

EPPING FOREST DISTRICT COUNCIL OVERVIEW AND SCRUTINY MINUTES

Committee: Overview and Scrutiny Committee **Date:** Thursday, 6 July 2006

Place: Civic Offices, High Street, Epping **Time:** 7.30 - 10.10 pm

Members Present: Councillors R Morgan (Chairman) Mrs J H Whitehouse (Vice-Chairman)
D Bateman, M Cohen, M Colling, R D'Souza, Mrs H Harding, P House,
G Mohindra and Mrs P Richardson

Other Councillors: Councillors K Angold-Stephens, Mrs A Cooper, Mrs A Grigg, R Law,
P McMillan, S Murray, Mrs S Perry, Mrs M Sartin, D Stallan, Ms S Stavrou,
Mrs L Wagland, J M Whitehouse and C Whitbread

Apologies: Councillors (none)

Officers Present: I Willett (Head of Research and Democratic Services), J Gilbert (Head of Environmental Services), D Macnab (Head of Leisure Services), J Preston (Head of Planning and Economic Development), A Scott (Head of Information, Communications and Technology), T Tidey (Head of Human Resources and Performance Management), R Wilson (Assistant Head of Housing Services (Operations)), C Overend (Policy & Research Officer), S Mitchell (PR & Internet Assistant), A Hendry (Democratic Services Officer) and Z Folley (Democratic Services Assistant)

By Invitation: Councillor R Chambers and R Paddock (Essex Police Authority)

12. MINUTES

RESOLVED:

That the minutes of the meeting held on 25 May 2006 be taken as read and signed by the Chairman as a correct record

13. SUBSTITUTE MEMBERS

There were no substitute Members reported for the meeting.

14. DECLARATIONS OF INTEREST

No declarations of interest were made pursuant to Part 2 of the Council's Code of Member Conduct.

15. ESSEX POLICE - PRESENTATION ON PROPOSED MERGER OF BEDFORD, ESSEX AND HERTFORDSHIRE POLICE AREAS.

The Chairman of the Committee welcomed to the meeting Councillor R Chambers the Chairman of the Essex Police Authority and Mr R Paddock the Deputy Chief Executive and Treasurer who were in attendance to report on the proposed merger of the Essex, Bedfordshire and Hertfordshire Police areas.

The Committee had before them a copy of the notice of the proposals and consultation arrangements letter dated 11 April 2006 together with a report on the reasons why the Home Secretary proposed amalgamation.

The Committee were asked to consider this information and the Council's response to the formal consultation which ended on 11 August 2006.

Councillor Chambers reported on the timescale for the process and made the following comments:

(a) the proposals for the amalgamation of many police areas was the response of the Home Office to a report of Her Majesty's Inspectorate of Constabulary (HIMIC) published on 15 September 2005. This concluded that the current 43 Force Structure was no longer fit for purpose and solutions needed be found to bridge this gap. The findings concluded that within the six forces of the Eastern Region (including Essex, Hertfordshire and Bedfordshire) no force alone attained national standards in protective service provision. In April 2006 the Council received formal notification of the Home Office intention to make an order to amalgamate the three eastern areas with effect from 1 April 2008 to address these issues;

(b) in December 2005, Essex Police and the Essex Police Authority resolved that the Essex Police Force had the capability and capacity to remain a 'stand alone force' to meet future requirements in terms of protective services ('Level 2 Policing'). It was also noted that the Bedfordshire and Hertfordshire areas lacked such capacity thus could not be classified a stand alone strategic force;

(c) Essex Police which comprised 3,230 police officers fell just short of the minimum government requirement of 4,000 officers for stand alone status where as the Bedfordshire and Hertfordshire forces comprising establishments of 1,232 and 2,145 respectively fell some way short of these requirements;

(d) the Essex Police Authority submitted a response to the proposals in December 2005 indicating that stand alone was the only option. It also stated that the best alternative to this would be a merger with Suffolk and Norfolk. In response the Home Secretary recognised that whilst Essex had submitted a strong case, the main reason it could not remain separate was because the merger of the areas would be in the best interests of the efficiency and effectiveness of the three areas combined;

