

Overview and Scrutiny Committee
Tuesday, 1st June, 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 Tel: 01992 564249

Members:

As appointed at the Annual Council Meeting on 25 May 2010.

<p>PLEASE NOTE THAT THIS MEETING IS OPEN TO ALL MEMBERS TO ATTEND</p>
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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:

“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. **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 - 22)**

Decisions required:

To confirm the minutes of the meeting of the Committee held on 15 April 2010 (attached).

6. **LONDON UNDERGROUND LIMITED - PRESENTATION**

(Deputy Chief Executive) To receive a presentation from Stephen Jones, from London Underground Limited. He will give a presentation updating their latest work plans for the District. He will also be taking questions from the Committee and other members in attendance.

7. **REVISION OF THE TERMS OF REFERENCE FOR THE SAFER CLEANER GREENER STANDING SCRUTINY PANEL (Pages 23 - 26)**

(Safer, Cleaner, Greener Standing Panel) To consider the attached report.

8. **PETITIONS - NEW SCHEME**

Decision Required:

That the Overview and Scrutiny Committee authorise the Constitution and Member Services Standing Panel to report directly to full Council on the proposed new petition scheme at the end of June due to time constraints.

The Constitution and Member Services Standing Panel will be meeting on 24 June 2010 for the first time this year. At that meeting they will consider the latest government legislation on the revised petitions scheme including the role and use of "E-Petitions" that becomes law on 15 June 2010.

The Standing Panel will have to consider this legislation and make recommendations for the amendment of the Council's Constitution to deal with the new rules and regulations on petitions and 'E-petitions'. Because of the tight timescale they are

asking the Overview and Scrutiny Committee to authorise them to report directly to the Council meeting at the end of June.

9. DEFRA CONSULTATION ON LANDFILL (Pages 27 - 32)

(Safer Cleaner Greener Standing Panel) to consider the attached report.

10. WORK PROGRAMME MONITORING (Pages 33 - 50)

(a) To consider the attached Work Programme

The current Overview and Scrutiny Work Programme is attached for information.

(b) New Year's Work Programme

To consider any late requests to go into the new year's Work Programme.

(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.

11. 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	Appointment to places required:
Housing	Cons (7): Lib Dem (2): LRA (2):
Constitutional and Member Services	Cons (7): Lib Dem (2): LRA (2):

Finance and Performance Management	Cons (7): Lib Dem (2): LRA(2):
Safer Cleaner Greener	Cons (7): Lib Dem (2): LRA (2):
Planning Services	Cons (7): Lib Dem (2): LRA (2):

(2) To consider requests for appointments to Standing Panels by non affiliated members; and

(3) To appoint a Chairman and a Vice Chairman to the following Standing Panels:

Standing Panels	Appointments Required:
Housing	Chairman: Vice Chairman:
Constitutional and Member Services	Chairman: Vive 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 it has been agreed by Group Leaders that the Standing Panels should have 11 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.

12. APPOINTMENT OF MEMBERSHIP TO TASK AND FINISH PANELS

Decisions Required:

(1) To appoint members to the new Provision of Children Services in the District Task and Finish Panel in accordance with Overview and Scrutiny procedure rules; and

(2) To appoint Chairmen and Vice Chairmen to the Provision of Children Services in the District Task and Finish Panel.

1. (Assistant to the Chief Executive). The Committee are asked to consider appointments to Provision of Children Services in the District Task and Finish Panel. The Overview and Scrutiny Committee had reviewed the requests for reviews at their meeting in April and has determined that this Task and Finish Panel Review 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.

13. CABINET REVIEW

RECOMMENDATION:

To consider any items to be raised by the Chairman at the Cabinet meeting on 7 June 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 7 June 2010 Cabinet agenda (previously circulated) to see whether there are any items that they wished to be raised at the Cabinet meeting.

14. UPCOMING PRESENTATION FROM THE LOCAL STRATEGIC PARTNERSHIP

For the Committee to discuss the form of presentation wanted and the type of questions to be asked of the representative from the Local Strategic Partnership to come to the July meeting of this committee.

15. 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):

Agenda Item No	Subject	Exempt Information Paragraph Number
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.