



ANNUAL COUNCIL MEETING

Members are summoned to attend a Meeting

of the Town Council to be held at **7.45pm** on

Wednesday 15 May 2019

at Loughton Library and Town Hall, Traps Hill, Loughton IG10 1HD

to transact the business as shown in the agenda.

Mark Squire

Town Clerk

8 May 2019

Cllr P Abraham
Cllr T Cochrane
Cllr T Downing
Cllr J Mahoney
Cllr T Owen
Cllr M Stubbings

Cllr J Angold-Stephens
Cllr B Cohen
Cllr J Jennings
Cllr S Murphy
Cllr S Pewsey
Cllr D Wixley

Cllr P Beales
Cllr M Dalton
Cllr J Jogia
Cllr S Murray
Cllr C C Pond

Cllr R Brookes
Cllr C Davies
Cllr K Latchford
Cllr A Omer
Cllr C P Pond

Note to Councillors:

If you are unable to attend the meeting,
please phone your apologies to the office on 020 8508 4200.

A G E N D A

1 Election of the Town Mayor for 2019/20

To receive brief remarks from the retiring Mayor about his year of office, and short appreciations from Members.

The retiring Mayor, Cllr Stephen Murray, will call for nominations and put them to the vote. This will be followed by:

- i the signing of the Declaration of Acceptance of Office by the Town Mayor for 2019/20;
- ii the presentation of the Chain of Office and Lord Citrine's ABC of Chairmanship;
- iii the new Town Mayor's acceptance speech;
- iv the presentation of the past Town Mayor's badge to the retiring Mayor.

2 Appointment of Deputy Town Mayor for 2019/20

To appoint the Deputy Town Mayor for 2019/20 and present the badge.

3 Apologies for Absence

To receive any apologies for absence.

4 Declarations of Interest

For Councillors to declare any pecuniary or non-pecuniary interest in any items on the Agenda.

Members are reminded that if their interests change they must, within 28 days of becoming aware of the change, complete a new register of members' interests form and return it to the Town Clerk for submission to the Monitoring Officer.

5 Confirmation of Minutes

To confirm the minutes of the meeting held on 24 April 2019.

6 Appointment of Members, and Election of Chairman and Vice Chairman, of Council Committees for 2019/20

- 6.1 Planning and Licensing Committee
- 6.2 Recreation Committee
- 6.3 Environment and Heritage Committee
- 6.4 Resources and General Services Committee

All committees consist of seven members.

- 6.5 Nomination of up to three persons per political group authorised to make substitutions in accordance with Standing Order 16/a/x.

7 Nomination of Council Representatives for 2019/20

- 7.1 To nominate Council representatives to outside bodies for 2019/20 and, where appropriate, substitutes.

Council representatives on outside organisations are reminded that depending on the status of the organisation, e.g. charity, company, etc. by joining the

board they could become liable if the organisation failed. The Council's insurance would not cover them.

- * A list of organisations and current representatives, where appropriate, is attached (see page 4).

A number of these organisations are open to members of the public. Any non-council representatives attending these meetings should ensure they make it clear to the organisation that they are there in a personal capacity.

7.2 To review arrangements for reporting back on the activities of outside bodies

Representatives are requested to provide a written report, which is attached to the next Council agenda, on meetings which they have attended. A verbal report can be made on meetings attended within ten days of the Council meeting. Members are also requested to provide an annual report for the final Council meeting of the municipal year.

The Council is asked to confirm these arrangements.

7.3 Joint Standards Committee

To appoint a representative and a substitute to the Joint Standards Committee for 2019/20.

7.4 Grievance Hearing and Disciplinary Appeal Panels

To nominate a third member (not the Town Mayor or Deputy Town Mayor, a Committee Chairman nor the Vice Chairman of Resources and General Services Committee) to sit on the Grievance Hearing Panel, and one to sit on the Disciplinary Appeal Panel.

8 Membership of Internal Council Groups

To confirm or amend the membership of the following internal groups:

8.1 Strategy and Staff Group (includes the Complaints Panel)

Membership: Town Mayor, Deputy Town Mayor and the chairman of each of the committees. Exceptionally, one or two additional members if specially required may be appointed by the Council if there is a special reason to include that person/those people. There must be a clear rationale stated for inclusion.

Note: It is always open to the group to invite a member to a particular meeting if special knowledge, etc. is required.

8.2 Community Centres Working Group

Membership: Six members.

8.3 Financial Assistance Working Group

Membership: Chairman and Vice Chairman of the Resources and General Services Committee and one additional member.

The Group usually meets in January to consider the annual round of applications.

8.4 Roding Valley Recreation Ground Improvements Project Working Group

Membership: Chairman and Vice Chairman of the Recreation Committee and one additional member.

9 General Power of Competence

To agree to use the General Power of Competence in the forthcoming Civic Year.
(See attached)

S1.1 of the Localism Act 2011 states 'A local authority has power to do anything that individuals generally do'. The essence is that if a proposed action fits this, eligible councils don't need to look for another power. i.e. a power of first resort.

