

## **EPPING FOREST DISTRICT COUNCIL OVERVIEW AND SCRUTINY MINUTES**

**Committee:** Overview and Scrutiny Committee      **Date:** Thursday, 10 November 2005

**Place:** Civic Offices, High Street, Epping      **Time:** 7.30 - 9.36 pm

**Members Present:** Councillors Mrs D Collins (Chairman) Mrs D Borton, M Colling, K Faulkner, P Gode, Mrs A Grigg, F Maclaine, Mrs M Sartin, D Stallan and J M Whitehouse

**Other Councillors:** Councillors K Angold-Stephens, D Bateman, S Murray and R Glozier

**Apologies:** Councillors M Woollard

**Officers Present:** I Willett (Head of Research and Democratic Services), J Gilbert (Head of Environmental Services), T Carne (Public Relations and Marketing Officer), S G Hill (Senior Democratic Services Officer) and Z Folley (Democratic Services Assistant)

**By Invitation:** P Hardy (West Essex Area Highways Office)

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### **55. MINUTES**

That the minutes of the meeting of the Committee held on 6 October 2005 be taken as read and signed by the Chairman as a correct record.

### **56. SUBSTITUTE MEMBERS**

It was noted that Councillor J M Whitehouse was substituting for Councillor M Woollard.

### **57. DECLARATIONS OF INTEREST**

There were no declarations of interest reported pursuant to the Council's Code of Member Conduct.

### **58. HIGHWAYS LOCAL SERVICE AGREEMENT**

The Chairman of the Committee introduced and welcomed to the Committee, Mr Paul Hardy, the manager of the Area Highways Office for West Essex who was in attendance to discuss the current position on the establishment of a Highways Local Service Agreement (LSA) for the District.

The Head of Environmental Services reported the Cabinet had endorsed the agreement in principle in November 2004, on the basis that the final document contained no fundamental changes. Under the arrangements, which took effect in April 2005, responsibility for all decision making in respect of highways resided with the County and the Area Highways Offices. The Council had the ability to influence the process as it was consulted over decisions affecting local roads. The Head of Environmental Services reported that these new arrangements were working well

and regular meetings had been taking place between the Council and Mr Hardy to implement the spirit of the agreement.

Mr Hardy reported that the agreement should be ready for signing in the next 2-3 weeks. The process had been delayed as there had been concerns about the wording of certain policies specific to a number of participant authorities. He referred to the Loughton Town Enhancement Scheme and Parking Reviews. These projects were complex and had to deal with representations received about them before they could proceed which had delayed works. He reassured the Committee that these projects would be honoured and that Town Centre Enhancement works and Parking Reviews would continue to be carried out and new schemes were planned. Mr Hardy explained that the proposals contained in the Council motion passed in 2002 on residential parking permits would be dealt with as a matter of urgency. He stated that the Highways Panel for West Essex would monitor and report on road maintenance performance. He reported that further funding had now been made available for this and as a result more roads in the District were being repaired. Repair work had primarily focused on main roads but other routes had also been resurfaced. Mr Hardy stated that performance target for Category 1, Pot Holes had not been achieved but the emerging new contract to start in April 2006 should address this issue amongst other things. He said that he was happy to talk to Members about their particular highway related issues.

Several Members expressed concern over the West Essex Highways Office response times to telephone calls and questioned why a number of local schemes had not been completed. A Member asked why funding from a legal agreement for a development in Loughton for highway improvement works had still not been spent for the intended purpose. Mr Hardy empathised with these concerns. He explained the steps that had been taken to improve response times and to ensure that customer received an immediate manual response. He explained that within his area office there was 25 vacant posts out of 65 positions which accounted for some delays. He stated that delays might also occur as smaller tasks were often batched up and undertaken all together to economise resources. He undertook to identify the priority that had been given to improving Willingale Road in Loughton as concern has been expressed at the safety of the road which contained schools.

It was reported that the Task and Finish Panel on the Register of Development Proposals had formulated proposals concerning the LSA. It was indicated that as no fundamental changes were being proposed by this, its recommendations could be incorporated within the last section of the agreement for local needs.

Mr Hardy explained the procedures in place for prioritising work. This comprised the Capital Programme for major roads and the Locally Determined Budget. There was limited local input into the former, as this was determined by national guidelines and the County. Project details however would be made available to Members. Smaller local schemes undertaken through the Locally Determined budget were prioritised and undertaken through a three year rolling programme. The Head of Environmental Services reported that the Council were able to forward projects for inclusion within this budget. A list of all local schemes had been and would continue to be placed in the Members Bulletin to seek preferences regarding the priority order for these schemes.

