

EPPING FOREST DISTRICT COUNCIL
NOTES OF A MEETING OF OVERVIEW AND SCRUTINY REVIEW TASK AND FINISH
PANEL
HELD ON THURSDAY, 14 FEBRUARY 2013
IN COMMITTEE ROOM 1, CIVIC OFFICES, HIGH STREET, EPPING
AT 7.00 - 9.06 PM

Members Present: K Angold-Stephens (Chairman), Mrs R Gadsby (Vice-Chairman), Mrs M Sartin, D Stallan, Mrs J H Whitehouse and G Waller

Other members present:

Apologies for Absence: Mrs A Grigg (Asset Management and Economic Development Portfolio Holder)

Officers Present I Willett (Assistant to the Chief Executive) and A Hendry (Democratic Services Officer)

13. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

It was noted that Councillor G Waller was substituting for Councillor A Grigg.

14. DECLARATIONS OF INTEREST

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

15. NOTES OF THE LAST MEETING

The notes of the previous meeting were agreed subject to the following:

- 1) Minute Item 10 – Cabinet Liaison – Agreed 1) The last sentence should be amended to read: “That all members should be encouraged to attend.”
- 2) Minute item 10 – Cabinet Liaison – Agreed 3) should read: “That individual Portfolio Holders to attend an appropriate Standing Panel meeting formally convened to consider their Portfolio and to question them. This meeting be open to all members; and that the Portfolio Holder be encouraged to attend all other appropriate Standing Panel meetings that considers their portfolio.”

16. TERMS OF REFERENCE

The terms of reference for the Panel were noted.

17. SCRUTINY OF CALL-INS

The Panel noted the report setting out the legal and constitutional background to the Call-in process together with the points which have arisen during consultation and previous reviews.

The Panel first looked at one of the points made that with 5 signatories calling in a report and only one Portfolio Holder the Portfolio Holder could feel as though they were outnumbered on a five to one ratio.

It was noted that usually the lead call-in member spoke and maybe a 'second'; but sometimes it can end up with all five signatories speaking at meetings. The Portfolio Holder will have their own points to make but will also have to note not only what the lead speaker had to say but also four other speakers. There seemed to be no set rules for this. There was a need to make it a more formalised debate with only the lead call-in speaker and the Portfolio Holder allowed to start the debate and then opening it out to wider discussion, with members of the committee speaking first, then non members and with the Portfolio Holder concluding the debate.

The current protocol for call-ins, although good, was not particularly clear on occasions and needed to be made clearer, taking in the points made above.

The Panel also considered having a pre-meeting between the Portfolio Holder, the lead member of the call-in and the Chairman of the Overview and Scrutiny Committee.

The Panel also considered the concept of the withdrawal of a call-in. If a compromise had been agreed and the call-in withdrawn how would this affect the original report. Would this entail having a new report drawn up with the amendments incorporated? Would it have to go back to Cabinet for agreement and as a new decision could it be called-in again (legally a report cannot be called-in twice).

The Panel decided to defer this item to their next meeting in order for more detailed guidance to be obtained.

The Panel clarified their discussion so far. That once a call-in had been made:

1. That either side could request a pre-meeting to discuss the call-in before it was considered formally by the Overview and Scrutiny Committee;
2. That they should not attempt to define what a major or minor matter was for a call-in and that the wording should remain "Call-ins should be for the bigger and more important issues and not for small insignificant detail."
3. They agreed that the present set time for calling-in a report should be kept at 5 days, as nowadays with electronic communication it was relatively easy to get five members to sign a call-in, especially as they could send in their agreement to act as a signatory to a call-in by email;
4. Members also had the time before a Cabinet meeting to study the reports on the agenda as well as the five working days after the decision had been taken to call-in a decision;
5. That some sort of electronic call-in be introduced to speed up the process;
6. That a system be devised for the members of a call-in to be able to withdraw their objections if once having met with the Portfolio Holder and chairman of the O&S Committee their concerns were met;
7. That the protocol be clarified to make for a more formalised debate with only the lead call-in member and the Portfolio Holder allowed to start the debate and then opening it out to wider discussion, with members of the committee speaking first, then non members and with the Portfolio Holder concluding the debate;
8. That guidance be sought for the amendment of a report after a call-in had been made and a compromise had been had been reached.

18. SCRUTINY OF EXTERNAL ORGANISATIONS

The Panel noted that there was some dissatisfaction with how external bodies who attended our meeting were dealt with. It seemed more like they were giving an annual report and were not being cross examined. There was a need for members to prepare questions beforehand. The layout of the chamber also needed to be considered, as speakers were currently on high looking down at the Committee putting them at an advantage, talking down to members. There was also a need to follow up on items that could not be answered at meetings for further information.

The Panel wondered how many of the presentations were asked for and how many just came back year after year. It was noted that a few had asked to come and address the members.

Organisations such as London Transport tended to come again and again and be asked the same questions year on year; usually by the same councillors. However, part of this was because some of the issues had not been resolved.

There was also a need to address the issue of getting the public to attend the O&S meetings. It should be advertised on our website and a press notice issue by our PR section. All the outside organisations that come to our O&S meetings should be publicised. At the Chairman's discretion the public could be allowed to ask questions. Perhaps they should be allowed to table a question beforehand as the public on the night really would not like to be told that "I'll get back to you", the standard answer for questions that the speaker had no answer to. It was also noted that there was no public involvement as to who was invited to the O&S meetings. Could something be put on the website at the start of the year listing the proposed presentations and asking for suggestions for future presentations? It was also down to members to continue to make suggestions.

The Panel noted that they had received a useful training sessions last year about pre-organising their questions. This needed to be flagged up at the previous meeting asking for questions and flagging up and areas that needed to be concentrated on. It was agreed this training session should be repeated, concentrating on how we deal with external scrutiny.

The Panel then considered the layout of the chamber. They agreed that the speakers should not be put up on the top level and should be on the same level as the members. They should be put at the apex of the horseshoe to deliver their presentation with their own officers next to them. The Chairman should stay in their usual place looking down on proceedings. It was also agreed that the members of the Committee should sit on the two front rows on either side of the horseshoe.

If members of the public were to speak then they should be accommodated downstairs in the Chamber, otherwise they should go upstairs to the public gallery. Perhaps the Chairman should also introduce the members of the Committee to the visitors. This new layout could also be used for call-ins, having the lead call-in member and the Portfolio Holder seated on either side of the apex of the horseshoe.

Members should also be flexible about presentations going to O&S Committee or to a more suitable Standing Panels.

In summation, the Panel wanted to:

- i) Have a repeat of the training sessions first had last year on scrutiny;

- ii) Change the layout of the chamber to alter where the outside bodies sit and where the committee sit when receiving a presentation;
- iii) This new layout could also be used for call-ins;
- iv) The non-attendance of the public at our meeting needed to be addressed and their ability to ask questions of the outside bodies;
- v) Members should be flexible about putting presentations to either the O&S Committee or if preferable to a suitable Standing Panel.

19. FUTURE MEETINGS

The Panel agreed that their next meeting should be held on Monday 25 March starting at 4pm.