



**MINUTES of
OVERVIEW AND SCRUTINY COMMITTEE
14 FEBRUARY 2018**

PRESENT

Chairman	Councillor M W Helm
Vice-Chairman	Councillor R P F Dewick
Councillors	Mrs P A Channer, CC, N R Pudney, S J Savage and Mrs M E Thompson

828. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor P G L Elliott.

829. CHAIRMAN'S NOTICES

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

830. MINUTES OF THE LAST MEETING

RESOLVED

- (i) that the Minutes of the meeting of the Committee held on 10 January 2018 be received.

Councillor R G Boyce MBE advised that he had been present at the previous meeting.

Minute No. 718 – Recruitment of GPs in the Maldon District

“GPS” in the heading of this item should be amended to read “GPs”.

RESOLVED

- (ii) that subject to the above amendment the Minutes of the meeting of the Committee held on 10 January 2018 be confirmed.

831. PUBLIC PARTICIPATION

There was none.

832. DISCLOSURE OF INTEREST

Councillor Mrs P A Channer CC declared the following:

- that she was also a Member of Essex County Council and had a non-pecuniary interest in relation to any agenda items that might affect that organisation. The declaration was particularly pertinent to Section 106 Agreements;
- that in relation to Agenda Items 7 and 11 which were pertinent to area planning committees, she had a non-pecuniary interest as she was also Chairman of the Planning and Licensing Committee and was a Member of the South Eastern Area Planning Committee.

833. TACKLING EMPTY HOMES

The Committee considered the report of the Director of Planning and Regulatory Services which proposed a variation to the Council's approach in tackling empty homes. The Director of Planning and Regulatory Services highlighted that the number of empty homes had decreased and that the issue of long-term empty homes should be addressed.

Members considered that the District had a very small number of empty homes.

In response to a question, the Director of Planning and Regulatory Services confirmed that the targets set in Appendix Two to the report would be difficult to achieve under the current method of reporting. The proposed amended way of reporting would be preferable.

A Member suggested that this piece of work was not appropriate for the Overview and Scrutiny Committee. The Director of Resources explained that this topic had been considered as an area of scrutiny as there was a desire to bring empty homes back in to use. However, as previously explained it was difficult to do so and the process was resource intensive. The Committee was advised that the Government planned to permit Local Authorities to charge a higher council tax premium on empty homes from 2019 and that a report would be coming back to Members during 2018 on this subject.

Councillor R G Boyce MBE advised that there was a recommendation from the Housing Strategy Board that not too much more resource should be put into empty homes.

A report had now come back to this Committee as requested and Councillor Mrs P A Channer CC proposed that this item of scrutiny should now be concluded. This proposal was duly seconded.

RESOLVED:

That this item of scrutiny be concluded and removed from the Programme of Work.

834. PROCEDURE FOR COMMENCING PROSECUTION

The Committee considered the report of the Director of Resources, the purpose of which was to describe the process to be followed for commencing a prosecution, so that its adequacy could be assessed as part of a wider review of enforcement procedures.

The Director of Resources outlined the process for dealing with prosecutions and in response to questions:

- Advised that historically there were some cases that had lapsed. However, this had now been addressed and there was no longer a backlog of cases;
- In relation to the question on page 26 of Appendix 1 to the report “is a statutory defence available” – the Director of Resources would request that the Deputy Monitoring Officer clarify what was meant by “a statutory defence”;
- The pack was now completed by Community Protection Officers (CPOs). Before this pack was introduced, CPOs would pass the information to Legal Services;
- The Legal and Democratic Services Manager was required to sign-off the pack under the Scheme of Delegation and ensure all information was in place;
- The timeline for sign-off of the form was immediate (i.e. within 48 hours) and it was up to the Director of Resources to ensure that these forms are dealt with on a timely basis;
- Trucam has a set procedure that the CPOs must follow. This procedure is set by the Police and the Legal Services Department has no involvement in it.

RESOLVED:

That the process for commencing prosecution be agreed.

835. INTERNAL AND EXTERNAL COMMUNICATION

The Committee considered the report of the Director of Customers and Community, the purpose of which was to review the Council’s approach to internal and external communications making recommendations to the appropriate service committee or Council as required. The Council was currently performing well as measured against other Local Authorities within this area.

The Public Relations Manager presented information and background on the Council’s website and highlighted Appendix One to the report which detailed the following:

- an overview of the website;
- customers’ strategy;
- telephony;
- proposed unified communication system;
- email upgrade;
- digital strategy.

In response to a comment, the Public Relations Manager advised that he would work with Planning Officers to try to improve the online system so that it was easier for customers to use.

The Group Manager: Customers highlighted the key aims of the customer strategy as set out in Appendix One to the report and stressed that one of the key aims was that the quality of service delivered had a greater focus than just speed of service. Another key aim was resolution at the first point of contact.

