

2. GOVERNANCE SELECT COMMITTEE

The Governance Select Committee consisted of the following members:

Councillor N Avey (Chairman)
Councillor G Chambers (Vice Chairman)
Councillors N Bedford, R Bassett, L Hughes, S Jones, S Kane, H Kaufman, M McEwen, L Mead, B Rolfe, D Stallan, B Surtees and D Wixley

The Lead Officer was Nigel Richardson, Assistant Director Governance, Development Management.

Terms of Reference

1. To undertake overview and scrutiny, utilising appropriate methods and techniques, of the services and functions of the Governance Directorate;
2. To develop a programme of work each year, informed by relevant service aims and member priorities, to ensure that the services and functions of the Governance Directorate are appropriate and responsive to the needs of residents, service users and others;
3. To consider any matter referred to the Select Committee by the Overview and Scrutiny Committee, the Cabinet or a relevant Portfolio Holder, and to report and make recommendations directly to the Committee, the Cabinet or such Portfolio Holder as appropriate;
4. To consider the effect of Government actions or initiatives on the services and functions of the Governance Directorate and any implications for the Council's residents, service users and others, and to respond to consultation activities as appropriate;
5. To establish working groups as necessary to undertake any activity within these terms of reference;
6. To undertake pre-scrutiny through the review of specific proposals of the Council and its partner organisations or other local service providers, insofar as they relate to the services and functions of the Governance Directorate, to help develop appropriate policy;
7. To undertake performance monitoring in relation to the services and functions of the Governance Directorate, against adopted key performance indicators and identified areas of concern;
8. To identify any matters within the services and functions of the Governance Directorate that require in-depth scrutiny, for referral to the Overview and Scrutiny Committee; and
9. To recommend the establishment of task and finish panels to the Overview and Scrutiny Committee as necessary, in order to undertake any activity within these terms of reference.
10. Transformation Projects relevant to this Committee:

Details of relevant new transformation projects to be submitted to the relevant SC for scrutiny.

11. Transformation Projects closure and benefits reports:
That any Directorate appropriate project closure and benefits realisation reports to be submitted to this SC for information.

The Panel scrutinised a number of issues over the last year, which included:

- (i) **Building Control Presentation** – In July 2017 the Building Control Manager gave a presentation to Members regarding the Council's Building Control Services and how this differed from Planning Development Control.

The Committee noted that Building Control was a set of standards for the design, construction and alterations to buildings to ensure the health and safety of people in or about those buildings. It also applied to the conservation of fuel and minimising the carbon footprint of the building throughout its lifetime.

Building Control applies mainly to all new buildings, below was a list of some of the things this may cover:

- Extensions;
- Material alterations for example installation of heating or cooling system;
- Replacing a roof, windows or door replacement;
- Removal of loadbearing walls; and
- Rewiring or extending domestic electrical work.

- (ii) **Governance Directorate Business Plan 2017/18** - The Overview and Scrutiny Committee had requested that the relevant Portfolio Holders attend the first meeting of each Select Committee to present their Business Plans, which were developed on a Directorate basis. This would enable each Committee to undertake a more in-depth scrutiny role regarding the numerous services which made up each Select Committee.

The Business Plan covers a diverse range of services including Development Management, Governance, Legal Services, Audit and Corporate Fraud.

- (iii) **Consultation Register 2016/17 and 2017/18** - The Consultation Officer presented a report to the Committee which set out a list summarising the main consultation exercises carried out in 2016 to 2017 and some exercises planned for 2017 to the end of March 2018.

The Consultation Register was a list of the most recent exercises which were carried out on behalf of the Council or by the Council in the last financial year.

Some consultation was undertaken every year, such as the Local Council Tax Support Scheme which was a requirement of the legislation amending state benefits. Also the Travel Plan Survey which gauged the various methods of travelling to the workplace to encourage more sustainable travel amongst the work force.

A great deal of smaller local consultation took place as a routine part of day to day business which was not in the report. Such consultation tended to be undertaken in-house and at a cost of postage and officer time only, such as Housing Estate

Maintenance issues. Estate maintenance surveys tend to be very small and targeted at small groups of tenants or residents.

(iv) Corporate Plan 2018 -2023 – The Select Committee were advised that The new Corporate Plan will run from 2018 to 2023, and seeks to lay out the journey the Council will take to transform the organisation to be 'Ready for the Future'. The plan seeks to link the key external drivers influencing Council services, with a set of corporate aims and objectives, grouped under three corporate ambitions.

The success of the new Corporate Plan would be assessed through the achievement of a set of benefits, focussed on what the Council achieves for customers. These benefits in turn were evidenced through a set of performance measures.

