

# Overview and Scrutiny Annual Report 2009-2010



**Epping Forest District Council**

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# OVERVIEW AND SCRUTINY ANNUAL REPORT: MUNICIPAL YEAR 2009/2010

## *Introduction*

Welcome to the fifth report of the Overview and Scrutiny Structure of Epping Forest District Council. The Overview and Scrutiny Committee and Panels were charged with reviewing Cabinet decisions, the Corporate Strategy, the Council's financial performance and also scrutinising the performance of the public bodies active in the District by inviting reports and presentations from them.

At the beginning of the 2009/10 municipal year the Overview and Scrutiny Committee agreed to the setting up of five Standing Panels and one Task and Finish Panel for the year. Half way through the year a second Task and Finish panel was established.

## *What is Scrutiny?*

Scrutiny in local government is the mechanism by which public accountability is exercised. The purpose of scrutiny in practice is to examine, question and evaluate in order to achieve improvement. The value of scrutiny is in the use of research and questioning techniques to make recommendations based on evidence. Scrutiny enables issues of public concerns to be examined. At the heart of all the work is consideration of what impact the Cabinet's plans will have on the local community. However, the overview and scrutiny function is not meant to be confrontational or seen as deliberately set up to form an opposition to the Cabinet. Rather the two aspects should be regarded as 'different sides of the same coin'. The two should compliment each other and work in tandem to contribute to the development of the authority.

The 3 key principles of effective scrutiny in practice are:

- Scrutiny as "critical friendship" through constructive but robust internal challenge;
- Scrutiny as evidence based research and analysis using expert witnesses and public consultation;
- Scrutiny as a strategic programme investigating key council priorities and reflecting the concerns of the local community.

Alongside its challenge role, the scrutiny function has also continued to engage positively with the Cabinet and there continues to be cross party co-operation between members on all panels.

Scrutiny has continued to provide valuable contributions to the Council and the Cabinet remained receptive to ideas put forward by Scrutiny throughout the year.

At the first meeting of the Overview and Scrutiny Committee for this municipal year, the committee reviewed their procedures and agreed the membership of panels.

Members were reminded that under the arrangements, Scrutiny Standing and Task and Finish Panels had been established to undertake scrutiny reviews. The Committee had been tasked with agreeing the Membership of these panels and their terms of reference. Although the panels have no powers to make decisions they can put forward recommendations for consideration, either by the Overview and Scrutiny Committee or with the permission of the parent committee, to the Cabinet or Council.

The Overview and Scrutiny Committee reviews the need for the continuation of Standing Panels prior to the end of the Council Year.

## ***The Overview and Scrutiny Committee***

The Committee coordinated with the Cabinet about their work plans for the year and pre scrutinised their reports at its meetings the week before Cabinet would meet. Liaisons with the Cabinet would take place to discuss the wider work programme that would be approved and reviewed annually. This acted as a troubleshooting exercise, finding out problems before they arose.

The Committee also engaged with external bodies in order to scrutinise parts of their work that encroached on the District and its people.

The Committee received four call-ins this year (for details, see Scrutinising and Monitoring Cabinet Work on page 6). These were on the Legal and Estates Portfolio Holders decision on the “The Broadway, Loughton – Rent Deferment Scheme”; the Leisure and Wellbeing Portfolio Holders decision on the “Provision of a Sports Hall at the Waltham Abbey Swimming Pool”; the Cabinet decision on “arrangements regarding scanned planning files”; and a Housing Portfolio Holders Report on the release of a restrictive covenant.

The Overview and Scrutiny Committee membership consisted of 11 Councillors who were appointed at the Annual Council meeting.

## ***Standing Scrutiny Panels***

A Lead Officer was appointed to each panel to facilitate its process. The Overview and Scrutiny Committee agreed the terms of reference for each of the Panels on the basis of a rolling programme. The Standing Panels have a ‘rolling programme’ and consider ongoing and cyclical issues. Five standing Scrutiny Panels were established, dealing with:

- i. Housing
- ii. Constitution and Member Services
- iii. Finance and Performance Management
- iv. Safer Cleaner Greener.
- v. Planning Services

Standing Panels reported regularly to the Overview and Scrutiny Committee on progress with the work they were carrying out.

## ***Task and Finish Panels***

The Task and Finish reviews are restricted to dealing with activities which are issue based, time limited, non-cyclical with clearly defined objectives on which they would report responses and set a deadline to report to the Overview and Scrutiny Committee. Two Task and Finish Panels were established during the year, they were:

- i. Pltt Review on Flooding Task and Finish Panel;
- ii. Sustainable Communities Task and Finish Panel.



# OVERVIEW AND SCRUTINY COMMITTEE

## *The Overview and Scrutiny Committee consisted of the following members:*

Councillor R Morgan (Chairman)  
Councillor K Angold-Stephens (Vice Chairman)  
Councillors M Colling, A Green, Mrs A Grigg, Mrs A Haigh, D Jacobs, J Knapman, R Law, G Mohindra and Mrs L Wagland.

The Lead Officer was Derek Macnab, Deputy Chief Executive.

## *Terms of Reference*

The Overview and Scrutiny Committee's main functions are to monitor and scrutinise the work of the executive and its forward plan, external bodies linked to the District Council and the Council's financial performance. It is tasked with the consideration of call-ins, policy development, performance monitoring and reviewing corporate strategies.

## *The Committee's workload over the past year can be broken down as follows:*

### *(a) Scrutinising and monitoring Cabinet work*

The Committee reviewed and commented on the Cabinet's Forward Plan and work programme where they identified areas for further consideration. The Committee has a proactive role in this area through carrying out pre-scrutiny work. This involved receiving and considering the Cabinet agenda prior to the Cabinet itself.

### *(b) Call-ins*

The Committee considered four call-ins this year. The first one in September was a call-in of the Legal and Estates Portfolio Holder's Cabinet report regarding the consideration of rent deferment for the shops in Loughton Broadway. The report was called in by two different sets of councillors. The Committee debated the merits of the call-in and were heartened to here that the Portfolio holder had reconsidered the original decision and had offered a rent rebate of 20% to the traders for an eight month period. The Committee confirmed the original decision providing the Cabinet pursued the 20% rent reduction for the period of 8 months.

The second call-in in September 2009 was about the provision of a sports hall at Waltham Abbey Swimming Pool. They were supportive of the new hall but had concerns between the gap between the closing of the sports centre and the opening of the new hall. What was in place to take up the slack? The committee found that there would be no loss of facilities to the area as the new hall was being built and confirmed the original decision. Since then, the Portfolio Holder had stated that a feasibility study was being undertaken and that pending consideration of that study nothing definite had been decided.

The third call-in happened in December 2009 and was about the arrangements regarding scanning planning files. The members calling this in had concerns about local councils having access to the files once they had been transferred. Would they

have the right technology to read them and would not any technology be made obsolete within a few years as they evolve and move on. Paper records would not have that kind of problem. On consideration the Committee confirmed the original decision.

The fourth one happened in March 2010 when a Housing Portfolio Holders Report on the 'Release of a Restrictive Covenant – Denny Avenue, Waltham Abbey'. This report asked that an agreement be entered into between the Council and the owner of the property to vary the restrictive covenant to grant permission for either its current use or as a privately rented shared accommodation. The call-in had concerns about preventing noise and nuisance to adjoining neighbours due to a large number of non-related persons occupying a house of multiple occupation. They noted that the number of rooms had been increased from three bedrooms to five single and two double bedrooms. This call-in was considered at the April meeting of the Committee. They also noted that planning permission for change of use had recently been refused. However, there was still a chance that the applicant would take this planning decision to appeal. On consideration the Committee decided to refer the decision back to the Housing Portfolio Holder for further consideration. He promised the Committee that he would not make a final decision until after the period for the planning appeal had elapsed and he knew the ultimate decision. He would then take a fresh look at the covenant, seek legal advice and report back to the Overview and Scrutiny Committee.

### ***(c) Standing Panels work programme monitoring***

The Committee received regular updates from the Chairmen of the various Scrutiny Panels reporting on the progress made with their current work. This had allowed the Committee to monitor performance, prioritise work and when necessary adjust their work plans to take into account new proposals and urgent items.

### ***(d) Items considered by the committee this year***

This year the Overview and Scrutiny Committee received presentations on, and considered such topics as:

#### **Presentations:**

(i) In July 2009 the Committee received a presentation from Lonica Vanclay, the County Officer responsible for the commissioning side of youth provisioning. She was accompanied by Nigel Varnam, who was responsible for the co-ordination of youth provision in the district area. They spoke about the provision of youth services within the District. It was noted that the range of the provisions needed to be publicised across the district. Schools were actively involved in working together and collaboration between the schools and county had improved over the last year.

(ii) In October 2009 the Committee received a presentation from the Essex Fire and Rescue Services. Ray Skinner, the Community Commander of the Essex Fire and Rescue Services came and spoke to the Committee about the provision of Fire and Rescue Services for Essex and the District and informed them of the latest developments in the Fire and Rescue Service.

(iii) In November 2009 the Committee received a presentation from three Councillors from the Epping Forest Youth Council. They outlined their work programme for the year ahead and giving examples of



the work done so far. They were also there to ask for funding for their work for the year. The committee agreed that they should receive their funding and recommended this to the Cabinet.

(iv) In January 2010 the Committee received a presentation from the District Valuation Officer for East Anglia, who spoke to the Committee on local business rateable values. He was robustly questioned by the members of the committee, other members present and also by leave of the chairman, members of the public. He was left with a very firm impression of our opinion on the recent NDR increases in our area and the effect it was having on local businesses.

