



# **Epping Forest District Council**

## ***MEMBER REMUNERATION PANEL Wednesday, 12th October, 2005***

**Place:** Committee Room 1, Civic Offices, High Street, Epping

**Time:** 6.00 pm

**Committee Secretary:** Graham Lunnun, Research and Democratic Services  
Email: glunnun@eppingforestdc.gov.uk Tel 01992 564244

**Members:**

M R Donn, D Jackman and S A Lye

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**1. CHAIRMAN**

To elect a Chairman for the meeting.

**2. APOLOGIES FOR ABSENCE**

**3. MEMBERS' CONNECTIVITY SCHEME (Pages 3 - 12)**

**Recommendation:**

**To consider the payment of an allowance towards acquiring computer equipment and materials for use in accessing information regarding the Council's agenda and minutes via the Internet.**

Attached is a copy of a report considered recently by the Council's ICT and E Government Standing Scrutiny Panel.

The Scrutiny Panel is proposing, subject to the views of the Remuneration Panel, that a grant of £500 per annum be paid to each member to enable them to receive electronic notification of and internet access to papers for Council meetings and associated information.

**4. MEMBER REMUNERATION SCHEME - REVIEW 2006/07 (Pages 13 - 54)**

To consider the attached report regarding the scheme in relation to (a) Licensing Committee; (b) Overview and Scrutiny; and (c) Cabinet.

**5. TRAVELLING ALLOWANCES**

**Recommendation:**

**To consider the need to make new recommendations regarding the rates to apply regarding re-imbursement of travelling expenses for car use.**

The Leader of the Council has received a number of representations about the increase in fuel prices. The view expressed is that the rates per mile currently applied by the scheme do not reflect that increase.

The mileage rate has not changed since 2000/01, which was the last year in which the Government specified a maximum rate. It is now up to councils to determine their own rates after considering the views of their independent panels.

When the new proposals were introduced, the Local Government Association in consultation with Employers' Organisation agreed to circulate the annual mileage rates for employees as guidance for councils and panels when considering the rates for members.

This Council's current rates for members are:

Not exceeding 999cc – 34.6p a mile  
Not exceeding 1199cc – 39.5p a mile  
Exceeding 1199cc – 48.5p a mile.

The current rates for employees (casual users) which took effect on 1 April 2005 are:

451 - 999c – 38.7p a mile  
1000 - 1199cc – 42.0p a mile  
1200 – 1450cc – 52.7p a mile

The employees' rates are based on a price of 82.45p per litre for unleaded petrol (based on actual pump prices in the first two weeks of January (as surveyed by the Automobile Association on behalf of the Society of Motor Manufacturers and Traders) in accordance with a jointly agreed formula for calculating the allowances each year).

The Panel is asked to consider the request for an increase in mileage rates and report to the Council accordingly.

## **Report to the ICT and E Government Standing Scrutiny Panel**

**Date of meeting: 22 September 2005**

**Portfolio: ICT and CSS**

**Subject: Members Connectivity Scheme**

**Officer contact for further information: Simon Hill (ext 4249)**

**Committee Secretary: Simon Hill**

# SCRUTINY



**Epping Forest District Council**

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### **Recommendations/Decisions Required:**

- (1) To receive a progress report on the implementation of the Committee Management Scheme and member connectivity; and
- (2) To give consideration to the proposed connectivity scheme and comment as appropriate.

### **Report:**

#### **Background to the Strategy**

1. The Council has previously agreed an IT Strategy for Research and Democratic Services. The aim of the strategy was twofold. Firstly to set out timescales for the implementation of an electronic committee management system (CoMS) and secondly to decide upon a strategy for member connectivity to the Councils network.
2. At that time it was agreed it was preferable to those members canvassed, that direct provision of IT equipment was not their favoured option as over 70% of respondents already had equipment in their homes and didn't want another computer provided by the council.
3. As part of the Council's budget making, CSB growth was built in over a three year period to assist members in providing their own IT equipment. A pilot scheme was undertaken by ICT that highlighted that connectivity at that time was limited as no searchable archive or committee system was available. Officers were also concerned that levels of printed distribution were also increasing, the council's budget for printing was exceeded year-on-year, partly due to the balanced nature of the Council and the request that all agendas were sent to everyone. Additionally a sum of Capital monies was secured through the IEG Grant to fund the implementation of a Committee Management System.
4. The need for such a system was included within the three-year initial business plan of Research and Democratic Services. A Project Board was established to oversee the implementation of the scheme managed in-house by the Committee Section and overseen by Chief Internal Auditor. A successful tendering exercise was undertaken during the autumn 2004 and Nte (product name Modern.gov) were appointed in January 2005. Implementation took place over the period January – 31 March 2005 and the system went live as planned on 1 April 2005 within budget.

## **Progress Since 1 April 2005**

5. Since 1 April the Council has:
  - (a) Gone live on our website with all our publicly available agenda and minutes;
  - (b) Undertaken a printed distribution review to establish the need for paper copies and implemented (as far as is practical at present) the results of the review; and
  - (c) Discussed and drafted a Member Connectivity Scheme.

## **Member Connectivity**

6. Attached at Annex 1 to this report is the proposed Connectivity Scheme. The scheme has been drafted to reflect member's view that direct provision of equipment is not desired. It is based upon an annual grant of £500 to each member. From this sum the member undertakes to:
  - (a) Provide a computer with Internet access capability;
  - (b) Provide broadband access to the Internet via a provider;
  - (c) Provide paper and print consumables except members headed stationary which will continue to be provided by the Council; and
  - (d) Only to be provided with paper copies of agenda for those Committees they either are a member of or are required to otherwise attend (e.g. as a member of the Cabinet).

## **Implementation Issues for Members**

7. Provision of a computer – It is known that most members now have their own computer. For those that currently don't it is proposed that if they sign up to the scheme by the start of December they will receive all of the first year grant in January 2005 to assist their purchase. The scheme means that use of that computer is not restricted by the Council to only official uses. A guidance note on use of IT by members is attached at Annex 2. This is subject to consideration by the Standards Committee.
8. Broadband Access – This type of Internet access is much faster than older dial-up methods. This is essential for members as some of the agenda documents are large in size.
9. Paper copies of agenda – members will continue to receive paper copies of agenda for those Committees they sit on as well as those that they are required to attend. Additionally, paper copies of agenda will be available at Council meetings should non-members attend. The expectation is that members will use the on-line system to view agendas and minutes. Publication events will be notified to all members by email.
10. Level of Grant proposed – The issue of the Grant is to be considered by the Council's Remuneration Panel at its next meeting. In researching the scheme Officers have found two other examples of this type of grant. Basildon Council (£500 pa paid monthly) and East Cambridgeshire Council (£375 pa). Most authorities who have undertaken connectivity schemes provide equipment but are prescriptive about its use and these schemes are resource intensive. The views of the Panel on the proposed level of grant will be forwarded to the Remuneration Panel.

11. It is proposed that a demonstration of the CoMS system and a presentation of the proposed scheme will be given to members prior to the Council meeting on 27 September 2005. Any views of the Panel would be welcomed by officers.

**Resource implications:**

Budget provision: CSB sum of £28,000 for scheme

Personnel: within existing

Land: nil

Community Plan/BVPP reference: whilst no reference is contained within the Community Plan or BVPP the IEG statement refers to the scheme as does the council's own strategy document.

Relevant statutory powers:

Background papers: IEG statements and RDS Strategy and Business Plan refer

Environmental/Human Rights Act/Crime and Disorder Act Implications:

Key Decision reference: (if required) not a key decision

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# **Member Connectivity Scheme**

This document provides information on the member connectivity scheme.

## **Introduction**

The Connectivity Scheme has been introduced to enable members to receive electronic notification of and Internet access to papers for Council meetings and associated information. The scheme has been made possible following the introduction of the Committee Management System (CoMS) which publishes our publicly available agenda to the Internet via the Council's website. The Connectivity Scheme will, however, provide members with access to a wider range of information including agenda planning, up to date notification of publication, call-in and portfolio holder decision-making.

## **The Agreed Scheme**

The Connectivity Scheme provides members with an additional allowance (payable as part of the existing Scheme of Members Allowances) towards acquiring computer equipment and to use this equipment to access information on the Council's Agendas and Minutes via the Internet.

Members would be expected to use this system to access all agenda and minutes information **and** cease to receive hard copy agenda (except for those of which they are a member or required to attend by virtue of a position).

Under the scheme you will receive £500 per annum (payable normally quarterly in arrears) from which members will be expected to assist with the cost of a Personal Computer (PC) (if necessary); Internet connection and any consumables. This sum will be subject to tax and National Insurance.

## **Equipment Specification**

The minimum specification required for PC equipment is:

- (i) A PC that can access the Internet;
- (ii) A broadband connection to your home;
- (iii) A valid email account
- (iv) Internet Browser software; and
- (v) A printer capable of printing A4 pages.

## **Data and Equipment Security and Use Guidance**

The equipment is the individual members property and can be used for non-council activities. Members must adhere to:

- (i) The User Policy Statement for the CoMS system;
- (ii) Issued Standards Committee Guidance on the Use of IT by Members ;
- (iii) The Council's other adopted ICT related policies including the security of any data and remote working policies;

- (iv) The provisions of the Local Government Act 1972 regarding the transmission of Exempt Business as defined in Schedule 12A outside of the Council.

**What the Council will provide:**

The Council will:

- (i) Provide an 'extranet' (a private intranet) connection using a 'token' scheme to control access and a user name and password for each member;
- (ii) Training on the use of the system;
- (iii) IT helpdesk support relating to (i) above and advice from RDS on (ii) above;
- (iv) A paper copy of the agenda to members of each Committee (unless the member indicates in writing otherwise);
- (v) A system of email notification of publication of agenda and minutes to all members.
- (vi) Headed paper and envelopes for use by members for Councillor correspondence.

