

# EPPING FOREST LOCAL COUNCILS' LIAISON COMMITTEE

## NOTICE OF MEETING

**Place:** Council Chamber, Civic Offices, High Street, Epping      **Date:** Wednesday, 15th July, 2009

**Room:** Council Chamber      **Time:** 7.30 pm

**Democratic Services Officer:** Adrian Hendry (tel: 01992 564246)  
Email: ahendry@eppingforestdc.gov.uk

### **Members:**

#### **District Council Representatives:**

Councillors Mrs P Smith (Chairman), Mrs A Grigg, Mrs A Haigh, R Morgan and Mrs J H Whitehouse

#### **Local Council Representatives:**

Clerks and Chairmen/Members of Parish and Town Councils

#### **County Council Representatives:**

Members for the following divisions:

North Weald and Nazeing:	Councillor A Jackson
Loughton Central:	Councillor C Pond
Ongar and Rural:	Councillor G McEwen
Epping and Theydon Bois:	Councillor Mrs J Whitehouse
Buckhurst Hill and Loughton South:	Councillor V Metcalfe
Chigwell and Loughton Broadway:	Councillor J Knapman
Waltham Abbey:	Councillor Mrs E Webster

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**PLEASE NOTE THE START DATE OF THE MEETING  
COFFEE/TEA WILL BE AVAILABLE FOR MEMBERS OF THE COMMITTEE FROM 7.00  
P.M IN THE MEMBERS ROOM**

### **1. APPOINTMENT OF THE CHAIRMAN AND VICE CHAIRMAN**

#### **Decision Required:**

- (1) To confirm the appointment of District Councillor Mrs P Smith as the Chairman of the Committee for the Civic year;
- (2) To appoint a Vice Chairman of the Committee for the Civic Year.

**2. APOLOGIES FOR ABSENCE**

**3. MINUTES (Pages 5 - 16)**

To confirm the minutes of the last meeting of the Committee held on 4<sup>th</sup> March 2009, (previously circulated) and matters arising.

**4. COMPLAINTS AGAINST PARISH COUNCILLORS (Pages 17 - 20)**

To consider the attached report.

**5. ELECTIONS**

The Returning Officer to give a verbal update on the recent elections.

**6. ISSUES RAISED BY LOCAL COUNCILS**

To discuss the following matters raised by Local Council's:

- **Functionality of the *iplan* system** – concern was expressed that this system was not improving, but rather had recently become almost unusable with upload/download problems and lack of access.
- **Waste Collection Services for Village Halls etc.** – Local Councils were advised that EFDC had reached a decision on this matter; and recyclables which were sorted, would be collected free with other rubbish, being subject to a recharge. However, it was not clear what the charge would be. Clarification would be requested on the procedure to be operated.
- **EFDC support for parishes with village planning** – Local Councils felt that support was lacking for those parishes seeking to ensure local communities have some influence in the planning outcomes for their settlements through engagement in the process of Village Planning.
- **Planning Enforcement** – Local Councils were concerned that planning enforcement was often slow, weak and appeared to be underfunded, making it ineffective in preventing abuse of the planning system. In particular, concern had been expressed at the damage done to footpaths and highways by developers. They suggested that a planning condition should make developers responsible for damage to highways resulting from site operations.

**7. ANY OTHER BUSINESS**

**8. DATES OF FUTURE MEETINGS**

To note the proposed meeting dates of the Committee scheduled for the remainder of this municipal year:

