

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

**Committee:** Council **Date:** 25 September 2007

**Place:** Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 8.15 pm

**Members Present:** Councillors Mrs C Pond (Chairman), K Angold-Stephens, R Bassett, D Bateman, Mrs P Brooks, K Chana, R Church, Mrs S Clapp, M Cohen, M Colling, Mrs D Collins, Mrs A Cooper, R D'Souza, R Frankel, T Frankland, Mrs R Gadsby, A Green, Mrs A Grigg, Mrs A Haigh, Mrs H Harding, J Hart, Ms J Hedges, D Jacobs, D Kelly, R Law, J Markham, Mrs M McEwen, P McMillan, G Mohindra, R Morgan, S Murray, G Pritchard, Mrs P Richardson, T Richardson, B Rolfe, Mrs P K Rush, Mrs M Sartin, Mrs P Smith, D Stallan, Ms S Stavrou, P Turpin, H Ulkun, Mrs L Wagland, A Watts, C Whitbread, Mrs J H Whitehouse, J M Whitehouse and J Wyatt

**Apologies:** Councillors P House, J Knapman (Vice-Chairman), Mrs J Lea, A Lee, B Sandler, P Spencer, Mrs E Webster and M Woollard

**Officers Present:** P Haywood (Chief Executive), D Macnab (Deputy Chief Executive), I Willett (Head of Research and Democratic Services), G Lunnun (Democratic Services Manager) and T Carne (Public Relations and Marketing Officer)

### **53. APPOINTMENT OF A COUNCILLOR TO ACT IN THE CAPACITY OF UNOFFICIAL VICE-CHAIRMAN FOR THE MEETING**

The Chairman sought nominations for the appointment of a Councillor to act in the role of Vice-Chairman for the meeting. Councillor Mrs D Collins moved and Councillor R Morgan seconded that Councillor Mrs A Haigh be appointed.

#### **RESOLVED:**

That Councillor Mrs A Haigh be appointed to act in the capacity of Vice-Chairman for this meeting.

### **54. DECLARATIONS OF INTEREST**

(a) Pursuant to the Council's Code of Member Conduct, Councillor Mrs M Sartin declared a personal interest in agenda item 9 (Ombudsman's Decision – Waste Transfer Station Complaint) by virtue of being an acquaintance of one of the complainants. The Councillor had determined that her interest was not prejudicial and that she would remain in the meeting for the consideration of and voting on this matter.

(b) Pursuant to the Council's Code of Member Conduct, Councillor Mrs P K Rush declared a personal interest in agenda item 9 (Ombudsman's Decision – Waste Transfer Station Complaint) by virtue of past association with one of the interested parties. The Councillor had determined that her interest was prejudicial and that she would leave the meeting for the consideration of and voting on this matter.

**55. ANNOUNCEMENTS****(a) Chairman's Announcements****(i) Epping Forest District Council v Epping Town Council Petanque Match**

The Chairman congratulated Councillors Mrs A Haigh and D Stallan for regaining the trophy for the District Council at the Annual Petanque Challenge Match held on 4 August 2007.

**(ii) Epping Forest Summer Arts Programme and Summerfest**

The Chairman advised that she had attended several events for children and young people during the summer months and she expressed thanks to the officers in Leisure Services who had been involved in organising these events.

**(iii) Chairman's Charity – Quiz Night**

The Chairman announced that she would be holding a quiz night at the Theydon Bois Village Hall on 8 February 2008. She encouraged members to enter teams.

**(b) Leader's Announcements****(i) Essex Local Government Association (ELGA)**

The Leader reported that she had attended the last meeting of ELGA on 24 September 2007. She advised that ELGA was to be replaced by a body comprising of leaders of local authorities in the County which would meet on a quarterly basis. In addition an Essex Partnership was to be formed which would include representatives of the local authorities and other authorities and agencies operating throughout the County.

**(ii) North East London and Essex Partnership**

The Leader reported on her attendance at a meeting of this Partnership on 20 September 2007. The matters discussed had included the Thames Gateway and building in the M11 corridor.

**(iii) Loughton Broadway Town Centre Enhancement**

The Leader reported that a scoping brief had been prepared and that once consultants had been appointed matters would proceed.

**(iv) Gas Leak**

The Leader reported that Loughton High Road had been closed and evacuated by Essex Police following a gas leak on 5 September 2007. The Council had activated its emergency planning process in support of the Police and Loughton Leisure Centre had been designated as a temporary rest centre. The Leader thanked staff for responding to this incident.

