

EPPING FOREST DISTRICT COUNCIL OVERVIEW AND SCRUTINY MINUTES

Committee:	Overview and Scrutiny Committee	Date:	Thursday, 17 December 2009
Place:	Council Chamber, Civic Offices, High Street, Epping	Time:	7.30 - 9.06 pm
Members Present:	Councillors R Morgan (Chairman) K Angold-Stephens (Vice-Chairman) A Green, Mrs A Grigg, Ms J Hedges, D Jacobs, J Knapman, R Law, Mrs M McEwen, Mrs L Wagland and Mrs J H Whitehouse		
Other Councillors:	Councillors Mrs A Cooper, Mrs P Richardson, Mrs M Sartin, D Stallan, C Whitbread and J M Whitehouse		
Apologies:	Councillors M Colling, Mrs A Haigh and G Mohindra		
Officers Present:	D Macnab (Deputy Chief Executive), J Preston (Director of Planning and Economic Development), I Willett (Assistant to the Chief Executive), S G Hill (Senior Democratic Services Officer), T Carne (Public Relations and Marketing Officer), A Hendry (Democratic Services Officer) and M Jenkins (Democratic Services Assistant)		

60. WEBCASTING INTRODUCTION

The Assistant to the Chief Executive reminded everyone present that the meeting would be broadcast live to the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

61. SUBSTITUTE MEMBERS

It was noted that Councillor Mrs J Whitehouse had substituted for Councillor Mrs A Haigh, Councillor Mrs M McEwen had substituted for Councillor M Colling and that Councillor Mrs J Hedges had substituted for Councillor G Mohindra.

62. DECLARATIONS OF INTEREST

Councillor Mrs A Cooper declared a personal interest in agenda Item 6, Call-in of Cabinet report – arrangements regarding scanned planning files, by virtue of having a property that had files missing.

63. MINUTES

RESOLVED:

That the minutes of the last meeting of the Committee held on 12th November 2009 be agreed.

64. CALL IN OF CABINET REPORT - ARRANGEMENTS REGARDING SCANNED PLANNING FILES

The lead member of the call-in, Councillor Mrs Cooper was asked to open the discussion. She outlined her reasons for calling in the report. She said that this was commented upon at the last Local Councils Liaison Committee meeting. This issue was that local councils did not all have the appropriate IT systems to allow them to read the new electronic data base. She asked how proportionate the response was and why had the original budget doubled to £30,000. How much would the storage costs be. She emphasised that she was not against the electronic system and recognised the need for it, but thought that Planning Services were jumping ahead with this, especially as they had resources issues. How could they cope and what had prompted this.

Councillor Mrs Richardson, another signatory of the call-in added that this had been brought up at a Loughton Town Council meeting. Paper records were proven but the electronic ones were not. Sometimes it was necessary for people to see the original form. Councillor Law, another signatory, added that he was also uneasy with the system.

The responsible portfolio holder, Councillor Mary Sartin was then asked to make her opening statement. She took each of the listed reasons for the call-in in turn.

- i) the I-Plan system was not complete as it was a living system, always being added to. The documents to be destroyed had all been scanned in;
- ii) that the Parish Councils had not got relevant IT. The sending out of paper copies would not stop; they would always be available to be printed;
- iii) The risks associated with the transference of the data had been tackled in the report, see paragraphs 13, 14 and 15;
- iv) The notion that the money had been doubled was not the case. £60,000 was originally asked for, but this was halved to £30,000, and not doubled as stated;
- v) As for storage, there were significant costs associated with the storing of paper copies;
- vi) The report was not tabled at the Cabinet meeting it was circulated with the Cabinet agenda. Although the paper breaking down the cost options did not form part of the report but was given to members for information. All members were aware that it was to be discussed at the Cabinet.

The Director of Planning and Economic Development, John Preston said the files for scanning have been with the contractors for some time and it may be that we may have to start paying storage costs, which may prove to be substantial. They were not destroying things of historical value. Years ago paper records were transferred onto microfiche and the paper files destroyed, they were just moving on to an electronic system now.

