

## **EPPING FOREST DISTRICT COUNCIL COUNCIL MINUTES**

**Committee:** Council **Date:** 20 February 2007

**Place:** Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 9.45 pm

**Members Present:** Councillors Mrs A Haigh (Chairman), Mrs C Pond (Vice-Chairman), K Angold-Stephens, D Bateman, Mrs D Borton, Mrs P Brooks, K Chana, R Church, Mrs S Clapp, M Colling, Mrs D Collins, J Demetriou, R D'Souza, T Farr, R Frankel, Mrs R Gadsby, P Gode, R Goold, A Green, Mrs A Grigg, Mrs H Harding, J Hart, P House, D Jacobs, D Kelly, J Knapman, R Law, Mrs J Lea, A Lee, Mrs M McEwen, P McMillan, S Metcalfe, G Mohindra, S Murray, Mrs S Perry, Mrs P Richardson, T Richardson, Mrs P K Rush, B Sandler, Mrs M Sartin, P Spencer, Mrs P Smith, D Stallan, Ms S Stavrou, P Turpin, Mrs L Wagland, C Whitbread, Mrs J H Whitehouse, J M Whitehouse, M Woollard, K Wright and J Wyatt

**Apologies:** Councillors M Cohen, J Markham, R Morgan and D Spinks

**Officers Present:** P Haywood (Joint Chief Executive), J Scott (Joint Chief Executive), I Willett (Head of Research and Democratic Services), G Lunnun (Democratic Services Manager), R Palmer (Head of Finance), T Tidey (Head of Human Resources and Performance Management) and T Carne (Public Relations and Marketing Officer)

### **72. WEBCASTING INTRODUCTION**

The Chairman reminded everyone present that the meeting would be broadcast live to the Internet, and would be capable of repeated viewing.

### **73. MINUTES**

#### **RESOLVED:**

That the minutes of the meeting held on 19 December 2006 be taken as read and signed by the Chairman as a correct record.

### **74. DECLARATIONS OF INTEREST**

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

### **75. ANNOUNCEMENTS**

#### **(a) Chairman's Announcements**

##### **(i) Councillors M Cohen and D Spinks**

The Chairman announced that she would be writing to Councillor Cohen who had been in hospital recently and to Councillor Spinks who was still unwell.

**(ii) 'Celebration of Faith' Civic Service**

The Chairman thanked members for their attendance at the service held on 28 January 2007. She advised that the service had showed the rich cultural heritage of the District and a collection taken had raised £400 which would be split equally between her charities.

**(iii) Quiz Night**

The Chairman reported that the Quiz Night in aid of her charities held on 9 February 2007 had raised almost £1,000. She thanked members for their support.

**(iv) Antiques Roadshow**

The Chairman encouraged members to attend an Antiques Roadshow being held in aid of her charities on 14 April 2007 at Chigwell School.

**(v) Charity Walk**

The Chairman reported that with the assistance of Councillor R Morgan, she was making arrangements for a walk through private woodland in aid of her charities on 13 May 2007 to be followed by a ploughman's lunch.

**(vi) Abseil – Water Tower, Church Langley**

The Chairman encouraged members to volunteer to take part in an abseil in aid of her charities to be held on 5 May 2007.

**(vii) Epping Forest District Museum**

The Chairman urged members to visit two temporary exhibitions currently being held at the museum. One explored the memories of people who had migrated to this country from the 1950s onwards to work in the glasshouses in the Lee Valley. The other was an exhibition of costumes from the Regency period to the last century.

**(viii) Civic Awards and Dinner**

The Chairman reported that she had received a good response to the invitations to attend the Civic Awards and dinner on 1 March 2007. She pointed out however, that many of the responses had only recently been received and she encouraged members to respond earlier to such invitations in the future.

**(ix) Flowers**

The Chairman announced that the floral display from tonight's meeting would be sent to St Clare Hospice, Hastingwood.

