



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 Thursday, 26 September 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 the 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. DISTRICT COUNCILLOR COLIN FINN AND FORMER DISTRICT COUNCILLOR DEREK COUSINS

The Council is invited to stand for a minute's silence in tribute to the memory of District Councillor Colin Finn who died on 7 September 2013 and former District Councillor Derek Cousins who died recently.

Colin Finn served as a Loughton Residents Association District Councillor representing the Loughton Forest Ward from 2010. He previously served as a Conservative Essex County Councillor for the Loughton St Johns Division from 2001 until 2005 and the Loughton South Division from 2005 until 2009.

Derek Cousins was a District Councillor for four years representing the North Weald Bassett Ward from 1991 until 1995. He was also a North Weald Bassett Parish Councillor and Chairman of that Authority.

3. MINUTES (Pages 7 - 84)

To approve as a correct record and sign the minutes of the meeting held on 30 July 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.

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

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.

8. REPORTS FROM THE LEADER AND MEMBERS OF THE CABINET (Pages 85 - 108)

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 Transport 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 (Pages 109 - 110)

(a) To consider the attached motion, notice of which has been given under Council Procedure Rule 13.

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

11. STATUTORY STATEMENT OF ACCOUNTS 2012/13 (Pages 111 - 206)

To consider the attached report and the Statutory Statement of Accounts 2012/13 being submitted to the Audit and Governance Committee on 23 September 2013.

The Chairman of the Audit and Governance Committee will report orally on that Committee's consideration of and recommendations regarding the Statutory Statement of Accounts 2012/13.

12. REPORT OF THE CABINET - SUPPLEMENTARY CAPITAL ESTIMATES (Pages 207 - 210)

To consider the attached report.

13. REPORT OF THE CABINET - LANGSTON ROAD RETAIL PARK (Pages 211 - 212)

To consider the attached report.

14. OVERVIEW AND SCRUTINY (Pages 213 - 214)

- (a) Report of the Chairman of the Overview and Scrutiny Committee - attached;
- (b) Reports of the Overview and Scrutiny Committee (none for this meeting); and
- (c) Reports of Overview and Scrutiny Panels (none for this meeting).

15. REPORT OF THE LICENSING COMMITTEE - SCRAP METAL DEALERS (Pages 215 - 242)

To consider the attached report.

16. ANNUAL COUNCIL MEETING - 2014**Recommendations:**

- (1) That the effects of The Local Elections (Ordinary Day of Elections in 2014) Order 2013 be noted; and**
- (2) That the date of the Annual Council meeting in 2014 be changed from 20 May to 10 June.**

(Assistant to the Chief Executive) The Local Elections (Ordinary Day of Elections in 2014) Order 2013 made on 6 September 2013 changes the date of local elections in England in 2014 so that it is the same as the date of the European Parliamentary elections (22 May 2014).

The Order also provides for the retirement date of councillors due to retire in 2014 to be the fourth day after the day of the election resulting in a slightly longer term of office than normal. The retirement date of councillors coming into office in 2014 will be unaffected meaning a slightly shorter term of office than normal.

The Order extends in relation to local elections, the period during which it is not necessary to hold a by-election prior to the ordinary day of elections, so that a by-election is not necessary in relation to a vacancy arising in the six month period immediately before 22 May 2014.

The Annual meeting of the Council was scheduled to take place on 20 May 2014. In order to allow account to be taken of any change in composition of the Council arising from the elections it is proposed that the Annual Council meeting be changed to 10 June 2014.

17. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS (Pages 243 - 246)

- (a) To receive the attached report from Councillor Chambers, one of the Council's representatives on the West Essex Wellbeing Joint Committee and to receive answers to any questions on that body 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.