

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Council **Date:** Tuesday, 20 December 2022

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.00 - 8.55 pm

Members Present: Councillors M Sartin (Chairman), D Sunger (Vice-Chairman), I Allgood, C Amos, R Balcombe, R Baldwin, R Bassett, N Bedford, P Bhanot, P Bolton, H Brady, R Brookes, L Burrows, E Gabbett, I Hadley, S Heap, S Heather, R Jennings, J Jogia, H Kane, S Kane, H Kauffman, J Leppert, A Lion, J Lucas, T Matthews, C McCredie, J Mclvor, R Morgan, S Murray, C Nweke, M Owen, J Parsons, A Patel, J Philip, Caroline Pond, R Pugsley, K Rizvi, D Stocker, C Whitbread, H Whitbread, J H Whitehouse, J M Whitehouse and D Wixley

Apologies: N Avey, J Jennings, P Keska, J Lea, L Mead, S Patel, C C Pond, B Rolfe, P Stalker, B Vaz, K Williamson and S Yerrell

Officers Present: G Blakemore (Chief Executive), A Small (Section 151 Officer), N Gambrill (Continuous Improvement Specialist), S Mitchell (PR Website Editor) and G Woodhall (Team Manager - Democratic & Electoral Services)

Officers Present (Virtually): V Messenger (Democratic Services Officer) and R Perrin (Democratic and Electoral Services Officer)

Also in attendance: S Lye

40. WEBCASTING INTRODUCTION

The Democratic and Electoral Services Manager 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.

41. FORMER COUNCILLOR ANN HAIGH

The Chairman informed members of the death of former Councillor Ann Haigh. The former Councillor Ann Haigh had been appointed to the Council in 1996 and served until May 2010. She had represented the Buckhurst Hill West Ward of the District as a Liberal Democrat Councillor. In the 2006/07 municipal year she had been appointed as Chairman of Council and was a great supporter of the arts and culture, as well as doing much to bring people of different faiths together.

Members paid tribute to the memory of former District Councillor Ann Haigh and stood for a minute's silence in her memory.

The Chairman of Council addressed the meeting first, followed by the Leader, Group Leaders, and other members. They remembered how dedicated she was in her role as a councillor and to the community and that she also served on Essex County Council and the Parish Council.

42. DECLARATIONS OF INTEREST

- a) Pursuant to the Council's Members' Code of Conduct, Councillor S Murray declared a non-pecuniary interest in item 14, Independent Member Remuneration Panel – Members' Allowance Scheme 2023/24, by virtue of knowing the Chairman, Mr S Lye, from Roding Valley High School, a former colleague and friend.

43. MINUTES**RESOLVED:**

That the minutes of the Council meeting held on 11 October 2022 be taken as read and signed by the Chairman as a correct record.

44. ANNOUNCEMENTS**(a) Announcements by the Chairman of the Council****(i) Councillor J Parsons**

The Chairman formerly welcomed Councillor J Parsons to his first Full Council following his successful election for Waltham Abbey South West in October 2022.

(ii) Moving date of Full Council

The Chairman apologised for moving the date of this meeting from 13 December to 20 December 2022, but this was because of the severe wintry conditions experienced last week.

(iii) Chairman's events

The Joint District and Epping Town Council Celebration of Christmas Service had also been cancelled last week for the same reason. However, the Chairman had attended the Menorah Lighting in Epping on 19 December and would be attending the Menorah Lighting in Chigwell on 22 December 2022.

45. PUBLIC QUESTIONS (IF ANY)

Question by Mr Terry Blanks, resident of North Weald to the Leader of Council, Councillor C Whitbread.

Qualis Homes Limited

For what reason did the Council set up the new company known as Qualis Homes Limited in May 2022?

Response given by Councillor J Philip, Finance Portfolio Holder, on behalf of the Leader

The Qualis Group had set up Qualis Homes Limited, not the Council, for marketing new homes and to protect the web address. It would be launched in 2023.

In a second question, Mr Blanks stated that Qualis Homes Limited had two employees, who were also directors. It was not part of the shareholder agreement like the three other subsidiaries, why was this?

Councillor J Philip replied that Qualis operated as an independent company. Mr A Small (Strategic Director and Section 151 Officer) also sat on Qualis. The customer side of Qualis would be launched in 2023. The Board worked as the Board of the Qualis Group.

46. QUESTIONS BY MEMBERS UNDER NOTICE

The Council noted that there were no questions by members under notice that had been submitted for consideration at this meeting.

47. REPORTS FROM THE LEADER AND MEMBERS OF THE CABINET

The Council received written reports from Portfolio Holders. The Chairman invited the Leader of Council to provide an oral report and the opportunity for other members of the Cabinet to give updates on matters concerning their relevant portfolios.

(a) Leader of Council

Since the last meeting, the Leader reported attending meetings with residents, Epping Town Council and Epping market traders. Everyone was able to use the District's car parks for free parking at the weekends in December. Before Council this evening, there had been a webcast on the Government paper on devolution, but this did not involve local government reform, in addition to the proposals for the North Essex Authorities to work more closely together. The Chief Executive, G Blakemore, was also actively engaged and the Council needed to be looking at new partnership working.

The Leader appointed Councillor J Parsons to Area Plans West, who was attending his first full Council. He also appointed Councillor S Kane to the Constitution Working Group to replace Councillor S Rackham, who was no longer a member of the Conservative Group but was an Independent member of the Council.

(b) Housing and Community Portfolio Holder

Councillor H Whitbread announced the appointment of Interim Housing Director (Housing Revenue Account) P Wharfe since D Fenton had left the Council. She thanked D Fenton for her work on the Council housebuilding projects and 'More than Bricks and Mortar' scheme and that properties were up to a high standard.

Much work was being done to promote the warm places scheme during the winter with Voluntary Action Epping Forest and churches across the District. Furthermore, during the severe weather last week an emergency protocol had been in place for homeless people, so no one was sleeping rough. Housing officers had also organised a Christmas party for the Norway House residents last week.

