

Overview and Scrutiny Committee Monday, 18th October, 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:

Councillors R Morgan (Chairman), K Angold-Stephens (Vice-Chairman), R Barrett, W Breare-Hall, Ms R Brookes, Mrs R Gadsby, Mrs A Grigg, D Jacobs, D C Johnson, G Mohindra, J Philip and J M Whitehouse

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 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 7 - 60)

Decisions required:

To confirm the minutes of the meetings of the Committee held on 06 September 2010.

6. PRESENTATION FROM EPPING FOREST COLLEGE

To receive a short presentation from the Principal of Epping Forest College, Jeannie Wright on their vision for the future and the College’s relationship with the Community.

7. DEPUTY PORTFOLIO HOLDERS - REPORT OF CONSTITUTION & MEMBER SERVICES STANDING SCRUTINY PANEL (23.9.10) (Pages 61 - 70)

(Councillor Mrs M. McEwen) To consider the attached report of the Constitution and Member Services Standing Panel.

8. CABINET & OVERVIEW & SCRUTINY COMMITTEE - ADDRESSES BY THE PUBLIC (Pages 71 - 78)

(Councillor Mrs M. MacEwen) To consider a report of the Constitution & Member Services Standing Scrutiny Panel.

9. CANCELLATION OF MEETINGS (Pages 79 - 80)

(Councillor Mrs M. MacEwen) To consider the attached report of the Constitution & Member Services Standing Scrutiny Panel.

10. WORK PROGRAMME MONITORING (Pages 81 - 100)

(a) To consider the updated work programme

The current Overview and Scrutiny work programme is attached for information.

(b) 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.

Existing review items will be dealt with first, then time will be allocated to the items contained in the reserve work plan.

11. CHILDREN SERVICES TASK AND FINISH PANEL - TERMS OF REFERENCE (Pages 101 - 102)

Recommendation:

To endorse the terms of reference for the Children Services Task and Finish Panel.

The Committee is asked to consider and endorse the terms of references for the new Children Services Task and Finish Panel considered at their first meeting.

12. CABINET REVIEW

RECOMMENDATION:

To consider any items to be raised by the Chairman at the Cabinet meeting on 25 October 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 25 October 2010 Cabinet agenda (previously circulated) to see whether there are any items that they wished to be raised at the Cabinet meeting.

13. 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

Overview and Scrutiny Committee

Monday, 18 October 2010

responsible for the item.

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EPPING FOREST DISTRICT COUNCIL OVERVIEW AND SCRUTINY MINUTES

Committee: Overview and Scrutiny Committee **Date:** Monday, 6 September 2010

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 9.28 pm

Members Present: Councillors R Morgan (Chairman) K Angold-Stephens (Vice-Chairman) R Barrett, W Breare-Hall, Ms R Brookes, Mrs R Gadsby, Mrs A Grigg, D Jacobs, D C Johnson, G Mohindra, J Philip and J M Whitehouse

Other Councillors: Councillors R Bassett, Mrs P Brooks, Mrs T Cochrane, Mrs D Collins, Mrs M Sartin, D Stallan, Ms S Stavrou, Mrs L Wagland, C Whitbread and D Wixley

Apologies:

Officers Present: D Macnab (Acting Chief Executive), A Mitchell (Assistant Director (Legal)), L MacNeill (Assistant Director (Operations, Administration & Finance)), J Gilbert (Director of Environment and Street Scene), S G Hill (Senior Democratic Services Officer), V Loftis (Market Research Consultation Officer), A Hendry (Democratic Services Officer) and M Jenkins (Democratic Services Assistant)

By Invitation: T Jones (Connect Plus M25)

28. 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.

29. SUBSTITUTE MEMBERS

There were no substitute Members for the meeting.

30. MINUTES

RESOLVED:

That the minutes of the last meeting of the Committee held on 12 July 2010 be agreed subject to the alteration of '19 years' to '35 years' in minute item 18.

31. DECLARATIONS OF INTEREST

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

32. 'CONNECT PLUS M25' PRESENTATION

The Committee Chairman welcomed Tim Jones, the CEO of 'Connect Plus' the company that had the contract to maintain the M25 and had been appointed the preferred bidder to design, build, finance and operate the M25 project. He informed the Committee that the company had a thirty year contract with the Government via the Highways Agency and were spending the equivalent of a million pounds a day on remedial works and updating and enlarging some carriageways. They were at present refurbishing the Hatfield Tunnel. (A copy of his presentation slides are attached to these minutes)

The company worked closely with the Highways Agency and 'Metronet', with the Highways Agency also having a seat on their board. Their contract was due to end in September 2039.

The Committee noted that the government were considering turning the area around the Dartford Crossing into a managed motorway, putting in a free flowing tolling section for the crossing.

They were also particularly proud of their Health and Safety record, having had no reportable accidents in over 1.6 million hours worked. The vast majority of work was done at night so as not to disrupt traffic. They had main operations and maintenance depots at South Mimms and Dartford and have a smaller depot at Blunts Farm, Theydon Bois.

The company had to take a long term view (30 years) of the works they have to do and had developed a supply chain with an eye to achieving best value.

The Chairman then opened the meeting to questions from the Committee and other members.

Q. What are the options to improve the flow through the Dartford Crossing?

A. This had recently been made worse by the periodic closure of the Blackwall Tunnel. Also with the crossing it only needed one breakdown or fire and that would slow things down considerably. Free flow tolling would help considerably especially on the North to South crossing, but revenue collection would pose a challenge. It should also be noted that the crossing was not a Motorway, it's classed as an 'A' road, and the occasional cyclist does tend to use it. The ultimate solution would be a separate lower Thames crossing point.

Q. Density of traffic means that certain parts of the motorway wears out quicker than other parts. Has this been taken into account?

A. Yes it has. The M25 had been constructed to various standards over the different sections as they were being built. Various companies are looking at new ways to repave the surface for the future.

Q. The toll charge has gone up from £1 to £1.50, is this adding to the congestion. Is this money used for renewal and maintenance and would having no charge improve the flow.

A. Only 6,000 people and hour can go through the crossing anyway. Officially it is a charge and not a toll, and the money goes to the exchequer. Also a lot of people do not wait for their change and just drive through.

Annually £70million is collected but it takes between £16 to £19 million to run per annum.

Q. Congratulations on the work done so far. But my pet hate is average speed cameras, do you actually put film in them and are people fined?

A. Yes, there is film in them and people are charged. They are needed at construction and works sites, some people find them frustrating but for safety they are necessary.

Q. I live by Junction 27, the lighting is now better, but:

- It now seems directed outwards and not towards the road;
- also noticed that the road was very noisy especially at the junction with the M11;
- why are concrete blocks used as barriers now instead of the metal ones;
- when will you be finishing at Blunts Farm? and
- why was there no consultation on the erection of the gantry?

A. I will have the lighting checked out and also the noise; apologies about the gantry, it should have been part of a consultation; We have been at Blunts Farm a long time, it is substandard as it's too small and very old. Concrete barriers have proved to be much safer than the metal ones.

Q. Predicting road capacity over a thirty year period, how do you predict it and what figures are you looking at.

A. We work closely with the Highways Agency, we generally expect a 2% growth per year, this would eventually prove unsustainable. We also need to predict what would happen with electric cars, which may be lighter and thus cause less wear on the roads surfaces. They are also looking to move more goods via the railways. The biggest issues at present would be the future of the Dartford crossing.

Q. Is there much research carried out into road surfaces?

A. Yes there is, at present they are looking at concrete surfacing as concrete wears better than tarmac.

Mr Jones offered to arrange a visit to Junction 29 for the members, for them to go and see for themselves some of the work being carried out.

The Chairman thanked Mr Jones for his interesting presentation and hoped he would come again in the future to update members on progress made.

33. CALL-IN - CABINET DECISION ON SPORTS AND LEISURE MANAGEMENT CONTRACT EXTENSION NEGOTIATIONS

The Committee considered the call-in of a decision by the Cabinet of a Leisure and Wellbeing Portfolio Holder report (C-009-2010/11) regarding the suspension of the new sports hall at Waltham Abbey swimming Pool and to reconsider it as part of the annual review of the Council's capital programme. The call-in suggested that any net savings made should be re-invested in Waltham Abbey, a known area of deprivation. The efficient time to do this was now while the Council was re-negotiating with SLM.

The lead member of the call-in, Councillor Mrs Pat Brooks was asked to open the discussion. She said that the Cabinet had taken no account of assurances given to residents. It seems like Waltham Abbey resident's wellbeing had been sacrificed. King Harold School now runs the sports centre successfully, but cannot handle the long term needs of casual users. In addition the sports centre has limitations particularly for those with disabilities. Waltham Abbey contains some of the most deprived areas in the district. This new hall can be funded now by revenue savings from the closure of the sports centre. If not, she could see the decision being deferred indefinitely.

The responsible Portfolio Holder, Councillor B Rolfe, was then asked to make his opening statement. He said that Epping Forest has an established policy on using capital resources where there is a demonstrable revenue benefit. The sports centre does not meet this requirement as it would cost £50,000 extra per annum. There were no obvious financial benefits on taking this forward at this time, but it will be taken to the planning application stage. The Council had good relations with SLM and could arrange terms later when needed. He acknowledged that Waltham Abbey has some deprived areas in the district but it did have other fitness facilities and a swimming pool. Although there was a loss of a specialist gym and a summer play scheme, the Council were also looking to put in an 'astro' turf all weather pitch in Waltham Abbey at a cost of £507,000 and we have also recently opened a refurbished Ninefield Hall. There are also other deprived areas in the district such as Limes Farm and Debden.

This would be good if the scheme could proceed but the current financial position makes this impossible for now.

Councillor Jon Whitehouse asked what criteria was used for the yearly assessment of the Sports Hall and how many years could this go on for? Councillor Rolfe replied that the criteria was only a financial one at present and the situation would have to be reviewed annually over the next two or three years. Councillor Whitehouse was glad to find out that the criterion was only a matter of finance. He thought there was a need to look at the leisure contract in the round and see if the savings made could pay for the new hall. There was a danger of postponing the decision and have the savings absorbed into the budget as a whole and not have to invest in Waltham Abbey. The money could be spent on other things within a year or two. Also construction costs would increase over the years and there was a good case for doing it now, and there was a strong case for the Cabinet to look at it again.

Councillor Jacobs commented that a couple of years ago the Council was very keen for this to go ahead; Waltham Abbey people had been given an expectation that it would. Councillor Philips disagreed because of the current financial position the Council was looking at significant cuts in October, maybe of an order of 25%. He did not believe that the council had set up an expectation in Waltham Abbey and they will take it to the pre-planning stage. We would know by then what cuts we would have to make.

Councillor Johnson was disappointed that it was to be postponed but heartened that it would be reviewed. He did not think that any savings made would pay for the construction; he calculated it would leave the council £700k short.

The lead member responsible for the call-in and the Portfolio Holder were asked to sum up the debate.

Councillor Mrs Brooks had nothing to add to comments already made.

Councillor Rolfe reiterated his comments about the council's finances being uncertain in the coming year and the need for savings. He stressed that they were a number of alternative leisure related schemes happening at present in Waltham Abbey. The Cabinet were not against this scheme, but he noted that Limes Farm and Debden had similar problems and there was only a limited amount of money at present. The current financial climate had forced these changes.

RESOLVED:

That the Overview and Scrutiny Committee confirmed the original decision of the Cabinet on report C-009-2009/10, regarding the suspension of the new sports hall at Waltham Abbey swimming Pool and to consider it as part of the annual review of the Council's capital programme.

34. CONSULTATION ON 'POLICING IN THE 21ST CENTURY - RECONNECTING POLICE AND THE PEOPLE'

The Committee considered a Home Office consultation paper on 'Policing in the 21st Century – Reconnecting police and the people'. This had previously gone to the Safer Cleaner Greener Scrutiny Standing Panel on 26 August 2010 and the draft minutes from that meeting were tabled for the committee's information.

Members noted that page 49 of the agenda contained a table of suggested consultation responses and the tabled minutes had the Safer Cleaner Greener Panel's response to some of the responses.

On going through the responses, the Committee made the following comments:

- That any new panels that oversee the work of the police commissioner should have a direct relationship with the commissioner and be able to hold them to account.
- *Question 1:* The proposed Commissioner would not be working alone; they would have an office to do the admin work so there would be cost implications to this. It could cause some democratic difficulties with a candidate that could come from anywhere and the chance of getting a reasonable turnout at an election was remote, making the chances of getting a potentially unsuitable commissioner a risk.
- *Question 18:* This calls for senior police officers to take a more business-like approach, but is hampered by the quick turn-around in senior officers. It would call for forward planning and preserving a continuity of senior police officers.
- There was a need to continue collecting data so we could compare forces.
- It seems we have limited powers to scrutinise the commissioner and his office.
- Overall this was a good concept;
- we want more front line policing; and
- would we get a better service or make more savings because of this; it was not clear and the Committee would like this clarified.

RESOLVED:

- (1) That the Home Office consultation paper on the future of policing be noted.
- (2) That the responses made by officers and the Safer Cleaner Greener Scrutiny Standing Panel be agreed with the additional comments made by this Committee and reported to the Cabinet.

35. CONSULTATION ON 'REBALANCING THE LICENSING ACT'

The Committee considered a consultation document on licensing entitled "Rebalancing the Licensing Act 2010". The Assistant Director, Legal Services, Alison Mitchell introduced the consultation document. The document was looking to give local licensing authorities additional powers to regulate licensing in their area and to allow them to respond more effectively to local concerns. The closing date for this review was 8 September 2010.

Officers had suggested answers to the consultation questions taking into account issues that have been raised in the past and committee members were also provided with the response from the Safer Cleaner Greener Standing Panel that looked at this on 26 August 2010.

The Committee made the following comments on the question posed:

- *Question 5:* On issuing of boundary notices, the position should be reversed with the Council being allowed to advertise on their web site, without prejudice, as part of the consultation process and to enable the applicant to advertise elsewhere other than the local newspapers.
- *Question 14:* the officer's suggested answer should be reworded to 'we' instead of 'I'.
- *Question 25:* Could a question be included on how we could go about setting our own consultation fees so that we could get back some of the fee money collected.
- As a general comment the committee wanted to know how wide an area would be defined for any proposed widening of the consultation areas.
- It was important for Town or Parish Councils to be considered as interested parties.

RESOLVED:

That the suggested replies to the questions raised in the Government's consultation document 'Rebalancing the Licensing Act 2010' be endorsed subject to the Safer Cleaner Greener member's comments as reported and the additional comments made by this meeting.

36. WORK PROGRAMME MONITORING

(a) Work programme

Overview and Scrutiny Committee

Item 7: Epping Forest College - noted that the principal had been asked to attend the October meeting. Officers would like to know if there were any specific topics they would like covered. Members wanted to know:

- what their academic objectives were for the next few years;
- what their plans were for community engagement; and
- what plans they have for the use of their sports field.

