



**MINUTES of
OVERVIEW AND SCRUTINY COMMITTEE
28 AUGUST 2019**

PRESENT

Chairman	Councillor M W Helm
Vice-Chairman	Councillor R P F Dewick
Councillors	E L Bamford, V J Bell, M S Heard, C P Morley, S P Nunn and R H Siddall

329. CHAIRMAN'S NOTICES

The Chairman drew attention to the list of notices published on the back of the agenda.

330. MINUTES OF THE LAST MEETING

RESOLVED

- (i) that the Minutes of the meeting of the Committee held on 17 July 2019 be received.

Minute No. 265 – Programme of Work

Councillor E L Bamford proposed that the following amendment was made to the minutes:

*“Section 106
A new S106 Officer was to be employed by the Council. Whilst candidates were being considered two ~~contractors~~ **consultants** would be employed to ensure business continuity.”*

RESOLVED

- (ii) that subject to the above amendment the Minutes of the meeting of the Committee held on 17 July 2019 be confirmed.

331. PUBLIC PARTICIPATION

There was none.

332. DISCLOSURE OF INTEREST

There were none.

333. PRESENTATION FROM ANGLIAN WATER TO MEMBERS

The Committee welcomed Ms Hannah Wilson, Pre-Development Planning Manager, from Anglian Water (AW). Ms Wilson presented Members with a General overview of AW, their involvement at the pre-planning stage, and how capacity concerns are identified and subsequently mitigated.

A summary of the information presented to Members is detailed as follows:

- A large area of water networks is covered by AW, comprising of both foul water and surface water. This includes both independent (a dedicated network for either foul or surface water) and combined networks (foul and surface water).
- AW seek to encourage sustainable growth.
- AW are regulated by the following organisations:
 - The Water Services Regulation Authority (OfWat);
 - The Environment Agency (EA).
- There are two teams that input directly into the local planning process:
 - Spatial Planning Team:
 - Statutory consultees;
 - Respond to neighbourhood plans;
 - Recently rolled out a Green Water Programme – how developments can look to use water wisely.
 - Pre-Development Team:
 - Technical Team;
 - Tactical side of planning – looks at all planning applications and pre-planning reports;
 - Seeks to engage with Local Authorities – Members, town and parish councils;
 - Engagement with developers;
 - Market Insight Group look at growth strategically.
- **Pre-Planning Reports** – developer led (this is a paid for service and encouraged by AW).
 - Developers are expected to submit all relevant information and proposals, including connections and information on foul and surface water drainage.
 - In response AW produce a report which identifies any constraints and, where possible, instigates working together to develop a strategy to work with proposed growth.
 - Developers are under no obligation to approach AW for a pre-planning report. These generally assist in a smoother process and potentially mitigate the need to add conditions.
 - Pre-Planning Reports are covered by the Data Protection Act. The applicant owns the report, restricting the information that AW would be able to provide to the Local Authority. Maldon District Council (MDC) caseworkers are advising applicants to approach AW as part of the pre-application process.

- **Planning Applications**
 - Under the Water Industry Act developers have the right to connect to a water network, therefore, AW are unable to reject applications on the grounds of capacity. Through liaising with applicants at the pre-application stage, a reactive approach can be mitigated.
 - AW are not a statutory consultee, despite approaching Government to become one. All Local Planning Authorities (LPAs) are good at notifying AW of applications.
 - Major applications, 10 or more dwellings or over 0.5 hectares, will receive a response from AW.
 - Minor applications, less than 10 dwellings, are requested to approach AW for assessment.
 - Comment on the discharge of conditions regarding the networks.
 - AW have provided MDC with some standard text which will be provided to applicants at the pre-application stage.

- **Mapping Services:**
 - Sewers can impact the layout of a development, diversion or building over sewers requires permission from AW.
 - Easements regarding noise and odour around pumping stations can be recommended. Proximity to water recycling centres is advised against and odour assessments are recommended.
 - Waste water treatment – capacity at the water recycling centre.
 - Will advise whether there is capacity or not, however AW are obliged to treat the flows from any development with permission.
 - These reports are informative only and Developers cannot increase the capacity. Spending on growth is determined by OfWat with the Environment Agency authorising permits.
 - Solutions could be an update of technology at the recycling centres, not necessarily a physical expansion.
 - AW notify MDC of their comments, and once the application is approved any investment is planned.

- **Used Water Network:**
 - AW looks at all the plans for the development. It is expected of developers to submit plans which indicate where they intend to connect to the network.
 - The type of connection will have a different impact on the downstream network:
 - Pumped – used water is stored until a trigger point is reached, at which time it is released into the network;
 - Gravity – a slow continuous trickle into the network.
 - AW have models of the existing networks. Where there are concerns or a lack of capacity AW would suggest conditioning, requesting the developer to engage with AW or, for larger developments, to request providing a phasing plan.
 - AW communicate with Essex County Council, Highways, for information which aids the modelling of the network and to ensure that informed assessments are made.

