

# Review Board

**Thursday 3 July 2008 7.30pm**

**Council Chamber  
Civic Offices, Addlestone**

## Members of the Review Board

Councillors P B Tuley (Chairman), H W Meares (Vice Chairman), D A Cotty, A J Davis, P A Francis, Mrs L M Gillham, R N Jones, A M Moore and A P Tollett

## AGENDA

### Notes:

- 1) Any report on the Agenda involving confidential information (as defined by section 100A(3) of the Local Government Act 1972) must be discussed in private. Any report involving exempt information (as defined by section 100I of the Local Government Act 1972), whether it appears in Part 1 or Part 2 below, may be discussed in private but only if the Review Board so resolves.
- 2) The relevant 'background papers' are listed after each report in Part 1. Enquiries about any of the Agenda reports and background papers should be directed in the first instance to **Mr J Gurmin, Committee Section, Administration and Leisure Department, Committee Section, Runnymede Civic Centre, Station Road, Addlestone (Tel Direct Line: 01932 425624). (Email: [john.gurmin@runnymede.gov.uk](mailto:john.gurmin@runnymede.gov.uk)).**
- 3) Agendas and Minutes are available on a subscription basis. For details, please ring Mr B A Fleckney on 01932 425620. Agendas and Minutes for all the Council's Committees may also be viewed on [www.runnymede.gov.uk](http://www.runnymede.gov.uk).
- 4) In the unlikely event of an alarm sounding, members of the public should leave the building immediately, either using the staircase leading from the public gallery or following other instructions as appropriate.

## **LIST OF MATTERS FOR CONSIDERATION**

### **PART I**

#### **Matters in respect of which reports have been made available for public inspection**

	<b><u>Page</u></b>
1. FIRE PRECAUTIONS	3
2. NOTIFICATION OF CHANGES TO REVIEW BOARD MEMBERSHIP	3
3. MINUTES	3
4. APOLOGIES FOR ABSENCE	3
5. DECLARATIONS OF INTEREST	3
6. AIR QUALITY	4
7. ENGLEFIELD GREEN COMMITTEE	5
8. PROGRESS REPORT ON ENFORCEMENT OF PLANNING CONTROL	10
9. RESPONSE FROM THE GOVERNMENT REGARDING THE COUNCIL'S REPRESENTATIONS ON POST OFFICE CLOSURES IN CHERTSEY	10
10. ANNUAL REPORT OF OVERVIEW AND SCRUTINY FUNCTION	11
11. EXCLUSION OF PRESS AND PUBLIC	11

### **PART II**

#### **Matters involving Exempt or Confidential Information in respect of which reports have not been made available for public inspection.**

- a) Exempt Information  
(No reports to be considered under this heading)
  
- b) Confidential Information  
(No reports to be considered under this heading)

1. FIRE PRECAUTIONS

The Chairman will read the Fire Precautions which set out the procedures to be followed in the event of fire or other emergency.

2. NOTIFICATION OF CHANGES TO REVIEW BOARD MEMBERSHIP

3. MINUTES

To confirm and sign the Minutes of the Review Board held on 16 April 2008 (attached at Appendix 'A') as a correct record.

4. APOLOGIES FOR ABSENCE

5. DECLARATIONS OF INTEREST

If Members have an interest in an item please record the interest on the form circulated with this Agenda and hand it to the Legal Representative or Committee Administrator at the start of the meeting. A supply of the form will also be available from the Committee Administrator at meetings.

Members who have previously declared interests which are recorded in the Minutes to be considered at this meeting need not repeat the declaration when attending the meeting. Members need take no further action unless the item in which they have an interest becomes the subject of debate, in which event the Member must leave the room if the interest is personal and prejudicial.

Members may wish to note Part 2 of the Code of Conduct for Members (pages 314 to 316) which sets out the definitions of personal and prejudicial interests.

