

EPPING FOREST DISTRICT LOCAL COUNCILS' LIAISON COMMITTEE MINUTES

Date: Monday, 14 November 2016 **Time:** 7.30 - 8.35 pm

Place: Council Chamber, Civic
Offices, High Street, Epping

Members Present: **Representing Epping Forest District Council:**

Councillors J Lea (Chairman) and B Rolfe

Other Councillors:

Councillors R Baldwin, B Sandler, B Surtees, G Waller and D Wixley

Representing Essex County Council:

County Councillors Knapman and C C Pond

Representing Local Councils:

D Buckle (Epping Upland Parish Council), S Jackman (North Weald Bassett Parish Council), K O'Brien (Buckhurst Hill Parish Council), Janet Bicknall (Ongar Town Council), C Feetham (Ongar Town Council), N Wilkinson (Roydon Parish Council) and K Richmond (Waltham Abbey Town Council)

Apologies: **Epping Forest District Council –**

Councillors A Boyce, M Sartin, E Webster and J H Whitehouse

Essex County Council –

Councillors R Gadsby, A Jackson, V Metcalfe, M McEwen and J Whitehouse

Parish/Town Councils: -

E Walsh (Loughton Town Council), R Morgan (Matching Parish Council), A Jones (Moreton, Bobbingworth & The Lavers Parish Council), R Northwood (Sheering Parish Council) and G Shiell (Waltham Abbey Town Council)

Officers Present: S G Hill (Assistant Director (Governance & Performance Management)), K Durrani (Assistant Director (Technical Services)), P Maddock (Assistant Director (Accountancy)), J Leither (Democratic Services Officer) and A Rose (Marketing & Digital Content Officer)

By Invitation:

10. WEBCASTING INTRODUCTION

The Democratic Services Officer 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.

11. MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting of the committee held on 4 July 2016 be taken as read and signed by the Chairman as a correct record.

12. NEW COUNCILLOR CODE OF CONDUCT - REPORT OF THE EPPING FOREST STANDARDS COMMITTEE

The Committee received a report from the Deputy Monitoring Officer (EFDC) regarding revisions to the Code of Member Conduct. He advised that the Epping Forest District Standards Committee had looked at the Code of Conduct earlier in the year, as part of an overall review of the Council's Constitution. They had agreed two areas of change to the Code which Epping Forest District Council would like all of the Town and Parish Councils to adopt so that the whole District was covered by the same code.

The two areas highlighted and in need of revision were:

- (a) Dealing with Non-pecuniary interests; and
- (b) Revisions to the Nolan principles.

Dealing with Non-Pecuniary Interests

A recent Investigators report on a Standards complaint case highlighted that the Code did not take effect unless there was a pecuniary interest and remained silent on predetermination in non-pecuniary interest cases. Having rechecked with the Public Law Partnership a later version of their Model Code has the following provision:

"Public Perception

If you have an interest which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it was likely to prejudice your judgement in the public interest and you are present at a meeting of the Authority at which such business was to be considered or was being considered you should:

- (i) Disclose the existence and nature of the interest; and
- (ii) Withdraw from the room or chamber where the meeting considering the business was being held".

This addition gives guidance on non-pecuniary interests and deals with the subjective assessment that each Councillor must make on items where they may be open to accusations that they are predetermined.

This wording has been included in our new code at Paragraph 11.2 of the Council's Constitution.

The Nolan Principles

Since the last review of the code, the Government had published a further report of the Committee on Standards in Public Life. That report reviewed the principles that the Nolan Committee originally put forward. There were suggested minor wording changes as a result of their review, which left the headings unchanged but the descriptions had changed.

Within their report the Committee highlighted the following reasons for the changes.

