

EPPING FOREST DISTRICT COUNCIL COUNCIL MINUTES

Committee: Council **Date:** 22 April 2014

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 8.46 pm

Members Present: Councillors Mrs M Sartin (Chairman), K Angold-Stephens, R Bassett, W Breare-Hall, G Chambers, K Chana, T Church, Mrs T Cochrane, P Gode, Mrs A Grigg, J Hart, Ms J Hart, D Jacobs, Ms H Kane, P Keska, J Knapman, Ms Y Knight, Mrs J Lea, L Leonard, Mrs M McEwen, A Mitchell MBE, G Mohindra, R Morgan, S Murray, J Philip, Mrs C P Pond, B Rolfe, Ms G Shiell, Mrs P Smith, P Spencer, D Stallan, Mrs T Thomas, H Ulkun, G Waller, Ms S Watson, A Watts, Mrs E Webster, C Whitbread, Mrs J H Whitehouse, J M Whitehouse, D Wixley, N Wright and J Wyatt

Apologies: Councillors A Boyce (Vice-Chairman), K Avey, R Butler, R Cohen, Mrs R Gadsby, L Girling, Mrs S Jones, A Lion, H Mann, B Sandler and Ms S Stavrou

Officers Present: G Chipp (Chief Executive), D Macnab (Director of Neighbourhoods), R Palmer (Director of Resources), C O'Boyle (Director of Governance), A Hall (Director of Communities), S G Hill (Assistant Director (Governance & Performance Management)), J Leither (Democratic Services Assistant), A Hendry (Democratic Services Officer) and T Carne (Public Relations and Marketing Officer)

108. WEBCASTING INTRODUCTION

The Assistant Director (Governance and Performance Management) reminded everyone present that the meeting would be broadcast live to the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

109. VICE CHAIRMAN FOR THE DURATION OF THE MEETING

RESOLVED:

That in the absence of the Vice Chairman Councillor B Rolfe be appointed as Vice Chairman for the duration of the meeting.

110. MINUTES

RESOLVED:

That the minutes of the meeting held on 20 February 2014 be taken as read and signed by the Chairman as a correct record.

111. DECLARATIONS OF INTEREST

There were no declarations of interest pursuant to the Council's Code of Member Conduct.

112. ANNOUNCEMENTS**(a) Announcements by the Chairman of the Council****(i) High Sheriff's Awards**

The Chairman reported that she had attended the High Sheriff's Awards evening held at the Anglia Ruskin University in Chelmsford. She advised that many of the Epping Forest District's services had been successful in obtaining grants. The Youth Council and the Loughton Youth Project had been nominated for the High Sheriff's Shield, with ReUse being nominated for the Volunteer Centre Essex Award. Although none were successful they did receive certificates recognising the work that they had been doing. The Chairman stated that she had been pleased to see the Waltham Abbey Youth 2000 group receive the Essex County Fire and Rescue Service Shield. She stated that this had been a very successful evening for the Epping Forest District.

(ii) Civic Awards

The Chairman reported that the Civic Awards had been a very successful event and this year Sandra and John Newman had been the worthy winners of Citizen of the Year and James Lingfield, Young Citizen of the Year.

(iii) Jack Petchey Awards

The Chairman reported that she was joined by the Vice-Chairman, Councillor Tony Boyce to present Jack Petchey Awards to two young people that had been on work experience at the EFDC Staff Canteen at the Civic Offices.

Voluntary Action Epping Forest had organised the presentation of Outstanding Achiever certificates to Kerrie Ann Johnson and Tristram Griffiths, who despite having learning difficulties, worked incredibly hard alongside a skilled cook providing kitchen support.

(iv) Epping Forest Youth Council Induction

The Chairman reported that the election of the Youth Council had taken place and the new Youth Councillors had spent two days meeting as a group including a day at the at the Lambourne End Activity Centre which had given them a really good opportunity to get to know each other.

On Tuesday 15 April, the Chairman advised that she had joined the Youth Councillors for a session in the Council Chamber to welcome them and congratulate them on their election success. This had been an opportunity to explain the role as Council Chairman and for the Youth Councillors to ask questions.

(v) Chairman's Charity – Abseil

The Chairman advised members that she would be undertaking a sponsored abseil from the Water Tower at Church Langley on Sunday 4 May 2014 at 9.45 am. She asked Members to support her by completing the sponsorship form which would be available after the meeting.

(vi) Floral Display

The Chairman announced the she intended to send the flowers from tonight's meeting to St Clare Hospice, Hastingwood.

(b) Announcements by the Leader of the Council

The Leader advised that he had no announcements to be made under this heading.

(c) Announcements by Portfolio Holders

There were no announcements to be made under this heading.

(d) Councillor J Markham

The Council noted the resignation of J Markham as a District Councillor with effect from 17 March 2014. Members were advised an election to fill the vacancy would be held at the same time as the scheduled European Parliamentary and District Council elections on 22 May 2014.

Councillors K Angold-Stephens, S Murray and Mrs C Pond paid tribute to Councillor Markham in respect of all the work he had done for the District in his 12 years as a Councillor.

113. PUBLIC QUESTIONS (IF ANY)**(a) Ninefields Brook, Waltham Abbey****(i) Question by Mr S Kane to Councillor Breare-Hall, Environment Portfolio Holder**

“Can I thank the Portfolio Holder for taking time to join me in visiting the Ninefields Brook. As he is aware local residents are concerned about the ongoing problem with rubbish in the brook and also the ever growing rat problem. Will he agree to work with the local residents in tidying up the brook and also advise what is being done to solve the problem of rats in the area?”

Response by Councillor Breare-Hall, Environment Portfolio Holder

“I am grateful to Mr Kane for raising this issue with me, and for inviting me to visit the Ninefields Brook. As he indicates in his question, the problem of litter and rat infestation at this site is one of great concern to residents, and understandably so. Whilst I’m pleased to say that the only rat I saw on my visit was suffering from being dead, it was instructive to see the site for myself, and I’m pleased to report that I have already agreed a course of action to address the problems he has highlighted. Namely:

- (1) the immediate baiting of rat nesting sites with a wax based bait; and a further rat baiting programme if necessary;
- (2) a thorough litter pick of the area, including the stream bed;
- (3) flailing of the vegetation on the stream bank, and
- (4) the introduction of a tree and shrub management programme.

In addition to these actions, residents whose properties are adjacent to the Brook have been written to and advised not to put food out for the birds as this is encouraging the rats. The Council has ordered signage to this effect, which should be erected shortly.

I would be delighted to continue working with Mr Kane and other local residents to resolve these problems, and I’m pleased that Waltham Abbey Town Council are

working with the District Council to reduce the vegetation on the bank that is in their possession.”

114. QUESTIONS BY MEMBERS UNDER NOTICE

There were no questions from members under notice.

115. REPORTS FROM THE LEADER AND MEMBERS OF THE CABINET

The Council received written reports from the Asset Management and Economic Development Portfolio Holder, the Environment Portfolio Holder, the Finance and Technology Portfolio Holder, the Housing Portfolio Holder, the Leisure and Wellbeing Portfolio Holder, the Planning Portfolio Holder, the Safer, Greener and Transport Portfolio Holder and the Support Services Portfolio Holder.

The Chairman invited the Leader to provide an oral report and other members of the Cabinet give an oral update of their written reports.

(a) The Leader of the Council

Councillor Whitbread referred to the earlier briefing on the potential new Ongar Academy. He advised Members that although the Council was not the statutory Education Authority it had taken a close interest over many years in the standard of Secondary School provision for Young People in the District. The new Free School proposed was an exciting opportunity to provide better access to quality educational opportunities for Ongar and the surrounding villages. He applauded the drive and commitment of those parents and other members of the community who had worked hard to take this proposal to the final stage of bidding for Government approval.

The Leader advised Members that he was pleased to be elected by the Leaders of all the Essex Authorities, to become their representative on the full South East Local Enterprise Partnership Board (SELEP). SELEP was amongst the largest of the Enterprise Partnership Boards in the Country and was responsible for the prioritisation and allocation of tens of millions of pounds of investment, to provide the infrastructure and environment for economic development and regeneration. He said he would keep Members advised on the major issues that SELEP were considering, through his regular reports.

Councillor Whitbread reported that in March he had been invited by the Secretary of State for Communities and Local Government, the Rt. Hon. Eric Pickles MP, to attend, with other local authority Leaders in the South East, what the Secretary of State described as a “Fireside Chat”, at the House of Commons. Essentially this had been a briefing and opportunity to ask questions around the key issues affecting local government, for example, Welfare Reform, Changes to the Business Rate Regime arrangements and the National Planning Policy Framework. The Leader said it was good to see that issues important to the Epping Forest District, such as the protection of the Green Belt, were shared by many other authorities.

The Leader advised that he was pleased to have attended the launch of the Waltham Abbey APP. This was an APP suitable for i-Phones and Android Devices, that provided visitors to Waltham Abbey with information about how to get the best from their time in the Town. He stated that this would be a great asset in bringing people to Waltham Abbey, not only to enjoy themselves, but also to support local businesses.

(b) Leisure and Wellbeing Portfolio Holder

Councillor Webster advised that the Museum had launched the second of its Arts Council England funded touring exhibitions called Response and Rescue at the Time Machine, Harlow from 28 April – 28 July 2014. This was being exhibited in Harlow whilst the Museum in Waltham Abbey was being refurbished.

116. QUESTIONS BY MEMBERS WITHOUT NOTICE

(a) Dog Fouling

Councillor Leonard thanked the Environment Portfolio Holder for his response to the question he had asked last month regarding dog fouling and asked if Officers had yet engaged with the Town and Parish Councils regarding assistance with this problem.

Councillor Leonard stated that he was near to completing a report concerning dog fouling issues which he would like, with permission, to give to the Environment Portfolio Holder in the next few weeks.

Councillor Breare-Hall, the Environment Portfolio Holder replied that Officers were in communication with the Town and Parish Councils over this issue and that there wasn't anything further to report this evening. He advised Councillor Leonard that he had noted the deadline of his report and that he would get something to him before the report was finalised.

(b) Council Apprenticeship Scheme

Councillor Murray referred to the Council Apprenticeship Scheme report and asked the Support Services Portfolio Holder if he:

- (i) would agree that although Epping Forest District Council didn't always get everything right that this was a scheme that we could be proud of;
- (ii) would also agree that the apprenticeship scheme was really important in giving young people an opportunity to develop work related schemes and job opportunities; and
- (ii) would further agree that the Council was acting as a good example for other local employers to follow and that they should follow suit.

Councillor Ulkun replied that he wholeheartedly agreed with all of Councillor Murray's comments.

(c) The Local Plan

Councillor Philip stated that he and Councillor Jones had encouraged Theydon Bois significantly to be proactive in relation to the Local Plan and that he noted from the report of the Planning Portfolio Holder that he had received a request for designation of a Neighbourhood Plan from Theydon Bois Parish Council.

