

Report to the Cabinet

Report reference: C/144/2005-06.

Date of meeting: 10 April 2006.



**Epping Forest
District Council**

Portfolio: Finance and Performance Management.

Subject: Resignation - Councillor M Heavens.

Officer contact for further information: Ian Willett (01992 – 56 - 4243).

Democratic Services Officer: Gary Woodhall (01992 – 56 - 4470).

Recommendations:

- (1) That, with effect from 20 March 2006, the resignation of Councillor Heavens as a councillor and member of the Cabinet be noted;**
- (2) That, in order to cover the duties of the Housing Portfolio from 20 March 2006 until the next Council meeting, a report from the Leader of the Council on temporary measures be noted; and**
- (3) That, for the remainder of the Council year, the duties of this Portfolio be dealt with by the Leader of the Council be recommended to the Council for approval at its meeting on 24 April 2006.**

Report:

1. Councillor Heavens' resignation from the Council means that there is a vacancy on the Cabinet.
2. The scheme of delegation to the Cabinet in the Constitution requires that any changes to Portfolios and membership of the Cabinet is a matter for the Council to decide.
3. The Leader of the Council has made temporary arrangements to cover the duties attaching to the Housing Portfolio and will report these at the meeting. These temporary arrangements will need to operate until the Council is able to consider the position at its meeting on 24 April 2006.
4. In terms of a recommendation to the Council for the remainder of the Council year, there are a number of options:
 - (a) appoint a new Portfolio Holder for Housing for the remainder of the year;;
 - (b) transfer an existing Portfolio Holder to take over Housing with a new member appointed to the vacant Portfolio; and
 - (c) hold the Cabinet vacancy and continue the temporary arrangement for the Leader (or any other Cabinet member) to cover the portfolio.
5. The Cabinet should be aware that the Local Government Act 2000 requires that only appointed members of the Cabinet may undertake the executive responsibilities of Portfolios. Thus, only existing Cabinet members or a new Cabinet member appointed by the Council may undertake these duties. Option (c) will require the Council to waive the pro rata principle. Options (a) and (b), if pursued must take account of pro rata requirements.

Statement in support of recommended action:

6. Responsibility for the functions of the Housing Portfolio need to be determined for the remainder of the current Council year. It is therefore necessary for the Cabinet to consider the options available and report to the Council at its April meeting.

Other options for action:

7. These are set out above.

Consultation undertaken:

8. Other Portfolio Holders and Group Leaders.

Resource implications:

Budget provision: Small saving in Special Responsibility Allowance.

Personnel: Nil.

Land: Nil.

Community Plan/BVPP reference: N/A.

Relevant statutory powers: N/A.

Background papers: Nil.

Environmental/Human Rights Act/Crime and Disorder Act Implications: Nil.

Key Decision reference (if required): Nil.