(b) Standing Panels

Planning Services Scrutiny Standing Panel

The Chairman of the Panel, Councillor J Philip gave a brief outline of the Panel's work at their last meeting:

The Panel met on Thursday 2 September and discussed the following:

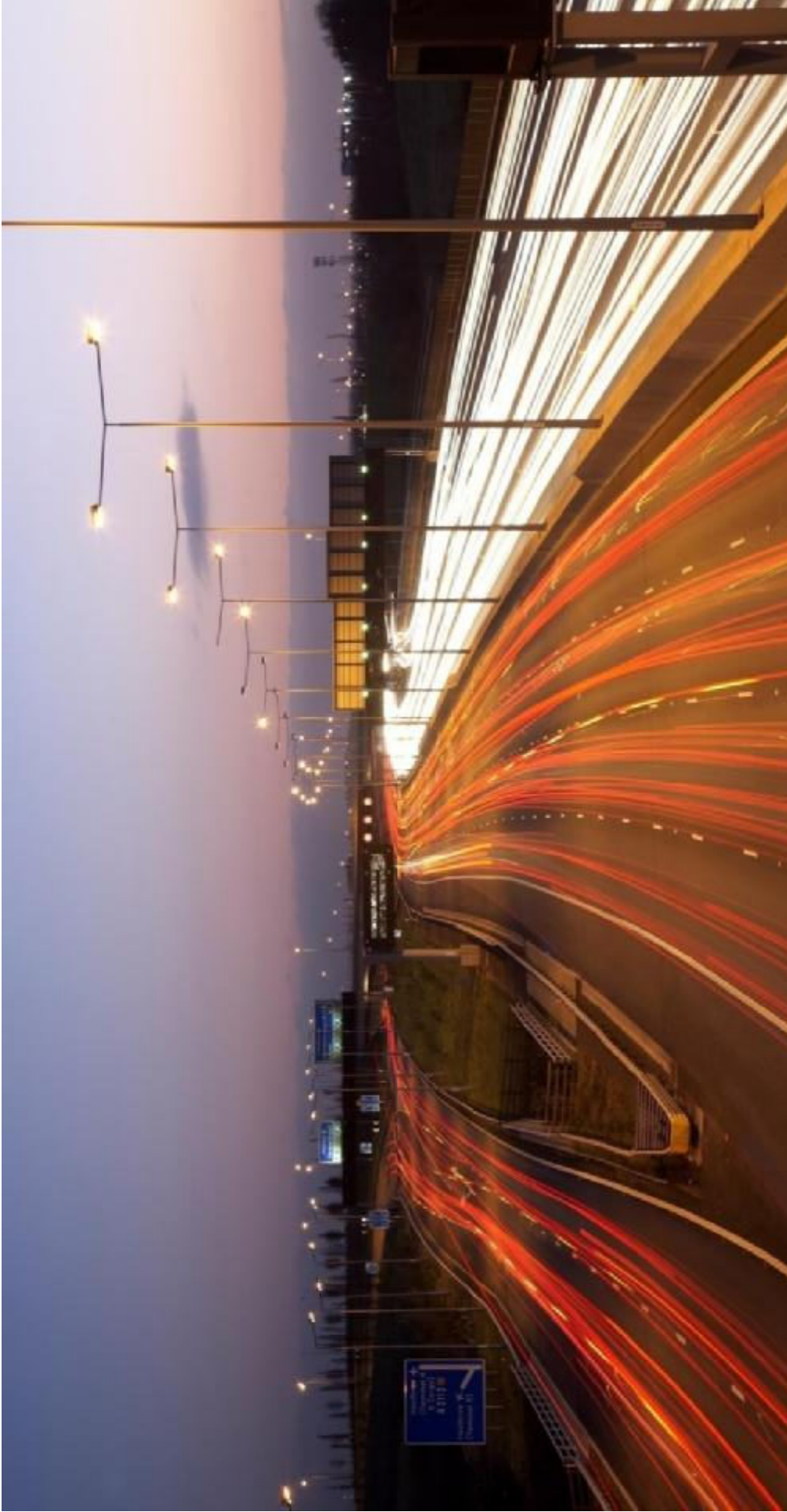
- New Improvement Plan for 2010/11
- Considered proposed re-structure of Countrycare, which involved the creation of an additional Countryside Assistant and the deletion of one Assistant Countryside Manager Post.
- The Panel will be looking at types of planning applications from the past few years regarding lessons that may be learnt about the planning process
- The Panel recommended that performance indicator targets LPI 45 Planning appeals and NI 157(b) Processing of Minor Applications be changed.
- The Panel will need to schedule an extra meeting in early October to discuss consultations on the Core Strategies for both Broxbourne Borough Council and East Herts District Council.

37. CABINET REVIEW

It was noted that there was no business to report to the Cabinet.

CHAIRMAN

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Tim Jones
Connect Plus

6 Sept 2010

Epping Forest District Council
Epping

M25: An overview

Agenda

Contract Structure

M25 - now and then

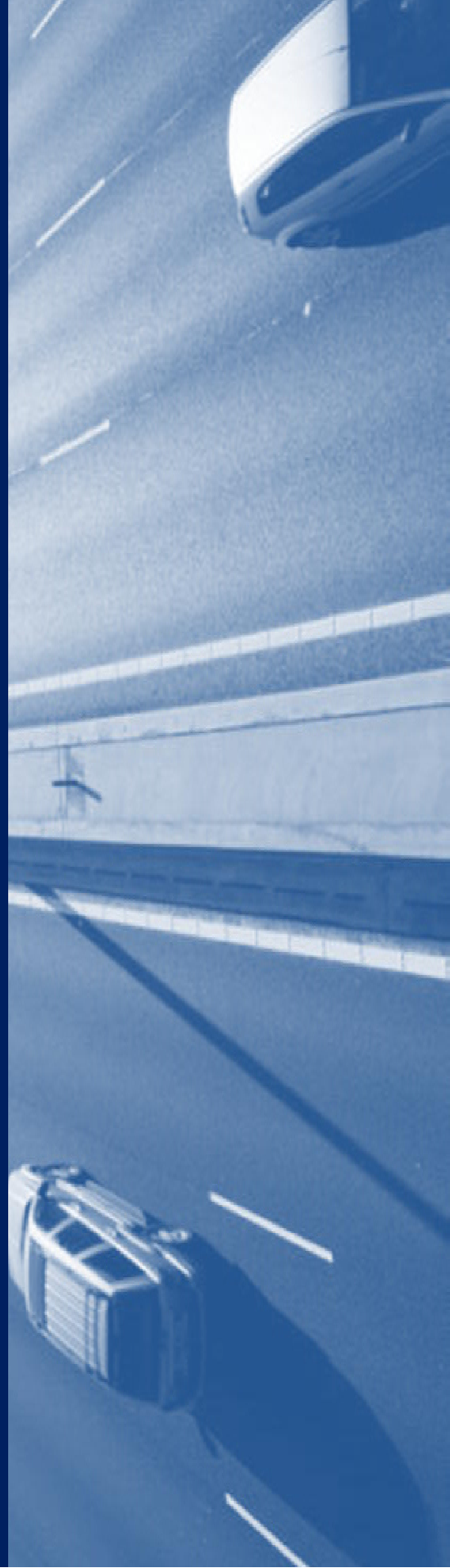
Essex Interface

Scope and Challenges

The 30 Year View



Contract Structure



Connect Plus

ZERO HARM 

Introduction

- Contract Award in uncertain financial markets
- Contract performance with uncertain government funding
- Meeting demand and planning for growth
- Journey time reliability
- Stakeholder engagement

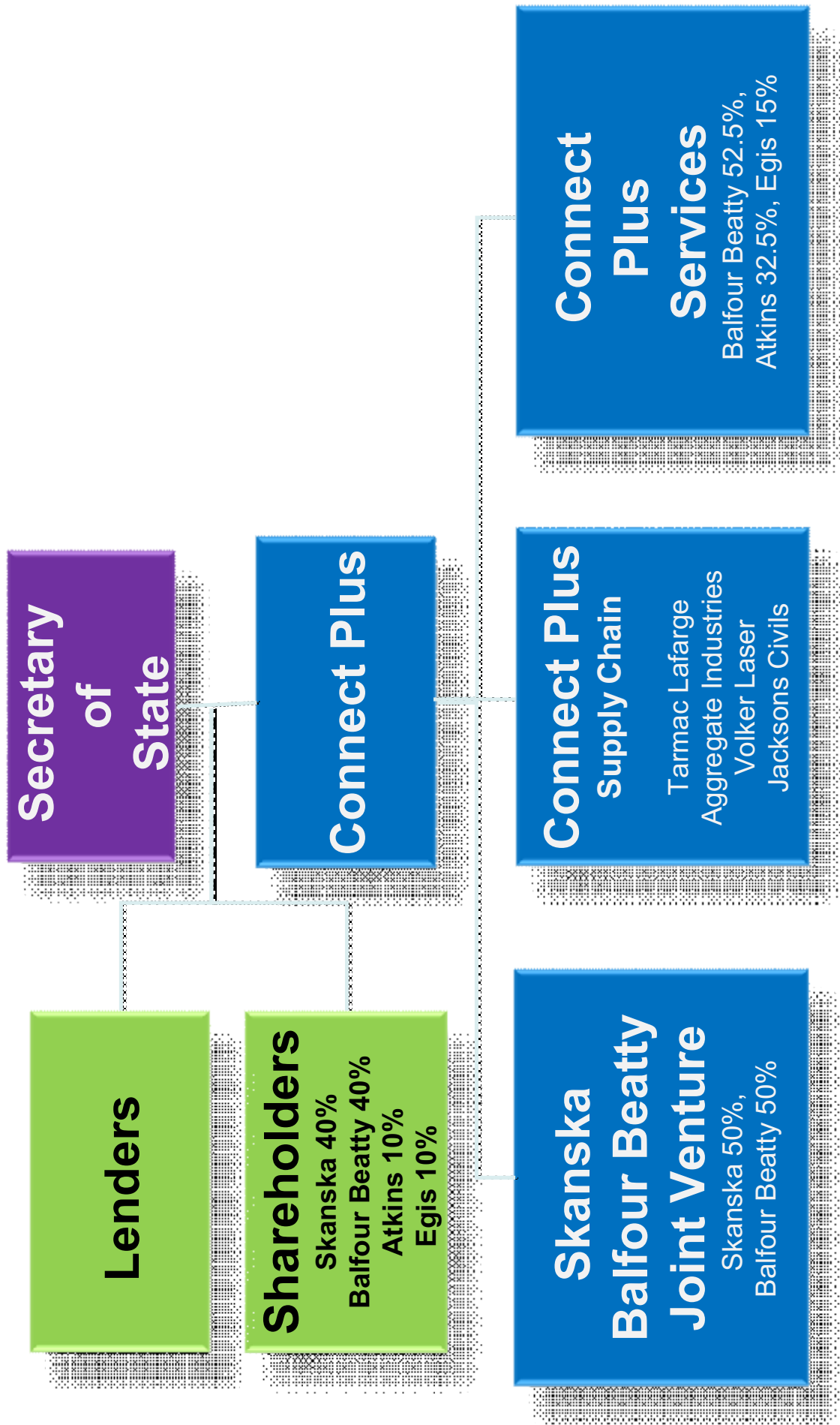


The Key Ingredients to Success

- Importance of variant proposals
- HA evaluated quality under five broad headings – delivery, resources, processes, behaviours / values and pricing methodology – harmony across all 5 critically important
- Price was key – best value essential
- Connect Plus – not just a group of secondees from different shareholders
- Strong supply chain
- Advanced Works Agreement enabled immediate start on Financial Close



Stakeholder Expectations Lenders & Shareholders



Partners - Connect Plus consists of:-

	Investment	Construction	Maintenance
Atkins	10%	-	32.5%
Egis	10%	-	15%
Balfour Beatty	40%	50%	52.5%
Skanska	40%	50%	-

Connect Plus

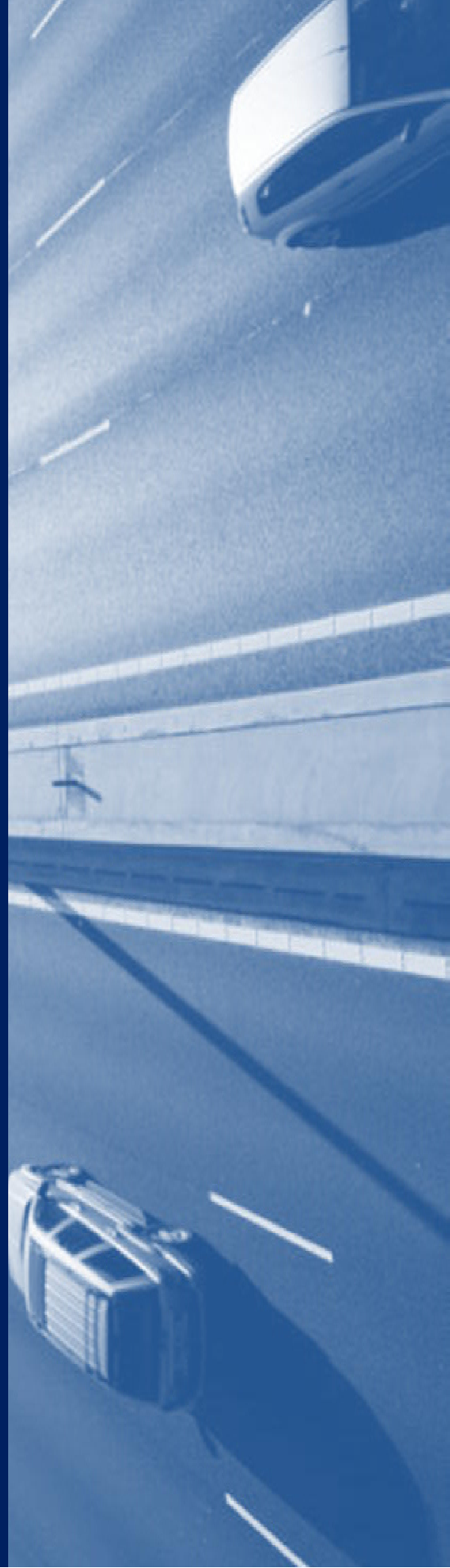
ZERO HARM

Key Dates

- 'Preferred bidder' status : July 2008
- Financial Close : May 2009
- Start widening Works : May 2009
- Service Commencement Date : September 2009
- IUS Completion : 8 July 2012
- LUS Start : Autumn 2012
- Refinancing : Spring 2016
- Contract Completion : September 2039