Members' attention is drawn to Paragraphs 11 and 12 of the Code of Conduct which relate to prejudicial interests arising in relation to overview and scrutiny committees. These paragraphs read as follows:-

**"Prejudicial interests arising in relation to overview and scrutiny committees**

11. You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where –
- (a) that business relates to a decision made (whether implemented or not) or action taken by another of your authority's committees, sub-committees, joint committees or joint sub-committees; and
  - (b) at the time the decision was made or action was taken, you were a member of the committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph (a) and you were present when that decision was made or action was taken.

**Effect of prejudicial interests on participation**

12. (1) Subject to sub-paragraph (2), where you have a prejudicial interest in any business of your authority –
- (a) you must withdraw from the room or chamber where a meeting considering the business is being held –
    - (i) in a case where sub-paragraph (2) applies, immediately after making representations, answering questions or giving evidence;
    - (ii) in any other case, whenever it becomes apparent that the business is being considered at that meeting;

Unless you have obtained a dispensation from your authority's standards committee
  - (b) you must not exercise executive functions in relation to that business; and

(c) you must not seek improperly to influence a decision about that business.

(2) Where you have a prejudicial interest in any business of your authority, you may attend a meeting (including a meeting of the overview and scrutiny committee of your authority or of a sub-committee of such a committee) but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise”.

## 6. AIR QUALITY (DTS)

### 1. Purpose of Report

#### 1.1 **To update Members on work carried out by an air quality consultant on air quality in the Borough.**

### 2. Background Information

2.1 Where annual mean nitrogen dioxide concentrations are likely to exceed the air quality “objective” (target) an AQMA has to be declared. This situation has arisen in Addlestone, following a Detailed Assessment of air quality being carried out by the Environmental Research Group (ERG), King’s College, University of London, which highlighted the exceedence for nitrogen dioxide. An AQMA has already been designated for a narrow band along the M25. This was due to objectives being exceeded for both nitrogen dioxide and particles. Elsewhere in Runnymede, the Government’s air quality objectives are being met.

2.2 At the meeting of the Review Board on 6 December 2007, it was resolved that a recommendation be made to the Leisure and Environment Committee that an Air Quality Management Area (AQMA) be designated for Addlestone and that further air quality monitoring be carried out in New Haw and Egham.

2.3 At the meeting of the Review Board, it was also resolved that a further report be submitted to the Board on the outcome of work carried out on behalf of the Council by an Air Quality Consultant.

### 3. Report

3.1 At its meeting on 17 January 2008, the Leisure and Environment Committee resolved that an AQMA be designated for Addlestone and that further monitoring be undertaken for the New Haw and Egham areas.

3.2 The Department for Environment, Food and Rural Affairs (Defra) approved Runnymede’s Detailed Assessment on nitrogen dioxide for Addlestone and New Haw on 9 June 2008. The order for the AQMA has been duly made.

3.3 Further monitoring of nitrogen dioxide in New Haw and Egham has not commenced. Officers have agreed to include monitoring in the vicinity of level crossings in Egham.

3.4 Levels of nitrogen dioxide are already monitored by “diffusion tubes” at various sites in the borough, as part of a Surrey wide monitoring network and this will be expanded to include more intensive monitoring in these localities.

3.5 As a further AQMA has been designated, with the additional work involved, a bid has been made for funding from Defra. The application was completed by the Air Quality Consultant. The Air Quality Consultant has been involved in similar applications for funding at other local authorities. At £202,500 the application is somewhat ambitious. However, Officers are optimistic that it will result in some funding from Defra.

3.6 The Council’s draft Air Quality Action Plan has been updated. The draft Plan is attached at Appendix ‘B’, which is separately circulated to all Members of the Review Board. A copy of the draft Plan has also been placed in the Members’ Room. The next stage is public consultation, including Ward Members, and inclusion of the new AQMA in the Action Plan. These processes will be both time consuming and expensive.