- The description of the present formulation of honesty refers to holders of public office having a duty to declare any conflicts of interest. The avoidance of conflicts of interest fits more obviously into our current understanding of integrity. Most people today would expect honesty to have a much broader meaning, focusing on truthfulness. This had particular resonance at the present time since a number of issues of current concern had involved allegations of inappropriate behaviour being covered up.
- Discussion around the importance of public office-holders making decisions on merit, tended to refer more frequently to impartiality than to objectivity. The Committee thought it would be helpful to include impartiality in the description of the meaning of objectivity.
- Equality of opportunity had become even more of a central tenet of thinking about ethics and values in the period since the principles were first established. The Committee thought it would be helpful to make clearer that objectivity required giving full regard to the importance of equality of opportunity and fair treatment, irrespective of individual characteristics such as disability, race, gender or sexual orientation.
- Public office-holders needed to show courage in speaking up about difficult issues, speaking "truth to power" and making or sticking by difficult decisions. The Committee saw this as a key element of ethical leadership and had therefore amended the description of leadership accordingly.

RESOLVED:

- (1) That the changes implemented by the Epping Forest Standards Committee to the Councillors Code of Conduct be noted; and
- (2) That the Council adopts the new Code of Conduct accordingly.

13. COUNCIL TAX AND PRECEPTS

The Assistant Director of Accountancy explained to the Committee the situation regarding the Council Tax and Precepts for the 2015/16 year and why they had received an adverse comment from the External Auditor.

He advised that the Council had set a provisional tax base for the year 2015/16 which was communicated to the major preceptors, that being the Fire, Police and Essex County Council during November 2014. However this tax base figure was later updated and it became apparent during January 2015 that due to an oversight this change had not been reported to the major preceptors only to the Town and Parish Councils. Therefore the major preceptors were working on one basis and the Town and Parish Councils on another basis. As soon as the issue was identified the major preceptors

were contacted with a view to getting them to amend their budget papers to reflect the precept figures that had been updated but for whatever reason this did not happen.

When the Parish and Town Councils put in their precept demands the District Council honoured these in full. However within the District Council's accounts this was accounted for slightly differently and the difference between the two figures was treated as a grant.

The Assistant Director, Accountancy understood that when the final accounts for that year were reviewed by the auditors the issue became apparent and that there was a return that the Parish and Town Councils would have to make to Central Government around the precepts of income that they received during the year.

He advised that in hindsight it would have been helpful if the District Council could have communicated the issue to the Town and Parish Councils and that the Auditors should have also alerted the District Council at that point and the issue could have been resolved.

The Assistant Director confirmed that this did not happen for the 2016/17 year.

Town and Parish members expressed concerns and they asked the District Council to send all of the Town and Parish Council's a letter of apology to explain that they were not at fault. Loughton and Waltham Abbey had achieved Gold Quality Status at their accreditation and they were concerned that they would now be marked down for no fault of their own.

Councillor Knapman advised that he was a Member of Essex County Council's Audit Committee and Chairman of the Fire Service Audit Committee and would raise this matter at the next meeting of both of these Committees, as to why they hadn't updated their figures.

The Assistant Director of Governance advised that the Assistant Director of Accountancy should approach the Director of Resources to discuss this matter and then he would inform the Town and Parish Councils of the outcome.

RESOLVED:

- (1) That Councillor Knapman would raise with Essex County Council's Audit Committee and the Fire Service Audit Committee why the figures had not been updated; and
- (2) The Director of Accountancy would inform the Town and Parish Councils of the outcome of the Director of Finance's decision regarding sending letters of apology to the Town & Parish Councils in the District.

14. LOCAL CHARTER REVIEW

The Local Charter had been drawn up jointly between the District Council and the Town and Parish Councils within the district. The Charter emphasised the importance attached by these bodies to working in partnership in the provision of public services.

At the last meeting of the Committee on the 4 July 2016 it was agreed that the review of the Local Charter be progressed by the Vice-Chairman, with the assistance of the Parish Clerk for North Weald Bassett Parish Council and the Clerk of Loughton Town Council. Unfortunately, it had not been possible to make any progress on the review of the

Charter in recent months. When completed the outcome of the review will be reported to the Committee and the Chief Executive of the District Council.

