



**MINUTES of  
OVERVIEW AND SCRUTINY COMMITTEE  
11 JANUARY 2017**

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**PRESENT**

Chairman	Councillor M S Heard
Vice-Chairman	Councillor E L Bamford
Councillors	H M Bass, Mrs P A Channer, CC, M W Helm, N R Pudney and S J Savage

**848. CHAIRMAN'S NOTICES**

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

At this point, the Chairman referred to a letter from the Local Government Association (LGA) regarding a previous Corporate Peer Challenge that they had undertaken and provided an outline of the Peer Team's feedback. The Chairman highlighted a number of points contained within the letter, including improved Member / Officer relationships, and urged Members to refer to this letter for further information.

**849. APOLOGIES FOR ABSENCE**

There were none.

**850. MINUTES OF THE LAST MEETING**

**RESOLVED**

- (i) that the Minutes of the meeting of the Committee held on 23 November 2016 be received.

**Minute No. 729 – Minutes of the Last Meeting (Minute No. 604 – Health Scrutiny Issues)**

In response to a comment the Chief Executive advised that the Planning and Licensing Committee was due to consider a report on Section 106 monies at its next meeting and a copy of the report would be circulated to Members of this Committee.

**Minute 733 – 2016 / 17 Work Programme - Update**

It was agreed that the paragraph regarding Planning Enforcement would be amended to read "...which would be reported to Members of this Committee".

## **RESOLVED**

- (ii) that subject to the above amendment the Minutes of the meeting of the Committee held on 23 November 2016 be confirmed.

### **851. PUBLIC PARTICIPATION**

There was none.

### **852. DISCLOSURE OF INTEREST**

Councillor N R Pudney disclosed an interest in Agenda Item 6 – Primary School Education in the Maldon District as his granddaughter went to a local primary school.

Councillor Mrs P A Channer disclosed a non-pecuniary interest as a Member of Essex County Council and specifically Agenda Items 6 – Primary School Education in the Maldon District, 9 – 2016 / 17 Programme of Work Update, 10 – Project Update – Maldon Health Hub and anywhere else on the agenda which may relate to the County Council. She advised that the appendix to Agenda Item 9 referred to Stow Maries which was in her division.

Councillor H M Bass declared a non-pecuniary interest in Agenda Item 6 – Primary School Education in the Maldon District as his wife was employed in the education sector, but not in this District.

### **853. PRIMARY SCHOOL EDUCATION IN THE MALDON DISTRICT**

The Committee considered the report of the Director of Customers and Community introducing the scrutiny of primary school education in the Maldon District as agreed and incorporated within the Work Plan for this Committee and the aims of this piece of scrutiny were set out in the report.

Appendix 1 to the report provided some context data for primary schools in the Maldon District.

It was noted that Councillor H M Bass, Member sponsor for this scrutiny, had met with Claire Kershaw, Head of Commissioning Education and Lifelong Learning, Essex County Council and Essex County Councillor John Gooding to confirm the scope of the review. In addition, Officers had also met with Claire Kershaw and Reverend Tim Elbourne.

Councillor Bass introduced this item of scrutiny and provided the Committee with some detailed background information.

The Chairman introduced the following who were in attendance at the meeting:

- Alison Fialia, Primary Improvement Commissioner, Essex County Council;
- Nicola Pruden, Standards and Excellence Commissioner, Essex County Council;
- Councillor Ray Gooding, Essex County Council Cabinet Member for Education and Lifelong Learning;

- Reverent Tim Elbourne, Chelmsford Diocese.

Councillor Gooding thanked Essex County Council Officers for working quickly to put together the information before the Committee and highlighted a number of key points.

