

Overview and Scrutiny Committee Tuesday, 9th June, 2015

Place:	Council Chamber, Civic Offices, High Street, Epping
Room:	Council Chamber
Time:	7.30 pm
Democratic Services Officer:	Stephen Tautz, Democratic Services Manager, Directorate of Governance email:democraticservices@eppingforestdc.gov.uk Tel: 01992 564249

Members:

As appointed at the Annual Council Meeting on 28 May 2015.

PLEASE NOTE THAT THERE WILL BE A SHORT PRE-MEETING FOR ALL MEMBERS OF THE COMMITTEE STARTING AT 7pm IN COMMITTEE ROOM 2, SO THAT THEY CAN DISCUSS THEIR LINE OF QUESTIONING FOR THE PRESENTATION.

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

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 consenting 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 9 - 32)

Decisions required:

To confirm the minutes of the meetings of the Committee held on 27 April 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 & Scrutiny 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 OS 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 OS meeting purely for the purpose of answering questions or providing information on such a matter.

6. BARTS HEALTH NHS TRUST - WHIPPS CROSS UNIVERSITY HOSPITAL (Pages 33 - 180)

Whipps Cross University Hospital provides a range of general inpatient, outpatient and other medical and emergency services to a significant part of the population of the Epping Forest District. The Committee has been extremely worried to read the recent report of the Care Quality Commission (CQC) on its 'inadequate' judgement of the quality of care at Whipps Cross Hospital, particularly in terms of the implications of the findings of the Commission for the healthcare requirements of the Council's residents. A copy of the report of the CQC is attached as an appendix to this report.

Lyn Hill-Tout, the Interim Managing Director of Whipps Cross and Dr. Mike Roberts, the interim Medical Director at the hospital, will be attending the meeting to report to members in connection with Barts Health NHS Trust's detailed plans for improvement in the areas of concern identified by the CQC. Jo Carter, the Trust's Stakeholder Relations Manager, will also be in attendance.

Essex County Council has delegated its health scrutiny powers in the south of the county to the Outer North East London Joint Health Overview and Scrutiny Committee (HOSC). The County Council nominates one member to this body (Councillor Chris Pond) and this Council is able to also nominate one member representative to the HOSC, although this position hasn't been appointed to in recent years. At the request

of the Committee at its last meeting, a new member appointment was considered at the recent annual Council meeting.

Barts Health NHS Trust has indicated that it will provide its key local authority partners (including this Council and Waltham Forest and Redbridge London Borough Councils) with a regular report on the progress of its improvement plan for Whipps Cross Hospital. This will be published in the Council Bulletin.

7. SCRUTINY PANEL MINUTES (Pages 181 - 228)

RECOMMENDATION:

To agree the last minutes of the last five Scrutiny Panel meetings.

As the five Scrutiny Panels have now been disbanded and replaced by four Select Committees, the notes of their last meetings are in need of being agreed.

To this end the last minutes of the Housing Scrutiny Panel (24 March 2015); the Constitution and Member Services Scrutiny Panel (3 March and 17 March 2015 (reconvened meeting)); the Finance and Performance Management Scrutiny Panel (10 March 2015); the Safer Cleaner Greener Scrutiny Panel (28 April 2015); and the Planning Services Scrutiny Panel (14 April 2015) are attached to this agenda for agreement by their parent Committee.

8. REVIEW OF CABINET FORWARD PLAN (Pages 229 - 236)

(Leader) To review the Cabinet’s Key Objectives and Forward Plan for the coming year.

9. CORPORATE PLAN KEY OBJECTIVES 2014/15 - OUTTURN (Pages 237 - 266)

(Director of Governance) To consider the attached report.