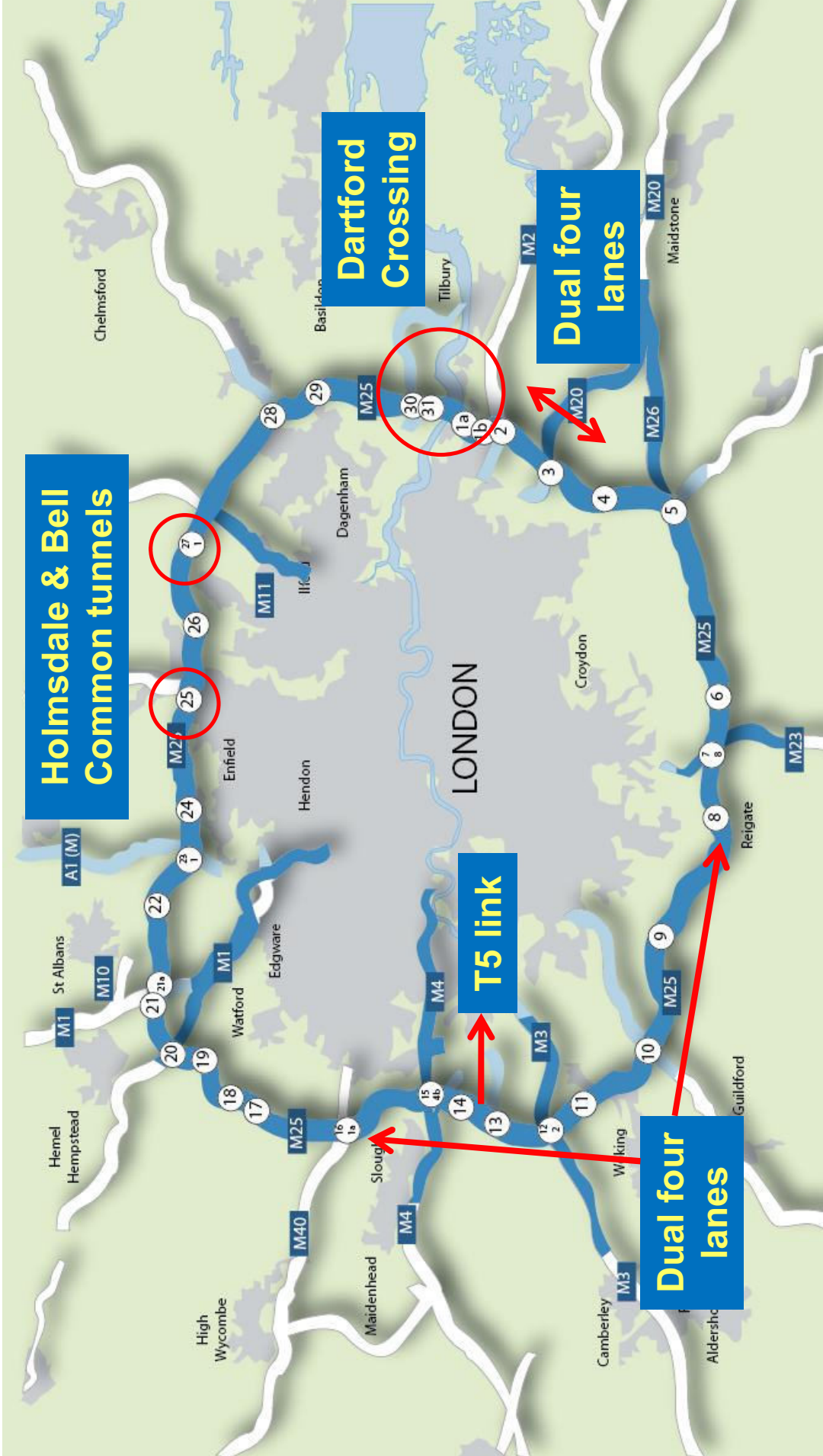
M25 – now and then



Connect Plus

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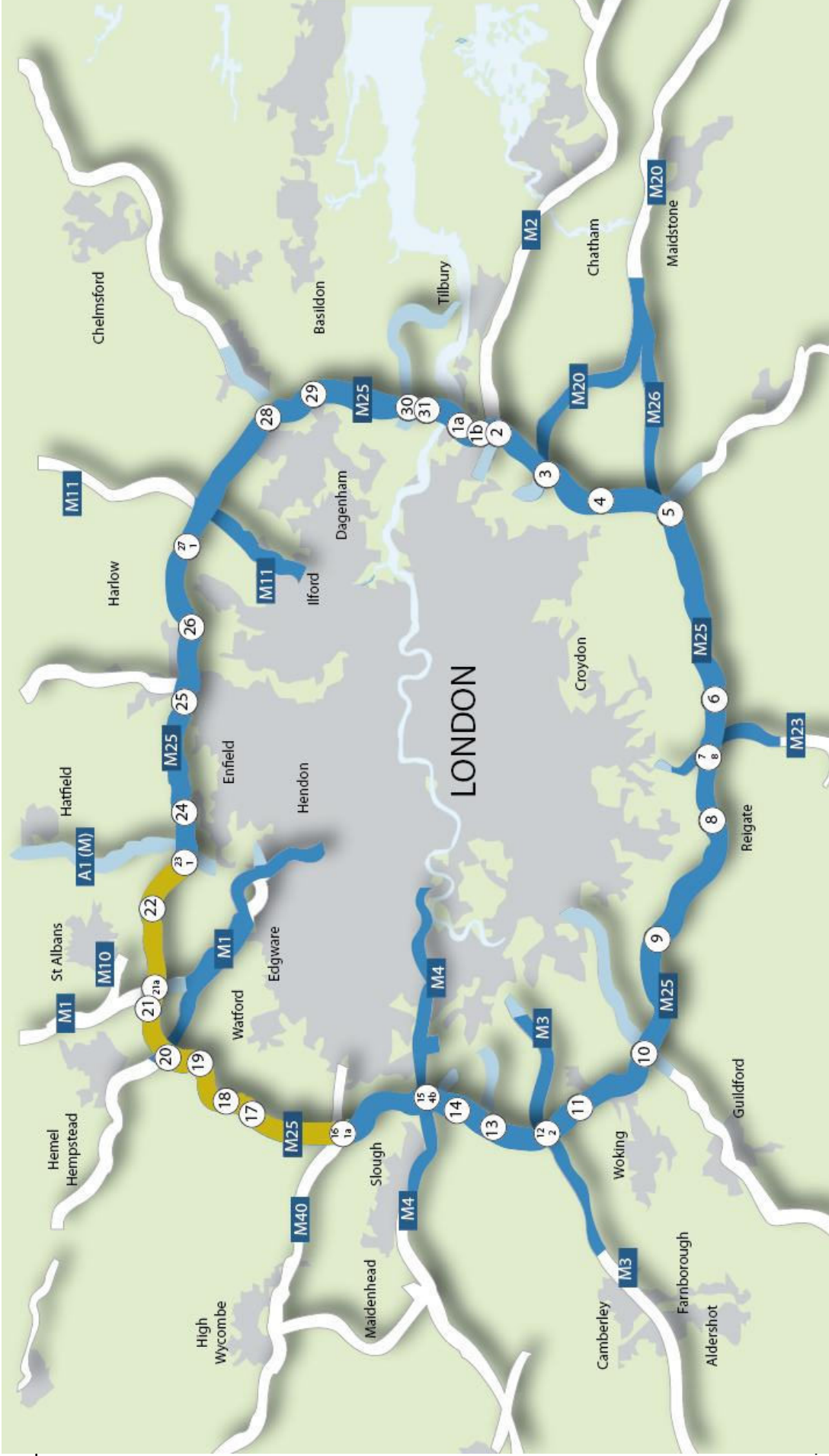
The M25: Current Configuration



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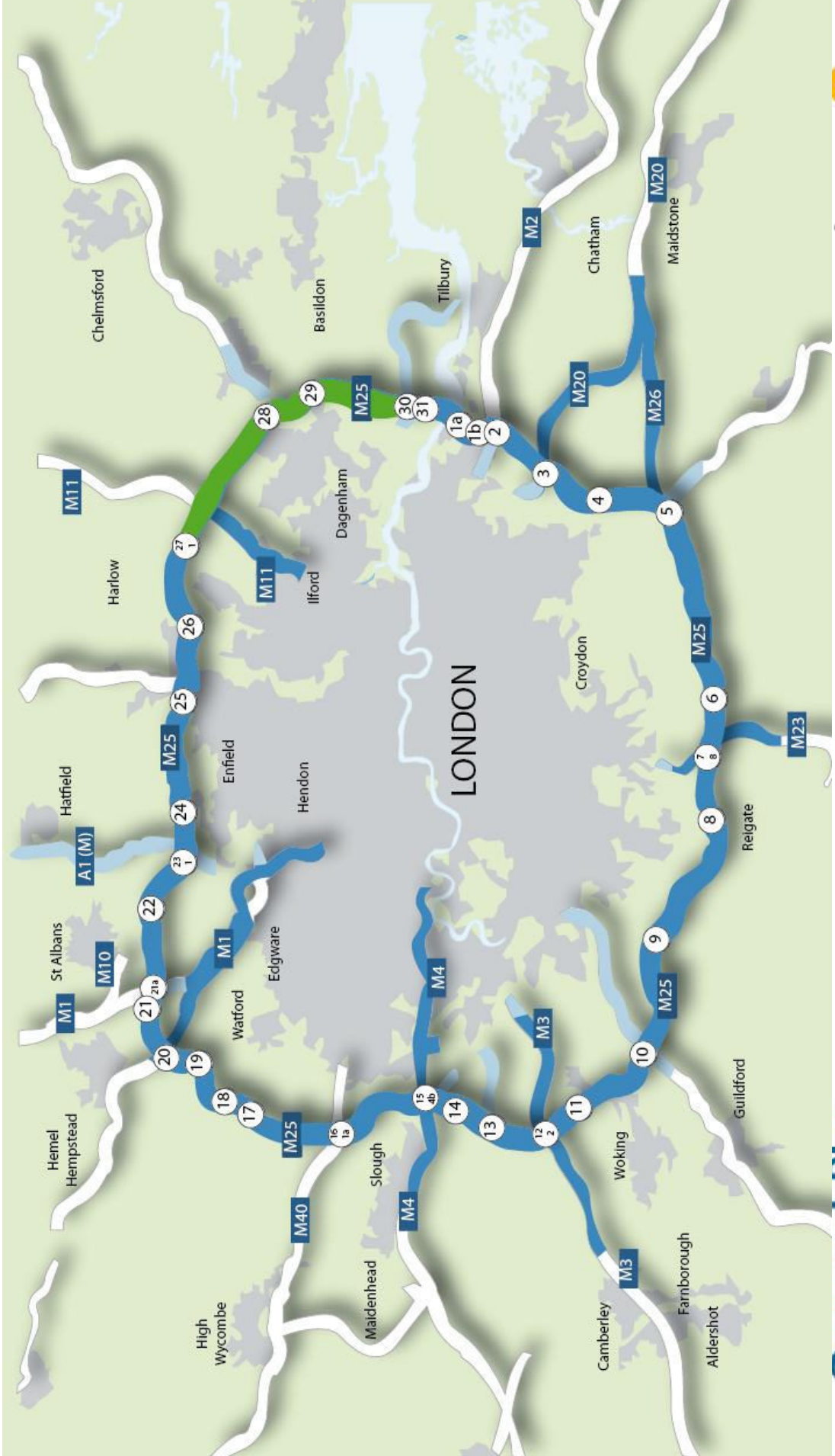
Construction Works: Section 1



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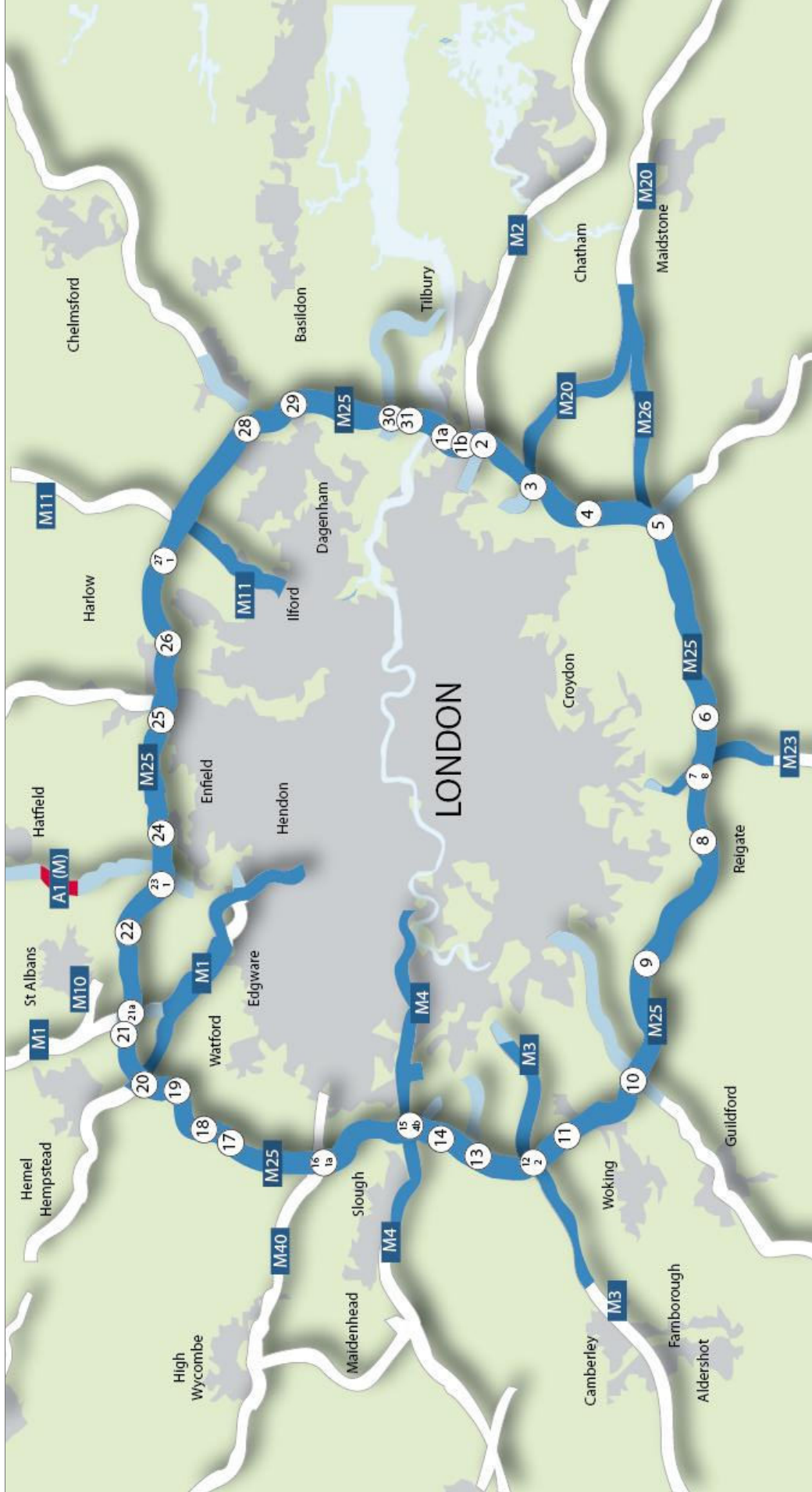
Construction Works: Section 4



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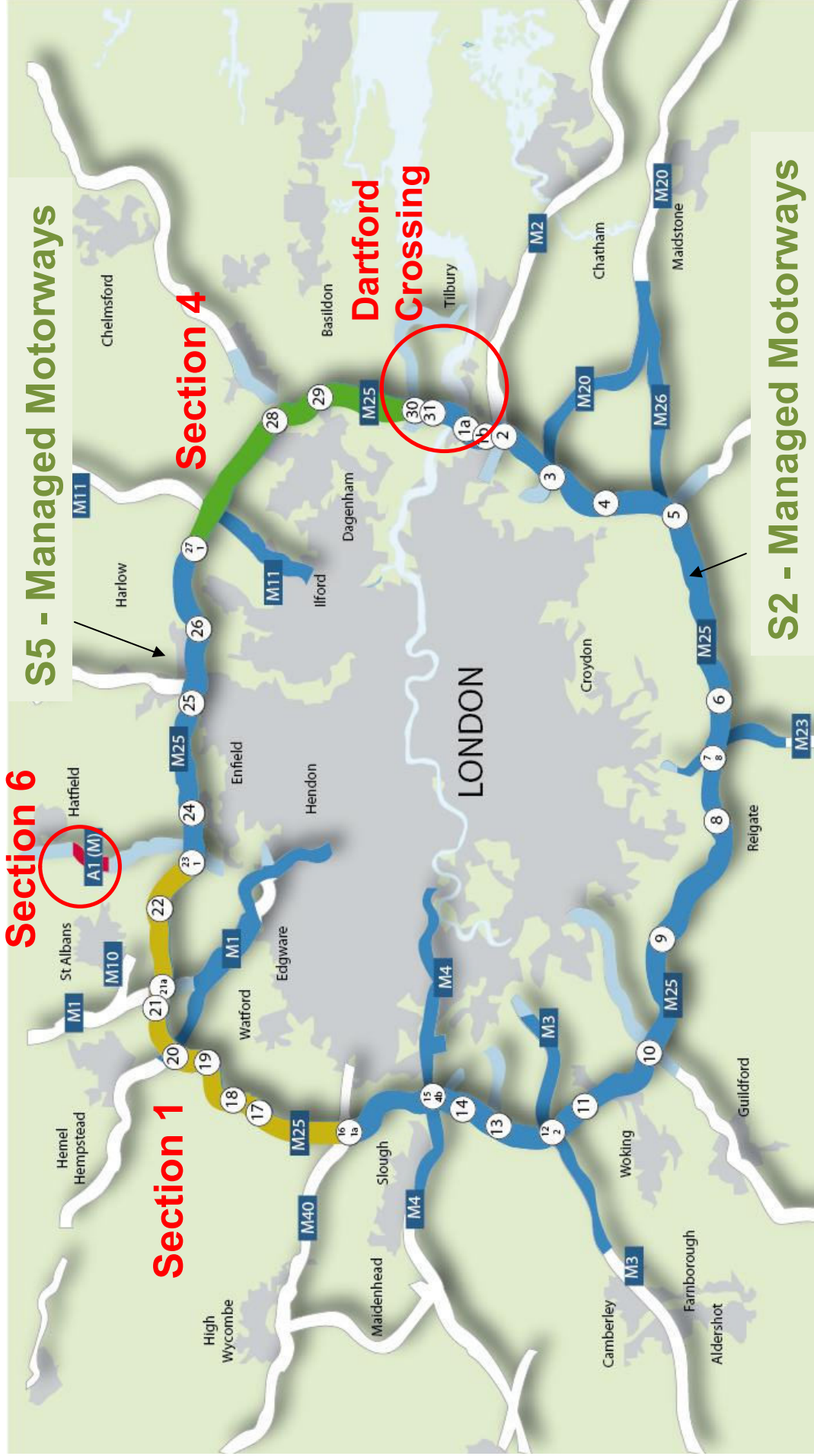
Construction Works: Section 6 – Hatfield Tunnel Refurbishment



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Construction: Overview with Future upgrades

