

# EPPING FOREST DISTRICT COUNCIL COUNCIL MINUTES

**Committee:** Council **Date:** 17 December 2019

**Place:** Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 9.29 pm

**Members Present:** Councillors R Bassett (Chairman), H Kane (Vice-Chairman), N Avey, R Baldwin, A Beales, N Bedford, P Bolton, H Brady, R Brookes, L Burrows, D Dorrell, I Hadley, S Heap, S Heather, R Jennings, J Jennings, S Jones, S Kane, H Kauffman, P Keska, J Knapman, Y Knight, J Lea, J Leppert, C McCredie, J McIvor, R Morgan, S Murray, S Neville, M Owen, A Patel, J Philip, C P Pond, C C Pond, S Rackham, B Rolfe, B Sandler, M Sartin, J Share-Bernia, P Stalker, D Stocker, D Sunger, B Vaz, C Whitbread, H Whitbread, J H Whitehouse, J M Whitehouse and D Wixley

**Apologies:** Councillors G Chambers, A Lion, L Mead, A Mitchell, G Mohindra, D Plummer, C Roberts, D Roberts and S Stavrou

**Officers Present:** G Blakemore (Chief Executive), T Carne (Corporate Communications Team Manager), N Dawe (Interim Strategic Director & Chief Financial Officer), A Hendry (Senior Democratic Services Officer), S Jevans (Interim Strategic Director), R Perrin (Democratic Services Officer), P Seager (Chairman's Officer) and L Warren (Member and Delivery Points Team Manager)

## 61. WEBCASTING INTRODUCTION

The Democratic Services Officer 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.

## 62. MINUTES

### RESOLVED:

That the minutes of the Council meeting held on 5 November 2019 be taken as read and signed by the Chairman as a correct record.

## 63. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor S Murray and J H Whitehouse declared a non pecuniary interest in agenda item 10 (Motion) by virtue of being a volunteer for the Foodbank. The Councillors advised that they would remain and vote on this item.

(b) Pursuant to the Council's Code of Member Conduct, Councillor C McCredie declared a non pecuniary interest in agenda item 10 (Motion) by virtue of her husband managing the Foodbank in Loughton. Councillor C McCredie advised that she would remain and vote on this item.

(c) Pursuant to the Council's Code of Member Conduct, Councillor S Murray declared a non pecuniary interest in agenda item 10 (Motion) by virtue of him being a Citizen's Advice Bureau Trustee. Councillor S Murray advised that he would remain and vote on this item.

**64. ANNOUNCEMENTS****(a) Debden Park High School**

The Chairman asked members to stand for a minutes silence in regards to the recent tragic incident at Debden Park High School, where a 12 year old student had sadly lost his life along with other people who had been involved and effected by the incident.

**(b) The Chairman's Announcements**

The Chairman advised that he had attended numerous events and festive services around the District, including the Council's Civic Carol Service which he hosted at The Abbey Church, in Waltham Abbey.

The Chairman also notified members that he would be holding a fundraising 'Prosecco, Port and Pudding' event on Monday 27 January 2020 in aide of Young Carers.

**(c) Flowers**

The Chairman announced that he intended to send the flowers from the meeting to Residential Home Cunningham House, North Weald.

**65. MEMBERS' ALLOWANCES SCHEME 2020/21**

The Chairman of the Remuneration Panel, S Lye presented a report following the annual review of the Epping Forest District Members' Allowances Scheme, which set out the Panels conclusions and recommendations with regard to the application of members' allowances for the 2020/21 municipal year.

Report as first moved **ADOPTED**

**RESOLVED:**

## Basic Allowance

(1) That no change be made to the level of Basic Allowance of £4,300.00 per member per annum, currently included in the Council's Members' Allowances Scheme for the 2020/21 municipal year;

## Special Responsibility Allowance

(2) That no changes be made to the application or implementation of the Special Responsibility Allowances currently included in the Members' Allowances Scheme for the 2020/21 municipal year;

(3) That no change be made to increasing the implementation level of Special Responsibility Allowance applied to the responsibilities identified in the Members' Allowances Scheme;

## Revised Scheme and Guidance

(4) That the addition of the chairman of the appropriate committee be included as an additional level of approval for the determination of approved

duties for the reimbursement of subsistence expenses in relation to member attendance at conferences etc be agreed;

(5) That, subject to the above recommendations and other administrative matters set out in the report, the Members' Allowances Scheme and Guidance for 2020/21 attached as Appendix 1 be adopted and implemented with effect from 25 May 2020;

(6) That the Statement of Implementation of the Special Responsibility Allowances set out in the Members' Allowances Scheme for 2020/21, attached as Appendix 2 be agreed; and

(7) That the Panel continue be kept apprised of the Council's intentions with regard to any future restructure proposals that directly affect the application of Special Responsibility Allowance for the specific member roles and responsibilities currently reflected in the Members' Allowances Scheme.

