

Overview and Scrutiny Committee **Thursday, 6th July, 2006**

Place: Civic Offices, High Street, Epping

Room: Council Chamber

Time: 7.30 pm

Democratic Services Officer: Simon Hill, Senior Democratic Services Officer
email: shill@eppingforestdc.gov.uk Tel: 01992 564249

Members:

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, Mrs P Richardson and M Woollard

PLEASE NOTE THAT THIS MEETING IS OPEN TO ALL MEMBERS TO ATTEND
A PRE – MEETING BRIEFING WILL BE HELD AT 7.00 PM IN COMMITTEE ROOM 1 FOR ALL MEMBERS OF THE COMMITTEE

1. MINUTES (Pages 7 - 14)

Decisions required:

To confirm the minutes of the meeting of the Committee held on 25 May 2006.

2. APOLOGIES FOR ABSENCE

3. SUBSTITUTE MEMBERS

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

4. DECLARATIONS OF INTEREST

(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.

5. ESSEX POLICE - PRESENTATION ON PROPOSED MERGER OF BEDFORD, ESSEX AND HERTFORDSHIRE POLICE AREAS. (Pages 15 - 56)

To consider the attached report and associated papers.

6. LIAISON WITH LEADER AND PORTFOLIO HOLDERS (Pages 57 - 66)

Recommendation:

To receive a presentation from the Leader of the Cabinet on the Executive Forward Plan for 2006/07(attached).

The Leader of the Cabinet, Councillor Mrs D Collins, has been invited to this meeting to present the plans of the Executive for the year ahead.

This discussion is aimed at facilitating the Committee's pre-decision scrutiny role. It will enable scrutiny to hear the views and ask questions directly of the Leader on the Cabinet Forward Programme, forward comments for consideration on specific items and consider how it can input into the work.

Members are encouraged to give advanced consideration to the Executive Plan which is attached. A meeting has been arranged for this for Members of the Committee to commence at 7.00 p.m directly before the meeting.

7. CALL - IN OF CABINET DECISION - OVERVIEW AND SCRUTINY TASK AND FINISH PANEL REPORT - PARKING IN RESIDENTIAL AREAS (Pages 67 - 90)

To consider the attached report and papers.

8. WORK PROGRAMME MONITORING (Pages 91 - 98)

(a) Reports of Panel Chairmen

Members may be aware that the Chairmen of the Scrutiny Panels are required to report to the Committee on the following basis:

- (i) when their Panels have completed a review in their work plan and are formally reporting their findings;

- (ii) comments arising on current Executive matters;
- (iii) to request changes to their membership, terms of reference, reporting deadlines
- (v) any other significant issue.

All Chairmen are asked to consider the above and report any relevant issues for consideration.

(b) Updated Work Programme

Attached.

9. CHAIRMANSHIP OF THE CUSTOMER SERVICES AND ICT STANDING PANEL

Recommendation:

The Committee is asked to nominate and confirm a new Chairman for the Customer Services and ICT Standing Panel.

Following the May 2006 meeting of the Overview and Scrutiny Committee Councillor Mrs Rush, (in her absence) was nominated and confirmed as the Chairman of the Customer Services and ICT Standing Panel. Having consulted her since, she has declined the chairmanship due to other pressures on her time.

10. DRAFT COUNCIL PLAN 2006 -10

(Head of Human Resources and Performance Management). To consider the report to follow.

11. TASK AND FINISH PANELS - TERMS OF REFERENCE AND WORK PROGRAMME (Pages 99 - 100)

The Committee is also asked to determine the scope of the work to be carried out by the following Task and Finish Panels:

- (i) Leisure
- (ii) Crime and Disorder Issues
- (iii) Local Strategic Partnership
- (iv) Town Centre and Car Parks

A template on this is attached for guidance.

On 22 June 2006, the Older and Disabled Persons Task and Finish Panel held its first meeting to scope their review. The Panels proposals will be reported at the meeting for consideration.

12. TRAVELLER ISSUES TASK AND FINISH PANEL - FINAL REPORT (Pages 101 - 108)

(Councillor P McMillan). To consider the attached report.

13. FUTURE ROLE OF COUNCIL - REPORT OF CONSTITUTION AND MEMBER SERVICES STANDING PANEL (Pages 109 - 132)

(Councillor R Morgan). To consider the attached report.

14. TASK AND FINISH GUIDANCE NOTES AND REPORT TEMPLATE (Pages 133 - 140)

Recommendation:

To consider and approve the attached guidance on Task and Finish Panels and associated report template.

The Overview and Scrutiny Review Panel has requested that this draft guidance and report format be produced to enhance Task and Finish Reviews and help ensure they achieve an effective outcome. The Committee is asked to consider and comment on the documents and endorse them for implementation. Following this it is intended that the guidance notes will be issued to all Panel Chairmen and members for information.

15. CABINET REVIEW

Recommendation:

To consider any items to be raised by the Chairman at the Cabinet meeting on 10 July 2006.

(Head of Research and Democratic Services). The Committee is invited to consider the Cabinet agenda for its next meeting on 10 July 2006 meeting.

16. 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):

Agenda Item No	Subject	Exempt Information Paragraph Number
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.

Confidential Items Commencement: Paragraph 9 of the Council Procedure Rules contained in the Constitution require:

- (1) All business of the Council requiring to be transacted in the presence of the press and public to be completed by 10.00 p.m. at the latest.
- (2) At the time appointed under (1) above, the Chairman shall permit the completion of debate on any item still under consideration, and at his or her discretion, any other remaining business whereupon the Council shall proceed to exclude the public and press.
- (3) Any public business remaining to be dealt with shall be deferred until after the completion of the private part of the meeting, including items submitted for report rather than decision.

Background Papers: Paragraph 8 of the 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 (as defined in Rule 10) and in respect of executive reports, the advice of any political advisor.

Inspection of background papers may be arranged by contacting the officer responsible for the item.

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EPHING FOREST DISTRICT COUNCIL OVERVIEW AND SCRUTINY MINUTES

Committee: Overview and Scrutiny Committee **Date:** Thursday, 25 May 2006

Place: Civic Offices, High Street, Epping **Time:** 7.30 - 9.35 pm

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

Other Councillors: Councillors Mrs D Borton, Mrs P Brooks, R Church, Mrs S Clapp,
Mrs A Cooper, Mrs A Grigg, Mrs D Collins, Mrs A Haigh, R Law, Mrs S Perry,
Mrs C Pond, B Sandler, D Stallan, P Turpin, Mrs L Wagland and
C Whitbread

Apologies: Councillors D Bateman

Officers Present: J Scott (Joint Chief Executive), I Willett (Head of Research and Democratic
Services), A Scott (Head of Information, Communications and Technology),
S G Hill (Senior Democratic Services Officer), S Dobson (Information
Assistant (Public Relations)) and A Hendry (Democratic Services Officer)

By Invitation: D Butler and R Neville

1. INTRODUCTION AND WELCOME

The Chairman welcomed members old and new to the first meeting of the Committee for the new municipal year. He then asked Simon Hill to give a brief introduction to the new members on the aims and objectives of the Overview and Scrutiny.

2. MINUTES

RESOLVED:

That the minutes of the meetings held on 16 March and 6 April 2006 be taken as read and signed by the Chairman as a correct record.

3. SUBSTITUTE MEMBERS

The meeting noted that Councillor Mrs P Smith was substituting for Councillor D Bateman.

4. DECLARATIONS OF INTEREST

None declared.

5. ANY OTHER BUSINESS

The meeting noted that there was no other business.

6. EPPING FOREST COLLEGE - PRESENTATION BY MR DAVID BUTLER, PRINCIPAL OF COLLEGE.

The Chairman welcomed David Butler, Principal of Epping Forest College and Roger Neville, the Chairman of the College Board. They were there to give a short presentation to the committee on Epping Forest College and its future plans. The invitation had arisen as a result of request made by the collage seeking to develop part of its site to facilitate redevelopment of the College Campus. A copy of their presentation is attached to these minutes for information.

The college is a charity under the Learning and Skills Council (LSC) whose permission was required for them to put their development plans into operation. The LSC also contributed £6.8m to the project. The main objective was to renew the old buildings that are now 60 to 150 years old, provide a new library for Debden, provide a new sports centre for students and the local community, to encourage students not to go to Harlow College (currently 30% of students from Epping District attend Harlow College), to expand their construction/ motor vehicle and hair and beauty facilities and to provide state of the art facilities for the 14 to 19 years olds and the 19+ facilities for local residents. They hoped to open the new facilities in September 2007.

It was noted that the majority of their students were local but they got a lot of interest from Essex County and the London Boroughs. They no longer actively recruited from London Boroughs. The bulk of their business was for the 16-18 year olds, but unfortunately the funding was being withdrawn for their adult education programme. David Butler drew the committee attention to their position in the 'School and College Achievement and attainment tables 2005', where they were placed third, after Harlow and Barnet Colleges.

On completion of their presentation they answered questions from the committee.

Q: We understand that the college has no immediate plans for development of the playing fields opposite the college in Borders Lane. It is regrettable that the proposal for the skateboard facility that was agreed with the Town Council in principle some years ago has not moved forward. Can Mr. Butler assure the Council that these plans will be progressed with due expediency bearing in mind that the youth survey some years ago put this at the top of their youth facilities wish list? Furthermore, does the college have any long-term plans for the development of the playing fields?

A: We are not sure where they currently are with these applications. I am sure the Town Council will come forward with a planning application for the skateboard park soon, and we will make one for a Sports Centre, as in our Development Plan that was submitted to you. We will also make these facilities available to the public/local community, and will include theatre facilities in the main building.

Q: During the recent District Council elections certain persons made much of perceived law and order problems in and associated with, Epping Forest College. These allegations are not new. Can Mr Butler comment on the justification of them and what steps are being taken to minimise criminal activities at the college premises and to discourage anti-social behaviour by students in Loughton outside the college?

A: Lots of teenagers will from time to time will display boisterous behaviour. The college has joined in with the recent knife amnesty, although knife crime is not a problem here. As a college of education we have no significant problems. Our Board of Governors have asked us to be tough with discipline, all students have to wear their identity cards all the time when on the premises and we also have our own security guards and liaise with the Transport Police.

Q: To what extent do you try to educate your students in good behaviour, and what practical things do you do in relation to Debden station?

A: We patrol at the station occasionally and have pastoral care and a tutorial system based on “every child matters” for the 16 to 18 years. The 14 to 16 are provided for at their own schools.

Q: There are a number of students from outside the district and you rely on your income from the LSC. Can you get subscriptions from the areas that the students come from?

A: No, full time students are funded from by the LSC, we also get extra money for students that come from deprived areas.

Q: Are the 14-16 year old students part time?

A: Yes mostly they are. We offer several schemes where we deliver courses from 1 to 3 days a week. We also deliver some courses at school sites.

Q: The 14-16 and the 16-18 year olds figures do they include the LINK scheme?

A: The 14-16 figures are not included as they are not all on site.

Q: The 16-18 year olds taking ‘A’ level courses- why are more from Chingford and not Loughton?

A: The 16-18 year olds cover the whole ability spectrum. Over the past years the North Circular has become more of a barrier. Those students north of the North Circular tends to go north and not cross it southwards into London. The schools that they come from seems to vary year to year, but we do need to attract more students from Loughton.

Q: I have had a look at your OFSTED report, which states the structure of your buildings, are challenging. What else do you do in the college for young people, mainly thinking of the 14-16 year olds and, is your web site a true representation of your college?

A: Our buildings are extremely challenging. We were originally advised that we would be in our new building by this September, it’s now September ’07 and it may yet lapse. The current students will not see these improvements. We lost a lot of students recently when one building had to be closed because of boiler failure. We do a lot to support our students and take it very seriously. We do not use the Web as much as we could; we need to do more marketing.

Q: The provision for 19+ students has decreased over the years because of Government cuts, would you agree?

A: Yes, reluctantly.

Q: What are you doing to attract new tutors?

A: We are making some redundancies this year but this is unlikely to affect the courses.

Q: Why are the police always on site with their CCTV van?

A: You would have to ask the police why. I have offered the police facilities to keep them on site, as it is not possible to keep our large site secure.

Q: How effective are you at monitoring behaviour outside the campus?

A: Less so than on site although we do patrol outside. Young people can appear to be threatening, we try to encourage good behaviour through tutorials and have vigorous discipline procedures for students.

Q: A lot of older residents tend to feel intimidated.

A: We encourage complaints from outside, helps keep us informed.

Q: How do your fees compare to Harlow?

A: There is a different regime for fees between the two colleges.

Q: What percentage of your staff comes from the Epping Forest District?

A: About 45 to 50%, that's about 200 out of 420 staff.

Q: Would you agree that getting better staff is better than getting better buildings?

A: I would agree, but new facilities/buildings help bring people in.

Q: What other ways do you market yourself?

A: We go to local schools etc. we used to actively recruit in over 100 schools, but that was not sustainable, so we now concentrate mainly on local schools.

Q: In your proposed development, how many flats are proposed?

A: The proposals that the developer may apply for are mostly houses and the usual mix of 2,3 and 4 bedroom flats for a development such as this.

Q: Will any of this housing development be built on playing fields?

A: Nearly the entire proposed site is classed as Brownfield land.

Q: Would there be a loss to the college in buildings?

A: We would be slightly down on what we have now. But what we have presently is badly designed, it cost us a lot just keeping them heated and maintained. We will now be in one building.

Q: What sort of recruitment and retention levels do you have for your staff and what sorts of courses do you have?

A: We get about 270 students that go on to higher education each year. As for recruitment and retention in the past it was as low as 2%, now about 11%, which is a natural turnover of staff. This also links in with the change in demand for courses, the types of courses change so the staff has to change. We have an expanding range of curriculum including sport, but do not specialise, as we are a general FE college.

Q: How long has the college been commercially managed?

A: Never, it is a public sector establishment, a charity. It was formed in 1993.

Q: How much of what happens next depends on the LSC?

A: Everything.

Q: You should take more responsibility for what happens outside the college. Everyone in the area is concerned about crime and its links with the college.

A: I do not accept that. Having talked with the Police, they are more concerned about what happens on Friday and Saturday nights.

The Joint Chief Executive for Community Services explained that although there was a problem with youths in the Broadway and Town Centre, police were concerned with youths coming in from London Boroughs and not necessarily from the college. The youths tend to come in from London using the free fares scheme, introduced recently by the Mayor for London.

The Chairman thanked Mr Butler and Mr Neville for their interesting presentation and helpful answers to the questions asked.

7. APPOINTMENT OF STANDING PANELS - 2006/07

The Committee were asked to make appointments to Standing Panels in accordance with the Overview and Scrutiny rules. The Committee were reminded that the Council had agreed pro rata applied to Standing Panels and that membership should be kept to a minimum to allow each Group to have representation . It was noted that on this basis it had been calculated that Panels would consist of 11 Members.

It was reported that nominations to Chairman and Vice Chairman to Standing Panels were excluded from the pro rata calculation rules required for such positions contained in the Council's constitution.

RESOLVED:

That the appointments to Standing Panels annexed to these minutes be adopted.

8. APPOINTMENT OF TASKS AND FINISH PANELS - 2006/07

The Committee were asked to consider appointments to Task and Finish Panels. The Committee noted that five new panels were to be set up. A sixth panel on Travellers Issues was to continue to a conclusion from last year.

It was noted that any Member could be appointed to Task and Finish Panels. However Cabinet Members would not be able to serve on panels which bore directly on their Portfolio. In addition no panel could comprise of members of a single political group and restrictions on numbers did not apply.

Members were also asked to appoint a Chairman and Vice Chairman to each Panel.

RESOLVED:

That the appointments to Task and Finish Panels annexed to these minutes be adopted.

9. OVERVIEW AND SCRUTINY PROCEDURE REVIEW PANEL

(a) Councillor D Stallan, Chairman of the newly reconstituted Overview and Scrutiny Review panel took the committee through the recommendations made by the review panel meeting held in April 2006. The panel had been asked to meet to discuss the outcomes from the recent review seminar held in March 2006 and make any recommendations arising from the seminar to the Overview and Scrutiny Committee.

The Committee firstly considered and agreed the recommendations of the Panel.

RESOLVED:

(1) That panel chairmen be asked to report back to the O&S committee only when:

(i) Standing Panels have commented on a current Executive matter; or

(ii) Panels are formally reporting their findings on an issue in their work programme; or

- (iii) They are seeking changes to their memberships, working practices, terms of reference, reporting deadlines or any other significant issue;
- (2) That the Leader of the Council and other Portfolio Holders should be asked to the July Overview and Scrutiny Committee meeting, to outline their plans for the year ahead (see Overview & Scrutiny Procedure rules 3 (p));
- (3) That Portfolio Holders be asked to attend the O&S meetings prior to the Cabinet meetings on an exception basis – members will need to ask Democratic Services (through the O&S Committee Chairman) to ask Portfolio Holders to attend the O&S committee meeting to discuss any items that relate to their portfolio that the committee would like more information on; and
- (4) That a separate section of the Members Bulletin to be created to update members on the latest work of the O&S panels, Chairmen of the panels are to be requested to supply any updates they think appropriate – also dates of forthcoming meetings should be listed so interested members could attend if they so desired.
- (5) Recommended that no member should chair more than one panel.
- (6) That a list of the various panels and a brief description of their terms of reference be placed in the Members Bulletin to inform members of the proposed programme for next year indicating that they should contact their Group Leader regarding nominations.
- (7) That reports and investigations should include:
 - (a) Details of evidence gathered and reasons for decisions;
 - (b) Conclusions that can demonstrate outcomes for further consideration and the annual report;
- (8) That a common format for reports of Panels be devised by Democratic Services.
- (9) That no later than six months after a Task and Finish panel has finished, the Overview and Scrutiny Committee should undertake a review to revisit the outcomes and progression of the recommendations made;
- (10) That Standing panels be asked to review their own recommendations on a six monthly basis;
- (11) That a rolling record of outcomes be established to keep a continuous record of recommendations made and the outcomes of those recommendations; and
- (12) That the Annual Report to be sent out to Town and Parish Councils, local libraries and to each newly elected member.
- (13) That O&S should be more proactive in requesting Public Relations to publicise Scrutiny;

(14) That an item to be added to the end of each agenda to remind chairmen to agree at their meeting if anything covered at that meeting needed to be publicised; and

(15) That Public Relations be requested to produce a draft publicity plan for consideration by Overview and Scrutiny.

(b) ROLLING RECORD OF OUTCOMES

The Overview and Scrutiny Committee then considered the draft Rolling Record of outcome form as recommended by the Overview and Scrutiny Review Panel and agreed above. It was envisaged that this form would be used to monitor actions taken and highlight areas where actions are required. The form would be sent to Heads of Service and other officers involved in the process and issued in the section to be set up in the Members Bulletin for Scrutiny News.

RESOLVED:

That the draft Rolling Record of Outcomes Form be adopted.

10. WORK PROGRAMME MONITORING

(a) Progress Report

Environmental and Planning Standing Panel

Councillor David Stallan, Chairman of the Environmental and Planning Services Standing Panel reported on their last meeting held on 13 April 2006.

The Panel received a presentation from Keith Lawson from Essex County Council who was there to discuss the re-use of buildings in the Green Belt.

The panel had also agreed to set up a sub group to undertake fact finding visits on Neighbourhood and Community Wardens and it would be open to any member who wished to attend. An invitation would be put in the Members Bulletin.

Finance and Performance Management Standing Panel

In the absence of Councillor A Green, the Senior Democratic Services Officer reported that the meeting held on 25 April 2006 had approved the format and structure of the Councils Draft Best Value Performance Plan 2006/07, with the exception that the Customer Charter be placed nearer the front of the document.

(b) Updated Schedule

The Committee noted the updated schedules.

(c) New Request for Consideration

The committee reviewed the new requests for consideration making the following allocations.

RESOLVED:

- (1) That the Review of Civic Ceremonial be allocated to the Constitutional and Members Services Standing Panel;
- (2) That the size of wheeled bins proposal be allocated to the Environmental and Planning Standing Panel – it was noted that this was not to scrutinise the principle of having wheeled bins, just the size of the bins and the recycling of aluminium foil. Councillor Cohen made a plea that the public be encouraged to shred their paper waste to avoid the possibility of identity theft; and
- (3) That the review of Cabinet Arrangements be allocated to the Constitutional and Members Services Standing Panel.

11. CABINET AGENDA - 5 JUNE 2006

Councillor Mrs Whitehouse expressed concern about item 11 on the Cabinet agenda 'Proposals for Re-tendering the Car Parking Contract', in so far that no members input had been sought and she asked that the Portfolio Holder be asked to attend a future meeting of the Town Centre and Car Parks Task and Finish Panel to discuss the proposed contract.

CHAIRMAN

Report to Overview & Scrutiny Committee

Date of meeting: 6 July 2006

SCRUTINY



**Subject: Proposed Merger of Bedfordshire, Essex
and Hertfordshire Police Areas – Consultation**

Officer contact for further information: Simon Hill

Committee Secretary: Simon Hill (ext 4249)

Recommendations/Decisions Required:

- (1) To receive a presentation from Councillor Robert Chambers, Chairman of the Essex Police Authority on proposals for merger of the Essex, Bedfordshire and Hertfordshire Police Areas; and
- (2) To consider, if any, the Council's response to the formal consultation by the Home Office on the proposed merger proposals.

Report:

On 11 April 2006 the Council received formal notification of the Home Offices intention to make an order to amalgamate the Bedfordshire, Essex and Hertfordshire police areas with effect from 1 April 2008.

This proposal is subject to formal consultation until 11 August 2006.

The following documents are attached as background information:

- (1) Notice of Proposed Merger and consultation arrangements letter dated 11 April 2006; and
- (2) Report on the reasons why the Home Secretary proposes merger.

Having considered the presentation and these background documents the Committee has the option of making representations directly to the Home Office.

Background:

The proposals for the amalgamation of many police force areas is the response of the Home Office to a report of Her Majesty's Inspectorate of Constabulary (HMIC) published on 15 September 2006. This review¹, led by Dennis O'Connor CBE, QBM outlined the findings of the HMIC that (in their view):

- The current '43 force structure was no longer fit for purpose' and 'in the interests of the efficiency and effectiveness of policing it should change';
- There is a correlation between force size and ability to provide effective protective

¹ report at: http://inspectrates.homeoffice.gov.uk/hmic/inspect_reports1/thematic-inspections/closinggap05.pdf?view=Binary

services. Forces under 4000 police officers or 6000 staff in total tended to fall some way short of the required standards;

- There were a range of options considered but in HMIC's professional view the best business solution was a reconfigured service based on strategic forces of sufficient size to provide both effective neighbourhood policing and protective services.

The report also highlighted a number of weaknesses in the current structure which included:

- At the time of inspection only 13 of the 43 forces had fully resourced Major Incident Teams;
- Less than 6% of over 1500 organised crime gangs are targeted by police in the course of a year;
- The inspectorate's report said that some forces' ability to deal with terrorist or domestic extremist incidents would be strained within a matter of hours;
- At the time of inspection only 7 out of 43 forces deployed special branch alongside neighbourhood teams to capture community intelligence;
- Some officers have several crisis management roles that conflict – for example an officer leaving a fatal traffic accident to go to a firearms incident because no other trained person was available; a ports officer having to leave to man a surveillance operation;
- Some forces have no independent armed response capacity at some times of the day and rely on the ability of neighbouring forces to deploy outside their normal force area;
- Only two forces, (the two with greatest officer strength), scored well in the HMIC's assessment of their ability to handle major and serious crimes. All other forces fell significantly short of what HMIC believe is required in this area;
- Too many forces fail to supply enough good intelligence to the National Criminal Intelligence Service (NCIS) to help them pursue organised criminals;
- *Closing the Gap* work on the risks facing police forces today found an increased presence of organised criminal networks spreading outside our cities

Views expressed by other Authorities:

Essex Police Authority is taking legal advice about the possibility of bringing a judicial review to challenge the proposals. It is also undertaking a public consultation about the proposals which includes a discussion at the local Police and Community Consultative Group on 24 July 2006. (Venue TBA)

Hertfordshire Police Authority rejected the proposals for a voluntary merger at a meeting of their Police Authority on 31 March 2006. They are likewise currently carrying out a public consultation and will consider the results on 21 July 2006.

Bedfordshire Police Authority rejected the proposals for a voluntary merger at a meeting of their Police Authority on 4 April 2006 stating that there was no natural link to Essex and that to have a police area with two international airports was potentially problematic.

Essex County Council² voted in favour of retaining a county based force in December 2005 and has recently pledged to continue to oppose the proposal.

² See relevant motion of ECC at:
<http://agendas.essexcc.gov.uk/ComadDocuments/Meeting/1007/061205%20Minutes.pdf>

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Home Office

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Our Ref
Your Ref
Date

11th April 2006

To: See attached list

Dear Colleague

PROPOSED MERGER OF BEDFORDSHIRE, ESSEX AND HERTFORDSHIRE POLICE AREAS

In accordance with the provisions of sections 32 and 33 of the Police Act 1996, this letter gives notice of the Home Secretary's proposal to make an order amalgamating the Bedfordshire, Essex and Hertfordshire police areas with effect from 1 April 2008.

The attached report sets out the reasons why it appears to the Home Secretary that the merger of the 3 police force areas would be in the interests of efficiency and effectiveness of policing in the combined area.

