

Supplementary Council Agenda



**Epping Forest
District Council**

Council Tuesday, 28th April, 2009

Place: Civic Offices, High Street, Epping
Room: Council Chamber
Time: 7.30 pm
Committee Secretary: Council Secretary: Ian Willett
Tel: 01992 564243 Email: iwillett@eppingforestdc.gov.uk

7. REPORTS FROM THE LEADER, CHAIRMAN OF THE OVERVIEW AND SCRUTINY COMMITTEE AND MEMBERS OF THE CABINET (Pages 3 - 14)

To receive the attached reports from the undermentioned on matters falling within their area of responsibility:

- (b) Report of the Chairman of the Overview and Scrutiny Committee;
- (d) Report of Community Wellbeing Portfolio Holder;
- (f) Report of Environment Portfolio Holder;
- (i) Report of Leisure and Young People Portfolio Holder;
- (j) Report of Planning and Economic Development Portfolio Holder.

10. QUESTIONS BY MEMBERS UNDER NOTICE (Pages 15 - 16)

To answer the attached question to the Leader of the Council asked after notice in accordance with the provisions contained in paragraph 10.3 of the Council Procedure Rules of the Constitution on any matter in relation to which the Council has powers or duties or which affects the District.

Council Procedure rule 10.4 provides that answers to questions under notice may take the form of:

- (a) direct oral answer;
- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- (c) where the reply cannot conveniently be given orally, a written answer circulated later to the questioner.

Answers to questions falling within (a) and (b) above will be made available to the member asking the question one hour before the meeting. Answers to questions falling within (c) above will be circulated to all councillors.

11a REPORT OF THE CABINET – SUPPLEMENTARY ESTIMATES (Pages 17 - 18)

To consider the attached report.

12. REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE - ANNUAL REPORT 2008/09 (Pages 19 - 62)

(Councillor R Morgan – Chairman of the Committee) Annual Report attached.

13. REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE - OFFICER DELEGATION (Pages 63 - 68)

(Councillor R Morgan - Chairman of the Committee) To consider the attached report

18a LOCAL GOVERNMENT ASSOCIATION ANNUAL CONFERENCE AND EXHIBITION 2009

Recommendation:

To appoint the Chairman of the Council for 2009/10 to attend the Conference and Exhibition

The Local Government Association Annual Conference and Exhibition is being held at the Harrogate International Centre, Harrogate from 30 June until 2 July 2009.

The cost for attending is £519 per delegate plus £77.85 VAT.



SCRUTINY



Report to Council

Date of meeting: 28 April 2009

Subject: OS report to Council – April 2009

Chairman of the Committee: Councillor R Morgan

Committee Secretary: Adrian Hendry, ext.4246

Recommendation:

That the Overview and Scrutiny progress report from February 2009 to the present be noted.

Report

The main Overview and Scrutiny Committee

March 2009 Meeting

1. The meeting received a presentation from the Chairman of the Epping Forest Local Strategic Partnership (LSP), Councillor Mrs D Collins and the partnership manager John Houston. They outlined the origins of the Partnership and its recent history.

2. The Committee was told that the LSP had received £450,000 in grants last year. They had been re-structured recently and now had less committees; currently consisting of four standing and three task and finish panels. There were now four fixed theme groups having been established:

- Healthier Communities
- Sustainable Communities
- Safer Communities
- Children and Young People

There were five Task and Finish Teams agreed, three had been set up immediately:

- Dealing with the Credit Crunch
- Reviewing the Sustainable Community Strategy
- Improving Communications

Two other teams were to follow:

- “Joining up” Service Delivery
- Enhancing Educational Attainment

3. The LSP brought together all key public agencies, voluntary and private sector. The LSP was made up of senior members from statutory, voluntary and Business Communities. It included the following:

- Epping Forest District Council

- Essex County Council Education and Social Services
- Primary Care Trust
- Police, Fire and Rescue
- Parish and Town Council Representatives
- Faith Groups

The Partnership had helped put £35,000 into CCTV provision, the Crime and Disorder Partnerships had driven crime down with Offender Panels reducing crime on the Limes Farm Estate by 31%. The LSP had also assisted in reducing the number of jobless people, within the district, from 478 to 303.

4. The future work programme challenges were to create a new sustainable community strategy, make better communications, raising the LSP's profile through action, more action and delivery through the Theme Groups and Task and Finish Teams. Engage more effectively at County and regional level with better "joining up of services".

April 2009 Meeting

5. The Committee received a presentation from Essex Police who updated the meeting on the current state of the District. Attending the meeting was Superintendent Simon Williams and Inspector Craig Carrington. The Superintendent informed the Committee of the latest crime figures for the district saying that crime had been reduced in the District by 11% over the last year with detection of crime rising to 29.2%. The overall crime figures were down by over 700 from last year. After the presentation the two officers were closely questioned by the members of the Committee.

6. The Committee also scrutinised the Cabinet Forward Plan for the year ahead, when they received an update from the Leader and various cabinet members. They Considered and agreed the report on frequently asked questions arising from the Planning Services Standing Panel; they also reviewed and agreed the 2008-2009 Overview and Scrutiny Annual Report; received an update on the Town Centre Partnerships from the Portfolio Holder, Mrs Grigg and were updated on the results of the Publicity Code Consultation. They also considered the scheme of officer delegation and the establishment of a Safer Communities Committee which was decided to be put into the existing Safer Cleaner Greener Scrutiny Standing Panel.

7. The Committee also considered the report on the Review of London Underground Passes, they agreed that as an aspiration this was desirable, but taking into account the large cost of the proposed passes, over seven million pounds, it was thought that in the current financial climate that this should no longer be pursued.

Standing Panels

8. Five Standing Panels have been constituted this year, each have a rolling programme that consider ongoing cyclical issues and are comprised of:

- i) The Housing Standing Panel under the Chairmanship of Councillor S Murray;
- ii) The Constitution and Members Services Standing Panel chaired by Councillor Mrs McEwen;
- iii) The Finance and Performance Management Standing Panel chaired by Councillor D Jacobs;
- iv) The Safer Cleaner Greener Standing Panel chaired by Councillor M Colling; and
- v) The Planning Services Standing Panel chaired by Councillor Mrs Wagland.

9. The Housing Standing Panel had met in March 2009 when they considered and

agreed the Housing Revenue Business Plan (2008-09) progress report; the Housing Revenue Account Business Plan for 2009-10; Changes to the Revenue and Capital Rules for new Council Housing; the Housemark Benchmarking Report on EFDC Housing Services 2007-08; Housing Strategies on under-occupation, older peoples services and housing management; Parking Enforcement on Housing estates and the Tenants Participation Progress in 2008.

10. The Constitution and Members Services Standing Panel met on 23rd February and 6th April 2009. In February they reviewed the Consultation on Publicity Code. In April 2009 they carried out a review on the Overview and Scrutiny Committee; Civic Events and Officer delegation.

11. The Finance and Performance Management Standing Panel met on 10th February and 31st March 2009. In February they considered the Key Performance indicators for quarter 3; the quarterly financial monitoring report for the period ending 31 December 2008; the Value for Money Cost and Performance Analysis for 2008/08 and the Medium Term Financial Strategy for the period ending 2012/13.

12. At their March 2009 meeting the Finance and Performance Management Standing Panel considered the Key Performance Indicators for 2009/10; a progress report on Equality and Diversity for 2008/09 and a review on the Value for Money Strategy.

13. The Safer Cleaner Greener Standing Panel met on 24th February 2009. The meeting considered the first draft of the Safer Cleaner Greener Strategy and the draft Climate Change Strategy.

14. The Planning Services Standing Panel met on 12 February and 12th March 2009. At their February meeting they received a presentation on the Planning Portal and an update on income and expenditure and the revised estimates for 2008/09 and estimates for 2009/10. They also considered a possible scrutiny request from Councillor Mrs Cooper, which they gave an answer to all the main points at this meeting. The outcome was to be reported to the main Overview and Scrutiny Committee in April 2009. They also received a report outlining the effects of the change from moving from a 4 week cycle to a 3 week cycle from the Planning Sub-Committees and reviewed the Council's Planning protocol.

15. At their March meeting the Planning Standing Panel considered a Planning Enforcement Scoping Report and a Gypsy and Travellers Development Plan Document update. They also considered a timeline for the Local Development Framework and a report on the Planning and Economic Development Directorates Improvement Plan. They also received feedback from a recent meeting of the District Development Control Chairmen and Vice Chairmen.

Task and Finish Panels

16. The Customer Transformation Task and Finish Panel submitted its final report to the December meeting of the Overview and Scrutiny Committee in December 08 where it was agreed. It then went to the 2nd February 09 Cabinet meeting. A follow up meeting is scheduled for 30th April 2009.

17. The Leisure T&F Panel had not met in the period covered in this report.

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Report to the Council

Committee: Cabinet

Date: 28 April 2009

Subject: Community Wellbeing Portfolio

Portfolio Holder: Councillor Syd Stavrou

Item: 7(d)

Recommendation:

That the report of the Community Wellbeing Portfolio Holder be noted.

The Limes Farm Special Action Group has now been disbanded. The Group has been instrumental in achieving a 31% reduction in crime and 39% reduction in anti-social behaviour on the estate. There is an ongoing resource support programme to maintain the current situation.

Generally, across Epping Forest District crime is down by 8% against a target of 5%. Once the year end data has been validated this may increase further to around 10% or 11%. The crime detection rate is up from 27.9% to 29.2%, anti-social behaviour is down 24%. Killed and seriously injured figures are also down, although more work is being done to reduce casualties through partnership working.

Again, through the Safer Communities Partnership various community safety/educational projects have been started, planned or are ongoing. These include but are not restricted to Mind The Gap, Crucial Crew, Reality Road Show, Feeling Good, Keeping Safe and National Tackling Burglary Day.

Buckhurst Hill Underpass – Whilst we have yet to get LUL's final approval to the works at the underpass itself (phase III), phases I and II of the project, which includes enhanced CCTV in the town centre and the car parks are complete and are proving high quality imagery. Progress is being monitored.

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Report to the Council

Committee: Cabinet **Date:** 28 April 2009
Subject: Environment Portfolio
Portfolio Holder: Councillor Mary Sartin **Item:** 7 (f)

Recommending:

That the report of the Environment Portfolio Holder be noted.

Waste Management Service

As part of the consultation on the way forward for our waste management service carried out last year we offered the opportunity to win a prize to those residents who included contact details in their responses. Following the drawing of the five successful names I had the pleasure of presenting three of the recipients with their prizes in the middle of March. Each winner received a cheque for £100 and a home composting bin. Those who were unable to attend the presentation had their prizes delivered to their homes.

The most recent meeting of the Waste Management Partnership Board took place on 20 April when Board members were updated on the progress being made towards the implementation of the new food waste collection service. At the present time we are awaiting the return of tenders for the purchase of the necessary vehicles, wheeled bins and caddies. The process for this procurement exercise was agreed by Cabinet on 20 April. Sita members of the Board also updated us on the situation regarding street cleansing in the District. As members have been aware, street cleansing has not always been carried out as well as might have been hoped for in some areas of the District and this has been partly due to using schedules which have not always been appropriate for some parts of the District. Sita have now appointed a consultant to carry out a review of these schedules and to carry out some training for the operatives. It is hoped to have the new schedules in place in about four weeks time.

The minutes of the Waste Management Partnership Board will go to the next meeting of the Safer, Cleaner, Greener Scrutiny Panel on 23 June.

Also, at Cabinet it was agreed that the new service should begin in the week of the 7 September and that the service should be rolled out across the whole District at the same time. A considerable amount of work will be carried out before that date with roadshows being held across the District, officers attending town and parish council meetings and householders receiving written information in various formats. There will also be information in the summer edition of the Forester.

Safer, Cleaner, Greener Initiative

Although we are not yet in a position to officially launch the new service I thought members would like to be aware that we now have our Environmental Response officer out and about in our new vehicle. He is working within the District dealing with small amounts of fly tipping, fly posting and graffiti.

Accreditation training still has to take place to allow officers who receive this training to issue fixed penalty notices.

