

Council Agenda



Epping Forest District Council

NOTICE OF COUNCIL MEETING

You are hereby summoned to a meeting of the EPPING FOREST DISTRICT COUNCIL to be held in the COUNCIL CHAMBER, CIVIC OFFICES, HIGH STREET, EPPING at 7.00 pm on Tuesday, 11 October 2022 for the purpose of transacting the business set out in the agenda.

A handwritten signature in blue ink, appearing to read "G. Blakemore".

Georgina Blakemore
Chief Executive

**Democratic Services
Officer:**

Gary Woodhall / J Leither Tel: (01992) 564243
Email: democraticservices@eppingforestdc.gov.uk

MEETING NOTICE

Members are reminded that the dress code for this Council meeting is strictly formal and black tie, in memory of Her Majesty the late Queen Elizabeth II.

BUSINESS

1. WEBCASTING INTRODUCTION

This meeting is to be webcast. Members are reminded of the need to activate their microphones before speaking. The Democratic and Electoral Services Team Manager will read the following announcement:

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

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

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

2. APOLOGIES FOR ABSENCE

To be announced at the meeting.

3. DECLARATIONS OF INTEREST

To declare interests in any item on the agenda.

4. MINUTES (Pages 7 - 20)

To approve as a correct record and sign the minutes of the meeting held on 28 July 2022, as attached.

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

Two minute silence to be held in honour of the life of Her Majesty Queen Elizabeth II, followed by tributes to be paid by the Chairman of Council, Group Leaders and other Members.

6. ANNOUNCEMENTS

(a) Chairman's Announcements

7. PUBLIC QUESTIONS (IF ANY)

To answer questions asked after notice in accordance with the provisions contained within Part 4 of the Council Rules of the Constitution on any matter in relation to which the Council has powers or duties or which affects the District:

(a) to the Leader of the Council;

(b) to any Portfolio Holder; or

(c) to the Chairman of the Overview and Scrutiny Committee.

Questions, if any, will follow if not received in time to be incorporated into the agenda.

(1) Public Question from Mr J Padfield**Tilegate Farm**

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

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

8. QUESTIONS BY MEMBERS UNDER NOTICE

To answer questions asked after notice in accordance with the provisions contained within the Council's rules in Part 4 of the Constitution on any matter in relation to which the Council has powers or duties or which affects the District:

- (a) to the Chairman of the Council;
- (b) to the Leader of the Council;
- (c) to any Member of the Cabinet; or
- (d) the Chairman of any Committee or Sub-Committee.

The Council's rules provide that answers to questions under notice may take the form of:

- (a) direct oral answer;
- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- (c) where the reply cannot conveniently be given orally, a written answer circulated later to the questioner.

Answers to questions falling within (a) and (b) above will be made available to the member asking the question one hour before the meeting. Answers to questions falling within (c) above will be circulated to all councillors.

Questions, if any, will follow if not received in time to be incorporated into the agenda.

9. REPORTS FROM THE LEADER & MEMBERS OF THE CABINET (Pages 21 - 58)

To receive reports and any announcements from the Leader and members of the Cabinet on matters falling within their area of responsibility:

- (a) Report of the Leader of Council (verbal);
- (b) Report of the Place Portfolio Holder (attached);
- (c) Report of the Finance Portfolio Holder (attached);
- (d) Report of the Housing & Community Portfolio Holder (attached);
- (e) Report of the Wellbeing & Community Partnerships Portfolio Holder (attached);
- (f) Report of the Customer Portfolio Holder (attached);
- (g) Report of the Contracts & Commissioning Portfolio Holder (attached);
- (h) Report of the Technical Services Portfolio Holder (attached); and
- (i) Report of the Internal Resources Portfolio Holder (attached).

10. QUESTIONS BY MEMBERS WITHOUT NOTICE

The Council's rules provide for questions by any member of the Council to the Leader or any Portfolio Holder, without notice on:

- (i) reports under the previous item; or
- (ii) any other matter of a non operational character in relation to the powers and duties of the Council or which affects all or part of the District or some or all of its inhabitants.

The Council's rules provide that answers to questions without notice may take the form of:

- (a) a direct oral answer from the Leader or, at the request of the Leader, from another member of the Cabinet;
- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication;
- (c) where the reply cannot conveniently be given orally, a written answer circulated later to the questioner; or
- (d) where the question relates to an operational matter, the Leader or a member of the Cabinet will request that a response be given direct to the questioner by the relevant Service Director.

In accordance with the Council's rules, a time limit of thirty minutes is set for questions. Any question not dealt with within the time available will receive a written reply. The Chairman may extend this period by up to a further ten minutes at their discretion.

11. MOTIONS

To consider any motions, notice of which has been given under the Council's rules.

Motions, if any, will follow if not received in time to be incorporated into the agenda.

Reports of the Cabinet**12. ONGAR NEIGHBOURHOOD PLAN (Pages 59 - 60)**

To agree the report recommending that the Ongar Neighbourhood Plan be 'made' (adopted) as part of the Epping Forest District's statutory development Plan.

13. AUDIT & GOVERNANCE COMMITTEE - ANNUAL REPORT 2021/22 (Pages 61 - 66)

(Chairman of the Audit and Governance Committee) To consider the attached report recommending that the Annual Report of the Audit and Governance Committee 2021/22 be noted.

14. OVERVIEW AND SCRUTINY COMMITTEE (Pages 67 - 68)

To receive the report of the Chairman of the Overview and Scrutiny Committee and to answer any questions without notice asked in accordance with Council Rules.

15. JOINT ARRANGEMENTS & EXTERNAL ORGANISATIONS

(a) To receive from Council representatives the reports (attached - if any) on the business of joint arrangements and external organisations and to receive answers to any questions on those bodies which may be put without notice; and

(b) To request written reports from representatives on joint arrangements and external organisations for future meetings.

16. EXCLUSION OF PUBLIC AND PRESS

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

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

Background Papers: Article 17 of the Constitution (Access to Information) define background papers as being documents relating to the subject matter of the report

which in the Proper Officer's opinion:

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

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

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