

**EPPING FOREST DISTRICT COUNCIL
NOTES OF A MEETING OF GOVERNANCE SELECT COMMITTEE
HELD ON TUESDAY, 27 MARCH 2018
IN COUNCIL CHAMBER, CIVIC OFFICES, HIGH STREET, EPPING
AT 7.15 - 8.50 PM**

Members Present: N Avey (Chairman), R Bassett, N Bedford, L Hughes, H Kauffman, L Mead, B Rolfe, D Wixley and A Patel

Other members present: J Philip and A Lion

Apologies for Absence: G Chambers, S Jones and D Stallan (Chairman of the Council)

Officers Present: S Hill (Assistant Director (Governance)), J Godden (Principal Planning Officer (Heritage, Enforcement & Landscaping)), D Bailey (Head of Transformation) and J Leither (Democratic Services Officer)

46. APPOINTMENT OF VICE-CHAIRMAN

In the absence of the Vice-Chairman, who had tendered his apologies, with the agreement of the Committee the Chairman asked Councillor N Bedford to be Vice-Chairman for the meeting.

RESOLVED:

That Councillor N Bedford be appointed as Vice-Chairman of the Governance Select Committee for the duration of the meeting.

47. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

The Select Committee noted that Councillor A Patel was substituting for Councillor D Stallan.

48. NOTES OF PREVIOUS MEETING

RESOLVED:

That the notes of the meeting of the Select Committee held on 6 February 2018 be agreed as a correct record.

49. DECLARATIONS OF INTEREST

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

50. TERMS OF REFERENCE AND WORK PROGRAMME

The Select Committee receive a report from the Assistant Director, Governance regarding the Governance Select Committee's Terms of Reference and Work Programme 2017/18.

Terms of Reference

The Select Committee noted the Terms of Reference.

Work Programme

The Select Committee noted that this was the last meeting of the municipal year and that the work programme for the year 2017/18 would be completed by the end of the meeting.

RESOLVED:

That the Terms of Reference and the Work Programme of the Governance Select Committee for 2017/18 be noted.

51. DIRECTORATE AND SERVICE BUSINESS PLANS 2018-19

The Overview and Scrutiny Committee had requested that the relevant Portfolio Holders attend the last meeting of each Select Committee in the municipal year to present their Business Plans, which were developed on a Directorate basis. This would enable each Committee to undertake a more in-depth scrutiny role regarding the numerous services which made up each Select Committee.

Planning and Governance Portfolio

The Planning and Governance Portfolio holder, Councillor J Philip gave a presentation of his portfolio's business plan for 2018/19. He advised that the Local Plan was a key part of this portfolio and was moving forward. During the public examination by the Inspector it was important that the Council could show that it would be able to meet the numbers for housing. An Implementation Team had been set up to support the delivery of the Local Plan. The Team would implement arrangements to ensure information was available to assess Local Plan policies. The Council would be looking at Planning Performance Agreements, which would enable it to maintain a timescale for delivering housing through masterplanning schemes.

All of the Local Plan documentation to date could be viewed on the Council's website. The reports were backed up by evidence and policies. On neighbourhood planning, the Council would provide advice to local councils. The Rural Community Council of Essex (RCCE) could also provide additional assistance to facilitate this and ensure that the neighbourhood plans did not conflict with the Local Plan. The Council would provide input into the Harlow and Gilston Garden Town project and three other project sites, the sustainable transport corridors around Harlow that came under the Sustainable Development Board. The Council was well prepared to take the Local Plan through the public examination process.

Technology and Support Services Portfolio

The Technology and Support Services Portfolio holder, Councillor A Lion gave a presentation of his portfolio's business plan for 2018/19.

The Committee noted that the central support functions of Legal Services, Internal Audit and Corporate Fraud supported the Council and underpinned the Corporate Plan. Their support was provided to all Council services and enabled both internal and external transformation.

