



### NOTICE OF COUNCIL MEETING

You are hereby summoned to a meeting of the EPPING FOREST DISTRICT COUNCIL to be held at the COUNCIL CHAMBER, CIVIC OFFICES, EPPING at 7.30 pm on Tuesday, 13 December 2005 for the purpose of transacting the business set out in the agenda.

Handwritten signature of Peter Haywood.

**PETER HAYWOOD**  
Joint Chief Executive (Resources)

Handwritten signature of John H. Scott.

**JOHN SCOTT**  
Joint Chief Executive (Community)

**Democratic Services  
Officer:**

Council Secretary: Ian Willett  
Tel: 01992 564243 Email: [iwillett@eppingforestdc.gov.uk](mailto:iwillett@eppingforestdc.gov.uk)

---

### BUSINESS

**1. MINUTES (Pages 9 - 24)**

To approve as a correct record and sign the minutes of the meetings held on 27 September and 27 October 2005 (attached)

**2. DECLARATIONS OF INTEREST**

(Joint Chief Executive) To declare interests in any item on the agenda.

**3. ANNOUNCEMENTS**

**(a) Apologies for Absence**

**(b) Announcements**

To consider any announcements by:

- (i) the Chairman of the Council;
- (ii) the Leader of the Council; and
- (iii) any other Cabinet Member.

**(c) Leisure Facilities**

The Council's five Leisure facilities have been successful in re-applying for the Chartermark award. The Chairman will make a presentation to Kath Halle, Deputy Manager at Waltham Abbey Pool, who was responsible for submitting the application.

**4. PUBLIC QUESTIONS (IF ANY)**

To respond to questions of the Council made in accordance with the Council's Scheme. Questions will be tabled if not received in time to be incorporated into the agenda.

**5. REPORTS OF THE CABINET (Pages 25 - 54)**

To consider the following reports of the Cabinet:

- (a) Supplementary Estimates 2005-06;
- (b) Capital Strategy 2005-09.

**6. REPORT OF OVERVIEW AND SCRUTINY COMMITTEE - EXTERNAL ORGANISATIONS AND PARTNERSHIPS (Pages 55 - 74)**

To receive the attached report from the Chairman of the Overview and Scrutiny Committee on a draft protocol for regulating the Council's links with external organisations and partnerships.

**7. REPORT OF OVERVIEW AND SCRUTINY COMMITTEE - REVIEW OF CONTRACT STANDING ORDERS**

To receive a report from the Chairman of the Overview and Scrutiny Committee following a review of Contract Standing Orders – report to follow.

**8. REPORT OF THE STANDARDS COMMITTEE (Pages 75 - 94)**

(Head of Research and Democratic Services) To consider the attached report regarding proposed revisions to the Planning Protocol.

**9. REPORT OF THE INDEPENDENT REMUNERATION PANEL (Pages 95 - 102)**

(Messrs M Donn, D Jackman and S Lye) To consider the attached report on the Members' Connectivity Scheme and a review of the Remuneration Scheme for 2006/07.

**10. MOTIONS**

**(a) To consider the following motions, notice of which has been given under Council Procedure Rule 11.**

**(i) Countrycare**

“ Following receipt of the Epping Forest Countrycare 19<sup>th</sup> Annual Report 2004-05, this Council:

- notes the contents of the report; and
- congratulates the Countrycare Team on its outstanding environmental achievements across the District”.

**Mover: Councillor S Murray**  
**Seconder: Councillor Mrs J Davis**

**Background Paper:** Notice of Motion dated 2 November 2005.

**(ii) Parking – Waltham Abbey**

“That allocation of 24 parking spaces within the Quaker Lane car park in Waltham Abbey be taken out of the District Pay and Display scheme and that those 24 spaces be designated as free parking for 2 hours with no return within 3 hours”.