(e) both Bedfordshire and Hertfordshire were against the merger and had discussed the possibility of the two areas merging without Essex. This option would still not meet the identified minimum requirements and leave gaps in protective service provision. It would also require close collaboration with Essex;

(f) the Home Office and MPs had recognised that difficulties would arise as a result the proposals. Even though it was secondary legislation there was a possibility that the proposals could be lost in parliament and an exist strategy might need to be found;

(g) Essex Police was currently undertaking consultation to hear the views of the community which they were committed to supporting. A questionnaire was attached to the Police Authority Annual Review which was delivered to all residents. A separate survey was also issued which Councillor Chambers undertook to ensure the District received. The questionnaires had generated 24,000 replies to date which was excellent in showing the strength of feeling in Essex regarding the merger;

(h) steps were commencing to merge County Police IT systems. Savings from this and the proposals to reduce senior management could be invested into front line policing, proposals on this would be submitted to the Home Secretary. The Chief Constable was attempting to implement a contract to make sure officers stayed in one place for five years.

In conclusion, Councillor Chambers advised that Essex Police had the capacity required to bridge the gaps identified plus a local policing style which was responsive to local needs. The service continued to improve and the force would continue to bring about improvement. In view of this he recommended that the Committee support the proposal that the force remained stand alone.

In the ensuing debate, the following matters were discussed:

A Member asked about the implications for local policing and whether or not the approach would improve following the merger. At present his local town council was consulted over police proposals. One concern was that this local element would be diluted under a larger structure.

Councillor Chambers advised that the new 'Neighbourhood Policing' initiative might be affected. Under the structure, it was likely that officers would be taken from rural low level crime areas in Essex to higher level crime areas in Bedfordshire and Hertfordshire leaving areas not protected. It was stressed it was important to ensure that rural areas had the right level of policing and the local nature of the service was retained.

A Member asked about how the force was communicating the changes to police staff to ensure they felt valued and comfortable with the changes. The report of the Home Office highlighted weakness and compared performance unfavourable in relation to the government standards. She stated that the service had improved and it was important to make sure that staff did not feel let down by the merger which would bring together diverse cultures and needed to be handled carefully.

Councillor Chambers advised that discussions had ensued between the Police Federation who looked after the smaller forces and the police union. Moral was good and better than forces elsewhere. He acknowledged that consideration needed to be given to the efficiency of the service, and that there would be redundancies as a consequence, however those effected could be offered posts in another police service.

The Committee expressed concern over the short timescale allocated to the consultation. It was asked whether all three areas would benefit from the amalgamation. It was reported that based on present arrangements the Bedfordshire and Hertfordshire area would benefit most from the proposals. Attention was drawn to information showing the current level of Council Tax precept levels for the three areas indicating that the precept for Essex would be 'equalized up' to cover its share of the costs of the combined Authority resulting in additional costs to the residents of Essex. The Committee expressed concern about this as there was no guarantee it would result in a better service for Essex.

Attention was drawn to a table showing the force size proposed for the three areas, with population the split between urban and rural provision. It was noted that the proposals would increase the distance officers would have to travel and could result in officers spreading themselves too thinly.

The Chairman thanked Councillor Chambers for his informative presentation. The Committee then turned its intention to formulating a response to the proposals.

In considering this, the Committee were advised that their response should focus only on the proposals for Essex and not those for other areas as this could weaken their case.

Having considered all the issues the Committee recommended that the Essex Force should remain stand alone so that it could concentrate on building its existing services especially in view of the recent improvements in performance and because further improvements were planned. The Committee also thought that the merger might prove detrimental to local policing which built up trust and was valued by the community and provided local intelligence which was relied upon to address low level crime for example antisocial behaviour.

The Committee expressed support for the proposed merger of the police ICT systems, and recommended that this aspect proceed.

The Committee agreed that correspondence be sent to the Hertfordshire and Bedfordshire Police Authorities to consider the possibility of a joint approach.

In addition to this response it was also questioned whether the funding identified for the cross border ICT merger would still be made available if Essex Police remained stand alone? The Head of ICT referred to an ICT national programme to allocate funding for this regardless of any future structure. Clarification was sought on whether a specific sum had been set aside as part of the merger proposals.