Councillor Mrs Wagland said that she had to deal with missing documents in her job and had never found any storage system that was 100% safe. Photocopies tend to fade or get torn in time. There have been cases of warehouse fires destroying paper files.

Councillor Mrs Whitehouse commented that the call-in misunderstood the issues. Some files may have historic interest and Essex Archives may be interested in having these, especially major buildings in our district. Mr Preston said that he had spoken to the archivists. They were happy to visit us and inspect our historic files and advise us. They would consider taking copies of our microfiche files. They could also keep certain documents for a certain time and then dispose of them. Some councils cull their files before they make electronic copies, but we try to keep records of all information held on our files.

Councillor Mrs Grigg said that as they were scanning the records, they should not also keep the paper records.

Mr Preston added that there could be missing information from hard copies as well and that an electronic version would be more secure than paper copies. They were trying to get the records into a safer, better state.

Councillor Law asked when the i-plan system would be completely up and running. Mr Preston replied that they went live with what they had at the time. They were capturing the old paper files electronically first and then they would tackle the microfiche files. Officers would continue to add to the i-plan system. Records will always be available by hardcopy on request.

Councillor Angold-Stephens said that electronic record keeping was the right way to go, but they needed good quality control so as not to lose detail in the transference. This would be a perennial problem as the electronic system would be superseded in time by another method of data storage.

Councillor Mrs Whitehouse asked about the concerns raised about the scanning of colour documents into black and white. Mr Preston said that when microfiche came out it was only in black and white. As for scanning in colour, it proved to be too costly. Mrs Whitehouse asked if it was checked for legibility. Mr Preston answered that it cost too much in officers time to go through each individual document. But they did do selective checks for quality.

Councillor Law asked how much the storage costs were. Mr Preston said they were quoted £500 to £1,000 per month for storage, which was a substantial sum. They should be looking to use this money to convert the microfiche files into electronic copy and not in keeping paper files that have already been scanned.

The lead member responsible for the call-in and the Portfolio Holder were then asked to sum up the debate.

Councillor Mrs Cooper said she was not advocating paper files, but they had not set out a timeframe for how they are to be processed. The i-plan was not complete and they needed to know what was on the i-plan system before the files were destroyed. There were also issues with quality control; and parish and town councils need to have the appropriate technology to view this.

Can we put the money we would have spent on storage into use of a building for our own storage for a short period, so that we can check them and not destroy important files. We need to ensure all files are on the i-plan system. We therefore ask that this report be reconsidered.

Councillor Sartin said they were looking to destroy only the files that have been scanned in and checked. The Essex records have offered to go through and audit our historical files. As for time frames, that is an operational matter for officers and not necessarily for members.

RESOLVED:

That the Overview and Scrutiny Committee confirmed the original decision of the Cabinet on the report C-055-2009/10, on the 'Arrangements concerning Planning files which have been scanned'.

65. OVERVIEW AND SCRUTINY REVIEW

The Chairman of the Constitution and Member's Services Standing Panel, Councillor Mrs McEwen introduced their report on the review of Overview and Scrutiny at the council. The report covered several different issues connected to Overview and Scrutiny. The report covered:

- Councillor call for action;
- Local Democracy including the Economic Development and Construction Act and the Community Empowerment Bill;
- the Joint Budget Meetings;
- dealing with Consultation Documents;
- Outside Speakers;
- Overview and Scrutiny Member Training;
- Reports of Chairmen of Panels – streamlining procedures;
- Publicising Overview and Scrutiny and Local Authority Website Review;
- Call-in arrangements –'E' call-in; and
- Civic Events – Chairman of Council's Guidelines.

Being wide ranging, the report had brought forward a number of smaller refinements to the operation of scrutiny at the council together with a number of proposals for further reports in the next year. The proposals fall mainly into two areas, a) the need to respond to new legislation; and b) enhancements to encourage community participation.

Councillor Morgan congratulated Mrs McEwen on her Panel's excellent job on bringing this complicated report to the Overview and Scrutiny Committee.