Subject to separate consultation with the Bedfordshire, Essex and Hertfordshire Police Authorities and Chief Constables on the detailed terms of the amalgamation order, the Home Secretary proposes to include the following provisions in such an order:

- the date on which the amalgamation of the precursor police forces will take place (namely 1 April 2008);
- consequential amendments to Schedule 1 to the 1996 Act, including to specify the name of the new police area;
- the establishment of the new strategic police authority before the date of amalgamation;
- supplementary and transitional provision regarding the appointment of members of that strategic police authority and senior ranks of the strategic police force;
- supplementary and transitional provision regarding the appointment by the strategic police authority of a clerk to that authority, in accordance with section 15 of the Police Act 1996;
- the dissolution of the precursor police forces and the precursor police authorities with effect from the date of amalgamation;
- provision for the transfer, on amalgamation, of all property, rights and liabilities (subject to any specified exceptions) from the precursor police authorities and precursor police forces to the strategic police authority and strategic police force respectively. This will include any monies in the police funds and all pending legal proceedings;
- the transfer of members, special constables and police cadets of the precursor police forces to the strategic police force;

- transitional provisions in respect of the position of the chief constables, deputy chief constables and assistant chief constables of the precursor forces on amalgamation;
- transitional provisions in respect of the filling of any chief officer vacancies in the period between the making of an order and the date of amalgamation;
- transitional provisions in respect of the filling of any vacancies amongst the membership of the precursor police authorities in the period between the making of an order and the date of amalgamation;
- provision for the transfer of employees of the precursor police authorities to the strategic police authority;
- transitional provisions in respect of the equalisation of the policing precepts currently set by the precursor police authorities;
- provision that anything done by a chief officer of a precursor force (e.g. a CSO designation under section 38 of the Police Reform Act 2002) is valid in respect of the new force;
- necessary transitional adaptations of provisions in primary and secondary legislation, such as the requirement on precursor chief officers and police authorities to produce annual reports;
- consequential amendments to any primary or secondary legislation which refer to the Bedfordshire, Essex and Hertfordshire police areas, police forces or police authorities; and
- provision to impose a general duty on precursor police authorities and forces to cooperate with shadow strategic police authority.

Any objections to the Home Secretary's proposed merger of the Bedfordshire, Essex and Hertfordshire police areas should be delivered to the Home Office at the address below by **11th August 2006**:

Ahmed Timol
 Police Structures Team
 Home Office
 6th Floor Fry Building
 2 Marsham Street
 London
 SW1P 4DF

Email: structuresreview@homeoffice.gsi.gov.uk

Telephone 020 7035 1953

Bedfordshire, Essex and Hertfordshire Police Authorities will wish to engage in further consultation with their local communities on the proposed merger before deciding whether to submit any objections.

A copy of this letter and enclosure goes, for information, to the Clerks of the Bedfordshire, Essex and Hertfordshire Police Authorities, the Association of Chief Police Officers, the Association of Police Authorities, the Chief Police Officers Staff Association, the Superintendents Association, the Police Federation and Unison.

Yours sincerely



Lorraine Rogerson
Director, Policing Policy

To:

Chair to Bedfordshire Police Authority
Chair to Essex Police Authority
Chair to Hertfordshire Police Authority
Chief Executive to Essex County Council
Chief Executive to Bedfordshire County Council
Chief Executive to Hertfordshire County Council
Chief Executive to Basildon District Council
Chief Executive to Braintree District Council
Chief Executive to Brentwood Borough Council
Chief Executive to Castle Point Borough Council
Chief Executive to Chelmsford Borough Council
Chief Executive to Colchester Borough Council
Chief Executive to Epping Forest District Council
Chief Executive to Harlow District Council
Chief Executive to Maldon District Council
Chief Executive to Rochford District Council
Chief Executive to Uttlesford District Council
Chief Executive to Tendring District Council
Chief Executive to Southend-on-Sea Borough Council
Chief Executive to Thurrock Borough Council
Chief Executive to Bedford Borough Council
Chief Executive to Mid Bedfordshire District Council
Chief Executive to South Bedfordshire District Council
Chief Executive to Luton Borough Council
Chief Executive to Broxbourne Borough Council
Chief Executive to Dacorum Borough Council
Chief Executive to East Hertfordshire Council
Chief Executive to Hertsmere Borough Council
Chief Executive to North Hertfordshire District Council
Chief Executive to St Albans District Council
Chief Executive to Stevenage Borough Council
Chief Executive to Three Rivers District Council
Chief Executive to Watford Borough Council
Chief Executive to Welwyn / Hatfield District Council
Chief Constable of Bedfordshire Police
Chief Constable of Essex Police
Chief Constable of Hertfordshire Constabulary

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1. Context

In response to growing concern from within the police service about an emerging gap in tackling serious cross border crime, Her Majesty's Inspectorate of Constabulary (HMIC) were commissioned in June 2004 to provide their professional assessment of whether the existing force structure is fit for purpose in the 21st Century.

HMIC conducted an assessment of the protective services provided by police forces, namely serious, organised and cross-border crime, counter terrorism and domestic extremism, civil contingencies and emergency planning, critical incident management, major crime (homicide), public order and strategic roads policing. These are also known as Level 2 services.

Protective services

Counter terrorism and domestic extremism

As well as responding to major incidents such as the 7 July attacks, forces need to be equipped to undertake ongoing intelligence and preventive work against terrorists and extremists, including for example animal rights extremists, extreme right-wing organisations and others.

Serious, organised and cross-border crime

This can take many forms including people and drug trafficking, credit card fraud and identity theft, trade in counterfeit goods and trade in firearms.

Critical incident management

These are incidents where the effectiveness of the police response may have a significant impact on the confidence of the victim, their family, and/or the community. As one force noted in their business case, "*Certain incidents such as suspicious unexplained death, homicide, incidents requiring police firearms response etc. will by their very nature always be critical incidents.*"¹

Major crime (homicide)

Major crime includes homicide and serial or serious sex offences, but must also consider issues such as domestic violence and child protection issues which sometimes precede major crimes.

Public order

The police are required to ensure public safety at planned events, (for example a party conference), and wherever public disorder occurs (for example at a football match) they must protect the public and restore order in a manner reasonable and proportionate.

Civil contingencies and emergency planning

Forces must ensure that there is an effective capability to identify, analyse and assess all potential threats that may seriously damage human welfare, the environment or the security of the UK or a place in the UK. Examples of civil contingencies include flooding, outbreaks of disease such as Foot and Mouth, or a spill of hazardous material.

Strategic roads policing

Policing the road network in a strategic way should protect the national road infrastructure from threats posed by terrorism, disrupt criminals using the roads, confront anti-social behaviour, and make our roads safer and accessible for users, reducing the risk of death and injury.

For all protective services, neighbourhood policing provides the key link between the communities which provide crucial intelligence and the specialist teams which can act on the intelligence. As Metropolitan Police Commissioner Sir Ian Blair stated after the terrorist attacks of 7 July, "It is the communities that defeat terrorism, not the police". Locally responsive policing is at the heart of providing a good service to communities, from dealing with alcohol-related disorder at the neighbourhood level, to providing the information which breaks an international drug trafficking organisation.

Each protective service requires continuous work by police forces to gather intelligence, develop prevention strategies and to plan and rehearse how the force would respond in an emergency situation. The diverse and sophisticated nature of the threat from terrorism and organised criminality

¹ Kent, 23 December 2005, '*Closing the Gap: Stage Three Response*', Appendix 1 p.95

demands a response from the police service which goes beyond reactive management of events; a 21st century police service needs to 'predict and prevent'.

Levels 1-3 (adapted from *The National Intelligence Model*, NCIS, 2000)

Level 1: Local issues – usually the crimes, criminals and other problems affecting a basic command unit or small force area. The scope of the crimes will be wide ranging from low value thefts to great seriousness such as murder. The handling of volume crime is a particular issue at this level

Level 2: Cross Border issues – usually the actions of a criminal or other specific problems affecting more than one Basic Command Unit (BCU). Problems may affect a group of BCUs, neighbouring forces or a group of forces.

Level 3: Serious and Organised Crime – usually operating on a national and international scale, requiring identification by proactive means and response primarily through targeting operations by dedicated units and a preventative response on a national basis

In the final report to the Home Secretary (edited version published on 15th September 2005 and available at <http://www.homeoffice.gov.uk/hmic/new.htm>) HMIC outlined their 'stark' findings:

- The current '43 force structure is no longer fit for purpose' and 'in the interests of the efficiency and effectiveness of policing it should change';
- There is a correlation between force size and ability to provide effective protective services. Forces under 4000 police officers or 6000 staff in total tended to fall some way short of the required standards;
- There were a range of options considered but in HMIC's professional view the best business solution was a reconfigured service based on strategic forces of sufficient size to provide both effective neighbourhood policing and protective services.

The confidential national assessment of protective services found that only two forces reached a standard of 3 (on a scale of 1-4 with 4 being the highest) across all seven protective services. No force scored 4 overall. More detail is provided on the assessments in section 4.

Below are some of the weakness set out in *Closing the Gap*:

- At the time of inspection only 13 of the 43 forces had fully resourced Major Incident Teams;
- Less than 6% of over 1500 organised crime gangs are targeted by police in the course of a year;
- The inspectorate's report said that some forces' ability to deal with terrorist or domestic extremist incidents would be strained within a matter of hours;
- At the time of inspection only 7 out of 43 forces deployed special branch alongside neighbourhood teams to capture community intelligence;
- Some officers have several crisis management roles that conflict – for example an officer leaving a fatal traffic accident to go to a firearms incident because no other trained person was available; a ports officer having to leave to man a surveillance operation;
- Some forces have no independent armed response capacity at some times of the day and rely on the ability of neighbouring forces to deploy outside their normal force area;
- Only two forces, (the two with greatest officer strength), scored well in the HMIC's assessment of their ability to handle major and serious crimes. All other forces fell significantly short of what HMIC believe is required in this area;
- Too many forces fail to supply enough good intelligence to the National Criminal Intelligence Service (NCIS) to help them pursue organised criminals;²
- *Closing the Gap* work on the risks facing police forces today found an increased presence of organised criminal networks spreading outside our cities.³

² "...for a number of years...too many forces have not supplied adequate and appropriate [organised criminality] intelligence to NCIS" *Closing the Gap*

Following these findings the Home Secretary wrote to Chief Constables and Chairs of Police Authorities on 22 September 2005 to ask that they, in consultation with criminal justice and local government partners, come forward with proposals for restructuring in each region which would enable the police service to deliver protective services to national minimum standards without adversely impacting on the provision of policing services at Level 1.

2. Design considerations for reform

The Home Secretary's letter to Chief Constables and Chairs of Police Authorities set out design criteria for proposals, drawn from the design considerations identified in *Closing the Gap*⁴.

The design criteria were selected to support delivery of the three core responsibilities of policing identified by HMIC in *Mind the (Level 2) Gap* and *Closing the Gap*:

1. Support for local and neighbourhood policing
2. Provision of protective services to national standards
3. Modern and affordable support services and strategic development

In addition proposals must ensure that the structure is 'future-proofed' against growing demand at Level 2.

Design criteria for proposals (from the Home Secretary's letter of 22 September 2005)

The following are a range of factors which need to be considered in assessing the options for restructuring to meet the gap in protective services identified in the HMIC report.

1. **Size** – to what extent do the proposals for restructuring create units of sufficient size (the HMIC report gave an indicative figure of a minimum of 4000 officers or 6000 total staff) to provide the necessary capacity and resilience in the provision of protective services to meet both current and future demands for such services?
2. **Mix of capability and reduction in risk** – to what extent do the prospective partnerships bring together forces with complementary strengths in addressing volume crime and the provision of protective services? To what extent will they enable performance in relation to both to be improved?
3. **Criminal markets** – to what extent do the proposals take cognisance of the underlying criminal markets and patterns of cross-border criminality in the areas concerned?
4. **Geography** – to what extent do the proposals recognise and take account of particular challenges posed by the geography of the proposed force area and the transport links and working patterns within it?
5. **Co-terminosity** – to what extent do the proposals reflect established political and partners boundaries or, alternatively, support the case for the realignment of the boundaries of other partner agencies so that the benefits of coterminosity can be preserved? The very strong starting presumption will be that any new force areas should not subdivide an existing force area between two or more new forces and that new force areas should not cross government office regional boundaries (it follows that very compelling arguments would need to be submitted in support of any merger proposals which went contrary to these presumptions).

³ "One of the striking conclusions of the work to quantify the risks facing forces is the emerging picture over the extent to which organised crime has stretched its tentacles beyond our cities. This has not been evident in information passed to NCIS previously, where only a limited number of forces have provided intelligence."

Closing the Gap

⁴ Summarised in *Closing the Gap* at pp.13-14

6. **Identity** – to what extent do the proposals build on strong historical or regional identities?
7. **Clarity of command and control and accountability** – to what extent are the proposed governance arrangements for any new entity clear and unambiguous?
8. **Performance** – to what extent do the proposals for restructuring minimise any risks to current performance during the transitional period and support further improvements in performance over the medium term? (Assessments under this heading should be made against the statutory performance indicators.)
9. **Costs and efficiency** – to what extent will the proposals minimise the costs of change and maximise efficiency savings?

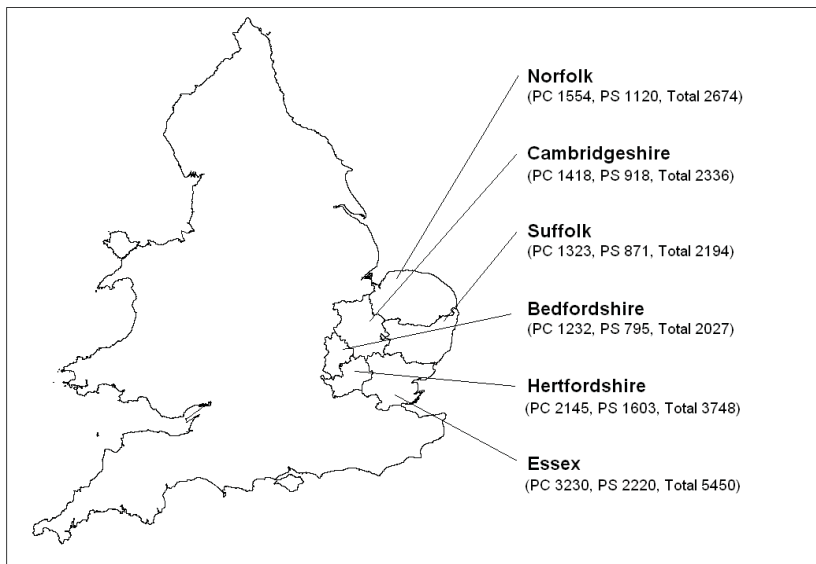
Proposed options will need to demonstrate not only how the proposed arrangements outperform current ones, but also how they would outperform alternative options.

In addition to considering these criteria, the Home Office is conducting a race and diversity impact assessment to understand any impacts of police amalgamations on BME communities and other groups which might be affected.

3. Bedfordshire, Essex and Hertfordshire

The protective service assessment of the options for the Eastern Region identified mergers of Cambridgeshire, Norfolk and Suffolk, and Bedfordshire, Hertfordshire and Essex as the options most likely to achieve national standards in protective services and to deliver clear benefits for the efficiency and effectiveness of policing in these areas. The cost benefit analysis has identified that the proposals are financially robust.

Details of the protective service methodology can be found at Annex A. Four options were considered; the merger arrangement recommended above; an alternative split pairing Norfolk, Suffolk and Essex, and Cambridgeshire, Bedfordshire and Hertfordshire; a three-force split joining Cambridgeshire, Norfolk and Suffolk, Bedfordshire and Hertfordshire with Essex as a stand alone force; and federated arrangements including Cambridgeshire.



Current forces	Force size (police)	Population	Area (square miles)	Rural/Urban composition
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	officers)			Urban	Rural
Bedfordshire	1,232	576,218	475	20%	80%
Essex	3,230	1,635,605	1,415	26%	74%
Hertfordshire	2,145	1,041,319	632	40%	60%
Recommended option: Strategic Force	Force size (police officers)	Population	Area (square miles)	Rural/Urban composition	
Bedfordshire, Essex & Hertfordshire	6,607	3,253,142	2,522	28%	72%

Current position

“As with any other small force there are gaps in relation to protective services.”

Outline Business Case, Bedfordshire, December 2005, p.19

“...there would be clear advantages in sharing good practice and knowledge within more strategic forces...” Business Case, Essex, December 2005, p.72

“... ‘no change is not an option’ in relation to the provision of Protective Services in the Eastern region” Paper by Hertfordshire Chief Constable, December 2005, p.7

The HMIC confidential national assessment of protective services found that within the six forces of the Eastern Region (Cambridgeshire, Suffolk, Norfolk, Bedfordshire, Hertfordshire and Essex) no force alone attained national standards in protective service provision. The assessments identified key weaknesses across the three domains of intelligence, prevention and enforcement activity. Of the six forces Essex demonstrated higher levels of enforcement capability but the assessment still concluded that overall its performance in protective services was below national standards. Force performance across the region underpins the need for change. Existing and positive collaborative relationships in respect of protective service provision were apparent between the forces which would fall into a Northern merger (Norfolk, Suffolk and Cambridgeshire). This collaboration was noted to be of benefit by the HMIC assessors and should be considered in building the case for increasing strategic capability and capacity in the region.

Recommended option: Southern Force merger (Essex, Bedfordshire, Hertfordshire)

1. Protective service assessment summary

It is acknowledged that two viable options exist within this region for two strategic forces comprising either a North / South split (Northern: Norfolk, Cambridgeshire and Suffolk. Southern: Bedfordshire, Hertfordshire and Essex) or an East / West split (Eastern: Norfolk, Essex, Suffolk. Western: Cambridgeshire, Bedfordshire, Hertfordshire). It is acknowledged that both proposals would provide the realistic prospect of delivering protective services to national standards. The financial cases for the two proposals and the general policing case do not distinguish greatly between the two. Determining factors in reaching a final recommendation were; the level of current, well established collaboration arrangements across the three counties (Norfolk, Suffolk and Cambridgeshire) and the best fit with criminal markets. It is also acknowledged that whichever new force contains Essex will be the stronger force due to its performance and exposure to risk.

The option which provides a logical fit for criminal markets and builds on existing collaborative arrangements was the two strategic force arrangement of a new Northern force (comprising a merger of Norfolk, Cambridgeshire and Suffolk) and a new Southern force (comprising a merger of Bedfordshire, Hertfordshire and Essex).

The HMIC confidential national assessment of protective services in respect of Essex, Bedfordshire, and Hertfordshire overall found that none of the forces were able to demonstrate national standards across the range of the seven protective services, in particular serious and organised and counter terrorism. Essex was identified as the strongest of the three forces, particularly in preventative and enforcement activity. None of the forces performed well in respect of intelligence. An area of strength across the three forces was preventative and enforcement activity within roads policing.

The implications for each of the protective services are as follows:

a. Assessed for each protective service

Major Crime: At the time of the assessments, both Essex and Hertfordshire had established Major Incident Teams, in contrast to Bedfordshire which relied upon abstracting staff from BCUs to support major investigations. The merger of the three forces will build exposure and capacity in major crime to address the current shortfall in proactivity and ensure that gaps in resourcing are addressed across the new force area. In terms of major crime this amalgamation will provide a realistic prospect of achieving national standards and improving intelligence, prevention and enforcement activity.

Serious and Organised Crime: Whilst Essex and Hertfordshire were able to demonstrate some limited proactive capability in this activity, Bedfordshire demonstrated a reactive response in relation to prevention and enforcement. The merger, and its profile of investment in this area, will provide a realistic prospect of increasing exposure, capacity and capability to meet national standards. It will reduce boundaries and should improve intelligence sharing, to understand and target criminal markets.

Critical Incidents: Essex, Hertfordshire and Bedfordshire did not reach national standards in their HMIC Protective Service assessments. No force offered more than limited proactivity in terms of critical incident management, except Essex who demonstrated significant proactivity in the enforcement element. The merger of the three forces will create a force of sufficient size to offer potential to deliver to national standards and increased capability through shared exposure to risk.

Civil Contingencies: None of the three forces were unable to demonstrate any more than limited proactivity in this area. The merger of the three forces will provide a force of sufficient size to deliver to national standards. It will draw on current expertise and collaboration arrangements, in particular expertise gained in planning and preparation for emergency procedures for the capital.

Public Order: Bedfordshire and Hertfordshire were unable to demonstrate anything other than limited proactivity across all three elements of this activity. In contrast, Essex demonstrated significant proactivity in both prevention and enforcement activity. The new force will provide a strong public order capability, with increased resilience and exposure to risk. The expertise within Essex provides confidence that this merger will offer the opportunity to deliver this service to national standards.

Roads Policing: All three forces demonstrated significant prevention and enforcement capability, although all shared a common weakness in the intelligence element, which showed only limited proactivity. The merger of the three forces offers the potential to address the area of weakness, whilst building upon current strong performance in this area.

Counter Terrorism: Essex, Bedfordshire and Hertfordshire did not reach national standards in their HMIC Protective Service assessments with each force offering no more than limited proactivity. Hertfordshire provided only reactive capability in terms of intelligence, prevention and

enforcement. Whilst the merger of three forces offers the opportunity to increase capability and capacity in this area the assessment recognised that there may be a requirement for this service to be delivered on a regional basis.

b. Assessed against the design criteria

Size: The three forces together would meet the establishment criteria providing a force of 6,607 police officers and a total establishment of 11,225 staff. The merger offers clear opportunities to increase capacity and resilience.

Mix of capability and reduction in risk: The merger of these three forces will draw together existing expertise and exposure to risk in the current forces. It is recognised that this area presents a higher profile of risk than its Northern counterpart. There are opportunities presented through existing collaborations in the region (in areas such as civil contingencies) to improve expertise by increased exposure. Within the proposed Southern area merger there are also examples of good practice which also offer the prospect of further improving service delivery, (particularly in respect of Essex's performance in civil contingencies, public order, major crime and roads policing).

Criminal markets: The two strategic force arrangements which provide for new Northern and Southern forces provide the most logical fit for understanding and proactively addressing criminality within the region. There are clear links between Norfolk and Cambridgeshire and the resulting Southern strategic force has clear links with criminality emanating from London.

Geography: The north/south split of this region does not appear to present any key geographic or transport issues.

Coterminosity: The three forces within this Southern force proposal sit within the Government Office boundary and share common boundaries.

Identity: The three forces involved in this merger share some collaboration arrangements and share criminal market issues.

Clarity of command and control and accountability: The three force merger in the southern part of the region will reduce boundaries and provides clearer lines of responsibility and accountability than currently.

Performance: As with the Northern force, the Southern force merger also provides the opportunity to improve performance within the protective services. In particular the increase in capacity in areas of serious and organised and major crime will help to move the new force towards delivering protective services to national standards. Whilst much of the improvement may be derived from brigading resources together, the investment planned in this merger provides increased resilience to protect neighbourhood policing.

Costs and efficiency: This criteria is considered below.

2. Summary of financial assessment

Business cases received from forces and authorities in December 2005 set out the level of costs and savings they expected to result from amalgamations. A team of independent consultants experienced in mergers worked with the forces and authorities to ensure that these estimates were robust and to make adjustments where necessary. These are indicative, more work will be done to refine the plans and projected costs and savings as the merger is implemented.

To amalgamate Essex, Hertfordshire and Bedfordshire is projected to cost around £29 million. This cost will cover, for example, bringing together IT systems of the different forces, investing in supplies and services, and ensuring that any redundancies including those at senior level are handled fairly.

Within a few years, the merger will begin to deliver net annual savings, through ongoing reductions in IT costs, reductions in police authorities and command teams from three to one, and savings in staff through redeployment and some natural wastage. The total annual saving from merging the forces is estimated at around £10 million.

The estimated set-up costs and net savings from amalgamation are as follows:

£m	Yr 0	Yr 1	Yr 2	Yr 3	Yr 4	Yr 5	Yr 6	Yr 7	Yr 8	Yr 9	Yr 10
Set-up costs for amalgamation	-	11.7	8.5	3.8	2.7	2.7	-	-	-	-	-
Net savings projected from amalgamation	-	(4.3)	(6.6)	(9.9)	(10.5)	(10.5)	(10.5)	(10.5)	(10.5)	(10.5)	(10.5)

Options Not Supported

The matrix below includes a summary of the confidential protective services assessment carried out by HMIC.

Option	Compliant with design criteria	Protective services assessment
East / West Split	✓	<p>The east west split of this region also offers the opportunity for protective services to be delivered to national standards. The difference in policing service to be delivered is not in itself a determining factor, nor is the financial case for each, which are broadly similar.</p> <p>The determining factors in these two proposals are criminal markets and current collaborative arrangements: The criminal market links are clearer with a north/south split in that the southern part of the region are more able to identify with criminality emanating from London and there are clearer criminal links in the north, in particular between Cambridgeshire and Norfolk. The current collaborative arrangements of the Three Counties work, between Norfolk, Cambridgeshire and Suffolk, provides a foundation upon which to build.</p>
Essex standalone	✗	<p>This standalone proposal falls short of the minimum resource criteria with 3230 police officers and a total establishment of 5748 staff. Concerns are raised about the option's ability to future proof protective services to national standards. Long term resilience is therefore an issue.</p> <p>This option does not support the overall development of regional capability and would leave some of its neighbouring forces below minimum resourcing criteria and vulnerable in terms of current and projected performance.</p>
Hertfordshire Bedfordshire merger	✗	<p>This merger would create a force of 3402 officers and 5953 total staff and is therefore below the minimum criteria. The business case does not articulate how the new force would develop its capability, capacity and resilience to bridge the gap in protective services. There are also concerns about the ability of the option to future proof and offer long term resilience in protective service provision.</p>

		As there is another viable option within the region which provides this level of future resilience along with increased capability and exposure to risk, this option is not supported.
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4. The overall case for change: protecting the public in the 21st century

Closing the Gap conducted a confidential national assessment of protective services, carried out by HMIC with the support of key stakeholders. The confidential national assessment found significant weaknesses in the provision of protective services in England and Wales. The HMIC review team undertook an extensive examination of the 43 forces and produced an assessment for each force considering capacity and capability in each protective service based on key indicators in regard to intelligence, prevention and enforcement. Capacity in this context refers to the level of resources a force has to address an issue; capability refers to the skill and expertise of the force in doing so.

