



NOTICE OF COUNCIL MEETING

You are hereby summoned to a meeting of the EPPING FOREST DISTRICT COUNCIL to be held in the COUNCIL CHAMBER, CIVIC OFFICES, HIGH STREET, EPPING at 7.30 pm on Tuesday, 10 June 2014 for the purpose of transacting the business set out in the agenda.

A handwritten signature in black ink, appearing to read "Glen Chipp".

Glen Chipp
Chief Executive

Democratic Services
Officer:

Council Secretary: Simon Hill
Tel: 01992 564249 Email:
democraticservices@eppingforestdc.gov.uk

WEBCASTING/FILMING NOTICE

Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed. The meeting may also be otherwise filmed by third parties with the Chairman's permission.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy.

Therefore by entering the Chamber and using the lower public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for web casting and/or training purposes. If members of the public do not wish to have their image captured they should sit in the upper council chamber public gallery area or otherwise indicate to the Chairman before the start of the meeting.

If you have any queries regarding this, please contact Democratic Services on 01992 564249.

BUSINESS

1. WEBCASTING INTRODUCTION

1. This meeting is to be webcast. Members are reminded of the need to activate their microphones before speaking.

2. The Chief Executive will read the following announcement:

“I would like to remind everyone present that this meeting will be broadcast live to the internet (or filmed) and will be capable of repeated viewing (or another use by such third parties).

If you are seated in the lower public seating area it is likely that the recording cameras will capture your image and this will result in the possibility that your image will become part of the broadcast.

This may infringe your human and data protection rights and if you wish to avoid this you should move to the upper public gallery.”

2. DISTRICT COUNCIL ELECTIONS - 22 MAY 2014

The Chairman to welcome the following newly elected and re-elected members of the Council following the elections held on 22 June 2014.

Councillor	Ward
Steven Neville	Buckhurst Hill East
Sylvia Watson	Buckhurst Hill West
Lesley Wagland	Chigwell Village
Brian Surtees	Chipping Ongar, Greensted and Marden Ash
Janet Whitehouse	Epping Hemnall
William Breare-Hall	Epping Lindsey and Thornwood Common
Gagan Mohindra	Grange Hill
Chris Roberts	Loughton Alderton
Chris Pond	Loughton Broadway
Louise Mead	Loughton Fairmead
Sharon Weston	Loughton Forest
Stephen Murray	Loughton Roding
Bob Jennings	Loughton St Johns
Howard Kauffman	Loughton St Marys
Yolanda Knight	Lower Nazeing
David Stallan	North Weald Bassett
Susan Jones	Theydon Bois
Rod Butler	Waltham Abbey Honey Lane
David Dorrell	Waltham Abbey Paternoster

The Chairman to present declaration of acceptance of office certificates to the 9 newly elected members, Councillors Dorrell, Jennings, Kauffman, Mead, Neville, Pond, Roberts, Surtees and Weston.

3. ELECTION OF CHAIRMAN

To elect a Chairman of the Council for the municipal year 2014/15. Nominations received will be tabled. The new Chairman will then make a declaration of acceptance of office.

4. APPOINTMENT OF VICE-CHAIRMAN

To appoint a member to be a Vice-Chairman of the Council for the municipal year 2014/15. Nominations received will be tabled. The new Vice-Chairman will then make a declaration of acceptance of office.

5. MINUTES (Pages 9 - 66)

To approve as a correct record and sign the minutes of the meeting held on 22 April 2014. (attached)

6. DECLARATIONS OF INTEREST

(Chief Executive) To declare interests in any item on the agenda.

7. ANNOUNCEMENTS**(a) Apologies for Absence****(b) Announcements**

To consider any announcements by:

- (i) the Chairman of the Council;
- (ii) the Leader of the Council; and
- (iii) any other Cabinet Member.

(c) Members Not seeking Re-Election or Not Re-Elected

To note that;

Tessa Cochrane, Richard Cohen, Jennie Hart, Lance Leonard, John Wyatt, Peter Spencer and Derek Jacobs did not seek re-election on 22 June 2014.

