



EPPING TOWN COUNCIL

EPPING HALL, ST JOHNS RD, EPPING, ESSEX CM16 5JU

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TO THE TOWN MAYOR and ALL MEMBERS of EPPING TOWN COUNCIL:

You are hereby summoned to attend an **ORDINARY MEETING** of the **Epping Town Council** which is to be held in the **Conference Room, Epping Hall, St Johns Road, Epping** on **Tuesday, 11th March 2014 at 8.15 pm** in order to transact the following business:

Alan Shaw
Town Clerk
5th March 2014

A G E N D A

1. APOLOGIES FOR ABSENCE

To receive any apologies and reasons for absence.

2. DECLARATIONS OF INTEREST

Members are invited to declare disclosable pecuniary interests and other interests, along with the nature of those interests, in relation to any item on this agenda.

3. PUBLIC PARTICIPATION - QUESTION TIME

An adjournment will be allowed at the direction of the Mayor to allow for public comment and response in relation to items on this agenda. *Individuals will be permitted a maximum of three minutes each (total time for this session is limited to ten minutes).*

4. CONFIRMATION OF COUNCIL MINUTES

(Attachment A)

To approve as a correct record and sign the Minutes of the Ordinary Council Meeting held on 11th February 2014.

5. MINUTES OF COMMITTEE MEETINGS

To receive the signed Minutes of the following Committee meetings and to adopt any recommendations within the Minutes not previously adopted:

| | | |
|---------------------------------------|--------------------------------|-----------------------|
| Planning & General Purposes Committee | 11 th February 2014 | (Attachment B) |
| Planning & General Purposes Committee | 25 th February 2014 | (Attachment C) |
| Tour de France Committee | 25 th February 2014 | (Attachment D) |
| Corporate Governance Committee | 25 th February 2014 | (Attachment E) |

6. COMMUNICATIONS TO BE NOTED

- Public notice of road closures from Essex Highways. (Attachment F)
- Financial Briefing from National Association of Local Councils (Attachment G)

7. COMMUNICATIONS REQUIRING DECISION

- (i) Letter from Market Traders challenging decision of Clerk regarding award of refunds for half market on 23rd December 2013. (Attachment H)

Background

On the weekend before the 23rd December, high winds were forecast. However, it was far from certain whether the winds would affect Epping at all or to what extent. The Town Clerk was extremely reluctant to cancel the market with it being the penultimate shopping day before Christmas and the potential loss of trade for traders.

On the morning of the 23rd when the market was being set up the winds were within acceptable limits. The majority of traders set up but a significant number did not turn out. By around 11am the winds were rising. The wind meter was recording around 13 mph winds constantly, with gusts up to 17.5 mph. The insurance states that the market is not covered if the winds exceed 25 mph.

The market could have been allowed to continue, however the forecast indicated that the conditions could worsen, therefore at 12.05 pm the Clerk made the decision to call a half market and asked the traders to pack up early. Most traders had packed up by 2pm.

The Clerk took the decision that the discount for a half market should only be applied to those traders who had actually attended the market, since those who had decided before the day not to attend had already decided that they were prepared to forgo their pitch fees.

This decision was taken because there have been many instances during the recent spell of poor weather where licensed traders had stayed away. The strength of any market is the number and variety of stalls. If there are large gaps in the market for several weeks at a time, it has a negative impact on the remaining traders.

The letter received is from Mr Whitehead, who normally operates a 3-pitch stall and signed by Mr Sehmbi, who normally operates a 2-stall pitch. A total of 11 out of 35 traders did not attend market on this day.

Council is requested to **CONSIDER** this matter and **DECIDE** whether to grant or deny the request. Council should be aware that a decision to refund fees to these traders would also have to be applied to the other traders who did not attend on 23rd December 2013.

- (ii) Letter from Adrian Harrison (Market Trader) concerning cancellation of market due to the Tour de France on 7th July 2014. (Attachment I)

Council is requested to **CONSIDER** this matter and **DECIDE** what response to make.

- (iii) Letter from Epping Horizons Petanque club requesting refurbishment of the Petanque piste at Stonards Hill Recreation Ground. (Attachment J)

Council is requested to **CONSIDER** this matter and **DECIDE** what response to make. The request was received too close to the preparation of the Agenda to permit any research into the likely cost of refurbishing the piste.

- (iv) To receive such other communications as the Mayor may wish to put before Council and **DECIDE** if any action is required.