- 3.7 The funding bid includes both the costs of monitoring and public consultation and therefore Officers have delayed carrying out this work pending the outcome of the application. If the application is unsuccessful then a modest public consultation exercise will be carried out, and more limited monitoring. A successful outcome will enable more detailed monitoring to be undertaken.
- 3.8 The various reports on air quality that have been made over recent years have been placed on the Councils website. The results from monitoring carried out in Runnymede over recent years have been rationalised and will also be provided on the website.
- 3.9 The next stage of annual progress reporting to Defra is also presently underway and as in previous years King's College, London is carrying out this work on behalf of the Council. This involves reporting on the air quality monitoring work carried out during 2007/08.

#### 4. Council Policy

- 4.1 The Council's Strategic Plan 2005 – 2010 identifies, inter alia, the key themes of Access and Transport, A Sustainable Community and A Healthy and Vibrant Community. Each of these themes has specific objectives relating to tackling congestion and pollution and seeking improvements in air quality, especially working in partnership with other agencies.

#### 5. Resource Implications

- 5.1 Runnymede spends approximately £3,000 per annum on consultancy work plus Officer time totalling approximately 0.2 full time equivalent member of staff carrying out air quality work. The cost will be somewhat higher in this financial year because of the additional work that will be carried out. However, the costs will be contained within existing budgets. The work that arises from the further monitoring may require additional resources. An application for additional funding has therefore been made to Defra. The outcome of the bid will not be known until September 2008.

#### 6. Legal Implications

- 6.1 Runnymede has statutory duties under the Environment Act 1995. The Detailed Assessment which has been carried out is part of the process in discharging those duties. Where areas within the borough are identified as not achieving, or not likely to achieve, the necessary air quality standards, then those areas must be designated Air Quality Management Areas (AQMAs).
- 6.2 Article 8 of the Local Authorities' Plans and Strategies (Disapplication) (England) Order 2005 disapplies the duty of local authorities such as Runnymede that had an excellent Comprehensive Performance Assessment, to prepare action plans in relation to air quality. There is, however, still a requirement to ensure that action plans are followed up and reported on to satisfy Defra. The framework established by the Action Plan is helpful for the reporting process and therefore it is being followed.

### **(FOR INFORMATION)**

#### Background Papers

2007 Detailed Assessment Of Air Quality For The Runnymede Borough Council – ERG, King's College London, October 2007

#### 7. ENGLEFIELD GREEN COMMITTEE (DAL)

##### 1. Purpose of Report

- 1.1 **A resident of Englefield Green has asked the Chairman of the Review Board that the decision of the Council on 15 May appointing the Englefield Green Committee be reviewed and scrutinised, as he believes that the requirements of the lease were not followed.**
- 1.2 **The Chairman has agreed that the Board should receive a report on this matter.**

2. Background Information

2.1 The Council appoints the Englefield Green Committee annually along with other Committees.

2.2 The freehold of Englefield Green is held by the Crown. For many years it has been leased to the local authority. The current lease was granted with effect from 10 October 1954, for a term of 99 years.

2.3 Commons and open spaces for which the Council is responsible would normally be managed under the remit of the Leisure and Environment Committee. However the lease of Englefield Green provides that "the management and control of the Green hereby demised and the exercise and performance of all powers and duties of the lessees ..... shall [subject to the exception mentioned in 2.4 below] be delegated to and vested in a Committee to be called 'the Englefield Green Committee' who shall have full power to institute any proceedings or do any act which the lessees as an Urban District Council might have instituted or done .....

..... and the Englefield Green Committee shall be appointed annually by the lessees at the statutory annual meeting and shall be composed of the following persons or such of them as shall from time to time be willing to serve videlicet:

The Chairman and Vice-Chairman of the District Council;

The District Councillors for the ward of Englefield Green and in the event of both the Chairman and Vice-Chairman being Councillors for the ward of Englefield Green one other District Councillor;

Two other persons to be selected by the lessees from amongst the occupying tenants of the several houses around the Green set out in the Schedule hereto and of such other houses (if any) round the Green as may be from time to time fixed or appointed by the lessor but in making such selections the lessees shall have regard to the wishes of the general body of such occupying tenants which may be conveyed to the lessees in writing or be ascertained by the lessees in such way as they may consider expedient".