**Mover: Councillor Mrs R Gadsby**  
**Seconder: tba**

**Background Paper:** Notice of Motion dated 8 December 2005.

**(b) To consider any other motions not received in time for inclusion in the agenda (to be tabled, if necessary).**

## **11. QUESTIONS BY MEMBERS**

To answer questions asked after notice in accordance with the provisions contained in paragraph 10.3 of the Council Procedure Rules of the Constitution:

- (a) to the Chairman of the Council;**
- (b) to any Member of the Cabinet;**
- (i) Roads and Pavements – Gritting**

**Question by Councillor S Murray to the Acting Portfolio Holder for Civil Engineering and Maintenance (Councillor R Glozier):**

“Could the Portfolio Holder say what steps have the Cabinet and appropriate officers taken to ensure that Essex County Council makes arrangements for the roads and pavements of Epping Forest District to be adequately gritted this coming winter (bearing in mind the severity of the winter expected)?”.

**Background Paper:** Notice of Question dated 27 October 2005.

**(ii) Loughton Leisure Centre – Boilers**

**Question by Councillor J Markham to the Leisure Portfolio Holder (Councillor C Whitbread):**

“Will the Portfolio Holder advise whether the faulty boilers at Loughton Leisure Centre (to which I drew attention at an earlier Council meeting) have been included on the defects or latent defects list; and

- (a) if so, would he confirm that the Council will not be responsible for their replacement; and**
- (b) if not, can he explain why this has not been possible”.**

**Background Paper:** Notice of Question dated 17 November 2005.

**(iii) Commercial Waste – Loughton High Road****Question by Councillor J Markham to the Environmental Protection Portfolio Holder (Councillor D Jacobs):**

“Will the Portfolio Holder advise what action he proposes to take to overcome the pro anti-social behaviour and danger to those with poor sight, resulting from commercial waste overnight in Loughton High Road for collection on the following day”.

**Background Paper:** Notice of Question dated 17 November 2005.

**(iv) Parking Review and Residents’ Parking Permits****Question by Councillor K Faulkner to the Acting Portfolio Holder for Civil E Maintenance (Councillor R Glozier)**

“At a recent Overview and Scrutiny Committee meeting, Paul Hardy of Essex County Council’s Highway Department confirmed that he will honour the District Council’s decisions prior to the highways agency reverting back to County Council; the Portfolio Holder will be aware that these include a parking review for Loughton and the introduction of residents’ parking permits for the District; can he, therefore, advise what action he is taking to ensure that these matters are quickly dealt with and whether he can instruct his officers to institute some form of progress chasing to ensure there is no further delay in their implementation”.

**(v) Roding Valley Meadows****Question by Councillor K Faulkner to the Finance and Performance Management Portfolio Holder (Councillor J Knapman)**

“The Roding Valley Meadows were due to be transferred to the new Parish Councils under a scheme agreed by the relevant District Council committees in 1996; despite some initial problems the way forward for the transfer was agreed in around 2001, however the situation has not yet been resolved; Loughton Town Council is currently paying out £100,000 a year for maintenance with no tenure, a situation, it is not prepared to allow to continue for the future without some resolution of the matter;

I now believe that all outstanding problems have been resolved, so could the Finance and Performance Management Portfolio Holder please advise when this transfer will take place, giving definite dates so Loughton Town Council can prepare its budgets for next year”.

**Background Paper:** Notice of Question dated 29 November 2005.

**(vi) Recycling Bags****Question by Councillor D Stellan to the Environmental Protection Portfolio Holder (Councillor D Jacobs)**

“Would the Portfolio Holder please say –

- (a) how often replacement clear plastic recycling bags are issued to residents, bearing in mind the Council’s commitment to increasing the volume of recycled materials collected in the District?

- (b) bearing in mind that shops in North Weald (and possibly elsewhere in the District) seem to run out of stocks very quickly, whether he is prepared to change the policy of issuing only one roll of sacks per person at the Council's Information Centres?"

