

BRECKLAND COUNCIL

At a Meeting of the

OVERVIEW AND SCRUTINY COMMISSION

**Held on Thursday, 26 March 2015 at 2.00 pm in the
Anglia Room, The Conference Suite, Elizabeth House, Walpole Loke, Dereham**

PRESENT

Mr J.P. Cowen (Chairman)	Mrs S.M. Matthews
Mr T. J. Jermy (Vice-Chairman)	Mr R. R. Richmond
Mr K.S. Gilbert	Mr J.D. Rogers
Mr A.P. Joel	Mr B. Rose
Mr R.G. Kybird	Councillor C Bowes (Substitute Member)

Also Present

Mr S.G. Bambridge	Councillor E. Gould
Mr W.P. Borrett	Mr F.J. Sharpe
Mrs B Canham	Mrs L.S. Turner
Mr T R Carter	Mr M. A. Wassell
Mr P R W Darby	

In Attendance

Mike Brennan	- Operations and Contract Manager (Planning Services)
Jonathan Ellis	- Regional Director (Capita)
Mike Fawcett	- Chief Superintendant (Norfolk Constabulary)
Alex Hand	- Senior Housing Advisor
Dave Jolley	- Director of Planning and Building Control (Capita)
Helen McAleer	- Senior Democratic Services Officer
Tim Mills	- Interim Housing Manager
Greg Pearson	- Corporate Improvement and Performance Manager
Martin Pendlebury	- Director of Planning & Business Manager (Capita)
Richard Preston	- Operations Director (Capita)
Sandra Scott	- Change Manager (Norfolk Constabulary)
Teresa Smith	- Democratic Services Officer
Rob Walker	- Assistant Director Community
Paul Wheatley	- Chief Inspector (Norfolk Constabulary)

35/15 MINUTES (AGENDA ITEM 1)

(a) 12 February 2015

The Minutes of the meeting held on 12 February 2015 were confirmed as a correct record and signed by the Chairman.

(b) 17 March 2015 (Special Meeting)

The Minutes of the Special meeting held on 17 March 2015 were confirmed as a correct record and signed by the Chairman.

36/15 APOLOGIES AND SUBSTITUTES (AGENDA ITEM 2)

Apologies for absence were received from Councillors Byrne, C Carter and Irving.

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37/15 URGENT BUSINESS (AGENDA ITEM 3)

None.

38/15 DECLARATION OF INTERESTS (AGENDA ITEM 4)

No declarations were made.

39/15 NON-MEMBERS WISHING TO ADDRESS THE MEETING (AGENDA ITEM 5)

Councillors Bambridge, Borrett, Canham, T Carter, Darby, Gould, Sharpe, Turner and Wassell were in attendance.

40/15 NORFOLK CHANGE PROGRAMME (AGENDA ITEM 6)

Chief Superintendant Mike Fawcett, Inspector Paul Wheatley and Sandra Scott – Change Manager were in attendance at the invitation of the Commission, in view of the concerns raised about the planned closure of the Police Enquiry Offices (PEO) in Attleborough and Swaffham.

Members were given a presentation on the strategic and financial challenges being faced by the constabulary and talked through the process which had led to the closures.

Norfolk Constabulary had a £26million funding gap to March 2020. £16million savings had already been identified including £360,000 from the PEO closures. Front line services were being shielded from cuts where possible to maintain public confidence and to minimise redundancies.

A graphic representation showed that over 90% of the budget costs were staff related. That figure had to be reduced to meet the financial challenges.

Councillor Rogers asked if any attempt had been made to recruit more Special Constables and he was advised that there were 258 in the organisation at the moment. There was also a Police Cadet scheme for 13-18 year olds and it would be a natural progression for them to become Special Constables.

Councillor Joel was aware that people complained about police stations closing, but they did not actually use them. He asked if the stations could be sold if they were owned by the police. However, it was pointed out that police stations were not closing – only the front counters in the stations. Officers would still be located there and there would be a yellow phone provided at all stations for public use.

It was pointed out that the cost of the PEO in Swaffham was about £30,000 per annum. As only about four or five people actually used it each day that equated to £25 per visit which was not a good use of public money.