RESOLVED:

That the Vice-Chairman of the Committee, the Parish Clerk for North Weald Bassett and the Town Clerk for Loughton complete a draft review of the Local Charter and submit a draft to the Committee and the Chief Executive.

15. LOCAL COUNCILS LIAISON COMMITTEE - FUTURE MEETINGS

At its meeting on 4 July 2016, the District Council requested that consideration be given to a possible reduction in the number of meetings of the Committee during each municipal year, from three each year to two. The Committee requested that the District Council consult with all Parish and Town Councils to obtain a consensus view in this regard.

Officers have since consulted on this matter with all twenty-four local councils and its own member representatives on the Committee. Eight responses were received to this consultation, as follows:

- (a) 6 respondents favoured holding 2 meetings each year. These respondents felt that any urgent business which transpired between the scheduled meetings that an additional meeting could be arranged as and when necessary; and
- (b) 2 respondents favoured retaining 3 meetings each year.

Members discussed the content of the meetings and what subjects would encourage other town and parish councils to attend.

16. NEPP AND CHANGES TO ENFORCEMENT ARRANGEMENT FOR OFF STREET PARKING

The Committee received an update on the North Essex Parking Partnership (NEPP) and the off-street parking arrangements from the Assistant Director, Neighbourhoods. He advised that there were 18 car parks within the district which were owned and maintained by the Council. In 2012 NEPP took over the contract and enforcement of the car parks. A review was undertaken in 2015, the Cabinet decided to take back control of the enforcement of the car parks in the District. Notice was given to NEPP early this year and Officers have been working on a procurement solution of trying to get the off street car parking enforcement and cash collection done directly by the District.

Tenders were sent out and I am pleased to inform you that the Council received three very good tenders back which have now been assessed. A report will be submitted to the next Cabinet meeting on 1 December and a recommendation that a contract be awarded to one of the tenderers.

In 2015 £500,000 was invested across the District car parks installing new smart machines, CCTV and LED lighting. Officers were now able to access, from the office, reports on each machine as to how they were performing and whether there were any problems. He also stated that the car park charges were increased in July 2015 for the first time in 5 years.

Members expressed concern regarding the lack of enforcement in the district since NEPP took over, in particular weekend enforcement. They asked for assurances that when the new company took over on 1 April 2017 that there would be better enforcement and weekends would be covered.

The Assistant Director advised that as the Council were taking back control of the off-street parking that they would be in complete control of the days, times and areas that enforcement would occur.

Members were also concerned with on-street parking in particular with the enforcement of single and double yellow lines.

The Assistant Director advised that the District Council had no jurisdiction over the on-street parking as this was an Essex County Council function and NEPP would still enforce all on-street parking. He also advises that it would have to be a County wide decision to get on-street enforcement back to the districts and that the other districts in the County were happy with the current arrangements.

Attached are a series of maps provided by NEPP which show the tracking information of where the CEO's were patrolling live and where they had patrolled. If Members wished to look at any particular areas of interest then more detailed maps and analysis could be provided.

17. ANY OTHER BUSINESS

(1) Parish Councillor D Buckle from Epping Upland expressed concerns regarding the Epping Local Plan comments that St Margaret's Hospital in Epping would be closing and it was also noted in the Harlow Local Plan that the Princess Alexandra Hospital in Harlow would close and would move elsewhere. Would it be possible to invite someone from the Clinical Commissioning Group to attend a future meeting to give some vision of what they see for the future and where would the new hospital be sited.

The Assistant Director of Governance advised that someone from the Clinical Commissioning Group could be invited to attend a future meeting of this Committee.

(2) Councillor J Knapman advised that the Local Highways Panel were accepting new schemes for 2017/18. Town and Parish Councils should submit any schemes they had as soon as possible.

18. DATES OF FUTURE MEETINGS

The Vice Chairman requested that the next and future meetings of the Local Councils' Liaison Committee meeting be moved from the first Monday of the month by a week so that it would not coincide with the North Weald Bassett Parish Council meetings which are held on the first Monday of every month.