Members received a presentation from educational providers on the educational performance of local primary schools. The presentation provided an overview of information regarding education, including:

- The overall rankings of the Maldon District compared to Essex and England. In respect of the percentage of Maldon School early years, foundation stage, pupils achieving a good level of development in 2016 the District ranked fourth and fifth for those Key Stage One pupils (in Maldon Schools) achieving at least the expected standards in Reading, Writing and Mathematics.
- Members were advised that it was not possible to compare between Key Stage one and two due to recent changes to assessment of pupils.
- Faith schools in the Maldon District referred to schools that had an Anglican foundation and served whole communities. Rev. Elbourne provided information regarding the founding of Church of England schools prior to the Education Act which in 1870. He highlighted a number of difficulties experienced by schools, particularly recruitment into those schools in a coastal areas.
- Reference was made to current Office for Standards in England, Children's Services and Skills (OFSTED) judgements and it was noted that four more Maldon District Schools had been graded as good in the last 18 months.
- Work was ongoing in respect of attainment, in which Maldon was expected to have higher rankings for. Improved attainment would lead to improved achievement. It was noted there was a high correlation between Key Stage one prior attainment, Key Stage two performance and faith variables. There was a need to look at Key Stage one performance to ensure progress continued into Key Stage two.

Following the outcomes from the deep dive undertaken to analyse the data, the presentation set out a number of next steps and in particular, Members were advised of the following:

- Further analysis into Free Entitlement to Early Education for Two Year olds, Early Education for three and four year olds to maximise school readiness and good level of development was being investigated.
- Recruitment and retention was a challenge for both Schools and the County Council, in particular recruitment and development of good teachers for Dengie schools. Including ongoing work to attract Newly Qualified Teachers into the area.
- The work to review the impact of recently established school led partnerships and school to school support.
- A review of governance, including a skills audit.

At this point, Councillor Gooding again thanked Essex County Council Officers for their work and highlighted a number of points for consideration which included the need to look forward and address issues to ensure that children and young people got the very best start in life.

A number of questions were raised by Members and in response the following information was provided:

- Statistics showed that performance of pupils in Key Stage Two (KS2) was 13% lower in 'faith schools' and in response to a question, Reverend Elbourne advised he was not confident there was a faith school reason for this. He explained how until recently, faith schools were not well supported by local authorities and therefore did not think this statistic was very helpful.
- In response to a question regarding primary school children being 'secondary ready', Members were advised of the joint work taking place between Primary and Secondary Schools to address and improve outcomes. Ms Fiala explained that there appeared to be a difference between Dengie and Maldon school children moving from primary to secondary and a number of initiatives had been put in place to improve these, this included working with year five and six children on enterprise projects and engagement with secondary schools. Reference was also made to a multi-educational trust of which three Dengie schools were part of
- In respect of partnership working, recruitment and retention of good teachers at all times was highlighted. The Chief Executive referenced some work being undertaken by Braintree District Council specifically on recruitment and how it would be beneficial to learn from that exercise. Reference was also made to the Council's Local Development Plan and investment in affordable housing. Governance arrangements were also discussed and the need for improved governing bodies with capacity to carry out required work.

The Chairman made reference to some specific questions from Members of the Committee that had been raised and drafted prior to the meeting and it was agreed that these would be sent to the Education Authority for response. Once a response had been received this would be circulated to Members.

Following further discussion, the Committee **RESOLVED** that:

- (i) the Council encourages collaborative partnerships to ensure best outcomes and that best practice is shared between schools regardless of Local Education Authority (LEA), faith or academy background;
- (ii) the Council looks to assist in the recruitment and retention of teachers through investigation of affordable housing provision;
- (iii) the Council assists in finding and recruitment of quality governors for local schools;
- (iv) this scrutiny is re-visited by this Committee to monitor progress at a future date.

#### **854. DRAFT TREASURY MANAGEMENT AND ANNUAL INVESTMENT STRATEGY 2017 / 18**

The Committee received the report of the Interim Director of Resources advising Members that the revised Code of Practice for Treasury Management included a requirement for regular scrutiny of Treasury Strategy and Practices. Members were therefore asked to review the Treasury Management and Annual Investment Strategy for 2017 / 18 (attached as Appendix 1 to the report). The supporting Treasury Management Practices were attached as Appendix 2. The Minutes of this Committee held on 6 January 2016 were attached as Appendix 3, for information.

It was noted that the Treasury Management and Annual Investment Strategy (the Strategy) had been reviewed and updated in line with statutory requirements and good practice, having regard to the Councils financial position, links to wider strategies, plans and aims and the advice of the Councils treasury advisor, Arlingclose Ltd.

