



SERVICE DEVELOPMENT AND DELIVERY COMMITTEE

DATE:	Monday 27 February 2017
TIME:	7.30 pm
VENUE:	Council Chamber, Council Offices, Thorpe Road, Weeley, CO16 9AJ

MEMBERSHIP:

Councillor Griffiths (Chairman)	Councillor Miles
Councillor V Guglielmi (Vice-Chairman)	Councillor Pemberton
Councillor Fowler	Councillor Skeels Jnr
Councillor Hones	Councillor Yallop

Most Council meetings are open to the public and press.

Agendas and Minutes are published on the Council's website www.tendringdc.gov.uk. Agendas are available to view five working days prior to the meeting date and the Council aims to publish Minutes within five working days of the meeting.

Meeting papers can be provided, on request, in large print, in Braille, or on disc, tape, or in other languages.

For further details and general enquiries about this meeting, contact Katie Sullivan on 01255 686 585.

DATE OF PUBLICATION: FRIDAY 17 FEBRUARY 2017

AGENDA

1 Apologies for Absence and Substitutions

The Committee is asked to note any apologies for absence and substitutions received from Members.

2 Minutes of the Last Meeting (Pages 1 - 6)

To confirm and sign as a correct record, the minutes of the last meeting of the Committee, held on 23 November 2016.

3 Declarations of Interest

Councillors are invited to declare any Disclosable Pecuniary Interests or other interest, and the nature of it, in relation to any item on the agenda.

4 Car Parks and effects of free parking

The Council's Head of Public Realm (Ian Taylor) will be in attendance to give a verbal update to the Committee on Car Parks and effects of free parking.

5 Update on relationship with the North East Essex Parking Partnership (Pages 7 - 12)

The Council's Head of Public Realm (Ian Taylor) will give an update to the Committee on the Council's relationship with the North East Essex Parking Partnership.

6 Update on review of Spendells & Honeycroft sheltered housing schemes

The Council's Head of Housing (Tim R Clarke) will be in attendance to give a verbal update to the Committee on the review of Spendells & Honeycroft sheltered housing schemes.

7 Update on the current situation regarding water quality at Walton Lifestyles (Pages 13 - 14)

The Committee will receive a written update from the Council's Head of Sport and Leisure (Mike Carran) on the current situation regarding water quality at Walton Lifestyles.

Date of the Next Scheduled Meeting

The next scheduled meeting of the Service Development and Delivery Committee is to be held in the Council Chamber at 7.30 pm on Monday 3 April 2017.

Information for Visitors

FIRE EVACUATION PROCEDURE

There is no alarm test scheduled for this meeting. In the event of an alarm sounding, please calmly make your way out of any of the fire exits in the hall and follow the exit signs out of the building.

Please heed the instructions given by any member of staff and they will assist you in leaving the building and direct you to the assembly point

Please do not re-enter the building until you are advised it is safe to do so by the relevant member of staff.

Your calmness and assistance is greatly appreciated.

This page is intentionally left blank

**MINUTES OF THE MEETING OF THE SERVICE DEVELOPMENT AND DELIVERY
COMMITTEE,
HELD ON WEDNESDAY 23 NOVEMBER 2016 AT 7.30 PM
IN THE COUNCIL CHAMBER, COUNCIL OFFICES, THORPE ROAD, WEELEY**

Present:	Councillors Griffiths (Chairman), V Guglielmi (Vice-Chairman), Fowler, Hones, Pemberton, Miles, Skeels Jnr and Yallop
Also Present:	Councillor Ferguson (Tourism and Culture Portfolio Holder) (item 31 (part) – 33 only)
In Attendance:	Mark Westall (Head of Customer and Commercial Services), Michael Carran (Head of Sport and Leisure), Simon Harvey (Licensing Manager) (items 26 – 31 only) and Janey Nice (Committee Services Officer)

26. ORDER OF BUSINESS

The Chairman welcomed all present to the meeting and explained how he wished the order of business on the agenda to be considered.

27. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were none.

28. MINUTES OF THE LAST MEETING

The minutes of the last meeting of the Committee held on Monday 24 October 2016 were approved as a correct record and signed by the Chairman.