RESOLVED:

(a) That the next meeting of the Local Councils' Liaison Committee be moved from Monday 6 March 2017 to Monday 13 March 2017; and

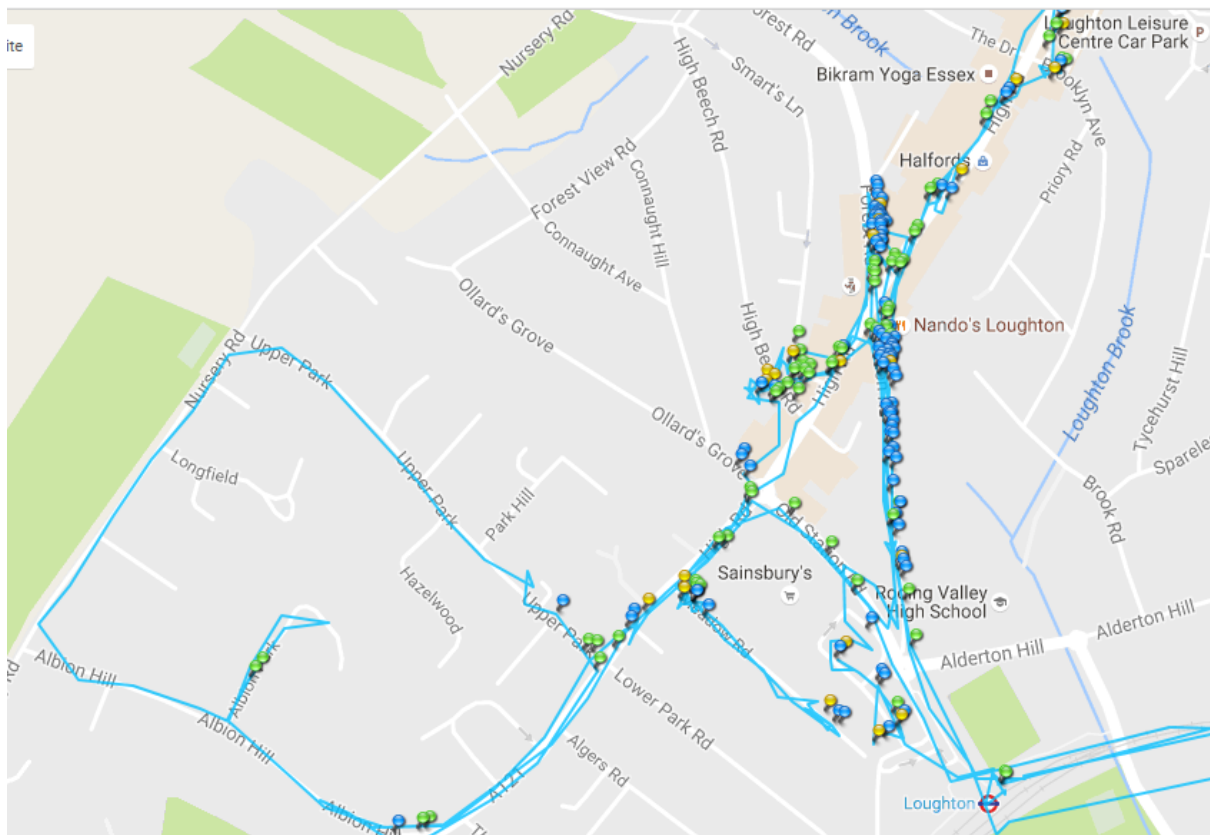
(b) That all future meetings of the Local Councils' Liaison Committee be moved from the first Monday of the month to the second Monday of the month so that they would not coincide with the North Weald Bassett Parish Council meetings.