Climate Change Strategy

Following the presentation of the draft Climate Change Strategy to the Safer, Cleaner, Greener Scrutiny Panel on 24 February the document was agreed by Cabinet on 20 April. The Strategy contains an action plan which, among other things will involve the various Directorates within the Council working towards reducing the levels of carbon dioxide emissions from our own operations as well as looking at ways to make our residents more aware of the implications of climate change.

The work on this Strategy was led by Lisa Ingwall, our Environment Co-ordinator, but involved officers from each Directorate who formed the Green Corporate Working Party.

Report to the Council

Committee: Cabinet **Date:** 28 April 2009
Subject: Leisure and Young People Portfolio
Portfolio Holder: Councillor Heather Harding **Item:** 7(i)

Recommendation:

That the report of the Leisure and Young People Portfolio Holder be noted.

Limes Farm Hall, Chigwell

The District Council has now taken over short term responsibility of Limes Farm Hall and will maintain its community use whilst its longer term future is determined. The Hall is a centre of activity and provides community focus for a large number of residents at Limes Farm. To cover administration costs, maintenance and employment and supervision of a caretaker the Council has approved DDF funding of £47,520. The feasibility of a multi agency approach to service provision at the site is being examined. This will include organisations such as the County Council, Essex Police, West Essex Primary Care Trust and Chigwell Community Trust. A further report will be prepared following the conclusion of the consultation with local residents and the feasibility study.

The Youth Council

The Youth Council continues to thrive and is now in the hands of our new Young Persons' Officer Diane Butler, who has replaced Nick Robinson. The next Youth Council Elections take place in December 2009.

North Weald Airfield

Members, Veterans and Airfield Users, attended an event on Sunday 19 April 2009, to celebrate the dedication of the Gate Guardian, which is a full-sized replica of a Hawker Hurricane now located at the Airfield's main entrance. The Guardian looks fantastic and the event itself was a great tribute to those who flew and maintained the Hurricanes at North Weald Airfield during the Second World War. Many thanks to Airfield Manager, Darren Goodey, and his team for co-ordinating the day so efficiently and all the other partners involved in project. There are some wonderful pictures of the event on the Council's website.

Waltham Abbey Sports Centre and Swimming Pool

Following the service of notice on the Governors of the King Harold School for the discontinuation of shared use of the Waltham Abbey Sports Centre to end in January 2010, we still await the school's formal response. In the meantime, we are progressing

with the feasibility study for the provision of a new sports hall at Waltham Abbey Swimming Pool. I hope to bring a report to Cabinet on this at their June meeting.

Free Swimming for the Over 60's

Free swimming for the over 60's commenced on 1 April. SLM, the Council's leisure providers, will be paid the Government grant in monthly stages in arrears, and statistics will be kept in order to monitor the success of the initiative.

Municipal Journal National Achievement Awards

The Council's Active Health Project has been 'commended' by the MJ following a submission for the 2009 Achievement Awards. The Council will be provided with a logo of the Awards with the word commended, which can be used to recognise the achievement of this prestigious local government award for the next twelve months.

Report to the Council

Committee: Cabinet

Date: 28 April 2009

Subject: Planning and Economic Development Portfolio

Portfolio Holder: Councillor Anne Grigg

Item: 7(j)

Recommending:

That the report of the Planning and Economic Development Portfolio Holder be noted

Loughton Broadway Town Centre Enhancement Scheme

Work is progressing well on this scheme with one side of the Broadway due to re-open very shortly. The work is of high quality and looks very pleasing. Problems were found as anticipated, with the construction of the carriageway being in worse condition than appeared. This has led to increased amounts of reconstruction but the scheme remains within budget/contingency. Decisions on the feature remain deferred until we have better knowledge of the potential outcome. There has been a great deal of local trader concern on the effects of the scheme on local economies. The Leader met with Mr D Stannard, Chairman of the Town Centre Partnership on 7 April, 2009 to discuss matters relating to the Broadway. A further meeting with the Town Centre Focus Group is to be held on 27 April 2009.

Loughton Town Centre Enhancement Scheme

Phases 3 and 4

Essex County Council officers are still undertaking the review of phases 3 and 4 with some intrusive testing due to commence shortly. However, they are not offering a timeframe for any works to commence once a scheme has been designed.

Trees

A meeting took place with Essex County Council officers on 19th March 2009 and four possible locations were identified as potential tree planting sites. ECC Highways are to undertake the necessary investigations to identify whether there are any known underground services at these "spots". However, as not all services may be documented, there will still be a need to excavate trial pits to be absolutely certain. It is anticipated that these works will commence during April and that if no problems are encountered, construction of proper tree pits will follow shortly after. Whilst it is

anticipated that semi-mature trees will be planted, it is understood that the size of tree will also be determined by the dimensions of the planting pit.

Gypsies and Travellers

The Secretary of State's proposed changes report is out to public consultation until 22May 2009. The Secretary of State has recommended a reduction in the number of pitches Epping Forest District Council is required by the Government to provide. The original number of pitches Epping Forest District Council was required to provide was 49, which was reduced down to 39 following the Examination in Public and now the Secretary of State has suggested a further reduction to 34 pitches. Whilst this reduction is appreciated, our view is that a case should be made for an even greater reduction of no more than 20 pitches. Residents are being encouraged to respond to the consultation on the Secretary of States proposed changes.

Questions by Members under Notice

By Councillor D Jacobs to Councillor Mrs D Collins, Leader of the Council

(a) Waste Service Strategy

The County Council has offered funding (both revenue and capital) to waste collection authorities, in order to achieve high recycling (including food waste) required by the Strategy; the offers of funding were made by the County Council on a number of criteria, including value for money, recycling performance improvements and Strategy compatibility; it can be seen from the table below that revenue funding per head of population varies from £3.66 in Epping Forest District (the lowest) to £7.32 (**double**) in Chelmsford and £7.44 Harlow, the highest; on a pro rata basis Epping Forest District would achieve another £200,000 per annum. In the circumstances does this administration feel that the District has been treated equitably given that these allocations (being revenue) will be repeated on an annual basis?

Est. pop.	Collection Authority	Funding allocation	Pro rata (head pop)	Funding per head £	Recycling rate 2007/08
169,900	Basildon	832 (000)	896 (000)	4.90	32.23
142,400	Braintree	600	751	4.21	42.79
71,300	Brentwood	379	376	5.32	41.20
88,800	Castle Point	550	468	6.19	27.07
164,000	Chelmsford	1200	865	7.32	35.37
123,000	Epping Forest	450	648	3.66	41.67
78,000	Harlow	580	411	7.44	23.88
62,700	Maldon	330	330	5.26	34.89
81,200	Rochford	390	428	4.80	19.39
147,700	Tendring	575	779	3.89	26.90
71,000	Uttlesford	440	374	6.20	54.26
	Colchester – not yet allocated				

1,200,000		6,326	6,326	5.27 av	34.52 av

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Report to the Council

Committee: Cabinet

Date: 28 April 2009

Portfolio Holder: Councillor Chris Whitbread

Item: 11a

1. SUPPLEMENTARY ESTIMATES

Recommending:

(1) That a supplementary capital sum of £200,000 funded from the Major Repairs Reserve be approved to clear the backlog of disabled adaptations to Council properties; and

(2) That a supplementary capital estimate in the sum of £154,000 be approved for the purchase of six Ford Transit LWB double chassis cabs 2.4 TDCI for the Grounds Maintenance Section.

Disabled Adaptations to Council Properties

1. The budget for disabled adaptations within the Housing Capital Programme currently stands at £380,000 for 2009/10 which is increased on an annual basis by building cost increases to keep up with inflation as agreed by the Housing Portfolio Holder in April 2006.
2. In 2007/08 the Council received 356 recommendations for adaptations from Social Services in addition to 99 recommendations held over from the previous year. Of those, the Council was able to undertake and complete works to 381 properties. This meant 74 adaptations were held on the waiting list and carried forward for 2008/09. During 2008/09 the Council received a further 350 recommendations, added to the 74 cases carried forward. In total the Council has been able to complete 316 adaptations this year, leaving 108 recommendations that are being held over into 2009/10.
3. In order to try to clear the backlog of adaptations it is recommended that an additional one-off sum of £200,000 be allocated in 2009/10 funded from the major Repairs Reserve.
4. In order to monitor the progress of clearing the backlog of disabled adaptations we have asked for a progress report to be submitted to us after six months.
5. We recommend as set out at the commencement of this report.

Replacement of Grounds Maintenance Vehicles

6. In 2002, the Council's Grounds Maintenance Service entered into a lease agreement for the purchase of six Ford Transit tipper trucks in order to meet the requirements of the Council's Grounds Maintenance contracts. This agreement comes to an end in July 2009.

7. To procure new vehicles the specification has been subjected to a tender process via the Essex Procurement Hub and the cost of the cheapest tender is £154,000. Previously when a capital/operating lease comparison has been made, leasing has been the most favourable option. However, on this occasion it is shown that the most beneficial option is capital purchase.

8. The lease/capital comparison figures are as follows:

	<u>Net Costs</u>	<u>NPV</u>	<u>Annual Costs</u>	<u>NPV Costs</u>
Funded from capital	£123,531	£125,705	£17,647	£17,957
Operating lease	£170,880	£146,519	£24,411	£20,931
Difference			£6,764	£2,974

9. By adopting the capital purchasing option there is therefore an annual saving over the leasing costs of £2,974. We have considered the option of extending the present leases. However, the vehicles have provided seven years reliable service and fulfilled operational requirements, but due to the age and heavy usage of the vehicles the general wear and tear is starting to take its toll with one-off running repairs and associated down time becoming more frequent and scheduled service costs on the increase. In the long term we would expect this trend to continue with an adverse effect on both budget provision and operational needs of the service.

10. We have also considered awaiting the Capital Programme update report to request funding. However, this would mean a delay of some months and the present vehicle lease would need to be extended. The present tender price would not be held by the company for this length of time and they have stated that this would increase, thus this would cost the Council more to purchase the vehicles.

11. We recommend as set out at the commencement of this report.

Overview and Scrutiny Annual Report 2008-2009



Epping Forest District Council

CONTENTS

	Page
Introduction	
• What is Scrutiny	4
• The Overview and Scrutiny Committee	5
• Standing Scrutiny Panels	5
• Task and Finish Panels	6
The Overview and Scrutiny Committee	7
Standing Panels	
• The Housing Standing Panel	13
• Constitution and Member Services Standing Panel	17
• Finance and Performance Management Standing Panel	20
• Safer Cleaner Greener Standing Panel	26
• Planning Services Standing Panel	32
Task and Finish Panels	
• Leisure Task and Finish Panel	37
• Customer Transformation Task and Finish Panel	40

OVERVIEW AND SCRUTINY ANNUAL REPORT: MUNICIPAL YEAR 2008/2009

Introduction

This is the fourth report of the Overview and Scrutiny Structure as instituted by the Full Council in April 2005. The Committee was charged with reviewing Cabinet decisions, the Corporate Strategy, the Council's financial performance and also scrutinising the performance of the public bodies active in the District by inviting reports and presentations from them.

At the beginning of the 2008/09 municipal year the Overview and Scrutiny Committee agreed to the setting up of five Standing Panels and two Task and Finish Panels for the year.

What is Scrutiny?

Scrutiny in local government is the mechanism by which public accountability is exercised. The purpose of scrutiny in practice is to examine, question and evaluate in order to achieve improvement. The value of scrutiny is in the use of research and questioning techniques to make recommendations based on evidence. Scrutiny enables issues of public concerns to be examined. At the heart of all the work is consideration of what impact the Cabinet's plans will have on the local community. However, the overview and scrutiny function is not meant to be confrontational or seen as deliberately set up to form an opposition to the Cabinet. Rather the two aspects should be regarded as 'different sides of the same coin'. The two should compliment each other and work in tandem to contribute to the development of the authority.

The 3 key principles of effective scrutiny in practice are:

- Scrutiny as "critical friendship" through constructive but robust internal challenge;
- Scrutiny as evidence based research and analysis using expert witnesses and public consultation;
- Scrutiny as a strategic programme investigating key council priorities and reflecting the concerns of the local community.