The Group Manager: Customers informed the Committee:

- that monthly drop-in multi agency partnership sessions would be introduced from April 2018 for customers who had multiple issues to be dealt with;
- service reviews were being undertaken with an emphasis on how customers access services;
- it was more cost-effective to deal with issues over the website than face-to-face;
- the telephone system was no longer fit for purpose;
- Council had agreed to adopt core values relating to staff behaviour and values which were being embedded across the organisation

The Director of Resources advised that a better telephone system was essential and, in response to a question, confirmed that an analogue system would be retained for back-up. The system would be hosted and managed for the Council and, in the event that there was a problem, the system could be run from anywhere.

COUNCILLOR R G BOYCE MBE LEFT THE MEETING AT THIS TIME.

The Group Manager: Customers advised that a different system of dealing with calls was being moved to with the intention of directing calls to enable more queries to be dealt with at the first point of contact.

In response to a question, the Group Manager: Customers confirmed that an annual fee was paid broadcast music.

Members requested that a report be brought back to the Committee on this item.

The Director of Resources confirmed that 365 email would be implemented during quarter 1 of 2018/19 which would improve the email service throughout the Council. The Director of Resources confirmed that whereas there were some problems opening and forwarding attachments on Good, the new system should address these issues.

In response to a question regarding junk email, the Director of Resources advised Members that following the implementation of the General Data Protection Regulation it would not be possible to be contacted without giving express permission, so junk email should reduce.

A Member asked if passwords could be changed every four years in line with the period that Members were elected for. The Director of Resources advised that Officers would take advice on the correct timescales as per recommended security protocols for changing passwords.

The Group Manager: Customers advised that work was being undertaken to explore with Members our digital strategy, including the Council's appetite for Channel shift, to encourage customers to use the website, and online services. She referred to the difference in cost in providing face-to-face services versus online services. It was proposed that there would be engagement with all Members on the digital strategy over the coming months.

The message and music on the current telephone system would be changed.

RESOLVED:

- (i) That a report on communications would be brought back to the next meeting of the Overview and Scrutiny Committee and would be circulated in advance of that meeting;
- (ii) A series of workshops on digital strategy would be set up for Members so that they could be properly appraised of the information and decisions for the future strategy.
- (iii) A notice would be put on the intranet to ensure that all Officers were aware that meeting requests sent by email should be followed up by a telephone call if there was no response from Members.
- (iv) That Officers would take into account Members' comments when drafting the future digital strategy for the Council and introducing unified communications systems.
- (v) The message and music on the current telephone system would be changed.

COUNCILLOR MRS P A CHANNER CC LEFT THE MEETING AT THIS TIME.

836. REVIEW OF PERFORMANCE - QUARTER 3 2017-18

The Committee considered the report of the Chief Executive, the purpose of which was to supply Members with details of performance against targets set for 2017/18 and to ensure that progress was being achieved towards the overall corporate goals and objectives detailed in the Corporate Plan 2015-19 adopted by Council in February 2015, with the most recent annual update approved by Council in April 2017.

The Director of Resources drew Members' attention to the key areas that were at risk or behind schedule:

- Levels of reported crime – this would be addressed at the March meeting;
- Brickhouse Farm – ECC had moved this to a 2018/19 capital scheme and an outcome as to when this was happening was awaited;
- Maldon Health Hub – the Council was awaiting proposals from the CCG and these would be considered and appropriate resource could then be allocated;
- Empty Homes – this had been discussed earlier in the meeting;

- Implementing Workforce Development Plan projects for 17/18 – it was necessary to determine if this is worth the money and was of benefit;
- Transformation Strategy – the Council was about to embark on significant transformation projects;
- Crematorium – the Internal Auditors had presented a range of options and the Crematorium was one of them. There would be a report on the viability of this proposal to the Finance and Corporate Services Committee;
- Planning Applications – there had been a huge improvement in performance;
- Sickness Absence – the Programme of Work is looking into this as the Council is not performing in line with targets. There would be a report back to this Committee in April 2018.

In response to a question about the quality of printing of the report, the Director of Resources confirmed that she would look into the presentation of the report.

The Director of Resources advised Members that the staff sickness levels had been affected by the current winter cold/flu which was increasing the time off per incidence of sickness for this year.

RESOLVED:

- (i) That Members gave their comments and views on the information set out in the report and Appendix 1 thereto;
- (ii) That Members reviewed and/or scrutinised decisions made by and the performance of both Committees and Council Officers;
- (iii) That Members challenged performance or allocation of resources where the Committee felt that the Council's corporate goals may not be achieved.