**(b) Leader's Announcements****(i) Inclement Weather – 8 February 2007**

Councillor Mrs D Collins thanked staff for their efforts in attending work on the day of the recent snowfall. She pointed out that although there had been a high level of absenteeism over the country as a whole, the majority of Council staff had managed to attend work on that day.

**(ii) Staff Awards**

Councillor Mrs Collins gave notice of an intention to propose a staff awards scheme in recognition of good service, innovation etc.

**76. PUBLIC QUESTIONS (IF ANY)**

No public questions had been received for consideration at the meeting.

**77. REPORTS FROM THE LEADER, CHAIRMAN OF THE OVERVIEW AND SCRUTINY COMMITTEE AND MEMBERS OF THE CABINET**

The Council received reports (circulated) from the Chairman of the Overview and Scrutiny Committee, the Community Wellbeing Portfolio Holder, the Environmental Protection Portfolio Holder, the Housing Portfolio Holder and the Planning and Economic Development Portfolio Holder.

By leave of the Council, the Leader of the Council made an oral report. Councillor Mrs D Collins advised that members had received presentations on 17 February 2007 from the Council's consultant, officers and lobby groups in respect of the Secretary of State's proposed changes to the draft East of England Plan. She also advised that she had met with representatives of Harlow Renaissance, an interim local delivery vehicle established by local partners to support and take forward regeneration of Harlow. In addition she was due to meet with the Planning and Economic Development Portfolio Holder, representatives of Harlow District Council in order to discuss future development. She reported that Council officers had met with representatives of East Herts District Council. She emphasised that there was a need to discuss and work with neighbouring authorities in order for the Council to retain control of future development.

Councillor Mrs Collins advised that the sale of the T11 Site, Langston Road, Loughton had been advertised and offers were awaited.

**78. QUESTIONS BY MEMBERS WITHOUT NOTICE****(a) London Olympic Games and Paralympic Games**

**By Councillor B Sandler to Councillor Mrs D Collins, Leader of the Council**

What action is being taken to ensure that this Council is involved in preparations for the Olympics?

**Response by Councillor Mrs D Collins, Leader of the Council**

Together with the Leisure and Young People Portfolio Holder and the Head of Leisure Services I have met County Councillor Stephen Castle who has a seat on the Olympic "Nations and Regions Group", the body charged by the main Olympic organising committee with promoting and encouraging the games outside of the Capital. We have initiated discussions on how we can maximise participation and benefit for both local people and businesses. An event would be arranged with local businesses in order to obtain their views and members would receive details of the event when it had been organised. Discussions were to be held shortly with Broxbourne Borough Council regarding the white water canoeing scheme being

developed in that area. Possible ancillary uses in the Epping Forest District included parking facilities and areas for tented accommodation.

**(b) Highway Services – Loughton Roding Ward**

**By Councillor S Murray to Councillor A Green, Civil Engineering and Maintenance Portfolio Holder**

In the Ward I represent there have been street lights out at a major traffic junction for over two months, a major traffic route has potholes and footways are full of potholes and are liable to flooding. Would the Portfolio Holder like to comment on the deplorable level of service offered to this District by Essex County Council Highways?

**Response by Councillor A Green, Portfolio Holder for Civil Engineering and Maintenance**

I have not been advised of these matters previously but I am happy to take them up with Essex County Council Highways on Councillor Murray's behalf.

**(c) Highway Services – Buckhurst Hill East Ward**

**By Councillor M Woollard to Councillor A Green, Portfolio Holder for Civil Engineering and Maintenance**

I would draw the attention of the Portfolio Holder to the disgraceful state of the highways in the Buckhurst Hill East Ward; they are full of potholes and failing reinstatements; lack of money should not be an excuse for poor maintenance; individual Councillors have complained to the County Council but have not received a response; I would ask the Portfolio Holder to make representations on our behalf in the hope that these will carry more weight.

**Response by Councillor A Green, Portfolio Holder for Civil Engineering and Maintenance**

To save other Councillors from expressing their frustration about the condition of local highways, I am happy to take up concerns regarding the condition of highways across the whole District.

