

## EPHING FOREST DISTRICT COUNCIL OVERVIEW AND SCRUTINY MINUTES

**Committee:** Overview and Scrutiny Committee      **Date:** Tuesday, 9 April 2013

**Place:** Council Chamber, Civic Offices, High Street, Epping      **Time:** 7.30 - 9.37 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, A Lion, Mrs M McEwen, S Murray, J Philip, Mrs M Sartin and Mrs P Smith

**Other Councillors:** Councillors K Avey, A Boyce, W Breare-Hall, J Hart, Mrs J Lea, B Rolfe, D Stallan, G Waller, Mrs E Webster, C Whitbread and J Wyatt

**Apologies:** Councillors D Wixley

**Officers Present:** D Macnab (Deputy Chief Executive), C O'Boyle (Director of Corporate Support Services), J Gilbert (Director of Environment and Street Scene), A Mitchell (Assistant Director (Legal)), T Carne (Public Relations and Marketing Officer), S G Hill (Senior Democratic Services Officer), S Mitchell (PR Website Editor), G Wallis (Community Development Officer), C Wiggins (Safer Communities Manager), R Wilson (Assistant Director (Operations)), A Hendry (Democratic Services Officer) and M Jenkins (Democratic Services Assistant)

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### 77. 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.

### 78. SUBSTITUTE MEMBERS

There were no substitute Members for the meeting.

### 79. MINUTES

#### RESOLVED:

That the minutes of the last meeting of the Committee held on 5 March 2013 be agreed, subject to the proposed Essex Probation Service presentation being included in the in Overview and Scrutiny Committee's work programme for the new municipal year and not on the Safer Cleaner Greener Standing Panel's work programme.

### 80. DECLARATIONS OF INTEREST

Councillor S Murray declared a non pecuniary interest in the item a on video shot at Roding Valley High School, by virtue of being employed by that school. He indicated that he would remain in the meeting.

**81. VIDEO ON "PRISON ME NO WAY"**

The Chairman informed the meeting that they had the opportunity to view a short video produced by the council's Public Relations Team on a recent project called "Prison Me No Way" held at Roding Valley High School. Serving Prison Officers facilitated the day which involved 240 year 10 pupils. The aim of the event was to raise awareness of the consequences of crime and the realities of prison life.

Pupils were shown a mobile prison cell and experienced how it would feel to be transported in a prison van. The pupils also attended workshops delivered by the Met Police firearms unit and "Safer Places" – a charity which supports victims of domestic abuse. They also met both male and female serving prisoners.

This was the first ever "Prison Me No Way" project and they took the opportunity to invite the Police and Crime Commissioner, Nick Alston to see the initiative. The project was also an excellent example of collaborative work between two directorates.

After the video the Committee had a chance to ask questions of the Safer Communities Manager, Caroline Wiggins and the Community Leisure Officer Gill Wallis.

Councillor Murray commented that the pupils were very enthusiastic about the project. They received a powerful message especially from the prisoners; they had started in low key ways which eventually led to them serving life sentences. It was difficult to assess something like this, but if it saved just one person going down this route then it was worth it.

Councillor Smith noted that the "Prison Me No Way" had specific funding involving our partners; could this approach be used in further exercises. Caroline Wiggins replied that this had been funded by Safer Essex who had also put in a bid to the PCC. Two more events have been planned for the near future. Gill Wallis added that they were hoping to improve their package to include year 9 pupils.

Councillor Jacobs commented that this had a lot to do with drugs and poor educational standards. Were other areas holding similar events? Mrs Wiggins said this event first happened in South Yorkshire and she first viewed the event in Hertfordshire. It give a strong message to pupils to take responsibility for themselves.

Councillor Girling asked if the funding was for a one off event(s) or was it ongoing. Mrs Wiggins said that they had funding for a further two events, maybe three. The schools also had to contribute to these events. If two or three events could be put in the same week then this would help reduce costs.

