

EPPING FOREST DISTRICT COUNCIL OVERVIEW AND SCRUTINY MINUTES

Committee: Overview and Scrutiny Committee **Date:** Monday, 18 October 2010

Place: Council Chamber, Civic Offices, **Time:** 7.30 - 8.15 pm
High Street, Epping

Members Present: Councillors R Morgan (Chairman) K Angold-Stephens (Vice Chairman of Council) (Vice-Chairman) Mrs R Gadsby, Mrs A Grigg, D Jacobs, D C Johnson, Mrs M McEwen, G Mohindra, J Philip and D Wixley

Other Councillors: Councillors R Bassett, Mrs P Smith, Mrs M Sartin, D Stallan, C Whitbread and Mrs L Wagland

Apologies: Councillors R Barrett, W Breare-Hall, Ms R Brookes and J M Whitehouse

Officers Present: D Macnab (Acting Chief Executive), I Willett (Assistant to the Chief Executive), S G Hill (Senior Democratic Services Officer), A Hendry (Democratic Services Officer), T Carne (Public Relations and Marketing Officer) and M Jenkins (Democratic Services Assistant)

38. WEBCASTING INTRODUCTION

The Chairman 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.

39. SUBSTITUTE MEMBERS

It was noted that Councillor D Wixley had substituted for Councillor Mrs R Brookes and Councillor Mrs McEwen for Councillor W Breare-Hall.

40. DECLARATIONS OF INTEREST

There were no declarations of interest made pursuant to the Council's Code of Member Conduct.

41. MINUTES

RESOLVED:

That the minutes of the last meeting of the Committee held on 06 September 2010 be agreed.

42. PRESENTATION FROM EPPING FOREST COLLEGE

The Committee noted that due to significant problems with the Colleges IT System the Principal of Epping Forest College could not attend this meeting and gave her apologies. The proposed presentation would be rescheduled.

43. DEPUTY PORTFOLIO HOLDERS - REPORT OF CONSTITUTION & MEMBER SERVICES STANDING SCRUTINY PANEL (23.9.10)

The Chairman of the Constitution and Member Services Standing Scrutiny Panel, Councillor Mrs McEwen introduced the report on Deputies to Portfolio Holders.

The Scrutiny Standing Panel was asked to look at a proposal to establish deputies to Portfolio Holders. Upon looking into this they noted that Cabinet functions could only be delegated so far as members are concerned to those appointed to the Executive. So, Deputy Portfolio Holders could not be full members of the Cabinet and therefore could not participate in its decisions either individually or collectively and would not be able to make formal decisions. They may assist Portfolio Holders but could not formally substitute for them.

As for any remuneration for fulfilling these roles, the Independent Remuneration Panel would have to consider if they would be in receipt of a special responsibility allowance.

The Committee agreed the report noting that it would help develop councillors for future roles.

RESOLVED:

That a report be submitted to the Council recommending as follows:

- (i) That positions of Deputy Portfolio Holders be introduced and included in the Council's Constitution;
- (ii) That the proposed amendments to Article 6 of the Constitution and the Executive Procedure Rules as shown in Appendix 2 of the report be approved;
- (iii) That the Member Role Statement for Deputy Portfolio Holders as set out in Appendix 3 to the report be approved;
- (iv) That the application of Special Responsibility Allowance to Deputy Cabinet Member positions be deferred until 2011/12 to allow more time for these new positions to be assessed in their initial period of operation.

44. CABINET & OVERVIEW & SCRUTINY COMMITTEE - ADDRESSES BY THE PUBLIC

The Chairman of the Constitution and Member Services Standing Scrutiny Panel, Councillor Mrs McEwen, introduced the report on having members of the public address the Cabinet and the Overview and Scrutiny Committee. The Panel had been asked to examine how requests to address Cabinet meetings should be dealt with as there was no special provision in the Constitution for representations to be made.

The Panel looked at the arrangements in place for the Area Plans Sub-Committees where arrangements exist for the public to make representations on planning matters. A speaker at these meeting had to register by 4.00pm on the day before the meeting and would be allocated a maximum of three minutes.

The Committee agreed that introducing a similar system for the Cabinet and Overview and Scrutiny Committee would be useful and noted that:

- This would increase transparency;
- This was not about asking questions but about making a statement;
- Circulation of any documents would have to be received in time so that they could be circulated to members prior to the meeting to avoid members taking time out during the meeting to read any documents;
- Members were at liberty to question the member of the public if any clarification was needed;
- A maximum of two speakers on any one agenda item;
- A maximum of six speakers for any one meeting;
- It would be first come first served for registering speakers;
- The arrangements would be reviewed after 12 months; and
- It would be interesting to how many had taken up the offer to address either meeting in a year's time.

RESOLVED:

(1) That provision be made in the Executive Procedure Rules in the Constitution to regulate arrangements for members of the public or other organisations to address Cabinet meetings on agenda business;

(2) That the proposed additional clause in the Executive Procedure Rules set out in Appendix 1 of the report be approved;

(3) That these arrangements be reviewed in 12 months time;

(4) That similar provision be made in the Overview and Scrutiny Procedure Rules as set out in Appendix 2 of the report in order to provide for similar arrangements to operate at Overview and Scrutiny Committee meetings.

45. CANCELLATION OF MEETINGS

The Chairman of the Constitution and Member Services Standing Scrutiny Panel, Councillor Mrs McEwen, introduced a report tidying up the rules to enable meetings to be cancelled at short notice because of adverse weather conditions. This set out specific provision for the cancellation of meetings and the alterations to the Council's procedure rules agreed by the Committee.

RESOLVED:

(1) That the Constitution be amended to provide procedures for the cancellation of meetings; and

(2) That the proposed amendment to the Council Procedure Rules as set out in the Appendix to the report be approved.

46. WORK PROGRAMME MONITORING

(a) Overview and Scrutiny Committee Work Programme

Item 6: Noted that tonight's presentation would be rearranged.

(b) Standing Panels

Planning Services Standing Panel

Noted that they had recently had an extra-ordinary Panel meeting to look at East Herts and Broxbourne Councils district's core strategies consultation documents.

The Overview and Scrutiny Committee agreed that the Planning Panel could add another item looking at the text of letters sent out by planning and the enforcement sections to their work programme.

47. CHILDREN SERVICES TASK AND FINISH PANEL - TERMS OF REFERENCE

RESOLVED:

The Committee noted and agreed the terms of reference for the Children Services Task and Finish Panel.

48. CABINET REVIEW

It was noted that there was no items that the Committee wished to comment on contained in the forthcoming Cabinet Agenda.

CHAIRMAN