The review found that only two forces displayed “reactive capability with some proactive capability” across all seven protective services.

No force demonstrated “reactive capability with comprehensive proactive capability” across all protective services, although the two largest forces – Greater Manchester Police and the Metropolitan Police Service – achieved this for individual dimensions of intelligence, prevention or enforcement within a protective service.

Weaknesses were evident in all of the protective services and especially in the handling of serious and organised crime, counter terrorism and public order, and particularly in intelligence across all of the protective services.

Evidence from forces and authorities

Business cases provided to the Home Office by forces and authorities in many cases acknowledged the present and growing challenge of providing strong protective services. As part of the consultation and review process, forces and authorities were asked to nominate their own protective service panels to score the delivery of protective services in their own organisations. HMIC and the Home Office provided a scoring spreadsheet along with guidance to forces and authorities to assist them.

Only five forces scored themselves as currently configured above 75% in delivery of protective services. When these scores are regionally averaged, no region as a whole scored above 75% in its current configuration.

These scores were not validated by HMIC and therefore do not include the element of external critical challenge which would ensure that they are robust. Given HMIC’s finding that force intelligence assessments of the Level 2 threat in their areas often had substantial gaps, these scores may overestimate the forces’ capability to deal with the threat.

A changing policing environment

Closing the Gap found that the current policing environment is characterised by ‘widespread enterprising organised criminality, proliferating international terrorism and domestic extremism; a premium on intelligence, expertise and smart use of capacity; and an increasingly risk concerned public and intrusive media’.

In this environment there exists both a greater demand for effective provision of Level 2 services, and more intensive scrutiny of the quality of service by the public and media.

Growing pressure on protective services: Overall crime levels have reduced by 35% since 1997, and the chances of being a victim of crime are at their lowest for 20 years. But despite these

successes police forces face some growing challenges: increasingly sophisticated organised criminality; a greater terrorist threat; and an increased workload to support partner organisations or as new investigative techniques become available. These challenges are likely to get worse rather than better if nothing is done to address the problem.

Following the terrorist attacks of July 7 and 21, anticipated increases in workload caused by national and international terrorism over the next 1-5 years has led to a greater investment in this area of work by the Security Services. In addition the threshold at which intelligence is passed to Special Branches within forces has been lowered. This creates an increased workload for police forces which assist the Security Services and provide intelligence. In light of this ACPO have advised all forces to strengthen and develop their own Special Branch capability.

“The anticipated workload in Counter-Terrorism is expected to increase over the next 12-24 months due to...increase in the size of the Security Services and a corresponding increase in workload passed onto the Force.”⁵

The Government 2004 White Paper on organised crime noted that “...the threat we face from organised crime, often operating across international frontiers and in support of international terrorism, has probably never been greater”⁶ and that:

“Trends in society and the world economy suggest that the threat to the UK from organised crime can only increase as criminals seize on new technologies and methods like identity theft and as they forge new alliances with international terrorists. We need to ensure our response not only keeps pace but stays several steps ahead.”⁷

The Home Office estimates the harm caused to the UK by organised crime at over £20 billion annually. Combating this is the responsibility not only of specialist agencies such as the Serious Organised Crime Agency (SOCA) but also of local forces who play an essential role in providing the intelligence which feeds the investigation of organised criminals and in carrying out many of these investigations which often fall under Level 2. As the White Paper states,

“Local forces with their links to local communities should be providing the majority of all our criminal intelligence.”⁸

In line with this, *Closing the Gap* found that the forces with the strongest intelligence pictures on terrorism and extremism were those who had Special Branch resources located at BCU level providing the necessary ‘bottom-up’ drive to create a fuller picture of activity.

Closing the Gap raised concerns with the quality of intelligence local forces have relating to organised criminal activity. HMIC’s assessment of risk around the country researched for the report revealed organised criminality in force areas previously thought to be low risk.

This picture is supported by the rise in Class A drug offences over the past ten years, from 13,910 in 1995 to 36,350 in 2004. Although overall drug offences fell 21% between 2003 and 2004, from 133,970 to 105,570, Class A drug offences rose by 2% over the same period.⁹

Similarly, although the use of firearms in committing crime remains extremely rare (0.2% of all recorded crime excluding air weapons), the five years to 2003/04 has seen the number of recorded crimes involving a firearm almost double.¹⁰ An HMIC study found that from 1992 to 2003/04 the number of operations where police officers were issued with firearms increased from under 5,000 to more than 17,000. The most recent threat assessment from the National Criminal Intelligence

⁵ Kent Appendix 1 p.88

⁶ One Step Ahead: A 21st Century Strategy to Defeat Organised Crime, March 2004 p.1

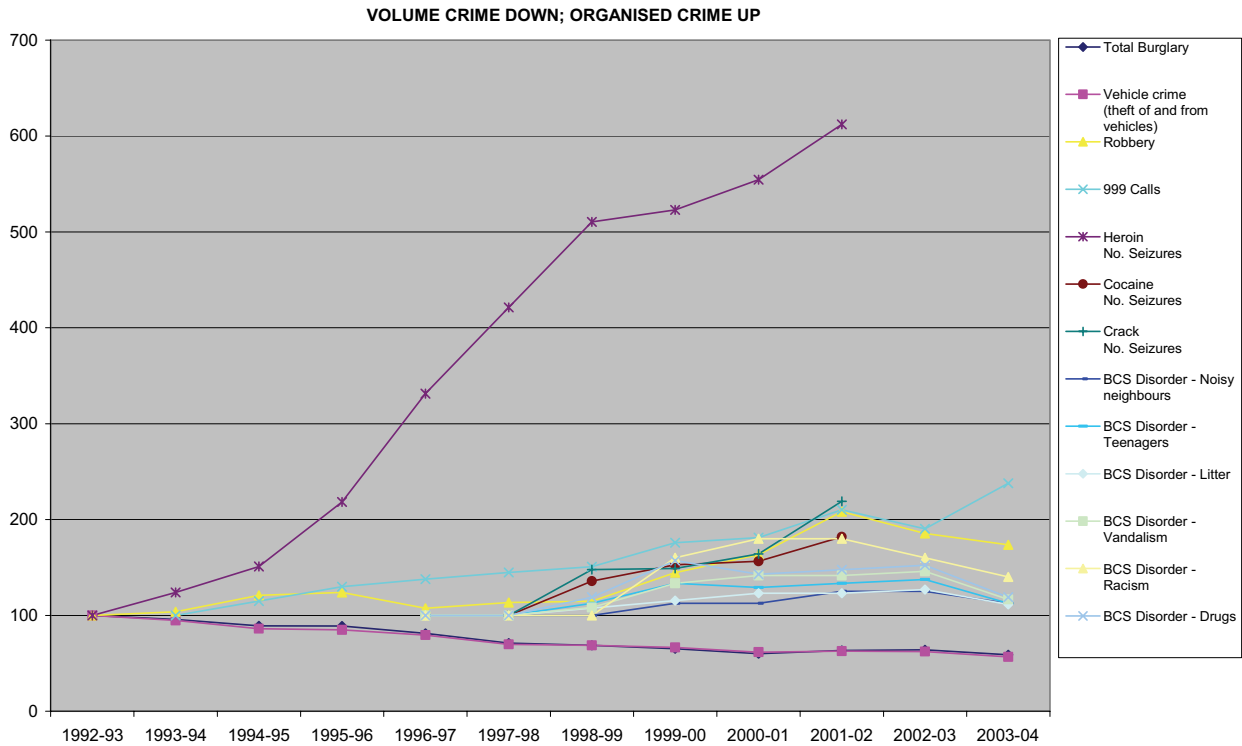
⁷ One Step Ahead: A 21st Century Strategy to Defeat Organised Crime, March 2004 p.2

⁸ One Step Ahead: A 21st Century Strategy to Defeat Organised Crime, March 2004 p.27

⁹ HOSB 23/05, ‘Drug Offenders in England and Wales 2004’ Mwenda, December 2005

¹⁰ Crime in England and Wales 2003/04: Supplementary Volume 1: Homicide and Gun Crime, Povey, 2005

Service reported a shift in some cases of Class A drugs markets from metropolitan areas to smaller towns and cities following market saturation or successful law enforcement tactics, and noted that, “where newly arrived criminal groups have threatened the position of existing dealers, possession and use of firearms has begun to escalate.”¹¹



This evidence combines to form a picture of a threat likely to increase further if not addressed through improved capacity and capability of local police forces, the key partners in provision of intelligence and very often in terms of the response.

Partner relationships: Police responsibilities and relationships with other agencies have changed as part of the drive for continuous improvement in the fight against crime. These changes provide opportunities to improve services further in the light of restructuring but also have implications for the workload of police forces in the future.

The creation of the Serious Organised Crime Agency and transfer of responsibilities from the National Crime Squad and National Criminal Intelligence Service has changed the policing landscape in terms of the UK’s ability to tackle organised criminal gangs operating at the national and international level. As police forces and authorities have noted in their business cases; and as ACPO noted in its most recent strategic assessment, SOCA will require increased assistance and intelligence from police forces in order to successfully combat serious organised crime, representing an additional claim on resources.

“The creation of SOCA will increase demand for Level 2 resources.”¹²

“...the introduction of a new national law enforcement agency, the Serious Organised Crime Agency (SOCA), may place additional demands on the police service to address national-level crimes and may draw resources away from middle-level cross-border crimes.”¹³

In addition, as *Closing the Gap* noted, the transition from NCIS and NCS to SOCA, which will not cover all of the same issues, may potentially create a vacuum of resources and expertise. The

¹¹ NCIS UK Threat Assessment 2004/5 – 2005/6

¹² East Midlands December 2005 business case p.39

¹³ ACPO 2004 National Strategic Assessment p.3

report noted that this is “evident in the current reliance on the NCS to provide the more sophisticated surveillance, a controller for kidnap and extortion, and support for special command centres”.¹⁴

Similarly, Operation ‘Reflex’, which is a Home Office led project managed via the Director General of the Serious Organised Crime Agency (SOCA), and which focused on countering organised immigration crime and human trafficking, will provide funding for police forces only until March 2008, after which this work should be absorbed into the regular work of strategic forces.

Forces will need to be able to access the specialist expertise and the resources to address these demands themselves.

Increasing cost of investigative techniques: *Closing the Gap* notes that “the costs and professional sophistication needed to provide adequate standards of protective services will become ever harder to deliver for smaller forces and we now firmly believe that some reorganisation of forces and reconfiguration of protective services is inescapable.”¹⁵

For example, a joint Home Office, ACPO and CPS stocktake on implementation of the Rape Action Plan 2002 found that fewer than ten forces have dedicated rape investigation teams yet these are regarded as best practice by ACPO. The ACPO working group on rape has noted that smaller forces are less likely to be able to provide these teams.¹⁶

In addition the cost of expert services is increasing well ahead of inflation – for example forensics at 8% per annum. *Closing the Gap* reported estimates of a rise in forensic costs from £34 million in 1990 to a predicted £200 million in 2006/7.¹⁷

The implication of this for forces is an increased need to share intelligence effectively and to get the most from existing resources. As one force noted in their business case:

*“Joining up with regional and international partners will be essential in tackling the technological challenges created by the Internet, criminality and technological developments.”*¹⁸

Bichard Inquiry and IMPACT: The IMPACT programme is a mission critical programme to deliver improvements in the way that the police service manages and shares intelligence and other operational information. A major catalyst for the Programme was the Bichard Inquiry, set up in December 2003 by the Home Secretary following the conviction of Ian Huntley for the murders of Holly Wells and Jessica Chapman in Cambridgeshire in 2002. The Inquiry Report found 'systemic and corporate failures' in the way in which Humberside Police managed their intelligence systems, and found Cambridgeshire Constabulary to be at fault in its failure to request a records check on Huntley. The Report made 31 recommendations to address weaknesses in the management of information by the police service and the multi-agency provisions for the protection of children. The IMPACT Programme is directly addressing 7 of those recommendations.

More broadly, Sir Michael Bichard noted that the disparate development of local IT systems, many of which do not communicate with each other, has inevitably led to real difficulty in accessing all relevant information, which has in turn resulted in poorly-informed decision-making. Police forces need to address these problems urgently where they exist.

As one force noted in their business case for reform:

¹⁴ *Closing the Gap*, p.32

¹⁵ *Closing the Gap*, p.17

¹⁶ Sept 2005, Home Office/ACPO/CPS, Stock take of implementation of the Rape Action Plan 2002, Results Report (unpublished)

¹⁷ *Closing the Gap*, p.11

¹⁸ W Mids December 2005 business case Appendix B p.29

“Despite both formal and informal collaborative arrangements across the region, the sharing of intelligence and management of offenders across boundaries is increasingly challenging without organisational unity. The existence of ... significant defendant movements illustrates the significant gains the single strategic force option would bring to the management of criminality, intelligence and performance.”¹⁹

The IMPACT Programme aims to develop the business change and technical infrastructure across the police service necessary to improve the management and sharing of operational information. It will also secure the longer-term future of the Police National Computer (PNC). IMPACT will enable police forces to access more and better quality information on criminals who have crossed force or business area boundaries, creating the potential to improve prevention and detection of crime and therefore enhance public protection.

To ensure these benefits are delivered, police forces will need to dedicate greater resources to enforcement targeted against those offenders flagged by IMPACT. The system therefore increases the demand on force resources in this area and adds to pressure for change to improve handling of protective services

The establishment of fewer, larger forces will support the Bichard implementation work and underlying issues since it will offer an opportunity to achieve greater national consistency and good practice in the management and handling of information across the police service. Larger strategic forces will have the ‘critical mass’ necessary to dedicate specialist expertise to this and are more likely to be able to offer teams the necessary level of exposure so that they can embed and improve their skills.

Conversely, IMPACT will assist in force restructuring by providing the technical means of sharing information between disparate systems in the amalgamated forces.

Civil Contingencies Act 2004: Introduced to address the improvements needed in civil protection following the fuel crisis and severe flooding in 2000, the Act places duties on forces to identify, develop and test plans for vulnerable sites and emergencies. The current forces are in varying states of compliance and restructuring provides an opportunity to share expertise across forces and to promote progress towards full compliance with the Act. A key aspect of the legislation is the requirement for cooperation between a range of partners including police, local authorities, other emergency services and NHS bodies.

5. Benefits of change

In order to fill the gap and to provide a full range of protective services forces need to have the attributes set out below. Increased demands on forces to develop these attributes without restructuring would place strains on available resources. To meet the required standard they would need extra resources which could only be drawn from resources currently dedicated to Level 1. Business cases developed by forces and authorities have consistently flagged this point and the views of the forces affected by this business case are quoted in the relevant options assessments above.

Closing the Gap found a correlation between size of force and ability to deliver protective services to the required standard to fill this gap. Smaller forces were less likely to have the capacity, capability and resilience to meet requirements, in particular to do so without abstracting officers from neighbourhood policing duties. The analysis, which scored forces from 1-4, found that although some smaller forces punched above their weight in terms of performance at Level 2, no force demonstrated ‘reactive capability, with comprehensive proactive capability’ (4) across all the protective services, and only the two largest forces averaged a rating of ‘reactive capability, with some proactive capability’ (3). Only the two largest forces achieved any ratings of 4 at all.

¹⁹ W Mids Appendix B p.25

Forces which had more than 4,000 officers or 6,000 staff were more likely to be able to demonstrate good reactive capability across six of the seven protective services with some proactive capacity (the exception to this is strategic roads policing, which did not demonstrate a correlation with size of force). It should also be emphasised that the 4,000 threshold is indicative of capacity required taking into account growing future demands on the service. Forces which do not meet this threshold or which are close to it risk finding themselves inadequately 'future-proofed'.

In light of these findings *Closing the Gap* concluded that:

"Looking ahead the police service needs not only to deal effectively with volume crime, the current performance focus, but also have demonstrable readiness to tackle complex, volatile threats to individuals, neighbourhoods and businesses. This implies a major development in capability and to achieve this, changes must be made not only to the structure, but the whole configuration of policing at this level." (original emphasis)

Present force size ranges from 881 officers (City of London), to 31,073 officers (Metropolitan Police Service), with an average of around 2,500 (calculated excluding the MPS to avoid skewing results).

At the time of inspection only seven forces met the 4,000 officer threshold: Greater Manchester, Merseyside, the Metropolitan Police Service, Northumbria, Thames Valley, West Midlands and West Yorkshire. The next largest with around 3,800 and 3,600 officers respectively were Hampshire and Kent.

Increasing size of force alone will not guarantee improvements in protective services delivery; restructuring provides an additional opportunity to reconfigure and rebrigade services, to deliver the benefits identified below. Strong governance and leadership will be required in order to ensure that appropriate standards are met. Moreover, it is not just size of force per se that is important for improving level 2 policing. The *scale* of policing operations (in terms of size of population covered) will be important for the effective policing of extended criminal networks and counter terrorism. A larger scale of operations can also deliver effective level 2 services for larger populations at lower cost, a point discussed in more detail below.

Benefits of restructuring

The principal benefit from restructuring will be the creation of a higher level of capacity for delivering specialist protective services. There are a number of examples of specialist teams that currently exist across the different areas of protective services delivery. Examples include:

- Major Investigation Teams (MITs)
- Intelligence gathering and preventive policing
- Armed response teams

Crucially, specialist teams require a *critical mass* of police officer numbers in order to be operationally effective and in order to provide sufficient organisational "slack" to cope with variability in demand. Integrating existing force structures should deliver the necessary critical mass for improved specialization by:

- Enabling a smaller force(s) to integrate with a larger force(s) that has an existing specialist protective service team in place. For this to be effective and efficient it is vital that that sufficient capacity exists within existing protective services teams to cope with the additional demands that would arise through policing a larger population.
- Releasing police officer and other staff time from activities that would otherwise be duplicated within a newly created strategic force.

Police force restructuring is not a pre-requisite for improved specialisation. A significant uplift in the number of protective service teams operating around the country could be achieved within the

current 43 police force structure. This would either require a significant re-deployment of manpower from existing duties (including neighbourhood policing) or growth in police officer numbers.

The development of increased level 2 specialisation through police force amalgamation has two principal advantages:

- **Economies of scale:** restructuring provides an opportunity for delivering an improved level of protective services coverage using fewer specialist teams than would be needed to deliver better protective services under a 43 force structure. This amounts to a more cost-effective use of police resources.
- **Economies of scope:** Fewer specialist teams will also be in a position to deliver a wider scope of service coverage at lower cost. For example, a single intelligence team would have the necessary skills that could be applied to different level 2 policing issues (e.g. counter terrorism, monitoring extremism, organised criminal activity).
- **Avoiding under-utilisation of protective service capacity:** In a 43 force structure there is a risk that specialist teams within certain areas of the country would be significantly under-utilised given the lower frequency of major crimes and other level 2 incidents expected within smaller forces. Police officers can always be redeployed into other tasks while not engaging with their primary responsibilities (conducting major crime investigations, responding to firearms incidents etc.). However, the higher frequency of engagement that would be expected within a larger restructured police force could enhance specialist skills development and ultimately level 2 policing performance if specialist policing skills are partly accumulated through experience, as might be expected.

Creating the capacity to implement specialist protective services should not be viewed as an end in itself, but as a mechanism for offering the potential for overall improvements in level 2 and neighbourhood policing performance.

The benefits of enhanced specialisation

Improvements in level 2 performance

In terms of level 2 policing standards the principal advantages of greater specialisation arise from a “division of labour”: specialisation in itself implies less multi-tasking with a greater emphasis on skills development in relation to specific aspects of level 2 policing. In principle this would improve the performance and the quality of service delivery, an effect that should be reinforced within larger strategic forces given that there is likely to be exposure to a greater volume of level 2 incidents and criminal activity: the “learning by doing” effect.

A greater resilience for neighbourhood policing

Specialist teams should offer improved resilience against major officer abstractions from neighbourhood policing duties. Large numbers of officers may be required to handle public order incidents or major emergencies such as a chemical spill or a terrorist incident. More common than such extreme incidents, however, are surges in demand caused by, for example, major crime investigations.

Increasing uncertainty in the demand for protective services will increase the risk of level 1 police officer abstractions. Moreover, there is a tendency for smaller police forces to be faced with a larger degree of uncertainty as measured by monthly variability in level 2 related incidents. For example, in forces with over 4000 officers the highest monthly homicide rate is on average 187% above average monthly homicide rate; however in forces with under 2000 officers it is 486% above the monthly average.²⁰ Uncertainty can be accommodated by building in additional capacity into

²⁰ Variation is high since the numbers involved are very low; however it is precisely the combination of rarity and surges in demand which challenges some smaller forces in dealing with this.

MITs and other specialised teams. However, the smaller the force the greater the difficulty in resourcing this “spare” capacity. Furthermore, lower average levels of demand within forces policing smaller populations will mean that additional capacity will be relatively under-used.

Closing the Gap found that success in handling major crime without impacting on performance and capacity at Level 1 largely turns on whether a force has a Major Investigation Team or not. At the time of inspection, only 13 of the 43 forces had a fully resourced MIT.

“Some [forces] have dedicated Major Investigation Teams ... whereas others primarily rely upon the abstraction of Divisional personnel ... Similarly, the investigative support structures ... equally differ, frequently resulting in disruption to front line policing duties. Collectively, this denies a professional approach by skilled personnel to a specialist field of operation, which, if incorrectly managed, not only leaves the reputation of a force open to challenge, but has an adverse impact on sustainable and improve performance in relation to volume crime.”²¹

“[Major crime] long term abstractions were causing performance gaps for divisions in terms of detective capability.”²²

Adequately resourced specialist protective service teams will not guarantee a force complete resilience or independence from mutual aid. HMIC are clear that even the largest force, faced with a major emergency spread over several sites, would abstract from BCUs and/or request mutual aid. However, there is a strong professional belief that specialist protective services, most notably MITs, would prevent substantial neighbourhood police officer abstractions currently experienced by smaller forces that have yet to develop a greater level 2 policing capability. Given that there is statistical evidence showing that levels of volume crime are responsive to sudden shifts in policing manpower, the prevention of significant abstractions occurring for significant periods of time could make important contributions to neighbourhood policing performance.

Cost savings through re-structuring

Force integration provides an opportunity for rationalising existing support services and command structures. It is anticipated that important savings could be delivered across the following business areas: HR, IT and communications, finance, procurement, governance, supplies, premises and transport.

The achievement of savings in some areas could in principle be delivered without a major restructuring of the police service – although the rollout of efficiency programmes such as sharing support services across all police forces will be significantly promoted by a reconfigured landscape of fewer, more strategic forces.