Councillor Philip asked the Planning Portfolio Holder that as Theydon Bois was the third council to request designation could he be assured that the District Council had the required resources to deal with this.

Councillor Bassett, the Planning Portfolio Holder advised that there were enough resources. He stated that he had said all the way through the Local Plan process that the Council needed to hear what the residents thought and the Local Plan was a shaping process for the district over the next 20 years.

(d) Benefits

Councillor Angold-Stephens asked the Leader of the Council in the absence of the Finance Portfolio Holder, if he agreed that the current benefit situation was a very good news story and if so would he ask the Finance Portfolio Holder to pass on thanks to the Housing Benefits staff who had worked tirelessly to devise and implement the benefits mitigation scheme working with other officers to help residents with their payments and to speedily turn around benefits claims.

The Leader of the Council agreed that it was a good news story and advised that he would be glad to pass it on to the Finance Portfolio Holder. He said the Council's response to the changes of the Welfare Reform had been proved right.

(e) Business Rates

Councillor J M Whitehouse referred to the Leader's report regarding Business rates, and stated that business rates was a big cost to many business especially high street businesses. He asked the Leader which of the support initiatives of the Government should be taken up by the Council.

Councillor Whitbread, Leader of the Council replied that business was at the heart of the District and the Council always tried to assist and help businesses in the district. He said the Council would look to make best use of the new rules from Government and make them work for local businesses.

(f) Secondary School in Ongar

Councillor Keska asked the Leader of the Council, if he agreed with the Rt. Hon. Eric Pickles MP and supported the re-establishment of a secondary school in Ongar

Councillor Whitbread, Leader of the Council, advised that he did support a new secondary school in Ongar, and said the more choice available to any district, and any area could only be a good thing.

(g) Parking Review – Debden Broadway

Councillor Ms J Hart asked the Safer, Greener and Transport Portfolio Holder, in view of the Council Housebuilding Cabinet Committees decision to approve the 56 home option in Burton Road, with 28 parking spaces if he could say what action he was taking regarding the Debden Parking Review.

Councillor Waller, the Safer, Greener and Transport Portfolio Holder assured Councillor Hart that work on the Debden Broadway Parking Review would be commenced as soon possible on completion of the Buckhurst Hill Parking Review. He also advised that consideration was being given to a possible increase in the 28 parking spaces on the Burton Road site.

(h) New EFDC Telephone System

Councillor Knapman asked Councillor Ulkun, the Support Services Portfolio Holder, if he knew of any problems with the new EFDC Telephone System. He reported that

the new telephone answering system was experiencing long delays and asked the Portfolio Holder to look at the timings being given out when telephoning the switchboard as he considered it unacceptable that residents should have to wait for so long to be answered.

The Support Services Portfolio Holder advised Councillor Knapman that he would look into these claims and report back.

(i) Parking Enforcement

Councillor Pond reminded the Safer, Greener and Transport Portfolio Holder that at the last meeting she had referred to parking restrictions not being enforced in the evenings and at weekends and asked if the views of the North Essex Parking Partnership had been obtained.

Councillor Waller, Safer Greener and Transport Portfolio Holder advised that he had tried to contact a senior officer for the western area of the North Essex Parking Partnership but had been advised that the officer was away on sick leave so he had not been able to speak to her. He added that he would speak to her on her return and would report back to Councillor Pond.

(j) Charlie Moules Bridge, Loughton

Councillor Murray asked the Leader of the Council if he understood the importance to the residents of Loughton of the Charlie Moules Bridge that crossed the River Roding from the recreation ground to the nature reserves and for an update of what plans there were to make sure that the bridge was maintained to a condition in order for people to be able to cross the River Roding at that point.

The Leader acknowledged that the footbridge had great relevance to the people of Loughton and said he would investigate the situation and report back to Councillor Murray.

(k) New EFDC Telephone System

Councillor Janet Whitehouse asked Councillor Ulkun the Support Services Portfolio Holder, if the new telephone answering system could announce Epping Forest District Council so that the public knew who they were telephoning.

The Support Services Portfolio Holder advised Councillor Whitehouse that he would look into that.

117. MOTIONS

The Chairman reported that there were no motions to be considered at this meeting.

118. REPORT OF THE CABINET - PAY POLICY STATEMENT FOR 2014/15

Mover: Councillor Ulkun, Support Services Portfolio Holder

Councillor Ulkun presented a report on the Pay Policy Statement for 2014/15.

The Portfolio Holder advised that Section 38(1) of the Localism Act 2011 required the Council to publish a Pay Policy Statement for each financial year setting out the details of its remuneration policy. Specifically including the Council's approach to its highest and lowest paid employees.

Report as first moved **ADOPTED**

RESOLVED:

That the Pay Policy Statement for 2014/15 attached as Appendix 1 to these minutes be approved.

119. REPORT OF THE CABINET - CORPORATE PLAN 2011 -2015 - KEY OBJECTIVES 2014/15

Mover: Councillor Whitbread, Leader of the Council

Councillor Whitbread presented a report on the Corporate Plan 2011-2015 – Key Objectives 2014/15.

The Leader of the Council advised that the annual adoption of key objectives and priorities supports the delivery of the Council's medium-term aims over the four-year period of the Corporate Plan, and provides an opportunity to focus attention on the achievement of specific outcomes and areas for improvement.

Report as first moved **ADOPTED**

RESOLVED:

That the proposed Key Objectives for 2014/15 attached as Appendix 2 to these minutes be adopted.

120. OVERVIEW AND SCRUTINY

(a) Report of the Chairman of the Overview and Scrutiny Committee

The Council received a written report from Councillor Morgan, the Chairman of the Overview and Scrutiny Committee.

(b) Reports of the Overview and Scrutiny Committee

The Chairman announced that there were no reports to be considered under this item.

(c) Reports of Overview and Scrutiny Panels:

(i) Report of the Constitution and Member Services Scrutiny Panel – Questions without Notice from Members at Council Meetings

Mover: Councillor Philip, Chairman of the Panel

The Council considered proposals for dealing with questions without notice by Members at Council Meetings. The matter had been considered by the Overview and Scrutiny Committee on 1 April 2014.

First amendment moved by Councillor J H Whitehouse and seconded by Councillor J M Whitehouse

That provision be made to enable members to ask supplementary questions in respect of questions without notice.

Lost

Second amendment moved by Councillor G Waller and seconded by Councillor J Philip

That the words in recommendation (1)(a) “with the first 15 minutes giving priority to questions regarding written Portfolio Holder reports and priority during the second 15 minutes to questions on other matters” contained in the recommendations be deleted.

Carried

Report as amended **ADOPTED****Resolved:**

(1) That the following changes be made to the procedure for dealing with questions without notice by members of the Council to the Leader of the Council, Cabinet members and the Chairman of the Overview and Scrutiny Committee:

(a) the existing time limit for such questions be increased from 20 to 30 minutes;

(b) a new provision be added to the Council Procedure Rules that no supplementary questions be permitted in respect of questions without notice; and

(c) the following provisions of a Council Protocol approved in 2007 in respect of questions without notice being incorporated in the new revised Procedure Rules covering the following:

(i) the Chairman’s discretion to extend the period for questions without notice by up to an additional ten minutes; and

(ii) Chairman to ensure that questions from all political groups and independent members are put;

(2) That the revisions to the Council Procedure Rules set out in Appendix 3 to these minutes and shown in bold text (underlined) be approved and published as part of the Constitution.

(ii) Report of the Constitution and Member Services Scrutiny Panel – Petitions Scheme - Review**Mover: Councillor Philip, Chairman of the Panel**

The Council considered proposals agreed by the Overview and Scrutiny Committee on 1 April 2014.

Report as moved **ADOPTED****Resolved:**

(1) That the redrafted Council Petitions Scheme attached as Appendix 4 to these minutes be adopted and incorporated into the Council’s Constitution; and

(2) That the revised website information on petitions attached as Appendix 5 to these minutes be noted.

121. COUNCIL HOUSEBUILDING CABINET COMMITTEE

The Council noted a Leader Decision taken to revise the Terms of Reference to the Council Housebuilding Cabinet Committee by the addition of a new paragraph 12 as below:

“To approve applications to the Homes and Communities Agency (HCA) (or any successor body) to obtain HCA Investment Partner Status (or similar), in order to enable the Council to seek funding from the HCA, and to approve funding bids to the HCA for developments within the Council House Building Programme.”

122. CALL-IN AND URGENCY - BID FOR HCA GRANT TO SUBSIDISE COUNCIL HOUSEBUILDING PROGRAMME

The Council noted that the Chairman of Council had agreed to waive the call-in period in respect of this decisions due to the urgency of the bid being submitted by 12pm on the 30 April 2014.

123. COUNCIL AND REGULATORY FUNCTIONS - DELEGATION

The Council received recommendations from the Monitoring Officer that the undermentioned be noted.

Resolved:

That the undermentioned post holders be appointed to the roles as shown.

Constitution Reference	Officer Authorised	Role
CL 36	Performance Improvement Manager	Freedom of Information and Re-Use of Public Sector Information Officer
CL36	Assistant Director (Governance and Performance Management)	Deputy Freedom of Information and Re-Use of Public Sector Information Officer
CL52	Assistant Director (Governance and Performance Management)	Deputy Monitoring Officer
CL60	Chief Internal Auditor Senior Lawyer	Deputy RIPA Officers (Regulation of Investigatory Powers Act)
CL14	Addition of Assistant Director (Governance and Performance Management)	Common Seal – Attestation of

124. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS

The Council noted reports from Councillor Kane regarding the Waltham Abbey Royal Gunpowder Mills and Councillor Morgan regarding the Stansted Airport Community Trust.

CHAIRMAN

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EPHING FOREST DISTRICT COUNCIL

PAY POLICY STATEMENT 2014/15

Introduction

Epping Forest District Council is located adjacent to three outer London boroughs and on the Central Line into the City of London. Also residents have easy access to major motorway routes as both the M11 and M25 run through the district. There is a high incidence of commuting from the district which impacts on the local labour market and levels of pay, particularly for jobs that require skills that are in relatively short supply. Whilst the current recession has eased some long standing recruitment difficulties and improved retention rates in key skill areas, the situation is not static and is capable of changing very rapidly.

This Statement reflects the Council's current policies and strategies which will be amended over time to deal with changing circumstances. These documents play an important role in attracting and retaining the best people to the Council.

All decisions on pay and reward for Chief Officers will comply with the Council's current Pay Policy Statement. Salaries for Chief Officers will be considered by Full Council.

Hutton Review 2011

The Hutton Review looked at the rise in executive pay in the private and public sectors. It suggested that the 'public overestimates how much public sector executives are paid' and that 'chief executive officers of companies with a turnover of between £101 million and £300 million earn more than twice their public sector counterparts'. It also suggested that pay multiples (between the highest and lowest paid employees) were much wider in the private than public sector.

The Review proposed that public bodies should publish information on senior managers pay and pay multiples between the highest and lowest paid employees and to that end some of these recommendations have been taken forward by the Localism Act 2011.