CHAIRMAN

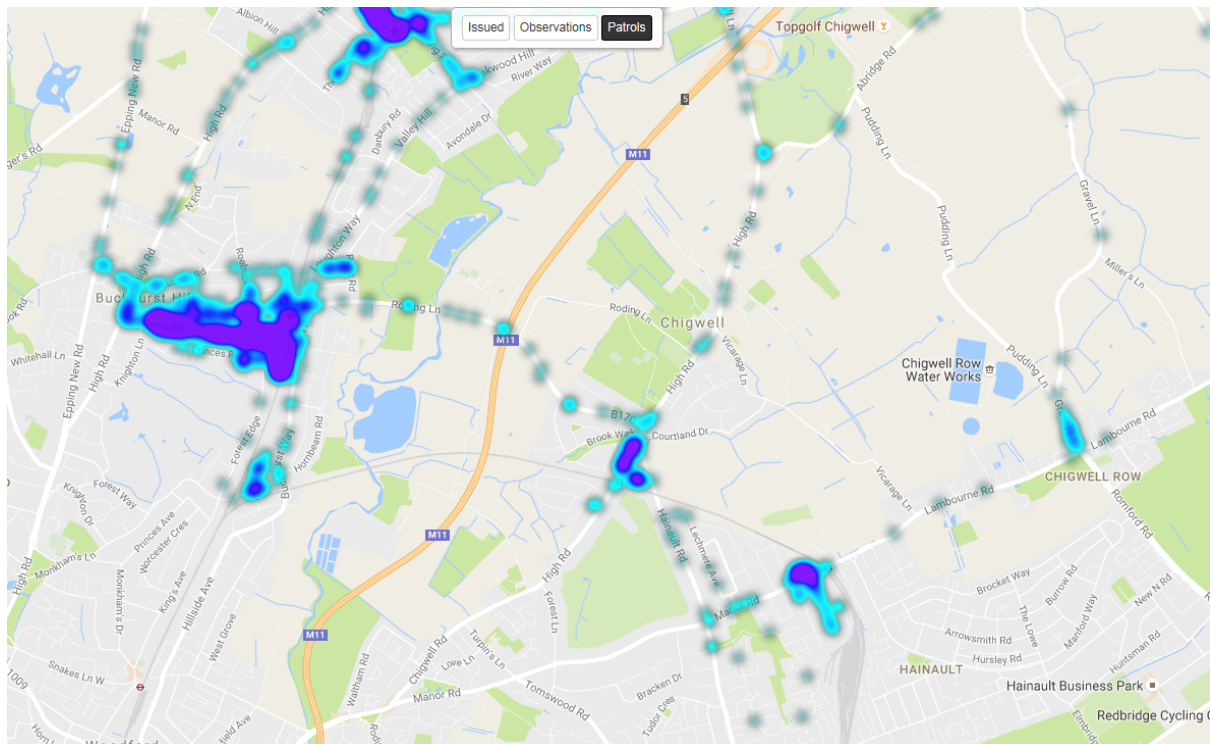
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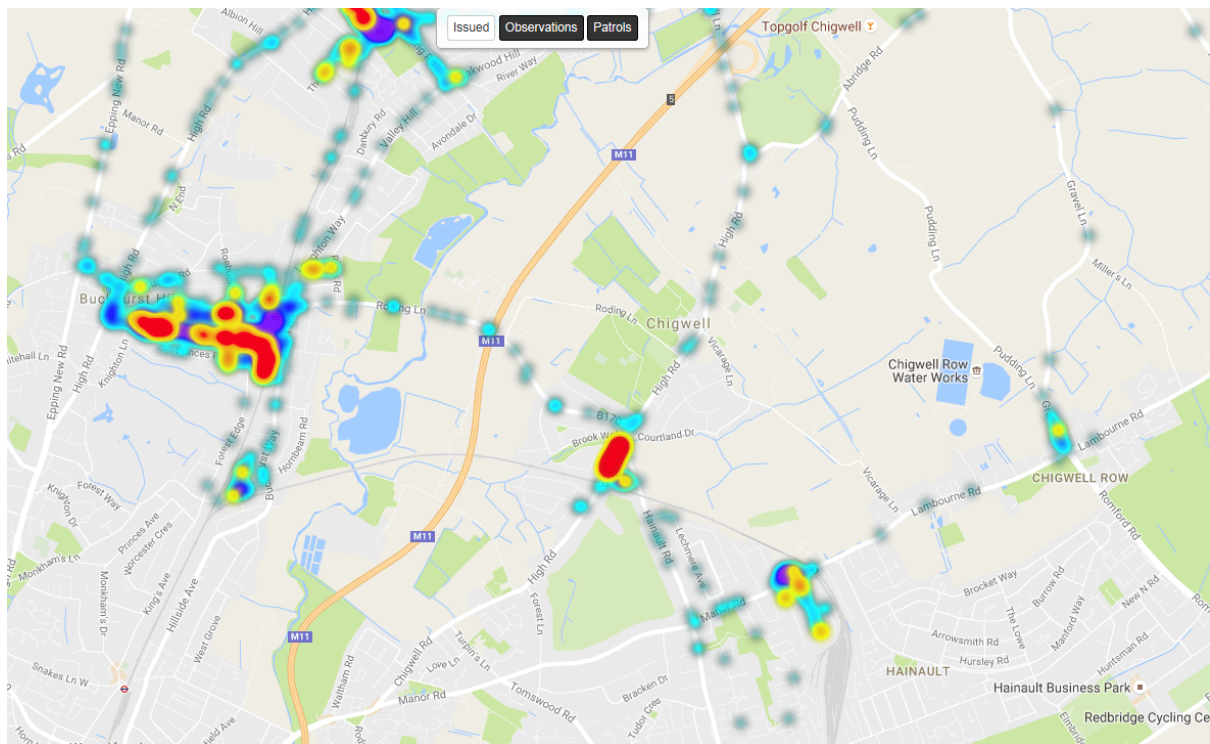
The information as viewed in the offices live so it is possible to see where a CEO was and what location the CEO had patrolled.