However some savings, for example in command teams and those created by bringing together protective service teams from different forces, could not be achieved without restructuring. The following are some illustrative examples of potential savings brought about through economies of scale through restructuring of protective services:

- Annually recurring savings in delivery of protective services. These savings would derive from:
 1. Reduction in senior command staff required
 2. Redeployment of staff from one protective service area to another
 3. Utilisation of existing resources to cover a greater area

²¹ *East Midlands Submission*, 23 December 2005, p.41

²² *Lancashire Final Business Case*, December 2005, p.48

5.1 Summary table of benefits resulting from better protective services

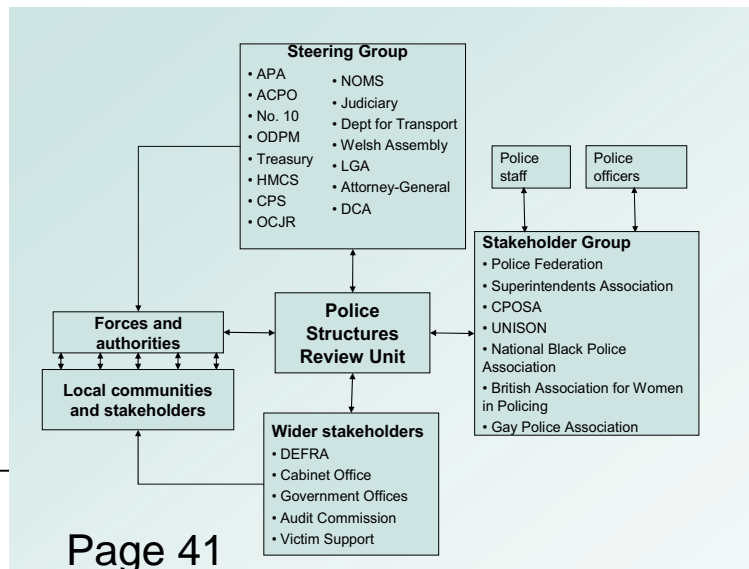
Protective service	How do better protective services deliver benefits to the public?	
Major crime (homicide)	Increased use of specialist and dedicated teams	 Improvement in quality of investigations without adverse impact on Level 1 policing
	Better management and understanding of intelligence	 Increasing the chances of early intervention and prevention of crime
	Clearer direction, leadership and scrutiny of major crime	 Increasing the chances of early intervention and prevention of crime
	Consistent, independent review mechanisms for the review of current and closed cases	 Improving the quality and standards of services
Counter terrorism and domestic extremism	Improved investment in development of intelligence from the bottom up, providing intelligence capacity at the community level	 Increasing the chances of early intervention and prevention of attacks
	Better sharing of information and intelligence between forces	 Increasing the chances of early intervention and prevention of attacks
	Mechanisms for early identification of terrorist and extremist activity	 Increasing the chances of early intervention and prevention of attacks
	Dedicated specialist resources	 Improved capacity to respond to incidents, and greater capacity to practise response
	Increased awareness amongst frontline staff	 Better and safer response from staff who understand the risks, critical issues, and responsibilities
Serious and organised crime	Increased specialist capacity	 Improved quality of investigations
		Increased capacity to disrupt organised crime groups and prevent crime Increased seizure of criminal assets
	Improved gathering and handling of community intelligence	 Increasing the chances of catching or disrupting organised criminals
	Better sharing of information and intelligence between forces	 Increasing the chances of catching or disrupting organised criminals
	A stronger picture of the extent of organised crime nationwide	 Improving our ability to put resources where the problems are

Critical incident management	Dedicated expert capacity and increased ability to invest in high quality training	⇒	Improving the ability of police forces to gain and keep public confidence through improved handling of sensitive situations
	Increased ability to provide dedicated firearms units not divided between two or more roles	⇒	Improving the ability of police forces to gain and keep public confidence through improved handling of sensitive situations
	Proactively gathering and assessing community intelligence	⇒	A better understanding of communities and thereby early identification of tensions within and between communities. Enhanced links with hard to reach groups/communities.
Public order	Greater resilience	⇒	Increased resources to handle public order events without impacting on Level 1 policing
	Forces operate in a state of preparedness with appropriate and well rehearsed plans	⇒	Timely initial and continued response to public disorder with minimal impact upon local policing
	Greater capacity and enhanced expertise	⇒	Forces consider a wide range of situations that have the potential for public order rather than the traditional areas.
	Increased experience of public order commanders / sufficiently trained, experienced and equipped officers	⇒	Improved quality in handling of public order incidents
	Improved gathering and handling of community intelligence	⇒	Increasing the chance of preventing or minimising disturbances early on.
Civil contingencies and emergency management	Greater resilience and capacity	⇒	Increased resources to handle civil contingencies Increased capacity to rehearse mobilisation plans, leading to a swifter and better response
	Increased experience of emergency commanders	⇒	Improved quality in handling of emergencies.
Strategic roads policing	Greater strategic oversight	⇒	Increased disruption of organised criminals on the roads
	Enhanced resources & expertise	⇒	Development of preventative measures contributing towards casualty reduction.
	Dedicated expert capacity	⇒	Fewer officers taking two or more roles

Annex A: Review Methodology and Stakeholder Engagement

Stakeholder Engagement

Following the Home Secretary's letter of 22 September, the Police Structures Review Unit was established within the Home Office to support forces in developing and



assessing options for restructuring. The Review Unit, directed by a Chief Constable and managed by the Home Office, also included representatives from the following organisations:

- Her Majesty's Inspectorate of Constabulary
- Association of Police Authorities
- Her Majesty's Courts Service
- Crown Prosecution Service
- National Offender Management Service
- Office of Criminal Justice Reform
- Chartered Institute for Public Finance and Accountancy

Core stakeholders including the tripartite partners and criminal justice agencies were engaged directly in the development of the reform programme throughout as members of the Police Structures Review Unit. These agencies were also engaged at a senior level through the programme Steering Group alongside other government departments with a direct interest in restructuring. Police staff associations have been and will continue to be involved in the process through the Stakeholder Group which serves as a two-way channel of communication between police staff and officers, and the Police Structures Review Unit.

At the same time, a wide-ranging review of the potential impacts generated by a move to a smaller number of strategic forces across the Home Office and other Government departments was conducted by a Home Office team. The review covered over 200 teams across Government who have a policy or operational interest in the police, identifying over 500 impacts which have informed the cost, benefit and risk assessments of strategic force options, and will be incorporated into implementation planning.

Consultation with local communities and stakeholders has been driven by police forces and authorities. Details of how they have done so in each case are available in their individual business cases submitted to the Home Secretary in December 2005.

Development of business cases by forces and authorities (Oct – Dec 2005)

The Review Unit wrote out to police forces and authorities on 7 October providing guidance on the development of business cases and assessment of options. The Review Unit recommended that:

"...each option (which is judged to be viable) should undergo a staged assessment process which captures both the service level issues (specifically relating to protective service provision) and the strategic organisational requirements to support all aspects of policing." (Home Office Guidance p.4)

In order to achieve this forces and authorities were provided with a toolkit enabling the application of Multi-Attribute Rating Techniques, Cost Benefit and Risk Analysis to assess options. The toolkits were based on HM Treasury guidance and refined in conjunction with the Centre for Decision making at Leeds University Business School. They were prepared by a joint Home Office and HMIC project team with advice from financial and statistical specialists.

Assessment of business cases by HMIC/Home Office team (January – February 2006)

The assessments were undertaken by a panel of Home Office and HM Inspectorate of Constabulary experts during January 2006 and moderation took place in early February 2006.

The Panels applied the criteria outlined by the Home Secretary in his letter of 22nd September 2005 (in respect of size, mix of capability, criminal markets, geography, co-terminosity, identify, clarity of command and control, accountability, performance and efficiency) and focused on assessing the following issues:

- Predicted ability of each option to meet the national standards in protective service provision (as defined by ACPO and HMIC).
- Each option’s ability to maintain and develop the other key functions of policing, including the resilience of neighbourhood policing.
- Overall strategic fit within the regional and national landscape.

The Protective Service Panels consisted of Home Office and HMIC professionals with knowledge and experience of protective service provision and service inspection. The Panel process was supported by Police Structures Review Unit liaison officers with local knowledge of the context in each force and region. The Association of Chief Police Officers and Association of Police Authorities were invited to observe the panel process. The assessments looked at submissions from forces and authorities, baseline assessments by HMIC and protective service assessment.

The findings of the panels were subject to review and moderation by senior Home Office and HMIC personnel to ensure that the Home Secretary’s criteria, and panel assessment scores were applied in a consistent way. In respect of protective service provision, the profile of each of the seven protective services within each option was assessed and scored on a scale of 1 – 4. The same criteria were used for this assessment as had been used by HMIC for the protective services assessment in *Closing the Gap*, and this is the same test which will be applied when HMIC review the performance in delivering protective services following any changes, and will therefore be a test of the outcome of any restructuring process.

The assessment also considered whether options met the Home Office criteria for establishment (number of staff) and maintained force, partnership, Government Office and national boundaries, and whether the emerging picture provided comprehensive coverage of viable options, to ensure that no area would be left with gaps in resilience or capacity. In addition, a final assessment was made as to whether an option had local professional support.

At the same time a group of independent consultants was employed to assist the Police Structures Review Unit. Their remit was to assess the outline business cases for change submitted by forces and authorities in December 2005. In particular, they were tasked to assess and report on the plans which the cases were based upon and the associated projections for costs and savings. The aim was to develop a view of the various options for change submitted by the forces and authorities, their robustness and practicality; and to suggest areas for possible adjustment of the cases in the light of the assessments made.

In order to achieve this, the consultants worked closely with forces and authorities, with support from PSRU Force Liaison Officers and Home Office Analysts. The consultants also worked with PSRU staff to ensure a consistent and coherent national picture was built up, based on emerging best practice and operational requirements.

Annex B: Monitoring and success measures

Delivery of these objectives will be monitored through the comprehensive Policing Performance Assessment Framework and by HMIC’s annual assessment of protective services:

Enable forces to meet the three core responsibilities of policing:	Success measures	Monitoring
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<p>1. Support for local and neighbourhood policing</p>	<ul style="list-style-type: none"> • Continued improvement in reducing crime, investigating crime, providing assistance and protecting the public • Demonstration of local delivery by success against local priorities • Rollout of the neighbourhood policing commitment by 2008 	<ul style="list-style-type: none"> • Policing Performance Assessment Framework (PPAF) • Local policing domain of PPAF, including Neighbourhood Policing Baseline
<p>2. Provision of protective services to national standards</p>	<ul style="list-style-type: none"> • Improvement in delivery of all seven protective services • Improvement in the 'strategic management' element of baseline assessments 	<ul style="list-style-type: none"> • PPAF Statutory Performance Indicators • PPAF Baseline assessments • HMIC annual assessments
<p>3. Modern and affordable support services and strategic development</p>	<ul style="list-style-type: none"> • Achievement of local efficiency targets • Improved efficiency and productivity 	<ul style="list-style-type: none"> • Force efficiency targets • PPAF Statutory Performance Indicators (under development)
<p>Ensure that the structure is 'future-proofed' against the growing demand for policing at Level 2</p>	<ul style="list-style-type: none"> • Increased capability in protective services 	<ul style="list-style-type: none"> • HMIC annual assessments • PPAF outcome focused Statutory Performance Indicators (such as asset recovery)



Annex C: Options considered and discounted by forces

The following only includes those options which were discounted by all forces which considered them.

Eastern region

Option	Discounted	Reason
Bedfordshire, Cambridgeshire, Norfolk merger :	Bedfordshire Essex	Lack of fit with criminal market Norfolk as a coastal force has little in common with the policing approach and identity of Bedfordshire No shared border or geographical links between Bedfordshire and Norfolk
Essex/Hertfordshire/ Suffolk		
Bedfordshire, Cambridgeshire, Norfolk, Suffolk merger:	Bedfordshire Essex Norfolk	Lack of fit with criminal markets Norfolk and Suffolk as coastal forces have little in common with the policing approach and identity of Bedfordshire No shared border or geographical links between Bedfordshire and Norfolk or Suffolk. Herts on possible merger with Essex: From an operational Hertfordshire perspective any merger must involve Bedfordshire, because of the very significant impact that Luton has on cross border crime with Hertfordshire. No further work has been done on this option.
Essex/Hertfordshire		
3 force option:	Bedfordshire Norfolk	<u>Beds – regarding Herts/Beds merger</u> Insufficient police officer and total staff numbers Uncertain fit with the other consequent regional strategic force (Norfolk, Suffolk, Cambridgeshire, Essex)
Bedfordshire / Hertfordshire		
Essex Stand alone /		
Norfolk/Suffolk/Camb		<u>Norfolk Re – 3 strategic forces</u> Norfolk Constabulary and Police Authority support the Norfolk, Camb and Suffolk amalgamation. However, Essex Police consists of 5,385 staff and Bedfordshire and Hertfordshire Police combined consists of 5,639 staff. Therefore neither meets the Home Office design criteria in respect of size a minimum of 6,000 total staff.
Bed, Herts, Cambs, Essex merger	Bedfordshire	Insufficient police officer and total staff numbers in the other consequent regional strategic force (Norfolk and Suffolk)
Regional Federation of forces	Bedfordshire Suffolk	Not felt viable due to command and control issues unlikely that this option would provide efficiency savings or investment opportunities
Bedfordshire /Thames Valley	Bedfordshire	Presents a range of implications for criminal justice and other agencies Would breach Government Office boundaries with no compelling reason to do so, since viable options are available within the region. Not mutually supported; Thames Valley have assessed this option and concluded it as less likely to deliver protective services to minimum standards than other options within their region
Single Regional Force		Although this was viable option there was recognition amongst all force/authorities that there were more

		effective and viable options for the region.
Bedfordshire/Cambridgeshire/ Hertfordshire/Norfolk	Essex	Not viable – more effective options that could be progressed.
Essex/Suffolk		
All Forces stay as they are	Norfolk Suffolk Hertfordshire	Norfolk: This option was generally not considered viable bearing in mind the outcome of the HMIC Closing the Gap report in terms of providing the necessary level of protective service provision. Suffolk in reference to itself: This option fails to meet the suggested criteria in terms of officer numbers or staff size Hertfordshire: Do not have the critical mass to be a strategic force
Beds/Thames Valley Herts/Essex Norfolk/Suffolk/Cambs	Norfolk	Although amalgamating Norfolk, Suffolk and Cambridgeshire is considered a viable option, there was insufficient evidence to support Bedfordshire going out of the region in view of the requirement to make a 'compelling case'.
Collaboration	Suffolk	Problematic as lines of command may be unclear. It also failed to meet the suggested police staffing criteria. In addition, this option would provide reduced efficiency savings and investment opportunities and was not, therefore, investigated further.
Cambridgeshire merging with Lincolnshire and or Northamptonshire in addition to combinations of forces within the Eastern Region	Cambridgeshire Police Force	No compelling case could be made for mergers with forces outside of the region.

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Roger Baker
Chief Constable



Our Ref: Force Structures Review

Date: 19th June 2006

Dear Mr Scott,

Proposed merger of Essex, Bedfordshire and Hertfordshire Police Forces and Police Authorities

We are aware that you will have received correspondence from the Home Secretary regarding the recommendation that Essex Police and Essex Police Authority should amalgamate with our counterparts in Bedfordshire and Hertfordshire. The purpose of writing is to outline the foundation of this proposal, to outline the work undertaken since the potential for change was first discussed last summer and to seek your views on the possible outcome.

In September 2005, a report from Her Majesty's Inspector of Constabulary called 'Closing the Gap' was published concluding that police forces with less than 4,000 police officers or 6,000 staff overall tended to have short comings in their ability to provide effective overall policing services. Following this, the then Home Secretary Charles Clarke ordered an immediate review of the way the 43 police forces in England and Wales were structured. It was his belief that the creation of larger police forces was necessary for:

- The continued support for development of local and neighbourhood policing.
- The provision of protective services to national standards¹.
- The organisation of affordable support and strategic development.

The Home Office directed that all forces must consider whether they are able to meet the demands of 21st century policing and report their findings by the 23rd December 2005. Essex Police and Essex Police Authority submitted a joint report to the Home Office evidencing how Essex could remain as a 'stand alone' force and meet the requirement of policing in the future in terms of both capacity and capability. The Chief Constable stated that should the Home Office not agree, then the best option for the communities of Essex would be to amalgamate Essex with Suffolk and Norfolk.

¹ Protective services are defined as Major Crime, Serious and Organised crime, Counter Terrorism and Domestic Extremism, Civil Contingencies and Emergency Planning, Critical incidents, Public Order and Strategic Roads Policing

The Home Secretary considered the submissions and on the 20th March 2006, he announced that he proposed to recommend Essex Police and Essex Police Authority merge with their counterparts in Bedfordshire and Hertfordshire. In reaching this decision it was acknowledged that Essex had submitted a strong case to 'stand alone' but that:

'The main reason Essex Police cannot 'stand alone' is that the merger of the 3 police force areas would be in the interests of efficiency and effectiveness of policing in the combined area'.

On 11th April 2006, the Home Secretary formally notified Essex Police and Essex Police Authority of his intention to lay an 'Amalgamation Order' before Parliament in the autumn of 2006. If ratified, this order would bring about the structural changes proposed by the Home Secretary. The process of laying the order before Parliament must include a four month period of consultation which ends on the 11th August 2006. By that date any formal objections to the proposed merger must be submitted to the Home Office. We are aware that you have been contacted by the Home Office as part of the statutory consultation process, but Essex Police and Essex Police Authority would also like to understand how the proposals may affect your organisation so that an informed decision can be made on how we should progress.

We know that it is difficult for you to make judgements on matter of such significance without sufficient information and have therefore included a fact sheet to assist in understanding how this proposal may either positively or negatively affect your organisation.

Can we also seek your assistance in making your staff aware of our consultation process as many of them form part of our communities within the area. Further details of our consultation and a short questionnaire can be found at www.essex.police.uk. In addition, a questionnaire has been printed on the reverse of our Annual Report, '*Policing Essex*', that will be delivered to every household within Essex over the next few weeks.

As with everything connected with this proposed restructure, the timescale is extremely tight and so we must ask that you do all you can to provide feedback by **midday on Friday, 28th July, 2006.**

In the meantime we will continue to strive for the best possible policing service for the people of Essex, to make sure that policing services remain locally accountable and to minimise as far as possible any impact the transition may have on performance and short-term costs.

We would welcome your views and look forward to hearing from you.

Yours sincerely,



Robert Chambers
Chairman
Essex Police Authority



Roger Baker
Chief Constable
Essex Constabulary

The Creation of a Strategic Police Force. Some Facts:

1.0 The Background

1.1 'Closing the Gap' an HMIC Report

In 2005, Mr Denis O'Connor, HMIC, conducted a review of the 'Fitness for Purpose' of the current structure of policing England and Wales. In summary, his report stated that;

'Specifically, whilst size, scope and structure are not in any sense the only issues for the future of policing, they are extremely important. Put simply, when viewed from the context of the range of challenges and future threats now facing the service and the communities it polices, the 43 force structure is no longer fit for purpose. In the interests of the efficiency and effectiveness of policing it should change. Whilst some smaller forces do very well, and some larger forces less so, our conclusion is that below a certain size there simply is not a sufficient critical mass to provide the necessary sustainable level of protective services (see below) that the 21st century increasingly demands'.

Later determination saw that those forces that had less than 4,000 police officers or 6,000 staff overall were deemed not capable of meeting the new pressures faced within society. Particularly with regard to protective services, being:

1. Major Crime;
2. Serious and Organised crime;
3. Counter Terrorism and Domestic Extremism;
4. Civil Contingencies and Emergency Planning;
5. Critical incidents;
6. Public Order and;
7. Strategic Roads Policing.

A full copy of the report can be found at the web address detailed below.

http://inspectrates.homeoffice.gov.uk/hmic/inspect_reports1/thematic-inspections/closinggap05.pdf

The Home Office gave Forces and Authorities the opportunity to outline how they would respond to the challenges presented within the report.

1.2 The Essex Police Response

Essex Police and Essex Police Authority worked with their colleagues within the Eastern Region to identify how it could provide better policing services to our communities. A number of options were evaluated over this time including:

- One regional force,
- Two sub-regional forces; Essex, Suffolk and Norfolk: Hertfordshire, Bedfordshire and Cambridgeshire.
- Two sub-regional forces; Essex, Bedfordshire and Hertfordshire: Suffolk, Norfolk and Cambridgeshire.
- Essex as a stand alone 'strategic' force.

On 16th December 2005, the Police Authority met and resolved:

That Essex 'stand alone' is the only option. The Authority will proceed on the following basis:-

- (a) Essex to take the lead in seeking to further look into a legally binding Federation¹ of East Anglian Forces.***
- (b) In agreement with the other Five Authorities and Forces in the region any savings from such a Federation be ring fenced and put towards the provision of improved protective services.***

In studying the business case members agreed that Essex Police has both the capacity and capability to be classified as a strategic force.

The Chief Constable endorsed the submission of the Authority but added that should the Home Secretary not agree to Essex remaining as a force in its own right, then the best option for the people of Essex would be a merger with Suffolk and Norfolk. A copy of the report submitted for member's consideration can be found following the link below. This document includes a risk/benefits analysis of each option:

http://www.essex.police.uk/authority/dyn_auth.php?group=4&type=29&year=2005

The Home Office considered the submissions made, and on 20th March announced that Essex Police should merge with Hertfordshire and Bedfordshire and following initial submission said Essex had submitted a strong case to stand alone but that:

¹ *The Association of Police Authorities define federation as; "A group of forces would join together to provide 'protective policing services' collectively, across the federated area, but would still keep their local identity. Local forces would continue to deliver local policing'*

'The main reason Essex Police cannot 'stand alone' is that the merger of the 3 police force areas would be in the interests of efficiency and effectiveness of policing in the combined area'.

On 3rd April 2006, Essex Police Authority met to discuss the Home Office findings and resolved:

Whatever the outcome of the present parliamentary debate, authorities and forces within the Eastern Region need to do business differently for the benefit of the communities we serve and we acknowledge and support the continuing need for Essex Police, to continue their dialogue and work with their respective colleagues in Bedfordshire and Hertfordshire.

However, we remain of the view that Essex Police can stand alone as a Strategic Police Force and we are asking our Chief Executive to seek Counsel's opinion on the prospect of successfully bringing judicial review proceedings to challenge the Secretary of State's proposals.

Certainly there are a number of outstanding issues on which assurances are still sought from the Home Secretary; therefore this authority cannot support a voluntary amalgamation of Essex, Bedfordshire and Hertfordshire.

A full copy of the report considered by members can be found on the following link:

http://www.essex.police.uk/cms/global/meetings/93_06.pdf

1.3 The Current Position of Bedfordshire and Hertfordshire

1.3.1 Bedfordshire

Bedfordshire Police Authority held their AGM on Friday 3rd June 2006. At that meeting, there was an almost unanimous vote to further explore a Police Force merger with Hertfordshire as the primary option.

1.3.2 Hertfordshire

On 31st March 2006, Hertfordshire Police Authority rejected Home Office proposals to merge amid Fears over funding and governance of any new Strategic Police Force.

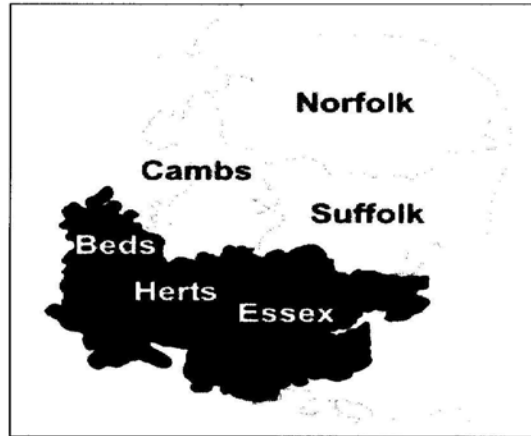
2.0 The Proposal – Some Facts

The following paragraphs include detail on the proposed change timetable, the sub-regional landscape and finance.

2.1 Proposed Timetable for Change

Date	Action
11 th August 2006	Those consulted in accordance with statute must inform the Home Secretary whether they agree with the proposal or not.
Autumn 2006	If the Authority does not agree with the proposal, the Home Secretary must state why he has rejected any objections and could force a merger by laying an 'Amalgamation Order' before Parliament. It would have to be agreed by both Houses. If the Authority does agree with the proposal, the Home Secretary would still need to get an Order ratified in both Houses.
December 2006	If the Home Secretary is successful, the new Strategic Police Authority would be established.
Late April 2007	New Chief Constable (Designate) in post.
April 2008	New force structure comes into being.

2.2 The Sub-Regional Landscape



	Essex 'Stand alone'	Essex, Bedfordshire and Hertfordshire
Population	1,622,403	3,229,378
Area (Sq. Kms)	3,670	6,540
Population density (per Sq. Km)	442	494
Number of households (approx.)	742,000	1,080,000
Crimes per 1000 residents (Most recent 3 months figure)	18.8	21.9
Divisions	5 (plus Stansted)	10

Force	Police Officers	Police Staff	Total
Essex 'Stand alone' (By 31/03/07)	3,400	2,438	5,838
Essex, Bedfordshire and Hertfordshire (figures submitted in December 2006)	6,607	4,095	10,702

2.3 Finance

2.3.1 Council Tax Precept

The table below shows the current council tax precept levels for the three forces and the potential additional cost of the amalgamation to the residents of Essex. The Home Office indicated that the equalisation would be phased over a three year period. This increase would be in addition to the annual increase of cost.

	Essex 'Stand alone'	Bedfordshire	Hertfordshire	Beds, Essex and Herts	Average of all 'Shire Forces'
Council Tax Level (Band D)	£111	£118	£124	£116	£133
Budget requirement per 1,000 population	£143	£153	£159	£150	£158
Potential additional costs of Council tax in Essex	-	-	-	£5 / 4%	-

2.3.2 Funding the Amalgamation

The Home Office has promised to meet 100% of the cost of any force amalgamations net of any reasonable efficiency savings. It has also said that efficiency savings made through amalgamation will be re-invested in front-line policing services.

2.0 Consultation

Essex Police Authority has outlined to the Government its views on the future of policing in Essex but is keen to ensure those views are representative of the communities within Essex. As a consequence a detailed consultation process is being undertaken that includes:

- A questionnaire included on the annual review that will be delivered to all households in Essex and includes a 'freepost' return address.
- A separate questionnaire delivered to households in Essex and includes a 'freepost' return address.
- The questionnaire 'posted' on the Essex County Council and Essex Police Websites.
- Public engagement and feedback at community meetings.
- Media engagement led by the Chief Constable and Chairman of the Police Authority.
- Engagement of our staff and partners / other stakeholders.

We welcome your opinion

On March 20, 2006 the Home Office announced plans to merge Essex, Bedfordshire and Hertfordshire police forces. Essex Police Authority is keen to assess the implications of these planned changes to our policing structure for the communities of Essex. Please send your completed questionnaire to the Strategic Force Review Team, FREEPOST, Essex Police, PO Box 2, Springfield, Chelmsford, Essex, CM2 6DA or alternatively you are invited to browse our website and fill in the survey on-line at www.essex.police.uk/survey. The closing date for your feedback is Friday, July 28, 2006.

1) In determining what is important to you, please respond to the following statements:

(a) It is important to have a rapid and responsive local policing service.

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't mind
- Don't know

(b) It is important to have locally accessible, neighbourhood Police Constables and staff

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't mind
- Don't know

(c) It is important to have a senior police officer responsible for policing services in your local area.

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't mind
- Don't know

(d) It is important to have a Chief Constable (the person in charge of the police force) who is solely responsible for Essex.

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't mind
- Don't know

(e) I support the proposal to merge Essex, Bedfordshire and Hertfordshire police forces.

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't mind
- Don't know

(f) It is important to have robust and independent accountability through a local Police Authority (locally elected officials and appointed members of the public).

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't mind
- Don't know

2) Prior to the Home Office conducting that Essex should merge with Bedfordshire and Hertfordshire a number of options were discussed. Which of these options do you think would best deliver the sort of police service you want?

Please mark your first and second choice with the number 1 and 2 respectively.

