

## **Overview and Scrutiny Committee Tuesday, 2nd June, 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 :**

**MEMBERSHIP DEPENDENT ON ANNUAL COUNCIL MEETING HELD ON 21 MAY 2009.**

**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 - 20)**

**Decisions required:**

To confirm the minutes of the meetings of the Committee held on 16 April 2009.

**6. REPORT ON THE FORESTER CONSULTATION (Pages 21 - 24)**

(Deputy Chief Executive) To consider the attached report.

**7. LEISURE TASK AND FINISH PANEL - FEASIBILITY REPORT ON PROPOSED SPORTS HALL (Pages 25 - 32)**

(Chairman/Lead Officer Leisure Task and Finish Panel) to receive a report on the feasibility of constructing a new sports hall at the site of the Waltham Abbey Swimming

Pool. This was considered in detail by the Leisure Task and Finish Panel on 18 May 2009.

**8. WORK PROGRAMME MONITORING (Pages 33 - 56)**

**(a) To consider the attached Work Programme**

The current Overview and Scrutiny work programme is attached for information.

**(b) To consider new item to be added to the O&S Work Programme for 2009/10**

To consider the item put forward for next years Work Programme. The Committee is asked to review and evaluate the proposals and to allocate an appropriate Standing or create a new Task and Finish Panel.

Item attached:

- (i) The Pitt Review - Flood Defences;

**(c) To consider the continuation of the current established Task and Finish Panels**

- (i) Customer Transformation Task and Finish Panel (a copy of the minutes from their last meeting is attached as background information).
- (ii) Leisure Task and Finish Panel.

**9. APPOINTMENT OF MEMBERSHIP TO STANDING PANELS****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): BNP (1):
Constitutional and Member Services	Cons (7): Lib Dem (2): LRA (1): BNP (1):
Finance and Performance Management	Cons (7): Lib Dem (2): LRA (1): BNP (1):
Safer, Cleaner, Greener	Cons (7): Lib Dem (2): LRA (1): BNP (1):
Planning Services	Cons (7): Lib Dem (2): LRA (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.

## **10. APPOINTMENT OF MEMBERSHIP TO TASK AND FINISH PANELS**

### **Decisions Required:**

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

- (a) Leisure Task and Finish Panel.**
- (b) Customer Transformation Task and Finish Panel.**
- (c) Pitt Review on Flooding Task and Finish Panel (if constituted by the Committee).**

**(2) To appoint Chairmen and Vice Chairmen to the Task and Finish Panels.**

1. (Assistant to the Chief Executive). The Committee are asked to consider appointments to Task and Finish Panels. Two of the Panels, Leisure and Customer Transformation, are existing Panel's and are asking to be extended into the new year to complete their current workloads. The Overview and Scrutiny Committee had reviewed the requests for reviews and has determined which 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.

**11. CABINET REVIEW****RECOMMENDATION:**

**To consider any items to be raised by the Chairman at the Cabinet meeting on 08 June 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 8 June 2009 Cabinet agenda (previously circulated) to see whether there are any items that they wished to be raised at the Cabinet meeting.

**12. 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 Information Paragraph Number</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.