**What the Council will not provide:**

The Council will **not**:

- (i) Provide IT helpdesk support for PC's or any peripherals purchased by members under the scheme;
- (ii) Advise on purchase of equipment or choice of ISP.
- (iii) Provide a paper copy of agenda for other Committees if you are not a member. Paper copies of Agenda will be available at the meeting in small quantities.
- (iv) Plain paper and print cartridge consumables.



## **Glossary of Terms used in this document**

**Broadband** – a system of connecting to the Internet that allows voice, data, and video to be broadcast over the same medium at the same time. They may also allow multiple data channels to be broadcast simultaneously. It is much faster than traditional dial-up methods of connection.

**Browser** – Software that allows a computer user to find and view information on the Internet.

**Committee Management System** – A computer system used by EFDC to publish and archive all Agenda and Minutes of Council's meetings and publish these to the Internet and intranet.

**Email account** – An account provided by your ISP by which you can receive email. Your current or chosen ISP will be able provide details of how you can set an account up.

**Extranet** - an extension of the Council's intranet giving authorised people controlled access to the intranet from outside of the Council's network.

**Exempt Business** – Items of business on an agenda that are confidential to the Council and should not be disclosed to third parties.

**Internet** – a network that links computer networks all over the world by satellite and telephone, connecting users with service networks such as e-mail and the World Wide Web.

**Internet Browser** – See Browser

**ISP** - Internet service provider. A company that provides internet connection services

**IT helpdesk** – The Council provides a helpdesk to supports its applications. It contact number is 01992 564321

**Password** – In this case means a word that when entered on the password screen allows access to the extranet

**Peripherals** – a piece of computer hardware such as a printer or a disk drive that is external to but controlled by a computer's central processing unit.

**Personal Computer (PC)** – a computer with its own operating system and a wide selection of software, intended to be used by one person

**Portfolio holder decision-making** – Means a executive decision made by a member of the Cabinet

**RDS** – Research and Democratic Services at EFDC

**Remote working** – is another ways of describing someone accessing the Council's network from outside of the building i.e. remotely.

**Token** – A piece of equipment that provides a secondary form of identification when accessing the Council's extranet.

**User name** – In this instance means your name on the system. Normally a combination of your initials and your surname.

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## **Guidance on the Use of IT by Members**

### **1. Purpose of Guidance**

- 1.1 The Council provides Councillors with an allowance towards the costs of providing and maintaining equipment, software or other consumables necessary to allow Members to access the Committee Management System. This protocol gives advice on use of computer equipment in order to minimise risks to both the Council and to individual Councillors.

### **2. Security**

- 2.1 Under the terms of the Connectivity Scheme, Councillors are responsible for:
- (i) Ensuring that their password and secondary authentication equipment remain accessible only by themselves;
  - (ii) Abiding by the Council's published ICT policies and standards relating to security of systems and data and remote working;
  - (iii) Meeting the requirements of the Local Government Act 1972 and any subsequent Act in relation to exempt and confidential information; and
  - (iv) Adhering to specific user policies for systems they are given access to.

### **3. Use of Equipment**

- 3.1 Members should be mindful of the onus placed upon them under (2) above. They should maintain arrangements on their IT equipment that would meet the need to keep any material down-loaded via the Intranet securely at any remote location. Members should ensure that if the computer is shared, proper arrangements are made to limit access to materials stored by the member, that fall into exempt and confidential categories.
- 3.2 The Member should not store or download any material which:
- (i) Causes the Council to be brought in to disrepute;
  - (ii) Contravenes any Access to Information or Data Protection Acts or similar legislation;
  - (iii) Is illegal or inconsistent with the high standard expected of those in public office;
  - (iv) Is defamatory; and
  - (v) Breaches the Council's Code of Conduct.
- 3.3 If a Councillor uses their computer for the preparation of any material of a personal or political nature, he/she must make it clear that such material is published in a private capacity and not by or on behalf of the Council, and that no costs have been incurred by the Council as a consequence of its publication. Similarly, a Councillor should not express views on any matter relating to the Council without expressly indicating that the views are personal and not those of the Authority.

3.4 The Council accepts no responsibility for Member use of IT equipment.

For more information see the Member Connectivity Scheme and related ICT Policies.

G/C/07HILL/GUIDANCE ON THE USE OF IT BY MEMBERS.DOC

## ***Report to the Independent Remuneration Panel***



***Date of meeting: 13 October 2005***

**Portfolio: People First**

**Subject: Member Remuneration Scheme – Review 2006/7**

**Officer contact for further information: Ian Willett (01992 564243)**

**Democratic Services Officer: Graham Lunnun (01992 564244)**

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### **Recommendations/Decisions Required:**

- (1) To note that the Panel has been asked to review the Council's Member Remuneration Scheme in relation to the following:**
  - (a) Licensing Committee;**
  - (b) Overview and Scrutiny Committee; and**
  - (c) Cabinet; and**
- (2) To consider how to deal with these three items.**

### **Report:**

1. Following a discussion among Group Leaders, the Cabinet at its meeting on 11 July 2005 asked the Panel to review certain aspects of the Member Remuneration Scheme. A copy of the statement on implementation is attached as Appendix 1 to this Report together with a schedule (Appendix 2) of the various implementation levels which the Panel recommended some years ago.
2. Currently, the Council has implemented basic allowance at 80% and special responsibility at 40% of the figures shown in the Table. It should be borne in mind that it is for the District Council to consider questions of implementation but the District Council cannot make changes to its Remuneration Scheme without first having considered a report from this Panel.

### **Licensing Committee**

3. In February 2005, the Council began to assume responsibility for the licensing of persons, premises and events involving the sale of alcohol. This includes off-licences, public houses, clubs, restaurants, supermarkets and the proprietors of those premises. The licensing provisions also cover special events held which involve the sale of alcohol.

Over the period 7 February to 24 November 2005, all licence holders were required to apply for the transfer of the licence to the District Council from the Magistrates' Court. Following 24 November 2005, all licences will in future be issued by the District Council.

4. Prior to these changes in the law, the Council was responsible for entertainments licensing (public and private), hackney carriage licensing and hire car vehicles together with a very wide variety of other licences of various sorts. These original licensing functions remain with the District Council.
5. In the light of these changes, the Council has altered its arrangements for dealing with licensing applications and renewals. A new Licensing Committee (replacing the former Licensing Panel) was appointed. The Committee comprises 15 members including a Chairman and Vice-Chairman and has decided that any three Councillors drawn in alphabetical order from the main committee should constitute a sub-committee to hear and rule on applications. Some other aspects of the new licensing regime were delegated to the Head of Environmental Services and there are provisions whereby objections to decisions made by him under delegated authority may be aired before the Panel. A similar arrangement applies to those licensing functions for which the Council has always been responsible.
- ... 6. Copies of the Licensing Committee's Terms of Reference and the list of functions and delegated authorities extracted from the Council's Constitution (Appendix 3) are also enclosed together with the Council's Statement of Licensing Policy (Appendix 4).
7. The period from February to November 2005 can be seen as a transitional phase. The Council has had to process a large number of licence transfers in a relatively short period. Currently a Licensing Sub-Committee is meeting weekly to deal with batches of these applications and this process will continue until November next. After November, it is not clear whether meetings of the Licensing Sub-Committee will need to continue at the same frequency.
8. The Cabinet has asked the Panel to look at the question of Special Responsibility Allowances in respect of licensing Committee Members. Currently the scheme provides for a payment of £630 per annum (40% of the full amount) to the Chairman of the Licensing Committee. There is no specific provision for other members of the Licensing Committee to receive additional payments to reflect special responsibilities. The special responsibility allowance is only payable to Councillors who have duties or positions which cannot be reflected through the basic allowance.
9. The Panel may wish to consider the following matters:
  - (a) whether the range of licensing responsibilities of the Council warrants a different level of special responsibility allowance;
  - (b) whether this allowance should be extended to all members of the Licensing Committee bearing in mind that the Chairman of the Licensing Committee does not necessarily chair every meeting of a Sub-Committee; and
  - (c) whether this sets a precedent for the Area Plans Sub-Committees (meeting monthly) which carry out an equivalent function within the Council, as do the Complaints Panel (meeting infrequently), Staff Appeals Panel (meeting infrequently) and the Housing Appeals Panel (meeting monthly).

## **Overview and Scrutiny – New Committee Structure**

10. With effect from May 2005, the Council has altered its Overview and Scrutiny Committee structure. Previously there were three Overview and Scrutiny Committees and three Standing Working Groups called Policy Advisory Working Groups. The three Overview and Scrutiny Committees and their Policy Working Groups were specifically linked to groups of Cabinet Portfolios. Membership of the three committees was set at 17 each and the Policy Working Groups 11 each. The Committees had a Chairman and Vice-Chairman each of whom received a separate special responsibility allowance which up to the current financial year was set at a minimal level. Had there been three Committees in the current year, each would have received 40% special responsibility allowance (currently £2,520 per annum).
11. The changes made by the Council in May 2005 were as follows:
  - (a) the three Overview and Scrutiny Committees were disbanded;
  - (b) the three Policy Working Groups were disbanded;
  - (c) a new Overview and Scrutiny Co-ordinating Committee comprising 11 members was appointed, with a Chairman and Vice-Chairman;
  - (d) In place of the former Policy Working Groups, a new system of panels was introduced, some of these (known as Standing Panels) will continue in being as their work concerns recurring functions of the Council. Each of these Standing Panels comprises 10/11 members and has a Chairman and Vice-Chairman appointed by the Council. The remaining Panels are called "Task and Finish" Panels and are designed to carry out reviews and then disband. There have been many other procedural changes in the way in which the Overview and Scrutiny process functions and these were designed to move away from a traditional committee/working group format and towards more informal meetings offering more direct involvement by Councillors.
12. The Cabinet has asked the Panel to examine the level of special responsibility allowance for the Chairman and Vice-Chairman of the Overview and Scrutiny Committee. This is because the Council's rules now envisage that the Chairman of the Overview and Scrutiny Committee will effectively be the lead member on the whole Overview and Scrutiny process. This role is akin to that of the Council Leader in respect of Cabinet business. Previously the role was split between three separate members but the scheme equated the roles of Leader and the three Overview and Scrutiny Chairmen in that they received the same special responsibility allowance.
13. Task and Finish and Standing Scrutiny Panels occupy an equivalent place in the structure to the former Policy Working Groups although they operate in a different way. Previously the Panel did not recommend special responsibility payments to Policy Working Group members or their Chairmen.