(v) In March 2010 the Committee received a presentation on the North East London Health Services Consultation document on their proposed changes to the health services. The committee welcomed Helen Brown, the Programme Director of Health for North East London. Also attending this meeting was the Deputy Director from the West Essex PCT, Kirsty Boettcher, County Councillor Chris Pond and a representative from Essex Link. The councillors closely questioned Ms Brown on the proposed changes and voiced their concerns over matters they thought the Consultation document did not cover, were not treated in sufficient depth or on some matters such as travel time, did not take our district's circumstances into account.



Using the questioning and the comments made, the Chairman of the Committee sent a response to the consultation document voicing the district's concerns and opinions.

(vi) Also in March the Committee received a Health Inequalities Presentation, this was an update from last year by Alison Cowie, the Director of Public Health for West Essex Primary Health Care Trust. The meeting noted that the population of the district was concentrated in the middle and older age groups, that the average life expectancy for a man in the district was 78 but the average life expectancy for a Gypsy or Traveller male was 58 years. That Life expectancy was a key measurement for health inequalities and the district had an affluent population but had pockets of deprivation. A Healthy Communities Theme Group had been set up, which brought together representatives of service-providing organisations to identify key problems and work together to develop effective solutions to improve the economic, social and environmental wellbeing of the district.

#### Other topics considered:

(i) The Public Relations and Marketing Officer briefed the Committee on the consultation on the Forester magazine. Feedback supported the current A4, colour format, the quarterly distribution and agreed that it was clear and easy to understand. It was noted that the magazine was predominantly read by the older residents of the district. Focus groups were also held and these elicited a great deal of feedback. The Committee endorsed the recommendations in the report and recommend them to the Cabinet.

(ii) The Chairman of the Leisure Task and Finish Panel constituted last year presented the Panel's report on the provision of a Sports Hall at Waltham Abbey Swimming Pool. The Committee

**WALTHAM  
ABBEY**  
**sports**  
**CENTRE**

noted that the joint use agreement had been agreed to be ended, whereby King Harold School would run the current sports facilities themselves. The Panel had agreed that the new project represented value for money but also recognised the current financial circumstances of the Council and Country as a whole. They also recognised that Waltham Abbey would welcome a new sports facility. They recommended to the Cabinet that the new sports hall be endorsed and that the joint use agreement with King Harold School be ended. Cabinet accepted this and the new sports hall should be going ahead. Since then, the Portfolio Holder had stated that a feasibility study was being undertaken and that pending consideration of that study a final decision would be made.

(iii) In July 2009 the Committee reviewed and endorsed the Safer Cleaner Greener Strategy and the Enforcement Strategy for the Environment and Street Scene Directorate. They also responded to the Flood and Water Management Bill Consultation document.

(iv) In October 2009 the Committee received a report rounding up the actions and outcomes of the recent fires at Birchwood, Nazeing. This had been scrutinised by both the Planning Services Scrutiny Standing Panel and the Safer Cleaner Greener Scrutiny Standing Panel looking at the history of the site and the action taken by local responsible authorities, such as the Fire, Police and the Environmental Agency and EFDC and the provisions being put in place to stop such a thing happening again.

(v) In November 2009 the East of England Regional Assembly (EERA) carried out a consultation exercise on Housing growth in the region, giving 4 growth scenarios covering the period 2011 to 2031. There were 3 questions directly about these scenarios and on the regional impacts of the scenarios. The results of the consultation would enable the Regional Assembly to prepare a draft plan in 2010 for full public consultation. The Committee considered the four scenarios that were presented to it and asked that a fifth scenario be considered which deals with the realistic assessment of infrastructure provision in terms of the implications for deliverable housing and economic growth. They noted that the information on Harlow's future growth was misleading. The consultation document should have given far more detail about how the figures for the 4 scenarios were going to be split between Harlow, East Herts and this district. They believed that this authorities growth totals proposed in scenarios 3 and 4 were unrealistic and undeliverable in this district. These comments along with others were passed on to EERA.

(vi) They also considered, in November, the Key Findings Place Survey report. The survey took place from September to December 2008 and was a postal questionnaire delivered to a random sample of over 1,350 residents who were asked questions about where they lived, public services and feelings about social cohesion. They also considered the report of the debt management review sub group, which is detailed below as a case study.

(vii) In a packed meeting in November, the Committee considered the Essex County Council Consultation document on Mineral Extraction in the county and looked at staffing in the Planning Directorate. The proposals sought to make changes to staffing within Planning Services in particular enhancing the Enforcement Team and make provision to preserve protected trees within existing CSB budgets. On consideration the Committee agreed the recommendations made by the Planning Services Standing Panel.

(viii) In December 2009 a report came to the Committee from the Constitution and Members Services Standing Panel, reviewing the working of the Overview and

Scrutiny Committees. The report covered several different issues connected to Overview and Scrutiny. Such as:

- Councillor call for action;
- Local Democracy including the Economic Development and Construction Act and the Community Empowerment Bill;
- the Joint Budget Meetings;
- dealing with Consultation Documents;
- Outside Speakers;
- Overview and Scrutiny Member Training;
- Reports of Chairmen of Panels – streamlining procedures;
- Publicising Overview and Scrutiny and Local Authority Website Review;
- Call-in arrangements –‘E’ call-in; and
- Civic Events – Chairman of Council’s Guidelines

Being wide ranging, the report had brought forward a number of smaller refinements to the operation of scrutiny at the council together with a number of proposals for further reports in the next year. The proposals fell mainly into two areas, a) the need to respond to new legislation; and b) enhancements to encourage community participation.

(ix) In January 2010 the Committee considered the budget report outlining the budget proposals for 2010/11. The Committee welcomed the proposed new Council Tax rate of 1.5% and that the Council would be maintaining frontline services in difficult times. They also welcomed the fact that the Council’s reserves would be maintained.

(x) The Committee also considered the annual review of the Contract Standing Orders. The Constitution and Member Services Standing Panel recently reviewed the work of a cross directorate working party of officers that reviewed the contract standing orders with the view of ensuring that these documents are up to date and reflect current statutory requirements and operational needs. They then brought their findings and recommendations to the O&S Committee who noted that the number of significant changes proposed were relatively limited in number and the remainder were minor drafting changes relating to post titles, changes in responsibilities and updating for new legal requirements.

#### **(d) Case Study: Debt Management Review**

One of the many issues facing residents during the current downturn is where to access quality advice when they get into financial trouble. Following a discussion at Council in December 2008, we felt strongly that a review of current advice provision was needed.



During 2009 we commissioned a small group of members to look at this issue and come back with proposals. This group comprised of Councillors Jon Whitehouse as Chairman, and Councillors Ken Angold-Stephens, Mrs Antoinette Cooper, and Mrs Janet Whitehouse.

District Council officers and representatives from the District Council’s Benefits Service, Housing Services, Voluntary Action

Epping Forest, and Epping Forest CAB attended meetings to give evidence to the Subgroup.

It was clear from the research carried out and the various presentations that the downturn had meant many more residents were accessing debt advice services, especially the CAB service. The additional numbers coming forward, compounded by a lack of suitable additional and alternative interviewing rooms, had increased significantly the CAB's caseload. .

Many of the agencies in the public and voluntary sectors were very much aware of the impact locally. For instance, Housing Benefits and Council Tax Rebate cases had placed additional pressure on that service, particularly given the shortage of private interview rooms at the Civic Offices. The benefits system was also complex and difficult to understand.

The recession had led to greater demands on VAEF and the voluntary sector in general, with greater training costs and volunteer bureaux facing the administrative burden in terms of the placement of volunteers.

However, we found that many agencies had taken action to mitigate against the worst effects of the downturn. We recognised the good works of Essex Savers and Credit Unions to provide financial support. Additionally, the statutory agencies had effective services and procedures in place as part of their regular ongoing provision whatever the prevailing economic situation.

The Sub Committee agreed a number of actions it could implement immediately and put forward a number of recommendations for consideration by the Overview and Scrutiny Committee, it considered might ameliorate the impact of the economic situation locally, including becoming a signatory to the Small Business Engagement Accord (in November 2009) and linking the District Council website to Benefits Information. More significantly, following consideration of our report the Council has given further accommodation support to the CAB.

We have also made recommendations encouraging District Council employees, through the induction programme, to get involved in volunteering and voluntary work. We have also agreed to further promote the benefits of voluntary work through publicity in The Forester and other publicity outlets. We have also pressed home the need for more facilities for interviewing benefits claimants to be addressed through the Customer Transformation Programme or another Civic Offices work programme. We will follow the implementation of these recommendations with interest.

# STANDING PANELS

## 1. HOUSING SCRUTINY STANDING PANEL

*The Housing Scrutiny Standing Panel consisted of the following members:*

Councillor S Murray (Chairman)  
Councillor Mrs R Gadsby (Vice Chairman)  
Councillors Mrs R Brookes, K Chana, J Collier, D Dodeja, Mrs A Grigg, Mrs J Lea, Mrs P Richardson, Mrs J Whitehouse and J Wyatt.

The Lead Officer was Alan Hall, Director of Housing. The Panel also appreciated the Housing Portfolio Holder, Councillor D Stallan, attending the meetings to help them with their deliberations.

Mrs Molly Carter, the Chairman of the Tenants and Leaseholder Federation, who attends the meetings as a non-voting co-opted member to provide the views of residents and stakeholders, also took part in Panel discussions.

