

Scrutiny Standing Panel Agenda



Constitutional Affairs Scrutiny Standing Panel Monday, 20th February, 2006

Place: Committee Room 1, Civic Offices, High Street, Epping

Time: 7.30 pm

Democratic Services Officer: Z Folley - Research and Democratic Services
Tel: 01992 564532 Email: zfolley@eppingforestdc.gov.uk

Members:

Councillors R Morgan (Chairman), Mrs P Brooks (Vice-Chairman), D Bateman, R D'Souza, Mrs J Davis, J Demetriou, Mrs A Haigh, J Markham, Mrs P Richardson and D Stallan

<p>PLEASE NOTE THAT THIS MEETING IS OPEN TO ALL MEMBERS TO ATTEND</p>
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1. APOLOGIES FOR ABSENCE

2. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

(Head of Research and Democratic Services) To report the appointment of any substitute members for the meeting.

3. DECLARATION OF INTERESTS

(Head of Research and Democratic Services). To declare interests in any items on the agenda.

In considering whether to declare a personal or a prejudicial interest under the Code of Conduct, Overview & Scrutiny 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 personal and prejudicial interest in any matter before an OS Committee which relates to a decision of or action by another Committee or 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 does not refer to Cabinet decisions or attendance at an OS meeting purely for the purpose of answering questions or providing information on such a

matter.

4. NOTES OF THE LAST MEETING - 5 JANUARY 2006 (Pages 5 - 8)

Attached.

5. TERMS OF REFERENCE / WORK PROGRAMME (Pages 9 - 10)

(Chairman/Lead Officer) The Overview and Scrutiny Committee has agreed the Terms of Reference of this Panel and associated Work Programme. This is attached. The Panel are asked at each meeting to review both documents.

6. REVIEW OF AREA PLANS SUB - COMMITTEES (Pages 11 - 14)

Recommendations:

(1) To note the issues raised by Area Plans Sub – Committee ‘C’ about the lack of work submitted to the Committee and other concerns and;

(2) To consider whether in light of recommendation (1) above a review of the current structure of the Area Sub – Committees is required

(Head of Research and Democratic Services). At the last Overview and Scrutiny Committee, reference was made to the current structure of the Area Plan Sub Committees. The Chairman, Councillor Mrs Collins, reported that Area Plans Sub-Committee ‘C’ had requested that this Panel look at how members are allocated to the Area Plans Sub Committees. Currently Plans ‘C’ has only 8 members which makes it difficult to be quorate for some applications. There have been times where the Sub Committee had only one or two applications to consider per meeting. Councillor Mrs Collins suggested that the Constitutional Affairs Standing Panel look at this to see if they could level up the numbers and workload between the Sub-Committees by, perhaps, adjusting the areas.

A report submitted to a meeting of Policy Working Group 3 in September 2004 is attached as background information.

7. FUTURE ROLE OF COUNCIL (Pages 15 - 34)

(Head of Research and Democratic Services). To consider the attached report.

8. PROGRESS REPORT ON ELECTORAL PILOTS AND ELECTORAL ADMINISTRATION BILL

Head of Research and Democratic Services/ Senior Elections Officer to report.

9. ELECTORAL CANDIDATES PACK (Pages 35 - 66)

Recommendation:

To consider the attached electoral candidates pack

(Senior Democratic Services Officer) Officers have been developing a pack aimed at

Candidates in elections in Epping Forest. A draft of the pack is attached to the agenda. The intention is to issue this information early in the electoral candidate process to give prospective Councillors a greater understanding of the role following their successful election. It is hoped that the information gives a realistic expectation to candidates.

Simon Hill, Senior Democratic Services Officer, will be present at the meeting to outline the sections of the plan, ideas for publishing the information and to seek members views on the draft.

10. HOUSING APPEALS PANEL - TITLE, TERMS OF REFERENCE AND PROCEDURE (Pages 67 - 70)

(Head of Research and Democratic Services/Housing Services). To consider the attached report.

11. COMPLAINTS AGAINST COUNCILLORS - REVIEW OF SUPPORT

Recommendation:

To consider options regarding the support arrangements for complaints against councillors

(Head of Research and Democratic Services) Group leaders have recently been discussing the position of Councillors who may be the subject of complaints to the Standards Board for England regarding alleged breaches of the Code of Conduct.

Where the Board itself is involved in investigating and adjudicating on such complaints, officers at the Council have a freer hand to give advice on the process to the member concerned. However, where the local Standards Committee is required to adjudicate and possibly also investigate complaints locally, the Monitoring Officer, Deputy Monitoring Officer and the Democratic Services Manager must be very careful to avoid any conflict in advising the Standards Committee. This can arise if any of these officers have previously advised the member concerned or been otherwise involved.

Some group leaders made the point that this can leave the Councillor without any ready access to advice from within the Council. Group Leaders took the view that this potential isolation needed to be addressed whilst at the same time acknowledging that the Council itself could not be seen to be allocating funding and providing support particularly if complaints were upheld.

This Panel was asked to look at what could be done to address the concern which has already been expressed by members which have been through this process. Arrangements are being made for a course to be included in next year's training programme to make the whole complaints process more clear to members but this does not address the perceived support need.

Four options have been raised:

- (a) provision within political groups of funds to provide advice/support where requested;

(b) an arrangement where members set aside a percentage of their basic allowance to create a fund

(c) the political parties concerned make such provision.

Group leaders asked for the Panel to discuss the issue.

12. CIVIC PROTOCOL (Pages 71 - 78)

(Head of Research & Democratic Services) To consider the enclosed correspondence with Loughton Town Council.

13. REPORTS TO BE MADE TO THE NEXT MEETING OF THE OVERVIEW AND SCRUTINY COMMITTEE

To consider which reports are ready to be submitted to the Overview and Scrutiny Committee at its next meeting.

14. FUTURE MEETINGS

To consider the forward programme of meeting dates for the Panel.