

# 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, 27 July 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](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 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 - 24)**

To approve as a correct record and sign the minutes of the meeting held on 29 June 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 25 - 34)**

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 Environment Portfolio Holder;
- (d) Report of Finance and Economic Development Portfolio Holder;
- (e) Report of Housing Portfolio Holder;
- (f) Report of Legal and Estates Portfolio Holder;
- (g) Report of Leisure and Wellbeing Portfolio Holder;
- (h) Report of Operational Planning and Transport Portfolio Holder;
- (i) Report of Performance Management Portfolio Holder; and
- (j) Report of Safer and Greener 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 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 (Pages 35 - 36)**

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.

Attached is a question to the Environment Portfolio Holder. Other questions, if any, will follow.

**10. REPORT OF THE CABINET - SUPPLEMENTARY ESTIMATES**

To consider a report – to follow after the meeting of the Cabinet on 19 July 2010.

**11. REPORT OF THE CABINET - SHARED OLYMPIC OFFICER POST**

To consider a report – to follow after the meeting of the Cabinet on 19 July 2010, if required.

**12. REPORT OF THE CABINET - GYPSY AND TRAVELLER DEVELOPMENT PLAN DOCUMENT - DIRECTION**

To consider a report – to follow after the meeting of the Cabinet on 19 July 2010.

**13. HANGAR 6, NORTH WEALD AIRFIELD - TEMPORARY CHANGE OF USE - WAIVING OF CALL-IN**

**Recommendation:**

**To note that the Vice-Chairman of the Council agreed that the decision of the Legal and Estates Portfolio Holder regarding variation of the lease of Hangar 6 at North Weald Airfield to permit its use for one wedding reception in accordance with conditions should be treated as a matter of urgency and should not be subject to call-in.**

(Chief Executive) Sophisto UK Ltd, an event management company, was granted a licence on 12 March 2010 to hold Asian and Jewish weddings for a period of 12 months on the Northern Showground Site, North Weald Airfield. They held four events whilst their planning application was being determined but this application was subsequently refused on the grounds of disturbance to local residents and no further events were held. The company was able to re-arrange the weddings provisionally booked on the Airfield except for one wedding to be held on the evening of Friday 2 July .

An approach was made to the tenant of Hangar 6 to seek their consent to hold this Asian wedding for 400 guests on their hard standing area. The tenant, Weald Aviation Ltd, sought landlord's consent under the lease on 24 June 2010.

Hangar 6 is a large T2 aircraft hangar let for aviation use on a ground lease expiring in 2057. It includes an extensive hard standing area for aircraft parking. Subletting is permitted with the Council's consent. The hangar is at least 800 metres from houses adjacent to the M11 motorway.

The Legal and Estates Portfolio Holder agreed to the proposed temporary change of use subject to numerous conditions and having regard to the date of the event determined that any delay in implementing the decision would seriously prejudice the public interest. The Vice-Chairman of the Council agreed in all the circumstances that the matter should be treated as urgent and not subject to call-in.

Background Paper: Decision Notice and form signed by the Vice-Chairman of the Council.

#### **14. REPRESENTATION ON OUTSIDE ORGANISATIONS**

##### **Recommendation:**

**To note that the Leader of the Council has appointed (a) Councillor Penny Smith, Safer and Greener Portfolio Holder, as the Council's representative and Councillor Syd Stavrou, Operational Planning and Transport Portfolio Holder as the deputy on the Crime and Disorder Strategy Panel and (b) Councillor Brian Rolfe, Leisure and Wellbeing Portfolio Holder, as the Council's representative on the Essex Supporting People Commissioning Body with no deputy appointed.**

(Leader of the Council) At the Annual Council meeting on 25 May 2010, the Leader reported on appointments made to Outside Organisations carrying out Executive functions. Following the Annual meeting, Portfolio Holder responsibilities were revised in recognition of the creation of a ninth Portfolio. These revisions included responsibility for Community Safety being with the Safer and Greener Portfolio Holder and responsibility for the Supporting People initiative with the Leisure and Wellbeing Portfolio Holder. In recognition of these revisions, changes have been made to the appointments to Outside Organisations reported at the annual meeting.

**15. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS**

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

**16. APPOINTMENT OF ACTING CHIEF EXECUTIVE AND DESIGNATION OF HEAD OF PAID SERVICE**

Report to follow.

**17. DELEGATED AUTHORITIES HELD BY THE CHIEF EXECUTIVE**

Report to follow.

**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>
19	Appointment of Acting Chief Executive and Designation of Head of Paid Service	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.

**19. APPOINTMENT OF ACTING CHIEF EXECUTIVE AND DESIGNATION OF HEAD OF PAID SERVICE**

To consider a report arising out of recommendations to be included in the report under item 16 (to follow).