

# 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, COUNCIL CHAMBER, CIVIC OFFICES, HIGH STREET, EPPING at 7.30 pm on Thursday, 28 June 2007 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)

#### WEBCASTING NOTICE

Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy and copies made available to those that request it.

Therefore by entering the Chamber and using the lower public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for web casting and/or training purposes. If members of the public do not wish to have their image captured they should sit in the upper council chamber public gallery area

If you have any queries regarding this, please contact the Senior Democratic Services Officer on 01992 564249.

## **BUSINESS**

### **1. WEBCASTING INTRODUCTION**

1. This meeting is to be webcast. Members are reminded of the need to activate their microphones before speaking.

2. The Chairman will read the following announcement:

“I would like to remind everyone present that this meeting will be broadcast live to the Internet and will be capable of repeated viewing and copies of the recording could be made available for those that request it.

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. MINUTES (Pages 11 - 36)**

To approve as a correct record and sign the minutes of the meeting held on 17 May 2007 (attached).

### **3. DECLARATIONS OF INTEREST**

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

### **4. 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) Member Computer Training – Award of Certificates**

Several members have completed IT training and will receive their certificates from the Chairman of the Council.

### **5. PUBLIC QUESTIONS (IF ANY)**

To answer questions asked after notice in accordance with the provisions contained in paragraph 9.3 of the Council Procedure 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 the Chairman of the Overview and Scrutiny Committee; or
- (c) to any Portfolio Holder.

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

## **6. COUNTY WASTE STRATEGY (Pages 37 - 48)**

County Councillor Peter Martin, Deputy Leader and Environment, Planning and Assets Portfolio Holder, and Nicola Beach, Waste and Recycling Manager will attend the meeting to brief members on:

- (a) the Essex Waste Management Partnership;
- (b) the waste management challenges facing Essex;
- (c) key targets and objectives; and
- (d) a Private Finance Initiative project.

A briefing note is attached.

## **7. REPORTS FROM THE LEADER, CHAIRMAN OF THE OVERVIEW AND SCRUTINY COMMITTEE AND MEMBERS OF THE CABINET (Pages 49 - 58)**

To receive reports from the Leader, Chairman of the Overview and Scrutiny Committee and members of the Cabinet on matters falling within their area of responsibility:

- (a) Report of the Leader;
- (b) Report of the Chairman of the Overview and Scrutiny Committee - attached;
- (c) Report of Civil Engineering and Maintenance Portfolio Holder;
- (d) Report of Community Wellbeing Portfolio Holder - attached;
- (e) Report of Environmental Protection Portfolio Holder;
- (f) Report of Finance, Performance Management and Corporate Support Services Portfolio Holder;
- (g) Report of Housing Portfolio Holder - attached;
- (h) Report of Leisure and Young People Portfolio Holder - attached;
- (i) Report of Planning and Economic Development Portfolio Holder.

## **8. QUESTIONS BY MEMBERS WITHOUT NOTICE**

Council Procedure Rule 10.6 provides for questions by any member of the Council to the Leader, Chairman of the Overview and Scrutiny Committee or any Portfolio Holder, without notice on:

- (i) reports under item 5 above; 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.

Council Procedure Rule 10.7 provides that answers to questions without notice may take the form of:

- (a) direct oral answer from the Leader or, at the request of the Leader, from

- another member of the Cabinet;
- (b) direct oral answer from the Chairman of the Overview and Scrutiny Committee or, at their request, from another member dealing with that issue as part of an Overview and Scrutiny review;
  - (c) where the desired information is in a publication of the Council or other published work, a reference to that publication;
  - (d) where the reply cannot conveniently be given orally, a written answer circulated later to the questioner; or
  - (e) where the question relates to an operational matter, the Leader, Chairman of the Overview and Scrutiny Committee or a member of the Cabinet will request that a response be given direct to the questioner by the relevant Chief Officer.

In accordance with the Council Procedure Rule 10.8, a time limit of twenty 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 10 minutes to ensure that all political groups and independent members may have their questions answered.

