

BRECKLAND COUNCIL

At a Meeting of the

OVERVIEW AND SCRUTINY COMMISSION

**Held on Thursday, 29 April 2010 at 2.15 pm in the
Town Hall, Queen's Square, Attleborough**

PRESENT

Mr J.P. Cowen (Chairman)	Mr R.G. Kybird
Mr S.G. Bambridge	Mr K. Martin
Mr A.J. Byrne	Mrs S.M. Matthews
Mr K.S. Gilbert	Mr J.D. Rogers
Mr R.F. Goreham (Vice- Chairman)	Mr B. Rose
Mr A.P. Joel	Mr A.C. Stasiak

Also Present

Mrs M.P. Chapman-Allen	Mr M.A. Kiddle-Morris
Lady Fisher	

In Attendance

Mark Broughton	- Scrutiny Officer
Phil Daines	- Development Services Manager (Capita Symonds for Breckland Council)
Diana Dring	- Committee Officer
Helen McAleer	- Senior Committee Officer
Mark Stokes	- Deputy Chief Executive

31/10 MINUTES

The minutes of the meeting held on 18 March 2010 were confirmed as a correct record and signed by the Chairman.

32/10 APOLOGIES

Apologies for absence were received from Mr J Gretton, Mrs D Irving and Mr S Chapman-Allen. It was noted that Mr G Bambridge would be arriving late for the meeting.

33/10 URGENT BUSINESS

None.

34/10 DECLARATION OF INTEREST

Mr P Cowen declared a personal interest in Agenda Item 8 (Contract Monitoring) by virtue of being an architect in practice in Breckland.

Lady K Fisher declared a personal interest in Agenda Item 8 (Contract Monitoring) by virtue of her family owning land in Thetford.

Mr J Rogers declared a personal interest in Agenda Item 6 (Portfolio Update) by virtue of being Chairman of the NCC Planning Committee which had authorised a composting and waste site.

Action By

Action By

35/10 NON-MEMBERS WISHING TO ADDRESS THE MEETING

Mrs M Chapman-Allen, Lady K Fisher and Mr M Kiddle-Morris were in attendance.

36/10 EXECUTIVE MEMBER PORTFOLIO UPDATE

Lady Kay Fisher spoke to the Commission in her capacity of Executive Member for Environmental Services and Customer Access.

Lady Fisher explained that her Portfolio covered two very different areas: Access and Environment, but that both were very customer/client/council tax payer focussed.

Customer Access

Previously there had been problems with customers contacting the Council and Contact Centre working practices had been changed in an effort to overcome this. Shift patterns have been amended to reflect the patterns of public demand and to provide more cover when increased calls were expected, such as when the Council Tax bills were sent out and currently when high volumes of calls were being received regarding Election enquiries.

A more efficient data capture system was being introduced to assist with performance monitoring throughout the Council and to predict where more resources might be needed. Lady Fisher urged Members to visit the Contact Centre and see the efficient and sensitive way that calls were handled. She commended the work of the staff there who dealt with a huge variety of queries before passing the more detailed or complicated calls to the experts in the back office.

She then went on to discuss the presence offices which now operated in all five market towns. These were expensive to run, but did provide a valuable service, particularly to the harder to reach residents. The presence offices offered a wide range of services, including internet access, help with form filling and advice. It was hoped that other service providers such as the Police, NCC and NHS would join the Council and provide a service from the presence offices.

There had been problems with networks and ICT, but these were being reviewed and the finance was available for equipment to be updated. A strategy was being prepared which would encompass all the updated requirements of the service and allow for future joint working.

Environment

This was also a high profile area and Lady Fisher paid tribute to Serco and the way in which they had maintained their high level of service during the recent bad winter weather.

There were issues of contamination due to the wrong sorts of rubbish being placed in the collection bins and it was important to educate the public to avoid this happening. Various methods were being looked at, to overcome this problem, including the use of different languages on bins; picture and colour coding, etc.

School visits were carried out to educate the young and to encourage

Action By

their participation. There were many exciting green projects being delivered with the Breckland Pride agenda.

Fly tipping was a problem and Lady Fisher paid tribute to the Council's Enforcement Officer, Keith Fuller, who had been successful in prosecuting some perpetrators.

Work was being carried out with Norfolk County Council on a new recycling centre In Dereham. There was also a joint project with South Norfolk to investigate recycling of food waste.