Scrutiny at Epping Forest utilises the 'PICK' system when setting its priorities. PICK stands for:

- P** = Public interest: the concerns of local people should influence the issues chosen;
- I** = Impact: issues that make the biggest difference to the social, economic and environmental wellbeing of the district;
- C** = Council Performance: areas in which the Council and other agencies are not performing well;
- K** = Keep in Context: need to avoid duplication and wasted effort in identifying issues.

Alongside its challenge role, the scrutiny function has also continued to engage positively with the Cabinet and there continues to be cross party co-operation between members on all panels.

Scrutiny has continued to provide valuable contributions to the Council and the Cabinet remained receptive to ideas put forward by Scrutiny throughout the year.

At the first meeting of the Overview and Scrutiny Committee in June 2008 the committee reviewed their procedures and agreed the membership of panels.

Members were reminded that under the arrangements, Scrutiny Standing and Task and Finish Panels had been established to undertake scrutiny reviews. The Committee had been tasked with agreeing the Membership of these panels, their terms of reference, work plans and reporting deadlines. Although the panels have no powers to make decisions they can put forward recommendations for consideration, either by the Overview and Scrutiny Committee or Cabinet or Council.

The Overview and Scrutiny Committee reviews the need for the continuation of Standing Panels prior to the end of the Council Year.

The Overview and Scrutiny Committee

The Committee coordinated with the Cabinet about their work plans for the year and pre scrutinised their reports at its meetings a week before Cabinet would meet. Liaisons with the Cabinet would take place to discuss the wider work programme that would be approved and reviewed annually. This acted as a troubleshooting exercise, finding out problems before they arose.

The Committee also engaged with external bodies in order to scrutinise parts of their work that encroached on the District and its people.

The Committee received one call-in this year (for details see Scrutinising and Monitoring Cabinet Work on page 8). This was on the Housing Portfolio Holders decision on the "Council Call for Sites".

The Overview and Scrutiny Committee membership consisted of 11 Councillors who were appointed at the Annual Council meeting.

Standing Scrutiny Panels

A Lead Officer was appointed to each panel to facilitate its process. Members liaise on a regular basis with the Panel's Chairman to agree terms of references and to prioritise reviews and their work plans.

The Overview and Scrutiny Committee agreed the work programme and terms of reference for each of the Panels on the basis of a rolling programme. The Standing Panels have a 'rolling programme' and would consider ongoing and cyclical issues. Five standing Scrutiny Panels were established, dealing with:

- i. Housing
- ii. Constitution and Member Services
- iii. Finance and Performance Management
- iv. Safer Cleaner Greener.
- v. Planning Services

Standing Panels reported regularly to the Overview and Scrutiny Committee on progress with the work they were carrying out.

Task and Finish Panels

The Task and Finish reviews are restricted to dealing with activities which are issue based, time limited, non-cyclical with clearly defined objectives on which they would report responses and set a deadline to report to the Overview and Scrutiny Committee. Two Task and Finish Panels were established during the year, they were:

- i. Leisure Task and Finish Panel;
- ii. Customer Transformation Task and Finish Panel.

The Task and Finish Panel on Leisure had begun during the municipal year 2007/08 carried on in this year.



OVERVIEW AND SCRUTINY COMMITTEE

Introduction by the Chairman:



"Welcome to the fourth year of the Council's scrutiny activities, breaking down the topics being scrutinised into Standing and Task and Finish Panels and the main Overview and Scrutiny Committee. This enables a larger workload to be tackled and scrutinised in any one year. This way of working has proved to be successful in getting through the large amount of topics that a Council's Scrutiny structure is asked to consider over an average year.

As the Overview and Scrutiny Committee we have taken on numerous topics, including looking at call-ins, monitoring the Standing Panel's work programmes, receiving presentations from the PCT, various County Officers and a Portfolio Holder, our Youth Council and from the Epping Forest College.

We also considered the Cabinet's plans for the year ahead, various government consultation documents, the final report from one of the Task and Finish Panels and the Council's Draft Budget for 2009/10.

The Committee's lead officer, Derek Macnab, the Deputy Chief Executive, has helped steer the committee through the maze of topics we have had to review this year and has kept the work going through at a steady pace and I must relay my thanks to him for all his hard work.

I would also like to express my thanks to my Vice-Chairman, Councillor Ken Angold-Stephens, the members of the O&S Committee, all the Chairmen of the Standing and Task and Finish Panels, the members of those panels and of course all the officers who support the Panels and my Committee."

Councillor Richard Morgan
April 2009

The Overview and Scrutiny Committee consisted of the following members:

Councillor R Morgan (Chairman)
Councillor K Angold-Stephens (Vice Chairman)
Councillors M Colling, A Green, J Hart, D Jacobs, G Mohindra, Mrs P Richardson, B Rolfe, Mrs L Wagland and Mrs J Whitehouse.

The Lead Officer was Derek Macnab, Deputy Chief Executive.

Terms of Reference

The Overview and Scrutiny Committee's main functions are to monitor and scrutinise the work of the executive and its forward plan, external bodies linked to the District Council and the Council's financial performance. It is tasked with the consideration of call-ins, policy development, performance monitoring and reviewing corporate strategies.

The Committee's workload over the past year can be broken down as follows:

(a) Scrutinising and monitoring Cabinet work

The Committee reviewed and commented on the Cabinet's Forward Plan and work programme where they identified areas for further consideration. The Committee has a proactive role in this area through carrying out pre-scrutiny work. This involved receiving and considering the Cabinet agenda prior to the Cabinet itself.

The Committee considered one call-in this year; this was over the Housing Portfolio Holder's decision on the 'Council Call for Sites' seeking to identify land that may have potential for future development. The Committee was asked to consider this decision taken in August 2008. The Councillors calling the decision in thought that the sites under consideration for further development were inappropriate and chosen to the exclusion of any other Council owned sites in the district. After reviewing the issue, the Committee agreed that the original decision be referred back to the Portfolio holder for further consideration, taking into account the specific concerns raised by the Overview and Scrutiny Committee.

(b) Standing Panels work programme monitoring

The Committee received regular updates from the Chairmen of the various Scrutiny Panels reporting on the progress made with their current work. This had allowed the Committee to monitor performance, prioritise work and when necessary adjust their work plans to take into account new proposals and urgent items.

(c) Items considered by the committee this year

This year the Overview and Scrutiny Committee received presentations on, and considered such topics as:

Presentations:

(i) A presentation from Catherine O'Connell of the West Essex Primary Care Trust who attended in June 2008 to consult the Committee on their proposals to develop a GP led Health Centre for West Essex and to improve health services in

Chipping Ongar. The Committee and other members present took the opportunity to question Ms O'Connell on this and other various related topics.

(ii) In July 2008 the Committee received a presentation from Lonica Vanclay, the county officer responsible for youth provision in the district. She explained how the provision of youth services in the district was structured and how they fitted in with other voluntary groups in the district. The Committee and members present took the opportunity to question her on various aspects of youth provisions in the district.

(iii) In November 2008 the Committee received a Presentation from Ms Alison Cowie, the Director of Public Health of the West Essex Primary Health Trust. She addressed the Committee on the Health Profile of the Epping Forest District and the reasons for it's established health patterns. It was clear that there is a wide range of health outcomes across the District, with some areas such as Waltham Abbey amongst the worst in Essex in relation to life expectancy. Following the presentation, the members discussed the issues raised.

(iv) In December 2008 the Epping Forest Youth Council gave a short presentation to the committee on their first year of operation. This was the first ever Youth Council for the District and they had a lot that they had wanted to do. They had identified their broad priorities as being activities and things to do for young people; safety and social issues relating to young people; transport; the environment and stereotyping of young people. This gave the committee a good opportunity to question the youth councillors on their first year in office.



(v) The new Principal of Epping Forest College, Peter Sadler, attended in December to inform the Committee on the strategic direction of the College, its vision for the future and its relationship with the community. The college had been through a great deal recently and there was a history of under performance. Mr Sadler was able to reassure members that there was a robust plan in place to rebuild the college and put in place remediation policies to improve management, meet local needs and support local schools. The principal will be invited back to address the committee again in September 2009 to update them on progress made.



(vi) In January 2009 the Committee welcomed County Councillor Norman Hume, the Portfolio Holder for Highways and Transport. The Committee spent some time questioning him about the rural bus services, concessionary fares, youth travel issues and diverse highways issues that affected the district.

(vii) In March 2009 the Committee received a presentation from the lead officer and Manager of the Local Strategic Partnership (LSP), John Houston and it's Chairman, Councillor Di Collins. They advised the Committee of the work undertaken to restructure the LSP. The Committee noted that the even though there was only a part time administrative officer in post most of last year, they had still managed to get £455 thousand secured in support of local schemes Mr Houston was appointed in December 2008 and was in post by January 2009.



The key work of the LSP is to bring together all the key public agencies, the voluntary and private sector, to identify common problems and develop joined up solutions. They could pool their expertise and solutions and add value to the topics being considered. The LSP could also commission research, identify gaps in provisions and opportunities for new ways of working. They also engage in research, consult and are to agree a Sustainable Community Strategy in support of the Local Development Framework.

The LSP is made up of senior members from the Statutory, Voluntary and Business Community, including:

- EFDC
- Essex County Council Education & Social Services
- PCT
- Police, Fire and Rescue
- Parish and Town Council Representatives
- Faith Groups.

They have identified four fixed Theme Groups concentrating on Healthier Communities, Sustainable Communities, Safer Communities and Children and Young People. They have also established a new executive steering group.

Five Task and Finish Teams have been agreed. Three have been set up immediately

- Dealing with the Credit Crunch
- Reviewing the Sustainable Community Strategy
- Improving Communications

Two others are to follow

- Joining up' Service Delivery
- Enhancing Educational Attainment.

(viii) In April 2009 the Committee received a presentation from Essex Police who updated the meeting on the current state of the District. Attending the meeting was Superintendent Simon Williams and Inspector Craig Carrington. The Superintendent informed the Committee of the latest crime figures for the district saying that crime had been reduced in the District by 11% over the last year with detection of crime rising to 29.2%. The overall crime figures were down by over 700 from last year. After the presentation the two officers were closely questioned by the members of the Committee.



Other topics considered:

(i) The Cabinet came to the Committee's July 2008 meeting to present their plans for the year ahead. The Committee considered the individual Portfolio schedules with a view to selecting issues for pre-decision scrutiny and have played their part in scrutinising their plans in the past year.

The Cabinet came back to the Committee in April 2009 with their forward plans and key priorities for 2009/10. Again, these were scrutinised by the Committee and the cabinet members questioned on their priorities for the year ahead.

- ii) The Chairman of the Constitution and Members Services Standing Panel came to the Committee in August 2008 to present a report on the government consultation document on the date of the European elections and the possibility of synchronising the County and European elections. They also reviewed the District's previous elections that took place in May 2008.



- (iii) In November 2008 the Committee received a report on "the making and enforcement of bylaws – consultation". This was to allow local authorities to deal with enforcing of bylaws through a fixed penalty mechanism rather than prosecution through the Magistrate's Court.

- (iv) The Committee also reviewed two other government consultation documents in November 2008. One was on weekend voting and the other was about communities in control, setting out a range of policies with a view of returning power to local communities.

- (v) In December 2008 the Committee received the final report of the Customer Transformation Task and Finish Panel. The Panel looked at the Council's reception and other customer contact areas, the Council's internal communications, telephone answering performance, the Council's website and the Council's magazine 'The Forester'.

They concluded that the reception areas should be reorganised along with the telephone centre and that a Customer Relationship Management system be developed to improve the Council's services and help meet the requirements of National Indicator 14. They also recommended that an additional two website support officers be recruited at an estimated cost of £48,860 and that the Forester be reviewed.



The Committee endorsed the recommendations and submitted them to Cabinet for adoption.

- (vi) The Committee also considered the possibility of setting up a joint Primary Care Trust scrutiny arrangements in West Essex. This was proposed by Harlow Council, to be held in conjunction with Uttlesford Council and ourselves on a service level basis. On consideration the Committee were content, in principle, to consider a joint health review with Harlow and Uttlesford Councils. This is yet to be arranged formally and should be up and running in the new municipal year.