Legislation

Section 38 (1) of the Localism Act 2011 requires English and Welsh Councils to produce a Pay Policy Statement for 2012/2013 and for each financial year thereafter.

The Council's Pay Policy Statement;

- Must be approved formally by the Council;
- Must be approved each year;
- May be amended during the course of the financial year; and
- Must be published on the Council's website.

The Pay Policy Statement must include;

- The level and elements of remuneration for each of the Chief Officers;

- The remuneration of its lowest paid employees (together with its definition of 'lowest paid employees' and the Council's reasons for adopting that definition);
- The relationship between the remuneration of its Chief Officers and other Officers; and
- Other aspects of Chief Officers' remuneration; remuneration on recruitment, increases and additions to remuneration, use of performance-related pay and bonuses, termination payments and transparency.

Remuneration is defined widely, to include not just pay but also charges, fees, allowances, benefits in kind, increases/enhancements of pension entitlements and termination payments.

All salaries and calculations are based on full time equivalent (fte) figures and where applicable includes Inner Fringe Allowance.

Publication of the Pay Policy Statement

The Policy has been made available on the Council's website and contains hyperlinks to associated documents.

Effect of this Policy Statement

Nothing in this Policy Statement enables unilateral changes to employee's terms and conditions. Changes to terms and conditions of employment must follow consultation and negotiation with individuals and recognised trade unions as set out in other agreements and in line with legislation.

Single Status Agreement

In 1997, the National Joint Council (NJC) for Local Government Services (a body that brings together public sector employers and trade unions) came to an agreement to introduce a new pay and grading structure covering all employees whose terms and conditions are governed by the 'Green Book'. In 2004 the NJC set a timetable that required all pay and grading reviews to be completed by 31 March 2007. Epping Forest District Council met this timetable and implemented Single Status in July 2003.

As a result of this process a new salary structure and a Job Evaluation Maintenance Procedure were agreed between the trade unions and the Council. Collective Agreements, which set out a number of terms and conditions and pay arrangements, were also agreed with the trade unions. The Agreements are applied consistently to all employees.

Pay Awards

Major decisions on pay, such as annual pay awards, are determined for most local authorities in England and Wales by the National Agreement on Pay, arrived at through a system of central collective bargaining mechanisms between representatives of Local Government Employers and representatives of the relevant trades unions on the National Joint Council. It is the Council's policy to implement national agreements.

Overtime and Evening Meeting Allowances

Payments for working outside normal working hours are set out in the Council's Collective Agreements.

Annual Leave

The Council's Annual Leave Policy sets out leave entitlements for employees.

Flexi-Time Scheme

The Council's Scheme applies to all employees with some exemptions due to service delivery needs. The arrangements are set out in the Council's guidance.

Subsistence Policy

Subsistence Allowances are paid in accordance with the Council's Subsistence Policy. The policy sets out when employees are able to claim, what to claim and how.

Car and Cycle Allowance Policy

The Council pays Essential and Casual Car User allowances in appropriate circumstances which are in accordance with 'Green Book' rates. The Car and Cycle Allowance Policy sets out when employees are able to claim, what to claim and how.

The general principles of both policies are to ensure that employees only claim for additional expenses when undertaking work for the Council.

These policies are applied consistently to all employees.

Car Leasing

Cabinet, at its meeting on 3 December 2012 agreed the following changes to the Council's Car Lease Scheme, following a lengthy review and robust consultation process;

- Employees on the current scheme will be allowed one further lease of 3 years, after which the scheme will close
- The Council will make its contribution based on a maximum of £4,000 per annum including insurance with all costs over the maximum to be met in full by the employee
- The Council's contributions are capped as follows:
 - Year 1 – 70%
 - Year 2 - 60%
 - Year 3 – 50%
- These reducing contribution rates are the upper limits. Employees who currently qualify for the lower rates of Council contribution will retain their current rate and will be unaffected until the cap falls below their current rate.

Currently there are 31 employees on the Scheme; 2 Chief Officers; 6 Assistant Directors and 23 employees.

As a comparison at 2013/14 there were 43 employees on the Scheme; 4 Chief Officers; 7 Assistant Directors and 32 employees on the Scheme. At 2012/13 there were 60 employees on the Scheme; 4 Chief Officers; 13 Assistant Directors and 43 employees.

The Cabinet also agreed to implement a Green Car Salary Sacrifice Scheme for all eligible staff to access with no Council contribution towards the cost of an employee's lease payments. Currently there are 7 employees on this Scheme.

Professional Fees and Subscriptions

The Council will meet the cost of a legal practising certificate for all those employees where it is a requirement of their employment, in addition the professional fees for the statutory roles of the s151 Officer and Deputy s151 Officer. No other professional fee or subscription is paid. The Council does not differentiate between Chief Officers and other staff.

Pensions and Termination Payments

On ceasing to be employed by the Council, individuals will only receive compensation:

- in circumstances that are relevant (e.g. redundancy), and
- that is in accordance with our published Pension Policy on how we exercise the various employer discretions provided by the Local Government Pension Scheme (LGPS), and/or
- that complies with the specific term(s) of a compromise agreement.

All employees with contracts of 3 months or more are automatically enrolled into the Local Government Pension Scheme (LGPS), which is administered by Essex County Council. Details of the contribution rates are set out below. **In addition, the Council will automatically enrol employees into the LGPS if they meet the relevant criteria in accordance with the automatic enrolment provisions.**

The Council has the option to adopt a number of statutory discretions under the;

- The Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006.
- The Local Government Pension Scheme (Administration) Regulations 2008.
- The Local Government (Discretionary Payments) Regulations 1996 (as amended).

In general the Council has chosen not to exercise a range of discretions relating to the LGPS due to additional costs. The Council's Pension Policy contains information regarding all its discretions and includes information regarding Flexible Retirement arrangements.

Payments on grounds of Redundancy are covered by the Council's Redundancy and Efficiency Payments Policy.

All employees are treated in the same way with regard to the calculation of severance payments in situations of redundancy.

Pension Contributions

Proposed employee contribution rates will apply wef 1 April 2014;

Salary	Contribution
Up to £13,500	5.5%
£13,501 to £21,000	5.8%
£21,001 to £34,000	6.5%
£34,001 to £43,000	6.8%
£43,001 to £60,000	8.5%
£60,001 to £85,000	9.9%
£85,001 to £100,000	10.5%
£100,001 to £150,000	11.4%
£150,001 and above	12.5%

Election Fees

Council employees engaged by the Returning Officer for election duties received payments under the relevant schedule of fees (i.e. polling and counting duties).

Remuneration of Employees, Grades 1-12

Pay Scale

For employees subject to the 'National Agreement on Pay and Conditions of Service of the National Joint Council (NJC) for Local Government Services' (commonly known as the 'Green Book'), the Council uses a pay spine that commences at national Spinal Column Point (SCP) 5 and ends at local SCP 58. This pay spine is divided into 12 pay grades; **grade 1 contains 1 scale point**, grades 1 – 10 contain five incremental points and grades 11 and 12 contain 4 incremental points. Grade 1 is the lowest and grade 12 is the highest of these pay grades. Posts are allocated to a pay band through a process of job evaluation.

The Council uses the NJC Job Evaluation Scheme to evaluate all posts on grades 1 – 12. This also includes Craft Workers who are subject to the Joint Negotiating Committee (JNC) for Local Authority Craft and Associated Employees National Agreement on Pay and Conditions (commonly known as the 'Red Book').

The Council does not operate overlapping pay grades therefore, the minimum point of a pay grade is not lower than the maximum point of the preceding pay grade.

Individuals will normally receive an annual increment, subject to the top of their grade not being exceeded. For grades 1 – 10 the 5th point each grade will only be awarded if the employee has at least 5 years continuous service with the Council.

An Inner Fringe Allowance of **£806** per annum is paid to employees (this does not apply to Apprentices).

Assistant Directors

Assistant Directors are paid on grades 11 or 12 and are also subject to the NJC Job Evaluation Scheme. The salary ranges for these grades wef 1 April 2014 will be;

Grade	Scale Column Points	Salary Range
Grade 11	SCP 51 – 54	£46,373 - £49,951
Grade 12	SCP 55 - 58	£51,959 - £55,993

The salary shown is inclusive of the Inner Fringe Allowance of £806 per annum.

The salaries for Assistant Directors will be increased by 5% with effect from 1 April 2014. The increase reflects the additional workloads and reduction in the numbers of Directors and Assistant Directors as a result of the Directorate Restructure. The increase was agreed by Council on 17 December 2013.

A Salary benchmark exercise was carried out by an external adviser which informed the level of salary to be paid to Assistant Directors.

Definition of Lowest Paid Employees

For the purpose of this Policy Statement, employees on grade 1 are defined as our lowest-paid employees. **This is because no employee of the Council is paid lower than SCP 5 which is contained in grade 1. With effect from 1 October 2013 grade 1 contains only 1 SCP; SCP 5.** At 31 March 2014, the fte annual value of this SCP will be **£13,241** which includes an Inner Fringe Allowance of **£806** per annum.

The exceptions to the lowest grade are Apprentices who are paid £120.00 per week.

General

The values of the SCPs in grades 1 – 12 are increased by pay awards notified from time to time by the National Joint Council for Local Government Services. **Pay has been frozen for the past three years, however, a national pay award was implemented to these grades effective from 1 April 2013 of 1%.**

An Inner Fringe Allowance of **£806** per annum is paid to employees (this does not apply to Apprentices).

Annual salaries are paid pro-rata to part-time employees based on the hours contracted to work.

Remuneration of Chief Officers

Following the Head of Paid Service Report to Council on 17 December 2013 a new Council structure will be implemented from 1 April 2014. Chief Officer salaries were increased by 15% to reflect the reduction in the number of Directors and the increased workloads of the remaining Director posts.

A Salary benchmark exercise was carried out by an external adviser which informed the level of salary to be paid to Directors.

The Council will not agree any pay arrangement which does not reflect the correct employment and/or tax/NI status of a Chief Officer or employee.

It will be the responsibility of Council to agree the initial salaries for Chief Officers following external advice/evaluation/benchmarking.

Chief Executive

The Chief Executive role was recruited to on a permanent and full-time basis in 2012. During the recruitment process the Council took external advice to set the appropriate salary for the role which took account of current economic circumstances and the recruitment market.

As at 31 March 2014 the salary for the Chief Executive role will be a spot salary of £112,000 per annum which includes the Inner Fringe Allowance of £806 per annum and evening meeting allowances. The postholder is entitled to claim essential car allowance in accordance with the Council's policy. The salary and pay arrangements for the Chief Executive were agreed at Full Council on 18 June 2012.

The Chief Executive is also the Council's Head of Paid Service and from 16 June 2014 the Chief Executive will take on the responsibility of the Returning Officer.

The Returning Officer role attracts payment of fees and expenses, depending on the elections held in any year. The amount for such payments varies according to the particular elections held from year to year. These fees are taxable and subject to National Insurance and pension deductions.

