

## EPHING FOREST DISTRICT COUNCIL OVERVIEW AND SCRUTINY MINUTES

**Committee:** Overview and Scrutiny Committee      **Date:** Monday, 24 January 2011

**Place:** Council Chamber, Civic Offices,      **Time:** 7.30 - 9.20 pm  
High Street, Epping

**Members Present:** Councillors R Morgan (Chairman) K Angold-Stephens (Vice Chairman of Council) (Vice-Chairman) R Barrett, W Breare-Hall, Mrs R Gadsby, Mrs A Grigg, D Jacobs, D C Johnson, L Leonard, G Mohindra, J Philip and J M Whitehouse

**Other Councillors:** Councillors R Bassett, Mrs P Brooks, Mrs D Collins, Mrs M McEwen, B Rolfe, Mrs P Smith, Mrs M Sartin, D Stallan, Ms S Stavrou, C Whitbread, Mrs J H Whitehouse, Mrs L Wagland and D Wixley

**Apologies:** Councillors Ms R Brookes

**Officers Present:** D Macnab (Acting Chief Executive), R Palmer (Director of Finance and ICT), I Willett (Assistant to the Chief Executive), B Bassington (Chief Internal Auditor), I White (Forward Planning Manager), J Chandler (Assistant Director (Community Services and Customer Relations)), S G Hill (Senior Democratic Services Officer), T Carne (Public Relations and Marketing Officer), A Hendry (Democratic Services Officer) and M Jenkins (Democratic Services Assistant)

### 62. WEBCASTING INTRODUCTION

The Assistant to the Chief Executive 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.

### 63. SUBSTITUTE MEMBERS

It was noted that Councillor L Leonard had substituted for Councillor Mrs R Brookes.

### 64. MINUTES

#### RESOLVED:

That the minutes of the last meeting of the Committee held on 29 November 2010 be agreed.

### 65. DECLARATIONS OF INTEREST

Councillor D Johnson declared a personal interest in agenda item 9 as his brother was the leader of Harlow Council.

### 66. CALL-IN - CABINET DECISION ON POTENTIAL REVENUE SAVINGS - COMMUNITY ARTS AND PUBLIC RELATIONS

The Committee considered the call-in of a decision by the Cabinet of a Leisure and Wellbeing Portfolio Holder report (C-044-2010/11) regarding the decision for a £35,000 reduction in the Community Arts project budget including deletion of a part time Arts Administration Post. The call-in was concerned that this decision was inconsistent with the Council's stated intention to protect front-line services.

The lead member of the call-in, Councillor Jon Whitehouse was asked to open the discussion. He noted that this dated back to 6<sup>th</sup> December 2010 before the local government finance announcement had been made. Things had moved on since then, we need to protect and defend front-line services and we needed to be clear on what basis the Council was making this cut. We were told that these cuts were made up of external dance companies and the like. This figure seems to have been plucked out of the air to reach an exact total of £100,000 savings from Community Services. We should not make cuts if not necessary and to look at how they fit in with value for money.

Councillor Janet Whitehouse said she was aware of the valuable work this part of the council did. We need to support the work they do. But all the facts were not included in the report to enable us to consider the decisions properly. Councillor Pat Brooks added that it was the young people we needed to support.

The responsible Portfolio Holder, Councillor Rolfe was then asked to make his opening statement. He said that the decision was not inconsistent with the intention to protect front-line services. The budget area focused on where we provided professional workshops and residences to schools. We would also deliver the Community Arts programme in a more cost effective way and not cut significantly the services that the Council provided by our own staff.

The Assistant Director (Community Services and Customer Relations) added that other cuts had been made including deleting a vehicle hire sum, which would result in staff transporting equipment in their own vehicles and other various reductions had been made to budgets for purchase of new equipment etc. The section would therefore continue to offer a quality service. All major events such as dance showcase at venues such as the Playhouse would not be affected as these are organised by the council's own staff, only the 'bought in' services were to be reduced.

Councillor Grigg asked if this drop in budget would affect the Council's ability to access external funding and was told that it would have no effect.

