

***Overview and Scrutiny Committee  
Thursday, 5th October, 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](mailto: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

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**PLEASE NOTE THAT THIS MEETING IS OPEN TO ALL MEMBERS TO ATTEND**

**1. APOLOGIES FOR ABSENCE**

**2. SUBSTITUTE MEMBERS**

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

**3. 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.

**4. MINUTES (Pages 5 - 12)**

**Decisions required:**

To confirm the minutes of the meeting of the Committee held on 31 August 2006 (attached).

**5. WORK PROGRAMME MONITORING (Pages 13 - 20)**

**Recommendations:**

- (1) To note the updated work programme;**
- (2) To receive verbal reports from Panel Chairmen on any significant issues arising from their work;**
- (3) To consider and endorse terms of references for the Task and Finish Panels on:**
  - (a) Town Centres and Car Parks (to follow)**
  - (b) Older and Disabled Persons (to follow)**

The updated work programme is attached for information.

Panel Chairmen are asked to report on their work only if a significant issue has arisen not reported elsewhere.

The Committee will be aware that a Terms of Reference for the Older and Disabled Persons Panel was endorsed by the Committee at its last meeting. However the Panel has since proposed changes to this documents which the Committee is asked to consider and endorse.

It is anticipated that the scope and a Terms of Reference for the Town Centres and Car Parking Panel will be formulated at its first meeting on 2 October 2006 and made available for this meeting.

**6. RE-USE OF PUBLIC SECTOR INFORMATION REGULATIONS (Pages 21 - 28)**

(Head of Research and Democratic Services). To consider the attached report of the Constitutional and Member Services Scrutiny Panel.

**7. CABINET QUORUM (Pages 29 - 32)**

(Head of Research and Democratic Services). To consider the attached report of the Constitutional and Member Services Scrutiny Panel.

**8. CABINET REVIEW****Recommendation:**

To consider any items to be raised by the Chairman at the Cabinet meeting on 9 October 2006.

(Head of Research and Democratic Services). The Committee is asked to consider the Cabinet agenda for the 9 October 2006 meeting (previously circulated) to identify any items to be raised by the Chairman at that meeting.

**9. EXCLUSION OF PUBLIC AND PRESS**

**Exclusion:** To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

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

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

**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.