



CONSTITUTION WORKING GROUP **Monday, 3rd December, 2018**

Place: Civic Offices, High Street, Epping

Room: Committee Room 2

Time: 7.00 pm

Democratic Officer **Services** V. Messenger Tel: (01992) 564243
Email: democraticservices@eppingforestdc.gov.uk

Members:

Councillors M McEwen (Chairman), M Sartin (Vice-Chairman), D Dorrell, S Heap, L Hughes, S Jones, J Philip, C C Pond, C P Pond, J Share-Bernia and J H Whitehouse

**MEMBERS ARE REMINDED TO BRING THEIR COPIES OF THE
EXISTING CONSTITUTION DOCUMENT WITH THEM TO THE
MEETINGS – FURTHER COPIES CAN BE SUPPLIED ON REQUEST.**

1. APOLOGIES FOR ABSENCE

2. SUBSTITUTE MEMBERS

To report the appointment of any substitute members for the meeting.

3. NOTES OF PREVIOUS MEETING (Pages 3 - 12)

To agree the notes of the meeting of the Working Group held on 25 June 2018.

4. TERMS OF REFERENCE & WORK PROGRAMME (Pages 13 - 16)

To review the terms of reference and progress with the achievement of the current work programme for the Working Group.

5. CONSTITUTION - REVISIONS & AMENDMENTS

To note that the following revisions or amendments have been made to the Constitution since the previous meeting of the Working Group, pursuant to the authority delegated to the Service Director (Governance and Member Services).

6. PLANNING PROCESS REVIEW (Pages 17 - 22)

To consider the report (attached).

7. PETITION SCHEME (Pages 23 - 32)

To consider the report and the revised version of the Petition Scheme (attached).

8. APPOINTMENT OF HONORARY ALDERMEN AND ALDERWOMEN (Pages 33 - 42)

To consider the report and proposed scheme (attached).

9. DATE OF NEXT MEETING

To note that the next meeting of the Working Group will be held at 7pm on 28 March 2019.

**EPPING FOREST DISTRICT COUNCIL
NOTES OF A MEETING OF CONSTITUTION WORKING GROUP
HELD ON MONDAY, 25 JUNE 2018
IN COMMITTEE ROOM 2, CIVIC OFFICES, HIGH STREET, EPPING
AT 7.00 - 8.05 PM**

Members Present: J Philip (Planning and Governance Portfolio Holder) (Chairman), G Chambers, S Heap, L Hughes, S Jones, S Kane (Safer, Greener & Transport Portfolio Holder), C C Pond, C P Pond, J Share-Bernia and J H Whitehouse

Other members present: S Heather and S Neville

Apologies for Absence: M McEwen, M Sartin and D Dorrell

Officers Present S Hill (Assistant Director (Governance)), N Richardson (Assistant Director (Development Management)) and V Messenger (Democratic Services Officer)

1. APPOINTMENT OF CHAIRMAN

In the absence of the Chairman and Vice-Chairman, Councillor J Philip was appointed Chairman for the duration of the meeting.

2. SUBSTITUTE MEMBERS

It was reported that Councillor G Chambers was substituting for Councillor M McEwen and Councillor S Kane was substituting for Councillor M Sartin.

3. NOTES OF PREVIOUS MEETING

RESOLVED:

That the notes of the last meeting of the Working Group held on 16 April 2018 be agreed as a correct record.

4. TERMS OF REFERENCE & WORK PROGRAMME

(a) The Terms of Reference were noted.

(b) Work Programme

(i) The Assistant Director (Governance) reported that he would be liaising with the Chairman, Councillor M McEwen, on a draft work programme for this municipal year.

(ii) Item (3) (iv) Planning Process Review 2017/18 Committee systems – the Working Group would come back and look again at the planning committee structure. It had not considered this since the meeting on 20 February 2018 (Min no 17).

(iii) The ongoing restructure of the Council to replace the old directorates would fundamentally alter the schedule of delegations, the Leader's

and those that came from Council directly. Hence the Assistant Director (Governance) would be working with the Leader to ensure the decision making processes of the Council were sound.

- (iv) The new (eight) service directors would be given as much delegation as possible in this new Council structure. More essentially, all the old job titles of the ex-staff that had gone would need to be omitted from the Constitution documents. The Assistant Director (Governance) would need to work through the Constitution and replace officers' names to reflect these changes.

It was noted accordingly that members would be required to consider these amendments to the Constitution and to make recommendations for Council accordingly.

5. CONSTITUTION - REVISIONS & AMENDMENTS

It was noted that no further revisions or amendments had been made to the Constitution since the previous meeting of the Working Group, pursuant to the authority delegated to the Assistant Director (Governance).

6. PLANNING PROCESS REVIEW 2017/18 - DELEGATIONS TO PLANNING OFFICERS

- (a) Revised new delegation schedules

The Assistant Director (Governance) explained for the new members of the Working Group that the Planning Process Review had so far been considered at its meetings in January, February and April 2018. However, as it had been agreed the first consultation with all members and local councils in April was too short, a second but longer consultation had been carried out from 2 May to 6 June 2018 with the same consultees.

Appendix 1 detailed a few amendments that had been achieved from the first consultation and a Replacement Planning Delegations document, CLD2 Replacement, was published in this agenda.

Appendix 2 detailed the comments received from the first consultation.

Appendix 3 collated members' responses; and

Appendix 4 was the local councils' responses and appendix 5 showed the current delegations.

Appendix 3: members' responses

Councillor H Brady felt that the Council was taking powers away from local councils and that members had been elected to spend more time in planning meetings if this was required so that full, householder, outline and variations of conditions planning applications should come to the Area Planning Sub-Committees.

Councillor P Stalker supported a quality control system. The bar needed to be raised in terms of the quality and relevance of objections from local councils and that the clerk should have received appropriate planning training to facilitate advice at its meetings when planning applications were being commented on. If a written objection was received from a local council that clearly had no merit in planning terms, there should be a system whereby a senior planning officer (perhaps in consultation with a non-ward member) could screen out inappropriate objections,

advise the local council of the reasons why, and thus optimise the Area Planning Sub-Committees' time.

Councillor G Chambers was strongly against reducing the planning committees, and would welcome more committee meetings for Buckhurst Hill and Chigwell. The more delegated powers taken away from residents would not be welcomed either. He was concerned over who would decide what was material to the planning merits of an application (A 3) and (A 4). He would prefer two objections for an application to come to an Area Planning Sub-Committee with an objection from a local council (A 3b). There needed to be some consideration for the remoter parts of the District. He suggested stopping outline applications (A (c)). On members' applications (A 5), from a public perception point of view, these should go to the District Development Management Committee (DDMC) as currently, or moved to another Area Planning Sub-Committee, but applications from senior officers could be determined by an Area Planning Sub-Committee.

Councillor E Webster, who had attended the informal meeting of the planning committees chairmen and vice-chairmen on 31 May 2018, had two main concerns. She would like more clarification on material planning merits, who decided them and how this was achieved, and that this appeared to be the responsibility of the Head of Planning. She recommended that members and local councils were given a comprehensive list of planning merits / material planning reasons to help understand the new arrangements.

Councillors S Heap and S Neville had enforcement concerns on retrospective applications that came before the Area Planning Sub-Committees and were refused. They wanted those committees to have the ability to:

- request officers to consider enforcement action on such sites;
- where no further enforcement action was subsequently proposed, to give that sub-committee the power to require an officer report to be made to give that committee the option to take enforcement action (i.e. the power of an Area Planning Sub-Committee to authorise action); and
- to require a report to be made to that committee, soon after the appeal period had expired or to be informed if an appeal was launched.