18 November 2009

17 March 2010.

## EPPING FOREST DISTRICT LOCAL COUNCILS' LIAISON COMMITTEE MINUTES

**Date:** Wednesday, 4 March 2009 **Time:** 7.30 - 9.35 pm

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

**Members  
Present:**

**Representing Epping Forest District Council:**

Councillor(s): J Knapman (Chairman), R Morgan, Mrs M Sartin and  
Mrs P Smith

**Other Councillors:**

Councillor(s): R Bassett

**Representing Essex County Council:**

County Councillor(s): C Finn, A Jackson, G McEwen, C Pond and  
M Tomkins

**Representing Local Councils:**

Councillor Ms J Bowerman (Matching Parish Council), S Deluca  
(North Weald Parish Council), Councillor Mrs D Harris (Sheering),  
Ms J Hedges, R James (Waltham Abbey Town Council), P Jones  
(Epping Upland PC), Councillor B Murphy (Epping Town Council),  
Ms H Nicholas (Roydon Parish Council), Councillor R Northwood  
(Sheering Parish Council), J Philip (Theydon Bois PC), S Pryde  
(Waltham Abbey Town Council), Ms S Stavrou (Waltham Abbey TC),  
J Sullivan (Chigwell PC), B Surtees (Ongar Town Council),  
Mrs E Walsh (Loughton Town Council), Evans (Epping Upland  
Parish Council), Mrs D Borton (Nazeing Parish Council), R Church  
(Buckhurst Hill Parish Council), E Gough (Buckhurst Hill PC),  
Mr C Portou (Lambourne PC), G Bastes (Nazeing PC) and S Jones  
(Theydon Bois PC)

**Apologies:**

**Parish/Town Councils: -**

Councillor S Jackman (Ongar Town Council), A Middlehurst (High  
Ongar Parish Council), Councillor R Russell (Stapleford Abbots  
Parish Council), Councillor J Salter (Abbess, Beauchamp and  
Berners Roding Parish Council), Mrs C Pond (Loughton Town  
Council) and Mrs K Canning (Chigwell Parish Council)

**Officers  
Present:**

D Macnab (Deputy Chief Executive), G Lunnun (Assistant Director  
Democratic Services), J Preston (Director of Planning and Economic  
Development), T Carne (Public Relations and Marketing Officer) and  
R Perrin (Democratic Services Assistant)

**By Invitation:**

R Smith (Essex Playing Field Association) and R Crone (Voluntary  
Action Epping Forest & Rainbow Services Harlow)

**18. MINUTES**

**RESOLVED:**

That the minutes of the meeting held on 5 November 2008 be agreed, subject to the following amendment:

- That Christine Buttling and County Councillor M Tomkins had attended the meeting.

**19. ESSEX PLAYING FIELDS ASSOCIATION**

The Chairman welcomed Robert Smith from Essex Playing Field Association.

Mr R Smith advised the committee that the Association had been founded in 1924, as a charity based organisation, devoting itself to the creation, preservation, improvement and development of playing fields, play grounds and play areas.

The Association provided a source of key information for people who needed help and advice on preserving their green areas and playing fields and were affiliated with Fields in Trust (FIT).

The Association was run by volunteers that relied on generous financial support from Essex County Council, donations from grant-making trusts, companies and individuals. Currently membership was around 200, with only a third from Epping Forest District. Mr R Smith wished to encourage more Essex Parish and Town Councils to take up membership of the Essex Playing Fields and asked for an application form to be included with the minutes.

**AGREED:**

That the application form for the Essex Playing Fields Association would be included in the minutes.

The Chairman thanked Mr R Smith for attending the Committee.

**20. FAIR PROJECT**

The Chairman welcomed Richard Crone from the F.A.I.R Project.

Mr R Crone advised that the project provided Funding Advice and Information Resources to voluntary and community organisations with Harlow and Epping Forest District. The range of services for the users included access to GrantNet; an online directory of funding opportunities, support with sourcing appropriate funders, completing application forms and help gathering supporting documentation needed to obtain funding. The project kept organisations informed by providing weekly bulletins including funding and training links, local news, national voluntary sector headlines and a quarterly 'FAIR'S FAIR' newsletters.

Mr R Crone advised that a working shop had been arranged to run for March 2009 in Theydon Bois and invited members to attend.

**AGREED:**

That, members wishing to attend the workshop should contact Mr R Crone and that the FAIR Project contact details would be included in the minutes.

