

## EPHING FOREST DISTRICT COUNCIL OVERVIEW AND SCRUTINY MINUTES

<b>Committee:</b>	Overview and Scrutiny Committee	<b>Date:</b>	Thursday, 9 July 2009
<b>Place:</b>	Council Chamber, Civic Offices, High Street, Epping	<b>Time:</b>	7.30 - 9.15 pm
<b>Members Present:</b>	Councillors R Morgan (Chairman) K Angold-Stephens (Vice-Chairman) M Colling, Mrs A Grigg, Mrs A Haigh, D Jacobs, J Knapman, G Mohindra, Mrs L Wagland and Philip		
<b>Other Councillors:</b>	Councillors Mrs D Collins, Mrs M Sartin, D Stallan, C Whitbread, J M Whitehouse, D Wixley and A Boyce		
<b>Apologies:</b>	Councillors A Green and R Law		
<b>Officers Present:</b>	D Macnab (Deputy Chief Executive), J Gilbert (Director of Environment and Street Scene), S G Hill (Senior Democratic Services Officer), K Durrani (Assistant Director Technical Services), S Mitchell (PR Website Editor), A Hendry (Democratic Services Officer) and M Jenkins (Democratic Services Assistant)		
<b>By Invitation:</b>	Ms L VanClay (Essex County Council) and N Varnam (Essex County Council)		

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### 11. 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.

### 12. SUBSTITUTE MEMBERS

It was noted that Councillor J Philip had substituted for Councillor A Green.

### 13. DECLARATIONS OF INTEREST

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

### 14. MINUTES

#### RESOLVED:

That the minutes of the meeting held on 2 June 2009 be taken as read and signed by the Chairman as a correct record.

### 15. PROVISION OF YOUTH SERVICES WITHIN THE DISTRICT

The Chairman welcomed Lonica Vanclay, the County Officer responsible for the commissioning side of youth provisioning. She was accompanied by Nigel Varnam,

who was now responsible the co-ordination of youth provision in the district area; trying to ensure the provision has spread out across the district. A background paper was tabled for information and this is attached to these minutes.

It was noted that range of the provisions needed to be publicised across the district. Schools were actively involved in working together and collaboration between the schools and county had improved over the last year.

Mr Varnam said he was managing integrated use of services such as the princes trust team. He was also working with the district youth council. Across Essex there were two mobiles services visiting a number of areas within the district. The County had advisors working at all secondary schools. They also had small teams of targeted work advisors who also work closely with the police and offenders.

Councillor Jacobs asked why, of the four key indicators used in the Youth Service District Hotspot Analysis on of the areas listed, was Buckhurst Hill West. Did they not mean Buckhurst Hill East? Mr Varnam replied that might well be east, he would check.

Councillor Mrs Haigh said if it was Buckhurst Hill East, then the only facility they had was an acting group, which was not a county provision. She felt they were not addressing their needs, as a vast majority of activity was provided by outside organisations. Ms Vanclay said that they provided more of a commissioning approach and were concentrating efforts in Limes Farm, Ongar and Loughton.

Councillor Mrs Sartin asked why there were more contacts last year (2008/09) than in the coming year. Ms Vanclay said they did very well last year; the targets were based on the proportion of young people that ECC provided services to. The mobile has a high target and the u-project was more intensive with a low amount of people.

Councillor Jon Whitehouse commented that is was important that the voluntary sector should have support and advice from County. What was available? Ms Vanclay replied that they had full time lead youth workers in the task teams who played an important role in the activities and provided support. They were also developing links to the Children's and Young People's Strategic Partnership. The committee noted that there were no requirements to set up youth clubs, but they were developing guidelines for people to set up their own. They would also offer advice and training. There were also strong links between youth activities and a reduction in anti-social behaviour and they were looking to reduce the number of young people going through the youth justice system.

Councillor Mohindra asked why wards with greatest needs were identified as being in Waltham Abbey and not in Limes Farm. Ms Vanclay said that in their planning for areas they had Waltham Abbey and Limes Farm on an equal provision of activities.