In 2013/14 the Returning Officer (Assistant to the Chief Executive) officiated as Deputy County Returning Officer in respect of the County Council Elections and as Returning Officer for a District Council by-election, the fees for which are set by the County and the Council respectively. The fees are based on electorate figures for the County Divisions and the District Ward where elections were held.

For these duties the following fees were paid to the Returning Officer:

County elections - May 2013

Fee: £4410 (gross) Expenses: No claim

District Council by-election - May 2013

Fee: £438.45 (gross) Expenses: No claim

The amount for such payments varies according to the particular elections held from year to year. These fees are taxable and subject to National Insurance and pension deductions.

Only a proportion of the fees were retained by the Returning Officer. The remainder were paid to employees who provide specific support in the organisation of elections which are outside the scope of the ordinary scale of election fees.

Deputy Chief Executive

From 1 April 2014 this role will no longer exist in the Council's structure, it will become a designation and will be additional to a Director role. The postholder will not receive an additional payment for these duties.

Directors

All Directors report to the Chief Executive. As at 1 April 2014, the annual FTE salary range for the four Director posts will be **£82,472 - £88,363** which includes the Inner Fringe Allowance of **£806** per annum. The postholders are entitled to claim essential car allowance in accordance with the Council's Policy and can claim evening meeting allowances. There are three incremental points in this grade.

Any pay awards to Directors' salaries will be agreed at a national level as notified from time to time by the JNC for Chief Officers of Local Authorities. Directors have not received a national pay award since 1 April 2008.

The statutory roles of Monitoring Officer and 'Section 151' Officer will be carried out by the Director of Governance and the Director of Resources respectively. The postholders do not receive additional payments for these duties.

Assistant to the Chief Executive

From 16 June 2014 this role will no longer exist in the Council's structure.

General Principles Applying to Remuneration of All Employees

On recruitment, individuals will be placed on the appropriate SCP within the pay grade for the post that they are appointed to. Usually new starters will be placed on the bottom of the pay grade unless their current salary is higher. In these circumstances their starting scale point will match their salary at least.

Access to appropriate elements of the Council's Relocation Scheme may also be granted in certain cases, when new starters need to move to the area.

The Council does not apply performance-related pay or bonuses.

Market Supplements will be paid in accordance with the Council's Policy for Payment of Market Supplements.

Honorarium or ex-gratia payments will be paid in accordance with our Additional Payments Policy.

These policies are applied consistently to all employees.

Pay Multiples

The Hutton Review raised concerns about multiples in the order of 20 or higher between the lowest and the highest paid employees in local authorities. However the Interim Report noted that the most top to bottom pay multiples in the public sector are in the region of 8:1 to 12:1. The Council is therefore content that having due regard for the level of responsibilities and personal accountability between the lowest and highest paid roles, the current multiple of 8.5 seems to be both justifiable and equitable.

The council does not set the remuneration of any individual or group of posts by reference to a multiple. However, as suggest by the Hutton Review the Council will monitor multiples over time to ensure they are appropriate and fair and will explain significant changes in pay multiples. The multiples are as following;

Role	2012/13		2013/14		2014/2015	
	Multiple	Salary	Multiple	Salary	Multiple	Salary
Chief Executive compared to lowest salary	N/A		x 8.6	£112,000	x8.5	£112,000
Acting Chief Executive compared to lowest salary	x 8.5	£110,000	N/A		N/A	
Deputy Chief Executive compared to lowest salary	x 6.5	£87,083	x 6.5	£87,083	N/A	
Directors compared to lowest salary	x 6	£76,838	x 6	£76,838	x6.8	£88,363
Assistant to the Chief Executive compared to lowest salary	x 4.7	£61,063	x 4.7	£61,063	N/A	
Assistant Directors compared to lowest salary	x 4	£52,837	x 4	£52,837	x4.2	£55,993
Average salary compared to Chief Executive	N/A		x4.3	£26,300	x4.2	£27,000
Average salary compared to lowest salary	x 2	£26,300	x2	£26,300	x2	£27,000

- The Director salary used is the top point of the Director range
- The Assistant Director used is the top point of grade 12

- The average salary is based on fte and has not been pro rata'd for part-time employees
- The lowest fte salary in the Council is £13,241

Remuneration Panel

The Council is not at this time considering forming a separate Remuneration Panel to set pay rates for Council employees. The Council will continue to use an external body to evaluate Chief Officer roles when required and/or to provide benchmark pay information for these roles. It will also continue to use an internal job evaluation panel to evaluate those posts graded 1 – 12.

Annual pay awards will continue to be determined at a national level and implemented by the Council.

It will be the responsibility of Council to agree the initial salaries for Chief Officers following external advice/evaluation/benchmarking.

Review

The Localism Act 2011 requires relevant authorities to prepare a Pay Policy Statement for each subsequent financial year. Our next Statement is scheduled to be for 2015/16 and will be submitted to Council for approval as reasonably practical before 31 March 2015.

If it should be necessary to amend this 2014/15 Statement during the year that it applies, an appropriate decision will be made by the relevant Committee, however, Council will agree the Pay Policy Statement.

PROPOSED KEY OBJECTIVES 2014/15

Theme	Key Objective	Medium-Term Aim	Key Deliverable	Target/How Measured	Lead Officer(s)
COMMUNICATIONS (Support Services Portfolio Holder)	Proactively promote the policies and reputation of the Council internally and externally;	Aim 3 - Innovative & transparent council; Aim 5 - Community leadership & protection of the character of the district;	(a) The communication of accurate and appropriate public information about the development of the Council's new waste management contract and future waste collection and recycling arrangements;	Publication/issue of relevant information at key stages of the development of the new waste management contract;	DoN
			(b) The communication of accurate and appropriate public information about the development of the new Local Plan for the Epping Forest District, which will guide future development decisions;	Publication/issue of relevant information at key stages of the Local Plan process;	DoN
			(c) The communication of accurate and appropriate information to make residents, members and partners aware of developments in respect of welfare reforms and the implications of reforms;	Publication/issue of relevant press releases and the inclusion of information in the Council Bulletin, within ten working days of any significant announcements by the government in respect of welfare reforms;	DoR
COMMUNITY ENGAGEMENT (Leisure & Wellbeing Portfolio Holder/Housing Portfolio Holder/Safer, Greener & Transport Portfolio Holder)	Engage with communities to put them at the centre of the Council's policy development and service design;	Aim 1 - Safeguard frontline services; Aim 3 - Innovative & transparent council; Aim 5 - Community leadership & protection of the character of the district;	(a) The development of the Community Engagement Programme for super output areas within the district and those areas with identified health inequalities;	Delivery of programme of community focussed consultation and community well-being initiatives by 31 March 2015;	DoC
			(b) The introduction of new site licences and licence conditions on authorised gypsy roma and traveller sites in the district;	(i) Undertaking of a consultation exercise with residents about the introduction of new site licences and licence conditions by 31 July 2014;	DoC
				(ii) Introduction of new site licences and conditions by 31 March 2015;	DoC
			(c) The introduction of revised off-street charging arrangements for public car parks in the district;	(i) Undertaking of a public consultation exercise in respect of proposed car park tariffs by 31 October 2014;	DoN
(ii) Adoption of off-street car parking strategy and parking tariffs by 31 March 2015;	DoN				
LOCAL PLAN (Planning Portfolio Holder)	Deliver a robust and resilient Local Plan that facilitates appropriate growth, whilst protecting the special character of the district;	Aim 3 - Innovative & transparent council; Aim 5 - Community leadership & protection of the character of the district;	The delivery of a new Local Plan for the Epping Forest District to guide future development decisions;	Publication of local plan preferred options consultation document by 30 October 2014;	DoN
				Publication of the new Local Plan, following the preferred options consultation, by 30 September 2015;	DoN

OPERATING MODELS (Leader/Relevant Portfolio Holders) <div style="text-align: center; font-size: 2em; font-weight: bold;">24</div>	Promote cultural change to breakdown silo working, and implement new, flexible ways of working;	Aim 1 - Safeguard frontline services;	(a) The development of an overarching Organisational Development Plan to provide direction for how the Council needs to develop in the future;	Adoption of Organisational Development Plan by 31 December 2014;	CE / Mgmt Board
		Aim 3 - Innovative & transparent council;	(b) The completion of the second phase ('Phase 2') of the organisational review of the Council's existing officer/service structure;	(i) Agreement of all Phase 2 organisational structures by 30 September 2014;	Mgmt Board
		Aim 4 - Improve efficiency & maximise revenue from assets;		(ii) Full implementation of all Phase 2 organisational structures by 31 March 2015;	Mgmt Board
		Aim 5 - Community leadership & protection of the character of the district;	(c) The delivery of the Council's organisational values and behaviours;	(i) Development of action plan to embed values and behaviours within each directorate, identifying processes and training needs, by 31 March 2014;	Mgmt Board
				(ii) Rollout of assessment of performance against values and behaviours through Performance and Development Review Process by 31 December 2014;	DoR
		(d) The development of a more commercial approach to service delivery;	(i) Adoption of corporate customer-focussed approach to service delivery by 30 September 2014;	(ii) Consideration of options for generation of increased revenue by appropriate traded services, by 31 March 2015;	CE / Mgmt Board
				(e) The review of the outsourced Out of Hours Call Handling Service for all emergency and routine housing repairs reports and appointments;	Consideration of review of operation of service by Management Board, by 31 March 2015;
		(f) The development of a corporate approach to flexible working arrangements;	(i) Investigation of options for flexible working, in terms of ICT and changes to corporate policy and culture, by 30 September 2014;	(ii) Adoption of appropriate flexible working strategies and policies by 31 March 2015;	CE / Mgmt Board
				(g) The implementation of the National Land and Property Gazetteer (LLPG) to provide unique identification of land and property within the district;	Achievement of a 'fit for purpose' standard of implementation of the LLPG proportionate to the Council's requirements for land and property identification, by 31 July 2014;
		(h) The review of the Council's new Housing Allocation Scheme and Tenancy Policy, after one year of operation;	(i) Completion of the review of the Allocation Scheme and Tenancy Policy by 31 December 2014;	(ii) Implementation of any changes required to the Policy by 31 March 2015;	DoC
				(i) The implementation of the Council's combined Child and Adult Safeguarding Policy, covering all aspects of safeguarding for children, young people and vulnerable adults;	Completion of appropriate training on the requirements of the Safeguarding Policy and full understanding of safeguarding roles by all members and identified staff, by 31 March 2015;