Congratulations were announced to D Butler (Young Persons Officer) in recognition of her work with the Epping Forest Youth Council, which was awarded to her by the Jack Petchey Foundation.

(c) Customer Portfolio Holder

Councillor A Lion reported on the use of a new web assistant feature known as a 'chat bot' on the Council's website, which was helping to deal with customers' enquiries especially on waste management. It had been well accepted by the public and there had been an 11% reduction in direct contacts. Following the Local Councils' Liaison Committee meeting in November, Customer Services had put in a

new process for local councils to work with the District Council and a new direct contact has been set up for them to use.

(d) Internal Resource Portfolio Holder

Councillor S Kane reported a virtual all-member briefing would be held on 10 January 2023 at 18.00 on the Elections Act 2022 about the changes coming in for the May 2023 elections. The Zoom meeting invite had been published in the Council Bulletin of 23 December.

(e) Finance Portfolio Holder

Councillor J Philip announced the Council had been successful in its bid to central government and had been awarded £1 million from the UK Shared Prosperity Fund spread over three years. This was positive news for the District and the Council's bid had been fully supported for a range of programmes. In addition, the Council would be able to administer the projects. There was no news yet on the Council's recently submitted bid to the Rural England Prosperity Fund which, if successful, would see a further £440,000 secured from central government.

(f) Place Portfolio Holder

Councillor N Bedford advised that all the representations received on the Further Main Modifications consultation had been uploaded by the Planning Policy Implementation Team, which he thanked, and was available to view on the Council's website. All the consultation documentation had been sent to the Planning Inspector, Mr S Bore, and the Council was awaiting his response in the new year.

A complaint made by two Loughton residents to the Office for Environmental Protection (OEP) alleged that the Council was in breach of environmental law by failing to comply with the legal obligations for approving planning applications for developments that might cause harm to the Epping Forest Special Area of Conservation. However, after launching a full investigation, the OEP informed the Council no evidence to substantiate this complaint had been found. The OEP had closed the complaint and also notified the complainants of its decision.

48. QUESTIONS BY MEMBERS WITHOUT NOTICE

(a) Theydon Bois wheelie bin recycling trial

Councillor C Amos reported he was pleased Theydon Bois had trialled the recycling bins in place of the clear sacks, but he not been able to take part because his road had not been included. How long would the trial last? What were the criteria for success? How much of a financial gain would the Council achieve by using the new wheelie bins rather than recycling bags?

Councillor J Philip replied he was taking part in the trial and was sorry that Councillor Amos had been unable to. The recycling wheelie bin trial was going quite well but other aspects of the trial would be assessed to see how it worked and what had worked etc. When rolled out, the recycling wheelie bin would be part of the new waste contract. The Council spent hundreds of thousands of pounds on clear recycling sacks every year and they were often used by people for things other than recycling waste.

(b) Salt grit bin scheme

Councillor T Matthews queried the confusion of clearing some roads and pavements that happened during the recent severe cold weather last week.

Councillor N Bedford advised that Essex County Council administered the salt grit bin scheme, which town and parish councils could subscribe to, and was the responsibility of the Local Highways Panel. He would encourage all local councils to opt into the scheme and work together. Residents should also offer their support and help to clear snow.

(c) Housing Maintenance

Councillor R Bassett wished to congratulate the Housing Maintenance team for achieving the shortlist for most innovative property services.

Councillor H Whitbread also congratulated Qualis on Housing Maintenance being shortlisted for this award. She recognised that there were challenges and welcomed the scrutiny approach taken by the Chairman of Overview and Scrutiny Committee, Councillor H Kane. The performance of Housing Maintenance was as good if not better and was more innovative since the transfer of this service to Qualis.

(d) Street cleaning

Councillor J M Whitehouse asked if the Biffa street cleaning teams had been directed to clear pavements during the prolonged cold weather, as it did not happen this time?

Councillor C Whitbread answered that Biffa staff had been clearing pavements in Epping (town). More salt grit bins were needed but many were low on salt grit. The next delivery of salt grit was expected soon. A more joined up approach was needed between Essex County Council, EFDC and the parish councils, so more local councils would invest in this scheme.

(e) London Ultra-Low Emission Zone (ULEZ)

Councillor K Rizvi remarked that many people in the south of the District would be affected by the impact of the London ULEZ zone extending out. Examples included residents attending Whipps Cross Hospital for appointments and visiting family in the hospital. Does the Cabinet member share my strong opposition to the scheme and what representations had the Council made?

Councillor N Bedford acknowledged that with the London Mayor extending the ULEZ to our borders [due on 29 August 2023], there would be a reduction in traffic going into the ULEZ zone. The schemes for an Air Quality Zone could include various options on vehicles but nothing had been agreed for the Epping Forest District. There were more electric vehicles around now. Also, stopping the manufacturing of [petrol and diesel] engines was going to happen and therefore, vehicles with these engines would be phased out over time.

(f) Transport for London (TfL) meetings

Referring to references made in the agenda reports to meetings/talks with TfL, Councillor J H Whitehouse remarked that it would be helpful if whoever attended these meetings to provide updates in the Bulletin so members could raise any issues.

Action:

Councillor C Whitbread advised he would look into this and would have to come back to Councillor J H Whitehouse after the meeting.

(g) Supporting our local high streets

Councillor H Brady asked the Finance Portfolio Holder what was the Council doing to support our local high streets?

Councillor J Philip reported that the free car parking at weekends in December was a significant benefit to residents. There was also an ongoing social media campaign to support local high streets in addition to a significant amount of information on the Council's website promoting events. The UK Shared Prosperity Fund award would also help businesses in the District.

(h) Foodbanks and warm places

Councillor D Murray queried if we needed to record our thanks for the free food hub and remarked if members agreed it was a scandal that there was a growing need for foodbanks and the provision of warm places?

