

Overview and Scrutiny Committee Monday, 11th April, 2011

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, 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. MINUTES (Pages 7 - 18)

Decisions required:

To confirm the minutes of the meetings of the Committee held on 28 February 2011.

5. 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.

6. EPPING FOREST COLLEGE - PRESENTATION

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. PRESENTATION ON COMMUNITY MAGISTRATES

To receive a short presentation from Dawn Roche and Richard Morgan on the Magistrates in the Community Project, to increase public awareness of the role of magistrates in the Criminal and Civil Justice System.

8. MEMBER TRAINING 2011/12 (Pages 19 - 22)

(Councillor M McEwen – Chairman, Constitution and Members Services Scrutiny Panel) To consider the attached report.

9. OFFICER DELEGATION - 2010/11 REVIEW (Pages 23 - 46)

(Councillor M McEwen – Chairman, Constitution and Members Services Scrutiny Panel) To consider the attached report.

10. REVIEW OF CONTRACT STANDING ORDERS (Pages 47 - 54)

(Councillor M McEwen – Chairman, Constitution and Members Services Scrutiny Panel) To consider the attached report.

11. POLICE AND CRIME COMMISSIONERS (Pages 55 - 56)

(Chairman, Safer Cleaner Greener Scrutiny Standing Panel) To consider the attached report. This report went to the Safer Cleaner Greener Standing Panel on 7 April and their recommendations will be reported at the meeting.

12. HOME OFFICE CONSULTATION - 'MORE EFFECTIVE RESPONSES TO ANTI-SOCIAL BEHAVIOUR' (Pages 57 - 72)

(Chairman, Safer Cleaner Greener Scrutiny Standing Panel) To consider the attached report. The report went to the Safer Cleaner Greener Standing Panel on 7 April and their recommendations will be reported at the meeting.

13. DRAFT OVERVIEW AND SCRUTINY ANNUAL REPORT (Pages 73 - 108)

To consider the attached report.

The Committee is asked to consider whether they are happy with the draft report (attached) and to make amendments where necessary. Any comments should be submitted to Democratic Services by Thursday, 21 April 2011 for inclusion in the final version.

The final report will be submitted to the next meeting on 31 May 2011 for endorsement.

14. WORK PROGRAMME MONITORING (Pages 109 - 134)

(a) Updated Schedule

The Committee are asked to note the updated schedule. This reflects the work

programme achieved by each Panel.

(b) Next Year's Work Programme

To consider any late requests to go into next year's Work Programme:

- A request has been made from Councillor Philip, on the notification of substitutes at meetings (attached).

(c) Reserve Programme

A reserve list of scrutiny topics is required to ensure that the work flow of OSC is continuous.

OSC will 'pull out' items from the list and allocate them accordingly once space becomes available in the work plan following the completion of existing reviews.

Members can put forward any further suggestions for inclusion in the reserve list either during the meeting or at a later date. A request form is attached for use.

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

Any space within the work plan is filled on an ongoing basis.

15. CABINET REVIEW

RECOMMENDATION:

To consider any items to be raised by the Chairman at the Cabinet meeting on 18 April 2011.

(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 18 April 2011 Cabinet agenda (previously circulated) to see whether there are any items that they wished to be raised at the Cabinet meeting.

16. 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):

<u>Agenda Item No</u>	<u>Subject</u>	<u>Exempt</u>	<u>Information</u>
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Nil

Nil

Nil

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

Confidential Items Commencement: Paragraph 9 of the Council Procedure Rules contained in the Constitution require:

- (1) All business of the Council requiring to be transacted in the presence of the press and public to be completed by 10.00 p.m. at the latest.
- (2) At the time appointed under (1) above, the Chairman shall permit the completion of debate on any item still under consideration, and at his or her discretion, any other remaining business whereupon the Council shall proceed to exclude the public and press.
- (3) Any public business remaining to be dealt with shall be deferred until after the completion of the private part of the meeting, including items submitted for report rather than decision.

Background Papers: Paragraph 8 of the Access to Information Procedure Rules of the Constitution define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) have been relied on to a material extent in preparing the report and does not include published works or those which disclose exempt or confidential information (as defined in Rule 10) and in respect of executive reports, the advice of any political advisor.

Inspection of background papers may be arranged by contacting the officer responsible for the item.