- (vii) In January 2009 the Committee considered the councils draft budget for 2009/10. The Finance and Performance management Standing Panel had already considered this in detail. The Committee noted that it was a difficult year to construct a budget because of the 'credit crunch' facing the country. The committee endorsed

the Finance and Performance Management Standing Panel's recommendations on the budget and reported this on to Cabinet.

(viii) Civic Ceremonial arrangements were also reviewed in January 2009 along with the annual review of Contract Standing Orders and Financial Regulations and a review of the Executive Constitution.

(ix) Also in January 2009 Essex County Council's – Forest Transportation Consultation was considered. Essex County Council had wished to improve the transport network in and around Epping Forest. It was hoped that people would consider both sustainable transport alternatives as well as providing a safer and more accessible environment.



The Epping Forest Transport Survey contained a series of measures to reduce the impact of traffic and to address the protection of the forest

landscape. It offered a package of inter-related measures that aimed to restore some of the rural character to the roads in and around the forest.

The Safer Cleaner greener Standing Panel had already considered this in detail and the Committee endorsed their conclusions.

(x) At the December 2008 Council meeting, a motion had been moved and seconded regarding the current on-going economic problems, and the resulting pressures on voluntary agencies such as the Citizen Advice Bureau, in particular with regard to debt advice.



It was recommended that a sub-group of members comprising no more than six councillors, be established to investigate the increased demand on the capability of these voluntary bodies to provide advice and report back to the Overview and Scrutiny Committee with their recommendations.

Four Councillors were appointed to serve on this sub-group and will report back in due course.

(xi) In April 2009, the Committee considered a report on the Review of London Underground Passes. Epping Forest District has a number of London Underground Stations within its boundaries. Unfortunately not being a London Borough residents over 60 are not in receipt of a Freedom Pass. This report considered the possibility of the District Council funding such a scheme for elderly residents of the district. The Committee agreed that as an aspiration this was desirable, but taking into account the large cost of the proposed passes, over seven million pounds, it was thought that in the current financial climate that this should no longer be pursued. However, this would be kept under observation in the coming years to see if the circumstances materially changed.

STANDING PANELS

1. HOUSING SCRUTINY STANDING PANEL

Introduction by the Chairman:



"This is my fourth year as Chairman of the Housing Standing Panel and again, we have had a busy year, carrying out the important role of scrutinising the Housing Services of Epping Forest District.

I would like to thank the officers for their time and energy which helps makes the Scrutiny Panel run smoothly. I would like to add my thanks to my Vice Chairman, Councillor Mrs Ricki Gadsby, and other members of the Panel who have played a full part in the important scrutiny role we carry out. My special thanks goes to Mrs Molly

Carter, the Chairman of the Tenants and Leaseholders Federation who attends our meetings as a member of the Panel".

Councillor Stephen Murray
April 2009

The Housing Scrutiny Standing Panel consisted of the following members:

Councillor S Murray (Chairman)
Councillor Mrs R Gadsby (Vice Chairman)
Councillors D Bateman, Mrs R Brookes, J Collier, K Chana, D Dodeja, Mrs J Lea, Mrs P Richardson, Mrs L Wagland, Mrs J Whitehouse and J Wyatt.

The Lead Officer was Alan Hall, Director of Housing. The Panel also appreciated the Housing Portfolio Holder, Councillor D Stallan, attending the meetings to help them with their deliberations.

Mrs Molly Carter, the Chairman of the Tenants and Leaseholder Federation, who attends the meetings as a non-voting co-opted member to provide the views of residents and stakeholders, took part in Panel discussions.

Terms of Reference

The Housing Scrutiny Standing Panel is tasked to undertake reviews of a number of the Council's public and private sector housing policies and to make recommendations arising from such reviews to the Housing Portfolio Holder or Cabinet as appropriate. They also undertake specific projects related to public and private sector housing issues, as directed by the Overview and Scrutiny Committee.

The Panel scrutinised a number of important issues over the last year, which included:

i) The Choice Based Letting Scheme –

The Panel were kept abreast of the latest developments in the Choice Based Lettings Scheme. Under the Scheme, all vacant social rented properties are advertised to applicants on the Housing Register in a two-weekly publication, via website and other media giving details of the property. Applicants apply for a property by expressing an interest in up to a maximum of three properties for which they have an assessed need. At the end of a two-weekly cycle, the Council analyses the



expressions of interest and offers each property following a prioritisation and selection process in accordance with its own Allocations Scheme. In general terms, the property would be offered to the applicant in the highest band who had been registered the longest. The process was transparent, with the results being published so other applicants could see how long the successful applicant had been waiting.

As agreed when the Scheme was first introduced, the Panel undertook a review after six months operation. The review found that the scheme had generally been very successful. A survey of both housing applicants that had used the service to express an interest, and those that had not, had been undertaken. One of the outcomes of the survey was that even more publicity needed to be given to the Scheme.

ii) Housing Best Value Performance Indicators and Local Performance Indicators - The Panel reviewed the 2007/08 Housing BVPIs and LPIs out-turn at the end of the 2007/08 financial year. Up to March 2008, all councils had been required to record, monitor and publish Best Value Performance Indicators (BVPIs) for a range of council services which included Housing Services. In addition, local authorities often recorded, monitored and published Local Performance Indicators (LPIs) for services, which the local authority considered important.

iii) De-designation of properties for Older People's Occupation – This report resulted from some concerns raised by Members about the number of properties formerly designated specifically for occupation by older people on housing estates being let to younger people. The Housing Portfolio Holder had asked for this particular report to be submitted to the Panel for consideration. The Panel reviewed the policy and how formerly designated properties were allocated to younger people. It concluded that the current policy of de-designation should continue.

iv) Ethnic Monitoring – The Panel received its annual report regarding ethnic monitoring of the Council's Allocations Scheme, which considered the ethnicity of applicants on the Housing Register, compared to the ethnicity of applicants offered Council accommodation. The Panel were advised that a large number of housing applicants did not disclose their ethnicity. However it was evident from the analyses that the ethnic make up of the Housing Register mirrored the allocation of vacancies sufficiently for the Council to be confident that its Allocations Scheme did not racially discriminate.

v) **Unauthorised Parking on Housing Estates** - The Panel considered a report on unauthorised parking on housing estates. Problems had been identified with parking and increased congestion on housing estates. Many of the housing estates



were built during the 1940s and 1950s. With the subsequent growth in car ownership, residents are experiencing severe parking problems on estates where parking both on and off road is at a premium. In addition, due to the introduction of permit parking, many side roads are becoming further congested (possibly by commuters) particularly in the Debden and Epping areas with vehicles being forced onto grassed verges. The Panel considered if

the Council should take enforcement action and force people to park elsewhere (and therefore increase congestion); they also considered whether the Council should spend more on off-street parking schemes and if the current policy of permitting a maximum of 6 metres to be covered over to construct a vehicular cross-over over a grass verge to their front gardens should be raised to 12 metres.

The Panel made a couple of recommendations to the Cabinet, that:

a) additional money should be made available in the Housing Revenue Account (HRA) Capital Programme from 2009/2010, to fund further off-street parking schemes matched from the General Fund; and

(b) the maximum permitted amount of grass verge to be removed in order to construct a vehicular crossover is extended beyond the current policy of 6 metres to 12 metres.

Following initial proposals relating to the enforcement of unauthorised parking on housing estates, the Panel will be reconsidering this issue.

vi) **Review of Epping Forest Careline** - The Careline Service offer a 24-hour, 365 days per year, emergency alarm system to older and disabled people living within the District. The service is also offered to other vulnerable groups, including victims of domestic violence and young people with disabilities. Users of the service are connected via the telephone network. The Council's own sheltered housing schemes and other designated dwellings for older people on housing estates have a hard wired system installed in their properties with a speech module mounted on the wall and pull cord in each of the rooms. A total of 2,500 properties, representing approximately 3,000 people, are linked to the service. Around 1,250 of the connections are private sector dwellings, which are connected via a dispersal alarm. The user pays an annual rent to the Council for the service. The Council works in partnership with Essex County Council who provided the equipment free of charge to the Council. After comparing the cost of the service with the potential savings that could be made if the Council closed its service and purchased the service from another provider, the Panel endorsed the current service. However, the Panel asked that officers investigate the possibility of the work of the Careline Control Centre being extended to cover other things, such as monitoring the alarms of other authorities providing an out-of-hours telephone service for routine repairs reporting service and the live monitoring of the Council's CCTV cameras.

vii) Allocation Scheme Report 2008 - The annual review of the Allocations Scheme was undertaken at the October meeting. The Allocations Scheme set out the procedures for allocating housing accommodation and making nominations to Registered Social Landlords. Each year the Cabinet considers the Council's Allocations Scheme and reviews proposed changes following detailed consideration by this Panel.

viii) Tenant's Satisfaction Survey - The District Council is required to carry out a detailed Tenant Satisfaction Survey every two years. The last two surveys had been carried out by Feedback Services Ltd, a company part-owned by the National Housing Federation (NHF), that specialised in conducting surveys and related activities for social landlords. New guidance was incorporated into the Tenant Satisfaction Survey 2008 and, subsequently, a number of the standard questions were re-written. On reviewing the results of the survey the members were pleased that overall levels of satisfaction remained very high (at 84%) and that, in particular, satisfaction with all matters relating to repairs and maintenance were far higher than all other similar councils surveyed. However, the Panel commented on the apparent need for improved dissemination of information to tenants. They suggested that the normal channels of informing tenants should be widened. It was felt that each edition of Housing News should be posted to tenants in an envelope with a covering letter instead of being simply posted, although this would lead to an additional cost.

ix) Housing Service Strategies on Home Ownership and Rent Collection - The Housing Scrutiny Panel considered and endorsed two updated Housing Service Strategies on Home Ownership and Rent Collection and Administration.

x) Draft Housing Strategy – The Panel received the Consultation Draft Housing Strategy 2009-2012. The Council's Housing Strategy was last produced in May 2003 and was assessed at the time as being fully "fit for purpose," by the Government Office for the East of England. The Housing Strategy sets out the district's housing plans for the medium term (3-5 years). However, these plans could be formulated with regard to the housing objectives for the long term, which could span 30 years.

The Panel agreed that the Draft Housing Strategy should be subject to a three-month consultation period with other organisations interested in housing, during which a one-day Housing Strategy Conference would be held. The Panel nominated three of its members to attend the Conference on the Panel's behalf.



It was agreed that the final version of the Housing Strategy be adopted for a period of three years, with Key Action Plans produced and updated on an annual basis for approval by the Cabinet.

2. CONSTITUTION AND MEMBER SERVICES STANDING PANEL

Introduction by the Chairman:

"This is my first year as Chairman of this Panel, and a most interesting year it has been.

During the year we looked at a variety of topics including a Review of the 2008 Elections, we recommended moving the date of the 2009 local elections from May to June 2009 so as to coincide with the European elections, we made recommendations on Weekend Voting. The Panel scrutinised the Civic Ceremonial aspect of the District Council, the role of the Chairman and Vice Chairman and we undertook a review of the Executive Constitution. The Panel examined time-off entitlements for elected members and discussed lowering the age of voting to 16 with two members of the Youth Council.



I would like to express my thanks to my Vice Chairman, Councillor Richard Morgan for his valuable support over the year and of course, to the members and officers of the panel for their important contributions."

Councillor Maggie McEwen
April 2009

The Constitution and Member Services Standing Panel consisted of the following members:

Councillor Mrs M McEwen (Chairman)
Councillor R Morgan (Vice Chairman)
Councillors Mrs P Brooks, J Demetriou, Mrs J Hedges, J Markham, J Philip, B Rolfe, Mrs M Sartin, D Stallan and Mrs J H Whitehouse.

The Lead Officer was Ian Willett, Assistant to the Chief Executive.

Terms of Reference

To undertake reviews of constitutional, civic, electoral and governance matters and services for members on behalf of the Overview and Scrutiny Committee and to report to the Overview and Scrutiny Committee, the Council and the Cabinet with recommendations on matters allocated to the Panel as appropriate.

