

**EPPING FOREST DISTRICT COUNCIL
NOTES OF A MEETING OF GOVERNANCE SELECT COMMITTEE
HELD ON TUESDAY, 23 OCTOBER 2018
IN COMMITTEE ROOM 1, CIVIC OFFICES, HIGH STREET, EPPING
AT 7.15 - 8.05 PM**

Members Present:	Councillors G Chambers (Chairman), D Dorrell (Vice-Chairman), R Brookes, L Burrows, L Hughes, S Jones, H Kauffman, M Sartin, J Share-Bernia, H Whitbread, J M Whitehouse, D Wixley
Other members present:	Councillor J Philip
Apologies for Absence:	Councillors R Gadsby, M McEwen
Officers Present	S Hill (Service Director (Governance & Member Services)), N Richardson (Service Director (Planning Services)), M Chwiedz (Senior Project Manager), W MacLeod (Senior Electoral Services Officer), S Tautz (Democratic Services Manager)

12. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

It was reported that no substitute members had been appointed for the meeting.

13. NOTES OF PREVIOUS MEETING

The notes of the meeting of the Committee held on 3 July 2018 were agreed as a correct record.

14. DECLARATIONS OF INTEREST

No interests were declared by members of the Committee in any item on the agenda for the meeting, pursuant to the Council's Code of Conduct

15. TERMS OF REFERENCE & WORK PROGRAMME

The Committee reviewed its terms of reference for the current municipal year and current progress towards the achievement of its work programme for the year.

16. REVIEW OF LOCAL ELECTIONS 2018 & ASSOCIATED MATTERS

The Committee considered a comprehensive report of the Returning Officer, reviewing the planning and delivery of the local elections held in May 2018 and addressing other matters related to the responsibilities of the Returning Officer and the Electoral Registration Officer. The Committee was advised that candidates and agents for the elections had been offered an opportunity to provide feedback on the management of the local elections.

The Returning Officer reported that a team of appropriate officers had met regularly from late 2017 to plan for the elections and to ensure that processes were undertaken at the appropriate times. A project plan and risk register for the elections had been prepared, which was reviewed and updated on a regular basis throughout

the election period. The Committee was advised that the Returning Officer had retained the services of specialist Counsel to advise on issues arising during the election period and that some difficulties had been encountered with the Council's bank, which had taken a number of weeks to make necessary changes to the Returning Officer's Account, following the resignation of the former Chief Executive (and Returning Officer) in December 2017.

The Committee was advised that the Public Relations Section had undertaken a sustained publicity campaign in the run-up to the election days to encourage registration and voting and that the BBC had complimented the Council's provision of a media pack for the press as exemplary. The Returning Officer reported that a successful and well-attended candidates briefing had been held to brief candidates on the arrangements for the election, to which local media representatives had also been invited.

The Returning Officer reported that assistance had been received from Essex Police around the local elections and that the visible presence by the police and the additional security measures put in place to maintain the security of the election process and the count following the General Election in 2015, had continued to operate effectively. Members were advised that appropriate levels of staffing had been available for polling stations, the verification and the count and that service directors had been helpful in releasing officers from normal duties to undertake election processes.

The Committee noted that postal voting had continued to be very popular and that a return rate of 69% of postal votes issued had been achieved for the election. The Returning Officer reported that there had been a low number of postal ballots rejected at the verification stage and that no evidence of fraudulent activity had been identified. Members were advised that electors whose postal ballot was rejected at the verification stage were contacted by the Returning Officer after the election and, where required, specimen signatures were refreshed. The Committee noted that the rejection of postal ballots was always adjudicated upon by a Deputy Returning Officer.

The Returning Officer reported that there had been some changes to polling stations for the elections, particularly in Chigwell where a polling station had been moved to the Domus Mariae Centre (part of Chigwell Convent). Members noted that feedback had indicated that access to the Domus Mariae Centre had not been acceptable for less able voters and that this issue would therefore be addressed as part of the review of polling stations to be undertaken later in the year. It was reported that a replacement polling station at Nazeing Congregational Church had been acceptable, although it did not have adequate parking facilities and that a review of the access for disabled persons to the polling station at Hillhouse in Waltham Abbey would be undertaken for the local elections in May 2019. The Returning Officer confirmed that changes to polling station locations were always highlighted in the official poll card issued for the election and that investigation would be made of the return to polling station use of Whitebridge School in Loughton, notwithstanding that there were not to be any local elections in Loughton in May 2019.

