

# EPPING FOREST DISTRICT COUNCIL OVERVIEW AND SCRUTINY MINUTES

**Committee:** Overview and Scrutiny Committee      **Date:** Thursday, 4 October 2007

**Place:** Council Chamber, Civic Offices, High Street, Epping      **Time:** 7.30 - 9.05 pm

**Members Present:** Councillors R Morgan (Chairman) K Angold-Stephens (Vice-Chairman) M Colling, Mrs A Haigh, Mrs H Harding, D Kelly, G Mohindra, K Chana and Mrs P Smith

**Other Councillors:** Councillors Mrs A Cooper, Mrs D Collins, A Green, Mrs A Grigg, D Stallan and C Whitbread

**Apologies:** Councillors D Bateman and R Church

**Officers Present:** D Macnab (Deputy Chief Executive), J Gilbert (Director of Environment and Street Scene), S G Hill (Senior Democratic Services Officer), A Hendry (Democratic Services Officer), P Tredgett (Information Assistant) and Z Folley (Democratic Services Assistant)

---

## 1. SUBSTITUTE MEMBERS

It was reported that Councillor Mrs P Smith was substituting for Councillor D Bateman and Councillor K Chana was substituting for Councillor R Church.

## 2. DECLARATIONS OF INTEREST

No declarations of interest were reported pursuant to the Councils Code of Conduct.

## 3. MINUTES

### RESOLVED:

That the minutes of the meeting held on the 2 August 2007 be taken as read and signed by the Chairman as a correct record.

## 4. CONSTITUTION – DETERMINATION OF MEMBERS' PLANNING APPLICATIONS/CABINET COMMITTEES

It was noted that at its meeting on 11 October 2007, the Panel would be considering proposed changes to the Constitution in respect of the determination of members planning applications and the terms of reference of the Cabinet Committees.

To avoid any changes having to wait until the December 2007 Cabinet meeting it was recommended that the Panel be authorised to report direct to Council on these matters.

In relation to the Cabinet Committees, it was noted that the Constitution currently provides that if the Council's Cabinet was constituted according to pro rata membership requirements, any political group not having representation on Cabinet Committees by virtue of one of the named Cabinet Portfolios shall nominate one member of the Cabinet to serve on each Cabinet Committee.

As Cabinet seats were now allocated solely to one political group, representation on Cabinet Committees from other groups was no longer possible. It was therefore recommended that the Constitution be amended to reflect such circumstances.

It was proposed that the recommendations be revised to enable all Groups with representation on the Cabinet to appoint Members to the Cabinet Committees in accordance with the pro – rata rules.

**RESOLVED:**

(1) That the Constitution and Member Services Scrutiny Standing Panel be authorised to report direct to the Council on proposed changes to the Constitution in respect of the determination of members planning applications and terms of reference of the Cabinet Committees;

(2) That the Panel be asked to consider an amendment to the proposed wording relating to membership of the Cabinet Committees such that nominations to Cabinet Committee can only be made by Groups having seats on the Cabinet in substitute of the proposed wording.

**5. ENVIRONMENT AND PLANNING SERVICES STANDING SCRUTINY PANEL - MEMBERSHIP**

It was noted that Councillor Mrs A Cooper had given notice of resignation from the Conservative Group of the Council. She had also advised that she wished to be referred to as an 'Independent Member'.

Mrs Cooper was currently a member of the Environmental and Planning Services Scrutiny Panel on the nomination of the Conservative Group.

The Council had agreed that pro rata apply to Overview and Scrutiny Standing Panels. The Overview and Scrutiny Rules provided that membership of these Panels must reflect pro rata requirements with the lowest number of members required to achieve cross party representation whilst allowing the inclusion of members who are not members of a political group or are not members of the Overview and Scrutiny Committee.

As a result of these requirements, Standing Panels for 2007/08 had 11 members. In accordance with pro rata, political group entitlement to places on Standing Panels was therefore:

Conservatives – 6 places  
Liberal Democrats – 2 places  
LRA Group – 1 place  
Independent Group – 1 place  
BNP Group – 1 place

The Conservative Group therefore nominated to the vacant seat on the Panel within their allocation. The Committee noted and supported Mrs Coopers wish to remain on the Environment and Planning Services Panel as a non affiliated Member.

**RESOLVED:**

(1) That Councillor G Pritchard be appointed to the Environmental and Planning Services Panel as a Conservative Group member and;

(2) That Councillor Mrs C Cooper be reappointed to the Panel as an Independent Member.

**6. WORK PROGRAMME MONITORING - SIX MONTHLY REVIEW.**

The Overview and Scrutiny Procedural rules state that 'the Overview and Scrutiny Work Plan should be of a six month duration and be reviewed on a six monthly basis. A review of the work plan was therefore now due. The Committee had before the a copy of their current work plan, two new bids for the work plan and progress reports for the recommendations made by the 2006/07 Task and Finish Panel. The Committee considered each report as follows:

**(a) Current Work Plan****(i) Overview and Scrutiny Committee**

The Senior Democratic Services Officer reported that officers had contacted Harlow and Uttlesford Council to discuss further the proposal to set up a joint scrutiny review of the PCT for the areas. Further details would be submitted to the Committee in due course.

