

Supplementary Council Agenda



**Epping Forest
District Council**

Council Thursday, 27th September, 2012

Place: Civic Offices, High Street, Epping
Room: Council Chamber
Time: 7.30 pm
Committee Secretary: Council Secretary: Ian Willett
Tel: 01992 564243 Email:
democraticservices@eppingforestdc.gov.uk

8. MOTIONS (Pages 3 - 4)

To consider the attached motion, notice of which has been given under Council Procedure Rule 11.

12. REPORT OF THE CABINET - SUPPLEMENTARY DDF ESTIMATE - NORTH WEALD AIRFIELD CONSULTANCY (Pages 5 - 6)

To consider the attached report.

14. STANDARDS COMMITTEE - APPOINTMENT OF INDEPENDENT PERSONS (Pages 7 - 8)

To consider the attached report.

16A. APPOINTMENT OF HEAD OF PAID SERVICE AND DELEGATED AUTHORITIES EXERCISED BY THE CHIEF EXECUTIVE (Pages 9 - 16)

To consider a report of the Monitoring Officer (attached).

In accordance with Section 100B (4)(b) of the Local Government Act 1972, together with the Council Procedure Rules contained in the Constitution, the Chairman has agreed this item should be reported as a matter of urgency by reason of the forthcoming date of commencement of employment of the new Chief Executive.

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Motion – Appointment of Independent Persons under the Localism Act 2011

Mover: Councillor Janet Whitehouse

Seconder: Councillor David Stellan

“That this Council –

(a) deplores the loss of expertise of experienced independent members from the previous Standards Committee because of the Government's decision not to permit them to be appointed as Independent Persons for a term of office which extends beyond June 2013;

(b) agrees that, not only is this excluding experienced people with considerable expertise, but has also wasted considerable investment in training and advice provided for independent members by Council officers;

(c) notes that the role of independents has not changed fundamentally under the new standards arrangements; and

(d) calls upon the Government to amend the legislation to allow independent members of the previous Standards Committees to apply to become Independent Persons under the new standards arrangements on an continuing basis and makes representations to that effect to the Secretary of State for Communities & Local Government.”

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Report to the Council

Committee: Cabinet

Date: 27 September 2012

Portfolio Holder: Councillor Anne Grigg
(Asset Management and Economic Development)

SUPPLEMENTARY DDF ESTIMATE – NORTH WEALD AIRFIELD CONSULTANCY

Recommending:

That a supplementary District Development Fund estimate of £150,000 be approved to enable a further consultancy exercise to be undertaken in relation to the future potential development of North Weald Airfield.

1. In mid 2011, using funding from Improvement East, Ernst and Young were appointed to assess independently work previously undertaken in relation to the future of North Weald Airfield and to outline the further work required to determine the optimal use of the site.

2. The Ernst and Young appointment followed earlier reports undertaken for the Council on the future of the airfield by Drivers Jonas in 1998/99 and by Halcrow in 2010/11.

3. Halcrow was given a fairly restricted brief to review aviation intensification including any supporting infrastructure that might be required. It is interesting therefore that given the wider brief to Ernst and Young, both consultants have concluded further work is required if the Council wishes to place itself in a position of better understanding of the aviation development options and opportunities alongside non-aviation related options.

4. Ernst and Young have suggested two further distinct packages of work:

Package 1 (2 to 3 months)

- define the Council's commercial objectives
- define potential options for managing the site
- assess these options against the Council's stated commercial objectives on a qualitative basis
- establish an option shortlist based upon that qualitative assessment
- a detailed qualitative assessment of the short listed options

(Ernst and Young consider the second point above to be very important, in that at this stage all options, whether aviation based or not, are freely considered, to establish what type of development would generate best value)

Package 2 (12 months or more)

- implementation strategy for preferred option and prepare for market
- procurement process

5. We have been advised that these packages of work will need to be delivered through specialist consultants. Ernst and Young have suggested that the normal process would be the appointment of a lead consultant to act for the Council with the likelihood that specialist sub consultants would be required for particular parts of the commission.

6. This is a potentially lengthy procedure, and the above timescales do not allow for the time required to procure a lead consultant.

