

## **EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES**

**Committee:** Constitution and Members Services    **Date:** Monday, 22 March 2010  
Scrutiny Standing Panel

**Place:** Committee Room 1, Civic Offices,    **Time:** 7.30 - 9.50 pm  
High Street, Epping

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

**Other Councillors:**

**Apologies:** G Mohindra

**Officers Present:** I Willett (Assistant to the Chief Executive), N Richardson (Assistant Director (Development Control)) and M Jenkins (Democratic Services Assistant)

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### **38. NOTES OF THE LAST MEETING**

#### **RESOLVED:**

That the notes of the last meeting of the Panel held on 11 January 2010 be agreed.

### **39. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)**

It was noted that Councillor B Rolfe was substituting for Councillor G Mohindra.

### **40. DECLARATIONS OF INTEREST**

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

### **41. TERMS OF REFERENCE / WORK PROGRAMME**

#### **(a) Terms of Reference**

The Panel's Terms of Reference were noted.

#### **(b) Work Programme**

The members were advised of the following:

##### **Item 11 Review of Area Plans Sub-Committees**

It was advised that this item had been put before Council and had been rejected by the members.

##### **Item 12 Monitoring Officer ( Draft Protocol)**

It was advised that the draft protocol was being moved to the 2010/11 Work Programme as research was still being conducted into best practice.

**Item 15 Cancellation of Meetings because of Inclement Weather**

This item was still being researched and would be moved to the 2010/11 Work Programme.

**Item 16 E Invoices – Further change to Financial Regulations**

This item was incorrectly entered on the Work Programme as coming to this meeting, it would in fact go before the 29 March 2010 Panel meeting.

**42. MEMBER TRAINING**

The Panel received a report regarding Member Learning and Development from Ms S Davey, Improvement Manager of IDeA.

IDeA was commissioned by Epping Forest District Council to develop an engaging and effective programme for members ensuring that:

1. Members had the opportunity to explore their learning and development needs;
2. Members have the skills and knowledge they need to lead the organisation; and
3. Learning and development is seen as both effective and as providing value for money.

All members were given the opportunity to be interviewed with an IDeA consultant at the District Council. In total 18 members were interviewed, from all political groups and the independent members.

**Key findings were as follows:**

- (a) Training was regarded as “ad hoc,” with interest in training and development at relatively low levels.
- (b) Training should be relevant, engaging, value for money and scheduled well in advance.
- (c) More member involvement in setting learning objectives, delivering training and impact evaluation.
- (d) Member training should be aligned to and support the strategic planning process.
- (e) Group Leaders should support their particular group, identifying learning and development opportunities/needs and providing feedback.
- (f) Deliver a more formal induction for new members.
- (g) New delivery methods, joint commissioning, developing an e-learning resource, practical training based on visits and observations in relevant service delivery departments, coaching and mentoring.

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- (h) The annual planning cycle should include member training and development, with objectives agreed, programme developed, training delivered and impact assessments.
- (i) Members wished to ensure their skills and knowledge on key technical issues are kept up to date with short refresher sessions.
- (j) A large proportion of members interviewed wanted clearer and more accessible information relating to the Constitution and Council protocols and would welcome a glossary of technical terms.

Members felt that:

- Mentoring of members by other members was important
- Better facilities were required for disabled members, particularly those who were visually impaired
- Exploring different training facilities including webcast of training sessions, training DVDs, "blogs," "twitter" and facebook would be worthwhile
- Convenient times for training sessions
- First meeting of each panel in new calendar year should indicate available training relevant to that panel's work.

**RECOMMENDATIONS:**

- (1) That the District Council develop a training brochure for the 2010/11 Year and allow members to select the learning events they wish to attend;
- (2) That a formal planning and learning cycle be developed and implemented for elected members including an evaluation procedure;
- (3) That a pilot learning event, with other authorities be investigated;
- (4) That additional training resources, E learning and training library, be introduced;
- (5) That members should be supported in designing and delivering training for newly elected members;
- (6) That officer delivered training be interactive and on scenario based case studies;
- (7) That a new member induction programme be brought into effect following the 2010 elections;
- (8) That Group Leaders consider an informal mentoring programme for new members;
- (9) That training programmes pertaining to particular panels be integrated with agenda at the beginning of each year;

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(10) That the Remuneration Panel be asked to review how the remuneration scheme could be used to deal with non attendance of Councillors at mandatory training courses;

(11) That the course priorities expressed in the IDeA report following personal development meetings with Councillors be given priority for next year's training programme if the support received was in excess of 30% of the sample; and

(12) That course preferences receiving lower percentage support be incorporated in new or existing planned courses where possible.

**43. OFFICER DELEGATION**

The Panel received a report from Mr I Willett, Assistant to the Chief Executive, regarding Officer Delegation 2009/10 Review.

