

EPHING FOREST DISTRICT COUNCIL OVERVIEW AND SCRUTINY MINUTES

Committee: Overview and Scrutiny Committee **Date:** Tuesday, 16 October 2012

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 9.16 pm

Members Present: Councillors R Morgan (Chairman, Overview and Scrutiny Committee) K Angold-Stephens (Vice-Chairman) K Chana, Mrs R Gadsby, L Girling, D Jacobs, Ms H Kane, P Keska, J Knapman, Mrs M McEwen, J Philip, Mrs M Sartin and Mrs P Smith

Other Councillors: Councillors R Bassett, Mrs A Grigg, Mrs J Lea, D Stallan, Ms S Stavrou, Ms S Watson, Mrs E Webster, C Whitbread, Mrs J H Whitehouse and J Wyatt

Apologies: Councillors A Lion and D Wixley

Officers Present: G Chipp (Chief Executive), D Macnab (Deputy Chief Executive), J Gilbert (Director of Environment and Street Scene), D Newton (Assistant Director (ICT)), D Butler (Young Persons Officer), B Copson (Performance Improvement Officer), S G Hill (Senior Democratic Services Officer), A Hendry (Democratic Services Officer) and M Jenkins (Democratic Services Assistant)

By Invitation: P Tollington (London Underground Ltd.), M Graves (London Underground Ltd.), T Gallagher (The Disability Involvement and Engagement Group), V Armitage (West Hatch High), C Barry (Braeside Independent), S Cockram (Debden Park High), J Collins (Davenant Foundation), E Foster (Independant), J Mclvor (St Johns), N Miller (King Harold), H Qadri (St Johns), C Sander (Roding Valley High), I Sheikh (Independant), O Tinker (Roding Valley High) and A Williams (Davenant Foundation)

33. 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.

34. SUBSTITUTE MEMBERS

It was noted that Councillor J Knapman was substituting for Councillor A Lion.

35. MINUTES

RESOLVED:

That the minutes of the last meeting of the Committee held on 4 September 2012 be agreed.

36. DECLARATIONS OF INTEREST

Councillor L Girling declared a non pecuniary interest in agenda item 6, London Underground Limited, by virtue of being employed by the parent body for LUL. He indicated that he would remain in the meeting.

37. LONDON UNDERGROUND LIMITED

The Chairman welcomed Peter Tollington and Michael Graves from London Underground Limited (LUL) to the meeting. Peter Tollington was the General Manager of the Central and Waterloo and City Line; Michael Graves was the Group Station Manager with responsibility for all the stations within the Epping Forest District.

He also noted that there were members to Epping Forest Youth Council present who had questions for the LUL officers and also a representative from the Disability Involvement and Engagement Group, Tara Gallagher, who had a specific question on access for people with disabilities to Epping Station.

Mr Tollington started off by thanking the Committee for inviting them back to update them on the current state of the Underground in the district. He noted that there were a lot of questions for him today and that if he did not know the answer he would take the question away and do some research on it. He would leave his business cards so that members could contact him if needed.

He noted that the summer Olympic Games had been a very enjoyable experience, they had helped a lot of customers and visitors to the games and there had been more of a party mood on the system. They had made cosmetic improvements to their trains and had made improvements to the capacity at Stratford Station.

LUL were enhancing services in the new year for the Central Line; they were upgrading their power supply for their lines and this should provide improvements to the service especially on the weekends through Stratford as they were always busy there, not just at rush hours. The trains were currently used to their maximum capacity in the rush hours and unfortunately there was not much more they could do to increase that capacity. LUL were building up their infrastructure, working towards 2018 and relying on 'Crossrail' to make a big difference once completed.

The Chairman then opened up the meeting to questions from the members.

Q: Have LUL / Transport for London (TfL) responded to EFDC's local plan issues and options consultation. And, what were TfL forecasts for passenger growth at the east end of the Central Line over the next twenty years or so? And what impact will this have on passenger's experience on the service.