A Member asked about what steps would be taken to recruit and retain officers to Essex if it remained stand alone. It was noted that these questions would be raised in the response.

RESOLVED:

- (1) That Councillor Chambers be thanked for his presentation on the proposed merger of the Bedfordshire, Essex and Hertfordshire areas;
- (2) That a response be submitted to the consultation expressing in the strongest terms, the Committee's opposition to the proposed merger for the following reasons:
 - (a) the Essex Force is big enough to be viable on its own merits and to be reactive to both Level 1 and Level 2 threats, and Home Office statistics tend to support this. This capability will be diluted if combined with the Bedfordshire and Hertfordshire Forces, who are not able to stand-alone.
 - (b) The Essex Force does not need to combine with two other forces to be able to work with them, a combined and compatible IT system would go a long way towards facilitating this.
 - (c) Any benefits accruing from an amalgamation will be for Bedfordshire and Hertfordshire and not for Essex. In fact there will a dilution of resources for the Essex Force, as they would inevitably have to provide cover (and supplement the other resources) for the much smaller Bedfordshire and Hertfordshire Forces.

(d) Essex currently has the fifth lowest precept in the country. The precept for the combined police authority would, by necessity, have to be raised to resource the Beds/Herts area, offering poor value of the precept for the people of Essex.

(e) It should be noted that the Council has every confidence that the Chief Constable of Essex is achieving the kind of policing that the people of Essex want, by way of:

- (i) More visible policing; and
- (ii) More local policing.

and this progress would be put at risk and there is no guarantee of continuing improvement through amalgamation.

(f) 'locality policing' with known (local) police officer teams in a local area will be very difficult to maintain in such a large proposed police authority area.

(g) Local people should be able to identify with their local (County) police force, this engenders a feeling of belonging and a knowledge that the Police Force knows the locality and local area, and is not just drafted in from outside to 'fill holes'.

(h) proposals for amalgamation will not cope with the drain of police officers to the Metropolitan Police force due to the differential rates of pay and conditions, recruitment and retention being a big problem facing Counties bordering the Metropolitan Police Area.

(i) the morale of the Force might be adversely affected in Essex if they have to be moved around to other counties to cover and fill in gaps and as a consequence the public see the cover provided in Essex reduced.

(j) It may be practical for the Hertfordshire and Bedfordshire forces to join given their size and the area they have to cover.

(3) That copies of the correspondence be sent to the Hertfordshire and Bedfordshire Police Authorities with a view to making a joint response.

16. LIAISON WITH LEADER AND PORTFOLIO HOLDERS

By leave of the Committee, this item was deferred for consideration at the next meeting on 31 August 2006.

17. CALL - IN OF CABINET DECISION - OVERVIEW AND SCRUTINY TASK AND FINISH PANEL REPORT - PARKING IN RESIDENTIAL AREAS

The Committee were asked to consider the call-in of a Cabinet decision of 10 April 2006 (C/134/2004-06) regarding the maximum length of cross-overs. It was noted that five Members had requested that the decision contained within a wider report of the Task and Finish Panel on Parking in residential areas should be called in during the call in period and that the Chairman of the Overview and Scrutiny Committee had determined that the request be referred to this meeting. The Committee had before them copies of all documentation submitted to the Cabinet on which the decision was based and of the written notification of the call-in.

The Chairman reported that a Member had questioned whether the call-in fell within the call-in period for the Cabinet meeting in question in view of the time lag between the request and the date of the meeting. The Head of Research and Democratic Services advised that the call-in period for this set of decisions was 12–18 May 2006. The document was signed on 17 May 2006 therefore met the deadline. The Member had also questioned whether three of the five supporting Councillors had the status of Councillor at the time of the request. It was clarified that the Councillors who were newly elected at this May 2006 elections had signed their declaration of office by 17 May 2006 giving them such status.

In accordance with the Overview and Scrutiny Procedure rules, the representative of the Councillors calling in the decision (Councillor Mrs P Richardson) outlined their concerns which were summarised on the call – in notification those being:

- (i) the recommendation that the maximum length of cross over remain at 6 metres was inflexible in view of the shortage of car parking spaces in residential areas and the hardship and public concern this generated.
- (ii) the ever increasing car population further highlighted the need for increasing the maximum requirement, and referred to criteria operated by other Local Authorities which she argued was more flexible and should be considered.