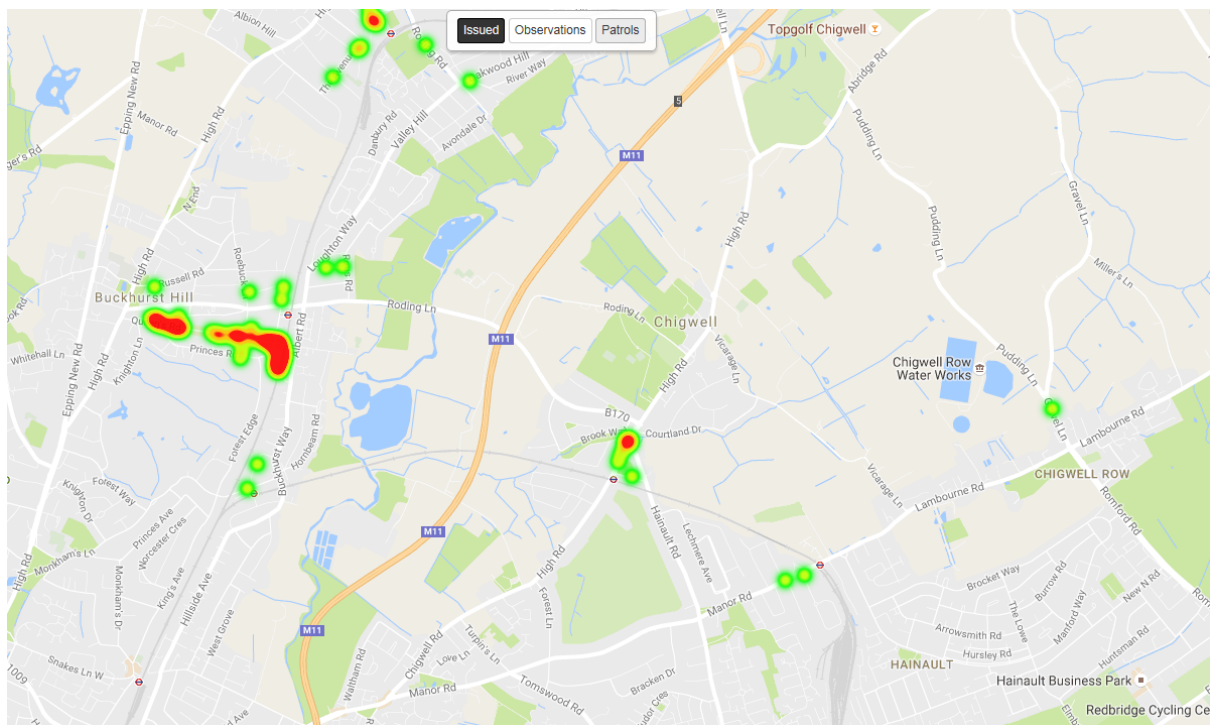
The following are examples of the more general patrol "heat maps":
Patrols in Chigwell / Buckhurst Hill in the week commencing 14/11/16.



