



Overview and Scrutiny Committee Tuesday, 5th January, 2016

You are invited to attend the next meeting of **Overview and Scrutiny Committee**, which will be held at:

**Council Chamber, Civic Offices, High Street, Epping
on Tuesday, 5th January, 2016
at 7.30 pm .**

**Glen Chipp
Chief Executive**

**Democratic Services
Officer:**

S. Tautz Governance Directorate)
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(01992) 564243

Members:

Councillors R Morgan (Chairman), K Angold-Stephens (Vice-Chairman), N Avey, T Church, D Dorrell, L Girling, S Kane, P Keska, A Mitchell, G Mohindra, S Murray, S Neville, B Rolfe, M Sartin, G Shiell, B Surtees and D Wixley

PLEASE NOTE THAT THIS MEETING IS OPEN TO ALL MEMBERS TO ATTEND

WEBCASTING NOTICE

Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy and copies made available to those who request it..

Therefore by entering the Chamber and using the lower public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for web casting and/or training purposes. If members of the public do not wish to have their image captured they should sit in the upper council chamber public gallery area

If you have any queries regarding this, please contact the Senior Democratic Services Officer on 01992 564249.

1. WEBCASTING INTRODUCTION

1. This meeting is to be webcast. Members are reminded of the need to activate their microphones before speaking.

2. The Chairman will read the following announcement:

“This meeting will be webcast live to the Internet and will be archived for later viewing. Copies of recordings may be made available on request.

By entering the chamber’s lower seating area you consent to becoming part of the webcast.

If you wish to avoid being filmed you should move to the public gallery or speak to the webcasting officer”

2. APOLOGIES FOR ABSENCE

3. SUBSTITUTE MEMBERS

(Director of Governance). To report the appointment of any substitute members for the meeting.

4. MINUTES (Pages 7 - 14)

Decisions required:

To confirm the minutes of the meetings of the Committee held on 20 October 2015.

5. DECLARATIONS OF INTEREST

(Director of Governance) To declare interests in any items on the agenda.

In considering whether to declare a personal or a prejudicial interest under the Code of Conduct, Overview and Scrutiny Committee members are asked pay particular attention to paragraph 11 of the Code in addition to the more familiar requirements.

This requires the declaration of a personal and prejudicial interest in any matter before an Overview and Scrutiny Committee which relates to a decision of or action by another Committee or Sub-Committee of the Council, a Joint Committee, or Joint Sub-Committee in which the Council is involved and of which the Councillor is also a member.

Paragraph 11 does not refer to Cabinet decisions or attendance at an overview and scrutiny meeting purely for the purpose of answering questions or providing information on such a matter.

6. CALL-IN - RELEASE OF RESTRUCTURE COVENANTS ON LAND AT EPPING FOREST COLLEGE, LOUGHTON (Pages 15 - 36)

To consider a call-in of the Cabinet’s Decision on ‘Release of Restrictive Covenants’

(C-018-2015/16). The decision was taken at the Cabinet meeting held on 05 November 2015.

Attached is a covering report, the call-in sheet, the public Cabinet report, extract from the Cabinet decision sheet and a copy of the Call-in rules.

7. CORPORATE PLAN - KEY ACTION PLAN 2015/16 - QUARTER 2 PERFORMANCE (Pages 37 - 60)

(Director of Governance) to consider the attached report.

8. CHELMSFORD CITY LOCAL PLAN ISSUES AND OPTIONS - CONSULTATION (Pages 61 - 64)

(Director of Governance) to consider the attached report.

9. CROSSRAIL 2 - CONSULTATION

(Director of Neighbourhoods) Report to follow.

10. WORK PROGRAMME MONITORING (Pages 65 - 84)

(a) To consider the updated work programme

- i. The current Overview and Scrutiny work programme is attached for information.
- ii. Essex County Fire and Rescue Service were due to make a presentation to the Committee on 5 January 2016, in relation to proposed changes to service delivery. Despite having had this matter in the work programme for a considerable time, the Council has recently been advised by the Fire and Rescue Service that they do not wish to make the presentation in a public forum (at this stage) and that this is intended as a briefing for Members of the Council only at the present time. With the agreement of the Safer, Greener and Transport Portfolio Holder, a private member briefing by the Chairman of Essex Fire Authority and the Chief Fire Officer on the future service delivery plans of Essex County Fire and Rescue Service, will therefore be held on the evening of 27 January 2016. This matter has therefore been removed from the current work programme.
- iii. Article 6 of the Constitution (Overview and Scrutiny) requires that the Committee receive a verbal report from the relevant Portfolio Holder or appropriate lead officer after three months of the completion of any scrutiny review, indicating whether the recommendations arising from such review have been agreed or modified. In addition, the Portfolio Holder or lead officer must also make a further report to the Committee on progress with the implementation of the recommendations, after six months. The work programme has therefore been updated to reflect the completion of the work of the Youth Engagement Task and Finish Panel and to schedule arrangements for progress reporting on the implementation of the Panel's recommendations.

- iv. Workload commitments within Community Services and Safety mean that the January 2016 timescale for the final report of the Grant Aid Review Task and Finish Panel cannot now be met. The Panel will not be able to produce a final report for the 2016/17 budget setting process and it is intended that this will therefore be deferred until 2017/18.

(b) Reserve Programme

A reserve list of scrutiny topics is required to ensure that the work flow of the Overview and Scrutiny Committee is continuous. The Committee will 'pull out' items from the list and allocate them accordingly once space becomes available in the work programme following the completion of existing reviews.

Members can put forward any further suggestions for inclusion in the reserve list either during the meeting or at a later date. Existing review items will be dealt with first, then time will be allocated to the items contained in the reserve work plan.

(c) Request for Scrutiny Review (PICK Form)

A PICK Form (attached) has been submitted by Councillor Wixley, seeking a 'return' presentation to the Committee by the Superintendent of Epping Forest, given the current widespread general interest in Epping Forest and issues such as the present public consultation on the Forest Management Plan for 2017–2027.

Rather than treating the PICK Form as a request for scrutiny review, it is suggested that a further presentation by the Superintendent of Epping Forest be added to the work programme of the Overview and Scrutiny Committee for 2016/17, to be made to a meeting as early in the municipal year as possible.

11. KEY DECISION LIST - REVIEW (Pages 85 - 102)

To review the Key Decision List (Cabinet Forward Plan) on a meeting by meeting basis.

12. EXCLUSION OF PUBLIC AND PRESS

Exclusion: To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

Confidential Items Commencement: Paragraph 9 of the Council Procedure Rules contained in the Constitution require:

- (1) All business of the Council requiring to be transacted in the presence of the press and public to be completed by 10.00 p.m. at the latest.
- (2) At the time appointed under (1) above, the Chairman shall permit the completion of debate on any item still under consideration, and at his or her discretion, any other remaining business whereupon the Council shall proceed to exclude the public and press.
- (3) Any public business remaining to be dealt with shall be deferred until after the completion of the private part of the meeting, including items submitted for report rather than decision.

Background Papers: Paragraph 8 of the Access to Information Procedure Rules of the Constitution define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) have been relied on to a material extent in preparing the report and does not include published works or those which disclose exempt or confidential information (as defined in Rule 10) and in respect of executive reports, the advice of any political advisor.

Inspection of background papers may be arranged by contacting the officer responsible for the item.