## **9. MOTIONS**

To consider the following motion, notice of which has been given under Council Procedure Rule 11:

### **(a) Loughton High Road Town Centre Enhancement**

“That this Council –

- (a) notes that three trees were removed from Centric Parade during the recent enhancement of Loughton High Road on the insistence of the then landlord of adjacent retail premises who claimed ownership of the land on which the trees were situated;
- (b) supports the views of local residents that the visual amenity of this wide section of footway will benefit from the planting of new trees;
- (c) notes that suitable species of trees, methods of planting and funding have all been resolved but that no progress is being made due to an alleged lack of information about the location of statutory undertakers’ services, concern that overhanging branches may represent a traffic hazard, and uncertainty about ownership of the land which may invalidate insurance cover in the event of a claim arising from the trees;
- (d) considers that the location of statutory undertakers’ services should be known from the recent enhancement works, the trees can be maintained so as not to cause a hazard and as the insurance policy presumably covers claims arising from the recently laid paving stones should also extend to trees planted in that area; and
- (e) requests the Planning and Economic Development Portfolio Holder to pursue this matter with District Council and County Council officers with a view to trees being planted without further delay.”

**Mover: Councillor P House**

**Seconder: Councillor K Angold-Stephens**

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

**10. QUESTIONS BY MEMBERS UNDER NOTICE**

To answer questions asked after notice in accordance with the provisions contained in paragraph 10.3 of the Council Procedure 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 Chairman of the Council;
- (b) to the Leader of the Council;
- (c) to the Chairman of the Overview and Scrutiny Committee or
- (d) to any Member of the Cabinet;.

Council Procedure rule 10.4 provides 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.

**11. REPORTS OF THE CABINET (Pages 59 - 110)**

To consider the following reports of the Cabinet:

- (a) North Weald Airfield – Maintenance Budget
- (b) Best Value Performance Plan 2007/08

**12. STATUTORY STATEMENT OF ACCOUNTS - 2006/07**

A report of the Head of Finance and the Statutory Statement will follow.

Recommendations of the Audit and Governance Committee from its meeting on 25 June 2007 will be reported at the meeting

**13. REPORT OF THE STANDARDS COMMITTEE (Pages 111 - 124)**

To consider the attached report recommending adoption of the revised Code of Conduct for Members.

**14. REPORT OF THE TOP MANAGEMENT CABINET COMMITTEE (Pages 125 - 130)**

To consider the attached report proposing a post of Deputy Chief Executive.

**15. COMMITTEES, SUB-COMMITTEES AND PANELS - APPOINTMENTS  
OUTSTANDING FROM THE ANNUAL COUNCIL MEETING****Recommendations:**

To agree the following appointments which were not made at the Annual Council Meeting:

- (a) **Licensing Committee – vacant seat – nominations to be made;**
- (b) **Group Representatives on Area Plans Sub-Committee South -**
  - Conservative Group – Councillor K Chana;**
  - Liberal Democrats Group – Councillor Spencer;**
  - LRA Group – Councillor K Angold-Stephens;**
- (c) **Group Representatives on Area Plans Sub-Committee East –**
  - Conservative Group – Councillor Mrs H Harding**
  - Liberal Democrats Group – Councillor R Frankel;**
- (d) **Group Representative on Area Plans Sub-Committee West –**
  - Conservative Group – Councillor Mrs P Smith;**
- (e) **Group Representatives on District Development Control Committee –**
  - Conservative Group – Councillor Mrs P Smith**
  - Liberal Democrats Group – Councillor R Frankel**
- (e) **Housing Appeals and Review Panel substitute member –**
  - Liberal Democrats Group – tba**
- (f) **Staff Appeals Panel substitute members –**
  - Conservative Group - Councillors Mrs R Gadsby, Mrs J Lea, Mrs E Webster**
- (g) **Standards Committee -**
  - Liberal Democrats Group – Councillor Mrs J H Whitehouse**

Group Leaders have nominated as above and the Council is asked to agree the appointments.