A: We have estimates based on GLA estimates but there are no development schemes for this area and no easy options that could be pursued. Our Planning Department will respond in the usual way to your consultation document.

Q: During the London 2012 games, maintenance and upgrade work on London Underground was suspended, now that the games are over, can you please advise the committee what planned maintenance and upgrade works are scheduled between Buckhurst Hill and Epping (including the Chigwell section)? What will the impact be on commuters during the next four months?

A: We had suspended large scale works during the games so as not to disrupt them. We have nothing major planned for the areas you indicated at present except for Grange Hill, which have major works planned.

Q: Debden station & TfL's surrounding land was identified as part of the councils 'Debden Town Centre and Broadway' final report in 2008 (part of Debden's redevelopment project) for key transport link improvements for the area.

Can you please advise the committee what TfL's plans are for the redevelopment of Debden Station and its surrounding land? And was there any timeline for its implementation?

A: Currently we have no plans to redevelop around Debden Station.

Tara Gallagher, on behalf of the Disability Involvement and Engagement Group asked the following question:

Q: Epping Underground Station is identified and promoted by Transport for London as having 'step-free access from the platform to the street'. How will Transport for London ensure that people with disabilities, including wheelchair users and those with hearing impairment, are always able to exit Epping Station on a step-free basis irrespective of the time of day?

A: The second exit has now been reopened at Epping Station from 16.00 to 20.00. We have made sure there was sufficient lighting, CCTV and a Help-point installed. We may need to add support for deaf people as we are aware that a Help-Point was not any use for deaf people and therefore the station may need to be manned all the time.

The Chairman then asked Youth Councillors to put their questions.

Q: Are there any plans to extend the Central Line to run to Ongar?

A: No, there are no plans at present. We are delighted that the Preservation Society was running a service on the line. If we can help them then we will. We wish them all the best.

Q: Why are Hainault trains very unreliable; they are supposed to run at 15 minutes intervals sometimes you can wait up to an hour?

A: We are sorry that this had happened. We measure our performance continuously and it was rare for this to happen, mainly due to unforeseen circumstances. We generally deliver our schedule and keep to it 90% of the time.

Q: The access to Buckhurst Hill Station was not suitable for disabled people, the elderly and people with prams. The access to both platforms has stairs. Are there any future plans to upgrade this station for more suitable access?

A: There are currently no plans to reopen this section as it has been closed for some time. Also it is a one person station; they can't handle two sections of the station. And there are no facilities to allow customers to touch in and out with Oysters etc. There are also Health and Safety regulations that we need to follow for issues with not having staff there.

Q: There is a bridge that is near to Buckhurst Hill Station it goes from Buckhurst Way to Forest Edge, it runs over the central line railway track at the end of Lower Queens Road car park. This is very badly lit and at night it is a dangerous place to be near as gangs of youths hang around. Can something be done to make this a safer place?

A: We are currently looking into this. We are not sure if this is LUL property, if it turns out that it is, we will do something.

Q: From Loughton Station there is a passageway that cuts through to Roding Road, this is very poorly lit and winding. Are there any plans to make this safer by improving the lighting?

A: Yes, we have plans to put in additional lighting there.

Q: Opposite Epping Station there is a footpath that runs around the back of Epping Station car park; this is a short cut into Centre Drive. There are a set of large steps which are dangerous especially at night and in adverse weather conditions. Are there any plans to make improvements?

A: We need to get clarification that it belongs to LUL. We do cut the vegetation there, but really need to establish who owns it.

Q: Why are there no timetables for bus routes displayed at bus stops or anywhere nearby?

A: This is really a question for Transport for London. We can have details of bus routes inside stations but if you're talking about bus stops, then it's TfL. E-mail me the details of the bus stop and I'll pass it on to the right person.

The chairman then asked if other members had any more questions for the LUL representatives.

