

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 Tuesday, 24 July 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

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. APPOINTMENT OF A COUNCILLOR TO ACT IN THE CAPACITY OF UNOFFICIAL VICE CHAIRMAN FOR THE MEETING

Recommendation:

That one Councillor be appointed to act in the capacity of Vice-Chairman for this meeting

1. Councillor Knapman is unable to attend the meeting. The Council is asked to consider the appointment of a Councillor to act in the role of Vice Chairman for the meeting.

2. MINUTES

To approve as a correct record and sign the minutes of the meeting held on 28 June 2007 (to follow).

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.

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. REPORTS FROM THE LEADER, CHAIRMAN OF THE OVERVIEW AND SCRUTINY COMMITTEE AND MEMBERS OF THE CABINET

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;
- (c) Report of Civil Engineering and Maintenance Portfolio Holder;
- (d) Report of Community Wellbeing Portfolio Holder;
- (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;
- (h) Report of Leisure and Young People Portfolio Holder; and
- (i) Report of Planning and Economic Development Portfolio Holder.

7. 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.

8. MOTIONS

To consider any motions, notice of which has been given under Council Procedure Rule 11.

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

9. 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; or
- (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.

10. REPORTS OF THE CABINET

Reports from the meeting on 16 July 2007 to follow.

11. RESIGNATION - EX-COUNCILLOR FARR

Recommendations:

- (1) To note the resignation of Ex-Councillor Farr on 10 July 2007;**
- (2) To consider whether, pending the results of a bye-election and any request for a subsequent review of pro rata allocation of places, the Council defers the appointments to any vacancies created to the next meeting of the Council on 30 October 2007.**

1. To note that Mr T Farr, member for the Loughton Alderton ward submitted a letter of resignation on 10 July 2007. A notice of vacancy will be published and an election to fill this vacancy will be arranged once a formal request is submitted to the Council. A timetable for a bye-election will be announced in due course.

2. Vacancies now exist on the following Committees:

Area Planning Subcommittee South
Staff Appeals Panel (Vice Chairman)

and on the following outside bodies:

Campaign to Protect Rural Essex (Deputy)
Lee Valley Regional Park Authority (Deputy)

3. The vacancy on Area Planning Subcommittee South cannot be filled by any other member than the elected candidate and therefore should be held until the next Council meeting.

4. The Council could choose to defer appointment to the Committee and outside body vacancies until the next Council meeting pending the result of any bye-election and subsequent requests for a review of pro rata allocations.

12. REPRESENTATIVES ON OUTSIDE ORGANISATIONS - EPPING FOREST POLICE AND COMMUNITY CONSULTATIVE GROUP

Recommendation:

To appoint two members to represent the Council on the Epping Forest Police and Community Consultative Group for the remainder of the current municipal year.

1. At the Annual Council meeting on 17 May 2007, members deferred consideration of the appointment of representatives to the Police and Community Consultative Group (PCCG) – Epping and Loughton Sections pending receipt of clarification from the secretariat of that Group about its current status.

2. The PCCG secretariat has now advised that PCCG's do still exist and will continue to do so, at least until the end of this year and possibly into 2008. They have stated that meetings are now held at District level, ie, there are now 14 policing districts within Essex and currently one public meeting is held per district each calendar year. For PCCG purposes, the Loughton and Epping Sections no longer exist independently and now form part of the Epping Forest policing district. The secretariat have requested that the District Council appoint two representatives to Epping Forest PCCG - one from the area covered by the former Epping Section and one from the area covered by the former Loughton Section.

3. The Council is asked to appoint two representatives for the remainder of the current municipal year.

4. The terms of reference of the PCCG's is to consider and report to the Police Authority and the Chief Constable on the following matters:

(a) issues of general local concern which it is desired to bring to the attention of the police;

- (b) the creation of practical opportunities for the community to gain a better understanding of the police service and for police officers in the area to get to know better the particular communities they serve;
- (c) the promotion of joint efforts in crime prevention through practical community action to discourage and prevent crimes;
- (d) the promotion of better community understanding of the problems facing the police and of the limits of what the police can do in response to local problems;
- (e) the monitoring of the local policing plan.

13. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS

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

14. JOHN SCOTT, JOINT CHIEF EXECUTIVE

John Scott, Joint Chief Executive will be retiring on 31 July 2007 after 29 years service with the Council.

Members will be invited to pay tribute to John's work for the Council and in the community.

15. 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.