

EPPING FOREST DISTRICT COUNCIL OVERVIEW AND SCRUTINY MINUTES

Committee: Overview and Scrutiny Committee **Date:** Tuesday, 19 July 2016

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 9.35 pm

Members Present: Councillors M Sartin (Chairman) L Girling (Vice-Chairman) N Avey, R Brookes, D Dorrell, S Kane, Y Knight, S Murray, A Patel, B Rolfe, G Shiell, D Stallan, B Surtees and D Wixley

Other Councillors: Councillors R Baldwin, R Bassett, H Kane, J Philip and G Waller

Apologies: Councillors A Mitchell and S Neville

Officers Present: D Macnab (Deputy Chief Executive and Director of Neighbourhoods), C O'Boyle (Director of Governance), S Tautz (Democratic Services Manager), T Carne (Public Relations and Marketing Officer), A Hendry (Senior Democratic Services Officer) and M Jenkins (Democratic Services Officer)

11. WEBCASTING INTRODUCTION

The Chairman reminded everyone present that the meeting would be broadcast live to the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

12. SUBSTITUTE MEMBERS

There were no substitute Members for the meeting.

13. MINUTES

RESOLVED:

That the minutes of the last Committee meeting held on 7 June 2016 be signed by the Chairman as a correct record.

14. DECLARATIONS OF INTEREST

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

15. PUBLIC QUESTIONS & REQUESTS TO ADDRESS THE OVERVIEW AND SCRUTINY COMMITTEE

It was noted that there were no public questions or requests to address the Committee.

16. EXECUTIVE DECISIONS - CALL-IN

There were no call-in of decisions to be considered.

17. FORWARD PLAN OF KEY DECISIONS - REVIEW

The Committee considered the Cabinet's Key Decision List for July 2016. They noted that there was a legal requirement for local authorities to publish a notice in respect of each Key decision that it proposed to make, at least 28 days before that decision was made. The Committee were invited to identify any particular issues which were of concern.

Housing Portfolio

Councillor Murray commented that normally the attendance by Cabinet Members was very good at Overview and Scrutiny meeting but not tonight. However, he wanted to ask about the 'Sheltered Housing Assets' and was interested to know if there was to be drastic change to this strategy.

Councillor Wixley wanted to know what was happening to the 'Off Street Parking Programme 2016/17' and was advised that the Forward Plan indicated that a report would be made to the Cabinet in September 2016.

Councillor Brookes wanted to know a bit more about the 'Norway House Chalets' and the proposed redevelopment of the site at Norway House. Councillor Stallan noted that the ward councillors had been consulted on the replacement of the external chalets, as they were getting old and would soon needed replacing.

In the absence of the Housing Portfolio Holder, the Chairman indicated that a report on these matters would be made through the Council Bulletin as soon as possible.

Leisure & Community Services

Mr Macnab amended the figure for the 'Hillhouse Masterplan' it should not be a provision for 240 independent living homes but provision for up to 60 independent living units.

Safer Greener and Transport

Councillor Knight wanted to know if the Environmental Charter had been agreed. She was told that it was part of the work of the Green Working Party and would be going to a future Cabinet for agreement. Councillor Knight said she was asking because of the ongoing problems at Nazeing with air quality. Councillor Waller noted that this matter was not under our direct control and so our influence was limited. Councillor Philip noted that air quality would be part of the Local Plan and a report on this would be going to the September Cabinet meeting.

Assets & Economic Development

Mr Macnab noted that these reports and decisions had two routes to go, either to the Cabinet or to the Asset Management and Economic Development Cabinet Committee.

Councillor Avey asked where we were on the St John's Road site and was told that everything was now in place for a decision by the Cabinet on 21 July.

18. CORPORATE PLAN 2016-2020 - KEY ACTION PLAN 2017/18

The Director of Governance, Colleen O'Boyle introduced the report on the proposed Corporate Plan Key Action Plan for 2017/18. The corporate plan included the aims and objectives which were the Council's highest level strategic intentions. These aims and objectives were delivered by an action plan produced annually, progressing the activities to achieve the aims and objectives across their lifetimes.

2017/18 would be the third year in the lifetime of the aims and objectives and a draft key action plan for 2017/18 has been produced building on activities identified in the action plan for the current fiscal year.