**(d) Residual Waste**

**By Councillor P MacMillan to Councillor S Metcalfe, Portfolio Holder for Customer Services, Media, Communications and ICT**

Can the Portfolio Holder confirm that there will be a summer collection of residual waste in 2007; I need to have some assurance before canvassing for the May 2007 elections?

**Response by Councillor S Metcalfe, Portfolio Holder for Customer Services, Media, Communications and ICT.**

I have asked the officers to put in motion procedures for a weekly summer collection of residual waste and a report will be submitted to the Portfolio Holder Advisory Group in due course; however, I made a pledge that such a collection will take place and it is my intention to fulfil that pledge.

**79. MOTIONS**

No motions had been received for consideration at the meeting.

**80. QUESTIONS BY MEMBERS UNDER NOTICE**

(a) To any member of the Cabinet

(i) Planning Appeals – Public Inquiries

**By Councillor Mrs P K Rush to Councillor Mrs A Grigg, Planning and Economic Development Portfolio Holder**

“Public inquiries following planning appeals are often of interest to members across the District. Would the Portfolio Holder ensure that the dates of these inquiries are published in the Members’ Bulletin at the earliest possible opportunity?”

**Response by Councillor Mrs A Grigg, Planning and Economic Development Portfolio Holder**

“I agree that planning inquiries are of interest to many members.

There has long been a procedure in place whereby details of all appeals going to a hearing or a full public inquiry are listed in the Council Bulletin (see page 16 item 2 of the Bulletin of 16 February 2007 by way of example).

What Councillor Mrs Rush may be seeking is for earlier notice of such dates; however, when we operated the system on the basis of notification in the Bulletin as soon as a date was suggested, there were two problems. Firstly, it did not act as a reminder because some dates were so far ahead, and secondly, quite a number of such cases had changes to dates or were withdrawn. Far from being of assistance, this resulted in confusion for members. Accordingly, the system now in place seeks to provide details as a reminder closer to the event, and when it is virtually certain that the appeal will go ahead.

Members can also use i-plan to get up-to-date information on individual cases”.

**81. REPORTS OF THE CABINET**

(a) Top Management Structure

**(Mover: Councillor Mrs D Collins – Leader of the Council)**

The Leader of the Council presented a report submitting recommendations regarding the process for agreeing and implementing a new structure.

Report as first moved **ADOPTED**

**RESOLVED:**

**Cabinet Sub-Committee – Terms of Reference**

(1) That the terms of reference agreed by the Council for the Top Management Cabinet Committee be extended as follows:

- (a) to investigate a new Council Management structure for post(s) at Chief Executive level and make recommendations by 24 April 2007 for implementation thereafter which will include Hay evaluation for the posts at this level;
- (b) to devise a new structure for posts at Chief Officer level (but excluding the positions of Chief Executive(s) and make recommendations to the Council by the July 2007 meeting for implementation thereafter, which would include Hay evaluation of all posts at this level; and
- (c) in order to progress the matter in accordance within the timescale set by the Council, the Cabinet Committee be authorised to report directly to the Council on matters requiring Council approval without prior reference to the Cabinet;

### **Appointments Panel**

(2) That an Appointments Panel be established in accordance with Officer Employment Rule 4(a) in the Constitution in order to carry out all recruitment and selection processes required for the appointment of posts in the Top Management Structure at Chief Officer level (ie below Chief Executive level) and to make appointments;

(3) That Employment Procedure Rule 4(a) be amended as set out below:

“A Panel of 7 members of the Council allocated between political groups in accordance with pro rata rules will interview and, where authorised, appoint Chief Officers. Such a Panel shall include at least one Cabinet member”;

(4) That in order to achieve cross party representation, the Appointments Panel comprise 7 Councillors (including at least one member of the Cabinet) appointed on pro rata lines as follows:

Conservative Group – 4  
Liberal Democrats Group – 1  
BNP Group – 1  
LRA Group – 1;