The Legal Team provided a cross business function across the Council. Below are some of the other activities that Legal Services are also involved in:

- Giving support to Planning, the Local Plan, Licensing;
- Litigation defence and prosecution;
- Corporate fraud litigation;
- Negotiating housing sales;
- Leases and Land Registry;
- Involved in new legislation; and
- Converting paper files into an electronic database.

The Recruitment of staff for Legal Services in a competitive job market. There was a problem in getting the right person for the right job as specialist skills were in high demand.

Internal Audit and Corporate Fraud had interesting processes that had their own structures of organisation:

- Internal Audit
Looked as business functions and processes.
- Corporate Fraud
Successful in prosecutions and the Council were looking to shared services with other authorities.

Councillor Philip advised the Select Committee that Planning had difficulty in the ability to attract staff and found this to be exceptionally challenging. It was a very difficult job market and Planning staff were in high demand. Epping was close to London where the unitary authorities could offer larger salaries to experienced staff.

In January 2018 the Planning fees were raised by 20% but these monies had to be ploughed back into the Council's services. Planning applications had decreased this year as against last year, although smaller applications had increased the larger applications had decreased.

Councillor Wixley expressed concern regarding shared services of the Corporate Fraud Team with other authorities and asked if there was sufficient resource and capacity in the Corporate Fraud Team to accommodate a shared service.

Councillor Lion replied that there was sufficient resource and capacity to accommodate a shared service.

Councillor Patel asked in terms of land and knowing who owns the land does the Council have a register set up.

Councillor Philip replied that the Council had no powers to make use of that information.

Councillor Bassett expressed concerns regarding recruitment and retaining staff and asked if the Council were preparing a team that was competent.

Councillor Philip advised that the Council had a level of expertise through internal staff and shared services. He stated that the Council had a Monitoring Officer that

was a solicitor now they had a Monitoring Officer who was not a solicitor so the Council would use the services of an outside solicitor.

Councillor Basset asked both Portfolio Holders what was your biggest challenge from your services.

Councillor Philip stated that his biggest concern was the Local Plan and Councillors not realising the seriousness of it.

Councillor Lion stated that his biggest concern was staffing issues and having to staff differently by using shared services.

RESOLVED:

That the Governance Directorate Business Plan for 2018-2019 be noted.

52. TRANSFORMATION PROGRAMME - PROJECT CLOSURES

The Head of Transformation, Mr D Bailey presented a report regarding Project Closures from the Transformation Programme. He advised that the Overview and Scrutiny Committee had requested that Project Closure reports from the Transformation Programme were submitted to the relevant Select Committee for their information.

Attached on page 29 of the agenda was a closure report to be considered regarding the Corporate Communications – Internal project. Mr Bailey informed the Select Committee that the report stated the baseline end date was 30 April 2018 but that in fact the actual end date was 11 December 2017. The report included an evaluation of the project and also included recommendations for improvement.

Councillor Wixley noted that under the heading 9. Timeline on the 30 October an entry stated ‘Completed – headphones provided’, and asked what this entry meant.

Mr Bailey advised that staff were provided with a set of headphones so they could listen to staff briefings and webcast meetings without disturbing their colleagues.

Councillor Patel asked how the projects were prioritised.

Mr Bailey advised that this particular project sought to deliver 6 key priorities from the 48 objectives contained in the employee engagement strategy.

Councillor Patel ask what was the rationalisation of the projects that were brought forward over other projects.

Mr Bailey replied that the main way the Council prioritised its work was through the Corporate Plan but only the biggest projects featured in the Corporate Plan and the smaller projects, some being so small they that they wouldn't progress through the Corporate Plan, they would come through Members and Officers to the Transformation Programme Board where they would be considered.

RESOLVED:

That the Transformation Programme – Project Closure Report be noted.

53. TRANSFORMATION PROGRAMME - PROJECT DOSSIER - GOVERNANCE DIRECTORATE

At the request of the Overview and Scrutiny Committee, the Head of Transformation, Mr David Bailey introduced a report on the progress of the projects and programmes within the Transformation Programme, this was known as the Project Dossier and would be reported on a regular basis to the Select Committee.