Key Action Plans are monitored by the Select Committees, Overview and Scrutiny Committee and Cabinet on a quarterly basis. As living documents they could be subject to change or development as appropriate to reflect emerging priorities or unforeseen circumstances.

The Committee noted the following amendments:

- That under Aim (iii), Key Objective (b), item 2 – “trial with Northgate a system for remote working for *Business* Control and Development Control Officers” should be “for *Building* Control and Development...”; and
- An addition under Aim (ii), objective (a) - that the Local Plan should have been carried over from last year and delivered in accordance with the Council's agreed Local Development Scheme. A report on this will be at the next cabinet meeting.

Relevant part of the action plan will go to the appropriate Select Committee for review.

The Committee then considered the Key Action Plan page by page.

Aim (i), Key Objective (a), item 2 – Councillor Brookes asked about the sale of 'Higher Value' empty Council properties and Councillor Sartin noted that it had a target date for July 2017 would this be when we start selling houses? Mr Macnab said that he would ask Mr Hall to let them know where they could get more information. Councillor Philip said the target date depended on the government issuing of the legislation.

Councillor Wixley asked if we had any 'higher value' properties. Mr Macnab replied that if a property became void, and it was a three bed or larger property, it could fall into the higher value band and be put up for sale.

Councillor Murray said that the detail would be in the regulations, it may be that every three bed property that became void would be classed as 'higher value' and we may be forced to sell it. This was debated at the last Communities Select Committee.

Aim (i), Key Objective (b), item 1 – Councillor S Kane asked if there was an update on phase1 of the Council housebuilding programme. He was told that at present there was not.

Aim (i), Key Objective (c), item 1 – Councillor Sartin asked about the long term Management Agreement with Broxbourne BC on the management of Lowewood Museum. Did the Portfolio Holder have any comments on what has been in the press recently? Councillor H Kane said that it had taken them by surprise. At present we were negotiating and she would update members as soon as she knew something.

Aim (i), Key Objective (c), item 5 – Councillor Murray noted that this said “to appoint a new leisure management partner...” – but we could still keep with our existing partner when we renewed the contract. Perhaps the word ‘new’ was inappropriate at this point. Councillor H Kane replied that they were still looking at new companies but agreed that the wording should be rejigged and the word ‘new’ removed.

Aim (iii), Key Objective (b), item 1 – Councillor Sartin sought clarification on the term ‘pay to Stay’. Ms O’Boyle said that we had not received the regulations as yet, but it was probably about the salary levels of people renting council homes. Councillor Stallan agreed saying they would be looking at income level of residents and their ability to get on council housing lists, as social housing should be for people in need. Councillor Murray noted that we were waiting for details from the government and added that this policy was based on the actions of just one man and if this went through it would ghettoise our social housing, turning them into low pay ghettos. Councillor Knight said that this was discussed at the last Communities Select Committee. She observed that when she was growing up she found it quite unjust when there were people who could afford private rent keeping housing away from people who needed it.

RESOLVED:

That the Committee considered and commented on the proposed Corporate Plan Key Action Plan for 2017-18.

19. OVERVIEW & SCRUTINY WORK PROGRAMMES 2017/18 & FUTURE YEARS

The Democratic Services Manager, Mr Tautz, introduced the report that came out of the recent meeting held between the Chairman and Vice-Chairman of the Overview and Scrutiny Committee and the Chairmen and Vice-Chairmen Select Committees (the O&S Co-ordinating Group) where they considered the work programmes of the various committees for the coming year. The identification and prioritisation of scrutiny activity was essential if it was to be successful and of value. Work programmes should also be realistic and retain capacity so that unplanned matters could be addressed.

The coordinating group considered that it would be appropriate for work programme priorities to be derived from a wider range of evidence. This would enable scrutiny activity to more effectively meet the work programme requirements of the Constitution and focus less on cyclical reporting, whilst also addressing a perception amongst some members that reports were presented for ‘noting’ only.

The co-ordinating committee considered that scrutiny of the key decision list was something that worked both ways and the cabinet was at liberty to ask scrutiny to look at some aspects of their workload.

The group also considered the use of the PICK forms and thought that scrutiny should be more flexible in their use, including accepting relevant correspondence and emails as well as the forms. This would include proposals from members of the public although they would have to be scoped out in the same way as other proposals.

They also thought that the scoping of proposals should be more robustly undertaken to establish matters that would be of most benefit, had clear objectives and took

account of resources; and in the end would it add value to the Council and/or the wider community.