Councillor C Whitbread paid tribute to the people who worked tirelessly and voluntarily in the community. Foodbanks existed across the world. Reminiscing that he grew up in a council house when food was limited and there was no additional help, he would rather have foodbanks and warm places available for people to use.

Councillor H Whitbread continued that volunteers worked hard to support our foodbanks and the Council worked with its partners. The energy crisis was an unprecedented situation following the war in Ukraine and the Government was helping to keep energy prices down.

(i) Centric Parade, Loughton – anti social behaviour

Councillor D Wixley was concerned that during the snowy weather last week, a group of youngsters on the roof of Centric Parade had been throwing snowballs at pedestrians below. Could the Council prevent this unauthorised access?

Councillor J Philip assured Councillor Wixley he would follow this up and asked him to forward the Police reference. As the Centric Parade landlord, leaseholders also had a responsibility. Unfortunately, there had been a number of previous anti-social behaviour incidents in the District particularly at Halloween and on Guy Fawkes night.

(j) Customer Complaints Policy

Councillor S Heap enquired that when a resident requested information they were entitled to, how many times did they have to email the Council before a complainer was labelled as vexatious?

Councillor J Philip advised that the Council had a robust Complaints Policy to follow before a complainer was labelled as vexatious. People were given the opportunity to moderate their behaviour, otherwise the Monitoring Officer and/or Chief Executive Officer would become involved.

49. MOTIONS

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

50. INDEPENDENT MEMBER REMUNERATION PANEL - MEMBERS' ALLOWANCE SCHEME

With the agreement of members, the Chairman brought item 14 forward, ahead of item 12 (Corporate Plan 2023 – 2027).

This report was presented to Full Council by Mr Stephen Lye on behalf of the Panel, which was recommending that no changes were made to the Members' Allowance Scheme 2023/24. As detailed in the report, the Council had the lowest basic allowance of comparable and neighbouring authorities and the second lowest in Essex. The Panel was also concerned that the work undertaken by members of this Council could be perceived as being of lower value than the work undertaken by members of other councils as their members were better paid. Since the Council was undergoing an electoral review by the Local Government Boundary Commission for England, the Panel felt there was the opportunity for a full review of the basic allowance once the process was complete.

The Leader thanked Mr Lye. Following the budget report and the savings that needed to be made, he appreciated the hard work of councillors on behalf of the Council. When the Council reached the all-out elections in May 2024, then the basic allowance could be looked at.

RESOLVED:

- (1) That for the 2023/24 municipal year, no change be made to the level of Basic Allowance of £4,300 per member per annum, currently included in the Council's Members' Allowances Scheme;
- (2) That for 2024/25 and future municipal years, the Council be encouraged to increase the Basic Allowance to bring the Council up to the level of the Basic Allowance paid by other Councils;

Special. Responsibility Allowance

- (3) That for the 2023/24 municipal year, no changes be made to the level of the Special Responsibility Allowances currently included in the Members' Allowances Scheme;
- (4) That for the 2023/24 municipal year, the implementation level of Special Responsibility Allowance applied to the responsibilities identified in the Members' Allowances Scheme be retained at their current level;

Revised Scheme and Guidance

- (5) That subject to the above recommendations and other matters set out in this report, the Members' Allowances Scheme and Guidance for 2023/24, attached at Appendix 2 to this report, be adopted and implemented with effect from 25 May 2023; and
- (6) That the Panel continue to be kept apprised of the Council's intentions regarding any future restructure or governance review

proposals arising from the electoral review of the Council being undertaken by the Local Government Boundary Commission for England that directly affect the application of Special Responsibility Allowance for the specific member roles and responsibilities currently reflected in the Members' Allowances Scheme.

51. CORPORATE PLAN 2023-2027

Introduced by the Leader, the Corporate Plan 2023 – 2027 was the Council's highest level strategic document. It shaped the ambitions and work of the Council. A new set of corporate aims, which would be reviewed annually, and a new set of key results had been developed to support the aims and key objectives for Stronger Communities, Stronger Place and Stronger Council. It provided a good vision of the Council we wanted to be. Pre-scrutiny had been undertaken by the Overview and Scrutiny Committee and the Cabinet had recommended it to Council.

RESOLVED:

- (1) That the new Corporate Plan for 2023 – 2027 be agreed.

52. BOUNDARY REVIEW - RESPONSE TO THE CONSULTATION

The report summarised the progress made with the ongoing electoral review by the Local Government Boundary Commission (England) (LGBCE). The Leader explained that Councillor J Philip was leading the Boundary Review Portfolio Holder Advisory Group (PHAG) and had done most of the work. Going forwards councillors would be elected by thirds. The PHAG had looked at the proposed warding patterns and the Council was of the opinion the very large Rural East ward was not the best option and was instead proposing three one-member wards. The public consultation on the proposed warding patterns had closed on 12 December 2022 but the LGBCE would accept the Council's late decision from its meeting tonight, as this meeting had been rescheduled. Councillor S Murray's comments about the proposed ward of Buckhurst Hill East and Whitebridge had been provided for information.

The following debate highlighted some key concerns.

- Councillor D Murray explained that his submission showed why the proposed ward for Buckhurst Hill East and Whitebridge did not have a strong community interest, as all the key components were different. It had been a mistake to agree to elect councillors by thirds, which he had voted against, over communities. The Leader advised that it had been very clear at the time when three-member wards had been discussed that the Council needed a strong argument. With the more urban areas in the south of the District, there was more of a divide in some communities, but he supported the LGBCE's warding patterns with the exception of Rural East.
- Councillor H Kauffman supported Councillor Murray's arguments for not joining Buckhurst Hill East and Whitebridge into one new ward.
- Councillor R Brookes, who had voted for all-out elections every four years, also thought there was a special case for the Buckhurst Hill East and Whitebridge ward. She remarked that the Broadway ward would divide the street in half yet there was a strong community interest.
- Councillor J Philip was not denying there were differences between Buckhurst Hill and Whitebridge, but they were not significantly different in his opinion.