## **Cabinet**

14. The Panel will be aware that when the Cabinet was first established it comprised 10 members with discrete portfolios. In May 2004, this number was reduced to 9 with the portfolios for Corporate Support Services and ICT being combined. This means that during the current year one less special responsibility allowance is being paid compared to previous years. The Cabinet asked the Panel to look specifically at the issue of

special responsibility allowance for Cabinet members bearing in mind that the responsibilities have been spread over fewer members.

15. It is worth bearing in mind that the law sets a limit of 10 Cabinet members and the Authority therefore has freedom to decide how many Portfolio Holders there should be at any one time. In terms of framing a policy for special responsibility allowance, it may be useful to think about what the Remuneration Scheme should say about potential changes in the number of Cabinet members. It may be as simple as if the number of Portfolio Holders is reduced, for instance, the SRA could remain the same but simply be paid to fewer members. Alternatively, there could be provision for an increase to SRA's to be divided equally between the current number of Cabinet members thus reflecting greater individual responsibilities.

#### **Further Evidence**

16. If the Panel feel that they would benefit from further discussion with the Chairman of the Licensing Committee, with the Leader of the Council and the Chairman of the Overview and Scrutiny Committee, this can be arranged.



# **APPENDIX 1**

## **PART 6**

### **MEMBERS' ALLOWANCES SCHEME**

## **SCHEME OF MEMBERS' ALLOWANCES**

### **STATEMENT ON IMPLEMENTATION 2005/6**

**The following scheme has been agreed for the period  
1 April 2005 to 31 March 2006  
(subject to annual review)**

The Council decided at its meeting on 15 February 2005 to implement only 80% of the amount of Basic Allowance set out in the scheme (i.e. a sum of £2,520 per annum per Councillor)

The full amounts set out in the scheme in respect of Special Responsibility Allowance (SRA) have been implemented at the 40% level as follows.

<b>DUTY</b>	<b>ANNUAL AMOUNT OF SRA</b>
Leader	£2,520
Deputy Leader	£315
Cabinet members (9)	£2,520 p.a. each
Chairman, District Development Control Committee	£1,260 p.a.
Chairman of Area Plans Sub Committees "A", "B", "C" and "D"	£945 p.a. each
Chairman of Overview and Scrutiny Co-ordinating Committee	£2,520 p.a.
Chairman of Complaints, Licensing, Staff Appeals, Housing Appeals	£630 p.a. each

#### **Panels**

Leader of each political group (as defined in the Local Government and Housing Act 1989) on the Council	A sum equivalent to £21.11 for each member of the political group concerned.
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A copy of the full scheme is available on request from the Democratic Services Department, Civic Offices, Epping.

## **EPHING FOREST DISTRICT COUNCIL – REMUNERATION AND EXPENSES SCHEME**

The Epping Forest District Council, in exercise of the powers conferred by the Local Authorities (Members' Allowances) Regulations 1990 and the Local Authorities (Members' Allowances) (England) Regulations 2001, hereby makes the following scheme:

1. This scheme may be cited as the Epping Forest District Council Members' Allowance Scheme and shall have effect for the period 1 April 2004 to 31 March 2006.

2. **In this scheme:**

"Councillor" means a member of the Epping Forest District Council who is a Councillor;

"independent member" means (a) a member of the Standards Committee who is not an elected councillor or (b) a co-opted member of an Overview and Scrutiny Committee who is not an elected councillor;

"year" means the 12 months ending with 31 March.

3. **Basic Allowance**

Subject to paragraph 7, £3150 shall be paid to each Councillor.

4. **Special Responsibility Allowances**

(1) For each year a special responsibility allowance shall be paid to those Councillors who hold the special responsibilities in relation to the allowances specified in schedule 1 to this scheme. Special responsibility allowances shall be calculated as multipliers of the Basic Allowance except in the case of political group leaders. There is no restrictions on the number of separate SRA's which are payable to an individual member.

(2) Subject to paragraph 7, the amount of each allowance shall be the amount specified against that special responsibility in schedule 1 for the year.

5. **Travelling and Subsistence**

(1) These expenses may be claimed by members of the Council in connection with the carrying out of approved duties specified in Schedule 2, 3 and 4 of this scheme.

(2) Payments may be claimed up to the maximum set by the Local Government Allowances regulations set by the Secretary of State with effect from 1 April 2000 and shown on the reverse of the claim form.

6. **Dependant Carers' Allowance**

(1) The maximum rate for this allowance shall be set at a rate equivalent to the National Minimum Wage for the time being (£4.20 per hour in October 2002).

(2) A member of the Council shall be eligible to claim up to four hours of the allowance for the performance of approved duties under this scheme and for the purpose of contributing to the cost of providing personal care to immediate dependants who are in need of care and supervision.

(3) The rate applicable shall be subject to automatic increases on an annual basis in line with uprating of the National Minimum Wage.

(4) All claims shall be subject to Audit checks and no claim in excess of the maximum level will be payable, whatever the circumstances.

## **7. Renunciation**

A councillor or independent member may by notice in writing given to the Head of the Policy Unit elect to forego any part of his entitlement to an allowance under this scheme.

## **8. Part-year Entitlements**

(1) The provisions of this paragraph shall have the effect of regulating the entitlements of a councillor to basic and special responsibility allowances where, in the course of a year, this scheme is amended or that councillor becomes, or ceases to be, a councillor, or accepts or relinquishes a special responsibility in respect of which a special responsibility allowance is payable:

(2) If an amendment to this scheme changes and the amount to which a councillor is entitled by way of a basic allowance or a special responsibility allowance, then in relation to each of the periods:

(a) beginning with the year and ending with the day before that on which the first amendment in that year takes effect; or

(b) beginning with the day on which an amendment takes effect and ending with the day before that on which the next amendment takes effect, or (if none) with the end of the year;

the entitlement to such an allowance shall be to the payment of such part of the amount of the allowance under this scheme as it has effect during the relevant period as bears to the whole the same proportion as the number of the days in the period bears to the number of days in the year.

(3) Where the term of office of a councillor begins or ends otherwise than at the beginning or end of a year, the entitlement of that councillor to a basic allowance shall be to the payment to such part of the basic allowance as bears to the whole the same proportion as the number of days during which his term of office subsists bears to the number of days in that year.

(4) Where this scheme is amended as mentioned in sub-paragraph (2), and the term of office of a Councillor does not subsist throughout the period mentioned in such-paragraph (2)(a), the entitlement of any such councillor to a basic allowance shall be to the payment of such part of the basic allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole of the same proportion as the number of days during which his term of office as a Councillor subsists bears to the number of days in that period.

(5) Where a Councillor has during part of, but not throughout, a year such special responsibilities as entitle him or her to a special responsibility allowance, that councillor's entitlement shall be to payment of such part of that allowance as bears to the whole of the same proportion as the number of days during which he/she has such special responsibilities, bears to the number of days in that year.

(6) Where this scheme is amended as mentioned in sub-paragraph (2), and a Councillor has during part, but does not have throughout the whole, of any period mentioned in sub-paragraph (2)(a) of that paragraph any such special responsibilities as entitle him or her to a special responsibility allowance, that Councillor's entitlement shall be to payment of such part of the allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days in that period during which he or she has such special responsibilities bears to the number of days in that period.

## **9. Claims and Payments**

(1) Payments shall be made in respect of basic and special responsibility allowances, subject to subparagraph (2), in instalments of one quarter of the amount specified in this scheme on the last working day of each third month;

(2) Where a payment of one-quarter of the amount specified in this scheme in respect of a basic allowance or a special responsibility allowance would result in the Councillor receiving more than the amount to which by virtue of paragraph 8(1), he or she is entitled, the payment shall be restricted to such amount as will ensure that no more is paid than the amount to which he or she is entitled.

(3) Claims must be made within a period of one year of the duty being carried out. Payments after that period will only be made in exceptional circumstances.

## **10. Up-rating for Inflation**

There will be no inflationary adjustment to the allowances set out in this scheme.

## **11. Co-optees' Allowance**

Co-optees' allowance will be payable to independent members as set out in Schedule 5 to this scheme.

## **12. Withholding/Recovery of Payments**

12.1 If any councillor or independent member is wholly suspended or partially suspended under Part III of the Local Government Act 2000, or regulations made under that part, the Council shall be entitled to withhold any payments of Basic and Special Responsibility or Travelling and Subsistence Allowances in respect of that period of suspension or partial suspension.

12.2 Where any councillor or independent member has already received a payment in respect of any period during which they have been:

(a) suspended or partially suspended from their responsibilities or duties as a member of the Authority in accordance with Part III of the Local Government Act 2000 or regulations made under that part; or

(b) ceased to be a member of the Authority; or

(c) not entitled in any other way to receive the allowance in respect of that period, the Council may require that such part of the allowance as relates to the period in question shall be repaid to the Authority.