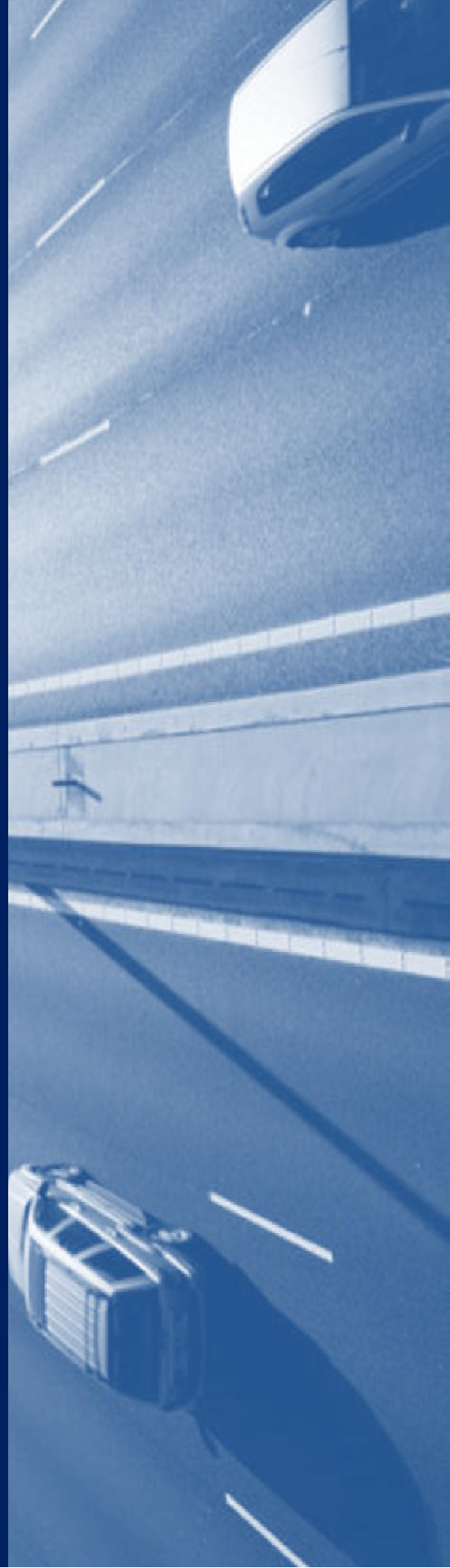


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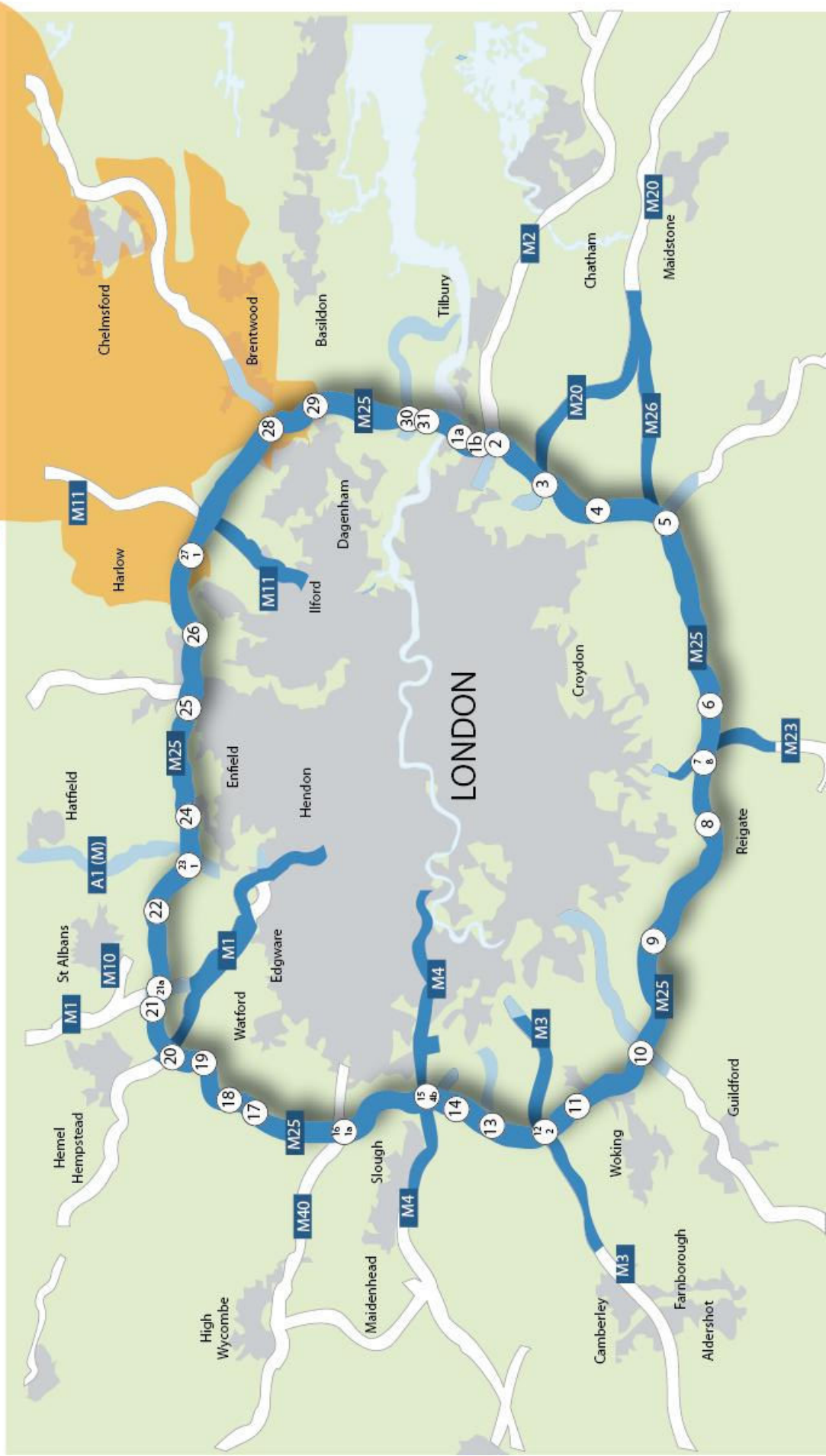
Essex Interface



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The M25 & Essex



Connect Plus

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What we have done...

- Fourth lane on the anti clockwise and clockwise carriageway complete including emergency access routes; retaining wall; drainage; lighting columns and permanent fencing
- 11 gantries installed and comms being commissioned
- Into phase 4 traffic running on hard shoulder, lane 1 and 2 during central reserve works
- Planted 21,5067 shrubs and trees clockwise, approx 23,000 to be planted on anti clockwise
- 4a works were complete in July 2010



Programme

4b Programme

- advanced works for 5 weeks over winter made back time
- 24hr/7days a week working in central reserve
- vegetation clearance
- newt and reptile mitigation
- works at bridges, cctv, drainage
- construction of Upminster Bund ongoing
- sheet piling



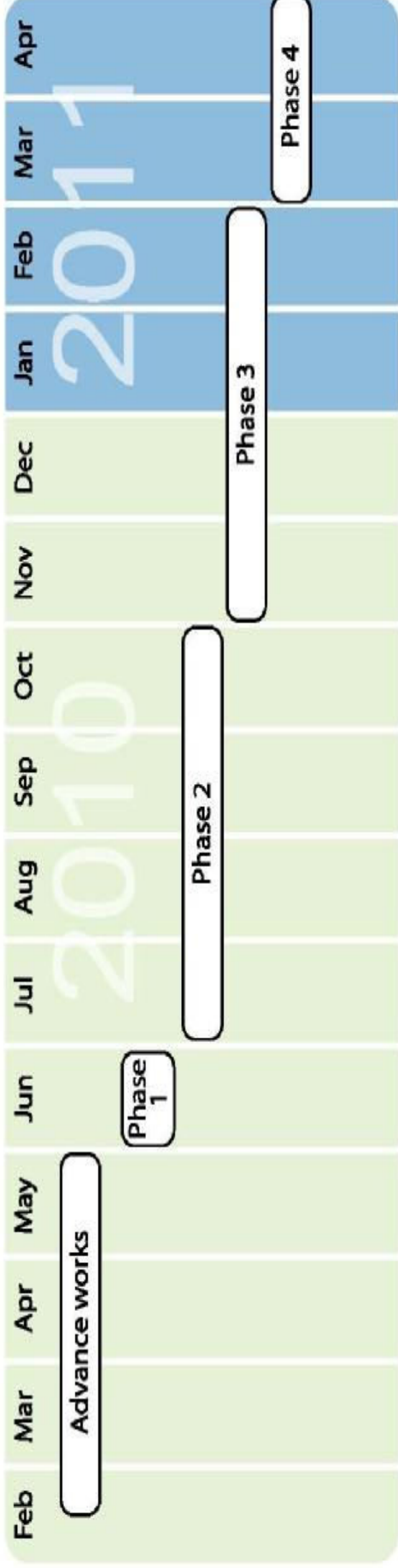
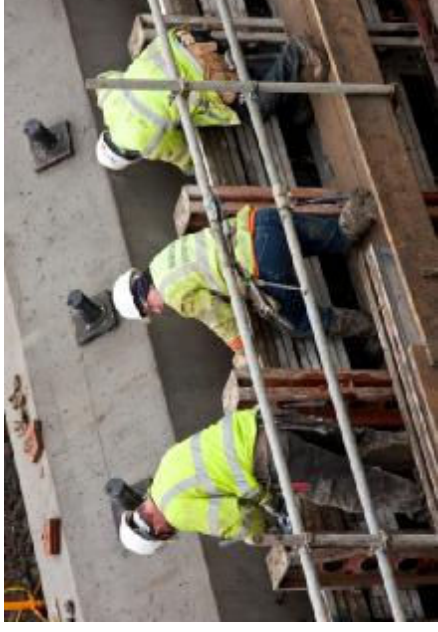
4c Programme

- site investigations

Update

Health and Safety

- the project has now completed –
1,637,825 safe hours worked –
zero reportable accidents





Upminster Bund under construction. This bund will finally be 4m above the carriageway and is to protect the residents of Cranham from the M25.



Lifting in a gantry



Progress picture (May 2010)



Students from Sawyers Hall College on a one day visit / site tour. Students requirements were matched to Senior managers and they received interactive presentations from health and safety, Structure Team Leader, Jim Mc Nicholas (Construction Manager) and Calvin Blacker (Design). Students studying new course Construction the Built Environment. The ICE are also keen on us working with students of course to encourage them into the industry.



Group of operatives who were given a free breakfast in recognition of the project reaching 1.5m safe hours worked, 350 took up the breakfast.

Land

- work closely with local land owners and Councils
- looking at turning attenuation tanks to Ponds
- consideration given to move from hard walls into gentle slopes if feasible
- wherever possible ensure we construct in sympathy with the surrounding environment



Traffic Management

- 4a and 4c three lanes in contraflow
- 4b narrow lanes non contraflow
- 50mph speed limit
- Barrier for all permanent works areas
- All site drivers receive driver training
- VMS at works exits
- Automated lane closure implemented
- TRL monitoring flows



Dartford Crossing



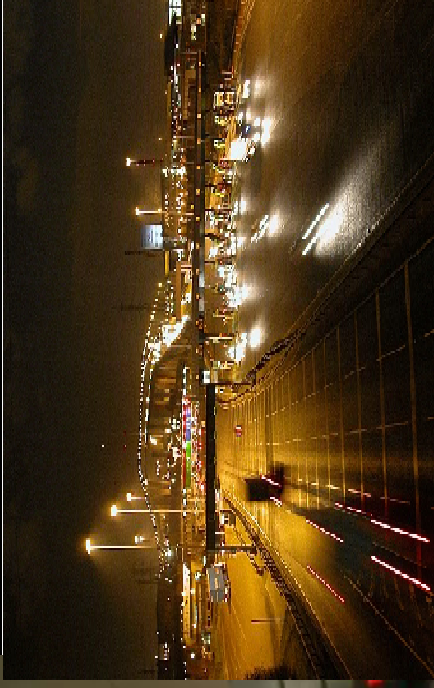
Bridge

- 137m long cable-stayed
- Over 150,000 vehicles per day use the crossing
- £70m per year revenue



Tunnels

- 1963 - West-bound constructed
- 1980 - Eastbound constructed

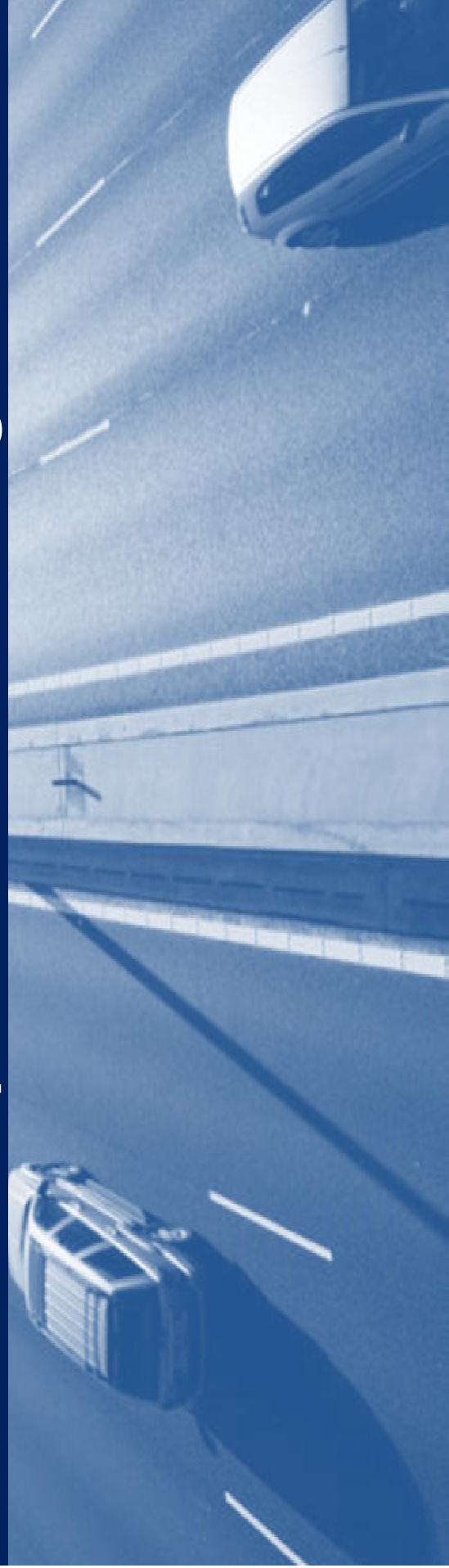


Key Issues

- Charging order 1 Apr 03
- Dangerous Goods 2004/S4/EC
- EU Regulations tunnel improvements include equipment, signage & emergency exits



Scope and Challenges



Connect Plus

ZERO HARM 

The scope and challenges of the contract

- Connect Plus

Connect Plus – the SPV

- Robust SPV – HA facing – strong governance
- Lifecycle management - £1bn over 30 years
- Leverage innovation and efficiencies

- Maintain governance
- Managing 16 banks + EIB
- Leading on technical innovation
- Delivering a robust energy strategy
- Management of key sub-contracts and lifecycle contractors
- Managing the Payment Mechanism



The scope and challenges of the contract

- Construction



Key Facts

- £1m per day spend
- 2.5 x intensity of M1 Junctions 6a – 10
- 700 staff & designers
- 1,000 site staff
- 2m hours worked without a RIDDOR

Construction

- 67km of road widening in 38 months
- Refurbishment of 2 x 1km bores at Hatfield

Key Risks

- Maintain programme
- Secure key departures – physical constraints
- Build in programme contingency within TM rules
- Balancing works and traffic congestion

Connect Plus

ZERO HARM

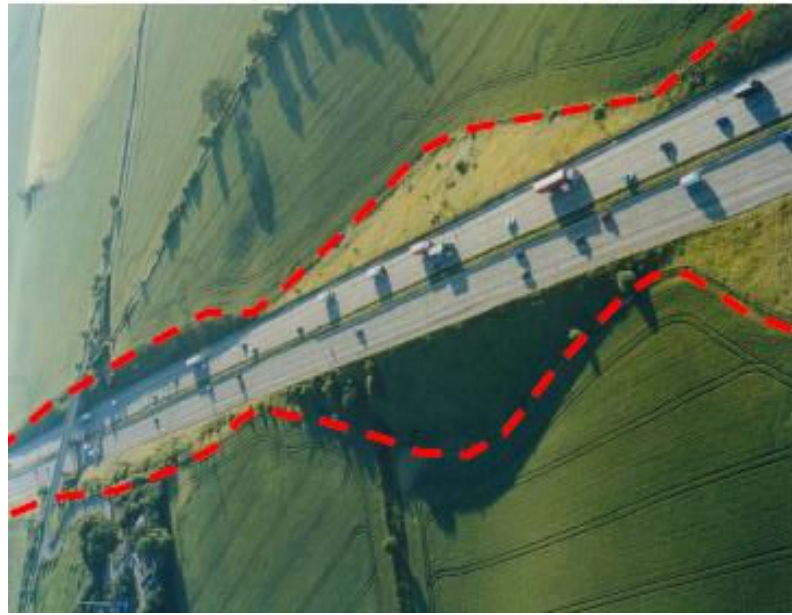
M1 Junction 6a – 10 widening



M1 Junction 6a – 10 widening



Section 4 Jct 27 to 30 overview



(14.3m / 23.2km)

4a July 09 to Aug 10 (47wks)

4b Aug 10 to Apr 11 (34 wks)

4c Apr 11 to May 12 (49 wks)

M25 - S4 widening



M25 - S4 widening



Connect Plus

ZERO HARM

Retained Infrastructure Proposal

Retained:

- Existing Central Reserve paving
- Existing drainage
- New VCB
- Existing VCB and pier protection
- Existing Central Reserve paving
- Existing drainage



Construction Programme

- **Restrained by Traffic Management rules**
 - Max 12km sections / Divides each section into 3
 - Using contra-flow only one verge can be worked at a time
 - Average of 5 months per 12km section of verge
 - Average of 4 months per 12km section of Central Reserve
 - Some overlapping and non contra-flow to hit 39 months overall
- **Programme Robustness / End Date Certainty:**
 - Rationalize TM rules
 - Approve Departures to best use space & reduce disruption and time
- **Scope for offline working from adjacent land under review**



