

**EPPING FOREST DISTRICT COUNCIL
NOTES OF A MEETING OF GOVERNANCE SELECT COMMITTEE
HELD ON TUESDAY, 3 OCTOBER 2017
IN COMMITTEE ROOM 1, CIVIC OFFICES, HIGH STREET, EPPING
AT 7.15 - 9.12 PM**

Members Present:	D Stallan (Chairman), R Bassett (Vice-Chairman), L Hughes, B Rolfe, D Wixley, J Knapman and H Whitbread
Other members present:	M Sartin
Apologies for Absence:	N Avey, G Chambers, S Jones, H Kauffman, L Mead and B Surtees
Officers Present	G Chipp (Chief Executive), S Hill (Assistant Director (Governance)), J Leither (Democratic Services Officer), S Lewis (Senior Project Improvement Officer) and W MacLeod (Senior Electoral Services Officer)

14. ELECTION OF CHAIRMAN

In the absence of both the Chairman and Vice-Chairman, Members were asked by the Democratic Services Officer J Leither to nominate a Chairman for the duration of the meeting.

The nomination of Councillor D Stallan as the Chairman of this Governance Select Committee meeting, having been formally nominated by Councillor R Bassett and seconded by Councillor B Rolfe, it was:

RESOLVED:

That Councillor D Stallan be appointed as Chairman of the Governance Select Committee for the duration of the meeting.

15. APPOINTMENT OF VICE-CHAIRMAN

The Chairman asked for nominations for a Vice-Chairman, Councillor B Rolfe nominated Councillor R Bassett as Vice-Chairman which was seconded by Councillor J Knapman.

RESOLVED:

That Councillor R Bassett be appointed as Vice-Chairman of the Governance Select Committee for the duration of the meeting.

16. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

The Select Committee noted that Councillors J Knapman and H Whitbread were substituting for Councillors N Avey and G Chambers respectively.

17. NOTES OF PREVIOUS MEETING

RESOLVED:

That the notes of the last meeting of the Select Committee held on 4 July 2017 be agreed as a correct record.

18. DECLARATIONS OF INTEREST

There were no declarations of interest made pursuant to the Member's Code of Conduct.

19. TERMS OF REFERENCE AND WORK PROGRAMME

The Select Committee received a report from the Assistant Director, Governance regarding the Terms of Reference and the Work Programme 2017/18.

(a) Terms of Reference

The Terms of Reference had been agreed at the last meeting and there were no further comments.

(b) Work Programme 2017/18

The Work Programme was on track for the coming year and that items 5, Equality Objectives 2016-2020/2018-2023 – 6 monthly reporting and 15, the Annual Equality Information Report – 2016 would be presented together under one report. The Committee had nothing further to add to the Work Programme at this time but noted that items could be suggested at any time during the cycle of meetings over the coming municipal year.

RESOLVED:

- (1) That the Terms of Reference of the Committee and progress against its work programme for 2017/18, be noted; and
- (2) That items 5 and 15 of the Work programme would be presented together.

20. EQUALITY OBJECTIVES 2016-2020 / (2018-2023) - 6 MONTHLY REVIEW AND COMBINED ANNUAL REPORT

Susan Lewis, 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.

In addition, the new version Equality Impact Assessment form was attached for information. This would be used consistently going forward and would replace the previous Equality Analysis Report.

Equality Objectives 2016-20

The Equalities Working Group (EWG) met in July 2017 to review the action plan for the 2016-2020 objectives and an updated copy with current status against deliverables was attached to agenda item 6, appendix 1 for information.

Recommendations for new Equality Objectives 2018-23

Having conducted some research on other local authorities' equality objectives it was felt that our current plan focussed very much inwards on EFDC operations. The Council felt that the Equalities Objectives would benefit from a more holistic approach embracing our communities and focussing on the culture and behaviours the Council would like to improve throughout EFDC.