29. MATTERS ARISING FROM THE MINUTES

The Chairman informed the Committee that an over-arching report on Spendalls House and Honeycroft would be presented to the Committee in February 2017. A more detailed report would be presented to the Committee in May 2017 in order for a feasibility study and consultation to be undertaken with outside bodies on the future of Spendalls House and Honeycroft.

30. DECLARATIONS OF INTEREST

Councillor John Hones declared an interest in respect of the Testing Taxi and Private Hire Vehicles item insofar as he was a Taxi Driver licensed with the Council.

**31. REPORT OF THE CORPORATE DIRECTOR (OPERATIONAL SERVICES) - A.1
TESTING TAXI AND PRIVATE HIRE VEHICLES**

Further to its meeting held on 1 June 2016 (Minute 5 referred) on the possibility of extending the days available to the taxi and private hire trades for vehicle testing at the Northbourne Road depot.

The Licensing Manager detailed the days and times available for taxi testing and informed the Committee that each test took around 45 minutes to complete and testing

was done for approximately 48 weeks of the year. He gave further details of the number of taxis and the number of slots available for testing, taking into account where taxi proprietors had changed their vehicles during the year and that this left approximately 199 slots still available throughout the 48 week testing period.

Mr Harvey said that he had met with the Council's Open Spaces and Transport Manager (Trevor Mills) to discuss the possibility of extending the number of days that vehicle testing could be offered to the taxi trade in order to allow the taxi trade some flexibility and choice of appointment times and days. However, Mr Mills had informed Mr Harvey that he was unable to offer any alternative arrangements as he did not have the staff available to do so.

Mr Harvey confirmed that he was not aware of any complaints about the lack of time slots available for taxi testing and, in fact, in most weeks, not all, there were free slots available.

A Member at the meeting, who had declared a personal interest as he worked as a taxi driver, said that he was unaware of there being any problems with taxi owners booking in for mechanical tests and he also was not aware of anyone being delayed or taken off the road because they could not get a test booked. He said that he was unsure where it had come from in the taxi trade that there was a problem getting booked in for a mechanical test or who was saying it, but that no-one had made him aware of any problems and that personally he was very happy with the service and had had no problems with it.

When asked by a Member about if a taxi testing booking was cancelled was there a way the drivers could be informed to perhaps take up that time slot, Mr Harvey said that he was investigating putting the bookings online with the possibility of an alert being sent out by text, or by email, so as much as possible the taxi drivers could be in control of their own bookings.

Mr Westall (Head of Customer & Commercial Services) said the Channel Shift Plan report that was due to go to Cabinet in December 2016 would seek for a budget for a portal for residents to use to search all of the different Council services and that the taxi testing bookings could be part of that. The service could include sending out reminders for bookings the day before. When asked by the Chairman when this would roll-out Mr Westall said that this would probably start with the Revenues and Benefits section as they were the busiest department, but it did depend on the budget granted by Cabinet.

After discussion by the Committee it was **RESOLVED** that:

- (a) The Committee notes the report of the Corporate Director (Operational Services) regarding taxi testing and private hire vehicles and that the Committee believes that there is sufficient capacity within the Northbourne Road Garage and that therefore there is no need for further taxi testing days to be offered; and

RECOMMENDED TO CABINET

- (b) Further consideration be given to putting the booking of taxi testing online as part of the Channel Shift agenda.

The Chairman thanked Mr Harvey for his comprehensive report.

32. CLACTON AIR SHOW 2016 - DE-BRIEF

The Portfolio Holder for Tourism and Culture (Councillor Ferguson) introduced the Head of Sport and Leisure (Mike Carran) for him to de-brief the Committee on the Clacton Air Show 2016.

Mr Carran gave the following presentation with a brief statement under each heading:

- (1) Objectives
 - Maximise Tourist Opportunities through Events; and
 - You Tube website
- (2) This Year's Key Challenges
 - CAA Guidance – following the Shoreham Air Disaster;
 - Managing visitor Safety;
 - Traveller Incursion;
 - Rising costs; and
 - Sea Mist
- (3) This Year's Success Stories
 - Night Flights;
 - Increasing Visitor Numbers;
 - Managing Visitor Numbers; and
 - Partnership Working to address key challenges
- (4) The Big Issues
 - Spectator Numbers'
 - Income;
 - Cost of Air Show; and
 - Economic Benefit
- (5) What Was Said? - Details of reviews on social media including Twitter
- (6) Learning Points for 2017
 - High Court Injunction;
 - Reinforcing the message about financial sustainability of the Air Show; and
 - Continuity between Night Flights and Fireworks

During the discussion with Members they raised the issue about the poor catering arrangements for the 2016 Airshow and Mr Carran and Councillor Ferguson agreed that

they could have been a lot better and the catering company that had been used had not really stepped up to expectations.