The Green Agenda had been revitalised and the Green Agenda Working Group was gathering information to bring project ideas to Cabinet. It was important that a green strand should run through the whole organization. Examples of this were the Swaffham bag-free zone which would be launched shortly; the REV active project and the use of some of the Council's surplus land for biodiversity projects.

Lady Fisher concluded by saying that she had been interviewed by the Audit Commission recently and had told them about the homeless hostel, John Room House which had been refurbished using energy efficient materials including a sedum roof.

With regard to proposals for recycling of food waste, Members expressed concern about the lack of consultation and the potential problems caused by additional recycling bins, especially in urban areas.

Lady Fisher explained that comments had not been sought because the cost implications were being investigated first. Detailed discussions with other Local Authorities were also taking place to understand the implications.

Mr Rogers (who declared a personal interest in this item) said that NCC had authorised a food waste composting site and he thought that there would be a number around the County.

The Member from Old Buckenham said that the village would be holding an Environmental Day in June and he thanked Lady Fisher for the work her team had done.

The Chairman thanked Lady Fisher for her presentation.

37/10 TASK AND FINISH GROUPS

(a) Parking Task & Finish Group

The Chairman introduced this item saying that it was an excellent piece of work and showed what good scrutiny could produce. He thought it should be used as an exemplar of how a Task and Finish Group could deliver a piece of work and he thanked those involved in its production.

The Scrutiny Officer detailed the main points, explaining that the Group had been set up in July 2009, originally to investigate on and off-street parking in the five market towns. However, at the request of the Town Council work had been done on Attleborough first. The

Action By

Group would be considering Watton next.

Eight meetings had been held and the Group had spoken with stakeholders and residents. Research had also been commissioned from the University of East Anglia's Norwich School of Business.

The conclusions and recommendations were listed in the report. There had been a minor change to recommendation No 4, extending the proposed time limit to three hours (from two). It had also been agreed to recommend the proposal at 5b and not 5a.

Seven appendices were attached to the report which summarised the main elements and findings of the Group. The recommendations had not been costed and it would be up to Cabinet to commission that work.

The Executive Member, Economic and Commercial, explained that Asset Management was responsible for car parks and with the recent de-criminalisation of on-street parking, they were looking to form partnerships.

With reference to enforcement, he advised that the fines did not pay for the service; parking charges would be needed to cover that cost. He suggested that short term free parking, with charges for longer stays, could be enforced using CCTV which could be used to note times and car registration numbers as they entered and exited car parks.

A Member asked if each car park would be assessed individually. The Scrutiny Officer confirmed this and said that the Group had concluded that charges could not be determined on a 'one size fits all' basis.

RECOMMEND TO CABINET that:

- (1) the Council retains its policy of providing free parking in all three Breckland-owned car parks in Attleborough;
- (2) the Council adopts parking orders to cover all three Breckland-owned car parks in Attleborough stipulating uses and prohibitions based on the parking orders made in 1995 in order to regulate car park use, facilitate enforcement and thus turnover of spaces;
- (3) the Council undertakes in the first instance to seek an agency agreement with Attleborough Town Council to provide enforcement in Attleborough on a similar basis to the existing agreement operating in Swaffham. In the event that a partnership with Attleborough Town Council is not forthcoming, to then explore other agencies or options for enforcement accordingly;
- (4) the Council adopts a three hour limit in short term parking orders applicable in Attleborough with a basic default fine levied of at least £30 (given that the equivalent fines at J Sainsbury is £50 and £70 at Lidl);

Action By

- (5) the Council create short and long term parking areas within all three Attleborough car parks on the basis of 50:50 at Edenside with 100% short stay in Horse Pit and two thirds short stay, one third long stay in Queens Square. This recommendation would result in 123 short-stay spaces and 64 long-stay spaces in Breckland's car parks;
- (6) *J Sainsbury Ltd take appropriate action to effectively manage staff parking at their store, while acknowledging that imposition of enforceable short term parking orders should largely resolve this issue from the Council's point of view, and encourage staff to park at Connaught Hall, further to the local agreement which is in place;
- (7) *Norfolk Constabulary resumes operational random on-street enforcement in the centre of Attleborough at an early opportunity in order to increase turnover of parking spaces;
- (8) Breckland Council, Norfolk County Council and Norfolk Constabulary liaise over de-criminalisation of on-street parking in Attleborough in a multi-agency approach, seeking a transfer of responsibility and action enabled through joined-up thinking and use of resources;
- (9) the Council instructs Breckland officers to explore possible re-design of the Queens Square car park to generate additional parking spaces, whilst cognisant of costs and planning considerations;
- (10) the Council instructs Breckland senior officers to liaise directly with officials of National Express East Anglia, Norfolk County Council and Network Rail to be apprised of the expected expansion of the rail station car park. The rail operator is also requested to give immediate attention to the condition of its buildings in the vicinity of the rail station given the potential health and safety issue;
- (11) the Council instructs senior officers to liaise with Norfolk County Council to ascertain whether there is a possibility of utilising the land behind the adult training centre in Station Road as a car park, on either an interim or permanent basis, thus adding local parking capacity;
- (12) the Council allocates sufficient funding and authorises remedial works at Horse Pit and Edenside to bring these car parks up to a reasonable standard;
- (13) the Council keeps the issue of interactive sign provision under review, in tandem with the expansion of Attleborough over the next 16 years and tied in to the planning process.;