**82. WORK PROGRAMME MONITORING****Overview and Scrutiny Committee**

It was noted that the proposed presentation for the Local Strategic Partnership update would be going to a later meeting. Hopefully the Children Services Presentation (item 14) and the Corporate Parenting presentation (item 17) would be going to the June meeting of the Committee.

Items 13 and 15 review of the PCT/West Essex Health Service and the Mental Health Services in the District would be more appropriate after the summer holidays to give them time to bed down.

### **Housing Scrutiny Standing Panel**

The Chairman of the Panel, Councillor Murray, noted that it had been another busy year. He noted that item 12 of their work programme, the HRA Business Plan had now been adopted. And item 24, Housing Service Improvements, had now been approved by Cabinet.

They had also completed item 35, Welfare Reform Mitigation Action Plan. Councillor Angold-Stephens asked if they needed to review the impact of this plan. Councillor Murray said he would be happy to add it to next years work programme.

### **Constitution and Member Services Standing Panel**

The Chairman of the Panel, Councillor Sartin, noted that they had five items on tonight's agenda.

### **Safer Cleaner Greener Standing Panel**

The Chairman of the Panel, Councillor Lea reported on their last meeting. The Committee noted that the Panel agreed that they would like to monitor the minutes of the Police and Crime Panel and asked that this should be added to their Terms of Reference. The Committee agreed.

**AGREED:** That the monitoring of the Police and Crime Panel minutes be added to the safer Cleaner Greener Standing Panel's Terms of Reference.

The Committee also noted the SCG Panel had agreed to delete item 21 of their work programme, the review of the Waste Contract as this was already being considered by a special Portfolio Holder Advisory Group.

The panel had also reviewed its community safety partnership responsibilities and agreed to reducing its current two meetings a year down to just one, as this was limiting its time to enable it to carry out its other 'cleaner and greener' responsibilities.

They had also received a report on Highway Accident Statistics from County. The Panel thought the report was lacking in detail and did not specify what was being done to rectify any problems identified by the statistics such as accident hotspots. They would also like officers from County to come and explain how they carried out their assessments and how they worked.

Finally the Panel received several minutes of the various panels and working groups that they were monitoring such as the EFDC Green Corporate Working Party the Inter Authority Agreement Member Working Group minutes, the North Essex Parking Partnership (NEPP) minutes and the Local Highways Panel.

Councillor Smith noted that the NEPP minutes were for their October meeting and they should be more timely. Councillor Waller noted that the minutes were not published in a timely manner. Councillor Jacobs was concerned about the financial aspects to the NEPP contract and found the lack of timely minutes to be worrying. Councillor Waller noted that NEPP was expected to break even, if not we were expected to make up the difference. Their Parking Enforcement Officers were not very efficient, but an officer group was now getting to grips with some of these

issues. Councillor Smith asked that Councillor Waller, the Portfolio Holder, take back to the next NEPP meeting this committee's wish that their minutes were issued on a more timely basis. The Deputy Chief Executive, Derek Macnab suggested a short executive summary of their deliberations could be put in the Council Bulletin for member's information.

### **Planning Services Standing Panel**

The Chairman of the Planning Standing Panel, Councillor Wyatt, said that their next meeting had been postponed until May, to consider a consultation on Cross Rail.

### **Finance and Performance Management Standing Panel**

The Chairman of the Panel, Councillor Lion, noted that at their last meeting they reviewed the council's sickness absence figures and were pleased to see the improvement made. They decided to have a half yearly review in the future instead of their current quarterly review. They were also looking at Cross Charging procedures (also known as recharging) and had set up a small sub committee to consider it.

### **Task and Finish Panels:**

#### **Overview and Scrutiny Review Task and Finish Panel**

The Chairman of this Task and Finish Panel, Councillor Angold-Stephens reported that they had so far met on four occasions when they had reviewed the member survey carried out on behalf of this panel. They noted that public engagement with scrutiny was felt to be important as well as that of external bodies that were subject to scrutiny by this council.