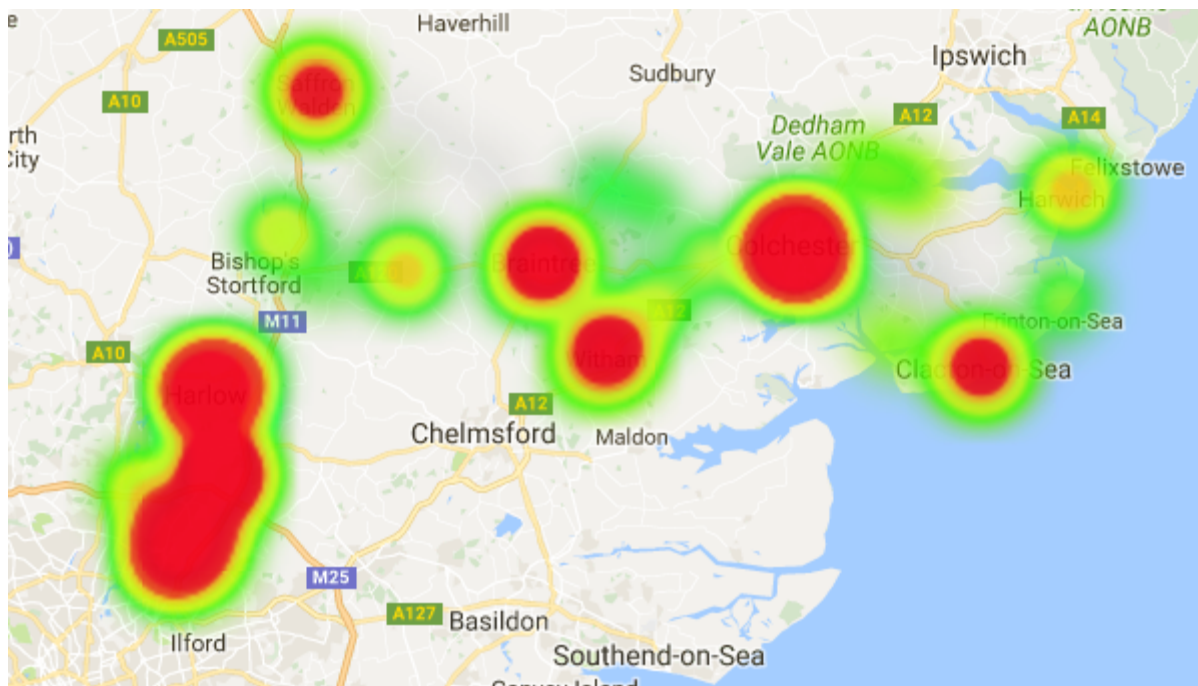
Observations (logged vehicles in limited waiting areas) overlaid.



PCNs that were issued on the same timescale.



The map below shows that the Epping Forest District get the majority of all NEPP enforcement.



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