8. REPORT OF THE APPOINTMENT PANEL

Report to follow regarding:

- (a) Notice of Constitution of Political Groups, Group Leaders and Deputies;
- (b) Appointments made by the Leader to the Cabinet, Cabinet Committees and Outside Organisations carrying out Executive Functions;
- (c) Membership, Chairmanship and Vice-Chairmanship of Committees, Sub-Committees and Panels (Non-Executive Bodies);
- (d) Appointments to Outside Organisations carrying out Council, Regulatory or non-Cabinet Functions.

The Council will need to vote on (c) and (d) where the number of nominations exceeds the number of places available.

9. SCHEME OF OFFICER DELEGATION - COUNCIL AND REGULATORY FUNCTIONS

Recommendation:

That the scheme of officer delegation for Council and Regulatory Functions be noted .

The scheme of officer delegation for Council and Regulatory Functions was recently reviewed and agreed by Council on 22 April 2014. No changes have been made since that meeting. Any further amendments to the scheme would be required to be agreed by the Council.

The Constitution requires that the scheme of delegation be agreed at the Annual meeting. The current scheme has been issued in Part 3 of the Council's Constitution.

10. SCHEME OF OFFICER DELEGATION - EXECUTIVE FUNCTIONS (Pages 67 - 68)

To note new and revised officer delegation in respect of Executive Functions approved by the Leader of the Council following the 2013/14 review. (attached)

11. COUNCIL MEETINGS - 2014/15

Recommendation:

That during 2014/15 ordinary meetings of the Council be held on the following dates:

29 July 2014

30 September 2014

4 November 2014

16 December 2014

17 February 2015

19 February 2015 (reserve date for budget meeting)

21 April 2015

26 May 2015 (Annual Council)

At its meeting on 17 December 2013 , the Council adopted a calendar of meetings for the period from May 2014 to May 2015 which included ordinary meetings of the Council for the year.

It is a requirement of the Constitution that a programme of ordinary meetings of the Council be approved at the annual meeting of the Council. The dates set out above are those adopted on 17 December 2013.

The Extra-ordinary Council meeting proposed for 16 June 2014 is no longer required.

12. RETURNING & REGISTRATION OFFICER - CONSOLIDATED DELEGATIONS & INDEMNITIES**Recommendations:**

(1) That, in terms of the Representation of the People Act 1983 and all related legislation, Mr Glen Chipp, the Council's Chief Executive, be confirmed as Electoral Registration Officer for the Council with effect from 15 June 2014 as approved by the Council on 17 December 2013;

(2) That, in terms of Section 41 of the Local Government Act 1972 and all related legislation, and with effect from 15 June 2014, Mr Glen Chipp be appointed as Returning Officer for the Council, with authority to act in that capacity for elections to the District Council and all or any parish and town councils within the Epping Forest District;

(3) That the Council's Electoral Registration Officer be also appointed or authorised to act in respect of all related electoral, poll or referendum duties, including those in relation to County Council elections, elections to the European Parliament, and for national and regional or local polls and referendums;

(4) That, in relation to the duties of Returning Officer or any other electoral, referendum or polling duties arising from such appointment, the Returning Officer shall be entitled to be remunerated in accordance with scale of fees approved by the Council for local elections, or the relevant scale of fees prescribed by a Fees Order in respect of national, regional or European Parliament elections, polls or referendums;

(5) That in all cases where it is a legal requirement or normal practice to do so, fees paid to the Returning Officer shall be superannuable, and the Council shall pay the appropriate employer's contribution to the superannuation fund, recovering such employer's contributions from central government or other local authorities or agencies where this can be done;

(6) That, in relation to the conduct of local authority elections and polls, and elections to the United Kingdom Parliament, and all other electoral duties where the Council is entitled by law to do so, the Council shall take out and maintain in force insurance indemnifying the Council and the Returning Officer against legal expenses reasonably incurred in connection with the defence of any proceedings brought against the Council or the Returning Officer and/or the cost of holding another election in the event of the original election being declared invalid (provided that such proceedings or invalidation are the result of the accidental contravention of the Representation of the People Acts or other legislation governing the electoral process, or accidental breach of any ministerial or other duty by the Returning Officer or any other person employed by or officially acting for him in connection with the election or poll); and

(7) That any such insurance carrying an 'excess' clause by which an initial portion of risk is not insured, the Council, through its internal insurance fund or otherwise, will indemnify the Returning Officer up to the value of such excess.

