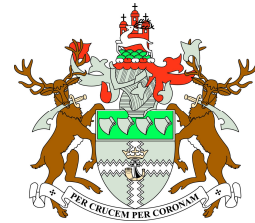


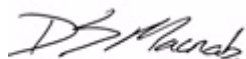
Council Agenda



**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, 14 February 2012 for the purpose of transacting the business set out in the agenda.



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 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 13 December 2012 (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 AND MEMBERS OF THE CABINET (Pages 25 - 44)

To receive reports from the Leader 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 Environment Portfolio Holder;
- (c) Report of the Finance and Economic Development Portfolio Holder;
- (d) Report of the Housing Portfolio Holder;
- (e) Report of the Leisure and Wellbeing Portfolio Holder;
- (f) Report of the Planning and Technology Portfolio Holder;
- (g) Report of the Safer, Greener and Highways Portfolio Holder;
- (h) Report of the Support Services 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. REPORTS OF THE CABINET (Pages 45 - 178)

To consider the attached reports of the Cabinet:

- (a) Capital Strategy;
- (b) Key Objectives;
- (c) Treasury Management Strategy; and
- (d) Budgets and Council Tax Declaration - 2012/13.

11. OVERVIEW AND SCRUTINY (Pages 179 - 192)

- (a) Report of the Chairman of the Overview and Scrutiny Committee (attached);
- (b) Reports of the Overview and Scrutiny Committee (if any); and
- (c) Reports of Overview and Scrutiny Panels:
 - (i) Senior Recruitment Task and Finish Panel (attached).

12. COMMITTEE FOR THE APPOINTMENT OF A CHIEF EXECUTIVE (Pages 193 - 196)

To consider the attached report.

13. POLICE AND CRIME COMMISSIONER ELECTION**Recommendations:**

- (1) That Mr I Willett, Assistant to the Chief Executive, be appointed as Local Returning Officer for the Police and Crime Commissioner election to be held on 15 November 2012;**
- (2) To note that the Local Returning Officer will be entitled to be remunerated in accordance with the relevant scale of fees prescribed by a Fees Order and on a superannuable basis under Council minute 115 – 19 April 2005;**
- (3) To note that the Council’s insurers have confirmed that the existing insurance indemnifying the Returning Officer will provide cover against legal expenses reasonably incurred in connection with the role of the Local Returning Officer for this election for the defence of any proceedings brought for contravention of the legislation or an accidental breach of any other duty by him or any other person employed by or officially acting for him; and**
- (4) To note that such insurance carrying an ‘excess’ clause by which an initial portion of risk is not insured, will through the Council’s internal insurance fund or otherwise, indemnify the Local Returning Officer up to the value of such excess.**

(Returning Officer) Mr S Packham, Chief Executive of Chelmsford Borough Council, has been appointed as Police Area Returning Officer (PARO) for Essex for the Police and Crime Commissioner election to be held on 15 November 2012.

The Police Reform and Social Responsibility Act 2011 provides that PAROs will be assisted in the discharge of their duties by Local Returning Officers who are defined as returning officers for any local elections. Accordingly, the Council is asked to confirm the appointment of Mr I Willett, Assistant to the Chief Executive, as a Local Returning Officer.

The terms of reference for the appointment including fees, superannuation and insurance are as set out in Council minute 115 of 19 April 2005.

14. DECISIONS TAKEN BY THE LEADER OF COUNCIL**(a) Review of Staff Car Leasing Scheme****Decision:**

- (1) To appoint Councillor J Knapman (Portfolio Holder for Environment) and Councillor J Wyatt (Portfolio Holder for Support Services) jointly to carry out a review of the present staff car leasing scheme;**

- (2) To determine that the terms of reference for this review should be as follows:
- (a) to review and reduce the cost to the Council of the current scheme;
 - (b) to review the report of the officer working party (attached) submitted to the Management Board on 28 September 2011, including:
 - staff eligibility;
 - vehicle arrangements;
 - alternative schemes designed to reduce costs;
 - financial contributions by staff under the scheme;
 - (c) to consider arrangements for consulting staff and union representatives;
 - (d) to consider any changes to staff contracts of employment, taking account of recent legal advice;
 - (e) to consider any impact on staff working arrangements arising from new car leasing arrangements; and
 - (f) to consider compensation arrangements appropriate to changes to the scheme.
- (3) To undertake, pursuant to (2) above:
- (a) discussions with the officer working party on the options for altering the scheme;
 - (b) attendance at the relevant Joint Consultative Committee as part of the consultation arrangements; and
 - (c) liaison with the officer working party in preparing a report and recommendations for consideration by the Cabinet.
- (4) To present a report to the Cabinet on the review of the scheme no later than the Cabinet meeting on 6 June 2012.

(b) Local Development Framework Cabinet Committee

Decision:

- (1) To amend the title of this Committee to read "Local Plan Cabinet Committee"; and
- (2) To appoint Councillor J Philip (Planning and Technology Portfolio Holder) to be the Chairman of the Committee

15. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS (Pages 197 - 218)

- (a) To receive the attached report from two of the District Council nominated

managing trustees on the Grange Farm Centre Trust and answers to any questions on that body which may be put without notice;

- (b) To receive from other Council representatives the reports (attached - if any) on the business of joint arrangements and external organisations and to receive answers to any questions on those bodies which may be put without notice; and
- (b) To request written reports from representatives on joint arrangements and external organisations for future meetings.

16. 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 |
|----------------|---|-------------------------------------|
| 17 | Report of the Cabinet – Supplementary Estimate and Reduced Capital Receipt – North weald airfield Market Operator | 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.

17. REPORT OF THE CABINET - SUPPLEMENTARY ESTIMATE AND REDUCED CAPITAL RECEIPT - NORTH WEALD AIRFIELD MARKET OPERATOR (Pages 219 - 220)

To consider the attached restricted report.