

Council Agenda



Epping Forest District Council

NOTICE OF ANNUAL COUNCIL MEETING

You are hereby summoned to the annual 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, 25 May 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 following announcement will be read:

“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. ELECTION OF CHAIRMAN

To elect a Chairman of the Council for the municipal year 2010/11. Nominations received are set out in Appendix 1a (to be tabled). The new Chairman will then make a declaration of acceptance of office.

3. APPOINTMENT OF VICE-CHAIRMAN

To appoint a member to be a Vice-Chairman of the Council for the municipal year 2010/11. Nominations received are set out in Appendix 1b (to be tabled). The new Vice-Chairman will then make a declaration of acceptance of office.

4. MINUTES (Pages 9 - 36)

To approve as a correct record and sign the minutes of the meeting held on 20 April 2010 (attached).

5. DECLARATIONS OF INTEREST

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

6. 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) Newly Elected Councillors

To welcome councillors elected/re-elected on 6 May 2010, namely:

Ward	Councillor
Buckhurst Hill East	Peter Spencer
Buckhurst Hill West	Sylvia Watson
Chigwell	Lesley Wagland
Chipping Ongar, Greensted and Marden Ash	Derek Jacobs Blane Judd
Epping Hemnall	Janet Whitehouse
Epping Lindsey and Thornwood Common	Will Breare-Hall
Grange Hill	Gagan Mohindra
Loughton Alderton	Lance Leonard
Loughton Broadway	Jennifer Hart
Loughton Fairmead	Tessa Cochrane
Loughton Forest	Colin Finn
Loughton Roding	Stephen Murray
Loughton St Johns	John Markham
Loughton St Marys	Richard Cohen
Lower Nazeing	Yolanda Knight
North Weald Bassett	David Stallan
Theydon Bois	Susan Jones
Waltham Abbey Honey Lane	David Johnson
Waltham Abbey Paternoster	John Wyatt

(d) Members Not Re-elected

To note that the following members were not re-elected on 6 May 2010:

Mitchell Cohen
Antoinette Cooper
Roland Frankel
Ann Haigh

Ann Haigh has been invited to attend the meeting to receive an award in recognition of her 14 years' service.

7. LOCAL GOVERNMENT AND HOUSING ACT 1989 - NOTICE OF CONSTITUTION OF POLITICAL GROUPS, GROUP LEADERS AND DEPUTIES

To note in accordance with regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990, the constitution of political groups on the Council and the names of members who will act as Group Leaders and Deputy Group Leaders (Appendix 2 to follow).

8. APPOINTMENTS MADE BY THE LEADER TO THE CABINET, CABINET COMMITTEES, OUTSIDE ORGANISATIONS AND MEMBER AND OFFICER DELEGATION

- (a) To note the appointments to be made by the Leader in respect of:
- (i) Cabinet Members; (Appendix 3 – to follow)
 - (ii) Portfolio Holders and respective responsibilities; (Appendix 3 – to follow)

(iii) Appointment of Cabinet Committees and memberships (Appendix 4 – to follow); and

(iv) Appointment to Chairmanships and Vice Chairmanships of Cabinet Committees; (Appendix 4 – to follow)

(b) To note the nominations made by the Leader to Outside Organisations carrying out Executive functions indicated in Appendix 5 (to follow)

(c) To note appointments made by the Leader in respect of outside organisations carrying out Executive functions indicated in Appendix 6 (to follow) where the Leader has determined that the representation should be at officer level.

9. MEMBERSHIP, CHAIRMANSHIPS AND VICE-CHAIRMANSHIPS OF COMMITTEES, SUB-COMMITTEES AND PANELS

(a) To make appointments to the membership of Committees, Sub-Committees and Panels (Appendix 7 – to follow)

(b) To appoint Chairmen and Vice-Chairman of Committees, Sub-Committees and Panels (Appendix 8 – to follow).