Q: Does LUL pay for electricity according to usage or by an annual charge unrelated to how much is used? And, I frequently see lights burning during the day, for example the lights on the approach to Theydon Bois station and on the bridge and at other stations along the Central line. Why is this?

A: That's a fair point. We pay by usage and have the biggest electricity bill for the whole of London. Now we have air conditioning on trains on some lines and so consume a lot more energy. We have energy champions for every group of stations. As for the lights; at present we have to have to use circuit breakers to turn the lights off. We are looking to put in a manual switch as soon as we can.

Q: Can you look at Debden Station as they have similar problems. I would be grateful if you also respond to our issues and options consultation as soon as you can as it finished yesterday.

A: We have a big planning Department that would answer your consultation document. I will find out if they have responded.
(The Portfolio Holder for Planning added that EFDC would still accept their response even if it was out of time).

Q: The decision to re-open the Platform 1 gate at Epping station was very welcome and has been much appreciated. Overwhelmingly in my experience passengers respect the need to touch in and touch out. Can LUL reassure us that the Platform 1 gate will remain in use? Will it install a second card reader in order to reduce queuing times?

A: It will remain open for the times shown. There is potential to get a second reader there but it must be designed to fit the space available.

Q: What is the current position with regard to the possible expansion or reconfiguration of Epping Station car park, potentially making use of adjoining land owned by TfL?

A: We are looking in detail to increase the capacity of the car park, such as an upper deck or extending the car park to the coal yard.

Q: People from rural areas have to drive in to get to the stations. They cannot afford to pay increased parking fees on top of increased fares, so they tend to park around the residential areas and receive a hostile reception for doing so. A lot more people would be looking to park at the stations.

A: There was no easy solution. We are liaising with the local planning authorities and looking to manage approach roads and encourage more use of buses and taxis. Epping is a problem looking for a solution, but we have no direct answer as yet.

Q: On car parking in Epping; a few years ago we were told that that you were looking at the lease of the coal yard to provide more parking and have now been told that you are looking at this again.

A: Yes, looking at it again, but no easy solutions are to be found.

Q: There are problems in Buckhurst Hill and Roding Valley Stations. People do not benefit from 'Freedom Passes' here and for some reason they are placed in the Zone 4 and Zone 5, why is that?

A: There is no easy answer; Zone 5 would be more expensive for locals and Zone 4 cheaper. I will ask a colleague who took this decision.

Q: What steps will LUL take to end long-stay parking in Station Approach? This reduces the space available to drivers to pick-up and set-down passengers, causes congestion, and makes life especially difficult for bus drivers seeking to approach the bus stop. A few weeks ago there were signs displayed saying LUL permits were no longer valid for parking in Station Approach but this restriction does not seem to have been strongly enforced.

A: The 'no-parking' signs have been removed, they were a mistake; the wrong signs had been put up. The approach road was an ongoing issue with its own ongoing problems. We have talked about the coal yard and turning this into a staff car park area. It will all come down to enforcement and the use of double yellow lines.

Q: Would you have the British Transport Police supporting you on enforcing parking?

A: It is a bit hit and miss for parking enforcement as they are there for the Underground and not really parking.

The Chairman thanked Mr Tollington and Mr Graves for their attendance and answering the Committee's questions.

38. WORK PROGRAMME MONITORING

Overview and Scrutiny Committee

It was noted that the November meeting would have the six month O&S review; a presentation from the Youth Councillors and a report on the Key Objectives. It was noted that the Committee were keen to have presentation on Health Commissioning as soon as possible.

Standing Panels:

Housing Standing Panel

It was noted that there would be an extra meeting held in November or December to look at the tenancy policy and the allocations scheme.

Constitution and Members Services Standing Panel

It was noted there would be an extra meeting in January.

Safer Cleaner Greener Standing Panel

Councillor Smith reported back on the last meeting of the Panel as both Chairman and the Vice Chairman were not at that meeting. It was noted that they had received reports on the recent spring time flooding events and the council's flood risk strategy;

progress made on the introduction of recycling in flats; and the 5 year CCTV action plan.

