

**EPPING FOREST DISTRICT COUNCIL  
NOTES OF A MEETING OF CONSTITUTION AND MEMBERS SERVICES SCRUTINY  
STANDING PANEL  
HELD ON MONDAY, 2 APRIL 2007  
IN COMMITTEE ROOM 1  
AT 7.30 - 8.25 PM**

<b>Members Present:</b>	R Morgan (Chairman), R Church, J Markham, Mrs P Richardson, Mrs P Smith and Mrs J H Whitehouse
<b>Other members present:</b>	Mrs D Collins and D Stallan
<b>Apologies for Absence:</b>	M Cohen, Mrs P Brooks, Mrs A Haigh and Mrs L Wagland
<b>Officers Present</b>	I Willett (Head of Research and Democratic Services), R Palmer (Head of Finance), C Overend (Policy & Research Officer) and Z Folley (Democratic Services Assistant)

---

**64. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)**

Noted that Councillor Mrs J H Whitehouse was attending the meeting as a substitute for Councillor Mrs P Brooks.

**65. DECLARATION OF INTERESTS**

No declarations of interests were made pursuant to the Member Code of Conduct.

**66. NOTES OF THE LAST MEETING - 6 FEBRUARY 2007**

Noted.

**67. TERMS OF REFERENCE / WORK PROGRAMME**

Noted.

**68. COUNCIL MEETINGS - QUESTIONS WITHOUT NOTICE**

At the last meeting of the Panel on 6 February 2007, the Panel requested that a protocol be formulated to regulate the operation of the new question time at meetings

The practice required Portfolio Holders and the OS Chairman to present written reports to full Council on current activities and enabled unscripted questions on them and any others topical matters of interest. Requests had been made for this latter practice to be looked at to ensure it was managed effectively and made the best use of Council time. A 20 minute timeslot had been ascribed to the item.

The Panel had before them an extract of the rules of Fenland District Council illustrating how the procedure could work.

The Panel considered alternative ways of splitting the time allocation between the types of questions as set out below: The Panel considered the need for a formal protocol for determining how the debate should be managed .

**Option 1**

10 minutes for questions on Portfolio Holder Reports etc  
10 Minutes for other questions

Managed by the Chairman

**Option 2**

20 minutes for questions of all kinds

Managed by the Chairman

**Option 3**

10 + 10 or 20 minutes with questions by rota from each political group and independents.

Managed by Chairman.

**Option 4**

Number of questions (allocated pro rota between groups). (3 minutes per question/answer = 7 or 8 questions).

Managed by the Chairman.

**Option 5**

Fenland option (or variations on it).

**Option 6**

Leave to Chairman of Council's discretion.

**Agreed** that it would be appropriate to allocate the full 20 minutes to questions of all kinds as in practice the demand for such question usually far exceeded the demand for questions on the report. It also was **agreed** that provision be created for an additional 10 minutes to be added to the 20 minute time allocation if demand required this.

Support was expressed for option 3 (questions by rota) to ensure all Groups received the same number of questions in the interest of fairness. Some Members questioned the need for such formal arrangements. It should simply be left to the Chairman to stop the debate 'free ranging'. In view of this, option 2 should be pursued.

Having debated the issues, the Panel expressed support for option 2. The Panel also requested that a measure be introduced to ensure all groups received an opportunity to ask their questions and have them answered to ensure all Groups were fairly treated. With this change they **recommended** Option B be pursued.

It was also felt that the Chairman should ensure questions were dealt with in the order they were put by the questioner as per existing arrangements.

A standard item should be added to the Council Agenda outlining the process for the item.

**ACTION:**

**Head of Research and Democratic Services to produce report recording Panels decisions for submission to the Council**

**Chairman to report on the recommendations at the 5 April 2007 OSC.**

**69. REVIEW OF FINANCIAL REGULATIONS**

The Panel considered a report proposing revisions to Financial Regulations formulated by an Officer Working Party.

At its last meeting, the Panel made recommendations to the Council regarding Contract Standing Orders and Officer Delegation. It was agreed that the review of the regulations of Financial Regulations should be submitted to this meeting for onward recommendation to the Council. The Panel noted the key features of the review which sought to update the regulations to reflect changes made since the last review. The review was not a significant one. Most of its proposals were routine alterations.

The Panel had before them a summary report and a copy of the regulations highlighting the proposed changes.

Attention was drawn to the following main changes:

**(a) Financial Regulation A24 (Robustness of Estimates and Adequacy of Reserves)**

The most significant change related to the new requirement for the Chief Finance Officer to report to the Council each year on the robustness of the estimates for the purpose of the budget and the adequacy of reserves. Reference was made to the process for handling complaints. Category 1-2 complaints (relating to compensation sums of £250 and under) could be dealt with by officers. Those over this must be referred to the Cabinet for determination.

The Panel supported this amendment.

**(b) Appendix A - Financial Governance (Paragraphs 4.4 - 4.17)**

The sections for this had been radically reduced in length, reflecting that there was a separate advice note available to officers who have financial responsibilities. What remained was a definition of virements, the relevant responsibilities of Chief Officers in relation to virements and the financial limits which apply to each level of decision making.

The Panel supported this amendment.

**(c) Appendix C - Risk Management and Control of Resources**

This section of the Financial Regulations deals with managing risks, internal controls, audit requirements, prevention of fraud and corruption, assets, staffing and lost property.

It was reported that the Risk Management and Insurance Officer had been in post for some time now and had carried out good work in the areas of Risk Management and Sundry Debtors. The Audit meeting this Monday had considered and commended on this. It also considered a report on use of resources containing priorities of the Corporate Risk Register and added an additional item to this.

The Panel supported this amendment.

**(d) Appendix E - Financial Systems and Procedures**

Paragraphs 2.5 and 2.10 dealt with the limits for the Head of Finance and Head of Housing respectively to write off unrecoverable debts. In line with the increases proposed in paragraph 13 above it is proposed to increase the limit from £500 to £1,000.

The Head of Finance reported that a further amendment to this Appendix was to specify under the responsibilities of the Head of Finance that the holder of that post would act as the "specified person" for the internal dispute resolution procedure for pensions. The specified person would be the first point of contact for the claimant. If they were not happy with their advise they could subsequently take their case to the Essex County Council as the Administrative Authority for Pensions for further consideration. There had only been two incidences of this, the details of this were outlined.

It was asked whether the provisions on relations with External Organisations had regard to the need for the Council to assess the financial position of any body it was considering entering into any arrangements with prior to doing so to determine their suitability for the work? It was clarified that the 'Key Lines of Enquiries' included a requirement specifying this

The Panel supported this amendment.

**ACTION:**

Report to be submitted to next Council meeting for endorsement.

**70. REPORTS TO BE MADE TO THE NEXT MEETING OF THE OVERVIEW AND SCRUTINY COMMITTEE**

Chairman to report to 5 April 2007 OSC on Council Meetings – Regulation of Question Time and Financial Regulations

**71. FUTURE MEETINGS**

Noted that the next meeting of the Panel would be held on 9 June 2006 at 7.30 p.m in CR1.