(5) That the Appointments Panel exclude any member of the Staff Appeals Panel;

(6) That the Council appoint a Chairman and Vice-Chairman and other members of the Appointments Panel at the Annual Council meeting 2007;

### **Staff Appeals Panel**

(7) That the Staff Appeals Panel be authorised to consider and adjudicate on any grievance or appeals arising from the decisions of the Appointments Panel; and

(8) That, for the purposes of (7) above, the Staff Appeals Panel be authorised to deal with any matters arising by reference to the Council's Appeals or Grievance Procedures but subject to any necessary modifications required as Head of Service appointments are involved, such modifications to be the subject of a later report and approval of the Cabinet Committee.

**(b) Audit and Governance Committee****(Mover: Councillor Mrs D Collins – Leader of the Council)**

The Leader of the Council presented a report proposing the establishment of an Audit and Governance Committee from the Annual Council meeting in May 2007, having considered proposals made by the Finance and Performance Management Cabinet Committee following consultation with the Constitution and Members Services Scrutiny Standing Panel.

The attention of members was drawn to a supplementary report prepared by the Officer Corporate Governance Group which sought to clarify some points of detail in relation to the proposed new committee.

Report as first moved together with the recommendations of the Corporate Governance Group **ADOPTED**

**RESOLVED:**

- (1) That an Audit and Governance Committee be appointed at the Annual Council meeting in May 2007;
- (2) That the Audit and Governance Committee comprise five members, two of whom should be co-opted members;
- (3) That the terms of reference of the Audit and Governance Committee be as set out in Appendix 1 to these minutes;
- (4) That the revised terms of reference of the Finance and Performance Management Cabinet Committee be as set out in Appendix 2 to these minutes;
- (5) That the terms of reference of the Interview Panel established for the appointment of an independent person for the Standards Committee be extended to cover the recruitment of co-opted members of the Audit and Governance Committee;
- (6) That the Management Board be authorised, in consultation with the Interview Panel to agree:
  - (a) appropriate interview arrangements;
  - (b) person specifications for the co-optees;
  - (c) training;
  - (d) advertising via website, press releases, Parish Council newsletters and public notices in the local press;
- (7) That co-optee members be deemed to be eligible for a co-optee's allowance; and
- (8) That the Head of Research and Democratic Services be authorised to make consequential amendments to the Constitution as a result of the establishment of the new committee.

**(c) Loughton Broadway Town Centre Enhancement Scheme**

Councillor Mrs D Collins, Leader of the Council and Chairman of the Cabinet, invited the Planning and Economic Development Portfolio Holder to present this report of the Cabinet.

**(Mover: Councillor Mrs A Grigg – Planning and Economic Development Portfolio Holder)**

The Portfolio Holder presented a report drawing attention to a projected estimated overspend on the scheme together with proposals for reducing the scope of the scheme and funding any remaining capital shortfall.

Councillor K Angold-Stephens and the Chairman of the Council drew attention to the detrimental effects of the County Council not making traffic regulation orders which had been agreed. Councillor A Green, Portfolio Holder for Civil Engineering and Maintenance was urged to take up this matter with the County Council Portfolio Holder at the earliest opportunity.

Report as first moved **ADOPTED**

**RESOLVED:**

- (1) That the projected estimated overspend on The Broadway Town Centre Enhancement Scheme be noted;
- (2) That in order to save an estimated £228,500, the scope of the scheme be reduced by the removal of the following options:
  - (a) the additional granite paving; and
  - (b) the central wind vane feature; and
- (3) That the Capital Contingency Fund be utilised to fund any remaining capital shortfall.

**(d) Supplementary Estimates – 2006/07**

Councillor Mrs D Collins, Leader of the Council and Chairman of the Cabinet, invited the Finance, Performance Management and Corporate Support Services Portfolio Holder to present this report of the Cabinet.

**(Mover: Councillor J Knapman – Finance, Performance Management and Corporate Support Services Portfolio Holder)**

The Portfolio Holder submitted requests for supplementary estimates.