#### **66. PUBLIC QUESTIONS (IF ANY)**

The Council noted that there were no public questions that had been submitted for consideration at this meeting.

#### **67. QUESTIONS BY MEMBERS UNDER NOTICE**

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

#### **68. REPORTS FROM THE LEADER & 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 service areas.

(a) The Leader of the Council

Councillor C Whitbread congratulated Councillor G Mohindra on his recent successful election, as a Member of Parliament for South West Hertfordshire and to all the other members that had contributed to the General Election on 12 December 2019.

In regards to Council business, he had attended the Essex's Leaders and Chief Executive meeting. which had provided updates on Brexit planning and the proposals for young people leaving care. This included consideration for exemption on council tax up to the age of 21, other concessions and work experience opportunities.

Furthermore, the Cabinet continued to work on the budget for 2020/21, which included investment in frontline services and bring back other provisions. The Accommodation Strategy was moving forward and provided a vision for the future of the Council including discussions taking place with Essex County Council with regards to the library services and a planning application for St John's Road Development. This would be submitted shortly, following the report to Cabinet on 6 January 2020 which included a wider look at the area, to consider future provisions required including parking.

(b) Contracts and Technical Services Portfolio Holder

Councillor N Avey advised that he had met with Transport for London (TfL) regarding the changes to the Central Line timetable in January 2020. TfL had advised that the proposed reduction in service would be to resolve engine problems, which were causing regular delays to the service, which would continue until 2023.

During the maintenance programme, trains would be given increased wheelchair spaces, visual graphic announcements and CCTV. TfL advised that a new fleet would be operational 2030/33 and, in the meantime, the maintenance programme would improve reliability of the Central Line, although there would be a reduction of trains from Epping in the peak periods but additional trains from Loughton.

He had requested that TfL keep both the Council and residents informed throughout this programme of work and TfL had been requested to attend a future Overview and Scrutiny Committee to explain the work programme.

(c) Commercial and Regulatory Services Portfolio Holder

Councillor A Patel advised that the Council had purchased the Loughton Centric Parade, which included 40 car parking spaces to the rear, 9 flats above and 18 commercial and offices units. Subject to planning approval, there were further opportunities for residential development. The purchase had complied with many of the key corporate policies, plans and strategies of the Council.

(d) Housing and Property Portfolio Holder

Councillor H Whitbread advised that opening ceremony for Davis Court had been postponed due to purdah and this had been arranged for the New Year.

## 69. QUESTIONS BY MEMBERS WITHOUT NOTICE

(a) Lowewood Museum

Councillor M Sartin asked the Community and Partnership Services Portfolio Holder for an update on the recent decision by Broxbourne Borough Council concerning Lowewood Museum.

Councillor N Bedford advised the Council had managed Broxbourne Borough Council's Lowewood Museum under a Service Level Agreement (SLA) since 2012. Unfortunately they had informed the Council that they could no longer justify a proposed investment and were considering the future viability of the service. Therefore the Council believed that it was the right time to give notice and terminate the SLA which would revert the management back to Broxbourne Borough Council in June 2020.

(b) Private Sector Employment

Councillor R Baldwin asked the Leader whether the Council had a policy to assist private sector industries based in the District?

Councillor C Whitbread advised the Council was there to support all local high streets and employers in the District.

(c) Free Car Parking

Councillor L Burrows asked the Contract and Technical Services Portfolio Holder whether all the Council owned car parks within the District were free over the weekends during the festive period.

Councillor N Avey advised that yes, all the Council car parks were free in December on the weekends and bank holidays, to assist the local high streets during the festive season.

(d) Car Parking Policy

Councillor C C Pond asked for further details on Car Parking Policy for the District, which had been mentioned in the Strategic Projects Portfolio Holder's report.

Councillor N Avey advised that a car parking tariff review was underway with details due back for consideration by March 2020. Furthermore, the Council was also considering new technology for parking and other associated issues in the District including Automatic Number Plate Recognition (ANPR).

Councillor S Murray remarked the Council's appreciation to the emergency services, professional support services and clergy within Loughton, in regards to the provisions received following the tragic events at Debden Park High School on 2 December 2019.