1. (Monitoring Officer) The Council resolved to designate Mr G. Chipp as Registration and Returning Officer at the council meeting on 17 December 2014 (Minute 84(21)).
2. Now that the Returning Officer and Registration Officer require full authority to act consolidated into a single resolution.
3. The new resolution covers the following:
 - (a) the Returning Officer's role in respect of District and Parish and Town Council elections (recommendations (1) and (2));
 - (b) the Registration Officer's role in respect of County Council, European Parliamentary elections and national/local referendums and polls (recommendation (3));
 - (c) the payment of national scale fees to the Returning Officer (recommendation (4));
 - (d) superannuable status for payments under (c) (recommendation (5));
 - (e) authorisation of indemnity insurance by the Council in respect of the Returning and Registration Officer's functions (recommendation (6)); and
 - (f) indemnification of the Returning and Registration Officer by the Council of any liability insurance excess (recommendation (7)).
4. A full listing of statutory powers of the Returning Officer is given below:
 - (a) Registration Officer under section 8(2)(a) of the Representation of the People Act (RPA) 1983 and through Section 28 of the RPA, Acting Returning Officer for the purposes of UK Parliamentary elections and through Section 6 of the European Elections Act 2002, Local Returning Officer for European Parliamentary elections;
 - (b) Counting Officer for the purposes of Section 61E of the Town & Country Planning Act 1990 and the Localism Act 2011 (Section 116) (Local Referendums on Neighbourhood Plans);
 - (c) District Returning Officer for the Epping Forest District under Section 35(1) of the RPA 1983(Conduct of District Council/Parish Council elections) and through Sections 52ZQ and 113 of Local Government Finance Act 1992, Proper Officer for local referendums in connection with Council Tax precepts);
 - (d) Proper Officer under Sections 34, 35 and 105(2) of the Local Government Act 2000 (petitions and referendums in connection with the Executive Constitution of the Council);
 - (e) Nominated Deputy County Returning Officer under Section 35(1) of the RPA 1983 County Council elections as appointed by the County Returning Officer);
 - (f) Nominated Local Returning Officer under Section 54 of the Police & Social Responsibility Act 2011 (election of Police & Crime Commissioners under the direction of County Returning Officer); and

(g) Nominated Local Counting Officer for the purposes of Section 128 of the Political Parties, Elections and Referendums Act 2000 (National referendums under the direction of the Chief Counting Officer (i.e. the Chief Executive of the Electoral Commission)).

5. These powers and duties are already shown in the schedule of delegation of Council functions in the Constitution.

13. EXCLUSION OF PUBLIC AND PRESS

Exclusion: To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

Confidential Items Commencement: Paragraph 9 of the Council Procedure Rules contained in the Constitution require:

- (1) All business of the Council requiring to be transacted in the presence of the press and public to be completed by 10.00 p.m. at the latest.
- (2) At the time appointed under (1) above, the Chairman shall permit the completion of debate on any item still under consideration, and at his or her discretion, any other remaining business whereupon the Council shall proceed to exclude the public and press.
- (3) Any public business remaining to be dealt with shall be deferred until after the completion of the private part of the meeting, including items submitted for report rather than decision.

Background Papers: Paragraph 8 of the Access to Information Procedure Rules of the Constitution define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) have been relied on to a material extent in preparing the report and does not include published works or those which disclose exempt or confidential information (as defined in Rule 10) and in respect of executive reports, the advice of any political advisor.

Inspection of background papers may be arranged by contacting the officer responsible for the item.