The Chairman thanked Mr R Crone for attending the Committee.

## 21. ISSUES RAISED BY LOCAL COUNCILS

Councillor Surtees raised the following items collated from the Epping Forest Local Councils;

### (a) Gypsy and Travellers Consultation – Update

An update had been requested on the Gypsy and Travellers Consultation on Options.

The Director of Planning and Economic Development, John Preston, informed the committee that 9,700 responses to the consultation had been received in total. The breakdown of responses had been 8,100 from Action Groups, 900 individual and 700 received online and that the consultation period had closed on the 20 February 2009. Officers would now check for duplicates and attain an initial analysis to present to the Overview and Scrutiny Panel in April 2009.

Mr J Preston advised that the Regional Office of the Government had reduced the allocation of additional gypsy and traveller site pitches for Epping Forest District by ten from 49 to 39. The Examination in Public (EiP) Report into the Review of Gypsy and Traveller Accommodation in the East of England published on 18 December 2008 would form the basis of recommendations to the Government which would be holding further consultation before issuing the final allocations in 2010.

A committee member asked whether new sites identified would have any implications on the consultation that had taken place.

Mr J Preston advised that sites identified in addition to the consultation would be considered and would have to go through the same initial assessment criteria however the public consultation would not be carried out again.

The Chairman asked whether the outcome of the consultation would be before the next general election and if the consultation could be prevented

J Preston advised that the process would be lengthy and most probably continue into 2010, and although it could be discontinued, a considerable amount of time and funding had been applied.

A committee member asked how planning applications on identified sites in the consultation would be dealt with.

J Preston explained that any planning application would be dealt with according to the normal planning requirements.

The Chairman commented that a number of residents had complained about certain compulsory questions, which they felt required a more substantial knowledge of the District and expressed dislike about commenting on other sites within the consultation.

A committee member asked whether the consultation had impacted on the District Councils' work load.

Mr J Preston advised that the consultation had a considerable impact on the District Council in particular the forward planning team and would continue to effect the performance of the Planning Directorate due to the strict time table and volume of work involved in the consultation.

**AGREED:**

That if any Parish/Town Councils had any further concerns or comments to contact Mr J Preston.

**(b) Communication with Local Councils and Essex County Councils**

Information had been requested regarding the amount of notification Parish/Town Councils received with regards to business considered by Essex County Council and Epping Forest District Council.

The Assistant Director of Democratic Services, Graham Lunnun advised that a basic statutory requirement to convene a public meeting required that the agenda must be published 5 days before the meeting. EFDC normally published the notice of the meeting on the internet between 7/9 days before the meeting with paper copies of the agenda dispatched to Parish/Town Councils and information points across the District. Any queries could be forwarded to Mr G Lunnun.

The Deputy Chief Executive, Derek Macnab advised that the Cabinet published a work programme, which sets out key decisions made within a three month period ahead. In addition Overview and Scrutiny Committee also continuously reviewed their work programme. Mr D Macnab advised the Committee that they could contact Key Officers to answer their queries.

**AGREED:**

Agreed that Mr D Macnab would circulate an information guide with contact details of Key Officers at EFDC for the Parish/Town representatives and inform how to access the Cabinet and Overview and Scrutiny Forward Plans.

**(c) Procedure for assessing Community Initiative Fund/Youth CIF/Road CIF Applications**

Committee members requested further information on the Community Initiatives Fund (CIF), to enable more Parish/Town Councils to benefit from the initiatives.

D Macnab advised that the Community Initiatives Fund (CIF) helped fund projects or initiatives that promoted the social, economic or environmental well-being of the locality and resulted in the creation or enhancement of physical assets. Mr D Macnab suggested that this item should be raised on the West Essex Forum agenda, where the scheme had been administrated by the County Council

**AGREED:**

That Mr D Macnab would raise Community Initiatives Funding at the West Essex Forum.