(e) Foodbank

Councillor S Murray asked the Leader of Council whether he was aware that Epping Forest Foodbank had distributed 4870 meals within the last 3 months, of which 2020 had been for children and represented 61% increase on the same period since 2018.

Councillor C Whitbread advised that he had been aware of the increased usage of foodbanks, which had partly been why a motion had been brought forward this evening to increase funding. Unfortunately, he believed that there would always be a need for this type of assistance for families left in difficult financial circumstances.

(f) Crime Figures for the District

Councillor D Sunger asked the Community and Partnership Services Portfolio Holder for an update on crime figures for the District.

Councillor N Bedford advised that over a twelve month period the following types of crime had reduced; All Theft by 7.9%; Residential Associated Burglary by 34.35%; Business Associated Burglary by 26.3%; All Vehicles Offences by 6%; and Anti-Social Behaviour by 13.3%. There had been a slight increase in Robbery on Persons which had increased by 8.8%. He believed that the Police were doing an excellent job.

(g) Climate Change

Councillor S Neville asked the Leader of Council what progress had been made following the adoption of the Climate Emergency Motion on 19 September 2019. In particular, in regards to the Council publishing an action plan on how it would achieve the target to become carbon neutral by 2030; and how the carbon emissions in the Epping Forest area would be monitored to achieve this target.

Councillor C Whitbread advised that a Cabinet Member would be appointed on 6 January 2020, as the Council's spokesperson for Climate Change. Regarding the other issues raised, he believed officers were collating a detailed response which he would circulate.

(h) TfL Improvement on the Central Line

Councillor M Owen asked Contract and Technical Services Portfolio Holder whether there was any merit in asking TfL to try to bring forward the improvements scheduled for 2030-33 on the Central Line.

Councillor N Avey advised the Council had written and spoken with TfL regarding a number of issues concerning the section of the Central Line within the District and there appeared to be little the Council could do to compel them.

(i) Planning Permission - Epping Forest Special Areas of Conservation (EFSAC)

Councillor B Rolfe asked the Planning Services Portfolio Holder whether there had been any planning permissions issued since the last Council meeting.

Councillor J Philip advised that following the Natural England directive regarding the EFSAC, which related specifically to applications that produced a net reduction in Average Annual Daily Traffic (AADT) on roads through the EFSAC; 10 planning applications for 40 dwellings had been issued. There were another 6 applications that the Council hoped to grant by Christmas 2020.

(j) Tree Planting

Councillor D Wixley asked the Contract and Technical Services Portfolio Holder whether the Council could increase the number of trees planted this year to be inline with previous years.

Councillor N Avey remarked that with the Climate Emergency becoming increasingly prevalent, more tree planting was essential. He advised that as mentioned in his report, the number of trees had increased although he would discuss further planting with officers.

(k) Natural England

Councillor J Knapman asked the Planning Services Portfolio how many planning applications affected by EFSAC were outstanding and whether members could be updated.

Councillor J Philip advised that slightly over 100 planning applications had been in a back log and as previous mentioned 16 of these should be dealt with by the end of 2019. He would update members through the Members Bulletin.

(l) Central Line

Councillor H Kauffman asked the Leader of Council if he would raise concerns with the Transport Commissioner for London, regarding the proposed timetable changes; general poor service; and facilities on the Central Line which were all having a critical impact on the District.

Councillor C Whitbread advised that he would take up this challenge and make every effort for the District and its residents.

(m) Transport Strategy Consultation

Councillor J M Whitehouse asked the Planning Services Portfolio Holder, if awareness of the Transport Strategy Consultation concerning the Garden Town could be made more widely available to the various external bodies and groups in the District.

Councillor J Philip advised that the recently scheduled Garden Town Board meeting had been cancelled due to the General Election, so he could not give an update on the consultation. However, he would do his best to ensure the relevant interested parties were consulted.

(n) St John's Road, Epping

Councillor J H Whitehouse asked the Leader of Council whether comments made by a developer concerning the St John's Road site aimed at a no parking strategy for the leisure centre and residential units would be the correct policy to follow, considering the current parking issues faced in Epping.

Councillor C Whitbread advised that the Council had not yet appointed a developer for the St John's Road site and a report would be presented to Cabinet 6 January 2020, which would take the Local Plan into consideration.

(o) Loughton Centric Parade

Councillor S Murray asked how many members had been involved in the decision to purchase the Loughton Centric Parade.