Report as first moved **ADOPTED**

**RESOLVED:**

- (1) That a General Fund CSB supplementary estimate of £12,000 and a Housing Revenue Account CSB supplementary estimate of £67,000 be approved in order to meet the anticipated increase in gas costs for Council premises; and



(2) That a DDF supplementary estimate of £4,300 be approved for the costs incurred in respect of the District Council bye-election for the Grange Hill Ward held on 14 December 2006.

**(e) Budgets and Council Tax Declaration 2007/08**

Councillor Mrs D Collins, Leader of the Council and Chairman of the Cabinet, advised that the proposed budget did not involve any cuts to services, met the Council's guidelines for expenditure and resulted in a District Council Tax increase below the Retail Price Index. She invited the Finance, Performance Management and Corporate Support Services Portfolio Holder to present this report of the Cabinet.

**(Mover: Councillor J Knapman – Finance, Performance Management and Corporate Support Services Portfolio Holder)**

By leave of the Council, the Portfolio Holder made the following amendment to Recommendation (4) in the report in order to reflect that it had been recognised that a new medium term financial strategy would be required to ensure that reserves did not fall below the Council's guideline:

“(4) That the medium-term financial forecast be noted as a basis for a new medium-term financial strategy which will be developed to ensure that reserves do not fall below the guideline level throughout the period covered by the strategy.”

**Carried**

The Portfolio Holder reported on the process for preparing the budget which had involved all members through Overview and Scrutiny, the Finance and Performance Management Cabinet Committee and the Cabinet. The Council was informed that in order to meet the ceiling for CSB net expenditure, net growth for 2007/08 had been restricted to £138,000 compared with a revised estimate figure of £1,738,000,000 in 2006/07. Net DDF expenditure for 2007/08 amounted to £876,000 which would be offset by transfers in of £317,000. The increase in the District Council Tax had been restricted to 3.5%.

The Portfolio Holder advised that some provision had been made for the expected increased costs of waste management. He also drew attention to the decision of the Department for Communities and Local Government in relation to the Council's application for a capitalisation direction regarding pension deficits.

The Portfolio Holder drew attention to the Annexes regarding the Council's Prudential Indicators and Treasury Management Strategy and to the report of the Chief Financial Officer on the robustness of the estimates for the purposes of the Council's 2007/08 budgets and the adequacy of the reserves.

The Portfolio Holder thanked the members and officers for the work they had undertaken in relation to the budget.

Councillor Mrs D Collins thanked the Portfolio Holder for his work in co-ordinating matters and ensuring that the Council's guidelines had been met.

Report as amended **ADOPTED**

**RESOLVED:**

**Budget**

- (1) That the list of CSB growth for the 2007/08 budget (set out in Annex 1 attached) be approved;
- (2) That the list of District Development Fund items for the 2007/08 budget (set out in Annex 2 attached) be approved;
- (3) That the revenue estimates for 2007/08 and the draft Capital Programme for 2007/08 be approved as set out in Annexes 3, 4 (a-k) and 5 including all contributions to and from reserves as set out in the attached Annexes;
- (4) That the medium-term financial forecast be noted as a basis for a medium term financial strategy which will be developed to ensure that reserves do not fall below the guideline level throughout the period covered by the strategy.
- (5) That the 2007/08 HRA budget be approved and that the application of rent increases and decreases in accordance with the Government's rent reforms and the Council's approved rent strategy, resulting in an average increase of 5% from £64.65 to £67.88, be approved.