The Chairman of the Committee reported that she had contacted the County to discuss the current position regarding highways. She anticipated that the Portfolio Holder for Highways Councillor R Bass would report back a response in the next few days.

The Chairman thanked Mr Hardy for attending the meeting and answering the Committees questions.

**RESOLVED:**

That Mr Paul Hardy, manager of the Highways Office for West Essex be thanked for attending the meeting and answering Members questions on highways issues.

**59. ORDER OF BUSINESS**

**RESOLVED:**

That agenda item 8 (Report of Task and Finish Panel on Register of Development Proposals) be taken as the next item of business.

**60. REPORT OF TASK AND FINISH PANEL ON REGISTER OF DEVELOPMENT PROPOSALS**

The Chairman of the Task and Finish Panel Councillor F Maclaine presented a report of his Panel recommending the establishment of a register for local concerns. He explained that the register would provide a formal means of registering and monitoring matters of concerns and a record of outstanding issues affecting individual wards.

He reported that the register supported the government's current E - government proposals for local councils which requested that an on-line register be established for public concerns. It was likely that the register would enable concerns to be recorded through the website once this wider consideration had been implemented.

The Head of Environmental Services reported that the Comprehensive Performance Assessment Inspectorate had identified the need for such a register during the assessment of the Council. He stated that these proposals addressed this issue.

**RESOLVED:**

- (1) That a formal means of registering matters of concern affecting the Wards in the District be adopted; and
- (2) That the means of registering such matters with the Council be done by means of a specific form; and
- (3) That each Registration is numbered to facilitate a trace of action/decision taken by the Council; and
- (4) That a record of outstanding issues affecting a Ward be provided; and
- (5) That the ICT and Corporate Support Services Portfolio Holder, in conjunction with officers and other appropriate portfolio holders be requested to consider the operation of and resources required for this scheme.

**61. REVIEW OF WORK PROGRAMME AND REPORTS OF PANEL CHAIRMAN****(a) Standing Panels****(i) Finance and Performance Management**

Councillor J M Whitehouse reported on the work of the Finance and Performance Standing Panel. The Panel met on 8 November 2005 and gave initial consideration to next years budget, and changes in relation to the Transport for London Concessionary Fares Scheme. The Panel had recommended that fees and charges for 2005/06 be raised by 2.5% to accommodate inflation and changes to car parking charges. The Panel considered a report on the Transport for London Concessionary Fares Scheme proposing changes to the scheme to address the rising costs and demand being placed on it.

The Panel received performance monitoring information for the second quarter of this year. The majority of these were on track save the indicators for the average time to process changes of circumstances for Council Tax and Housing Benefit, major planning applications and the target for empty dwellings. Action had been and continued to be being taken to improve these three areas.

The Chairman reported that in considering the performance monitoring schedules, the Panel noted that there appeared to be a conflict between the identified aim to increase the number of affordable housing in the District and the performance information which implied the reverse. To reconsider the target in view of the Council's objectives in the area and the levels of resources required to support this, the Committee agreed the issue be added to the Housing Panel work plan. The Chairman of the Housing Panel welcomed this new item and referred to the potential implications of the review.

A member referred to the 'traffic light system' used to monitor performance. He asked Officers to ensure that these schedules were fully completed.

**(ii) Housing**

The Chairman, Councillor S Murray reported that the Panel had not met since the last meeting of the Committee on 6 October 2005. However since then Members had received a briefing on housing issues which was very informative. He requested that the work plan item relating to the consideration of the Annual Review of Housing-Related Fees and Charges be deleted from the Terms of Reference/work plan for the Panel. He explained that this work was being undertaken by the Finance and Performance Standing Panel as part of their budget considerations which removed the need for it to be considered by the Housing Panel.

**RESOLVED:**

- (i) That an item on the provision of affordable housing in the district be added to the Terms of Reference for the Housing Scrutiny Panel and;
- (2) That Term (3)(v), relating to the consideration of the Annual Review of Housing-Related Fees and Charges prior to consideration by the Cabinet, be deleted from the Terms of Reference

**(iii) Environmental Services and Planning**

The Chairman of the Panel, Councillor Stallan reported that the Panel last met on 20 October 2005 and added items to their programme. These were the formulation of the Council's response to the Clean Neighbourhoods and Environment Act 2005, Councillor Mrs Whitehouse's request on the provision of uniformed neighbourhood wardens and the production of a traffic count in areas where former agricultural buildings had been converted for commercial use. This last item would involve an initial feasibility study to assess the implication of a main study and possible a bid for budget funding. He requested that the Committee formally approved these items.