The Committee was advised that the verification and counting of ballot papers at Debden Park High School had concluded by 1.05am, using a 'mini count' system. The Returning Officer had been disappointed to note that a number of count attendees (not staff employed by the Returning Officer) appeared to have obviously consumed alcohol before coming to the count. Members noted that one candidate had been asked to leave the count due to this issue and that the Returning Officer

intended to amend the terms of attendance at the count for the local elections in May 2019, to make it clear that any attendee showing signs of the effects of alcohol would not be admitted to the count and that no drinking of alcohol would be permitted anywhere on the site of the count centre.

The Committee noted a number of comments relating to the management of the elections, that had been submitted by Councillor S. Murray. In response to Councillor Murray's concern with regard to public admittance to the count centre, the Returning Officer advised members that, although Debden Park High School had the largest hall in the Epping Forest Constituency, the need to accommodate a significant number of count staff and persons attending the count by right, meant that there was no opportunity to provide general public access to the count.

The Returning Officer reported that the Electoral Registration and Administration Act 2013 had introduced changes to the timing of compulsory reviews of parliamentary polling districts and polling places and that the next review was required to be completed between 1 October 2018 and 31 January 2020. The Committee was advised that it was for local authorities to decide when to carry out reviews within the determined period, but that it was considered that the review for the Epping Forest Constituency area should commence in January 2019. The Returning Officer advised that this approach would enable the completion of the annual canvass for the Register of Electors for 2018 and allow the completion of the review prior to the commencement of the canvass for 2019. Members were advised that the response to the review (and any changes) was a matter for full Council to approve and that the Committee would normally recommend the review to the Overview and Scrutiny Committee and then to full Council. However, given the desirability of completing the review by July 2019, the Committee considered whether a direct report to Council should be made to enable the review timescale to be achieved.

The Returning Officer reminded members that, as part of the transformational work agreed by the Cabinet in December 2017, the Council had worked with consultants to improve the response to the annual canvass for the Register of Electors, using behavioural insight techniques. The Committee noted that, whilst the Council continued to have one of the highest registration rates in the country and improvements had been made to the registration process over time, the two-part individual registration process was not well understood and officers had therefore reviewed the suite of registration forms to incorporate persuasive messages encouraging the early and accurate return of canvass forms. The Returning Officer indicated that the initial findings from the canvass were positive and that officers would review canvass response levels more fully at the end of the canvass period.

The Committee was advised that the Boundary Commission for England had submitted its final recommendations on revised parliamentary constituencies to the Government in September 2018. The Returning Officer reported that no changes were proposed to be made to the boundaries of the Epping Forest Constituency, but that the changes reflected in a second consultation on the boundaries of the Harlow and Brentwood and Ongar Constituencies had been formally proposed to the Government.

RESOLVED:

- (1) That the review of the management and delivery of the local elections held on 3 May 2018, be noted;

- (2) That the proposals of the Returning Officer for the management of local elections to be held on 2 May 2019, be noted;
- (3) That the appreciation of the Committee for the efforts of the Returning Officer and his team in ensuring the successful management and delivery of the local elections held on 3 May 2018, be recorded;
- (4) That no recommendations be made to the Returning Officer for changes to procedures for the management of future local elections;
- (5) That the proposed timeline and scrutiny arrangements for the statutory review of polling districts, polling places and polling stations to be undertaken during 2019, be agreed;
- (6) That the Overview and Scrutiny Committee be requested to agree that the Select Committee report directly to Council at its meeting in July 2019, on the any proposals arising from the review of polling districts, polling places and polling stations;
- (7) That the success of the behavioural insights work undertaken to improve response to the annual canvass for the Register of Electors for 2018, be noted; and
- (8) That the outcome of the Boundary Commission for England's review of parliamentary constituencies, insofar as they affect the Epping Forest District, be noted.

17. PETITION SCHEME - REVIEW

The Committee considered further information with regard to its review of the operation of the Council's current Petition Scheme, comprising comparative information obtained in respect of the signature thresholds for petitions managed by a number of neighbouring authorities. The Democratic Services Manager reported that the comparative information obtained from other authorities with regard to the handling of petitions, suggested that low numbers of petitions were received across the board and that the Council's existing thresholds did not therefore appear to be presenting a barrier to the submission of petitions.

The Democratic Services Manager reported that, in accordance with the wishes of the Committee at its meeting February 2018, a review of the existing guidance for the Petition Scheme had been undertaken to ensure that this was clear and consistent. Members were advised that the revised scheme incorporated previous separate guidance in regard to the creation of e-petitions and also set out the main functions of the Council to ensure that, as far as possible, petitions were always directed to the most appropriate organisation.

The Committee was advised that, once agreed, the revised Petition Scheme would be publicised appropriately on the Council's website and in the Council Bulletin, to increase member and officer awareness of the scheme and the Council's procedures, as it was often the case that were petitions are submitted directly to ward councillors. The Democratic Services Manager reported that the location of the Petition Scheme pages on the Council's website was also to be reviewed, as part of the development of the new website structure.