The Committee extended their thanks to Mr Carran and his small team and gave special praise to Jo Needham and Sarah Daniells.

33. SEA AND BEACH FESTIVAL 2016

Mr Carran gave a presentation on the Sea and Beach Festival which included the following:

- (1) Objectives
 - Maximise Tourist Opportunities through Events; and
 - “Book-end” the summer season with Clacton Airshow
- (2) The Event
 - Traditional Family Entertainment;
 - Traditional Seaside Entertainment;
 - Pleasure Boat Rides;
 - ‘Have a Go’ Activities;
 - Water Sports; and
 - Interactive Events
- (3) The Big Issues
 - Attendance;
 - Cost of the Event;
 - Economic Impact; and
 - Weather
- (4) Learning Points for 2017
 - Hone the event;
 - Roll out to other parts of the District;
 - Work towards financial sustainability; and
 - Possibility of Linking-in with other events

The Chairman suggested a large marquee on the Greensward which had proved effective at Aldburgh which could contain some sort of entertainment and Mr Carran said he had already been talking to a promoter who was experienced at huge outdoor events and was very professional. Last year they had piloted a four-day marquee event and the model was similar to a Radio One Roadshow. Mr Carran added that the Council wanted high quality events without having to pay for them, however that promoter liked Clacton and it was looking promising working with them.

The Chairman thanked Councillor Ferguson and Mr Carran for their two excellent presentations and said that their staff should be commended for the very hard work from such a small team, especially mentioning the hard work of Sarah Daniels and Jo Needham.

34. DATE OF NEXT MEETING

The Chairman confirmed that the next scheduled meeting of the Committee was to be held on Wednesday 25 January 2017, subject to the availability of agenda items and as that meeting was the last of 2016 he wished all present a very Merry Christmas and a Happy New Year and thanked the Committee for all of their support over the last year.

The Meeting was declared closed at 9.00 pm

Chairman

This page is intentionally left blank

Briefing Note – 4 year extension to current Joint Committee Agreement for the North Essex Parking Partnership

Decision(s) Required

- a) Whether Tendring District Council (TDC) agrees to the four year extension to the Joint Committee Agreement (JCA) offered to the North Essex Parking Partnership (NEPP) by Essex County Council (ECC) and provides a letter of agreement as requested.
AND subject to a) above
- b) The content of the letter to be forwarded to the Joint Committee of the NEPP within the period of time required.

Background

The NEPP was formed in April 2011 and reports to a Joint Committee (JC) of ECC under a seven-year agreement.

The six District and Borough Councils in North and West Essex are Members of the JC and are represented by Councillors at the Committee meetings. These Councillors must be Executive Members. Essex County Council (ECC) attends the meetings and this is normally the Portfolio Holder responsible for Highways & Transportation.

The JC meets four times a year, with its AGM in June. The NEPP JC receives operational, financial and other relevant reports from officers. The officers are employed by Colchester Borough Council which is named in the Joint Committee Agreement (JCA) as 'lead authority'. Each of the District and Borough Councils (the "client authorities" of NEPP) has a client officer with whom the NEPP officers maintain regular contact and an officer from ECC also attends.

ECC has an Agreement with the NEPP JC to delegate the delivery of its on-street parking function. The NEPP provides these services in the districts/borough of Tendring, Colchester, Braintree, Uttlesford, Harlow and Epping Forest. ECC has also delegated powers to make parking Traffic Regulation Orders (TRO) to the NEPP. These are the underpinning regulations for the making of parking restrictions/permissions such as "yellow lines" and parking bays and permit areas.

As part of the original agreement there was financial support provided by ECC and this is covered in financial implications section of this report.

Current Position

The current JCA includes an option to extend for a further four years when it terminates in March 2018. ECC have indicated their intention to take up that option and offer both the North and South partnerships an extension to the existing JCA through to March 2022.