Action By

- (14) *Norfolk County Council undertake further local promotion and advertising of both the Harling and Wayland flexibus services in order to try to increase patronage and in doing so ease local parking problems;
- (15) should there be scope to do so, the Council should look to address provision of adequate parking for future developments in town centres (particularly in relation to flats) by amending its planning policies accordingly;
- (16) permit parking schemes should not be sought at present in Attleborough but that the issue remain under review, in conjunction with the future ongoing development of the town; and
- (17) an action plan be devised in order to track implementation of the recommendations and report progress into the Overview and Scrutiny Commission in December 2010.

** Recommendation (6) is directed at J Sainsbury Ltd, Recommendation 7 is directed at Norfolk Constabulary and Recommendation 14 is directed at Norfolk County Council.*

38/10 CONTRACT MONITORING - PLANNING AND BUILDING CONTROL/CAPITA

The Deputy Chief Executive presented this item and explained that the contract was currently meeting all its critical performance indicators, which were linked to payment clauses. These key indicators and a range of other 'dashboard' indicators were being reviewed.

A Member noted that the indicators looked fine, but asked how the contract was working in terms of staff morale. He was also concerned that some staff had left but had not been replaced.

The Development Services Manager (Capita) agreed that staff feelings were mixed. Some were still concerned but the vast majority were settling into the change. There was a staff forum, which fed concerns upwards. This had identified a number of IT issues caused by the computerisation of the Land Charges system and the introduction of planning applications on the website. The in-house IT team, Steria and Capita were working hard to resolve these problems.

With reference to staffing levels, he noted that recruitment would depend on workload. With the current economic climate there had been insufficient demand for more staff, however, they had been successful in winning work elsewhere and were discussing bringing in additional staff.

The Deputy Chief Executive explained that under the terms of the contract the Council had no direct control over staffing levels and could only intervene if performance levels were affected.

A Member noted that a number of builders had raised concern at the increasing difficulty in arranging informal chats with officers. The

Action By

Development Services Manager (Capita) acknowledged that this had also been the feed-back from some agents at a recent Agent's Forum although others had not noticed any difference. He admitted that the focus had been on ensuring contract delivery, but to address the concerns raised they had set up hunt-groups on their telephones and introduced a Duty Officer rota.

The problems with recruiting for the Moving Thetford Forward team were discussed. One vacancy had been advertised twice without any suitable applicants and was currently being covered by existing staff. The Chairman had thought that Capita resources would have been available to provide for such instances.

The Development Services Manager (Capita) said that this was the case and they were able to draw on expertise within Capita. Some of the Moving Thetford Forward work was being managed remotely by Capita as they had taken the decision that it was more appropriate to use skills elsewhere.

There was concern amongst Members that there had been problems attracting suitable applicants for these posts when other Local Authorities were laying-off staff.

Discussion then turned to Land Charges. A Member felt that the figures in the report were totally misleading as it was taking five weeks for searches.

The Deputy Chief Executive explained that the indicator in the contract was in respect of putting new land charges onto the Register. Speed of turn round for Searches was not currently included. This would be addressed in the future Business Plan. He agreed that the previous indicator requiring turn-around within ten days was more relevant and that the current four to five weeks was not acceptable, however there were mitigating circumstances.

The Development Services Manager (Capita) explained that the delays were mainly triggered by IT issues. Computerisation of the Land Charges system had identified a problem with data matching, leading to work duplication with both paper and computer systems running concurrently.

