

FILE NOTE

INFORMAL MEETING OF PARISH COUNCIL REPRESENTATIVES WITH MONITORING OFFICER/DEPUTY MONITORING OFFICER EFDC

Venue: Civic Offices, Epping

Date 29 October 2012

Time: (2.30 – 4.15 p.m.)

Attendance: **Representing Parish Councils**

Councillor D Borton – Nazeing Parish Council
Councillor S Jackman – Ongar Town Council
Councillor C Pond – Loughton Town Council
Councillor R Russell – Stapleford Abbots Parish Council
Councillor B Surtees – Ongar Town Council
A Tadjrishi – Town Clerk, Epping Town Council

Representing Epping Forest District Council

C O'Boyle – Monitoring Officer
I Willett – Deputy Monitoring Officer

1. PURPOSE OF MEETING

C O'Boyle explained that the meeting had been called to discuss working arrangements with the Epping Forest Joint Parish Standards Committee (JSC) and any other issues related to the standards arrangements now operating within the District.

2. JOINT PARISH STANDARDS COMMITTEE

2.1 I Willett explained that the current position on affiliation to a Standards Committee within the District was as follows: six Parish Councils had affiliated to the EFDC Standards Committee, 12 had affiliated to the JSC and the remaining 6 had either indicated they did not wish to affiliate to any Standards Committee or had not replied.

2.2 Parish Council representatives reported on the current position concerning the JSC as follows:

(a) formal adoption of the JSC constitution was due to take place at a meeting of its meeting on 31 October 2012;

(b) the appointment of individual representatives by affiliated parish and town councils had been dealt with through the agenda for the meeting on 31 October 2012 where recipients had been requested to send one representative;

(c) that the appointment of a clerk to the Committee had not been finally determined but in the meantime the Town Clerk for Loughton Town Council had agreed to clerk the first meeting of the JSC; and

(d) that those parish councils who had affiliated to the JSC would not be asked to any further documentation concerning this arrangement, as it would be taken as read that the previous responses to I Willett's letter regarding their preferences was sufficient commitment.

A copy of the latest constitution for the JSC which was due to be submitted to the meeting on 31 October was noted. Affiliated Councils would be asked to adopt this constitution on the basis that their individual sovereignty on standards would be vested in the JSC.

3. JOINT WORKING – JSC AND THE EPPING FOREST DISTRICT STANDARDS COMMITTEE

The meeting discussed a number of detailed points on joint working arrangements between the Monitoring Officer, the EFDC Standards Committee and the JSC as follows:

(a) Delegated Powers

The JSC will be seeking resolutions from each of the 12 affiliated parish councils to reflect their willingness for the JSC to deal with standards issues on their behalf.

In terms of the relationship between the Epping Forest District Standards Committee and the JSC, it was agreed that the EFDC Committee should be asked to delegate its powers to the JSC along with any consequential delegation by the Monitoring Officer.

(b) Costs of Investigations

In respect of the recovery of investigation costs from the parish councils affiliated to JSC Parish representatives confirmed that this requirement in the JSC's constitution would remain and that this would be emphasised at the first meeting with relevant parish councils being asked to confirm their acceptance of this arrangement.

(c) Complaint Handling

It was agreed that all processes relating to complaints should be dealt with in the first instance by the Monitoring Officer and her staff including liaison with independent persons. Parish council representatives agreed that the JSC should only become involved in complaints when investigation reports are received and adjudications on breaches of the Code was pending.

(d) JSC Contact

The JSC was asked to confirm the name of permanent clerk for the JSC for contact purposes. It was agreed that the individual concerned should have suitably experience to be able to cope robustly with the situations which can arise during the complaints process.

(e) Dispensations

The meeting noted that some dispensations were delegated to the Monitoring Officer by the EFDC Standards Committee and it was agreed that this arrangement could be replicated for the JSC parish councils. For dispensations applications which were

not delegated to the Monitoring Officer, it was agreed that these should be referred to the JSC.

(f) Registration of "Sensitive" Interests

It was agreed that as these cases were all delegated to the Monitoring Officer for decision she should deal with all parish councils in that way for all parishes, whether affiliated to the JSC or not.

(g) Independent Persons

C 'Boyle and I Willett explained that their intention was to manage relations with the independent persons from the District Council so as to ensure that if they were to be involved in any complaint or in any other matter they were properly briefed and did not receive ad hoc telephone calls from complainants or subject members without warning.

Parish council representatives supported this as the most appropriate method. It was explained that in some circumstances, if an adjudication came before the Sub-Committee of the JSC in connection with a particular case, there would be a need for a direct involvement between the JSC and an independent person. IT was agreed that this would be managed at District Council with the clerk for the JSC.

(i) Attendance at JSC Adjudication Hearings

It was agreed that a representative of the Monitoring Officer should attend all hearings conducted by JSC members initially but that as the JSC gain more experience of how to deal with these cases, it might be possible to limit Monitoring Officer involvement to potentially serious or difficult cases.

(j) Attendance at JSC Meetings

It was agreed that the Monitoring Officer or her representative should attend meetings of the main Committee as and when necessary, either at Monitoring Officers discretion or at the request of the JSC.

(k) JSC – Training Requirements

It was agreed that further training needed to be given to members of the JSC in the Code of Conduct and particularly on complaint handling once the membership was known.

4. REVIEW OF STANDARDS ARRANGEMENTS

Parish council representatives signified that they would contribute to the proposed review of the new standards arrangements which was to be undertaken by the EFDC Standards Committee in 12 months' time.

Parish representatives explained that their review period had been set at 18 months by the JSC and the meeting agreed that this would not necessarily be a problem. EFDC suggested that the JSC should give written comments to the Monitoring Officer for consideration at that time.

5. EPPING FOREST DISTRICT STANDARDS COMMITTEE – PARISH COUNCIL REPRESENTATION

Parish Council representatives were informed that letters had been sent to the six parish councils that had joined with the EFDC Standards Committee offering three non voting seats and had asked them to agree the allocation of places amongst themselves. It was noted that it had been suggested that a geographical grouping of the six Parish Councils might assist in clarifying the three members who would be attending.

6. EALC BRANCH MEETING – 31.10.12

Parish council representatives reported that Mr Glen Chipp, the new Chief Executive for EFDC had signified that he would be attending this meeting.

Parish council representatives indicated that it would be useful if the Monitoring Officer could also attend and it was agreed that the Monitoring Officer and/or the Deputy Monitoring Officer should do so.

The proposed agenda for the meeting was noted.

7. ANY OTHER BUSINESS

No items for discussion.

8. NEED FOR FURTHER MEETINGS OF THIS GROUP

It was agreed that a further meeting of this group to review progress with standards arrangements should be held in approximately six months' time.