For this reason the Council were taking the following approach to what would be a timely introduction of new Equality Objectives for 2018-2023:

- Consult with all staff and ask for their feedback on what they felt our vision and objectives should be for Equality via an all staff survey;
- Consult with a number of potentially vulnerable groups on our strategy and objectives to capture their feedback; and
- Develop a draft set of new Equality objectives to be taken back to Management Board for implementation from April 2018.

Equality Impact Assessment

There had been some inconsistency in usage of the new Equality Impact Assessment (EIA) form which was attached to agenda item 6, appendix 2. The Council had communicated to all Directorates and advised them that the EIA form was to be attached to all reports to Cabinet going forward, no reports would be accepted without an EIA form. A user guide to aid completion had been provided and Members would be given an overview and training on the form at a date which was to be advised, this guidance was attached to agenda item 6, appendix 3.

Councillor D Stellan asked if the EIA was to be included with Portfolio Holder Decisions and if so the wording should be changed to reflect this on appendix 2.

S Lewis stated that it did include Portfolio Holder Decisions and the wording would be changed to reflect this.

Councillor J Knapman stated that training was needed regarding the EIA, Portfolio Holders needed to know the significance of the EIA when signing off their Council, Cabinet and Portfolio Holder reports and decisions.

S Hill advised that previously there was a paragraph on the reports called a Due Regard but it had been identified that there was a higher level of importance attached to the reports and decisions and therefore a more detailed approach was needed.

G Chipp informed the Committee that at a recent meeting of the Leadership Team a long debate took place and it was recognised that the Councils decisions were challengeable if we didn't properly consider the impact of the decisions.

Councillor J Knapman asked what did section 2 of the EIA have to do in relation with equality.

Councillor Wixley referred to 2.3 of Section 2 and noted that it listed service users, employees and the wider community or groups of people but did not mention individuals.

G Chipp stated that the Equality Impact Assessment form, Section 2, in line with Members comments should be revised.

Councillor D Stallan asked Members if they had any further concerns in relation to any other sections of the EIA.

Councillor M Sartin stated that she had concerns around the amount of time Officers would have to spend filling in these forms.

S Hill advised that the EIA's were designed to be scaled up or down depending on what the reports were concerning.

RESOLVED:

(1) That the update on our existing Equality Objectives 2016-2020 and proposed approach for setting new Equality Objectives for 2018-2023 be noted.

(2) That the new version Equality Impact Assessment form, which replaced the previous Equality Analysis Report be noted apart from Section 2, which would be revised and circulated to Members of the Governance Select Committee, including Councillor J Knapman and Councillor H Whitbread who were in attendance as substitutes and Councillor M Sartin as Chairman of the Overview and Scrutiny Committee.

21. LOCAL AND PARLIAMENTARY ELECTIONS 2017 - REVIEW

The Select Committee received a report regarding the County Council and Parliamentary Elections held in May and June 2017 from the Returning Officer, G Chipp.

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.

This year had 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 this 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 with the two elections so close together duplication of on-line registration was high as the Governments publicity information created confusion.

Postal Voting

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.

S Hill 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.

Members expressed concern regarding the cost of the final sweep and the fact that 45 packets were delivered after the deadline and asked if there was anything the Council could do to prevent this happening for future elections. Members asked the Returning Officer if the Council had informed the voters of the late packs and that their votes were not counted.

The Returning Officer advised that by law the Council were not allowed to open the late packs as they had to be destroyed as they were received.

Councillor S Sartin stated that the Council had no proof that they were not posted on time.

Staffing

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 to which EFDC paid for this as the Government would not pay for staff to be kept on standby.

Officers from Democratic Services and other sections provided support to the Electoral Staff Services by helping with enquiries regarding voting and registration. The level of staff required for the issue and opening of the postal votes proved to be correct as these procedures were all completed in good time. Directors were helpful in making officers available for these processes.