The Panel scrutinised a number of important issues over the last year, which included:

(i) Review of May 2008 Elections – The Panel reviewed the May 2008 elections and feedback their findings and views to the Returning Officer and the main Overview and Scrutiny Committee. They made several suggestions on the running of

elections and the set up of the count generally for consideration by the Returning Officer.

(ii) Government Consultation Document – moving the date of the 2009 elections –

The Panel discussed the possibility of holding the upcoming European and County elections on the same day. After a full discussion the Panel agreed that the elections be combined and the date should be moved to 4 June 2009.



(iii) Ministry of Justice Consultation Paper on Weekend Voting –

The Panel considered the consultation paper on weekend voting. The government was concerned about low turnouts in elections, a current initiative to raise voter turnout was to provide for weekend voting instead of the more traditional weekday polling day. The District Council had publicised the consultation on its website, but there had been little response.

(iv) Council Business – The Panel considered the review of the contract standing orders and a report on the Civic Ceremonial Review. The review was to concentrate on the operation of the Office of the Chairman, the functions of the Chairman and Vice Chairman, and aspects of the management of the civic aspect of full Council meetings. They also considered a review of provisions relating to consultants. There had been concerns expressed about the process for recruiting consultants in various directorates of the Council, this focused on the engagement of consultants for extended periods, often to cover established posts. However, in some of these cases there had not always been evidence of adequate market testing to demonstrate value for money. Consultants were often engaged and retained at high cost which may have adversely affected the number of staff hours available to the Council.

The panel also considered a consultation paper on 'Standing for Office, Time off Entitlements'. Communities and Local Government were now inviting comments on the recently released consultation paper in respect of Time-Off Entitlements. There were a number of specific comments and questions on which the consultation paper invited a response.

Another consultation paper on lowering the voting age to 16 was also considered by the Panel who made an appropriate response to the Youth Commission.

(v) Review of Executive Constitution – The Panel considered the Local Government and Public Involvement in Health Act 2007 – Executive Constitution. The Act made a number of changes to the operation of local authority Executives particularly the powers of the Leader of the Council. The Act had prescribed two types of executive: Elected Mayor and Cabinet; or Leader and Cabinet. The Council had been operating the Leader and Cabinet model since 2000 but differently from the

2007 Act version. The Council now needed to amend its Constitution to accord with the 2007 Act.

(vi) Review of Civic Ceremonial Arrangements – The Panel noted that there was confusion about the respective roles of the Chairman and Leader. This should be alleviated through production of an “Easy Guide” which would explain the different roles whilst also promoting the Chairman of Council. Past Chairmen had given their views on this and the Panel considered their suggestions. The Panel then considered the type of transport a Chairman should have access to and how to improve identification of the Chairman at events. The Panel also decided that the Chairman’s role was apolitical and may be better suited to the promotion of democratic involvement. In the light of these Governmental proposals, the Constitution would need amending to change the Chairman’s role to promote democracy.



(vii) Member Training Programme 2009/10 – The Panel reviewed the training courses that would be of interest to members in the coming year.

(viii) Review of Overview and Scrutiny – The Panel undertook a review of Overview and Scrutiny procedures, focusing mainly on operational matters regarding the scrutiny system.

3. FINANCE AND PERFORMANCE MANAGEMENT STANDING PANEL

Introduction by Chairman:

"This was my first year as Chairman of this Panel, a duty that I found most interesting and informative. At the beginning of my term, I did not expect to have such a memorable year, which ended in the Credit Crunch and banking financial turmoil. Officers and members had to keep this mind at the end of the year when drawing up the budget for 2009/10 and how the events in Iceland and the financial markets affected it.



This Panel is tasked to keep a watchful eye on the Council's finances and its performance over the year. Our workload is also heavily influenced by the need to tick Audit Commission boxes. The next year should prove interesting as we monitor the council steering its way through these turbulent financial waters.

I would like to thank my vice Chairman Gagan Mohindra for the support he provided during the year and, of course, the lead officers for their invaluable help and advice."

Councillor Derek Jacobs

April 2009

The Finance and Performance Management Scrutiny Panel consisted of the following Members:

Councillor D Jacobs (Chairman)

Councillor G Mohindra (Vice Chairman)

Councillors K Angold-Stephens, J Collier, M Colling, J Hart, J Philip, W Pryor, A Watts and J M Whitehouse.

The Lead Officer was Derek Macnab, Deputy Chief Executive.

Terms of Reference

Performance Management

1. To review statutory and local performance indicator outturns for the previous year at the commencement of each municipal year, and to determine the following on an annual basis:

- a) A basket of 'Key' Performance Indicators (KPIs) important to the Council's core business and corporate priorities; and
 - b) The monitoring frequency of the KPIs identified by the Panel for the year;
2. To monitor performance against the adopted KPIs throughout the year; and to make recommendations for corrective action in relation to poorly performing indicators;

Council Plan

3. To undertake an annual review of performance against objectives, targets and actions contained in the Council Plan for 2006 to 2010;

Public Consultation

4. To develop arrangements to directly engage the community in commenting on and shaping the future direction of services to make them more responsive to local needs, including the development of proposals for effective consultation through an annual community conference;
5. To annually review the consultation exercises undertaken by the council over the previous year.

Finance

6. To consider the draft budgets for each portfolio and in so doing to evaluate and rank proposals for either enhancing or reducing services. Members will need to ensure consistency between wider policy objectives and financial demands.
7. To consider financial monitoring reports on key areas of income and expenditure for each portfolio.

ICT

8. To monitor and review progress on the implementation of all major ICT systems:
Review of the Web-Casting System.

Value For Money

9. To consider the annual Value for Money Analysis, and to identify any areas where further detailed analysis may be required to be undertaken by a Task and Finish Panel during the year.

Essex Local Area Agreement

10. To monitor performance against the performance indicators contained within the second Essex Local Area Agreement, that the Council 'has regard to'; and to make recommendations for corrective action in relation to poorly performing indicators.

Equality and Diversity

11. To undertake an annual review of progress towards the implementation of the Council's Race Equality, Gender Equality, and Disability Equality Schemes, and performance in relation to other equality and diversity issues.

The Panel scrutinised a number of important issues over the last year, which included:

(i) Key Performance Indicators for 2008/09 - The Panel noted that the new National Indicators (NI) set had replaced all existing Best Value Performance Indicators (BVPIs) from April 2008. The introduction of the new NI set provided an opportunity for a thorough review to be undertaken of the Council's existing suite of statutory BVPIs and locally determined LPIs. The Cabinet had agreed the adoption of a range of former BVPIs as LPIs from 2008/09 onwards, where these continued to reflect local priorities but had not been brought forward into the new NI set.



The Panel looked at the proposed Key Performance Indicators for 2008/09. They noted that 12 of the indicators were contained within the Essex Local Area Agreement. There was now a suite of 30 indicators and the council was to stick to a performance target of 75%. All councils tend to have different aspirations on what targets they should aim for. EFDC took an overview of its rating and wanted to go up to a 75% achieving top quartile performance for the 30 Key Performance Indicators.

(ii) Capital Outturn 2007/08 And Use Of Transition Relief In 2008/09 – The Panel received a report that set out the Council's capital programme for 2007/08, in terms of expenditure and financing, and compared the actual outturn figures with the revised estimates. The report also identified the proposed use of the transitional capital receipts that remained unused as at 31 March 2008. There was some underspends experienced in 2007/08, which had been identified as savings, this was primarily on private sector housing grants.

(iii) Consultation Plan And Register 2008/09



This was compiled each year looking at how effectively Council engaged with the local community. The Consultation Plan sets out the issues on which individual services will be consulting or engaging residents or customers during the year. Two major consultations were to take place during the year. One was the 'Big Youth Debate', which was taking place in conjunction with the Youth Council consulting teenagers from 13 to 19. The questionnaires was available both online and by hardcopy delivered to the schools. The other was on the Waste Management Service ascertaining the views of resident's options for revising the collection of residual waste and recyclables.

(iv) Use Of Resources Assessment 2007/08 - Corporate Value For Money Review

Local Authorities are tasked with ensuring that they have proper arrangements in place to secure economy, efficiency and effectiveness in the use of public money, and the Audit Commission are tasked with providing assurance that this is being achieved. In order to do this, the Council's performance and financial management arrangements are examined through the Use of Resources (UOR) assessment process. This formed an important part of the annual Direction of Travel Assessment, which is undertaken by the Council's appointed external auditors and reflects the conclusions about whether the authority is improving, and the extent of any such improvement.

In addition to the findings of the Use of Resources Assessment, the Direction of Travel Assessment is based on the authority's achievement of Value For Money (VFM), its performance against statutory performance Indicators during the last year and other inspection exercises carried out over the previous twelve months.

(v) Quarterly Financial Monitoring

The Panel also considered (on a quarterly basis) the quarterly Financial Monitoring report, keeping them up to date on the key areas of income and expenditure for each portfolio.

(vi) Value For Money Performance And Cost Analysis 2007/08

The Panel noted that the Council had improved its overall Use of Resources (UOR) performance to a score of 3 in 2007, but had only attained a score of 2 (Adequate Performance) for the Value For Money (VFM) element of the assessment. As a result, the Cabinet in June 2008 had agreed that a detailed corporate VFM Review be undertaken to analyse a variety of costs and performance data, in order to reach an overall conclusion on the provision of value for money by the Council. As part of the process, as in previous years, the Cost Analysis Tool was utilised. It was not the intention for the Panel to fully consider the comparative data but to commission a review. This review was undertaken by a Sub-group of the Panel. This was the second year that a working party sub-group had done this.



The sub-committee identified the following areas as requiring detailed scrutiny of the action being taken by the Executive to improve performance and said that it would like progress reports in 2009/10 on the performance of:

- (1) green waste collection;
- (2) responsive repairs and void properties; and
- (3) housing benefit and council tax.

(vii) Council Plan 2006-2010 - Annual Performance Monitoring 2007/08

The Panel reviewed the Council Plan for 2006-2010. The 'Council Plan' reflected the Council's medium term aims and priorities and its response to the aspirations of the Community Strategy over the period from 2006 to 2010.

(viii) Essex Local Area Agreement 2006-2008 and 2008-2011

The Panel noted that Essex County Council was the responsible authority for the Local Area Agreement (LAA) and had reported to the Essex Partnership Management Board in July 2008 outlining the overall progress against the first LAA for the county, which was in place from April 2006 until March 2008. Essex County Council was also required to report on performance against the LAA to the Government Office for the East of England.

The Panel noted that the new LAA for 2008-2011, was formally agreed and adopted by Essex County Council in May 2008. As part of the LAA, Epping Forest Local Strategic Partnership (LSP) had received an allocation of £453,855 Performance Reward Grant (PRG) to be spent on suitable schemes during 2009/10 and 2010/11. A list of the various schemes proposed by the LSP and their cost were noted by the Panel.

(ix) Capital Programme 2008/09 to 2012/13

The Panel had requested to see the Council's Capital Programme in June 2008 with a commentary on the process through which the Capital Budget goes through before full Council adopts it in February of each year.

The Panel noted that the Capital Programme was a five-year document that set out the Capital Budget for the current financial year and the forecast for the following four years. The forecast for 2012/13 will go through a number of revisions before it would eventually get adopted. There was a different process to follow for the revenue budget. The programme is revised and updated annually.

(x) Fees And Charges 2009/10



The Panel considered the annual report on Fees and Charges as part of the budget setting process. The levels of fees and charges are considered for the forthcoming financial year. The Panel noted that the general premise was that fees and charges would be increased by 5% in line with the retail prices index. It was noted that the Land Charges searches income had suffered significantly due to an increase in personal searches, the introduction of Home Information packs and the effects of the credit crunch.

That with the exception of Car Parking charges which the Panel asked to be reviewed again by officers, the Panel considered and agreed the policy for increasing fees and charges for 2009/10.

(xi) Data Quality Strategy - Review

Members were advised that performance information was increasingly being used for the external assessment of the authority's performance and that the strategy set out a commitment to ensure arrangements for ensuring that the quality of key data met the highest standards.

