

MINUTES

of the

OVERVIEW AND SCRUTINY COMMITTEE

held on 16 June 2014

Present:

Councillor M. Springett (Chairman)

Councillors

P.J. Cousins, J.A. Deakin, C. Fegan, P.J.L. Hutchinson,
A.M. John, C.J.C. Kingsley, L.A. Mascot, J.E. Maybrick, T.H. Miller
A.F. Sach, M.D. Watson and P.R.A. Wilson

Also in attendance: Councillor I.S. Grundy

1. **Apologies for Absence and Substitutions**

Apologies for absence were received from Councillor R. Massey.

No substitute appointment was made for this meeting.

2. **Minutes**

The minutes of the meeting held on 28 April 2014 were agreed as a correct record and signed by the Chairman.

3. **Public Question Time**

The following questions were asked and statements made by Mr Smith (i) and Mr Tween (ii), local residents:

- (i) (In relation to a planning application approved in 2006 to increase the number of office barges on a pontoon off Coates Quay from 2 to 4 which had gone to the Ombudsman who found no maladministration by this Council.) Did the S106 Agreement transfer land and moorings to the Council so as to secure for the public right of access to water based amenities and 15 public recreational moorings or didn't it? Mr Smith asked the Scrutiny Committee to investigate this matter as he had found this quay had been secured in 1995 by a S106 Agreement to provide public access to water based amenities and the provision of 15 recreational moorings.
- (ii) (Agenda Item 6) The performance for waste and recycling has gone from bad to worse during the past year. If the Council is not meeting its recycling targets it is receiving less income from recycling which will impact on council tax payers. Chelmsford has the worst recycling rates across Essex. What positive action is the Council taking to improve recycling rates and why is Chelmsford performing so appallingly?

The following responses were made:

- (i) The Chairman would look into the matter raised by Mr Smith and let him know whether it would be appropriate for this Committee to investigate it further.
- (ii) The Director of Public places said that the target for % waste reused, recycled and composted remained at 50% for 2014/15. The diversion rate was one of many monitoring measures and should not be taken in isolation. Although performance had gone down year on year it was anticipated that it would be on target over a five year period (2020). The Director of Public Places anticipated that when the national statistics for 2013/14 were published later this year they would show that the level of recycling nationally had plateaued or fallen to around an average of 43% and Chelmsford would have a level of around 45%. He said that Chelmsford probably had a higher level of recycling than three other Essex authorities and that the statistics for Essex for 2013/14 would also be published later this year. The strategy for Recycling and Waste Collection Services implemented in 2009 set a target to reduce the residual waste generated to no more than 550Kg per household. This target has been met every year. There had been a switch from heavier items being recycled such as paper and glass to lighter items such as plastic and cartons. As recycling rates are calculated on the basis of weight, this impacts on the perceived recycling rate.

The Chairman said that Chelmsford's performance was likely to be about average when compared to other waste collection authorities across England and if it became worse the Committee would review it.

4. **Decisions Called-In**

The Committee noted that the meeting of Cabinet on 3 June 2014 had been cancelled and therefore no decisions had been called-in.

5. **Declaration of Interests**

All Members were reminded to declare any Disclosable Pecuniary or other registerable interests where appropriate in any items of business on the meeting's agenda.

At item 6 on the agenda, prior to discussing the performance of the Council's theatres, Councillor C. Fegan declared he was a member of the Arts Council for the South East.

6. **2013/14 End of Year Performance Information and Key Projects Report**

(M9,SCR31,2014) The Committee considered an update report on progress with the Council's main performance indicators and key projects for the period of April to March 2013/14.

The following comments were made on the Corporate Performance Report attached at Appendix 1 to the report before the Committee:

- (i) **Customer visits to theatres** – A member suggested that this indicator should be split to provide the number of visits to productions put on by this Council and those that were external events. There was general agreement to this amongst members and officers would look at whether it would be possible to split this

indicator as suggested. Another member said he was unhappy that this target had been reduced for 2014/15. As it was a small reduction other members were inclined to accept the revised target and the explanation from the service provided in the report. The Chairman asked that the Committee be provided with a breakdown of the income from the theatres over the last three years for review at its next meeting.

