

Overview and Scrutiny Committee Thursday, 5th June, 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), M Colling, A Green, Mrs A Haigh, J Hart, D Jacobs, G Mohindra, Mrs P Richardson, B Rolfe and Mrs L Wagland

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 9 - 36)

Decisions required:

To confirm the minutes of the meetings of the Committee held on 10 April 2008.

6. LOCAL PCT HEALTH PROPOSALS (Pages 37 - 52)

(Deputy Chief Executive) To receive a presentation from Catherine O’Connell, the Locality Director of the West Essex Primary Care Trust on their proposals to:

- 1) Develop a GP led health centre for West Essex; and
- 2) Improve health services in Chipping Ongar.

The PCT Proposals for each of the above schemes are attached to this agenda for

information.

7. APPOINTMENT OF MEMBERSHIP OF STANDING PANELS (Pages 53 - 54)

Decision Required:

(1) To appoint members to the following Standing Panels in accordance with pro-rata in the proportions shown below:

Standing Panels	Appointments to places required:
Housing	Cons (7): Lib Dem (2): LRA (1): Independents (1): BNP (1):
Constitutional and Member Services	Cons (7): Lib Dem (2): LRA (1): Independents (1): BNP (1):
Finance and Performance Management	Cons (7): Lib Dem (2): LRA (1): Independents (1): BNP (1):
Safer, Cleaner, Greener	Cons (7): Lib Dem (2): LRA (1): Independents (1): BNP (1):
Planning Services	Cons (7): Lib Dem (2): LRA (1): Independents (1): BNP (1):

(2) To Consider requests for appointments to Standing Panels by non affiliated members; and

(3) To appoint a Chairman and Vice Chairman to the following Standing Panels:

Standing Panels	Appointments Required:
Housing	Chairman: Vice Chairman:
Constitutional and Member Services	Chairman: Vice Chairman:
Finance and Performance Management	Chairman: Vice Chairman:
Safer, Cleaner, Greener	Chairman: Vice Chairman:

Planning Services	Chairman: Vice Chairman:
-------------------	-----------------------------

1. (Assistant to the Chief Executive). The Council has agreed that pro rata apply to Overview and Scrutiny Standing Panels only. The Overview and Scrutiny rules provide that the memberships must reflect pro rata requirements and the lowest number of members required to achieve cross-party representation whilst allowing the inclusion of members who are not members of a political group or are not members of the Overview and Scrutiny Committee. This year the Standing Panels should have 12 members.

2. The Committee are asked to make appointments to Standing Panels in accordance with the Overview and Scrutiny Procedure rules.

3. Nominations to Chairman and Vice Chairman of these Panels are excluded from the calculation required under the Council's protocol regarding allocation of Chairman and Vice-Chairman positions between the political groups.

4. Nominations to the Panels, which may be submitted up until the day of the meeting, were sought through the Members Bulletin and officer liaison with the Group Leaders. A list of the proposals submitted to date is attached. Those outstanding will be circulated for consideration at the meeting.

8. APPOINTMENT OF MEMBERSHIP OF TASK AND FINISH PANELS (Pages 55 - 56)

Decisions Required:

(1) To appoint members to the following Task and Finish Panels in accordance with Overview and Scrutiny procedure rules:

(a) Leisure Task and Finish Panel.

(b) Customer Transformation Task and Finish Panel.

(2) To appoint a Chairman and Vice Chairman to the Task and Finish Panels.

1. (Assistant to the Chief Executive). The Committee are asked to consider appointments to Task and Finish Panels. The Overview and Scrutiny Committee had reviewed the requests for reviews and has determined that two Task and Finish Panel Reviews should be undertaken.

2. The Overview and Scrutiny Rules state that 'Task and Finish' Scrutiny Panels shall be flexible as to the number of Councillors appointed to membership. There is no restriction on the numbers appointed.

3. Any Councillor may be a member of a 'Task and Finish' Scrutiny Panel, save that a member of the Cabinet may not be a member of any Panel which bears directly on his or her portfolio. Additionally no 'Task and Finish' Scrutiny Panel can be comprised of members of a single political group only.

4. It is a requirement of the procedure rules that a Chairman and Vice - Chairman should be appointed to each Panel.

5. Nomination to the Panels, which may be submitted up until the day of the meeting, were sought through the Members Bulletin and officer liaison with the Group Leaders. A list of the proposals submitted to date is attached. Those outstanding will be circulated for consideration at the meeting.

9. WORK PROGRAMME MONITORING (Pages 57 - 72)

(a) Updated Schedule

The Committee are asked to note the updated schedule.

(b) Reserve Programme

A reserve list of scrutiny topics is required to ensure that the work flow of OSC is continuous.

OSC will 'pull out' items from the list and allocate them accordingly once space becomes available in the work plan following the completion of existing reviews.

Members can put forward any further suggestions for inclusion in the reserve list either during the meeting or at a later date.

Existing review items will be dealt with first, and then time will be allocated to the items contained in the reserve work plan.

Any space within the work plan is filled on an ongoing basis.

10. BEST VALUE PERFORMANCE PLAN 2008/09 (Pages 73 - 74)

To consider and comment on the Council's Best Value Performance Plan. The Plan has been circulated separately and members are asked to bring this with them to the meeting.

11. TO AGREE THE LAST MINUTES OF THE ENVIRONMENT AND PLANNING STANDING PANEL (Pages 75 - 108)

As the Environment and Planning Standing Panel has now been disbanded, the Committee are asked to agree the last set of minutes for this Panel from their meeting held on 23 April 2008.

12. O&S CHANGE TO 2008/09 CALENDAR (Pages 109 - 110)

To note that the Calendar for 2008/09 has been changed to reflect that the Environment and Planning Services Standing Panel has now changed its name to the Safer, Cleaner, Greener Standing Panel (keeping the dates originally scheduled for the Environment and Planning Panel).

The new Planning Services Standing Panel has been put on the Calendar and given

the following meeting dates:

19 June 2008;
 09 September 2008;
 18 November 2008;
 06 January 2009;
 12 February 2009; and
 13 April 2009.

A copy of the calendar is attached to this agenda.

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 9 June 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 item 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. DATES OF FUTURE MEETINGS

To note the scheduled dates of future meetings of this Committee:

10th July 2008;
 28th August 2008;
 29th September 2008;
 06th November 2008;
 11th December 2008;
 29th January 2009;
 05th March 2009; and
 16th April 2009.

15. 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.