Replacement Planning Delegations – CLD2 Replacement

The Assistant Director (Governance) commented on the following exceptions to the proposed delegations of the new Service Director (Planning) post holder.

A 1 Applications for residential developments had been reduced from 25 to those consisting of 10 or more dwellings which were recommended for approval.

A 2 A suggestion had been received that any Council application should be determined by the relevant planning committee not just those applications for the disposal of assets. However, it was noted that a contentious Council application would come to committee because objections would most likely have been received from the public.

A 3a Members might consider less than 5 objections if they considered this was too high in rural areas.

A 3b&c Local councils were not statutory consultees in the planning process though several believed they were, but rather that the Local Planning Authority (LPA) had

chosen to consult them. An appropriate objection from a local council should be presented at the relevant planning committee, but if they chose not to then determination should go to the Service Director (Planning). Some local councils had replied that on material planning considerations, how would they know when a specific application would go to a District planning committee? These exceptions downplayed their interest and they might represent an individual who was too afraid to speak. However, in planning response terms, there was no difference between a good objection from a local council or a resident if they were material to planning considerations.

B 3 The facility for Area Planning Sub-Committees to request enforcement action on a retrospective application refused by members had been raised by Councillors S Heap and S Neville (as above). It was suggested that provision could be inserted so that the committees could ask for an officer report on cases where no further action was subsequently proposed with the option to allow a committee to authorise further enforcement action. A report within two months would allow for an appeal to be submitted, and that officers inform that committee of any such appeal. Although occasions where retrospective applications were not subsequently subject to enforcement were few in number, such an addition would require changes to be made to Article 10 of the Constitution, as well as the delegations schedules.

The informal meeting held on 31 May 2018 attended by most of the planning committee chairmen and vice-chairmen had been very productive. They had suggested that in the interests of public transparency, member applications should go to DDMC as currently and that all local councillor applications came to committee.

The Assistant Director (Development Management) said that in reply to Councillor Chambers' query about stopping outline planning applications, the LPA was officially required to accept this type of application. The Government delegation target was 95 per cent of applications received by a LPA, but the Council had only achieved 87 per cent. He continued that a lot of officers' time was spent writing committee reports and compiling presentations of plans for each application handled by the planning committees.

The Working Group considered each proposal of the Replacement Planning Delegations (Appendix 1). The following points were raised during discussions and the decision noted, as detailed below.

Service Director – Planning

A. To determine:

- (a) All Full Planning Applications
- (b) All Householder Planning Applications
- (c) All Outline Applications and Reserved Matters Applications
- (d) All applications for Advertisement Consent,
- (e) All Applications for Listed Building Consent
- (f) All applications for Demolition in Conservation Areas
- (g) All Applications for Hazardous Substance Consent

(h) Tree Preservation Order Consent applications where felling is proposed.

(i) All Applications for Variation or Removal of Conditions

except the following which shall be determined by the committee or subcommittee indicated in Article 10 to the constitution:

1. Applications for residential developments consisting of 10 or more dwellings (unless approval of reserved matters only) which are recommended for approval.

Agreed.

2. Applications made by the Council on land and / or property in its ownership which are for disposal, in accordance with the size of application set out in Article 10 of the Constitution.

Councillor C C Pond asked if all Council land applications could go to the Area Planning Sub-Committees.

The Assistant Director (Governance) said that no changes were being proposed to (A 2) regarding the disposal of Council land / property. Also if the Council sold land which had the benefit of a planning consideration this would increase its value and hence revenue for the Council.

In response to Councillor G Chambers remark about a previous application on Council land for an unsightly taxi building near The Broadway, he replied the caveat was that contentious applications would still go through the planning committee process.

Agreed.

3. Applications recommended for approval where at least one of the following have been received:

- 3a. At least 5 expressions of objections material to the planning merits of the proposal were received; or

Councillor C C Pond thought it was reasonable that local councils should be expected to turn up and speak about their objections at a planning meeting. There was general consensus that receipt of at least five objections was reasonable. A member could always call-in an application.

Councillor J H Whitehouse said that councillors were there to support residents, and that this should be their primary focus, rather than losing this focus by needing to free up councillors' time to become involved in larger, masterplan sites.

Councillor J Philip (Portfolio Holder Planning and Governance) said that in rural areas of the District if the LPA was consulting fewer than 5 you might not get 5 objections. Therefore the LPA needed to consult a lower level differently. He asked if members thought everyone should be required to object, or a percentage to object?

Though some councillors were in favour of fewer objections on householder applications, other councillors thought there should be no differentiation. Both Assistant Directors were in agreement that the LPA received more

householder applications than any other type of planning application. Reducing the number that came before the planning committees was one of the reasons for this review. The Assistant Director (Development Management) said that under legislation the LPA was only required to put up a site notice. Therefore the current consultation process of writing to the neighbouring householders well exceeded its legal obligation.

Councillor S Jones suggested to members that if there were less than 5 people consulted, if a majority of them made material objections, this should suffice. There was consensus that this was the fairest approach to take.

Agreed.

- 3b. An objection was received from a local council, supported by at least one non-councillor resident, with material planning reasons; or
- 3c. An objection from a Local Council, material to the planning merits of the proposal was received and confirmed in writing their intention to attend and speak at the meeting where the proposal would be considered.

Councillor C C Pond said that if there was only one unsupported objection by residents then that local council should come to committee or withdraw its objection.

The Assistant Director (Governance) said if a local council objection was received but it was not on a material consideration, should that local council be asked to withdrawn its objection?

Councillor C C Pond asked how would the local council know it was the only objector? Planning officers should decide how this should be handled. He suggested that the officer should speak to the clerk.

The Assistant Director (Development Management) said what if the clerks were to reply that they could not give an answer until after another meeting? This scenario could cause more delays to the planning process timeframes.

Councillor C C Pond said that local councils needed to be prepared to answer this question through their clerks without undue delay.

Agreed.

- 4. Applications which a member had requested be referred to committee for consideration subject to that member:
 - 4a. Providing a planning reason for the request; and
 - 4b. The request was made in writing within 4 weeks of that application's notification in the weekly list.

Agreed.

- 5. Any application by an elected member or Senior Officer (Head of Service and above) of the Council or a relevant person (see code of conduct for definition) recommended for approval;

Councillor G Chambers supported keeping this under the DDMC for transparency. However, if members' applications went to the Area Planning Sub-Committees, then they should be handled by an Area Planning Sub-

Committee that a member did not sit on. It would also be quicker for members if their applications were dealt with by the Area Planning Sub-Committees, and they should not be penalised.

Councillor J Philip said that he would support keeping the determination of members' applications at DDMC.

Councillor S Jones also agreed, and added that the chairmen and vice-chairmen of the planning committees at the informal meeting were likewise in agreement.

Agreed.

6. Any other application which the Head of Planning considered appropriate to be determined by members.

Agreed.

B. To determine:

All matters, set out below, unless the **Service Director, Planning** considered it appropriate to be determined by members.

1. Planning Related Applications

- (a) Tree Preservation Order consent applications other than where felling was proposed
- (b) All notification applications
- (c) All prior approval applications.
- (d) All certificates of lawful use and development.
- (e) All applications for non-material amendments to applications.
- (f) All applications for approval of details reserved by condition.
- (g) All applications for Permission in Principle for Minor Housing Led Development and for Technical Details Consent

Agreed.