### **13. PENSIONABLE STATUS**

- 13.1 Remuneration payable to councillors of the Epping Forest District Council under this scheme shall be entitled to pensionable status in accordance with a scheme made under Section 7 of the Superannuation Act 1972, if they opt in to the Essex Superannuation Scheme.
- 31.2 For the purposes of a Paragraph 13.1 above basic allowance and special responsibility allowance will be treated as amounts in respect of which such pensions are payable in accordance with a scheme under that Act.

### **SCHEDULE 1**

1. The following are specified as the special responsibilities in respect of which special responsibility allowances are payable and the amounts of those allowances.

<b>DUTY</b>	<b>ANNUAL AMOUNT OF SRA</b>
Leader of Council	£6300
Deputy Leader of Council	£787.50
Cabinet members (10)	£6300 (each)
Chairmen, District Development Control Committee	£3150
Chairmen of Area Plans Sub Committees "A", "B", "C" and "D"	£2362.50 p.a. (each)
Chairmen of Overview and Scrutiny Committees 1, 2 and 3	£6300 (each)
Chairmen of Joint Consultative Committee	£2362
Chairmen of Complaints, Licensing, Staff Appeals, Housing Appeals	£1575 (each)
Chairmen of Policy Working Groups (3)	£1575 (each)

2. The following additional special responsibilities are also specified for the purpose of paying special responsibility allowances:

<b>DUTY</b>	<b>ANNUAL AMOUNT OF S.R.A.</b>
Leader of each political group (as defined in the Local Government and Housing Act 1989) as set out opposite): namely 2 or more members.	£315 for each five members of the Group.

## **SCHEDULE 2 APPROVED DUTIES**

1. The following are specified as an approved duty for the purpose of the payment travelling and subsistence expenses, attendance at any of the following:
  - (a) a meeting of the authority or as a member of the Cabinet, a Cabinet Committee or of any committee or sub-committee, working group, special committee or Board of the authority together with the Standards Committee and the Independent Remuneration Panel.
  - (b) any other meeting held by the Authority provided that:
    - (i) where the authority is divided into two or more political groups, it is a meeting to which members of at least two such groups have been invited; or
    - (ii) if the authority is not so divided, it is a meeting to which at least two members of the authority have been invited;
  - (c) duties relating to the supervision of tender opening as required by the Council's Standing Orders;
  - (d) attendance as representative of the Council at any conferences or meeting of the outside organisations set out in Schedules 3 and 4;
  - (e) attendance at any meeting or other official function at the request of the Chief Executive, a Corporate Director or the Finance Director or the appropriate Head of Service including meetings between group representatives for a particular Committee and officers;
  - (f) any other duty approved by the Council or the Cabinet or any other committee, sub-committee, special committee or Board or Panel or any duty of a class so approved, for the purpose of, or in connection with, the discharge of functions or the body, or of any of its committees or sub-committees;
  - (g) attendance by a Councillor at a meeting of which he or she is not a member for the purpose of explaining a motion referred from the Council;
  - (h) attendance as a Councillor at the invitation of the Local Government Commissioner for Administration for the purpose of investigating a complaint against this Council of maladministration;
  - (i) attendance as an appointed representative of Epping Forest District Council at any meeting of Essex County Council or any of its committees or sub-committees for the purpose of formal consultations on any matter affecting the powers or duties of this Council or the district or any part thereof;

(j) attendance as Leader on behalf of the Council or the Cabinet or as a Chairman on behalf of a Committee at an official function.

2. There is specified as an approved duty for the purpose of paying travelling and subsistence expenses attendance at any of the outside organisations shown in Schedule 4.

3. Attendance by members of the Council at meetings of outside organisations not shown in Schedule 4 shall NOT qualify for payment of travelling and subsistence expenses.

### **SCHEDULE 3 CONFERENCE AND MEETINGS**

Conference and meetings organised by any person or body who is not doing so by way of trade nor whose objects are wholly or partly political, attendance at which is authorised by the Council, Committee, Sub-Committee or Board and which does not involve an absence overnight from the councillors normal place of residence.

Appropriate subsistence and travelling expenses (first class ordinary return rail fare or car mileage at the appropriate rate whichever is the less if travel outside the Epping Forest District is required).

Conferences and meetings organised by any person or body who is not doing so by way of trade nor whose objects are wholly or partly political, attendance at which is authorised by the Council, Committee, Sub-Committee or Board and which involves an absence from the Councillors normal place of residence of one or more nights

Appropriate subsistence and travelling expenses (first class rail fare or car mileage, whichever is the less if travelling outside the Epping Forest District is required).



#### **SCHEDULE 4 OUTSIDE ORGANISATIONS**

Attendance as appointed representative of the Council on any outside organisations, such attendances being deemed approved duty for the purpose of paying subsistence and travelling expenses.

#### **SCHEDULE 5 CO-OPTEE'S ALLOWANCE**

Chairman of the EFD Standards Committee:	£700 per annum
Independent Members of the EFD Standards Committee:	£350 per annum
Co-opted independent members of an Overview and Scrutiny Committee	£350 per annum

**EPPING FOREST DISTRICT COUNCIL  
GUIDANCE NOTE ON ALLOWANCES AND EXPENSES FOR MEMBERS**

**1. INTRODUCTION**

- 1.1 A Councillor is eligible for the payment of attendance allowances and for reimbursement of travel and subsistence expenses in respect of approved duties carried out on behalf of the Council. An approved duty is one which has been authorised by the Council or any of its Committees and Sub-Committees in advance.
- 1.2 The Council has a formal scheme for allowances which is updated from time to time. A copy of the scheme is set out elsewhere in the procedures manual. This note is of a more informal nature and is designed to assist members in dealing with their claims and explaining the arrangements to the public.

**2. BASIC ALLOWANCE**

- 2.1 This is a flat rate allowance payable to all members of the Council. This annual amount is paid in quarterly instalments. Members do not have to claim this amount.

**3. SPECIAL RESPONSIBILITY ALLOWANCE**

- 3.1 This is a special allowance payable to the Leader and Deputy, Cabinet members certain Chairmen and to Group Leaders. It is designed to reflect the additional responsibilities of these office holders. This amount is paid in quarterly instalments during the year and does not have to be claimed.

**4. TRAVEL EXPENSES**

- 4.1 Members may re-claim reasonable travel expenses (including public transport tickets, taxi fares, parking costs where appropriate subject to submission of evidence of expenditure) in respect of approved duties.

**4.2 Car Travel**

The normal rates for car travel are the maximum fixed by the Secretary of State which must not be exceeded. Claims must be fixed on the rates applicable at the time of the journey. These rates are set out on the reverse of the claim form and are regularly updated by the government in line with inflation.

**4.3 Shortest Distance**

Claims for car travel should be by reference to the shortest distance from home to the Council offices or other venue for the approved duty concerned. No claim for additional expenses will be entertained unless there is a valid reason for incurring the additional mileage.

**4.4 Travel Direct from Workplace etc**

For claims involving direct travel from a Councillor's place of work (or other departure point) for an approved duty, the distance claims shall be limited to the home to meeting venue element of the journey. All such claims must be endorsed "CLAIM LIMITED" on the form.

#### 4.5 Travel Outside the District – Limit on Amount Claimable

For journeys to approved meetings outside the District or by members resident outside the district, claims irrespective of mode of travel must not exceed the lower of:

- (a) first class return rail fare plus underground and other fares from station to destination at each end of the journey; or
- (b) the appropriate car mileage.

This is subject to consideration of any special circumstances as set out in 5.6 below.

#### 4.6 Travel over Long Distances – Special Circumstances

If, for any reason, a councillor undertakes travel over long distances or from outside the District, members are advised to contact the Head of the Policy Unit in advance for advice on what would constitute a reasonable claim in the circumstances.

#### 4.7 Use of Public Transport within Epping Forest District

The rate for travel by public transport must not exceed the ordinary fare (or any available cheap fare). Where more than one class of fare is available, the first class fares may be claimed. A member may not claim travelling expenses in respect of a single duty from more than one body. In all such claims evidence of expenditure i.e. tickets or other receipts) MUST be provided. No claim will be allowed without such evidence.

### 5. SUBSISTENCE EXPENSES

- 5.1 Subsistence expenses (covering refreshments and meals etc paid for by a member) are claimable by councillor in respect of making attendances connected with approved duties on behalf of the Council. The rates for such expenses are set out (by reference to meal time and periods of absence) on the reverse of the form which is supplied to members on a quarterly basis. These rates may not be exceeded. Periods of absence will be calculated on the basis of departure from home or place of work if it is not possible to return home in the time available.
- 5.2 All claims for subsistence must be accompanied by receipts in respect of meals etc as evidence of expenditure actually having been incurred. No claims will be allowed in the absence of such evidence.
- 5.3 Special arrangements exist in respect of subsistence expenses in respect of duties involving an absence overnight from a councillor's normal place of residence. These are outlined under Section 7 relating to conferences.
- 5.4 A Councillor may not claim subsistence expenses in respect of a single duty from more than one body.