They considered the use of the compliments and complaints forms as sources of potential scrutiny starting points as well as any petitions and freedom of information requests that threw up wider considerations.

In considering presentations and scrutiny of external organisations the co-ordinating group thought it important that clear objectives were set for any presentations given. It was considered that at present this was not always the case and the presentations often appeared to have no clear reference. The group suggested that the Committee should take a more critical approach to the selection of outside organisations to be scrutinised, ensuring that invitations were issued to organisations where there were public concerns. It was also suggested that flexibility should be applied where scrutiny of an outside organisation might better be conducted by a select committee rather than the Committee itself. They also looked at the questioning of the outside organisations and thought that an item should be put in the agenda of the meeting before the presentation was due to enable members to adequately scope out what they wanted covered and what questions they were going to ask.

It was noted that we needed the agreement of Essex County Council if we wanted to scrutinise any of the local health providers and that this had not proved to be a problem in the past.

The group had suggested three items for possible inclusion in the Overview and Scrutiny Committee work programme for 2016/17, they were:

- (a) Central Line services and infrastructure within Epping Forest District (TfL);
- (b) Princess Alexandra Hospital services for residents of the District, subject to the agreement of Essex County Council; and
- (c) Highways Services and infrastructure within the District (ECC).

The group had also identified issues for possible inclusion in the work programmes of three of the four select committees, Governance, Neighbourhoods and Resources.

Councillor Murray commented that this was a good report and good ideas had come out of it, especially recommendation 5. He noted that the health scrutiny that we have carried out had been very useful but expressed concerns that we had to ask the ECC for permission to carry it out. Mr Tautz replied that it was the legal position that we had to seek ECC's agreement in order to scrutinise any health matters, but we did so as a matter of courtesy and did not go begging for permission. Mr Macnab noted that we had a good working relationship with them.

Councillor Avey said that the Central Line was an absolute disgrace, but what real difference would it make to have TfL here. Councillor Sartin added that we have had TfL officers here before to talk about the Central Line. Councillor Stallan added that we had very bland presentations from them. Their answers were not consistent over the years that they came to us. It was important that we now narrow down what we wanted from them.

Councillor Patel declared an interest in health scrutiny as he was a health provider. He noted that we had an aging population and wanted to know how our money was being spent in our district. Councillor Sartin replied that was different from scrutinising health provision or other social care.

Councillor S Kane said that we needed to develop targeted, focussed questions before hand. Maybe this new co-ordinating group could be set up before the start of a

new municipal year. Councillor Sartin agreed; this would enable the Select Committees to start their new work programme from the start of their first meeting.

Councillor Surtees said that presentations needed to be focused on what we wanted and not what they wanted to tell us. Also we did not want 'death by PowerPoint'. We needed time to review any presentations before the meeting and we needed to narrow down what we wanted from them. Councillor Sartin noted that officers always aimed to get the PowerPoint to members before the meetings but Mr Tautz added that officers could not always guarantee that. It should be remembered that these organisations were under no obligation to respond or attend our meetings.

Councillor Knight noted that the Communities Select Committee had the new Police District Commander coming to their November meeting and they would be discussing their questions at their September meeting. Please let her know if there were any questions that you wished to be asked.

Councillor Stallan said we needed to tell them what we wanted their presentation to be about or even if we did not want one. It was within the power of members on how they had their presentations. He suggested that we amended recommendation 5 to say "...appropriate lines of questioning *and presentations, if any*, for external organisations..." This was agreed.

Councillor Girling noted that we had not given our guests actions on what we wanted them to resolve for us.

Councillor Surtees noted that the Central Line was important but we also had busses provided by TfL. He also noted that the Princess Alexandra Hospital was currently discussing the way forward. The meeting agreed that this should be looked at towards the end of the year.

Councillor Stallan noted that that ECC Highways officers had attended the Governance Select Committee last year, would this be a duplication of work? He was told that they came to specifically cover highways and planning issues and therefore this would not be duplication.