2.4 One statutory limitation on the powers of the Committee is that it may not exercise powers regulating and controlling the finance of the local authority or the area. The Committee will therefore make recommendations to the Council on matters concerning revenue or capital expenditure.

2.5 A full copy of the lease is reproduced for the information of Members at Appendix 'C'.

2.6 Copies of a report and a supplementary report which were before the Council at its meeting on 15 May are attached at Appendix 'D'.

2.7 The Council appointed Mr Andrew Panter and Mrs Lisa Lawson as the residents' representatives.

2.8 Mr Andrew Telford, who was nominated by residents but not appointed, has alleged that the requirements of the lease were not followed in making the appointment. A copy of his email to the Chairman is attached at Appendix 'E'.

2.9 Mr Telford has also been in correspondence with Officers and with Councillor Patrick Roberts on this matter, and has raised the issue with the Crown Estate. There has also been correspondence with the local branch of the Labour Party.

3. The Grounds of Mr Telford's Complaint

3.1 From his correspondence from the Chairman and others, Mr Telford raises the following objections to the Council's actions, based on his interpretation of the lease:

a) The Council is required to have regard to the wishes of the general body of the specified 'occupying tenants' which may be conveyed to them in writing or ascertained by them in any way they may consider expedient. The Council could not

know what the wishes of the general body of occupying tenants were in relation to Mr Panter. Accordingly it should not have considered him.

- b) By requiring the Council to have regard to the wishes of the residents 'in making their selections' the lease makes it clear that the Council must have regard to the wishes of the residents regarding each individual selection. The letter sent to residents by the Council merely stated who the existing representatives were. It did not indicate whether they were willing to serve again or ask for comments on the possibility of their serving a further term.
- c) In 1990, in correspondence between residents and Council Officers, it was established that serving representatives did not have grandfather rights and had to stand with everyone else for residents' nomination annually. The method thereafter would be that the Council would consider nominations 'by any of these (qualifying) residents for any resident who is willing to serve'. The process followed this year gives the overwhelming impression that the Council assumed residents would wish the incumbents to serve for another year and is inconsistent with the 1990 procedure.  
  
Mr Telford states that Mr Panter was considered in breach of the "1990 procedure" because he was not nominated by another resident, and that it was only on publication of the Annual Council Agenda that this became clear.
- d) Mr Telford believes that the existing representatives were not asked if they wished to serve a further year before the circular letter seeking nominations (attached at Appendix 'F') was sent to residents in February 2008.
- e) He suggests that Mr Panter was asked if he was prepared to allow his name to go forward only after nominations for the two other candidates had been received, and accordingly the inference is that the Council had already decided that it wished to select him in preference to one of the others nominated by residents.

#### 4. The Procedure used by the Council

- 4.1 For many years the Council conducted no canvass of residents prior to appointing the Englefield Green Committee. It presumably took the view that any wishes of the 'general body of occupying tenants' could be conveyed to it without specific enquiry. It did, however, canvass opinion whenever it was apparent that a serving representative was unable or unwilling to continue.
- 4.2 In 1990 the Englefield Green Village Residents' Association, who wished to see one or both of the existing representatives replaced, suggested that the Council was not observing the terms of the lease. It also suggested that representatives be appointed for three year terms. Officers rebutted the suggestion that the terms of the lease were being disregarded, and advised against a rigid three year term for representatives (this in itself was unlikely to comply with the terms of the lease). However merit was seen in a more structured review process and it was decided to canvass residents' views every three years. (At the subsequent Annual Council Meeting, both of the previously serving representatives were replaced).
- 4.3 It is now usual for the Council to canvass residents every year, rather than the three years suggested in 1990. The form of letter normally sent identifies the existing representatives and asks for any other nominations. The results are reported to the Council at its Annual Meeting. Over the years it has been quite common for no response to the letter to be received.