			(j) The determination of the Council's Housing Strategy for 2013-2016, setting out the future strategic approach to housing within the district;	Adoption of new Housing Strategy by 31 December 2014;	DoC		
			(k) The development of the Council's Economic Development Strategy, setting out its support for the development of the local economy;	Adoption of Economic Development Strategy by 30 September 2014;	DoG		
			(l) The development of the Council's Waste Strategy, in conjunction with arrangements for the letting of a new waste management contract;	Adoption of Waste Strategy by 31 March 2015;	DoN		
			(m) The development of the Council's Leisure, Culture and Community Strategy, in conjunction with arrangements for the letting of a new Leisure Management Contract;	Adoption of Leisure, Culture and Community Strategy by 31 July 2014;	DoN / DoC		
			(n) The development of the Council's Operational Property Strategy, setting out arrangements for the effective management of its property assets;	Adoption of Operational Property Strategy by 30 September 2014;	CE / DoR		
PERFORMANCE (Finance & Technology Portfolio Holder)	Deliver key priorities within budget;	Aim 2 - Lowest District Council Tax in Essex;	(a) The delivery of all key outcomes;	(i) Achievement of targets for all Key Performance Indicators for 2014/15 by 31 March 2015;	CE / Mgmt Board		
				(ii) Achievement of specified deliverables for all key objectives for 2014/15;	CE / Mgmt Board		
		Aim 3 - Innovative & transparent council;	Aim 5 - Community leadership & protection of the character of the district;	(b) The consumption of resources within budget;	Containment of capital and revenue outturn for 2014/15 within the budget for the year;		DoR
				(c) The setting of a consistently low District Council Tax, whilst ensuring the protection of the delivery of front-line services;	Setting of low level of Council Tax for 2015/16, compared with other Essex district authorities, by 28 February 2015;		DoR
				(d) The undertaking of appropriate process improvement activity in accordance with the recommendations of the National Audit Office (NAO), following the NAO process review completed in 2013;	(i) Identification, review and re-engineering as necessary, of three sample processes across different directorates, by 31 March 2015;	CE / Mgmt Board	
					(ii) Realignment of key performance indicator set to reflect additional qualitative outcomes, by 31 March 2015;	CE / Mgmt Board	
PUBLIC HEALTH (Leisure & Wellbeing Portfolio Holder)	Prepare for changes arising from the transfer of public health responsibilities;	Aim 5 - Community leadership & protection of the character of the district;	The provision of appropriate services to meet the health and wellbeing needs of all residents of the Epping Forest District;	Adoption of the West Essex Health and Wellbeing Strategy by 31 July 2014;	DoN		

STRATEGIC SITES (Asset Management & Economic Development Portfolio Holder/Housing Portfolio Holder) 26	Maximise the potential of the Council's key development sites;	Aim 4 - Improve efficiency & maximise revenue from assets; Aim 5 - Community leadership & protection of the character of the district;	(a) The development, subject to agreement with third-party owners, external challenge market forces and member decisions, of robust plans for the development of the T11 site at Langston Road, Loughton;	(i) Completion of a development agreement with the owner of the T11 site by 31 March 2015;	DoG
				(ii) Facilitation of a detailed planning application for the T11 site by 30 November 2015;	DoG
				(iii) Commencement of development by 31 March 2016;	DoG
			(b) The preparation, subject to the resolution of relevant dependent factors, of a development brief for North Weald Airfield in accordance with the recommendations of the review undertaken by Deloitte;	Incorporation of agreed recommendations arising from the review of North Weald Airfield, as part of the development of the new Local Plan, by 31 March 2015;	DoN
			(c) The development, subject to the commitment of Essex County Council, Epping Town Council, and other third-party owners, of robust plans for the disposal of all or part of the site at St. John's Road, Epping, identified within the Development Brief;	Relocation of the Housing Repairs Depot by 31 March 2015, to enable the depot site to be developed as part of the St. Johns Road redevelopment and to meet current and future needs;	DoC
			(d) The disposal, subject to member decisions, of the Council's nursery site at Pyrles Lane, Loughton;	Relocation of the Nursery Service from the Pyrles Lane site by 30 September 2015;	DoG
			(e) The development of depot provision at Oakwood Hill, Loughton;	(i) Facilitation of a detailed planning application for depot provision by 31 July 2014;	DoG
				(ii) Procurement of the detailed design and development of the Oakwood Hill site by 30 October 2014;	DoG
				(iii) Commencement of development by 31 March 2015;	DoG
			(f) The commencement, subject to appropriate planning consents, of the Council's new housebuilding programme to provide additional affordable housing in the district;	(i) Start on site at first site in Phase 1 of the housebuilding programme (Waltham Abbey) by 31 August 2014,	DoC
				(ii) Obtain Investment Partner status with the Homes and Communities Agency (HCA), to become eligible for HCA funding by 31 December 2014;	DoC
				(iii) Start on site at Phase 2 of the housebuilding programme (Burton Road, Loughton) by 31 March 2015;	DoC
			(g) The conversion of twenty difficult-to-let bedsits at Marden Close and Faversham Hall, Chigwell Row, into twelve self-contained flats,	Completion of conversion scheme by 30 April 2015;	DoC
			(h) The extension and refurbishment of the Epping Forest District Museum, assisted by Heritage Lottery Funding, to increase the size of the Museum and improve accommodation for displaying exhibits;	Commencement of museum extension and refurbishment works by 31 December 2014;	DoC
(i) The undertaking of an Environmental Estate Improvement Scheme at Oakwood Hill, Loughton in partnership with Essex County Council and others;	Agreement and commencement of identified estate improvement works by 31 March 2015;	DoC			

WELFARE REFORM Finance & Technology Portfolio Holder)	Prepare and plan for the effects of welfare reforms in an effective and co-ordinated way;	Aim 1 - Safeguard frontline services; Aim 5 - Community leadership & protection of the character of the district;	(a) The implementation of an amended and updated scheme of local support for Council Tax, to provide the greatest possible protection to residents whilst remaining cost neutral;	Adoption of updated local Council Tax Support Scheme by 31 December 2014;	DoR
			(b) The retention of adequate resources to ensure that the threat of fraud is effectively managed;	Determination of the Council's response to any further announcements by the Department for Work and Pensions on the reation of a Single Fraud Investigation Service, by 31 December 2014;	DoR
			(c) The retention of adequate resources to ensure that the Council's benefit function is effectively operated and managed;	Determination of the Council's response to any further announcements by the Department for Work and Pensions on Universal Credit and the role of local authorities in future service provision by 31 December 2014;	DoR

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COUNCIL PROCEDURE RULES

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COUNCIL PROCEDURE RULES

1. ANNUAL MEETING OF THE COUNCIL

In a year when there is an ordinary election of councillors, the annual meeting will take place within 21 days of the retirement of the outgoing councillors. In any other year, the annual meeting will take place in March, April or May.

The annual meeting will:

- (i) elect a person to preside if the Chairman of Council is not present;
- (ii) elect the Chairman of Council;
- (iii) elect the Vice-Chairman of Council;
- (iv) approve the minutes of the last meeting;
- (v) receive any announcements from the Chairman;
- (vi) elect the leader;
- (vii) appoint at least one Overview and Scrutiny Committee, a Standards Committee, an Audit and Governance Committee and such other committees as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are executive functions as set out in Part 3, Table 1 of this Constitution;
- (viii) appoint Chairmen and Vice-Chairmen to those bodies;
- (ix) agree the scheme of delegation excluding delegation of executive functions which are the responsibility of the Leader of Council;
- (x) approve a programme of ordinary meetings of the Council for the year;
- (xi) consider any business set out in the notice convening the meeting;
- (xii) receive a work programme for the Executive and a joint work programme for Overview and Scrutiny Committees for the ensuing year;
- (xiii) be notified of Group Leaders and Deputies and Group representatives on relevant Committees;
- (xiv) to debate and respond to petitions where the number of signatures meets or exceeds the trigger level contained in the Council's petitions scheme; and
- (xv) be notified by the Leader of the Council of appointments to the Cabinet, on the establishment of Cabinet Committees, delegation of executive responsibilities to Cabinet members and officers and appointments to outside organisations carrying out executive functions.

1.2 Selection of Councillors on Committees and Outside Bodies

At the annual meeting, the Council will:

- (i) decide which committees to establish for the municipal year excluding those committees which are the responsibility of the Leader of Council;
- (ii) decide the size and terms of reference for those committees;
- (iii) decide the allocation of seats to political groups in accordance with the political balance rules;
- (iv) receive nominations of councillors to serve on each committee and outside body excluding those committees and outside bodies which are the responsibility of the Leader of the Council; and
- (v) appoint to those committees and outside bodies except where such appointments are exercisable only by the executive.

2. ORDINARY MEETINGS

2.1 Ordinary meetings of the Council will take place in accordance with a programme decided at the Council's annual meeting. Ordinary meetings will:

- (i) elect a person to preside if the Chairman and Vice-Chairman are not present;
- (ii) approve the minutes of the last meeting;
- (iii) receive any declarations of interest from members;
- (iv) receive any announcements from the Chairman, Leader of the Council, members of the Executive;
- (v) receive questions from, and provide answers to, the public and members of the Council in relation to matters which in the opinion of the person presiding at the meeting are relevant to the business of the meeting;
- (vi) receive reports from the Leader of the Council on the appointment of a Deputy Leader, the Cabinet, Cabinet Committees, Responsibilities of Cabinet members, appointments to outside organisations which are the responsibility of the Executive and delegation of Cabinet functions to officers;
- (vii) receive a report from the Leader of the Council on any delegation of executive functions to Joint Committees and local Committees;
- (viii) receive written reports from the Leader, Chairman of Overview and Scrutiny Committee and each of the Portfolio Holders and receive questions and answers on any of those reports or any matters falling within their area of responsibility;
- (ix) receive reports about and receive questions and answers on the business of joint arrangements and external organisations;

- (x) consider motions;
- (xi) receive questions in the following order:
 1. Public Questions
 2. Questions under Notice by Councillors
 3. Questions by Councillors **to the Leader of Council, Cabinet members and the Chairman of the Overview and Scrutiny Committee on written reports submitted under Rule 12.6 and on questions without notice on other matters submitted under Rules 12.8 & 12.9.**
- (xii) consider any other business specified in the summons to the meeting, including consideration of proposals from the executive in relation to the Council's budget and policy framework and reports of the Overview and Scrutiny Committees for debate, including annual reports for both Overview and Scrutiny Committees and the Executive on their activities in April of each Council year;
- (xiii) any matter of public concern allocated to any ordinary Council meeting for the purpose of debate;
- (xiv) deal with any items of business deemed by the Chairman as urgent business in accordance with Section 100B(4) of the Local Government Act 1972.

2.2 State of the District Debates

(i) Calling of debate

The Leader will call a State of the District debate annually on a date and in a form to be agreed with the Chairman.

(ii) Form of debate

The Leader will decide the form of debate, with the aim of enabling the widest possible public involvement and publicity. This may include holding workshops and other events prior to or during the State of the District debate.

(iii) Results of debate

The results of the debate will be disseminated as widely as possible within the community and to agencies and organisations in the area; and considered by the Leader in proposing the budget and policy framework to the Council for the coming year.