7. Overall costs are also uncertain, but based upon previous exercises, a consultancy exercise of this complexity is very likely to cost in the region of £150,000. However, members should consider this cost in the context of what the Council may be looking to achieve in unlocking the financial potential of its largest landholding.

8. The outcome of any such exercise will also play a material part in the Council's ongoing Local plan process, since the Airfield is predominately Green Belt. In order to ensure that the consultancy exercise dovetails with the Local plan process, package 1 above will need to be undertaken, reported and considered by the council by April next year to inform the Preferred Options paper due to be published in July/August 2013.

9. The Ernst and Young report has been considered in detail by the North Weald Airfield and Asset Management Cabinet Committee and the consultants' recommendations are supported by that Committee. We agree with the conclusions of the Cabinet Committee and in order to proceed we are seeking a supplementary District Development Fund estimate of £150,000.

10. If the Council approves a supplementary estimate it is our intention to use the Government Procurement Service Framework Agreement, or similar suitable framework, for the appointment of consultants in the light of the restricted time available to complete the exercise in line with the Local Plan process. The use of such a framework is in accordance with the council's Contract Standing Orders.

11. We recommend as set out at the commencement of this report.

Report to the Council

Committee: Standards Committee Selection Panel **Date:** 18/25 September 2012

Chairman: Councillor Mrs P Smith

1. STANDARDS COMMITTEE – APPOINTMENT OF INDEPENDENT PERSONS

Recommending:

- (1) That the Chairman of the Selection Panel submit the names of candidates recommended for appointment as Independent Persons; and
 - (2) That arrangements be made for the new members to receive appropriate training before they take up their appointments.
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- 1.1 We were appointed at the Council meeting on 18 June 2012 to interview and recommend the appointment of at least two Independent Persons who are required under the Localism Act 2011 as part of the new Council standards arrangements. Independent Persons are appointed to provide an impartial view these matters to the Standards Committee, the Monitoring Officer and Councillors regarding various matters such as complaints investigations, dispensations and imposing sanctions concerning breaches of the Code of Conduct.
- 1.2 The Monitoring Officer made arrangements to issue the Statutory Notice in the press inviting applications and full details were also provided on the Council's Website. This publicity resulted in a total of 12 recruitment packs being issued to interested persons. As a result, six applications were received. Under the Act appointments have to be approved by the Council by a simple majority vote.
- 1.3 All six applications met the selection criteria prescribed by Government regulations and applicants were invited to interview. Five applicants were interviewed on 18 September 2012 and one is to attend on 25 September 2012.
- 1.4 Interviews for each applicant took approximately 30 minutes and fell into three phases:
 - (a) set questions asked of each applicant on a range of topics linked to the essential and desirable competencies agreed by the Council;
 - (b) questions by the applicants themselves; and
 - (c) a concluding statement by applicants to sum up their applications.
- 1.5 After all the interviews had been held, we intend to score each applicant based on interview evidence against the key competencies. These criteria were as follows:
 - (a) an interest in public sector governance issues (essential);

- (b) experience or knowledge of public sector governance issues (desirable);
 - (c) understanding of the pressures and constraints of serving as an elected or co-opted member of a democratically accountable public body (desirable);
 - (d) understanding of the current policy agenda for local services (essential);
 - (e) experience of handling misconduct issues (gained in the context of employment, a professional body or the voluntary sector) (desirable);
 - (f) experience of reviewing data and evaluating other forms information to reach evidence based conclusions (essential);
 - (g) strong oral and written communication skills (essential);
 - (h) credible and authoritative personal style (essential).
- 1.6 We were assisted by the Monitoring Officer, the Deputy Monitoring Officer and Assistant Director Democratic Services who were there to answer factual questions but took no part in the final decision and voting.
- 1.7 As our final interview is not scheduled to take place until two days before the Council meeting, we are recommending that our Chairman should propose the Panel's preferred candidates at this Council meeting. We are also recommending that once the Council has made a decision on this appointment the two successful applicants be given training on the Standards Committee prior to taking up their duties.
- 1.8 We recommend as set out at the commencement of this report.

Members of the Selection Panel:

Councillors Mrs P Smith (Chairman), K Angold-Stephens, A Mitchell, D Stallan and J H Whitehouse.