Councillor Gould said there was also a lot of concern about the amount of money spent on Police Pensions and their early retirement age, but it was pointed out that the Government had increased the retirement age to 60 and the pension pot was completely separate to the budget.

The Vice-Chairman asked for a comparison between the number of Officers in Norfolk and Suffolk. The figures were not available but there were less in Suffolk due to lower demand but Suffolk had a bigger funding gap.

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The Chairman noted that the staff costs seemed to be disproportionately high. He reiterated the question about police owned property.

Ms Scott advised that the estate was currently being reviewed. Partnership working with the Fire Service was being investigated around the County. It was likely that the Attleborough police station would move to the fire station. (The new station at Attleborough would have a front counter to future proof it.) Currently the ambulance co-location would stay as it was, but the Director was changing and there might be an opportunity to engage with them in future.

Councillor Bambridge asked what burden looking after the Sandringham Estate placed on the rate payer and he was informed that it was central government and the Ministry of Defence Police that took responsibility for that so it had little impact on Norfolk Constabulary.

Councillor Darby was concerned that everyone paid the same amount of Council Tax but in some areas they received a different level of service.

The Chairman was concerned that there had been no consultation with the Town, District or County Councils about the PEO closures and asked if there would be any consultation on the fundamental changes in the estate which were now being considered.

In response Ms Scott presented some slides which showed the journey taken to reach the decisions made and why there had not been any consultation with residents. The first stage had been to look at the current provision, which was a three tier service over 15 locations. Each had different opening times and days. Out of 45,000 contacts from the public per year only 21% were at police stations.

It had been decided to adopt a holistic, county-wide approach to maintain as broad a presence as possible; minimising closures, meeting statutory requirements and tailoring the service to meet demand based on evidence collected on the key functions that were being delivered.

11 stations would be retained, all providing Monday to Friday cover. That decision had been based on the socio-demographic information that had been collected. Thetford would be retained as would Dereham. The data had shown the peak times and the opening hours would reflect those.

A public footfall survey had been carried out between October and December 2013. It had clearly shown that the preferred method of contact was the 101 telephone number.

Consultation with staff and with Criminal Justice partners (for people reporting for bail) had been carried out. The PCC and staff associations had been worked with and they had looked at evidence from other forces. The Council had been advised of the decisions as soon as possible after the staff.

In conclusion:

- Stations had been retained in the busiest areas and in deprived areas
- Yellow phones would be available outside stations
- Officers would still be located in stations
- Door buzzers would be checked

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- Signage would be changed
- Additional information would be made available outside stations (eg firearms licensing procedure)

The Leader of the Council commented that the Watton enquiry office had closed seven or eight years ago and it had been 'relatively painless'. However he had been concerned about the lack of consultation with the Council or the relevant Ward Representatives and he had written expressing those concerns.

Councillor Kybird had visited the police control room and the technology had been excellent with instant access to mapping which made the response to 101 calls much better. The police had also put mental health staff into the control room which had been very successful. The Chairman suggested that that was something that the police should publicise.

Councillor Joel asked if the police were able to use iPads out of the office to do their paperwork and save time. He was advised that the police had 'tough books' in a lot of their vehicles which were being upgraded so that they would be able to access other systems.

The Chairman asked if the huge expansion in the District, especially around Thetford, Dereham and Attleborough, had been taken into consideration as it would increase demand on the police. He also noted that that increase would bring increased Council Tax contributions.

Inspector Wheatley attended the Greater Thetford and Greater Attleborough meetings. It would be a challenge to staff the demand appropriately. Chief Superintendant Fawcett said there would be an opportunity to bid for extra staff at that time and increased demand would be met from the increased income.

The Chairman turned to matters of concern to rural residents many of whom were elderly. The Council was unhappy that it had not been consulted about a big change which affected so many residents. Councillors were the eyes and ears and mouth piece of residents and people couldn't understand how the police could improve their service with reduced presence.

Chief Superintendant Fawcett could not say that there would be more officers on the beat because they had been working on reducing budgets for five years. All the back office functions had been looked at and they were now looking at how to deal with incidents without attending. They were being innovative with the budget and staff they had and were still providing a good service.

Ms Scott advised that the closures had been phase one, dealing with public access and taking out services where they could not be justified. Phase two would be about changing where services were delivered from by using joint location and technology. That phase would include consultation.