### *Terms of Reference*

The Housing Scrutiny Standing Panel is tasked to undertake reviews of a number of the Council's public and private sector housing policies and to make recommendations arising from such reviews to the Housing Portfolio Holder, Overview and Scrutiny Committee or Cabinet as appropriate. They also undertake specific projects related to public and private sector housing issues, as directed by the Overview and Scrutiny Committee.

*The Panel scrutinised a number of important issues over the last year, which included:*

(i) **In Touch Support** - 'Supporting People' was a major Government initiative on policy and funding for housing related support services which started in April 2003. These services included housing related support delivered to vulnerable tenants and applicants living in the community or in temporary accommodation. Gloria Osbourne from the 'In Touch Support' organisation and Jo Grainger from Essex County's 'Supporting People' team came to the July meeting to inform and update Panel on what 'in touch support' did.

Ms Osbourne told the Panel that 'In Touch' was a registered charity and was part of the Hyde Group (a major Registered Social Landlord). 'In Touch' currently provided support services across the Southern Home Counties, London and the East of England. They are entirely funded by the Essex Supporting People Team but have occasional access to grants from other charities.

(ii) **Older People's Strategic Review** - Housing related support was funded through 'Supporting People'. That team had just undertaken a consultation exercise in which the following changes to the way the Scheme Manager Service was provided was recommended:

- That the Scheme Manager Service be provided by the 'Hub and Spoke' model, with the sheltered scheme being the hub and the support reaching out to older people in the community, like the spokes of a wheel;
- That the service be provided on a tenure neutral basis;
- That all service users will be assessed through the existing floating support gateway.

The 'Hub and Spoke' was the preferred model, although this was a service the Council had been operating for some years. Over 20 years ago it was recognised that Scheme Managers has some spare capacity and were therefore asked to visit outside properties.

**(iii) Draft Homelessness Strategy** - The Council were required to review and publish their Homelessness Strategy on at least a five year basis; however Members had wanted it reviewed every three years to keep it up to date. The draft Homelessness Strategy had been sent out to all Town and Parish Councils and all organisations with an interest in homelessness seeking their comments. The Scrutiny Panel recommended the draft Homelessness Strategy to the Housing Portfolio Holder for approval. Six months later, the Scrutiny Panel formally considered a progress report on each of the identified actions within the Homelessness Strategy's Key Action Plan.

**(iv) Ethnic Monitoring** - There was a requirement for an annual review of the ethnicity of applicants on the Housing register, compared with the ethnicity of those allocated accommodation. The review was to identify whether or not there were any indications to suggest the Council may be discriminating against any one ethnic group.

The statistics confirmed that the ethnicity of the applicant's allocated accommodation is similar to those of different ethnic groups on the housing register. Also, when compared, there appeared to be no significant disparity between the ethnicity of applicants in need of sheltered accommodation in the District and those allocated sheltered accommodation.

It was evident from the analyses shown in the report that the ethnic make up of the Housing Register mirrored the allocation of the vacancies sufficiently for the Council to be confident that its Allocations Scheme does not racially discriminate, either directly or indirectly.

**(v) Fire Safety Risk Assessments in Blocks of Flats** - The District Council's Housing Directorate had received a petition from 84 residents of Torrington Drive, Loughton, regarding the Council's Fire Safety Policy in Blocks of Flats.

The Panel was informed about the current legislative situation concerning fire safety. The Regulatory Reform (Fire Safety) Order 2005 was introduced in October 2006 by the Government, putting the onus on residents with some level of control in premises, to take reasonable steps reducing the risk from fire and making sure people could safely escape in case of fire. It did not apply to private homes, including individual flats in a block or house.

A specialist company was appointed by the Council to undertake fire risk assessments of large establishments (e.g. sheltered housing schemes), and housing technical officers has undertaken assessment of smaller blocks on estates. In conjunction with the Essex Fire and Rescue Service, the Council had issued an

information leaflet for tenants on fire safety, which was delivered to every Council property.

Regarding the petition, the lead petitioners were invited to the Scrutiny Panel meeting to present their views, which the Panel took account of when making its recommendations to the Housing Portfolio Holder (which recommended a change in approach.

**(vi) Review of the Scope of the Housing Appeals and Review Panel (HARP)** – a report was received about whether the Scrutiny Panel would like to be consulted on a report that the Director of Housing would be submitting to the Constitution and Member Services Scrutiny Panel about the scope of the housing appeals and reviews undertaken by the HARP, in accordance with its Terms of Reference, and whether or not the scope is too wide. Concern had been expressed by some members of the HARP about the cost and the member and officer time involved about relatively minor matters.

The Scrutiny Panel concluded that it would like to be consulted on the report, prior to consideration by the Constitution and Member Services Scrutiny Panel.

**(vii) Housing Service Standards** – the Panel agreed a range of Housing Service Standards covering all of the Housing Directorate's main areas of activity. An updated Housing Charter was also agreed, which set out the Council's approach and ethos to the delivery of its housing service to customers.

### ***Case Study: Affordable Housing Sub-group***

During the July 2009 meeting of the Housing Scrutiny Standing Panel, members had requested that an Affordable Housing Sub-Group should be established investigating the shortage of affordable housing within the District. The Sub-Group was also tasked with considering the possibilities of the District Council re-commencing a social house-building programme.

The Sub-Group met in November 2009, it comprised five Panel members. The Group noted that average property prices in the District were around 11 times the average earnings for the District; they also noted the high number of expressions of interest made by housing applicant for vacancies properties through Home Options Choice Based Lettings. It was felt that at a time of low interest rates, more affordable housing in the form of social rented housing and intermediate housing should be provided by the Council.

The Sub-Group identified that increasing the amount of affordable housing in the District was constrained by the provision of available land, the provision of grant and member's priorities. The Sub-Group completed a report for the Panel which:

- (a) suggested some initiatives that the Council could undertake to increase the amount of affordable housing provided within the District;
- (b) following a detailed analysis of the issues, recommended that, in principle, the Council should re-commence a programme of council house building; however
- (c) identified a problem relating to the Council's Capital Financing requirement which made a programme of new Council house-building financially unviable at present, due to the detrimental effect it would have on the Council's General Fund.

In relation to (b) and (c), the report recommended that the Council writes to the Minister of State for Housing and the Chief Executive of the Local Government Association (LGA) asking for assistance in overcoming this particular problem.

The Scrutiny Panel endorsed all of the Sub Group's proposals, which were then presented to the Cabinet, which were also agreed by the Cabinet

## 2. CONSTITUTION AND MEMBER SERVICES STANDING PANEL

*The Constitution and Member Services Standing Panel consisted of the following members:*

Councillor Mrs M McEwen (Chairman)

Councillor J Philip (Vice Chairman)

Councillors Mrs P Brooks, Mrs J Hedges, J Knapman, J Markham, G Mohindra, R Morgan, D Stallan, Mrs M Sartin, and Mrs J H Whitehouse.

The Lead Officer was Ian Willett, Assistant to the Chief Executive.

### *Terms of Reference*

To undertake reviews of constitutional, civic, electoral and governance matters and services for members on behalf of the Overview and Scrutiny Committee and to report to the Overview and Scrutiny Committee, the Council and the Cabinet with recommendations on matters allocated to the Panel as appropriate.

*The Panel scrutinised a number of important issues over the last year, which included:*

**(i) Officer Delegation – Planning Applications and Comments by Town and Parish Councils** - Local councils stated “no objection” to applications which had appeared to be interpreted by Planning Officers as taking a neutral stance on these applications. This gave authority to make a delegated decision for granting or refusing consent. Officer delegation provided for such comments to be taken into account in deciding whether reference to a Sub-Committee should take place.

Members noted that the issue was already covered in clause P4 (I) of the Planning Protocol. Determination under delegated powers was not reliant upon whether the local council had used or not used the term “Support” or “No Objection” but whether there were overriding reasons for refusing the application in any event.

It was recommended that officers use discretion in holding expressions of support from local councils by providing guidance on planning issues to local councils through the Member Training Programme and council meetings. Reassurance on this issue would be passed to parish clerks via letter and at the Local Council Liaison Committee.

**(ii) Review of European, County, District and Parish Elections** – The Panel reviewed the elections that took place in May 2009 and feedback their findings and views to the Returning Officer and the main Overview and Scrutiny Committee. They made several suggestions on the running of elections and the set up of the count generally for consideration by the Returning Officer.



**(iii) Audit Review – External Organisations and Partnerships** – The Panel reviewed an internal audit report about partnership working by the Council and the protocol currently included in the Constitution.

Member's attention was drawn to an Item of the Protocol on Partnerships and Other External Organisations and the effect of the Code of Conduct on Elected Members. The Council's Code of Conduct stated that a Councillor had a personal interest in any business of the Authority where it related to or was likely to affect any external body to which they were appointed or nominated by the council as its representative. However, the interest need only be disclosed at a meeting if the councillor spoke on the matter concerned.

They were advised that outside bodies sometimes made decisions which were not covered by the Council's insurance and the outside body must have indemnity insurance. However, the District Council was satisfied that all current trusts working with the Council had indemnity insurance.

**(iv) Civic Events – Chairman of Council – Guidelines** - At the meeting of the Panel in April 2009 Members had requested that guidance was established setting out the Chairman's responsibilities for events which would be inserted into the current guidance document provided to the Chairman at the start of each year.

**(v) Financial Regulations - Annual Review 2009/10** - Each year a cross directorate working party of officers carried out a review of Financial Regulations, Contract Standing Orders and officer delegation ensuring that these documents were updated and reflected statutory requirements.



The proposed changes to external funding related to "Responsibilities of Chief Officers." Currently Chief Officers complied with the external funding strategy including obtaining and acting upon advice on legal or financial aspects of external funding applications from the Solicitor to the Council and the Chief Finance Officer.