Councillor Barrett wanted it confirmed that the children would not suffer and only the outside bodies would be cut and that Council staff would continue to be able to provide arts projects. He was assured that this was so, although school children would now not have the opportunity of experiencing the work of professional dance companies and schools would need to find alternative ways to provide this specialist support.

Councillor Gadsby asked if the teachers would be specially trained to fill this gap. She was told that the council was developing a programme called 'Transitions' to support this.

Councillor Jon Whitehouse asked if the schools would contribute some of the cost to these activities and was told that that officers had looked into it. The costs were high, so schools would not be able to afford them, particularly as their funding is also due to be cut. Councillor Whitehouse responded that the information had been helpful and if it had been available in the original report it might not have been called in. The

test was that we provided a valuable service and not just for PR value, although the support services should have been considered first.

Councillor Whitbread said that Councillor Rolfe had answered why the call-in was relevant. The Council would have to find £1.3 million next year. Leisure Services were finding savings now to protect their services in the future.

Councillor Wagland commented that officers were working very hard to secure resources for children and young people in light of the significantly reduced funding available.

Councillor Rolfe agreed with Councillor Wagland's comments and added that the figures had not just been plucked out of the air; days of work had gone into this. Leisure was the first directorate to offer up savings. He added that the Council needs to continue to provide something positive for the residents in the economic climate and keep as much of our leisure services going as possible.

The lead member responsible for the call-in and the Portfolio Holder were asked to sum up the debate.

Councillor Jon Whitehouse said that he agreed that officers always worked hard, but he was looking at where the £100,000 came from in the first place.

Councillor Rolfe had nothing to add to the comments already made.

**RESOLVED:**

That the Overview and Scrutiny Committee confirmed the original decision of the Cabinet on report C-044-2010/11 regarding potential revenue savings from Community Arts and Public Relations.

**67. REPORT OF FINANCE AND PERFORMANCE MANAGEMENT STANDING PANEL - FINANCE RECEPTION REFURBISHMENT OPTIONS**

The Committee considered the report of the Finance and Performance Management Standing Panel on the refurbishment and extension feasibility of the Finance reception area of the Civic Offices. Councillor Mohindra the Chairman of the Panel introduced the report. They noted that the Audit Commission Inspectors were highly critical of the benefits/finance reception areas at the Civic Offices. In response, Norfolk Property Services had been commissioned to undertake a feasibility study to identify options in addressing these concerns. At the Finance and Performance Management Standing Panel in December 2010, representatives from Norfolk Property Services were in attendance. They had prepared a feasibility study identifying three options to address these concerns. They noted that the area was not currently up to Disability Discrimination Act accessible standards, had poor acoustics, a lack of privacy and soundproofing, lots of physical barriers, poor hearing induction loops and an ineffective queue management system. They proposed the following three separate costed options:

Option 1 - to open things up and put in semi transparent low level barriers, take away the glass screens, put in new furniture and move the public area back. The total cost would be £200,600.

Option 2 – as option 1 but with the addition of the extension to provide a group interview room. Total costs would be £267,266.84p.

Option 3 – as options 1& 2 but with new external glazing and sliding doors (two sets of automated doors), external roller shutters and new information screens. Total cost would be £302,255.86p.

On consideration the Finance and Performance Management Stranding Panel recommend option 3 to the O&S Committee

Councillor Whitbread noted that a report was coming to the Cabinet regarding Capital Strategy. He did not believe that the Council should be proceeding with this at this time as the money would be needed elsewhere. He supported option 3 but for the future, not now.

Councillor Janet Whitehouse asked if the other reception areas were also to be looked at as they equally needed upgrading. The acting Chief Executive said that an earlier study had looked at all 5 reception areas, however combining all these would be very costly.

**RESOLVED:**

- (1) That the Committee noted the report of the Finance and Performance Management Standing Panel on the refurbishment of the Finance Reception area; and
- (2) That the Committee recommended Option 3, at a cost of £302,255.86p, to the Cabinet.