The Leader of the Council asked what proportion of the budget was under local control and what percent was collected locally. Chief Superintendant Fawcett advised that an increase in the number of people living in Norfolk would not provide an increase in the amount the police received.

Councillor Borrett pointed out that large swathes of the District were a long way from a police station. He asked if distance to the nearest station had been considered in the assessment.

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Inspector Wheatley told him that Thetford was retaining its station and there would still be beat teams in rural areas. An appointment system was being introduced. Rural crime was looked at daily and if residents could not access the police they were visited.

Councillor R Richmond had attended a Safer Neighbourhood Area Partnership (SNAP) meeting the previous evening and that system was working well. He asked for assurance that that would continue.

Inspector Wheatley assured him that it would. He also noted that working in partnership through the Operational Partnership Team (OPT) had been central to solving Anti Social Behaviour problems and that engagement would also continue.

In Swaffham there would be a drop-in centre and a new beat manager who was local to the area. In Attleborough they were looking at both Sainsbury's and the Library to try to set up a drop-in centre which would be open two to three times a month. Engagement was needed to identify local issues and it worked well in Breckland.

Councillor Carter pointed out that over the last five years the police precept had gone up by 1.9% per year equating to an increase of almost 10%, but the Council Tax had been frozen. He lived in a rural area and he never saw a policeman. They used to attend Parish meetings but did not now. Rural areas paid half the precept but did not get any improvements.

Councillor Gilbert agreed and said that they used to regularly attend Watton Town Council meetings but now they never came.

Chief Inspector Wheatley asked to be invited to meetings if there was an issue and he would attend but he could not go to every one.

Councillor Bambridge also represented a rural Ward and said that what people wanted most was a visible police presence in the form of beat officers.

Chief Superintendent Fawcett lived in a village and understood what was being said but they had to respond to where the demand was. If there was an issue the police would attend.

The Deputy Leader said she could not emphasise the value of SNAP meetings enough. They were open to the public and Councillors and local people set the priorities.

Councillor Sharpe asked if the towns were still being encouraged to pay for half a PCSO and it was confirmed that they were. Numbers were being reduced so if a town wanted to secure a PCSO they would have to part fund that post.

Councillor Richmond asked if the Crime in the Countryside initiative would be cut and it was confirmed that it would continue with e-mails being sent out to warn when issues such as fuel, van or tool thefts were occurring in specific areas.

The Chairman thanked Chief Superintendent Fawcett, Chief Inspector Wheatley and Ms Scott for a good presentation.

41/15 EXECUTIVE MEMBER PORTFOLIO UPDATE (AGENDA ITEM 7)

Councillor Gould, Executive Member for Planning, Building Control and Housing was in attendance to update the Commission on issues in her portfolio. She introduced the Officers from the Planning and Housing Teams who were with her to answer any specific questions.

Capita Contract

The Council was now a third of the way through the 15 year contract. Efficiency and productivity had improved markedly against a background of more complex and formalised legislative requirements.

Capita did not just provide the planning service for the Council it also provided environmental planning, planning policy, tree and countryside service, building control, land charges, local searches, street naming and numbering and a spatial information service. All of those services were monitored on a monthly and annual basis by the Council and its Contract Monitoring Board and in Officer Group meetings.

Whilst the past six years had not been without problems, when issues occurred Capita responded immediately. It had achieved success with obtaining two additional ISO accreditations and had improved performance by taking a more pro-active approach to community engagement.

A recent change had been a jointly funded post which had been filled by Mike Brennan. He now acted as a single point of contact for Members and officers, dealing with a wide range of enquiries, most of which he responded to within 24 hours. Mike also continued to handle 'call-ins' to the Planning Committee and had recently been tasked with reviewing the Planning website.

Capita produced a bulletin called 'Breckland Matters' for Councillors and Town and Parish Councils which provided updates on planning issues and had had been well received.

To support service delivery Capita had increased the number of technical and professional staff and provided additional resource for the Planning Enforcement Team. They had also drawn on their wider professional expertise to deliver the Thetford Urban Extension (SUE). Simon Wood had done an excellent job on that project.