10. STANDARDS COMMITTEE

(a) District Councillors

To appoint three Councillors (Leader not eligible) to the Standards Committee.

These three members will serve together with the three independent members appointed by the Council until 2011 and the three local council representatives appointed by the Association of Local Councils (Epping Forest Branch). Nominations received are set out in Appendix 9 (to be tabled).

(b) Independent Members

At the Council meeting on 16 February 2010, members received a report of the Monitoring Officer drawing attention to two Independent Member vacancies on the Committee which would arise in May 2010. The Council agreed the establishment of a Selection Panel to agree a short-list of applicants, interview the persons short-listed and make recommendations to the Council on appointments.

The appointed members will join Mr M Wright as the Independent members of the Committee.

To consider the report of the Selection Panel (to follow).

11. AUDIT AND GOVERNANCE COMMITTEE

To appoint three councillors (Members of the Cabinet and Members of the Finance and Performance Management Scrutiny Panel are not eligible). Nominations received are set out in Appendix 10 (to be tabled).

These three members will serve together with two co-opted persons (Mrs M Peddle (Vice-Chairman) and R Thompson).

12. EPPING FOREST MEMBERS' REMUNERATION PANEL - APPOINTMENT

To consider a report following a recruitment exercise to fill the vacancy on the Panel (to follow).

13. SCHEME OF DELEGATION - COUNCIL AND REGULATORY FUNCTIONS**Recommendation:**

That the scheme of officer delegation for Council and regulatory functions, as set out in Part 3 of the Constitution as amended be agreed.

The Constitution requires that the scheme of delegation be agreed at the Annual meeting. The current scheme has been issued in Part 3 of the Council's Constitution and incorporates the new format agreed at the Council meetings on 17 February 2009 (minute 121) and 28 April 2009.

14. CHIEF EXECUTIVE - REVIEW OF DELEGATED AUTHORITIES (Pages 37 - 40)

(Monitoring Officer) If necessary, to consider the attached report.

15. COUNCIL MEETINGS - 2010/11**Recommendation:**

That during 2010/11 ordinary meetings of the Council be held on the following dates:

29 June 2010

27 July 2010

28 September 2010

2 November 2010

14 December 2010

15 February 2011

17 February 2011 (Thursday)(reserve date for budget meeting)

29 March 2011

24 May 2011 (Annual meeting)

At its meeting on 16 February 2010, the Council adopted a calendar of meetings for the period from May 2010 to May 2011 which included ordinary meetings of the Council for the year.

It is a requirement of the Constitution that a programme of ordinary meetings of the Council be approved at the annual meeting of the Council. The dates set out above are those adopted on 16 February 2010.

16. APPOINTMENTS TO OUTSIDE ORGANISATIONS

(a) To appoint or nominate, as the case may be, representatives to the outside organisations carrying out Council, Regulatory or non-Cabinet functions indicated in Appendix 11 (to follow).

(b) To note officer representation on outside organisations carrying out Council Regulatory or non-Cabinet functions indicated in Appendix 12 (to follow) where the Council has previously determined that the representation should be at Officer level.

(c) If necessary to appoint or nominate any representatives to organisations with terms of office expiring after the current year as set out in Appendix 13 (to follow) where appointments are required at this meeting.

17. WORK PROGRAMMES

Recommendation:

To note that work programmes for both the Executive and Overview and Scrutiny will be circulated shortly.

The Constitution requires that the Executive and Overview and Scrutiny should both submit an annual work programme each year, on their strategies for the coming year. Work programmes are being prepared and will be circulated to all members of the Council when completed.

18. ANNUAL REPORT OF THE EXECUTIVE 2009/10

(Leader of the Council) To consider a report (to follow).

19. 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 Paragraph Number	Information
20	Contract of Employment – Post XEX/01	1	

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.

20. CONTRACT OF EMPLOYMENT - POST XEX/01

To consider the current position. Councillor J M Whitehouse to report.