

Overview and Scrutiny Committee Tuesday, 10th July, 2007

Place: Council Chamber, Civic Offices, High Street, Epping

Room: Council Chamber

Time: 7.30 pm

Democratic Services Officer: Simon Hill, Senior Democratic Services Officer
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Members:

Councillors R Morgan (Chairman), K Angold-Stephens (Vice-Chairman), D Bateman, R Church, M Colling, R D'Souza, Mrs A Haigh, Mrs H Harding, J Hart, D Kelly, G Mohindra and Mrs P Richardson

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

1. WEBCASTING INTRODUCTION

1. This meeting is to be webcast. Members are reminded of the need to activate their microphones before speaking.

2. The Chairman will read the following announcement:

“I would like to remind everyone present that this meeting will be broadcast live to the Internet and will be capable of repeated viewing and copies of the recording could be made available for those that request it.

If you are seated in the lower public seating area it is likely that the recording cameras will capture your image and this will result in the possibility that your image will become part of the broadcast.

This may infringe your human and data protection rights and if you wish to avoid this you should move to the upper public gallery”

2. MINUTES (Pages 7 - 20)

Decisions required:

To confirm the minutes of the meetings of the Committee held on 7 June 2007.

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. 2007/08 CABINET FORWARD PLAN. (Pages 21 - 34)

Recommendation:

To discuss the Cabinet priorities for the year ahead and the forward work programme for 2007/08

The Overview and Scrutiny rules state that this Committee should ..'arrange meetings with the Leader and other Portfolio Holders to discuss their plans for the year ahead and... agree with them on any items for inclusion in the work programme which may be undertaken by the Committee on the Cabinets behalf'.

Accordingly attached is the Executive Work Programme incorporating the Forward Plan for the period 1 July 2007 – 31 October 2007.

The Leader of the Council, Councillor Mrs D Collins has indicated that they have the following priorities for this year:

- (a) Sound Finances
- (b) Youth – to carry forward dialogue with the Epping Forest Youth Council on a regular basis
- (c) Housing – to investigate new proposals for affordable housing
- (d) Green Belt/East of England Plan – Final Version – work with other Local Authorities
- (e) Waste – monitoring of the new contract

- (f) Safer Communities – liaise with local police and our community officers with regular progress reports on Anti – Social Behaviour and Graffiti etc.

The Leader and Portfolio Holders will be attending this meeting to present their plans and answer questions on their work.

6. TERMS OF REFERENCE - TASK AND FINISH PANELS (Pages 35 - 38)

Recommendation:

To endorse the attached terms of references/work plans for the Leisure/Crime and Disorder Task and Finish Panels.

The Committee is asked to endorse the terms of references for the reconstituted Crime and Disorder Task and Finish Panel (attached) and proposals for the ambit of the Leisure Panel (to follow) to be consider at their 5 July 2007. The Chairmen of these respective Panels have been invited to present their proposals to the meeting.

The Committee will note that two further Panels have been established to consider Town Centres and Car Parking and the Provision of Value for Money in Planning Services. The Panels now need to make arrangements for a first meeting to set the scope of their work and work plans for submission to the Committee for endorsement.

7. ELECTIONS 2007 REPORT OF CONSTITUTION AND MEMBERS SERVICES STANDING PANEL (Pages 39 - 48)

(Chairman of Constitution and Members Services Standing Panel). To consider the attached report.

8. WORK PROGRAMME MONITORING (Pages 49 - 62)

The Committee are asked to note the updated schedule.

9. WEBCASTING EVALUATION (Pages 63 - 64)

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

10. WEST ESSEX PCT - PROPOSAL FOR JOINT SCRUTINY REVIEW

Recommendation

(1) To agree to explore in principle the establishment of a Joint Scrutiny Panel comprising Members from Epping Forest, Harlow and Uttlesford Councils to consider issues relating to Local Healthcare Services and West Essex PCT.

(2) To receive a further report in due course.

REPORT

(Joint Chief Executive (Community) Uttlesford District Council are reviewing their scrutiny arrangements and as part of that process have suggested that consideration be given to the formation of a Joint Scrutiny Panel with Harlow and Epping Forest to consider issues relating to the West Essex PCT.

They suggest the joint panel could contain two or three Members from each authority, who would be tasked with reporting back to the relevant Council's main scrutiny committee. They say they had informal arrangements with the predecessor PCT (as did EFDC) and imply the Joint Panel could work on that basis.

It is understood that brief discussions have taken place with Aidan Thomas, the Chief Executive of WEPCT who is said to be generally in support of the proposal.

It has to be remembered however, that statutory authority for health scrutiny rests with the Social Services Authority, which in Essex is the County Council. For that reason if a joint committee is to be formed then negotiations with the County Council should be part of the process. Past experience would suggest that the County may support such a proposal if it is dealing with purely local issues but they would want representation on the panel. This is not necessarily a problem since it secures the link back to the County's Health Overview and Scrutiny Committee also.

Uttlesford District Council still works under the old style Committee system and therefore has no dedicated scrutiny officer. The issue of how a Joint Committee would be serviced will, therefore, have to be explored as part of the negotiation. There are grants available to support initiatives, which lead to improved working in two (three) tier areas.

Members are asked to consider whether this is an initiative that they wish to see pursued further, in order to explore whether any real benefits can arise.

11. CABINET REVIEW

Recommendation:

To consider any items to be raised by the Chairman at the Cabinet meeting on 16 July 2007.

(Head of Research and Democratic Services). Members are reminded to bring with them to the meeting their copy of the Cabinet agenda.

12. 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.