

## **Overview and Scrutiny Committee Thursday, 6th November, 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  
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**Members:**

Councillors R Morgan (Chairman), K Angold-Stephens (Vice-Chairman), M Colling, A Green, J Hart, D Jacobs, G Mohindra, Mrs P Richardson, B Rolfe, Mrs L Wagland and Mrs J H Whitehouse

**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 - 16)**

**Decisions required:**

To confirm the minutes of the meetings of the Committee held on 28 August 2008.

**6. HEALTH AND INEQUALITIES PRESENTATION (Pages 17 - 50)**

To receive a presentation on Health and Inequalities by Alison Corrie, Director of Public Health, West Essex Primary Care Trust.

A covering report with background papers are attached to this agenda.

**7. GOVERNMENT CONSULTATION - WEEKEND VOTING (Pages 51 - 58)**

(Constitution and Members Service Standing Panel) To consider the attached report.

**8. COMMUNITIES IN CONTROL: REAL PEOPLE, REAL POWER : CONSULTATION DOCUMENT (Pages 59 - 92)**

(Assistant to the Chief Executive) to consider the attached report.

**9. REPORT OF THE VALUE FOR MONEY IN PLANNING TASK AND FINISH PANEL**

(Director of Planning and Economic Development) To consider the final report of last years Value for Money in Planning Task and Finish Panel (report to follow).

**10. OVERVIEW AND SCRUTINY - SIX MONTH REVIEW (Pages 93 - 120)**

To consider the attached reports.

**11. RELOCATION OF SPORTS HALL FACILITIES FROM WALTHAM ABBEY SPORTS CENTRE TO WALTHAM ABBEY SWIMMING POOL (Pages 121 - 130)**

**RECOMMENDATION:**

That the Committee consider and comment on the minutes of the Leisure Task and Finish Panel and the report to the Cabinet.

(Leisure Task and Finish Panel) The Leisure Task and Finish Panel was asked to consider the feasibility of a proposal whereby it might be possible to transfer some of the facilities from the Waltham Abbey Sports Centre, namely the sports hall and changing facilities, to the site of the Waltham Abbey Swimming Pool, a facility owned by this Council and managed by SLM.

The Task and Finish Panel considered this at their meeting on 23 September 2008 and the minutes are attached for information. The outcome was that a report (also attached) would be made to the Cabinet via the Overview and Scrutiny Committee asking for any O&S comments to be passed on to the Cabinet at its 10<sup>th</sup> November meeting .

**12. APPOINTMENT OF EFDC REPRESENTATIVE TO COUNTY HEALTH TASK AND FINISH PANEL**

**Recommendation:**

To appoint a representative onto a County Task and Finish Panel looking at West Essex Health Services.

Essex County Council has established a joint Health/NHS Overview and Scrutiny Committee Commissioning of Health Services in West Essex Task and Finish Panel. They have asked this Council to appoint a representative to sit on this Panel.

The Task and Finish Panel was established after concerns had been raised by the Health Overview and Scrutiny Committee regarding the provision of GP services in West Essex relating to housing growth, development and capacity, particularly in light of recent closure of a branch surgery and proposal to relocate a surgery. In April 2008,

the Health Overview and Scrutiny Committee proposed a review to look at the strategic commissioning of primary care services, particularly in light of housing growth, development and capacity to ensure robust plans and infrastructure are in place.

The First meeting of this panel was held on Thursday 23 November. This was attended by the Deputy Chief Executive and Councillor Morgan.

North West Essex PCT have also proposed a Joint Scrutiny Review and a preliminary meeting has been scheduled on 3<sup>rd</sup> November for officers of Uttlesford, Harlow and Epping Forest Councils. Any issues raised at this meeting will be reported verbally to the Committee.

### 13. CABINET REVIEW

#### **Recommendation:**

To consider any items to be raised by the Chairman at the Cabinet meeting on 10 November 2008.

(Assistant to the Chief Executive). Under the Overview and Scrutiny rules the Committee is required to scrutinise proposed decisions of the Executive. The Chairman is also required to report on such discussions to the Cabinet.

The Committee is asked to consider the 10 November 2008 Cabinet agenda (previously circulated) to see whether there are any items that they wished to be raised at the Cabinet 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):

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