Councillor Knapman asked if the information in the tables provided to the Committee were combined with the District and the County Council. Ms Vanclay said that liked to build up comprehensive listings as not everything was done by the County Council, but they had just begun this process and if councillors knew of other things to be added then they should let them know. Mr Varnam added that it did not show a lot of the uniformed organisations or the youth football teams.

Councillor Knapman wondered if they were getting the balance right such as the activities at the Murray Centre (not the Loughton Youth Centre). Ms Vanclay said that there were finite resources and there was the challenge in securing the staffing resources for these places.

Councillor Philip asked how they let people know about their activities, especially the Parish and Town Councils. Mr Varnam said that their colleagues were in contact with the local councils and would also send out flyers. They tried to involve the local councils although they were not as good in liaising with us.

The Chairman thanked Ms Vanclay and Mr Varnam for their time and effort in coming to talk to the committee that evening and he looked forward to them coming back to some future meeting.

## **16. SAFER CLEANER GREENER STRATEGY**

The Director of Environment and Street Scene, Mr Gilbert, introduced the Safer Cleaner Greener Strategy document. The 'Safer Cleaner Greener' (SCG) initiative was adopted by Cabinet in November 2007, which, alongside the corporate restructure, resulted in the formation of the Environment and Street Scene Directorate. As part of this, a new Environmental Response Unit was formed and an enlarged Safer Communities Unit was established. The Audit Commission undertook an inspection of the Council's waste services in April 2008. One of their recommendations was that there should be some formal documentation and associated action plan to demonstrate intent. This need for a formal strategy was formally recognised.

The resulting strategy had initially gone to the Safer Cleaner Greener Standing Panel who had agreed it with some minor amendments. He noted that the strategy still had some typing errors and that some of the abbreviations had to be set out in full.

The committee noted that it contained useful and clear overview of what the SCG strategy was all about, it also included an information and action plan. The Committee noted that the action plan was still work in progress and needed some more work. If the Committee endorsed the strategy it would then go to the Cabinet in September, for their formal adoption.

Councillor Angold-Stephens commented under 'safer' on page 8, officers should add a reference to 'diversionary strategies'. Mr Gilbert was happy to do so.

Councillor Knapman said officers were to be congratulated on the document. It contained a lot of common sense. But he was not keen on the recommendation to just 'receive the strategy'. They were not there just to 'rubber stamp' the work brought to them.

Councillor Jon Whitehouse commented that most of the 'strategy action plan' section of the document would have been implemented by the time it went to the Cabinet in September. It would also be useful to have telephone numbers listed and to see the targets; but it did not say in what circumstances they would be implemented. Mr Gilbert said it was an overarching document; and that officers had struggled to identify what to include and what to exclude. However, he accepted that they needed to make that page more straightforward, perhaps take a different approach.

Councillor Mrs Grigg asked that the size of the font be made larger to make it more easily readable. She also asked about dog fouling, what if the parish council would not undertake a fouling system, would the District continue to enforce it. Mr Gilbert replied that the Council would continue to do what it did now; but, they would also help parish councils to make their own rules for their local area. They would also use a larger font for the strategy document.

Councillor Philip noted that the council had already adopted a climate change strategy.

**RESOLVED:**

That the Committee endorsed the Safer Cleaner Greener Strategy subject to the comments raised and recommended it to the Cabinet.

**17. ENFORCEMENT POLICY**

The Director of Environment and Street Scene, Mr Gilbert, introduced the Environment and Street Scene Directorate's updated Enforcement Policy document.

Councillor Mrs Wagland commented that there was a 'not' missing under the paragraphs on 'acceptable behaviour'. Also that the first half of the document was written in the impersonal while the second half referred to people as 'you'. It should be sorted out who the document was being aimed at. She thought it was better in the third person. Councillor Mrs Wagland also undertook to review the document and provide some guidance to officers on the presentation of its content.

