

Scrutiny Standing Panel Agenda



Safer, Cleaner, Greener Scrutiny Standing Panel Thursday, 7th October, 2010

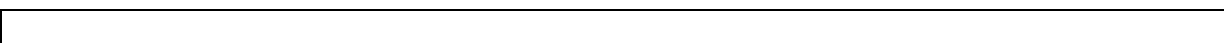
Place: Committee Room 1, Civic Offices, High Street, Epping

Time: 7.30 pm

Democratic Services Officer: Adrian Hendry, Office of the Chief Executive
email: ahendry@eppingforestdc.gov.uk Tel: 01992 564246

Members:

Councillors Ms C Edwards (Chairman), Ms J Hedges (Vice-Chairman), W Breare-Hall, A Boyce, Mrs T Cochrane, D Jacobs, Mrs S Jones, B Judd, G Mohindra, Mrs C Pond and P Spencer



1. APOLOGIES FOR ABSENCE

2. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

(Assistant to the Chief Executive) To report the appointment of any substitute members for the meeting.

3. 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.

4. NOTES FROM LAST MEETING (Pages 3 - 6)

To agree the notes of the last meeting held on 26th August 2010.

5. COMMUNITY SAFETY PARTNERSHIP - CROSS BORDER WORK

Report to follow.

6. FUTURE MEETINGS

To note the forward programme of meeting dates for the Panel. They are:

6th January 2011;

24th February 2011(Crime & Disorder meeting); and

7th April 2011

Agenda Item 4

EPPING FOREST DISTRICT COUNCIL
NOTES OF A MEETING OF SAFER, CLEANER, GREENER SCRUTINY STANDING
PANEL
HELD ON THURSDAY, 26 AUGUST 2010
IN COMMITTEE ROOM 1, CIVIC OFFICES, HIGH STREET, EPPING
AT 6.30 - 9.06 PM

Members Present:	Ms C Edwards (Councillor) (Chairman), Ms J Hedges (Vice-Chairman), W Breare-Hall, A Boyce, Mrs T Cochrane, D Jacobs, G Mohindra, Mrs C Pond, B Rolfe (Leisure & Wellbeing Portfolio Holder) and P Spencer
Other members present:	Mrs P Smith and Mrs M Sartin
Apologies for Absence:	Mrs S Jones and B Judd
Officers Present	J Gilbert (Director of Environment and Street Scene), A Mitchell (Assistant Director (Legal)), C Wiggins (Safer Communities Manager), C Smith (Environment and Neighbourhood Officer) and A Hendry (Democratic Services Officer)

15. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

It was reported that Councillor B Rolfe was substituting for Councillor Mrs S Jones.

16. DECLARATIONS OF INTEREST

No declarations of interest were made.

17. NOTES FROM THE LAST MEETING

The notes from 01 July 2010 meeting were agreed as a correct record.

18. TERMS OF REFERENCE AND WORK PROGRAMME

(a) The Panel noted their Terms of Reference.

(b) **Work Programme:**

The Panel noted that:

Item 1 – *Safer Cleaner Greener Strategy* – the strategy document was currently under review.

Item 5 – *Nottingham Declaration* – a progress report on climate change is to go to the January 2011 meeting.

Item 6 – *Bobbingworth Tip* – the public park was now completed but was not yet suitable to receive public visitors; and the management group membership was still to be determined by the Cabinet.

19. REVIEW OF SAFER CLEANER GREENER STRATEGY

The Panel was shown a short video on the history and current situation of the safer cleaner greener responsibilities of the council and how it was going about tackling these. It was noted that the Safer Cleaner Greener strategy had been very successful since its inception in 2008 with about a quarter of a million pounds being invested in the initiative, yielding a CCTV officer, Anti Social Behaviour officers and a team of Environment and Neighbourhood officers (plus a rapid response vehicle) dealing with enforcement issues. The council had, through obtaining external funding, also put in place a cross border officer who liaises with the London boroughs, other Essex authorities and the Essex Police in respect of cross border criminality.

The Panel was impressed with the video and asked if each member of the Panel could be supplied with a copy on a DVD. This was agreed.

It was also noted that a Town or Parish Council could ask to see the video at one of their meetings, ideally with an officer present so that any questions could be answered.

20. CONSULTATION ON THE FUTURE OF POLICING

The Panel was asked to comment on the Home Office consultation document on the future of policing. Officers had provided suggested draft responses to the consultation for the Panel to consider and comment upon.