## **6. CONFERENCES**

- 6.1 The following conferences adopted by the Council on 11 July 1995 constitute the approved list of members' conferences:

<b>Conference/Organisation (Relevant Committee)</b>	<b>Approved No of Representative(s)</b>
Local Government Association (Annual Conference)	3 Members
Chartered Institute of Public Finance and Accountancy	1 Member
Rating and Valuation Association	1 Member
Institute of Environmental Health Officers	1 Member
National Society for Clean Air	1 Member
Institute of Waste Management	1 Member
Institute of Civil Engineers (Municipal Engineering Conference)	1 Member
Institute of Leisure and Amenity Management	1 Member
National Sports Council (Recreation Conference)	1 Member
Institute of Housing	1 Member
Royal Town Planning Institute (Summer School and Annual Conference)	1 Member
Town and Country Planning Association (Annual Conference)	1 Member

- 6.2 Appointments for these conferences are made by the appropriate committee or by urgent action.
- 6.3 Attendance at Conferences and payment of allowances and expenses other than those listed above are subject to prior approval by the appropriate committee in all cases.
- 6.4 All conferences deemed to be approved duties shall, in accordance with statutory requirements, be relevant to the District and not wholly or partly commercial or political in their objectives.

### **Allowances for Attendance at Conferences (Involving An Absence from Home)**

#### **Subsistence – Nights Away from Home**

- 6.5 For conferences involving one or more night's absence, subsistence rates are subject to the overall maximum set for each 24-hour period. These vary accordingly to the following categories:

- (a) conferences held in London or which are convened by a local authority association – these attract a higher maximum amount;
- (b) other conferences – where the maximum 24-hour rate is set at a lower level.

These maxima are set by the Secretary of State and may not be exceeded. They are updated on a regular basis in line with inflation.

### **Claims for Subsistence**

- 6.6 These claims should cover such items as hotel bills, refreshments, meals (other than free meals which should be discounted) and similar items. No claims will be allowed unless evidence is provided of all expenditure being claimed. All relevant bills and receipts should be forwarded to the Chief Executive with claims.

### **Travel Claims**

- 6.7 The guidance outlined under paragraph 4.5 will apply to all conferences .

## **7. TAXATION AND NATIONAL INSURANCE IMPLICATIONS**

- 7.1 Details of the tax and national insurance implications of allowance payments and expenses claimed are available from the Finance Director.

## **8. ALTERATION OF CLAIMS**

- 8.1 All claim forms submitted by members are checked by Committee and members' Services Section. The Head of Policy Unit (or the Committee and Member Services' Manager acting on his behalf) is authorised to reduce incorrect claims in the following circumstances:

- (a) where a member does not attend at a claimed meeting;
- (b) where a claimed meeting is not approved;
- (c) where an incorrect amount of allowance is claimed; and
- (d) where a correct date has not been claimed.

- 8.2 Any changes under paragraph 9.1 will be notified to members after the claim form has been processed. Any other problems with members' claims will be referred back for the claimant and processing of the claim will not take place until the query has been clarified.

## **9. INTERPRETATION**

- 9.1 These guidelines are subject to the overall interpretation of the Chief Executive as to what constitutes a reasonable claim in any individual circumstances.

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## APPENDIX 2

### POSSIBLE PHASING OVER A FOUR YEAR PERIOD

	<b>2002/03 (40%) £</b>	<b>2003/04 (60%) £</b>	<b>2004/05 (80%) £</b>	<b>2005/06 (100%) £</b>
Basic Allowance	1,260.00	1,890.00	2,520.00	3,150.00
<b>Executive</b>				
Leader of the Council	2,520.00	3,780.00	5,040.00	6,300.00
Deputy Leader of the Council	315.00	472.50	630.00	787.50
Civil Engineering P/F Holder	2,520.00	3,780.00	5,040.00	6,300.00
Community Wellbeing P/F Holder	2,520.00	3,780.00	5,040.00	6,300.00
Corporate Support Services P/F Holder	2,520.00	3,780.00	5,040.00	6,300.00
Finance and Performance Management P/F Holder	2,520.00	3,780.00	5,040.00	6,300.00
Housing P/F Holder	2,520.00	3,780.00	5,040.00	6,300.00
Leisure and Health P/F Holder	2,520.00	3,780.00	5,040.00	6,300.00
People First P/F Holder	2,520.00	3,780.00	5,040.00	6,300.00
Planning and Economic Development P/F Holder	2,520.00	3,780.00	5,040.00	6,300.00
Protecting Our Environment P/F Holder	2,520.00	3,780.00	5,040.00	6,300.00
Special Projects P/F Holder	2,520.00	3,780.00	5,040.00	6,300.00
<b>Overview and Scrutiny</b>				
Chairman of O/S 1 (Community)	2,520.00	3,780.00	5,040.00	6,300.00
Chairman of O/S 2 (Environment)	2,520.00	3,780.00	5,040.00	6,300.00
Chairman of O/S 3 (Corporate)	2,520.00	3,780.00	5,040.00	6,300.00
Chairman of Policy Working Group 1 (Community)	630.00	945.00	1,260.00	1,575.00
Chairman of Policy Working Group 1 (Environment)	630.00	945.00	1,260.00	1,575.00
Chairman of Policy Working Group 1 (Corporate)	630.00	945.00	1,260.00	1,575.00
<b>Chairmen of Area Plans Sub-Committees, Other Committees, Panels, Boards</b>				
District Development Control Committee	1,260.00	1,890.00	2,520.00	3,150.00
Area Plans Sub-Committee 'A'	945.00	1,417.50	1,890.00	2,362.50
Area Plans Sub-Committee 'B'	945.00	1,417.50	1,890.00	2,362.50
Area Plans Sub-Committee 'C'	945.00	1,417.50	1,890.00	2,362.50
Area Plans Sub-Committee 'D'	945.00	1,417.50	1,890.00	2,362.50
Complaints Panel	630.00	945.00	1,260.00	1,575.00
Housing Appeals Panel	630.00	945.00	1,260.00	1,575.00
Staff Appeals Panel	630.00	945.00	1,260.00	1,575.00
Joint Consultative Committee	945.00	1,417.50	1,890.00	2,362.50
Licensing Panel	630.00	945.00	1,260.00	1,575.00

	<b>2002/03 (40%) £</b>	<b>2003/04 (60%) £</b>	<b>2004/05 (80%) £</b>	<b>2005/06 (100%) £</b>
<b>Group Leaders (5) *</b>				
Group Leaders (Groups with 2-5 members)	126.00	189.00	252.00	315.00
Group Leaders (Groups with 6-10 members)	252.00	378.00	504.00	630.00
Group Leaders (Groups with 11-15 members)	378.00	567.00	756.00	945.00
Group Leaders (Groups with 16 members) – 20 members	-	-	-	-
Group Leaders (Groups with 21-25 members)	630.00	945.00	1,260.00	1,575.00
<b>TOTALS:</b>				
Basic Allowance	73,080.00	109,620.00	146,160.00	182,700.00
Special Responsibility Allowances +	47,880.00	71,820.00	95,760.00	119,700.00
	120,519.00	180,778.50	241,038.00	301,297.50
* Dependent on political make-up of Council				
+ In calculating totals for Special Responsibility Allowances the amounts for Group Leaders are based on the current political make-up of the Council.				



## **APPENDIX 3**

### **PART 3(2) - RESPONSIBILITY FOR COUNCIL FUNCTIONS**

#### **APPENDIX 4**

#### **LICENSING COMMITTEE – TERMS OF REFERENCE**

(1) The full Committee shall comprise 11 Councillors appointed by the Council at its annual meeting, including a Chairman and Vice-Chairman.

... (2) For the functions set out in Annex 1, and the legislation listed in Annex 2, a Sub-Committee consisting of no more than any three Councillors drawn, in alphabetical order, from the members of the full Committee shall be formed. Any such Sub-Committee shall elect a Chairman on an ad-hoc basis.

(3) For the transaction of business at full Committee meetings, the quorum shall be a minimum of five Committee members save that no business shall be transacted unless either the Chairman or Vice-Chairman of the Committee is present.

(4) The Committee and Sub-Committees shall have full authority to hear and determine licensing applications.

(5) The Committee and Sub-Committees shall be further empowered to determine appeals made against the decisions of the Head of Environmental Services taken under delegated authority on licensing applications.

... (6) The Committee shall at all times carry out its duties solely within the policy from time to time determined by the Council and shall conduct its proceedings in accordance with the requirements set out in Annex 3 (Conduct of Business by Licensing Committee and Sub-Committees).

(7) The Licensing Committee shall take no part in the production or revision of the statement of licensing policy made under Section 5 of the Licensing Act 2003, however, they may determine policy under the legislation listed in Annex 3.