The economy had changed over the six years of the contract. Capita had just had its best trading year in terms of contract work so far and were on the up at last. Areas for future work were:

- Upgrading the OCELLA software system
- Taking an active role in the Neighbourhood Plan process
- Keeping up to date with changes in legislation
- Speeding up the Section 106 process
- Introducing a Deemed Consent process
- Developing a public facing mapping system

Although there had been some challenges in the first years of the contract they had been addressed and Capita continued to review processes and procedures and staff training to provide a robust and resilient service for the Council and its public.

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Jonathan Ellis – Regional Operations Manager had been responsible for the partnership since 2012. He acknowledged that in the early years' performance had not been good and the service was still not where he wanted it to be but there had been a marked improvement in reporting and communicating.

Councillor Sharpe asked how the Council could react to the loss of finance caused by the new limit on S106 agreements and the effect that would have on social housing provision.

The Executive Member explained that the limit had been increased to boost development. The Council was looking at ways to provide social housing through the LABV project and other means.

The Director of Planning & Business Manager noted that Breckland had chosen not to implement CIL (Community Infrastructure Levy) because it had been too costly but the regulations kept changing and there might be an opportunity to pull back resources in the future.

The Operations and Contract Manager explained that the changes in legislation meant that S106 money could only be used for specific projects so he would be writing to all the Town and Parish Councils asking them to nominate such projects.

Councillor Gilbert thanked the Director of Planning & Business Manager for attending a difficult meeting in Watton. He was also pleased to have Mike Brennan as a central contact – that was working well. In the beginning Members had been told that the contract would bring money to Breckland. He asked how much it had brought so far.

The Executive Member advised that due to the renegotiation of the major application fee £350,000 had been brought in over the last two years, but the difficult financial times meant that the contract had not reached the point of providing income yet.

Jonathan Ellis explained that part of his job was to ensure the partnership was fair and the contract had been reviewed to provide the income split from major applications.

The Director of Planning & Business Manager pointed out that there had been two elements to the contract and it had guaranteed savings of £2.213million over the life of the contract.

Dave Jolley said there had been challenging business growth targets, but he had seen a significant pick up in the last 12/18 months.

Councillor R Richmond asked about Neighbourhood Plans which he had been told were not watertight and could be over-ruled.

The Director of Planning & Business Manager agreed that the Planning Inspectorate the Secretary of State and the High Court could all overturn decisions and there were therefore no guarantees. However, the Council was supporting their preparation and contributing to funding.

Councillor Bambridge thought that overall Capita had done a good job for the Council but he was happy that the website was being looked at.

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Jonathan Ellis said that he was responsible for fixing things that were not working. The biggest fault had been in communication and they had employed a better communication strategy with Members and with Parishes. He would be happy to take on any suggestions that would make a Member's job easier.

Councillor Darby asked if the 40% social housing requirement was realistic. He also asked how many major applications were dealt with within the time limit.

The Executive Member responded that 40% was too high from a planning point of view and too low from a housing point of view. If the site was not viable the social housing provision was sorted out with the District Valuer. Some pieces of land were coming forward with 0% provision but they had a clawback clause so that if the economic climate improved the provision could be reassessed.

The Operations and Contract Manager referred to the major application figures. Not many were dealt with within the timescale due to the necessity of drafting a legal agreement for the planning obligations. However, the legislation had changed to allow an agreed extension of time with the applicants without penalty.

Councillors Rogers and Matthews both felt that 40% was too high and the Executive Member confirmed that it would be changing in the new Local Plan.

The Chairman noted that it was a Policy that the Council had adopted which could not be unpicked individually. It had been the right decision at the time it had been made.

The Leader of the Council agreed and said it was an aspirational figure and 21% was the average attained. He thought 40% OK as long as the Council was flexible. He also commented that the relationship with Capita was monitored and regulated and the Council had its hand firmly on the tiller and the decisions were made by the Council not by Capita.

Councillor Borrett was pleased that another innovative project by the Council was working well. He did have an issue with enforcement though. There was a matter in Billingford that was causing cost, fallout and reputational damage to the Council. He just wished to flag it as an issue and thought it would be helpful to have a strategy to manage such things. With regard to Neighbourhood Plans he was glad that the Council was supporting the parishes but concerned that there was a conflict issue with money being spent on creating something that might be at odds with the Council. He thought there needed to be a strategy to manage expectations. Finally he suggested that a Policy on influencing Government was needed for such issues as the Five Year Housing Land Supply as the Council needed to be able to represent communities which were damaged by Policies which were not the Council's fault.

