

## **Overview and Scrutiny Committee Thursday, 15th April, 2010**

**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, Mrs A Grigg, Mrs A Haigh, D Jacobs, J Knapman, R Law, G Mohindra and Mrs L Wagland

**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 Chief Executive will read the following announcement:

“This meeting will be webcast live to the Internet and will be archived for later viewing. Copies of recordings may be made available on request.

By entering the chamber’s lower seating area you consenting to becoming part of the webcast.

If you wish to avoid being filmed you should move to the public gallery or speak to the webcasting officer”

**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 - 34)**

**Decisions required:**

To confirm the minutes of the meeting of the Committee held on 4 March 2010.

**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. CALL-IN - RELEASE OF RESTRICTIVE COVENANT - DENNY AVENUE (Pages 35 - 52)**

To consider a call-in of the Housing Portfolio Holder’s Decision on ‘Release of Restrictive Covenant – Denny Avenue, Waltham Abbey (HSG-024-2010). Call-in papers and report are attached.

**7. SUSTAINABLE COMMUNITIES TASK AND FINISH PANEL - FINAL REPORT (Pages 53 - 76)**

To note the final report from the Sustainable Communities Task and Finish Panel and to consider the recommendations made.

- 8. OVERVIEW AND SCRUTINY ANNUAL REPORT FOR 2009/10 (Pages 77 - 124)**  
(Deputy Chief Executive) To consider the attached report.
- 9. REVIEW OF OFFICER DELEGATION 2009/10 (Pages 125 - 140)**  
Report of the Constitution and Member Services Standing Panel is attached.
- 10. LICENSING COMMITTEE (TERMS OF REFERENCE & MEMBERSHIP) (Pages 141 - 142)**  
Report of the Constitution and Member Services Standing Panel is attached.
- 11. MEMBER TRAINING 2010/11 (Pages 143 - 154)**  
Report of the Constitution and Member Services Standing Panel is attached.
- 12. AUDIT & GOVERNANCE COMMITTEE - TERMS OF REFERENCE (Pages 155 - 156)**  
Report of Constitution & Member Services Scrutiny Standing Panel is attached.
- 13. HOUSING APPEALS & REVIEW PANEL - TERMS OF REFERENCE (Pages 157 - 176)**  
Report of Constitution & Member Services Scrutiny Standing Panel is attached.
- 14. FINANCIAL REGULATIONS - 'E' INVOICES (Pages 177 - 178)**  
Report of Constitution & Member Services Scrutiny Standing Panel is attached.
- 15. WORK PROGRAMME MONITORING (Pages 179 - 204)**

  - (a) Updated Schedule**

The Committee are asked to note the updated schedule. This reflects the work programme proposed by each Panel. Any changes made under preceding items will be amended in the programme accordingly.
  - (b) Next Year's Work Programme**

To consider any late requests to go into next year's Work Programme:

    - A request has been made from Connectplus25, who are responsible for the M25 works, to attend the O&S Committee's September 2010 meeting to discuss what will be long standing operations within the district boundaries.
  - (c) 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. A request form is attached for use.

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.

**16. UPCOMING VISIT FROM LONDON UNDERGROUND**

For the Committee to discuss the form of presentation wanted and the type of questions to be asked of the representative from London Underground. Officers are hoping to get representatives from London Underground to come to the June meeting of this committee and speak about their proposed operational changes to the Tube and to speak about the preparations for the forthcoming Olympics and the implications for the district. It is also hoped that they would cover weekend services and car parking.

**17. CABINET REVIEW**

**RECOMMENDATION:**

To consider any items to be raised by the Chairman at the Cabinet meeting on 19 April 2010.

(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 19 April 2010 Cabinet agenda (previously circulated) to see whether there are any items that they wished to be raised at the Cabinet meeting.

**18. 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.