Comparison work with other Councils had shown that all external funding applications should be signed by the Chief Finance Officer before being submitted. This had not been included in EFDC's Financial Regulations, but it was felt best to implement this change. Other proposed changes were to reflect changes in job titles and minor wording improvement.

**(vi) Demonstration of E-call-in System** - A presentation was made to the Panel regarding an E-Call-In system.

The current call-in system for decisions made by the Cabinet or by individual Portfolio Holders required that three members of the Overview and Scrutiny Committee or five members of the Council could call-in a decision.

Using the E-Call-in system meant that the identity of the Councillors making the call-in could be validated with the VPN token. However officers would check identities as a matter of course.

The Panel recommended that the Electronic Call-In System be activated from April 2010 and any changes to the Constitution be approved by the Council.

**(vii) Annual Review of Contract Standing Orders** - Each year a cross-directorate working party of officers carries out a review of Financial Regulations, Contract Standing Orders and Officer Delegation to ensure that these documents are up to date and reflected current statutory requirements and operational needs. This report concerned Contract Standing Orders that had been discussed by the Officer Working Party. The changes required the approval of the Overview and Scrutiny

Committee and adoption by the Council. The revised Contract Standing Orders would then be published in the Constitution.

**(viii) Role of the Monitoring Officer – Draft Protocol** - The Chairman of the Audit and Governance Committee had requested a report on the need for a protocol between the District Council and the Monitoring Officer regarding the roles and responsibilities of that statutory officer. This would manage the relationship between the authority and the Monitoring Officer on a mutually agreed basis. The Monitoring Officer was a designation that was introduced in the Local Government and Housing Act 1989.

### ***Case Study: Review of Overview and Scrutiny***

The Constitution and Member Services Scrutiny Standing Panel began the year with its main piece of work, the Review of Overview and Scrutiny procedures. The review stretched from June 2009 to November 2009.

During the review, the members agreed a new style of minutes for Panels, a bullet point format was adopted in place of the narrative method. The Panel was briefed on the Councillor Call for Action empowering elected members to refer issues of concern to the appropriate panel, but only after all other means of resolution were exhausted. Members were made aware of the Local Democracy, Economic Development and Construction and Community Empowerment bills, which made the promotion of democracy a local authority responsibility. It was advised that there would be a direct role in this for the Chairman of Council. It was also felt that the flow of consultation documents needed streamlining, only allowing those of relative importance or that required a particular response to be put before scrutiny panels for discussion.

The Overview and Scrutiny Review concluded with a member led exercise investigating the scrutiny procedures of other local authorities. Each Panel member was tasked with checking the websites of two local authorities, one district sized, the other county or city sized. The members then reported back to the Panel with any conclusions they made. They suggested that scrutiny needed a bigger profile through wider publicity; they also thought that more public input in the scrutiny process was needed and easily digestible scrutiny reports. Public questions should be encouraged as they were at Cabinet and Council meetings. New methods were needed of obtaining public suggestions for items of scrutiny. The District Council's website was being re-designed with a wider explanation of scrutiny and the annual report would be edited to facilitate easier reading of it, there is still minor work to be done to develop some of these ideas and our work programme for next year will include the need for further work.



### **3. FINANCE AND PERFORMANCE MANAGEMENT STANDING PANEL**

*The Finance and Performance Management Scrutiny Panel consisted of the following Members:*

Councillor D Jacobs (Chairman)  
Councillor G Mohindra (Vice Chairman)  
Councillors K Angold-Stephens, J Collier, J Hart, J Philip, W Pryor, A Watts, Mrs L Wagland and J M Whitehouse.

The Lead Officer was Derek Macnab, Deputy Chief Executive.

#### ***Terms of Reference***

##### Performance Management

1. To review statutory and local performance indicator outturns for the previous year at the commencement of each municipal year, and to determine the following on an annual basis:
  - (a) A basket of 'Key' Performance Indicators (KPIs) important to the Council's core business and corporate priorities; and
  - (b) The monitoring frequency of the KPIs identified by the Panel for the year;
2. To monitor performance against the adopted KPIs throughout the year; and to make recommendations for corrective action in relation to poorly performing indicators;

##### Council Plan

3. To undertake an annual review of performance against objectives, targets and actions contained in the Council Plan for 2006 to 2010;

##### Public Consultation

4. To develop arrangements to directly engage the community in commenting on and shaping the future direction of services to make them more responsive to local needs, including the development of proposals for effective consultation through an annual community conference;
5. To annually review the consultation exercises undertaken by the council over the previous year.

##### Finance

6. To consider the draft budgets for each portfolio and in so doing to evaluate and rank proposals for either enhancing or reducing services. Members will need to ensure consistency between wider policy objectives and financial demands.
7. To consider financial monitoring reports on key areas of income and expenditure for each portfolio.

## ICT

8. To monitor and review progress on the implementation of all major ICT systems:
  - Review of the Web-Casting System.

## Value For Money

9. To consider the annual Value for Money Analysis, and to identify any areas where further detailed analysis may be required to be undertaken by a Task and Finish Panel during the year.

## Essex Local Area Agreement

10. To monitor performance against the performance indicators contained within the second Essex Local Area Agreement, that the Council 'has regard to'; and to make recommendations for corrective action in relation to poorly performing indicators.

## Equality and Diversity

11. To undertake an annual review of progress towards the implementation of the Council's Race Equality, Gender Equality, and Disability Equality Schemes, and performance in relation to other equality and diversity issues.

## ***The Panel scrutinised a number of important issues over the last year, which included:***

**(i) Consultation Plan 2009/10 and Register 2008/09** - The Panel received a report on the Council's consultation plan for 2009/10 and the register for 2008/09. The Market Research Consultation Officer informed the Panel that this summarised the consultations undertaken by the council. All consultation and engagement exercises undertaken by and on behalf of the council were required to comply with the provisions of the Public Consultation and Engagement Strategy and to this end a revised consultation guide was produced in order to standardise consultation approaches and methodologies wherever possible.

The Consultation Register incorporated the results of consultation exercises undertaken during the preceding 12 months and gave details as to the purpose, the start and finish dates, and the service area that carried out the survey; also, where the results were published and some key findings.

**(ii) Provisional Revenue Outturn 2008/09** - The Panel noted the report on the provisional Revenue Outturn for 2008/09. They noted that the final closing balance on 31 March 2009 was £8.19million.

The Continuing Services Budget (CSB) expenditure was £509,000 below the original estimate and £187,000 below the revised. In common with recent years salary savings made up a large proportion of this saving. The District Development Fund (DDF) showed an under spend of £169,000 net, even taking into account a £280,000 carry forward. The Housing Revenue Account (HRA) balance was still in excess of £6 million and fairly healthy.

**(iii) Provisional Capital Outturn 2008/09** - This report set out the Council's capital programme for 2008/09, in terms of expenditure and financing and compared the actual outturn figures with the revised estimates. The revised estimates were those agreed at Cabinet on 5 February 2009.

The overall position in 2008/09 was that a total of £10,474,000 was spent on capital schemes, compared to a revised estimate of £12,900,000. This represented an underspend of £2,426,000 or 19% on the Council's revised capital budget. The underspend was evenly balanced between General Fund and the Housing Revenue Account (HRA) schemes. Expenditure on General Fund projects totalled £3,801,000, which was £892,000 or 19% less than anticipated, whilst expenditure on the HRA totalled £6,673,000, which was £1,534,000 and again 19% less than anticipated.

The majority of the underspends on the General Fund and HRA schemes relate to slippage of expenditure and it is proposed that this is re-phased into 2009/10. The three General Fund projects which incurred the greatest slippage were Bobbingworth Tip, the Civic Office Works and the Children's Play Programme.

**(iv) Key Performance Indicators for 2008/09- Outturn** – In June 2009 the Panel were asked to consider the Council's performance for 2008/09 in relation to the Key Performance Indicators adopted for the year. Not all the indicators had finished outcomes so could not be reported as yet. So far they had achieved 57.7% success for the year. The introduction of the new National Indicators set from 1<sup>st</sup> April 2009 had meant that it was difficult to assess overall levels of KPI improvement between 2007/08 and 2008/09.

The Panel noted the KPIs for 2008/09 was as follows:

- (a) 15 (44.1%) achieved the performance target for 2008/09;
- (b) 11 (32.3%) did not achieve the performance target for 2008/09;
- (c) 6 (54.5%%) of those (11) that did not achieve the performance target for 2008/09 were within 5% of the target for the year;
- (d) 6 (17.6%) could not be reported;
- (e) 1 (2.9%) was subject to a revised National Indicator definition that removed the Council's responsibility to report; and
- (f) 1 (2.9%) secured no progress as a result of competing priorities.

**(v) Key Performance Indicators 2009/10** - At each quarter the Panel considered the latest performance statistics for the year's key performance indicators. Directors of Services were questioned on any indicator that appeared not to performing to the expected levels.

**(vi) Quarterly Financial Monitoring**

The Panel also considered (on a quarterly basis) the quarterly Financial Monitoring report, keeping them up to date on the key areas of income and expenditure for each portfolio.



**(vii) Financial Issues Paper** - The report is produced at the start of the budget process looking at the previous years account, highlighting any problems that the council may face in the coming years. This was useful to establish this early in the budget cycle. The Panel noted that there were difficulties this year due to the state of the economy and the uncertainty when a recovery would occur. The other uncertainty was if the Government would come forward with a comprehensive spending review, but this would not happen until after the general election.