The Democratic Services Manager reminded members that the Petition Scheme formed part of the Council's Constitution and that revisions would therefore be required to be agreed by the Council.

RESOLVED:

- (1) That, subject to the inclusion of Allotments, Cemeteries and Open Spaces as responsibilities of local councils in the schedule of local government functions, the revised version of the Council's Petition Scheme be agreed; and
- (2) That, subject to the views of the Constitution Working Group, the Council be requested to agree the revised Petition Scheme for inclusion within the Constitution.

18. EQUALITY OBJECTIVES 2018-2022 - QUARTERLY MONITORING

The Committee was reminded that the Equality Act 2010 placed a number of responsibilities on the Council, including a Public Sector Equality Duty to have due regard to equality in the exercise of its functions, to eliminate discrimination, to advance equality of opportunity and to foster good relations between persons who share a relevant characteristic and those who do not.

The Senior Project Manager reported that, to advance its compliance with the Public Sector Equality Duty, the Council was also required to adopt appropriate equality objectives to improve equality for service users and employees.

The Committee noted that, in April 2018, the Cabinet had agreed four equality objectives for the period from 2018 to 2022 that had been designed to help the Council meet the aims of the Public Sector Equality Duty. Members reviewed quarterly progress against the achievement of the objectives and other work to ensure compliance with the Council's equality duties.

RESOLVED:

That current progress in relation to the achievement of the Council's Equality Objectives for 2018-2022 and other work to ensure the compliance with Public Sector Equality Duty, be noted.

19. EQUALITY INFORMATION REPORT 2018

The Committee was reminded that the Equality Act 2010 required authorities subject to the Public Sector Equality Duty, to publish annual equality information to demonstrate compliance with the Duty.

The Senior Project Manager reported that the Council had published its previous equality information report in September 2017. The Committee therefore considered the progress made over the last year to improve the Council's services and employment practices for people with protected characteristics, and its draft Equality Information Report for 2018.

RESOLVED:

That the Council's Equality Information Report for 2018 be agreed.

20. DEVELOPMENT MANAGEMENT

The Committee considered the notes of the meeting of the Chairmen and Vice-Chairmen of the Area Plans Sub-Committees and the District Development Management Committee, that had been held on 17 September 2018.

Members raised concerns with regard to the consideration of planning applications by the Area Plans Sub-Committees, in circumstances where such applications were referred to a Sub-Committee for determination solely as a result of the receipt of an objection to the development proposal by the relevant local council and where no other valid objection had been received, in accordance with recent revisions to the Scheme of Delegation.

The Service Director (Governance and Member Services) reported that, in several recent instances, the respective local council had not attended a meeting of a Sub-Committee to present its objections to a development proposal, as required by the Scheme of Delegation. The Committee considered that, in such circumstances, applications should be referred (without consideration) to the Service Director (Planning Services) for determination by resolution of the Sub-Committee, as without the receipt of an objection by the local council the application would have automatically been determined by the Service Director (Planning Services) in accordance with the current Scheme of Delegation.

RESOLVED:

- (1) That the notes of the meeting of the Chairmen and Vice-Chairmen of the Area Plans Sub-Committees and the District Development Management Committee held on 17 September 2018, be noted;
- (2) That the appreciation of the Committee be extended to the Planning and Governance Portfolio Holder, for the provision of roving security patrols at meetings of the Area Plans Sub-Committees;
- (3) That the views of the Committee with regard to the consideration of applications by the Area Plans Sub-Committees where a local council is the sole objector to a development proposal but does not attend the meeting of the Sub-Committee to present such objection, be communicated to the Chairmen and Vice Chairmen of the Sub-Committees;
- (4) That the operation of the revised Scheme of Delegation requirements for local councils to present objections to development proposals at meetings of the Area Plans Sub-Committees continue to be monitored by the Democratic Services Manager; and
- (5) That the operation of the revised Scheme of Delegation requirements for local councils to present objections to development proposals at meetings of the Area Plans Sub-Committees, be reviewed by the Constitution Working Group as soon as possible.

21. REPORTS TO BE MADE TO THE NEXT MEETING OF THE OVERVIEW & SCRUTINY COMMITTEE

The Service Director (Governance and Member Services) reminded the Committee that the review of parliamentary polling districts and polling places to be undertaken

during 2019 was a matter for full Council to approve and that the Committee would normally recommend the review to the Overview and Scrutiny Committee and then to full Council. Members noted that, given the desirability of completing the review by July 2019, the Committee had agreed earlier in the meeting that a report should be made directly to the Council to enable the review timescale to be achieved.

The Service Director (Governance and Member Services) indicated that a report would be made to the Overview and Scrutiny Committee at its meeting on 18 December 2018, to give effect to this decision.

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