Councillor Stallan also congratulated the Panel Chairman on the work done. He welcomed more public involvement in scrutiny and the potential for 'E' call-in arrangements. He wondered about paragraph 22 of the report and the concerns that the Panel had about Portfolio Holders needing a fuller briefing on issues going to a meetings. Councillor Mrs McEwen said that a comment was made at one of their meeting that a Portfolio Holder should receive a briefing on a topic before it was discussed. Councillor Stallan was not sure that it needed to be recommendation from Overview and Scrutiny. Councillor Mrs McEwen replied it was just a recommendation for their Panel's work programme.

Councillor Green observed that very few members of the public spoke at any meetings. Were there any other Councils where members of the public were more fully engaged?

Councillor Mrs Wagland commented that this could be an intimidating forum for members of the public, a committee room would be more appropriate.

The following amendments were noted for the recommendations:
Recommendation 3 – the year should read 2010/11 and not 2009/10;
Recommendation 4 – the year should read 2011 and not 2010;
Recommendation 6 – the year should read 2010/11 and not 2009/10.

RESOLVED:

That the following recommendations were agreed by the Committee for appropriate recommendation to Council:

Councillor Call for Action (CCfA)

- (1) That the introduction of the Councillor Call for Action (CCfA) be noted;
- (2) The Overview and Scrutiny Committee to include a review of the effect of the CCfA in the work programme with particular reference to the Overview and Scrutiny Procedure Rules, the petition procedure, the compliments and complaints procedure and the delegation of officers/member bodies to deal with the new procedures under the Act.

Local Democracy, Economic Development and Construction Act and Community Empowerment Bill

- (3) That the Overview and Scrutiny Committee make appropriate additions to the work programme of the Constitution and Member Services Panel for 2010/11 to cover:
 - (i) a review of the Council's petitions procedure and electronic systems;
 - (ii) further reports on the duty to promote democracy envisaged;
 - (iii) any consequential changes that might be required to the Operational Rules

Joint Budget Meetings

- (4) That the Finance and Performance Management Scrutiny Panel and then Finance and Performance Management Cabinet Committee meet on the same evening but in separate meetings in 2011 and thereafter to facilitate consideration of the budget;
- (5) That the agenda of the meetings should ensure that the two meetings deal with appropriate Overview and Scrutiny and Executive responsibilities;
- (6) That the Council be asked to adjust the Calendar of meetings for 2010/11 accordingly;

Dealing with Consultation Documents

- (7) That the Portfolio Holders, Service Directors and Chairs of relevant Scrutiny Panels discuss and decide whether received consultation documents should be subject to formal report consideration by scrutiny;
- (8) That received consultation documents be recorded in the Council Bulletin with a summary of their contents;
- (9) That consideration be given to the relative importance/need for response when deciding to report to the relevant committee or panel; and
- (10) That the Cabinet be consulted on those consultations where the subject matter is an executive function;

Outside Speakers

- (11) That speakers at meetings should form part of the Work Programme;

(12) That items involving speakers at forthcoming scrutiny meetings be highlighted at the preceding meeting to allow sufficient preparation;

(13) That the views of the main committee continue to be sought on the desirability of having individual presentations as part of work programme considerations;

Overview and Scrutiny Member Training

(14) That the timings of M10 Awareness Session/Finance GRF/HRA and Budget Process and M17 Chairmanship and Questioning Skills, be rearranged earlier in the 2010/11 Member Training schedule

Reports of Chairmen of Panels – Streamlining Procedures

(15) That a bullet point style be used in all Scrutiny Panel notes;

(16) That Portfolio Holders attending Scrutiny Panel meetings seek to be fully briefed on the subject they are speaking on from relevant officer prior to the Panel meeting;

(17) That the full work programme be presented to each Overview and Scrutiny Committee and that the Chairmen of the Panels attend to provide additional context to their meetings;

Publicising Overview and Scrutiny and Local Authority Websites Review

(18) That for 2009/10, the Annual Scrutiny Report be made more consumable with a case study style approach rather than a complete rehearsal of all issues discussed during the year;