Councillor H Brady had six parish councils in her ward, and the residents would go to different towns. The strongest approach was to accept the other proposed wards with the exception of Rural East. This was a bad idea because of the sheer physical distance, so the proposal was for three-one member wards from west to east.

- Councillor S Heap commented on devolution at the first-tier authority level but not for local government. The Council would hopefully have an adopted Local Plan soon, but who knew when local government would be reformed.
- Councillor A Lion commented that his Grange Hill ward had different communities, but he looked after all the residents. Councillor J Philip replied that wards did have different communities within constituencies, but it was not a reason to split up a ward.

RESOLVED:

That the Council approved the consultation response as set out in Section 3 of this report for submission to the Local Government Boundary Commission (England).

53. CONSTITUTION WORKING GROUP

Councillor P Bhanot introduced the report, which detailed the Working Group's recommendation to Council to amend Article 15 – Finance, Contracts and Legal Matters. It was considered a practical measure to facilitate the use of DocuSign, as determined by the Monitoring Officer.

RESOLVED:

That an additional sentence be incorporated into Article 15 – Finance, Contracts and Legal Matters – at (9), to read: "The common seal may be in physical or electronic form as determined by the Monitoring Officer".

54. OVERVIEW AND SCRUTINY COMMITTEE

Councillor H Kane introduced the comprehensive report for the recent Overview and Scrutiny Committee meetings held on 3 and 17 November 2022.

Councillor S Murray remarked that the Committee, on this occasion, had not endorsed the transfer of the Grounds Maintenance Service to Qualis following its pre-scrutiny on the 3 November prior to the Cabinet's decision. The Finance Portfolio Holder, Councillor J Philip, acknowledged that he had listened to scrutiny members after this meeting and addressed their scrutiny concerns at the subsequent Cabinet meeting on 7 November, when the decision to transfer the service to Qualis, had been approved.

Councillor H Kane acknowledged it had been obvious members still had questions. As a result, she had invited S Jevans, Qualis Group Managing Director, to the next Overview and Scrutiny Committee meeting on 31 January 2023 and also, invited members to attend this meeting to understand how Qualis was working for the Council.

Housing and Community Portfolio Holder, Councillor H Whitbread, commented that scrutiny members did not have all the performance data available for the Housing

Repairs service but would welcome further scrutiny and thanked Qualis for its ongoing work.

RESOLVED:

That the Overview and Scrutiny progress report for November 2022 be noted.

55. JOINT ARRANGEMENTS & EXTERNAL ORGANISATIONS

The Chairman encouraged member representatives on outside bodies to put forward reports to provide information to other members.

(a) Royal Gunpowder Mills

Councillor H Kane reported that the last opening to the public had taken place on 30 October 2022 and it had been an excellent season this year. The Royal Gunpowder Mills could have benefitted from better visitor numbers and feedback had been positive. It was looking for volunteers to help. The Royal Gunpowder Mills had received National Lottery Heritage Fund support, which had necessitated closing buildings to the public, but these repair works would enable bringing back listed buildings for the public to visit.

(b) There were no requests made for written reports by representatives on joint arrangements and external organisations for the next meeting.

The Chairman wished all members and officers a happy and peaceful Christmas as everyone moved into 2023.

CHAIRMAN

MEMBERS' ALLOWANCES SCHEME

EPHING FOREST DISTRICT COUNCIL - REMUNERATION AND EXPENSES SCHEME

The Epping Forest District Council, in exercise of the powers conferred by the Local Authorities (Members' Allowances) Regulations 1990 and the Local Authorities (Members' Allowances) (England) Regulations 2001, hereby makes the following scheme:

1. Scheme

- 1.1 This scheme may be cited as the Epping Forest District Council Members' Allowance Scheme and shall have effect for the period from 26 May 2023 to 23 May 2024.

2. Definition

- 2.1 In this scheme:

"business mileage" means mileage incurred for journeys by Councillors between their homes and business venues or between the Civic Offices, Epping and business venues;

"Councillor" means a member of the Epping Forest District Council who is a Councillor;

"home to office mileage" means mileage incurred for journey by Councillors between their homes and the Civic Offices in Epping;

"independent person" means: (a) a member of the Standards Committee or the Remuneration Panel who is not an elected councillor; or (b) a co-opted member of an Overview and Scrutiny Committee or the Audit and Governance Committee who is not an elected councillor; and

"year" means the period ending with 23 May 2024.

3. Basic Allowance

- 3.1 Subject to Paragraph 7, £4,300 shall be paid to each Councillor. Payments are subject to deductions for tax and national insurance dependant on the circumstances of individual councillors.

4. Special Responsibility Allowances

- 4.1 For each year a special responsibility allowance shall be paid to those councillors who hold the special responsibilities in relation to the allowances specified in Schedule 1 to this scheme. Special responsibility allowances shall be calculated as multipliers of the Basic Allowance. There is no restriction on the number of separate SRA's which are payable to an individual member.
- 4.2 Subject to Paragraph 7, the amount of each allowance shall be the amount specified against that special responsibility in Schedule 1 for the year.
- 4.3 The Council has decided not to implement payment of the full Special Responsibility Allowance amounts and to restrict these to a percentage of each allowance as set out in an annual statement of implementation.

5. Travelling and Subsistence (including Cycle Allowance)

- 5.1 These expenses may be claimed by members of the Council in connection with the carrying out of approved duties specified in Schedules 2, 3 and 4 of this scheme.
- 5.2 Payments may be claimed up to the maximum casual user rate set for officers of the Council as adjusted annually by the National Joint Council for Local Government Services (travel expenses) and the East of England Regional Assembly (subsistence expenses).
- 5.3 Payment of home to office car mileage will be subject to deduction of tax and national insurance contributions, dependant on the circumstances of individual councillors. Business mileage incurred by councillors will not be subject to such deductions if the mileage rate claimed does not exceed 45 pence per mile.
- 5.4 Claims for the payment of business and/or home to office mileage may be made by members that have been driven to the approved duty giving rise to the claim, other than by way of taxi or other form of public transport, subject to the Council's usual checks and controls and the provision of appropriate VAT receipts.