2.3 Single Issue Council Meetings

The Leader may, from time to time, call for a Council meeting to be held dealing with a single issue of critical importance to the residents of the District. The normal rules of debate will apply in the case of 'single issue' Council meetings.

3. EXTRAORDINARY MEETINGS

3.1 Calling Extraordinary Meetings

Those listed below may request the Proper Officer to call Council meetings in addition to ordinary meetings:

- (i) the Council by resolution;
- (ii) the Chairman of the Council;
- (iii) the Monitoring Officer; and
- (iv) any five members of the Council if they have signed a requisition presented to the Chairman of the Council and he/she has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.

3.2 Business

An extraordinary meeting of the Council shall transact the business set out in the agenda but shall exclude motions under Procedure Rule 13.

4. TIME AND PLACE OF MEETINGS

Meetings of the Council shall be held at the Civic Offices, High Street, Epping at 7.30 p.m. or at such other time or venue as the Chairman of the Council may determine in consultation with the Chief Executive. All business at Council meetings shall be completed by 10.00 p.m.

5. CANCELLATION OF MEETINGS

The decision to cancel any meeting of the Council shall be made by the Chairman in consultation with the Chief Executive (or his representative). In circumstances where a meeting has to be cancelled for reasons which are outside the Council's control at short notice, the decision to cancel shall be made no later than 2 hours before the commencement of the meeting and notified to all Councillors and other interested persons as soon as possible thereafter.

6. NOTICE AND SUMMONS TO MEETINGS

The Chief Executive will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules. At least five clear days before a meeting, one or both of the Joint Chief Executives will send a summons signed by him or them by post to every member of the Council, leave it at their usual place of residence or posted or delivered to some other address that a member may notify in writing. The summons will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available.

7. CHAIRMAN OF MEETING

The person presiding at the meeting may exercise any power or duty of the Chairman. Where these rules apply to Committee and Sub-Committee meetings, references to the Chairman also include the Chairman of Committees, Sub-Committees, Boards and Panels.

8. QUORUM

The quorum of a meeting will be one quarter of the whole number of members. During any meeting if the Chairman counts the number of members present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Chairman. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting.

9. INTERESTS

(1) Any member of the Council who has registered a disclosable pecuniary interest or has a pending notification of such interest in any items of business to be considered by the authority, must withdraw from the Council Chamber (or other meeting room) including the public gallery during the whole consideration of that item except if he or she is permitted to remain as a result of a dispensation.

(2) Such requirements shall also apply to any Cabinet members with a disclosable pecuniary interest (including a pending notification) who shall be debarred from determining any matter which they would otherwise have dealt with as a portfolio holder under delegated authority.

(3) Where a member of the Council has not registered such an interest or does not have a pending notification, they shall declare the existence and nature of that interest and withdraw from the meeting during discussion of any relevant item of business.

10. DURATION OF MEETING

(1) All business of the Council requiring to be transacted in the presence of the press and public shall 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.

11. QUESTIONS BY THE PUBLIC

11.1 General

Members of the public may ask questions of the Leader, Chairman of Overview and Scrutiny Committee or any Portfolio Holder at ordinary meetings of the Council.

11.2 Order of Questions

Questions will be asked in the order in which notice of them was received, except that the Chairman may group together similar questions.

11.3 Notice of Questions

A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the Chief Executive at least 4 working days before the meeting. Each question must give the name and address of the questioner and must name the member of the Council to whom it is to be put.

11.4 Number of Questions

At any one meeting no person may submit more than two questions and no more than two such questions may be asked on behalf of one organisation.

11.5 Scope of Questions

The Chief Executive may reject a question if it:

- (a) is not about a matter for which the local authority has a responsibility or which affects the District;
- (b) is defamatory, frivolous or offensive;
- (c) is substantially the same as a question which has been put at a meeting of the Council in the past six months; or
- (d) requires the disclosure of confidential or exempt information.

11.6 Record of Questions

The Chief Executive will enter each question in a book open to public inspection and will immediately send a copy of the question to the member to whom it is to be put. Rejected questions will include reasons for rejection. Copies of all questions will be circulated to all members on the agenda for the relevant Council meeting, which will be made available to the public attending the meeting.

11.7 Asking the Question at the Meeting

The Chairman will invite the questioner to put the question to the member named in the notice. If a questioner who has submitted a written question is unable to be present, they may ask the Chairman to put the question on their behalf. The Chairman may ask the question on the questioner's behalf, indicate that a written reply will be given or decide, in the absence of the questioner, that the question will not be dealt with.

11.8 Supplementary Question

A questioner who has put a question in person may also put one supplementary question without notice to the member who has replied to his or her original question. A

supplementary question must arise directly out of the original question or the reply and must be only for purposes of elucidation. The Chairman may reject a supplementary question on any of the grounds in Rule 11.5 above.

11.9 Written Answers

Any question which cannot be dealt with during public question time, either because of lack of time or because of the non-attendance of the member to whom it was to be put, will be dealt with by a written answer.

11.10 Non Attendance of Questioner

Where the member of the public who has given notice of a question is not in attendance at the Council meeting at which the question is to be put, a reply will be sent to the questioner in writing or by electronic mail and published in the minutes of the meeting and the Council Bulletin.

11.11 Reference of Question to the Executive or a Committee/Sub-Committee

Unless the Chairman decides otherwise, no discussion will take place on any question, but any member may move that a matter raised by a question be referred to the Executive or a Committee. Once seconded, such a motion will be voted on without discussion.

12. QUESTIONS BY MEMBERS

12.1 On Reports of the Executive or Committees

A member of the Council may ask the Leader, or the Chairman of Overview and Scrutiny or a Portfolio Holder any question without notice on an item of the report of the Executive or a Committee when that item is being received or under consideration by the Council.

12.2 Questions Following Notice at Full Council

Subject to Rule 11.4, a member of the Council may ask:

- (a) the Chairman;
- (b) the Leader;
- (c) a Portfolio Holder
- (c) the Chairman of any Committee or Sub-Committee
- (d) a question on any matter in relation to which the Council has powers or duties or which affects the Epping Forest District.

12.3 Notice of Questions

A member may only ask a question under Rule 12.2 if either:

- (a) they have given at least four working days' notice in writing of the question to the Chief Executive; or
- (b) the question relates to urgent matters, they have the consent of the Chairman to whom the question is to be put and the content of the question is given to the Chief Executive by 10.00 a.m. on the day of the meeting.

12.4 Replies to Questions

An answer 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 categories (a) and (b) above shall be made available to the member asking the question one hour before the meeting of the Council at which the question will be put. Answers to questions under (c) above will be circulated to all Councillors.

12.5 Supplementary Question

A member asking a question under Rule 12.2 may ask one supplementary question without notice of the member to whom the first question was asked. The supplementary question must arise directly out of the original question or the reply.

12.6 Questions without notice at full Council

A member of the Council may ask the Leader, Chairman of Overview and Scrutiny or any member of the Cabinet any question without notice on:

- (a) any report submitted to the Council under Article 2.1(viii);
- (b) any other matter in relation to which the Council has powers or duties or which affects the administrative area covered by the (Epping Forest District Council) or part of it or the inhabitants of that area or some of them, or which relates to a written response given by the Leader, Chairman of Overview and Scrutiny Committee or a member of the Cabinet.

12.7 Response to a question without notice

An answer to a question 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 be 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 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.

12.8 Time Limit for Questions without Notice to the Leader of Council & Portfolio Holders on Written Reports and Other Matters

- (a) **A time limit of 30 minutes shall be set for questions under Rule 12.6. Any question which cannot be dealt with within the time available will receive a written reply.**
- (b) **Questions without notice on written reports and on other matters will be dealt with by the Chairman of the Council as follows:**
 - (i) **by extending the period of thirty minutes by up to 10 minutes at his or her discretion; and**
 - (ii) **by ensuring that questions by members are dealt with in the order in which they are put and that all questions from each political group and from independent members receive a reply.**

12.9 Time Limit for Questions Without Notice to the Chairman of the Overview & Scrutiny Committee on Written Reports and Other Matters

- (a) **questions without notice on reports of the Chairman of the Overview & Scrutiny Committee and on any other matter affecting Overview & Scrutiny will be dealt with at the same time as other business from that Committee; and**
- (b) **the Chairman of the Council shall apply the rules for questions without notice the Leader of the Council and Cabinet members (set out in Rule 12.8 above) to questions to the chairman of the Overview & Scrutiny Committee.**

12.10 Supplementary Question

The will be no supplementary questions permitted in respect questions put under Rules 12.8 and 12.9.

13. MOTIONS ON NOTICE

13.1 Notice of Motion

Except for motions which can be moved without notice under Rule 14, written notice of every motion, signed by at least the mover and seconder of the proposed motion, must be delivered to one of the Joint Chief Executives not later than seven working days before the date of the meeting. These will be entered in a book open to public inspection.

13.2 Motions to be set out in Agenda

Motions for which notice has been given will be listed on the agenda in the order in which each notice was received, unless the member giving notice states, in writing, that they propose to move it to a later meeting or withdraw it. Any motion involving executive functions shall automatically stand referred to the Cabinet and any motion which deals with the Council's policy or budget frameworks, the Constitution or any matter requiring the consent of the Council, shall be subject to a report back to the next appropriate Council meeting.

13.3 Scope of Motions

Motions must be about matters for which the Council has a responsibility or which affect the Epping Forest District.

14. MOTIONS WITHOUT NOTICE

The following motions may be moved without notice:

- (a) to appoint a Chairman of the meeting at which the motion is moved;
- (b) in relation to the accuracy of the minutes;
- (c) to change the order of business in the agenda;
- (d) to refer something to an appropriate body or individual;
- (e) to appoint a committee or member arising from an item on the summons for the meeting but excluding those appointments which are the responsibility of the Leader of Council;
- (f) to receive reports or adoption of recommendations of the Executive, Committees or officers and any resolutions following from them;
- (g) to withdraw a motion;
- (h) to amend a motion;
- (i) to proceed to the next business;
- (j) closure motion - that the question be now put (see Procedure Rule 15.11);
- (k) closure motion - to adjourn a debate (see Procedure Rule 15.11);

- (l) closure motion - to adjourn a meeting (see Procedure Rule 15.11);
- (m) that Rule 8 (relating to completion of business in public session be waived to permit the public session to continue beyond 10.00 p.m.
- (n) to suspend a particular council procedure rule;
- (o) to exclude the public and press in accordance with the Access to Information Rules;
- (p) not to hear further a member named under Rule 22.3 or to exclude them from the meeting under Rule 22.4;
- (q) to extend the time allowed for any member's speech under Rule 15.4; and
- (r) to give the consent of the Council where its consent is required by this Constitution.

15. RULES OF DEBATE

15.1 No Speeches until Motion Seconded

No speeches may be made after the mover has moved a proposal and explained the purpose of it until the motion has been seconded.

15.2 Right to Require Motion in Writing

Unless notice of the motion has already been given, the Chairman may require it to be written down and handed to him/her before it is discussed.