**PART 3(2) – RESPONSIBILITY  
FOR FUNCTIONS  
LICENSING COMMITTEE**

**APPENDIX 4 (ANNEX 1)**

**Licensing Act 2003 – LIST OF FUNCTIONS AND DELEGATED AUTHORITY**

<b>Matter to be dealt with</b>	<b>Full Committee</b>	<b>Sub Committee</b>	<b>Officers</b>
Application for personal licence		If a police objection	If no objection made
Application for personal licence with unspent convictions		All cases	
Application for premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application for provisional statement		If a relevant representation made	If no relevant representation made
Application to vary premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application to vary designated premises supervisor		If a police objection	All other cases
Request to be removed as designated premises supervisor			All cases
Application for transfer of premises licence		If a police objection	All other cases
Applications for interim Authorities		If a police objection	All other cases
Application to review premises licence/club premises certificate		All cases	
Decision on whether a complaint is irrelevant frivolous vexatious etc			All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application		All cases	
Determination of a police objection to a temporary event notice		All cases	
All policy matters except the formulation of the statement of licensing policy	All cases		

**PART 3(2) – RESPONSIBILITY  
FOR FUNCTIONS  
LICENSING COMMITTEE**

**APPENDIX 4 (ANNEX 2)**

**LIST OF STATUTORY POWERS**

Those functions pertaining to licensing and registration and permits and consents contained in the following legislation and any regulations, orders, byelaws or other subsidiary legislation made under the above Acts:

Animal Boarding Establishments Act 1963  
Breeding & Sale of Dogs (Welfare) Act 1999  
Breeding of Dogs Act 1973  
Breeding of Dogs Act 1991  
Caravan Sites & Control of Development Act 1960  
Caravan Sites Act 1968  
Dangerous Wild Animals Act 1976  
Game Licences Act 1860  
Gaming Act 1968  
Guard Dogs Act 1975  
House to House Collections Act 1939  
Licensing Act 2003  
Local Government (Miscellaneous Provisions) Act 1976  
Local Government (Miscellaneous Provisions) Act 1982  
Lotteries & Amusements Act 1976  
Pet Animals Acts 1951 & 1981  
Riding Establishments Acts 1964 & 1970  
Scrap Metal Dealers Act 1964  
The Game Act 1831  
Town Police Clauses Act 1847  
Town Police Clauses Act 1889  
Zoo Licensing Act 1981

## **Part 3(2) – Responsibility for Functions**

### **APPENDIX 4 (ANNEX 3)**

#### **PART A – CONDUCT OF BUSINESS BY LICENSING COMMITTEE AND SUB-COMMITTEES**

**All references to committee in this annex shall be taken to infer a reference to the associated sub-committees.**

##### **1. General Conduct**

- 1.1 All hearings of the Licensing Committee under the Licensing Act 2003, are to be held in accordance with the Personal Licences, Hearings, Premises Licences and Club Premises Certificates, and Licensing Register Regulations, made under the Licensing Act 2003.
- 1.2 The Council's Constitution shall regulate the conduct of and debate at meetings.
- 1.3 In the case of hearings under the Licensing Act 2003, the Committee shall only consider those matters relevant to the licensing objectives as set out in the Licensing Act 2003 and the statement of licensing policy adopted by the Council.

##### **2. Declarations of Interest**

- 2.1 Members of the Committee are subject to the Council's Code of Conduct and to advice from the Standard Board for England, details of which will be provided to those members.

##### **3. Participation in the Hearing**

- 3.1 Debate shall be restricted to members of the Licensing Committee. Where a local ward member, not being a member of the Committee, wishes to participate in the hearing, they may do so only with the permission of the Chairman and their participation shall be subject to the same rules as are applied to any other witnesses to the application.
- 3.2 In hearings other than those under the Licensing Act 2003, where a ward member is a member of the Committee, and wishes to object to the application, the member shall give 14 days' notice of their intention, and shall play no part in the decision-making process of the Committee. In hearings under the Licensing Act 2003, those named as responsible authorities and interested parties in the Act may only make representations within the time limits set out in the relevant statutory provisions.
- 3.3 All persons participating in the hearing shall be made aware of the limitations or scope of statements that will be acceptable and, in particular, that statements should be factual or a fair statement on a matter of public interest.

##### **4. Attendance of the Public**

- 4.1 The Council's Constitution and relevant statutory provisions relating to the admission or exclusion of the public shall apply to all meetings of the Licensing Committee.

## **5. Natural Justice**

5.1 There are two elements to natural justice:

### **(a) Fairness**

- (i) All persons affected by the decision or in the case of matters associated with the Licensing Act 2003, those named as responsible authorities and interested parties in the Act, will be allowed a hearing before a decision is made.
- (ii) Only objectors who can show clearly that they are affected by a decision shall be afforded the right to be heard or, in the case of hearings under the Licensing Act 2003, only those named in the Act as responsible authorities or interested parties.
- (iii) All information shall be made available, where possible in advance, to the applicant and the Committee.
- (iv) All members of the Committee shall be present throughout the hearing of a particular application. Where a member arrives late or leaves during a hearing of a particular application, that member shall play no part in the decision-making process. Where an application is adjourned it shall be continued by the same members only, and no others.
- (v) The Committee shall have discretion in respect of 'late' objections. Such objections shall be clearly marked on the agenda as such and the Committee shall decide on their acceptability. The applicant shall be advised of any late objections. In the case of representations made in relation to the Licensing Act 2003 applications, these shall only be accepted in accordance with the relevant statutory provisions.

### **(b) Prevention of Bias**

- (i) The rules on the declarations of interest shall be firmly applied.
- (ii) If the Committee moves into private session to consider its decision, it shall be accompanied only by its advising officers, none of whom shall have taken a substantive part in the hearing, and shall play no substantive part in the decision-making process.

## **6. General Procedures for Hearings**

6.1 The following procedural requirements shall be followed at all times:

- (a) There shall be no recommendation from officers on the agenda;
- (b) The Committee shall be supplied with copies of all relevant documentation and the process and order of procedure shall be as follows:
  - (i) The Chairman will open the meeting and introduce persons as appropriate asking applicants and representatives to identify themselves.

- (ii) The Chairman will outline the procedure to be followed.
- (iii) The Lead Officer will outline the matter in hand.
- (iv) The applicant or representative will present his/her case, with or without witnesses, and be questioned by members or any objectors/persons making representations present.
- (v) Any objectors/persons making representations may then present their objections/representation, with or without witnesses, and be questioned by members or the applicant/s or their representative.
- (vi) The objectors/persons making representations may make a final statement (without introducing new issues).
- (vii) Finally, the applicant has the right to make a final statement (without introducing new issues).
- (viii) All evidence/disclosures are to be made in the presence of all persons, unless someone voluntarily excuses themselves from the proceedings.
- (ix) Committee members shall restrict themselves to questions and not discussion or comment.
- (x) The applicant, objectors/persons making representations shall be allowed to ask officers questions of a technical/factual nature at any time during the proceedings.
- (xi) An adjournment should be granted where to do otherwise would deny a fair hearing.
- (xii) The Committee may resolve to decide upon the application in private session, however, if it becomes necessary to recall anyone for additional information, everyone shall be invited to return to the Hearing.
- (xiii) The decision shall be given in the presence of all parties that wish to be present and confirmed in writing as soon as possible thereafter. If legal advice is given to members this advice will be repeated in summary form.

# **STATEMENT OF LICENSING POLICY**

Made under section 5 of the Licensing Act 2003

This policy shall come into force on 7<sup>th</sup> February 2005 and be reviewed not later than 7<sup>th</sup> February 2008

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## Purpose and Scope

Epping Forest District Council (the Council) is the licensing authority under the Licensing Act 2003 (the Act). This policy relates to all those licensing activities identified as falling within the provisions of the Act, including granting premises licences, club premises certificates, temporary events and personal licences in the district in respect of the sale and/or supply of alcohol and/or the provision of regulated entertainment and late night refreshment.

The Act requires that the Council publish a 'Statement of Licensing Policy' that sets out the policies the Council will generally apply to promote the licensing objectives when making decisions on applications made under the Act and to regulate licensable activities on, and in the vicinity of, licensed premises. This 'Statement of Licensing Policy' has been prepared in accordance with the Act.

This 'Statement of Licensing Policy' has been prepared in accordance with the provisions of the 2003 Act and having regard to the guidance issued under Section 182 of the Act. It has been drafted in partnership with the Essex Joint Licensing Officers' Forum, the Epping Forest Crime and Disorder Reduction Partnership and the Epping Forest Drug and Alcohol Reference Group. These partnerships provide links to the Essex Chief Executives' Association's Crime and Disorder Steering Group, who will maintain a strategic overview of issues associated with permissions issued under the Licensing Act 2003.

This Statement of licensing policy has been produced in consultation with the Chief Police Officer for Essex, the Fire Authority and bodies representing local holders of premises licences, club premises certificates and personal licences, businesses and residents of the area. The policy will be reviewed in not less than three years, or in the light of changes to legislation or circumstances, whichever is sooner.

The Act requires that the Council carry out its various licensing functions so as to promote the following four licensing objectives:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

To achieve these objectives the Council will use the full range of measures available to it, including relevant legislation. The Council will work closely with the police, the fire authority, businesses, community representatives and local people in meeting these objectives.

There are a number of other Council and Government policies, strategies, responsibilities, and guidance documents that have been considered in the formulation of this licensing policy and which will be taken into account in its implementation.

### Strategies/Policies

Environmental Health Enforcement Policy  
Enforcement Concordat  
Crime & Disorder Reduction Strategy

Community Safety Strategy  
Drugs and Alcohol Strategy  
Cultural and Tourism Strategy  
The objectives of the Security Industry Authority  
Local Transport Plan

#### Other Responsibilities

Responsibilities under Anti Social Behaviour Act 2003  
Race Relations Act 1976

#### Guidance Documents

Home Office Safer Clubbing Guide  
LACORS/TSI Code of Practice on Test Purchasing  
Any future documents issued relating to the Private Security Industry Act 2001, for example liaison or information sharing protocols  
Any documentation relating specifically to temporary events such as:  
HSG195 – The Event Safety Guide: A Guide to Health, Safety and Welfare at Music and Similar Events  
Managing Crowds Safely' HSE 2000  
5 Steps to Risk Assessment: Case Studies HSE 1998  
The Guide to Safety at Sports Grounds The Stationary Office 1997  
Safety Guidance for Street Arts, Carnivals, Processions and Large-scale Outdoor Performances Independent Street Arts Network (ISAN)

The Council will have regard to, and consult with those involved with, local crime prevention, planning, transport, tourism, race equality and cultural strategies. Review or amendment to these strategies will be considered for their impact on this statement of licensing policy.

Furthermore, arrangements will be made for the Licensing Committee to receive reports, when appropriate, on the needs of the local tourist economy to ensure that these are reflected in their considerations. The Licensing Committee will also be appraised of the local employment situation and the need for new investment and employment, where appropriate.