**Declaration of Council Tax**

- (6) That it be noted that on 8 December 2006, the Finance, Performance Management and Corporate Support Services Portfolio Holder in consultation with the Chairman of the Overview and Scrutiny Committee calculated the following amounts for the year 2007/08 in accordance with regulations made under Section 33(5) and 34(4) of the Local Government Finance Act 1992:
  - (a) 53,748.6 being the amount calculated by the Council in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 as the Council Tax Base for the year;

(b) Part of the Council's Area	Tax Base
Essex County Council (General Expenses)	53,748.6
Essex Police Authority	53,748.6
Essex Fire Authority	53,748.6
Epping Forest District Council (General Expenses)	53,748.6
Abbess, Beauchamp & Berners Roding	199.5
Buckhurst Hill	5,176.8
Chigwell	5,940.6
Epping Town	4,998.4
Epping Upland	404.8
Fyfield	419.1
High Ongar	553.1
Lambourne	939.7
Loughton Town	12,830.2
Matching	311.0
Moreton, Bobbingworth and The Lavers	655.5

Nazeing	2,075.9
North Weald Bassett	2,520.9
Ongar	2,696.9
Roydon	1,317.8
Sheering	1,356.9
Stanford Rivers	355.2
Stapleford Abbots	498.9
Stapleford Tawney	54.8
Theydon Bois	1,964.3
Theydon Garnon	65.7
Theydon Mount	108.3
Waltham Abbey Town	8,062.2
Willingale	242.1

being the amounts calculated by the Council in accordance with Regulation 6 of the Regulations as the amounts of the Council Tax Base for the year for dwellings in those parts of the area to which one or more special items relate;

(7) That the following amounts be now calculated for the year 2007/08 in accordance with sections 32 to 36 of the Local Government Finance Act 1992:

- (a) £98,665,315 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2) (a) - (e) of the Act;
- (b) £79,219,148 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3) (a) - (c) of the Act;
- (c) £19,446,167 being the amount by which the aggregate at (a) above exceeds the aggregate at (b) calculated by the Council in accordance with Section 32(4) of the Act as its budget requirement for the year;
- (d) £9,161,106 being the aggregate of the sums which the Council estimates will be payable for the year into its General Fund in respect of redistributed Non Domestic Rates and Revenue Support Grant and increased by the amount the Council estimates will be transferred in the year from its Collection Fund to the General Fund in accordance with Section 97(3) of the Local Government Finance Act 1988 and the amount which the Council estimates will be transferred from the Collection Fund to the General Fund pursuant to the Collection Fund (Community Charges) (England) Directions 1994 made under Section 98(4) of the Local Government Finance Act 1988;
- (e) £191.35 being the amount at (c) above, less the amount at (d) above, all divided by the amount at (6)(a) above, calculated by the Council in accordance with Section 33(1) of the Act as the basic amount of its Council Tax for the year;
- (f) £2,787,075 being the aggregate amount of all special items referred to in Section 34(1) of the Act;
- (g) £139.50 being the amount at (e) above, less the result given by dividing the amount at (f) above by the amount of (6)(a) above, calculated by the Council in accordance with Section 34(2) of the Act as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special item relates;

(h) Part of the Council's Area	Amount £
Abbess, Beauchamp & Berners Roding	154.54
Buckhurst Hill	207.69
Chigwell	171.74
Epping Town	212.52
Epping Upland	166.27
Fyfield	157.16
High Ongar	156.24
Lambourne	169.30
Loughton Town	185.58
Matching	165.22
Moreton, Bobbingworth and The Lavers	156.28
Nazeing	197.28
North Weald Bassett	184.69
Ongar	188.03
Roydon	159.42
Sheering	157.19
Stanford Rivers	168.22
Stapleford Abbots	148.85
Stapleford Tawney	161.40
Theydon Bois	170.85
Theydon Garnon	153.81
Theydon Mount	153.42
Waltham Abbey Town	227.56
Willingale	155.20

being the amounts given by adding to the amount at (7)(g) above the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at (6)(b) above, calculated by the Council in accordance with Section 34(3) of the Act as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate;

(i) the amounts shown in Annex 6 to this report, being the amounts given by multiplying the amounts at (7)(h) above by the number which is the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band, divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council in accordance with Section 36(1) of the Act as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands;

(8) That it be noted that for the year 2007/08 the major precepting authorities have stated that the amounts shown in Annex 7 Part A (attached) are the precepts issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each of the categories of dwellings shown;