Nominations will be sought for the vacant seat on the Licensing Committee.

**16. TOP MANAGEMENT APPOINTMENTS PANEL****Recommendations;**

**(1) That the following members be appointed to form the Top Management Appointments Panel:**

- (a) Conservative Group (4) – tba**
- (b) Liberal Democrats Group (1) – Councillor J M Whitehouse**
- (c) LRA Group (1) – Councillor K Angold-Stephens**
- (d) BNP Group (1) – tba**

**(2) That a Chairman of the Panel be elected; and**

**(3) That a Vice-Chairman of the Panel be appointed**

1. At the Annual Council Meeting, the appointment of the Top Management Appointments Panel was deferred to this meeting.
2. It was agreed at the Council meeting on 20 February 2007 that in order to achieve cross party representation a Panel be appointed comprising seven members (including at least one Cabinet member and excluding any member of the Staff Appeals Panel) on pro rata lines as follows:  
  
Conservative Group – 4  
Liberal Democrats Group – 1  
LRA Group – 1  
BNP Group – 1.
3. Group Leaders have submitted the above nominations and further nominations will be made at the meeting. The Council is asked to agree the appointment of the Panel, a Chairman and a Vice-Chairman.

**17. STANDARDS COMMITTEE MEMBERSHIP****Recommendation:**

**To note that Parish Councillor Mrs D Borton has replaced Parish Councillor J Salter as the Parish/Town Council representative on the Standards Committee.**

1. The Essex Association of Local Councils – Epping Forest District Association has advised that Parish Councillor Jason Salter has decided to stand down as the parish/town council representative on the Standards Committee. Councillor Salter has been a member of the Committee since it came into being in 2001.
2. The Association has appointed Parish Councillor Mrs Daphne Borton in place of Councillor Salter.

**18. WEST ESSEX WASTE MANAGEMENT JOINT COMMITTEE****Recommendation:**

**To appoint Councillor Mrs D Collins as a deputy on this Committee.**

At the Annual Meeting, Councillor Mrs M Sartin was appointed the Council's representative on the West Essex Waste Management Joint Committee with Councillor Mrs A Cooper appointed as substitute.

It has been pointed out by the Committee that in accordance with their Constitution both the member representative and the substitute must be members of the Council's Cabinet as they must be able to make decisions. It is necessary therefore to appoint another member as substitute in place of Councillor Mrs Cooper and it is proposed that Councillor Mrs Collins be appointed.

**19. AREA PLANS SUB-COMMITTEES 'A', 'B/C' AND 'C' (Pages 131 - 158)****Recommendation:**

**That the Chairman of the District Development Control Committee be authorised to sign as a correct record the minutes of the final meetings of Area Plans Sub-Committees 'A', 'B/C' and 'D'.**

The minutes of the last meetings of Area Plans Sub-Committees 'A', 'B/C' and 'D' held on 4 April 2007, 18 April 2007 and 25 April 2007 respectively are attached. Following the re-structuring of the Area Plans Sub-Committees, it is recommended that the Chairman of the District Development Control be authorised to sign the attached minutes as correct records.

**20. LOUGHTON STAKEHOLDERS' FORUM ON WASTE MANAGEMENT AND STREET CLEANSING****Recommending:**

**That three councillors be appointed to the recently formed forum established to discuss waste management and street cleansing issues within Loughton.**

A stakeholders' forum has been established to discuss waste management and street cleansing issues within Loughton. The Forum will comprise three district councillors representing wards in the Loughton area, Loughton town councillors and representatives of local groups.

Issues highlighted will be considered initially by officers and if necessary will be reported to the contractor, the Environmental Protection Portfolio Holder or the Cabinet for decision.

The Council is asked to appoint three councillors on the nominations of Group Leaders.

At the time of publication of the agenda, the following nominations had been received:

LRA Group – Councillor P House  
Independent Member – Councillor S Murray



Further nominations will be reported orally at the meeting.

## 21. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS

To receive any reports, ask questions and receive answers on the business of joint arrangements and external organisations.

## 22. 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.