Polling Day Issues

The Returning Officer advised that all the Districts Polling Stations were fully operational in May and June. In May local residents reported difficulties trying to access the polling station in Lambourne, this was due to road resurfacing works. Officers contacted the County Returning Officer and the roadworks were suspended for the remainder of the day.

A Presiding Officer in Loughton identified a person voting twice. The Police interviewed a male who immediately admitted to voting for himself and then for his father. He was given a caution and wrote a letter to apologise to the Council.

There was one complaint received for the County election in May from a member of the public who had experienced delays in a polling station in Epping, this had stemmed from the mismarking of the register. This was resolved by the Deputy Returning Officer and was relayed to staff at the briefing session for the June election and there was no re-occurrence.

There were three complaints recorded for the UKPGE in June:

- A German national who was not sent a postal vote (EU nationals cannot vote at a UKPGE);
- A voter complaining about a teller speaking to voters on their way into the polling station; and
- A postal voter, after having returned their postal vote by post, now wished to change the way they had voted.

Councillor Wixley noted that there were building works occurring at Whitebridge School and asked if the Council would go back to using this school as a polling station in the future. The Returning Officer advised that once the building works had been completed then the Council would use Whitebridge School as a polling station again.

The Returning Officer reported that some schools were reluctant to close and be used as polling stations and were asking for count 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.

S Hill advised that the Government were trialling identification procedures for voters at stations in Watford in May 2018, by barcoding polling cards. He was not sure how this would work as it was noted that many people do not bring their poll cards when they come to vote.

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 could be sent by email.

Councillor Wixley stated that the Candidates and Agents should be asked if they would like a meeting prior to an election.

S Hill replied that the Council did not know who would be standing before the meeting.

Councillor H Whitbread stated that when she was up for election the meeting was at 6pm and she did not attend because she was out canvassing at that time.

Councillor Stallan stated that maybe we should not hold them, if the attendance was considerably low and if candidates or agents complained that they should have a meeting then it could be reinstated the following year.

The Returning Officer acknowledged that this was a sensible way forward and that it could be reviewed at any time.

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

RESOLVED:

- (1) That the management of the County Council Election on 5 May 2017 and the UK Parliamentary Election on 8 June 2017 be noted; and
- (2) That Members agreed that there would not be a Candidates/Agents meeting before the election in 2018 but this would be reviewed after the election.

22. KEY PERFORMANCE INDICATORS 2017/18 - QUARTER 1 PERFORMANCE

The Select Committee received a report from S Hill the Assistant Director, Governance regarding the Key Performance Indicators 2017/18 – Quarter 1 Performance.

The Local Government Act 1999 required that the Council make arrangements to secure continuous improvements in the way in which its functions and services were exercised, having regard to a combination of economy, efficiency and effectiveness.

As part of the duty to secure continuous improvement, a range of Key Performance Indicators (KPI) relevant to the Council's services and key objectives, are adopted each year by the Finance and Performance Management Cabinet Committee. Performance against the KPIs was monitored on a quarterly basis by Management Board and Overview and Scrutiny to drive improvement in performance and ensure corrective action was taken where necessary.

A range of 32 Key Performance Indicators (KPIs) for 2017/18 were adopted by the Finance and Performance Management Cabinet Committee in March 2017. The KPIs were important to the improvement of the Council's services and the achievement of its key objectives and comprised a combination of some former statutory indicators and locally determined performance measures. The aim of the KPIs are to direct

improvement effort towards services and the national priorities and local challenges arising from the social, economic and environmental context of the district that are the focus of the key objectives.

The overall position for all 32 KPIs at the end of Quarter 1 was as follows:

- (a) 27 (84%) indicators achieved first quarter target;
- (b) 5 (16%) indicators did not achieve first quarter target, although 1 (3%) of these indicators performed within the agreed tolerance for the indicator.

There were 5 KPIs which fell within Governance Select Committee's areas of responsibility, the overall position with regard to the achievement of target performance at Q1 for these 5 indicators were as follows:

- (a) 5 (100%) indicators achieved target;
- (b) 0 (0%) indicators did not achieve target;
- (c) 0 (0%) performed within the agreed tolerance for the indicator; and
- (d) 5 (100%) indicators were currently anticipated to achieve year end target.

