

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 7.30 pm on **Tuesday, 18 December 2007** for the purpose of transacting the business set out in the agenda.

A handwritten signature in black ink, appearing to read 'Peter Haywood'.

PETER HAYWOOD
Chief Executive

**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. 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. FORMER COUNCILLOR D SPINKS

To stand for a minute’s silence in tribute to Don Spinks, former Chairman of the District Council who died on 3 December 2007.

3. MINUTES (Pages 9 - 24)

To approve as a correct record and sign the minutes of the meeting held on 30 October 2007 (attached).

4. DECLARATIONS OF INTEREST

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

5. 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) Epping Forest District Youth Council

To note the names of those elected to the Epping Forest District Youth Council to act on behalf of all young people in the District and to represent the District on the Essex Youth Assembly.

6. 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.

7. REPORTS FROM THE LEADER, CHAIRMAN OF THE OVERVIEW AND SCRUTINY COMMITTEE AND MEMBERS OF THE CABINET (Pages 25 - 30)

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 (the Leader will seek leave of the Council to make an oral report so that she can provide the most up to date position on a number of issues) ;
- (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;
- (e) Report of Environmental Protection Portfolio Holder;
- (f) Report of Finance, Performance Management and Corporate Support Services Portfolio Holder - attached;
- (g) Report of Housing Portfolio Holder - attached;
- (h) Report of Leisure and Young People Portfolio Holder;
- (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 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.

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 31 - 64)

To consider the following reports of the Cabinet:

- (a) Loughton Hall and Library Site adjoining Epping Forest College, Loughton – Right of Pre-Emption
- (b) Capital Strategy 2007 - 2012
- (c) Supplementary Estimates
- (d) Waste Management Partnership Board

12. REPORTS OF OVERVIEW & SCRUTINY COMMITTEE (Pages 65 - 88)

- (a) Review of Protocol on Outside Organisations – report attached;
- (b) Decision Making in Emergencies – report attached; and
- (c) Area Plans Sub- Committees – Three Week Cycle – a report of the Constitution and Members' Services Scrutiny Panel is being considered by the Overview and Scrutiny Committee on 13 December 2007 – recommendations of the Committee arising from consideration of the report will be tabled.

13. REPORT OF THE CONSTITUTION AND MEMBERS' SERVICES STANDING SCRUTINY PANEL (Pages 89 - 90)

(Chairman of the Panel) To consider the attached report.

14. REPORT OF EPPING FOREST DISTRICT STANDARDS COMMITTEE (Pages 91 - 114)

(M Marshall, Chairman of the Committee) To consider the attached report.

15. AREA PLANS SUB-COMMITTEES**Recommendation:**

That the following additional meetings be held during the municipal year 2007/08:

Area Plans South – 23 April 2008

Area Plans East – 7 May 2008

Area Plans West – 14 May 2008

(Assistant to the Chief Executive) The calendar of meetings for 2007/08 adopted by the Council on 24 April 2007 did not provide for any Area Plans Sub-Committee meetings after 16 April 2007. The first meeting of a Sub-Committee in the municipal year 2008/09 will be on 21 May 2008 after the Annual Council meeting.

This gap in meetings will impact on the Council's targets for determining applications and it is proposed that it be closed by scheduling additional meetings as set out in the above recommendation.

16. EX-COUNCILLOR A LEE**Recommendations:****To note the resignation of ex-Councillor A Lee on 5 November 2007**

1. To note that Mr A Lee, member for the Loughton St Mary's Ward submitted a letter of resignation dated 3 November 2007 and received by the Proper Officer on 5 November 2007.
2. As the vacancy arises within six months of the date that the councillor's term of office would have expired the election to fill the vacancy will take place at the next ordinary election (1 May 2008).

Background Paper: Letter of resignation

17. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS

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

18. 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.