2. Planning and Related Procedures

- (a) Finalising the conditions or reasons for refusal, which appeared on decision notices.
- (b) The preparation of legal agreements, in consultation with the Head of Service, Governance and Strategy/Assistant Director Legal Services, within the terms of any relevant Committee resolution.
- (c) Determining the need for information required to make a decision on a planning application including the need for, and scoping of, an Environmental Assessment.

(d) Deciding the charge to be made for the provision of information where the normal scale of charges was inappropriate (e.g. information requiring research and/or to be used for commercial purposes.)

(e) Deciding what should be within the Councils Local Validation Checklist.

Agreed.

3. Enforcement

(a) To determine whether any enforcement should be taken and what such action should entail.

(b) Issuing Stop Notices, Temporary Stop Notices, Enforcement Notices, Breach of Conditions Notices, Building Preservation Notices, Listed Buildings Enforcement Notices, Planning Contravention Notices, Conservation Area Notices, Discontinuance Notices in respect of advertisements and Notices under Section 215-219 of the Town and Country Planning Act 1990 (as amended), for all breaches of planning legislation, in accordance with the Council's adopted enforcement policy.

(c) Prosecution of the unauthorised display of advertisements, unauthorised works to a listed building, and non-compliance where enforcement action had previously been authorised.

(d) Take appropriate enforcement action, including serving an injunction where the Head of Planning or their nominee, having regard to the evidence, considered the circumstances to require urgent action.

(e) Investigation and prosecution of breaches of temporary market requirements

(f) Variation of the requirements for compliance with any enforcement related notices already authorised, including altering the period required for compliance, service of further notices and withdrawal of notices.

(g) To authorise direct action (or re-charge the cost of that action) in pursuit of a valid enforcement notice subject to budget provision being available and to local District Councillors being notified.

The Assistant Director (Governance) said that (3b) above was for specific cases of enforcement where so requested. Both Councillors S Heap and S Neville had raised enforcement issues on retrospective applications on which committees had refused permission (see above).

Councillor S Heap added that enforcement issues needed to be straightforward to the public.

Councillor J H Whitehouse said that despite conditions being added by the planning committees to a decision, some builders did not appear to take any notice of the Decision Notice.

The Assistant Director (Development Management) said that it was a judgement call by enforcement officers if it was expedient to take enforcement action. Had harm been caused? The Enforcement Team did serve notices.

The Assistant Director (Governance) had spoken to the Principal Planning Officer (Heritage, Enforcement and Landscaping), J Godden, who had advised that in the majority of cases where permission had been refused on retrospective applications, enforcement action was taken. On Area Planning Sub-Committees being able to request enforcement action and call for a report to be made on cases where it was not expedient to take action, he said that such an application would normally be referred up to the DDMC as covered by Constitution Article 10 (District Development Management Committee and Area Plans Sub-Committees).

Councillor J Philip supported the current protocol and that these applications should continue to go to the DDMC.

Councillor C C Pond said that 215 Notices for untidy land should come to the Area Planning Sub-Committees. The Assistant Director (Governance) asked do you really want to spend time discussing untidy land issues? Councillor C C Pond replied, yes.

The Assistant Director (Development Management) advised the Working Group that the Local Enforcement Plan was due for review by the Governance Select Committee at its 2 October 2018 meeting. This issue could be dealt with then, which was agreed.

Agreed.

4. Entry onto Land

- (a) To Authorise officers and agents engaged by the Council to use the relevant powers of entry as necessary and make application to the magistrates court for a warrant authorising entry where applicable in relation to any matter set out in this Annex.

Agreed.

Appendix 5, Current Delegations, Appendix A: Matters to be Determined by the Relevant Committee

Councillor J Philip recommended to the Working Group that it would be good to retain the option for members being able to 'call in' an application.

(h) Applications referred by a District Councillor, whose own ward must be within the remit of the relevant Area Plans Sub-Committee and who has firstly notified the relevant Ward Councillors in advance, so long as the referral has been requested in writing to Officers within 4 weeks of that applications notification in the weekly list.

However, members agreed that it was not necessary to have the words "and who has firstly notified the relevant Ward Councillors in advance".

Agreed.

The Chairman asked if the Working Group could now make a recommendation to Full Council on Delegations to Planning Officers, as part of the Planning Process Review 2017/18, at the meeting on 31 July 2018.

AGREED:

- (i) That the Assistant Director (Governance) draft a report on the Planning Process Review 2017/18 – Delegations to Officers – and to be circulate to the Working Group for comments.

- (ii) That the (final) report on the recommendations of the Working Group on the Planning Process Review 2017/18 – Delegations to Officers – be submitted to Council for ratification on 31 July 2018.
- (iii) The Assistant Director (Governance) to provide more information to enable the Working Group to consider any changes to the current committee structure for the next meeting on 27 September 2018.

7. DATE OF NEXT MEETING

It was noted that the next meeting of the Working Group would be held at 7pm on 27 September 2018.

CONSTITUTION WORKING GROUP

TERMS OF REFERENCE

Title: Constitution Working Group
Status: Working Group
Terms of Reference: (1) To review any aspect of the authority's constitutional arrangements as requested by the Council; (2) To undertake general reviews of specific elements of the Constitution in order to ensure that the authority's constitutional arrangements complement current legislative requirements and decisions made by the Council; and (3) To consider any proposals of the Monitoring Officer for necessary revision to any element of the Constitution. Reporting: The Working Group shall report directly to the Council in connection with its Terms of Reference and the achievement of its work programme.
Chairman: Councillor M McEwen

S. Hill (July 2018).

Constitution Working Group (Chairman – Councillor M McEwen)

Work Programme 2018/19

Item	Starting Dates	Progress
(1) Constitution – amendments	Ongoing	To review the Constitution and align with the Council restructure.
(2) Planning delegations	December 2018	To review the operation of the revised Scheme of Delegation requirements for local councils to present objections at the Area Plans Sub-Committees. (CLD 2 (Constitution (item 26), Part 3 Scheme of Delegation, Appendix 3)
(3) Petition Scheme	December 2018	To consider the revised scheme following a review by the Governance Select Committee (GSC Note 17 – 23.10.18)
(4) Honorary Alderman	December 2018	To consider a proposal for a scheme to enable the Council to confer the title of Honorary Alderman (Under S249 of Local Government Act 1972) on any person who, in the opinion of the Council has rendered eminent services to the Authority (Council Min no 52 – 1.11.18)
(5) Area Planning Sub-Committees – site visit arrangements	March 2019	To review the trial that commenced on 30 May 2018, where members identify and agree formal site visits prior to consideration/determination of that application.
(6) Review of Audit & Governance and Standards Committees	TBC (March 2019)	To consider, if a review is required after two years? (NB: Deferred by members – CWG Note 25 – 16.04.18)
(7) Planning Process Review 2017/18	TBC	To review the Committee systems for members considering planning applications. (CWG Notes: 6 – 26.06.18 & 17 – 20.02.18)
(8) Gifts and hospitality advice	TBC	To be rescheduled during 2018/19.
(9) Financial Regulations	TBC	To be advised by the Chief Finance Officer.