- AW request that any flooding issues are reported directly to them. Where an issue affects multiple households, AW would prefer that this was reported multiple times. If AW can build a history on blockages etc they can better identify where issues have been resolved.
 - AW are keen to educate the public on issues through campaigns, such as the Keep It Clear campaign (more information can be found [here](#)).
- **Surface Water:**
 - Developers are encouraged to engage with AW early in the application process to discuss SuDs applications. Where applicants have not done so it is probable that there will be conditions put in place.
 - Where engagement had taken place and SuDs was adopted, AW would look to take on the cost of future maintenance.
 - While it was more commonplace for developers to approach AW, they cannot insist that this happens as it is a developer led discussion - developers continue to be responsible for the design, but AW can suggest placement the of connections.
 - New sites are considered manageable due to being geared towards SuDs, whereas older sites which are connected to the network may not be known to AW.
 - Surface water being directed into the foul water network is governed by building regulations. Developers can fund new infrastructure for a site and connect to existing networks, which, due to legislation, AW have no power to prevent.
- **Zonal Charges:**
 - In April 2018 zonal charges were established to look at the growth and funding for mitigation. Previous applications were looked at in isolation, however the site and catchment area is now considered. MDC can look at future planning for a catchment area and how to get the developer involved. AW may fund an increase in the network.
 - Developers pay into a zonal charge pot. This is spent by AW across the region on mitigation and growth.
- **Next Steps:**
 - AW are looking 15 years into the future at housing and bill rates. The aim of this is to identify triggers and risk areas, with consideration toward development costs involved and the requirements of the developer. AW are looking to continue working with partners; the EA, Parish and Town Councils such as North Farnbridge, and the Local Flood Authority.
 - Water issues within the district are to be identified to enable AW to determine what they can do and how they can work with partners. It was noted that AW can only fund AW assets.

The Chairman, on behalf of the Committee, thanked Ms Wilson for a very comprehensive and informative presentation.

334. PROVISION OF HEALTH CARE SERVICES WITHIN THE DISTRICT

The Chairman welcomed Mr Robert Evans, Head of Operational Care from Mid-Essex Clinical Commissioning Group (CCG), and Dr Julie McGeachy, General Practitioner (GP) at Dengie Medical Partnership and Clinical Director of the Dengie Primary Care Network, to the Committee.

Mr Evans passed on apologies from Ms Kerry Harding, Director of Estates for CCGs in Mid & South Essex.

Both Mr Evans and Dr McGeachy delivered the following information to the Committee:

- NHS Long Term Plan is a ten-year investment plan which aims on expanding and developing primary and community services.
- **Primary Care Network (PCN):**
 - Groups of GPs with a population of 40-50,000 as an ideal, in order to retain a personal touch.
 - There are five PCNs within Mid-Essex, one of which is in the Dengie. These were formed 1 July 2019. Surgeries were formed to work together on an integrated basis in order to develop services and provide additional resource and linked into voluntary organisations, in addition to developing the role of clinical pharmacists.
- **Priorities for 2019/20:**
 - PCN Cycle – aims to identify and inform the public of alternative primary care workers, such as physiotherapists, nurses, pharmacists etc. This would be expected to release extra capacity to GPs for patients with more complex needs.
 - Additional capacity would be enabled through two services:
 - Extended Access Service (from October 2018):- This service is year-round including bank-holidays and weekends, and designed to provide additional capacity, creating around 738 additional appointments per week across the area. These are provided by four permanent hubs across Maldon, once of which is located at the Blackwater Medical Centre.
 - Enhanced hours:- Practices were looking to extend their opening hours, i.e. opening an hour earlier or closing an hour later. Every practice within the area has identified a way to accommodate this.
 - It is expected the integration of services would provide a more holistic approach.
 - CCG have been consulting with NHS England and is one of five to have formed a Sustainability and Transformation Partnership (STP).
- **Maldon District and Dengie:**
 - There is a population of approximately 55-56000 people.
 - There are seven practices within the area which offer primary care, these are regulated by the Care Quality Commission.
 - The CCG identified five outstanding practices, of which three are located within Mid-Essex. Two of these are situated within the Dengie.
 - Quality of service within the district is considered to be very good; a patient survey showed they were broadly satisfied, however there were

concerns regarding access to GPs.

- **Staffing of General Practices:**
 - Last year the Mid Essex CCG reinvested over £2.5million invested into primary care, for surgeries to use as they see fit.
 - The CCG are currently working towards a broader skill mix to navigate problems and identify the right care for patients.

