



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, 23 April 2013 for the purpose of transacting the business set out in the agenda.

A handwritten signature in black ink, appearing to read "Glen Chipp".

Glen Chipp
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 COUNCILLORS IAN BEATTIE AND JOAN ORMSTON

The Council is invited to stand for a minute’s silence in tribute to the memory of former District Councillors Ian Beattie and Joan Ormston who died recently.

Ian Beattie was a District Councillor for 21 years representing the Buckhurst Hill Ward from 1974 until 1979 and the Buckhurst Hill West Ward from 1979 until 1995. He was Chairman of the Council in 1980/81. Ian Beattie was also a member of the former Chigwell Urban District Council for many years and Chairman of that Authority in 1969/70.

Joan Ormston was a District Councillor for four years representing the Debden Green Ward from 1990 until 1994. She was also a Loughton Town Councillor.

3. MINUTES (Pages 9 - 66)

To approve as a correct record and sign the minutes of the meeting held on 19 February 2013 (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) Councillor D Johnson**Recommendation:**

That the resignation of D Johnson as a District Councillor with effect from 18 March 2013 be noted.

(Assistant to the Chief Executive/Returning Officer) On 18 March 2013, D Johnson gave notice of resignation from the office of District Councillor for the Waltham Abbey Honey Lane ward of the District.

His normal term of office would have expired in May 2014. Notice has been received signed by two electors requesting an election to fill the casual vacancy and an election will be held at the same time as the scheduled County Council elections on 2 May 2013.

Background Papers: Letter of resignation dated 18 March 2013. Notice signed by two electors.

6. PUBLIC QUESTIONS (IF ANY)

To answer questions asked after notice in accordance with the provisions contained in paragraph 11.3 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. QUESTIONS BY MEMBERS UNDER NOTICE

(a) To answer the following questions asked after notice in accordance with the provisions contained in paragraph 12.3 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:

(i) Town Centre Partnerships

Question from Councillor K Angold-Stephens to the Asset Management and Economic Development Portfolio Holder:

"I understand work is going on into improving the effectiveness of our Town Centre Partnerships in the District. Can the Portfolio Holder tell us if she has a long term objective and an action plan to address any identified shortcomings and will she be seeking the views of traders in our respective towns on ways to improve the effectiveness and engagement of the Town Centre Partnerships in the local community?"

(ii) The new Welfare Reform

Question from Councillor L Girling to the Finance and Technology Portfolio Holder:

“Channel 4 news on Thursday 28th February raised an issue about the new Bedroom Tax. A disabled sister under new rules has to share a room with her 14year old sister, even though the disabled sister needed a modified room. Does the Portfolio Holder agree this is unacceptable and is there any flexibility under this new law that will enable this Council to mitigate against such anomalies?”

(iii) Broadband Access Improvements

Question from Councillor L Girling to the Finance and Technology Portfolio Holder:

“The three Members’ Local Plan workshops and a recent Overview and Scrutiny Committee meeting in which BT attended as guests, all raised the issue of growth of commercial development on Langston Road, Loughton. BT was made aware by fellow member Councillor Lion that Langston Road, which is earmarked for high volumes of commercial growth in the next 20 years, but has one of the lowest Broadband coverage in the District. Can the Portfolio Holder advise members what action is being taken by the District Council to ensure businesses in Langston Road will be receiving improved Broadband access in the very near future?”

Council Procedure Rule 12.4 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.

(b) Further questions, if any:

- (i) to the Chairman of the Council;
- (ii) to the Leader of the Council;
- (iii) to the Chairman of the Overview and Scrutiny Committee or
- (iv) to any Member of the Cabinet;.

will follow if not received in time to be incorporated into the agenda.

8. REPORTS FROM THE LEADER AND MEMBERS OF THE CABINET (Pages 67 - 90)

To receive reports from the Leader and members of the Cabinet on matters falling within their area of responsibility:

- (a) Report of the Leader;
- (b) Report of the Asset Management and Economic Development Portfolio Holder;
- (c) Report of the Environment Portfolio Holder;
- (d) Report of the Finance and Technology Portfolio Holder;
- (e) Report of the Housing Portfolio Holder;
- (f) Report of the Leisure and Wellbeing Portfolio Holder;
- (g) Report of the Planning Portfolio Holder;
- (h) Report of the Safer, Greener and Highways Portfolio Holder;
- (i) Report of the Support Services Portfolio Holder.