15.3 Secunder's Speech

When seconding a motion or amendment, a member may reserve their speech until later in the debate.

15.4 Content and Length of Speeches

Speeches must be directed to the question under discussion or to a personal explanation or point of order. No speech may exceed five minutes without the consent of the Council.

15.5 When a Member may Speak Again

A member who has spoken on a motion may not speak again whilst it is the subject of debate, except:

- (a) to speak once on an amendment moved by another member;
- (b) to move a further amendment if the motion has been amended since he/she last spoke;
- (c) if his/her first speech was on an amendment moved by another member, to speak on the main issue (whether or not the amendment on which he/she spoke was carried);
- (d) in exercise of a right of reply;

- (e) on a point of order; and
- (f) by way of personal explanation.

15.6 Amendments to Motions

- (a) An amendment to a motion must be relevant to the motion and will either be:

- (i) to refer the matter to an appropriate body or individual for consideration or reconsideration;
- (ii) to leave out words;
- (iii) to leave out words and insert or add others; or
- (iv) to insert or add words.

as long as the effect of (ii) to (iv) is not to negate the motion.

- (b) only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.
- (c) if an amendment is not carried, other amendments to the original motion may be moved.
- (d) if an amendment is carried, the motion as amended takes the place of the original motion becoming the substantive motion to which any further amendments may be moved.
- (e) after an amendment has been carried, the Chairman will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.

15.7 Alteration of Motion

- (a) A member may alter a motion of which he/she has given notice with the consent of the Council. The Council's consent will be signified without discussion.
- (b) A member may alter a motion which he/she has moved without notice with the consent of both the Council and the seconder. The Council's consent will be signified without discussion.
- (c) Only alterations which could be made as an amendment may be made.

15.8 Withdrawal of Motion

A member may withdraw a motion which he/she has moved with the consent of both the meeting and the seconder. The Council's consent will be signified without discussion. No member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused by the Council.

15.9 Right of Reply

- (a) The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.
- (b) If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment, but may not otherwise speak on it.
- (c) The mover of the amendment has no right of reply to the debate on his or her amendment.

15.10 Motions which may be Moved during Debate

When a motion is under debate, no other motion may be moved except the following procedural motions:

- (a) to withdraw a motion;
- (b) to amend a motion;
- (c) to proceed to the next business;
- (d) that the question be now put;
- (e) to adjourn a debate;
- (f) to adjourn a meeting;
- (g) that Rule 9 (relating to completion of business in public session be waived to permit the public session to continue beyond 10.00 p.m.)
- (h) to exclude the public and press in accordance with the Access to Information Rules;
and
- (i) to not hear further a member named under Rule 22.3 or to exclude them from the meeting under Rule 22.4.

15.11 Closure Motions

A member may move, without comment, the following motions at the end of a speech of another member:

- (i) to proceed to the next business;
 - (ii) that the question be now put;
 - (iii) to adjourn a debate; or
 - (iv) to adjourn a meeting.
- (a) If a motion to proceed to next business is seconded and the Chairman rules the item has been sufficiently discussed, he or she will give the mover of the original motion a right of reply and then put the procedural motion to the vote.
 - (b) If a motion that the question be now put is seconded and the Chairman rules the item has been sufficiently discussed, he/she will put the procedural motion to the vote. If it is passed he/she will give the mover of the original motion a right of reply before putting his/her motion to the vote.
 - (c) If a motion to adjourn the debate or to adjourn the meeting is seconded and the Chairman thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, he/she will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

15.12 Point of Order

A member may raise a point of order at any time. The Chairman will hear them immediately. A point of order may only relate to an alleged breach of these Council Rules of Procedure or the law. The member must indicate the rule or law and the way in which he/she considers it has been broken. The ruling of the Chairman on the matter will be final.

15.13 Personal Explanation

A member may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by the member which may appear to have been misunderstood in the present debate. The ruling of the Chairman on the admissibility of a personal explanation will be final.

16. PREVIOUS DECISIONS AND MOTIONS

16.1 Motion to Rescind a Previous Decision

A motion or amendment to rescind a decision made at a meeting of Council within the past six months cannot be moved unless the notice of motion is signed by at least 15 members.

16.2 Motion Similar to One Previously Rejected

A motion or amendment in similar terms to one that has been rejected at a meeting of Council in the past six months cannot be moved unless the notice of motion or amendment

is signed by at least 15 members. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

17. VOTING

17.1 Majority

Unless this Constitution provides otherwise, any matter will be decided by a simple majority of those members voting and present in the room at the time the question was put.

17.2 Chairman's Casting Vote

If there are equal numbers of votes for and against, the Chairman will have a second or casting vote. The exercise of this second or casting vote shall be in accordance with Article 5 (paragraph 5) of the Constitution.

17.3 Show of Hands

Unless a recorded vote is demanded under Rules 16.4 and 16.5, the Chairman will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

17.4 Recorded Vote

If five members present at the meeting require it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes.

17.5 Right to Require Individual Vote to be Recorded

Where any member requests it immediately after the vote is taken, their vote will be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

17.6 Voting at Budget Decision Meetings

In accordance with The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, immediately after any vote is taken at a budget decision meeting there must be recorded in the minutes of the proceedings of that meeting the names of the persons who cast a vote for the decision or against the decision or who abstained from voting.

“Budget decision” means a meeting at which;

- (a) a calculation is made (whether originally or by way of substitute) in accordance with any of sections 31A, 31B, 34 to 36A, 42A 42B, 45 to 49, 52ZF, 52ZJ of the Local Government Finance Act 1992, as amended; or
- (b) a precept is issued under Chapter 4 of Part 1 of the Act, and includes a meeting where making the calculation or issuing the precept as the case may be was included as an item of business on the agenda for that meeting.

References to a vote are references to a vote not only on the substantive budget motions agreeing the budget, setting council taxes or issuing precepts, but also on any amendments proposed at the meeting.

18. VOTING ON APPOINTMENTS

18.1 Voting on Appointments

If there are more than two people nominated for any position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.

19. MINUTES

19.1 Signing the Minutes

The Chairman will sign the minutes of the proceedings at the next suitable meeting. The Chairman will move that the minutes of the previous meeting be signed as a correct record. The only part of the minutes that can be discussed is their accuracy.

19.2 Extraordinary Meetings

Where in relation to any meeting, the next meeting for the purpose of signing the minutes is a meeting called under paragraph 3 of schedule 12 to the Local Government Act 1972 (an Extraordinary Meeting), then the next following meeting (being a meeting called otherwise than under that paragraph) will be treated as a suitable meeting for the purposes of paragraph 41(1) and (2) of schedule 12 relating to signing of minutes.

19.3 Form of Minutes

Minutes will contain all motions and amendments in the exact form and order in which the Chairman put them.

20. RECORD OF ATTENDANCE

All members present during the whole or part of a meeting must sign their names on the attendance sheets before the conclusion of every meeting to assist with the record of attendance.

21. EXCLUSION OF PUBLIC

Members of the public and press may only be excluded either in accordance with the Access to Information Rules in Part 4 of this Constitution or Rule 23 (Disturbance by Public).

22. MEMBERS' CONDUCT

22.1 Standing to Speak

When a member speaks at full Council they must stand and address the meeting through the Chairman. If more than one member stands, the Chairman will ask one to speak and the

others must sit. Other members must remain seated whilst a member is speaking unless they wish to make a point of order or a point of personal explanation.

22.2 Chairman Standing

When the Chairman stands during a debate, any member speaking at the time must stop and sit down. The meeting must be silent.

22.3 Member not to be Heard Further

If a member persistently disregards the ruling of the Chairman by behaving improperly or offensively or deliberately obstructs business, the Chairman may move that the member be not heard further. If seconded, the motion will be voted on without discussion.

22.4 Member to Leave the Meeting

If the member continues to behave improperly after such a motion is carried, the Chairman may move that either the member leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

22.5 General Disturbance

If there is a general disturbance making orderly business impossible, the Chairman may adjourn the meeting for as long as he/she thinks necessary.

23. DISTURBANCE BY PUBLIC

23.1 Removal of Member of the Public

If a member of the public interrupts proceedings, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room.

23.2 Clearance of Part of Meeting Room

If there is a general disturbance in any part of the meeting room open to the public, the Chairman may call for that part to be cleared.

24. SUSPENSION AND AMENDMENT OF COUNCIL PROCEDURE RULES

24.1 Suspension

All of these Council Rules of Procedure except Rule 15.5 and 19.2 may be suspended by motion on notice or without notice if at least one half of the whole number of members of the Council are present. Suspension can only be for the duration of the meeting.

24.2 Amendment

Any motion to add to, vary or revoke these Council Rules of Procedure will, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

25. PLANNING APPLICATIONS

Any planning application submitted directly to a Council meeting without prior consideration by the District Development Committee and/or an Area Sub-Committee shall be subject to the procedure for public participation by applicants, objectors and parish/town councils in the same way as those applied to Committees and Sub-Committees by Operational Standing Order 5.

26. APPLICATION TO THE EXECUTIVE, COMMITTEES AND SUB-COMMITTEES

26.1 All of the Council Rules of Procedure apply to meetings of full Council. None of the rules (except Rule 8) apply to meetings of the Cabinet or other executive bodies. Only Rules 2(xi), 4-8, 11.10, 13 and 14, 16, (excluding 16.4), 18, 20-21 (excluding 21(1)) apply to meetings of Committees and Sub-Committees. Only rules 4-8 16.1-16.3 and 22.3-22.5 shall apply to working groups.

26.2 The requirements of Procedure Rule 5 (Cancellation of Meetings) above shall apply to the Cabinet, Committees, Panels and Sub-Committees and any other meeting convened by the Authority.

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Appendix 4

Petition Scheme – Epping Forest District Council

Proposed new Standing Order

1. Definition

1.1 For the purpose of this procedure a petition is a request to the Council made either (i) in writing; or (ii) through the Council's e-petitions system on its website.

2. Scope of Scheme

2.1 The Council will accept paper based petitions, e-petitions (but only those submitted on through its own petitions system) or a mix of paper and e-petitions. The proper officer for petitions is the Assistant Director of Governance and Performance Management.

3. Acknowledgement

3.1 All petitions sent or presented to the council shall receive an acknowledgement from the council within seven days of receipt. This acknowledgement will set out what the Council plan to do with the petition. The Council shall treat something as a petition if it is identified as being a petition, or if it seems to the Council that it is intended to be a petition.

4. Exceptions to Petitions

4.1 The following petitions do not fall within the scope of this petitions scheme:

(a) Emailed petitions, as email systems are not secure. Petitioners must use either paper or the Council's EPetitions system. The Council will not monitor third party petitions systems.

(b) Petitions which are considered to be vexatious, abusive, anonymous or otherwise inappropriate will not be accepted. In the period immediately before an election or referendum the Council may need to deal with a petition differently – if this is the case the Council will explain the reasons with the petitioner and discuss the revised timescale which will apply.