**RESOLVED:**

That the Committee endorsed the updated version of the Environment and Street Scene Directorate Enforcement Policy subject to any revisions put forward by Councillors.

**18. FLOOD AND WATER MANAGEMENT BILL**

The Assistant Director of Environment and Street Scene (Technical), Kim Durrani, introduced the report on the draft Flood and Water Management Bill. He gave the Committee a short presentation on the background of this item. The Government were asking for comments on this draft which emerged from the recent Pitt Review on flooding and made 92 recommendations. The Flood and Water Management Bill was the government's response to this review and they are now circulating this to councils as a draft for their comments. Mr Durrani tabled the draft Flood and Water Management Bill with the councils draft responses for the information.

The Committee noted the following key issues in the Bill:

- The Environment agency to manage all inland flood risks;
- Local Authority (Tier 1 – counties and unitaries) to adopt leadership role in flood risk;
- Local Authority (Tier 1) to provide scrutiny role in flood risk;
- Prior to flooding:
  - Better knowledge of drainage infrastructure/mapping system
  - Databases/surface water management plans
  - Flood plan/emergency response plan, drainage policy
- During flooding:
  - Local Authority take lead role in local flooding, share information, emergency response, demountable defences etc
- After flooding: support and response, data collection, review.
- All funding Control will rest with the Environmental Agency;
- In our case Essex County Council will be the Local Authority;
- It was unclear how the Local Authority would provide the scrutiny role;
- Not enough emphasis on forming local agreements and frameworks with Districts that have local knowledge.

The draft Bill had 188 questions in total, 163 of them for England; the submission date was 24 July 2009. Officers asked Overview and Scrutiny to agree that officers prepare a response that seeks the most environmentally and economically favourable outcome for the residents of the district.

Councillor Jacobs said his experience of the Environment agency was not so good as they were spread thinly around the country. Are we confident that they could carry out the job properly; and what about finances? Mr Durrani replied that they were well funded and had adequate resources to deal with flooding. Officers were not clear on finances, they know it would be split but were unsure how it would be spread out. Currently they have to make bids to DeFRA. They would put this query in the return.

Councillor Jacobs then commented that as scrutiny would be done by the County Council, how could the District affect this? Mr Durrani said they were currently in discussions with other authorities. The Bill said there should be stronger frameworks and co-operation agreements and officers would ask for this in their return. There was also an element of local responsibility.

Councillor Mrs Haigh said that when she was on the County Council about five years ago they were looking at flood relief then. A lot of money went to the North of the County instead of the eastern seaboard. She felt it was important that the District had a presence with the County. Mr Durrani said it was a valid point. The oversight role of the Environment Agency was to even out planning and resourcing for the country as a whole and would enforce joined up working.

Councillor Bassett commented that there was concern about all water courses and drains etc; there was some confusion on who maintained them. Does the Bill clear this up? Also, British Waterways, would they get involved, as there was a lot of confusion about who was responsible for what. Mr Durrani said that Landowners who live adjacent to a watercourse were responsible. Main rivers were the Environment Agency's responsibility. The District has powers on land drainage. They are trying to involve water companies as there were issues for the utilities. There will be a change in legislation to make people aware of their responsibilities.

Councillor Angold-Stephens was concerned that whatever we do we would need a rapid response team of our own. The Environmental Agency can be slow to respond. Mr Durrani replied that the District currently has its own teams in place, which it had funded and set up. Emergency response was a District function and if the County Council was set up as a Tier 1 authority, it would probably be given back. Councillor Knapman asked that the point be made officially that we would like our own rapid response unit. Mr Durrani said we could recommend that we have a stronger agreement framework with the Tier 1 authority.

Councillor Mrs Wagland was surprised that we could not mention things in detail; we have a good example, of a rapid response unit, that we should put down in the consulting document. Mr Durrani said they could do so.