It soon became apparent that with a broad remit to look at the way scrutiny works, essentially from the bottom up, they were going to have to limit the number of areas to explore at each meeting in order to do justice to them.

Their January meeting considered the relationship between the OSC Chairman and Leader, the policy on appointments to O & S and political allegiance, and Leader/OSC liaison. We also considered arrangements for pre-scrutiny of Cabinet business, the questioning of Portfolio Holders and of Cabinet priorities. They also considered the membership and role of standing panels, progress reporting and achieving outcomes from panels and the managing of scrutiny panel business.

At their February meeting they considered the procedures for call-ins and the scrutiny of external organisations and engagement with the public.

At their most recent meeting they considered budget scrutiny and the public profile of OSC. The Assistant Head of Finance attended this meeting as finance was considered to be one area causing most concern amongst Councillors who responded to the consultation.

During their deliberations they were grateful to those members who added their contributions which were all carefully considered. They are hoping to deal with the last main area of enquiry which was the public profile of O & S and any other final issues. It was likely that a final meeting would be required to put together a final report. Dates have yet to be set for these meetings but the intention is that our final report will go to the next available O & S meeting in July and to Council on the 30<sup>th</sup> July.

#### **Review of Chief Executive Appointment Task and Finish Panel**

It was noted that an interim report was the next item on agenda.

**Review of Licensing Services Task and Finish Panel**

It was noted that this Panel's final report was also on this agenda for the Committee's consideration.

**83. SENIOR RECRUITMENT TASK AND FINISH PANEL - UPDATE REPORT FOR OSC**

The Chairman of the Task and Finish Panel, Councillor Angold-Stephens reported that the Panel had met on 4 April. The Panel reviewed the process of recruiting Senior Managers following the exercise last year and as a consequence of a request by this Committee.

They had looked at the range of feedback on the process and would be making a number of recommendations to this Committee for future exercises of this nature. These recommendations would be around the future terms of reference of any Panel, its make up and formulation of a guidance note for future use. They would also be making recommendations about the timing of announcing the preferred Candidate prior to Council appointment, selecting external advice and subsequent contract matters.

It was anticipated that the Panel's full report would be submitted for consideration to the next meeting.

**84. CABINET REVIEW**

The Committee reviewed the Cabinet's agenda for their 15 April meeting but there were no specific items that the Committee wanted to be brought to their attention.

**85. CHANGE IN ORDER OF THE AGENDA**

The Committee agreed to take all the reports from the Constitution and Member Services Standing Panel before dealing with the other items of business.

**86. REVIEW OF CONTRACT STANDING ORDERS**

The Chairman of the Constitution and Member Services Standing Panel, Councillor Mrs Sartin, noted that this report arose from their annual review of contract standing orders. Three items brought forward for approval were:

**Ad Hoc Tender Lists** – Last year the Council agreed that Directors (rather than Portfolio Holders) should have the authority to agree ad hoc tendering lists for contracts above £50,000 in value. This was principally to maintain commercial confidentiality regarding those firms who are invited to bid and thereby avoid anything which would risk uncompetitive tenders. This was introduced for a 12 month trial period and the Standing panel had been advised that this has not caused any problems.

They recommended that this arrangement should become permanent.

**Contract Renewal Periods** – Last year, the Council agreed to reduce the number of years that a contract could be renewed with an existing contractor without a further competitive procurement exercise. Previously, Directors could do this for up to 4 years but this was changed to a maximum of 2 years. This arrangement has also not

caused any problems and they were happy to recommend that it becomes permanent as it ensured that the market was tested more regularly.

**Public Services & Social Value Act 2013** – The Panel recommended a minor change to the list of statutory provisions which were listed in Contract Standing Orders and which must be taken into account when services were procured. This Act now applies to contracts where the EU procurement thresholds applied and required Councils to look for additional elements to be added to contracts which could secure wider social value. As this only applies to the EU procurement thresholds it would only arise infrequently.