**68. BUDGET REPORT**

The Committee considered the recommendations of the Finance and Performance Management Cabinet Committee incorporating the members of the Finance and Performance Management Scrutiny Standing Panel, on the Council's budget for 2011/12.

The Chairman of the Finance and Performance Management Scrutiny Standing Panel, Councillor Mohindra, reported that they had gone through the budget report with a fine tooth comb. Although they were not happy with all the savings that the Council had to make, they understood the necessity for it as a result of the reduced level of funding from Government.

Councillor Whitbread, Chairman of the Finance and Performance Management Cabinet Committee commented that they had given the report a through going over at their last meeting. It was a worthwhile exercise; this was the right budget for the year ahead. They needed to be aware of what happens next. These savings would mean a dramatic change for us all. He noted that officers had tried hard to find savings and it would be harder still for next year. He recommended the budget for the next year.

**RESOLVED:**

That on consideration of the budget report and the deliberations of the Finance and Performance Management Cabinet Committee and Scrutiny Standing Panel members, the Overview and Scrutiny Committee endorsed the Budget report.

**69. CHANGE OF CHAIRMAN**

At this point the Chairman of Overview and Scrutiny Committee, Councillor R Morgan begged the Committee's indulgence and left the meeting as he had a pressing prior engagement. The Vice Chairman, Councillor Angold-Stephens took over the Chairmanship of the meeting.

**70. HARLOW COUNCIL - CORE STRATEGY ISSUES AND OPTIONS CONSULTATION DOCUMENT**

Councillor J Philip, Chairman of the Planning Services Standing Scrutiny Panel, introduced the draft response to a consultation document on the Core Strategy and Options for the Harlow area. The report and draft response went to the Planning Services Standing Panel at the beginning of January. A response was required by 28 January 2011 and the views of the Standing Panel were submitted to this Committee for their comments and ratification. The Panel felt that there were other approaches that Harlow could have taken in light of the demise of the Regional Spatial Strategy.

The Committee noted that this had been going on for many years and that many councillors were not convinced that 16,000 new homes were needed to justify Harlow's expansion.

The Committee agreed that a new junction to the M11 was needed, perhaps to the north of Harlow to serve their industrial areas and reduce congestion on the A414 and asked that this be added to the consultation response.

They noted that the pressure for new homes was going to increase and this Council had to protect its green belt. Harlow had not given sufficient concern to the green belt. If building in East Hertfordshire came about then work was needed to be carried out on the A414. They noted that Harlow needed to grow and rejuvenate but not at Epping Forest's expense.

The Committee also agreed that the Planning Services Standing Panel should be able to comment on future consultations of this kind directly if the time scale did not allow it to be brought to this committee.

**RESOLVED:**

- (1) That the draft response to the consultation document be endorsed with the inclusion of a response indicating that a new junction, to be situated north of Harlow, for the M11 was needed; and
- (2) That it was agreed that the Planning Services Standing Panel be allowed to comment on future consultations directly if the time scale did not allow for it to be brought to the Overview and Scrutiny Committee; with the Committee being advised of the response at its next available meeting.

**71. REPORT OF CONSTITUTION & MEMBER SERVICES SSP - E-INVOICES**

The Chairman of the Constitution and Member Services Standing Panel, Councillor McEwen, introduced the report on the acceptance of e-invoices. She noted that a pilot study had been carried out last year which proved to be very successful with no security issues being identified. E-invoicing was already accepted by many other local authorities within their e-procurement systems.

Councillor Mrs Wagland noted that that it would require a greater skill level to defraud the invoices, although she was not comfortable with only two members of the team splitting their responsibilities and would like to be reassured that we had put in adequate security. The Chief Internal Auditor, Mr Bassington replied that controls were in place to reduce the risks. They have introduced an extraction package that looked at potential frauds. Councillor Bassett noted that the purchase orders would have to match the invoices and that would avoid duplication.