837. TREASURY MANAGEMENT AND ANNUAL INVESTMENT STRATEGY 2018 / 19

The Committee considered the report of the Director of Resources, the purpose of which was to comply with the Chartered Institute of Public Finance and Accountancy's (CIPFA) revised Code of Practice for Treasury Management's requirement for regular scrutiny of Treasury Management Strategy and Practices.

The Director of Resources advised Members that this report had gone to the Finance and Corporate Services Committee and was reported to the Overview and Scrutiny Committee on an annual basis. This reflected both CLG guidance and the CIPFA code of practice. The Director of Resources drew Members' attention to the Borrowing Strategy set out in Appendix 1 to the report and advised that the operational limit was included in this.

The Director of Resources further highlighted the following contained within Appendix 1 to the report:

- Borrowing Strategy – this included an authorised limit of £10 million which was in place should the Council wish to develop a crematorium;

- The detail of Investment Strategy counterparties;
- Existing Investment and Debt Portfolio Position;
- Treasury Management Practices - Principles and Schedules and the key changes contained therein – starting to incorporate something around borrowing strategy and ensuring that where investments were held they weren't just rolled over without getting a decent rate of interest back on them.

Members raised various questions, to which the Director of Resources responded as follows:

- The table on page 112 of Appendix 1 to the report stated a total investment of £21,000,000. This did not equate to the Council's reserves which was approximately £10,000,000;
- The amount of investment included Section 106 monies;
- The amount of investment included the remnants from selling the Council's housing stock.

The Director of Resources advised that it was now possible for new capital receipts to be used on revenue budgets.

RESOLVED:

That the Committee considered the Treasury Management Strategy asking confirmatory questions on total investment balances, PWLB borrowing and maximisation of income subject to due diligence.

838. SECTION 106 AGREEMENTS

The Committee considered the report of the Director of Planning and Regulatory Services, the purpose of which was to provide Members with a summary of work undertaken so far on the monitoring of Section 106 Agreements and set out the intended programme for review of the current procedures used by the Council in the monitoring of Section 106 Agreements.

The Director of Planning and Regulatory Services outlined the report and drew attention to the significant progress that had been made on recording of Section 106 Agreements.

In response to a question, the Director of Planning and Regulatory Services advised that nationally Section 106 funding would add around £30k to the value of a house, whereas in Essex the figure was lower at around £9k.

Members raised various questions on the report and the Director of Planning and Regulatory services provided the following responses:

- Section 52 and Section 13 Agreements were previous iterations of Section 106 Agreements and there was a need to ensure that records were kept of those historic agreements;
- The Council would receive £24,000,000 in S106 contributions;

- £600k of the Section 106 Agreement funding would be due to the NHS and it would be for them to decide how that money would be spent;
- Affordable Housing Commuted Sum Income – the Council was comfortable with its ability to spend that money within the timescale.

RESOLVED:

- (i) That Members duly commented on the information contained in the report;
- (ii) That the Chief Executive would report back to the Committee on the process for the NHS requesting, accessing and allocation of Section 106 Agreement funds earmarked for the NHS.

839. 2017 / 18 PROGRAMME OF WORK

The Committee considered the report of the Director of Resources, the purpose of which was to provide an update on the work programme of this Committee for 2017/18.

The Director of Resources highlighted the following sections of the report:

- Health Hub – this issue had gone to Council and it had been decided that the Council would not be investing a significant amount of officer time;
- Provision of Healthcare – Councillor N R Pudney advised that he would circulate emails he had received to Members of the Committee and relevant Officers;
- Planning Enforcement – there had been a piece of work on prosecution and further advice was requested as to whether any other areas should be looked at. A report would be brought back to the next meeting of this Committee;
- Primary School Education – updated statistics were awaited;
- Procurement and Delivery of the 17/17 Capital Programme – a report would be brought back to the Committee to see which items had been actioned;
- Administration of Council River Moorings, Leases and Licenses – there would be a report on this at the March meeting of the Committee;
- Internal and External Communication – a report would be brought to the March meeting of the Committee;
- Staff Sickness – a report would be brought to the March meeting of the Committee.

RESOLVED:

That the contents of the report be noted.

840. ANY OTHER ITEMS OF SCRUTINY MEMBERS WISH TO CONSIDER

Councillor S J Savage requested that the Police Lease at the Council Offices be raised as an item of scrutiny, to include the following:

- What were the alteration costs to the building?
- How much was the additional lighting and was it required by Police?
- Why are the Police parking bays situated where they are as it was necessary for them to go through the car park at speed. Would it not be better for the bays to be at the entrance to the car park?
- Why was the additional container in the car park?
- Was there a reduction in the rent paid by the Police agreed?

RESOLVED:

That the Police Lease be added to the Programme of Work for this Committee.

There being no further items of business the Chairman closed the meeting at 9.23 pm.

M W HELM
CHAIRMAN