It was noted that because of the recession less money was coming in and more was going out, making any prediction difficult. The executive summary at the beginning of

the report touched on key areas of uncertainty and risks to the authority, such as: likely reductions in grant as part of the comprehensive Spending Review; effects of the credit crunch and reduced activity in the housing market; using up of capital reserves on non-revenue generating assets; pay awards; next triennial pension valuation; capitalisation of pension deficit payments; changes to the statutory concessionary fares scheme; and the customer services transformation programme.

**(viii) Fees and Charges** - The report provided information on the fees and charges that the council levies and what scope if any there was to increase particular charges. As part of the annual budget process change to fees and charges needed to be agreed.

The Panel noted that the council was faced with a period of considerable financial uncertainty with Revenue Support Grant settlements from 2011/12 likely to be cut in real terms. There was less freedom for Authorities wishing to raise additional revenue from fees and charges as more are subjected to cost recovery only or government direction. Against this it was felt that fees and charges should be increased by 5% where possible.

However, Councillors thanked officers for keeping the pay and display charges the same as this helped local businesses and the Council should be congratulated for doing this.

**(ix) Detailed Budget Reports** - The Panel received the draft detailed budgets for the General Fund and the Housing Revenue Account (HRA). The Panel noted that the current year's estimates were prepared against the background of economic turmoil that had affected all local authorities. They noted that reserves would be about £100,000 better than was forecast.

They looked at each Directorate in turn, scrutinising their budget for the following year and commenting on the proposals.

**(x) Equality Framework** - The Panel received a presentation on the Equality Framework for Local Government from Mr Stewart Elrick, who was working on behalf of the East of England Regional Assembly. He told the Panel that councils should be trying to get 'equality outcomes' as part of everything they do. They need to devise strategies that enabled them to keep learning and using the scrutiny process to make a difference. Equality and diversity was not about treating everybody the same; or providing an extra service for minorities, or giving them more rights than others. It was about getting to know and understand the needs and aspirations of all communities within the district; getting to know and understand the needs and aspirations of the people to whom the council delivered services. The Council should be meeting the needs and aspirations through working with them and its partners. The Council should have a workforce profile that represents the communities and service users and to enable employees to feel valued, empowered and supported in delivering the services.



### **Case Study – Comprehensive Area Assessment 2009/10**

The Panel considered Comprehensive Area Assessment report of the Audit Commission. To help them in their deliberations they welcomed Ian Davidson, the Comprehensive Area Assessment Lead at the Audit Commission. He gave a short

presentation on the organisational Assessment carried out on the Council at the end of 2009. It looked at how the Council worked in partnership with other organisations, how public services were delivered and how they worked together to achieve improvement and progress towards long-term goals. There was also an Area Assessment that looked at the wider picture, covering three areas - Essex, Southend and Thurrock.

The Audit Commission had given EFDC an Overall Organisational Assessment mark of 2. There were some good quality services such as housing, waste recycling and crime reduction; with strong local partnership working. However they thought our track record for improvement was weak, the benefits performance slow and there were some tensions between some senior officers and some members which affected relationships. They identified the following as future challenges for the council such as: improvement of trust and relationships, being clear around priorities and to allocate funding accordingly, improvement speed of service (such as benefits services), address outcome of gypsy and travellers consultation and to consider services for deprived areas. Also the council needed to identify its role in the safeguarding of children. In Essex as a whole the services for safeguarding children were weak. As for area assessments, how well did local council's priorities express the wider communities' needs?

The Panel took the opportunity to closely question Mr Davidson, and ascertain what exactly the Council needed to do to improve its assessment for the following year. They also presented the Council's case, explaining the reasons behind the apparent low attainment of some of the services. This exchange of views not only gave the Audit Commission a different view of their assessment but also enabled officers and Councillors to get a more complete and thoughtful view of why this had happened and what needed to be done to respond to the assessment.





## 4. SAFER CLEANER GREENER STANDING PANEL

***The Safer, Cleaner Greener Standing Panel consisted of the following members:***

Councillor G Pritchard (Chairman)  
Councillor A Boyce (Vice Chairman)  
Councillors R Barrett, A Clark, M Colling, Miss R Cohen, R Frankel, Ms J Hedges, D Jacobs, R Law and Mrs E Webster.

The Lead officer was John Gilbert, Director of Environment and Street Scene.

### ***Terms of Reference***

1. To approve and keep under review the “Safer, Cleaner, Greener” initiative development programme.

*(Note: this development programme will encompass the three main issues and will therefore include matters such as:*

- (i) environmental enforcement activity*
- (ii) safer communities’ activities*
- (iii) waste management activities (in addition to WMPB information))*

2. To keep under review the activity and decisions of the West Essex Joint Waste Committee.
3. To receive reports from the Waste Management Partnership Board in respect of the operation of and performance of the waste management contract
4. To monitor and keep under review the Nottingham Declaration “action plan” and the Council’s progress towards the preparation and adoption of a sustainability policy and to receive progress reports on the Council’s Climate Change Strategy from the Green Working Group
5. (Subject to Cabinet approval of the Group) to receive and review the reports of the Bobbingworth Tip Management Group

Work from the Leisure Task and Finish Panel

6. Waltham Abbey Sports Centre / Swimming Pool:
  - To assess the feasibility of providing a new sports hall at the Waltham Abbey Swimming Pool;
  - To conclude the assessment commenced in 2007/08 of evaluating the current and potential future management arrangements at Waltham Abbey Sports Centre.
7. The on-going monitoring of the Youth Initiatives Scheme and Play strategy.

*The Panel scrutinised a number of important issues over the last year, which included:*

**(i) Community Safety Community Role – Scrutiny of Crime and Disorder Matters** - The Government had determined that crime was one of the top concerns for communities and has taken steps to address that. The Panel was tasked to consider the scrutiny of Crime and Disorder matters along with its other matters and, in accordance with government regulations, two meetings a year were dedicated to Crime and Disorder matters. The Panel agreed that they would be the February and October meetings.

**(ii) Environment and Street Scene Directorate Enforcement Policy** - The Policy was written in accordance with the Government Enforcement Concordat. The Policy was based on the principles that those in receipt of Council Services should:

- receive clear explanations from enforcement officers of what they need to do and by when;
- have opportunities to resolve differences before enforcement action was taken, unless immediate action was taken; and
- receive an explanation of their rights of appeal in the event of enforcement action being taken.

The Panel said that it was helpful to indicate how things were being done and not just stating that something would be done. They endorsed the updated version of the policy.

**(iii) Notes from the Waste Management Partnership Board** - throughout the year the Panel received the minutes of the Waste Management Partnership Board keeping them informed of the of the operation of and performance of the waste management contract.

They were also kept updated on the progress on the revised waste service. They were informed that there was to be a new wheeled bin of 180ltr capacity with a green lid, this was to take garden and kitchen waste. Households were also to be issued with a kitchen caddy. There was also a third, optional, container and that was a kerbside caddy, but these would be restricted to where the larger 180 litre bin was inappropriate. The new bin would be collected weekly, and the remainder residual bins still on a two week cycle.



**(iv) Tree Strategy** - The Council's current strategy was entitled "Trees – Information, Objectives and Policies" which was finalised in August 2008. The panel



noted that the Council used to be very reactive to tree problems but are now taking a proactive stance and would like to make sure that they got the right tree in the right place. The Council has now developed a database for the whole district and is able to provide help and advice on trees.

The strategy set out what the Council was responsible for and outlined the difficulties with estates owned by Essex County Council and the need for a management programme.

The Panel noted that:

- officers tried to get round to each street tree once every four years to tidy it up;
- it was emphasised that the Council had nothing to do with the Forest

itself;

- every enquiry received was logged onto a computer system, visited by an officer and prioritised for the work needed;
- a 'green infrastructure group' meets once a quarter when they consider their key objectives;
- 'virtual' plaques have been established for special trees in the district;
- officers are currently working on area community tree strategies;
- the Local Plan has policies for trees in it;
- there was the 50 favourite trees project and officers are presently recording all the veteran trees in the district and putting them on the council's website;
- there was nothing about conservation areas in the strategy.

The Panel asked to review this document again in April 2010 with an interim report and again in September 2010, linking it to a bio-diversity strategy.

**(v) Crime and Disorder Scrutiny - Police and Justice Act 2006** – In October 2009 the Panel held its first meeting devoted exclusively to Crime and Disorder matters, one of two meetings so designated for each year. The next meeting was scheduled for February 2010.

Due to recent changes in the law local authorities were now required to have at least two meetings a year devoted to scrutinising crime and disorder matters.

The Panel welcomed members of the Safer Communities Partnership which included Chief Inspector Alan Ray from Essex Police. The Partnership was supported by EFDC officers who were from the Safer Communities Section. They noted that the Safer Communities Partnership (SCP) was working well, last year there was an 8% reduction in crime and although this year they were not quite meeting their targets there was still less crime this year than last.



They discussed in some depth i) the cross border effects of anti-

social behaviour and dispersal orders; and ii) the protection of vulnerable individuals/families from targeted anti-social behaviour.

It had been noted that traders in Ongar were having problems with youths being bussed in from Brentwood. It had transpired that dispersal orders had been issued there, so their parents had brought them into Ongar. There was a similar problem in Nazeing, due to the Hertfordshire police cracking down on anti-social behaviour in neighbouring Broxbourne. As a result, local residents had to deal with low level anti-social behaviour. There was no place for them to go but into Essex. The Essex police had gone into a reactive mode of policing and were doing all that they could as they did not know that the Hertfordshire police were conducting this exercise. Council officers were working hard to stop this with extra officers in Ongar supporting the Police and letters being sent to families whose young people were involved in the anti-social activities. The Police had also laid on two extra cars in the evenings that concentrated on the Ongar and Nazeing areas.

