



## ***Overview and Scrutiny Committee Tuesday, 16th July, 2019***

You are invited to attend the next meeting of **Overview and Scrutiny Committee**, which will be held at:

**Council Chamber, Civic Offices, High Street, Epping  
on Tuesday, 16th July, 2019  
at 7.30 pm .**

**Georgina Blakemore  
Chief Executive**

**Democratic Services  
Officer:**

Gary Woodhall      Tel: (01992) 564470  
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### **Members:**

Councillors M Sartin (Chairman), R Jennings (Vice-Chairman), R Baldwin, P Bolton, L Burrows, D Dorrell, S Heather, Y Knight, G Mohindra, S Murray, S Neville, S Rackham, P Stalker, D Sunger, J H Whitehouse and D Wixley

**PLEASE NOTE THAT THIS MEETING IS OPEN TO ALL MEMBERS TO ATTEND  
SUBSTITUTE NOMINATION DEADLINE 18:30**

### **WEBCASTING NOTICE**

**Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.**

**You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy and copies made available to those who request it..**

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

**If you have any queries regarding this, please contact the Public Relations Manager on 01992 564039.**

**1. WEBCASTING INTRODUCTION**

This meeting is to be webcast. Members are reminded of the need to activate their microphones before speaking. The Chairman will read the following announcement:

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

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

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

**2. APOLOGIES FOR ABSENCE**

**3. SUBSTITUTE MEMBERS**

To report the appointment of any substitute members for the meeting.

**4. MINUTES**

To confirm the minutes of the meeting of the Committee held on 4 June 2019 (previously circulated).

**5. DECLARATIONS OF INTEREST**

To declare interests in any item of the agenda.

In considering whether to declare a pecuniary or a non-pecuniary interest under the Council’s Code of Conduct, members are asked pay particular attention to paragraph 11 of the Code in addition to the more familiar requirements.

This requires the declaration of a non-pecuniary interest in any matter before overview and scrutiny which relates to a decision of or action by another committee, sub-committee of the Council, a joint committee or joint sub-committee in which the Council is involved and of which the Councillor is also a member.

Paragraph 11 of the Code of Conduct does not refer to Cabinet decisions or attendance at an overview and scrutiny meeting purely for the purpose of answering questions or providing information on such a matter.

**6. PUBLIC QUESTIONS & REQUESTS TO ADDRESS THE OVERVIEW AND SCRUTINY COMMITTEE**

To receive questions submitted by members of the public and any requests to address the Committee.

**(a) Public Questions**

Members of the public may ask questions of the Chairman of Overview and Scrutiny Committee at ordinary meetings of the Committee, in accordance with the procedure set out in the Council's Constitution.

**(b) Requests to address the Overview and Scrutiny Committee**

Any member of the public or a representative of another organisation may address the Overview and Scrutiny Committee on any agenda item (except those dealt with in private session as exempt or confidential business), due to be considered at the meeting.

**7. EXECUTIVE DECISIONS - CALL-IN**

To consider any matter referred to the Committee for decision in relation to a call-in.

**8. CABINET BUSINESS (Pages 7 - 22)**

**Recommendation:**

**That the Committee review the Executive's current programme of Key Decisions to enable the identification of appropriate matters for the overview and scrutiny work programme and the overview of specific decisions proposed to be taken over the period of the plan.**

Article 6 (Overview and Scrutiny) of the Constitution requires that the Committee review the Executive's programme of Key Decisions (the Cabinet Forward Plan) at each meeting, to enable the identification of appropriate matters for the overview and scrutiny work programme and to provide an opportunity for the overview of specific decisions proposed to be taken over the period of the plan.

The Constitution (Article 14 (Decision Making)) defines a Key Decision as an executive decision which:

- (a) involves expenditure or savings of £250,000 or above which are currently within budget and policy;
- (b) involves expenditure or savings of £100,000 or above which are NOT currently within budget and policy;
- (c) is likely to be significant in terms of its effect on communities living or working in an area comprising two or more wards;
- (d) raises new issues of policy;
- (e) increases financial commitments (i.e. revenue and/or capital) in future years over and above existing budgetary approval;
- (f) comprises and includes the publication of draft or final schemes which may require, either directly or in relation to objections to, the approval of a Government Minister; or
- (g) involves the promotion of local legislation.