**RESOLVED:**

- (1) That, as agreed at the last Annual Review of Contract Standing Orders, the maximum period for renewing contracts under CSO C4(1)(g), namely 2 years, be re-affirmed on a permanent basis;
- (2) That the delegation to Chief Officers (as defined in Contract Standing Orders) relating to the approval of ad hoc tendering lists after public notice under CSO C7(6)(a) be re-affirmed on a permanent basis;
- (3) That Contract Standing Orders CSO (1) be amended by the addition of reference to the Public Services (Social Value) Act 2013.

## 87. REVIEW OF OFFICER DELEGATION

Councillor Sartin noted that this report followed from the annual review of officer delegation.

The report dealt with this in two parts: matters which were the responsibility of the Council and those which were for the Leader of the Council, relating to Cabinet functions.

**Cabinet (Executive) Functions** – the proposals were set out in Appendix 1 to the Panel's report. Only one item was brought forward, namely the declaration of the NNDR and Council Tax Bases. At one time these were agreed by the Council and subsequently delegated to the Cabinet and then to the relevant Portfolio Holder. It was also possible for this task to be delegated to the Director of Finance and the Panel were proposing that he should declare these Tax Bases in future years. This was because it was a highly technical document of great length and some complexity and the Panel doubted that members of the council could have much input to the declaration.

**Council Functions** – The Panel made the following recommendations on 2 items:

### **Planning Enforcement – Direct Action**

A particular case had caused the Council's procedures for taking direct action under Section 178 of the Town & Country Planning Act 1990 to be reviewed.

Section 178 allowed a planning authority to take action to prevent anything being done on a site which was contrary to an extant enforcement notice. Currently, there was no delegation to officers to act under this legislation, unless members at a planning meeting direct that action was taken. This raises the possibility of delay in

pursuing the serious enforcement issues which might result in enforcement processes being undermined by other parties through lapse of time.

Although these cases arise only infrequently, the Panel felt that officers should be able act quickly in support of an enforcement notice if there was real urgency in taking action. The only condition was that there must be a budget to enable whatever work was required to be funded. This applies even if the intention was to re-charge the cost to other parties.

They thought that this change would enable the Council to respond more quickly to concerns expressed within local communities about particular sites and recommend accordingly.

### **The Constitution**

They recommended that minor changes to the constitution, including updates in respect of changes in legislation should be delegated to officers. Statutory changes have to be accepted and these, as well as other minor drafting changes, should not in their view take up members' time.

#### **RESOLVED:**

- (1) That a report be submitted to the Leader of the Council recommending that the proposed changes to officer delegation in respect of executive functions set out in Appendix 1 to the report be approved; and
- (2) That a report be submitted to the Council recommending the suggested alterations to officer delegation in respect of Council functions set out in Appendix 2 to the report.

## **88. REVIEW OF FINANCIAL REGULATIONS**

The Committee noted that a review of Financial Regulations was not due this year under the timetable agreed by the Council last year. However, one item was brought forward for consideration and this related to virements because the Panel felt that it should not wait for another year.

A virement is a transfer between budget headings. Financial regulations set a framework for how such transfers may be approved. This was to ensure that the budgets provided by the Council were used for the purpose for which they were intended. No budget could be set in stone however and there were circumstances where funding had to be switched so as to meet service needs.

Their report dealt with the financial thresholds for making these decisions.

The Panel recommended that the delegated limit for Directors to make these decisions should be increased to £20,000 from the current figure of £5,000. They considered the latter figure was too low bearing in mind the size of the Council's overall budget and the effects of inflation.

They also recommended that, by the same token, the limit for approval by Portfolio Holders should be increased to £50,000 from £25,000, thereby reducing the number of such reports submitted to the full Cabinet.

They were not proposing any change to the limits for Cabinet and Council approval (up to £100,000 and over £100,000 respectively) as these did not happen very often and because they felt that virements of that significance should be looked at in more detail.

They emphasised that there were a number of other controls on the use of virements in Financial Regulations which would remain in place.