The Committee then considered what questions they would like to ask the TfL and the ECC Highways section and came up with the following list:

Central Line Services and Infrastructure within the Epping Forest District (Transport for London):

Staffing:

- (a) the current levels of staffing at local Central Line stations, particularly with regard to ticket offices;

Capacity:

- (b) the infrastructure of the Central Line, particularly in terms of increasing user capacity;
- (c) the frequency of Central Line services eastbound to Epping;
- (d) the split of Central Line services operating eastbound from Leytonstone Station and the perception that fewer services run through to Epping than to Hainault;
- (e) what was the capacity of the current system and could it be increased; and
- (f) was there the money to be invested to improve capacity?

Infrastructure:

- (g) the ongoing concern of the Council with regard to platform access at local Central Line stations for people with disabilities;
- (h) the current position with regard to the rectification of signalling breakdowns that adversely affect Central Line services on a regular basis, particularly given the significant investment made in signalling infrastructure;
- (i) the age of the rolling stock currently in use on the Central Line, particularly with regard to issues pertaining to the operation of automatic doors and unacceptably high temperatures in carriages;
- (j) the introduction of air-conditioned rolling stock;
- (k) the introduction of new rolling stock – when would this happen?
- (l) the provision of public toilet facilities at local Central Line stations;
- (m) the provision of Wi-Fi access in underground sections of the Central Line and at local stations;
- (n) the possible reinstatement of Central Line services between Epping and Ongar, as proposed by the Mayor of London;
- (o) the current CCTV coverage of public areas in the vicinity of local Central Line stations and plans for the extension of such coverage;

Car Parking:

- (p) the extension of car park facilities at local Central Line stations;
- (q) an update on the provision of car parking at Epping station;
- (r) the management of car parks at local Central Line stations and of the public areas in the vicinity of the stations;

Highway Services and Infrastructure within the Epping Forest District (Essex County Council);**Communication:**

- (a) the operation of Essex County Council's online facility for the reporting of highway defects;
- (b) the enforcement of licence provisions by the County Council, to ensure minimal disruption to highway users and others;
- (c) was it possible to have the contractors come to a scrutiny meeting?
- (d) the County Council's approach to ensuring that highway works carried out by statutory undertakers did not cause unnecessary disruption to highway users and others;
- (e) the need for improvement in communications between Highway Services and local authorities.

Repairs:

- (f) the County Council's approach to the repair of footpath defects, particularly in relation to securing the safety of people with disabilities;
- (g) the County Council's approach to ensuring the quality of highway reinstatement following works carried out by statutory undertakers;
- (h) the management of the County Council's own ground crews undertaking the repair of highway defects, to ensure the quality of highway reinstatement and what criteria was used for choosing what to repair;

Disruptions:

- (i) the issue of licences or other approval by the County Council for temporary traffic lights or other forms of traffic management;

Strategy:

- (j) the County Council's approach to the design of highway schemes;
- (k) the County Council's winter gritting strategy and priorities.

RESOLVED:

- (1) That, from 2017/18, the development of annual work programmes for the Overview and Scrutiny Committee and the four Select Committees, be commenced during January/February in each preceding year, on the basis of the evidence sources presented in this report and other appropriate corporate or community priorities.
- (2) That the annual overview and scrutiny work programmes be agreed by the Overview and Scrutiny Committee at its first meeting in each municipal year.
- (3) That, from 2017/18, all Portfolio Holders be requested to present the priorities and service challenges arising from the annual business plan for their portfolio to overview and scrutiny, at the first cycle of meetings in each municipal year.
- (4) That, in order to ensure that scrutiny activity complements the Council's policy framework or other priorities and achieves maximum value, all member scrutiny proposals (including presentations) be submitted through the existing PICK process and be fully scoped and prioritised by the Overview and Scrutiny Committee, prior to the inclusion of any proposal in the work programme for the Committee or a select committee.
- (5) That the development of appropriate lines of questioning and the scope and focus of presentations (if required), for external organisations invited to attend before overview and scrutiny, be formally undertaken by the Overview and Scrutiny Committee at a preceding meeting, through the inclusion of an appropriate standing item in agenda for all ordinary meetings of the Committee.
- (6) That the following matters set out at paragraphs 22 and 23 of the report be agreed for inclusion in the overview and scrutiny work programme for 2016/17, subject to the scoping of specific matters at a future meeting:
 - (a) Central Line Services and infrastructure (Transport for London);
 - (b) Highway Services and infrastructure (Essex County Council).
- (7) That scrutiny of the services provided to residents of the district by the Princess Alexandra Hospital NHS Trust be deferred for the time being to await the issue of a forthcoming inspection report by the Care Quality Commission.
- (8) That arrangements for bi-annual joint meetings of the chairman and vice-chairman of the Overview and Scrutiny Committee and each of the select committees, be established on a formal basis to:
 - (a) consider arrangements for the effective identification of overview and scrutiny work programme priorities for each municipal year;