8. **TOWN MAYOR'S DUTIES**

Council to receive the duties undertaken by the Town Mayor since 11th February 2014

9. **DEPUTY MAYOR'S DUTIES**

Council to receive the duties undertaken by the Deputy Mayor since 11th February 2014

10. **REPORTS FROM MEMBERS**

To receive reports, if any, from Members on meetings or visits made since the previous Ordinary Meeting on 11th February 2014.

11. **REPORT OF THE CLERK AND COUNCILLORS QUESTIONS** (Attachment K)

A report from the Clerk on current activities and matters of interest to Council is attached.

12. **FINANCIAL REPORT TO 28th FEBRUARY 2014** (Attachment L)

Statutory Basis: Accounts & Audit Regulations 2003, Sections 4 & 5 as amended by the Accounts and Audit (Amendment) (England) Regulations 2006).

Key Member: Cllr Mrs L Hughes

Council is requested to **CONSIDER** the summary financial report to 28th February 2014 and **DECIDE** if any action is required.

13. **ACCOUNTS FOR PAYMENT** (Attachment M)

Statutory Basis: Accounts and Audit (England) Regulations 2011.

Key Member: Cllr Mrs L Hughes

Council is requested to **APPROVE** the payment of accounts for February 2014.

14. **RECOMMENDATIONS OF CORPORATE GOVERNANCE COMMITTEE**

Council is requested to **CONSIDER** the Recommendations of the Corporate Governance Committee held on 25th February 2014 and adopt them as Council policy by resolution. The following recommendations were made:

- (i) The revised Standing Orders be adopted as Council Policy; (Attachment N)
- (ii) The revised Financial Regulations be adopted as Council Policy; (Attachment O)
- (iii) The Town Clerk is to bring forward a staff succession plan to a meeting of the Corporate Governance Advisory Committee to be convened after staff appraisals for 2013/14 and objective setting for 2014/15 have been carried out.
- (iv) That the Corporate Governance Advisory Committee should have delegated authority to deal with staffing issues that do not involve salary, grievance or disciplinary matters.

- (v) The Town Clerk is to explore moving all of the Council's electronic data into the cloud and is to bring a report to Council for decision.
- (vi) The internal risk register should be reviewed and a report made to the next meeting of the Corporate Governance Advisory Committee.

N.B. Recommendations of Committee relating to the Town Clerk's employment and the Council's Insurances are in the excluded section of this agenda.

15. **JACK SILLEY PAVILION**

(Attachment P)

Statutory Basis: Local Government (Miscellaneous Provisions) Act 1976, s.19
Local Government Act 1972, s. 133

Key Member: Cllr H Pegrum

Council resolved in December 2013 (Minute #311 2013/14) that *"Authority be delegated to the Town Clerk to obtain estimates for a rebuild and re-provision of better quality facilities at the Jack Silley Pavilion"*.

The Town Clerk has identified an architect with relevant experience and qualifications in designing and project managing leisure facilities for the public sector. An outline brief has been produced detailing the stages required and costs to move the project through to the feasibility study stage.

Council is requested to **CONSIDER** the attached report and **DECIDE** whether or not to proceed to the next stage.

16. **REQUEST FROM EPPING HORTICULTURAL SOCIETY**

Statutory Basis: Local Government (Miscellaneous Provisions) Act 1976, s.19

Key Member: Cllr L Burrows

The Chairman of the Horticultural Society, Mrs C Burgess, has requested the loan of 20 tables for the Epping Horticultural Show to be held at St John's Church on Saturday 23rd August.

The Town Council does not usually hire tables and chairs separately from its Halls therefore no fee exists in the schedule of fees for the hire of tables. The Town Council does lend tables to St John's Church for the tree festival at no cost.

Council is requested to **CONSIDER** this request and **DECIDE** what to do.

In coming to its decision, Council should have regard to the precedent that will be set should it decide to loan the tables without charge, or alternatively consider what level of charges/ deposit against damages might be appropriate in these circumstances.

17. **ALLNUTTS INSTITUTE**

Statutory Basis: Local Government Act 1972, s. 111

Key Member: None

The Town Clerk has had discussions with the operators of the Allnutts Institute in relation to the future organisation and management of the site. In the absence of the original documents detailing the gift of the land to the Trust, legal advice has been sought as to

the best way to protect the Institute to ensure it is maintained as a community asset for the town.

It has been agreed that the Town Council will assist the Institute in establishing a new company (Limited by guarantee) with the current operators as officers of the company. It has also been agreed that the Rector of Theydon Garnon and a member of the Town Council should be co-opted as officers of the new company to help support the Institute into the future.

The Rector of Theydon Garnon has been approached and has agreed to become an officer of the new company.