Planning Services Standing Panel

Noted that there would be a special meeting held on 7 November to consider a response to the consultation by the London Borough of Enfield into an Area Action Plan for North East Enfield, both generally and in particular concerning a proposal for a Northern Gateway Access Package, which sought to resurrect what was previously known as the Northern Gateway Access Road. The Panel would be open to all members to attend but would be especially interesting to the Waltham Abbey members.

Finance and Performance Management Standing Panel

It was noted that Councillor Gadsby was voted into the Chair in the absence of both the Chairman and the Vice Chairman. The Panel considered the analysis of the Audit Commission's Value for Money Profiles; the quarter one Key performance indicators for 2012/13; and the Quarterly Financial Monitoring report.

Task and Finish Panels:

Overview and Scrutiny Review Task and Finish Panel:

Noted that Officers were still researching and putting together information on this. Petitions would now form part of the Panel's remit.

Review of Chief Executive Appointment Task and Finish Panel

Noted that there were delays in gathering in reports from candidates. They hope to report back at the next meeting.

Review of Licensing Services Task and Finish Panel

Noted that their first meeting was to be held on 23 October 2012.

39. CABINET REVIEW

Our Committee members wanted the following comments brought to the Cabinet's attention:

- They thought that the guaranteed investment (sports and leisure management) was an excellent idea and should be supported as it would bring a good return on our capital;
- The new Essex County Traveller Unit would be very useful in dealing with travellers and they urged the Council to join this as soon as it could;
- They were concerned that there was no trending evidence given in the planning appeal compensation budget report to enable agreement of the £90,000 asked for; and finally they noted that
- The Welfare reform Mitigation Action Plan and the Localisation of Council Tax Support was crucial for the council.

40. STAFF APPEALS PANEL

The Committee received a report from the Constitution and Member Services Standing Panel. It dealt with the terms of reference of the Staff Appeals Panel and

proposed changes in relation to its jurisdiction in respect of appeals by staff. In respect of regarding appeals, these proposals derive from a recent review of the Council's job evaluation scheme (by which salaries applicable to staff posts or groups of posts are determined) and in particular the question of a staff member's right of appeal.

In addition, there were proposals for removing from the Panel's responsibilities other appeals by staff for which the Panel is currently responsible. These were brought forward at the request of the trade unions and subsequent Counsel advice.

It recently came to light that the Council's Constitution continued to include re-grading matters within Staff Appeals Panel's terms of reference, 7 members of staff in 4 posts (1 post being a benchmark post which covered 4 employees) appealed and these have subsequently been heard and concluded.

However, concerns were raised by Unison's Regional Officer on the implementation of the policy and specifically the appeals procedure. As a result both Unison and GMB representatives have withdrawn their support from the job evaluation process until matters were clarified. The policies, guidelines, procedures and pro formas relating to job evaluation were further reviewed by the officer Job Evaluation Panel and the resultant amendments have now been agreed by the Cabinet.

Part of Counsel's advice was that the Staff Appeals Panel was not an appropriate forum to hear such appeals since Members were not trained in or hold expertise in the Job Evaluation process, and a second avenue of appeal against job evaluation decisions was not required.

The Committee noted the report and agreed the recommendations of the Constitution and Member Services Standing Panel.

RESOLVED:

That a report be submitted to the Council recommending:

(a) that the terms of reference of the Staff Appeals Panel be amended so as to delete all appeals by staff except those involving dismissal, including those deriving from selection for redundancy;

(b) that this alteration be published in the Constitution when agreed by the Council; and

(c) that any amendments elsewhere in the Constitution to reflect these changes in the panel's terms of reference be delegated to the Assistant to the Chief Executive.

41. REVIEW OF PETITIONS SCHEME

Councillor Sartin the Chairman of the Constitution and Member Services Standing Panel reported to the Committee on the recent report on the petition scheme that they had considered at their last meeting.

