

**EPPING FOREST DISTRICT COUNCIL
NOTES OF A MEETING OF CONSTITUTION AND MEMBERS SERVICES SCRUTINY
STANDING PANEL
HELD ON MONDAY, 30 JUNE 2008
IN COMMITTEE ROOM 1
AT 7.30 - 9.00 PM**

Members Present: Mrs M McEwen (Chairman), R Morgan (Vice-Chairman), Mrs P Brooks, Ms J Hedges, J Philip, B Rolfe, Mrs M Sartin (Environment Portfolio Holder), D Stallan and Mrs J H Whitehouse

Other members present: M Cohen

Apologies for Absence: J Markham

Officers Present I Willett (Assistant to the Chief Executive), G Lunnun (Assistant Director Democratic Services), S G Hill (Senior Democratic Services Officer), W MacLeod (Elections Officer) and M Jenkins (Democratic Services Assistant)

1. NOTES OF THE LAST MEETING - 28.4.08

RESOLVED:

That the minutes of the last meeting held on 28 April 2008 be agreed.

2. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

It was noted that no substitutes had been appointed for this meeting.

3. DECLARATION OF INTERESTS

No declarations of interests were made pursuant to the Member Code of Conduct.

4. TERMS OF REFERENCE / WORK PROGRAMME 2007/8 AND 2008/9

The Assistant to the Chief Executive, Mr I Willett, presented to the Panel the 2008/09 Constitution and Member Services Standing Panel's Work Plan.

Mr I Willett advised that Item (3) of the Work Programme related to a review of Contract Standing Orders where amendments were needed, particularly regarding the engagement of consultants, a process which needed tighter regulation. A report for the Panel's perusal was due for submission on 8 September 2008.

Item (4) (Review of Constitution), was currently awaiting government regulations. Item (5) Review of Civic Ceremonial Functions, concerned the Chairman of Council's civic role and the Annual Council. The members felt that they needed a scoping report for itemising the issues under this item. The Assistant to the Chief Executive also advised that the Chairman of Council had asked for "yellow" supplementary items at Council to be either stopped or strictly curtailed. Councillor D Stallan was concerned that supplementary items would have to go to the next full Council if not debated. He advised that the seven days official notice required for motions at Full

Council meant that the main agenda had already been despatched and motions therefore, were published as yellow items. Councillor D Stallan thought that it would be good for the Panel to receive feedback from past Chairmen of Council on this process. Councillor Mrs J Whitehouse would like to have notice of yellow supplementaries before the full Council by having copies placed in the Member's Room. It was felt that there was no need for this item to go to the Overview and Scrutiny Committee separately. A report was due for completion in early November 2008.

It was felt that items (7) and (8) concerning the Annual Review of Contract Standing Orders should not be dealt with at the Annual Council meeting. They were therefore scheduled for discussion at this Panel in January 2009 and April 2009 respectively to ensure that they were dealt with at earlier Council meetings.

RESOLVED:

That the Work programme of the Constitution and Member Services Standing Panel 2008-09 be agreed.

5. REVIEW OF ELECTIONS 2008

The Assistant to the Chief Executive and Returning Officer to the District, Mr I Willett, presented a report to the Standing Panel of the Review of Elections for 2008. Mr I Willett reminded the members that the report concerned action for himself as Returning Officer, and not for the District Council.

Mr I Willett began by speaking about the postal vote problems in the Epping Hemnall ward. An error had occurred where the party logos on the ballot papers had been interchanged, the problem had been spotted, rectified and new ballot papers issued the next day. Subsequently the bye-election vote had been very close. Mr I Willett said that more staff were needed for a second proofing stage before the ballot papers were posted. Councillor Mrs J Whitehouse would have liked notification that there had been a problem with the incorrectly printed ballot papers. When the District Council offices closed residents phoned her which was the first she knew of the problem. She also felt that all three ward members should have been notified. Members were advised that some poll cards for the Epping Hemnall ward had been discovered in black sacks in Chingford, however it was confirmed that they had been utilised. He also informed the Panel that a complaint had been made, currently under investigation, regarding election literature.

Mr I Willett spoke about changes that had been made to the layout of the count centre at Waltham Abbey Town Hall. There had been less congestion around the count tables on this occasion because signage had been set up indicating where wards were being counted. An electronic display had been provided which displayed the results as they were declared.

Members felt that in regard to one of the count tables, it was not possible for counting agents to see what was happening there. S Hill, Senior Democratic Services Officer, commented that there was crowding around the Loughton Alderton ward counting table. It was suggested that barriers should have been erected for security and only official scrutineers should have been allowed around count tables. Mrs J Whitehouse also informed the Panel that one polling station had opened at 7.10a.m., 10 minutes late. Mr I Willett confirmed that he would be looking into this.

Councillor J Philip commented that the ballot papers for Theydon Bois ward were too big for the ballot boxes and the polling booths, there had also been 17 candidates on the ballot paper. Councillor J Philip said that Theydon Bois had complained about this. He also said that a higher number of people there had complained of not having received the poll cards. Mr I Willet agreed to check whether all ballot papers were delivered. Councillor J Philip also felt that the counting process should have been computerised, perhaps Excel spreadsheets could replace grass skirts. S Hill replied that computerisation was expensive and not as effective as grass skirts.

The Panel next spoke of changing the election count day from Thursday to Friday. Some members felt that it was difficult for candidates to take time off to attend Friday counts. Mr I Willett advised that staff would be very tired following an all night Thursday count. There had been a survey carried out of staff on their opinions of this, there had been overwhelming support for Friday counts. Mr I Willett advised members that his legal responsibility was to organise the election as effectively as possible taking into consideration the welfare of the counting staff. He said that he was shortly attending a meeting in the Eastern Region regarding counting days for 2009 elections.

Councillor D Stallan stated that another District Council had moved a motion instructing its Returning Officer to revert to Thursday night counting. He queried what would be the position if such a motion was moved at the Council. The Returning Officer stated that he would need to see the motion but hoped that matters would not get to that position. He stated that if such a motion were passed, he would re-consider his position.

6. GOVERNMENT CONSULTATION DOCUMENT - MOVING THE DATE OF THE 2009 LOCAL ELECTIONS

The Assistant to the Chief Executive and Returning Officer for the District, Mr I Willett, presented a report regarding the Government Consultation Document – Moving the Date of the Local Elections to the Same Date as the European Elections. Councillor D Stallan agreed with the report but wasn't clear as to whether there were one or two polling cards. The Councillor commented that there needed to be a clear distinction between the European and County Council elections, perhaps different coloured ballot papers would help distinguish the two. Councillor J Philip mentioned the recent election controversy in Scotland where confusion had led to spoilt ballot papers. Councillor Mrs J Whitehouse thought the elections should have been kept separate as the European elections may well over shadow the County elections. Differing opinions were expressed about the desirability of holding the elections on the same day. Following discussions a vote was taken and a majority view reached. The report to be made to the Overview and Scrutiny Committee would reflect both sides of the argument.

RESOLVED:

That a recommendation is to be made to the Overview and Scrutiny Committee that the date of the 2009 County Council elections be deferred from 7 May 2009 to 4 June 2009, the latter being the same date as the European election.

7. REPORTS TO BE MADE TO THE NEXT MEETING OF THE OVERVIEW AND SCRUTINY COMMITTEE

There was a report on the review of the May 2008 elections going to the Overview and Scrutiny Committee, and another report on the consultation document concerning combining the 2009 elections on one day going to the Overview and Scrutiny Committee at its August 2008 meeting.

8. FUTURE MEETINGS

Members were to be contacted individually as to the next date of the Standing Panel.