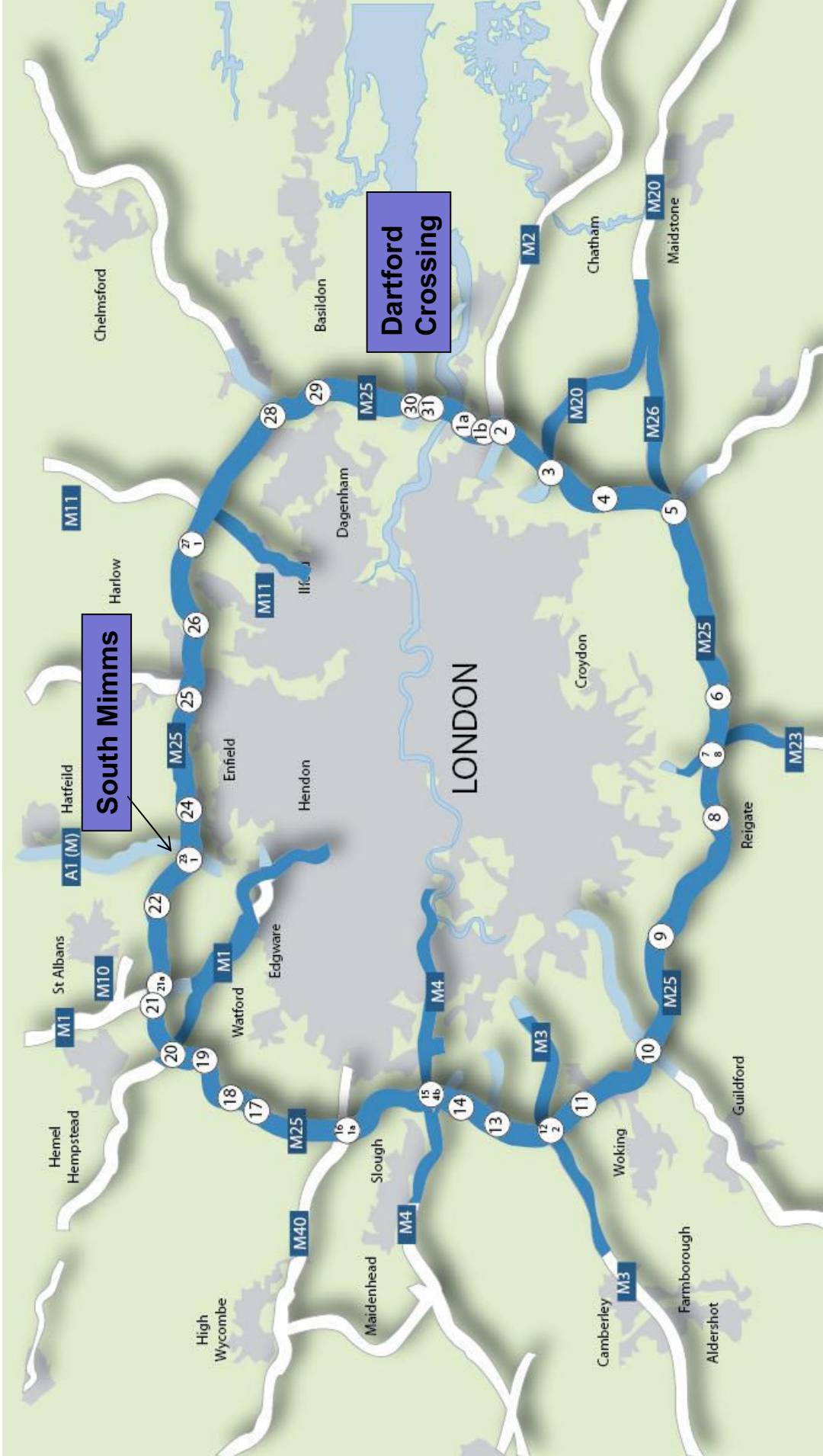


Connect Plus

ZERO HARM



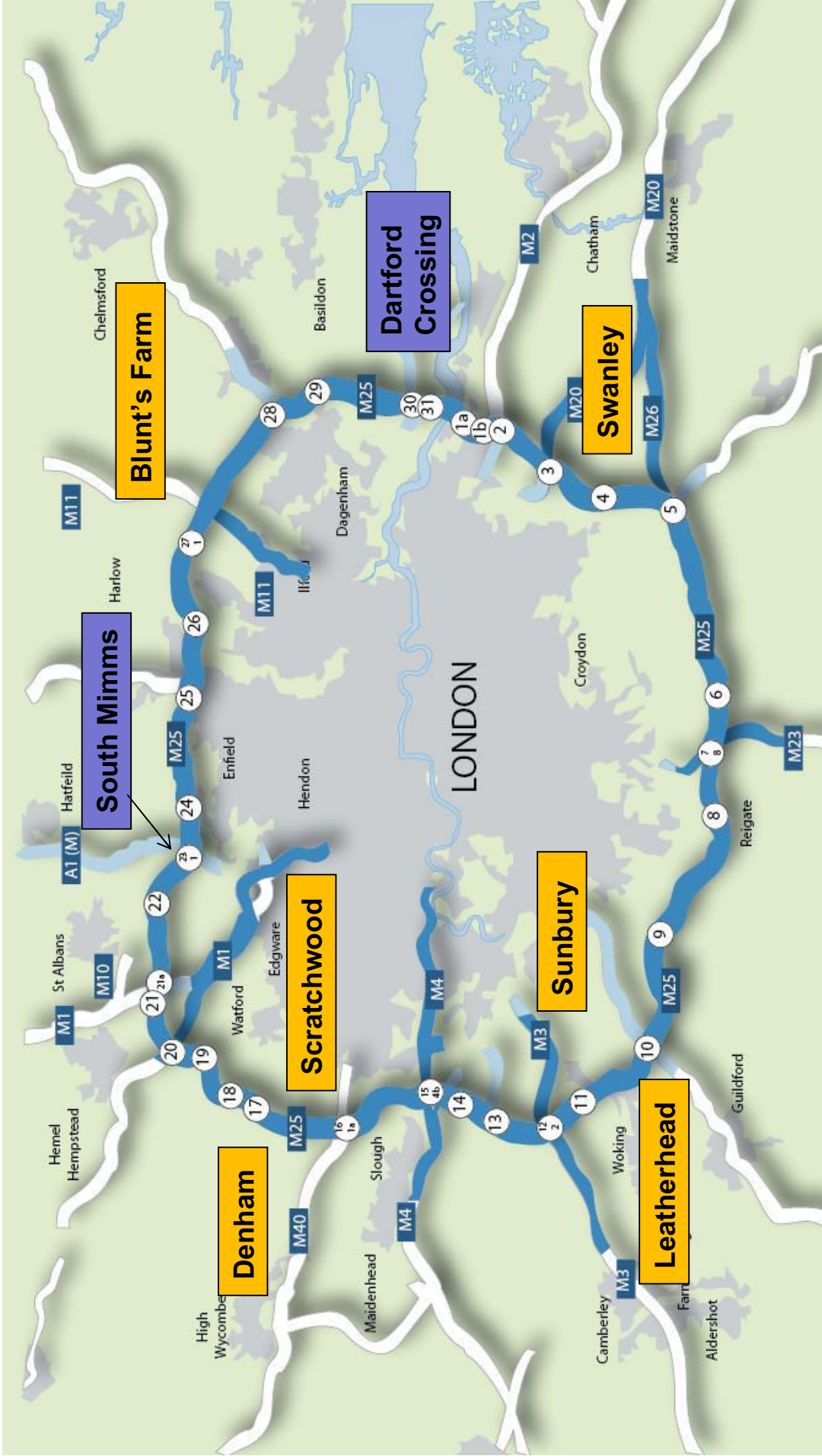
Operations and Maintenance: Overview



Connect Plus

ZERO HARM

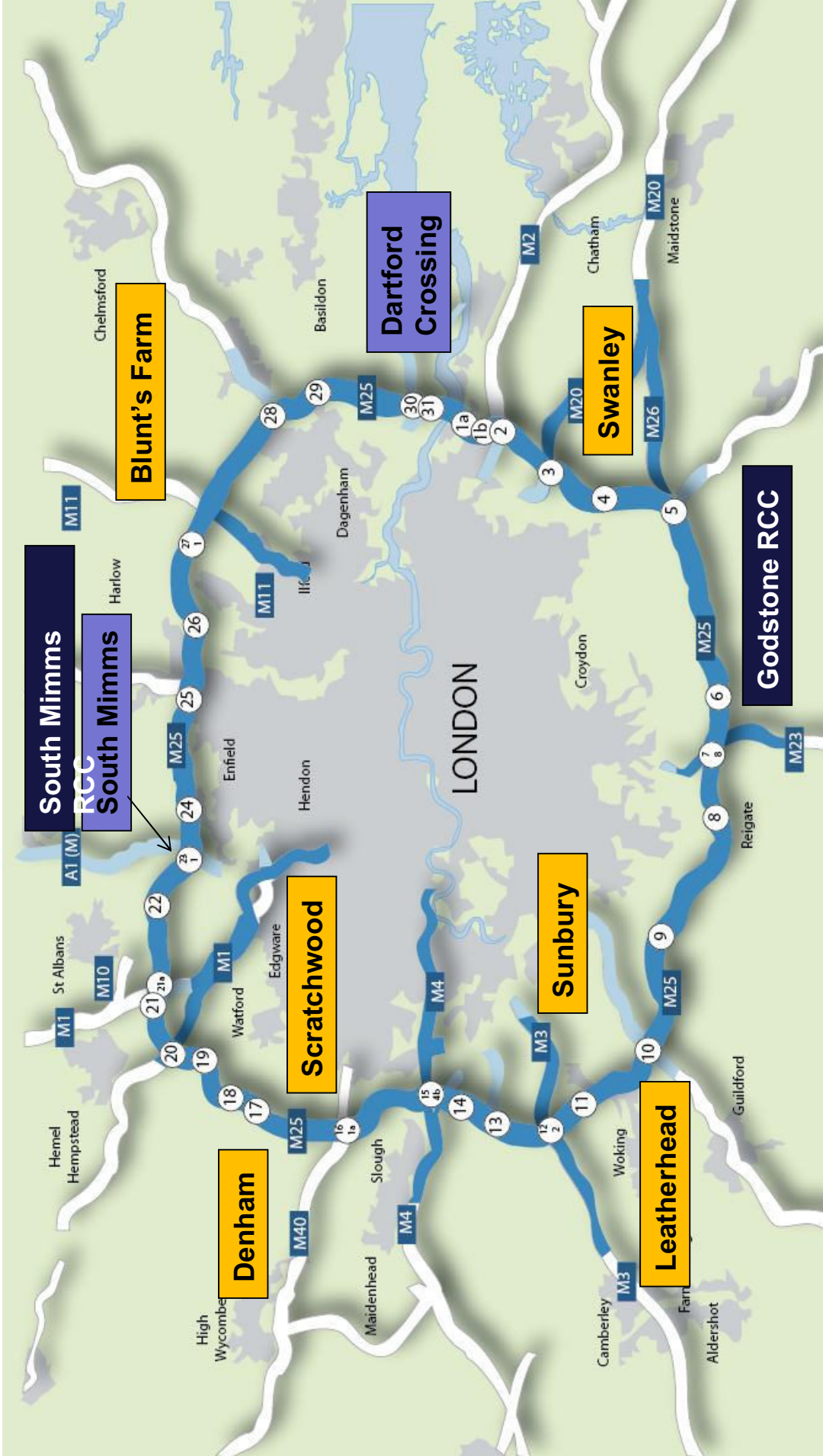
Operations and Maintenance: Overview



Connect Plus

ZERO HARM

Operations and Maintenance: Overview



Connect Plus

ZERO HARM

The scope and challenges of the contract

- Operations and Maintenance



Key Challenges

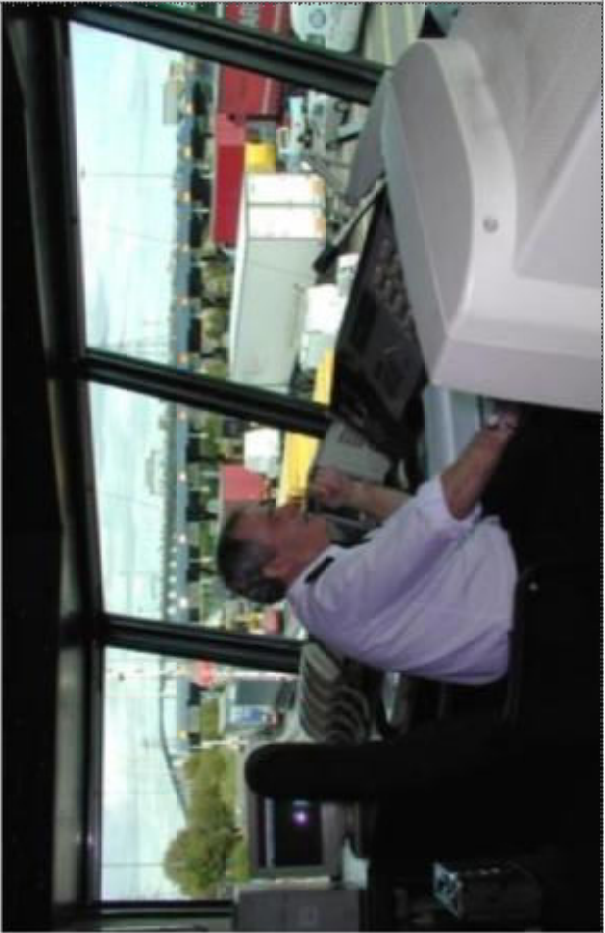
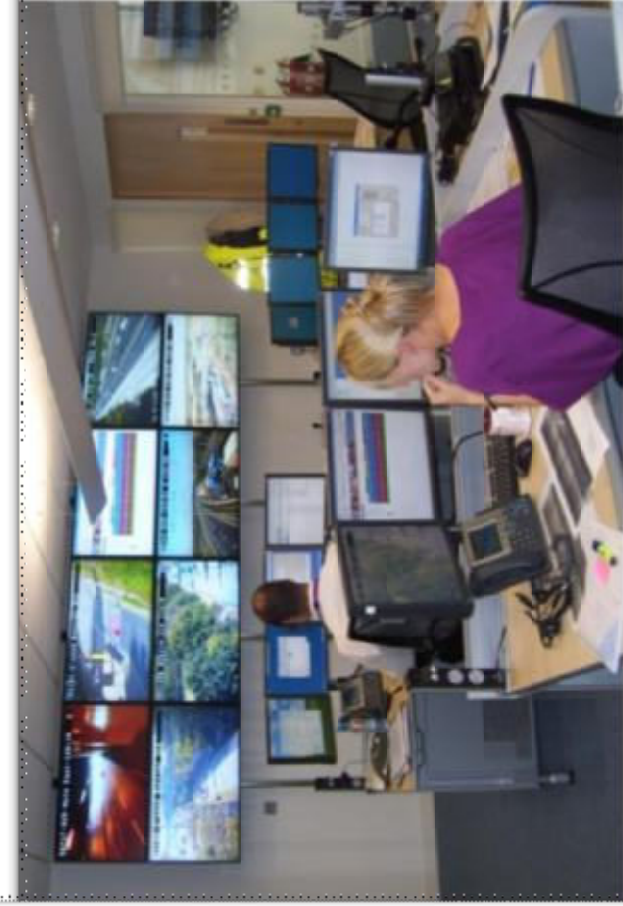
- Support DBFO Co in asset management
- £250m lifecycle renewals
- Meeting over 160 KPIs
- Meeting Payment Mechanism
- Integrating 6 cultures

Connect Plus

Key Facts

- £50m annual contract
- 650 staff / 7 depots including Dartford
- 2 control centres (CPS) interfacing with HA RCCs
- Operation and Maintenance
- 440km network
- 5 tunnels and QEII bridge