9. QUESTIONS BY MEMBERS WITHOUT NOTICE

Council Procedure Rule 12.6 provides for questions by any member of the Council to the Leader or any Portfolio Holder, without notice on:

- (i) reports under item 8 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 12.7 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) where the desired information is in a publication of the Council or other published work, a reference to that publication;
- (c) where the reply cannot conveniently be given orally, a written answer circulated later to the questioner; or
- (d) where the question relates to an operational matter, the Leader 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 12.8, 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.

10. MOTIONS

To consider any motions, notice of which has been given under Council Procedure Rule 13.

Motions, if any, will follow if not received in time to be incorporated into the agenda.

11. REPORT OF THE CABINET - STATEMENT OF COMMUNITY INVOLVEMENT (Pages 91 - 104)

To consider the attached report.

12. REPORT OF THE CABINET - KEY OBJECTIVES (Pages 105 - 110)

To consider the attached report.

13. OVERVIEW AND SCRUTINY (Pages 111 - 166)

- (a) Reports of the Chairman of the Overview and Scrutiny Committee;
- (b) Reports of the Overview and Scrutiny Committee (if any); and
- (c) Reports of Overview and Scrutiny Panels:
 - (i) Constitution and Member Services Standing Scrutiny Panel -
 - (aa) Protocol on Partnerships and External Organisations and Review of Outside Bodies – attached;
 - (bb) Housing Appeals and Review Panel – Terms of Reference - attached;
 - (cc) Review of Contract Standing Orders – attached;
 - (dd) Review of Officer Delegation – 2012/13 – attached;
 - (ee) Review of Financial Regulations – attached;
 - (ff) Localism Act 2011 – Executive Constitution – attached;

14. DISTRICT/PARISH REMUNERATION PANELS - ALLOWANCES AND EXPENSES (Pages 167 - 168)

(Assistant to the Chief Executive) To consider the attached report.

15. LOCALISM ACT 2011 - NEIGHBOURHOOD PLANNING AREA DESIGNATIONS**Recommendations:**

That, in accordance with:

(a) Section 61E of the Town & Country Planning Act 1990 (as provided for by Section 116 and Schedule 10 of the Localism Act 2011); and

(b) Regulation 9 of the Planning (Referendum) Regulations 2012; and

(c) any other statutory provisions enacted and brought into force subsequently,

Mr. I. Willett (Returning Officer for the Epping Forest District) be appointed as Counting Officer for the purpose of local referendums in any area for the purposes of making Neighbourhood Development Plans within the District and as Proper Officer for exercise all other powers under (a) and (b) above.

1. (Returning Officer) The Council has a statutory responsibility to conduct local referendums within the District in respect of any Neighbourhood Development Plan brought forward for consideration and adopted by the Planning Authority.

2. These responsibilities derive from amendments to the Town & Country Planning Act 1990 by the Localism Act 2011. All such proposed plans are subject to an examination process to establish whether the Plan satisfies a number of key planning criteria. The independent examination is then to be considered by the Council as part of the decision as to whether the Plan can be accepted.

3. If a Plan is accepted, it is then subject to a referendum in the area concerned. The referendum is conducted on the basis of a prescribed statutory question, a statutory

statement on all aspects of the Plan, the independent assessment and a notice of the Council's decision. The vote at the referendum determines whether the Plan stands or falls. Referendums are conducted as if they were local elections. The Examiner will determine the area to be covered by the referendum which make wider than the area designated.

4. The regulations cited at item (b) of the recommendation prescribe that the Returning Officer for the District is automatically the Counting Officer for this purpose but, for the avoidance of doubt, the Council is asked to pass the resolution set out in this item, including the appointment of the Returning Officer as Proper Officer for the other aspects of the referendum procedure.

5. One such request for a Neighbourhood Development Area has been received to date.

16. CALL-IN AND URGENCY - PARKING SCHEMES ACROSS THE DISTRICT TO BE IMPLEMENTED BY THE NORTH ESSEX PARKING PARTNERSHIP (NEPP) (Pages 169 - 170)

To note the attached report.

17. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS (Pages 171 - 178)

(a) To receive from Council representatives the reports (attached) 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:

(i) Citizens Advice Bureaux – Epping Forest

(Councillor R Cohen) At the last meeting of the Council a request was made for statistics relating to approaches for assistance made to the Bureaux. Attached are statistics for the year 2012/13 up to February 2013. The overall figures are provided together with a breakdown showing the Epping, Loughton and Waltham Abbey Branches;

and

(b) To request written reports from representatives on joint arrangements and external organisations for future meetings.

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):

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.