

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, 30 June 2009** 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

BUSINESS

1. FORMER COUNCILLOR R.J AMANET

1. The death on 5 June 2009 of former Councillor Reg Amanet has recently been announced. The late Councillor Amanet had been District Councillor for Lambourne over the period from the establishment of the District Council in 1974 until 1988. In his final year before retirement, he served as Chairman of the District Council, having been Vice chairman in 1986/7. He also chaired a number of Committees, Sub Committees and Working Groups, including the Housing Management and Personnel Sub Committees.
2. The Chairman of the Council has written a letter of condolence to the late Councillor Amanet's family.

2. MINUTES (Pages 7 - 48)

To approve as a correct record and sign the minutes of the meeting held on 28 April 2009 and of the Annual council meeting on 21 May 2009 (previously circulated)

3. DECLARATIONS OF INTEREST

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

4. WALTHAM ABBEY HONEY LANE WARD - BYE- ELECTION (4.6.09)

To note that Councillor Adam Clark was elected to the casual vacancy for Councillor in the District Ward of Waltham Abbey Honey Lane and that he has signed his Declaration of Acceptance of Office under the Local Government Act 1972.

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 49 - 54)

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 Community Safety and Transport Portfolio Holder;
- (d) Report of Environment Portfolio Holder;
- (e) Report of Finance and Economic Development Portfolio Holder;
- (f) Report of Housing Portfolio Holder;
- (g) Report of Legal and Estates Portfolio Holder;
- (h) Report of Leisure and Wellbeing Holder;
- (i) Report of Performance Management 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

There are no Cabinet reports for consideration in public session.

12. STATUTORY STATEMENT OF ACCOUNTS 2008/9 (Pages 55 - 146)

To consider the report of the Audit & Governance Committee arising from its meeting on 22 June 2009 (to follow) and the Statutory Statement of Accounts for 2008/9 (attached).

13. STANDARDS COMMITTEE - ANNUAL REPORT 2008/9 (Pages 147 - 160)

14. COMPLAINTS PANEL

Recommendation:

To appoint Councillor Chana (the Chairman of the Panel) to the membership of the Complaints Panel in place of one of the Conservative Group nominees.

1. Councillor Chana was appointed to the Chairmanship of the Complaints Panel at the Annual Council meeting. He is however not a member of the Panel at present and, in order to ensure that the Panel is properly constituted, Councillor Chana must be appointed to a seat on the Panel in place of one of the other Conservative Group nominees, namely:

Councillors Mrs. J. Hedges, G. Mohindra, J. Philip, B. Rolfe, B. Sandler and Mrs L. Wagland.

15. REPRESENTATION ON OUTSIDE ORGANISATIONS (Pages 161 - 166)

(a) Buckhurst Hill Town Centre Partnership

Recommendation:

To appoint one representative to the Buckhurst Hill Town Centre Partnership.

1. At the Annual Council meeting, the appointment of a representative to this Partnership was deferred pending clarification of whether the appointed representative must be an elected District Councillor.
2. The constitution of the Partnership is attached but appears to be silent on the question of the status of the representative:
3. At the Annual council meeting, the following nominations were made:

Conservative Group - Councillor Mrs L. Wagland
Mr R. Church
Liberal Democrats Group – Councillor Mrs A. Haigh.

4. Discussions have been taking place with the Partnerships generally about a general protocol with the Council but this has yet to be finalised and agreed by all those involved.

(b) Enfield/Essex/Herts Border Liaison Group - Deputy

Recommendation:

To consider the appointment of a deputy.

1. Following the appointment of Councillors R. Bassett, Mrs P. Smith and R. Wyatt on this body at the Annual Council meeting (with Councillors Mrs J. Lea and M. Sartin as deputies) , there remains one vacancy for a deputy. The representatives and deputies must be Councillors.

16. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS

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

17. 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
18	Springfields, Waltham Abbey	3

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.

18. REPORT OF THE CABINET - SPRINGFIELDS, WALTHAM ABBEY (Pages 167 - 170)

To consider the attached restricted Cabinet report