Each year a cross directorate working party of officers carries out a review of Financial Regulations, Contract Standing Orders and Officer Delegation. A number of changes were now proposed in respect of planning matters and had been considered by the Planning Services Scrutiny Standing Panel in February 2010. New delegated powers had also been approved by Portfolio Holders during the past year regarding an extension of delegation relating to Crime and Disorder matters by reference to additional statutory powers and an extension of delegation in respect of Tree Preservation Orders and Rights of Entry to Land.

The new proposals were as follows:

**(a) CL22 (Court, Tribunal, Inquiry Proceedings – Engagement of Staff and Advice)**

Delete "...to appear for and conduct proceedings...." and substitute "...to appear for conduct and settle proceedings...."

**(b) CL36 (Enforcement Action)**

Add "...Discontinuance Notices in respect of Advertisements...." after "Planning Contravention Notices."

**(c) CL51 (Magistrates' and County Court Defence and Pursuit of Proceedings)**

Delete "To institute, defend and pursue proceedings...." and substitute the following "To institute, defend, pursue and settle proceedings...."

**(d) CL56 (Planning Applications) (Schedule A – Paragraph f)**

Substitute wording "Apart from approvals for householder and "other" applications (i.e. changes of use, adverts, listed building consents, Conservation Area consents, lawful development certificates, agricultural notifications, telecommunication masts, shop fronts and vehicle crossovers), those applications recommended for approval where there are more than two expressions of objection material to the planning merits of the proposal to be approved."

**(e) CL56 (1) (Planning Applications) (Schedule A – paragraph h)**

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Substitute "Applications which a Councillor representing a ward within the relevant Area Plans Sub-Committee area requests in writing within four weeks of notification in the Council Bulletin should be referred to the appropriate Sub-Committee provided that the member concerned has notified the Ward Councillor in advance".

**(f) CL56 (3) (Planning Applications)**

Substitute "To determine applications for works to preserved trees (other than felling) unless subject to criteria (f), (g) and (h) of the preceding schedule and dispensing with requirements to replace a preserved tree."

**RECOMMENDATIONS:**

- (1) That the previously agreed delegated authorities in respect of (a) Crime and Disorder and Tree Preservation Orders be noted and incorporated in the Schedules of Officer Delegation to be submitted to the Leader of the Council;
- (2) That the Overview and Scrutiny Committee be asked to note the agreement of this Panel and the Planning Services Scrutiny Standing Panel that no action should be recommended concerning the delegated authority in relation to comments by local councils on planning applications;
- (3) That new and revised delegated authorities set out in Council Functions be approved;
- (4) That the rejection by the Planning Services Scrutiny Standing Panel of a proposal to delegate to officers decisions on applications to extend existing planning consents subject to certain provisos be noted; and
- (5) That the revised schedules of delegated authorities be incorporated in the Council's Constitution once the approval of the Council and the Leader has been given.

**44. LICENSING COMMITTEE - MEMBERSHIP AND TERMS OF REFERENCE**

The Licensing Committee of the Council currently constituted 15 members divided between the political groups in accordance with pro-rata rules. It was thought that a review of the number of members serving on the Licensing Committee was necessary because of new police initiatives under the Violent Crime Reduction Act 2006. This act allowed the police to seek summary reviews of licensees for premises which had a history of anti-social or similar behaviour. However it was felt that this should be deferred for the time being due to a number of replacements among the committee members having been made. This should remedy the situation.

The procedure for summary reviews was not currently covered in the Constitution rules regarding the conduct of business by the Licensing Committee and its Sub-Committees.

Members of the Licensing Committee pointed out that any of those councillors could be called upon to chair a Sub-Committee meeting and an increase in the number of members would not necessarily aid the process of developing chairmanship skills for all of them. Officers were asked to develop a guidance document for use by any

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prospective Chairman to indicate clearly the various stages to be addressed in all such hearings.

**RECOMMENDATIONS:**

(1) That consideration of whether to increase the number of members appointed to the Licensing Committee be deferred;

(2) That an additional paragraph 3.4 be included in Appendix 4 (Annex 3) (Conduct of Business by the Licensing Committee and Sub-Committees) as follows:

“3.4 In the case of any hearing pursuant to the summary review procedure under the Violent Crime Reduction Act 2006, the membership of any Sub-Committee adjudicating on such a review shall comprise any three members drawn from the Licensing Committee subject to the proviso that no member should serve more than one hearing”; and

(3) That the Overview and Scrutiny Committee and the Council be recommended to approve this change and publish this new paragraph in the Constitution.

**RESOLVED:**

That officers look into providing an advice document to assist the Chairman at Licensing Sub-Committee hearings.

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

It was noted that the reports regarding Officer Delegation and Licensing would be put before the forthcoming Overview and Scrutiny Committee on 15 April 2010. It was also intended to brief the Committee members on the discussions the Panel have had concerning Member Training.

**46. FUTURE MEETINGS**

The next programmed meeting of the Panel was on Monday 29 March 2010 at 7.30p.m.

**CHAIRMAN**