- (ii) **The number of working days lost due to sickness absence** – A member asked why the target for 2014/15 had been increased. In response the Director of Corporate Services informed the Committee that Directors were asked to make an assessment of the level of sickness absence expected in their areas and these figures were then used to calculate the overall target for the Council for 2014/15 which was 7.26. This was still a challenging target. Long term sickness absence was managed very well and Directors were now focusing on managing short term sickness absence.
- (iii) **Residual waste per household** – In response to a question from a member regarding why the target for residual waste had been increased from 507.64 kg last year to 550 kg for 2014/15 the Director of Public Places informed the Committee that the level of residual waste generated per household had increased last year and had not met the target set. Whilst this indicator performed worse than in 2012/13 a 12% reduction in residual waste had still been achieved over a five year period. The reasons for the increase in residual waste were not clear but were expected to be reflected nationally. Officers were actively working to bring this figure down. The Council's Managing Waste in Chelmsford strategy set a target of reducing residual waste to no more than 550 kg per household and the target for 2014/15 was in line with the strategy.
- (iv) **% waste, reused, recycled and composted** – In response to questions from members regarding what was being done to increase recycling and reduce residual waste the Director of Public Places informed the Committee that a series of improvements had been introduced since 2009 to provide residents with the most comprehensive collection service possible. Recycling and food waste collections had been introduced to flats. There was no evidence that there was an increase in material from recycling or composting going into residual waste. From small samples taken from the residual waste stream approximately 25% comprised food waste and paper and the focus of promotional work was to encourage residents to recycle those materials. The Council consulted on best practice with WRAP an organisation which focused on waste as a resource. Another member mentioned that there was very little opportunity for recycling in sheltered housing and hoped that this would be improved.
- (v) **CSC abandoned calls** – A member suggested that some of the abandoned calls could be due to wrong numbers being dialled if they were abandoned after a few seconds. The Chairman informed the Committee that he had asked the Director of Corporate Services to provide him with a more detailed report regarding abandoned calls.

RESOLVED that

- (a) the report be noted;
- (b) officers look at whether the performance indicator for Customer visits to theatres could be split to provide the number of visits to productions put

on by this Council and the number of visits to productions put on by external groups; and

- (c) a breakdown of the income from the theatres over the last three years be provided to the Committee for review at its next meeting.

7. **Parking Partnership - Inform and Debate Session**

(M10,SCR13,2013,) The Committee received a presentation from Averil Price, Director of Safer Communities and Nick Binder, South Essex Parking Partnership Manager regarding the South Essex Parking Partnership (SEPP).

The Director of Safer Communities informed the Committee that the Parking Partnership model had been in place since April 2011 and brought together the administration of all on-street parking enforcement throughout Essex. She provided background on the previous agency agreements in place with Essex County Council and how the idea for the Partnership model had come about. There were two Partnership areas: the North Essex Parking Partnership, and the SEPP which was led by Chelmsford City Council and comprised partners from Basildon, Brentwood, Castle Point, Maldon and Rochford. A Joint Committee was established consisting of an elected member from each partner area. The Joint Committee met at least four times a year. The Director of Financial Services acted as Treasurer to the Joint Committee. The Joint Committee was responsible for approving Annual Business Plans, Policies and Procedures and the Risk Management Action Plan. It also approved funding for signs and lines maintenance and new Traffic Regulation Orders (TROs) and managed the financial account in accordance with the Joint Committee Agreement.

The South Essex Parking Partnership Manager spoke about the operational model which had one central back office serving six partner areas and was cost effective, efficient and had produced savings. New online systems had been introduced to streamline the administration process and consistent policies and procedures were implemented across the six partner areas. Compared to the previous arrangements expenditure had been reduced by £335,000; the Penalty Charge Notice issue rate had increased by 10%; recovery rates improved by 10% and income had increased by 17%. Civil Enforcement Officers were located in each partner area and there was consistent enforcement policy across the six areas. These changes had been achieved in the first three years of operation without any reduction in frontline staff, patrol coverage and without an increase to fees and charges.

The Committee was informed that the SEPP had achieved its financial aims and was continuing to improve year on year. Although it had taken on a deficit of £378,000 from previous Essex County Council agency agreements the partnership had achieved surpluses of £104,000 in 2011/12; £183,000 in 2012/13 and £273,000 in 2013/14. The Joint Committee took on the TRO function from 1 April 2012 with Essex County Council funding until March 2015. The Joint Committee agreed a TRO policy with Essex County Council and now there was a comprehensive process in place to follow when someone requested a TRO. All funding for TROs was agreed by the Joint Committee and options for the future provision and funding of the function were currently under discussion. It was reported that £94,339 had been allocated to Chelmsford for new TROs and maintenance schemes and that 38 new TRO schemes and 74 maintenance schemes had been introduced in Chelmsford to date.

The Director of Safer Communities said that the SEPP had been operating successfully for three years. A seven year contract with Essex County Council was in

place with the option to extend it for a further four years. She outlined some future opportunities and challenges, the most pressing being current consideration of the future funding of the TRO function. She mentioned that along with Cllr Grundy, Cabinet Member for Safer Communities, she would be meeting Cllr Bass, Cabinet Member for Highways and Transportation at Essex County Council tomorrow to progress matters.

It was reported that arising from the local elections in May this year three new members had been appointed to SEPP and the South Essex Parking Partnership Manager would be meeting with them to apprise them of the work of the Partnership before its next meeting on 15th July 2014.