(v) Key Performance Indicators 2016/17 – Quarter 4 (Outturn) Performance – the Select Committee received a report on the Key Performance Indicators 2016/17, Quarter 4 (Outturn) Performance Report for the last year.

Of the five of the Key Performance Indicators that fell within the Governance Select Committee's areas of responsibility, the overall position with regard to the achievement of target performance at the end of the year for these indicators, was as follows:

- (a) 3 (60%) indicators achieved target;
- (b) 2 (40%) indicators did not achieve target; and
- (c) 0 (0%) indicators performed within its tolerated amber margin.

(vi) Corporate Plan Key Action Plan 2016/17 – Quarter 4 (outturn) Position – The Select Committee received a report on the outturn position of the quarter 4 for the Corporate Plan Key Action Plan for 2016/17.

The Corporate Plan was the Council's key strategic planning document setting out its priorities over the five year period from 2015/16 to 2019/20. The priorities or Corporate Aims were supported by Key Objectives.

The Key Objectives were delivered by an annual action plan, with each year building upon the progress against the achievement of the Key Objectives for previous years.

Eight actions fell within the areas of responsibility of the Governance Select Committee. At the end of the year:

- (a) 7 (86%) of these actions have been achieved at year end;
- (b) 1 (14%) of these actions are expected to achieve target in the next 6 months; and
- (c) 0 (0%) of these actions are behind schedule.

(vii) Joint Meeting of the Development Chairmen and Vice-Chairmen – Through the year the Select Committee received regular reports on the joint meetings held by the Development Management Chairmen and Vice-Chairmen. These meetings brought together the Chairmen and Vice-Chairmen of the Council's various Planning Sub-Committees and the District Development Management Committee to discuss various aspects of their Committee's work, planning policy issues and any mutual problems they could work out.

(viii) Equality Objectives 2016-2020 – 6 Monthly Review and Annual Report – In October 2017 the Senior Project Improvement Officer introduced the report on the

Equality Objectives 2016-2020 and 2018-2023 giving a six monthly review and a combined annual report.

The purpose of this report was to provide an update on the current action plan for the Equality Objectives 2016-20 and the approach to enable the Council to set some new Objectives for 2018-2023 alongside the corporate plan for 2018-23. The proposed actions were to be completed over the coming months and a new set of draft objectives presented back to Management Board for implementation in April 2018.

(ix) Review of the Local and Parliamentary Elections 2017 – Also in October the Select Committee received a report regarding the County Council and Parliamentary Elections held in May and June 2017 from the Returning Officer.

The year held no respite for the Elections Team in the amount of work they had to carry out, as whilst they were involved in the County Council Elections, an unexpected snap General Election was announced on the 18 April 2017 to be held on the 8 June 2017. This in turn created a very heavy workload for the Elections Team and the Council.

The Returning Officer stated with the two elections so close together duplication of on-line registration was high as the Governments publicity information created confusion.

(See Case Study for full details)

(x) Key Performance Indicators – Quarterly Progress – The Committee reviewed the Key Performance Indicators relevant to their Select Committee on a quarterly basis.

(xi) Corporate Plan Action Plan Quarterly Progress – The Select Committee received quarterly updates on the Council's corporate action plan pertaining to their area of responsibility.

(xii) Boundary Commission for England – 2018 Review Revised proposals for the Eastern Region – the Select Committee was informed that as part of the next stage of the 2018 Parliamentary Constituency Boundary Review the Boundary Commission for England (BCE) intended to publish their Revised proposals for new constituency boundaries on Tuesday 17 October 2017. They would consult on these proposals for eight weeks. This would be the last consultation during this review of constituencies, and the last chance to contribute views to the Commission on the best pattern of constituencies to recommend to Parliament.

When BCE consulted on initial proposals last year, they relied heavily on local authorities to assist in publicising the consultation, so BCE could engage with as many citizens as possible. BCE would be working with the Local Government Association and preparing a partner pack full of resources. Unlike last year's consultation, BCE would not be hosting public hearings across the country - there was no provision to allow this in governing legislation. All the information people needed to see and to contribute to the review was on the BCE website.

(xiii) Parliamentary Boundary Review – At their December 2017 meeting the Select Committee received a report on the Parliamentary Boundary Review which was being carried out in England. They were advised that the Boundary Commission for England (BCE) had been tasked to carry out a review of constituencies and final reports were to be submitted to Parliament in September 2018. The brief from

Parliament was to reduce the number of constituencies and therefore MPs in England from 650 to 600. Epping Forest District Council have been asked, as an independent and impartial body, to consider where the boundaries of the new constituencies in England should be, ensuring that every new constituency had approximately the same number of electors, with no fewer than 71,031 and no higher than 78,507.