(9) That, having calculated the aggregate in each case of the amounts at (7)(i) and (8) above, the Council in accordance with Section 30(2) of the Local Government Finance Act 1992 hereby sets the amounts in Annex 7 Part B (attached) as the amounts of Council Tax for the year 2007/08 for each of the categories of dwellings shown;

(10) That the Council's policy of retaining revenue balances at no lower than £3.7M or 25% of the net budget requirement whichever is the higher for the four year period to 2009/10 be amended to no lower than £3.7M or 25% of the net budget requirement whichever is the higher during the four year period up to and including 2010/11;

(11) That the recommendations included in the report on the Prudential Indicators and the Treasury Management Strategy for 2007/08 (set out in Annex 9 attached) be approved; and

(12) That the report of the Chief Financial Officer on the robustness of the estimates for the purposes of the Council's 2007/08 budgets and the adequacy of the reserves be noted.

## **82. REPORT OF THE CONSTITUTION AND MEMBER SERVICES SCRUTINY PANEL**

### **Review of Contract Standing Orders, Financial Regulations and Officer Delegation**

**(Mover: Councillor Mrs J H Whitehouse – Vice-Chairman of Overview and Scrutiny Committee on behalf of the Panel Chairman)**

In the absence of the Chairman of the Constitution and Members Services Scrutiny Panel and the Chairman of the Overview and Scrutiny Committee, and the Vice-Chairman of the Panel, Councillor Mrs J H Whitehouse presented a report following a review of Contract Standing Orders and Officer Delegation. Councillor Mrs J H Whitehouse advised that she had presented the report to the Cabinet on 19 February 2007 at which meeting the recommendations of the Scrutiny Panel had been endorsed.

The meeting noted that the Constitution and Members Services Scrutiny Panel planned to review Financial Regulations and to report thereon to the Council meeting in April 2007.

Report as first moved **ADOPTED**

#### **RESOLVED:**

(1) That the revised Contract Standing Orders be approved and incorporated into the Council's Constitution;

(2) That the schedule of changes to Officer Delegation be adopted and incorporated into the Council's Constitution;

(3) That in future an annual review be carried out in respect of Contract Standing Orders, Financial Regulations and Officer Delegations, in accordance with recommended best practice of the Audit Commission; and

(4) That a review of Financial Regulations be submitted to the next meeting of the Council in April 2007.

**83. AREA PLANS SUB-COMMITTEE 'A'****(a) Review of Operation****(Mover: Councillor J Hart – Chairman of Area Plans Sub-Committee 'A')**

Councillor J Hart presented a report following an operational review by the Sub-Committee in recognition of the decision made by the Council to increase membership to the 25 ward councillors for Area 'A'.

Report as first moved **ADOPTED**

**RESOLVED:**

(1) That the following measures in order to make a 25 member sub-committee workable be introduced from the commencement of the 2007/08 Council year:

(a) acknowledging that some Councillors representing wards in Area 'A' may not wish to serve on the Sub-Committee, membership be determined by the Council at the commencement of each municipal year by requiring members to signify in writing that they wish to serve on the Sub-Committee for that year;

(b) those Councillors who opt into membership should do so for the whole of the Council year;

(c) those Councillors who do not opt in be deemed not to be members of the Sub-Committee for the municipal year in question;

(d) the quorum for meetings of this Sub-Committee be set at one quarter (rounded up to the nearest whole number) of the total members who have opted in to membership or five whichever is the greater;

(e) the Head of Research and Democratic Services be authorised to amend the Council's Constitution to reflect these changes;

(2) That the following operational measures be introduced for the Sub-Committee from the commencement of the 2007/08 Council year and reviewed by the Sub-Committee after six months (ie November 2007):

(a) a revised layout for meetings at Roding Valley High School;

(b) precedence to be given to ward members during discussion of planning applications;

(c) more rigorous controls on repetition in debates;

(d) addition of relevant district wards on each planning application report.