- **Estates:**
 - The Trinity Medical Practice, Dengie: additional capital had been confirmed with a view to develop the site
 - William Fisher Medical Centre: the site is likely to stay, and expansion was being considered.
 - The Blackwater Medical Centre: it was noted that the site would eventually be relocated.
 - Redevelopment of St Peters Hospital: it was noted that a project team had been set up and MDC were involved. The project lead had advised that a business plan would be compiled within the next few months.
 - Heybridge: there was an intention to create a merged site to increase capacity. It was acknowledged that this was currently at the informative and planning stage.

- **Promotion of Primary Care Services:**
 - Promotional material was being developed by the CCGs communication team.
 - Members requested that a flyer be included with the annual billing. It was agreed that MDC would liaise with the CCG to develop this.

- **Patient Care:**
 - Current guidelines recommend 10-minute appointments with patients. A scheme under consideration within the Dengie would look to offer 15-minute appointments to patients requiring one.
 - Quality Care Commission examine practices every 5 years to ensure that the service delivered is appropriate and acceptable.
 - CCG Risk Review showed that future staffing levels could become a problem.
 - There is a National Resilience Scheme in place to help get over short term difficulties.

- **Overstretched Practices:**
 - Two previously oversubscribed GP Surgeries within the Maldon Town are once again accepting patients for registration.
 - It was noted that Receptionists frequently receive bad press as they should be seen to signpost patients towards the appropriate type of care and not demanding personal information.
 - There is a significant number of missed appointments. The CCG are currently considering ways to reduce this number.

- **Retention of General Practitioners:**
 - What encourages people to become GPs:
 - Work/life balance etc.
 - Current workforce is mature, this is being looked at.

- Survey of GP burnouts run by Anglia Ruskin University
 - New medical school at Anglia Ruskin University
 - Working towards a GP led service, rather than a GP provided service, responsible for the level of care not necessarily the delivery of the care.
- It was acknowledged that GPs were keen to spend more time with patients. Every surgery had replaced some ten-minute slots with fifteen-minute slots. The patients were identified by GPs who booked these appointments directly.
- **Primary Care Network within the Dengie:**
 - It was anticipated that PCN within the Dengie would adopt a *Buurtzorg* style of neighbourhood care. This would be expected to increase the level of service. It was noted that several locations within the UK had successfully adopted this style of practice. It was also acknowledged that this would take time to implement as the scheme would need to be adapted to suit the needs of the area.
 - The Committee was informed that the surgery within Southminster was at full capacity and had insufficient space to offer the required services. This was being mitigated by having a GP working out of the Mayland practice until a new building had been acquired.

RESOLVED:

- (i) The Director of Service Delivery to meet with the CCG to develop promotional material for inclusion with the annual council tax bills.
- (ii) Further information be requested from the Director of Estates for CCGs in Mid & South Essex on various sites within the district.

335. SECTION 106 AGREEMENTS - INTERIM UPDATE

The Director of Strategy, Performance and Governance presented his report which put forward the proposal to modify existing timelines for periodic reporting to the various Committees. In addition, an interim update on the status of the current day to day operations of Section 106 (S106) and the Community Infrastructure Levy (CIL) was provided for Members to review. It was noted that the report was an early draft of the report going to the September Planning and Licensing Committee with a more detailed update made available to the relevant Committees in September. This report would cover the complete activities of S106 and fully address the Committees' request for a CIL update.

Members were advised of the interim appointment of two consultants who were working through the S106 and CIL issues following the departure of the S106 Officer five months previously. These consultants had provided a clear update on work to be progressed and it was acknowledged that significant progress had been made. It was agreed that whilst CIL was great in principle it needed to be set at the right level if more money was to be requested.

Councillor S P Nunn proposed that the recommendations in the report be approved.

In response to questions on S106 funding, the Committee was advised that a report was expected to be brought to the October meeting which would focus on the collection of monies and limiting any clawback.

Members acknowledged that the consultants were a positive move following the absence of a dedicated S106 Officer.

RESOLVED

- (i) That the recommendations in the report be noted;
- (ii) That a detailed report on the S106 funding and clawback be provided at the 31 October 2019 meeting of the Committee.

336. REVIEW OF PERFORMANCE - QUARTER 1

The Director of Strategy, Performance and Governance presented his report to the Committee which provided details on performance for quarter one of 2019/20. Members were requested to challenge the performance or allocation of resources where Corporate Goals had not been achieved, and where appropriate identify what, if any, action would be required to bring performance back on track.

A discussion on the Review of Performance for Quarter 1 ensued with the following comments being made with regards to appendix 1 of the report:

Delivery of the strategic sites as set out in the adopted Local Development Plan for the Maldon District

The Director of Strategy, Performance and Governance advised that progress had been made on the Taylor Wimpey site, however the North Heybridge plans had been rejected. It was noted that the five-year housing plan was on schedule and that a second application was to be presented next month.