ZERO HARM

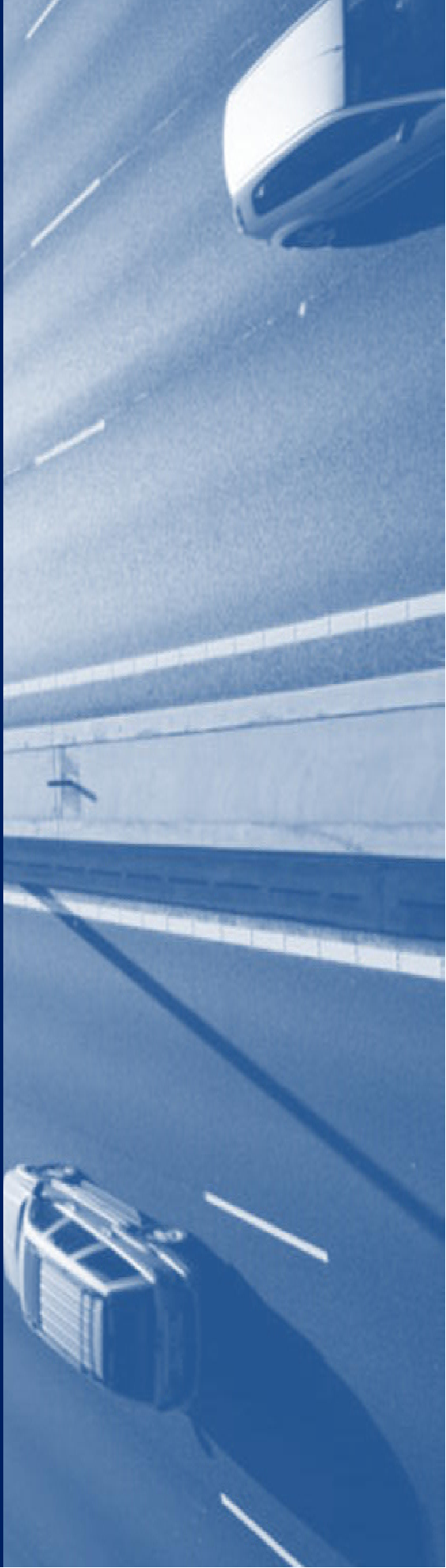


Connect Plus

ZERO HARM



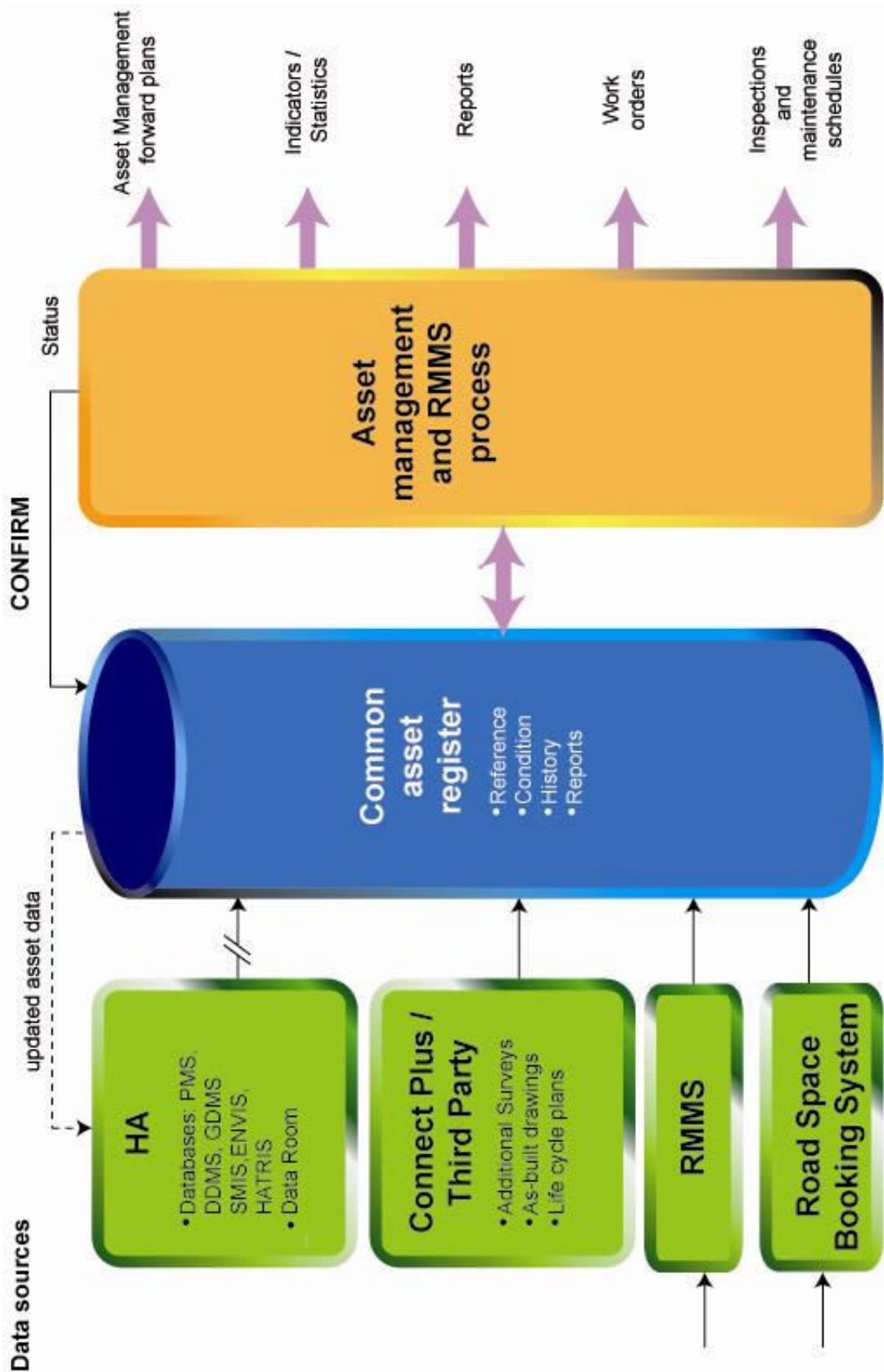
The 30 Year View



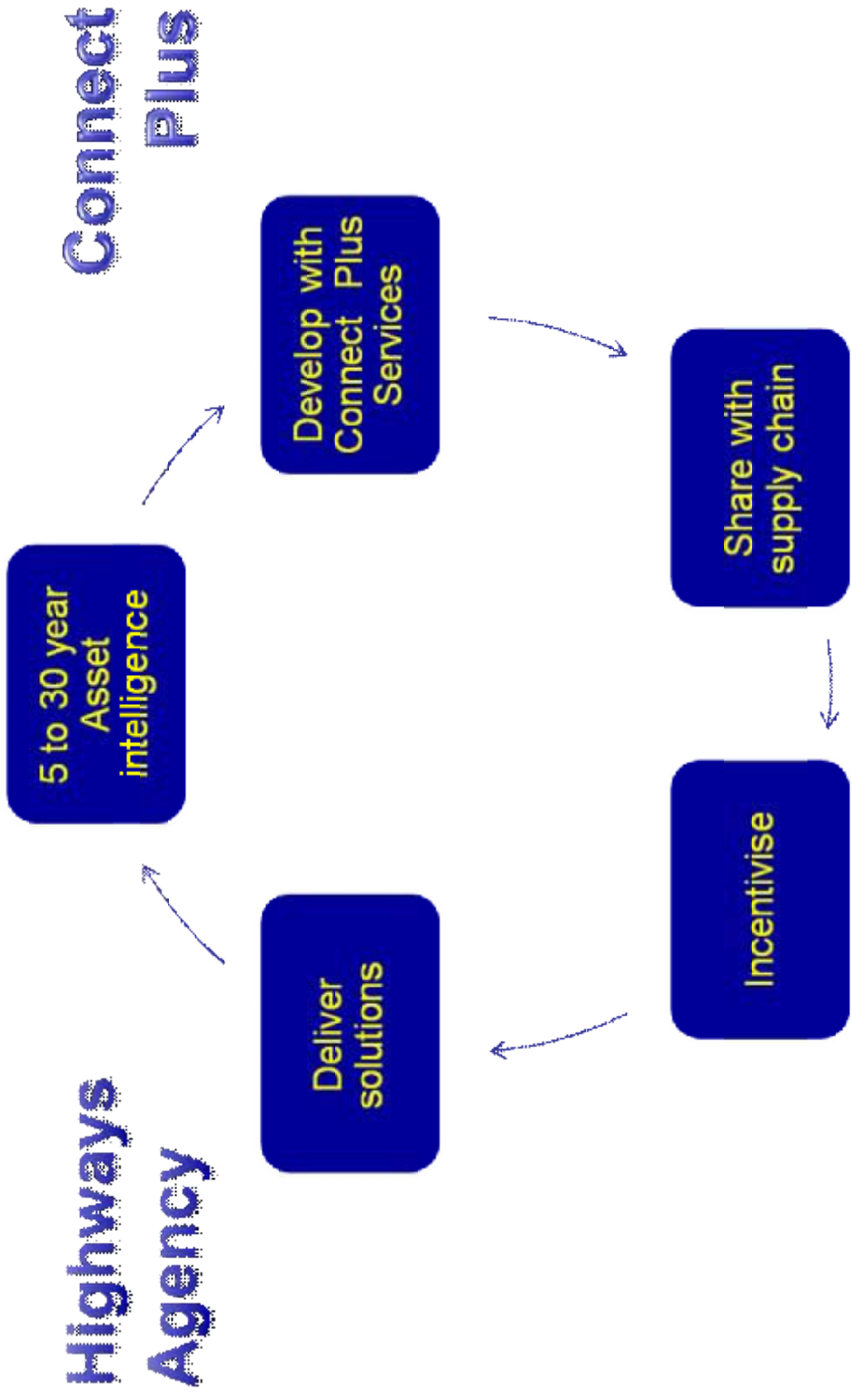
Connect Plus

ZERO HARM

Asset intelligence: source and systems



Innovation and the Supply Chain



Signposts to the future...

- Integrated new build with O&M of existing assets into one integrated DBFO
- Consistency of approach and service over 30 years (not 6x 5 year term contracts)
- Whole life cost focus and effective risk transfer to give best value
- Innovation and systems led, e.g. predictive software supporting asset renewals
- Able to cope with future challenges:
 - Carbon
 - Energy
 - Decreasing reliance on unsustainable materials





Epping Forest District Council Epping

M25: An overview

Tim Jones
Connect Plus

6 Sept 2010

44

Notes following meeting

From: Liz Truckle
Sent: 08 September 2010 13:19
To: 'James.Richardson@sbbjv.co.uk'
Cc: 'Louise.Morgan@sbbjv.co.uk'; Tim Hinch; Filippa St Aubin D'Ancey
Subject: presentations to Essex - Epping Forest District Council (6 Sept) by Tim Jones
James

I had a successful meeting / presentation with the members of the Overview and Scrutiny Committee on Monday 6 September at Epping Forest. These are a few of the issues that were raised, as part of the presentation, which I believe Liz has sent through to you.

- Members applauded us for the progress we have been making
- Dartford was high on the agenda, as you can imagine, particularly congestion through Essex. Dartford is a moving target at the moment, with regard two initiatives emerging from the DfT regarding free flow tolling and relieving the daily charge in the event of severe congestion. Mike Putnam and Andrew McNaughton are meeting Graham Dalton tomorrow (Thurs) to explore ways to address Dartford going forward.
- Members were concerned about planning for the growth of traffic in the next 20 to 30 years and were concerned that the LUS (in whatever form) would go back at least 5 years.
- A number of comments were raised about J27 including noisy surfacing, imposing gantries and the over bright level of lighting in the area.
- They were concerned with the positioning of the Blunts Farm Depot and I reassured them that Connect Plus is concerned about its long term viability and that we were looking at alternative sites

I understand you are presenting on my behalf at the EEHBLG at Enfield tomorrow evening. Firstly thank you for doing this – and secondly, if you wanted to talk about any of the above issues, please call me on my mobile on the basis of the above comments, I suspect you won't have a hard time!
Kind regards
Liz Truckle

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Report to the Overview and Scrutiny Committee



SCRUTINY



Date of meeting: 18 October 2010

Report of: **Constitution &
Member Services
Standing Scrutiny
Panel**

Portfolio Holder: Leader

Subject: Deputies to Portfolio Holders

Responsible Officer: I Willett (01992 564243)

Democratic Services Officer: A Hendry (01992 564246)

Recommendations:

- (1) That a report be submitted to the Council recommending as follows:
 - (a) that positions of Deputy Portfolio Holders be introduced and included in the Council's Constitution;
 - (b) that the proposed amendments to Article 6 of the Constitution and the Executive Procedure Rules as shown in Appendix 2 to this report be approved;
 - (c) that the Member Role Statement for Deputy Portfolio Holders set out in Appendix 3 to this report be approved.
- (2) 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.

Report:

1. At the meeting of the Overview and Scrutiny Committee on 1 June 2010 (Minute 9(b)(ii)) a proposal of Councillor C Whitbread concerning a review of the desirability of establishing Deputies to Portfolio Holders was referred to this Panel for consideration. A copy of this proposal is attached as Appendix 1.
2. We were asked by the Committee to undertake a review of this idea and this report represents the Panel's findings on the subject.
3. The Committee will note that five specific review items were raised in Appendix 1 and these are dealt with in turn below:
 - (a) **Statutory restrictions on what a Deputy Portfolio Holder can undertake on behalf of a Cabinet member or the Cabinet itself**
4. We have been advised that Section 11(3) of the Local Government Act 2000 prescribes that a Leader and Cabinet Executive must consist of no less than 3 Councillors (including a Leader) and no more than 10 (including a Leader). Section 15(2) of that Act also prescribes that Executive functions can be carried out in the following ways:

- (i) by the Cabinet itself;
- (ii) by Members of the Cabinet individually;
- (iii) by Cabinet Committees; and
- (iv) by Officers of the Council under delegation.

5. Therefore we are satisfied that the Cabinet functions can only be delegated so far as members are concerned to those appointed to the Executive. Thus, Deputy Portfolio Holders could not be full members of the Cabinet and therefore cannot participate in its decisions either individually or collectively.

6. In the guidance on Council Constitutions issued in 2000 by the then Secretary of State, he comments:

“The Executive may invite any person it considers appropriate to attend its meetings and to speak on behalf of an absent member of the Executive. However that person will not be able to take formal decisions. Such a role might help to provide an effective link between the Executive and other Councillors and could be an effective developmental role for some Councillors. The Secretary of State advises that it will be inappropriate for such members also to be members of the Overview and Scrutiny Committee dealing with matters on which that person has assisted the Executive”.

7. The Secretary of State’s guidance goes on to say that:

“The Secretary of State believes that allowing formal substitution of Executive members would reduce transparency and blur accountability. An Executive is not therefore able to have formal substitute or deputy members who are not themselves members of the Executive. For the same reason the Executive has no powers to co-opt other Councillors or anyone else onto the Executive. If members of the Executive who have a function delegated to them are absent (for example on sick leave) or unable to act (for example if they have an interest), that function will therefore have to be discharged in accordance with delegations under Section 15 of the Act”. (See paragraph 3 above).

8. We have come to the conclusion that Deputy Portfolio Holders can assist Cabinet members in carrying out their duties. We are clear however that they may not substitute for them in making decisions. Responsibility for the Portfolio and accountability for decisions must under the present legal arrangements continue to rest with the appointed Cabinet member. We have been told that in some authorities arrangements are in place for Deputy Portfolio Holders to prepare decision documentation for Cabinet reports or Portfolio Holder decisions. In this, they are known to liaise with officers, consult relevant parties and draw up reports. However, in all cases, decisions and Cabinet reports are submitted under the name of a Portfolio Holder who remains accountable for those reports.

9. We have paid particular attention to the comments made by the Secretary of State under Paragraph 5 above in connection with possible conflicts of interests between Deputies who are also members of the Overview and Scrutiny Committee. We have not thought it necessary to prescribe in the Constitution that a Deputy Portfolio Holder must not be a member of the Overview and Scrutiny Committee. We are content to rely on the provisions of the Local Government Code of Conduct whereby a Cabinet member (or in this case a Deputy) is precluded from participating in an Overview and Scrutiny review of a decision in which they have been involved. In these circumstances, if a Deputy Portfolio Holder had been involved in compiling a Portfolio Holder decision which is subsequently reviewed by Overview and Scrutiny, this will probably mean that the member would be excluded from that review.

(b) List of Duties and Responsibilities which could be given to Assistant Portfolio Holders

10. Appendix 3 sets out a proposed “Job Description” for Deputy Portfolio Holders. This is based on a version recently agreed by Essex County Council and was drawn up specifically with questions of remuneration in mind.

11. The job description is divided into two parts:

(i) Duties and Responsibilities – which we trust is self-explanatory; and

(ii) Skills Required, which is divided into two sections:

Basic skills which Deputy Portfolio Holders would need to demonstrate; and

Developmental skills which a Deputy would be expected to develop so that they can contribute to the work of the Cabinet and the Council as a whole.

(c) Amendments to the Constitution including Terms of Office appointment etc

12. We have set out in Appendix 2 to this report suggested amendments to Article 7 of the Constitution and the Executive Procedure Rules. These appointments would be made by the Leader of the Council who would have discretion as to the number of deputies and the individuals to be selected. The Leader would report to each Annual Council meeting on the Deputy Portfolio Holders to be appointed for the ensuing year. Any changes made during the year would also be reported to Council.

13. It is important in our view to retain clarity and accountability in these appointments. We propose that the Leader should specify precisely the nature of the duties to be undertaken by the individual concerned. It should be noted that between 3 and 10 appointments each year can be made.

(d) Whether Assistants should be “paired” with specific Portfolio Holders

14. We feel that it will be a matter for the Leader of Council to decide how many Deputies are required and how they should be organised in relation to Portfolio Holders.

(e) Payment of Special Responsibility Allowances

15. We have been briefed on whether Deputy Portfolio Holders may receive allowances for undertaking those duties. We understand that could be by means of a Special Responsibility Allowance. This would require consideration by the Independent Remuneration Panel before it could be adopted. The Panel would report to the Council and the latter would have to take account of its report before making a decision.

16. At this stage, we recommend that as the Deputy Portfolio Holder is a relatively new idea, the Council should assess the initial period of operation of these appointments before referring the matter to the Remuneration Panel. The proposed Job Description referred to earlier in this report will be part of the submission to the Panel.