It was noted that the Data Quality Assessment undertaken by the Council's external auditors was the first stage of an annual performance indicator audit. Although part of this assessment related to the quality of performance data, the audit also looked in detail at corporate data quality arrangements.

This was the first time that the Data Quality Strategy had been reviewed since its adoption in 2006. The review had been carried out not only to satisfy the recommendations of the Audit Commission following its data quality work in 2007/08, but also to identify opportunities for changes and improvements to the strategy in order to also address other data quality issues.

(xii) Detailed Budget Reports

The Panel received the draft detailed budgets for the General Fund and the Housing Revenue Account (HRA).

The Panel noted that the current year's estimates were prepared against the background of economic turmoil that had affected all local authorities. There had also been a poor settlement from the government for the support grant; this year was only 1%, next year 0.5% and the same for the year after.

There were still some items to come forward, so the draft budget was still very much a work in progress. The Council was looking to add about half a million pounds to the

reserve. The Council's Policy was that it returned a general fund reserve of 25% of the total budget.

The draft detailed budget for the general fund and the HRA were considered, commented upon and noted by the Panel.

(xiii) Medium Term Financial Strategy

The Panel reviewed the medium term financial strategy for the period ending 2012/13. The Panel had requested at its last meeting to see the medium term financial strategy. The strategy itself was an important document that set the financial framework for the medium term with a view to managing future budgets and identifying necessary savings early so that these could be managed in a controlled way.

The report allowed a considered view to be taken of spending and resources. Without a medium term financial strategy finances would be managed on an annual basis leading to sudden expansion and contractions in services.

The strategy was updated annually and was originally considered in September 2008 with the financial issues paper that forms the start of the budget process.

xiv) Race Equality and Gender Equality

The Panel reviewed the current position with regard to the Council's statutory equality duties and progress made over the last year.

4. SAFER CLEANER GREENER STANDING PANEL

Introduction by Chairman:



"This is the first year for this Panel. We were separated out from last years Environment and Planning Services Standing Panel to concentrate on the environmental aspects of the Council services and to keep under review the "Safer, Cleaner, Greener" initiative development programme.

I was pleased and proud to be it's first Chairman, looking into the policies on some of the most significant issues facing the local community, including playing our part in the national drive on environmental and climate control issues.

I would like to thank my Vice Chairman, Councillor Glyn Pritchard for all his help during the year, the members of the Panel for their valuable input into the proceedings and of course the lead officer for this Panel, John Gilbert."

Councillor Matt Colling
April 2009

The Environmental and Planning Services Panel consisted of the following members:

Councillor M Colling (Chairman)
Councillor G Pritchard (Vice Chairman)
Councillors R Barrett, K Channa, Miss R Cohen, R Frankel, Ms J Hedges, D Jacobs, J Philip, Mrs P Richardson and Mrs L Wagland.

The Lead officer was John Gilbert, Director of Environment and Street Scene.

Terms of Reference

1. To approve and keep under review the "Safer, Cleaner, Greener" initiative development programme.

(Note: this development programme will encompass the three main issues and will therefore include matters such as:

- (i) environmental enforcement activity*
- (ii) safer communities activities*
- (iii) waste management activities (in addition to WMPB information))*

2. To keep under review the activity and decisions of the West Essex Joint Waste Committee.

3. To receive reports from the Waste Management Partnership Board in respect of the operation of and performance of the waste management contract
4. To monitor and keep under review the Nottingham Declaration “action plan” and the Council’s progress towards the preparation and adoption of a sustainability policy and to receive progress reports on the Council’s Climate Change Strategy from the Green Working Group
5. To monitor the recommendations of the 2005/06 Task and Finish Panel on parking in residential areas in respect of wider parking enforcement issues only.
6.
 - i) To receive, review and comment upon County Council Highways strategic policies on speed and freight management; and
 - ii) To keep an overview on transport matters that were the subject of a focus day in Nazeing in March 2007, and the action plan in respect thereof and
 - iii) **To keep a watch on Highway accidents within the District and to include specifically data on accidents resulting in death or serious injuries.**
7. (Subject to Cabinet approval of the Group) to receive and review the reports of the Bobbingworth Tip Management Group

The Panel scrutinised a number of important issues over the last year, which included:

(i) Traffic Management Act 2004 - The report on the Traffic Management Act 2004 (TMA). Sections 85 and 86 came into force on 31 March 2008 and prohibited parking at dropped footways and double parking. It was noted that London had different rules so that there was no requirement for roadside signage or road markings indicating to drivers that these prohibitions are in place. The Government were consulting on whether it should amend the TMA to enable authorities outside of London to also enforce these new restrictions without the need to erect signage.

On consideration of the report the Panel agreed that there was no requirement for restrictions on parking for dropped footways and double-parking outside London to be indicated with traffic signs and /or road markings.

(ii) Policing Green Paper - The Panel considered a report on the Home Office Green Paper “From the Neighbourhood to the National: Policing our communities together”. The Green Paper focused on seven key areas:

- The local dimension;
- Reduction of bureaucracy and red tape;
- Development of Policing skills in the police workforce;
- Deployment of Policing resources;
- Government support for these proposed changes;
- Cross force co-operation; and
- Performance management.



The Panel noted that the changing relationship between the Police and local authorities were of the greatest concern. The Local Government Association had expressed fears about these changes whilst at the same time welcoming much of the content of the Green Paper.

The report focused on the key areas of answerability, responsiveness and accountability.

Answerability was about the working together, co-ordinated local teams, neighbourhood leads and managers, safer community partnership and visible sentencing.

Responsiveness was to be achieved through a 'Policing Pledge' which would ensure that the local Police service achieve certain pledged targets. Some of these targets would be locally determined, but every pledge would have standard elements relating to information on local officers, contact numbers, monthly meetings etc.



Lastly there was Accountability. On this the Government was proposing radical changes to the existing democratic structures to make them more democratic and more effective in responding to local concerns. Local Authorities had indicated their displeasure on what the Green Paper was suggesting about this, like altering the make up of Police Authorities. The proposed Crime and Policing Representatives (CPR) need not necessarily be an existing elected Member but could be anyone in the locality who was interested and could convince the local community to elect them into that position. If however the local authority had an elected Mayor,

they would become, by right, the Chairman of the Crime and Disorder Reduction Partnership (CDRP). The Panel had its reservations about this. Was this the government's way of forcing a local authority down a certain structural route? Would the police authorities be more democratically answerable?

The Panel concluded that:

- they were concerned with core activities of the various officers and their ability to cover for each other;
- that local Police Officers should be encouraged to stay in post and build up a local expertise;
- they were generally satisfied with the responsiveness aspects of the report, except where it failed to define what a neighbourhood was;
- under accountability, the Panel were as concerned as the LGA in respect of proposed changes to the democratic representation on Police Authorities and Crime and Disorder Reduction Panels;
- they were not convinced that the proposals solved the problems that the Green Paper identified, and did not bridge the gap between national and local accountability;
- Neighbourhood Advisory Panels needed to have teeth (and a budget) to deliver even a semblance of accountability;
- there were concerns about budgets being allocated;
- there were concerns about local accountability;

- there were concerns about the individuals on the Panels to stand up to a big organisation like the Police; and
- they were however, glad to see the Police would be getting new IT systems.

(iii) Minutes Of The Waste Management Partnership Board - The Panel received the minutes of the Waste Management Partnership Board meetings on a regular basis for their information.

(iv) Revisions to the Waste Management Service - The Council had undertaken a consultation exercise to assist in the determination of a revised waste service due to commence in the autumn of 2009. The background to this exercise was the need for the Council to:



- (a) continue to improve its waste service overall;
- (b) further increase its recycling performance and reduce waste volumes overall;
- (c) consider alternatives to the current use of biodegradable sacks for the garden waste service;
- (d) comply with the recently adopted Essex Joint Municipal Waste Management Strategy; and
- (d) deal with the issues and recommendations arising from the Audit Commission inspection of the waste management service

It was noted that:

- there was a generally high level of satisfaction with the current arrangements;
- respondents were broadly in favour of having their kitchen waste collected on a weekly basis;
- people were also broadly in favour of having a second wheeled bin;

(v) Draft Safer Cleaner Greener Strategy – The Government is committed to action to make public spaces safer, cleaner and greener to enhance the quality of life in our neighbourhoods, towns and cities. The District Council has responded by developing an overall strategy for the council and to inform the public.



The Panel considered, commented upon and agreed the draft Safer, Cleaner, Greener Strategy for the Council.

(vi) Essex County Council - Forest Transport Consultation Document - The Panel received a presentation from David Sprunt, the Principal Transportation Co-ordinator at Essex County Council. He emphasised that they just wanted comments, as no commitments had been made on any specific measures, although some early work had been carried out on cattle grids before the introduction of cattle to the forest.

They had reviewed safer crossing points in the Forest, some of the smaller roads would be closed off and effectively turned into bridal ways. There was also the possibility of 'quiet lanes' to be put in as a network (not individually). This is where local people agree to use a road in a caring, sharing manor (keeping to the speed limit etc.) and protecting the character of that road.



They discussed Public Transport – providing buses to take people into the Forest; this would need some sort of financial support to keep them running.

This consultation was the first step in the process; there would be public consultation on the proposals and then an agreement in principle. There would then be further consultation on the individual measures proposed. There was money at present for highway improvements over the next three years. Any measures taken would have specific consultations undertaken.

The Panel made several comments on the consultation document but agreed the tone of it in principle, endeavouring as it was to protect the Forest and its environs; improve access to all who wished to enjoy the Forest; and control as far as practical, vehicles numbers and vehicle speeds. There was a strong desire to avoid wherever possible the use of 'hard landscaping' within the Forest, and to rely on 'softer engineering' such as the use of lines and low key signage.

(vii) Inter Authority Agreements - Waste Service Development Plan - The

Panel received a report on the Inter Authority Agreement which needed to secure funding from the County Council in support of new services such as the collection of kitchen waste. The Service Development Plan (SDP) was required at two levels, the base position and the aspirational position looking forward, and is intended to set out, for the next 25 to 30 years, what the Waste Collection Authorities (WCA) intend to collect, how they intend to collect it and where they intend to take it for treatment and/or disposal.



Officers had produced a draft SDP for consideration informally by the County. This SDP was considered at a meeting with the County on the 18th of November 2008 and it appeared that the County was prepared to make a significant contribution to the delivery of the service changes, which are required. As a key first step, the County wanted formal endorsement from members on the service delivery plan.

(viii) Climate Change Strategy - The Panel considered and agreed the Climate Change Strategy for the Council. The Council had signed the Nottingham Declaration on Climate Change in December 2007, which committed it to produce a climate change strategy. A Green Corporate Working Party Group (GCWP) was set up to work on environmental issues that were of concern to the Council and the District. The production of the Climate Change Strategy was the group's first task.

The main aim of the strategy was to reduce the green house gas emissions (principally CO₂) from the Council's own operations and from the District as a whole, and to prepare and adapt to predicted climate change impacts.

The Strategy was a combination of actions the Council was already taking and would take in the future to demonstrate best practice and leadership. There would also be actions that were intended to (a) encourage others to join in the fight against climate change; and (b) raise local awareness about the implications of climate change and actions that can be taken to live more sustainably.



5. PLANNING SERVICES STANDING PANEL

Introduction by Chairman:

"This was our first year as a stand alone Panel. As we scrutinised the Planning issues for the Council, we shaped policy on some of the most significant issues facing the local community.

I would like to thank my Vice Chairman, Councillor K Chana for all his help during the year and of course the Lead Officer for this Panel, John Preston. I would also like to thank all the representatives from outside agencies, local interest groups, the Local Councils and members of the public who attended our meetings and contributed to the discussions "



***Councillor Mrs Lesley Wagland
April 2009***

The Planning Services Panel consisted of the following members:

Councillor Mrs L Wagland (Chairman)
Councillor K Chana (Vice Chairman)
Councillors A Boyce, M Colling, Mrs A Cooper, R Frankel, J Hart, Mrs C Pond, W Pryor, P Spencer and H Ulkun.

The Lead officer was John Preston, Director of Planning and Economic Development.