Council are requested to **CONSIDER** this matter and **DECIDE** whether or not to appoint a member as an officer of the Allnutts Institute.

18. BENCHES ON THE TOWN GREEN

Statutory Basis: Parish Councils Act 1957, s.1

The Town Mayor, Cllr W Breare- Hall has tabled a motion for consideration by Council:

Background Information for item 18:

For many years, Epping residents have complained that a number of the benches on the north side of the town green are orientated toward the B1393, rather than into the green itself. This is a particularly noticeable, and unfortunate, anomaly on those occasions when the green is used for public events, such as 'Proms on the Green' and 'Carols on the Green'.

It is moved that:

"Council is requested to allocate funds to the replacement and reorientation of a single bench on the north side of the town green. Residents will be given an opportunity to contribute to the cost through sponsorship of the bench with a plaque."

Council is requested to **CONSIDER** this matter and **DECIDE** a course of action.

Additional Information for item 18:

The benches on the Town Green are secured by concreting the legs into a solid concrete base. In order to remove one, the base must be broken up and re-laid. It is likely that the bench will be damaged and require replacement when the base is broken up and this must be taken into account. The like for like replacement cost of the benches on the green is approximately £700 taking into account the installation costs.

The current budget allocation for Street Furniture (budget heading 300) stands at £2,800 (split between equipment and repairs) of which the year to date spend is £200.

Therefore **£2,600** remains in the allocated budget for 2013/14. However, the Clerk has identified this budget as one that would offset overspends against other budget areas, notably the Parks & Recreation Maintenance budget, which is currently £7,000, overspent.

The budget allocated for 2014/15 is also £2,800. Council previously considered this subject on 13th November 2012. The minute is reproduced below for information:

"258. BENCHES – TOWN GREEN

Council **NOTED** that the statutory basis for this item being the Parish Councils Act 1957, s.1.

Members considered that it would be an unnecessary use of Council funds to alter the position of benches that did not presently require replacement or substantial repairs.

Noting that there had been some past interest in sponsoring benches through installing name plaques it was suggested that this be offered again in order to provide an income that may be used to maintain the benches and perhaps purchase an additional bench for the greens.

*It was therefore **RESOLVED** that:*

- i) **consent for an additional bench on the town greens be sought from the City of London Corporation in order that Council may be able consider any further provision,***
- ii) **terms for sponsoring existing benches through memorial plaques be investigated and drawn up by the Clerk; and, once established,***
- iii) **the option to take part in the scheme be offered to local residents."***

Permission was sought from the Corporation of London for additional licences to site benches on the Town Greens; this request was declined. The second action relating to sponsorship of benches has not as far as the Clerk can ascertain been taken forward.

However, 3 existing benches already bear dedications or plaques indicating who donated them out of a total of 16 benches on the Town Greens. The Town Council is not actively offering dedication of these benches as a service at present.

If members wish to take this matter forward, they need to consider the fee that would be charged for such sponsorship. A fee of £200 (including VAT) is suggested as this would be broadly in line with the charges in the Cemetery.

19. BLUE PLAQUES

Statutory Basis: Local Government Act 1972, s.144

The Town Mayor, Cllr W Breare- Hall has tabled a motion for consideration by Council:

Background to Item 19

Epping has been home to many notable people through its long history, but few of them are publicly acknowledged in the town today. To do so would help foster civic pride, and be of interest to visitors to the town.

"To delegate authority to the Clerk to seek agreement from the relevant property owners for the siting of blue plaques on premises that are known to have links with famous individuals connected with Epping, notably Sir Winston Churchill and Sir William Addison. The Clerk is also to investigate the cost of producing and erecting the plaques and to prepare a report for a future Council meeting."

Council is requested to **CONSIDER** this matter and **DECIDE** a course of action.

Additional Information for item 19:

A member of the Public raised this subject at the Annual Town Meeting on 22nd March 2013 (Minute #5). The Town Mayor, Cllr J Whitehouse, stated the item would be placed on a future Council agenda for consideration. This has not yet taken place.

Council does not currently hold a budget for this activity and no consideration was given to the activity when setting the budget and precept for 2014/15. Therefore, if the Council wishes to take this matter forward in the coming financial year, funds will have to be allocated to a budget from the General Reserves.

20. NOTICE BOARDS/INFORMATION BOARD AT EPPING STATION

Statutory Basis: Local Government Act 1972, s.111

The Town Mayor, Cllr W Breare- Hall has tabled a motion for consideration by Council:

Background to item 20:

Epping Station is the arrival point for large numbers of visitors to the town, yet there is no information there promoting what Epping has to offer, or how to reach the High Street and Forest.