**(c) Environmental Protection Portfolio Holder's Announcement****(i) Expansion of Stansted Airport**

Councillor Mrs M Sartin reported that she had made submissions at the Public Inquiry into the appeal by the British Airports Authority against the decision of Uttlesford District Council to refuse permission for an increase in the use of the existing runway at Stansted Airport to provide for up to 35 million passengers per annum. She advised that her submission had been based on the effects of overflying parts of this District and of increased traffic in the locality. She advised that a copy of her submission had been placed in the Members' Room.

By leave of the Council, Councillor Mrs Collins, Leader of the Council, thanked Councillor Mrs Sartin and Councillor R Church for making submissions at the Inquiry.

**56. ELECTION OF DISTRICT COUNCILLOR - LOUGHTON ALDERTON WARD**

The Council noted that following notification of resignation from former Councillor T Farr and a request to fill the vacancy, nominations had been received and arrangements made for a bye-election on 30 August 2007.

Councillor T Frankland had been elected and had signed a Declaration of Acceptance of Office. He had also given notice of joining the BNP Group on the Council.

**RESOLVED:**

- (1) That Councillor Tony Frankland be welcomed as the newly elected Councillor representing the Loughton Alderton Ward; and
- (2) That the notice given by Councillor Frankland in accordance with the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990, as amended, of joining the BNP Group of the Council be noted.

**57. COMMITTEES, PANELS AND OUTSIDE ORGANISATIONS - VACANCIES**

The Council noted that as a result of the resignation of former Councillor T Farr, vacancies existed on

- (a) Area Plans Sub-Committee South; and
- (b) Staff Appeals Panel (Vice-Chairman).

The Head of Research and Democratic Services reported that membership of Area Plans Sub-Committee South was restricted to Councillors representing wards in Buckhurst Hill, Chigwell and Loughton who advised that they wished to take up a seat on the Sub-Committee. The Council noted that Councillor Frankland had confirmed that he wished to be a member of the Sub-Committee.

The Council was advised that as the BNP Group on the Council had retained the Loughton Alderton Ward seat the political balance of the Council had not changed and there was no need for a review of the pro rata allocation of committee places. Attention was also drawn to vacancies which had arisen on outside organisations as a result of former Councillor Farr's resignation.

**RESOLVED:**

(1) That Councillor T Frankland be appointed as a member of Area Plans Sub-Committee South for the remainder of the current municipal year;

(2) That Councillor T Richardson be appointed as the Vice-Chairman of the Staff Appeals Panel for the remainder of the current municipal year; and

(3) That Councillor T Frankland be appointed to the following vacancies on outside organisations:

Campaign to Protect Rural Essex (deputy) (for the remainder of the current municipal year); and

Lee Valley Regional Park Authority (deputy) (until 30 June 2009).

**58. COUNCILLOR MRS A COOPER**

The Council was advised that Councillor Mrs A Cooper had given notice in accordance with Regulation 10(b) of the Local Government (Committees and Political Groups) Regulations 1990, as amended, of resignation from the Conservative Group with effect from 5 September 2007. She had also advised that she did not intend to join another political group and wished to be referred to as an "Independent Councillor".

The Council reviewed positions held by Councillor Mrs Cooper.

**RESOLVED:**

(1) That the notice given by Councillor Mrs A Cooper of resignation from the Conservative Group of the Council and her wish to be referred to as an "Independent Councillor" be noted;

(2) That the position of Assistant Environmental Protection Portfolio Holder be held vacant;

(3) That Councillor R Bassett be appointed in place of Councillor Mrs Cooper as a representative on the Enfield, Essex, Herts Border Liaison Group; and

(4) That the membership of the Environmental and Planning Services Scrutiny Panel be reviewed by the Overview and Scrutiny Committee.

**59. AUDIT AND GOVERNANCE COMMITTEE - CO-OPTED MEMBER**

The Council was advised of the steps taken by the Audit and Governance Committee to fill the second co-optee place on the Committee.

**RESOLVED:**

That the appointment of Ms Melanie Rickman as the second co-opted member of the Audit and Governance Committee be noted.

**60. EXCLUSION OF PUBLIC AND PRESS**

The Chairman moved and Councillor Mrs Collins seconded that the public and press be excluded from the meeting for the remaining items of business.

**Amendment moved by Councillor J M Whitehouse and seconded by Councillor D Jacobs**

“That paragraphs 14-24 and others not containing personal information in the Top Management Staffing Structure – Report of Top Management Cabinet Committee (agenda item 8) be considered prior to the exclusion of press and public”.