#### 5. General Compliance of the Procedure with the Terms of the Lease

- 5.1 The lease does not require a canvass to be actively mounted at all. It would be in order for the Council to rely on the qualifying residents to communicate their wishes. The lease does also give the Council a discretion to ascertain their wishes in such way as they may consider expedient.

- 5.2 On the face of it, the letter commonly sent out by the Council is a valid exercise of its discretion to ascertain the wishes of the general body of qualifying residents.
- 5.3 The Council is obliged by the Lease to "have regard to" the wishes of the "general body" of qualifying residents. A duty to have regard to something means that the Council must fairly take it into account, but does not prevent the Council, having done so, from taking a different view. In any event a local authority cannot contract to limit the scope of a statutory discretion.
- 5.4 By referring to the wishes of the "general body" of qualifying residents the lease may be requiring rather less than the opportunity the Council gives to each resident to make an individual nomination. However it is not suggested that the process used does not comply with the lease.
6. Comments on Mr Telford's Specific Points
- 6.1 Mr Telford believes that the Council should specifically ascertain the wishes of the qualifying residents in relation to the serving representatives before considering them for reappointment. There is nothing in the lease to suggest that the Council needs to ascertain residents' views on any individual before considering them for appointment and Mr Telford's argument to the contrary in 3.1 (b) above is strained. It only needs to have regard to such wishes as may be conveyed to them or ascertained in such way as they consider expedient. Mr Telford appears to be saying that new names would merely need to be nominated in order to be available for appointment, but the wishes of residents need to be ascertained in relation to serving representatives.
- 6.2 Mr Telford argues that the Council has departed from the procedure used in 1990. Officers have reviewed the 1990 correspondence. The procedure used, and the advice given to the Council, is on all fours with the procedure used in 2008. Mr Telford suggests that in 1990 the Council agreed that thereafter it would only consider nominations 'by any of these (qualifying) residents for any resident who is willing to serve'. This is not a natural reading of the correspondence. The letter in which the phrase occurs, together with an earlier letter to which it refers are attached at Appendix 'G'. It is apparent that the purpose of this phrase was merely to explain why a list of qualifying properties had been forwarded. It is clearly not an attempt to limit the scope of the Council's consideration in the future.
- 6.3 Mr Telford suggests that the Council only asked the serving representatives if they wanted their names to go forward after nominations had been received for others. This is not correct. The serving representatives were asked if they wished their names to go forward on the same date as the Council circulated the general letter to residents asking for nominations (7 February 2008). Mr Panter's expression of willingness to do so arose from this question and not from some subsequent manipulative process. Further, it may be noted that in response to the circular letter to residents, Mr Telford expressed a desire to nominate himself to the extent that he was lawfully able to do so. Officers are aware of no reason to prevent a resident from nominating themselves and it would be odd if a serving representative's expression of willingness to continue, in response to a letter of the same date, then counted for less than a new nominee's self nomination.
- 6.4 When residents were circulated in 1990 it was already known that the existing representatives were prepared to continue, while in 2008 this remained to be ascertained. However Officers do not consider this to be material and the Board is invited to compare the 1990 and 2008 letters.
7. The List of Qualifying Properties
- 7.1 The correspondence with Mr Telford has thrown up a side issue. The original list of properties inhabited by the 'occupying tenants' from whom the residents' representatives would be chosen was set out in a Schedule to the lease. At the request of the Council, the Crown Estate amended this list, in accordance with the lease, in 1979. Although further properties have been added around the Green since, there has been no further formal revision of the list. Accordingly Mr Panter's property is a qualifying residence while Mr Telford's is not.