- Essex, Hertfordshire and Bedfordshire
- Essex, Norfolk and Suffolk
- Essex standalone
- A regional force (merging Essex, Bedfordshire, Hertfordshire, Cambridgeshire, Norfolk and Suffolk)

3) If Essex, Bedfordshire and Hertfordshire police forces were merged do you think it would:

- Cost less
- Cost more
- Cost about the same
- Don't know

4) If Essex, Bedfordshire and Hertfordshire police forces were merged do you think the local policing service (neighbourhood policing) would be improved?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't mind
- Don't know

5) If Essex, Bedfordshire and Hertfordshire police forces were merged do you think the protective services (those that deal with large scale emergencies, counter terrorism, serious crime investigation and major road policing) would be improved?

- Strongly agree
- Agree

- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't mind
- Don't know

6) Do you believe there should be a referendum before a decision is made about the possible restructuring of Essex Police?

- Yes
- No

We would appreciate your answers to the following questions, however they are not compulsory.

7) Please state your age

- 21 or under
- 22 - 35
- 36 - 50
- 51 - 75
- Over 75

8) Are you male or female?

- Male
- Female

9) What is your ethnicity?

- Asian or Asian British
- Black or Black British
- Chinese
- Mixed ethnicity
- White
- Other (please state)



EPPING FOREST DISTRICT COUNCIL

THE EXECUTIVE WORK PROGRAMME 2006/07

**(COVERING STATUTORY PERIOD
JUNE 2006 TO JUNE 2007)**

INCORPORATING THE FORWARD PLAN

**(COVERING STATUTORY PERIOD
JUNE 2006 TO SEPTEMBER 2006)**

EPHING FOREST DISTRICT COUNCIL

PORTFOLIO – FINANCE, PERFORMANCE MANAGEMENT, & CORPORATE SUPPORT SERVICES

ITEM	KEY DECISION	DATE OF DECISION	DECISION TAKER	CONSULTATION ARRANGEMENTS	REPRESENTATION ARRANGEMENTS	BACKGROUND PAPERS
Full BVPP	Publish by 30 June 2006	5-Jun-06 29-Jun-06	Cabinet Council	All Members	Steve Tautz 01992 564180	File papers in PMU
Council Plan	Approval of new format and content	5 June 2006 29 June 2006	Cabinet Council	All Members Standing Panel	Steve Tautz 01992 564180	File papers in PMU
Quarterly Internal Audit Monitoring Reports 05/06	To note progress against the Audit Plan	17 July 2006	Finance Cabinet Committee	Management Board	Joe Ackerman 01992 564446	Audit Reports and files
Annual Accounts	Approval of Accounts	19 June 2006 29 June 2006	Finance Com. Council	Management Board	Bob Palmer/Peter Maddock 01992 564279	File papers in Accountancy
Re-use of Public Sector Information Regulations	Ratify Corporate Policy	4-Sep-06	Cabinet	O&S Constitutional Affairs Standing Panel, Management Board	Ian Willett 01992 564243	Freedom of Information Policy
Violence at work	Approval of policy	4-Sep-06	Cabinet	SMT Trade Unions	Tony Tidey 01992 564054	File papers in HR
Recruitment and retention	Review of activity/future options	18-Dec-06	Cabinet	Trade Unions	Tony Tidey 01992 564054	File papers in HR
Age Discrimination Regulations	Approval of Policy	4-Sep-06	Cabinet	SMT, Trade Unions, JCC	Tony Tidey 01992 564054	File papers in HR
Child Protection Policy	Approval of Policy	4-Sep-06	Cabinet	SMT, Trade Unions, JCC	Tony Tidey 01992 564054	File papers in HR
Work Experience Policy	Approval of Policy	4-Sep-06	Cabinet	SMT, Trade Unions, JCC	Tony Tidey 01992 564054	File papers in HR
Staff Code of Conduct	Approval of Policy	4-Sep-06	Cabinet	SMT, Trade Unions, JCC	Tony Tidey 01992 564054	File papers in HR

EPHING FOREST DISTRICT COUNCIL

PORTFOLIO – CUSTOMER SERVICES, MEDIA, COMMUNICATIONS & ICT

ITEM	KEY DECISION	DATE OF DECISION	DECISION TAKER	CONSULTATION ARRANGEMENTS	REPRESENTATION ARRANGEMENTS	BACKGROUND PAPERS
e-Government Return 6	Ratify the return	29 June 2006	Council	O&S Customer Services and ICT Standing Panel, Management Board	Adrian Scott 01992 564457	IEG Statements, EOLP Business Plan
Customer Services Transformation Programme	To agree the Programme Plan	10 July 2006	Cabinet	O&S Customer Services and ICT Management Board and Senior Management Team	Adrian Scott 01992 564457	CSTP Scoping Document
Single Non emergency Number (SNEN)	To agree partnership proposals	4 September 2006	Cabinet	O&S Customer Services and ICT Standing Management Board	Adrian Scott 01992 564457	SNEN Programme Concepts of Operation (Home Office)
ICT Service restructure – Outcome Review	Consider options for change	13 November 2006	Cabinet	Management Board O&S Customer Services and ICT Standing Panel	Adrian Scott 01992 564457	
e-Government Return 7	Ratify the return	14 December 2006	Council	O&S Customer Services and ICT Standing Panel, Management Board	Adrian Scott 01992 564457	IEG statements, EOLP Business Plan
Upgrading of recruitment website	Approval of virement	26 September 2006	Portfolio Holder	MB	Tony Tidey 01992 564054	File papers in HR
Forester – Review of arrangements for re-tendering.	Publication and distribution across all wards	17 August 2006	Portfolio Holder	Portfolio Holder	T Carne Public Relations 01992 564039	Tender documents

EPPING FOREST DISTRICT COUNCIL

PORTFOLIO – COMMUNITY WELLBEING

ITEM	KEY DECISION	DATE OF DECISION	DECISION TAKER	CONSULTATION ARRANGEMENTS	REPRESENTATION ARRANGEMENTS	BACKGROUND PAPERS
Grant Aid 2006/07 – Allocation of Budget	Applications for Determination	26 June 2006	Portfolio Holder	Portfolio Holder	Chris Overend 01992 - 564247	File papers in RDS

EPPING FOREST DISTRICT COUNCIL

PORTFOLIO – ENVIRONMENTAL PROTECTION

ITEM	KEY DECISION	DATE OF DECISION	DECISION TAKER	CONSULTATION ARRANGEMENTS	REPRESENTATION ARRANGEMENTS	BACKGROUND PAPERS
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There are no Key Decisions for this Portfolio during the period June to September 2006

EPPING FOREST DISTRICT COUNCIL

PORTFOLIO – LEISURE & YOUNG PEOPLE

ITEM	KEY DECISION	DATE OF DECISION	DECISION TAKER	CONSULTATION ARRANGEMENTS	REPRESENTATION ARRANGEMENTS	BACKGROUND PAPERS
Tree Strategy Policy	To recommend future policy with regard to Highways, Housing and Leisure Trees	4 Sept 2006	Cabinet	Housing Services	D Macnab 01992 564260	

EPPING FOREST DISTRICT COUNCIL

PORTFOLIO - CIVIL ENGINEERING AND MAINTENANCE

ITEM	KEY DECISION	DATE OF DECISION	DECISION TAKER	CONSULTATION ARRANGEMENTS	REPRESENTATION ARRANGEMENTS	BACKGROUND PAPERS
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There are no Key Decisions for this Portfolio during the period June to September 2006

EPPING FOREST DISTRICT COUNCIL

PORTFOLIO – LEADER’S

ITEM	KEY DECISION	DATE OF DECISION	DECISION TAKER	CONSULTATION ARRANGEMENTS	REPRESENTATION ARRANGEMENTS	BACKGROUND PAPERS
Review of emergency planning decision making	Decision making in emergency situations	4-Sep-06 26-Sep-06	Cabinet Council	Partner agencies O&S P/F Holder – Community Wellbeing	M Tipping 01992 564280	Review report when completed

EPPING FOREST DISTRICT COUNCIL

PORTFOLIO – HOUSING

ITEM	KEY DECISION	DATE OF DECISION	DECISION TAKER	CONSULTATION ARRANGEMENTS	REPRESENTATION ARRANGEMENTS	BACKGROUND PAPERS
Response Repair Target Times – Routine	To review times	10-Jul-06	Cabinet	Tenants Fed	P Pledger 01992 564248	
Homelessness Strategy	To approve revised strategy	27-Jun-06	Housing Portfolio Holder	Housing Scrutiny Panel	R Wallace 01992 564490	
Revised Housing Strategy	To approve the strategy	29-Jun-06	Council	Housing Scrutiny & various others	A Hall 01992 564004	
Interim Review of Allocation Scheme	To consider conversion of non-secure tenancies to secure	27-Jun-06	Housing Portfolio Holder	RSL's/Tenants Fed	R Wilson 01992 564419	
Review of Allocations Scheme	To recommend changes	4-Sep-06	Cabinet	Tenants Fed/RSL's Local Councils/Housing Scrutiny Panel.	R Wilson 01992 564419	
Off street Parking Programme	To consider schemes for next year	26-Sep-06	Housing Portfolio Holder	Residents of identified schemes	P Pledger 01992 564248	Individual scheme assessments
Review of Housing Allocations Scheme	To recommend changes	26-Sep-06	Housing Portfolio Holder	Tenants Fed/RSL's Local Councils/Housing Scrutiny Panel.	R Wilson 01992 564419	Current Scheme
Local Supporting People Strategy	To approve the new strategy	26-Mar-06	Housing Portfolio Holder	Housing Scrutiny Panel Inclusive Forum	R Wilson 01992 564419	Current Strategy

EPPING FOREST DISTRICT COUNCIL

PORTFOLIO – PLANNING & ECONOMIC DEVELOPMENT

ITEM	KEY DECISION	DATE OF DECISION	DECISION TAKER	CONSULTATION ARRANGEMENTS	REPRESENTATION ARRANGEMENTS	BACKGROUND PAPERS
Phase 1 Habitat Survey update		10 July 2006	Cabinet		Ian White 01992 564066	
Local Plan Inquiry Inspectors Report		10 July 2006	Cabinet		Ian White 01992 564066	
Document Fees & Charges		10 July 2006	Cabinet		John Preston 01992 564111	
Statement of Community Involvement		10 July 2006	District Development Committee		Henry Stamp 01992 564325	



Report to Overview & Scrutiny Committee

Date of meeting: TBA

Portfolio: Environmental Protection/Housing

Subject: Maximum Length of Vehicle Crossovers – Call in

Officer contact for further information: J Gilbert

Committee Secretary: Simon Hill – Ext 4249

Recommendations/Decisions Required:

To consider the call – in of Cabinet decision C/134/2005-06 regarding the maximum length of cross-overs.

Report:

1. In accordance with rule 20 of the Overview and Scrutiny Rules five members have called in a Cabinet decision, taking on 10 April 2006. This decision relates to the Cabinet consideration of the report of the Task and Finish Panel on Parking in Residential Areas. The Chairman of the Overview and Scrutiny Committee determined that consideration of the call should be referred to the next Overview and Scrutiny Committee.
2. Attached to this report are:
 - (a) Copies of all documentation submitted to the Cabinet on which the decision was based;
 - (b) A copy of the written notification of the "call in" including the names of the relevant Councillors who requested the "call in" and their grounds for so doing.

Consideration of the Call – in

3. In accordance with the Council's Protocol (attached) the consideration of call-ins by the Committee should be considered in the following manner:
 - (a) the representative of the Councillors calling in the decision shall describe their concerns;
 - (b) the Portfolio Holder shall then respond (in this case it may be more appropriate for the Chairman of the Task and Finish Panel also to be asked to speak);
 - (c) the Overview and Scrutiny Committee or delegated Panel will then debate the issues involved. The Chairman of the meeting shall have the discretion to vary the way in which evidence is gathered including speakers and public participation if appropriate but shall seeking a response from the initiating Councillor(s) and the Portfolio Holder before formulating its recommendations;
 - (d) The Overview and Scrutiny Committee or delegated Panel has the following options:

- (i) confirm the decision, which may then be implemented immediately, or
 - (ii) refer the decision back to the decision taker for further consideration setting out in writing the nature of its concerns, or
 - (iii) refer the matter to full Council in the event that the Committee or Panel considers the decision to be contrary to the policy framework of the Council or contrary to, or not wholly in accordance with, the budget.
- (e) If it appears that the review of a decision of the Executive cannot be completed at one meeting, the Executive or decision taker will be informed, indicating any preliminary views the Committee or Panel may have and a proposed timescale for the completion of the review. The Chairman of the Overview and Scrutiny Committee/Panel shall, if necessary, consult with the Leader of the Council regarding the urgency of the proposed decision or any other related matter;
- (f) The Chairman of the Overview and Scrutiny Committee or delegated Panel shall sum up the recommendations to be submitted to the Executive and these shall be incorporated in full in the Minutes or report of the meeting;
- (g) In cases where the Overview and Scrutiny Committee or delegated Panel determines that a review of the decision is not justified or that, having reviewed the decision of the Executive, it has no adverse comment to make, the Committee or Panel shall ensure that its decision is published in the Members' Bulletin;
- (h) In the circumstances outlined in (g) above, the decision of the Executive or Decision Taker may be implemented with effect from the date of that meeting;
- (i) A report detailing any appropriate recommendations of the Overview and Scrutiny Committee or delegated Panel shall be reported to the Decision Taker
- (j) In presenting the recommendations of the Overview and Scrutiny Committee or delegated Panel, the Chairman may make general comments on the Committee's/Panel's recommendations, answer questions and respond to comments or new proposals made by the Executive at that meeting; and
- (k) The report of the Overview and Scrutiny Committee or delegated Panel shall be sent in draft to all its Members for approval prior to their submission to the Decision Taker.
- (l) Minority reports may be made by members of Overview and Scrutiny Committee or delegated Panel in accordance with the Protocol for that purpose.
4. If, having considered the decision, the Overview and Scrutiny Committee or delegated Panel is still concerned about it, then it may, subject to the procedures outlined in Rule 16(a) or (b) in attached , refer it back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns or refer the matter to full Council. If referred to the decision maker they shall then reconsider within a further 5 working days, or in the case of a Cabinet decision, as soon as practically possible amending the decision or not, before adopting a final decision.
5. If the matter was referred to full Council and the Council does not object to a decision which has been made, then no further action is necessary and the decision will be effective in accordance with the provision below. However, if the Council does object, it has no power to make decisions in respect of an executive decision unless it is contrary to the policy framework, or contrary to or not wholly consistent with the budget. Unless that is the case, the Council will refer any decision to which it objects

back to the decision-making person or body, together with the Council's views on the decision. That decision-making body or person shall choose whether to amend the decision or not before reaching a final decision and implementing it. Where the decision was taken by the Executive as a whole or a committee of it, a meeting will be convened to reconsider within 14 working days of the Council request. Where the decision was made by an individual, the individual will reconsider within 14 working days of the Council request.

6. If the Council does not meet, or if it does but does not refer the decision back to the decision-making body or person, the decision will become effective on the date of the Council meeting or expiry of the period in which the Council meeting should have been held, whichever is the earlier.
7. The Committee are asked to consider the decision taken by the Cabinet and report accordingly.

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Report to Cabinet

Report Reference: C/134/2005-06.
Date of meeting: 10 April 2006.

**Subject: Parking in Residential Areas –
Report of Task and Finish Panel on Register
of Development Proposals.**



Contact for further information: Councillor Ken Angold – Stephens.

Democratic Services Officer: Gary Woodhall (0192 – 56 4470).

Recommendations:

Loss of Highways Agency:

- (1) That, although highways issues are now a matter for ECC Highways, parking is such an important issue and is likely to get worse, the District Council retain an interest in securing the improvements for residents;**
- (2) That the operation of the Highways Local Service Agreement be routinely monitored by the Overview and Scrutiny Committee;**
- (3) That consideration be given to the establishment of a local forum to discuss highways issues and managing a database of priorities, particularly parking schemes, within the District;**
- (4) That the Highways schedules of works in the District be published in the Members' Bulletin so that all members can keep abreast of planned works in their area;**

The terms of the LSA:

- (5) That the Portfolio Holder for Civil Engineering and Maintenance discuss the non specific nature of the LSA with the Head of Environmental Services and Highways in order to decide whether the following points should be raised in the local customisation section:**
 - (a) Paragraph 4.1 *County Routes* - The need for an additional sentence to read 'In particular the Highways Authority will consult with the District Council on major roads when up-grading or re-surfacing works are to be carried out so that the issue of on-street parking may be considered with a view to improving the flow of traffic, providing safe provision for pedestrians, and protecting the environment'.**
 - (b) Paragraph 4.2 *Local Roads* - The need for an additional sentence after '.....respective Councils' to read 'This includes considering changes to the road lay-out to improve on-street parking provision if thought desirable by the District Council'.**
 - (c) Paragraph 4.3 the last bullet point referring to items not included in the LSA merely says 'On street parking'. The need for clarification e.g. On street parking management and enforcement regulations'.**
 - (d) The need to address Highways approach to enforcement in the LSA e.g.**

where residents are crossing pavements illegally to park on their front drives.

Residents Parking Schemes:

- (6) That the Residents Parking Schemes in Epping, Loughton and Buckhurst Hill, approved by the Cabinet in 2003, be progressed as a matter of urgency and should take priority over traffic calming measures except when it may be more cost-effective as part of a traffic management scheme which includes parking considerations.
- (7) That wider parking reviews and residential parking schemes be funded and carried out systematically across the District in response to concerns expressed by residents and Councillors, especially in roads close to areas where approved parking schemes are being implemented;
- (8) That Housing Services liaise with Highways to progress parking schemes on Housing land as soon as possible and up-date their database accordingly;
- (9) That Housing Services review with Highways the sequence of decisions leading to highways improvements on Housing land, in particular, at what stage residents should be consulted;
- (10) That the annual budget for District funded traffic and parking schemes (currently £200,000pa) be maintained until the funding division between ECC and EFDC for such improvements becomes clearer.
- (11) That a database and recommendations be maintained by Environmental Services on non-housing land with priorities set along the lines of those for Housing land, and that the Portfolio Holder for Civil Engineering and Maintenance decide the priorities in liaison with the Head of Environmental Services.

Cross-overs:

- (12) That the maximum length of a cross over remain at 6 metres
- (13) That the specification for cross-overs on Housing land should include a requirement for surfacing to be porous and bound, but not shingle, so that surface water will not drain onto the road or, the drains and any remaining open area to be landscaped to minimise the impact on the street scene;
- (14) That Housing Services guidelines include a statement that when cross-overs are considered the overall impact on the street scene will be considered;
- (15) That Highways be encouraged by negotiation through the Joint Member Panel to adopt the proposals outlined in (12) and (13) above;

Enforcement:

- (16) That Highways and the District Council should be more pro-active in enforcing parking regimes and cross-overs to avoid damage to kerbs, pavements, statutory undertakings, verges and greenswards preferably through persuasion rather than legal proceedings or physical barriers, which should only be used as a last resort.

- (17) That the relevant Portfolio Holders monitor the progress made with the recommendations and report on a regular basis to the Overview and Scrutiny Committee.**

Background:

1. The inability to park at or close to home has become one of the major concerns of residents of our District. This is a national problem, not exclusive to parts of our district. The increase in car ownership is set to continue for some years to come and, in general, councils have been slow to recognise the importance of this issue to their constituents. The proportion of households owning two or more cars has risen from 6% to 28% (more in the SE of England) since the 1960s and this has had a major impact in residential areas.
2. On various public surveys, traffic congestion and lack of parking is the primary issue that people raise, followed by litter and anti-social behaviour etc. Whilst parking provision is not a statutory task of councils it would not be prudent to ignore the strength of public feeling on this issue.
3. The RAC Foundation report entitled 'Motoring towards 2050: parking in transport policy' highlighted the following issues:
 - Parking is quite simply, just about the hottest issue in motoring and one of the subjects most likely to cause ill-feeling towards local authorities;
 - Parking is fundamental to the lives of motorists: not only does parking (or lack of it) generate strong feelings, but it can determine where we live, work, shop and play;
 - Unless more on-street and off-street parking spaces are provided, there will not be adequate capacity to cope with the growth of car demand by 2030;
 - Parking is an essential part of not just transport planning and policy but social and economic policy too. Local authorities should not underestimate its importance to their residents.

Issues:

4. The proposals are divided into general Highways issues (particularly the new arrangements for highways management under ECC) parking on Housing land and non-Housing land, residential parking schemes, cross-overs on Housing land non-Housing land and enforcement.

General Highways Issues:

5. Highways issues are now a matter for ECC Highways and parking issues on non-Housing land have to be dealt with through the relevant County Councillor or directly through the Highways Area Office in Harlow. Nevertheless this Panel regards parking as such an important issue that is likely to get worse in the future as car ownership rises, that the District Council should retain an interest in securing the improvements it deems important for residents, even though ultimate decisions rest with ECC Highways.
6. The Panel is concerned about the possible loss of a local focus and knowledge under the new arrangements through the LSA but noted assurances given by the Area Manager that this would not happen. It is also noted that telephone calls and e-mails to Harlow are now acknowledged and deadlines for replies are given. In time it is hoped that Members will be given specific telephone numbers of officers with the appropriate responsibilities for the Epping Forest District. We were assured that the

O & S Committee will be monitoring the effectiveness of the new arrangements.

7. The routine liaison meetings with Highways twice a year with all the District Councils through the Joint Member Panels is thought to be adequate for dealing with strategic issues but the Panel feels that another forum is needed to discuss issues specific to Epping Forest District. We suggest the O & S Committee take a view on how this should be carried out but suggest this could take the form of a routine meeting between Highways officers, the Portfolio Holder, the Head of Environmental Services, and a Housing Officer, initially at not less than three monthly intervals.
8. The Panel is further concerned about how Members will be informed of impending works in their area. The recommended procedure is that Highways inform the Head of Environmental Services and the Portfolio Holder as early as possible so that schedules can be included in the Members Bulletin sufficiently in advance for Members' to be able to consult with residents if they feel there is a need, or respond with any representations they may wish to make about the proposed works.
9. The Panel notes that the Cabinet minutes of the 27 May 2003 made the following decisions:
 - That where parking review and traffic management priorities coincide, the process be combined; and
 - That notwithstanding the agreed objective traffic management assessment criteria, where traffic management schemes would benefit from localised revised parking arrangements and parking review outcomes would benefit from localised revised traffic management, these be considered in any proposals put forward'

We see no reason for this to change now that highways are managed directly by ECC, even though the funding streams may be different. We therefore suggest that the LSA is clarified to take into account the view expressed in the above minute and specifically:

- (a) Paragraph 4.1 *County Routes*. An additional sentence to read 'In particular the Highways Authority will consult with the District Council on major roads when up-grading or re-surfacing works are to be carried out so that the issue of on-street parking may be considered with a view to improving the flow of traffic, providing safe provision for pedestrians and protecting the environment';
- (b) Paragraph 4.2 *Local Roads*. An addition sentence after '.....respective Councils' to read 'This includes changes to the road lay-out to improve on-street parking provision if thought desirable by Epping Forest District Council;
- (c) Paragraph 4.3 the last bullet point referring to items not included in the LSA merely says 'On street parking'. This needs clarification e.g. 'On street parking management and enforcement regulations';
- (d) There is no mention of Highways approach to enforcement in the LSA e.g. where residents are crossing pavements illegally to park in their front drives. We feel this should also be mentioned in the LSA.

Residential Parking Schemes:

10. The Panel notes that the Epping and Buckhurst Hill residential parking schemes are incomplete although both are now progressing to a conclusion by early 2006 but that the Loughton scheme has not commenced yet (other than considering roads directly affected by the TCE scheme).

11. Approval for carrying out all these works was agreed by the Cabinet in 2003 and it is of major concern that these have not progressed more quickly. Although the schedule of traffic calming and parking schemes were tabled at the Cabinet meeting on 27 May 2003, these were mostly confined to localised areas, such as High Streets, where complainants had been most vocal, but the same report also stated that 'in the past the Council had experienced difficulties which had arisen from undertaking a scheme in limited area, only then to receive complaints about effects in the surrounding area' and 'Whilst an area based approach altered individual priorities a little, the advantages of taking a holistic view were considered to outweigh the disadvantages'.
12. It is the source of considerable disquiet from residents in vulnerable roads, particularly Loughton residents who were promised action a long time ago, and this Panel expects that action will be taken to progress these schemes without further delay.

Parking on Housing Land:

13. Housing has a comprehensive database of schemes, surveyed, costed and prioritised, for roads on Housing land; however implementation has been slow with the result that budgets have been carried forward year on year. Current budgets are thought adequate at present but should it prove possible to speed up implementation of schemes the budget may have to be reviewed. It is noted that reassurances were given by the West Artea Highways Manager that the current underspends on these budgets, attributed to staff shortages and delays associated with the LSA implementation will be resolved in 2006/7.
14. One scheme seems to have been withdrawn due to residents' opposition despite compelling reasons for them to support the scheme and their initial enthusiasm. It is recommended that a housing Manager re-visits this scheme with a view to confirming, amending or deleting it as appropriate.
15. The Assistant Head of Housing Services has agreed to examine the database, look again at any anomalies or changes to the original priorities, re-issue the database and forward any revised proposals to Highways that are within the current budget provision. Monitoring the progress of schemes should be carried out routinely and any significant slippage reported to the O & S Co-ordinating Committee.
16. Highways do a technical audit of the site proposed by Housing, undertake a risk assessment and give an estimate for the works before Housing management prioritise schemes within the budget allocation and undertake consultation with residents. The Panel was asked to consider whether residents should be consulted first so that a negative response or an unreasonable cost does not lead to a waste of Highways and officers' time. Whilst this has obvious merit it does run the risk of raising expectations with residents, but handled sensitively it may be the better approach and we would recommend a discussion between Housing Officers and Highways Officers to re-examine the current procedure.