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Report to Constitution Working Group

Date of meeting: 3 December 2018

Portfolio: Planning and Governance (Councillor J. Philip)

Subject: Planning Process Review

Officer contact for further information: S. Tautz (01992) 564180

Democratic Services Officer: V. Messenger (01992) 564265

Recommendations:

- (1) That the Working Group consider options for the improvement of relevant planning processes in light of the operation of revisions agreed by the Council in July 2018; and**
 - (2) That, subject to (1) above, the Council be requested to agree appropriate revisions to the planning processes set out within the Planning Delegation arrangements of the Council's Constitution.**
1. At its meeting on 31 July 2018, the Council adopted a number of recommendations of the Working Group arising from a review of planning processes, which had been considered against the implications of the delivery of the Local Plan and the resource implications likely to result from an increased volume of work at the pre-application and application stages.
 2. Part of the review undertaken by the Working Group concerned existing arrangements for the consideration of planning applications by the Area Plans Sub-Committees, many of which did not meet the national target for determination within eight weeks of receipt, to which an objection to a development proposal was made by a local town or parish council. This report concerns issues that have arisen as a result of the application in practice of this arrangement.
 3. To improve relevant processes in this regard, the Council agreed that, in all cases where a local council had submitted a material objection to a development proposal but such objection was not supported by local residents, applications be determined in accordance with the authority delegated to the Service Director (Planning Services) within the Scheme of Delegation set out in the Council's Constitution.
 4. Applications recommended for approval where an objection to the planning merits of a development proposal has been received from a local council continue to be considered by an Area Plans Sub-Committee, only where the local council has confirmed in writing its intention to attend the relevant meeting where the proposal will be considered, in order to present such objection to the Sub-Committee.
 5. In at least two recent instances, applications contained within the agenda for a meeting of one of the Area Plans Sub-Committees have been referred to the Sub-Committee for determination solely as a result of the receipt of an objection to the development proposal by the relevant local council. In each instance, no other objection had been received to the development proposal and, without the receipt of an objection by the relevant local council, each would have been determined by the Service Director (Planning Services) in accordance with the current Scheme of Delegation. At the close

of registration for speakers for each meeting, neither of the respective local councils had confirmed a wish to speak on the applications although, in one instance, the applicant's agent had registered to speak on the application. Neither of the respective local councils attended the meeting of the Sub-Committee.

6. As each of the applications had been correctly published within the agenda for the respective meeting, the Monitoring Officer considered that it was inappropriate for them to be simply withdrawn without some form of 'consideration' by members and advice was issued to each chairman and vice-chairman in this respect.
7. Although it may be possible on occasion to pre-empt applications for which this situation might arise, it should be noted that agendas for meetings of the Sub-Committees are published over a week before each meeting and that the close of registration for speakers for meetings of the Sub-Committees is 4.00pm on the day before each meeting. As already indicated, it is inappropriate for applications to be withdrawn from a published agenda in these circumstances.
8. The Working Group is therefore requested to consider the following options that appear available to address this unforeseen situation:
 - (a) that relevant applications be automatically referred (without any consideration of the merits of the development proposal) to the Service Director (Planning Services) for determination in accordance with the Scheme of Delegation; or
 - (b) that the Area Plans Sub-Committees be authorised to consider and determine relevant applications on the basis of the information set out in the report of the Service Director (Planning Services) and presented at the meeting by the Principal Planning Officer (and external speakers where relevant).
9. The application of the new requirements for local councils to present objections to development proposals at meetings of the Area Plans Sub-Committees is being monitored on an ongoing basis by Democratic Services. The chairmen and vice-chairmen of the Area Plans Sub-Committees have requested that the Working Group consider the operation of the relevant revisions to the Planning Delegation arrangements agreed by the Council in July 2018, as soon as possible.
10. Guidance in relation to the operation of the new planning process arrangements was issued to the clerk of each local council in August 2018 and was the subject of a presentation to the Local Councils' Liaison Committee in September 2018. A copy of the letter sent to local councils in this regard is attached as Appendix 1 to this report.
11. Subject to the views of the Working Group in this regard, any further revision to the planning processes set out within the Planning Delegation arrangements of the Constitution will need to be agreed by the Council at its meeting on 20 December 2018.

Date: 21 August 2018

VIA EMAIL

Clerks to all Town and Parish Council



Simon Hill,
Governance Directorate
Civic Offices High Street
Epping Essex CM16 4BZ

Telephone: 01992 564 249
Facsimile: 01992 564 045
DX: 40409 Epping

Dear Clerk

Planning Officer Delegations changes and Parish Council representations

Further to the consultations on how this authority have been dealing with planning applications and decisions, the full Council, at its meeting on 31 July 2018 approved a number of changes to the delegation arrangements that now apply to all planning applications.

You may wish to bring the contents of the letter to the attention of your Councillors.

These changes took immediate effect and I am writing to outline how we, as officers, are going to implement the new delegations.

Essentially these delegations fall into two types:

- (a) **Category A** Those that are delegated except in a number of circumstances where they are brought to district members to determine either by call-in or as a result of consultation; or
- (b) **Category B** Those that are delegated to officers (unless the Service Director for Planning considers it appropriate to be determined by members.

Applications under Category A

The following will be determined by officers under (a) above:

- (a) All Full Planning Applications
- (b) All Householder Planning Applications
- (c) All Outline Applications and Reserved Matters Applications
- (d) All applications for Advertisement Consent,
- (e) All Applications for Listed Building Consent
- (f) All applications for Demolition in Conservation Areas

- (g) All Applications for Hazardous Substance Consent
- (h) Tree Preservation Order Consent applications where felling is proposed.
- (i) All Applications for Variation or Removal of Conditions

Unless they are:

1. Applications for residential developments consisting of 10 or more dwellings (unless approval of reserved matters only) which are recommended for approval;
2. Applications made by the Council on land and / or property in its ownership which are for disposal, in accordance with the size of application set out in Article 10 of the Constitution.
3. Applications recommended for approval where at least one of the following have been received:
 - a. At least 5 expressions of objections material to the planning merits of the proposal are received (or where less than five have been consulted, the majority of those have objected); or
 - b. An objection is received from a local council, supported by at least one non-councillor resident, with material planning reasons; or
 - c. An objection from a Local Council, material to the planning merits of the proposal is received and confirming in writing their intention to attend and speak at the meeting where the proposal will be considered.
 - d. Applications which a member (whose ward is within the Plans Sub-Committee Area) has requested be referred to committee for consideration subject to the request being made in writing within 4 weeks of that application's notification in the weekly list.
5. Any application by an elected member or Senior Officer (Head of Service and above) of the Council or a relevant person (see code of conduct for definition) recommended for approval.

In these circumstances only, an application will come before a Subcommittee (or Committee) for determination. All other previous situations no longer apply.

For Local Council's this means:

- (1) That in 3 (a) above, local council's and amenity groups etc are counted within the five expressions required.
- (2) That in 3(b) above, the expectation is that a resident local to the application site will be the other objector.
- (3) That in 3(c) above, Local Council's do not have to attend plans subcommittee meetings if they are submitting objections or support a proposal. However, the Local Council **must indicate at the time of submitting their objection** that they intend to attend and speak at the meeting where the proposal will be considered. This will enable clarity about whether the matter creates the right workflow and therefore a subcommittee item.

Local Council Clerks will be informed when applications are coming before members in these circumstances and will be expected to confirm speaker's names at that point. There is a clear expectation that Local Council's representatives attend and speak at the meeting. It should be noted that asking your local (dual hatted) district member to speak on your behalf is likely to create a conflict of interest for that member and should be avoided.