The Portfolio Holder for Housing, Councillor D Stallan, reported the reasons for the Cabinet decision on this matter. He provided some background to the decision. The then Housing Committee adopted the current maximum for cross-overs in 1999, which was revised by the Cabinet in 2002. The revision (increasing the maximum length from 3 to 6 metres) balanced the need to protect the green swathes in residential areas against the parking needs of residents. He believed that the Task and Finish Panels recommendation had also achieved this balance.

Councillor Angold-Stephens the Vice-Chairman of the Task and Finish Panel reported on the reasons for the Panel's recommendation. He supported the view of the Portfolio Holder and stated that a more flexible approach could open up the 'floodgates' to requests for cross-overs exceeding six metres, which would undermine the policy. He advised that the Panel had recognised that one vehicle cross over was equal to one and a half on street spaces, thus any increase to the current maximum of 6 metres would lead to an overall loss of car parking spaces with less spaces for residents and visitors .

The Committee supported the views of the Portfolio Holder and the Vice-Chairman of the Panel and decided not to support the call-in.

A Member reported receipt of a residents' petition expressing concerns about parking provision near a block of flats near Buckhurst Hill Tube Station. It was reported that the Task and Finish Panel's report had recommended that residents' parking schemes take priority and be progressed as a matter of urgency. It was stated that this was a matter to be taken up with the relevant Portfolio Holder.

RESOLVED:

That the call in regarding Cabinet decision C/134/2005-06 not be pursued and the decision be implemented with immediate effect.

18. WORK PROGRAMME MONITORING

(a) Work Programme 2006/07

The Committee considered the updated work programme.

(i) Finance and Performance Management Standing Panel

Councillor J Whitehouse, the Chairman of the Panel, reported that at its last meeting, the Panel had recommended to the Cabinet Key Performance Indicators which should be subject to close monitoring. The Panel were looking to focus on around 40. The Chairman welcomed suggestions on this. The Panel had also looked at Local Land Charges.

(ii) Constitution and Member Services Standing Panel

The Chairman of the Panel, Councillor R Morgan, advised that the Panel had considered a report reviewing the May 2006 local elections. The Panel expressed views on arrangements for the count for future elections. They also noted action to recover the costs incurred by the abortive electronic aspects of the pilot and steps to facilitate this. The Panel noted the reasons for the budget overspend for 2006/07. and noted that the Returning Officer would seek approval for a supplementary estimate to cover this. The Panel also noted the action to budget on a different basis in the future.

The Panel had determined the scope of the review to be carried out on the civic ceremonial. They agreed that an informal Sub – Group open to all Members be set up to take on the review and an item be placed in the Members Bulletin. The Chairman advised that any Member who wished to join this group should contact Democratic Services.

The Panel also continued to review the structure of the Area Sub – Committees. Members agreed that a more formal consultation with local representatives be pursued and to consider the response to this at the 7 October 2006 meeting.

(iii) Leisure Services Task and Finish Panel

The Chairman of the Panel, Councillor Mrs H Harding, reported that the first meeting of the Panel would be held on 13 July 2006.

In relation to the review of the future management of the Roding Valley Meadows Local Nature Reserve, the Head of Leisure Services anticipated that this work should be completed before the 21 year lease agreement in place expired.

(iv) Town Centre and Car Parks Task and Finish Panel

The Chairman of the Panel, Councillor M Colling reported that the Panel had not yet set a date for its first meeting.

The Head of Environmental Services reported that officers and the Chairman of the Panel would be meeting shortly to consider how the two aspects of the review could be linked together in the terms of reference.

(v) Crime and Disorder Task and Finish Panel

Councillor M Cohen, the Chairman of Panel reported that the Panel held its first meeting on the 27 June 2006 and formulated a terms of reference. The aim was to ensure that the partners involved in crime reduction could improve joint working and the Councils role in this. The Panel noted proposals to make local ward members the

first point of contact for residents reporting crime and proposals to enhance the role of scrutiny in this area. The Panel had expressed a desire to explore 'real issues' and look beyond the statistics. They would also be looking at how the Joint Police/Council Community Liaison Team agreed by the Council last year and not yet implemented could be progressed. Other issues to be considered were graffiti, youth provision in the context of crime prevention. The Panel aimed to make a final report to this Committee in December 2006. The next meeting would be on 1 August 2006 at 7.30 pm and would be attended by a representative of the Police for a questions and answer session with Members.