Background Papers:

Applicants' pack (including assessment criteria) and other correspondence.
Applications and Assessments.

Report to the Council

Report of: Monitoring Officer

Date: 27 September 2012

Subject: Appointment of Head of Paid Service and Delegated Authorities of the Chief Executive

Recommending:

(1) That Minute 57 of the Council meeting on 27 July 2010 (Appointment of Acting Chief Executive as Head of Paid Service) and Minute 58 of the same Council Meeting (Exercise of the Chief Executive's Delegated Authorities by the Acting Chief Executive) be rescinded;

(2) That the Chief Executive, Mr G Chipp, be confirmed as the Council's Head of Paid Service with effect from 1 October 2012 in accordance with Section 4(1) of the Local Government and Housing Act 1989; and

(3) That the delegated authorities exercisable by the Chief Executive and currently held by the Acting Chief Executive on a temporary basis, revert to the Mr G. Chipp (Chief Executive) with effect from 1 October 2012.

1. Mr G Chipp takes up his duties as Chief Executive with effect from 1 October 2012. It is now necessary to rescind the Council's decisions on 27 July 2010 to appoint the Acting Chief Executive as the Authority's Head of Paid Service and to assume delegated authorities otherwise exercised by the Chief Executive.
2. The Council is recommended to confirm that Mr Chipp as Chief Executive in these roles with effect from 1 October 2012 for the record and for the avoidance of doubt in the future.

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Report to the Council

Report of: **Leader of the Council**

Date: 27 July 2010

Item: 17

1. ACTING CHIEF EXECUTIVE – DELEGATED AUTHORITIES

Recommending:

- (1) That the schedule of Council delegated authorities for Council functions set out in Appendix 1 to this report be transferred to the Acting Chief Executive with effect from 28 July 2010;
 - (2) That the Acting Chief Executive be also responsible for any delegated Council functions currently listed as exercisable by the Deputy Chief Executive from 28 July 2010 pending further review of the Office of the Deputy Chief Executive;
 - (3) To note the list of executive functions delegated to the Acting Chief Executive as set out in Appendix 2 to this report which the Leader of the Council will be asked to approve following this meeting.
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1. Subject to the appointment of Mr Derek Macnab to the position of Acting Chief Executive earlier in the meeting, certain delegated authorities in respect of Council functions held by the Chief Executive should now be transferred to the new post (Appendix 1). Any delegated authorities currently held by the Deputy Chief Executive will also transfer to the new post for the time being.
2. Appendix 2 indicates those delegated authorities in respect of executive functions, previously exercisable by the Chief Executive, which will be transferred to the Acting Chief Executive under a decision to be sought from the Leader of the Council once the appointment is made by the Council.

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**COUNCIL MEETING
(27.7.10)**

APPENDIX 1

**SCHEDULE OF DELEGATION TO ACTING CHIEF EXECUTIVE
(COUNCIL FUNCTIONS)**

DELEGATION REF	SUBJECT	NOTES
CL2	Deposit of Background Papers	(All Directors authorised)
CL5	Staff Personal Development Reviews – Office of the Chief Executive	
CL6	Staff Meeting Allowances – Approval	(All Directors authorised)
CL10	Car Lease Scheme – Approval of Staff Applications	(All Directors authorised)
CL11	Chairman of Council – Casual Vacancy (Proper Officer)	(All Directors authorised)

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**COUNCIL MEETING
(27.7.10)**

ITEM: 17

(APPENDIX 2)

**SCHEDULE OF DELEGATION TO ACTING CHIEF EXECUTIVE
(EXECUTIVE FUNCTIONS)**

DELEGATION REF	ACTING CHIEF EXECUTIVE DELEGATION	NOTES
EX12	Awards under Complaints and Compliments Procedure	
EX14	Authority to approve bids for Works Outside District	
EX15	Approval of officer attendances at conference	(All Directors authorised)
EX18	Ex Gratia Payments to Staff for additional duties undertaken	(All Directors authorised)
EX48	Press Releases	(All Directors authorised)
EX61	Officers' Travel Claims – Policy Exception regarding travel arrangements.	(All Directors authorised)
EX62	Study Leave for Staff	(All Directors authorised)
EX66	Temporary Staff – Engagement	(All Directors authorised)

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