

EPPING FOREST DISTRICT COUNCIL OVERVIEW AND SCRUTINY MINUTES

Committee: Overview and Scrutiny Committee **Date:** Thursday, 7 December 2006

Place: Civic Offices, High Street, Epping **Time:** 7.30 - 9.25 pm

Members Present: Councillors R Morgan (Chairman) Mrs J H Whitehouse (Vice-Chairman)
M Cohen, M Colling, R D'Souza, Mrs H Harding, Mrs P Richardson,
M Woollard, R Church, P McMillan and Mrs C Pond

Other Councillors: Councillors Mrs D Borton, Mrs D Collins, A Green, Mrs A Grigg,
Mrs P K Rush, D Stallan and C Whitbread

Apologies: Councillors D Bateman, P House and G Mohindra

Officers Present: J Scott (Joint Chief Executive), J Gilbert (Head of Environmental Services),
I Willett (Head of Research and Democratic Services), T Carne (Public Relations and Marketing Officer), S G Hill (Senior Democratic Services Officer), Z Folley (Democratic Services Assistant), M Jenkins (Democratic Services Assistant) and A Hendry (Democratic Services Officer)

By Invitation: A Adams (Essex Police) and Councillor E Borton (Nazeing Parish Council)

52. WEBCASTING INTRODUCTION

The Committee noted that the meeting would be webcast.

53. SUBSTITUTE MEMBERS

It was noted that Councillor R Church would be substituting Councillor D Bateman, Councillor P McMillan would be substituting Councillor G Mohindra and Councillor Mrs C Pond would be substituting Councillor P House.

54. MINUTES

It was agreed that as the minutes for the meeting on 9 November 2006 had not been made available prior to meeting, they be deferred to the next meeting for conformation.

55. DECLARATIONS OF INTEREST

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

56. NEIGHBOURHOOD POLICING - PROGRESS REPORT

It was reported that on the 2 March 2006, the Committee received a presentation from Chief Superintendent Andy Adams, the Divisional Commander for the District on the Neighbourhood Policing Initiative.

The Committee heard about the key elements of the scheme designed to provide accessible and local known police officers to tackle local issues of concern. They also received information on progress with the roll out of the scheme in the District, and more general policing issues including Dispersal orders, response times to enquiries, anti-social behaviour and resourcing issues.

The Chairman welcomed back Chief Superintendent Andy Adams to report on progress with the local initiative and wider policing issues.

Mr Adams reiterated the aims behind the initiative which he anticipated Members also recognised and valued. He reminded the Committee that the task of providing a local visible policing presence in the District was a significant challenge due its geographical size (which covered a significant 'chunk' of the area in the Western Division) its diverse character and the problems in the surrounding areas. Mr Adams referred to a copy of the presentation containing the contact details of the officers for the local wards to be made available to all members of the Council.

He reported on the structure of the Western Division covering Harlow, Epping Forest and Brentwood including a total of 58 wards and 18 neighbourhood teams. He reported that the Epping Forest Division had four stations in Epping, Waltham Abbey, Loughton and Ongar which constituted most of the Western Divisions stations. He referred to its staffing establishment comprising a Divisional Commander, three Commanders and under this local neighbourhood teams.

In terms of current policing initiatives, he reported on the Automated Number Plate Recognition Scheme (ANPRS) facilitated by the installation of CCTV in Loughton to provide intelligence on car crime. The Committee noted the number of incidents captured by the system in the Loughton High Road area during November 2006 indicating its effectiveness in dealing with car crime. The scheme was a part Council , part Police driven process. The Committee noted action to deal with crime in railways stations with the Crime and Disorder Reduction Partnership using scanning technology to check for knives. The Committee noted performance against tackling knife related crime and the provision of schemes supported by visible local policing in 'problem' areas to reduce this. The Committee heard about the Mobile Rural Police Office for the provision of information and help on local crime.

Reference was made to an operation, carried out over a 24 hour period, to show the forces commitment to reducing the number of people killed or seriously injured in car accidents although this was not a significant problem in the District. The Committee noted figures indicating the schemes success. Members expressed support for this and asked that the work be carried out frequently.

In response the presentation, the Committee asked to received an update on the roll out of the District Neighbourhood Policing Scheme. It was clarified that phase one was to introduce the scheme to the neighbourhoods then to the wards. Each of which now had its own nominated community sergeant and teams involving Police Community Support Officers (PCSOs).