The JCA will retain the vast majority of its existing clauses. However, the following amendments have been made by ECC in relation to the offer of the four-year extension:

- For the last two years of original seven year agreement:
 - 16/17 - ECC S&L subsidy at reduced levels (North - £120k and South £30k)
 - 17/18 - No ECC subsidy, but business cases brought forward in 2016/17 for investment consideration
- change to funding and more innovation/ efficiency/ modernisation with ECC operating as a co-investor providing capital funding, against agreed income generation and innovation business cases
- The Partnerships to produce a review and report on best value approach for delivering Signs & Lines maintenance and creation of new schemes
- The Partnerships to consider ways to improve links to Local Highways Panel (LHP) possibly via link to Highways Liaison officers to provide meeting dates and scheme information

Under the terms of the original JCA signed by this Council (TDC) in 2011

The Joint Committee shall be operational for a period of seven years (“the Operational Period”) commencing on 1 April 2011 (“the Commencement Date”) unless, with the written consent of all the Partner Authorities, the Operational Period is extended for an additional four years, up to a total of eleven years.

The decision to extend the Operational Period shall be taken by either the Council (Essex County Council) or the Joint Committee not less than fifteen months before the end of the Operational Period.

In circumstances where the decision has been taken by the Joint Committee, the Council’s consent must be obtained in writing to the proposed extension and shall be delivered to the Joint Committee not less than twelve months before the end of the Operational Period.

In circumstances where the decision has been taken by the Council (ECC), the Joint Committee’s consent must be obtained in writing to the proposed extension and shall be delivered to the Council (ECC) not less than twelve months before the end of the Operational Period.

In this instance the Council is Essex County Council and they have provided the written request to the JCA for the four year extension.

Therefore, this Council (TDC) will now be required to support or otherwise the JCA in making this request not less than 12 months before the end of the operational period which is 31 March 2017. The

JCA have asked individual members to provide a letter of agreement to the extension.

Alternative Options

The Council can choose not to sign up to the four-year extension. However, if other authorities do, then on-street enforcement services would still continue in the District. In this eventuality there is a risk the Council would not be able to influence priorities and actions of the NEPP or request new TRO schemes with the same degree of involvement as currently exists.

The Council has invested a significant amount of time and energy in making the partnership work and influencing how best to make it work in accordance with Tendring's approach to car parking.

Some notable successes include the partnership work agreed with the NEPP outside of schools; the improved system for introducing new parking related Traffic Regulation Orders (TRO's), the agreement not to introduce CCTV cars in the Tendring District and a greater understanding of local needs.

That said, further work is required in relation to local parking needs and eliminating the "one size fits all" approach to parking enforcement, encouraging "partnership" as opposed to "majority rules" and extending the delegation of enforcement powers to TDC employed officers to cover areas other than schools.

Proposal and Delegated Power

That TDC provides written agreement to the JC for the four-year extension to the Joint Committee Agreement (JCA) if the terms are agreed by the NEPP Joint Committee.

Legal advice received in respect of delegated authority for such action in Tendring is that the letter of agreement can be drafted by the Portfolio Holder Cllr Turner and the Head of Public Realm as the appropriate officer and be signed off by the Head of Legal Services and the Head of Financial Services in consultation with the Leader of the Council.

Discussions with the Portfolio Holder indicated agreement for this course of action provided a briefing note and copy of any proposed letter was provided for discussion. The proposed letter signed by the head of Legal Services and the Head of Financial Services is attached along with a pro forma concurrence signed by the Portfolio Holder for Commercialisation and the Leader of the Council.

Financial implications and Risk

In the initial agreement ECC agreed to provide:

- Implementation and transitional arrangement costs up to a maximum of £124,000

- To cover any deficits on the on-street accounts for the first two years that the Partnerships operated
- To provide a one-off sum of £250,000 for the Partnerships to deal with the backlog of sign and lines work
- To provide £150,000 per annum for maintenance of signs and lines subject to the Annual Business Plan demonstrating that this level of support is required.

In the extension to the agreement the funding of £150,000 from ECC for maintenance of signs and lines has been withdrawn as both partnerships' financial results show that these works can be funded from the on-street surplus.

However, this does not stop the NEPP applying for capital funding from ECC to introduce innovative projects that will generate further on-street revenue. Examples already identified relate to commuter parking opportunities on ECC highway land adjacent to railway stations and major transport hubs.