**(d) The Impact on Local residents of the Call for Sites for potential Development.**

Mr J Preston advised the committee that the Council would be commencing work on the Core Strategy, the key document of the new Local Development Framework (LDF). The immediate priority of the LDF would be to make sufficient land allocations to meet the housing and employment targets and infrastructure requirements of the East of England Plan (EEP) which dealt with the period up to 2021.

The EEP would be an immediate comprehensive review with the time-span extending probably to 2031. The Council therefore considered that the Core Strategy should take account of this later date, with implications for further provision of land for housing (including gypsies and travellers) and employment. Mr J Preston advised that the Call for sites, sought opinion on sites that might have genuine potential for development over at least the next fifteen years. The process allowed public and private land to be suggested for future sites.

Committee members asked for information concerning the relevant Parish/Town Council affected by the sites, whether sites were dismissed or not, to be updated at the earliest opportunity.

**(e) Functionality of the 'Iplan' System and continued distribution of paper copies of planning documents.**

Members commented on teething problems with the system and wanted to be reassured that paper documents would continue to be supplied.

J Preston advised that the system had been implemented successfully and had only experienced a few problems which would be rectified. The system should allow a greater number of people to view planning applications and that this would be the way forward. J Preston advised that once all the problems had been resolved then electronic documents would eventually take over from paper documents. Mr J Preston advised that officers would provide initial support to Town/Parish Councils and he agreed to advise his staff of their concerns and problems.

D Macnab added that if numbers allowed committee members could attend the internal training for District Members.

Members expressed concerns regarding the poor search facilities and suggested that improvements would be required on the resolution before paper copies were removed.

**(f) Waste Collection Services for Village Halls and other similar establishments.**

Councillor Surtees advised that Mr C Thomson wished to comment on this agenda item but had sent his apologies.

Mr D Macnab informed the committee that a report concerning Waste Collections should be on Cabinet agenda on 20 April 2009, and if Colin Thomson would like to advise Mr J Gilbert of the issues, they could be addressed in the report.

**AGREED:**

That due to the time scale and absence, Councillor Surtees would advise Mr C Thomson to contact Mr J Gilbert.

**(g) Local Police Pledges Appear to be uniform across the District/County – should there be a mechanism for Communities to contribute?**

Councillor A Jackson, a member of ECC Police Authority forum advised that the Police pledge had been a national pledge which Essex had been one of the first to sign up to and already achieved most, if not all of the aims. It should not to be confused with the Local targets, which were separate from Essex and National targets.

**22. LOCAL HIGHWAYS PANEL**

Councillor Bassett advised the committee that under the Essex County Council "Localism" initiative, the District Council planned to establish a Local Highways Panel to carry out annual consultation with Essex County Highways concerning priorities for the use of a devolved highway maintenance budget.

An information leaflet was handed out to members providing details of the highways scheme.

The scheme would be implemented on a phased basis across the County and Epping Forest had been invited to participate in the process from April 2009. The panel would be established along the following lines;

- a) that the number of District Councillors serving on the Panel would total 11, pro rota political groups and representative of the three geographical areas (East, South, West) ;
- b) that the number of Parish/Town Councillors serving on the Panel would be 3, representative of the three geographical areas (East, South & West);
- (c) that the Panel will be chaired by the Portfolio Holder for Civil Engineering & Maintenance (or any successor Portfolio Holder) who would be counted as one of the nominees of the appropriate political group;
- (d) That a Vice-Chairman will be appointed from among the other District Councillors;
- (e) That only District members of the Panel would have voting rights;
- (f) That representatives of Parish Councils should be able to attend panel meetings and speak, provided that they have given advanced notice of matters they wished to raise so that an agenda item placed before the Panel;
- (g) That other District Councillors should be able to attend and speak on the same basis as (h);
- (h) That meetings should be open to the press and public and held in the evenings at the Civic Offices, Epping;
- (i) that a minimum of six meetings should be held each year;
- (j) that designated County Council Highways should nominate a lead officer to support the Panel;
- (k) that the Essex County Council Cabinet Member for Highways and Transportation would be able to invited to attend when necessary; and
- (l) that the agenda and minutes of the Panel would be circulated to each District Councillor and to each Parish/Town Council.