(19) That the following topics be considered for incorporation into the Constitution and members Services Panel work programme for 2010/11:

(a) How more Community focussed reviews can be undertaken;

(b) How the public can become more involved in Scrutiny including proposals for allowing the public to suggest topics for consideration, public questioning at meetings; guidance for witnesses and a review of the guide to scrutiny;

(c) Development of the web pages for scrutiny and homepage presence;

(d) Whether there is a link from Freedom of Information requests to scrutiny topics;

Call-in Arrangements – ‘E’-call-in

(20) That a report be made to Council outlining consequential amendments required to the Overview and Scrutiny rules to enable members to electronically call-in executive decisions via their Connectivity Token system be activated from the new municipal year;

(21) That members’ be provided with a training session to explain how this functionality works

Civic Events - Chairman of Council's Guidelines

(22) To note that the Constitution and Member Services Panel have reviewed revised officer guidance for the Chairman of Council relating to the organisation of Civic Events.

66. FINANCIAL REGULATIONS - ANNUAL REVIEW 2009/10

The Chairman of the Constitution and Member's Services Standing Panel, Councillor Mrs McEwen introduced their report on the annual review (2009/10) of the Financial Regulations. Each year a cross directorate working party of officers carries out a review of financial regulations, contract standing orders and officer delegation with a view to ensuring that these documents are up to date and reflect current statutory requirements and operational needs. This report put forward a few suggested changes which had arisen including one related to external funding.

RESOLVED:

That the amendments and minor changes to the financial regulations relating to external funding applications be recommended to the Council.

67. SUSTAINABLE COMMUNITIES TASK AND FINISH PANEL - TERMS OF REFERENCE

The Committee received and approved the terms of reference from the newly formed Sustainable Communities Task and Finish Panel.

RESOLVED:

That the terms of reference for the Sustainable Communities Task and Finish Panel be endorsed.

68. WORK PROGRAMME MONITORINGOverview and Scrutiny Committee

The Senior Democratic Services Officer took the committee through their work plan. The Committee noted that:

- (i) The Committee would receive a full work programme from their next meeting.
- (ii) Item 3, Scrutiny of London Underground. It was asked that a date be set for London Underground and TfL to come and attend one of the meetings. Items to be discussed should be scoped out beforehand, such as car parking, gaps between trains, restricted services and fares. It may be that public participation be encouraged for the visit of the TfL.
- (iii) Under item 5 of the work programme, Joint Scrutiny Review, he reported that he and Councillor Morgan attended a meeting on 9 December with the County on the proposed joint health review. One of the points raised was the delegation of scrutiny of the PCT by area forums; this may mean that it may go to district level for scrutiny.
- (iv) Item 6, District Transport in Rural Areas – report to go to the January meeting.

- (v) Item 8, Scrutiny of Cabinet Forward Plan. It was reported that the forward plan was to go to the next Cabinet meeting. This being so it was thought that the January meeting of this Committee could also review their forward plan and an invitation be extended to the Cabinet to attend that meeting.
- (vi) Item 15, review of Secondary and Primary Education in the District, the date should be 2010 and not 2009.
- (vii) The West Essex PCT was to attend the March 2010 meeting to discuss the health services in North London.

Planning Services Scrutiny Standing Panel

The Chairman of the Planning Panel asked that interim reports be given to the main O&S Committee, highlighting their recent work.

Finance and Performance Management Scrutiny Standing Panel

The Chairman of the Panel update the Committee on the items covered at their latest meeting.

Pitt Review on Flooding Task and Finish Panel

The Chairman of the Task and Finish Panel commented that they were waiting for the Government and County to issue more information. It was likely that they would recommend that the panel be closed down for now and that it be re-established in the new municipal year.

69. CABINET REVIEW

The following item was to be raised Cabinet meeting on 21 December 2009:

- that on page 21 of the Cabinet Agenda, the wording for 2(c) needed clarifying as it was sometimes unavoidable not to place the bin out 12 hours before they were due to be collected. The wording seemed illogical.

CHAIRMAN