The Committee were reminded that during the recent meeting between the Head Of Transportation for Essex County Council and Members of this OSC, it was agreed that a survey should be undertaken and an item put in the Forester Magazine to canvass users view of rural transport in the District. The results of this would be reported back to the Committee when prepared.

A member felt that the findings of the survey undertaken by Voluntary Action Epping Forest on local rural transport should be incorporated into the review as it might provide some insight into the issues. The Committee agreed that they should await the findings of the new survey before embarking on any other course of action.

**(ii) Constitution and Member Services Standing Panel**

The Panel was next due to meet on the 11 October 2007 and had arranged for an additional meeting to be held on 15 October if their workload required this. The meeting would complete their review of the Protocol on Outside Organisations and finalise their proposals regarding Cabinet situations in emergency situations. They would also undertake a review of polling stations in the District. A report seeking permission for the Panel to report direct to the Council on the issue due to the timescale involved was elsewhere on the agenda. It was noted that should a November 2007 election be called, the proposals would not come into effect until after that date.

At its next meeting the Panel was also due to commence its review of the Local Government Bill which was currently in the House of Lords at second reading stage. In relation to this, the Panel would be considering reports on the Electoral Scheme and Overview and Scrutiny Committees and would be asked to express views on the options in the bill on these matters

**(iii) Environmental and Planning Services Standing Panel**

The Chairman of the Panel, Councillor Mrs P Smith, reported that the Panel had last met on 5 September 2007.

The Panel had given further consideration to the Nazeing Focus Day held in March 2007 this year and had considered an action plan on the issues of concern in that area. The Panel endorsed the plan and agreed to monitor the actions on an ongoing basis. The Chairman expressed thanks to the Forward Planning Team for all their hard work in preparing the plan. The Panel had requested that a representative from the Vehicle Inspection Agency present to the Panel in November 2007 to advise on the problem of commercial vehicle activity in the area.

The Panel had agreed to remove the item in its work plan on Traveller Issues in Paynes Lane, Nazeing as they were satisfied that this work had now been completed. The Panel had considered the Nottingham Declaration and recommended that the Council should become a signatory. The Panel had asked to receive further reports on matter. The Panel had invited the new West Area Highways Manager to attend their next meeting on 29 October 2007. It was noted that all members were invited to attend this and an item would be put in the Bulletin.

**(iv) Leisure Task and Finish Panel**

The Panel had last met on the 9 August 2007 and received a presentation on the feasibility of Alternative Arts development in the District from officers. They had examined the potential for using external providers for this work and examples of shared services with other Authorities.

The Panel was also looking at ways of making the service more inclusive and widening the scope of the work to ensure it integrated the work of a wide range of community projects. The Panels had completed this work and had prepared a report with recommendations on this matter for submission to the OSC.

In relation to the future management of the Waltham Abbey Sports Centre, the Panel had supported in principle the continuation of the dual use agreement with King Harold School. It was anticipated that the negotiations would be concluded by the end of this year for inclusion in next years budget. It was noted that the Town and Parish Councils would be sent a survey to ascertain views on the Youth Initiative Scheme. All those in receipt of funding would be asked to report on lessons learnt. An Olympic Business Breakfast would be held on 17 October 2007 to look at the procurement opportunities to be made available to small and medium sized businesses by the Games. The Chairman welcomed all Members to attend.

**(v) Task and Finish Panel on Car Parking**

It was agreed that this Task and Finish Panel be disbanded and the outstanding work on Anti Social Behaviour in Car Parks be added to the Environmental and Planning Services Panel. The Committee saw merit in this approach baring in mind the Panels remit covered similar car parking issues. The Chairman of that Panel, Councillor Mrs P Smith, supported this proposal.

**RESOLVED:**

- (1) That details of the 29 October 2007 Highway Services presentation be included in the Council Bulletin;
- (2) That the Task and Finish Panel for Town Centre and Car Parks be disbanded and;
- (2) That the unfinished item of business in its Terms of Reference on Anti Social Behaviour in Car Parks be referred to the Environmental and Planning Services Panel for completion.

**(b) New bids for the work plan**

The Committee considered two new requests for the work plan from Councillor K Angold Stephens and Councillor Mrs A Copper. It was noted that the Committee could deal with the bids in a number of ways. They could either refer them to one of the existing Panels, set up a new Task and Finish Panel on the issue, ask for a further report on the issues or place it on the reserve list for consideration at a later date.

It was noted that Councillor K Angold Stephens request raised a number of issues concerning youth provision in Loughton and considered the County's intention to restructure the shape of the County Youth Service. It was agreed that the County Portfolio Holder responsible for Youth Services and an appropriate officer from the Authority be invited to a future meeting of the Committee to explain the issues. It was also agreed that an item be put in the Council Bulletin to publicise this and seek questions from Members for the presentation.