Parking on non-Housing Land:

17. There is no equivalent priority database for parking schemes on non-Housing land although a list of proposals is kept. It is not clear how the proposed schemes are identified. Prioritisation is carried out by the Portfolio Holder for Civil Engineering and Maintenance
18. We understand that highways has no funding available to provide parking bays or other improvements to create more parking on strategic or non-strategic roads although where costs are reasonable some contribution from Highways would not be ruled out.
19. There are many areas across the District where grass verges have been destroyed by

cars parked on them or where pavements are used, sometimes causing obstruction to pedestrians.

20. Unless funding is provided by the District Council these areas will continue to decline and parking on the verges will continue to have a detrimental impact on the street scene. As above, Highways do not have a budget for the additional work involved although a contribution towards the costs has not been ruled out if the work is simultaneous with other highways improvements.
21. It is therefore recommended that funding for kerb re-alignments or parking bays on non-Housing land should continue to be provided by the District Council and that this issue should receive a higher priority than it has received in the past in order to relieve congestion, improve parking provision and/or improve the street scene.
22. Once an improvement has been identified as worthwhile by the Portfolio Holder it is suggested that it becomes the responsibility of the Head of Environmental Services to obtain estimates from Highways and for the Portfolio Holder to then make a decision within delegated powers or a recommendation to Cabinet if the cost exceeds delegated powers.
23. We understand these proposals are consistent with the report C/082/2005-6 to Cabinet on the 14th November 2005.

Cross-overs on Housing Land:

24. Housing have comprehensive policies on the approval of cross-overs on Housing land. They are being revised to take into account the new arrangements with Highways.
25. On Housing Land, it is recommended that the policy makes clear the need for front garden surfacing to be porous (but not shingle which tends to drag on to the road) in order to limit the amount of surface water entering the drains. A number of alternatives are available.

Landscaping of the remaining unsurfaced area should be emphasised to minimise the impact on the street scene and to retain as much green area as possible.

26. It is also recommended that when cross-overs are considered the overall impact on the road is also considered, bearing in mind that one cross-over loses on-street parking equivalent to approximately one and a half spaces. In a worst case scenario a large row of cross-overs can lead to no available parking on the road for visitors or for other residents with no cross-over.
27. Highways criteria states that cross-overs will not be agreed to where the length of the front garden from the house wall to the pavement is less than 4.8m. This should also be made clear in the Housing policies.
28. We believe the maximum length of a cross-over across greensward should remain at 6m.

Cross-overs on non-Housing Land:

29. This is no longer a matter for the District Council and residents should be advised to channel their requests directly to Highways although, of course, Members will be available to residents in their area to give advice.
30. We suggest that Highways should be recommended, as on Housing land, to incorporate in their policies that when cross-overs are considered the overall impact on the road is also considered, bearing in mind that one cross-over loses on-street

parking equivalent to approximately one and a half spaces. In a worst case scenario a large row of cross-overs can lead to no available parking on the road for visitors or for other residents with no cross-over.

31. Within reason, residents can, do what they like on their own land, but the Panel recommends that Highways should insist that porous surfacing (other than shingle), must be used to avoid drainage on to the highway or into the drains. This may be enforceable through the Department of the Environment Regulations, design Bulletin 32 ' No water from private property may be channelled on to the highway'.

Enforcement:

32. In theory, enforcement, can be applied to residents who cross the pavement illegally to park in their front drives or who park persistently on grass verges, causing consequential damage. In the latter case the Essex Act which forbids parking on verges and common land could be invoked.
33. Illegally crossing pavements is a matter for Highways, whereas damaged verges and greenswards are the responsibility of the District Council.
34. In both cases enforcement is likely to be difficult and costly with minimal fines being imposed.
35. The preferred route is to use persuasion and both the District Council and Highways should be encouraged to be more pro-active in this area.
36. Where persuasion has failed, physical means could be used such as barriers to deny access but this would be a last resort and very unlikely to be used except in the most serious situations.

Conclusions:

37. The introduction to this report highlighted the importance of parking to residents near to their homes as well as when they go about their business, but equally residents value our open spaces and want to see them well-managed, preserved as far as possible and safe from environmental damage. We believe that the Council, needs to tread very carefully between these two conflicting demands and solutions will have to be tailor-made for each location, sometimes using imaginative solutions.
38. This Panel feels that parking issues within the District have not had the attention they deserve and that this needs addressing if severe congestion or gridlock in some roads, both primary and local, is to be avoided in the future.
39. The Panel is of the opinion that the Council ignores tackling this issue at its peril as many roads have already exceeded or are at saturation level in terms of parking. If a more determined effort is not made in this area we will face a situation of an ever deteriorating environment and the destruction of our green spaces as well as serious public discontent with the Council.

Views of the Overview and Scrutiny Committee:

40. The Overview and Scrutiny Committee considered and supported this report at its meeting on 8 December 2005 subject to a number of changes. These changes made clear that the current maximum length for crossovers should remain at 6 metres, that the proposed surfacing for vehicle crossovers be porous and bound to allow drainage and facilitate maintenance work. The Committee also amended the recommendations to propose that progress made with the proposals be reviewed on a regular basis by the Portfolio Holder and reported to the OSC.

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Cabinet Minute Extract – 10 April 2006 –Overview and Scrutiny Task and Finish Panel Report - Parking in Residential Areas

The Chairman of the Register of Development Proposals Task and Finish Scrutiny Panel presented a report in relation to parking in residential areas. The Cabinet were informed that the Panel had attempted to regularise the Council's approach to parking issues throughout the District. The Panel had offered suggestions for the local customisation section of the Highways Local Service Agreement for the Civil Engineering and Maintenance Portfolio Holder, Head of Environmental Services and Essex County Council as the Highway Authority to consider. The Panel had also considered it important for the Council to monitor the operation of the Local Service Agreement, via the Overview and Scrutiny Committee, and that consideration should be given to the establishment of a Local Forum for the discussion of highways issues.

The Panel had considered parking to be a particularly important issue within the District and had proposed that the residents' parking schemes for Epping, Loughton and Buckhurst Hill, which the Cabinet had approved in 2003, should be implemented without delay and take priority over traffic calming measures. The Panel felt that the current crossover arrangements should be strengthened, and that their impact upon the existing street scene should also be considered. Finally, the Panel had proposed that the enforcement of parking schemes and crossovers, by both the Council and the Highways Agency, should be performed in a more pro-active manner. The Head of Environmental Services reported that the Highways Local Service Agreement had not yet been finalised, as further discussions were necessary with regard to the customised sections. There was a further meeting scheduled in the near future with the Head of Highways and Transportation at Essex County Council. The Cabinet agreed that a letter should be written to the County Portfolio Holder for Highways and Transportation, signed by the Leader of the Council, requesting that the Local Service Agreement be dealt with as a matter of urgency. The Chairman of the Overview and Scrutiny Committee felt that the County Portfolio Holder for Highways and Transportation should be invited to attend a forthcoming Overview and Scrutiny meeting; the Leader of Council agreed that the invitation should be incorporated in the letter to be written by the Head of Environmental Services.

The Head of Environmental Services reported that no local forum currently existed and reminded the Cabinet that the Council had representation on the West Essex Joint Member Panel that considered Highways issues. It was suggested that the local forum should be a member body to support the Council's representative on the West Essex Joint Member Panel, however the Cabinet only agreed to approve the establishment of a local forum with no recommendation on its composition.

The Head of Finance clarified for the Cabinet that the agreed budget for District funded traffic and parking schemes was in the sum of £200,000 per annum. However, funding had been brought forward into 2006/07 for parking reviews and associated traffic management measures, thus the current budget profile was:

- 2006/07 - £490,000;
- 2007/08 - £0;
- 2008/09 - £200,000; and
- 2009/10 - £200,000.

RESOLVED:

Loss of Highways Agency:

(1) That, although highways issues are now a matter for Essex County Council (ECC) Highways, an interest be retained by the Council in parking issues and securing subsequent improvements for residents;

(2) That the operation of the Highways Local Service Agreement (LSA) be routinely monitored by the Overview and Scrutiny Committee;

(3) That the establishment of a local forum to discuss highways issues and managing a database of priorities, particularly parking schemes, within the District be approved;

(4) That, in order to notify members of planned works in their area, the Highways schedules of works for the District be published in the Members' Bulletin;

The terms of the LSA:

(5) That the Portfolio Holder for Civil Engineering and Maintenance be authorised to discuss the non-specific nature of the LSA with the Head of Environmental Services and ECC Highways in order to decide whether the following points should be raised in the local customisation section:

(a) Paragraph 4.1 *County Routes* - The need for an additional sentence to read 'In particular the Highways Authority will consult with the District Council on major roads when up-grading or re-surfacing works are to be carried out so that the issue of on-street parking may be considered with a view to improving the flow of traffic, providing safe provision for pedestrians, and protecting the environment';

(b) Paragraph 4.2 *Local Roads* - The need for an additional sentence after '...respective Councils' to read 'This includes considering changes to the road lay-out to improve on-street parking provision if thought desirable by the District Council';

(c) Paragraph 4.3 the last bullet point referring to items not included in the LSA merely says 'On street parking', this needs clarification e.g. on-street parking management and enforcement regulations';

(d) The need to address Highways approach to enforcement in the LSA, e.g. where residents are crossing pavements illegally to park on their front drives.

Residents Parking Schemes:

(6) That the Residents Parking Schemes in Epping, Loughton and Buckhurst Hill, approved by the Cabinet in 2003, be progressed as a matter of urgency and take priority over traffic calming measures except when it may be more cost-effective as part of a traffic management scheme which includes parking considerations.

(7) That, in response to concerns expressed by residents and Councillors, wider parking reviews and residential parking schemes be funded and carried out systematically across the District, especially in roads close to areas where approved parking schemes had been implemented;

(8) That, in order to progress parking schemes on Housing land as soon as possible, Housing Services liaise with ECC Highways and up-date their database accordingly;

(9) That the sequence of decisions leading to highways improvements on Housing land be reviewed with ECC Highways by Housing Services, and in particular at what stage residents should be consulted;

(10) That the annual budget for District funded traffic and parking schemes (currently £200,000pa) be maintained until the funding division between ECC and EFDC for such improvements becomes clearer;

(11) That a database and recommendations be maintained by Environmental Services on non-housing land with priorities set along the lines of those for Housing land and that the priorities be decided by the Portfolio Holder for Civil Engineering and Maintenance in liaison with the Head of Environmental Services;

Cross-overs:

(12) That the maximum length of a cross over be maintained at 6 metres

(13) That the specification for cross-overs on Housing land include a requirement for surfacing to be porous and bound, but not shingle, so that surface water will not drain onto the road or the drains, and any remaining open area be landscaped to minimise the impact on the street scene;

(14) That Housing Services guidelines include a statement that when cross-overs are considered the overall impact on the street scene be considered;

(15) That ECC Highways be encouraged by negotiation through the Joint Member Panel to adopt the proposals outlined in resolutions (12) and (13) above;

Enforcement:

(16) That ECC Highways and the District Council be more pro-active in enforcing parking regimes and cross-overs to avoid damage to kerbs, pavements, statutory undertakings, verges and greenswards preferably through persuasion rather than legal proceedings or physical barriers, which should only be used as a last resort.

(17) That the relevant Portfolio Holders monitor the progress made with the recommendations and report on a regular basis to the Overview and Scrutiny Committee; and

Correspondence:

(18) That the Head of Environmental Services draft a letter to the ECC Portfolio Holder for Highways and Transportation, to be signed by the Leader of the Council, requesting:

(a) that the LSA be dealt with as a matter of urgency; and

(b) that the ECC Portfolio Holder for Highways and Transportation be invited to a meeting of the Overview and Scrutiny Committee.

Reasons for Decision:

The Task and Finish Panel felt that parking issues had not had their deserved attention and that this needed correcting if severe gridlock or congestion on some primary and local roads were to be avoided in the future. Parking was important to residents, both at their homes and workplaces, but many roads had already exceeded saturation level in terms of parking. The Panel felt that action had to be taken otherwise the Council risked an ever-deteriorating environment as well as serious public discontent.

Other Options Considered and Rejected:

To implement some or none of the Task and Finish Panel's recommendations.

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Rec'd in Secret
17/5/06

EPPING FOREST DISTRICT COUNCIL

NOTIFICATION OF CALL - IN OF CABINET OR PORTFOLIO HOLDER DECISION UNDER PARAGRAPH 16 OF THE OVERVIEW AND SCRUTINY RULES

Decision to be called-in: CROSS-OVERS MAX LENGTH TO BE KEPT AT 6 METRES.

Decision reference: CABINET MEETING 10th APRIL 06
187 OXS PARKING - PAGE 14

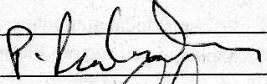
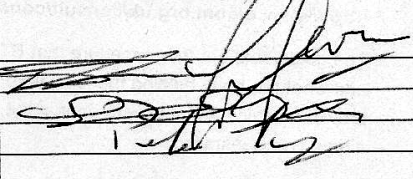
Portfolio:

Overview and Scrutiny Committee: ~~CABINET~~

Description of Decision: CROSS-OVERS UNDER PARKING SECTION
KEEP UNCHANGED

Reason for Call - in UNFLEXIBLE IN FACE OF PARKING HARASSMENT OF RESIDENTS

Members requesting call - in (3 members of relevant Overview and Scrutiny Committee or 5 other members)

Members Name: PAT RICHARDSON	Signed: 
Lead member: Terry Farr	
R LAW	
SUSAN CLAPP	
PETER TURNER	

TO BE RECEIVED BY THE PROPER OFFICER NO LATER THAN 10.00 A.M. ON THE 5th WORKING DAY FOLLOWING PUBLICATION OF THE DECISION

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**PROTOCOL ON CONSIDERATION AND REPORTING ON EXECUTIVE DECISIONS
CALLED IN BY OVERVIEW AND SCRUTINY****1. Purpose of Protocol**

- (a) To codify how the Overview and Scrutiny Committee or delegated Panel should deal with "call in" items.
- (b) To codify how the Executive should respond to reports by Overview and Scrutiny on decisions which have been called in.

2. Validation of "Call In"

- 2.1 All "call in" requests shall be made in writing in accordance with the Council's constitution. "Call in" requests shall only be made by members of the Council who are not members of the Executive. The "call in" shall be validated by the Chief Executive and referred to the Overview and Scrutiny Committee for consideration in accordance with the provisions of the constitution.

3. Consideration of "Call In" Items by Overview and Scrutiny Committee

- 3.1 Consideration of Call-ins shall be the responsibility of the Overview and Scrutiny Committee which will decide whether to consider the issue itself or direct a Panel to undertake it and report back to the decision maker. "Call in" items shall be referred to the next available date for the Overview and Scrutiny Committee or delegated Panel. The provisions of the Overview and Scrutiny Rules in the Council's constitution will apply to "call in" requests which need to be dealt with more quickly.
- 3.2 At its meeting, the Overview and Scrutiny Committee or delegated Panel will receive:
 - (a) copies of all documentation submitted to the Executive on which the decision was based;
 - (b) a copy of the written notification of the "call in" including the names of the relevant Councillors who requested the "call in" and their grounds for so doing; and
 - (c) any other relevant documentation.
- 3.3 The relevant Executive Portfolio Holder and at least one of the members who activated the "call in" and who shall act as spokesperson for those members, shall attend the Overview and Scrutiny Committee or delegated Panel meeting.
- 3.4 The "call in" decision shall be considered in the following manner:
 - (a) the representative of the Councillors calling in the decision shall describe their concerns;
 - (b) the Portfolio Holder shall then respond

- (c) the Overview and Scrutiny Committee or delegated Panel will then debate the issues involved. The Chairman of the meeting shall have the discretion to vary the way in which evidence is gathered including speakers and public participation if appropriate but shall seek a response from the initiating Councillor(s) and the Portfolio Holder before formulating its recommendations;
- (d) The Overview and Scrutiny Committee or delegated Panel has the following options:
- (i) confirm the decision, which may then be implemented immediately, or
 - (ii) refer the decision back to the decision taker for further consideration setting out in writing the nature of its concerns, or
 - (iii) refer the matter to full Council in the event that the Committee or Panel considers the decision to be contrary to the policy framework of the Council or contrary to, or not wholly in accordance with, the budget.
- (e) If it appears that the review of a decision of the Executive cannot be completed at one meeting, the Executive or decision taker will be informed, indicating any preliminary views the Committee or Panel may have and a proposed timescale for the completion of the review. The Chairman of the Overview and Scrutiny Committee/Panel shall, if necessary, consult with the Leader of the Council regarding the urgency of the proposed decision or any other related matter;
- (f) The Chairman of the Overview and Scrutiny Committee or delegated Panel shall sum up the recommendations to be submitted to the Executive and these shall be incorporated in full in the Minutes or report of the meeting;
- (g) In cases where the Overview and Scrutiny Committee or delegated Panel determines that a review of the decision is not justified or that, having reviewed the decision of the Executive, it has no adverse comment to make, the Committee or Panel shall ensure that its decision is published in the Members' Bulletin;
- (h) In the circumstances outlined in (g) above, the decision of the Executive or Decision Taker may be implemented with effect from the date of that meeting;
- (i) A report detailing any appropriate recommendations of the Overview and Scrutiny Committee or delegated Panel shall be reported to the Decision Taker
- (j) In presenting the recommendations of the Overview and Scrutiny Committee or delegated Panel, the Chairman may make general comments on the Committee's/Panel's recommendations, answer questions and respond to comments or new proposals made by the Executive at that meeting; and
- (k) The report of the Overview and Scrutiny Committee or delegated Panel shall be sent in draft to all its Members for approval prior to their submission to the Decision Taker.
- (l) Minority reports may be made by members of Overview and Scrutiny Committee or delegated Panel in accordance with the Protocol for that purpose.

4. Consideration of Reports on "Call In" Items by the Executive

- 4.1 The report of an Overview and Scrutiny Committee or delegated Panel will be referred in the first instance to the relevant Portfolio Holder(s) for the executive function concerned.
- 4.2 If the Executive decision is one which the Portfolio Holder(s) has delegated powers to make, he or she shall consider the written proposals of the Overview and Scrutiny Committee or delegated Panel, must consult the Overview and Scrutiny Committee and delegated Panel Chairmen if he or she is minded to accept or reject them. In doing so the Portfolio Holder will ensure that, in recording that decision, the reasons for accepting, rejecting or amending those views are set out in the decision notice.
- 4.3 If the Executive decision is one which the Executive itself or a Committee of the Executive (acting under delegated powers) is competent to take, the relevant Portfolio Holder will consider the proposals of the Overview and Scrutiny Committee or delegated Panel and refer them, with his or her written response, to the decision making body concerned.
- 4.4 At a meeting of the Executive or of any Committee of the Executive, the following documentation shall be submitted:
- (a) the agreed report of the Overview and Scrutiny Committee or delegated Panel and any other supporting documents considered by it;
 - (b) a report of the Portfolio Holder indicating the response to the proposals of the Overview and Scrutiny Committee or delegated Panel, indicating the options available and recommendation for acceptance, rejection or alteration of those proposals with reasons; and
 - (c) any other information.
- 4.5 The Executive or Committee of the Executive shall consider the matter as follows:
- (a) the Chairman of the Overview and Scrutiny Committee or delegated Panel shall present the views and recommendations of the Committee/Panel based on the report of the relevant OSC meeting and respond to questions, make general comments and respond to new proposals as appropriate;
 - (b) the relevant Portfolio Holder shall then respond by presenting his report and recommendations on the proposals of the Overview and Scrutiny Committee or delegated Panel;
 - (c) the Executive (or Committee thereof) shall then consider the original decision, the views of the Overview and Scrutiny Committee or delegated Panel and any proposals by the Portfolio Holder; and
 - (d) the Executive (or Executive Committee) will then make a final decision on whether to re-affirm the original decision, amend the original decision or substitute a new decision. This decision shall be recorded in the minutes of the meeting together with supporting reasons.
- 4.6 Where a Committee of the Executive is required to report to the full Executive on any matter, it shall submit a recommendation on action proposed to the Executive as part of the minutes of the meeting.

5. Implementation of Decisions When Cabinet Control or Membership Changes

- 5.1 Notwithstanding the provisions of paragraphs 3.4(g) and (h) above, where political control of the Cabinet or Cabinet membership changes following the Annual Council meeting each year, any decision made by the Executive and supported by the Overview and Scrutiny Committee or delegated Panel following a "call-in" but not implemented before the changes occur, shall stand referred to the Cabinet for further review before action is taken.

6. Consideration of "Call In" Reports of Overview and Scrutiny Committees made to the Full Council

- 6.1 In some circumstances, the Overview and Scrutiny Committee or delegated Panel may choose to refer the results of their consideration of "call in" items to the full Council, rather than the Executive in those instances set out in paragraph 3.4 (d) (iii) above and 6.2 below. With any necessary modification the "call in" shall be dealt with at the Council meeting in accordance with paragraphs 4.1 - 4.5 above.
- 6.2 In considering whether to report to the full Council, the Overview and Scrutiny Committee or delegated Panel shall take account of the advice of the proper officer on:
- (a) whether the Council may properly determine the matter if the function is delegated to the Executive;
 - (b) whether the Executive decision affects the policy or budget framework of the Authority and should properly be determined by the Council;
 - (c) whether the Executive decision relates to a matter which either reserved to the full Council by the constitution or by resolution; and
 - (d) any other advice which indicates that, for whatever reason, a report to the Executive is more appropriate to the proper despatch of Council business.

7. Restriction on "Call In"

- 7.1 The Overview and Scrutiny Committee shall at all times be aware that the decisions of the regulatory or non-executive bodies of the Council are not subject to "call in".
- 7.2 The "call in" procedure shall also not apply to any recommendation by the Cabinet to the full Council.

8. Definitions

8.1 For the purpose of this Protocol, the following definitions shall apply:

(a) "Executive"

This term should be interpreted as referring to the Cabinet, a Cabinet Committee or an individual Portfolio Holder acting under delegated powers.

(b) "Decision"

Denotes a decision on an Executive function by the Cabinet, a Committee of the Cabinet or of an individual Portfolio Holder.

(c) "Decision Taker"

This means the Cabinet, a Cabinet Committee or an individual Portfolio Holder who made the original decision.

9. Review of Protocol

9.1 This Protocol will be reviewed by the Council as part of its constitution as and when appropriate.

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Overview and Scrutiny Work Programme – 2006/07
As at 19 June 2006

Item	Report Deadline/Priority	Progress/Comments	Programme of Future Meetings
<i>Housing Standing Panel</i>			
(1) Annual Ethnic Monitoring Review of Housing Applicants	Medium	To be reported to 27 July 2006 mtg	27 July, 31 October 2006,
(2) Updated draft Housing Strategy	High	Delayed – Due to other commitments it is hoped that the updated draft Housing Strategy can be reported to the next meeting of the Panel	30 January 30 April 2007.
(3) Empty Property Strategy	High	To be reported to 27 July 2006 mtg	
(4) Housing Service Strategy on the Private Rented Sector	Low	To be reported to 27 July 2006 mtg	
(5) Housing Service Strategy on Empty Council Properties	Low	Delayed – A first draft has been produced, which will be reported to the Panel's next meeting, after it has been finalised	
(6) Annual Review of the Housing Allocations Scheme	High	October 2006	
(7) Six-monthly Progress Report on Local Supporting People Strategy Action Plan	Medium	October 2006	
(8) Private Sector Housing Assistance Policy	High	October 2006	
(9) Six-monthly Progress Report on Housing Strategy Action Plan	Medium	January 2007	
(10) Updated draft HRA Business Plan	High	April 2007	

Item	Report Deadline/Priority	Progress/Comments	Programme of Future Meetings
(11) Updated draft Local Supporting People Strategy	High	April 2007	
(12) Implementation of Choice Based Lettings	High	Final Report April 2007	
<i>Constitutional and Member Services Standing Panel</i>			
(1) Council Meetings – Completion of Review of Future Role.	June 2006	Completed – Panel's recommendations submitted to this meeting.	3 July 7 August, 10 October, 4 December 2006, 8 February, 2 April 2007
(2) Review of Area Planning Sub – Committees	August 2006	Underway – Principles agreed at last meeting to be sent out for further consultation. Results of this will be reported to Panel on 3 July 2006.	
(3) Complaints Against Councillors – Review of Support.	October 2006	Underway – Report to be submitted to 10 October 2006 mtg	
(4) Review of Changes in the legal requirements concerning postal voting and resource implications/ procedures for electoral registration.	October 2006	Underway – Bill to be dealt with by Parliament in Autumn 2006	
(5) Review of May 2006 Elections	July 2006	To be considered by Panel in July 2006	
(6) Completion of Review of Parliamentary Constituencies.	By May 2006 (subject to OPDM) timetable	Possible reserve list item as awaiting government proposals	
(7) Re-use of Public Sector Information Guidelines	August 2006	New Task inherited from Customer Services and ICT Standing Panel	
(8) Review of Cabinet Arrangements	August 2006	Report to be submitted to 7 August 2006 mtg	

Item	Report Deadline/Priority	Progress/Comments	Programme of Future Meetings
(9) Review of Civic Ceremony	July 2006	Underway	
Environmental and Planning Services Standing Panel			
(1) Essex County Joint Waste Procurement Process	Ongoing	Underway – Panel to consider decisions of the West Essex Waste Joint Management Committee as and when they become available	26 June, 29 August, 30 October, 19 December 2006, 26 February, 26 April 2007.
(2) New Local Development Scheme	Ongoing		
(3) Re use of buildings in the Green Belt	September 2006	Underway – Further report to be submitted to Panel on 26 June 2006	
(4) East of England Plan	Summer 2006	Underway: Findings of Examination in Public awaited	
(5) Provision of Neighbourhood/Community Wardens	September 2006	Underway - Essex Police and Neighbourhood Renewal Unit to attend 26 June 2006 mtg.	
(6) Ongoing Traveller Issues	Ongoing	New item – added by OSC on 16 March 2006	
(7) Planning Performance – monitoring of enforcement figures/outcomes	Ongoing	New item – added by OSC on 16 March 2006	
(8) Waste Management – Size of Wheeled Bins	TBA	New item – added by OSC on 16 March 2006	
Finance and Performance Management Standing Panel			
(1) Best Value Performance Data	Quarterly	Underway: Monitoring of BVPP undertaken on 1 June 2006. The Panels recommendations on KPIs to be referred to Cabinet. Draft Best Value Performance Plan 2006/07 considered on 25 April 2006.	15 August, 14 November 2005, 15 January, 12 February 2007
(2) Performance (Services to be scrutinised in Rotation)		Underway: Land Charges and Legal and Administration Services to be scrutinised at next meeting.	

