

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, 16 February 2010 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 Chief Executive will read the following announcement:

“This meeting will be webcast live to the Internet and will be archived for later viewing. Copies of recordings may be made available on request.

By entering the Chamber’s lower seating area you consenting to becoming part of the webcast.

If you wish to avoid being filmed you should move to the public gallery or speak to the webcasting officer”

2. MINUTES (Pages 9 - 36)

To approve as a correct record and sign the minutes of the meeting held on 22 December 2009 and the extraordinary meeting held on 19 January 2010 (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 37 - 42)

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 Portfolio Holder;
- (i) Report of Performance Management 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 6 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 - FUTURE DEVELOPMENT OF KEY SITES WITHIN THE DISTRICT - SUPPLEMENTARY ESTIMATE (Pages 43 - 44)

(Leader of the Council/Legal and Estates Portfolio Holder) To consider the attached report.

11. REPORT OF THE CABINET - REPLACEMENT OF VEHICLE - GROUNDS MAINTENANCE - SUPPLEMENTARY CAPITAL ESTIMATE (Pages 45 - 46)

(Environment Portfolio Holder) To consider the attached report.

12. REPORT OF THE CABINET - SPORTS LEISURE MANAGEMENT - CONTRACT EXTENSION NEGOTIATIONS - SUPPLEMENTARY CAPITAL ESTIMATE (Pages 47 - 48)

(Leisure and Wellbeing Portfolio Holder) To consider the attached report.

13. REPORT OF THE CABINET - CALENDAR OF COUNCIL MEETINGS - 2010/11 (Pages 49 - 52)

(Leader of the Council) To consider the attached report.

14. REPORT OF THE CABINET - BUDGETS AND COUNCIL TAX DECLARATION 2010/11

(Finance and Economic Development Portfolio Holder) To consider a report – to follow.

15. REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE - ANNUAL REVIEW OF CONTRACT STANDING ORDERS (Pages 53 - 78)

(Chairman of Overview and Scrutiny Committee) To consider the attached report.

16. REPORT OF THE DISTRICT DEVELOPMENT CONTROL COMMITTEE - ESSEX COUNTY COUNCIL REVISED PARKING STANDARDS - ADOPTION AS SUPPLEMENTARY GUIDANCE (Pages 79 - 80)

(Chairman of District Development Control Committee) To consider the attached report.

17. STANDARDS COMMITTEE - INDEPENDENT MEMBER VACANCIES (Pages 81 - 84)

(Monitoring Officer) To consider the attached report.

18. LOCAL HIGHWAYS PANEL - CHAIRMAN

Recommendation:

- (1) That Councillor Ms S-A Stavrou be elected Chairman of the Panel for the remainder of the current municipal year; and**
- (2) That Councillor R Bassett be appointed Vice-Chairman of the Panel for the remainder of the current municipal year.**

(Leader of the Council) At the Annual Council meeting on 24 May 2009, the Council elected Councillor R Bassett as Chairman and appointed Councillor Ms S-A Stavrou as Vice-Chairman of the Local Highways Panel. This was recognised as an interim arrangement pending the latter becoming fully familiar with her new portfolio holder responsibilities.

There have now been four meetings of the Panel and it is considered appropriate to change the Chairman and Vice-Chairman to reflect their current portfolio holder responsibilities.

19. NORTH WEALD AIRFIELD AND ASSETS MANAGEMENT CABINET COMMITTEE - TERMS OF REFERENCE (Pages 85 - 86)

Recommendations:

To note the decisions taken by the Leader of the Council:

- (a) to extend the terms of reference of the North Weald Airfield Strategy Cabinet Committee as set out in paragraphs 2.1 – 2.5 of the attached Appendix;**
- (b) to rename the Committee “North Weald Airfield and Asset Management Cabinet Committee; and**
- (c) to authorise all appropriate amendments to Appendix 4 of part 3 of the Constitution (Responsibility for Functions).**

(Leader of the Council) In accordance with paragraph 4.1 of the Council's Scheme of Delegation, the terms of reference of the North Weald Airfield Strategy Cabinet Committee have been amended so as to enable that Committee to review all of the Council's property assets not just those at North Weald Airfield. The change was necessary to recognise the contribution which asset rationalisation will have to improving service provision and assisting with Council budgets and financial planning.

To reflect the change the title of the Committee has been changed. No change has been made to the membership of the Committee.

20. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS

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

21. 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.