**Lost**

Motion as first moved **ADOPTED**

**RESOLVED:**

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 items of business set out below as they 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 Nos</b>
8	Top Management Staffing Structure – Report of Top Management Cabinet Committee	1 & 2
9	Ombudsman's Decision – Waste Transfer Station Complaint	1 & 2

**61. ORDER OF BUSINESS**

The Chairman sought approval from the Council to change the order of the remaining items of business.

**RESOLVED:**

That agenda item 9 – Ombudsman's Decision – Waste Transfer Station Complaint be taken as the next item of business.

**62. OMBUDSMAN'S DECISION - WASTE TRANSFER STATION COMPLAINT - REPORT OF THE CABINET**

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 seeking a supplementary estimate to cover costs which had arisen from a report of the Local Government Ombudsman regarding two complaints about a waste transfer station.

Report as first moved **ADOPTED**

**RESOLVED:**

- (1) That a revenue DDF supplementary estimate in the sum of £46,000 be approved to cover the Council's portion of the remaining costs of this case; or
- (2) That in the event of this matter being referred to the District Valuer and as a result higher valuations being provided, approval be given to a revenue DDF supplementary estimate not exceeding £50,600.

(With the exception of the Chief Executive and the Democratic Services Manager, the officers left the meeting).

**63. TOP MANAGEMENT STAFFING STRUCTURE - REPORT OF TOP MANAGEMENT CABINET COMMITTEE**

**(Mover: Councillor Mrs D Collins, Leader of the Council and Chairman of the Top Management Cabinet Committee)**

Councillor Mrs Collins presented a report of the Top Management Cabinet Committee recommending a staffing structure immediately below Deputy Chief Executive level, having previously reported on the appointment of a Chief Executive and a Deputy Chief Executive.

Report as first moved **ADOPTED**

**RESOLVED:**

- (1) That the following Head of Service posts be deleted from the establishment with effect from 30 September 2007:
  - (a) Head of Finance;
  - (b) Head of Information and Communication Technology;
  - (c) Head of Research and Democratic Services;
  - (d) Head of Legal, Administration and Estates;
  - (e) Head of Housing Services;
  - (f) Head of Leisure Services;
  - (g) Head of Planning and Economic Development;
  - (h) Head of Environmental Services;

- (2) That the post of Head of Human Resources and Performance Management be deleted from the establishment with effect from 31 March 2008;
- (3) That the post of Chief Works Officer be deleted from the establishment with effect from 30 April 2008;
- (4) That the termination of the employment of the Chief Works Officer on 30 April 2008 and the Head of Human Resources and Performance Management on 31 March 2008 be agreed on grounds of voluntary redundancy/early retirement in accordance with the costs reported;
- (5) That the proposed ill health retirement of the Head of Information and Communication Technology be noted;
- (6) That the following job titles for the Top Management Structure below Deputy Chief Executive level be agreed with effect from 1 October 2007:
  - (a) Director of Finance and ICT;
  - (b) Director of Corporate Support Services;
  - (c) Director of Housing;
  - (d) Director of Environment and Street Scene;
  - (e) Director of Planning and Economic Development; and
  - (f) Assistant to the Chief Executive;
- (7) That the indicative job descriptions of the Deputy Chief Executive, Directors and the Assistant to the Chief Executive be noted;
- (8) That in accordance with Council re-structuring practice, the direct assimilation into posts in the new structure for the remaining post holders at Head of Service level be agreed as follows:
  - (a) Director of Finance and ICT – existing Head of Finance;
  - (b) Director of Corporate Support Services – existing Head of Legal, Administration and Estates;
  - (c) Director of Housing – existing Head of Housing Services;
  - (d) Director of Environment and Street Scene – existing Head of Environmental Services;
  - (e) Director of Planning and Economic Development – existing Head of Planning and Economic Development;
  - (f) Assistant to the Chief Executive – existing Head of Research and Democratic Services;
- (9) That the proposed allocation of services, duties and responsibilities for the Deputy Chief Executive, Directors and the Assistant to the Chief Executive be agreed as set out in the Appendix to these minutes;

(10) That the salary scale for the posts of Director consist of three incremental points as reported in recognition of the recommendations of Hay Management Consultants;

(11) That the salary of the post of Assistant to the Chief Executive be a spot salary at the top spinal column point of Management Grade 3;

(12) That the members of the Cabinet Committee, Group Leaders and the Chief Executive be thanked for the work undertaken in drawing up the new structure; and

(13) That the Leader of the Council on behalf of the Council write to the Head of Information and Communication Technology expressing sympathy for his condition, thanking him for his service to the Council and expressing best wishes for the future.

**CHAIRMAN**