillor Murray voted against the motion).

103. EPPING FOREST DISTRICT REMUNERATION PANEL ANNUAL REPORT 2013/14

The Chairman welcomed Mr S Lye, Member of the Independent Remuneration Panel to the meeting.

Mr Lye presented the Panel's Annual Report for 2013/14.

Councillor Waller, on behalf of all councillors, thanked S Lye, Ms R Kelly and D Jackman, the three independent members of the Panel for their work during the year and for compiling the Annual Report and the Review Report which was the next item on the agenda. Councillor Waller drew attention to the Panel's comments about the amount of the Council's Basic Allowance.

RESOLVED:

That the Epping Forest District Remuneration Panel Annual Report 2013/14 be noted.

104. MEMBERS' ALLOWANCES SCHEME REVIEW

S Lye, Independent Member of the Remuneration Panel presented a report following the Panel's annual review of the Members' Allowances Scheme.

Amendment moved by Councillor J H Whitehouse and seconded by Councillor J M Whitehouse

That the recommendations of the Remuneration Panel be amended by the addition of the recommendation set out below to be numbered (4) and the renumbering of the remaining recommendations:

(4) That a sum equivalent to £35 per councillor be retained each year by the Council from the total Basic Allowance budget so that the registration of all councillors as data controllers can be achieved without the need for individual applications.

Carried

Report as amended **ADOPTED**

RESOLVED:**Basic Allowance**

(1) That no change be made to the amount of Basic Allowance of £4300 per member per annum currently included in the adopted Members' Allowances Scheme;

Implementation

(2) That the level of implementation of the Basic Allowance for 2014/15 be increased from £3,150 per member per annum to £3,400 by

discontinuing the IT Connectivity Allowance of £250 per member per annum and incorporating that amount in the Basic Allowance;

(3) That the level of implementation of the Basic Allowance be further increased from £3,400 to £3,435 to meet the cost of a member registering as a Data Controller with the Information Commissioner and members be reminded of the requirements for registration and the risks of not registering (thereby increasing the level of implementation from 73% to 80% of the full amount at “zero” cost ;

(4) That a sum equivalent to £35 per councillor be retained each year by the Council from the total Basic Allowance budget so that the registration of all councillors as data controllers can be achieved without the need for individual applications;

(5) That in formulating future budgets the Council considers increasing further the level of implementation of the Basic Allowance to achieve payment of the full amount of £4,300 in the adopted Members’ Allowances Scheme by either:

- (a) increasing the level of implementation to the full amount in 2015/16; or
- (b) phasing an increase in the level of implementation to approximately 90% (£3,870 per member) in 2015/16 and 100% (£4,300 per member) in 2016/17;

Special Responsibility Allowances

(6) That no change be made to the current amounts of Special Responsibility Allowances;

(7) That the Panel give further consideration to the amount of the Special Responsibility Allowance for the Chairman of the Standards Committee if the workload for that position increases from the current level;

Independent Persons – Standards Regime

(8) That, although not part of the Members’ Allowances Scheme, the Independent Persons appointed by the Council as part of its standards arrangements continue to be paid an allowance of £250 per member per annum in 2014/15;

(9) That the Panel give further consideration to this allowance if the workload for the position increases from the current level or, if and when, the Council changes the number of Independent Persons;

Connectivity Allowance

(10) That the IT Connectivity Allowance be discontinued with effect from 1 April 2014;

Travel Outside of the District

(11) That no change be made to the Members’ Allowances Scheme regarding the restrictions placed on the amount that can be claimed for travel outside of the District;

HMRC Requirements

(12) That the Members' Allowances Scheme and Guidance Note be amended to reflect the requirements of HMRC in relation to the treatment of mileage and subsistence for taxation and National Insurance purposes;

(13) That the attention of members be drawn to their ability to challenge the HMRC requirements;

Pensions

(14) That the Members' Allowances Scheme be amended to reflect the current entitlement of councillors to join the Local Government Pension Scheme and the Government's intention to discontinue the entitlement of councillors to join the Scheme after 1 April 2014 with existing subscribers' accrued rights protected;

Revised Scheme and Guidance Note

(15) That, subject to the adoption of the above recommendations, the amended Members' Allowances Scheme and Guidance Note attached as Appendix 4 to these minutes incorporating changes indicated in bold type and underlined be adopted.

105. DIRECTORATE RESTRUCTURING

The Head of Paid Service reported on progress being made with the Directorate Restructuring.

Members noted that the four Directors had been appointed and were familiarising themselves with their new responsibilities. All but two of the Assistant Directors had been appointed and job descriptions reviewed by Job Evaluation Panels. Appointments for the outstanding posts were due to be made by mid-March 2014.

The Chief Executive referred to the budget which had been produced in the new Directorate format and to the schedule of delegations approved by the Council which reflected the new posts. He advised that detailed transition plans were being developed by the Directors.

RESOLVED:

That the report of the Head of Paid Service be noted.

106. OFFICER DELEGATION IN RESPECT OF EXECUTIVE FUNCTIONS

The Council noted a decision taken by the Leader of Council to approve the schedule of delegation of Executive functions for the year 2013/14 which would be published as part of the Constitution.

107. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS

The Council received a report from Councillor Jennie Hart, one of the Council's representatives on the Loughton Broadway Town Centre Partnership.

CHAIRMAN