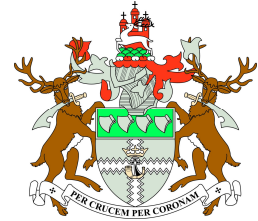


# Council Agenda



## 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, 28 September 2010 for the purpose of transacting the business set out in the agenda.

A handwritten signature in black ink, appearing to read 'D Macnab'.

**DEREK MACNAB**  
Acting 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 27 July 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.

#### (c) Quality Parish Status – Reaccreditation – Ongar Town Council

Ongar Town Council has met all the relevant criteria to be reaccredited for quality parish status. Local Councils in the District holding this status need to reapply every four years and complete a portfolio of evidence which is considered by the Essex County Accreditation Panel. Currently there are 697 Quality Parish Councils nationally of which 183 have been reaccredited.

Canon John Brown, the Chairman of the Essex County Accreditation Panel will say a few words on quality status and together with the Chairman of the Council will make a presentation to Councillor Diana Roberts, the Vice-Chairman of Ongar Town Council and Mr Mark Squire, the Clerk and Responsible Financial Officer of Ongar Town Council.

**(d) Essex Strategic HR Partnership – Virtual Network Essex**

At the Annual Learning Pool Conference, the Essex Strategic HR Partnership won an award for partnership working. The award was given in recognition of the work the Partnership has undertaken on the ViNE – Virtual Network Essex. The ViNE is used by all the cohorts of the Evolution Programme and will be developed to allow apprentices and others to network.

The ViNE project has been awarded £500,000 from Improvement East to develop the network across the Eastern Region.

The Chairman of the Council will make a presentation to Paula Maginnis, Assistant Director Human Resources and Julie Dixon, Learning and Development Officer in recognition of the work undertaken by this Council in relation to the project.

**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 - 36)**

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;
- (j) Report of the 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 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 (Pages 37 - 38)**

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.

A question for the Finance and Performance Management Portfolio Holder is attached.

Further questions, if any, will follow.

**10. REPORT OF THE CABINET - REVISED COUNCIL'S TREASURY MANAGEMENT STRATEGY STATEMENT AND INVESTMENT STRATEGY 2010/11 TO 2012/13 (Pages 39 - 66)**

To consider the attached report of the Cabinet.

**11. REPORT OF THE CABINET - EPPING FOREST COLLEGE, LOUGHTON - REPLACEMENT OF RESTRICTIVE COVENANTS (Pages 67 - 74)**

To consider the attached report of the Cabinet.

**12. STATUTORY STATEMENT OF ACCOUNTS - 2009/10**

**Recommendation:**

**That the Statutory Statement of Accounts 2009/10 be re-approved.**

(Director of Finance and ICT) Following a recommendation from the Audit and Governance Committee meeting of 21 June, the Council approved the Statutory Statement of Accounts 2009/10 at its meeting on 29 June 2010. The Accounts were approved without an Annual Governance Statement as the Audit and Governance Committee had asked for the draft presented to them on 21 June to be re-worded.

The audit of the annual Statutory Statement of Accounts has revealed some errors in the Accounts. Where a material error is discovered the Director of Finance & ICT is required to report the amendment to the Audit and Governance Committee. This year a material error of £25.5 million was made as an entry that should have gone to the Capital Adjustment Account was made in the Revaluation Reserve. The correction of this error and the movement between these reserves has no effect on the General Fund or Housing Revenue Account balances.

The amended Statutory Statement of Accounts and amended Annual Governance Statement are to be considered by the Audit and Governance Committee on 20 September and an oral report will be made on their recommendation to Council.

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

The revised Statutory Statement of Accounts will follow.

**13. REVIEW OF OFFICER DELEGATION 2010/11 (Pages 75 - 76)**

**Recommendation:**

**To note that the Leader of the Council has approved the delegation to the Acting Chief Executive of the executive functions as set out in the attached schedule.**

(Leader of the Council) The Council was advised at its last meeting of the need for certain delegated authorities in respect of executive functions previously exercisable by the Chief Executive to be transferred to the Acting Chief Executive.

The alterations made are set out in the attached schedule.

#### 14. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS

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

#### 15. 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.