Wherever possible, Portfolio Holders will attend the Committee to present forthcoming key decisions, to answer questions on the forward plan and to indicate where appropriate work could be carried out by overview and scrutiny on behalf of the

Cabinet.

The Executive's current programme of Key Decisions is attached as an appendix to this report.

**9. STATUTORY GUIDANCE ON OVERVIEW & SCRUTINY IN LOCAL & COMBINED AUTHORITIES (Pages 23 - 60)**

(Democratic Services Manager) To consider the attached report, following the statutory guidance recently issued by the Ministry of Housing, Communities & Local Government.

**10. OVERVIEW & SCRUTINY SELECT COMMITTEES - MEMBERSHIP 2019/20 (Pages 61 - 62)**

**Recommendations/Decisions Required:**

**That the Committee note:**

- (a) the appointment of Councillor H. Brady to membership of the Stronger Council Select Committee for the 2019/20 municipal year; and**
- (b) the corrected appointment of members of the Loughton Residents Association Group to membership of the Stronger Council Select Committee and Stronger Place Select Committee for 2019/20.**

(Democratic Services Manager) At its previous meeting, the Committee made appointment to membership of the select committees for the current municipal year.

At the time of these appointments, one nomination of the Conservative Group for membership of the Stronger Council Select Committee remained outstanding. The Leader of the Conservative Group has subsequently advised that Councillor H. Brady should be appointed to membership of the select committee.

Subsequent to the appointment process, it was reported by the Leader of the Loughton Residents Association Group that an error had been made with regard to the reporting of some of its nominations to the select committees, in that the nominations for the Stronger Council Select Committee and Stronger Place Select Committee were transposed in the schedule presented to the Committee.

Although the appointments were therefore incorrectly agreed, it was the view of the Chairman of the Committee that the error did not affect the decision of the Committee and that, subject to a report being made to this meeting to clarify the correct appointments, it was appropriate for the first cycle of meetings of the select committees to proceed in accordance with the nomination submissions of the Loughton Residents Association Group.

Details of the corrected appointment of members to the select committee for 2019/20 are attached.

**11. WASTE MANAGEMENT TASK & FINISH PANEL (Pages 63 - 68)**

(Democratic Services Manager) To consider the attached report.

**12. CORPORATE PLAN ACTION PLAN YEAR 2 PERFORMANCE REPORT (Pages 69 - 80)**

(Service Director – Communities & Partnerships) To consider the attached report.

**13. OVERVIEW & SCRUTINY ANNUAL REPORT 2018/19 (Pages 81 - 112)**

(Democratic Services Manager) To consider the attached report.

**14. SCRUTINY OF EXTERNAL ORGANISATION - EPPING FOREST COLLEGE (Pages 113 - 116)**

To consider the attached report.

**15. OVERVIEW & SCRUTINY COMMITTEE - WORK PROGRAMME (Pages 117 - 120)**

Progress towards the achievement of the work programme for the Overview and Scrutiny Committee is reviewed at each meeting.

**(a) Current Work Programme**

The current work programme for the Committee is attached as an appendix to this agenda.

**(b) Reserve Programme**

A reserve list of scrutiny topics is developed as required, to ensure that the work flow of overview and scrutiny is continuous. When necessary, the Committee will allocate items from the list appropriately, once resources become available in the work programme, following the completion of any ongoing scrutiny activity.

Members can put forward suggestions for inclusion in the work programme or reserve list through the adopted PICK process. Existing review items will be dealt with first, after which time will be allocated to the items contained in the reserve work plan.

**16. SELECT COMMITTEES - WORK PROGRAMMES (Pages 121 - 126)**

(Chairmen of the Select Committees) Article 6 (Overview and Scrutiny) of the Constitution requires that the Chairmen of the three Select Committees report to the meeting on progress with the achievement of the current work programme for each Select Committee and on any recommendations for consideration by the Overview and Scrutiny Committee.

The current work programme for each Select Committee is attached as an Appendix to this agenda.

**17. EXCLUSION OF PUBLIC AND PRESS**

**Exclusion:** To consider whether, under Section 100(A)(4) of the Local Government

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

<b>Agenda Item No</b>	<b>Subject</b>	<b>Exempt Information Paragraph Number</b>
Nil	Nil	Nil

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

**Background Papers:** Article 17 - Access to Information, Procedure Rules of the Constitution define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

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

The Council will make available for public inspection for four years after the date of the meeting one copy of each of the documents on the list of background papers.