

Overview and Scrutiny Committee Thursday, 10th April, 2008

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

Time: 7.30 pm

Democratic Services Officer: Simon Hill, Senior Democratic Services Officer, The Office of the Chief Executive
email: 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 - 12)

Decisions required:

To confirm the minutes of the meetings of the Committee held on 6 march 2008.

6. AREA HIGHWAYS MANAGER - PRESENTATION

(Deputy Chief Executive) To receive a presentation from David Forkin, the West Area Highways Manager from the County Highways Department who will be giving an overall assessment of the state of the Highways in the District and answering any member's questions on this.

7. LONDON UNDERGROUND LIMITED - PRESENTATION

(Deputy Chief Executive) To receive a presentation from Simon Williams, from London Underground Limited. He will give a presentation updating their latest work plans for the District. He will also be taking questions from the Committee and other members in attendance.

8. THE FUTURE OF WASTE IN ESSEX

(Deputy Chief Executive) The Committee is asked to empower the Environmental and Planning Services Standing Panel to reply directly to the Essex County Council Waste and Recycling questionnaire, due to the tight timescales involved. Essex County Council requires a reply by 5 May 2008.

9. REVIEW OF CONTRACT STANDING ORDERS, FINANCIAL REGULATIONS AND DELEGATION TO OFFICERS

1. (Assistant to the Chief Executive) The Constitution & Member Services SSP will be considering the results of the 2007/8 review of these items at its meeting on 28 April 2007.

2. In order that the reviews can be completed in accordance with Audit Commission expectations at the Annual Council meeting, approval is sought for the report of the Panel to be submitted direct to the Annual Council meeting.

10. 2007-08 - OVERVIEW AND SCRUTINY ANNUAL REPORT (Pages 13 - 42)

(Deputy Chief Executive) To consider the attached report.

11. LEISURE TASK AND FINISH PANEL END OF YEAR REPORT (Pages 43 - 62)

(Chairman of Task and Finish Panel). To consider the Final Report of the Panel (attached).

12. DISTRICT TRANSPORT SURVEY (Pages 63 - 64)

To consider the attached report.

13. WORK PROGRAMME MONITORING (Pages 65 - 92)

(i) **To consider the attached Work Programme.**

(a) To receive a short update on the current position of each Task and Finish Panel that has not completed their terms of reference for this year.

(i) Provision of Value for Money within Planning Services.

The lead officer for the Provision of Value for Money within Planning Services has submitted the following statement:

The Panel has met on three occasions, and agreed to look in detail across the varying functions provided by Planning. It has started with Development Control, and has requested the updating of the 2001 Best Value review of this function, in particular considering where performance has now got to, with the use of various extra funding. It has spent one meeting considering the many ICT changes which have been made, with the assistance of several of the consultants who have been involved, and is about to hear from Planning agents at its next meeting.

The Panel has been assisted by considering the up to date accountancy position, but is hindered to a degree by the limits on comparable information from some other authorities, who no longer appear to be providing data to CIPFA.

(b) The final Leisure Task and Finish Panel report is appended elsewhere on this agenda.

(ii) **2008/09 Proposed Work Programme.**

To consider the items put forward for next years Work Programme (attached). The Committee is asked to review and evaluate the proposals and to allocate an appropriate Standing or Task and Finish Panel.

Items attached:

- (i) Review of Strategic Direction of Epping Forest College;
- (ii) Multiple requests from Councillor Colling:
 - a) The Environment and Planning Standing Panel to be renamed Safer, Cleaner, Greener Standing Panel – It is presumed that it would be to monitor Crime and Disorder and the Environment side of the Council.
 - b) Planning issues to be transferred to a new Panel – as this would have wide ranging terms of reference it may subsume the current VFM within Planning T&F Panel and become a Standing Panel (also see Councillor Mrs Wagland's request form).
 - c) Crime and Disorder T&F Panel to be withdrawn due to lack of legislation. This could be subsumed into new Safer, Cleaner, Greener Standing Panel.
- (iii) Cabinet's request to look at the feasibility of providing a new Sports Hall at Waltham Abbey Swimming Pool, should this go a newly reconstituted Leisure Task and Finish Panel.
- (iv) Request for a Customer Services Review.

14. MINUTES FROM CONSTITUTION AND MEMBERS SERVICES SCRUTINY STANDING PANEL (Pages 93 - 98)

(Assistant to the Chief Executive) To note the minutes of the meeting of the Constitution and Members Services Scrutiny Standing Panel held on 4 March 2008 and the conclusions made in respect of the members training review and the results of consultation with members of the Council and officers on next year's Member Training Programme.

15. 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 14 April 2008.

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.

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.