(xiv) Submission to Decision on Planning Development Proposals – The Select Committee had been asked to look at the 8 week deadline for planning applications and if they had been asked to be withdrawn and then re-submitted a few weeks later so that the 8 week deadline would start again.

The Committee were advised that there were 1,714 planning application decisions issued over the last year and it was noted that 40 of these had been withdrawn by the applicant with no resubmission made, 24 had been refused planning permission and 32 had been withdrawn and then a revised/new planning application had been submitted which represented just over 1.4% of the total. Therefore the instances of applications getting near to the 8 week deadline, withdrawn and then resubmitted were very low.

(xv) Review of the Operation of the Council's Petition Scheme – In February 2018 the Committee reviewed the Council's Petition Scheme which had originally been adopted in 2010 in accordance with the requirements of Local Democracy, Economic Development and Construction Act 2009. However, the duty on local authorities to operate a petitions scheme was abolished by the introduction of the Localism Act 2011.

Members were advised via the Council Bulletin in December 2017 that a periodic review of the operation of the Council's Petition Scheme would be undertaken in the new year and were asked if they had any comments or observations that they would like to contribute to the review of the Scheme and to inform the Democratic Services Manager by 2 January 2018, unfortunately there were no comments from Members.

The Select Committee expressed concerns that they felt the Council's Petition scheme was not prominent enough on the website and that the instructions on how to submit a petition should be made clearer to members of the public.

Case Study: Local and Parliamentary Elections 2017 Review

In October 2017 the Governance Select Committee received a report regarding the County Council and Parliamentary Elections held in May and June 2017 from the Returning Officer.

Members were asked to consider a review of the management of those elections and to recommend to the Returning Officer any changes to the procedure for future elections.

The Returning Officer advised that in his opinion, the processes put into place for these two elections were the most effective they had been since he became the Returning Officer.

The year had given no respite for the Elections Team in the amount of work they had to carry out, as whilst they were involved in the County Council Elections, an unexpected snap General Election was announced on the 18 April 2017 to be held on the 8 June 2017. This in turn created a very heavy workload for the Elections Team and the Council. There were also three by-elections that year in Chigwell, Epping and Ongar and a further one arranged for the Lower Sheering ward in October 2017.

The Returning Officer expressed his personal thanks to everyone across the Council who got involved in the Elections to make it run as smoothly and efficiently as it did. He also gave his thanks to the Police and Chief Inspector Lewis Basford for a very visible police presence at the General Election polling stations and maintaining the security of the election process.

The Returning Officer stated that with the two elections so close together duplication of on-line registration was high as the Governments publicity information created confusion.

Postal voting had increased in popularity, there were 9,274 postal packs sent out for the County Council elections of which 5,300 packs were returned and counted. There were 8,305 postal packs sent out for the UKPGE which included 192 sent to overseas electors. A total of 123 postal applications were rejected, due to problems arising by the voter failing to enter their date of birth correctly and not due to fraudulent activity. This would be addressed by revisiting the layout of the form and making minor adjustments.

The Committee were advised that the regulations around votes being rejected had changed and the Council were now required to advise voters if their vote had been rejected and the reason why. The 123 voters had been written to and asked if they would like to refresh their postal vote application.

The Returning Officer advised that despite the assurances from the Royal Mail that a full postal sweep would be completed on the evening of the 8 June, there were only 3 packets returned by Royal Mail at the count, a further 45 late packets arrived at the Council's Civic Offices on the Friday and Monday after the election.

The Returning Officer stated that staffing levels for the polling stations, verification and counts were adequate. However staffing for the UKPGE in June was more problematic with many staff being on holiday. The Returning Officer decided to put some staff on standby which EFDC had to pay for as the Government would not.

The Returning Officer reported that some schools were reluctant to close and be used as polling stations. They were also asking for polling staff to have a Disclosure and Barring Service certificate. He advised that his powers as a Returning Officer could require that schools be opened to use as a polling station for any election.

Members expressed concerns over voters being able to vote more than once in different districts and asked if there were any checks implemented to stop this.

The Returning Officer advised that there were no checks available to control people voting multiple times and stated that this would be a very difficult procedure to put into place. Voters can just turn up at a polling station give their name and address and providing they were on the register and not already marked off they would be given a ballot paper.

The Returning Officer asked Members for their views on holding a Candidates and Agents meeting prior to an election. He advised that they were not very well attended and consequently one was not set up for the May County election. He asked Members if they thought a meeting should be held or the information sent by email.

Members recommended to the Returning Officer that there should be no Candidates/Agents meeting before the election in 2018 but that it could be reviewed after the election if so required.