It was reported that the 'Policing Family' comprised officers, PCSOs and the special constabulary. Steps were being taken to increase the size of the special constabulary as there was a shortage of these officers. The Committee asked to receive the contact details for the ward sergeants. It was reported that this information was in the pack together with how the officer support for the scheme was distributed between the wards and beat information.

A Member stressed the need for the contact details and the mobile phone numbers of the local neighbourhood teams to be published in the local press. Consideration should be given to this measure if it had not already been implemented. It was also asked whether the staff at stations had these contact details. It was clarified that all front counter staff had been given the circulated leaflet and the details could be found on the Essex Police website. Mr Adams stated that he personally checked officer mobile phones to ensure they were contactable.

A Members asked about the number of vehicles stopped as a result of the Automated Vehicle Recognition Scheme? In reply it was clarified that the scheme was operated from Loughton Police station where the 'feed' was prioritised. Overall the results had demonstrated the system had been very effective and was a key measure in reducing such crime. Mr Adams offered to come back to the Committee to show Members how this system worked in more detail.

The Committee asked about the impact of local Dispersal of Group Orders. The orders had been made with regard to the need not to alienate the persons concerned which was key to their success. There was room for improvement in terms of usage.

The Committee asked about action to deal with the incidents of anti-social behaviour and underage drinking and drug use involving young people who had been moved on from areas subject to Dispersal of Group Orders. There appeared to be no police presence in these areas. How were they being patrolled? It was reported that the local division had dialogue with the Metropolitan Police over this and undertook action through the courts which had been successful. A Member reported on problems involving groups of youths in Buckhurst Hill. Mr Adams undertook to investigate this.

A member stated that there had been reoccurring issues with young people congregating and drinking outside North Weald Village Hall. Mr Adams reported the need to report this to the Police and also to the Crime and Disorder Reduction Partnership.

A Member raised a question about missing crime reports and statements. Mr Adams undertook to investigate this if specific details were provided. He stated that the Human Rights Act did not present any problems for the service.

Consideration was given to the concern regarding offenders wearing Anti – Social Behaviour Orders (ASBOs) as 'badges of honour'. This was not an issue in the District. It was stated that the process for determining whether an ASBO should be made was undertaken in a considered and measured way involving contact with the offender and parents to look at the underlying cause of the problems. The ASBO was the final stage in this process if all else had failed. A member expressed concern about cycling on pedestrian areas in Waltham Abbey causing danger to pedestrians. Mr Adams stated that he was not aware of this particular issue but undertook to look into it. A Nazeing member asked about action to deal with concerns raised by her constituents about vandalism around the shops in High Mead where there were schools and sheltered housing. Mr Adams reassured the Member that officers would contact her about this. He undertook to take away the view that more work should be undertaken with the Council and referred to measures to deal with the underlying causes of crime specifically in Limes Farm.

The Committee asked about the effectiveness of PCSOs. Mr Adams reported that the growth of PCSOs in the area was much welcomed. The function that they fulfilled of providing uniformed officers who were part of the local community was invaluable. It was questioned whether PCSOs would be more effective and more of a deterrent

if they had the power of arrest? Mr Adams stated that he saw more benefit in the officers engaging with the community rather than dealing with arrests so there was no tension around the extension of their powers. The Committee expressed gratitude for the provision of smart cars to support rural policing. It was clarified that the Crime and Disorder Reduction Partnership had provided the vehicles to support police mobility around the rural areas. Mr Adams reported steps to increase further the vehicle access for the police.

The Chairman thanked Mr Adams for his presentation and answering the questions.

RESOLVED

That Chief Superintendent Andy Adams, the Divisional Commander for the District be thanked for his presentation on the Neighbourhood Policing Initiative and wider policing issues.

57. EFDC PARKING ENFORCEMENT CONTRACT - PRESENTATION AND REPORT OF THE TASK AND FINISH PANEL ON TOWN CENTRES AND CAR PARKS

The Committee considered a report of the Task and Finish Panel for Town Centre and Car Parks forwarding recommendations concerning the development of the new parking enforcement contract.

The Head of Environmental Services apologised for the unavailability of the consultants, Parking Associates Ltd, who had been due to report to the meeting on options for the development of the new contract as discussed with the Panel.

