

**EPPING FOREST DISTRICT COUNCIL
NOTES OF A MEETING OF CONSTITUTION AND MEMBERS SERVICES SCRUTINY
STANDING PANEL
HELD ON MONDAY, 14 SEPTEMBER 2009
IN COMMITTEE ROOM 1
AT 7.30 - 8.25 PM**

Members Present: Mrs M McEwen (Chairman), J Philip (Vice-Chairman), G Mohindra, R Morgan, Mrs M Sartin and Mrs J H Whitehouse

Other members present:

Apologies for Absence: Mrs P Brooks, J Knapman, J Markham and D Stallan

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

10. NOTES OF THE LAST MEETING

RESOLVED:

That the notes of the last meeting of the Panel, held on 29 June 2009, be agreed.

11. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

There were no substitute members at the meeting.

12. DECLARATION OF INTERESTS

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

13. TERMS OF REFERENCE / WORK PROGRAMME

The Panel was advised of the following updates regarding the Work Programme:

Item 3 – Planning Applications – Comments by Parish Councils, had been moved to the Planning Services Scrutiny Standing Panel at the request of the Panel's Chairman. This would include the request made for Planning Officers to monitor single storey rear extensions.

Item 4 – Member Training Review. The Panel were advised that some courses on the training programme had been moved or cancelled. The Council had been approached by IDeA which was funding training for the East of England Assembly and it was possible for the District Council to receive funding and staffing for member training. They can undertake a self assessment of the authority. Mr I Willett, Assistant to the Chief Executive, said he would speak to Group Leaders regarding training. I Willett advised that the training programme needed a re-vamp, changing its overall framework and linking it to the individual development needs of members and the corporate objectives of the Council.

14. OVERVIEW AND SCRUTINY REVIEW

The Panel received a report from Mr S Hill, Senior Democratic Services Officer, regarding the Overview and Scrutiny Review.

This final part of the review was for members to research and feedback on other councils. At the previous meeting of the Panel, members had asked officers to provide a list of local authorities which provided different methods of operating scrutiny arrangements and communicating with the public.

The Panel were advised that there was no model for scrutiny, local operation varied to meet local circumstances and issues. However there seemed to be a preference for the central management committee with a number of panels or Task and Finish Groups. Some authorities appointed "Commissions" which fulfilled the same function.

The Centre for Public Scrutiny had recently announced the winners of good scrutiny awards which was a national competition. Officers had included links to some of the sites on the shortlist where they appeared to provide different styles of scrutiny project success. The list also provided links to local authorities and included different methods of engagement and publicity.

Officers suggested that each member of the Panel examine two websites, 1 a large council, for example a county or city council, and the other a comparatively smaller council, like a town council. Officers were tasked with providing each member with the 2 websites and proforma as well to assist their evaluation.

RESOLVED:

That officers circulate a proforma and 2 local authority websites per member.

15. AUDIT REVIEW - EXTERNAL ORGANISATIONS AND PARTNERSHIPS

The Assistant to the Chief Executive, Mr I Willett, presented a summary of an internal audit report about partnership working by the Council and the protocol currently included in the Constitution.

Member's attention was drawn to Item 12 of the Protocol on Partnerships and Other External Organisations, Effect of the Code of Conduct – Elected Members. The Council's Code of Conduct stated that a Councillor had a personal interest in any business of the Authority where it related to or was likely to affect any external body to which they were appointed or nominated by the council as its representative. However, the interest need only be disclosed at a meeting if the councillor spoke on the matter concerned.

I Willett went on to advise that outside bodies sometimes made decisions which were not covered by the Council's insurance. The outside body must have indemnity insurance. However the District Council was satisfied that all current trusts working with the Council have indemnity insurance.

RECOMMENDATIONS:

- (1) That the findings of an Internal Audit report on the protocol for external partnerships be noted;
- (2) That the action being taken to comply with these recommendations be noted; and

(3) That an update on the management of relationships with external partnerships be provided to future meetings.

16. LOCAL DEMOCRACY - REVIEW OF PETITIONS PROCEDURE & ELECTRONIC SYSTEM

The Senior Democratic Services Officer, Mr S Hill, updated the Panel on the situation regarding the Review of Petitions Procedure and Electronic Systems. The legislation was proceeding going through Parliament and was expected to come into force in April 2010. S Hill advised that at a recent workshop he had attended, he had been informed that the changes to scrutiny rules were quite complex, with scrutiny being used to arbitrate as a last resort. Officers would bring back to the Panel the draft procedures some time early in the new year. Members requested that electronic call-ins should be put on the Panel's Work Programme.

RESOLVED:

That the possibility of introducing electronic Call-Ins be added to the Panel's Work Programme and report submitted to a future meeting.

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

The Panel were advised that there were no formal reports going from the Panel to the next Overview and Scrutiny Committee. However there would be two verbal reports from the Panel's Chairman concerning Protocol for Outside Bodies and notice of an extra item for the Panel's Work Programme.

18. FUTURE MEETINGS

The next programmed meeting of the Panel was being held on 2 November 2009 at 7.30p.m. in Committee Room 1 and then on:

11 January 2010; and
22 March 2010.