It is moved that: "Authority be delegated to the Clerk to enter into discussion with LUL over the siting of a new information board and map at Epping Underground Station. In conjunction with this, the Clerk to conduct a review of the condition of the Town Council's notice boards and to prepare a report for Council to consider detailing works required and associated costs."

Council is requested to **CONSIDER** this matter and **DECIDE** a course of action.

Additional Information for item 20:

The notice board at Epping Hall is in a poor condition and needs replacing. Other notice boards around the town are in varying condition: some can be refurbished whilst others probably need replacing. All the boards provided by Epping Forest District Council need to be rebranded to remove their very prominent logo from them.

The current budget allocation for Street Furniture (budget heading 300) stands at £2,800 (split between equipment and repairs) of which the year to date spend is £200.

Therefore **£2,600** remains in the allocated budget for 2013/14. However, the Clerk has identified this budget as one that would offset overspends against other budget areas, notably the Parks & Recreation Maintenance budget that is currently £7,000 overspent.

The budget allocated for 2014/15 is also £2,800.

21. TRAFFIC SIGN ON THE TOWN GREEN (Attachment Q)

Statutory Basis: Highways Act 1980, s. 62

The Town Mayor, Cllr W Breare- Hall has tabled a motion for consideration by Council:

"The traffic signs on the Town Green at the end of the Lindsey Street link road are unsightly and detract from the historic setting of the Town Green and war memorial. Council is requested to delegate authority to the Clerk to discuss with the County Council

replacing the signs with a traditional fingerpost sign (examples attached) to improve the visual amenity and character of the Town Green”

Background Information to Item 21:

The Town Clerk has found a photograph that shows the fingerpost sign that was in place on the Town Green in around 1936. The picture is reproduced in the attachment. The fingerpost had been replaced by a “Warboys” style modern sign by 1970.

The manufacture of new cast iron finger posts in the traditional style is now a skilled job undertaken by only a few specialist contractors in the country. The Town Clerk has contacted the closest, based on the Surrey/Sussex border and asked for an indicative cost to produce a new sign for the Town Green.

A traditional sign is estimated to cost between £1600 - £4600 depending on the exact specification. Our original sign looks like it was an oak post which would be the lower end of that range if we were to replace like for like. A cast iron post would last forever, however.

The current budget allocation for Street Furniture (budget heading 300) stands at £2,800 (split between equipment and repairs) of which the year to date spend is £200.

Therefore **£2,600** remains in the allocated budget for 2013/14. However, the Clerk has identified this budget as one that would offset overspends against other budget areas, notably the Parks & Recreation Maintenance budget that is currently £7,000 overspent.

The budget allocated for 2014/15 is also £2,800.

22. APPRENTICESHIPS

(Attachment R)

Statutory Basis: Local Government Act 1972, s. 112

Key Member: Cllr Mrs L Hughes

The Town Clerk has been approached by Catch 22, a social enterprise funded by the Skills Funding Agency (a government department) to find work placements for people aged 16-18.

They are asking if the Town Council can support development of young people by offering placements. The Town Council could feasibly create a position for an apprentice within the Grounds Maintenance Team, however the cost of such an undertaking would be approximately £7,000 per year (of which £1500 could be reclaimed). As the coming year's budgets have been set, if Council were to consider taking an apprentice, additional funding would need to be allocated to the salaries and training budgets for the Parks & Recreation Team from reserves or by making savings in other areas.

The placement would last for 12-18 months and at the end of the apprenticeship the objective would be (if no permanent vacancies existed) a young person with an NVQ Level 2 qualification, work experience and a reference to enable them to gain permanent employment elsewhere.

Catch 22 have stated they would provide a shortlist of local young people for selection.

Council is requested to **CONSIDER** this matter and **DECIDE** whether or not to proceed at this time.

23. CEMETERY – VEHICULAR ACCESS**(Attachment S)**

Statutory Basis: Open Spaces Act 1906, s. 10

Key Member: Cllr Mrs B Scruton

The Town Clerk has received two requests in the last month from people who would like the main gates of the Cemetery opened for vehicle access so that elderly people are able to visit graves in the new section of the Cemetery. (one of which is attached to the agenda)

The Council's current position is that it does not permit any vehicle access beyond the Cemetery gates except for Town Council staff, undertakers and monument contractors, for a number of reasons:

- Safety of visitors – there are no “roads” in the Cemetery, the main path from the gate to the chapel used for burials is only wide enough for one vehicle – unsupervised access would inevitably force visitors off the path and onto the graves;
- Safety of graves – there is a strong likelihood that damage would be sustained to graves if members of the public were allowed to access the Cemetery in vehicles;
- Traffic Management – there is nowhere to pass on the main path and no “car park”, meaning that the cemetery could easily become gridlocked;
- Staffing – The opening and closing of gates for vehicular access would be an additional drain on already limited staff resources and limit the Town Council's operational flexibility.

