

## **Overview and Scrutiny Committee Thursday, 8th November, 2007**

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

**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), 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**

### **WEBCASTING NOTICE**

Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy and copies made available to those who request it..

Therefore by entering the Chamber and using the lower public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for web casting and/or training purposes. If members of the public do not wish to have their image captured they should sit in the upper council chamber public gallery area

If you have any queries regarding this, please contact the Senior Democratic Services Officer on 01992 564249.

#### **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. APOLOGIES FOR ABSENCE**

**3. SUBSTITUTE MEMBERS**

(Assistant to the Chief Executive). To report the appointment of any substitute members for the meeting.

**4. DECLARATIONS OF INTEREST**

(Assistant to the Chief Executive). 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. MINUTES (Pages 7 - 14)**

**Decisions required:**

To confirm the minutes of the meeting of the Committee held on 4 October 2007.

**6. RELEASE OF RESTRICTIVE COVENANT - LOUGHTON HALL, EPPING FOREST COLLEGE, LOUGHTON - CALL-IN (Pages 15 - 36)**

To consider a call of the Cabinet Decision on the Release of Restrictive Covenant – Loughton Hall, Epping Forest College, Loughton (C/059/2007-08). Reports attached.

**7. TERMS OF REFERENCE - PROVISION OF VALUE FOR MONEY IN PLANNING SERVICES TASK AND FINISH PANEL**

**Recommendation:**

To endorse the Terms of Reference for the Provision of Value for Money in Planning Services Task and Finish Panel.

The Panel held its first meeting on 23 October 2007. The Terms of Reference agreed by the Panel at this meeting is to follow under separate cover. The Committee is asked to consider and endorse this document.

**8. OVERVIEW AND SCRUTINY REVIEW SEMINAR - 18 SEPTEMBER 2007 (Pages 37 - 42)**

(Chairman of the Constitution and Member Services Scrutiny Panel). To consider the recommendations made at the Overview and Scrutiny Review Seminar 2007.

**9. REVIEW OF PROTOCOL ON OUTSIDE ORGANISATIONS (Pages 43 - 60)**

(Chairman of the Constitution and Member Services Scrutiny Panel). To consider the attached report.

**10. DECISION MAKING IN EMERGENCIES (Pages 61 - 66)**

(Chairman of the Constitution and Member Services Scrutiny Panel). To consider the attached report.

**11. WORK PROGRAMME MONITORING (Pages 67 - 80)**

To consider the updated work plan.

**12. MEMBERSHIP OF THE OS PANELS**

**Recommendations:**

(1) That Councillor Mrs P Brooks be replaced by Councillor Mrs A Haigh on the Housing Standing Panel; and

(2) That Councillor Mrs P Brooks be replaced by Councillor D Jacobs on the Constitution and Member Services Standing Panel; and

(3) That Councillor Mrs P Brooks be excluded from the Leisure Task and Finish Panel.

The Liberal Democrat Group have given notice of the above proposed changes to their membership of the OS Panels.

The Committee is asked to approve these changes.

**13. CABINET REVIEW****Recommendations:**

- (1) To review the Cabinet agenda and indicate matters of concern/comment for the Chairman to discuss with the Cabinet; and
- (2) To raise any further matters to be discussed with the Cabinet at their next meeting on 12 November 2007.

The Executive Procedural Rules (Rule 2.2 (iii) and (v) provide an opportunity at Cabinet meetings for Members of this Committee to raise any matters for consideration by the Cabinet (Overview and Scrutiny Rule 16). This items provides an opportunity to raise such matters either in relation to proposed Cabinet items or other matters of concern.

The Chairman of the Committee will report accordingly to the Cabinet at its next meeting.

**14. 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.