Councillor Stallan also reported that the a special meeting of the Panel had been programme on the Outline Business Case for the West Essex Joint Waste procurement process and that a public meeting had been arranged for 19 November 2005 on the Public Examination for the East of England Plan.

Councillor Mrs Whitehouse requested that her item be drawn out as a separate work plan item and suggested that it be linked to a review of the Council's contract for parking wardens which was due to be reviewed in the near future. The request stemmed from the contract therefore the two issues should be connected and considered in conjunction by the Panel. It was noted that the provisions of the Clean Neighbourhoods Environment Act 2005, would enable some of the measures in the Councillors item and would be taken into account during the review.

**RESOLVED:**

That the following be added to the Environmental and Planning Services Standing Panels Terms of Reference/Work Programme:

- (i) The formulation of a response to the Clean Neighbourhoods and Environment Act 2005;
- (ii) An item on the provision of uniformed neighbourhood wardens and
- (iii) The production of a feasibility/main survey on vehicle movements (for review of Re use of buildings in Green Belt)

**(iv) Constitutional Affairs**

On behalf of the Chairman of the Panel Councillor R Morgan, who had sent his apologies for the meeting, the Head of Research and Democratic Services reported on the current work of the Panel.

The Head of Research and Democratic Services reported that the Panel had considered whether the Council should participate in an electoral pilot for the next round of elections. The Panel supported a pilot involving electronic counting/aspects of voting and awareness information. The initiative was aimed to ensure that postal voting was secure.. An item would be placed in the Members Bulletin to provide information on the proposed pilot and a demonstration would be held in the new year. The Head of Research and Democratic Services reported that he was also looking into a further electoral pilot on mobile polling stations At the next meeting, the Panel would consider a new protocol on Member Services. In relation to the review of enhancing debate at Council meetings, the Panel would continue to visit Council meetings at other local authorities to explore the operational aspects and items discussed elsewhere. Members were encouraged to attend these visits.

**(v) ICT and E Government**

The Chairman of the Panel Councillor Maclaine reported that the next meeting of the Panel would take place on 21 November 2005 and would consider the proposed Corporate Contract Centre.

**(b) Task and Finish Panels****(vi) Leisure**

The Chairman of the Panel, Mrs Grigg reported that the Panel had last met on 20 October 2005. At this meeting, the Panel considered the monitoring arrangements for the Leisure Management Contract for the Council's Leisured Centres and Youth Provision in the District. The Panel had visited a youth centre in Epping and carried out a survey to ascertain views on youth services. A visit to a youth facility in Ongar had been programmed. Councillor Mrs Grigg envisaged that the Panel would be in a position to report on their work on youth provision and external funding arrangement in February 2006.

The Panel had discussed the Leisure Management Contract with UNISON and SLM Ltd, the company appointed to manage the service and the Assistant Head of Leisure. Attention was drawn to the services that would be in place for special needs customers, performance indicator requirements, capital investment and monitoring arrangements. The Chairman of the Panel circulated a copy of the proposed monitoring arrangements for the Leisure Contract. The Committee concluded that this information could impact on the content of the contract itself therefore it should be submitted to an appropriate future Cabinet meeting for consideration. To support this The Head of Research and Democratic Services undertook to speak to the Portfolio Holder for Leisure Services and ask the Head of Leisure Service to produce a formal report on the proposals for the Cabinet. It was agreed that the report should recommend that the monitoring board for the contract be invited to report to the OSC on their work on a regular basis.

**RESOLVED:**

- (1) That the report of the Task and Finish Panel on Leisure Services on the proposed monitoring arrangements for the Leisure Management Contract be noted; and
- (2) That the Head of Leisure Services, in consultation with the Portfolio Holder be asked to formulate a report for the Cabinet recommending the above and that the monitoring board for the arrangements be invited to report to the OSC on the work of the board

**(vi) Future reporting arrangements**

In considering the reports of the Panel Chairmen, the Committee considered whether they should be reported to every meeting. The Committee took into account the nature of their reports to date and concluded that as most of their contents merely covered information items for noting, the information could be reported on a less frequent basis. This would free up time for more urgent items. As a result, it was agreed that the Chairmen of the Standing Panels be asked to report to the Committee on bi – meeting basis. To facilitate this it was suggested that say two Chairmen report to one meeting and the rest to the next. It was also agreed that the

Chairmen of the Task and Finish Panels be only requested to report to the Committee on issues for consideration rather than on information for noting.