It was noted that Councillor Cooper had requested scrutiny of communication and access arrangements and a number of related issues within this Council and between other Authorities and the public. Councillor Cooper was present to outline her concerns. Having considered her request, the Committee decided to refer her bid to the Constitution and Member Services Panel for consideration. It was also agreed that a report on the issues should be submitted to the Panel and that the Councillor would be informed of the date of the meeting to which it would be submitted.

**RESOLVED:**

- (1) That the County Portfolio Holder/Lead Officer for Youth Services be invited to a future meeting of the Committee to consider youth services in the District specifically the concerns raised in Councillor Angold Stephens scrutiny request form;
- (2) That details of the presentation arranged for the 29 October 2007 meeting of the Environmental Services Panel on Parking issues be placed in the Members Bulletin
- (3) That the bid submitted by Councillor Mrs A Cooper on communication and access arrangements be referred to the Constitution and Member Services Panel for consideration.

**(c) Review of Recommendations made by 2006/07 Task and Finish Panels**

The Committee reviewed the recommendations made by the Task and Finish Panels for Older and Disabled Persons, the Local Strategic Partnership and Leisure

Services. It was noted that the Cabinet considered and endorsed these recommendations earlier this year.

The Panel received a progress report against each recommendation and considered action to take forward any outstanding work. The Committee considered each set of recommendations in turn:

**(i) Older and Disabled Persons**

It was noted the Portfolio Holder had agreed to identify grant aid support to help develop the Older People's Action Group (OPAG). Councillor Kelly reported that he had been in contact with the organisation and the PCT but to date the grant aid sum of £5,000 promised by the Portfolio Holder had not yet been made available. Some members of OPAG were of the view that the group and older persons were being ignored.

The Deputy Chief Executive undertook to speak to the Councillor after the meeting to discuss his concerns and to look into the issue.

A member pointed out that the local 'sense of place' art classes were well attended by older persons. She suggested that advice be provided to such groups to raise awareness of the funding available for their activities.

**(ii) Local Strategic Partnership**

It was reported that the Chief Executive and the Deputy Chief Executive had recently attended a meeting with the County Lead Officer for the County Council Area Agreement to discuss this Councils intention to take a greater role in the County LSP and to influence the decisions made via the Local Area Agreement which might impact on the District. The Committee stressed the need for such action.

The LSP was also due to hold its annual conference on 10 October 2007. It was intended that the conference would review the partnerships governance arrangements with a view to making improvements and also consider the Performance Award Grant scheme and ways of drawing this down.

**7. REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS**

It was noted that at its next meeting the Panel would be considering a report following its review of polling stations, polling districts and places.

The Committee was asked to authorise the Panel to report direct to full Council on 30 October 2007 on these matters to facilitate the timescale for this review.

**RESOLVED:**

That the Constitution and Members Services Scrutiny be authorised to report direct to full Council on 30 October 2007 in relation to a review of polling stations, polling districts and places.

**8. FREE SATURDAY CAR PARKING**

It was noted that in November 2006, the Cabinet considered the provision of free car parking in the Councils off – street car parks. The Cabinet resolved that charges for car parking in the Council's short stay car parking be retained and free car parking on Saturdays be provided in eight Council owned long stay and combined car parks.

It was also noted that at a special meeting in January 2007, the OSC called in this decision and agreed to monitor the regime on an six – monthly basis. As a result a review of this scheme was now due.

The Committee had before them a progress report on the first six months of the arrangements.

In relation to this, the Portfolio Holder reported that checks had been undertaken by Vinci Car Park staff to monitor usage of the spaces and the length of each stay. This covered all of the car parks under the scheme and monitored the balance between part day and all day stays.

The greatest problems appeared to relate to Smarts Lane in Loughton where half the cars were present for most of the day. It was suggested that this might be due to local employees taking benefit of the free parking arrangements.

A members suggested that to address the problems at this car park, the time limit for the free parking spaces should be limited to 3 hours. It was noted that there would be costs implications to this proposal.

The Portfolio Holder referred to the intention to make available details of the resource implication of the regime. In relation to this, the Head of Environmental Services reported that this would be reviewed again at the end of the financial year, however, at this half yearly stage, there were no unusual trends. Recent budget analysis suggested that car parking income was on track to meet anticipated income. However there was some loss in income during 2006/07. Some of which could be attributed to the free Saturday regime. The scheme would be reviewed next year during the budget setting process.

A Member proposed that the Lower Queen's Road Car Park at Buckhurst Hill be included in the free Saturday regime.

The Portfolio Holder reported that the car park did not fulfil the criteria for the regime as it was a short stay car park. He added that the concerns about the scheme being abused had not materialised. Therefore at this time there seems no reason to change the free parking arrangements.

**RESOLVED:**

- (1) That the Cabinet be recommended to make no changed to the current free Saturday parking regime; and
- (2) That further six monthly monitoring be undertaken and reported back to the Overview and Scrutiny Committee.

**9. CABINET REVIEW**

The Committee considered the Cabinet agenda for its meeting on 8 October 2007.

The Chairman undertook to report the following decisions to the Cabinet meeting.

- (a) Decision to disband the Task and Finish Panel on Town Centres Car Parks
- (b) Comments on Free Saturday Carking Regime
- (c) Support of Web – Casting Project

**CHAIRMAN**