The 'amber' performance status used in the KPI report under agenda item 8, appendix 1, identified indicators that had missed the agreed target for the quarter, but where performance was within an agreed tolerance or range. The KPI tolerances were agreed by Management Board when targets for the KPIs were set in March 2017.

The Select Committee was requested to review Q1 performance for the KPIs within its areas of responsibility. The full set of KPIs was also considered by Management Board on 16 August 2017 and the Finance and Performance Management Cabinet Committee on 14 September 2017.

Councillor J Knapman asked if these statistics were accurate, as he understood more to be instances of applications getting near to the 8 week deadline, withdrawn then re-submitted a few weeks later and the 8 week deadline would start again.

S Hill advised that he was not aware of this practice on smaller applications and there wasn't an officer present at the meeting to be able to answer.

Councillor D Stallan asked Members if they would like a report on this item to come to the next meeting of the Governance Select Committee.

Members agreed and asked that the report included information about the performance from the date when the application was validated to the date the application received a decision.

RESOLVED:

- (1) That the Key Performance Indicators 2017/18 for Quarter 1 be noted; and

- (2) That a report comes to the next meeting detailing the time planning applications were first submitted to the time they received the final decision.

23. CORPORATE PLAN KEY ACTION PLAN 2017/18 - QUARTER 1 PROGRESS

The Select Committee received a report regarding the Corporate Plan Key Action Plan 2016/17 – Quarter 1 from the Assistant Director, Governance.

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 which provided a clear statement of the Council's overall intentions for these five years.

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. The annual action plans contained a range of actions designed to achieve specific outcomes and were working documents and therefore subject to change and development to ensure the actions remained relevant and appropriate and to identify opportunities to secure further progress or improvement.

The Corporate Plan Key Action Plan for 2017/18 was adopted by Council at its meeting on 27 September 2016. Progress in relation to all actions and deliverables was reviewed by the Cabinet, the Overview and Scrutiny Committee and the appropriate Select Committee on a quarterly basis.

There were 50 actions in total for which progress updates for Quarter 1 were as follows:

- (a) 46 (92%) of these actions had been Achieved or were On Target;
- (b) 0 (0%) of these actions were Under Control;
- (c) 3 (6%) were Behind Schedule; and
- (d) 1 (2%) were Pending.

There were 8 actions that fell within the areas of responsibility of the Governance Select Committee. At the end of Quarter 1 these were:

- (i) 8 (100%) of these actions had been Achieved or were On Target;
- (ii) 0 (0%) of these actions were Under Control;
- (iii) 0 (0%) of these actions were Behind Schedule; and
- (iv) 0 (0%) of these actions were Pending.

RESOLVED:

That the Corporate Plan Key Action Plan 2017/18 Quarter 1 Progress Report be noted.

24. BOUNDARY COMMISSION FOR ENGLAND - 2018 REVIEW REVISED PROPOSALS FOR THE EASTERN REGION

The Assistant Director, Governance informed the Select Committee 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, until 11 December 2017. 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 they concluded their review next year, as they were statutorily obliged to do.

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 will not be hosting public hearings across the country - there was no provision to allow this in governing legislation. All the information people need to see the proposals and contribute to the review would be on the BCE website, at www.bce2018.org.uk from 17 October 2017.

RESOLVED:

- (1) To note that the Boundary Commission for England would be publishing their proposals for consultation on 17 October 2017 which would be published in the Member's Bulletin thereafter; and
- (2) That a further report be made to Members on the BCE's final proposals at the next meeting.

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

There were no reports for recommendation to the Overview and Scrutiny Committee.

26. FUTURE MEETINGS

The next meeting of the Governance Select Committee would be held on Tuesday 5 December 2017 at 7.15pm in Committee Room 1.