Councillor Jacobs said that a lot of drainage ditches run parallel to the A414, who was responsible for these. Mr Durrani said that it was the landowners adjoining the ditches and the highways authority (i.e. Essex County Council).

**RESOLVED:**

- (1) That the local knowledge and expertise that exists within the Council be used to make a comprehensive response to the consultation and where possible seek the best outcome for the residents of the District.

- (2) That the newly formed Pitt Review Task and Finish Panel look into the impact of this Bill on the Council.

## 19. HEALTH OVERVIEW AND SCRUTINY COMMITTEE

The Committee noted that there had been some changes to the way GP care was being provided in Waltham Abbey following the sudden retirement of one of the local GPs.

Following this a request came in from the ECC Health Overview and Scrutiny Committee to appoint a District representative to a working group of the West Area Forum set up to scrutinise the impact of changes and the provision of additional capacity to meet local needs and would like the forum to make recommendations which could help develop protocols to ensure that similar situations were handled better in the future.

### RESOLVED:

That the Committee recommend to Council that Councillor Mrs Gadsby be appointed as a representative to attend future meetings of the working group of the West Area Forum.

## 20. CHANGE IN LEISURE PORTFOLIO HOLDER

Councillor Mrs Collins informed the Committee of Councillor Mrs Harding's resignation from the Cabinet with immediate effect. The portfolio had been offered to Councillor B Rolfe who had accepted.

The Committee noted that Councillor Rolfe would now have to relinquish his membership and chairmanship of the Safer Cleaner Greener Standing Panel.

## 21. WORK PROGRAMME MONITORING

The Senior Democratic Services officer, Simon Hill, took the Committee through their work programme. The Committee noted that:

**Item 6** – '*West Essex PCT – proposal for a Joint Scrutiny Review*'. Noted that under a previous item on the agenda how the County was now dealing with health scrutiny, that forums will get a greater role on health matters, it may that the Committee may not wish to pursue this item any longer.

**Item 14** – '*Presentation from the Fire and Rescue Services*'. Noted that it had now moved to the September meeting.

**Item 15** – '*Debt Management Review*'. Noted that it was now due to go to the September meeting.

### Future Work Programme:

1. Councillor Mrs Wagland asked if a topic could be added on 'Health inequalities' our figures seemed to be adrift on hip fractures for over 65's and we need to know why that was. The Deputy Chief Executive said that they had previously had Alison Cowie (Director of Public Health for the West Essex PCT) to talk about health inequalities. There was now an LSP sub-group looking at health

matters in the district. We could ask them to come to this meeting to talk about hip fractures.

**AGREED:** To speak to colleagues at the PCT to get some information and see if they could address a future meeting.

2. Councillor Knapman said that the Deputy Portfolio Holder for Education and the Olympics was from our district. Could the Committee look at secondary and primary provision and standards in our District as it would be relatively easy to get someone here to answer our questions. Councillor Mrs Haigh added that the Audit Commission would like to focus on education and deprivation in the District. The Deputy Chief Executive said they could put the two items together and ask the appropriate Portfolio Holder to come and address the committee.

**AGREED:** To ask the appropriate Portfolio Holder to attend a future meeting of the committee to address primary and secondary school provision and standards in the district and the link between education and deprivation.

3. Councillor Mrs Haigh said that if London Underground was to come in September, she would like the committee to have a pre-meeting to identify what they wanted to ask. This was agreed.

**AGREED:** to hold a pre-meeting before the London Underground presentation in September.

#### **Standing Panels:**

Councillor Jacobs then updated the Committee on the topics raised and discussed at the last Finance and Performance Standing Panel meeting.

## **22. CABINET REVIEW**

Councillor Knapman wanted to comment on the proposal going to the Cabinet on rent deferment for shops in the Broadway. He commented that he understood the difficulties presently upon traders and the council but understood that whilst this scheme may not be approved other support had been made available to those tenants most in need.

The Committee agreed with this sentiment and wished it passed onto the Cabinet at their next meeting.

**CHAIRMAN**