6. Child Care and Dependant Carers' Allowances

- 6.1 The maximum rate for this allowance shall be set at a rate equivalent to the current National Living Wage.
- 6.2 A member of the Council or an independent person shall be eligible to claim up to four hours of the allowance for the performance of approved duties under this scheme and for the purpose of contributing to the cost of providing personal care to immediate dependants who are in need of care and supervision.
- 6.3 The rate applicable shall be subject to automatic increases on an annual basis in line with uprating of the National Living Wage.
- 6.4 The allowance is not payable in respect of carers who are members of the member's immediate and close family i.e. parents, children, spouses, co-habitees or members of the same household as the member.
- 6.5 All claims shall be subject to Audit checks and no claim in excess of the maximum level will be payable, whatever the circumstances.

7. Renunciation

- 7.1 A councillor or independent person may by notice in writing given to the Team Manager for Democratic & Electoral Services elect to forego any part of his/her entitlement to an allowance under this scheme.

8. Part-year Entitlements

- 8.1 The provisions of this paragraph shall have the effect of regulating the entitlements of a councillor to basic and special responsibility allowances where, in the course of a year, this scheme is amended or that councillor becomes, or ceases to be, a councillor, or accepts or relinquishes a special responsibility in respect of which a special responsibility allowance is payable.

- 8.2 If an amendment to this scheme changes and the amount to which a councillor is entitled by way of a basic allowance or a special responsibility allowance, then in relation to each of the periods:
- (a) beginning with the year and ending with the day before that on which the first amendment in that year takes effect; or
 - (b) beginning with the day on which an amendment takes effect and ending with the day before that on which the next amendment takes effect, or (if none) with the end of the year; and
 - (c) the entitlement to such an allowance shall be to the payment of such part of the amount of the allowance under this scheme as it has effect during the relevant period as bears to the whole the same proportion as the number of the days in the period bears to the number of days in the year.
- 8.3 Where the term of office of a councillor begins or ends otherwise than at the beginning or end of a year, the entitlement of that councillor to a basic allowance shall be to the payment to such part of the basic allowance as bears to the whole the same proportion as the number of days during which his term of office subsists bears to the number of days in that year.
- 8.4 Where this scheme is amended as mentioned in sub-paragraph (2), and the term of office of a councillor does not subsist throughout the period mentioned in such-paragraph (2)(a), the entitlement of any such councillor to a basic allowance shall be to the payment of such part of the basic allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole of the same proportion as the number of days during which his term of office as a councillor subsists bears to the number of days in that period.
- 8.5 Where a councillor has during part of, but not throughout a year such special responsibilities as entitle him or her to a special responsibility allowance, that councillor's entitlement shall be to payment of such part of that allowance as bears to the whole of the same proportion as the number of days during which he/she has such special responsibilities, bears to the number of days in that year.
- 8.6 Where this scheme is amended as mentioned in sub-paragraph (2), and a councillor has during part, but does not have throughout the whole, of any period mentioned in sub-paragraph (2)(a) of that paragraph any such special responsibilities as entitle him or her to a special responsibility allowance, that councillor's entitlement shall be to payment of such part of the allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days in that period during which he or she has such special responsibilities bears to the number of days in that period.

9. Claims and Payments

- 9.1 Payments shall be made in respect of basic and special responsibility allowances, subject to sub-paragraph (2), in instalments of one quarter of the amount specified in this scheme.
- 9.2 Where a payment of one-quarter of the amount specified in this scheme in respect of a basic allowance or a special responsibility allowance would result in the councillor receiving more than the amount to which by virtue of paragraph 8(1), he or she is

entitled, the payment shall be restricted to such amount as will ensure that no more is paid than the amount to which he or she is entitled.

- 9.3 Claims must be made within a period of one year of the duty being carried out. Payments after that period will only be made in exceptional circumstances.

10. Uprating for Inflation

- 10.1 There will be no inflationary adjustment to the allowances set out in this scheme, except those relating to travel and subsistence.

11. Co-optees' Allowance

- 11.1 Co-optees' allowance will be payable to independent persons as set out in Schedule 5 to this scheme.

12. Withholding/Recovery of Payments

- 12.1 Where any councillor or independent member has already received a payment in respect of any period during which they have been:

- (a) ceased to be a member of the Authority; or
- (b) not entitled in any other way to receive the allowance in respect of that period,

the Council may require that such part of the allowance as relates to the period in question shall be repaid to the Authority.

13. Pensionable Status

- 13.1 Remuneration payable to councillors of Epping Forest District Council under this scheme shall only be entitled to pensionable status in accordance with a scheme made under Section 7 of the Superannuation Act 1972, if the member opted into the Essex Superannuation Scheme before 1 April 2014.

- 13.2 For the purposes of a Paragraph 13.1 above basic allowance and special responsibility allowance will be treated as amounts in respect of which such pensions are payable in accordance with a scheme under that Act.

- 13.3 The Local Government Pension Scheme (LGPS) (Transitional Provisions, Savings and Amendment) Regulations 2014 removed access to the LGPS for Councillors from 1 April 2014, with the exception of those who were members of the Scheme on 31 March 2014, who retain access to the LGPS up to the end of their current term of office only (or to age 75 if earlier).

14. Further Guidance

- 14.1 Further guidance on this scheme can be found in Appendix 1.

SCHEDULE 1

SPECIAL RESPONSIBILITY ALLOWANCES

1. The following are specified as the special responsibilities in respect of which special responsibility allowances are payable and the amounts of those allowances.