The Chairman highlighted the need for Members of this Committee to receive treasury management training in order to fully understand the investment strategy. In response to this request, the Interim Director of Resources advised that the Council's treasury advisor were able to provide such training.

In response to a question, the Interim Director of Resources provided Members with details of the changes that had been made and advised that the Council had adopted the Chartered Institute of Public Finance and Accountancy's (CIPFA) revised Code of Practice for Treasury Management which set out what the strategy must contain. It was noted that the Council was compliant with CIPFA in respect of Treasury Management.

Councillor Mrs P A Channer proposed that training for Members on treasury management be arranged as soon as practically possible. In response, the Interim Director of Resources advised that he would aim to circulate a proposed date within the next couple of weeks. As Section 151 Officer he also recommended that training should be open to all Members, but particularly those Members of this Committee and the Finance and Corporate Services Committee. This was supported by the Committee.

The Chairman then put the proposal from Councillor Mrs Channer which was duly seconded and agreed by the Committee.

## **RESOLVED**

- (i) that contents of the report be noted;
- (ii) that Treasury Management training for Members be organised as soon as practically possible.

## **855. PLANNING ENFORCEMENT**

The Committee received and noted the report of the Chief Executive providing Members with an update on the current status of the Planning Enforcement Policy, Practice and Guidance and the Harm Matrix.

The report provided background information regarding the work of the Corporate Fraud and Enforcement Team over the last twelve months and the improvements made.

It was noted that further improvement was required and this would include an update of the Planning Enforcement Policy, Practice and Guidance. Reference was made to a report due to be considered by the Planning and Licensing Committee at its meeting on 19 January which sought adoption of a revised Planning Enforcement Policy, Practice and Guidance and the Group Manager - Planning Services circulated a copy of this updated document at the meeting.

In response to a number of questions, the Group Manager - Planning Services provided the following information:

- Quarterly Enforcement Reports to Area Planning Committee: The harm score would now appear at the front of all Officers comments for new cases going forward. IT had also made changes to allow a greater amount of text to be shown on the reports.
- It was clarified that the enforcement activity relating to ‘number of successful prosecutions awaiting hearing’ related, for example, to a successful prosecution but the breach was still ongoing and therefore required further prosecution. It was suggested that the activity title be amended to read ‘...awaiting *further* hearing’.

Members discussed the proposed changes to the Planning Enforcement Policy, Practice and Guidance and the following comments were raised:

- Concern was raised regarding the additional wording proposed to paragraph 4.3 specifying that the Council would need the detailed information prior to any investigating taking place. In response the Group Manager - Planning Services explained that this amendment was to try and ascertain whether there was a planning breach and although definite dates were not expected, time would be required to fully assess if there was a breach occurring and then assess it in the harm matrix. Following further discussion it was suggested the wording of section 4.3 could be amended to read “...information *to assist in evaluating the case*”. The Group Manager - Planning Services further suggested that Members may wish to consider splitting section 4.3 as the first three bullet points were necessary in order for an Officer to determine if a case was to be started.
- Clarification was sought and provided in respect of the proposed amendment the first bullet point in paragraph 5.4 and whether there was definition as to what was classified as ‘a serious breach or an offence’.
- In response to a question regarding the proposed removal of the section ‘Planning Advice and Enquiries’ Members were advised that this was because complaints relating to enquiries such as these did not fall under enforcement and were covered by the Council’s complaints policy.

Following further discussion it was agreed that Councillor E L Bamford, as scrutiny sponsor, the Chairman of this Committee and the Group Manager - Planning Services would meet prior to the meeting of the Planning and Licensing Committee. The purpose of this meeting would be to discuss the revised policy and provide any feedback to the Planning and Licensing Committee by way of an addendum.

## **RESOLVED**

- (i) that the contents of the report are noted;
- (ii) that Councillor E L Bamford and the Chairman of this Committee meet with the Group Manager - Planning Services prior to the meeting of the Planning and Licensing Committee to discuss the revised Planning Enforcement Policy, Practice and Guidance policy and provide any feedback to the Planning and Licensing Committee by way of an addendum

## **856. 2016 / 17 PROGRAMME OF WORK UPDATE**

The Committee received the report of the Director of Resources which provided an update of the Committee’s Work Programme for 2016 / 17 (attached at Appendix 1 to the report).