It was noted that:

- At the end of July 2010 the Home secretary, Theresa May MP, launched a consultation paper entitled "Policing in the 21 Century: Reconnecting the Police and the people";
- The consultation would run until 20 September 2010 and this Panel's response would go to the Overview and Scrutiny Committee and then onto the Cabinet;
- It was suggested by the consultation document that increased democratic accountability would be increased by:
 - Directly elected Police and Crime Commissioners;
 - The abolition of Police Authorities;
 - The creation of Police and Crime Panels;
 - A more independent Her Majesty's Inspectorate of Constabulary;
- There would be more opportunities for citizens to volunteer and assist police services (e.g. as Special Constables);
- There would be 'beat meetings' and more involvement of the neighbourhood watch;
- There was a need to make the Community Safety Partnerships (CSPs) more effective by recognising that partnership working would remain important and by relaxing present regulatory controls;
- The LGA were strongly opposed to the creation of elected Police and Crime Commissioners;

The Panel then considered the suggested responses as set out in the report. The Panel were broadly content with the suggested responses but commented specifically as follows:

- *Question 1:*
 - The Panel was concerned about the new role of a Police and Crime Commissioner and the type of candidate that might put themselves forward for election. The Panel was ambivalent about the benefits of the actual post, but was worried that a successful applicant would be unlikely to hold all the relevant expertise and would therefore need to be supported in the role generating a significant supporting office. This carried with it the risk of simply replacing one bureaucracy (i.e. Police Authority) with another (the new Commissioner's Office) with all of the attendant costs.
 - The expense of having an extra election.

- *Question 8:*
 - The Panel felt it was important to maintain the balance between providing information in the formats required without generating additional costs through extended bureaucracies. It was also felt that care should be taken with the use of percentages rather than actual numbers, since percentages often painted a misleading picture of the actual situation.

- *Questions 9 and 10:*
 - Not for EFDC but for the Police to answer.

- *Question 18:*
 - If a Commissioner is to be appointed then the Panel thought it important that they engage with local businesses.

- *Question 20:*
 - The Panel considered that the suggested proposal for school leavers to undertake voluntary work with the Police was impractical.

RESOLVED:

- (1) That the Home Office Consultation Paper be noted;
- (2) That the suggested responses to the consultation questions be agreed subject to the changes set out during the Panel discussion and be reported to the Overview and Scrutiny Committee.

21. CONSULTATION ON THE FUTURE OF LICENSING

The Assistant Director Legal Services, Alison Mitchell, introduced the consultation document on licensing 'Rebalancing the Licensing Act 2010'. 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.

Officers had suggested answers to the consultation questions taking into account issues that have been raised in the past. Members noted that the consultation proposed that:

- Along with the four licensing objectives adding the concept preventing harm to the health of the public become one of the licensing objectives;
- The licensing authority should be able to add conditions to a licence that would be effective for the area;

- More and wider consultation was suggested;
- Licensing should be a local issue; and
- There could be new powers for the Police.

The Panel then considered the suggested responses as set out in the report. The Panel raised concerns or wanted to highlight the following:

- *Question 2:* When the licensing sub-committee decides a case the burden of proof should come down to the balance of probabilities.
- *Question 3:* The current requirement of the Licensing Act which allows only those persons or businesses in the vicinity of Premises to be consulted. The Members considered that the area of consultation should be extended.
- *Question 5:* That there should be some other means other than boundary notices and advertisement in the local papers to communicate with the local residents, perhaps via Town or Parish Councils.
- *Question 9:* Parish and Town Councils should be made interested parties under the act and be allowed to make representations in individual cases.
- *Questions 10 and 11:* That Authorities should have to not pay compensation if a decision is overturned on appeal.
- *Question 16:* A late night levy should be imposed to cover Enforcement Officers involvement; it should include local administration and checking of the licence.
- *Question 19:* Members agreed with the ten days minimum for putting in an objection.
- *Question 25:* It was questioned if local authorities could set their own fees. Officers thought it would be unlikely.
- *Question 27:* it was too early to judge the impact of mandatory conditions and so officers could not supply an answer to this question.

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 members comments and this be reported to the next Overview and Scrutiny Committee meeting.

22. FUTURE MEETINGS

The dates of future meetings of the Panel were noted. Officers were would welcome any suggestion from members for topics for the next Crime and Disorder meeting to be held on 7 October 2010.

Members suggested that this meeting could be publicised via the Town and Parish Councils.