The Chairman of the Finance and Performance Management Panel, Councillor J Whitehouse drew attention to performance indicators which measured performance against Crime and Disorder targets. The Panel had questioned whether these targets assisted performance and whether they were statutory. The Councillor undertook to speak to Councillor Cohen following the meeting to point out these targets.

Councillor J Whitehouse also asked that consideration be given to the Member reporting lines for the Crime and Disorder Partnership.

(vi) Older and Disabled Persons Task and Finish Panel

Councillor Mrs S Perry, the Chairman of the Panel reported on its first meeting on 22 June 2006. The review would consider the services offered by EFDC to older and disabled people of all ages and consider the services offered by the voluntary sector to older and disabled people in the District. Its aims and objectives were to co-opt the Chairman of the Joint Management Team for Older Peoples Services onto the Panel, identify existing services including transport and bus passes, gaps in provision, whether funding and advertising was adequate for services and confirm whether the Councils complied with the Disabled Discrimination Act 2006. It was intended that any funding proposals would be made by September 2006 for next years budget.

(iv) Overview and Scrutiny Committee

It was agreed that the word 'liaison' be substituted by the words 'presentation followed by scrutiny' in work plan items (1-7) concerning external organisations. The Head of Research and Democratic Services reported that the Member Training programme to include scrutiny awareness and review sessions would need to be planned by October 2006. Members might like to consider before the next meeting how this programme should be carried.

RESOLVED:

- (1) That the progress reports by the Panel Chairman be noted and;
- (2) That further discussion be held between the Chairman of the Crime and Disorder Panel and the Finance and Performance Panel regarding performance data and targets and;
- (3) That the terms of reference for each new Task and Finish Panel be submitted in writing to the OSC when formulated for formal approval.

19. CUSTOMER SERVICES AND ICT STANDING PANEL - MEMBERSHIP

The Chairman reminded Members that following the May 2006 meeting of the Committee, Councillor Mrs Rush (in her absence) was nominated and confirmed as the Chairman of the Customer Services and ICT Standing Panel. The Councillor had

since declined this position. The Committee were asked to appoint another Member of the Panel to the role and approve a further change to the Membership of the Panel.

RESOLVED:

- (1) That Councillor Mrs M McEwen be appointed Chairman of the Customer Services and ICT Standing Panel and;
- (2) That Councillor Mrs K Rush be appointed Vice – Chairman of the Panel and;
- (3) That Councillor R D'Souza be replaced by Councillor P Macmillan as a member of the Panel.

20. DRAFT COUNCIL PLAN 2006 -10

The Committee were invited to consider the responses received in respect of the consultation on the draft Council Plan for 2006 to 2010 (attached to the agenda) and to recommend it to the Cabinet for consideration. A copy of the feed back form was also attached.

The Head of Human Resources and Performance Management reported that the consultation had covered Members, staff, residents, partner agencies and other local representatives organisations so as to ensure that actions and resources were targeted at areas of greatest importance. The Committee noted a summary of these responses.

The Committee considered each section covering the responses received in turn:

(1) Local Plan Alterations

The Committee did not accept the comments regarding affordable housing and suggested that the Housing Scrutiny Panels recommendations on increasing affordable housing provision be quoted.

(2b) Loughton High Road Enhancement Scheme

The Committee felt that the Cabinet should clarify the position on phase 3 and 4 of the scheme.

The Head of Environmental Services reported that provision had not yet been made in the Capital Strategy for phases 3 and 4 of the scheme to be considered in September/October 2006. The Cabinet would need to agree to this or make additional budget provision ahead to allow work on the remaining phases to continue without a break.

The Portfolio Holder for Planning and Economic Development reported that she was in the process of consulting Loughton Members about the scheme and would be reporting on this to the Cabinet.