The Director of Resources presented the report and gave a brief update on the topics of scrutiny. In addition, the following information was provided:

- Community Hospital – This was the subject of a separate report for this meeting.
- Provision of Healthcare Services - Councillor N R Pudney provided the Committee with an update in respect of the Provision of Healthcare Services Scrutiny. It was noted that a new single Chief Executive had been appointed to Basildon, Broomfield and Southend Hospitals. He was currently in the process of setting up a meeting with the Chief Executive.
- Section 106 - It was noted that reference to 2016 under scrutiny topic Section 106 (Appendix 1) should refer to 2017.
- Elections – A further update would be brought to the Committee following the Essex County Council elections in May 2017.
- Planning Enforcement - This was the subject of a separate report for this meeting.
- Primary School education in the District - This was the subject of a separate report for this meeting.
- Stow Maries Aerodrome – It was noted that the first repayment of the loan had been received in September. A copy of their current business plan was attached as Appendix 1 to the report although it was noted that this was currently being updated.
- Members and Officers Communication Protocol – Additional work was required by Officers and a report brought to the March meeting of this Committee. It was noted that the required action for this item of scrutiny was incorrect and it should refer to Councillor Mrs P A Channer and any reference to the Chairman of the Planning and Licensing Committee should be deleted.
- Staff Sickness – A new policy was due to be considered by the Council at the end of October. The Interim Director of Resources reported that she was currently arranging a meeting with the Councillors Mrs Channer and Pudney regarding this item of scrutiny.

**RESOLVED** that the contents of this report be noted.

## **857. PROJECT UPDATE - MALDON HEALTH HUB**

The Committee received the report of the Chief Executive updating Members on progress of the Maldon Health Hub Project.

The report advised that the project to develop an affordable primary / community care facility for central Maldon to replace St. Peters Hospital had been rebadged as the Maldon Health Hub Project. This was due to the uncertainty that beds would be provided within the new facility. The Chief Executive advised that the potential provision for beds was being discussed via an extra care facility and the Council had been working with Essex County Council (EEC) in respect of this.

The report set out a number of positive steps which had been reported to the Council.

Concerns were raised regarding the proposed rebadging as it was felt that removal of the word hospital along with not providing beds within the facility would result in a clinic rather than a replacement hospital. It was suggested that the Clinical Commissioning Group (CCG) should be asked back to the Committee to explain the change.

The report made reference to exploring new patient registrations with the Danbury Practice and concerns were raised by Members as to how residents would travel there.

The Chief Executive updated the Committee and advised that the Project Manager would be carrying out a full business case. Members were advised that the CCG was not ruling out a hospital but that there were different standards around beds within a hospital compared to beds provided from a nursing home facility and the CCG were required to demonstrate that they had sought the most cost effective solution. It was suggested that if Members wished the representatives from the CCG could be invited back to this Committee to discuss the concerns raised regarding removal of the word 'hospital'.

It was clarified that the Project Manager was funded by the CCG until March 2017 at which point funding would have to be reapplied for to confirm it going forward.

Following further discussion it was agreed that the CCG Project Manager and Melanie Crass, Director of Primary Care and Resilience for Mid Essex CCG be invited to attend the next meeting of the Overview and Scrutiny Committee to provide an update on the change of status from a community hospital to a health hub.

#### **RESOLVED**

- (i) that the contents of the report be noted;
- (ii) that the CCG Project Manager and Melanie Crass, Director of Primary Care and Resilience for Mid Essex CCG be invited to attend the next meeting of the Overview and Scrutiny Committee to provide an update on the change of status from a community hospital to a health hub.

#### **858. ANY OTHER ITEMS OF SCRUTINY MEMBERS WISH TO CONSIDER**

There were none.

There being no further items of business the Chairman closed the meeting at 10.28 pm.

M S HEARD  
CHAIRMAN