

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, 25 September 2008 for the purpose of transacting the business set out in the agenda.

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 ROGER BADDOCK

The Council is invited to stand for a minute's silence in tribute to the memory of former District Councillor Roger Baddock who died recently.

Roger Baddock represented the Loughton Roding Ward for 12 years between 1980 and 1988 and between 1991 and 1995.

Councillor Stephen Murray will pay tribute to Roger Baddock.

3. MINUTES (Pages 9 - 16)

To approve as a correct record and sign the minutes of the meeting held on 29 July 2008 (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.

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 17 - 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;
- (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;
- (e) Report of Corporate Support and ICT Services Portfolio Holder;
- (f) Report of Environment Portfolio Holder - attached;
- (g) Report of Finance and Performance Management Portfolio Holder;
- (h) Report of Housing Portfolio Holder - attached;
- (i) Report of Leisure and Young People Portfolio Holder - attached;
- (j) Report of Planning and Economic Development Portfolio Holder - attached.

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. REPORT OF THE CABINET - ESSEX JOINT MUNICIPAL WASTE MANAGEMENT STRATEGY - ADOPTION (Pages 31 - 106)

To consider the attached report of the Cabinet.

12. REPORT OF THE CABINET - LOUGHTON BROADWAY DEVELOPMENT AND DESIGN BRIEF (Pages 107 - 196)

To consider the attached report of the Cabinet.

13. REPORT OF THE CABINET - SUPPLEMENTARY ESTIMATE - BOBBINGWORTH TIP (Pages 197 - 198)

To consider the attached report of the Cabinet.

14. REPORT OF THE CABINET - SUPPLEMENTARY ESTIMATE - NORTH WEALD AIRFIELD - FUTURE OPTIONS (Pages 199 - 200)

To consider the attached report of the Cabinet.

15. STATUTORY STATEMENT OF ACCOUNTS - 2007/08

Statutory Statement of Accounts - 2007/08

Recommendation:

That the Statutory Statement of Accounts 2007/08 be re-approved.

1. (Director of Finance and ICT) The Council approved the Statutory Statement of Accounts 2007/08 at its meeting on 26 June 2008.

2. The audit of the annual Statutory Statement of Accounts has revealed some errors in the Accounts. The errors are not material but are non-trivial. In these circumstances it is regarded as best practice to amend the Accounts and have them re-approved. The amended Statutory Statement of Accounts was considered by the Audit and Governance Committee on 18 September and a verbal update will be provided on their recommendation to Council.

3. As changes have been made, the Council is requested to re-approve the Statutory Statement of Accounts.

4. As it has been necessary to make a material change, the Council is requested to re-approve the Statutory Statement of Accounts.

5. The revised Statutory Statement of Accounts will follow.

16. PRINCESS ALEXANDRA HOSPITAL - APPOINTMENT OF PARTNERSHIP GOVERNOR

Recommendation:

To consider nominations for one of the Partnership Governor positions on the Governing Body of the Princess Alexandra Hospital Trust.

1. The Council has been invited to appoint to one of the 12 Partnership Governor positions on this Trust. The nominated person is required to report back on Trust activities and be of sufficient seniority to be able to influence this Authority.

2. The Trust advises that it is a matter for this Council to determine how the appointment is to be made but that the arrangements must be “accountable and transparent so that the Trust is strengthened by the integrity of the process as well as the calibre of Partnership Governors coming forward”.
3. In policy terms, the Council's does not encourage members to assume Trust status when they are appointed to outside bodies. This particular Trust is a new body and the the question of conflicts of interest arising from the respective roles of the Council and the Trust will need to be closely monitored by the appointed member.

Background Paper: Letter dated 11 July 2008 from Mr R. Powell, Chairman of the Trust.

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.