DUTY	ANNUAL TOTAL AMOUNT OF SRA
Chairman of the Council	£10,750.00
Vice-Chairman of the Council	
Leader of the Council	£10,750.00
Cabinet Members	£6,450.00 (each)
Chairman of the District Development Management Committee	£3,225.00
Chairmen of the Area Plans Sub-Committees	£3,225.00 (each)
Chairman of the Overview and Scrutiny Committee	£4,300.00
Chairman of the Licensing Committee	£500.00
Chairmen of the Licensing Sub-Committees	£2,225.00 (allocated according to the number of meetings chaired each year)
Chairman of the Audit and Governance Committee	£2,150.00
Chairmen of the Overview and Scrutiny Select Committees	£2,150.00 (each)
Chairman of the Standards Committee	£110.00 per meeting held each year
Chairman of the Constitution Working Group	£500.00

SCHEDULE 2

APPROVED DUTIES

1. The following are specified as an approved duty for the purpose of the payment of travelling and subsistence expenses, attendance at any of the following:
 - (a) a meeting of the authority, the Cabinet, a Cabinet Committee, the Overview and Scrutiny Committee and its Panels, the Standards Committee and its Sub-Committees, or as a member of any other Committee or sub-committee, panel, working group, special committee or board of the authority;
 - (b) any other meeting held by the authority provided that:
 - where the authority is divided into two or more political groups, it is a meeting to which members of at least two such groups have been invited; or
 - if the authority is not so divided, it is a meeting to which at least two members of the authority have been invited;

- (c) duties relating to the supervision of tender opening as required by the Council's Procurement Rules;
 - (d) attendance as representative of the Council at any approved conference or meeting of the outside organisations set out in Schedules 3 and 4;
 - (e) attendance at any meeting or other official function at the request of the Chief Executive, the Strategic Directors or a Service Director, including meetings between group representatives for a particular Committee and officers;
 - (f) any other duty approved by the Council or the Cabinet or any other committee, sub-committee, special committee or Board or Panel or any duty of a class so approved, for the purpose of, or in connection with, the discharge of functions or the body, or of any of its committees or sub-committees;
 - (g) attendance by a councillor at a meeting of which he or she is not a member for the purpose of explaining a motion referred from the Council;
 - (h) attendance as a councillor at the invitation of the Local Government Ombudsman for the purpose of investigating a complaint against this Council of maladministration;
 - (i) attendance as an appointed representative of Epping Forest District Council at any meeting of Essex County Council or any of its committees or sub-committees for the purpose of formal consultations on any matter affecting the powers or duties of this Council or the district or any part thereof;
 - (j) attendance on behalf of the Council or the Cabinet or as a Chairman on behalf of a Committee at an official function;
 - (k) attendance at seminars and training courses arranged by the authority;
 - (l) consultation meetings arranged by the authority where the member's attendance is required or where the business directly affects the member's ward;
 - (m) site visits arranged by Area Plans Sub-Committees or the District Development Management Committee;
 - (n) informal site visits by individual councillors in respect of their duties as members of an Area Plans Sub-Committee;
 - (o) attendance at a meeting concerning joint working or partnership arrangements to represent the Council's interests; and
 - (p) attendance at any civic event to which the Chairman or Vice-Chairman is attending in that capacity (or representative) for which Council funded transport is not provided.
2. There is specified as an approved duty for the purpose of paying travelling and subsistence expenses attendance at any of the outside organisations shown in Schedule 4.
 3. Attendance by members of the Council at meetings of outside organisations not shown in Schedule 4 shall NOT qualify for payment of travelling and subsistence expenses.

SCHEDULE 3

CONFERENCE AND MEETINGS

Conference and meetings organised by any person or body who is not doing so by way of trade nor whose objects are wholly or partly political, attendance at which is authorised by or on behalf of the authority and which does not involve an absence overnight from the councillor's normal place of residence.	Appropriate subsistence and travelling expenses (second class return rail fare or car mileage at the appropriate rates whichever is the less if travel outside the Epping Forest District is required).
Conferences and meetings organised by any person or body who is not doing so by way of trade, nor whose objects are wholly or partly political, attendance at which is authorised by or on behalf of the authority and which involves an absence from the councillor's normal place of residence of one or more nights.	Appropriate subsistence and travelling expenses (second class return rail fare or car mileage at the appropriate rate whichever is the less if travelling outside the Epping Forest District is required).

SCHEDULE 4

OUTSIDE ORGANISATIONS

Attendance as appointed representative of the Council on any outside organisations, such attendances being deemed approved duty for the purpose of paying subsistence and travelling expenses.

SCHEDULE 5

CO-OPTEE'S ALLOWANCE

Independent Persons affiliated to the Standards Committee	£500.00 per annum
Independent Members of the Remuneration Panel and Parish Remuneration Panel	£250.00 per annum
Co-opted members of the Audit and Governance Committee	£500.00 per annum
Co-opted independent members of an Overview and Scrutiny Committee	£500.00 per annum

MEMBER REMUNERATION SCHEME

**EPPING FOREST DISTRICT COUNCIL
GUIDANCE NOTE ON ALLOWANCES AND EXPENSES FOR MEMBERS**

1. INTRODUCTION

- 1.1 A Councillor is eligible for the payment of attendance allowances and for reimbursement of travel and subsistence expenses in respect of approved duties carried out on behalf of the Council. An approved duty is one which has been authorised by or on behalf of the Council in advance.
- 1.2 The Council has a formal scheme for allowances which is updated from time to time. A copy of the scheme is set out in the Constitution. This note is of a more informal nature and is designed to assist members in dealing with their claims and explaining the arrangements to the public.