2(c) District Council relations with Local Councils

The Committee agreed that the proposed comments be supported in principle but specific proposals would be needed.

3 (f) Infrastructure for Regional Growth – Levels of Affordable Housing Provision

Reference was made to the problems experienced in attracting and retaining key workers in local services given the District's close proximity to London and that consideration should be given to this justification of the proposed level of affordable housing. The Committee also supported the views expressed regarding infrastructure.

3 (h) Proposal for Waste Incineration Facility in the District

The Committee supported the sentiment expressed about the provision of a waste facility in the District. However the Committee felt that a policy of not allowing such a facility was not open to the Council but by Essex County Council as the Waste Disposal Authority. The Committee felt that, recognising that EFDC was only a consultee, only a commitment not to support such a facility was could be included in the Plan. The Committee recommended that this commitment could be given.

3 (i) Capital Expenditure on Housing

It had been suggested that the amount allocated to Housing Capital Expenditure was disproportionate. It was agreed that given the Council's commitment to meeting Housing needs in the District, the difference was not disproportionate as it reflected the pattern of the Council's expenditure needs.

4 (a) Rural Transport/Policing/ Affordable housing

It was noted that the Council's remit only covered one of these services – Housing and were sympathetic to these comments

11 (a) Local Plan

No further comments

12 East of England Plan

The Committee agreed that the term 'Economic Prosperity' was misleading and that the aim should be say 'economic health'.

14 Energy Efficiency

Support was expressed for the inclusion of a clear statement of Agenda 21 principles with greater emphasis being placed on this in the Council Plan.

RESOLVED:

That the responses received in respect of consultation on the draft Council Plan for 2006-10 including the comments made by the Committee be recommended to Cabinet for consideration.

21. TRAVELLER ISSUES TASK AND FINISH PANEL - FINAL REPORT

The Chairman of the Task and Finish Panel on Traveller issues presented the final report of the Panel formulated at its last meeting in June 2006. The Panel was set up in May 2005 to look arrangements for dealing with unauthorised development on

traveller sites in the District (including Paynes Lane Nazeing Hamlett Hill Roydon and Birchfield Stapleford Tawney); arrangements for tolerated sites and policy issues.

The Panel had undertaken a tour of the District viewing existing and ex traveller sites, tolerated sites and occasional stopping sites to gather first hand evidence. The Panel had engaged in a discussion with residents of Paynes Lane to obtain their views on the issues and had attended a seminar on Travellers to consider the latest guidance. The Panel had submitted a report to the Cabinet in September 2006 recommending steps to secure and clear the Paynes Lane site at Nazeing and were now recommending these be pursued together with the action previously agreed by the Cabinet regarding the Birchfield site.

The Panel had looked at three tolerated sites in the District and reviewed whether the approach for such sites should be changed and also wider policy issues regarding traveller needs. The Panel had agreed that these issues required detailed consideration of recent government guidance and a longer term commitment by members. As a result it had concluded that the matters be referred to the Environmental and Planning Services Standing Panel who were able to give it such consideration.

The Committee thanked the Panel for undertaking this review and Councillor Macmillan for chairing the meetings.

RESOLVED:

- (1) That the work undertaken by the Task and Finish Panel on Traveller Issues be noted ;
- (2) That the measures previously agreed by the Council to secure the clearance of the top level of the sites at Paynes Lane continue now without further delay and the actions agreed for Birchfield continue in the same manner;
- (3) That the Task and Finish Panel be disbanded given that the outstanding work plan items required longer term consideration not suited to Task and Finish Review and;
- (4) That in view of recommendation (3) above the outstanding items be referred to Environmental and Planning Services Standing Panel for ongoing consideration and action namely:
 - (a) the monitoring of recommendation (3) above;
 - (b) the monitoring and review of the position regarding tolerated sites and;
 - (c) the management of travellers who enter onto land within the district with a view to unauthorised encampments, with particular reference to the legal remedies available, ;interactions with other agencies such as Essex Police and Essex County Council and the provision of emergency and/or transit sites within the district;
 - (e) Government's guidance on the needs of travellers in the context of the Council's review of its District Local Plan and the Essex Housing Needs Assessment;

(f) the results of the Commission for Racial Equality's study on traveller issues in which this Council participated, once published;

(5) That the draft list of current and past sites within the District produced by Planning Services be completed and updated and made available to the Environmental and Panel Services Standing Panel

22. FUTURE ROLE OF COUNCIL - REPORT OF CONSTITUTION AND MEMBER SERVICES STANDING PANEL

The Chairman of the Constitution and Member Services Standing Panel, Councillor R Morgan, presented the report proposing practices designed to enhance debate at Council meetings.