In response to questions officers advised Members that:

- (i) The surplus of £273,000 in 2013/14 did not include the funding from Essex County Council for the TRO function.
- (ii) £150,000 annual funding from Essex County Council for signs and lines maintenance was part of a contractual agreement between the SEPP and the County Council.
- (iii) Residents Parking Schemes had different charges across the County and were subject to a local decision.
- (iv) Elected Members in Chelmsford had decided to keep Residents Parking Permit charges low (current cost is £26 per annum) but had introduced on-street pay and display to gain income through that route. It was recognised nationally that in order for a Residents Parking Scheme to be fully self-financing a charge in the region of £70 should be made.
- (v) There was one overall SEPP financial account and also six separate accounts for each of the partner areas. Performance was monitored monthly.
- (vi) Essex County Council had statutory responsibility for maintaining signs and lines on the public highway and SEPP maintained the parking restriction signs and lines on their behalf.
- (vii) Meetings of the Joint Committee were programmed however meetings of the sub-committee had been ad hoc. In future the sub-committee would meet directly after the Joint Committee and therefore four meetings would be programmed each year.
- (viii) The service management overhead was a cost centre paid by the SEPP.
- (ix) There was a high demand for kerb space around the city centre. A policy regarding parking restrictions was in place and each request for a parking restriction was looked at individually before any restriction was considered.
- (x) Parking outside schools was a national problem. Enforcement Officers covered schools on a regular rota. SEPP was keen to work with other partnerships to promote walking to schools.
- (xi) There was a difficult process involved in preventing people from parking on grass verges and pavements. The Highways Panel was looking at the issue of

parking on verges and had recently agreed an improvement scheme in Avon Road.

RESOLVED that

- (a) the position be noted; and
- (b) the Committee's thanks be extended to the Director of Safer Communities and the South Essex Parking Partnership Manager for their presentation.

8. **Health and Safety Annual Report 2013/14**

(M6,SCR3,2013) The Committee considered a report regarding the performance and issues in 2013/14 in respect of Corporate Health and Safety. The report covered training; health and safety auditing; cautionary contacts; accidents relating to employees and members of the public; and performance indicators.

It was noted that the safety management systems at Chelmsford City Council continued to be effective in ensuring the safety of employees and members of the public. Whilst there was an increase in accidents the levels remained very low for a large organisation delivering a wide range of services daily to around 170,000 residents and visitors to Chelmsford.

In response to questions the Public Health and Protection Services Manager informed members that:

- (i) The Health and Safety Executive had not expressed any concern about any of the accidents that had occurred.
- (ii) The two physical threats to staff referred to in the report before the Committee were from different people. All physical attacks on staff were reported to the police.
- (iii) There was no concern that the increase in the number of accidents in Parks Services was a reflection on health and safety within Parks Services.

RESOLVED that the report be noted.

9. **Annual Report on the Scrutiny Function 2013/14**

(M7,SCR4,2013) The Committee received a report on the activity of the scrutiny function of the Council for 2013/14 in accordance with the Local Code of Corporate Governance adopted by the Council on 23rd April 2008. Under the Code's Core Principle 6 - Engaging with local people and other stakeholders to ensure robust public accountability - the Overview and Scrutiny Committee was required to produce an annual report on its work for consideration by the Council and subsequent publication on the Council's website.

Councillor Fegan expressed the view that the Committee should be more active in engaging with the public and holding the Executive to account. Other members disagreed, mentioning that the Committee had engaged with members of the public in the past and that the Cabinet Member for Strategic Housing attended the Committee Annually in November and was questioned rigorously by members.

RECOMMENDED TO COUNCIL that the Overview and Scrutiny Committee's Annual Report on the Scrutiny Function for 2013/14, be approved for subsequent publication.

10. **Report on Decisions Taken Under Delegation to the Chief Executive**

(M8, SCR5, 2013) The Committee received a report which provided a summary of three decisions taken under delegation to the Chief Executive for the period 1 November 2013 to 31 May 2014. The decisions related to the demolition of seven pre-fabricated concrete garages in the north eastern block to the rear of 115 Avon Road, Chelmsford; a request from Councillor I.C. Roberts regarding his appointment to the Development Policy Committee; and the appointment of Councillor S.W. Pontin to the Licensing and Regulatory Committee to fill a vacancy which arose when Councillor M. Moulds ceased to be a member of the Council. A summary of the decisions was attached at Appendix 1 to the report.

Members confirmed that they wished to continue to receive a copy of this report.

RESOLVED that the report be noted.

11. **Work Programme**

(M9,SCR37,2014)The Committee considered a report on the Committee's work programme for 2013/14 which had been updated following the Committee's meeting on 28 April 2014.

It was agreed to move the Review of Taxi Provision within Chelmsford from the meeting of the Committee in April 2015 to the meeting in June 2015 as more time was needed in order to provide the Committee with a broader report. The Chairman suggested that the meeting of the Committee due to be held on 27 April 2015 could therefore be cancelled unless any urgent matter arose as there were no other items due to be considered at it.

The Committee noted that a report on the Council's Commercial Activity, suggested by a member at the last meeting of the Committee, would be added to the work programme under Future Items.

RESOLVED that

- (a) the report be noted;
- (b) the Review of Taxi Provision within Chelmsford, due to come before the Committee on 27 April 2015, be deferred to the meeting in June 2015 and the work programme be amended accordingly; and
- (c) the meeting of the Committee due to be held on 27 April 2015 be cancelled, subject to any urgent matter arising.

12. **Urgent Business**

There were no matters of urgent business brought before the Committee.

The meeting closed at 9.35 pm.

Chairman