**RESOLVED:**

That for future meetings the Chairmen of Standing Panels be invited to report to the Committee on a bi – meeting basis and the Chairman of Task and Finish Panels be requested only to report on items requiring consideration by the Committee.

**(vii) Register of Development Proposals – Residential Parking**

Councillor K Angold – Stephens, the Vice Chairman of the Panel reported that the Panel had made a report on their study of residential parking. The report had been sent out to the Panel for final comments and would be submitted to the OSC meeting on 8 December 2005.

**(viii) Member Training**

The Chairman of the Panel, Councillor Sartin reported that the Panel had met on 1 November 2005 to consider a training portfolio for Overview and Scrutiny. She explained that the programme would form the basis for appointing an external trainer to deliver the training and the process for this. Two Saturday morning training sessions had been arranged for the first quarter of the year and a seminar to review the new scrutiny arrangements. A meeting of all scrutiny panel chairman was also to be arranged for this. Work was being undertaken on a training prospectus which would contain the dates for courses. Course details had also been placed in this weeks Members Bulletin.

**(ix) Local Area Agreement for Essex – Request for new review**

The Head of Democratic Services reported that the County and Local Strategic Partnerships were seeking responses to an exercise designed to identify key priorities for the whole of Essex as part of the 'Local Area Agreement for Essex' initiative. The Council had been invited to respond and as a result would be presented with a range of options and asked to indicate which options they wished supported. This could involve financial support possible for projects outside the District. The deadline for the exercise was 28 November 2005.

The Head of Research and Democratic Services reported that any response would have to be submitted to the OSC and Council for approval. As the next meetings fell after the deadline, it was agreed that a Task and Finish Panel be established to start the process and submit a response for the deadline. It was agreed that the issue be submitted to the next meeting of OSC and the Council in December 2005 for further consideration and the necessary formal approval. Several Members expressed an interest in being Members of the Panel.

**RESOLVED**

(1) That the invitation of the Local Strategic Partnership and the County seeking a response to the Local Area Agreement for Essex by the deadline of 28 November 2005 be accepted; and

(2) That a Task and Finish Panel be established with immediate effect to formulate the response with the following Membership: Councillors M Colling;

K Faulkner, Mrs A Grigg, Mrs M Sartin, D Stallan, Mrs J H Whitehouse and J M Whitehouse; and

(3) That the Panels response be submitted to the OSC on 8 December 2005 and the Council meeting on 13 December 2005 for consideration and approval; and

(4) That these arrangements be reported to the Local Strategic Partnership and the County.

**(x) Requests for the work programme**

Councillor Colling reported that he had withdrawn his request for the plan on Epping Highways issues. He explained that he had spoken to the Head of Research and Democratic Services and the Assistant Head of Planning and Economic Development (Devolvement) to consider ways in which Members for Epping wards could be kept informed and be involved at the pre-decision stage for the proposals. He stated that the solutions identified sufficiently addressed the request and removed the need for his proposal.

It was agreed that an item be placed in the Members Bulletin to invite requests for the reserve programme.

**RESOLVED:**

That an item be placed in the Members Bulletin requesting items for the OS reserve programme.

**62. CABINET REVIEW**

It was agreed that agenda item 16 (Concessionary Fares – Access into London) be raised by the Chairman at the Cabinet meeting on 14 November 2005 to highlight the proposals made on the report by the Finance and Performance Scrutiny Standing Panel.

**63. OVERVIEW AND SCRUTINY - STAFFING SUPPORT.**

The Senior Democratic Services Officer reminded the Committee that the recent attempt to recruit to the post of Scrutiny Support officer, which was established as part of the OS review earlier in the year, had not be successful. As a result effort and the resources allocated for the post had been channelled into recruiting a Democratic Services Officers to provide additional support for the Overview and Scrutiny especially the unsupported Task and Finish Panels. The post was about to go out to advert with a closing date of 2 December 2005. The Senior Democratic Services Officer undertook to keep the Committee informed about this process.

**RESOLVED**

That the action being taken by the Head of Research and Democratic Services to provide additional staffing support to Overview and Scrutiny be noted.

**CHAIRMAN**