

# 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 Thursday, 26 June 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 9 - 42)**

To approve as a correct record and sign the minutes of the Annual meeting held on 15 May 2008 (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

**(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. 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;
- (i) Report of Planning and Economic Development Portfolio Holder.

Written reports received after the dispatch of the agenda will be included in the Council Bulletin.

## **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;
- (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. REPORT OF THE CABINET - BEST VALUE PERFORMANCE PLAN 2008/09 (Pages 43 - 82)**

To consider the attached report.

## **11. REPORT OF THE CABINET - SUPPLEMENTARY ESTIMATE - GYPSY AND TRAVELLER ACCOMMODATION - REGIONAL SPATIAL STRATEGY SINGLE ISSUE REVIEW (Pages 83 - 84)**

To consider the attached report.

**12. REPORT OF THE CABINET - PLANNING APPEAL - AWARD OF COSTS - WANSFELL COLLEGE, PIERCING HILL, THEYDON BOIS (Pages 85 - 86)**

To consider the attached report.

**13. STATUTORY STATEMENT OF ACCOUNTS 2007/08 (Pages 87 - 168)**

A report of the Director of Finance and ICT and the Statutory Statement are attached.

Recommendations of the Audit and Governance Committee from its meeting on 23 June 2008 will be reported at the meeting.

**14. OVERVIEW AND SCRUTINY COMMITTEE**

**Recommendation:**

**That the appointment of Councillor Mrs J H Whitehouse as a member of the Overview and Scrutiny Committee on the nomination of the Liberal Democrats Group be agreed.**

(Assistant to the Chief Executive) The Liberal Democrats Group has given notice that it wishes to nominate Councillor Mrs J H Whitehouse as a member of the Overview and Scrutiny Committee in place of Councillor Mrs A Haigh who was appointed at the Annual Meeting.

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

**Recommendations:**

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

**(a) Joint Consultative Committee – vacant seat – nominations to be made;**

**(b) Complaints Panel – vice-chairman - nominations to be made;**

**(c) Group Representatives on Area Plans Sub-Committee South - Conservative Group – tba;  
Liberal Democrats Group – Councillor P Spencer;**

**(d) Group Representatives on Area Plans Sub-Committee East – Conservative Group – tba;  
Liberal Democrats Group – Councillor R Frankel;**

**(e) Group Representative on Area Plans Sub-Committee West – Conservative Group – tba;**

**(f) Group Representatives on District Development Control Committee – Conservative Group – tba;  
Liberal Democrats Group – Councillor Mrs A Haigh;**

**(g) Staff Appeals Panel substitute members –  
Conservative Group – one Conservative Group nomination tba.**

(Assistant to the Chief Executive) The Leader of the Liberal Democrats Group has nominated as above and the Council is asked to agree the appointments. The Leader of the Conservative Group will report orally on nominations.

**16. COUNCIL MEETING - SEPTEMBER 2008**

**Recommendation:**

**That the meeting originally scheduled to take place on 30 September 2008 be held on 25 September 2008**

(Assistant to the Chief Executive) At the last meeting of the Council, members requested that the date of the Council meeting in September 2008 be changed as 30 September 2008 is the Jewish New Year.

A Council meeting in September will only be held if the auditors require the accounts to be changed and re-approved. This was not necessary last year but it was the year before that. If the accounts do need to be changed it is necessary to re-approve them by not later than 30 September.

If a Council meeting is required in September 2008 it is suggested that it be held on 25 September which will allow the officers maximum time to change the accounts and meet the timescale.

**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):

<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.