Risk Management Implications

The financial risk for the Council relates to any deficits incurred by the NEPP which are shared equally amongst all partners. However, the on-street account has been in surplus for the last three financial years and also the NEPP has maintained a reserve fund of at least £100,000 to cover this eventuality.

There is a risk that the withdrawal of the £150,000 funding for maintenance of signs and lines will mean that some areas become unenforceable and new schemes will not be developed. However, the NEPP has demonstrated over the last three years that it can generate enough surpluses on its on-street account to continue this level of funding.

The NEPP does maintain a comprehensive risk register that is reviewed annually by the Joint Committee.



Cllr Robert Mitchell
Chair North Essex Parking Partnership
C/O Braintree District Council
Causeway House
Bocking End
Braintree
Essex
CM7 9HB

Corporate Services
Town Hall
Station Road
Clacton on Sea
Essex
CO15 1SE

Tel: (01255) 686868
Email: rbarratt@tendringdc.gov.uk
lhastings@tendringdc.gov.uk

31 January 2017

Dear Robert,

North Essex Parking Partnership - Four Year Extension to the Joint Committee Agreement.

At the meeting of the Joint Committee of the North Essex Parking Partnership in December 2016 members were requested to consider the offer made by Essex County Council to extend the current term of the Joint Committee Agreement by four years and to provide a letter of support, or otherwise for this proposal.

Tendring District Council has considered this matter, understands the advantages of continuing with the current agreement for a further four years and is in agreement with the proposal.

However agreement is with the proviso that Tendring will not budget for any money to cover losses arising from the Partnership, that no camera enforcement cars operate within the Tendring District and that the Partnership agrees to further develop the arrangement with Civil Enforcement Officers employed by Tendring District Council to assist with meeting local requirements for on-street parking enforcement.

Tendring District Council looks forward to continuing with the partnership and the opportunities this presents for meeting future requirements for on-street parking across North Essex.

Thank you for coordinating the response to Essex County Council and we look forward to a satisfactory outcome that meets all partners' requirements.

Yours sincerely

Lisa Hastings
Head of Governance and Legal Services and Monitoring Officer

Richard Barratt
Head of Finance Benefits and Revenues

This page is intentionally left blank

SERVICE DEVELOPMENT AND DELIVERY COMMITTEE

27 FEBRUARY 2017

WALTON-ON-THE-NAZE LIFESTYLES: LEGIONELLA BACTERIA (Briefing note prepared by Mike Carran)

In advance of a more detailed briefing and discussion about the positive test of Legionella Bacteria at Walton-on-the-Naze Lifestyles, this note provides an overview of the sequence of events and background information.

On Friday 18 November 2016, the Council was informed by Public Health England that a local resident, who had recently used the Fitness Room shower facilities at Walton-on-the-Naze Lifestyles, had been admitted to Colchester Hospital with Legionnaires Disease. As a result of this information, the Council's Environmental Health Team was requested to sample the showers with a view to assessing whether the facility was the possible source. At this point, a management decision was taken to close the gym showers to the public until results of the test were known.

On Wednesday 30 November 2016, it was confirmed that the subsequent test had returned a positive result for Legionella Bacteria. As such, the showers remained closed until an investigation into the source was complete and rectification work carried out.

On Friday 2 November 2016 a decision was taken to close the building until remedial works had been undertaken and the facility had a clean bill of health.

A meeting was held on Monday 5 December 2016 with the HSE and Public Health England, together with the range of contractors and organisations involved in the refurbishment of the facility, which was completed in April 2016.

Although a number of issues were identified at this meeting, the main action point agreed was for the Council to commission a Water Treatment Specialist to undertake an independent Risk Assessment and compile a rectification strategy.

The Risk Assessment was undertaken on Wednesday 7 December 2016, where a range of issues were identified. A list of works was then scheduled and confirmed with the HSE and Public Health England, which included a reconfiguration of the cold water feed and replacement of all showers installed during the refurbishment.

All works were complete by Friday 3 February 2017, followed by a full super-chlorination of the water system and an agreed process of comprehensive Legionella testing. Subject to satisfactory water results being returned after the incubation period, the pool will re-open on Friday 24 February 2017 or sooner if that is possible.

The Head of Sport and Leisure will attend a future meeting of the Service Development and Delivery Committee to discuss the position in more depth and update Members on the programme of works that is being undertaken at all other appropriate Council facilities.

This page is intentionally left blank