10. APPOINTMENT OF MEMBERSHIP TO SELECT COMMITTEES

Decision Required:

(1) To appoint members to the following Select Committees in accordance with pro-rata in the proportions shown below (**full name list to follow**):

Select Committee	Appointment to places required:
Governance Select Committee	Cons (7): Lib Dem (1): LRA (2): Other (1):
Housing Select Committee	Cons (7): Lib Dem (1): LRA (2): Other (1):

Neighbourhoods & Community Services Select Committee	Cons (7): Lib Dem (1): LRA (2): Other (1):
Resources Select Committee	Cons (7): Lib Dem (1): LRA (2): Other (1):

(2) To consider requests for appointments to Select Committees by non affiliated members; and

(3) To appoint a Chairman and a Vice Chairman to the following Select Committees:

Select Committee	Appointments Required:
Governance	Chairman: Vice Chairman:
Housing	Chairman: Vive Chairman:
Neighbourhoods & Community Services	Chairman: Vice Chairman:
Resources	Chairman: Vice Chairman:

1. (Director of Governance). The Council has agreed that pro rata apply to Overview and Scrutiny Select Committees only. The Overview and Scrutiny rules provide that the memberships must reflect pro rata requirements and 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. This year it has been agreed by Group Leaders that the Select Committees should have 11 members.

2. The Committee are asked to make appointments to Select Committees in accordance with the Overview and Scrutiny Procedure rules.

3. Nominations to Chairman and Vice Chairman of these Select Committees are excluded from the calculation required under the Council's protocol regarding allocation of Chairman and Vice-Chairman positions between the political groups.

4. Nominations to the Select Committees, which may be submitted up until the day of the meeting, were sought through officer liaison with the Group Leaders and via the Appointments Panel. A list of any further nominations will be tabled at the meeting.

**11. APPOINTMENT OF OVERVIEW AND SCRUTINY TASK AND FINISH PANELS
(Pages 267 - 268)**

Recommendation:

- (1) To appoint members to the two existing Task and Finish Panels; and**
- (2) To agree the Terms of Reference for the Youth Engagement Review Task and Finish Panel**

1. (Director of Governance) Last year this Committee set up two Task and Finish Panels, the Grant Aid Review Task and Finish Panel and the Youth Engagement Review Task and Finish Panel.

2. The Terms of Reference for the Youth Engagement Review Task and Finish Panel is attached and will need to be agreed by the Committee.

3. This Committee had also requested that the membership of these Panels be kept into the new year.

Last Years Grant Aid Review Task and Finish Panels consisted of:

Caroline Pond (Chairman) (LRA);
J Knapman (Vice Chairman) (Con);
T Boyce (Con);
A Mitchell (Con);
S Murray (Ind);
G Shiell (Con); and
B Surtees (LibDem)

The Youth Engagement Review Task and Finish Panel consisted of:

S Murray (Chairman) (Ind);
G Mohindra (Vice-Chairman) (Con);
R Butler (UKIP);
C Roberts (LRA);
B Surtees (Lib Dem); and
Plus 1

K Adams - was not re-elected in May and therefore a vacancy has now arisen on this Panel.

4. The Overview and Scrutiny Rules state that 'Task and Finish' Scrutiny Panels shall be flexible as to the number of Councillors appointed to membership. There is no restriction on the numbers appointed.

5. Any Councillor may be a member of a 'Task and Finish' Scrutiny Panel, save that a member of the Cabinet may not be a member of any Panel which bears directly on his or her portfolio. Additionally no 'Task and Finish' Scrutiny Panel can be comprised of members of a single political group only.

6. It is a requirement of the procedure rules that a Chairman and Vice - Chairman should be appointed to each Panel.

12. OVERVIEW AND SCRUTINY ANNUAL REPORT 2014/15 (Pages 269 - 328)

(Director of Governance) to consider the attached report.

13. WORK PROGRAMME MONITORING (Pages 329 - 340)

(a) To consider the updated work programme

The current Overview and Scrutiny work programme is attached for information.

(b) Essex County Fire and Rescue Service

Essex County Fire and Rescue Service (ECFRS) has recently attended the Council's Leadership Team in connection with a review of service provision across the county. ECFRS will be developing its proposals over the coming months, with a view to undertaking a public consultation exercise from November 2015 to January 2016, and has expressed a wish to make a presentation to the committee as part of this exercise.

The only meeting of the Committee during the period of the public consultation is on 5 January 2016. As the Epping Forest Youth Council is also due to attend this meeting, the Committee is requested to consider how it wishes to approach these respective presentations.

(c) Reserve Programme

A reserve list of scrutiny topics is required to ensure that the work flow of OSC is continuous.

OSC 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.

A blank PICK form is attached for members use.

14. 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.