The Commercial and Regulatory Portfolio Holder, Councillor A Patel advised that following the decision by Council on 19 September 2019, three members had taken the decision, as set out in the Asset Management Strategy approved by Cabinet in June 2019.

## 70. MOTIONS

(a) Voluntary and Charitable Organisations

**Moved by Councillor S. Murray and seconded by Councillor S. Neville**

“Epping Forest District Council:

(1) Notes the important role played by voluntary and charitable organisations within our local communities throughout the district in providing a very wide range of local opportunities and support services.

(2) Celebrates the efforts and commitments of the many hundreds of volunteers who help in the delivery of these important projects; and

(3) Resolves to continue to give as much support as possible to these groups and organisations.”

**Carried**

**Motion as first proposed ADOPTED****RESOLVED:**

That Epping Forest District Council:

(1) Notes the important role played by voluntary and charitable organisations within our local communities throughout the district in providing a very wide range of local opportunities and support services.

(2) Celebrates the efforts and commitments of the many hundreds of volunteers who help in the delivery of these important projects; and

(3) Resolves to continue to give as much support as possible to these groups and organisations.

(b) Foodbank

**Moved by Councillor H. Whitbread and seconded by Councillor S. Kane**

“1. That the Council recognises the valuable work and support that the Epping Forest Foodbank provides to our residents in need and the wider community.

2. That the Council recognises that the activities of the Epping Forest Foodbank supports the aims of the Council notably Corporate Plan Objective 4 – safeguarding and supporting people in vulnerable situations.

3. That the Council provides immediate assistance to the Epping Forest Foodbank, recognising the existing commitment of £5,000 already agreed, by agreeing to a further sum of £1,500 to help those in need through the festive period.

4. That the Council provides premises for the Epping Forest Foodbank in Waltham Abbey to support their work in that area; and

5. That the Council works with the Epping Forest Foodbank to produce a Service Level Agreement that sets out the Council's commitment for support to the Epping Forest Foodbank and defines the support work that the Foodbank provides in relation to that support.”

**Carried**

**Motion as first moved ADOPTED****RESOLVED:**

1. That the Council recognises the valuable work and support that the Epping Forest Foodbank provides to our residents in need and the wider community.

2. That the Council recognises that the activities of the Epping Forest Foodbank supports the aims of the Council notably Corporate Plan Objective 4 – safeguarding and supporting people in vulnerable situations.

3. That the Council provides immediate assistance to the Epping Forest Foodbank, recognising the existing commitment of £5,000 already agreed, by

agreeing to a further sum of £1,500 to help those in need through the festive period.

4. That the Council provides premises for the Epping Forest Foodbank in Waltham Abbey to support their work in that area; and

5. That the Council works with the Epping Forest Foodbank to produce a Service Level Agreement that sets out the Council's commitment for support to the Epping Forest Foodbank and defines the support work that the Foodbank provides in relation to that support.

#### **71. LOCAL COUNCIL TAX SUPPORT SCHEME 2020/21**

**Mover: Councillor S Kane, Customer Services Portfolio Holder**

Councillor S. Kane presented a report regarding the Local Council Tax Support Scheme for 2020/21, which had remained unchanged from 2019/20.

**Report as first moved ADOPTED**

**RESOLVED:**

That the revised Local Council Tax Support Scheme for 2020/21 be approved.

#### **72. AUDIT AND GOVERNANCE COMMITTEE ANNUAL REPORT 2018/19**

**Councillor J Knapman, the Chairman of the Audit and Governance Committee**

Councillor J Knapman presented the Audit and Governance Annual Report 2018/19.

The Leader thanked the officers and members of the Audit and Governance Committee for their work throughout the year.

**RESOLVED:**

That the Annual Report of the Audit & Governance Committee for 2018/19 be noted.

#### **73. ANTI-FRAUD & CORRUPTION STRATEGY**

The Chairman of the Audit and Governance Committee, Councillor J Knapman reported that the Anti-Fraud and Corruption Strategy had been reviewed and considered by the Audit and Governance Committee on 25 November 2019. The Strategy has been revised in light of the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 (MLR 2017).

Report as first moved **ADOPTED**

**RESOLVED:**

That the Council's revised Anti-Fraud and Corruption Strategy, as attached at Appendix 3 to these minutes be approved.

**74. STATUTORY STATEMENT OF ACCOUNTS - 2018/19**

The Leader of the Council advised that the External Auditors were still carrying out the final closure of the accounts. Therefore the Statutory Statement of Accounts for 2019/20 would be presented at the Council meeting on 25 February 2020. There had been no major issues reported and measures had been taken to ensure future annual accounts would be reviewed and approved more rapidly.