17. We recommend as set out of the commencement of this report and we understand that it is the intention of the Leader of Council to make appointments this Council year subject to Council approval at its next meeting

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**Request by Member for Scrutiny Review
2010/11 Work Programme**



Please complete the form below to request consideration of your issue by the
Overview and Scrutiny Committee

Proposers Name: Councillor C. Whitbread	Date of Request 24.5.10
Supporting Councillors (if any):	
Summary of Issue you wish to be scrutinised: I wish to propose that the Overview & Scrutiny Committee commission a study of the opportunities for setting up assistants to portfolio holders so as to assist with portfolio holder duties and aid succession planning. I would like the review to cover the following matters: (a) any statutory restrictions on what an assistant can undertake on behalf of a Cabinet member or the Cabinet itself; (b) a list of duties and responsibilities which could given to assistants; (c) amendments to the constitution including terms of office, appointment etc; (d) whether assistants should be “paired with specific portfolio holders; (e) Whether a special responsibility allowance could be applicable to such appointments and could be reviewed by the Remuneration Panel on the basis of a designed job description. The Leader of the Council previously experimented with a similar system which was operated informally but I feel that this would benefit from being in the constitution, as is the case with several other councils of which I am aware.	
NOTE: ENTRIES BELOW RELATE TO ISSUE CATEGORIES OF THE PICK PROCESS. PLEASE REFER TO THE EXPLANATORY NOTES TO THIS FORM FOR FURTHER INFORMATION	
Public Interest Justification: The main public interest justification is, in my view that Cabinet operations will benefit from wider knowledge of its procedures and responsibilities. In turn this will assist in succession planning as members of the council retire. Although this is essentially an internal procedure, the district will, it is hoped, see the benefits of an orderly Cabinet handover when membership changes.	

Impact on the social, economic and environmental well-being of the area:

There is no direct impact on the well being of the District at present. However there is no procedure of identifying future talent within the elected membership.

An effective way of securing a pool of councillors who can step up to being Cabinet members should assist the overall governance of the Council to the benefit of decision making generally.

Another benefit will be to allow delegation of portfolio holder workload to ensure that Cabinet work is progressed more effectively.

Council Performance in this area (if known: Red, Amber, Green):

This has been tried by the Leader of the Council previously on an informal basis.

Keep in Context (are other reviews taking place in this area?)

Not at present

Office Use:

Pick score:

Considered By OSCC:

SUGGESTED CONSTITUTIONAL AMENDMENTS – DEPUTY PORTFOLIO HOLDERS

1. Executive Procedure Rules

ADD New Paragraph (to be numbered).

“The Leader of the Council may appoint up to 10 Deputy Portfolio Holders who shall –

- (a) assist the designated Cabinet Member in shaping and developing the strategic priorities of the Council as it relates to the allocated portfolio.
- (b) assist the designated Cabinet Member in monitoring performance in specified areas relating to the allocated portfolio.
- (c) where appropriate and where permissible under the Council’s Constitution, represent the designated Cabinet Member at meetings or visits.

Such appointments shall be at the discretion of the Leader and shall be notified to Council at its annual meeting. The term of office of any Deputy Portfolio Holder shall be for one year from the Annual Council meeting concerned but may be varied by the Leader at any time.

Deputy Portfolio Holders shall not be members of the Cabinet, or any Cabinet Committee and may not exercise any executive powers, which shall be reserved to Cabinet members either collectively or individually.

Deputy Portfolio Holders may, however, be invited to speak at Cabinet or Cabinet Committee meetings on matters where they assisted Cabinet members but may not vote.”

2. Article 7 – The Executive

ADD New Paragraph (to be numbered 7.05):

“Deputy Portfolio Holders

The Leader of the Council shall also, at his or her discretion, appoint Deputy Portfolio Holders on an annual basis in accordance with the Executive Procedure Rules contained in the Constitution.”

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MODEL JOB DESCRIPTION FOR DEPUTIES CABINET MEMBERS

Purpose

To assist and work with the designated Cabinet Member with their responsibility for allocated portfolios.

Duties and Responsibilities

1. To assist the designated Cabinet Member in shaping and developing the strategic priorities of the Council as it relates to the allocated portfolio.
2. To assist the designated Cabinet Member in monitoring performance in specified areas relating to the allocated portfolio.
3. Where appropriate and where permissible under the Council's Constitution to represent the designated Cabinet Member at meetings or visits.

Skills Required

Basic

1. To show good communication and interpersonal skills.
2. To show the ability to analyse and grasp complex issues.

Developmental

3. To develop a good understanding of how local and national and government operates.
4. To develop a clear understanding of the operation of the Council and ability to contribute to the work of the Cabinet generally.
5. To develop skills in chairing meetings and facilitating open discussion.

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Report to the Overview and Scrutiny Committee



Date of meeting: 18 October 2010

Report of: Constitution & Member Services Standing Scrutiny Panel

Portfolio: Leader

Subject: Addressing Cabinet and Overview and Scrutiny Committee Meetings

Responsible Officer: I Willett (01992 564243)

Democratic Services Officer: A Hendry (01992 564246)

Recommendations:

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

- (a) 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;
- (b) that the proposed additional clause in the Executive Procedure Rules set out in Appendix 1 to this report be approved;
- (c) that similar provision be made in the Overview and Scrutiny Procedure Rules as set out in Appendix 2 to this report in order to provide for similar arrangements to operate at Overview and Scrutiny Committee meetings;
- (d) that these arrangements be reviewed in 12 months' time;

Report:

1. We have been asked to examine the question of how requests to address Cabinet meetings should be dealt with. There have been a few occasions over recent months when requests were made by external organisations or individuals to address Cabinet meetings on items of concern which were on the agenda. This has highlighted the fact that there is no specific provision in the Constitution for these representations to be made, reliance being placed on the Leader of Council's discretion as the Chairman at Cabinet meetings.

Current Arrangements – Questions by the Public at Cabinet and Council Meetings

2. We have examined the arrangements currently in place for asking questions at Council and Cabinet meetings. At Cabinet, the Executive Procedure Rules allow 15 minutes to be allocated to questions from the public. Any questions which are out of time are then held over until the next meeting. A maximum of two questions per member of the public is allowed and there is no requirement to submit a question in writing beforehand. However, interested people are requested to register their interest by 4.00pm on the day of the Cabinet meeting, giving their name, address and the subject matter in question.

3. At Council meetings the arrangements are a little different: questions must be submitted in writing by midday, seven days before the Council meeting. The person concerned is notified within 48 hours as to whether the question is valid.

Conclusions on Questions

4. The Council's arrangements for public questions are helpful in giving guidance on a number of points in connection with addressing Cabinet meetings. However, we feel that asking questions is different from making representations. We have therefore looked specifically at the Area Plans Sub-Committees where arrangements exist for the public to make representation on planning matters.

Representations at Area Plans Sub-Committees

5. At Area Plans Sub-Committees a speaker must register with the Council by 4.00pm on the day before the meeting and are allocated a maximum of three minutes (which may be extended at the discretion of the Chairman). This can then be accompanied by a circulation of additional information also at the discretion of the Chairman. There are restrictions on the number of objectors who can speak on any one application.

Addressing the Cabinet

6. We feel that the Constitution should make provision for outside organisations and individuals to address the Cabinet on matters of concern. This would be in line with the ability of the public to do so at Area Plans Sub-Committees. In summary, we would recommend that the system should operate in the following way:

- (a) organisations or individuals should only be able to address Cabinet meetings on items which are on agenda as we feel that "open ended" invitations will put great pressure on the time available to the Cabinet to transact its business;
- (b) a maximum of two persons being able to address the Cabinet on an item subject to a to no more than three such items on any one agenda;
- (c) each person or organisation should be allocated three minutes to address the Cabinet on the matter in hand;
- (d) the deadline for requests should be 4.00pm on the day of the Cabinet meeting without written notice being required;
- (e) these arrangements to be managed by Democratic Services staff on the basis of "first come, first served";
- (f) arrangements are not to apply to Cabinet Committees.

7. Appendix 1 to this report sets out draft revisions to the Executive Procedure Rules to give effect to these proposals.

Overview and Scrutiny

8. At present, the Overview and Scrutiny Procedure Rules allow the Committee or a Panel of Overview and Scrutiny to invite members of the public or outside organisations to attend for the purpose of giving evidence or submitting views. We feel, however, that Overview and Scrutiny should have the same provision in its rules as those suggested above in relation to the Cabinet.

9. In practice, the Chairman of the Overview and Scrutiny Committee has been willing to accept such representations on an ad hoc basis but, as with the Cabinet, we feel that this needs to be included in the Constitution. With this in mind, Appendix 2 to this report sets out a new section to be inserted into the Overview and Scrutiny Procedure Rules.

Further Review

10. We recommend that in a year's time, there should be a review of these arrangements.

11. We recommend as set out at the commencement of this report.

Z:/C/Overview and Scrutiny/18 October 2010 – Addressing Cabinet Meetings

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PROPOSED REVISION TO EXECUTIVE PROCEDURE RULES

Add new paragraph 5:

“5. REQUESTS BY THE PUBLIC/OUTSIDE ORGANISATIONS TO ADDRESS THE CABINET

- (a) Any member of the public or a representative of an outside organisation may address the Cabinet on any agenda item (except those dealt with in private session as exempt or confidential business) due to be considered at a meeting.
- (b) The following rules shall apply to such requests:
 - (i) requests must relate to an existing agenda item;
 - (ii) requests must not raise new business for the meeting concerned;
 - (iii) all requests must be notified to the Council by 4 pm on the day of the meeting;
 - (iv) requests need not be in writing;
 - (v) a maximum of two persons shall be permitted to address the Cabinet on any one agenda item;
 - (vi) no more than three items on an individual Cabinet meeting agenda may be the subject of addresses by the public or other organisations;
 - (vii) a time limit of 3 minutes per speaker shall apply;
 - (viii) if the number of requests to address the Cabinet exceeds the maximum of six, they will be prioritised by reference to date of receipt;
 - (ix) this procedure shall not apply to Cabinet Committees.”

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PROPOSED REVISION TO THE OVERVIEW AND SCRUTINY PROCEDURE RULES

Add new paragraph 19.2 as follows:

“19.2 Any member of the public or a representative of an outside organisation may address the Overview and Scrutiny Committee on any agenda item (except those dealt with in private session as exempt or confidential business) due to be considered at a meeting. The following rules shall apply to such requests:

- (i) requests must relate to an existing agenda item;
- (ii) requests must not raise new business for the meeting concerned;
- (iii) all requests must be notified to the Council by 4 pm on the day of the meeting;
- (iv) requests need not be in writing;
- (v) a maximum of two persons shall be permitted to address the Committee on any one agenda item;
- (vi) no more than three items on an individual Cabinet meeting agenda may be the subject of addresses by the public or other organisations;
- (vii) a time limit of 3 minutes per speaker shall apply;
- (viii) if the number of requests to address the Committee exceeds the maximum of six, they will be prioritised by reference to date of receipt.”

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Report to the Overview and Scrutiny Committee

Report of: Constitution & Member Services Standing Scrutiny Panel



Date of meeting: 18 October 2010

Portfolio Holder: Leader

Subject: Cancellation of Meetings – Extreme Weather Conditions

Responsible Officer: I Willett (01992 564243)

Democratic Services Officer: M Jenkins (01992 564607)

Recommendations:

- (1) That the Constitution be amended to provide procedures for the cancellation of meetings; and**
- (2) That a report be submitted to the Council recommending that the proposed amendment to the Council Procedure Rules as set out in the Appendix to this report be approved.**

Report:

1. During the severe weather earlier in the year, transport conditions were so difficult, that one or two meetings were cancelled due to safety concerns and the quorum. At that time, the question was raised as to the procedure for cancelling meetings.
2. There are two elements in this process:
 - (a) the decision to cancel; and
 - (b) notifying interested parties.
3. The present protocol (which is unwritten) is that cancellation of meetings, whether due to extreme circumstances or lack of business is a matter that would initially be referred by Democratic Services staff to the Chairman concerned. If the Chairman agrees, it is for Democratic Services staff to communicate this decision to the members of the body concerned, place notices on the website and in reception for the benefit of the public, to cancel accommodation and Superintendent cover, and to advise any other individuals who are known to be due to attend the meeting from the public etc. When meetings are cancelled due to lack of business, this process is usually fairly simply achieved. However, with situations like extreme weather conditions, it often has to be carried out at the last moment.
4. We feel that it would be helpful if there were specific provision for cancellation of meetings in the Constitution and we recommend an alteration to the Council Procedure Rules as set out in the Appendix to this report.

CANCELLATION OF MEETINGS – PROPOSED ALTERATIONS TO THE CONSTITUTION

(a) Council Procedure Rules

ADD new Procedural Rule (to be numbered 5)

“Cancellation of Meetings

The decision to cancel any meeting of the Council shall be made by the Chairman in consultation with the Chief Executive (or his representative). In circumstances where a meeting has to be cancelled for reasons which are outside the Council’s control at short notice, the decision to cancel shall be made no later than 2 hours before the commencement of the meeting and notified to all Councillors and other interested persons as soon as possible thereafter.”

AMEND existing Procedural Rule 24 by adding the following words:

“The requirements of Procedure Rule 5 (Cancellation of Meetings) above shall apply to the Cabinet, Committees, Panels and Sub-Committees and any other meeting convened by the Authority.

Overview and Scrutiny Work Programme – October 2010

Overview and Scrutiny Committee			
Item	Report Deadline / Priority	Progress / Comments	Programme of Future Meetings
(1) Scrutiny of London Underground Ltd	June 2010	Came in June 2010.	01 June 2010 12 July 06 September 18 October 29 November 24 January 2011 28 February; and 11 April
(2) OS Annual Review/ Annual Report	April 2011	2010/11 Final Report to go to April 11 meeting.	
(3) Scrutiny of Epping Forest Local Strategic Partnership – Chairman and Member level EFDC representatives	Went to July 2010 meeting	Last came in July 2010 - Representatives of the partnership to report on an annual basis.	
(4) Scrutiny of Cabinet Forward Plan	November 2010	Last looked at in March 2010; to review again when Cabinet next consider their forward plan.	
(5) Six monthly review - (a) Monitoring of OS recommendations (b) OS work programme	November 2010	Last completed in November 09	

(6) To review the strategic direction of Epping Forest College, its vision for the future and its relationship with the Community	To October 2010 meeting.	Principal of Epping Forest College addressed the December 2008 meeting. To be invited sometime in 2010.	
(7) Budget Report	January 2011	Last completed January 2010	
(8) Debt Management Review.	Considered in November 2009. A further review report was submitted in July 2010.	Completed – originally went to November 09 meeting. A sub-committee, consisting of four members had been constituted to look into this topic.	
(9) Review of Secondary and Primary education in the District and to focus on the link between Education and deprivation in the District.	In 2010	To ask the appropriate County Officer or Portfolio Holder to attend a future meeting.	
(10) To receive a presentation from Youth Council members	November 2010	Went to November 09 meeting. As last year, members of the Youth Council will attend with proposals for their funding bid for 2011/12 and give an update on their developing programme.	
(11) To receive a presentation from 'Connectplus25'.	September 2010	Came in September 2010. 'Connectplus25' are responsible for the M25 works for the next thirty years. They wish to engage the community and set up a dialogue with the District.	

(12) Broadband access in the District	Looking to November 2010	BT and one other service provider to be asked to address the O&S Committee on access to broadband and speeds for the Epping Forest District Area.	
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Standing Panels			
Housing Standing Panel (Chairman – Cllr S Murray)			
Item	Report Deadline / Priority	Progress / Comments	Programme of Future Meetings
(1) Revised Date for meeting schedule 28 April 2011	Low	Completed at July 2010 Meeting	29 July 2010 8 September 2010 – Special Meeting 12 October – Joint Meeting with Finance & Performance Scrutiny Panel 28 October 27 January 2011; and 24 March 2011
(2) Presentation on Homelessness Prevention	Low	Completed at July 2010 Meeting	
(3) Annual Ethnic Monitoring Review of Housing Applicants	High	Completed at July 2010 Meeting	
(4) Review of Housing Performance Indicators	Low	Completed at July 2010 Meeting	
(5) Continuous Housing Improvement Strategy	High	Not yet produced (due to other commitments) – Deferred to October 2010 Meeting	
(6) Value for Money Strategy in the Provision of Housing Services	High	Not yet produced (due to other commitments) – deferred to October 2010 meeting	
(7) Annual Review of Housing Allocations Scheme	High	Completed at July 2010 Meeting	
(8) Housing Service Strategy on Information (Review and Update)	Medium	Not yet produced (due to other commitments) – Deferred to October 2010 meeting	
(9) Housing Service Strategy on Private Rented Sector (Review and Update)	Medium	Completed at July 2010 Meeting	

(10) Housing Service Strategy on Empty Properties (Review and Update)	Medium	Not yet produced (due to other commitments) – Deferred to October 2010 meeting	
(11) Housing Service Strategy on Tenant Participation (Review and Update)	Medium	Not yet produced (due to other commitments) – Deferred to October 2010 meeting	
(12) Tenant Participation Impact Assessment	High	Completed at July 2010 Meeting	
(13) 12 Month Progress Report on Housing Strategy Action Plan 2009/10	Low	Completed at July 2010 Meeting	
(14) Housing Strategy Action Plan 2010/11	High	Completed at July 2010 Meeting	
(15) Review of Housing Service Standards	High	Completed at July 2010 Meeting	
(16) Tenant Participation Impact Assessment	High	Completed at July 2010 Meeting	
(17) Six Monthly Progress Report on the Housing Regulatory Framework Action Plan	Low	Not yet required (October 2010)	
(18) Six Monthly Progress Report on Housing Business Action Plan	Low	Not yet required	

(19) Homelessness Strategy – Action Plan Progress Report	Low	Not yet required (October 2010)	
(20) Housing Service Strategy on Rent Arrears (Review and update)	Medium	Not yet required (October 2010)	
(21) Housing Service Strategy on Anti-Social Behaviour (Review and Update)	Medium	Not yet required (October 2010)	
(22) Housing Service Strategy on Energy Efficiency (Review and update)	Medium	Not yet required (October 2010)	
(23) Briefing on the proposed Council rent increase for 2010/11	Low	Not yet required (March 2011)	
(24) 12-monthly Progress Report on Housing Business Action Plan	Low	Not yet required (March 2011)	
(25) Six Monthly Progress Report on Housing Strategy Action Plan 2010/11	Low	Not yet required (March 2011)	
(26) HRA Business Plan 2011/12	High	Not yet required (March 2011)	
(27) Annual Report on the HomeOption Choice Based Lettings Scheme	Low	Not yet required (March 2011)	

(28) HouseMark Benchmarking Report on value for Money of Housing Services	Medium	Not yet required (March 2011)	
(29) Housing Customer Perspective Programme – Action Plan and Progress Report	Low	Completed at July 2010 Meeting	
(30) Tenant Satisfaction Surveys 2009/10 – Comparisons with other stock-retained councils	Low	Completed at July 2010 Meeting	
(31) Review of proposed Licence Conditions for Park Homes – Referred by the Overview and Scrutiny Committee to a Special Meeting of the Housing Scrutiny Panel	High	Completed - Review undertaken at Special Meeting of Panel on 8 September 2010. Consultation will follow and referral to the Cabinet in October 2010.	