Terms of Reference

1. To consider matters which arise through the process that the Government is driving to bring in an East Of England Plan as issued in May 2008; these may range from how to respond to the initiatives or views of those who support or oppose us, and how we may support or oppose the views taken by others, and how to work in partnership with others to secure delivery of the plan with adequate infrastructure. In particular, this is to allow the Portfolio Holder for Planning and Economic Development to remain tuned in to local views.
2. In association with 1, to keep an overview of work associated with securing a sound New Local Development Framework; in particular how the core strategy will cater for the adequate delivery of infrastructure of all types, the limited rolling back of the Metropolitan Green Belt to allow the regeneration and expansion of Harlow, the increased provision of affordable housing, and the maintenance of the existing settlement pattern elsewhere in the District.

3. To consider what changes are practical and desirable to Council policies concerning the Metropolitan Green Belt; including those concerning the extension of existing dwellings, and the reuse of redundant and other buildings; in particular, whether further restrictions necessary (changes in policy required) to ensure that such developments are truly sustainable.
4. To consider in detail the provision of Value for Money within the following Planning Services focusing specifically on:
 - Development Control (including Appeals)
 - Forward Planning
 - Building Control
 - Enforcement
 - Administration and Customer Support
 - Economic Development
 - Environment Team
5. To gather evidence and information in relation to these functions through the receipt of:
 - performance monitoring documents,
 - Best Value Review of Planning Services (updated version)
 - benchmarking exercises,
 - consultation with Planning Committee Members, customers and IT Suppliers.
6. To identify problems, possible solutions, barriers to success;
7. To review the measures introduced since 2004 to improve performance within Development Control namely the success of:
 - the 'Hit Squad',
 - the Service restructure(s),
 - the new IT system
 - the application of the Planning Delivery Grant.
8. To review a selection of controversial planning decisions to see if lessons can be learnt from their consideration.
9. To consider whether the reporting arrangements for all of the above matters and those for the Section 106s (including how they are negotiated agreed and implemented strategically to secure community benefit), and appeals are sufficient (including how new legislation impacts on these) and to recommend accordingly.
10. To evaluate all relevant facts in relation to the topics under review in an objective way and to produce recommendations for future action accordingly;
11. To establish whether there are any resource implications arising out of the topics under review and advise Cabinet for inclusion in the Budget Process 2008/09;
12. To report to the Overview and Scrutiny Committee at appropriate intervals and to submit an interim report on Development Control in the June 2008 cycle, and a final report on all matters by March 2009.

13. To report to the Overview and Scrutiny Committee, the Council and the Cabinet with recommendations on matters allocated to the Panel as appropriate.

The Panel scrutinised a number of important issues over the last year, which included:

(i) Consultation With Residents Associations And Amenity Groups - The intention was for invited amenity bodies, local councils and pressure groups to speak on their experiences of Planning Services. The Panel welcomed representatives from local conservation groups; Parish and Town Councillors; Epping Forest Wildlife Trust; Friends of Epping Forest and the Epping Society.

It was felt that there was a lack of understanding of the role of the District Council. The outside bodies had valuable experience of the Council's services and had ideas as to where improvements were needed. Councils needed to hear both sides of the arguments involved and also needed to keep an open mind. The invited guests gave the Panel their frank views on the good and bad points of the Council's Planning services.

(ii) Report - Value For Money In Planning - The Panel finished the report started the previous year, by a Task and Finish Panel, on value for money in Planning Services. The Task & Finish Panel had originally been set up to consider in detail the provision of Value for Money within the Development Control (Planning Services) function, focusing specifically on:

- (a) The success of the 'hit squad' established to focus on a backlog of planning applications;
- (b) How and to what extent performance in relation to the determination of planning applications has improved as a result of the 'hit squad' and other additional resources such as the new integrated computer system, the restructure of Planning Services and the application of Planning Delivery Grant; and
- (c) How unit cost and other benchmarking information in relation to the Development Control function can be obtained to increase the effectiveness of the Value for Money Analysis for 2006/07 and future years.

This final report was presented to the main Overview and Scrutiny Committee for their consideration and agreement.

(iii) Staffing Situation Within Planning Services - Concern was expressed regarding the allocation of work to staff in planning. It was unclear under the Value for Money report as to current workloads. It was suggested that there should be a standing item on each future agenda on the Panel, indicating the current staffing situation and workload allocation. The Director of Planning Services was requested by the Panel to outline, at every meeting, the current staffing situation in Planning Services.

(iv) Local Development Framework – Update - The Panel received a report regarding an update of the Local Development Framework (LDF). Further progress on a replacement Local Development Scheme had been delayed subject to further discussions with GO East in determining the options available to deliver the policy

requirements of the East of England Plan (EEP), this had also delayed progress on the Core Strategy. Technical work creating a robust evidence base had continued. This was being undertaken jointly with other relevant authorities where necessary.

Discussions between the District Council, Harlow District Council, East Herts District Council and GO East were on-going. Matters had been slightly delayed by the additional uncertainty caused by Hertfordshire County Council's application for a judicial review of the East of England Plan.

Members had previously expressed concern at the length of time it would take to prepare and adopt a Core Strategy, and felt that the feasibility of adopting the document over a two-year period, rather than three years, was worth exploring. Changes to the regulations governing the preparation of LDF documents now meant that only two formal rounds of public engagement were required.

Given the current uncertainties, the Panel thought it was too early to consider whether further staffing resources were needed in the Forward Planning Team. They noted that the Government changes had led to a reduction in more simpler planning applications, however this was not expected to have a huge effect on workload because members of the public were reporting development work to the Enforcement Team, and some building changes were now found to be illegal.

(v) Planning Directorate Improvement Plan - The Panel received a report on the Improvement Plan for the Directorate of Planning and Economic Development. The Overview and Scrutiny Committee had agreed that the Directorate would produce an Improvement Plan for the following eighteen months. The Panel's investigations had shown there had already been significant change within Planning over the last few years. However, there was scope for further change and improvement. The plan was identifying 13 areas of potential improvement, based on feedback on current performance and proposed action addressing this alongside the resources needed and a timescale.

(vi) Review of the Planning Protocol - The Epping Forest District Council Standards Committee undertook one of its regular reviews of the Council's Planning Protocol. The Committee consulted members of the Council, Planning Officers, legal staff, planning agents and local councils to ascertain whether they had any new issues or any existing provisions, that needed revision, which should be in the Protocol. Before they formally undertook this they invited the Panel to comment on the protocol.

(vii) Planning Portal – The Panel received a presentation on the Planning Portal.



The Panel recommended that Pinpoint technology was made available and planning sub committee meetings with links to the planning system put on agenda documents, and that all elected members be trained in its use.

(viii) Review of Changes to the Committee Cycle – The Panel reviewed the effects of the change from the 4 week planning committee cycle to the 3 week cycle. The changes made, from May 2008, had increased the proportion of cases considered by committee, within an eight week deadline, to 55. Under the old four week cycle, this would have been 19. The increase had been higher than anticipated.



(ix) Scrutiny Request - The Panel reviewed a request for scrutiny from the Overview and Scrutiny Committee. The request was regarding a series of questions about the planning application/appeals process. The Panel recommended that the responses to the questions could be developed into a FAQ style advice for members.

TASK AND FINISH PANELS

1. LEISURE TASK AND FINISH PANEL

This panel was set up to consider the four topics for Review as identified by Overview and Scrutiny Committee i.e.

- (1) *Waltham Abbey Sports Centre/Swimming Pool:*
 - *to assess the feasibility of providing a new sports hall at the Waltham Abbey Swimming Pool*
 - *to conclude the assessment commenced in 2007/08 of evaluating the current and potential future management arrangements at Waltham Abbey Sports Centre*
- (2) *The on-going monitoring of the Youth Initiatives Scheme*
- (3) *To evaluate, with the Epping Forest College, options for the provision of sports facilities as part of the development proposals for the College*

Under the Chairmanship of Councillor Mrs Gadsby, they gathered evidence and information in relation to the three topics through the receipt of data, presentations and by participation in fact finding visits.

They consulted with Partners, Agencies, and Stakeholders. They established key issues and future needs and evaluated all relevant facts in relation to the topics under review in an objective way and to produce recommendations for future action. They sought to establish whether there were any resource implications arising out of the topics under review and advise Cabinet for inclusion in the Budget Process.

The Leisure Task & Finish Panel consisted of the following members:

Councillor Mrs R Gadsby (Chairman)
Councillor D Wixley (Vice Chairman)
Councillors A Boyce, Ms R Cohen, D Dodeja, Ms J Hedges, S Murray, G Pritchard, B Rolfe, H Ulkun and J M Whitehouse.

The Lead Officer was John Gilbert, Director of Environment and Street Scene.



Councillor Mrs Gadsby,

The Panel was a continuation from last year's leisure Task and Finish Panel. Two of their four topics for consideration this year were carried over from last year. These were the Future Management option for Waltham Abbey Sports Centre and the evaluation of the Youth Initiative Scheme. There was one new topic added to their programme, which was to evaluate, options for the provision of sports facilities as part of the development proposals for Epping Forest College.

The Panel also went out and about and held one of its meetings at the Waltham Abbey Sports Centre to get a feeling for the space, layout and problems associated with this venue.

1. Monitoring of the Youth Initiatives Scheme

(1) The Panel considered the Youth Initiatives Scheme. The Assistant Director - Community Services and Customer Relations, informed the Panel on the latest developments. The Council had been awarded funding for the play strategy in December 2007. They were currently focusing on Limes Farm. New equipment would be installed in areas around the District. The first part of the installation in Limes Farm was installed in August 2008, when they also improved the CCTV coverage.



(2) The equipment was of a new kind and would be the first of its kind in the country. The second phase of the Limes Farm installation was to be installed as soon as possible. In time they hope to go ahead with the project in Nazeing and in early 2009 they hope to get started on the Lambourne project.

(3) The new equipment would probably consist of RSJs, stepping stones, different surfaces, balancing beams and scaffolding poles. They are being designed in partnership with ROSPA and a play design company, and they would install safety surfacing.

(4) Consultation with young people on Limes Farm identified a clear desire for a challenging 'Parkour' (free running) facility. A play company was commissioned to produce a bespoke piece of equipment for the site, but following extensive consideration by Officers including Health & Safety & Insurance, a report from the Health & Safety Executive and Legal Advice, a decision was taken not to proceed with the installation of a parkour facility.

OUTCOME:

Officers are now re-consulting with young people as to a suitable alternative facility.

2. Waltham Abbey Sports Centre/Swimming Pool

(1) The Panel were taken on a tour of the Sports Centre by the Centre's General Manager, Bill Ovens. He offered an insight into the facilities available and answered questions from the members.

The Panel noted that:

- It was a dual use sports centre used in conjunction with King Harold School;
- It was open for public use from 6pm to 11pm weekdays, from 9am to 1pm on Saturdays and from 4pm to 9.30pm on Sundays;
- It was also open on school holidays from 9am to 11pm;

- There were five income generating areas: the bar made about £25k per annum; the main sports hall generated about £43k per annum; the two squash courts about £7k per annum; the dance studio about £9.5k per annum and the gym about £4.5k per annum;
- The centre received about £25k per annum from King Harold School for management, upkeep and maintenance;
- The building is designed to “school standards” and this is not the same as modern public leisure facilities;
- If the Council wanted to update the building facilities it would have to pay for it itself, since there would be no financial support available from the school;
- The standards of the changing rooms were well below what was expected from a public leisure facility.
- The centre generated around £143,000 of income, including the £25,000 from the school. The centre was therefore heavily subsidised, as indeed were all the Council sports centres.

(2) However, the Panel noted that the Cabinet had considered the possible relocation of the Sports Hall and Changing Rooms at Waltham Abbey Sports Centre (WASC) to Waltham Abbey Swimming Pool (WASP). There was financial provision to build a new sports hall on to the Swimming Pool, providing some of the facilities that are now currently provided at the Sports Centre.

(3) The Panel was requested to consider whether, in the light of a preliminary assessment, a formal design should be prepared and a planning application made. The Panel considered the report on the relocation of the sports hall facilities from the Waltham Abbey Sports Centre to the Waltham Abbey Swimming Pool. They noted that the current facility was popular with local people and families; the report puts forward ideas for similar use but in a modern setting.