A final report of the consultants was attached to the agenda. The report considered the form of the new contract, ticket targets, car parks, lines and signs, pay and display machines, vehicle removals, parking shops, the new Traffic Management Act 2004 (TMA) and IT systems. The report had formed the basis of the Panels discussions and also had helped shape their recommendations.

It was reported that the Panel had met on two occasions to review the operation of contract ahead of the letting of the new contract due to come into operation in October 2007. The Panel had received two reports from the consultants on how best to proceed with the contract in view of the TMA, to replace Decimalised Parking Enforcement with Civil Parking Enforcement, and the governments views on how parking enforcement should be undertaken. The Committee considered each of the Panels recommendations in turn.

(a) Type of Contract

It was reported that in view of the need for the new contract to provide a partnership between the Council and the service provider, as both parties would be responsible for ensuring its success, the Panel had recommended that the new style of contract introduced by the British Parking Association and supported by central government be used for the contract. It was envisaged that this would provide greater transparency and accountability and performance indicators on which payment would be partly determined.

(b) Tender Process

The Panel had considered the clear directions in the TMA and agreed that it was essential that the new contract placed greater emphasis on quality of the service. As

a result the Panel had recommended, following consideration of the advise of the consultants, that there should be a 40% price, 60% quality balance in the contract.

(c) Signs and Lines

The Panel had proposed, given the complex process for arranging simple maintenance work brought about by the return of the highways function to the County, that the Council should open up discussions with the County with a view to them enabling the Council to commission minor works such as the repainting of yellow lines and the replacement of signs subject to the use of an approved County Contractors.

A Member requested that the word 'replace' in the text of the report be substituted by the word 'initiate' to state that the Council should be able to initiate yellow lines and signs rather than merely replace them. In reply, the Head of Environmental Services clarified that he was happy to speak to the County Council to see if this further flexibility could be taken forward.

(d) Consultation

It was noted that the Panel had undertaken consultation with all Members, town and parish Councils and town centre partnerships asking for their views on enforcement. The responses stressed the need to balance enforcement between the towns and more rural areas of the District, greater shift/unsocial hours enforcement and more on street rather than off street enforcement. The Panel supported these findings and wished to see them reflected in the new contract specification.

(e) Parking Shop

The Panel had considered the need for the Parking Shop in Loughton given the availability of technology for the services provided and the concern that the current facility was not very welcoming to customers and not accessible to the disabled. On balance they noted merit in providing a shop which provided easy access for the customers and space for the client side to be close to the contractor. They recommended that the contract specification continue to provide provision for the facility.

The Portfolio Holder reported that there had been some discussion about the location of the shop. Whilst the Panel had hoped that a suitable Council based premises could be found for the services, the option that it be housed at a premises in Loughton was not unanimously supported. He drew attention to the merits of locating the services at the Civic Officers at Epping and the savings this might generate. He felt that further consideration should be given to this alternative. Several Members also supported this option.

(f) Changes to the initial appeals process

The Committee noted that currently the enforcement contractor was responsible for dealing with initial appeals. The new TMA however would pass responsibility for the process to the Council and indicated that elected Members could not be involved in the appeals process. The Panel had agreed that a full time post should be created for the fulfilment of this additional function. The Panel noted that the costs of this had not yet become known as there might be a reduction in the price of the contract due to the contractors not having to provide the service.

(g) Car Parks

The Panel had noted details of measures for dealing with antisocial behaviour in car parks. The Panel noted details of a relatively new device call the Mosquito which was a deterrent to groups of teenagers who gathered in car parks. It was clarified that the problem of antisocial behaviour in car parks fell outside the remit of the contract. However it would be considered separately by the Panel, with the assistance of the Crime and Disorder Reduction Partnership, at a future meeting. The Portfolio Holder advised that there was scope for the measure to be added to the contract at a later date if felt necessary. The decision on this ultimately rested with the Council.

A member suggested that consideration should be given to widening the powers of wardens to allow them to report on environmental problems. Some Councils had used them to report on problems such as fly typing. She saw merit in this approach and requested that this be explored as part of the consideration of how to take forward the provision of the Clean Neighbourhoods and Environmental Act 2005. The Head of Environmental Services informed Members that consideration could be given to formulating a 'shopping list' of activities for parking attendants to take on in fulfilling their new role as Civil Enforcement Officers to be ascribed to them under the TMA. This could include provision for reporting on incidents of environmental crime.