In 2010 the Council started an ePetition scheme with the aid of some Government money and the Council's current Committee Managements system. However, in December 2010 the Government gave notice that provisions of the Localism Act would remove any duty to provide such a system.

Members had asked for a periodic review of the operation of the system to assess its effectiveness, which had been undertaken.

It was noted that people, in general, still petition the Council in the traditional way. During the period January 2011 to August 2012 the Council received 12 formal petitions on paper. Correspondingly, during the same period 2 electronic petitions were received and completed. One relating to provision of places at Epping Forest College (referred to the College for response – 13 electronic signatures but supported by a paper petition) and the other was regarding the St Johns Road Development Brief (during a formal consultation period – 72 electronic signatures).

No petitions during this period met the threshold for debate at either Overview and Scrutiny or at Full Council.

Having reviewed the scheme the Constitution and Member Services Panel were of the view that it should continue and the current thresholds were still appropriate. They were of the view however that the scheme document on the website could be made shorter and more user friendly.

The Panel noted that the Director of Planning and Economic Development had raised an issue relating to the approval to list ePetitions during formal consultation periods. During the St Johns Development Brief Consultation this year a request for a petition was received and approved for the website. This allowed people to register their names against a petition calling for the council to acknowledge objections to the development of a supermarket on the site.

They also suggested that in order that members may raise matters relating to petitions, the Portfolio Holder should provide details of the petitions received, together with any Council response in their report to each full Council. Also, the petition scheme already contained provision for review after the Council's response but the Panel suggested that the current O&S Review Task and Finish Panel give further consideration to how petitions could be better overseen by Overview and Scrutiny.

The Committee noted the report and agreed the recommendations of the Constitution and Member Services Standing Panel.

RESOLVED:

- (1) That the review the operation of the Council's petitions scheme be noted;
- (2) That the following amendments be made to the petitions scheme and procedure:
 - (i) That the following be added to the current exceptions to the scheme, 'petitions made during formal Council consultations related to the subject matter of the consultations and that these should be formally referred to that process as appropriate;
 - (ii) That officers redraft the current scheme to provide a customer facing document that focuses on how the Council deals with a petition for placing on the website;
 - (iii) That in future, Portfolio Holder reports made to Council include details

of the petitions received, together with any Council response; and

- (3) That the Overview and Scrutiny Review Task and Finish Panel be asked to consider how petitions can be better considered by Overview and Scrutiny during their current review.

42. ELECTRONIC DELIVERY OF AGENDA AND OTHER INFORMATION

Councillor Mrs Sartin introduced the last report from the Constitution and Member Services Panel to this meeting.

The Committee noted that in November 2011 they had asked the Constitution and Member Services Standing Panel to: examine how agendas were sent to members, how new technology might be used to distribute papers, seek Counsel's Opinion on whether using new distribution technology was lawful given current legislative constraints; and for a review of officer agenda distribution arrangements to take place.

It was noted that members had received training on the use of the Council's Virtual Private Network (VPN) system giving them access to all meeting papers supporting the democratic process. From a position where not many members had email and computers at home, virtually no members remain digitally disconnected. The emphasis is now on connectivity on the move and receiving documents electronically. Also, this year has seen two major developments:

- (i) its migration to the Council's new website; and
- (ii) the development of 'App' based end user software for Apple and Android devices.

The Council had asked for a received Counsel's opinion on migration to an electronic method of working. The Counsel's opinion confirmed:

- (a) The Council's current procedures are lawful and compliant. In fact, in some ways, exceeds that required.
- (b) Wholly electronic notification and service would not be lawful – this applies to Council and committees and subcommittees.
- (c) A Council member may not lawfully opt out of hard copy deliveries.
- (d) A Council member may not rely on legislation to insist upon physical delivery of any document other than the summons to a meeting i.e. we could introduce a system whereby a member only received the formal summons by post but accessed all other documents electronically.