As for the protection of vulnerable individuals/families from targeted anti-social behaviour, the Panel noted that there were strong structures in place for dealing with harassment. There was an anti social behaviour co-ordinating group where incidents could be flagged up by any member of that group. It meets monthly and any items brought up are acted upon. The group also co-ordinates actions between the various agencies involved. Victim care was absolutely essential; some action would always be taken. They were very proactive in dealing with complaints and would keep the victim updated and informed.

In February 2010, the Crime and Disorder Panel specifically looked at CCTV when they received an update on CCTV implementation. The Panel noted that large strides



had been made to bring the CCTV up to date and able to be used in evidential terms. Officers now have remote access (via the web) to the cameras live twenty fours a day that would enable officers to check they are working correctly. CCTV officers are also trained in the use of the Regulation of Investigatory Powers Act if they need to do covert surveillance and they have had successes in investigating burglary, sexual offences, criminal damage, shoplifting, driving offences and fly-tipping.

At this meeting the Panel also considered and agreed the CCTV Service Delivery Plan and Code of Practice for the Council.

### ***Case Study: Birchwood Fires***

One of the more urgent topics tackled by this Panel during the year was to examine the effects and solutions being offered for the recent large fires at Birchwood, Hoe Lane in Nazeing.

#### **History**

The site had been operated by Essex Wood Recycling. Waste wood was brought onto the site for chipping. EFDC took the view that this activity was waste related and

fell outside the general industrial purposes planning approval. However, Counsel advice indicated a contrary view, which was shared by Essex County Council who concluded it was not a waste operation.

As the wood pile got larger EFDC took the view that the core operation was now storage and not wood processing. The site changed hands and the new operators sought consent for incineration. This was rejected by EFDC and the Environment Agency (EA). An enforcement notice was issued for unauthorised storage, this was appealed and a public enquiry was scheduled. In the meantime the new owners of the site put in a planning application for temporary consent for mixed use, storage and general industrial. The date for consideration of this application clashed with the public enquiry. The decision was made to withdraw the enforcement notice and proceed with the new planning application. EFDC gave consent for the new usage and attached a raft of conditions. In January 2009, the timber caught fire. The new consent was not taken up leaving the original consent in place, but now without an enforcement notice. In May 2009 another (smaller) fire started on the same site.

Local residents did not wish this to continue and have petitioned for closure of the site.

This issue went to the Planning Standing Panel who asked the Safer Cleaner Greener Standing Panel to look into the environmental impact of the fires on this site. A special, one topic meeting was held on 23 July 2009 just to consider this matter. Officers from the Environmental Agency were present at the meeting to advise the Panel and answer questions.

The Panel looked at the use of the site and the planning issues involved; the damage to the public highway by their delivery lorries; nuisance from site activity (dust etc.); any legal action the Council was able to take; the air quality during and after the two fires (during the fire local residents were advised to stay indoors); the use of water to put out the fire (the water would then go into the local water courses).

A draft letter and Q&A sheet was prepared to be issued to local residents. This would be sent on behalf of all the agencies concerned explaining what was happening, some of the history and proposed future action on the site. The Council needed to demonstrate to residents that they were monitoring the site as closely as the law permitted.

## **Outcome**

The following outcomes were arrived at by the Panel:

- They noted the current status of negotiations between the Environment Agency and the current owners of the site in respect of the tonnages of waste timber on the site, site security and nuisance suppression;
- The council was to seek to exercise its powers under the Environmental Protection Act 1990 in respect of any proven current or anticipated future statutory nuisance;
- Also, given that many local residents use surgeries in Hertfordshire they wanted the West Essex Primary Care Trust to seek information on our behalf from the East Hertfordshire Primary Care Trust on whether any unusual levels of GP and hospital referrals in respect of respiratory illness could be identified for the period December 2008 to June 2009 (during the period of the fires);

- That the Epping Forest Safer Communities Partnership were requested to consider what support might be given in respect of the regulatory control of waste vehicles using the Birchwood site;
- And a letter, including a Q&A background sheet, was sent to all residents affected by the fires at the site.

A final report went to the main Overview and Scrutiny Committee in October 2009 explaining the background and the outcomes of these incidents. They also had an officer from the Essex Fire and Rescue Services at that meeting to answer any questions.

## 5. PLANNING SERVICES STANDING PANEL

### *The Planning Services Panel consisted of the following members:*

Councillor Mrs L Wagland (Chairman)

Councillor K Chana (Vice Chairman)

Councillors A Boyce, M Colling, Mrs A Cooper, R Frankel, Mrs A Haigh, J Hart, Mrs C Pond, W Pryor, Mrs P Richardson and H Ulkun.

The Lead officer was John Preston, Director of Planning and Economic Development.

### **Terms of Reference**

1. To consider in detail the provision of Value for Money within the following Planning Services in focusing specifically on:
  - Development Control (including Appeals)
  - Forward Planning
  - Building Control
  - Enforcement
  - Administration and Customer Support
  - Economic Development
  - Environment Team
2. To gather evidence and information in relation to these functions through the receipt of:
  - performance monitoring documents,
  - Best Value Review of Planning Services (updated version)
  - benchmarking exercises,
  - consultation with Planning Committee Members, customers and IT Suppliers.
3. To review the measures taken to improve performance within the directorate
4. To consider matters which arise through the process that the Government is driving to bring in an East of England Plan. These may range from responding to the views of those who support or oppose us, and how we may support or oppose the views taken by others. This includes how to work in partnership with others to secure delivery of the plan with adequate infrastructure. In particular, those Portfolio Holders with relevant responsibilities to remain tuned in to local views.
5. In association with 4 to keep an overview of work associated with securing a sound New Local Development framework; in particular how the core strategy will cater for the adequate delivery of infrastructure of all types, the limited rolling back of the Metropolitan Green Belt, the provision of affordable housing, and the maintenance of the settlement pattern elsewhere in the District.

6. To consider what changes are practical and desirable to Council policies concerning the Metropolitan Green Belt; including those concerning the extension of existing dwellings, and the reuse of redundant and other buildings; in particular, are further restrictions necessary (changes in policy required) to ensure that such developments are truly sustainable.
7. To establish whether there are any resource implications arising out of the topics under review and advise Cabinet for inclusion in the Budget Process each year;
8. To report to the Overview and Scrutiny Committee at appropriate intervals on the above. To report to the Overview and Scrutiny Committee, the Council and the Cabinet with recommendations on matters allocated to the Panel as appropriate.

***The Panel scrutinised a number of important issues over the last year, which included:***

**(i) Fire at Birchwood, Nazeing** – The Panel considered the recent fires at Birchwood, Nazeing. There had been considerable impact on local people, some had complained of smells, sore eyes etc. The fire had not been completely extinguished initially, but left to burn itself out, smouldering for some time afterwards.

The Station Manager at Waltham Abbey Fire Station, Essex Fire Service, confirmed that the Fire Service had taken the fire very seriously; there had been 42 appliances at the site during the period of the blaze. He confirmed the Environment Agencies' concerns about water run off from the site which could cause pollution. He advised that in this type of incident it was better to allow a fire to burn itself out in a controlled manner rather than extinguish it completely using water.

As the environmental issues were not part of this Panel remit therefore the issue of environmental regulatory control regarding the Fire at Birchwood Estate, was referred to the Safer, Cleaner, Greener Scrutiny Standing Panel.

**(ii) Planning Investigations** – As background information, the procedure for investigating breaches of planning rules were outlined to the Panel. An officer would be allocated to a case and the site concerned would be inspected. If no breaches were found, no further action would be taken; similarly, if there had been a breach but it was time immune, then no action would be taken. However, if a breach was identified and was not time immune, then its planning merits were assessed by inviting the owner to submit a planning application. In cases where the breach was unlikely to be given planning permission, the owner was asked to remedy the breach, where the breach was an offence, consideration would be given to prosecution.

Appeals against enforcement notices and listed building enforcement notices went before the Secretary of State. Appeals against S215 notices ("untidy land notices") went before a Magistrate's Court, and appeals against decisions of the Secretary of State or Magistrate's Court, were made to the High Court.

**(iii) Current Economic Situation of the District** - The Panel received a report from the Economic Development Officer, regarding the Current Economic Situation of the District. The district's economy and in particular, the implications of the current economic situation on the local economy, had been the focus of the new Credit

Crunch Task and Finish Group within the Local Strategic Partnership (LSP). The Economic Development function was represented on this group.

Background on the current economic position within the district was noted and some of the approaches being taken in responses was highlighted such as:

- The production of a newsletter to effectively signpost businesses/individuals to the support services that is available. This would feature as an “insert” into The Forester magazine and be promoted more broadly.
- The establishment of an Economic Prosperity Champion and other measures ensuring the profile of Epping Forest District was raised and enabled it to “punch its weight” with regard to potential external funding opportunities.
- Development of economic intelligence. This tied in with the broader need for the Local Strategic Partnership to be evidence driven and the current priority to produce holistic and robust ward-level profiles.