- (b) support the development of appropriate overview and scrutiny activity for each year, informed by relevant corporate objectives, service aims and member priorities, to ensure that the Council's services and functions are appropriate and responsive to the needs of residents, service users and others; and
 - (c) consider and coordinate other appropriate matters to ensure the effective management and operation of the Council's overview and scrutiny function and responsibilities. And
- (9) That attendance at such joint meetings by the chairman and vice-chairman of the Overview and Scrutiny Committee and each of the Select Committees be deemed an approved duty for the purposes of the Council's Members' Allowances Scheme.

20. OVERVIEW & SCRUTINY WORK PROGRAMMES 2016/17

(a) Work Programmes

Overview and Scrutiny Committee

The committee considered their work programme and noted the progress to date. The Democratic Services Manager commented that following on from the O&S Co-ordinating working group meeting the Work Programme would be reworked to remove the cyclical reports that go to the O&S Committee on a regular basis. They would not appear on the work programme but would appear on the agenda when due.

Youth Council

Some of the items could also be moved to reserved programme and it may be that it was more appropriate for the Youth Council to give their annual presentation to a wider audience such as the full Council.

Councillor Stallan wondered if the full council was the right place for them to go to – if they were to ask for additional funding would it not be more appropriate for them to go through O&S on to the Cabinet. Mr Macnab replied that any one off requests could go directly to the Cabinet. Also, if they wanted it the Youth Council could hold a presentation before the start of a Council meeting and not during the actual meeting itself. Councillor Surtees thought it would be better to have it during the meeting.

Councillor Girling thought the best way forward was for them to go to the Council meeting, as they should be heard by all members. Councillor Philip wondered if this was possible under our constitution; and thought that they would get more of an audience at an O&S Committee meeting. Ms O'Boyle reminded the members that the council could have a single item meeting if they desired it or open it out for a presentation if they wished.

Councillor Sartin suggested that some more research was done and the Youth Council was spoken too, to ascertain their views and then come back with some formal recommendations.

Epping Forest College

Councillor Wixley noted that the annual review of the Epping Forest College was on the work Programme. They had only recently had a new Principal start and it would be more appropriate to have this at a later date. Councillor Sartin said this could be moved to the reserve programme and be brought back when the time was right.

Children Services

Councillor Girling informed the meeting that since April 2016, the last time that we had officers from ECC come to talk to us about Children Services, he and some other Councillors have been holding informal meetings with these officers. So far they have held two meeting with them and he had attended the Epping Forest Children's Advisory Board and also an ECC Cabinet meeting to express our concerns about the loss of children services and facilities in our district. He was also planning a tour around our district with the relevant Essex County Council Portfolio Holder.

(b) Select Committees

Communities Select Committee

The Chairman, Councillor Knight reminded the Committee that this Select Committee was due to receive the new District Commander in November and that item 31 of their work Programme was new.

Governance Select Committee

The Chairman, Councillor Avey had nothing to add to the work programme as printed.

Councillor Dorrell noted that item 1 of the work programme should say "Review of Elections and Referendum" and not 'elections of May and June 2016'.

Neighbourhoods Select Committee

Councillor Wixley asked if item 1, 'Enforcement Activities', was the same for item 13 on the Governance Select Committee 'Enforcement'. He was informed that they were referring to two different types of enforcement – planning for the Governance SC and Environmental for the Neighbourhoods SC.

Resources Select Committee

The Chairman, Councillor S Kane had nothing to add to the work programme as printed.

21. RESOURCES SELECT COMMITTEE - MEMBERSHIP 2016/17

RESOLVED:

That Councillor R Gadsby be added to the membership of the Resources Select Committee for the year 2016/17.

22. SELECT COMMITTEES - REVISED TERMS OF REFERENCE

That following the split in work of the two Select Committee at the start of the year, their revised Terms of Reference be agreed by the O&S Committee.

RESOLVED:

That the updated Terms of Reference for the Neighbourhoods Select Committee and the Communities Select Committee be agreed.

CHAIRMAN