**75. APPOINTMENT OF CO-OPTED MEMBER - PROGRESS REPORT****Councillor J Knapman, the Chairman of the Audit and Governance Committee**

Councillor J Knapman reported that a recruitment process for two Independent Members of the Audit and Governance Committee was required, as both positions were now vacant. The vacancies did not affect the quorum of the Audit and Governance Committee, although they provided a degree of independence and complied with the Chartered Institute of Public Finance & Accountancy's guidelines and best practice for local authority Audit Committees.

In order to ensure that the Interview and Selection Panel could progress for the vacant positions, Group Leaders were requested to nominate substitute members in addition to the appointed Panel agreed at the Council meeting 19 September 2019.

**RESOLVED:**

- (1) That the progress with the appointment for the vacant Co-Opted Member position on the Audit & Governance Committee be noted;
- (2) That the need to repeat the recruitment process for the vacant Co-Opted Member positions on the Audit & Governance Committee be noted;
- (3) That, the Group Leaders of the Conservative, Loughton Residents Association, Green Party and Liberal Democrats nominated a substitute member for the Interview and Selection Panel and advise Democratic Services; and
- (4) That the resignation of Ms. N Nanayakkara, the other co-opted member on the Audit & Governance Committee, be noted.

**76. APPOINTMENT OF MEMBER CHAMPION FOR ARMED FORCES**

In order for the Council to successfully implement the Armed Forces Community Covenant, an appointment for a Member Champion was required. Three members had indicated their interest in this role and as the members had demonstrated variety experience and knowledge, the Council decided to appoint all of the members to this role.

**RESOLVED:**

That Councillors J Lea, S Murray and B Rolfe be appointed as the Armed Forces Member Champions for the remainder of the 2019/20 municipal year.

**77. OVERVIEW AND SCRUTINY COMMITTEE**

The Council received a written report from Councillor M Sartin, the Chairman of the Overview and Scrutiny Committee. She advised that following the Contract and

Technical Services Portfolio Holder, Councillor N Avey recent meeting with Transport for London (TfL), the Overview and Scrutiny Committee would be adding TfL to their work programme.

Furthermore, following the last meeting the Chief Officer, J Foile from Voluntary Action Epping Forest (VAEF) had extended an invitation to all members to meet with her on a one-to-one basis, if they wished to find out more about VAEF.

Councillor S Murray asked that the Committee could take the next opportunity to scrutinise the recent decision of the Council's Group Company, which Councillor M Sartin noted.

**78. JOINT ARRANGEMENTS & EXTERNAL ORGANISATIONS**

(a) The Council received a written report regarding the Royal Gunpowder from Councillor H Kane.

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

**CHAIRMAN**

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**MEMBERS' ALLOWANCES SCHEME**

## **EPPING 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 25 May 2020 to 24 May 2021.

### **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 2020.

### **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 Service Manager (Governance), 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 in to 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-OPTEEES' 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 Democratic Services Manager 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

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## SCHEME OF MEMBERS' ALLOWANCES - STATEMENT CONCERNING IMPLEMENTATION 2019/20

**The following scheme has been agreed for the period  
from 25 May 2020 to 24 May 2021**

The Council decided at its meeting on 17 December 2019 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	£4,300.00	£4,300.00 (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	£10,750.00 (total)	£8,600.00 (80%)
Vice-Chairman of the Council		£2,150.00 (20%)
Leader of the Council	£10,750.00	£7,875.00 (73%)
Cabinet members	£6,450.00 (each)	£6,300.00 (98%)
Chairman of the District Development Management Committee	£3,225.00	£2,362.00 (73%)
Chairmen of the Area Plans Sub-Committees	£3,225.00	£2,362.00 (73%)
Chairman of the Overview and Scrutiny Committee	£4,300.00	£3,150.00 (73%)

Chairman of the Licensing Committee	£500.00	£500.00
Chairmen of the Licensing Sub-Committees	£2,725.00 (allocated according to the number of meetings each year)	£1,862.00 (allocated according to the number of meetings each year) (73%)
Chairman of the Audit and Governance Committee	£2,150.00	£2,150.00
Chairmen of the Overview and Scrutiny Select Committees	£2,150.00	£2,150.00 (each)
Chairman of the Standards Committee	£110.00 (per meeting)	£110.00 (per meeting)
Chairman of the Constitution Working Group	£500.00	£500.00

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

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

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