**(iv) Building Control** – The Panel received a report on the background and purpose of the Council’s Building Control services. The Building Control Service was part of the Planning and Economic Development Directorate providing a number of services. The main functions of the Building Control Service are:

- **Full Plans Applications** – Detailed applications submitted to the Council under the building regulations. The Council must determine an application within a legally prescribed timescale or the application would be “deemed approved.”
- **Building Notices** – Notifications to the Council, under the building regulations, of intentions to carry out building work.
- **Inspections** – Inspection of building work through the construction stages from commencement to completion. The builder had a statutory responsibility to notify the Council at specific stages of construction, although Council officers may inspect at any stage.
- **Contraventions** – Related to enforcement action securing compliance with the building regulations in terms of building work not complying with approved plans and building regulations. Also where an appropriate full plan or building notice had not been received with work carried out.
- **Initial Notices** – A person carrying out building work may, as an alternative to the Council, choose to use an Approved Inspector. In these circumstances, two main areas of responsibility remained with the Council. Firstly to ensure that an Initial Notice setting out details of the project and the Approved Inspector had been submitted and secondly, where an Approved Inspector had identified a contravention of building regulations in the work under his control, and had been unable to resolve the matter. The building work was handed back to the Council, as the authority, of last resort to carry out enforcement action.
- **Demolitions** – Persons intending to carry out the demolition of a building were required to give the Council six weeks notice of the intended date of

commencement. The Council may, by notice, require the demolition of the building taking into account specific matters.

- **Dangerous Structures** – The Council were empowered, under the Building Act, to deal with dangerous buildings and structures. If informal measures were unsuccessful the individual concerned may apply to a court for an order requiring the danger to be remedied. In more urgent cases the powers allowed appropriate emergency action to be taken.
- **Access for Disabled People** – In addition to ensuring the building regulation requirements were complied with, the Building Control Service also provided the role of Access Officer, regularly meeting with the Epping Forest Access Group to promote improved standards of access and facilities for disabled people in the District.

The main direct users of the Building Control Service were building developers and their architects seeking approval to proposed building developments, builders and owners of building work in the constructional stages from commencement to completion.

The Panel noted the staffing problems that the Building Control team were having and requested a further report updating the Panel on any developments.

**(v) Essex County Council Consultation - "Minerals Development Document: Site Allocations - Issues & Options Paper"** – The Panel considered an Essex County Council consultation document which formed part of a process for considering further sites for mineral extraction across the county. Two potential sites had been identified. The sites had been considered unsuitable by planning committees and the LDF Cabinet Committee for a number of reasons including impact on the Green Belt, local landscape, local road network and flooding implications.

Officers were unclear as to the location of the deposits from the proposed sites as no full geological survey had taken place in the district. Members were concerned about the road haulage congestion that the two projects would cause in the area.

The Panel made the following recommendation to the Overview and Scrutiny Committee. That the Essex County Council Consultation – “Minerals Development Document: Site Allocations – Issues and Options Paper” be responded to by stating that the sites for mineral extraction are considered unsuitable for sand and gravel extraction for the following reasons:

- (a) impact on the Green Belt;
- (b) impact on the local landscape;
- (c) impact on the local road network;
- (d) potential risk of flooding at both sites;
- (e) the existence of a gas main in close proximity to the Abridge site; and
- (f) the sites involved only assumed deposits

**(vi) EERA Consultation - 2031 Scenarios for Housing and Economic Growth** - The Government had asked the East of England Regional Assembly (EERA) to carry out an immediate review of the East of England Plan (EEP) addressing development needs for the period 2011 to 2031. Growth in the range of 30,000 to 40,000 new homes every year in the region was being tested.

A consultation exercise was prepared by the Regional Assembly with 4 growth scenarios covering 2011 to 2031. There were 3 questions about these scenarios and on their regional impacts. The results would enable the Regional Assembly to prepare a draft plan in 2010 for full public consultation.

The Panel thought that there was disappointment at the lack of detail in the consultation document, key aspects of this being the lack of information about the proposed growth in Harlow and no assessment of a housing/jobs balance. The EEP indicated that larger term growth should be concentrated to the north of Harlow. However the growth scenarios did not address this.

They noted that the County Council had proposed that, in addition to the individual responses from Essex authorities to the EERA consultation, a joint response from the Greater Essex authorities should be sent. While a final Joint Policy Response had not yet been prepared, officers believed that the District Council should sign such a statement as it would reinforce the recommendations of this report.

The report from the Panel would go before the Overview and Scrutiny Committee and then to the Cabinet.

**(vii) Lee Valley Park Draft Development Document** – The Panel received a Draft Development Plan for the Lee Valley. The Lee Valley Regional Park Authority was conducting a consultation on the Regional Park Development Framework. The Framework set out a draft vision and proposals for the future of the Regional Park.



In reply to the consultation, the members raised the following points:

- Concern about issues such as conservation of natural features, and resolution of conflicts between competing priorities.
- The consultation document advised that the park received 4 million visitors, surprise was therefore expressed that there was no expected target for an increase on this. It was understood that the Park Authority's Business Plan gave information which should have been further summarised into this document.
- The Olympic and legacy developments were examples of economic development; however, there was limited mention of this.
- The consultation document mentioned the role of water transport, but it was unclear as to sufficient emphasis.
- The Park's hinterland was not considered to be recognised in the document.

**(viii) Best Value Review** – As part of the Panel's work programme this year, we again revisited and updated the significant findings of the Planning Services Best Value Review. The review was undertaken originally in 2001 and updated at the establishment of the Value for Money Task and Finish Panel in 2008. We would recommend that interested Members take the time to review the latest update, which provides a valuable wealth of comparative and trend information around the

performance of our Planning Services. The update also gives an insight into how the current economic climate has affected our district, in planning terms and concluded that we were achieving best value in general terms.

### ***Case Study: Staffing Situation***

The Panel began the year with consideration of the staffing situation within Planning Enforcement. A shortfall had been identified in planning expertise available for the delivery of the Council's planning enforcement function. The Planning Enforcement Team consisted of seven staff. However a weakness was identified in that only one full time qualified planning officer was carrying out enforcement work. Members learnt that enforcement and compliance officers were not required to have any planning qualifications.

The number of new investigations started and investigations closed over the previous three years had been consistent at about 750 started and a similar amount closed. However, the proportion of investigations closed for the reason that the breach had been resolved had remained at less than 25%, and the number of enforcement notices issued each year was consistently low at approximately 26. It was felt that there was a desire for the Council to increase its planning enforcement activity.

The members examined different staffing options and selected one for further investigation. This was to delete an existing Compliance Officer post and replace it with a Senior Enforcement Officer post. This option would create the capacity for dealing with approximately 100 additional investigations each year.

It was proposed to delete two posts which were Compliance Officer and Admin Supervisor. It was also decided to help fund the Technical Officer (Landscape) post for extra hours. This would help facilitate the re-provision of Tree Preservation Orders when Essex County Council was expected to rescind such orders.

The members agreed to the creation of a new Senior Enforcement Officer post in November 2009. Their recommendation was supported by the Overview and Scrutiny Committee and confirmed by the Cabinet.

# TASK AND FINISH PANELS

## 1. *PITT REVIEW ON FLOODING TASK AND FINISH PANEL*

### **Origin:**

Cabinet (minute 177 - 10 March 2008) " That the Overview and Scrutiny Committee be invited to consider the implications for the Council arising from the final report of the Pitt Review, expected to be published in the summer of 2008."

The final report has now been published and the Government has published its response to the Pitt Review recommendations.

The District does suffer from river and other water courses (fluvial) and surface water (pluvial) flooding in various locations.

The Council has a proactive approach to addressing flooding issues. It has maintained a Land Drainage Section since the 1970s and continues to invest in flood risk management.

### **Term of Reference:**

1. To establish a Task and Finish Panel to consider and make recommendations on the implications for the Council arising from the recommendations of the review by Sir Michael Pitt following the flooding of 2007 (The Pitt Review).
2. That the Panel undertake the task of responding to the Flood and Water Management Bill consultation.
3. To consider how the proposed changes in legislation would improve the management of flood risk and communication between various organisations.
4. To ensure that the Council fully understands and participates in the early stages of the implementation of the new legislation to gain maximum benefits for its residents.
5. To consider the recommendations within the Pitt Review that place additional responsibilities on Local Authorities in respect of management and coordination of all forms of flooding including Public Infrastructure and Residential properties.
6. The District also implements Planning Policy Statement 25 'Development Control and Flood Risk' which seeks to reduce the impact of new build. The Panel to consider the changes proposed in the Pitt Review to further improve the work being done under this policy.
7. To note that County Councils are recognised as the lead authorities, working in partnership with Districts where appropriate, for those matters affecting local authorities within the Pitt Review Recommendations. To consider the implications of the split responsibilities to the District and to its emergency planning provisions.

## **The Panel**

Under the Chairmanship of Councillor Mrs Grigg, they gathered evidence and information in relation to the topic through the receipt of data, presentations and by participation in fact finding visits.

They consulted with Partners, Agencies, and Stakeholders. They established key issues and future needs and evaluated all relevant facts in relation to the topic under review in an objective way and to produce recommendations for future action. They sought to establish whether there were any resource implications arising out of the topic under review and advised Cabinet for inclusion in the Budget Process.

### **The Pitt Review Task & Finish Panel consisted of the following members:**

Councillor Mrs A Grigg (Chairman)  
Councillor K Angold-Stephens (Vice Chairman)  
Councillors G Pritchard, B Rolfe and Mrs E Webster.

The Lead Officer was K Durrani, Assistant Director (Technical Services) of Environment and Street Scene.

The Panel was set up in response to the Governments consultation on the draft Flooding and Water Management Bill. They also considered the implications to the Council arising from the recommendations of the Pitt Review.

### **Flooding and Water Management Bill**

At their first meeting the Panel considered and endorsed the Councils response to the questionnaire on the draft water and flood management bill. Using the Council's local knowledge and expertise made a comprehensive response to the consultation. They agreed a response to the consultation document and recommended it to the Overview and Scrutiny Committee meeting in July 2009, where the prepared response was agreed and sent to the government.