**RESOLVED:**

(1) That the amendment to Financial Regulation 3.24 be approved and to read as follows:

"3.24 To ensure that payments are not made on a faxed invoice, statement or other document other than a formal invoice. Formal invoices may include e-invoices received in PDF format via the dedicated e-mail address provided by the Chief Finance Officer in the Finance and ICT Directorate";

(2) That the internal controls to be put in place to regulate the receipt and processing of e-invoices be noted; and

(3) That there were no other proposals to bring forward in relation to the Financial Regulations as part of the 2010/11 review was noted.

## **72. REPORT OF CONSTITUTION & MEMBER SERVICES SSP - GUILLOTINE**

The Chairman of the Constitution and Member Services Standing Panel, Councillor McEwen, introduced their report on amending the number of times (12) that Cabinet would meet in any one year and that all business be concluded by 10pm. They noted that not all the 12 scheduled meetings were used over the years and the requirement for a minimum of 12 meeting was therefore unnecessary and that the ending of the requirement to end the meeting at 10pm would enable the Cabinet to complete all items of business on an agenda.

The Committee debated the necessity of imposing a fewer number of minimum meetings for the Cabinet instead of the current 12, but concluded that there would be no effective gain in doing so.

**RESOLVED:**

That the following amendments to Executive Procedure Rule 1.6 be approved:

- (a) The requirement to complete all business at a Cabinet meeting by 10.00pm be deleted; and
- (b) The requirement to hold a minimum of 12 Cabinet meetings a year be deleted.

## **73. WORK PROGRAMME MONITORING**

- (a) **Work Programme**
  - (i) **Overview and Scrutiny Committee**

*Item 6 – Epping Forest College* – the principal will be attending a future meeting.

*Item 12 –Broadband access report* – noted that this report was currently in draft and it would be coming to this Committee this municipal year.

**(ii) Constitution and Member Services Standing Panel**

Noted that there would be an extra ordinary meeting had been scheduled for 15 February 2011.

**(iii) Safer Cleaner Greener Standing Panel**

*Item 4(b) – progress on recycling in flats and similar buildings.* Councillor Jacobs thought that this had been completed. The Portfolio Holder, Councillor Mrs Sartin, said she had thought that it had been completed but would check.

**(iv) Planning Services Standing Panel**

Noted that:

- They had discussed damage to the highway at their December meeting and this would be coming back to a future meeting.
- There was a report on the bonus homes scheme going to a council meeting;
- They had considered DDF for 2012/13;
- They had noted that the town centre officer would be supported until 2012;
- They supported the officers view on the mineral development document;
- They had discussed the proposed changes to the Planning Application Fees in England, including higher fees for retrospective applications; and
- They would consider their Work Programme in detail at their next meeting and add dates where necessary.

Councillor Mrs Wagland noted that the Localism Bill would contain items on retrospective applications and issues on concealment. Perhaps the Panel could include some discussions on enforcement as this was important to local people. The Overview and Scrutiny Committee agreed that this should be added to their work programme.

**AGREED:** That Enforcement issues be added to the Planning Services Standing Panel work programme.

**(v) Children Services Task and Finish Panel**

Noted that they were to have another meeting on 25 January 2011.

**(b) Reserve Programme**

Noted that the following items be added to the Overview and Scrutiny Committee work programme:

- a) To invite a representative of the Corporation of London to a future meeting to present an item on the management of Epping Forest;
- b) That London Underground be invited back to a future meeting;
- c) With the current financial difficulty for statutory services, the Committee would like to see representatives of the Police and the Fire and Rescue Services address the meeting regarding the implications of their budget

reductions – this to be arranged for the end of 2011 to give them time to assess the effects;

- d) That representatives of magistrates give a presentation on Community Magistrates; and
- e) That a representative from the Census organisation be invited to address an O&S Committee meeting and the Local Council's Liaisons Committee.

**74. CABINET REVIEW**

The Committee reviewed the Cabinets agenda for their 31 January meeting but there were no specific items that the Committee wanted to be brought to their attention, apart from congratulating officers on the improvements made to the Benefits Division reported on under agenda item 17.

**CHAIRMAN**