A number of suggestions and comments have been made about the location and infrastructure of the Cemetery:

- There is no footway from the Town to the Cemetery, making visiting on foot dangerous;
- There is no Car Park at the gates, therefore no more than 3 or 4 vehicles can be accommodated and turning around is very difficult. It has been suggested that the adjoining landowner could be approached and some land secured to increase the size of the Car Park;
- Alternatively, the other entrance of the Cemetery could be opened up and a Car Park constructed on the existing site (I am led to believe this option has been explored and was abandoned due to Highways safety concerns)

Council is requested to **CONSIDER** the current arrangements and policy in relation to vehicular access to the Cemetery and **DECIDE** if any action is required at this time.

24. SHOPFRONTS IN EPPING HIGH STREET

Statutory Basis: Local Government Act 1972, s. 144

The Deputy Town Mayor, Cllr Mrs B Scruton has tabled a motion for consideration by Council:

“That the Town Clerk is tasked to conduct a survey of the premises in the High Street in preparation for the Tour de France on the 7th July, with the purpose of identifying properties that, due to lack of maintenance are detrimental to the street scene. Further, to task the Town Clerk to investigate ways of either concealing or making creative use of the number of empty shops in the town.”

25. REVIEW OF OPENING TIMES OF BAKER'S LANE PUBLIC TOILETS

Statutory Basis: Public Health Act 1936, s. 87

Key Member: Cllr A Church

Council **RESOLVED** in November 2013 (Minute #268 of 2013/14 refers) to set the opening hours of the Baker's Lane Public toilets as 8 am – 6pm 6 days a week (Sundays excluded).

Council also **RESOLVED** to review these opening times in March to ensure they were fit for purpose. In particular, Council must **DECIDE** whether it wishes to open the toilets on Bank Holidays or not, as this was not concluded in November.

26. EXCLUSION OF PRESS AND PUBLIC

To resolve that under the Public Bodies (Admission to Meetings) Act 1960, the public and representatives of the press and broadcast media be excluded from the meeting during the consideration of the following items of business as publicity would be prejudicial to the public interest due to the confidential nature of the business to be transacted.

27. RENEWAL OF COUNCIL INSURANCE POLICY (Attachment T)

Statutory Basis: Local Government Act 1972, s. 111
Local Authorities (Indemnities for Members & Officers) Order 2004

Key Member: Cllr Mrs B Scruton (Chair, Corporate Governance Committee)

Council is requested to **CONSIDER** the attached report and recommendations of the Corporate Governance Committee held on 25th February 2014 and **CONFIRM** the Council's choice of Insurance provider and the length of contract that will be entered into.

28. NOMINATION OF MINUTE TAKER

Council to nominate a minute taker as the Town Clerk will need to leave the Council Chamber during discussion of subsequent items of business.

29. TOWN CLERK PROBATION PERIOD (Attachment U)

Statutory Basis: Local Government Act 1972, s. 112

Key Member: Cllr Mrs B Scruton (Chair, Corporate Governance Committee)

Council is requested to **CONSIDER** the attached recommendations of the Corporate Governance Committee held on 25th February 2014 and adopt it as Council policy by resolution.

30. APPRAISAL OF TOWN CLERK (Attachment V)

Statutory Basis: Local Government Act 1972, s. 112

Key Member: Cllr Mrs B Scruton (Chair, Corporate Governance Committee)

Council is requested to **CONSIDER** the attached draft objectives proposed by the Corporate Governance Committee held on 25th February 2014 and **CONFIRM** them by resolution.

31. **COMPLAINT ABOUT TOWN CLERK**

(Attachment W)

Statutory Basis: Local Government Act 1972, s. 112

Key Member: Cllr W Breare-Hall

Members are requested to consider the complaint made about the Town Clerk, receive a verbal report of actions undertaken by Town Mayor, Cllr W Breare-Hall in response to it and **DECIDE** what action is required.

In accordance with the Public Bodies (Admission to Meetings) Act 1960, members of the public and press are welcome to attend the meeting. Members of the public will only be permitted to speak at the beginning of the meeting during Public Question Time.