To ensure proper integration with the Council's planning policies, the Licensing Committee will provide reports to the Development Control Committee, where appropriate, on the situation regarding licensed premises in the area, including the general impact of alcohol related crime and disorder, to enable the Development Control Committee to have regard to such matters when making its decisions.

The Council recognises its responsibilities under the Race Relations Act 1976, as amended by the Race Relations (Amendment) Act 2000. The impact of this policy on race relations will be monitored through the Council's race equality scheme.

In determining a licence application, the overriding principle adopted by the Council will be that each application will be determined on its merits, taking into account the four licensing objectives, the nature and locality of the premises and the Operating Plan submitted by the applicant.

The Council will expect applicants to satisfactorily address the licensing objectives, from the design of the premises through to the daily operation of the business, in their Operating Plans, which must be submitted with their application.

Nothing in this Statement of Policy will:

- Undermine the rights of any person to apply under the Act for a variation of permissions and have the application considered on its individual merits;
- Override the right of any person to make representations on any application or seek a review of a licence or certificate where they are permitted to do so under the Act;
- Prevent any person from applying for a variety of permissions under the Act.

So far as possible, this policy will not duplicate existing legislation and regulatory regimes that already place obligations on employers and operators e.g. The Health & Safety at Work etc Act 1974, The Environmental Protection Act 1990, disability discrimination legislation, and the Fire Safety Regulatory Reform Order when it comes into force. Conditions in respect of public safety will only be attached to licences if they are necessary for the promotion of a licensing objective.

When one part of the Council seeks a premises licence from the Licensing Committee, the application will be considered from an entirely neutral standpoint. If relevant representations are made, for example, by local residents or the police, they will be considered fairly by the Committee. Those making representations genuinely aggrieved by a positive decision in favour of a Council application by the licensing authority may be entitled to appeal to the magistrates' court and thereby receive an independent review of any decision made.

## **Consultation**

**Details of the consultation on this policy is attached as appendix 2.**

## **Representations**

The Chief Officer of Police, the Fire Authority, the Enforcing Authority for health and safety purposes, the local planning authority, the authority responsible for minimising or preventing the risk of pollution and the Child Protection Authority are all known as 'Responsible Authorities'. These Responsible Authorities may make representations on applications, so far as they relate to the promotion of the four licensing objectives, and request reviews once licences have been granted.

Local residents and businesses, in the vicinity of the premises subject to the application, or their representatives are known as 'interested parties' and are free to raise relevant representations. A representation would only be 'relevant' if it relates to the likely effect of the grant of the licence on the promotion of at least one of the four licensing objectives. Any representation must not be frivolous or vexatious, and in addition, in the case of reviews, not be repetitious.

## **Live Music, Dancing and Theatre**

As part of implementing local cultural strategies, proper account/consultation will be taken of the need to encourage and promote a broad range of entertainment, particularly live music, dancing and theatre for the wider cultural benefit of communities in suitable locations.

If representations are made concerning the potential for disturbance in a particular neighbourhood, the Council's consideration where disturbance is likely only to be of

limited extent will be balanced against the wider benefits to the community. When attaching conditions the Council will also be aware of the need to avoid measures that might deter live music, dancing or theatre by imposing indirect costs of a substantial nature.

## **Cumulative Impact**

Cumulative impact means the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area.

The cumulative impact of licensed premises on the promotion of the licensing objectives is a matter that the Council can take into account. This will not be confused with 'need', which relates more to the commercial demand for a particular type of premises, and is therefore a matter for planning consideration and does not form part of this licensing policy statement.

The Council may receive representations from either a Responsible Authority or an interested party, (both defined by the Act), that the cumulative impact of new licences is leading to an area becoming saturated with premises of a certain type, making it a focal point for large groups of people to gather, and thereby creating exceptional problems of disorder and nuisance over and above the impact from the individual premises themselves. In such cases, the issue of cumulative impact may be taken into account when considering the individual merits of any application.

The Council will not operate a quota of any kind which would pre-determine any application, nor will it seek to impose general limitations on trading hours in particular areas. Instead, regard will be given to the individual characteristics of the premises concerned within a given area. It is recognised that pubs, nightclubs, restaurants, hotels, theatres, and other clubs all sell alcohol, serve food and provide entertainment but with contrasting styles and characteristics. Proper regard will be had to those differences and the impact they are likely to have on the local community.

In determining whether to adopt a 'saturation' policy for a particular area the Council may, amongst other things –

- Gather evidence of serious and chronic concern from a responsible authority or interested parties about nuisance and disorder;
- Identify the area from which problems are arising and the boundaries of that area;
- Make an assessment of the causes;
- Adopt a policy about future applications for premises within that area.

The Council recognises however, that as well as the licensing function there are a number of other mechanisms for addressing issues of unruly behaviour that occur away from licensed premises. The Council recognise that licensing law is not a mechanism for the general control of anti-social behaviour by individuals once they are away from the premises and beyond the direct control of the licence holder.

## **Licensing Hours**

The Council recognises that longer licensing hours may be in the interests of the community by avoiding concentrations of disturbance from customers leaving premises whilst ensuring that nuisance is minimised to local residents. Premises will generally be able to sell alcohol during the hours they are permitted to open.

Entertainment providers may provide a range of entertainment during their operating hours. When issuing a licence, however, stricter conditions are likely to be imposed with regard to noise control in the case of premises situated in largely residential areas.

## **Licensed Premises and Children**

The Council recognises the great variety of premises for which licences may be sought. These will include theatres, cinemas, restaurants, pubs, nightclubs, cafes, take aways, community halls and schools. Access by children to all types of premises will not be limited in any way unless it is considered necessary to do so in order to protect them from harm.

When deciding whether to limit access to children or not the Council will judge each application on its own individual merits. Examples that may give rise to concern in respect of children would include premises where:

- entertainment of an adult or sexual nature is provided;
- there is a strong element of gambling taking place;
- there is a known association with drug taking or dealing;
- there have been convictions for serving alcohol to those under 18;
- there is a reputation for underage drinking.

In the case of premises which are used for film exhibitions, conditions will be imposed restricting access only to those who meet the required age limit in line with any certificate granted by the British Board of Film Classification or, in specific cases, a certificate given to the film by the Council itself.

Where a large number of children are likely to be present on any licensed premises, for example, a children's show or pantomime, then conditions will be imposed requiring the presence of an appropriate number of adult staff to ensure the childrens' safety and their protection from harm.

The options available for limiting access by children could include –

- A limit on the hours when children may be present;
- A limitation or exclusion when certain activities may take place;
- The requirement to be accompanied by an adult;
- Limiting access to parts of the premises;
- An age limitation.

The Council will not impose any condition that specifically requires access for children to be provided at any premises. Where no restriction or limitation is imposed the issue of access will remain a matter for the discretion of the individual licensee or club. In all cases, it is expected that the applicant will have considered the protection of children in their Operating Plan. The Council commends the Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks and would expect applicants to consider the Code in their Operating Plan.

## **Licence Conditions**

Licence conditions will be tailored to the individual application and only those necessary to meet the licensing objectives will be imposed. Licence conditions will not be imposed where other controls/legislation exist to provide sufficient protection to the public. The Council may create a pool of conditions, some or all of which may be applied to licences in the appropriate circumstances, however, conditions in respect of public safety will only be attached to licences if they are necessary for the promotion of the licensing objectives.

## **Enforcement**

The Council delivers a wide range of enforcement services aimed at safeguarding the environment and the community and at providing a 'level playing field' on which businesses can fairly trade. The administration and enforcement of the licensing regime is one of these services. The Council has adopted the Government's Enforcement Concordat designed to ensure effective and efficient public protection services. Specifically, the Council is committed to the principles of good enforcement practice by carrying out its regulatory functions in a fair, open and consistent manner.

Once licensed, it is essential that premises are maintained and operated so as to ensure the continued promotion of the licensing objectives, and compliance with the specific conditions of their licence and their Operating Plan. The Council will make arrangements to monitor premises and take appropriate enforcement action to ensure this.

The Council will establish an enforcement protocol with Essex Police, Essex County Fire and Rescue Service and (Essex County Council) Trading Standards on enforcement issues. This protocol will provide for the targeting of resources towards high-risk premises and activities that require greater attention, while providing a lighter touch in respect of low risk premises.

## **Administration, Exercise and Delegation of Functions**

The powers of the Council under the Act may be carried out by the Licensing Committee, by a Sub-Committee or by one or more officers acting under delegated authority.

With the exception of the approval and review of its Licensing Policy, decisions on licensing matters will be taken in accordance with an approved scheme of delegation aimed at underlining the principles of timely, efficient and effective decision-making. A table setting out how we will approach this is attached at Appendix 1.

The Licensing Committee will receive regular reports regarding licences determined by officers under delegated powers, in order to maintain an overview of the general situation.

The Licensing Committee will expect individual applicants to address the licensing objectives in their Operating Plan, having regard to the type of premises, the licensable activities to be provided, the operational procedures, the nature of the location and the needs of the local community.

The Council recognises the advice of the Department of Culture Media and Sport that the views of vocal minorities should not be allowed to predominate over the general

interests of the community. The Council will revisit this policy if there is any indication that regulated entertainment is being deterred by its provisions.