2. BASIC ALLOWANCE

- 2.1 This is a flat rate allowance payable to all members of the Council. This annual amount is paid in quarterly instalments. Members do not have to claim this amount. The full amount of the Basic Allowance is £4,300.00 per member, per annum.
- 2.2 The Council requires each of its elected councillors to be registered as a data controller in accordance with the provisions of the Data Protection Act 2018. Although members are responsible for their individual compliance with the data protection principles of the General Data Protection Regulation, the Council coordinates the registration (and annual renewal) process on behalf of members and an amount of £40.00 is therefore withheld from the Basic Allowance each year to meet the registration fee imposed by the Information Commissioner.

3. SPECIAL RESPONSIBILITY ALLOWANCE

- 3.1 This is a special allowance payable to the Leader, Cabinet members and certain Chairmen. It is designed to reflect the additional responsibilities of these office holders. This amount is paid in quarterly instalments during the year and does not have to be claimed.
- 3.2 The Special Responsibility Allowance applicable to the chairmen of the Standards Committee and the Licensing Sub-Committees is applied on a 'per-meeting' basis and is paid in a single instalment at year-end.
- 3.3 The Council has decided not to implement payment of the full Special Responsibility Allowance amounts and to restrict these to a percentage of each allowance set out in the Scheme.

4. TRAVEL EXPENSES

- 4.1 Members may re-claim reasonable travel expenses (including public transport tickets, taxi fares, parking costs where appropriate subject to submission of evidence of expenditure) in respect of approved duties as defined in the scheme (Schedule 2).

Car Travel

- 4.2 The normal rates for car travel are the same as the higher rates paid to officers classed as casual users. Claims must be fixed on the rates applicable at the time of the journey. These rates are set out on the claim form and are reviewed annually.

Shortest Distance

- 4.3 Claims for car travel should be by reference to the shortest distance from home to the Council offices or other venue for the approved duty concerned. No claim for additional expenses will be entertained unless there is a valid reason for incurring the additional mileage.

Travel Direct from Place of Employment etc

- 4.4 For claims involving direct travel from a Councillor's place of employment (or other departure point) for an approved duty, the distance claims shall be limited to the home to meeting venue element of the journey. All such claims must be endorsed "CLAIM LIMITED" on the form.

Travel outside the District – Limit on Amount Claimable

- 4.5 For journeys to approved meetings outside the District or by members resident outside the district, claims irrespective of mode of travel must not exceed the lower of:
- (a) second class return rail fare plus underground and other fares from station to destination at each end of the journey; or
 - (b) the appropriate car mileage.
- 4.6 This is subject to consideration of any special circumstances as set out in 4.7 below.

Travel over Long Distances – Special Circumstances

- 4.7 If, for any reason, a councillor undertakes travel over long distances or from outside the District, members are advised to contact the Service Manager (Governance) in advance for advice on what would constitute a reasonable claim in the circumstances.

Use of Public Transport within Epping Forest District

- 4.8 The rate for travel by public transport must not exceed the ordinary fare (or any available cheap fare). A member may not claim travelling expenses in respect of a single duty from more than one body. In all such claims evidence of expenditure (i.e. tickets or other receipts) MUST be provided. No claim will be allowed without such evidence.

Cycle Allowance

- 4.9 This allowance is payable at the highest of the higher casual rates paid to officers classed as casual users.

Child and Dependant Carer's Allowance

- 4.10 This allowance may be claimed at a rate equivalent to the current rate for the National Living Wage. Certain conditions are set out in the Scheme.

5. SUBSISTENCE EXPENSES

- 5.1 Subsistence expenses (covering refreshments and meals etc paid for by a member) are claimable by councillor in respect of making attendances connected with approved duties on behalf of the Council. The rates for such expenses are set out (by reference to meal time and periods of absence) on the reverse of the form which is supplied to members on a quarterly basis. These rates may not be exceeded. Periods of absence will be calculated on the basis of departure from home or place of work if it is not possible to return home in the time available.
- 5.2 All claims for subsistence must be accompanied by receipts in respect of meals etc as evidence of expenditure actually having been incurred. No claims will be allowed in the absence of such evidence.
- 5.3 Special arrangements exist in respect of subsistence expenses in respect of duties involving an absence overnight from a councillor's normal place of residence. These are outlined under Section 7 relating to conferences.
- 5.4 A councillor may not claim subsistence expenses in respect of a single duty from more than one body.

6. CONFERENCES

- 6.1 Attendance at conferences and the payment of allowances and expenses are subject to prior approval by the Council, Cabinet, appropriate committee, Leader or Deputy Leader in all cases. **Attendance at conferences and the payment of allowances and expenses may also be subject to prior approval by the chairman of the appropriate committee.**
- 6.2 All conferences deemed to be approved duties shall, in accordance with statutory requirements, be relevant to the District and not wholly or partly commercial or political in their objectives.

Allowances for Attendance at Conferences (Involving an Absence from Home)

(a) Subsistence - Nights Away from Home

- 6.3 For conferences involving one or more night's absence, claims can be made for reasonable day or overnight expenses that are necessarily and exclusively incurred in the attendance as an authorised representative of the Council at a meeting, conference or seminar that it held outside of the Epping Forest District.

(b) Claims for Subsistence

- 6.4 These claims should cover such items as hotel bills, refreshments, meals (other than free meals which should be discounted) and similar items. No claims will be allowed unless evidence is provided of all expenditure being claimed. All relevant bills and receipts should be forwarded to the Service Manager (Governance) with claims.

Travel Claims

- 6.5 The guidance outlined under paragraph 4.5 will apply to all conferences.

7. TAXATION AND NATIONAL INSURANCE IMPLICATIONS

- 7.1 Details of the tax and national insurance implications of allowance payments and expenses claimed are available through Democratic Services. In such matters, members are advised to seek advice from their tax office in the event of any concerns.
- 7.2 Supplementary Note Regarding Treatment of Claims for Travel Expenses by Car for Tax and National Insurance Purposes.

