

**EPPING FOREST DISTRICT COUNCIL
CORPORATE GOVERNANCE GROUP MEETING**

**WEDNESDAY, 9 SEPTEMBER 2009
(3.00 - 4.55 PM)**

Present: P Haywood (Chief Executive), D Macnab (Deputy Chief Executive), B Bassington (Chief Internal Auditor), C O'Boyle (Director of Corporate Support Services), R Palmer (Director of Finance and ICT) and I Willett (Assistant to the Chief Executive)

**Apologies for
Absence:**

Place: Room 1.05, First Floor, Civic Offices, High Street, Epping, Essex

45. MINUTES OF THE PREVIOUS MEETING - 5.8.09

Agreed.

46. MATTERS ARISING

(a) Council Tax/NNDR Arrears – Members of the Council (Minute 36(c))

Noted that one of the two members of the Council in arrears had now cleared their account.

(b) Grange Farm Trust (Minute 36(b))

Noted that C O'Boyle had now sent a letter to the Charity Commission as requested.

ACTION:

C O'Boyle to monitor.

47. DECLARATIONS OF INTEREST

None for this meeting.

48. TERMS OF REFERENCE

Noted.

49. AUDIT & GOVERNANCE COMMITTEE

(a) Review of Extraordinary Council Meeting – 17.8.09

Noted that the Chief Financial Officer had been requested by the Chairman of the Audit and Governance Committee to place an item on the latter's next meeting in order to undertake a review of governance issues arising from the consideration of the Chief Executive's Contract of Employment and in particular the report of the Monitoring Officer which had been submitted to the Council meeting in question.

Agreed that the Monitoring Officer should attend the next meeting of the Audit and Governance Committee to give an account of how the report came to be submitted to the Council meeting and updating them on her assessment of the current position.

Agreed that the report should also outline issues which had arisen from the process which should be part of any Audit and Governance Review namely:

- (a) need for clearer procedures in relation to any disciplinary action against any of the statutory officers (Monitoring Officer, Deputy Monitoring Officer, Chief Financial Officer and Head of Paid Service);
- (b) need for a similar clarification of procedures in relation to Service Directors and Assistant Directors;
- (c) need for the adoption of a Monitoring Officer Protocol in the form recommended by District Audit.

Agreed that the Audit and Governance Committee ought to be recommended to re-consider whether a review of governance arrangements in this regard should be instituted at this stage, bearing in mind:

- (a) that discussions regarding the Chief Executive's Contract of Employment had still to be finalised; and
- (b) that it might be more appropriate and in keeping with the role of the Audit and Governance Committee for any review to be conducted retrospectively after all matters have been dealt with as is normal audit practice.

ACTION:

C O'Boyle to attend next Audit and Governance Committee meeting to present an update report.

(b) Review of Housing Repairs and Building Maintenance

Noted that response to previous enquiries from the Audit and Governance Committee, the Director of Housing was planning to make a presentation on proposals for reviewing the Housing Repairs and Building Maintenance Services, incorporating involvement of the private sector.

Agreed that a further discussion be held with P Pledger regarding the presentation with a view to restricting the content to those issues raised by the Audit and Governance Committee on Works Unit operations and avoiding reference to wider policy issues about future re-organisation pending clarification from the Portfolio Holder and the Advisory Group as to their intentions.

ACTION:

R Palmer to discuss with P Pledger.

50. CORPORATE RISK REGISTER

Agreed that the Corporate Risk Register be approved subject to the addition of additional risks identified namely 29 (Gypsy and Traveller Provision) and 30 (Reduction in Government Grant).

Agreed that the proposed new entries 29 and 30 be amended as follows:

(a) Risk 29 Gypsy and Traveller Provision – clarify reference to possible enforcement action.

(b) Risk 30 (Reduction in Government Grant) – clarify reduction in services

Agreed that the Risk Register for the Office of the Chief Executive be brought together by including the Risk Register for Internal Audit.

ACTION:

(1) R Palmer to pursue.

(2) B Bassington to supply details of Internal Audit Risks to C Overend.

51. GRANGE FARM

Noted the circulated letter to Solicitors regarding the Grange Farm correspondence referred to at previous meetings.

ACTION:

C O'Boyle to monitor.

52. STANDARDS COMMITTEE

(a) **Complaints Assessments, Reviews and Adjudications – Current Position**

Schedule noted.

(b) **Moreton, Bobbingworth and The Lavers Parish Council – letter dated 24.8.09**

Noted that this letter was due to be discussed with the Chairman of the Standards Committee on her return from annual leave.

ACTION:

C O'Boyle/I Willett to pursue.

(c) **Essex Parish Clerks' Group – 20.11.09**

Agreed that the Deputy Monitoring Officer be authorised to accept an invitation to speak at the Essex Clerks' Group meeting on 20 November 2009 to be held in Dunmow.

Noted that the subject of the talk would be the Code of Conduct and that no fee was payable.

Noted that a lunch would be provided.

ACTION:

I Willett to pursue.

53. MURRAY HALL, LOUGHTON - COMPLAINTS

Noted that a number of e-mail complaints had been received regarding recent publicity concerning Murray Hall.

Noted that advice had been obtained from the Standards Board for England as to whether or not any of these constituted a direct complaint to the Standards Committee regarding a breach of the Code of Conduct and that the Standards Board had advised that the wording of the complaints did not meet the strict definition of a complaint.

Noted that two more e-mail complaints had been received by the Council directly and these were considered in the light of the Standards Board for England advice as follows:

Complaint 1 (which named a particular Councillor and particular actions which led the complainant to refer to the future of the member concerned as a Councillor) - agreed that this complaint should be dealt with in accordance with the Standard Complaints Procedure.

Complaint 2 (which was a mere comment relating to equality issues generally and did not name any individual Councillor) – and should be dealt with by Safer Communities as it did not fulfil the criteria expressed by the Standards Board for England.

Agreed that I Willett brief J Gilbert on the situation and on Complaint 2.

ACTION:

I Willett to refer complaint 1 to the Complaints Procedure.

I Willett to brief J Gilbert.

54. DATE FOR NEXT MEETING

30 September 2009 at 9.00 a.m. in the Chief Executive's Office.