The Chairman thought that as elected representatives Members needed to be able to communicate with and guide their parishes. He referred to a meeting to be held the following day that the Council was facilitating to enable discussions between the DCLG and NALC. The presentations could be circulated to interested Members. Training on the National Planning Framework would be included in the induction for new Members.

The Executive Member agreed that it was important for Ward Representatives to guide their parishes. With regard to enforcement problems she said that with

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the new Enforcement Team Leader the Council was in a much stronger position.

The Leader of the Council said it was the Council's responsibility to work with Parishes and to be a single point of contact to give advice and to help with funding.

Councillor Gilbert thought it was better to make good decisions than quick decisions. He also suggested that it was better to be pro-active than re-active; to identify areas to develop and see which developers were interested.

Councillor Kybird wondered which caused the biggest headache – the Stone Curlew or the Five Year Housing Land Supply.

Councillor R Richmond was very pleased to have Mike Brennan as a point of contact as he had had problems with officers failing to return his calls. He asked Capita to stress the importance of responding to Members.

The Chairman asked about a specific major application which had originally gone to Committee with a recommendation of refusal. It had been withdrawn and then resubmitted with minor changes and went back to Committee recommended for approval. He was concerned about that and about applications being accepted without all the necessary supporting information.

With regard to the change of recommendation, it was a subjective judgement on landscape impact and in the view of officers there had been a significant change with a reduction in the area affected and the provision of buffer zones.

With regard to applications being accepted and validated, the aim was to be consistent. There were clear national and local requirements but it was not always obvious what might be needed at the start of the process.

Jonathan Ellis was pleased to advise that the right calibre of officers were now applying to the Council and that there were excellent support officers. Members should be confident that they would get what they had paid for.

Richard Preston, Operations Director, said that Officers were taking on external work for South Norfolk, but that was monitored weekly to ensure that the right resources were available.

Housing

The Executive Member introduced Tim Mills, the newly appointed Interim Housing Manager and Alex Hand, Senior Housing Advisor.

Housing had had a successful 2014 but faced a number of challenges in 2015. The Council had to find ways to increase the delivery of housing, particularly affordable housing.

With the advent of the Care Act the Council needed to work with the County Council and the Clinical Commissioning Groups in the delivery of adaption and related services. In view of that Tim Mills had been brought in to focus solely on housing in Breckland. Tim was an experienced consultant and manager who had previously worked at another local authority as Director of Housing and Development.

There had been increased activity with the Restore Grants which were given to

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bring empty properties back into use. Each property that was successfully brought back into use counted towards the New Homes Bonus, as well as bringing additional Council Tax income and providing an additional home.

Disabled facility and Re-able grants had also continued to be offered although they had been affected by vacancies at NCC Occupation Therapy Service.

Work was continuing to reduce the number of people on the housing register and to accurately assess their housing needs. The Council was also responsible for providing temporary accommodation for those considered homeless and vulnerable whilst their care was assessed. The net cost of that service had been significantly reduced, by an agreement with Flagship Housing to use their empty properties, rather than relying on bed and breakfast accommodation.

The work of the housing options team was divided into three main functions: Housing allocations, Housing advice and Homelessness. The team managed the housing register which received on average 10 to 12 applications per day on-line. The applications were checked to ensure that there was a local collection before they were added to the register. Applications were 'banded' according to their need. 'Priority' status was given to homeless applicants and those with very high medical need. 'Gold' for high need, 'Silver' for medium need and a final band of 'no reasonable preference'. On average 600 allocations were made a year.

In the current financial year 531 households had been prevented from becoming homeless either by securing their current accommodation or working with them to find alternative accommodation. If homelessness could not be prevented the Council had a duty to assess whether temporary accommodation should be provided and in the current year 76 homeless applications had been considered.

The Council owned a supported housing hostel for the homeless in Thetford. Day to day management of the hostel was contracted out to the Access Community Trust and that contract was monitored by the Housing Team.

In conclusion, the emphasis of the service was on prevention and enabling customers to achieve the best outcome.

