



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, 30 July 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/FILMING 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. The meeting may also be otherwise filmed by third parties with the Chairman's permission.

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.

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 or otherwise indicate to the Chairman before the start of the meeting.

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:

“I would like to remind everyone present that this meeting will be broadcast live to the Internet (or filmed) and will be capable of repeated viewing (or another use by such third parties).

If you are seated in lower public seating area it is likely that the recording cameras will capture your image and this will result in the possibility that your image will become part of the broadcast.

This may infringe your human and data protection rights and if you wish to avoid this you should move to the upper public gallery”.

2. MINUTES (Pages 9 - 94)

To approve as a correct record and sign the minutes of the meeting held on 21 May 2013 (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) Mindful Employer Symbol

To note that the Council has signed up to the Mindful Employer Symbol.

(d) Disability (Two Ticks) Symbol Accreditation

To note that the Council has been awarded the Disability (Two Ticks) Symbol Accreditation by the Department of Work and Pensions, Jobcentre Plus.

Stuart Bennett, District Manager of Jobcentre Plus will be in attendance to make the presentation to the Chairman and the Support Services Portfolio Holder.

(e) Park Mark

The Park Mark scheme is managed by the British Parking Association and supported by the Home Office. The Council has been awarded Park Mark in recognition of all of its car parking facilities that have demonstrated they are concerned with safety and in respect of which steps have been taken to ensure the facilities are secure and safe from crime.

John Hills, Essex Police accredited assessor and Mike Bibby, South East Development Manager will be in attendance to make the presentation to the Chairman and the Safer, Greener and Transport Portfolio Holder.

5. 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.

6. QUESTIONS BY MEMBERS UNDER NOTICE

To answer 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:

- (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 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. 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.

7. REPORTS FROM THE LEADER AND MEMBERS OF THE CABINET (Pages 95 - 120)

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.

8. 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 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 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.

9. 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.

10. REPORT OF THE CABINET - REGULATION OF INVESTIGATORY POWERS ACT (RIPA) - POLICY AND PROCEDURE (Pages 121 - 156)

To consider the attached report.

11. REPORT OF THE CABINET - PLANNING AND ECONOMIC DEVELOPMENT DOCUMENT SCANNING - BUDGET UNDER-SPENDS AND FUNDING OF ADDITIONAL POST (Pages 157 - 158)

To consider the attached report.

12. ANNUAL REPORT OF THE EXECUTIVE 2012/13 (Pages 159 - 180)

(Councillor Whitbread – Leader of the Council) To receive the attached report.

13. OVERVIEW AND SCRUTINY (Pages 181 - 268)

- (a) Report of the Chairman of the Overview and Scrutiny Committee - attached;
- (b) Reports of the Overview and Scrutiny Committee (if any);
- (c) Reports of Overview and Scrutiny Panels as follows:

- (i) Constitution & Members Standing Scrutiny Panel – Report on Revised Employment Procedure Rules (attached)

- (ii) Constitution & Member Services Standing Scrutiny Panel – Report on Revised Conventions on Officer/Member Working Relationships (attached).

- (d) Overview and Scrutiny Annual Report 2012/13 – attached.

14. AUDIT & GOVERNANCE COMMITTEE (Pages 269 - 270)

To consider a report on the recruitment of a new Co-opted member of the Audit & Governance Committee (attached)

15. REPORT OF THE LICENSING COMMITTEE - STATEMENT OF LICENSING POLICY (Pages 271 - 288)

To consider the attached report.

16. APPOINTMENTS OUTSTANDING FROM THE ANNUAL COUNCIL MEETING

Recommendation:

To approve the following appointments for the remainder of the current municipal year:

- (a) Councillor Rolfe to replace Councillor Keska on the District Development Control Committee;
- (b) Councillor Shiell to replace Councillor Knight as a substitute member of the Housing Appeals and Review Panel;
- (c) Councillor Smith as the third Conservative Group substitute on the Housing Appeals and Review Panel;
- (d) the remaining Conservative member on the Licensing Committee (to be advised); and
- (e) the remaining Conservative Group substitute on the Staff Appeals Panel (to be advised).

(Assistant to the Chief Executive) Nominations have been received from the Conservative Group for (a) a change of membership of the District Development Control Committee and (b) places on a Committee and Panels outstanding from the Annual Council meeting.

The Council is asked to approve the nominations set out in the recommendation.

17. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS

- (a) To receive from 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.

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.