RECOMMENDED TO THE CABINET:

- (1) That the British Parking Association contract be used as the basis for the new contract;
- (2) That the contract assessment be undertaken on the basis of 40% price and 60% quality;
- (3) That the Essex County Council be approached with a view to them enabling this Council to commission remedial works on yellow lines and associated signage;
- (4) That the outcome of the consultation exercise with all Members, Town and Parish Councils and Town Centre Partnerships be noted and the specification be drawn to include the key findings as outlined in sub – section (d) of the report
- (5) That the contract specification include a requirement for the provision of a 'Parking Shop';
- (6) That in accordance with the Traffic Management Act 2004 the process for dealing with initial challenges to penalty charge notices be undertaken by the Council and that the establishment be increased by one full time equivalent post to resource this change;

58. WORK PROGRAMME MONITORING

The Committee considered the updated work programme.

Standing Panels

(a) Constitutional and Member Services

The Panel had considered a report on options for supporting Councillors subject to complaint when officer support could not be provided. The Panel had considered and broadly supported proposals for the establishment of an insurance scheme however

asked that the proposed service provider be asked to provide clarification on certain items in the proposals. The report was to be considered by the Cabinet on 18 December 2006.

The Panel gave further consideration to proposals to establish an Audit and Governance Committee and the relaxation of the proposed membership rules to enable scrutiny members to serve on it. The Panel had stressed the need for training for the members and supported the proposals.

(b) Customer Services and ICT Standing Panel

The Panel had revised their terms of reference to reflect the changes to the Customer Services Transformation Project. The Committee were asked to agree the changes.

RESOLVED:

That the revised terms of reference for the Customer Services and ICT Panel be adopted.

Task and Finish Panels

(d) Leisure

The Chairman of the Panel, Councillor Mrs H Harding reported on the current work of the Panel. The Panel had visited the Great Stoney Theatre Resources Centre and held meetings with the Grange Farm Trust and the Essex Wildlife Trust over the future management of the Roding Valley Nature Reserve.

(e) Town Centres and Car Parking

The Panel had looked at the development potential of five Council owned car parks. The Panel had recommended to the Cabinet that further work be carried out on the suitability of development, with an element of public car parking, on two of the sites and proposed that the remaining three be retained as car parks.

(f) Crime and Disorder

The Panel had last met on 23 November 2006 to consider the link between criminal activity and mental health issues. During the discussion, the Panel heard from representatives of the local PCT and Essex Fire Service and expressed a wish for their next meeting, to be arranged in the new year to hear from the

(h) Local Strategic Partnership

At its last meeting in November 2006, the Panel had heard from a representative from Essex County Council on the Local Area Agreement. The Panel had arranged to meet on 15 December 2006 to consider their final report to be circulated in the new year.

(i) Overview and Scrutiny Committee

It was noted that on 19 December 2006, the Council would be asked to appoint two Members to the external scrutiny body for the Fit for Future Hospital Services Review which was considered at the 9 November 2006 meeting of the OSC. The February 2007 OSC was to receive a further presentation from the Local Commissioner for

Children's and Young Peoples Services on outcomes. County Highways would be attending the March 2007 meeting and London Underground would be attending the April 2007 meeting.

59. REVIEW OF AREA PLANS SUB-COMMITTEES

The Committee considered a late report of the Constitutional and Members Services Standing Panel on their review of the structure and membership of the Area Plans Sub – Committees.

The Chairman of the Committee had determined that this item should be dealt with at this meeting as a matter of urgency in order that the review could be concluded now rather than await the Committee's next meeting in February 2007.

The Chairman of the Panel, Councillor R Morgan, reported that the Panel had been asked to address a number of main issues covering the workload and membership of Area Plans C; the principle that all members should have a seat on their local Area Sub – Committee and whether there was merit in changing the areas covered by each Sub – Committee.

The Panel had consulted the local Councils and all members of the council through the members bulletin on the future shape and pattern of the Sub – Committees. As a result many often conflicting views had been expressed.

At its last meeting on 6 November 2006, the Panel considered four options previously identified. These concerned the issue of changing to a three sub – committee option (Area A plus two new subs reflecting a rural urban split in the rest of the District); adjusting the present four Sub – Committee structure by changing the areas of Area B and C or combining them to create a three Sub – Committee structure. The Panel also considered the option of no change.

The review clarified that a reduced number of Sub - Committee could improve the speed in determining planning applications, which had been improving anyway, and increase Planning Delivery Grant. It also clarified that the improvement might be marginal and would need to be supported by other improvements to raise performance to meet top quartile standards.