Item	Report Deadline/Priority	Progress/Comments	Programme of Future Meetings
(3) Quarterly Financial Monitoring	2006/07	Underway: Quarterly information to be submitted to the Panel on 15 August 2006.	
(4) Annual Audit Plan	February 2007	Referred by OSC on 2 March 2006	
(5) Review of Local Land charges		Underway: Report went to the 1 June meeting, another report was requested for the 14 November meeting updating the panel on the latest developments.	
(6) Local Area Agreements		Panel to monitor Performance Indicators for the Agreements.	
(7) Draft Council Plan 2006-2010		Underway.	
(8) Budget Papers		To be reported at the November, January & February meetings. Nov. meeting to consider growth/ savings; Jan. meeting to consider the detailed budget; & Feb. meeting for last comments prior to formal tax setting	
<i>Customer Services and ICT Standing Panel</i>			
(1) Customer Contact Centre		Report on Customer Services Transformation Programme Plan considered on 12 June 2006	12 June, 14 August, 16 October, 12 December 2006, 7 February, 19 April 2007.
(2) Review of Council's IEG Strategy		Report on IEG6 to be submitted to the Panel in Summer 2006	
<i>Task and Finish Panel on Leisure Services</i>			
(1) Future Management of Waltham Abbey Sports Centre		New Proposal submitted in March 2006	TBA

Item	Report Deadline/Priority	Progress/Comments	Programme of Future Meetings
(2) Review of Future Management of the Roding Valley Meadows Local Nature Reserve		Ditto	
(3) Review of Arts Development in the District		Ditto	
(4) District Council's Role and involvement in Outdoor and Community Events		Ditto	
<i>Town Centre and Car Parks Task and Finish Panel</i>			
(1) Future Development of Town Centres in the District		New Proposal submitted in March 2006	TBA
(2) Role of Car Parks and Parking in general in relation to Town Centres		Ditto	
<i>Crime and Disorder Task and Finish Panel</i>			
Crime and Disorder Act 1998 - Government Review and Recommendations		New Proposal submitted in March 2006	27 June 2006

<i>Local Strategic Partnership Task and Finish Panel</i>		
Review of Government Consultation paper 'Local Strategic Partnerships - shaping their future'	New Proposal submitted in March 2006	24 July 2006
<i>Older and Disabled Persons Task and Finish Panel</i>		
Review of Services provided by this Council and associated voluntary agencies to older persons and the disabled.	New Proposal submitted in March 2006 First meeting on 22 June 2006 to formulate terms of reference and scope review	22 June 2006
<i>Traveller Issues Task and Finish Panel -</i>		
Review of particular unauthorised developments encampments and arrangements for 'tolerated' sites	At its last meeting on 8 June 2006, the Panel recommended that it should be disbanded and that the outstanding items be referred to the Environmental and Planning Services Panel for consideration.	
Government Guidance and District Local Plan		
Commission for Racial Equality Findings		
Outstanding PWG2 matters		

Overview and Scrutiny Committee

(1) Liaison with London Underground Ltd	Ongoing on six monthly basis.		6 July, 31 August, 5 October,
(2) Liaison on Highways Local Service Agreement	TBA		9 November, 7 December 2006, 1 February, 8 March, 5 April 2007.
(3) Scrutiny of organised bodies - PCT			
(4) Liaison with Principal of Epping Forest College	May 2006	Held at 25 May 2006 meeting	
(5) Liaison with Essex Police – Merger Proposals	July 2006	Essex Police to attend this meeting	
(6) Liaison with Essex Police – Neighbourhood Policing Initiative	TBA		
(6) Draft Council Plan 2006-2010	July 2006	Submitted to this meeting	
(7) Liaison with Leader and Cabinet	July 2006	Liaison to consider and comment on the Cabinet and Scrutiny plans for year ahead	
(8) OS Review Seminar OS Training for Members Member Training 2007/08	October 2006.		

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TERMS OF REFERENCE – TASK AND FINISH

Title: Crime and Disorder		
Status: Task and finish		
Terms of Reference: 1. To consider and recommend ... 2.		
Source:		
Reporting Deadlines:		
Work Programme 2005/6 First Meeting –		
Item	Priority	Report Deadline

Chairman:

Chairman: Councillor

Vice-Chairman: Councillor



REPORT OF THE TRAVELLERS TASK AND FINISH
PANEL

JULY 2006

Contact for enquiries:
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01992 56 4062

1. Chairman's Forward

Site Specific Issues

This Panel started with a task to consider issues about a site in Paynes Lane, Nazeing following discussions at the Cabinet in March 2004. Subsequently we were asked to consider other sites at Birchfield, Stapleford Tawney and Neverest, Hamlet Hill.

At an early stage in our work we benefited from a group of Members and officers who were involved in the Panel attending a course at Newmarket on 21 July 2005, and we were also given a guided tour of the District on 14 July 2005 to see existing and ex traveller sites. These included the public site at the Hop Gardens Stanford Rivers, and many smaller private sites particularly in the Nazeing and Roydon area. We were not able to see the Birchfield site that day, and generally we did not go onto the sites. The exception to that was the Paynes Lane site, which we looked at in some detail. We saw one tolerated site, and some areas of land that have acted as occasional stopping places for those "in transit."

We benefited from attendance of a group of residents from Paynes Lane area at our meeting on 19 September 2005, and I would like to record my thanks to Margaret O' Connor, Steve Satwick, Robert Smith and Lawrie Berry.

Policy Issues

Our terms of reference were extended to cover matters of policy. During the last year we have been aware that a number of important changes were being made, or were in contemplation. At our meeting on 8 June 2006 we received a copy of the new government Circular (ODPM 01/2006), and of the Essex wide Traveller Needs Assessment, which has involved an extensive direct dialogue with travellers. We were due to receive a copy of the report from the Commission for Racial Equality.

I give my personal thanks to the Head of Environmental Services and the Head of Planning Services - the Lead Officers of the Panel for their assistance to me, not only advising the Panel, but also for organising and acting as secretary at its meetings for most of the year until Zoe Folley was able to assist.

Councillor P McMillan
Chairman
Traveller Task and Finish Panel
June 2006

2. Terms of Reference

We were tasked with considering and formulating recommendations on the following matters:

Site Specific Issues

- (a) the arrangements for dealing with unauthorised development on traveller owned sites within the district, with particular reference to Paynes Lane, Nazeing Birchfield, Stapleford Tawney; and Hamlet Hill, Roydon;
- (b) the management of travellers who enter onto land within the district with a view to unauthorised encampment, 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;
- (c) arrangements for 'tolerated' sites;

Policy Issues

- (d) 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;
- (e) the results of the Commission for Racial Equality's (CRE) study on traveller issues in which this Council participated, once published; and
- (f) any further outstanding matters not specifically covered in (a) to (e) above arising from the last meeting of Policy Working Group 2.

In considering the above, we consulted local residents in respect of the Paynes Lane site, and gathered evidence by attendance at the course at Newmarket run by the East Of England Regional Assembly, by the tour of sites and by seeking information from officers with detailed knowledge of the issues and sites in the District, including the Head of Service for Environmental Services and the Head of Planning and Economic Development, together with the Environmental Health Manager Jim Nolan, the Principal Environmental Health Officer Sue Stranders, and Senior Environmental Technical Health Officer Richard Gardiner. Most recently we were provided with a draft list of existing and historic sites within the District, which we want Planning Services to complete and keep up to date. We recommend accordingly.

Perhaps the only thing we did not do was engage with travellers directly, but we were very aware that the Essex Needs Assessment, and the CRE investigation (entitled "Common Ground' Equality Good Race Relations and Sites for Gypsies and Irish Travellers') were doing this at the same time.

Specific Sites

Paynes Lane

We concluded that the original decision made by the Cabinet in March 2004 concerning the remediation of the site following the departure of the traveller occupants was too costly and risky. We noted that actions by residents have effectively secured the site. We considered whether a solution from a nearby landowner might have merit, but no formal application for planning permission has been made, and officers have been instructed to proceed with clearance of the top of the site. We made a report to the Cabinet on 5 September 2005 recommending that work be carried out to clear the site and funding arrangements for this. The Cabinet endorsed our proposals. At our last meeting in June 2006 we considered the progress made with these recommendations and urged that they be pursued bearing in mind the assurances offered over this at our discussions with the residents of area.

Birchfield

We noted that a major appeal decision had not gone in favour of the travellers, and that Cabinet had agreed clearance of the top of the site; in particular because fly tipping was increasingly taking place. We noted that an injunction had been obtained, but that a further Public Inquiry was scheduled. Works to clear the site are underway. We are recommending that the action previously agreed by the Council be pursued.

Hamlet Hill

We noted that the Neverest site had its entrance blocked by mounds, and had been vacated. It is less visible than the above two sites.

Tolerated sites

At our meeting on 19 September 2005 we considered three such sites, together with the pros and cons of whether the tolerance could be changed so as to enable the sites to be the subject of applications to become authorised. We considered that this would have to be reviewed, and would need to account for other reports that we were due to consider.

Policy Issues

Definition

We noted that recent Government Circulars have changed the definition of a traveller. The former description classified Travellers as “Persons of a nomadic habit of life, whatever their race or origin.” This quoted section 16 of the Caravan Sites Act 1968. Case law has also indicated that nomadic activity had to be for an economic purpose. The new policy defines Travellers as “ Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family’s or dependant’s educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.”

Latest Circular

In addition to the above, the most recent circular (ODPM 01/2006) published on 2 February 2006, has changed a number of other significant matters, such the approach expected of the District Council; in particular in the Local Development Framework.

Site Provision

We noted that the desire of the traveller for education for children or healthcare has led to many seeking sites where those facilities are close at hand, and this in turn has led to some frictions with the settled population. Various solutions to these issues have been attempted ranging from Council provision of sites to placing the onus upon travellers to bring forward their own sites. The latest circular points to major failures in these approaches, in part because of the numbers without an authorised site, and also having regard to statistics regarding the health of the traveller communities or their educational attainment. The Government is now seeking to ensure that traveller’s housing needs are assessed in much the same way as the needs of the rest of the population for housing, and that significantly more provision is made. Members saw positive examples of traveller communities a little way outside towns elsewhere in East Anglia when they went to Newmarket.

The Local Context – Issues for consideration

We agreed that the local context for Epping Forest has to be recognised as different, even just reflecting the following points;

- Land prices here are very high, particularly in the urban areas, and where there is much competition for land for other uses. Many other Government policies push development first to such built up locations.
- All of our rural areas are Metropolitan Green Belt, and within the Green Belt there are many other constraints to the development of land, such as Lee Valley Regional Park, Epping Forest, floodplains.
- Notwithstanding those constraints, extensive provision has already been made (irrespective of whether it was granted by the Council or at appeal) Epping Forest compares well with other Essex Councils who do not have all those constraints.
- Our Local Plan has contained a permissive traveller policy; if very special circumstances can be demonstrated.
- Two of the large sites that have been problematic appear to have been occupied irrespective of planning constraints, and may simply be close to employment opportunities in London and the suburbs, and close to the national motorway network.
- Little respect has been shown in the development of those sites, or their subsequent use for tipping of waste. The human rights of travellers are being considered; whilst this is of course important, we should not forget that the settled community share similar rights.

The Circular appears to expect that sites will be found in urban areas; this may be optimistic locally.

The Circular may allow for future urban extensions required by the East of England Plan to provide allocations for travellers as well as all other types of housing; this would be much fairer.

The expectation that the Council will be able to make a case to exceptionally take land out of the Green Belt so as to provide for travellers is likely to be a more drawn out than a swift solution.

The Essex wide Traveller Needs Assessment

We noted that this document had secured an extensive dialogue directly with the traveller community, many of whom regarded Essex as home, and tended to correlate with points in the circular; for example that travelling to fairs is less prevalent, whilst travelling to employment from a settled site has become more normal. In addition points about health, (death of young children) or different educational achievement of the younger generation were similar. We noted how Epping Forest compared to the other Councils in Essex both as regards public and private sector provision. We noted that Essex had undertaken such an analysis, which the Circular now expected. The need arising from authorised sites does not appear high, but the numbers of unauthorised sites are of concern, although one needs to understand the details of each of those. The Assessment also needs to advise the local development framework.

We concluded that the above policy matters are not in the nature of a piece of work that can be finished quickly, and accordingly we are proposing that the outstanding the terms of reference be passed to the Environment and Planning Standing Panel for completion.

Conclusion

Our considerations have given us a much better appreciation of the many difficult issues that are relevant in considering both the needs of travellers, and the local context of making acceptable provision for them. We have been faced with significant changes to the advice that the Government gives, the details of the travellers needs from an up to date survey, and that these matters are ongoing policy matters which our Panel is not able to continue with.

We have considered specific local sites and the difficulties which have arisen therewith, and which are requiring significant expenditure; whilst noting that more positive examples exist elsewhere, it is difficult to see those circumstances being able to be replicated locally.

Recommendations

- (1) That the work undertaken by the Task and Finish Panel on Traveller Issues be noted and;**
- (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 and;**
- (3) That the Task and Finish Panel be disbanded given that the outstanding work plan items require long 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 encampment, 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 existing and historic sites within the District produced by Planning Services be completed and updated and made available to the Panel**

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Report to Overview and Scrutiny Committee

Date of meeting: 6 June 2006

Subject: Council Meetings - Future Role

Officer contact for further information: C Overend

Committee Secretary: Z Folley (ext 4532)



Recommendation:

That the proposed enhancements to Council procedures set out in this report be approved and appropriate amendments be made to the Council's Constitution accordingly

Report

(a) Scope of Review and Consultation Undertaken

1. (Chairman of Constitution and Members Services Scrutiny Panel) Following the introduction of revised political decision-making arrangements and adoption of a new Constitution, revised Terms of Reference for the Full Council were agreed.
2. When reviewing constitutional matters, at its meeting on 25 November 2003, the Overview and Scrutiny Co-ordinating Group noted that the volume of business being referred to the Council from Cabinet was more limited. In the early stages of drafting the Constitution, it was acknowledged that a new role should be developed for the Council.
3. Since political modernisation, debates at Council meetings have concentrated on referred items, appointments to outside bodies and Committees, and to motions and questions. It is recognised that Council meetings may not be achieving Members' aspirations for providing a major forum for debates of interest to the local community.
4. During the 2004/05 Council year, the then Policy Working Group began a review of the types of item being considered and determined at Council meetings and the options for enhancing debate. The work on the review was continued by this Panel as it fell within its purview under the revised arrangements which came into effect from the commencement of the 2005/06 Council year.
5. A number of visits to other local authority Council meetings were undertaken and a comprehensive review has now been completed. We have identified a number of additional items that might be appropriate for discussion and determination by the Full Council itself, and identified other potential revisions to the terms of reference we feel would enhance debate and encourage greater public interest.
6. Subsequent to the conclusion of the review we also surveyed all Members of Council, in the form of a questionnaire, on the potential enhancements we had identified. The results of the survey indicated that, in each instance, Members were in favour of the enhancements proposed.

(b) Key Areas Selected

From a range of measures assessed, we have identified a number of enhancements we are proposing should be introduced during the 2006/07 Council year, details of which are set out below. There are other enhancements (such as the Council in Committee/Seminar concept) which we feel could be brought in at a later stage once the other measures have become established.

(i) 'State of the District' debates

We were keen to introduce of 'State of the District' debates, having been impressed by the successful introduction of this item at other local authorities such as Arun, Ashfield, Breckland, Fenland, Rother, Salisbury and Welwyn Hatfield. We have stressed the need for these debates to result in positive outcomes, for the meetings to be held once a year and to be linked in to Best Value/Council Plan and budgetary process.

State of the District debates focus on the key issues faced not just by the authority, but by the areas and communities within the District. Such debates symbolise an outward looking Council and often involve, as part of the meeting, representatives of other stakeholders and the public generally, as part of a community planning process.

If other Members of the Council are supportive of this, officers will work on the detailed operational arrangements with a view to the first 'State of the District' debate being held during Autumn 2006.

(ii) 'Single Issue' Council meetings

We noted that provision already exists in the Constitution for such debates. The issue is about how this provision should be used and the approach to be taken in achieving the desired outcome.

Reference was made to the informal public seminar recently held on wheeled bins. The option could be used for similar discussion using a similar approach. The debates might be held before formal Council meetings. In relation to choosing topics for discussion, it was noted that this could be rotated between the Groups 'State of the District' debates could also bring forward issues for the sessions.

We agreed that this option should be pursued and suggested that only one debate be held in the first instance as a pilot. Again we feel action should be taken to ensure that meetings are followed up to secure a 'positive outcome'. This could be undertaken, for example, by a specific Task and Finish Panel.

(iii) Reports from Overview and Scrutiny/Leader/Portfolio Holders

We agreed that this should involve a written report being submitted to every meeting by each of the Portfolio Holders, the Leader and the Overview and Scrutiny Chairman on current work falling within their spheres of responsibility. The information in their reports should be taken as read and be subject to questions by Members without notice. We are proposing that twenty minutes be allocated under this item to each of the three areas and that it should cover any issue under their remit.

We have agreed that a protocol be devised for determining the number of questions each Group/individual Member would be entitled to ask during the item and that the question of

whether the protocol should take account of the 'pro rata' arrangements will need to be looked at.

(iv) Questions by Members

We have agreed that, alongside a provision for verbal questions, provision should still exist for written questions under notice. We are proposing that there be one agenda item for Members questions and this cover both option (iii) above and written questions and the twenty minute slot referred to in that option cover both written and verbal questions.

(v) Questions by the Public

The District Council, along with many other local authorities has had difficulty in encouraging the public to submit their questions and participate in the process. We have agreed that publicity arrangements for this should be re-assessed. Suggestions for potential improvements include information on the website, local newspapers and an updated version of the booklet providing guidance to the general public. We have also agreed that the operational arrangements connected with questions from the public should be reviewed to identify ways of making them more customer friendly.

(c) Constitutional Changes

We noted that the officers will be looking at the operational arrangements, including any protocols required in respect of the new arrangements and will be reporting back on these in due course. In the meantime details of the constitutional changes necessitated to the Council Procedure Rules are identified in bold in Appendixes attached.

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ARTICLE 4 - THE FULL COUNCIL

4.01 Terms of Reference

The Council, and only the Council, will exercise the following functions:

- (a) Adoption of and changes to the Constitution;
- (b) Approval of, adoption of and revisions to the policy framework and the budget. (The budget includes the allocation of financial resources to different services and projects, proposed contingency funds, the Council Tax base, setting the Council Tax and decisions relating to the control of the Council's borrowing requirement, the control of its capital expenditure and the setting of virement limits);

- (c) Adoption of the following:

Asset Management Plan

Best Value Performance Plan

Capital Strategy

Community Plan/Strategy

Crime and Disorder Reduction Strategy

Cultural Strategy

Development Plan

Plans and Strategies, which comprise the Development Plan

Economic Development Strategy

Housing Investment Programme

Local Agenda 21 Strategy

Local Transport Plan

Social Inclusion Strategy

Other plans which it decides, as a matter of local choice, should be the responsibility of the Council to adopt;

- (d) Approval of any application to the Secretary of State in respect of any Housing Land transfer. i.e. the approval or adoption of applications (whether in draft form or not) to the Secretary of State for approval of a programme of disposal of 500 or more properties to a person under the Leasehold Reform, Housing and Urban Development Act 1993 or to dispose of land used for residential purposes where approval is required under Sections 32 or 43 of the Housing Act 1985;

- (e) Adoption of the District Council's Codes of Conduct;

- (f) Subject to the urgency procedure, contained in the Access to Information Procedure Rules in Part 4 of the Constitution, making decisions about any matter in the discharge of an executive function which is covered by the policy framework or the budget where the decision maker is minded to make it in a manner which would be contrary to the policy framework or contrary to/or not wholly in accordance with the budget;
- (g) Election/Appointment of the Chairman and Vice-Chairman of Council;
- (h) Appointing the Leader and members of the Cabinet;
- (i) Appointments to Committees and Sub Committees;
- (j) Agreeing and amending the terms of reference for Committees, deciding on their composition and making appointments to them;
- (k) Appointing representatives to outside bodies;
- (l) Adopting an allowances scheme under Article 2.05;
- (m) Confirming the appointment or dismissal of the Head of Paid Service;
- (n) Making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal Bills;
- (o) All local choice functions set out in Part 3 of this Constitution which the Council decides should be undertaken by itself rather than the executive;
- (p) Inviting contributions from relevant community groups or representatives;
- (q) Agreeing and supporting the community engagement activities including the following:
- working with external partners;
 - offering opportunities for 'public interaction sessions' community spokespersons etc.;
 - recognising Council achievements;
- (r) Delegations from community groups may be invited.
- (s) State of the District debate;**
- (t) Single issue debates; and**
- (u) Receipt of written reports from the Leader, Chairman of Overview and Scrutiny Committee and each of the Portfolio Holders outlining progress on on-going issues within their areas of responsibility.**
- (v) Receipt of questions from Members and consideration of responses and subsequent debate thereon on matters falling within the responsibility of the Overview and Scrutiny Committee and each of the Portfolio Holders.**

4.02 Council Meetings

There are three types of Council meeting:

- (a) the annual meeting;
- (b) ordinary meetings; and
- (c) extraordinary meetings.

4.03 Responsibility for Functions

The Council will keep up-to-date the tables in Part 3 of this Constitution setting out the responsibilities for the Council's functions which are not the responsibility of the Executive.

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COUNCIL PROCEDURE RULES

CONTENTS

Rule

1. Annual Meeting of the Council
2. Ordinary Meetings
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COUNCIL PROCEDURE RULES

1. ANNUAL MEETING OF THE COUNCIL

In a year when there is an ordinary election of councillors, the annual meeting will take place within 21 days of the retirement of the outgoing councillors. In any other year, the annual meeting will take place in March, April or May.

The annual meeting will:

- (i) elect a person to preside if the Chairman of Council is not present;
- (ii) elect the Chairman of Council;
- (iii) elect the Vice-Chairman of Council;
- (iv) approve the minutes of the last meeting;
- (v) receive any announcements from the Chairman;
- (vi) elect the leader and deputy leader;
- (vii) agree the number of members to be appointed to the executive and appoint those members of the cabinet;
- (viii) appoint at least one Overview and Scrutiny Committee, a Standards Committee Policy Working Groups and such other committees as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are executive functions as set out in Part 3, Table 1 of this Constitution;
- (ix) appoint Chairmen and Vice-Chairmen to those bodies;
- (x) agree the scheme of delegation or such part of it as the Constitution determines it is for the Council to agree as set out in Part 3 Table 3 of this Constitution);
- (xi) approve a programme of ordinary meetings of the Council for the year;
- (xii) consider any business set out in the notice convening the meeting;
- (xiii) receive a work programme for the Executive and a joint work programme for Overview and Scrutiny Committees for the ensuing year; and
- (xiv) be notified of Group Leaders and Deputies and Group representatives on relevant Committees.

1.2 Selection of Councillors on Committees and Outside Bodies

At the annual meeting, the council meeting will:

- (i) decide which committees to establish for the municipal year;

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- (ii) decide the size and terms of reference for those committees;
- (iii) decide the allocation of seats to political groups in accordance with the political balance rules;
- (iv) receive nominations of councillors to serve on each committee and outside body; and
- (v) appoint to those committees and outside bodies except where such appointments are exercisable only by the executive.

2. ORDINARY MEETINGS

2.1 Ordinary meetings of the Council will take place in accordance with a programme decided at the Council's annual meeting. Ordinary meetings will:

- (i) elect a person to preside if the Chairman and Vice-Chairman are not present;
- (ii) approve the minutes of the last meeting;
- (iii) receive any declarations of interest from members;
- (iv) receive any announcements from the Chairman, Leader of the Council, members of the Executive;
- (v) receive questions from, and provide answers to, the public and members of the Council in relation to matters which in the opinion of the person presiding at the meeting are relevant to the business of the meeting;
- (vi) receive written reports from the Leader, Chairman of Overview and Scrutiny Committee and each of the Portfolio Holders and receive questions and answers on any of those reports (see Section 10 below);**
- (vii) receive reports about and receive questions and answers on the business of joint arrangements and external organisations;
- (viii) consider motions;
- (ix) receive questions;
- (ix) consider any other business specified in the summons to the meeting, including consideration of proposals from the executive in relation to the Council's budget and policy framework and reports of the Overview and Scrutiny Committees for debate, including annual reports for both Overview and Scrutiny Committees and the Executive on their activities in April of each Council year;
- (x) any matter of public concern allocated to any ordinary Council meeting for the purpose of debate;
- (xi) deal with any items of business deemed by the Chairman as urgent business in accordance with Section 100B(4) of the Local Government Act 1972.