(a) Travel by Car – Councillors’ Homes to Civic Offices Expenses (“Home to Office Mileage”)

- 7.3 Her Majesty’s Revenue and Customs (HMRC) deems a councillor’s workplace for the purposes of their role as an elected representative to be the Civic Offices, Epping. From April 2016, ‘Home to Office Mileage’ is no longer subject to tax and national insurance deductions, provided that the distance between a councillor’s home and the Civic Offices is no more than 20 miles.
- 7.4 If the upper rate of mileage is also claimed (any amount above 45p per mile) this part of the payment will be treated as a taxable benefit and national insurance will be deducted. A petrol/diesel VAT receipt will be required to be submitted with all claims before payment can be made, which must predate the first date of mileage on the submitted claim. The receipt must also be dated within a reasonable timeframe of the first journey for which a claim is made.

(b) Travel by Car – Councillors’ Homes to Other Venues or Civic Offices to Other Venues for the Purposes of Council Business (“Business Mileage”)

- 7.5 HMRC has determined that such travel shall not be subject to tax or national insurance deductions except where the rate of reimbursement exceeds 45 pence per mile. Travel to any meetings of the Council or its subordinate bodies which are held at a location other than the Civic Offices is deemed to be business mileage.

(c) Second Journeys

- 7.6 Second journeys will be subject to taxation and National Insurance deductions depending on whether the journey constitutes home to office or business mileage.

8. ALTERATION OF CLAIMS

- 8.1 All claim forms submitted by members are checked for accuracy. The Team Manager for Democratic & Electoral Services is authorised to reduce incorrect claims in the following circumstances:
- (a) where a member does not attend at a claimed meeting;
 - (b) where a claimed meeting is not approved;
 - (c) where an incorrect amount of allowance is claimed; and
 - (d) where a correct date has not been claimed.
- 8.2 Any changes under paragraph 8.1 will be notified to members after the claim form has been processed. Any other problems with members’ claims will be referred back for the claimant and processing of the claim will not take place until the query has been clarified.

9. INTERPRETATION

- 9.1 These guidelines are subject to the overall interpretation of the Chief Executive as to what constitutes a reasonable claim in any individual circumstances.

10. DOCUMENT HISTORY

Prepared/Revised	Written by	Agreed/Authorised	Details of Change(s)
November 2015	S. Tautz (Democratic Services Manager)	Remuneration Panel (17/11/15) Council (15/12/15)	Review of Scheme for 2016/17 municipal year
October 2016	S. Tautz (Democratic Services Manager)	Remuneration Panel (28/9/16) Council (20/12/16)	Review of Scheme for 2017/18 municipal year
November 2017	S. Tautz (Democratic Services Manager)	Remuneration Panel (30/10/17) Council (21/12/17)	Review of Scheme for 2018/19 municipal year
November 2018	S. Tautz (Democratic Services Manager)	Remuneration Panel (29/11/18) Council (20/12/18)	Review of Scheme for 2019/20 municipal year
November 2019	S. Tautz (Democratic Services Manager)	Remuneration Panel (31/10/19) Council (17/12/19)	Review of Scheme for 2020/21 municipal year
January 2021	G. Woodhall (Team Manager – Democratic & Electoral Services)	Remuneration Panel (27-Jan-21) Council (25-Feb-21)	Review of Scheme for 2021/22 municipal year
February 2022	G. Woodhall (Team Manager – Democratic & Electoral Services)	Remuneration Panel (2-Feb-22) Council (24-Feb-22)	Review of Scheme for 2022/23 municipal year
December 2022	G. Woodhall (Team Manager – Democratic & Electoral Services)	Remuneration Panel (Nov-22) Council (20-Dec-22)	Review of Scheme for 2023/24 municipal year

This page is intentionally left blank

**SCHEME OF MEMBERS' ALLOWANCES -
STATEMENT CONCERNING IMPLEMENTATION 2022/23**

**The following scheme has been agreed for the period
from 25 May 2023 to 23 May 2024**

**The Council decided at its meeting on 20 December 2022 to implement the amount of
Basic, Special Responsibility and Co-optees Allowances provided in the scheme as
set out below:**

BASIC ALLOWANCE	ANNUAL BASIC ALLOWANCE	IMPLEMENTATION OF BASIC ALLOWANCE
All Councillors	£4,300	£4,300 (100%)

**The amounts set out below show the amounts of Special Responsibility Allowance
(SRA) payable during the year:**

DUTY	ANNUAL SPECIAL RESPONSIBILITY ALLOWANCE	IMPLEMENTATION OF SPECIAL RESPONSIBILITY ALLOWANCE
Chairman of the Council	£10,750 (total)	£8,600 (80%)
Vice-Chairman of the Council		£2,150 (20%)
Leader of the Council	£10,750	£7,875 (73%)
Cabinet members	£6,450 (each)	£6,300 (98%)
Chairman of the District Development Management Committee	£3,225	£2,362 (73%)
Chairmen of the Area Plans Sub-Committees	£3,225	£2,362 (73%)
Chairman of the Overview and Scrutiny Committee	£4,300	£3,150 (73%)

Chairman of the Licensing Committee	£500	£500
Chairmen of the Licensing Sub-Committees	£2,725 (allocated according to the number of meetings each year)	£1,862 (allocated according to the number of meetings each year) (73%)
Chairman of the Audit and Governance Committee	£2,150	£2,150
Chairmen of the Overview and Scrutiny Select Committees	£2,150	£2,150 (each)
Chairman of the Standards Committee	£110 (per meeting)	£110 (per meeting)
Chairman of the Constitution Working Group	£500	£500

The amounts payable during the year for independent and co-opted members are:

Independent Persons affiliated to the Standards Committee	£500
Independent Members of the Remuneration Panel and Parish Remuneration Panel	£250
Co-opted members of the Audit and Governance Committee	£500
Co-opted independent members of an Overview and Scrutiny Committee	£500

A copy of the full scheme is available on request from Democratic Services, Civic Offices, High Street, Epping, CM16 4BZ.