The Council had removed the computer facility in reception used by the Search Companies due to new regulations, and this had significantly increased workload as 50% of the Searches now came from the Search Companies. More staff had been allocated to this work to help overcome the problem.

The Deputy Chief Executive said that the IT issues were not acceptable and the Head of IT was looking into how other Local Authorities were managing the new regulations.

A Member asked when changes could be made to the indicators in the Contract and the Deputy Chief Executive advised that the new Business Plan would be starting in June and work was currently underway to agree new service levels and negotiate baseline and resource levels. This would however trigger a Capita option to increase charges.

Action By

As a result of a recent consultation issue, the Deputy Chief Executive also confirmed that new processes were being put in place relating to sign-off of such matters.

The Chairman thanked the officers for their update.

The report was noted.

39/10 COMMERCIAL PROPERTY INVESTMENT

The Deputy Chief Executive presented this item in the absence of the Head of Asset Management.

He explained that the report showed current investment policy. This was being reviewed in the forthcoming Service Delivery Plan. The current plan was included in the report. He highlighted the success noted at paragraph 3.1.2(2) of the report in respect of the Audit Commission's high rating for use of resources.

With regard to the poor state of some footpaths, a Member thanked the Portfolio Holder for his help in sorting out some local problems.

The report was noted.

40/10 REVIEW OF COMMITTEE STRUCTURE

In the absence of the report author, the Chairman presented this item.

Following a request from Full Council a review of the committee structure, meeting schedule and committee membership had been carried out, with the aim of streamlining the current decision making processes and ensuring good cross town representation on committees, with committed members able to devote enough time to remain throughout meetings.

It was proposed to reduce the number of members on Development Control Committee and on the Commission itself from 16 to 12. The Vice-Chairman agreed with the need to encourage greater commitment, but was concerned that reducing the membership would lead to a reduction in opposition representation at these meetings, which would be disappointing. He suggested that if the reduction was agreed, the Leader should be asked to suspend the Widdicombe Rule.

Unanimous support was expressed to waive the political balance requirement.

The Chairman was also keen to encourage a wider cross-section of members to take part in Task & Finish Groups to provide expertise and to give more opportunities for involvement. However, Members were unanimous in agreeing that the Chairmen of the Task & Finish Groups should be drawn from sitting members of the Commission to allow for detailed questions of the Chairmen at Commission meetings.

RECOMMENDS TO CABINET that:

- (1) no changes be made to the existing Committee Structure;

Action By

- (2) the number of Task and Finish Groups that can be operated by the Overview and Scrutiny Commission (OSC) be limited to a maximum of three at any one time (including the LDF Group, but excluding the Joint OSC on Shared Services);
NB The Council's Constitution will include a clause whereby Full Council OR the Leader of the Council and Chairman of the OSC can establish a further Task Group, if the item for discussion is considered suitably expedient.
- (3) the Three Task and Finish Group Chairmen be appointed by the Overview and Scrutiny Commission (from within their own membership) on a task by task basis rather than at the Annual Meeting of Council;
- (4) That no changes be made to the 2010/11 Meeting Schedule, as agreed by Full Council on 12 November 2009;
- (5) committee membership is revised in accordance with the proposal in paragraph 3.2.8; and
- (6) during the 2010/11 municipal year, the use of two named Conservative substitutes and one opposition substitute is trialled for appropriate committees.

41/10 SCRUTINY CALL-INS (STANDING ITEM)

There were none.

42/10 COUNCILLOR CALL FOR ACTION (STANDING ITEM)

There were none.

43/10 WORK PROGRAMME

The Scrutiny Officer presented this item and tabled additional pages missed from the printed agenda supplement.

At a half-day scrutiny workshop held on 11 March 2010 Members had identified their priorities for the coming year. A new Scrutiny Commission Evidence Document was proposed which would provide Members with core information prior to items coming forward to the Commission, and a new report layout was proposed which would allow the inclusion of a narrative on all relative topics and indicators.

The Vice-Chairman noted that verbal updates should be avoided where possible apart from Executive Member updates. He felt it was important for Members to have information to scrutinise in advance of meetings.

The Chairman agreed and said that the only other exception should be where an item was moved back on the programme and Members were given an update to explain the current position.

Members were asked to let the Scrutiny Officer have their suggestions for other topics to be considered before the next meeting, when the updated work programme would be discussed.

Action By

44/10 NEXT MEETING

The arrangements for the next meeting on 27 May 2010 were noted.

The meeting closed at 4.35 pm

CHAIRMAN