(4) The Waltham Abbey Swimming Pool (WASP) has a 25-metre swimming pool, five lanes wide, with a small teaching pool. There is also a new dance studio and a modern gym / fitness studio and there is a reasonable size car park. The proposed new area will need new changing room facilities so that there will be separate changing facilities for pool users and for the other sports. There were no significant highway problems highlighted, although Essex County Council was still considering this. There would be a small increase in the parking spaces available.

OUTCOME:

The Panel recommend to Overview and Scrutiny Committee that the new build is a feasible option and that funding from DDF be sought to enable architect’s drawings and a costed project to be created and a planning application be submitted.

3. Epping Forest College, options for the provision of sports facilities as part of the development proposals for the College.

Due to time constraints and internal problems with Epping Forest College the Leisure Task and Finish Panel did not consider this item.

TASK AND FINISH PANELS

2. CUSTOMER TRANSFORMATION TASK AND FINISH PANEL

This panel was set up to consider the four topics for Review as identified by Overview and Scrutiny Committee i.e.

- To undertake a review of the Customer Services Programme previously explored by the Council, and to identify and prioritise these initiatives, which could have the greatest impact on improving access to services and response to enquiries.*
- To review existing quality standards with respect to Customer Services and recommend change as necessary to ensure that they meet the current expectations of the Council's customers.*
- To ensure that the Council is complying with its duty under Equalities Legislation to provide access to all sections of the Community to Council Services.*
- To assess the most appropriate and cost effective method of enabling the Council to meet the requirements of the New Statutory National Indicator N14, with respect to "avoidable contact".*

To identify areas for improvement in how the Council communicates its "key messages" to our community, ensuring that public information is clearly understood

Under the Chairmanship of Councillor B Rolfe, they gathered evidence and information in relation to the four topics through the receipt of data, presentations and by participation in fact finding visits.

They consulted with Partners, Agencies, Stakeholders and Users of the services under review. They established key issues and future needs and evaluated all relevant facts in relation to the topics under review in an objective way and to produce recommendations for future action. They sought to establish whether there are any resource implications arising out of the topics under review and advise Cabinet for inclusion in the Budget Process.

The Customer Transformation Task & Finish Panel consisted of the following members:



Councillor B Rolfe

Councillor B Rolfe (Chairman)
Councillor J M Whitehouse (Vice Chairman)
Councillors D Bateman, A Boyce, Mrs R Brookes, J Demetriou,
Ms J Hedges, Mrs J Lea, R Morgan and J Philip

The Lead Officer was Derek Macnab, Deputy Chief Executive.

Introduction

The Panel met on four occasions throughout the Review Period and undertook a visit to “Contact Harlow”.

The improvement of Customer Services has been a long held aspiration, with references dating back to the Council’s Implementing Electronic Government Statements, from 2002 onwards. However, as part of the Council’s last Comprehensive Performance Assessment, the Audit Commission were critical of the authority’s lack of progress in this area. In response the Council commissioned external expertise in 2005, who reviewed customer service performance and identified a number of areas for improvement.

In September 2005, the Council endorsed the findings of the consultants and agreed to commission a further external agency to develop a plan for the implementation of a Customer Services Transformation Programme (CTP) to address the issues identified above.

The Programme Plan itself was developed and approved by the Council in July 2006. In the event, the Capital Bid was agreed and provision still exists within the Council’s current Capital Programme, but due to uncertainty at the time around the costs of Waste Management, no provision was made in the 2007/08 Budget or in subsequent years for additional revenue. As such the programme has been held in abeyance.

Presentations Received/ Consultation undertaken

From the outset the Panel acknowledged that it was appropriate to approach the review from the perspective of the “customer”. As such they received a number of presentations, including a “live demonstration” of the capabilities of the Council’s current website.

The Panel also participated in a tour of the Council’s five reception areas. At each reception area, staff representatives of the appropriate Directorate gave them an insight into the customer service considerations.



They reviewed performance data in relation to the Council’s telephone system and had the opportunity to view the Telephone Switchboard facilities at the Civic Offices. The review of telephone issues also included a demonstration of the contact system utilised by the Environment and Street Scene Directorate to handle enquiries in relation to Refuse Collection, Highways maintenance etc.



The Panel undertook a very informative visit to Harlow District Council’s Civic Offices, hosted by their “Contact Harlow” team. This not only included a presentation on the rationale and improved outcomes for customers delivered by Contact Harlow, but also they saw how their reception and Customer Contact Centre staff (including the Customer Relationship Management System) handle enquiries. The visit took place during their opening hours.

They also welcomed the opportunity to meet with Harlow's Chair of Scrutiny and Deputy Leader of Council, to hear about "Contact Harlow" from an Elected Member's perspective.

OUTCOME:

1. The Council Website

The Panel Recommended:

- i) That given the increasing importance of the Website with respect to communication, information and electronic interactions, consideration is given to increasing the level of dedicated resource to the maintenance and development of the Council's Website.
- ii) That a CSB Growth bid is submitted to fund an additional two, Range 5 (subject to job evaluation) Website Support Officers as part of the Budget Process 2009/10, at an estimated cost of £48,860.

2. Provision of Reception Services at the Civic Offices

The Panel Recommended:

- i) That a re-organisation should take place at the Civic Offices to enable customers to access the majority of Council Services at a single reception/customer services area of the ground floor.
- ii) That further detailed feasibility work is undertaken to establish the costs of the new single customer services/reception area to include innovative use of information technology, for which provision should be made from the existing allocation of funds within the capital programme.

3. Telephone Enquiries

The Panel Recommended:

- iii) That the Council develops and deploys a Customer Relationship Management System to provide accurate and timely information to enquires.
- iv) That any such Customer Relationship Management System is capable of providing accurate management and monitoring information, not only to meet the requirements of NI14, but also to drive customer satisfaction levels higher.

4. Public Information – The Forester

The Panel Recommended:

- i) That the results of the Forester consultation are considered by Overview and Scrutiny Committee prior to any fundamental design changes or content.

5. National Performance Indicator 14 – Avoidable Contact

The Panel Recommended:

- i) That in line with our recommendations in respect to Telephone enquiries, that a Customer Relationship Management System is developed capable of efficiently collecting data to improve services and meet the requirements of NI14 – Available Contact.

6. One Stop Shops/Contact Centres

The Panel Recommended:

- i) That the Council pursue the establishment of a Corporate Customer Services, front office model such as “Contact Harlow” where the maximum number of enquiries and transactions completed at the first point of contact.
- ii) That the Corporate Customer services facility is achieved by the utilisation of existing staffing resources being brought together to become “generalists” as per the ‘Contact Harlow’ model.

For more information see the full report produced by the Task and Finish Panel.

Report to the Council

Committee: Overview and Scrutiny

Date: 28 April 2009

Chairman: Councillor R Morgan

Item: 13

1. OFFICER DELEGATION - ANNUAL REVIEW 2008/09

RECOMMENDING:

(1) That the proposed changes to officer delegation recommended in the Appendix to this report be approved;

(2) That the Assistant to the Chief Executive incorporate within the final versions of officer delegation minor drafting changes including typographical errors, changes in officer delegations as a result of Senior Management Review and any changes in legislation which have occurred since the last review took place; and

(3) To note that changes to officer delegations in respect of Cabinet functions will be submitted to the Leader of the Council for approval, incorporated in the Constitution and reported at the Annual Council meeting.

1. Introduction

1.1 Each year the Council reviews its scheme of officer delegation and this task has once again been undertaken by a working party of officers.

1.2 Changes to delegation were proposed in respect of Cabinet functions whilst the attached Appendix shows changes to functions which remain the responsibility of the Council. The latter includes regulatory and non-executive functions.

1.3 One change which will take effect from 2009/10 is in relation to the approval of delegation of Cabinet functions. Previously these changes were referred to the Council for approval but it will now be the Leader of the Council who determines whether the scheme of officer delegation is to continue or whether changes should be made. Those recommendations will therefore be submitted to the Leader of Council and will be reported at the Annual Council meeting and set out in the Constitution.

1.4 The Appendix shows amendments to officer delegations in respect of Council functions. There are a number of typographical corrections, changes in officer designations and responsibilities, changes in legislation or minor drafting changes which also need to be dealt with. Authority is requested for the Assistant to the Chief Executive to make these minor alterations before publishing the final versions.

1.5 We recommend as set out at the commencement of this report.

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**WORKING GROUP ON CONTRACT STANDING ORDERS, FINANCIAL REGULATIONS
AND OFFICER DELEGATION**

SCHEDULE OF DELEGATION REVIEWS – COUNCIL

1. Development Control (Delegation Reference P4 (g) and (h).)

(a) Local Councils and Members' Requests for Reference of Planning Applications to Area Plans Sub Committees

1. This delegation relates to planning applications which would normally be dealt with under delegated authority but which under certain circumstances can be referred to an Area Plans Sub Committee.

2. Items (g) and (h) of P4 was amended last year to require that member requests for applications to be referred to Area Plans Sub Committees should be subject to a deadline of 4 weeks from the date of receipt of the relevant Council Bulletin list. This was to avoid such requests being received shortly before Sub Committee meetings resulting in the item having to be deferred to a later meeting with an adverse effect on the Council's performance against the eight week BVPI target.

3. A similar change was made in respect of representations by local councils whereby such comments would only result in reference to a Sub Committee if the views expressed related to material planning considerations.

Planning Comments:

4. The net effect of these changes, together with the change to the 3 weeks Area Plans Sub cycle has resulted in 36 more cases being determined within the 8 week period.

Recommendation:

To confirm the changes to P4(g) (subject to item (b) below) and (h).

(b) Objections by Parish and Town Councils (Delegation Reference P4)

5. Item P4(g) requires that any proposed decision under the Director of Planning and Economic Development's delegated authority to grant consent contrary to an objection from a local council on grounds which are material to the planning merits of the proposal, must be referred to Area Plans Sub Committee for determination. This change was made last year for a trial period of one year.

Councillor J Knapman wishes the Panel to consider the following proposal:

6. "Delegated powers should not be used if the Director of Planning and Economic Development intends to refuse a planning application where a local council

has indicated a measure of support in its response and that such cases should stand referred to the relevant Area Plans Sub Committee.

Reason:

7. "Most Parish Councils state "no objection" which appears to be viewed by Planning Officers as a neutral stance on applications, thereby giving authority to make a delegated decision either to grant or refuse consent. Sometimes, the comments of local councils which accompany "no objection" can indicate support for an application. The officer delegation should therefore provide for such comments to be taken into account in deciding whether reference to a Sub Committee should take place."

Comments from Planning Directorate

(1) This proposal would lead to uncertainty since it is unclear what should be taken as an indication of support. Because of the lack of clarity the amendment will be likely to lead to disagreements on whether a local council has actually expressed support. Councillor Knapman's proposal could therefore cause uncertainty and conflict between officers, members and local councils. That uncertainty could also threaten the validity of decisions taken under delegated powers and therefore leave them open to legal challenge.

(2) It should be recalled that if local councils are supportive of an application it is open to them under existing arrangements to express their support. They can start their comments with the word "Support".

(3) The proposal will also result in more applications going to Committee for decision. This could result in a decision on an application being made outside the statutory period. The District Councils' objective of achieving upper quartile performance for planning performance could therefore be undermined.

8. As an alternative, it is suggested that further advice could be given to local councils to avoid any ambiguity in their responses. It is also suggested that when the Council is, moving to an era of electronic responses, it might be useful to include "tick" boxes with supporting comments which make the views of the local council clear.

Recommendation:

To consider the following options:

Option 1 - to amend P4(g) to read as follows:

"Applications recommended for refusal contrary to an objection from a local council which are material to the planning merits of the proposal or applications recommended for refusal where the local councils have made representations which indicate support for the granting of consent, even if no objection is raised to the proposed decision."; or

Option 2 - to give further advice to local councils on the current format for submission of applications.

(NB underlined text shows additions to the present wording of P4(g) if Councillor Knapman's proposal is agreed)

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