

## **Overview and Scrutiny Committee Thursday, 5th March, 2009**

**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](mailto:shill@eppingforestdc.gov.uk) Tel: 01992 564249

**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”

The Chairman made a short address to remind all present that the meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings. The Sub-Committee noted the Council’s Protocol for Webcasting of Council and Other Meetings.

## **2. APOLOGIES FOR ABSENCE**

## **3. SUBSTITUTE MEMBERS**

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

## **4. MINUTES (Pages 7 - 28)**

### **Decisions required:**

To confirm the minutes of the meetings of the Committee held on 29 January 2009 (attached).

## **5. 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.

## **6. ANNUAL REVIEW OF THE LOCAL STRATEGIC PARTNERSHIP**

To receive a presentation from the Local Strategic Partnership by relevant officers

and the Chairman of the LSP.

At their last meeting this Committee resolved that they would like the following items to be addressed:

- An update on the action groups;
- A discussion on Health and Inequalities;
- How schools and colleges are joined up and how are schools being targeted by the LSP;
- How the LSP was intended to work (back to basics);
- What they intend to do (future plans); and
- What they do well and what they struggle to do.

**7. DRAFT 2008/09 OVERVIEW AND SCRUTINY ANNUAL REPORT (Pages 29 - 30)**

To consider the attached report.

The Committee is asked to consider whether they are happy with the draft report (to be circulated) and to make amendments where necessary. Any comments should be submitted to Democratic Services by Friday, 20 March 2009 for inclusion in the final version.

The final report will be submitted to the next meeting on 16 April 2009 for endorsement.

**8. WORK PROGRAMME MONITORING (Pages 31 - 38)**

**(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.

**(c) Item from the 17 February 2009 Full Council Meeting**

At their last meeting the council asked that the following be presented to the next

Overview and Scrutiny Committee meeting for their consideration.

**The Following motion moved by Councillor Bateman and seconded by Councillor Ulkun was adopted –**

“That this Council asks the Overview and Scrutiny Committee:

- (a) To recognise the real benefit to local people including those whom I represent of introducing free London Underground passes for residents in the District, aged 65 years and above, to include the Central Line to Epping; and
- (c) To establish a Task and Finish Panel to ensure that the review is completed without delay.”

The Council’s Constitution notes that:

**“Motions at Council Meetings**

Any motion adopted by the Council following due notice from a Member of the Council and which relates to the responsibilities of the Overview and Scrutiny shall, on adoption, stand referred to the Overview and Scrutiny Committee for consideration. In determining how to respond to the motion, the Overview and Scrutiny Committee shall consider whether the proposal should be incorporated in the work programme or held for future consideration in accordance with the procedures outlined in paragraph 4 and 5 above. The Committee shall also advise the Council, via the Member’s Information Bulletin, of the action taken on such motions.”

**RECOMMENDATION:**

- (1) That the motion be considered to either be added to the committee’s work plan or held for future consideration.
- (2) The Committee can ask that:
  - a) A Task and Finish Panel be established to consider this item; or
  - b) Allocate it to an existing Standing Panel; or
  - c) Add it to their own work programme; or
  - d) Establish a sub group of members to research the item and report back to the full committee with their recommendations.

**9. CABINET REVIEW**

**RECOMMENDATION:**

To consider any items to be raised by the Chairman at the Cabinet meeting on 9 March 2009.

(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 9 March 2009 Cabinet agenda (previously circulated) to see whether there are any items that they wished to be raised at the Cabinet meeting.

## 10. 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.