To gather evidence for this review, the Panel carried out a number visits to other local authority Council meetings and surveyed all Members of the Council. Having undertaken a comprehensive review of the alternatives highlighted, the Panel agreed that five options should be pursued. These comprised 'State of the District Debates', 'Single Issue' Council meetings, reports from Overview and Scrutiny/Executive, Questions by Members and the Public'.

Officers would be looking at the operational changes required to support the new arrangements approved at this meeting and would be reporting back in due course. Details of the constitutional changes necessitated to the Council's procedural rules were identified in the appendixes attached to the agenda for consideration.

It was clarified that the section for reports from Overview and Scrutiny/Leader/Portfolio Holders would enable Members to put direct verbal questions without notice to them concerning any issues in their remit as well as on the written report itself. The Panel had also proposed that twenty minutes be allocated to each of the three areas.

It was also proposed that provision should still exist for written questions under notice and this remain a separate standard item as present.

RECOMMENDED TO THE COUNCIL

That the proposed enhancements to Council procedures namely those in respect of 'State of the District' debates 'Single Issue' meetings, reports from Overview and Scrutiny/the Leader/Portfolio Holders and questions from Members and associated proposed revisions to the Constitution be recommended to the Council for implementation

23. TASK AND FINISH GUIDANCE NOTES AND REPORT TEMPLATE

The Committee noted that the Overview and Scrutiny Review Panel had recently reconvened to review the effectiveness of the new Overview and Scrutiny arrangements. Arising from this, officers had produced guidance notes and a report template for Task and Finish Reviews. The Committee were asked to approve these documents for implementation. It was intended that the documents would be circulated to all Panel Chairman, Members and Head of Services for information.

In response it was suggested that the words 'in a non voting capacity' be added to the last sentence of paragraph 11 (investigation phase) and the words 'not just anecdotal' be removed from paragraph 15 (gathering evidence).

RESOLVED:

That the guidance notes and report template be endorsed for implementation.

24. CABINET REVIEW

The Committee considered the Cabinet agenda for its next meeting on 10 July 2006.

The Chairman reiterated his intention to ask the Cabinet to clarify the position on the Loughton Town Centre Enhancement Scheme. (Cabinet agenda item 12 Council Plan 2006-10) as requested earlier on. Aside from this no further issues were identified.

25. ANY OTHER BUSINESS

A Member requested that consideration be given to the procedural rules which enabled any Member including Portfolio Holders to take up the Chairmanship of a Task and Finish Panel. The member thought that the intention was to offer such positions to 'back bench' Members to give them a greater role thus was of the view that Cabinet Members should be excluded from such positions.

Reference was made to the decision made at the May 2006 OSC to appoint the Portfolio Holder for Environmental Protection to the role of Chairman of the Task and Finish Panel on the Local Strategic Partnership. The Head of Research and Democratic Services clarified the constitutional rules on this which indicated that a Portfolio Holder could be a Member of any scrutiny panel and become the Chairman providing its subject matter did not bear directly on the areas covered by their remit. In this particular instance, this rule had been satisfied as the Local Strategic Partnership covered a wide range of issues and was not directly connected with the Portfolio Holders responsibilities in Environmental Protection. Furthermore as the task of responding to consultation documents (which was the purpose of the panel), was a scrutiny responsibility rather than a Cabinet decision, the matter would not be submitted to the Cabinet thus would not impact on the Councillors Executive role. The Head of Research and Democratic Services undertook to consider further the question of whether Portfolio Holders should chair Task and Finish Panels and report back to Members.

RESOLVED:

That the Head of Research and Democratic Services look into the issue of whether Cabinet members should chair Task and Finish Panels and advise the Member concerned.

CHAIRMAN