

# 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, 19 February 2008 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](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 7 - 24)**

To approve as a correct record and sign the minutes of the meeting held on 18 December 2007 (attached).

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

(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 (Pages 25 - 34)**

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 - attached;
- (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.

**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

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

### (i) Council & Cabinet Meetings – Public Questions

“That this Council –

- (a) notes the Council’s success in fostering public interest by allowing the public to speak on development control matters at planning meetings;
- (b) agrees that the introduction of public questions would assist in achieving more public interest in Cabinet proceedings;
- (c) resolves to ask the Cabinet to allocate up to 20 minutes at the beginning of each of their meetings to answer questions to portfolio holders by the public on Cabinet matters without prior notice;
- (d) notes that the public seldom asks questions at Council meetings and agrees that restrictions in the current scheme about prior notice may be a disincentive;
- (e) resolves to amend the present scheme for public questions at Council meetings by removing the requirement for the public to give prior notice both of their wish to ask questions and the content of those questions with effect from the next Council year; and
- (f) further resolves to amend the Constitution and give appropriate publicity to these changes.”

**Mover: Councillor Mrs D Collins**

**Seconder: Councillor C Whitbread**

(b) 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;
- (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 (Pages 35 - 118)**

To consider the following reports of the Cabinet:

- (a) Acupuncture, Tattooing, Semi-Permanent Skin Colouring, Cosmetic Piercing and Electrolysis Byelaws
- (b) Budgets and Council Tax Declaration 2008/09
- (c) Calendar of Meetings 2008/09

#### **11. REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE (Pages 119 - 136)**

- (a) Local Government and Public Involvement in Health Act 2007 – Provisions relating to Elections

#### **12. REPORT OF THE AUDIT AND GOVERNANCE COMMITTEE (Pages 137 - 150)**

#### **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. 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):

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