The Corporate Plan provided a framework which demonstrated how the work of the Council fitted together at a strategic level. It provided a focus to establish a set of corporate priorities which described how the Council would deliver positive change.

An annual Corporate Specification detailed how the Corporate Plan would be delivered through a set of operational objectives for that year. Operational objectives can concern Business As Usual (BAU) or business transformation.

The Select Committee were asked to consider and review the list of active High and Medium complexity projects, known formally as the Project Dossier.

They went on to consider and review the 4 project dossiers linked to the Governance Directorate. Mr Bailey noted that the Committee was at liberty to ask for a full report on any of the projects that they may want to scrutinise to come to a subsequent meeting.

Mr Bailey advised that P004a – Corporate Communications – External was on hold due to the Local Plan.

Councillor Bassett expressed concern regarding the progress being 0% of P019 Building Control and Development Control Quality Improvement and File Scanning as he recalled a budget being agreed to progress this project.

Mr Bailey advised that he would need to check and report back as to why the report from the supplementary agenda, item 2, didn't match the progress report.

Councillor Wixley referred to the yellow supplement, item 2, regarding the destruction of 30,000 planning files and want reassurance that these files had been quality checked and scanned.

The Principal Planning Officer, Mr Godden confirmed that all 30,000 planning files had been quality checked and scanned before they were securely destroyed.

RESOLVED:

That the Project Dossier for the Transformation Programme for the Governance Directorate be noted.

54. EQUALITY OBJECTIVES 2016-2020 - 6 MONTHLY REPORTING AND COMPLIANCE WITH THE PUBLIC SECTOR EQUALITY DUTY

The Chairman, Councillor N Avey presented the next report and asked Members if there were any questions regarding the report and that Mr Bailey would try to answer.

Councillor Bassett noted that the some of the Equality Objective Actions were behind schedule but there was no explanation as to why they were behind schedule. He

stated that he was happy for the Select Committee to be updated as a later stage but could future reports be updated to include this information.

RESOLVED:

- (1) That the Equality Objectives 2016-2020 – 6 month reporting be noted; and
- (2) That future reports include the reason why actions were behind schedule.

55. CORPORATE PLAN 2018-2023 - PROGRESS REPORTING AND PERFORMANCE INDICATOR SET

The Select Committee received a report from the Head of Transformation, Mr D Bailey regarding the Corporate Plan 2018-2023 – Progress Report and Performance Indicator Set.

The Corporate Plan 2018-2023 was the authority's key strategic planning document. The Plan sets out the journey the Council would take to transform the organisation to be 'Ready for the Future'. The plan linked the key external drivers influencing Council services, with a set of corporate aims and objectives, grouped under three corporate ambitions – stronger communities, stronger place and stronger Council.

An annual Corporate Specification (previously called the Key Action Plan) detailed how the Corporate Plan was being delivered through operational objectives, which in turn would link to the annual Service business plans.

The success of the new Corporate Plan would be assessed through the achievement of a set of benefits, focussed on what the Council achieved for their customers. These benefits in turn were evidenced through a set of performance measures. A new format for reporting the Council's performance was also proposed.

Management Board, Leadership Team and Cabinet Members were involved in developing the draft Corporate Plan 2018-2023. The content of the Plan – including drivers, objectives and benefits, were the subject of consultation with customers, businesses, partners and staff. The views of Councillors were also sought through the four Select Committees as well as the Overview and Scrutiny Committee. The views of the Cabinet were gained through a report to the Finance and Performance Management Cabinet Committee. Feedback from local councils was taken through a report to the Local Councils' Liaison Committee (LCLC).

To minimise expenditure associated with its production, the new Corporate Plan would only be available as an electronic download via the Council's website or for customers to view as a hard copy at the Council's Civic Offices.

An annual Corporate Specification detailed how the Corporate Plan would be delivered through a set of operational objectives for that year. The Council had a number of Key Action Plans, so to avoid confusion the yearly action plan for the Corporate Plan would in future be referred to as the Corporate Specification. This name denoted that it specified the operational objectives for a given year, which in turn are responded to through annual Service Business Plans.