Clerks can also contact Democratic Services if they wish to be sent automatic notification of the publication of Area Plans Agendas.

Applications under Category B

The following will be determined by officers under (b) above:

1. Planning Related Applications

- (a) Tree Preservation Order consent applications other than where felling is proposed
- (b) All notification applications
- (c) All prior approval applications.
- (d) All certificates of lawful use and development.
- (e) All applications for non-material amendments to applications.
- (f) All applications for approval of details reserved by condition.
- (g) All applications for Permission in Principle for Minor Housing Led Development and for Technical Details Consent

2. Planning and Related Procedures

- (a) Finalising the conditions or reasons for refusal, which appear on decision notices.
- (b) The preparation of legal agreements, in consultation with the Service Director Governance and Member Services/Solicitor to the Council within the terms of any relevant Committee resolution.
- (c) Determining the need for information required to make a decision on a planning application including the need for, and scoping of, an Environmental Assessment.
- (d) Deciding the charge to be made for the provision of information where the normal scale of charges is inappropriate (e.g. information requiring research and/or to be used for commercial purposes.)
- (e) Deciding what should be within the Councils Local Validation Checklist.

3. Enforcement

- (a) To determine whether any enforcement should be taken and what such action should entail.
- (b) Issuing Stop Notices, Temporary Stop Notices, Enforcement Notices, Breach of Conditions Notices, Building Preservation Notices, Listed Buildings Enforcement Notices, Planning Contravention Notices, Conservation Area Notices, Discontinuance Notices in respect of advertisements and Notices under Section 215-219 of the Town and Country Planning Act 1990 (as amended), for all breaches of planning legislation, in accordance with the Council's adopted enforcement policy.
- (c) Prosecution of the unauthorised display of advertisements, unauthorised works to a listed building, and non-compliance where enforcement action has previously been authorised.
- (d) Take appropriate enforcement action, including serving an injunction where the Head of Planning or their nominee, having regard to the evidence, considers the circumstances to require urgent action.
- (e) Investigation and prosecution of breaches of temporary market requirements

- (f) Variation of the requirements for compliance with any enforcement related notices already authorised, including altering the period required for compliance, service of further notices and withdrawal of notices.
- (g) To authorise direct action (or re-charge the cost of that action) in pursuit of a valid enforcement notice subject to budget provision being available and to local District Councillors being notified.
- (h) To report to an Area Plans Sub-committee on specific enforcement cases were requested by members.

4. Entry onto Land

- (a) To authorise officers and agents engaged by the Council to use the relevant powers of entry as necessary and make application to the magistrates court for a warrant authorising entry where applicable in relation to any matter.

Review

It is the intention of the Constitution Working to review the operation of these new arrangements after one year. If your Council has observations during the year I would be grateful for feedback at the time it occurs.

I will be attending the Local Council's Liaison Committee in September to talk members through these arrangements and to answer any questions clerks or members may have.

Yours faithfully



Simon Hill
Monitoring Officer/Assistant Director Governance
Epping Forest District Council

Report to Constitution Working Group

Date of meeting: 3 December 2018



Portfolio: Planning and Governance (Councillor J. Philip)

Subject: Petition Scheme

Officer contact for further information: S. Tautz (01992 564180)

Democratic Services Officer: V. Messenger (01992 564265)

Recommendations/Decisions Required:

That the Council be requested to agree the revised version of the Petition Scheme for inclusion within the Constitution.

1. The Governance Select Committee has recently undertaken a review of the operation of the Council's current Petition Scheme. As part of the review, the views of members regarding the operation of the Petition Scheme were sought through the Council Bulletin. The revised Petition Scheme is attached as Appendix 1 to this report.
2. The Council's Petition Scheme was originally adopted on 14 December 2010, in accordance with the requirements of the Local Democracy, Economic Development and Construction Act 2009, as part of a duty to promote democracy. The Petition Scheme was based on a model scheme contained in statutory guidance issued by the Department for Communities and Local Government (DCLG), which also required the Council to implement facilities for the submission of 'ePetitions' through its website.
3. Comparative information has been obtained from neighbouring authorities regarding the handling of petitions in terms of signature thresholds, which appears to suggest that low numbers of petitions are received across the local government sector. The current signature thresholds for the handling of petitions have remained constant since the original adoption of the Petition Scheme and the Select Committee has agreed that no changes be made to the thresholds at this time.
4. A review of the existing guidance for the Petition Scheme has been undertaken, to ensure that this is clear and consistent and the revised scheme now incorporates previous separate guidance issued on the creation of e-petitions. Many of the petitions received since the last review of the Petition Scheme did not meet some of the acceptance criteria specified by the Scheme. In the main, such petitions related to services provided by other authorities, including highway maintenance (Essex County Council) and parking enforcement (North Essex Parking Partnership). The revised scheme therefore also sets out the main functions of the Council to ensure that, as far as possible, petitions are directed to the most appropriate organisation.
5. Once agreed, the revised Petition Scheme will be publicised appropriately on the Council's website and in the Council Bulletin, to increase member and officer awareness of the Petition Scheme and the Council's procedures, as it often the case that petitions are submitted directly to ward councillors or officers outside Governance and Member Services, which currently administers the Petition Scheme. The location of

the Petition Scheme pages on the Council's website will also be reviewed, as part of the development of the new website structure.

6. The Petition Scheme forms part of the Council's Constitution (Part 4 - Council Rules) and should therefore be agreed by the Council. It is therefore recommended that, subject to the views of the Working Group, the Council be requested to agree the revised version of the Petition Scheme for inclusion within the Constitution.

Resource Implications:

The revisions to the Council's Petition Scheme will enable it to more effectively meet current requirements.

Legal and Governance Implications:

None. The duty for local authorities to operate a formal petition scheme was abolished by the Localism Act 2011.

Safer, Cleaner, Greener Implications:

There are no implications arising from the recommendations of this report in respect of the Council's commitment to the Climate Local Agreement, the corporate Safer, Cleaner, Greener initiative, or any crime and disorder issues within the district.

Consultation Undertaken:

The review of the operation of the Petition Scheme was undertaken by the Select Committee at its meetings in February and October 2018. The views of members with regard to the operation of the Council's current Petition Scheme were also sought through the Council Bulletin in December 2017, although no feedback was received with regard to the current or future operation of the Scheme.

Background Papers:

None

Impact Assessments:

Risk Management

There are no risk management implications arising from the recommendations of this report.

Equality:

There are no equality implications arising from the recommendations of this report.

Key Decision Y/N

No

Petition Scheme – Epping Forest District Council

1. Definition

- 1.1 For the purpose of this procedure a petition is a request to the Council made either in writing; or through the Council's e-petitions system on its website.
- 1.2 The petitions page of the Council's website is available at:
<https://rds.eppingforestdc.gov.uk/mgePetitionListDisplay.aspx>

2. Scope of Scheme

- 2.1 The Council will accept paper-based petitions, e-petitions (but only those submitted through its own petition system) or a mix of paper and e-petitions. The proper officer for petitions is the Service Director (Governance and Member Services).

3. Acknowledgement

- 3.1 The Council will treat something as a petition if it is identified as being a petition, or if it seems to the Council that it is intended to be a petition.
- 3.2 All petitions sent or presented to the Council will be acknowledged within seven days of receipt. This acknowledgement will set out what the Council plan to do with the petition.