## **Contact Details**

Further information concerning all aspects of licensing can be obtained from our website:

[www.eppingforestdc.gov.uk](http://www.eppingforestdc.gov.uk)

or

Environmental Health Licensing Section  
Epping Forest DC  
Civic Offices  
High St  
Epping  
Essex CM16 4BZ

Tel: 01992 564034

Fax: 01992 564539

Email: [sharcher@eppingforestdc.gov.uk](mailto:sharcher@eppingforestdc.gov.uk)

Environmental Health General Enquiry Line: 01992 564610

## Delegation of Functions

Matter to be dealt with	Full Committee	Sub Committee	Officers
Application for personal licence		If a police objection	If no objection made
Application for personal licence with unspent convictions		All cases	
Application for premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application for provisional statement		If a relevant representation made	If no relevant representation made
Application to vary premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application to vary designated premises supervisor		If a police objection	All other cases
Request to be removed as designated premises supervisor			All cases
Application for transfer of premises licence		If a police objection	All other cases
Applications for interim Authorities		If a police objection	All other cases
Application to review premises licence/club premises certificate		All cases	
Decision on whether a complaint is irrelevant frivolous vexatious etc			All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application		All cases	
Determination of a police objection to a temporary event notice		All cases	
All policy matters except the formulation of the statement of licensing policy	All cases		



## Consultation

Consultation will be undertaken with those listed below. The majority of those being contacted via email and the rest by post. A copy of the draft policy will be available on the EFDC website. All comments received will be considered and the results of the consultation published on the EFDC website. The consultation period will be 5 weeks.

Arriva Bus Company Arts Council England Association of Licensed Retailers Attwater & Liell Solicitors Berwin Leighton Paisner Solicitors Bill Rammell MP British Transport Police Butler & Mitchells Brewers Roman Catholic Church Church of England Citizens Advice Bureau Consumers Association Cooley Partnership Campaign for the Protection of Rural England Curwens Solicitors Council for Voluntary Services Crime and Disorder Strategy Panel East Herts DC EFDC Councillors EFDC Senior Officers Eleanor Laing MP Environment agency Epping Forest Conservators Epping Forest PCT Epping Magistrates Equity Eric Pickles MP Essex Ambulance NHS Trust Essex County Council Essex Fire & Rescue Essex Police Essex Probation Service Essex Tourist Bodies Federation Synagogue Fosket Marr Gadsby & Head	General Municipal and Boilermakers Union Hammonds Solicitors Health and Safety Executive Essex Jarmans Solicitors Laurel Pub Co Lea Valley Park Authority Limes Farm Synagogue Local Chambers of Commerce Local Council Liaison Committee Local Round Tables Local Taxi Operators LUL Transport for London McMullens Brewery Musicians Union Parish and Town Councils Police & Community Consultative Group Princess Alexandra NHS Trust Ridleys Breweries Rural Community Council of Essex Scottish & Newcastle Retail Somerfield Supermarkets Spirit Group Brewery Transport and General Workers Union Town Centre Partnerships Union of Shop, Distributive and Allied Workers Unison Licensed Victuallers Association Wiskers & Co Solicitors Whipps Cross NHS Trust  All current holders of liquor, public entertainment, private places of entertainment, cinemas, theatre and late night refreshment houses licences within the district.
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## Schedule of Responses to Licensing Policy

Reference	Respondent	Comments	Appraisal	Response
1/01	Epping Golf Course	General comments on licensing	No issues directly relevant to EFDC licensing policy.	No policy change
1/02	Essex Police (1)	Policy fails to advise applicants as to what is required to achieve licensing objectives.	Guidance to applicants is the subject of a separate document and not part of the policy.	No policy change
1/03	Equity	Suggested additional paragraphs to be included in the policy to encourage open air entertainments.	Additional paragraphs do not effectively alter the statement that each application will be considered on its merits	No policy change
1/04	Association of Licensed Multiple Retailers	<p>Concern over time allowed for comment expressed.</p> <p>a. Consider that policy should state more clearly in the introduction that the 4 objectives are the only issues to be considered.</p> <p>b. Consider that policy should set out exemptions.</p> <p>c. Consider that the statement on cumulative impact should be expanded to say that existing licensed premises will not have additional conditions imposed.</p> <p>d. Recommends that para 3.18 of the Government guidance</p>	<p>a. Policy states in “Representations” that representations must relate to the promotion of the 4 licensing objectives.</p> <p>b. Exemptions will not require a licence and do not, therefore, come in the scope of the policy.</p> <p>c. Statement on Cumulative Impact requires some clarification</p> <p>d. Presently this Council</p>	<p>a. No policy change</p> <p>b. No policy change</p> <p>c. “Cumulative Impact” insert “new” between any &amp; application, para 3, line 7.</p> <p>d. No policy change.</p> <p>e. Policy changed to incorporate suggestion</p> <p>f. “Licence Conditions” insert “Licence conditions may only be imposed where</p>

		<p>(which refers to the adoption of a special policy concerning cumulative impact) should be included in Policy statement.</p> <p>e. Recommends that reference be made to the Portman group retailer alert bulletins</p> <p>f. Consider that policy should state that conditions can only be made where representations have been received and are upheld.</p> <p>g. Considers that the policy does not cover: Personal licences, Temporary Event Notices, Provisional Statements, the transitional regime and conversion of existing licences, processes and procedures and protocols for Councilors.</p>	<p>does not propose adopting a “special Policy” .</p> <p>e. A helpful addition to the policy</p> <p>f. Statement on Licence conditions requires some clarification.</p> <p>g. This Council considers these to be matters of guidance and not policy</p>	<p>relevant representations have been received and upheld.” At start of para. 1</p> <p>g. No policy change.</p>
1/05	Theydon Bois Village Association	Request for clarification and guidance on Temporary Event Notices, Relevant Representations and Operating Plans.	No material policy issues.	No policy change
1/06	McMullen & Sons	No material comments		No policy change
1/07	T D Ridley & Sons	<p>Concern over time allowed for comments expressed.</p> <p>a. Concern expressed over use of “Council” and “Licensing authority”</p> <p>b. Concern over possible application of licensing conditions where no</p>	<p>a. Policy does consistently refer to the “Council”. “Licensing Authority” to be inserted where appropriate.</p> <p>b. See 1/04 d.</p>	<p>a. Policy amended, where necessary to indicate “Licensing Authority” or “Council”</p> <p>b. See 1/04 d.</p>

		representations have been received.		
1/08	Greene King Pub Partners	Letter welcoming policy	No material comments	No policy change
1/09	British Beer and Pub Association	Concern over time allowed for comments expressed	. No material comments	No policy change
1/10	Jazz Services Ltd	General letter to local authorities with comments on Licensing Act	No material comments	No policy change
1/11	Essex Police (2)	Letter to local authorities requesting the inclusion of an item relating to saturation policy. Further letter received subsequently stating they have no comments on the issue at present.	Policy includes reference to saturation of area	No policy change
1/12	Mitchells and Butler Retail Ltd	General letter giving views on Licensing Act provisions.	No material comments	No policy change
1/13	M & G Cooley Partnership	Email stating policy received.	No material comments	No policy change
1/14	Rainbow & Dove	Letter requesting information on application procedures.	No material comments	No policy change
1/15	Loughton Town Council	Letter received: a. Policy does not emphasise paramount importance of local residents. b. Committee does not recognise that longer licensing hours are in the interest of the community c. Policy condones the licensing of premises where there is a known association with drug dealing. d. Policy does not emphasise town and parish councils as interested parties.	a. Policy complies with guidance and states that residents may make representations. Licensing authority must have regard to all issues. b. Statement of guidance, not material comment c. Policy does not condone or prohibit the licensing of any type of premises. d. Town and parish	No policy change

		e. List of consultees should be expanded.	councils are not designated as “Responsible Authorities” but may represent local residents as “Interested Parties”. e. Loughton Town Council did not have exhaustive list of consultees. Not material comment	
1/16	Raymond and Kathleen Harrop	Letter expressing concern over noise from local pub	No material comments	No policy change
1/17	Whipps Cross University Hospital Trust	Email asking why they have been included in consultation.	No material comments	No policy change
1/18	Rural Community Council of Essex	Letter querying the implementation of the Licensing Act, particularly with regard to Temporary Event Notices	No material comments	No policy change
1/19	Franco's Italian Restaurant	Letter querying fees and procedures.	No material comments	No policy change
1/20	Uttlesford DC	Email acknowledging receipt	No material comments	No policy change
1/21	LB Waltham Forest	Email acknowledging receipt	No material comments	No policy change
1/22	Rochford DC	Email acknowledging receipt	No material comments	No policy change
1/23	Mike Poole	Letter stating no comments but questioning application procedures.	No material comments	No policy change
1/24	Spirit Group Ltd	Letter commenting on application of conditions, advising that the local authority has no right to create conditions where no relevant objections have been made.	Unable to trace statement to which letter refers. However, see 1/04 d.	See 1/04 d.
1/25	Rita Monaghan	Email giving general comment on licensing.	No material comment	No policy change

1/26	Cllr C Pond	<p>(a)Page 5 in penultimate paragraph, line 2 after promote add "in suitable locations.</p> <p>(b)Page 5 in last paragraph omit limited in line 1 and add after consideration in line 2 "where disturbance is likely only to be of limited extent"</p> <p>(c)Page 6 paragraph 4 of cumulative impact - omit the whole first sentence. Instead of Instead add The Council. (This line would fetter the licensing committee and those making representations. Applicants would use this to claim the policy encourages particular premises licences in unsuitable locations or excessive opening hours).</p> <p>(d) Page 6 in last paragraph omit are and substitute maybe.</p> <p>(e) Page 8. There should be a provision whereby an officer takes a decision after consulting the relevant committee/sub-committee chairman.</p>	<p>(a) A helpful addition to the policy</p> <p>(b) A helpful addition to the policy</p> <p>(c) Does not accord with LACORS guidance</p> <p>(d) A helpful addition to the policy</p> <p>(e)Does not accord with DCMS guidance</p>	<p>(a)Policy updated</p> <p>(b) Policy updated</p> <p>(c)No policy change</p> <p>(d) Policy updated</p> <p>(e)No policy change</p>
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