- 7.2 It has been made clear to Mr Telford by Officers that this has not been used as a reason for excluding him from consideration, and indeed the Council was not advised of this fact at its Annual Meeting. Had it expressed a wish to appoint Mr Telford, the next step would have been to apply to the Crown Estate for a further amendment of the list, rather than Mr Telford's exclusion.
- 7.3 Some confusion has been caused by the use of informal lists of properties surrounding the Green reflecting developments since 1979. Mr Telford's property does appear on these, and he has been included in the annual canvass. In pursuing a desire to serve on the Committee he was relying on information provided by the Council, and indeed lives as close to the Green as anyone else with a right to be nominated.
- 7.4 It is apparent that the list of qualified properties should now be further updated.

## 8. Conclusion

- 8.1 It is the view of Officers that Mr Telford's arguments rest on a strained interpretation of the lease. The Council's primary duty is to exercise its judgment and discretion to appoint the representatives it believes most suitable at the time in question. In doing so it must have regard to the wishes of the general body of occupying tenants. It is not under a duty, either by virtue of the lease, or by virtue of any previously agreed procedure, to consider only candidates who have been specifically nominated by other residents in replying to the circular letter. The Council complied with the lease and with its own established procedure.

## 9. Action Points

- 9.1 As a result of working through the various points arising from Mr Telford's complaint, Officers have already put in hand the following action:
- a) Confirmation of the current addresses of all qualifying properties, and the procurement of a formal updating of the list by the Crown Estate. It may be necessary to report to the Englefield Green Committee on this matter.
  - b) A review of the method of canvassing residents. Particular attention will be paid to whether it is appropriate to continue to invite residents to 'nominate', which might give the impression of a more rigid and formal process than actually applies under the lease.
  - c) An annual report to Englefield Green Committee on their Terms of Reference, together with a summary of the lease and the Scheme of Management under the Commons Act 1899. (Mr Telford contends that these documents should be provided in full to all Members of the Committee; Officers suggest that this is unnecessary and that, as with any other Committee which is required to act according to specific legal documents or legislation, the Englefield Green Committee should be entitled to rely on advice from Officers at appropriate times. Copies of the documents would, however, be provided to any Member should they so wish).
  - d) Although it cannot be maintained that the Council has failed to follow the requirements of the lease in its annual appointments of residents' representatives, in future the report will draw explicit attention to the Council's duty to have regard to the expressed or ascertained wishes of the general body of occupying tenants of the qualifying properties, rather than merely placing before the Council the feedback from the circular letter.

### **THE REVIEW BOARD IS ASKED-**

**whether it is content with Officers' analysis of the situation underlying Mr Telford's complaint and the action proposed; and whether it wishes to make any comment or recommendation to the Council.**

**(FOR CONSIDERATION)**

## Background Papers

DAL files 48.12 and 66.21 (exempt).

### 8. PROGRESS REPORT ON ENFORCEMENT OF PLANNING CONTROL (DAL/DTS)

Attached at Appendix 'H' is the progress report on enforcement of planning control as at 30 May 2008.

#### **(FOR INFORMATION)**

## Background Papers

None

### 9. RESPONSE FROM THE GOVERNMENT REGARDING THE COUNCIL'S REPRESENTATIONS ON POST OFFICE CLOSURES IN CHERTSEY (DAL)

#### 1. Purpose of Report

1.1 **To report on i) a response from the Government to the Council's representations on Post Office closures in Chertsey; and ii) the outcome of the Board's requests to Council Committees arising from the Board's meeting on 16 April 2008.**

#### 2. Background Information

2.1 At its meeting on 16 April 2008, the Board received a report prepared at the request of the Chairman regarding a consultation from Post Office Ltd on the closure of Post Office branches in Surrey, Berkshire and West Sussex and noted the responses of the Council, Surrey County Council, the Surrey Local Committee for Runnymede and Postwatch to that consultation, and the details of decisions taken by Post Office Ltd in respect of proposed branch closures. At the meeting, the Board was informed by Surrey County Council's Head of Policy and Public Affairs of Surrey County Council's proposals with regard to Post Offices, and also heard verbal representations from four local residents, a representative of Chertsey Chamber of Commerce and the Sub Postmaster of Little Green Lane Sub Post Office. The Board's views were also sought on potential future options to safeguard other local Post Offices.