It was also noted that the lack of sufficient electrical outlets in the Council Chamber had been highlighted as a barrier to greater use of IT during meetings. At present there were no electrical outlets on any of the members' benches. Investigations carried out by Facilities Management have shown that work was possible to provide outlets. Members of the Panel considered that this work should be undertaken, and were recommending to Cabinet that this work be included in their draft budget as an additional DDF sum for 2013-14.

The Panel had also received a demonstration of the new Mod.Gov App which enables users to receive papers that could be electronically annotated directly to a

tablet device. They noted that to continue this would require a further sum for 2013/14 to extend the current trial period. During this extension the Panel asked for a further assessment of member use of technology so that they can look at this again at a later meeting. They also recommended a bid in the sum of £1,000 for this purpose.

The Committee noted the report and agreed the recommendations of the Constitution and Member Services Standing Panel.

RESOLVED:

- (1) That Counsel's advice that the Council's current distribution procedures are lawful and compliant be noted;
- (2) That wholly electronic notification and service would not be lawful and that this applied to Council and committees and sub-committees be noted;
- (3) That Counsel's advice that a Council member may not lawfully opt out of hard copy deliveries be noted;
- (4) That the addition of a formal summons to notices of meetings as implemented by officers be noted;
- (5) It was agreed that a joint approach with other Councils to the Secretary of State for Communities and Local Government seeking permissive statutory provisions to allow members to receive such electronic agenda and papers lawfully be pursued;
- (6) That the proposal to implement a summons based system relying on a move to members receiving supporting papers electronically be not implemented at this time pending this approach be agreed;
- (7) It was agreed that the existing Members connectivity agreement be amended by the removal of term 1(iv) from that agreement pending further review after (5) above;
- (8) It was agreed that further research be undertaken with members of the Council on their social media use to support a bid for funding to continue the Mod. Gov App on a permanent basis;
- (9) It was agreed that the Cabinet be requested to approve further DDF bids as follows:
 - (a) A sum of £4,000 for 2013-14, to fund the installation of electrical outlet sockets in the Council Chamber; and
 - (b) A sum of £1,000 for 2013-14 to continue funding the Mod Gov App for a further year to facilitate (8) above;
- (10) It was agreed that the Portfolio Holder for Support Services be notified of current accounting procedures in respect of recovery of Reprographic Section costs by means of re-charges to internal service users and asked to review and report to the Cabinet and the Audit and Governance Committee.

43. WIRELESS BROADBAND WITHIN THE EFDC AREA

The Assistant Director (ICT), Dave Newton, introduced the report on the investigation into the feasibility of providing Broadband connectivity to rural areas currently suffering from slow or no broadband access. It was noted that we did not have any influence over the major suppliers. However, recently, as part of a Disaster Recovery project for EFDC officers asked for a quote for the supply of a separate wireless broadband link into the EFDC area which would deliver Super-fast Broadband to residents and businesses through radio links rather than old fashioned copper phone lines.

The contract was awarded to Buzcom and their system was now live with coverage over most of the district, but not all of it. Coverage maps could be viewed by going to the Buzcom website, www.fibrewifi.com and clicking on the Epping Forest District button.

There were no EFDC projects at present to assist in broadband connectivity, however officers could ask someone from BT to come and talk to this meeting if required.

Councillor Philip noted that we should publicised the availability of the new broadband service for our residents although it was not a Council service.

Councillor Wyatt asked what type of equipment a customer would require to receive this service. Mr Newton said that they would need a small dish usually attached to their TV aerial to receive the broadband signal.

Councillor Philip asked if we could get representatives from both BT and Virgin to come and talk to about connectivity; this was agreed by the Committee.

RESOLVED:

1. That the update on initiatives by the District Council to help improve Broadband connectivity speeds across the district be noted.
2. To arrange for representatives from both BT and Virgin to attend a meeting and talk about broadband connectivity in our area.

CHAIRMAN