Constitution and Member Services Standing Panel (Chairman – Cllr Mrs McEwen)			
Item	Report Deadline / Priority	Progress / Comments	Programme of Future Meetings
(1) Review of May 2010 Elections	24 June 2010	Completed at 24 June 2010 Panel Meeting	24 June 2010 23 September 9 November (Extra Meeting) 16 December; and 17 March 2011
(2) Cancellation of meetings because of inclement weather	23 September 2010	To O&S Cttee. In October 2010	
(3) Executive Procedure Rules – Speakers at Cabinet	23 September 2010	To O&S Cttee. in October 2010.	
(4) Assistant to Portfolio Holders	23 September 2010	To O&S Cttee. in October 2010.	
(5) E-Petitions	9 November 2010	Initial discussion at Panel meeting in June 2010. there will be further discussion around the implementation of the scheme and the petition thresholds.	
(6) Appointments at annual Council	9 November 2010		

(7) Head of Paid Service, Monitoring Officer & Chief Finance Officer (Draft Protocol)	9 November 2010		
(8) Member Role Accountability Statements	9 November 2010		
(9) Cabinet Meetings – “Guillotine”	16 December 2010		
(10) Member Training Review	16 December 2010		
(11) Annual Review of Financial Regulations including E Invoices	16 December 2010		
(12) Annual Review of Contract Standing Orders	17 March 2011		
(13) Annual Review of Officer Delegation	17 March 2011		
(14) Planning/Landowner Roles – details to be confirmed	To be determined	Further discussion between Councillor L Wagland and Legal Staff on the scope of the report.	
(15) Referendum on an Elected Mayor	To be determined		

Safer, Cleaner, Greener Standing Panel (Chairman – Cllr Ms C Edwards)			
Item	Report Deadline / Priority	Progress / Comments	Programme of Future Meetings
(1) Safer, cleaner, greener strategy			1 July 2010
(a) Enforcement activity – half yearly report.	July 2010 January 2011	(a) Received half Yearly report in July 2010. (b) Received Strategy Action plan in July 2010. (c)	26 August (extra meeting)
(b) SCG Strategy Action Plan – half yearly report.	July 2010 January 2011		7 October
(c) Review strategy.	July 2010 January 2011		6 January 2011 24 February; and 7 April
(2) Community Safety			
(a) CCTV action plan – half yearly report.	July 2010 January 2011	(a) Received CCTV half yearly report in July 2010.	
(b) Receive reports from Community Safety Scrutiny meetings.	To be determined		

<p>(3) Essex Waste procurement process and Joint Committee</p> <p>(a) Receive notes/minutes of Member Partnership Board.</p> <p>(b) Receive notes/minutes of Inter Authority Member Group.</p>	<p>To be determined.</p> <p>To be determined</p>	<p>As and when available.</p>	
<p>(4) Waste Management Partnership Board</p> <p>(a) Receive minutes of Partnership Board.</p> <p>(b) Progress of recycling in flats and similar buildings.</p> <p>(c) Review of weather disruptions to services</p>	<p>To be determined.</p> <p>July 2010 January 2011</p> <p>July 2010</p>	<p>(a) Minutes received at the July 2010 meeting.</p> <p>(b)</p> <p>(c) Reviewed at July 2010 meeting.</p>	
<p>(5) Nottingham Declaration</p> <p>(a) Progress against Declaration pledges – half yearly reports.</p> <p>(b) Climate change strategy action plan – half yearly reports.</p>	<p>July 2010 January 2011</p> <p>July 2010 January 2011</p>	<p>(a) Updated given at July 2010 meeting.</p> <p>(b)</p>	

<p>(6) Bobbingworth Tip</p> <p>(a) Receive reports on availability for public access.</p> <p>(b) Receive notes/minutes of management/liaison group.</p>	<p>July 2010 To be determined</p> <p>To be determined</p>	<p>(a) Update given ay July 2010 meeting. (b)</p>	
<p>(7) Leisure Issues.</p> <p>(a) Receive progress reports on new sports hall at WASP</p> <p>(c) Receive progress reports on youth initiatives & play strategy.</p>	<p>July 2010</p> <p>October 2010</p>	<p>(a) Update given at July 2010 meeting. (b) Big Lottery Play Strategy Funding £243,871 Following a two year construction programme, five new play & youth facilities are now fully operational in the key locations identified as part of the district Play Strategy Audit. These include: a new and part refurbished playground and fully refurbished multi-use games area at Limes Farm, Chigwell a new playground for infants and juniors and a youth facility in Nazeing a new playground for juniors and multi-sport goal -end in AbridgeAll facilities are being extremely well used and anticipated initial vandalism has been minimal. Officers are currently awaiting confirmation of whether a bid for £50,000 to BLF Playbuilder Fund will be successful, following significant cuts in funding.</p>	

Planning Services Standing Panel (Chairman – Cllr J Philip)

Item	Report Deadline / Priority	Progress / Comments	Programme of Future Meetings
(1) (a) Regional Plan (b) Local Development Framework (c) Current Staffing (d) Improvement Plan	Regular updating reports	Report on new LDF Scheme & implications for S106 agreements, new draft policy required. LDF timeline to be presented. Development Document Site Allocations Issues and Options Paper. Updated Staffing Family Tree	3 June 2010 2 September 11 October – Extra Ordinary Meeting 2 December; and 3 March 2011

<p>(2) Value for Money Provision:</p> <p>(a) Administration & Customer Support</p> <p>(b) Building Control</p> <p>(c) Development Control (including Appeals)</p> <p>(d) Economic Development</p> <p>(e) Enforcement</p> <p>(f) Environment Team</p> <p>(g) Forward Planning</p> <p>(h) Performance</p>		<p>VFM Task and Finish report went to September 08 meeting and the November 08 O&S Cttee meeting where it was endorsed.</p> <p>Bring back report on District Council/Appeals annually on Value for Money work commenced in 2008.</p> <p>To include response to Economic Downturn. Revised report on enforcement process for January 2010 (See Item 7) Timescale on flowchart.</p> <p>Timescale on flowchart</p>	
<p>(3) Chairmen and Vice Chairmen of Area Planning Cttees to be invited to a meeting to provide feedback.</p>		<p>A meeting of the Chairmen & Vice Chairmen of Planning Sub-Committees, District Development Control Committee and Planning Portfolio Holders took place on 2 August 2010. Results will be fed back to Panel regularly. Meetings will take place on a frequent basis.</p>	

(4) Report from Legal on performance at Planning Appeals	June 2009	COMPLETED	
(5) Comments from the planning agents and amenity groups required matching		N Richardson, Asst Director of Planning, to arrange a date, time and venue.	
(6) That a report be produced for the Panel setting out the possible route any planning enforcement investigation could take.		A further report was required with financial implications.	
(7) Review the Corporate Planning protocol with respect to dealing with applicants, agents, developers and the local business community to ensure that the highest standards of probity and governance are achieved.	February 2010 meeting		
(8) To review a selection of controversial planning decisions to see if lessons can be learnt from their consideration.	On agenda for 2 September 2010 Panel meeting	This item has been extracted from the Terms of Reference of the Provision for Value for Money within Planning Services Task and Finish Panel and the current Panel.	
(9) To consider whether the reporting arrangements for Terms of Reference sections and those from the Section 106s (including how they are negotiated agreed and implemented strategically to secure community benefit), and appeals are sufficient (including how new legislation impacts on these) and recommend accordingly		This item has been extracted from the Terms of Reference of the Provision for Value for Money within Planning Services Task and Finish Panel and the current Panel.	

(10) Best Value Review	Received update in February 2010		
(11) Planning conditions controlling damage to highways infrastructure	December 2010	Referred from the Overview and Scrutiny Committee – March 2010.	
(12) Contributions to affordable housing	New Item		
(13) Arrange visit to other planning authorities to learn from their work.	New Item		
(14) Countrycare	Submitted to 2 September 2010 meeting	COMPLETED – (Future structure of Countrycare following departure of Paul Hewitt)	
(15) Consultations from Hertfordshire Councils regarding Core Strategies.	New Item – October 2010 Meeting	Consultations to be considered at extra-ordinary Panel meeting on October 11 2010.	

Finance and Performance Management Standing Panel (Chairman – Cllr G Mohindra)			
Item	Report Deadline / Priority	Progress / Comments	Programme of Future Meetings
(1) Key Performance Indicators – Performance Outturn 2009/10	Performance report to be considered at year end. Considered at the June '10 meeting.	Outturn KPI performance report for 2009/10. Considered at the meeting to be held on 10 June 2010. Performance report to be produced for inclusion in E-Annual Report in place of former Best Value Performance Plan.	10 June 2010 9 September 9 December 17 January 2011 ; and 10 March
(2) Key Performance Indicators – Performance Monitoring 2010/11	Performance report to be considered on a quarterly basis.	Quarterly KPI performance report for 2010/11 to be considered at the meetings to be held on 09 September 2010, 09 December 2010 and 10 March 2011.	
(3) Quarterly Financial Monitoring	Reports to be considered on a quarterly basis.	First quarter Information to be considered September 10, 2 nd quarter in December 10 and 3 rd quarter figures at the March '11 meeting.	
(4) Council Plan 2006-2010 Performance Monitoring	Performance report considered on an annual basis. Report went to the June '10 meeting.	Performance report for the final year of the Council Plan (2009/10). Considered at the meeting held on 10 June 2010.	

(5) Cost and Performance Benchmarking Analysis	Analysis updated on an annual basis to reflect the latest available cost and performance information published by the Audit Commission. The meeting in June '10 set up a sub-committee.	The Audit Commission's annual 'Value for Money Profiles' are published during March each year. The Cost and Performance Benchmarking Analysis is developed from this tool and will be considered by a sub-group of the Scrutiny Panel as early as possible in the municipal year.	
(6) Annual Consultation Plan	Report considered on an annual basis. Report went to the June '10 meeting.	Consultation Plan considered at first meeting of each municipal year. Report went to the June 2010 meeting,	
(7) Detailed Portfolio Budgets	Went to the January 2010 meeting.	Considered at the January '10 - Annual review of the Portfolio Holders Budgets. To go again to the January 2011 meeting.	
(8) Medium Term Financial Strategy		To review the Council's medium term financial strategy January 2011.	
(9) Equality and Diversity - Monitoring and Progress	Report considered on an annual basis. Report went to the June '10 meeting.	An annual report in respect of progress against the Council's equality schemes and other initiatives will be made to the first meeting in each municipal year.	
(10) Capital Outturn 2009/10 and use of transitional relief in 2009/10	Considered at the June '10 meeting.	Last considered at the June 2010 meeting	
(11) Provisional revenue Outturn 2009/10	Considered at the June '10 meeting.	Last considered at the June 2010 meeting	
(12) Fee and Charges	December 2010	Last considered at the November 2009 meeting	

<p>(13) Customer transformation T&F Panel work</p>	<p>Report went to 17 November 2009 meeting. A follow up report to be considered at a subsequent meeting</p>	<p>Work of the disbanded the Customer Transformation Task and Finish Panel was placed with the Finance and Performance Management Standing Scrutiny Panel. The Cabinet at their meeting in February 2009 agreed the recommendations with the proviso at (3) that:</p> <p>“(1) That, given the increasing importance of the Council’s Website for communication, information and electronic interactions, the level of dedicated resource to the maintenance and development of the Council’s Website be increased;</p> <p>(2) That a District Development Fund bid be made to fund an additional Grade 5 Website Support Officer on a three-year fixed term contract as part of the budget process for 2009/10, at an estimated cost of £25,000 per annum subject to job evaluation; and</p> <p>(3) That the Task and Finish Panel on Customer Transformation be requested to reconvene and further prioritise the remaining seven recommendations of the original report.”</p>	
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Task and Finish Panels

Provision of Children Services in the District (Chairman – Cllr Mrs L Wagland)

Item	Report Deadline / Priority	Programme of Future Meetings
First meeting to define Terms of Reference.		21 September 2010 5 November 2010

Origin:

The Cabinet at its meeting on 8 March 2010 considered a report about Essex Children's Trust. The Children's Act 2004 provided the legal underpinning for the national framework established by "Every Child Matters: Change for Children" with District Councils having a duty to cooperate in the making of arrangements to improve well being for children and young people 19 years or under. The most specific duty is to safeguard and promote the welfare of children alongside the more general "duty to cooperate" within Children's Trust arrangements.

At the inaugural meeting of the Essex Children's Trust Partnership Board on 27 November 2009 it had been agreed that a Memorandum of Agreement be entered into by all the constituent partners with the aim of demonstrating a commitment to a shared approach and to get all the partners working together to achieve common objectives.

The Cabinet decided that the Memorandum of agreement should not be signed as it did not appear to be clear, concise and contain specific proposals to safeguard the welfare of children or an assurance that Essex County Council would embrace best practice. The cabinet expressed the view that the emphasis appeared to be on bureaucracy rather than results, with as much responsibility as possible delegated to the borough and district councils. The Cabinet also requested that a Task and Finish Scrutiny Panel should be established to examine the Council's approach to Children's Services and its provision throughout the District.

At its meeting on 15 April 2010, the Overview and scrutiny Committee agreed that a Task and Finish Scrutiny Panel should be established to examine the Council's approach to Children's Services and its provision throughout the District and to review the provision of the Essex County Council Youth Service within the District.

Draft Terms of Reference:

1. To review the Essex Children's Trust Memorandum of Agreement in respect of children's services across Essex.
2. To review the purpose, operation and effectiveness of West Essex Children's Trust Board and the Essex Children's Trust structure.
3. To review current provision of children's and young people's services in the District including identifying the level of activity directly provided by the Council and the key responsibilities devolved to the Council under the Children's Trust arrangements.
4. To review the provision of Essex County Council Youth Services in the Epping Forest District, seeking to identify future needs and how these can best be met by the various Agencies involved in the delivery of Young People's Services.
5. To review current arrangements for Safeguarding and Promoting the Welfare of Epping Forest's Children, seeking to identify communication pathways and effectiveness of information sharing, including:
 - the Council's own policies and procedures;
 - West Essex Stay Safe Group;
 - ECC Stay Safe Group, and,

CHILDREN SERVICES TASK AND FINISH PANEL: TERMS OF REFERENCE

- Essex Safeguarding Children Board

Aims and Objectives:

To gather evidence and information in relation to the topics through the receipt of data, presentations and by participation in fact finding visits;

To consult with Partners, Agencies, Stakeholders and Users of the services under review, to establish key issues and future need;

To evaluate all relevant facts in relation to the topics under review in an objective way and to produce recommendations for future action accordingly;

To establish whether there are any resource implications arising out of the topics under review and advise Cabinet for inclusion in the Budget Process 2011/12; and

To report back to Overview and Scrutiny Committee at appropriate intervals and to submit any final reports in the proposed Corporate Format for consideration by O & S, the Cabinet and Council.

TIMESCALE	ESTIMATED	ACTUAL
Commencement	September 2010	September 2010
<u>Finish</u> 1. Interim report to include any budgetary items for the next budget round. 2. As a time limited review - to end by ? 2011.	By October 2010 (if needed). ? 2011	Officers to consult Finance to establish if the Panel should put an interim bid for next years budget round.