4. Exceptions to Petitions

- 4.1 The following petitions do not fall within the scope of this Petition Scheme:
 - (a) Emailed petitions, as email systems are not secure. Petitioners must use either paper or the Council's e-petitions system. The Council will not monitor third party petitions systems;
 - (b) Petitions which are considered to be vexatious, abusive, anonymous or otherwise inappropriate will not be accepted. In the period immediately before an election or referendum the Council may need to deal with a petition differently – if this is the case the Council will explain the reasons with the petitioner and discuss the revised timescale which will apply;
 - (c) Petitions relating to a planning decision; (as the Planning application process deals with objections to applications), including those about a development plan document or the community infrastructure levy;
 - (d) Petitions relating to a licensing decision; (as the Licensing scheme deals with objections to applications);
 - (e) Petitions relating to an individual or entity in respect of which that individual or entity has a right of recourse to a review or right of appeal;
 - (f) Any matter for which the Standards Committee has powers for determining complaints received under the Local Assessment process;

REV: October 2018 (Final)

- (g) Any complaint made against an employee of the District Council;
 - (h) Any matter which is substantially the same as a petition submitted in the previous 12 months;
 - (i) Where the subject matter is subject to ongoing legal proceedings; or
 - (j) Petitions made during formal Council consultations related to the subject matter of the consultations (these will be formally referred to that process as appropriate).
- 4.2 Where a petition submitted relates to one of the categories set out above the Council will write to the lead petitioner and explain why the matter is not covered by the authority's Petition Scheme. In appropriate circumstances, the Council may advise how the public views can be considered via alternative means.
- 5. Submission guidelines/Signatory Requirements**
- 5.1 Petitions submitted to the Council must include:
- (a) A clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the council to take;
 - (b) The name and address and signature of any person supporting the petition; and
 - (c) Contact details, including an address (and a valid email address if submitted electronically), for the petition organiser
- 5.2 If the lead petitioner wishes to start an e-petition, the Council and the lead petitioner will agree the period over which signatures will be collected and the final wording of the petition. The petition will then be available to sign 'electronically' for the agreed period on the Council's website. On the expiration of that time, the Council will respond in accordance with Section 7 below.
- 5.3 Anyone who lives, works or studies in Epping Forest District is entitled to sign to support a petition. The supporter's name, address, a valid email address and/or postcode are required to sign an e-petition on the Council's website. For paper petitions signatories must provide their, name, address and signature.
- 5.4 A paper petition template can be downloaded from the Council's website.
- 5.5 E-petitions will run on the Council website for a maximum of 3 months, but the Council and the lead petitioner can choose a shorter timeframe up to the maximum period.
- 6. The procedure when the Council receives a petition**
- 6.1 The Council will send the lead petitioner an acknowledgement of the petition within seven working days. Local ward councillors will be informed of the receipt of a petition.
- 6.2 If the Council is able to do what the petition asks for, the acknowledgement may confirm that the Council have taken the action requested and the petition will be closed.

- 6.3 If the petition needs more investigation, the Council will advise the lead petitioner of the steps that it plans to take.
- 6.4 If the lead petitioner has created an e-petition, the Council will check that the content of the e-petition is suitable before it is made available for signature. This will take a maximum of ten working days. Any person wishing to submit an e-petition should ensure there are no existing petitions addressing the same issue before creating a new petition.
- 6.5 If the Council cannot publish an e-petition for some reason, the Council will contact the lead petitioner within ten working days to explain the reason for not publishing a petition based upon the exceptions in section 4 above.
- 6.6 A lead petitioner is able to change and resubmit their e-petition within ten working days, if they fail to do so within that time, a summary of the e-petition and the reason why it has not been accepted will be published under the 'rejected petitions' section of the website.
- 6.7 When an e-petition has closed for signature, it will automatically be submitted to the Council's Democratic Services Section. In the same way as for a paper petition, the lead petitioner will receive an acknowledgement within 10 working days.
- 6.8 All e-petitions currently available for signature will be available on the Council's website. Any person visiting the e-petition will be able to see the name of each signatory in the list of those persons that have signed the petition, but contact details will not be visible. All members of the Council will be advised of the submission of an e-petition, through the Council Bulletin.

7. How the Council considers petitions

Petition type	Response
Correspondence with fewer than 20 signatures	This will normally be dealt with by the appropriate Directorate as ordinary correspondence, unless the Service Director concerned is of the opinion that the subject matter is sufficiently important or contentious to warrant referring the matter to the appropriate Portfolio Holder.
Petitions with more than 20 but fewer than 1200 signatures	These will be considered and dealt with by the relevant portfolio holder who may: <ul style="list-style-type: none"> (a) take action if he or she has delegated powers to act alone; (b) prepare a report to the Cabinet or a Sub-Committee of the Cabinet for decision if appropriate.
Petition containing at least 1200 signatures.	The relevant Portfolio Holder will prepare a report to the Cabinet for decision on the matter.

REV: October 2018 (Final)

Petition type	Response
2400 signatures or more	These large petitions will be scheduled for a council debate.
E-petitions	When an e-petition has closed for signature, it will automatically be submitted to the relevant officer, portfolio holder or Council In the same way as a paper petition.

8. Decisions on petitions

8.1 The Council's response to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following:

- taking the action requested in the petition;
- considering the petition at a council meeting;
- holding an inquiry into the matter;
- undertaking research into the matter;
- holding a public meeting;
- holding a consultation;
- holding a meeting with petitioners;
- referring the petition for consideration by the Cabinet or a Cabinet Committee; and
- writing to the petition organiser setting out our views about the request in the petition.

8.2 In addition to these steps, the Council will consider all the specific actions it can potentially take on the issues highlighted in a petition.

8.3 If a petition is about something over which the Council has no direct control, the responsible body (under section 7 above) will consider making representations on behalf of the community to the relevant body.

8.4 There is a three-tier system of local government in the Epping Forest District. Generally, Essex County Council is responsible for strategic functions and services such as education and social care and the district and borough councils provide more local services, although some functions are shared between the county and district councils. Details of the main functions of Essex County Council and Epping Forest District Council can be found in the Appendix to this Scheme. Some of the Council's functions and responsibilities have also been devolved to local town and parish councils.

8.5 In addition, many public services are delivered by other organisations, including the police (through the Police, Fire and Crime Commissioner), health services (via the National Health Service), welfare benefits and employment services etc.

8.6 If the Council is not able to meet the petitioners' requests for any reason (for example if what the petition calls for conflicts with council policy), then the Council will set out the reasons for not taking the action requested in writing to the lead petitioner.

8.7 Decisions made by a Portfolio Holder will be recorded in writing and notified to the public, the lead petitioner and all members of the Council.

8.8 All received petitions will be reported to Council via regular Portfolio Holder reports.

9. Petitions received after a decision is made

9.1 In cases where a petition is received after a decision has been made by the Council on any matter, the following steps will be taken by the relevant service director unless the petition meets the threshold for a Council debate:

- (a) a letter of acknowledgement shall be sent to the lead petitioner, including a statement of the action already taken by the Council;
- (b) in consultation with the appropriate Portfolio Holder, Committee or Sub-Committee Chairman a decision will be taken as to whether the petition raises new evidence requiring further consideration by the Portfolio Holder or Committee concerned;
- (c) if it is decided that no new matters are raised by the petition, the lead petitioner shall be advised accordingly;
- (d) if new matters are raised then the petition will be treated as 'new' under this Scheme.