At their next meeting they received a presentation on the Flood and Water Management Bill. The Bill was devised to try and manage and/or control local flooding and heavy rainfall which resulted in the 2007 floodings. It was estimated that in the United Kingdom during the July 2007 flooding event, 40% of flooding was due to fluvial (fluvial covers ditches, streams and rivers) and 60% to surface water flooding. Consequently the government asked for a review from Sir Michael Pitt; some of the recommendations from which are being added to the Flood and Water Bill. The Bill seeks to address all forms of flooding as in the past efforts were focused on dealing with only fluvial and coastal flooding.

National Modelling indicates 1900 properties are at 'significant risk of flooding' in the Epping Forest District. EFDC with their local knowledge estimated that 823 properties were at risk from ordinary water courses and 1882 properties at risk from rivers and other watercourses.

The Pitt Review recommended that the Environmental Agency should have overall control over all flooding with County or Unitary Councils acting as Lead Authorities. As EFDC has gained detailed local knowledge over the years; the Panel considered that it might not be wise to leave it all to County or Regional level.

Implementing the current recommendations by Pitt, the Bill would give County the responsibility for flash flooding and emergency response. Officers thought that that a local response would be better and quicker to mobilise. But not every district would have this ability. Members agreed.

Some of the pertinent recommendations made by the Pitt Review were:

- Officers accepted recommendation 14 that local authorities should lead on the management of local flood risk.
- Recommendation 15 entailed a lot of work especially in establishing ownership and legal responsibility.
- Recommendation 16 required maps and a flood risk register which was a massive logistical task. The district had two major river systems and over a thousand miles of culverts, ditches etc. Officers are looking to County to lead on this; they would help with local knowledge.
- Recommendation 17 – noted that the utility companies will be required to share information with local authorities and other bodies but it is currently considered that this may prove difficult to obtain.
- Recommendation 18 – Local Surface Water Management Plan – the principle behind and the introduction of the plan was welcomed, but how would it be funded, who would look after it once completed, and who would update it? The starting point would be EFDCs local knowledge. There was a need for a standardised county wide system that could be contributed to and used when needed. Resources from the government would be needed.
- Recommendation 19 – for local authorities to assess and enhance technical capabilities – this would need clarifying and further resources.
- Recommendation 20 - which organisations should be responsible for ownership and maintenance of drainage systems? Officers would like to see more firm local agreements in place.

The government was asking for a very complex system for the surface water management plan (SWMP) as there needed to be an ability to share information across various organisations. Was the Council a tier 1 or a tier 2 authority in this? EFDC could work with County or the County could pass resources on to the district so that it could manage it. Also, how far is the modelling work to be taken; in theory millions could be spent on it. These question had no answer and would have to wait until the Government and/or the County Council had made its mind up and drawn up appropriate guidelines.

The next moves for the council was to engage with County and the Environment Agency; establish what responsibility would rest with EFDC; consider the extension of out of hours emergency responses; establish the amount of work required for a GIS database; and to enter into joined up working agreements with outside organisations.

#### **OUTCOME:**

These questions had no answer and would have to wait until the Government and/or the County Council had made its mind up and drawn up appropriate guidelines. Until this had occurred the Panel could not reasonable progress with its work. This was reported to the parent Overview and Scrutiny Committee who agreed that:

- That the work of the Pitt Review Task & Finish Panel to date was noted;

- That due to the continuing uncertainty surrounding the Flood and Water Management Bill, which prevents the Panel from drawing meaningful conclusions and making recommendations at this time, the Panel was to be wound up; and
- That consideration was to be given to re-establishing the Pitt Review Task & Finish Panel once the Flood and Water Management Bill has been introduced and clear guidance from Government and Essex County Council was forthcoming.

## **2. SUSTAINABLE COMMUNITIES TASK AND FINISH PANEL**

### **Origin:**

This originated as a motion to Council moved by Councillor Philip in June 2009, noting that:

- the Sustainable Communities Act was designed to allow local authorities and their communities to drive the action and assistance that Central Government gives in promoting thriving sustainable communities;
- the Act gave local authorities the power to make proposals to Government on the action and assistance Government must take or give to promote sustainable communities and that those proposals can be for a transfer of public money and functions from central or regional control to local control;
- reasons for a local authority choosing to use the Act include gaining new powers or assistance from Government determining those powers or that assistance and transferring public monies from central or regional control to local control; and
- resolves to use the Act by submitting proposals for action and assistance from Central Government as best serves the District.

The consideration of this motion was referred to the Cabinet for their consideration. It went to the cabinet on 13 July 2009, where they referred it to Overview and Scrutiny for their consideration and report.

Overview and Scrutiny Committee considered the referral and decided that the best way to deal with this item of work was to create a Task and Finish Panel specifically to consider the issues involved with the Sustainable Communities Act (2007).

### **Term of Reference:**

1. To consider the opportunities presented by the Sustainable Communities Act 2007 with respect to the improvement of the local economy, protection of the environment, promotion of social inclusion and increased participation in civic and political activity.
2. To identify ways of developing proposals which the local authority considers would contribute to promoting the sustainability of local communities and, in particular, the scope for the transfer of functions from one body to another.
3. To investigate and recommend the best method of raising awareness and encouraging proposals from local people to put forward policy proposals with regard to:
  - (i) the improvement of the local economy;
  - (ii) protection of the environment;
  - (iii) promotion of social inclusion; and
  - (iv) participation in civic and political activity;

4. To explore the feasibility of establishing representative panels of non-elected or nominated members of the local community (to include under-represented groups) with whom to consult on any proposals.
5. To consider how information on local spending reports could, when available, be utilised to inform proposals to promote local sustainability.
6. To identify a timetable that would facilitate proposals being submitted for consideration by the Government's selector in the 2010/2011 round of applications.

### **The Panel**

Under the Chairmanship of Councillor J Philip, they gathered evidence and information in relation to the topic through the receipt of data, presentations and by participation in fact finding visits.

They consulted with Partners, Agencies, and Stakeholders. They established key issues and future needs and evaluated all relevant facts in relation to the topic under review in an objective way and to produce recommendations for future action. They sought to establish whether there were any resource implications arising out of the topic under review and advised Cabinet for inclusion in the Budget Process.

### **The Sustainable Communities Task & Finish Panel consisted of the following members:**

Councillor J Philip (Chairman)  
Councillors A Boyce, Mrs R Brookes, A Clark, Mrs R Gadsby, A Lion, R Morgan, Mrs P Smith and D Wixley.

The Lead Officer was D Macnab, Deputy Chief Executive.

The Panel was set up in response to the Governments Sustainable Communities Act, that was designed to let local authorities and their communities to drive the action and assistance that Central Government gives in promoting thriving sustainable communities.

### **Sustainable Communities**

The Panel noted that the act had three main strands to it:

- i) to identify proposals and in doing so to consider the transfer of powers from the different tiers of government to the level considered appropriate;
- ii) Local spending reports - this was designed to demonstrate public spending within a geographical area. It may include local authorities spending, county spending or government bodies. It would allow transparency in local spending. As yet no local spending report has been issued; and
- iii) Sustainable Communities Strategy – the LSP had been asked to create a community strategy, and this just renames it a 'sustainable' community strategy.

The Local Government Authority (LGA) had been appointed to select appropriate proposals, short list and submit them to the Government for consideration.

They noted spread sheets from other authorities breaking down proposed spending projects. This included detailed breakdowns of Essex County Council and nearby District and London Borough Councils proposals for comparison. An Officer from the London Borough of Redbridge came to relay her borough's experience in soliciting bids and then submitting proposals under the Sustainable Communities Act (SCA).

The provisions of the Act were launched in October 2008. This provided a process by which councils, communities, organisations and public bodies could put forward new ideas through their council. The process involves an invitation to submit proposals outlining new ideas for further enhancement of economic, social and environmental sustainability, either at local or national level.

Policy officers at Redbridge had submitted information reports up to Cabinet to draw their attention to the SCA. Early in 2009 Redbridge Council had endorsed proposals for the scheme. The Council then placed information on their website and in their Council's newsletter about the Act and how to submit a proposal. No relevant proposals were received, although a lot of general enquiries were made. The three proposals that were submitted in the end were generated from within the Council. A Panel of representatives from the voluntary sector was set up to consider the proposals which were agreed with some amendments.

These proposals have now been submitted to the Local Government Association (LGA) who is acting as the 'selector' of submitted proposals. This would involve them:

- Receiving and collating proposals from councils;
- Drawing up a shortlist from the submissions; and
- Seeking an agreement with the Secretary of State on which proposals to implement.

Redbridge are still awaiting the outcome of this stage of the proceedings.

The Panel discussed the next steps that should be taken. They had learnt from other Local Authorities on how this could be taken forward. They noted that resources needed to be put behind it if they were to take it up fully. The Council also needed to engage with the LSP. There were no urgent or outstanding issues to be addressed at present. They submitted a report to the Overview and Scrutiny Committee in April 2010, detailing the background to the SCA and containing an outline of procedures to be followed if a second round was to be announced, so that the Council had some sort of action plan to follow. They recommended that the District Council engage in any future round of the Sustainable Community Act in recognition of the benefits that could be achieved in identifying issues that are important to local people. They also recommended that the Council monitors the progress of the first round short-listed proposals under review and that Overview and Scrutiny Committee receive a report on those proposals chosen for implementation; that consideration was given to the establishment of a Citizen Panel with whom to consult on any future proposals and that consideration be given to the future establishment of a working group of Members to oversee the submission of any future bids under the Act.