**Background Paper:** Notice of Question dated 30 November 2005.

; or

- (c) **to the Chairman of any Committee or Sub-Committee**

## 12. REGULATORY SERVICES - MEMBER CHAMPION

### **Recommendation:**

**To consider a request from the Local Authorities Co-ordinators of Regulatory Services and the Local Government Association for the Council to nominate a champion for Regulatory Services.**

(Head of Research and Democratic Services) One of the key priorities of both the Local Authorities Co-ordinators of Regulatory Services (LACORS) and the Local Government Association (LGA) is to raise the profile of Local Authority Regulatory Services. As part of this, it has been suggested that an elected member in each authority be nominated as "Champion for Regulatory Services" to be the Council's lead at member level on Local Authority Regulation and to champion the development of the role of Regulatory Services in their area.

**Background Paper:** Local Government Association alert 288/05 dated 7 September 2005, letter from the Chairman of LACORS and briefing note.

## 13. COMPLAINTS PANEL - MEMBERSHIP AND CHAIRMAN

### **Recommendations:**

- (1) **That Councillor Mrs P Richardson be appointed as a member of the Complaints Panel in place of Councillor T Farr for the remainder of the current municipal year: and**
- (2) **That Councillor Mrs P Richardson be appointed Chairman of the Complaints Panel for the remainder of the current municipal year.**

(Group Leaders) At its meeting on 27 September 2005, the Council resolved to terminate the appointment of Councillor T Farr (BNP Group) as Chairman of the Complaints Panel from that date. The Council also resolved that Group Leaders be asked to consider the issue of chairmanship of the Panel.

At a meeting on 26 October 2005, Group Leaders agreed to support the nomination of Councillor Mrs P Richardson (BNP Group) as Chairman of the Panel. As the proposal involves the nomination of a member from the same Group as Councillor Farr, it is not necessary for the Council to adjust other chairmanships in order to achieve pro-rata allocations as

required by the Constitution.

The proposal also necessitates the appointment of Councillor Mrs Richardson as a member of the Panel in place of Councillor Farr.

#### 14. PETITION - COUNCILLOR T FARR

##### Recommendation:

**To note the receipt of a petition signed by 274 members of the public from Epping Forest District and elsewhere concerning the reinstatement of Councillor T Farr.**

1. A petition signed by 274 members of the public was received on 4 October 2005. The petition states:  
  
"Terry Farr, District Councillor for Alderton Ward, should be reinstated immediately. He was democratically elected; he has broken no law or harmed anyone and was just exercising his freedom of speech by voicing an opinion."
2. This petition is a reference to the decision of an Adjudication Sub-Committee of the Standards Committee to suspend Councillor Farr from service as a councillor for a period of three months from 20 September 2005 or until such earlier time as he undertakes specified training.
3. The Council can do no more than note the receipt of this petition. The Council has no powers to reinstate Councillor Farr as requested by the petitioners. The action was taken by the Sub-Committee of the Standards Committee within their statutory powers. The Standards Committee itself have no powers by which to change their ruling on this case. The only way that this could be done is if Councillor Farr were to appeal successfully to the Standards Board for England's Adjudication Panel.

#### 15. EXCLUSION OF PUBLIC AND PRESS

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 paragraph(s) of Part 1 of Schedule 12A of the Act indicated:

<b>Agenda Item No</b>	<b>Subject</b>	<b>Exempt Information Paragraph Number</b>
Nil	Nil	Nil

To resolve that the press and public be excluded from the meeting during the consideration of the following items which are confidential under Section 100(A)(2) of the Local Government Act 1972:

<b>Agenda Item No</b>	<b>Subject</b>
Nil	Nil

Paragraph 9 of the Council Procedure Rules contained in the Constitution require:

- (1) All business of the Council requiring to be transacted in the presence of the

press and public to be completed by 10.00 p.m. at the latest.

- (2) At the time appointed under (1) above, the Chairman shall permit the completion of debate on any item still under consideration, and at his or her discretion, any other remaining business whereupon the Council shall proceed to exclude the public and press.
- (3) Any public business remaining to be dealt with shall be deferred until after the completion of the private part of the meeting, including items submitted for report rather than decision.

**Background Papers:** Paragraph 8 of the Access to Information Procedure Rules of the Constitution 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 does not include published works or those which disclose exempt or confidential information (as defined in Rule 10) and in respect of executive reports, the advice of any political advisor.

Inspection of background papers may be arranged by contacting the officer responsible for the item.