10 Year End Financials 2018/19

To receive and approve

10.1 Annual Governance and Accountability Return (AGAR) for the year ending 31 March 2019, including

- (i) AGAR (Section 1) for the Year ended 31 March 2019 (Appendix A to follow).
- (ii) AGAR (Section 2) for the Year ended 31 March 2019 (Appendix A to follow).
- (iii) AGAR – to NOTE that the internal auditor has completed and signed the Annual Internal Audit Report on page 3 of the Annual Governance and Accountability Return 2018/19 (Appendix A to follow).

10.2 Annual Accounts

To receive and approve the Annual Accounts for the Year ended 31 March 2019 (Appendix A to follow).

Mark Squire
TOWN CLERK
8 May 2019

Agenda item 7**7.1 Nomination of Council Representatives for 2019/20**

Details of the representatives for the past year may be found in the Council minutes for the meeting held on 23 May 2018.

Organisation	2019/20 representative(s)
Lopping Endowment)
Loughton Parochial Charities*) S Short) J Boucek
Essex Association of Local Councils (EALC) – Epping Forest Branch))
Local Councils' Liaison Committee))
EALC - Larger Local Councils Forum)
ECC Parish Passenger Transport Meeting))
Tree Wardens (appointed by Epping Forest Countrycare) *	B Cohen, C Davies, D Wixley
Loughton 1st (High Road Town Centre Partnership) **)) Substitutes
Loughton Broadway Town Centre Partnership**)) Substitutes
Citizens Advice Epping Forest District – Management Committee)
Essex Police local community meetings***))
Debden Tenants' Panel Meeting (Alderton, Broadway and Fairmead Ward Councillors)	Cllrs Abraham, Davies, Jogia, Latchford, Mahoney, Murphy, Omer, Owen and Stubbings
Roding Valley Nature Reserve Consultative Group)
Roding Valley Management Committee	Not constituted

* *On-going appointments.*

** *These meetings are open to the public so any member, in addition to the representatives, may attend.*

*** *Whilst the Council has not been invited by Essex Police to nominate official representatives, it is best practice to ensure the Town Council has a presence at the local meetings in Loughton, Buckhurst Hill and Chigwell.*

Section 7- General Power of Competence

- The General Power of Competence (GPC), Localism Act (LA) 2011, (sections 1 to 8) gives local authorities, including eligible local councils 'the power to do anything that individuals generally may do' ¹ as long as other laws are unbroken. A power of first resort, enabling innovation to meet the needs of local people.

- Eligibility criteria ² of
 - **elected councillors** (only) at the last ordinary election/ subsequent by election equalling / exceeding two thirds of its total number of councillors.
 - **qualified Clerk** with Certificate in Local Council Administration (CILCA) / other recognised University of Gloucester qualification. ³
 - resolved / minuted at Full Council and at each annual meeting thereafter. Reconfirmed at the relevant annual meeting in year of ordinary elections.⁴

Potential restrictions include

- adherence to existing a statutory duty. eg. to provide allotments subject to demand. ⁵
 - compliance with existing employment Health and Safety legislation.
 - procedural and financial duties for local government regulation.
 - activities already restricted by overlapping specific powers .e.g. permission from Highways Authority before working on roadside verges.
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- Activities could be to
 - purchase roadside grit bins, mindful of highways statutory legislation.
 - build sports facility, ensuring planning permission and employment law compliance.
 - dredge a boating lake, adhering to Health and Safety and Environmental legislation.

- 1 S1(1) GPC LA 2011
- 2 Statutory Instrument 2012 No 965-Parish Councils (General Power of Competence) (Prescribed Condition) Order 2012
- 3 Certificate of Higher Education in local Council Administration, the Certificate of higher Education in local Policy, the first level of the Foundation Degree In Community Engagement and Governance (the Level Four course).

If qualified prior to 2012 then question 7 of CILCA must be passed also for those qualified via the University route.
- 4 If the Council is no longer eligible then this should also be minuted and the council would revert back to using specific powers and s137, Local Government Act 1972.
- 5 S23(1) The Smallholding and Allotments Act 1908



The National Training Strategy
for Town & Parish Councils

● CiLCA

Certificate in Local Council Administration

Section 7, General Power of Competence, CiLCA 2012

This is to certify that, **Mark Squire**

a holder of either the AQA CiLCA, CiLCA, University of Gloucestershire Certificate in Local Policy or Local Council Administration has been awarded a pass in Section 7, General Power of Competence, CiLCA 2012. Having been awarded one of the aforementioned qualifications, this certificate now fulfils the eligibility criteria for a qualified clerk as prescribed in the Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012.

Date

22nd November 2012

Frank Johnston
LL.B. (Hons), Barrister-at-Law
CHIEF VERIFIER,
CiLCA