**RESOLVED:**

That a report be submitted to Council recommending that Appendix B (Section 4) of Financial Regulations be amended as shown in Appendix 1 of the report, in order to change each authorisation level for virements as follows, subject to the other terms and conditions set out in the Financial Regulations:

Decision Maker	Limit of Delegated Authority
Chief Officers	- £ 20,000
Portfolio Holders	- £ 50,000
Cabinet	- £100,000
Council	- £ 100,000+

**89. HOUSING APPEALS AND REVIEW PANEL - TERMS OF REFERENCE**

The Chairman of the Constitution and Member Services Standing Panel reported on the Housing Appeals and Review Panel report.

**Terms of Reference** – They were asked by the Housing Portfolio Holder and the Housing Scrutiny Panel to review the Appeals Panel's terms of reference in the light of their current review of the Housing Register/Allocations policy operated by the Council.

They had been advised that the proposals which the Cabinet would be considering at its next meeting include a number of changes in eligibility criteria which arose from new Government guidance. The Portfolio Holder was concerned that the grounds for appeal to the Appeals Panel were drafted too widely in relation to current Government policy and, if this was not addressed, the Panel would receive many hundreds of appeals with which it would not be able to cope within the timetable for dealing with them.

The proposal they were asked to consider was that paragraph 1 (c) of the Panel's terms of reference should be removed, namely:

“exclusion of housing applicants from the Housing Register”.

Such appeals will therefore be dealt with at officer level.

She emphasised that it was not for the Constitution Panel to involve itself in the details of housing policy; that was for the Cabinet. The change to the Constitution set out above was therefore dependant on the Cabinet's decision. The Panel was asked



to ensure that the period between any Cabinet decision to change the policy and the consequential change to these terms of reference should be as short as possible and they recommend accordingly.

### **Order of Presentation of Cases at the Appeal Panel**

The second item relates to the presentation of cases at Appeals Panel hearings and who should make their case first, i.e. the Council or the applicant/appellant.

Last year, the Council decided that the order should be

- applicant/appellant first
- Council second

This was however subject to the discretion of the Chairman to reverse this order if asked by the appellant/applicant to do so.

They were asked to review this arrangement after twelve months, partly because opinions within the Panel and other Councillors seemed divided on the question. They noted that there were 7 cases in the last year and in 4 of those the appellant/applicant gave their statements first.

They had also noted that opinions now seemed to support an order which sees the Council presenting first as some appellants/applicants may be more comfortable with responding after the Council rather than before.

The Panel therefore recommended that this arrangement should be followed in future and that the Panel's terms of reference were altered accordingly. They thought that this can be a permanent arrangement as opinions now seemed clear about the issue. However, they built into the procedure an option for the order to be changed at the request of the Panel.

### **RESOLVED:**

(1) That a report be submitted to Council recommending that the terms of reference of the Housing Appeals and Review Panel be amended as follows:

(a) subject to the Cabinet adopting the recommended new Housing Allocations Scheme, paragraph (1)(c) – exclusion of housing applications from the Housing Register be removed; and

(b) the consequential amendment of the Constitution;

### **Order of Presentation of Cases**

(2) That a report be submitted to the Council recommending:

(a) that the normal order of presentation of cases at meetings of the Housing Appeals and Review Panel be changed to provide for the case officer presenting their case before the applicant/appellant; and

(b) that paragraphs (6) and (7) of the Terms of Reference of the Panel be amended as follows:

“(6) In relation to appeals or reviews at which the applicant's case is presented in person or by a representative, the hearing shall be conducted in the following order:

- (a) Chairman's introductory remarks;
- (b) Presentation of the Officer's case;
- (c) Questioning by the applicant (or representative);
- (d) Questioning by members of the Panel;
- (e) Presentation of the applicant's case;
- (f) Questioning by the Officer;
- (g) Questioning by members of the Panel;
- (h) Summing up by the applicant;
- (i) Summing up by the Officer;
- (j) Panel considers its findings in the absence of the applicant and the Officer;
- (k) The decision of the Panel will be conveyed to the applicant and Officer in writing.
- (l) The Panel shall have discretion to reverse the order in which the cases of the applicant and the Council are presented, provided that both parties agree.