Proposed training session would be held for the appointed members of the Panel and other interested Councillors.

Councillor Pond raised concerns regarding the three geographical areas and suggested that the South of the District should have greater representation because of the higher



population in that part of the District and therefore a higher vehicle usage with the roads requiring more maintenance.

Councillor Bassett advised that the Highways Panel would endeavour to achieve an even geographical representation of the District but advised that if particular issues were raised, Parish/Town members could attend meetings.

Councillor Surtees advised that the item would be considered at the next meeting for Epping Forest Local Councils Branch and the Highways Panel would be advised accordingly of the Parish/Town representatives.

**AGREED:**

That interested members would contact Councillor Surtees.

Councillor Bassett advised the committee that if they had any issues or concerns that they could contact him.

**23. ANY OTHER BUSINESS**

Councillor B Murphy advised the Committee that he had meet with the District Commander, Chief Inspector Alan Ray and no major concerns had been raised.

**24. DATES OF FUTURE MEETINGS**

The future meeting dates for this Committee were noted.

**CHAIRMAN**

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## ESSEX PLAYING FIELDS ASSOCIATION MEMBERSHIP APPLICATION FORM

Please send your completed application to:  
EPFA Membership, 76 Buckingham Road, HOCKLEY, Essex SS5 4UE

### Your details

Title                      First Name                      Organisation name (if applicable)

Surname                      Daytime phone number

Address                      e-mail address

We promise that any information that you give will be used for EPFA purposes only.

### Type of membership:

- Life Member £50
- Individual £10 per annum
- Corporate Member £100 per annum
- District / Unitary Authority £50 per annum
- Parish / Town Council £25 per annum
- Sports Club / Association £15 per annum

### Payment details

- I enclose a cheque for the sum of £.....  
made payable to the Essex Playing Fields Association.

Signed.....

Date.....

THANK YOU FOR SUPPORTING THE WORK OF  
THE ESSEX PLAYING FIELDS ASSOCIATION  
(Registered Charity No. 301448)

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## **Contact Details for the FAIR Project**

Richard Crone  
FAIR Manager  
01992 564515  
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Kelly Tarling  
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Nina Gavens  
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## **Report to Local Councils' Liaison Committee**



**Epping Forest  
District Council**

**Date of meeting: 15 July 2009**

**Subject: Complaints Against Parish Councillors Alleging Breaches of the Code of Conduct**

**Officer contact for further information:** I Willett - (Deputy Monitoring Officer) (01992 564243)

**Democratic Services Assistant:** Adrian Hendry (01992 564246)

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### **Recommendations:**

- (1) To note the relevant sections of the 2008/9 Annual Report of the Epping Forest District Standards Committee as set out in this report; and**
- (2) To seek ideas from Parish and Town Councils as to how the current situation can be addressed.**

### **Report:**

- ...
1. The Standards Committee's Annual Report for 2008/9 was submitted to the District Council on 30 June 2009. This is therefore an opportune moment to draw to the Liaison Committee's attention some of the conclusions drawn in that report concerning complaints against Councillors alleging breaches of the Code of Conduct received during the year 2008/9.
  2. At paragraphs 5.13 - 5.16, the Committee comments:  
**"5.13 We draw to the attention of Council the following points:**
    - (a) of the 13 complaints, four have been investigated or are due to be investigated;**
    - (b) of the four investigations, two have been completed and adjudications held;**
    - (c) of the remaining two investigations, one has been completed and is due to be submitted to an Adjudication Sub-Committee while the other investigation is due to commence shortly;**
    - (d) of the nine complaints where an initial assessment resulted in a finding of 'no investigation', four have subsequently been the subject of requests for reviews by complainants;**
    - (e) of those four requests for reviews, one was successful and has resulted in an investigation, one is pending and two were unsuccessful;**
    - (f) of the 13 complaints, three related to District Councillors and 10 to Parish and Town Councils;**
    - (g) of the 10 complaints against Parish and Town Councils, eight related to**

two Parish Councils;

(h) of the 10 Parish Council complaints, all were by one Parish Councillor against another.

