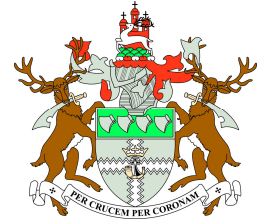


Council Agenda



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, 26 July 2011 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:
democraticservices@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 are 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. FORMER DISTRICT COUNCILLOR JOHN PLEDGE

The Council is invited to stand for a minute’s silence in tribute to the memory of former District Councillor John Pledge who died recently.

John Pledge was a District Councillor for 26 years representing the Stanford Rivers, Stapleford Tawney, Theydon Mount and Theydon Garnon Ward from 1974 -1979 and the Passingford Ward from 1979 - 2000. He was Chairman of the Council in 1982/83. John Pledge was also a member of the former Epping and Ongar Rural District Council for 10 years.

3. MINUTES (Pages 9 - 36)

To approve as a correct record and sign the minutes of the meeting held on 28 June 2011(attached).

4. DECLARATIONS OF INTEREST

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

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.

(c) Telecare Services Association Accreditation – Epping Forest Careline

The Council’s Careline Centre was opened in June 1994 and is based at Parsonage Court, Loughton. The Careline Service offers a twenty-four hour, 365 days per year,

emergency alarm service to older and disabled people living within the District. The Service is also offered to other vulnerable groups including victims of domestic violence and younger people with disabilities.

Users of the service are connected via the telephone network. The Council's own sheltered housing schemes and other designated dwellings for older people on housing estates have a hard-wired system installed in their properties with a speech module mounted on the wall and a pull cord in each of the rooms. In addition, 1,250 private sector users are connected to Careline via a dispersed alarm, and pay a small annual rental which brings income to the Housing Revenue Account. A total of 2,500 properties, representing approximately 3,000 people, are linked into the service.

Following a rigorous audit process undertaken by an external Assessor, Epping Forest Careline has been awarded the coveted Telecare Services Association's Accreditation, being a Quality Award for services provided in the emergency alarm industry.

The independent external assessor's overall conclusion was:

"Epping Forest Careline provides a quality service and has a structured document control system in place".

The accreditation lasts for three years; interim annual inspections are required to ensure the service is meeting with TSA's Key Performance Indicators. A full audit is undertaken every three years to establish that the Code of Practice Standards are continuing to be met.

The Chairman of Council will present the TSA Certificate to Councillor McEwen, Housing Portfolio Holder, Denise Pegler, Housing Manager (Older People's Services) and Jackie Ratcliffe Assistant Housing Manager (Older People's Services).

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 37 - 52)

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 and Legal Portfolio Holder;
- (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 Leisure and Wellbeing Portfolio Holder;
- (g) Report of Planning and Technology Portfolio Holder;
- (h) Report of the Safer, Greener and Highways Portfolio Holder;
- (i) Report of Support Services 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 7 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. REPORT OF THE CABINET - COUNCIL'S TREASURY MANAGEMENT STRATEGY AND INVESTMENT STRATEGY 2011/12 TO 2013/14 (Pages 53 - 76)

To consider the attached report.

12. REPORT OF THE OVERVIEW & SCRUTINY COMMITTEE - SUBSTITUTE MEMBERS (Pages 77 - 78)

Report attached.

13. REPORT OF OVERVIEW & SCRUTINY COMMITTEE - TERMS OF REFERENCE OF THE COMPLAINTS PANEL (Pages 79 - 80)

Report attached.

14. REPORT OF THE DISTRICT DEVELOPMENT CONTROL COMMITTEE - ESSEX COUNTY COUNCIL DEVELOPMENT MANAGEMENT POLICIES - ADOPTION AS SUPPLEMENTARY GUIDANCE (Pages 81 - 110)

To consider the attached report.

15. REPORT ON THE COMMITTEE FOR THE APPOINTMENT OF A CHIEF EXECUTIVE

Report to follow.

16. RODING VALLEY MEADOWS NATURE RESERVE TRUST - REPRESENTATION BY THE COUNCIL

Recommendations:

- (1) To note the current position in respect of Councillor S. Murray's membership of the Roding Valley Meadows Management Committee and Working Group; and
- (2) To note that the Council's representative on the Working Group will be an officer.

Report;

1. At the Annual Council meeting, Councillor S. Murray was elected to the newly constituted Roding Valley Meadows Local Nature Reserve Trust as a member of the management committee and of its working group.
2. Since the annual meeting, the terms of the Trust's constitution have been checked and it is clear that the Working Group is to comprise front line staff who are working directly in the Reserve. The Trust Deed states in its definitions that

"Representatives of the Working Group" will mean officers of the Council, members of Grange Farm or staff from the Trust that have an operational responsibility or operational impact on the Reserve."

and that the Working group must submit reports to the Management Committee as and when necessary. An arrangement where Councillor Murray serves on both bodies would not appear to meet this definition.
3. This matter has been discussed with Councillor Murray who has accepted the position. He will continue to serve on the Management Committee and the Council is asked to note that the representative on the Working Group will be an appropriate officer.

17. BRIBERY ACT - POLICY

Report to follow.

18. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS

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

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
15	Report of External Auditor	1 and 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.

20. REPORT OF THE AUDIT AND GOVERNANCE COMMITTEE - REPORT OF EXTERNAL AUDITOR - CONTRACT OF FORMER CHIEF EXECUTIVE (Pages 111 - 120)

To consider a restricted report.