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2.2 State of the District Debates

(i) Calling of debate

The Leader will call a State of the District debate annually on a date and in a form to be agreed with the Chairman.

(ii) Form of debate

The Leader will decide the form of debate, with the aim of enabling the widest possible public involvement and publicity. This may include holding workshops and other events prior to or during the State of the District debate.

(iii) Results of debate

The results of the debate will be disseminated as widely as possible within the community and to agencies and organisations in the area; and considered by the Leader in proposing the budget and policy framework to the Council for the coming year.

2.3 Single Issue Council Meetings

The Leader may, from time to time, call for a Council meeting to be held dealing with a single issue of critical importance to the residents of the District. The normal rules of debate will apply in the case of 'single issue' Council meetings.

3. EXTRAORDINARY MEETINGS

3.1 Calling Extraordinary Meetings

Those listed below may request the Proper Officer to call Council meetings in addition to ordinary meetings:

- (i) the Council by resolution;
- (ii) the Chairman of the Council;
- (iii) the Monitoring Officer; and
- (iv) any five members of the Council if they have signed a requisition presented to the Chairman of the Council and he/she has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.

3.2 Business

An extraordinary meeting of the Council shall transact the business set out in the agenda.

4. TIME AND PLACE OF MEETINGS

Meetings of the Council shall be held at the Civic Offices, High Street, Epping at 7.00 p.m. or at such other time or venue as the Chairman of the Council may determine in consultation with the Chief Executive. All business at Council meetings shall be completed by 10.00 p.m.

5. NOTICE AND SUMMONS TO MEETINGS

The Chief Executive will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules. At least five clear days before a meeting, the Chief Executive will send a summons signed by him or her by post to every member of the Council, leave it at their usual place of residence or posted or delivered to some other address that a member may notify in writing. The summons will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available.

6. CHAIRMAN OF MEETING

The person presiding at the meeting may exercise any power or duty of the Chairman. Where these rules apply to Committee and Sub-Committee meetings, references to the Chairman also include the Chairman of Committees, Sub-Committees, Boards and Panels.

7. QUORUM

The quorum of a meeting will be one quarter of the whole number of members. During any meeting if the Chairman counts the number of members present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Chairman. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting.

8. DURATION OF MEETING

- (1) All business of the Council requiring to be transacted in the presence of the press and public shall be completed by 10.00 p.m. at the latest.
- (2) At the time appointed under (1) above, the Chairman shall permit the completion of debate on any item still under consideration, and at his or her discretion, any other remaining business whereupon the Council shall proceed to exclude the public and press.
- (3) Any public business remaining to be dealt with shall be deferred until after the completion of the private part of the meeting, including items submitted for report rather than decision.

9. QUESTIONS BY THE PUBLIC

9.1 General

Members of the public may ask questions of members of the Executive at ordinary meetings of the Council.

9.2 Order of Questions

Questions will be asked in the order in which notice of them was received, except that the Chairman may group together similar questions.

9.3 Notice of Questions

A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the Chief Executive no later than midday seven days before the day of the meeting. Each question must give the name and address of the questioner and must name the member of the Council to whom it is to be put.

9.4 Number of Questions

At any one meeting no person may submit more than two questions and no more than two such questions may be asked on behalf of one organisation.

9.5 Scope of Questions

The Chief Executive may reject a question if it:

- (a) is not about a matter for which the local authority has a responsibility or which affects the District;
- (b) is defamatory, frivolous or offensive;
- (c) is substantially the same as a question which has been put at a meeting of the Council in the past six months; or
- (d) requires the disclosure of confidential or exempt information.

9.6 Record of Questions

The Chief Executive will enter each question in a book open to public inspection and will immediately send a copy of the question to the member to whom it is to be put. Rejected questions will include reasons for rejection. Copies of all questions will be circulated to all members on the agenda for the relevant Council meeting which will be made available to the public attending the meeting.

9.7 Asking the Question at the Meeting

The Chairman will invite the questioner to put the question to the member named in the notice. If a questioner who has submitted a written question is unable to be present, they may ask the Chairman to put the question on their behalf. The Chairman may ask the question on the questioner's behalf, indicate that a written reply will be given or decide, in the absence of the questioner, that the question will not be dealt with.

9.8 Supplemental Question

A questioner who has put a question in person may also put one supplementary question without notice to the member who has replied to his or her original question. A supplementary question must arise directly out of the original question or the reply. The Chairman may reject a supplementary question on any of the grounds in Rule 9.5 above.

9.9 Written Answers

Any question which cannot be dealt with during public question time, either because of lack of time or because of the non-attendance of the member to whom it was to be put, will be dealt with by a written answer.

9.10 Reference of Question to the Executive or a Committee/Sub-Committee

Unless the Chairman decides otherwise, no discussion will take place on any question, but any member may move that a matter raised by a question be referred to the Executive. Once seconded, such a motion will be voted on without discussion.

10. QUESTIONS BY MEMBERS

10.1 On Reports of the Executive or Committees

A member of the Council may ask the Leader, or the Chairman of a Committee any question without notice on an item of the report of the Executive or a Committee when that item is being received or under consideration by the Council.

10.2 Questions Following Notice at Full Council

Subject to Rule 10.4, a member of the Council may ask:

- (a) the Chairman;
- (b) a member of the Executive; or
- (c) the Chairman of any Committee or Sub-Committee
- (d) a question on any matter in relation to which the Council has powers or duties or which affects the Epping Forest District.

10.3 Notice of Questions

A member may only ask a question under Rule 10.2 if either:

- (a) they have given at least seven working days notice in writing of the question to the Chief Executive; or
- (b) the question relates to urgent matters, they have the consent of the Chairman to whom the question is to be put and the content of the question is given to the Chief Executive by 10.00 a.m. on the day of the meeting.

10.4 Replies to Questions

An answer 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 categories (a) and (b) above shall be made available to the member asking the question one hour before the meeting of the Council at which the question will be put. Answers to questions under (c) above will be circulated to all councillors.

10.5 Supplementary Question

A member asking a question under Rule 10.2 may ask one supplementary question without notice of the member to whom the first question was asked. The supplementary question must arise directly out of the original question or the reply ~~and be only for the purpose of elucidation.~~

10.6 Questions without notice at full Council

A member of the Council may ask the Leader, Chairman of Overview and Scrutiny or any member of the Cabinet any question without notice on any non-operational matter in relation to which the Council has powers or duties or which affect the administrative area covered by the Epping Forest District or part of it or the inhabitants of that area or some of them, or which relates to a written response given by the Leader, Chairman of Overview and Scrutiny Committee or a member of the Cabinet.

10.7 Response to a question without notice

An answer to a question without notice may take the form of

- (a) direct oral answer from the Leader or, at the request of the Leader, from another member of the Cabinet;**
- (b) direct oral answer from the Chairman of the Overview and Scrutiny Committee or, at their request, from another member dealing with that issue as part of an Overview and Scrutiny review;**
- (c) where the desired information is in a publication of the Council or other published work, a reference to that publication;**
- (d) where the reply cannot be conveniently be given orally, a written answer circulated later to the questioner; or**

10.6 Limit on the Number of Questions

The Chairman shall have discretion to limit the number of questions to be asked at any Council meeting. Any question which cannot be dealt with will receive a written reply.

11. MOTIONS ON NOTICE

11.1 Notice of Motion

Except for motions which can be moved without notice under Rule 12, written notice of every motion, signed by at least the mover and seconder of the proposed motion, must be delivered to the Chief Executive not later than seven days before the date of the meeting. These will be entered in a book open to public inspection.

11.2 Motions to be set out in Agenda

Motions for which notice has been given will be listed on the agenda in the order in which each notice was received, unless the member giving notice states, in writing, that they propose to move it to a later meeting or withdraw it.

11.3 Scope of Motions

Motions must be about matters for which the Council has a responsibility or which affect the Epping Forest District.

12. MOTIONS WITHOUT NOTICE

The following motions may be moved without notice:

- (a) to appoint a Chairman of the meeting at which the motion is moved;
- (b) in relation to the accuracy of the minutes;
- (c) to change the order of business in the agenda;
- (d) to refer something to an appropriate body or individual;
- (e) to appoint a committee or member arising from an item on the summons for the meeting;
- (f) to receive reports or adoption of recommendations of the Executive, Committees or officers and any resolutions following from them;
- (g) to withdraw a motion;
- (h) to amend a motion;
- (i) to proceed to the next business;
- (j) closure motion - that the question be now put (see Procedure Rule 13.11);
- (k) closure motion - to adjourn a debate (see Procedure Rule 13.11);

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- (l) closure motion - to adjourn a meeting (see Procedure Rule 13.11);
- (m) that Rule 8 (relating to completion of business in public session) be waived to permit the public session to continue beyond 10.00 p.m.
- (n) to suspend a particular council procedure rule;
- (o) to exclude the public and press in accordance with the Access to Information Rules;
- (p) not to hear further a member named under Rule 20.3 or to exclude them from the meeting under Rule 20.4;
- (q) to extend the time allowed for any member's speech under Rule 13.4; and
- (r) to give the consent of the Council where its consent is required by this Constitution.

13. RULES OF DEBATE

13.1 No Speeches until Motion Seconded

No speeches may be made after the mover has moved a proposal and explained the purpose of it until the motion has been seconded.

13.2 Right to Require Motion in Writing

Unless notice of the motion has already been given, the Chairman may require it to be written down and handed to him/her before it is discussed.

13.3 Secunder's Speech

When seconding a motion or amendment, a member may reserve their speech until later in the debate.

13.4 Content and Length of Speeches

Speeches must be directed to the question under discussion or to a personal explanation or point of order. No speech may exceed five minutes without the consent of the Council.

13.5 When a Member may Speak Again

A member who has spoken on a motion may not speak again whilst it is the subject of debate, except:

- (a) to speak once on an amendment moved by another member;
- (b) to move a further amendment if the motion has been amended since he/she last spoke;
- (c) if his/her first speech was on an amendment moved by another member, to speak on the main issue (whether or not the amendment on which he/she spoke was carried);

- (d) in exercise of a right of reply;
- (e) on a point of order; and
- (f) by way of personal explanation.

13.6 Amendments to Motions

- (a) An amendment to a motion must be relevant to the motion and will either be:
 - (i) to refer the matter to an appropriate body or individual for consideration or reconsideration;
 - (ii) to leave out words;
 - (iii) to leave out words and insert or add others; or
 - (iv) to insert or add words.

as long as the effect of (ii) to (iv) is not to negate the motion.

- (b) only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.
- (c) if an amendment is not carried, other amendments to the original motion may be moved.
- (d) if an amendment is carried, the motion as amended takes the place of the original motion becoming the substantive motion to which any further amendments may be moved.
- (e) after an amendment has been carried, the Chairman will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.

13.7 Alteration of Motion

- (a) A member may alter a motion of which he/she has given notice with the consent of the Council. The Council's consent will be signified without discussion.
- (b) A member may alter a motion which he/she has moved without notice with the consent of both the Council and the seconder. The Council's consent will be signified without discussion.
- (c) Only alterations which could be made as an amendment may be made.

13.8 Withdrawal of Motion

A member may withdraw a motion which he/she has moved with the consent of both the meeting and the seconder. The Council's consent will be signified without discussion. No member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused by the Council.

13.9 Right of Reply

- (a) The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.
- (b) If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment, but may not otherwise speak on it.
- (c) The mover of the amendment has no right of reply to the debate on his or her amendment.

13.10 Motions which may be Moved during Debate

When a motion is under debate, no other motion may be moved except the following procedural motions:

- (a) to withdraw a motion;
- (b) to amend a motion;
- (c) to proceed to the next business;
- (d) that the question be now put;
- (e) to adjourn a debate;
- (f) to adjourn a meeting;
- (g) that Rule 8 (relating to completion of business in public session be waived to permit the public session to continue beyond 10.00 p.m.
- (h) to exclude the public and press in accordance with the Access to Information Rules; and
- (i) to not hear further a member named under Rule 20.3 or to exclude them from the meeting under Rule 20.4.

13.11 Closure Motions

A member may move, without comment, the following motions at the end of a speech of another member:

- (i) to proceed to the next business;
- (ii) that the question be now put;

- (iii) to adjourn a debate; or
- (iv) to adjourn a meeting.
- (a) If a motion to proceed to next business is seconded and the Chairman rules the item has been sufficiently discussed, he or she will give the mover of the original motion a right of reply and then put the procedural motion to the vote.
- (b) If a motion that the question be now put is seconded and the Chairman rules the item has been sufficiently discussed, he/she will put the procedural motion to the vote. If it is passed he/she will give the mover of the original motion a right of reply before putting his/her motion to the vote.
- (c) If a motion to adjourn the debate or to adjourn the meeting is seconded and the Chairman thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, he/she will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

13.12 Point of Order

A member may raise a point of order at any time. The Chairman will hear them immediately. A point of order may only relate to an alleged breach of these Council Rules of Procedure or the law. The member must indicate the rule or law and the way in which he/she considers it has been broken. The ruling of the Chairman on the matter will be final.

13.13 Personal Explanation

A member may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by the member which may appear to have been misunderstood in the present debate. The ruling of the Chairman on the admissibility of a personal explanation will be final.

14. PREVIOUS DECISIONS AND MOTIONS

14.1 Motion to Rescind a Previous Decision

A motion or amendment to rescind a decision made at a meeting of Council within the past six months cannot be moved unless the notice of motion is signed by at least 15 members.

14.2 Motion Similar to One Previously Rejected

A motion or amendment in similar terms to one that has been rejected at a meeting of Council in the past six months cannot be moved unless the notice of motion or amendment is signed by at least 15 members. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

15. VOTING

15.1 Majority

Unless this Constitution provides otherwise, any matter will be decided by a simple majority of those members voting and present in the room at the time the question was put.

15.2 Chairman's Casting Vote

If there are equal numbers of votes for and against, the Chairman will have a second or casting vote. The exercise of this second or casting vote shall be in accordance with Article 5 (paragraph 5) of the Constitution.

15.3 Show of Hands

Unless a recorded vote is demanded under Rules 16.4 and 16.5, the Chairman will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

15.4 Recorded Vote

If five members present at the meeting require it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes.

15.5 Right to Require Individual Vote to be Recorded

Where any member requests it immediately after the vote is taken, their vote will be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

16. VOTING ON APPOINTMENTS

16.1 Voting on Appointments

If there are more than two people nominated for any position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.

17. MINUTES

17.1 Signing the Minutes

The Chairman will sign the minutes of the proceedings at the next suitable meeting. The Chairman will move that the minutes of the previous meeting be signed as a correct record. The only part of the minutes that can be discussed is their accuracy.

17.2 Extraordinary Meetings

Where in relation to any meeting, the next meeting for the purpose of signing the minutes is a meeting called under paragraph 3 of schedule 12 to the Local Government Act 1972 (an Extraordinary Meeting), then the next following meeting (being a meeting called otherwise

than under that paragraph) will be treated as a suitable meeting for the purposes of paragraph 41(1) and (2) of schedule 12 relating to signing of minutes.

17.3 Form of Minutes

Minutes will contain all motions and amendments in the exact form and order in which the Chairman put them.

18. RECORD OF ATTENDANCE

All members present during the whole or part of a meeting must sign their names on the attendance sheets before the conclusion of every meeting to assist with the record of attendance.

19. EXCLUSION OF PUBLIC

Members of the public and press may only be excluded either in accordance with the Access to Information Rules in Part 4 of this Constitution or Rule 21 (Disturbance by Public).

20. MEMBERS' CONDUCT

20.1 Standing to Speak

When a member speaks at full Council they must stand and address the meeting through the Chairman. If more than one member stands, the Chairman will ask one to speak and the others must sit. Other members must remain seated whilst a member is speaking unless they wish to make a point of order or a point of personal explanation.

20.2 Chairman Standing

When the Chairman stands during a debate, any member speaking at the time must stop and sit down. The meeting must be silent.

20.3 Member not to be Heard Further

If a member persistently disregards the ruling of the Chairman by behaving improperly or offensively or deliberately obstructs business, the Chairman may move that the member be not heard further. If seconded, the motion will be voted on without discussion.

20.4 Member to Leave the Meeting

If the member continues to behave improperly after such a motion is carried, the Chairman may move that either the member leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

20.5 General Disturbance

If there is a general disturbance making orderly business impossible, the Chairman may adjourn the meeting for as long as he/she thinks necessary.

21. DISTURBANCE BY PUBLIC

21.1 Removal of Member of the Public

If a member of the public interrupts proceedings, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room.

21.2 Clearance of Part of Meeting Room

If there is a general disturbance in any part of the meeting room open to the public, the Chairman may call for that part to be cleared.

22. SUSPENSION AND AMENDMENT OF COUNCIL PROCEDURE RULES

22.1 Suspension

All of these Council Rules of Procedure except Rule 13.5 and 17.2 may be suspended by motion on notice or without notice if at least one half of the whole number of members of the Council are present. Suspension can only be for the duration of the meeting.

22.2 Amendment

Any motion to add to, vary or revoke these Council Rules of Procedure will, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

23. PLANNING APPLICATIONS

Any planning application submitted directly to a Council meeting without prior consideration by the District Development Committee and/or an Area Sub-Committee shall be subject to the procedure for public participation by applicants, objectors and parish/town councils in the same way as those applied to Committees and Sub-Committees by Operational Standing Order 5.

24. APPLICATION TO THE EXECUTIVE, COMMITTEES AND SUB-COMMITTEES

All of the Council Rules of Procedure apply to meetings of full Council. None of the rules apply to meetings of the Cabinet or other executive bodies. Only Rules 2(xi), 4-7, 12 and 13, 15, (excluding 15.4), 17, 19-20 (excluding 20(1)) apply to meetings of Committees and Sub-Committees. Only rules 4-7 15.1-15.3 and 21.3-21.5 shall apply to working groups.



TASK AND FINISH PANELS GUIDANCE NOTES

Introduction

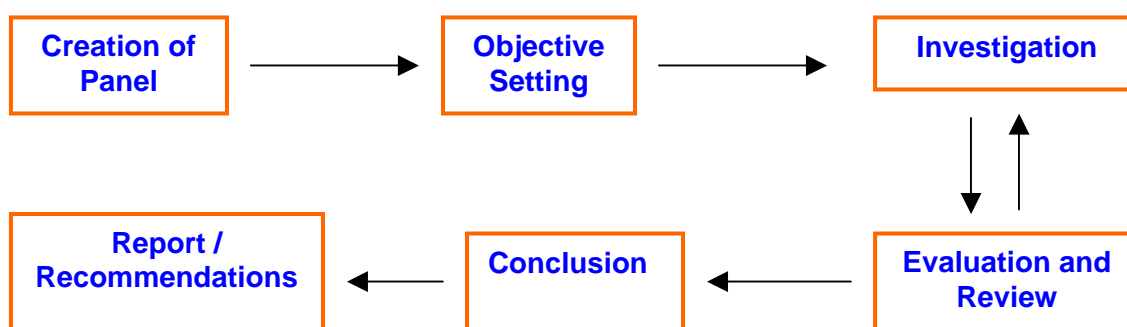
1. Task and Finish Scrutiny Panels are established by the Overview and Scrutiny Committee in order to deal with ad hoc projects or reviews included in the annual work programme for Overview and Scrutiny.
2. Task and Finish Scrutiny Panel status will be restricted to those activities which are issue-based, time limited and non-cyclical in character and have clearly defined objectives.
3. Task and Finish Panels as with all Overview and Scrutiny must be member led. The members should control the agenda and have ownership of the work programme.

Scoping Phase

4. **(Pre Scoping)** Before their first meeting with the Chairman, the Lead Officer should hold an informal meeting with any officers that may be connected to the topic to be reviewed to try and establish any and all issues related to the subject, so that that the Lead Officer on meeting with the Chairman, has some background information to put to them.
5. **(Scoping)** At the start of a Task and Finish Panel the Lead Officer will draft the Terms of Reference in conjunction with the Chairman of the Panel. The Panel will then meet to discuss the Terms of References and decide how they are to achieve their goals. An emphasis must be put on clear and realistic objectives, which are timely and time limited.
6. Terms of Reference and objectives should, if at all possible, be defined using the **SMART** objective framework:

Specific Measurable Achievable Realistic Time Limited

7. The life cycle of a Task and Finish Panel will look like this:



Investigation Phase

8. Before any conclusions can be drawn, evidence must first be gathered. All available sources must be tapped, making the most of the expertise within the Council, any outside organisations and public opinion if applicable.
9. The investigation phase can be handled as a full group review or as a 'delegated tasks' approach, with individual members or small sub groups, gathering evidence to bring back to the full Panel.
10. Any reports by officers to a Task and Finish panel should provide relevant evidence and background but should not make any recommendations. They should be done in an informal style, and not mirror the house Cabinet, Portfolio Holder style of reports.
11. If thought necessary outside bodies should be involved in the evidence gathering phase, either by inviting that organisation to give a one off presentation or by co-opting an outside member onto the Panel as an adviser for the duration of the Panel's life.
12. Creativity and imagination should be used in gathering evidence. Ways can and should be found of getting the views of groups who may be overlooked. Perhaps the review should be publicised and contributions invited, the use of community venues encouraged and feedback provided to participants.

Witnesses and Questioning

13. When questioning witnesses, questions should be kept brief, clear and to the point. Start with broad questions first and then narrow down the focus. Remember to use 'follow ups' to obtain a clearer explanation. The use of pre-meetings could be used to organise the Panels approach to the questioning of 'witnesses' and to get the most out of the session.
14. Remember the panel is not there to trip people up, "grill" them, apportion blame or to make their life difficult. Rather it is to understand the issues affecting the topic under review and how it affects the District Council and its residents.

Gathering Evidence

15. Methods of evidence gathering should be as systematic and objective as possible, not just anecdotal. Use a variety of approaches and not just rely on a single source. Some different ways that evidence could be gathered are:

- Statistical Surveys;
- Focus Groups and Workshops;
- Public Meetings;
- Self-advocacy groups;
- Street surveys;
- Site visits;
- Mystery Shopping.

Panel members should carry out these tasks, design the survey forms or prepare the questionnaires themselves. Officers are to be used in an advisory capacity only.

Report and Follow-up

16. The concluding report will need to be clear, concise, evidence based with illustrative anecdotes. All the evidence gathered should be listed and if thought appropriate summarised. There will need to be clear, realistic and specific recommendations formulated so that progress can be measured and followed up. The report should (wherever practicable) ask for responses to its' recommendations within a realistic time period. (A draft format of a Task and Finish report is attached.)

17. The report should, if thought appropriate, be promoted to the public, e.g. through a press release and/or publicised via our website.

18. A mini-review of outcomes should be carried out after an appropriate period (not later than six months (if appropriate) after the end of the review). The results of this review should be reported back to the main Overview and Scrutiny Committee. It should be noted, that the entire Panel should not be involved in this follow-up review. The Chairman on his/her own or a small sub-group of two or three members would be enough. They can provide the full panel with a short written report on their findings if necessary; otherwise a verbal report would suffice.

Democratic Services
June 2006

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SCRUTINY



Epping Forest District Council

REPORT OF THE TRAVELLERS TASK AND FINISH PANEL

JULY 2006

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- Make the contents table lines invisible
- Each section to start on its own page
- The addition of photographs always make a report more reader friendly and a document more professional looking.
- It may be argued that the introduction and context section could be put under one heading. Splitting up these headings helps to keep the report in small chunks, making it easily readable and more accessible.
- The same applies for keeping the recommendations separate from the main body of the report.
- If needed more section headings can be added.

1. Chairman's Forward

Setting out briefly what the panel was tasked to look at, and how the panel went about it.

The Chairman can use this section to give any personal thanks to the people and organisations consulted.

This should take up about one side of A4.

2. Introduction or Overview

This section sets out the formal terms of reference for the panel, who they consulted and how they went about gathering the evidence (i.e. by interview, site visits, questions to organisations, questionnaires etc.). This will be a more detailed explanation that's in the Chairman's forward.

If pertinent it should set out why the Panel did not look at some aspect of the topic they were charged to look at.

3. Context

Background to the topic under review – how Government Policy fits in, any relevant legal considerations any laws (European or domestic).

How the Council's policies are affected (if at all) or how EFDCs geographical area fits in (local context) and any other local considerations that were taken into account.

4. Summary of Recommendations

The Panels recommendations should be listed out here. If there are enough recommendations it could be divided into sections, each relating to different section of the report.

Recommendations should begin: **"The Panel recommends that...."**

5. Report

This section will detail the evidence gathered and the conclusions reached. This should be related to the recommendations made in the summary of recommendations.

Start with a general introduction (if thought useful) and then repeat each recommendation adding an explanation as to why that recommendation was made, citing any evidence gathered and the conclusions drawn. In order to meet legal requirements, if the recommendations are to go on to Cabinet or Council for action, the report should indicated any options that were considered and rejected and reasons why.

6. Conclusion

Very short version of report for busy people – maybe with an eye for putting this bit out as a press release.

7. Acknowledgements

To give formal acknowledgement to any sources used e.g:

Organisations;

People;

Officers;

Experts;

Websites;

Laws;

Locations visited;

Council policies etc.

8. Appendices

If needed to add background information, tables, graphs etc.