(7) If requested by the appellant/applicant or their representative, the Chairman may agree to (6)(b)-(d) above taking place after (e)-(g) and to (h) and (i) being reversed”.

## 90. LOCALISM ACT 2011 - EXECUTIVE CONSULTATION

This report dealt with changes to the Constitution which was required by the Localism Act 2011. The substantive changes to Article 7 were set out in the Appendix to the report. The covering report summarises the principal changes made by the Act.

Most significant among these is the addition of a new discretion for the Council in appointing the Leader and his/her term of office. It was for the Council to determine how that new discretion was to be exercised and the Panel felt that their task was to ensure that the Constitution must reflect this and the other changes.

In practice, the Council had little discretion regarding these matters and they recommend accordingly.

The meeting also noted a typographical error in paragraph 7.05 (c) that said: “but may be re-appointed the Leader of the Council” – it should read “but may be re-appointed **by** the Leader of the Council”.

**RESOLVED:**

That a report be submitted to the Council recommending that Article 7 (The Executive) of the Constitution be amended reflecting the requirements of the Localism Act 2011 as set out in the Appendix of the report.

**91. DRAFT ANNUAL O&S REPORT**

The Committee considered the draft Overview and Scrutiny Annual Report, they noted that they could submit any comments to Democratic Services by 29 April 2013.

**RESOLVED:**

- (1) That the draft Overview and Scrutiny Committee Annual Report for 2012-13 was noted; and
- (2) That the final version of the report be given final approval at the June meeting.

**92. REVIEW OF LICENSING SERVICES TASK AND FINISH PANEL - FINAL REPORT**

The Committee received the final report from the Review of Licensing Services Task and Finish Panel. The Chairman of the Panel, Councillor Mrs Smith introduced the report. The Committee noted that the Task and Finish Panel was established in September 2012 to undertake a review of the way licensing applications were dealt with and the feasibility of moving licensing meetings to the evening so that councillors with full time jobs could join the committee. They would also look at the possibility of informing the nearest 50 residential properties that an application had been received.

They had met on four occasions and operating in a brisk fashion, they concluded that they should recommend having evening meetings for premises licence applications, daytime meetings for taxi applications and consultation with nearby premises and residents. Details and the costs were in the report.

Councillor Angold-Stephens commented that certain aspects of their conclusions were not unanimous, there were concerns on the need for evening meetings and on the extra costs. He was however, happy with the consultation aspects of the report. He noted and understood members concerns, but there were only a few applications that were controversial. But, they were asking for all premises applications to go to the proposed evening meetings. This was a balanced decision especially in view of the budget constraints that the Council faced, asking for an extra £58,000 per year. He would like to recommend that that the timings of the sub-committee remain as was, except for known controversial premises applications to go to evening meetings. He also cited the extra costs to the applicants in bringing legal representation to evening meetings.

Councillor Chana said that he understood how this had come about, under the localism initiative, and that local members could be appointed for local applications. However, he was not in favour of the extra costs involved.

Councillor Philip said members were wrong to say that the cost of evening meeting was to be £58,000. The cost of the consultation proposed would be £28,000 which members were happy with. The money was also for an extra Committee Officer and not just for an extra Licensing Officer, who would service other meetings as well as

licensing. He noted that ward members had problems getting to daytime meetings, but this also applied to the working residents. The Panel also thought it was reasonable to keep taxi licensing to the day time meetings. However, if this did not work it would all be reviewed in twelve months time.

Councillor Sartin had concerns around the composition of the Licensing Committee and how it was to be set up. It would have 15 members but only a small amount of these members would be available in the daytime. Which would mean more work for a smaller amount of people. She was also concerned about having only one premises licence application per meeting; at present they had more than one at a meeting. Could they schedule more than one low level premises application per meeting.