Co-ordinate delivery, management and maintenance of strategic infrastructure

This was behind schedule as due to staff shortages it was not progressed at the expected rate.

North Heybridge Flood Alleviation Scheme

Members were advised that due to figures being brought forward from the previous municipal period this item was showing as behind schedule. It was also noted that the Flood Liaison Awareness Group (FLA) had been discontinued.

In September 2019, the Environment Agency (EA) will be carrying out a full evaluation with the economically preferred option expected to have been identified by the EA in Autumn 2019. The recommendations will be circulated to Members upon receipt, however a date cannot be provided at this time.

Brickhouse Farm

This scheme is run by Essex County Council (ECC) and a start date for ecology works was yet to be confirmed.

Central Area Masterplan

The Director of Strategy, Performance and Governance advised the Committee that funding for the High Street had been unsuccessful. It was acknowledged that Butt Lane Car Park required further funding and signage.

There were links from the Central Area Masterplan to high-street improvement:

- Project 1 related to the upper high-street; and
- Project 2 related to the lower high-street.

Revenues and Benefits

The processing of new claims had slipped outside of the target date by 0.9 days. Figures were considered an improvement on the previous year, where the quarter 1 2018/19 figure was 35.2 days.

Change in Circumstances had slipped outside of the of targets but was also considered a significant improvement from quarter 1 2018/19.

Drops in performance had been identified and it was acknowledged by the Director of Strategy, Performance and Governance that this was partly due to staffing.

Planning Applications

It was noted that, at the behest of the Committee, indicators had been amended to reflect those used nationally. The Director of Strategy, Performance and Governance acknowledged that performance had slipped, however the department was considered vulnerable due to the restructure and staff losses. To mitigate this interim staff had been brought in to ensure business continuity.

Review of Performance

The Committee was advised that the current format of the report will be changed for the next meeting and it was acknowledged that this would be harder to compare against the previous quarter/tax year.

Members acknowledged the good work which continued to be carried out by Officers across the Council.

RESOLVED:

- (i) that the contents of the report be noted;
- (ii) that the actions detailed above be actioned.

337. PROGRAMME OF WORK

The Committee received the report of the Director of Strategy, Performance and Governance which provided an update on the Programme of Work for 2019/20 and requested that the content of the report be noted.

In addition to comments made by the Committee, both the Director of Strategy, Performance and Governance and Director of Service Delivery provided further information on the report as detailed below:

Monitoring of the Organisational Change Programme

Members were informed that the Director of Strategy, Performance and Governance had a productive meeting with Councillor R H Siddall on the Organisational Change Programme.

Councillor R H Siddall advised that a report on the first item identified would be brought back to the Committee.

Business Opportunities for the Council

In response to Members questions, the Director of Service Delivery advised that negotiations were underway with the Police. Their estates department had identified certain needs including additional parking and more space for lockers.

Communications were also underway with Blackwater Surgery who were considering leasing some of the Council's office space. The Director of Service Delivery acknowledged that in addition to available space, the age and efficiency of the building would also need to be considered.

Waste Contract – Reliability of the Contractor Vehicles

Members asked for a verbal update on any developments. The Director of Service Delivery advised that recent delays to service were a result of ongoing roadworks around the Dengie area.

RESOLVED that the points raised, as detailed above, be noted by Members and the Programme of Work updated accordingly with any further points for action.

338. ANY OTHER ITEMS OF SCRUTINY MEMBERS WISH TO CONSIDER

At the request of the Corporate Leadership Team (CLT) the following items were presented for inclusion in the Programme of Work:

Essex Highways

Members requested the opportunity to review the process undertaken by Essex Highways.

A short discussion ensued with CLT advising Members that highways were managed by Essex County Council (ECC), however they would invite ECC to present to Members at a future meeting of the Committee.

Self-Policing of Maldon District Council

Councillor M S Heard proposed that following a number of complaints to the Joint Standards Committee, the Council needed to demonstrate that they were policing themselves appropriately. This was duly seconded.

The Chairman put the proposal to the Committee and upon a vote being taken the addition of Self-Policing to the Programme of Work was agreed.

RESOLVED:

- (i) That the Director of Service Delivery approach Essex County Council with a request for a presentation on Highways to Members.

- (ii) That Self-Policing of Maldon District Council be added to the Programme of Work.

339. ANY OTHER ITEMS OF BUSINESS THAT THE CHAIRMAN OF THE COMMITTEE DECIDES ARE URGENT

There were none.

There being no further items of business the Chairman closed the meeting at 9.36 pm.

M W HELM
CHAIRMAN