5.14 We have drawn a number of conclusions from these statistics. Firstly, the number of complaints having been at a low level for many months has suddenly jumped to the present totals. Bearing in mind the preponderance of cases which emanate from two Parish Councils, it seems to us that there could be circumstances of those two Parish Councils, which might explain the current level of complaints. There may be a trend towards Councillors attempting to use the Code of Conduct rather than trying to resolve complaints internally. There is no doubt in our minds that the number of complaints currently being received is placing a strain on the Council's staffing resources to meet the statutory requirements.

5.15 On the question of "member on member" complaints, we had occasion in one case to refer a complaint to the Standards Board for England. This is an option which is available to Standards Committees in particular circumstances where for a variety of reasons it is unlikely that an investigation can be effectively carried out at a local level. In the case in question, the Standards Board for England decided that no investigation was necessary following their initial assessment. The Standards Board for England made one or two pertinent comments about "member on member" complaints which we reproduce below:

"In the course of their duties members are likely to encounter occasional ill-considered or rude commentary. We (the Standards Board for England) agree that this is inappropriate and unprofessional and on occasions may amount to a potential breach of the Code of Conduct which requires members to treat others with respect.

However, we also consider that the threshold for alleged "member on member" disrespect is higher than disrespect towards the public or officers. Elected members' responsibilities are chiefly to serve their community and not to invest time in personal disputes".

5.16 The Monitoring Officer has reported these comments to us at a recent meeting and we feel that they fully justify the robust approach being taken by Assessments Sub-Committees in the initial assessment of complaints. It is worth bearing in mind that of those complaints with which we have had to deal over the last year only three came from members of the public. These are related to District Councillors."

3. At paragraphs 8.1 - 8.4, the Committee observes:

"8.1 We have already mentioned in this report the effect of the new complaints regime on staffing resources. All of this additional work has been absorbed by certain key officers of the Council without additional staff. It is also fair to say that the members of the Standards Committee have also incurred a substantial additional workload in terms of their involvement in the complaints process. We will be monitoring carefully the support we need to fulfil our statutory roles.

8.2 We have also been thinking about the cost of our activities in other ways. We have asked that in future when investigations are conducted in house (usually by the Deputy Monitoring Officer) that he should operate a system of time recording so that a notional cost of these investigations can be arrived at. This is merely an extension of what has to happen in some cases



when external investigators are engaged.

**8.3 In 2008/09 it was clear that there was no officer in house who could undertake two investigations because at various times all had been involved in discussions which had led to the complaint. An external investigator was engaged by the Council at a cost of £2,400 to complete the review. One other investigation is now being referred for external investigation and the costs quoted are higher. The current working budget which we have at our disposal is £5,400. This covers not only the cost of external investigators but also training courses.**

**8.4 There are two points which arise here:**

**(a) we seek the cost of external investigations and the likely cost of internal investigations as every justification for a very robust approach which the Assessments Sub-Committee is now taking to complaints; and**

**(b) that if the number of complaints received continues at the current rate, there is every likelihood that the Monitoring Officer will have to come forward with a request for additional funding in order that the Council can discharge its statutory responsibilities."**

4. To amplify the comments made under 8.4 (b), the Committee's budget is £5,000 for 2009/10 and this is already full committed at month 3 of the financial year. All such investigations are costly.
5. There is a clear impression among District Council staff that complaints against Councillors by other Councillors can be a symptom of other problems and that there is a challenge here to find the correct way of resolving difficulties within Parish Councils. Are complaints under the code of conduct the answer? Are the Essex and National Associations of Local Councils able to intervene with training or conciliation if there are difficulties? Is the Standards Committee to direct that such steps are taken?

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