**84. AREA PLANS SUB-COMMITTEE 'B' AND 'C' (COMBINED) - IMPLEMENTATION**

Members considered the question of the chairmanship and vice-chairmanship of the combined Sub-Committee for the remainder of the current municipal year.

The Leader of the Council reported on proposals to continue with joint chairmen and joint vice-chairmen until May 2007 on a rota arrangement with the Council appointing one chairman and one vice-chairman for the year 2007/08 at its Annual Meeting.

**RESOLVED UNANIMOUSLY:**

- (1) That the remaining meetings of the combined Sub-Committee in the current year be chaired jointly by the chairmen/vice-chairmen of the former Area Plans Subs 'B' and 'C';
- (2) That at each meeting of the combined Sub-Committee those items in each of the former areas 'B' and 'C' be chaired by the appropriate chairmen of the former Sub-Committees;
- (3) That a single chairman and vice-chairman for the combined Sub-Committee be appointed at the Annual Council meeting for 2007/08 and in succeeding years;
- (4) That the Council's Protocol regarding allocation of chairmen and vice-chairmen positions between political groups be amended accordingly for the remainder of the current Council year; and
- (5) That the chairman of the District Development Control Committee be authorised to sign as a correct record the minutes of the final meetings of Area Plans Sub-Committees 'B' and 'C' held on 17 January and 24 January 2007 respectively.

**85. MEMBERSHIP OF COMMITTEES, SUB-COMMITTEES AND PANELS**

Members were advised of the steps taken since the last meeting of the Council to fill the vacancy on the District Development Control Committee.

**RESOLVED:**

That the appointment of Councillor R Frankel as a member of the District Development Control Committee for the remainder of the current municipal year be noted.

**86. WEST ESSEX JOINT HIGHWAYS PANEL**

The Council considered the appointment of a member deputy to attend members of the Joint Panel in the absence of the member representative, for the remainder of the current municipal year.

**RESOLVED:**

That Councillor Mrs P Smith be appointed as a member deputy for the remainder of the current municipal year.

**87. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS**

There were no reports for consideration under this heading.

**88. EXCLUSION OF PUBLIC AND PRESS****RESOLVED:**

(1) That, in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the item of business set out below as it would involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12A of the Act indicated and the exemption is considered to outweigh the potential public interest in disclosing the information:

<b>Agenda Item No</b>	<b>Subject</b>	<b>Exempt Information Paragraph Numbers</b>
18	Report of the Cabinet – Top Management Structure	1,2 and 4

(2) That except for the Head of Human Resources and Performance Management, the Head of Research and Democratic Services and the Democratic Services Manager, all officers be excluded from the meeting for the remaining item of business.

**89. REPORT OF THE CABINET****(a) Top Management Structure**

**(Mover: Councillor Mrs D Collins – Leader of the Council)**

Councillor Mrs D Collins presented a report following discussions held with the two Joint Chief Executives.

By leave of the Council, Councillor Mrs D Collins proposed two changes to the recommendations designed to make clearer the position of the Joint Chief Executive (Community) and to deal with the financial impact of the post holder's redundancy and early retirement.

Report as amended **ADOPTED**

**RESOLVED:**

(1) That with effect from 1 August 2007, the structure at Chief Executive level be amended by the deletion of the posts of Joint Chief Executive (Community) and Joint Chief Executive (Resources) and the creation of a single post of Chief Executive;

(2) That the Joint Chief Executive (Community) leave the Council's service on 31 July 2007 on grounds of redundancy and early retirement under the Council's Severance Scheme as applicable at that time;

(3) That, pursuant to (2) above, a supplementary estimate of a maximum of £175,000 be approved to reflect the cost of early retirement and redundancy with the Top Management Cabinet Committee being authorised on behalf of the Council to approve at its next meeting on 13 March 2007 the final figure once all the costs are calculated; and



(4) That John Scott, the Joint Chief Executive (Community) be thanked for his valuable contribution to the work of the Council and the community.

**CHAIRMAN**