Councillor Sharpe asked what happened if social housing was built but there was no suitable local applicant. He also asked whether the Council should be able to ask for the right sort of social housing.

The Executive Member pointed out that even if there was no-one on the waiting list from the immediate area there would be people with a local connection eligible to be housed there. As for getting the right sort of housing, all the Council could do was negotiate with developers and try to get the right housing to meet local need.

Councillor Gilbert said that he had asked for the Housing Advice Team to be invited to the meeting because he wanted to flag up the excellent work that they did. He had been involved in a case with a local resident whose life had been turned around thanks to the help of the Team and he congratulated them on the service they provided.

Councillor R Richmond congratulated the team on getting so many empty

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houses back into use. He asked who was responsible for paying Council Tax on empty properties and was advised that the landlord had to pay if the house was in a habitable condition.

The Vice-Chairman wished more could be done to force landlords to bring properties back into use, as he knew of a three bedroom house in his Ward which had been empty for eight years. He was aware of the issue with Occupational Therapists and confirmed that NCC was trying to do something about it. With regard to housing allocations he wondered if there was any information about the nationality of people on the Register as public perception was that foreign nationals were being housed before local people.

The Senior Housing Advisor pointed out that people had to be eligible to be on the Register. Eligibility criteria included having lived in the area for three years or having a job in the District.

Councillor Bambridge thought that houses should be built to match local need. The Interim Housing Manager agreed and said that they wanted to get the housing mix right but the problem was that planning permission was given a long time before properties were actually built and things could change in that time.

Councillor Kybird noted that in 2018/19 it would become illegal to rent properties that did not meet certain energy ratings. He asked if the Council would have a Policy to upgrade houses to meet that requirement.

The Interim Housing Manager said that it was not yet clear how that legislation would affect Breckland. They were looking at home energy issues and he would feed back any information he received.

The Chairman thanked the Executive Member and the Officers for their update.

42/15 QUARTER 3 PERFORMANCE REPORT (AGENDA ITEM 8)

The Corporate Improvement and Performance Manager presented the report. He had only been in post for two months but he was aware that during Quarter 3 there had been an effort to increase the amount of data reported.

The overall status of key projects was Green. The number of projects had increased due to a back-office exercise.

Of the Key Performance Indicators (KPIs) 52% were Green, 17% Amber and 27% Red, which gave an overall rating of 'Fair'. There had been a marginal improvement in the number of abandoned calls, which was one of the Red indicators, due to the recruitment of staff. It was hoped that there would be a significant improvement in the next quarter.

The Red indicators for Complaint handling and Street Cleanliness & Grounds Maintenance were being investigated to find out what was causing an issue. The results came from a customer survey and it might be that the right questions were not being asked.

The Performance Team were all relatively new and they would be looking at the Framework and focussing on improving and revising it to include better financial information. The new Corporate Plan included a whole raft of things that would need to be measured.

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The Chairman was delighted to have received the first quarterly report that the Commission had seen for about four years. He was pleased with the analysis.

The Leader of the Council referred to the call abandonment rate and was able to update Members on part of the problem. A letter had been sent out by the Elections Team which had resulted in a huge increase in calls from people simply calling to say thank-you. That had coincided with the increased calls that always resulted from the Council Tax bills being received. In future consultation would take place to avoid such problems.

Councillor Gilbert was concerned that the survey questions were being changed because they weren't getting the right answers. However, he was assured that the aim was to improve services and it was therefore important to ask the right questions.

Councillor Kybird asked if data had been received from the core ICT system. The Corporate Improvement and Performance Manager advised that the report was for Quarter 3, up to December 2014. Since then the data from NCC had been provided and was currently being analysed.

Councillor Canham asked how complaints were categorised and she was advised that the Government set out the standards which were available on the website.

The Corporate Improvement and Performance Manager was thanked for his report.

43/15 NEXT MEETING (AGENDA ITEM 13)

The Chairman proposed that the rest of the items on the Agenda be deferred until the next meeting.

He thanked all the Members of the Commission for their work over the last four years and particularly thanked Councillor Rose who would not be standing for re-election.

The arrangements for the next meeting on 4 June 2015 at 2pm in the Anglia Room, Conference Suite, Elizabeth House, Dereham, were noted.

The meeting closed at 5.05 pm

CHAIRMAN