(c) Petitions relating to a planning decision; (as the Planning application process deals with objections to applications), including those about a development plan document or the community infrastructure levy.

(d) Petitions relating to a licensing decision; (as the Licensing scheme deals with objections to applications)

(e) Petitions relating to an individual or entity in respect of which that individual or entity has a right of recourse to a review or right of appeal.

(f) Any matter for which the Standards Committee has powers for determining complaints received under the Local Assessment process.

(g) Any complaint made against an employee of the District Council.

(h) Any matter which is substantially the same as a petition submitted in the previous 12 months.

(i) Where the subject matter is subject to ongoing legal proceedings.

(j) Petitions made during formal Council consultations related to the subject matter of the consultations (these will be formally referred to that process as appropriate)

4.2 Where a petition submitted relates to one of the categories set out above the Council will write to the lead petitioner and explain why the matter is not covered by the authority's Petitions Scheme. In appropriate circumstances, the Council may advise how the public views can be considered via alternative means.

5. Submission guidelines/Signatory Requirements

5.1 Petitions submitted to the council must include:

(a) A clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the council to take.

(b) The name and address and signature of any person supporting the petition.

(c) Contact details, including an address (and a valid email address if submitted electronically), for the petition organiser

5.2 If the petitioner contacts the Council to start an e-Petition, then the Council and the Lead Petitioner will agree the period over which signatures will be collected and to agree the final wording of the petition. The petition will then be available to sign 'electronically' for the agreed period on the Council's website. On the expiration of that time, the Council will respond in accordance with Section 7 below.

5.3 Anyone who lives, works or studies in Epping Forest District is entitled to sign to support a petition. The supporters Name, Address, a valid email address and/or postcode are required to sign an e-Petition on the Council's website. For paper petitions signatories must provide their, name, address and signature

5.4 E-petitions will run on the Council website for a maximum of 3 months, but the Council and the lead petitioner can choose a shorter timeframe up to the maximum.

6. The procedure when the Council receives a petition

6.1 The Council will send the lead petitioner an acknowledgement of the petition within 7 **working** days. **Local ward councillors will be informed of the receipt of a petition.**

6.2 If the Council is able to do what the petition asks for, the acknowledgement may confirm that the Council have taken the action requested and the petition will be closed.

6.3 If the petition needs more investigation, the Council will tell the lead petitioner the steps the Council plan to take.

6.4 If the lead petitioner has created an e-petition, the Council will check that the content of the e-petition is suitable before it is made available for signature. This will take a maximum of ten working days.

6.5 If the Council cannot publish an e-petition for some reason, the Council will contact the lead petitioner within ten **working** days to explain the reason for not publishing a petition based upon the exceptions in section 4 above.

6.6 A lead petitioner is able to change and resubmit their e-petition within 10 working days, if they fail to do so within that time, a summary of the e-petition and the reason why it has not been accepted will be published under the 'rejected petitions' section of the website.

7. How the Council considers petitions

Petition type	Response
Correspondence with fewer than 20 signatures	This will normally be dealt with by the appropriate Directorate as ordinary correspondence, unless the Service Director concerned is of the opinion that the subject matter is sufficiently important or contentious to warrant referring the matter to the appropriate Portfolio Holder.
Petitions with more than 20 but fewer than 1200 signatures	These will be considered and dealt with by the relevant portfolio holder who may: (a) take action if he or she has delegated powers to act alone; <u>(b) prepare a report to the Cabinet or a Sub-Committee of the Cabinet for decision if appropriate.</u>
<u>Petition containing at least 1200 signatures.</u>	<u>The relevant Portfolio Holder will prepare a report to the Cabinet for decision on the matter.</u>
2400 signatures or more	These large petitions will be scheduled for a council debate and if this is the case we will let you know whether this will happen
e-petitions	When an e-petition has closed for signature, it will automatically be submitted to the relevant officer, portfolio holder or Council In the same way as a paper petition.

8. Decisions on petitions

The Council's response to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following:

- taking the action requested in the petition
- considering the petition at a council meeting

- holding an inquiry into the matter
- undertaking research into the matter
- holding a public meeting
- holding a consultation
- holding a meeting with petitioners
- referring the petition for consideration by the Cabinet or a Cabinet Committee
- writing to the petition organiser setting out our views about the request in the petition

In addition to these steps, the council will consider all the specific actions it can potentially take on the issues highlighted in a petition.

If a petition is about something over which the council has no direct control (for example healthcare or transport) the responsible body (under section 7 above) will consider making representations on behalf of the community to the relevant body.

If the Council are not able to meet the petitioners requests for any reason (for example if what the petition calls for conflicts with council policy), then the Council will set out the reasons for not taking the action requested in writing to the Lead Petitioner.

Decisions made by the Portfolio Holder will be recorded in writing and notified to the public, the lead petitioner and all members of the Council.

All received petitions will be reported to Council via regular Portfolio Holder reports.

9. Petitions received after a decision is made

In cases where a petition is received after a decision has been made by the Council on any matter, the following steps will be taken by the Director unless the petition meets the threshold for a Council debate:

- (a) a letter of acknowledgement shall be sent to the lead petitioner, including a statement of the action already taken by the Council;
- (b) in consultation with the appropriate Portfolio Holder, Committee or Sub-Committee Chairman a decision will be taken as to whether the petition raises new evidence requiring further consideration by the Portfolio Holder or Committee concerned;
- (c) if it is decided that no new matters are raised by the petition, the lead petitioner shall be advised accordingly;
- (d) if new matters are raised then the petition will be treated as 'new' under this scheme.

10. Full Council and Cabinet debates

If a petition contains more than 2400 signatures it will be debated by the full council at its next ordinary meeting.

If a petition contains more than 1200 signatures it will be subject to report and debate by the cabinet at its next available meeting.

The petition organiser will be given five minutes to present the petition at the meeting and the petition will then be discussed by councillors.

The Council or Cabinet will decide how to respond to the petition at this meeting.

The Council or Cabinet may:

- (a) decide to take the action the petition requests, and in the case of a Cabinet debate, report to Council if appropriate (see paragraph 11 below)
- (b) not to take the action requested for reasons put forward in the debate, or
- (c) commission further investigation into the matter, for example by the Cabinet (if the matter was debated at Council) or a relevant Cabinet committee.

11. Council Referrals

Where the issue is one on which the council executive are required to make the final decision (i.e. within the financial and policy framework), the council will decide whether to make recommendations to inform that decision. The petition organiser will receive written confirmation of this decision. This confirmation will also be published on our website.

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EPPING FOREST DISTRICT COUNCIL

PETITION SCHEME GUIDANCE

Introduction

The Council welcomes petitions and recognises that petitions are one way in which people can let us know their concerns.

You have a choice in the way you submit petitions. It can be done in the traditional paper way or using our electronic petitions (e-petitions) system.

How to submit a Petition

Paper petitions can be sent to:

Assistant Director of Governance and Performance Management
Epping Forest District Council
Civic Offices
High Street
Epping
Essex CM16 4BZ

e-petitions can be submitted at:

www.eppingforestdc.gov.uk/petitions

Who can submit or sign a petition?

A petition can be submitted or signed by a person who lives, works or studies in Epping Forest District.

What does a Petition need to be valid?

Petitions must relate to matters that directly affect the Council or Epping Forest, and about which the Council has powers to act or lobby. National and foreign issues are not valid subjects for petitions.

Petitions submitted to the Council must include:

- A clear and concise statement covering the subject of the petition and on each page of the petition
- It should state what action the petitioners would like the Council to take
- The full name and contact details and the signature of the person leading the petition, and if submitted online via our e-petition system, a valid email address.

Petition types we don't accept under this scheme

- (a) Emailed petitions or petitions started on third party websites;
- (b) Petitions that are vexatious, abusive, anonymous or otherwise inappropriate or subject to legal proceedings;

- (c) Petitions about a planning application (these will be referred to the planning process)
- (d) Petitions about a proposed licensing decision (these will be referred to the licensing section)
- (e) Petitions made about a decision made about a person or entity where they have a separate right of review or appeal or where another formal consultation is being undertaken at the time (we will refer your petition to that process)
- (f) Petitions that relate to a matter over which the Council's Standards Committee have jurisdiction (for example a complaint about a Councillor).
- (g) Petitions that are a complaint about an employee. (these would be referred to the Council's complaints process)

What happens when I submit a petition?

All petitions sent or presented to the Council will receive an acknowledgement from the Council within 7 working days of receipt. This acknowledgement will set out how the Council will respond to petitions. Details of your petition will also be sent to your local ward councillors.

If you create an e-petition, we will check that the content is suitable and then make it available for electronic signature for a maximum period of three months.

Depending on how many signatures there are to support a petition it will be considered in different ways:

Petition type	Response
Correspondence with fewer than 20 signatures	This will normally be dealt with by the appropriate Directorate as ordinary correspondence, unless the Service Director concerned is of the opinion that the subject matter is sufficiently important or contentious to warrant referring the matter to the appropriate Portfolio Holder.
Petitions with more than 20 but fewer than 1200 signatures	These will be considered and dealt with by the relevant portfolio holder who may: <ul style="list-style-type: none"> (a) take action if he or she has delegated powers to act alone; (b) prepare a report to the Cabinet or a Sub-Committee of the Cabinet for decision if appropriate.
Petition containing at least 1200 signatures.	The relevant Portfolio Holder will prepare a report to the Cabinet for decision on the matter.
2400 signatures or more	These large petitions will be scheduled for a council debate and if this is the case we will let you know whether this will happen

Petition type	Response
e-petitions	When an e-petition has closed for signature, it will automatically be submitted to the relevant officer, portfolio holder or Council In the same way as a paper petition.

How Will the Council Respond to Petitions?

Our response to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following:

- Taking the action requested in the petition.
- Not taking the action requested and responding with the reasons why.
- Considering the petition at a council meeting.
- Making enquiries to find out more about the matter.
- Referring the matter for review by a committee of the Council
- Holding a meeting with petitioners.
- Writing to the petition organiser setting out the Council’s views about the request in the petition.

If you submit a petition after a decision has been made about the issue we will look to see if you are raising new matters before we decide how to respond to you. The petition organiser will always receive a written decision on their petition request.

What happens if the matter is referred to the Council or Cabinet for debate?

If a petition contains the required number of signatures the issue raised in the petition will be discussed by councillors at the next available ordinary meeting of the Council (if your petition has over 2400 signatures) or Cabinet (if you petition has at least 1200 signatures),

At the meeting the petition organiser will be given five minutes to present the petition at the meeting and the petition will then be discussed by councillors.

The councillors will decide how to respond to the petition at this meeting.

The Council/Cabinet may decide to:

- take the action the petition requests,
- not to take the action requested for reasons put forward in the debate, or
- to commission further investigation into the matter, for example by a relevant committee.

Where the issue is one on which the Council’s cabinet is required to make the final decision, the councillors will decide whether to make recommendations to inform that decision. The petition organiser will receive written confirmation of this decision.

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