The report presented various ways to show the performance measures and benefits including a benefits map on A3 paper, although feedback on this particular 'map' indicated that it was too busy and difficult to read. A simpler 'map' on A4 was tabled

at the meeting (attached) which updated the way it used to be displayed and this was likely to be the way it would develop.

Councillor Bedford stated that he preferred this new design as it was easier to understand.

Councillor Bassett asked how were items of multiple dependencies being handled and in particular checking that they didn't fall behind in any one area.

Mr Bailey stated that this had not been done before and was still to be worked out.

He also advised that a Transformation Programme Board Report would be going to the Overview and Scrutiny Committee at its next meeting in April 2018 and would include information about the Risks and Resources.

RESOLVED:

- (1) That the Select Committee agreed the proposed benefits and performance indicator set for 2018-2023; and
- (2) That the Select Committee agreed the Council's proposed format for reporting the performance of the indicator set and the progress of the Corporate Plan 2018-2023.

56. PLANNING APPEALS PERFORMANCE - CASE STUDY

The Select Committee received a report from the Principal Planning Officer, regarding a case study on the Planning Appeals Performance. He advised that four cases had been studied and reported as follows:

Cornerways, Turpins Lane, Chigwell IG8 8BA

The development proposed was demolition of the existing dwelling and garage and the construction of eight residential units, with associated parking and landscaping.

The Officers recommendation was to Grant Permission (With Conditions). Members disagreed with the Officers recommendation and agreed to refuse permission. The Applicant appealed against the Members decision to refuse permission which was overturned by the Inspector.

Councillor Wixley advised that this application had come back to a recent Area Plans South Sub-Committee and Members thought it was a much better design and that the Applicant had taken their previous advice regarding size, bulk and overdevelopment. Members agreed with the new application and agreed with the Officers recommendation to Grant Permission (With Conditions).

Tennis Courts, Roding Valley High School, Alderton Hill, Loughton IG10 3 JD

The development proposed was an amendment to planning permission already granted for the erection of 38 'Retirement Living' apartments for the elderly. The amended application was for 2 additional 2 bedroomed apartments.

The Officers recommendation was to Grant Permission (With Conditions). Members disagreed with the Officers recommendation and agreed to refuse permission. The Applicant appealed against the Members decision to refuse permission which was

allowed by the Inspector and planning permission was granted as he felt there would be no adverse impact to the street scene.

16 Kendal Avenue, Epping CM16 4PW

The development proposed was the demolition of an existing 3 bedroom house and the construction of a new 5 bedroomed house

The Officers recommendation was to Refuse Permission. The Officers reason for refusal was due to size and bulk and the impact on the street scene. The Applicant appealed against the Officers decision to refuse permission which was allowed by the Inspector and planning permission was granted.

Fairlawn, Epping Road, Broadley Common EN9 2DH

The development proposed was the demolitions of garages and the erection of a 1 x 3 bedroom house within the curtilage of the existing building.

The Officers recommendation was to Refuse Permission. The Officers reason for refusal was that the construction of a dwelling in the location would constitute limited infill in a continuous linear development of housing in the built up settlement of Broadley Common. The Inspector agreed with the Officers and the application was dismissed.

RESOLVED:

- (1) That the Committee agreed the report on the presentation of recent appeal decisions; and
- (2) That the Committee considered any lessons or outcomes of the presentation for future planning application decision making and key performance indicators GOV007 and GOV008.

57. REPORTS TO BE MADE TO THE NEXT MEETING OF THE OVERVIEW AND SCRUTINY COMMITTEE

The Select Committee agreed that there were no reports for recommendation to the Overview and Scrutiny Committee.

58. FUTURE MEETINGS

It was noted that the Governance Select Committee calendar of meetings for the next municipal year 2018/19 would be held on:

- 03 July 2018
- 02 October 2018
- 27 November 2018
- 05 February 2019
- 26 March 2019