Councillor Morgan said it would be sensible to have some premises licences during the day. Councillor Murray added that he had no problem with the increased expenditure but there seemed to be a difference in opinion on costs. What was the additional costs to having more evening meetings.

The Assistant Director (Legal), Alison Mitchell replied that a lot of the increase in the number of evening meetings would be due to the increased consultation and this may put the number of evening meetings up. For example 41 applications were considered this year with 28 going to a sub-committee meeting, and if repeated next year there was the potential of having up to 41 extra meetings per year, increasing the costs.

Councillor Lion said there was some merit in looking at holding evening meetings for a year. However, how were we to monitor the financial aspects. The Director for Corporate Support Services, Colleen O'Boyle, replied that this would be reported back as part of the review to be undertaken at the end of the year.

Councillor McEwen asked if the applicant would have the option of having a daytime or evening meeting, due to the extra legal costs for an evening meeting. Ms O'Boyle replied that this would be a matter of how the meetings were set up.

Councillor Jacobs said that they should go ahead with the Task and Finish Panel's recommendations. They would have a year to assess it and then amend if necessary.

Councillor Sartin said she was concerned about the figures reported and especially about the possible extra 41 meetings. Councillor Angold-Stephens noted that there were 41 applications but only 28 had gone to meetings. Ms O'Boyle added that the increased consultation would lead to some feedback on every application, based on what happened last year this may mean 41 meetings.

Councillor Sartin asked if the Council had the facilities / rooms to hold up to 41 extra meetings. She was told that officers had already put in two scheduled licensing meetings every month one daytime and one evening.

Councillor Philip commented that the key here was the bits that we did not know about, such as how many applications would be commented on or if we could we have more than one application at an evening meeting. If need be, meetings could be scheduled for Friday evenings. If after a year we found that it was not working, it could be changed at the review stage. But, they needed to find out if it could work and this could only be done by doing it. He would not object to having more than one licensing application per meeting.

Councillor Gadsby said that they knew how long these licensing committee meetings can go on for. They had just had a 4 hour meeting today. Would residents want to stay out that late. She would not like to have more than one application per meeting.

Councillor Sartin asked if recommendation 5 be changed from a 12 month period to 9 months. Councillor Philip replied that he was happy to second this proposal.

Councillor Stallan commented that members had an interesting debate tonight. The Panel had compromised on how the final report came forward. He noted that some points made tonight by Councillor Angold-Stephens that had not been brought up at the Task and Finish Panel. As for it costing the applicants money to go to evening meetings, he noted that they were mostly for night clubs, but we are here for our residents and we need to balance that fact that they might lose income if they had to go to daytime meetings. The Council needed to see how this would work over the next nine months and then review it.

Councillor Hart commented that this was a big issue for him and his residents. They felt completely disenfranchised by the current system. It was an extremely frustrating system at present; there was no democracy in the system.

Councillor Waller noted that this came under his Portfolio. The most important point was to review it and see how things developed over time. The Panel had also considered two other proposals that they had eventually dropped. One was to have a sub-committee by area and the other was that all taxi applications be considered by officers only. They were left with having evening meetings and wider consultations. He thought it should be given a try to see how it worked. He noted that Councillor Sartin had made a good point about members who could only attend evening meetings and there would therefore be less committee members left to attend daytime meetings. This was something that he was also concerned about.

Councillor Sartin formally proposed that the review period be brought down to 9 months and asked if it would be possible to have some leeway to hold some daytime premises applications. Councillor Philip suggested that if officers ran into problems that they be flexible about it and put some into a daytime meeting. Officers should be given flexibility on this.

**AGREED:** to change recommendation five to read 9 months and not 12 months.

Councillor Smith noted that now the Task and Finish Panel had finished, the review would be completed by the Constitution and Member Services Standing Panel.

**RESOLVED:**

That, with the amendment of recommendation five to hold a review at 9 months instead of 12 months; the recommendations as set out in the final report of the Review of Licensing Services Task and Finish Panel be recommended to Cabinet and Council.

**CHAIRMAN**

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