#### 3. Report

3.1 At its meeting on 16 April 2008, the Board agreed to recommend to the Council meeting on the following evening that the Council write to the Government asking the Government to recognise the grave hardship which the closures of Little Green Lane and Stepgates Sub Post Offices in Chertsey would cause to the community and suggesting that the Government amend the minimum access criteria for Post Offices, and that Post Office Ltd be requested to revisit the decision to close these branches. The Council supported the Board's recommendation and the Leader of the Council accordingly wrote to the Government and to Post Office Ltd.

3.2 A reply has been received on behalf of the Government from Mr Pat McFadden, MP, Minister for Employment Relations and Postal Affairs at the Department for Business Enterprise and Regulatory Reform. A copy of the reply to the Leader of the Council is attached at Appendix 'I'. Essentially the response states that the Government recognises the social and economic role of Post Offices and has invested substantial sums in the network. However, the Government does not have a role in proposals or decisions for individual Post Offices and Postwatch, the consumer watchdog, did not consider that there were grounds for referring the two Chertsey Post Offices for consideration under the review process.

3.3 At its meeting on 16 April 2008, the Board agreed to request the Planning Committee to include policies aimed at retaining local post offices and other important local facilities as part of the public consultation on the Local Development Framework and to give consideration to the need for Post Office facilities as part of any residential development of the former DERA site at Longcross. At its meeting on 14 May 2008, the Planning Committee endorsed the Board's requests and noted that the Retail Issues and Options Paper and Retail Impact

Assessment had identified the role of Post Offices as a point on which public comment was to be specifically invited.

- 3.4 The Board also agreed that the Housing and Community Services Committee should be commended for its provision of discretionary transport, which helped people to access Post Offices, and that it should be requested to continue to provide this. At its meeting on 11 June 2008, the Housing and Community Services Committee agreed that discretionary transport for the elderly in the borough should continue to be provided and to review the capacity to increase the number of passengers using the transport, if this subsequently became an issue.

**(FOR INFORMATION)**

Background Papers

Letters from the Leader of the Council to the Government and to Post Office Ltd.

10. ANNUAL REPORT OF OVERVIEW AND SCRUTINY FUNCTION (DAL)

1. Purpose of Report

- 1.1 **To request the Board to confirm the contents of the Annual Report of the Overview and Scrutiny Function for the Municipal Year 2007/08 for submission to the Council Meeting on 17 July.**

2. Background Information

- 2.1 Sub-paragraph 6.03 (d) of the Council's Constitution states:-

"(d) Annual Report Overview and Scrutiny Committees must report annually to a full Council on their workings and make recommendations for future work programmes and amended working methods if appropriate."

- 2.2 The Board is asked to confirm if it is content for the report at Appendix 'J' to be submitted to full Council in July, or if it wishes to make any amendments.

**OFFICERS' RECOMMENDATION that -**

- i) the Annual Report at Appendix 'J', be submitted to full Council; and**
- ii) the Council be requested to note that item 6 in the Report has been satisfactorily concluded and that the other items in the Report remain ongoing.**

**(TO RECOMMEND)**

Background Papers

None

11. EXCLUSION OF PRESS AND PUBLIC

If the Review Board is minded to consider the foregoing reports in private session, it is the

**OFFICERS' RECOMMENDATION that -**

**where appropriate, the press and public be excluded from the meeting during the discussion of the report(s) under Section 100A(4) of the Local Government Act 1972 on the grounds that the report(s) in question would be likely to involve disclosure of exempt information of the description specified in appropriate paragraphs of Part I of Schedule 12A of the Act.**

**(TO RESOLVE)**

**PART II**

**Matters involving Exempt or Confidential Information in respect of which reports have not been made available for public inspection**

a) Exempt Information

(No reports to be considered under this heading)

b) Confidential Information

(No reports to be considered under this heading)