

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 at the **COUNCIL CHAMBER, CIVIC OFFICES, EPPING** at 7.30 pm on **Monday, 24 April 2006** for the purpose of transacting the business set out in the agenda.

PETER HAYWOOD
Joint Chief Executive (Resources)

JOHN SCOTT
Joint Chief Executive (Community)

**Democratic Services
Officer:**

Council Secretary: Ian Willett
Tel: 01992 564243 Email: iwillett@eppingforestdc.gov.uk

BUSINESS

1. MINUTES (Pages 7 - 78)

To approve as a correct record and sign the minutes of the meeting held on 21 February 2006 (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.

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. COUNCILLOR M HEAVENS - RESIGNATION**Recommendation:**

To note that Councillor Heavens resigned as a Councillor on 20 March 2006.

1. (Returning Officer/Head of Research and Democratic Services) Following notification and public notice of the vacancy, a request for an election to fill the vacancy was received, nominations were made, and an election will take place at the same time as other elections on 4 May 2006.

2. The views of Group Leaders for a review of pro rata membership of Committees and Sub-Committees in advance of the elections will be reported at the meeting.

6. LOCAL GOVERNMENT AND HOUSING ACT 1989 - NOTICE OF INTENTION TO JOIN A POLITICAL GROUP - COUNCILLOR M COHEN**Recommendation:**

To note that in accordance with the Local Government and Housing Act 1989 and the Local Government (Committee and Political Groups) Regulations 1990, Councillor M Cohen has given notice that he has joined the Conservative Group.

1. (Head of Research and Democratic Services) The Council has received the required notice under the Local Government (Committee and Political Groups) Regulations 1990 that Councillor M Cohen joined the Conservative Group on 31 March 2006.

2. The Conservative Group has not requested a review of pro rata membership of Committee and Sub-Committee places pending the forthcoming elections. The views of other Group Leaders will be reported at the meeting.

7. LOCAL GOVERNMENT ACT 1972 (SECTION 85(1)) - LEAVE OF ABSENCE FOR COUNCILLOR D SPINKS**Recommendations:**

(1) To consider the request of Councillor D. Spinks under section 85(1) of the Local Government Act 1972 for leave of absence from Council duties up to and including the Council meeting on 29 June 2006 on grounds of ill health; and

(2) To agree to review the position at the Council meeting in June 2006.

1. (Head of Research & Democratic Services) Section 85(1) stipulates that if an elected member does not attend any meeting of the Council, a Committee, Sub

Committee or other body at which the functions of the Council are carried out for a period of six months from their last attendance, the member is thereupon disqualified from office at the end of that period. A notice of vacancy is then published and a bye election held to fill the seat.

2. Section 85 (1) also stipulates that the Council may approve reasons for the member's absence before the six month period expires. This will then avoid the disqualification. Normal practice is to link the period of approval to a future Council meeting and then review the approval.

3. Councillor Spinks last attended a meeting which complies with Section 85 (1) on 13.12.05 (Council meeting) and if a leave of absence request is not granted at this Council meeting or the Annual meeting, a vacancy would occur on 14 June 2006. He is currently receiving medical treatment which is estimated to last 10 weeks.

8. REPORTS OF THE CABINET (Pages 79 - 94)

To consider the following reports of the Cabinet:

- (a) Calendar of Council Meetings – 2006/07 Municipal Year.
- (b) Public Consultation and Engagement Strategy and Policy
- (c) Planning Enforcement - Birchfield, Epping Lane, Stapleford Tawney
- (d) Supplementary Estimates and Capital Provision
- (e) Cabinet Membership – Housing Portfolio – report to follow

9. REPORT OF OVERVIEW AND SCRUTINY (Pages 95 - 98)

To consider a report on the title, terms of reference and procedure for the Housing Appeals Panel.

10. ANNUAL REPORT OF OVERVIEW AND SCRUTINY - 2005-06 (Pages 99 - 100)

Recommendation:

To consider and approve the Annual Report of Scrutiny for 2005-06.

(Chairman of the Overview and Scrutiny Committee) To receive and consider the annual report of Overview and Scrutiny as required by the Constitution.

11. MOTIONS

(a) To consider the following motion, notice of which has been given under Council procedure Rule 11.

Olympic Slalom Venture – Broxbourne

"That this Council -

- (a) notes that a number of key stakeholders including Essex and Hertfordshire District Councils and Broxbourne Borough have already been identified as becoming involved with the Olympic Slalom Venture project to be located in Broxbourne;
- (b) notes the proximity of the project to the District boundary;
- (c) agrees that, in view of the size of the project, the levels of construction traffic from 2007/8 and the general effect on the future of the Epping Forest District once the Slalom Centre is fully established including a continuing high level of traffic, the Council should seek active involvement in the project; and
- (d) requests the Head of Planning and Economic Development to pursue the matter as it is understood that the Assistant Director of the Lee Valley Regional Park Authority is prepared to recommend that this Council should be involved".

Mover: Councillor Mrs D Borton

Seconder: Councillor R Morgan

- (b) To consider any other motions received after the publication of the agenda.

12. 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) **By Councillor Mrs J Davis to Councillor S Metcalfe, Portfolio Holder for ICT and Corporate Support Services**

"Is the Portfolio Holder aware of

 - (a) the Government's announcement in November 2005 to change its policy of using call centres and instead increasing contacts with citizens via mobile phones and digital television
 - (b) performance information published by Ashford Borough Council for November 2005 to January 2006 that approximately 11,000 out of a total of 57,000 calls were abandoned

and is he, in the light of this information, prepared to review the Council's proposals for the customer contact centre and customer services transformation programme?"
- (ii) **By Councillor Mrs J Davis to Councillor R Glozier, Portfolio Holder for Planning and Economic Development**

"Would the Portfolio Holder agree that as the post of Town Centre Manager

is funded for a period of three years through a Section 106 Agreement with Sainsbury’s Plc in order to focus on town centres at the Broadway, Loughton, High Road, Loughton and Buckhurst Hill, that the post holder should not have a wider remit and should focus her activities on these three centres rather than other town centres in the District so as to avoid conflicting the terms of the Section 106 Agreement?”

(ii) By Councillor Mrs M Boatman to Councillor J Knapman, Portfolio Holder for Finance and Performance Management

“In view of the time being taken to re-let shops at the Broadway, Loughton, does the Portfolio Holder agree that a review of renting/leasing policy for those shops is well overdue?”

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

13. 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.

Confidential Items Commencement: 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 and 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.