10. Full Council and Cabinet debates

10.1 If a petition contains more than 2400 signatures it will be debated by the full Council at its next ordinary meeting.

10.2 If a petition contains more than 1200 signatures it will be subject to report and debate by the Cabinet at its next available meeting.

10.3 The petition organiser will be given five minutes to present the petition at the meeting and the petition will then be discussed by councillors.

10.4 The Council or Cabinet will decide how to respond to the petition at this meeting. The Council or Cabinet may:

- (a) decide to take the action the petition requests, and in the case of a Cabinet debate, report to Council if appropriate (see paragraph 11 below)
- (b) not to take the action requested for reasons put forward in the debate, or
- (c) commission further investigation into the matter, for example by the Cabinet (if the matter was debated at Council) or a relevant Cabinet committee.

11. Council Referrals

11.1 Where the issue is one on which the Council Executive are required to make the final decision (i.e. within the financial and policy framework), the Council will decide whether to make recommendations to inform that decision. The petition organiser will receive written confirmation of this decision. This confirmation will also be published on the Council's website.

12. Further Information

- 12.1 Further information about the Council's Petition Scheme can be obtained by contacting:

democraticservices@eppingforestdc.gov.uk

Appendix: main functions of local authorities

Function	Tier
Allotments	Town/Parish
Arts and recreation	County/District
Births, ceremonies and deaths registration	County
Building regulations	District
Burials and cremations	District
Cemeteries	Town/Parish
Children's services	County
Community safety	District
Concessionary travel	County
Consumer protection	County
Council tax and business rates	District
Economic development	County/District
Education, including special educational needs, adult education, pre-school	County
Elections and electoral registration	District
Emergency planning	County/District
Environmental health	District
Highways (not trunk roads), street lighting and traffic management	County
Housing	District
Libraries	County
Licensing	District
Markets and fairs	District
Minerals and waste planning	County
Museums and galleries	County/District
Open spaces	Town/Parish
Parking	County/District
Passenger transport (buses) and transport planning	County
Planning and development	County/District
Public conveniences	District
Public health	County
Social services, including care for the elderly and community care	County
Sports centres, parks, playing fields	District
Street cleaning	District
Tourism	County/District
Trading standards	County
Waste collection and recycling	District
Waste disposal	County

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Report to Constitution Working Group

Date of meeting: 3 December 2018



Subject: Appointment of Honorary Aldermen and Alderwomen

Officer contact for further information: S. Hill (01992) 564249

Democratic Services Officer: V. Messenger (01992) 564265

Recommendations:

- (1) That the Working Group consider a motion referred from Council regarding the establishment of a scheme to confer the title of Honorary Alderman and Alderwoman; and**
- (2) That the Working Group consider the terms of such a scheme as set out below and attached at Appendix 1; and**
- (3) That, if approved, the scheme be recommended for adoption by the Full Council; and**
- (4) That a DDF budget sum of £3,500 be recommended to the Council to fund the implementation of the scheme, production of a supply of Badges of Office and Roll of Honour book.**

Introduction

1. (Service Director Governance and Members Services) At a meeting of Full Council held on 1 November 2018 the following Motion was moved by Councillor J Philip and seconded by Councillor C Whitbread, was adopted:

“That, in recognition that the Council has the option, under the provisions of Section 249 of the Local Government Act 1972, to confer the title of Honorary Alderman on any person who, in the opinion of the Council has rendered eminent services to the Authority, asks the Chief Executive to:

- (i) report further to the Council’s Constitution Working Group on proposals that would bring forward such a scheme to enable the Council to confer a title; and
- (ii) asks that the Working Group report back to the Full Council on the adoption of such a scheme together with the likely resources required.”

2. The Working Group have therefore been asked to consider how such a scheme could be implemented and make recommendations to the Full Council.

Background Information:

3. At present the only formal method of recognising past service by a former Councillor is by length of service and a lapel badge which are issued when a member steps down or is not elected. The following issuing criteria are used:

- (1) a Bronze lapel badge for 10 years' service;
- (2) a Silver lapel badge for 15 years' service; and
- (3) a Gold lapel badge for 20 years' service.

There is currently no formal method of recognising past eminent or notable service.

4. Section 249 of the Local Government Act 1972 allows the Council to confer the title of Honorary Alderman (or Alderwoman) on persons who have, in the opinion of Council, rendered 'eminent services' to the Authority as past members of the Authority but who are not then members of the Authority.

5. It is a Council decision to confer the title which must be passed at a meeting specially convened for the purpose (i.e. an extraordinary meeting) and approved by vote by not less than two-thirds of the members present.

6. An Honorary Alderman may attend and take part in such civic ceremonies as the Authority may from time to time decide but, as such, has no right to:

- (i) attend meetings of Council, Cabinet or Committee other than as a member of the public,
- (ii) receive any of the allowances or other payments to which Councillors are entitled.

7. Section 249(2) provides that such an honour can only be held by someone who is not a serving Councillor of the Council. As such, were a recipient to be re-elected or co-opted back onto the Council, they would lose the title bestowed. It is clearly designed to be an honour given at the end of a person's public service. It is also suggested that there should be provision for the removal of the honour by resolution.

8. It is suggested within the attached scheme that a nomination supported by a proposer and seconder should form part of the consideration by the Council whether to bestow the title. A suggested form is attached at Appendix 2.

9. It is suggested that there should be some criteria by which the application can be judged. The Working Group are asked to consider which they wish to recommend to the Council. It is also suggested that applications be submitted to the Proper Officer and initially considered by the Chairman of Council in consultation with the Leader.

10. The following criteria are suggested:

- (i) No longer a serving Councillor (members could set a period after service finishes); and
- (ii) To have served at least five consecutive terms of office (i.e. above the level of Gold service); or
- (iii) Has held a significant position of public responsibility with the Council, for a minimum period of one year; or
- (iv) Has provided demonstrable eminent service to the Council throughout a long and distinguished period of public service; and
- (iv) The proposed recipient must be willing to accept their nomination.

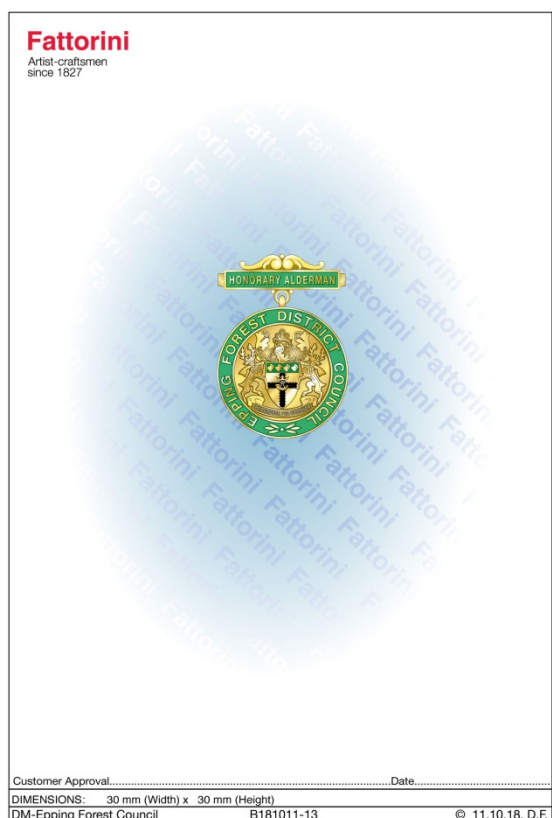
11. Members may wish to add further criteria.