The Panel established that, due to the smaller workload and membership size of Area 'C', concerns had been expressed about it being iniquitous although this was not a regular occurrence. The real balance of argument was about local consideration of planning matters as against holding meetings for a relevantly small number of applications. Another issue was about travelling distances by members should there be any expansion in the areas, especially the larger rural areas, covered by the Sub – Committees.

The Panel determined the question of whether change was supported before they considered any of the options in detail. The Panel decided by a majority that no change be made to the pattern of the Area Plans Sub – Committees.

The Panel also considered a further issue regarding whether the Membership of Plans A should be expanded to allow all 25 local Members to serve on the Sub - Committee. The Panel were mindful of the views of several Area 'A' members that they did not seek changes to any aspect of that Sub – Committee and recommended that the Sub – Committee should be asked to express a view on the point and report back to the Committee.

The Committee raised a number of points in response to the report.

A member, who had attended some of the meetings, reported that there had been considerable discussion about the options. The Panel saw disadvantage in each. Possibly there should be some changes to Area 'C' to increase the Sub – Committee. The views of Area 'A' itself should be sought on the discussed increase of its membership in view of the strong support for no change to the Sub – Committee amongst several of its members. Subject to this the Members supported the recommendations of the Panel.

It was noted that the last meeting of Area 'C' had been cancelled due to a lack of business. It was suggested that 'B' and 'C' should be combined to level out the workload. In view of these concerns, a Member recommended that the Panels recommendation that no change be made to the present structure of the Sub – Committee be not supported. Instead he tabled an alternative set of proposals recommending that the principle of all members of the Council be members of an Area Plans Sub Committee be adopted; that Area Sub Committee A comprise 25 members; that the present Area Sub Committees B and C be combined.

In discussing these options, several Members of the Committee felt that all Members should be entitled to a seat on their local Sub – Committee to better represent their constituents and enhance local democracy. A former member of Area Plans 'A' reported his concerns about not having a seat on this years Sub-Committee as a result of the membership rules. He reported on regular contact with his constituents about Plans 'A' cases and their concern over the fact that he lacked the right to vote on the cases, in support of local views, as he was not a member of the sub-committee.

It was stated that all 25 Members of the wards under Area Sub – Committee A should meet to consider and express views on the future size of the Sub – Committee. Should an increase in the size of the membership be agreed, consideration would need to be given to the suitability of the current venue, the Roding Valley High School Dining Hall for holding meetings of 25 Members. Bearing in mind the capacity that would be necessary for the change and the size of the dining hall, alternative accommodation might need to be found.

A Member questioned the practicalities of increasing the membership of Area 'A' to 25. He felt that in view of the significant workload of the Sub – Committee, the proposal might result in lengthy discussions at meetings and might not enable the proper consideration of the business within a reasonable length of time.

A Member expressed a desire to see more Members on Area C. It was felt that they often considered 'groundbreaking' cases that involved green belt policy which merited greater member involvement. A Member of Area 'D' reported on concerns expressed in Nazeing about the balance of representation on the Sub-Committee as most of its remit concerned rural areas yet majority of its membership represented urban wards. This imbalance should be addressed.

Having considered the options, the Committee decided that the Panels recommendations did not address the reasons for the review as highlighted as at the start of this minute. To address the issues they decided to support the recommendations tabled at the meeting for changes to the structure of the Sub – Committees for onward consideration by the Council.

RECOMMENDED TO THE COUNCIL:

- (1) That the recommendations of the Constitutional Affairs Scrutiny Standing Panel that no change be made to the pattern of Area Plans Sub not be supported ;
- (2) That the principle of all members of the Council be members of an Area Plans Sub Committee be adopted;
- (3) That Area Sub Committee A comprise 25 members;
- (4) That the present Area Sub Committees B and C be combined;
- (5) That these changes take effect from the next Council year.”

60. CABINET REVIEW

It was reported that, during this cycle of meetings, scrutiny had considered and commented on a number of Cabinet reports(Cabinet Item 8 (Civic Ceremonial) 11 (Code of Conduct, Legal Expenses Cover for Councillors) and 24 (Review of Housing Allocations Scheme)

It was noted that the comments would be reported to the Cabinet meeting for consideration. Subject to this no further issues were raised.

CHAIRMAN