Costs of Scheme

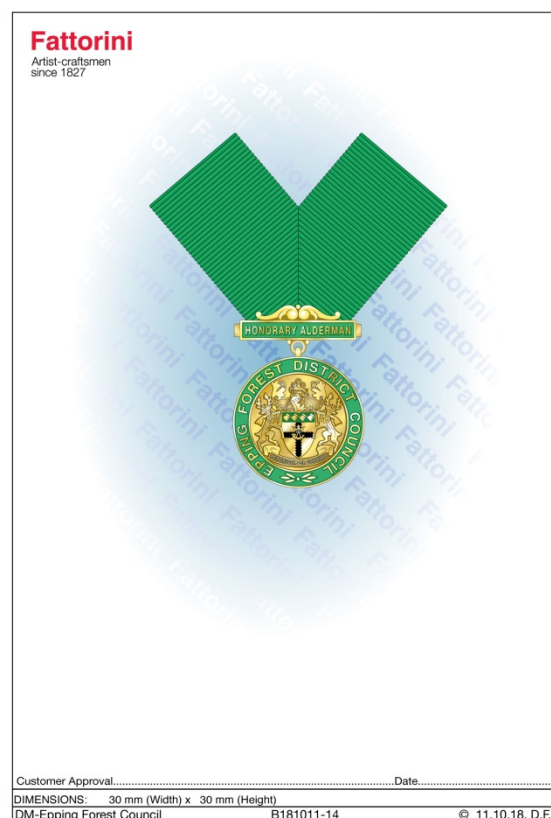
12. The costs involved with the adoption of the Honorary Alderman appointment will be from the purchase of the Badge of Office for the recipients and the purchase of a leather bound book (a roll of honour) to record the appointments.

13. The most cost-effective option for the Badge of Office is to use the medal die from Fattorinis', Birmingham that is used for the long service awards and have it placed on a pin fitting and/or collarette. A proposed design has been obtained and is shown in the picture below.

Option 1



Option 2



14. The quotes for the badges are as follows:

Option 1

Hallmarked sterling silver pendant and bar Pendant 30mm diameter Vitreous enamelled 1 colour. Complete with pin fitting to reverse of bar. Finished in polished hard gold plate. Packed in a presentation case.

Qty 5	Price £202.10 nett each
Qty 10	Price £180.52 nett each
Qty 15	Price £167.99 nett each

Option 2

Hallmarked sterling silver pendant and bar Pendant 30mm diameter Vitreous enamelled 1 colour. Complete with 25mm collarette. Finished in polished hard gold plate. Packed in a presentation case.

Qty 5	Price £230.32 nett each
Qty 10	Price £206.19 nett each
Qty 15	Price £188.16 nett each

15. It is suggested that it may be appropriate that a supply of both types of badges are purchased. They can then be stored and used (and accounted for) over a period of time. The cost to produce a bespoke leather bound Roll of Honour Book would be in the region of £350. There would be a cost to holding a special meeting as and when nominations are made and it may be appropriate to group nominations together periodically if more than one is made each year.

16. It is recommended that the Council be asked to approve a DDF sum of £3,500 to purchase the initial stock of badges.

**Epping Forest District Council
Honorary Alderwoman/ Alderman
Draft Scheme**

The appointment of Honorary Alderman may be conferred by the Full Council in recognition on a previous Councillor who over a period of time, has made a significant eminent contribution to the Council and the District.

Any member of Council may nominate an ex-Councillor for the role of Honorary Alderman (or Alderwoman). A nomination form, as set out in Appendix A, must be completed and signed by two members of Council. Once completed the form should be submitted to the Chairman for consultation with the Leader of the Council.

If for any reason the nomination does not meet the criteria then a full written reply will be sent to the nominating members.

An individual will be eligible for nomination and appointment to the role of Honorary Alderman provided:

- (i) No longer a serving Councillor; and
- (ii) To have served at least five consecutive terms of office (i.e. above the level of Gold service); or
- (iii) Has held a significant position of public responsibility with the Council, for a minimum period of one year; or
- (iv) Has provided demonstrable eminent service to the Council throughout a long and distinguished period of public service; and
- (iv) The proposed recipient must be willing to accept their nomination

The award must be the subject of a resolution passed by not less than two thirds of the members present at a meeting specially convened for that purpose.

An Honorary Alderman/Alderwoman does not carry any right to attend meetings of the Council or its committees or to claim any allowances payable to Members.

An Honorary Alderman/Alderwoman of the Council may attend and take part in such civic ceremonies as the Council may from time to time decide. Honorary Aldermen are entitled to wear the badge of 'Honorary Alderman' at Civic events within the district.

The badge of Honorary Alderman/Alderwoman must only be worn at civic events outside the District at the specific request of the organisation of the event.

Those elected to the Roll of Honorary Alderman/Alderwoman are entitled to use the title of 'Honorary Alderman of the District of Epping Forest'.

Following notification of the death of an Honorary Alderman/Alderwoman, the district flag will be flown at half-mast over the Civic Offices from the date of notification of death until the funeral has taken place.

Presentation

The award of Honorary Alderman/Alderwoman shall take place during an extraordinary meeting of the Council, called for this specific purpose. The Chairman will preside over this meeting.

During the meeting a Notice of Motion will be put forward to confer the title of Honorary Alderman on the Nominee(s) to recognise their services to the Council and the community.

The motion before the Council shall be proposed and seconded, and members of the Council shall be invited by the Chairman to speak.

The Chairman shall seek the agreement of those present and voting.

Should the motion not be unanimously carried, a vote shall be called by the Chairman, and a majority of two thirds of those present shall be required to carry the motion.

If the resolution is passed, the person being awarded the title of Honorary Alderman/Alderwoman will be presented with a Badge of Office and their name entered into the Roll of Honorary Alderman/Alderwoman.

The Roll of Honorary Alderman/Alderwoman, which will include the date of election to the Roll, will be maintained by the Proper Officer.

Following the presentation, the person appointed will be given the opportunity to address the Council meeting.

Removal of Award

If any person appointed Honorary Alderman/Alderwoman is subsequently elected as a member of Epping Forest District Council their appointment will cease with immediate effect.

The Council may remove the award of Honorary Alderman/Alderwoman. A motion to remove the award of Honorary Alderman/Alderwoman must be signed by at least six current Councillors and passed by not less than two thirds of members present at the Council meeting.



Appendix 2

NOMINATION FORM FOR THE ROLE OF HONORARY ALDERMAN/ALDERWOMAN OF

EPPING FOREST DISTRICT COUNCIL

Please complete the following using either black ink or type (and/or continue on separate A4 sheet, if necessary):-

Name of Person being nominated:
Address:
Tel No:
Ward Represented

Please explain how the nominee meets the following criteria for appointment:

1	How long has the nominee served on the District Council?
2	Has the proposed recipient held significant position of public responsibility with the Council? If so what?

3	What eminent services has the nominee rendered during their time on the District Council?
4	What significant contribution has the nominee made to the District Council and its residents?
5	Why do you believe that this person should be conferred the appointment of Honorary Alderman?

Signed
Print name
Date

Signed
Print name
Date

Please return this form to:

The Proper Officer
Epping Forest District Council
Civic Offices
High Street, Epping

who will forward the nomination to the Chairman and Leader for consideration.

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