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Resources and Services Overview and
Scrutiny Committee

14 October 2019

**MINUTES OF THE MEETING OF THE RESOURCES AND SERVICES OVERVIEW
AND SCRUTINY COMMITTEE,
HELD ON MONDAY, 14TH OCTOBER, 2019 AT 7.30 PM
IN THE COUNCIL CHAMBER - COUNCIL OFFICES, THORPE ROAD, WEELEY,
CO16 9AJ**

Present:	Councillors M Stephenson (Chairman), Scott (Vice-Chairman), Allen, Barry, Bray, Codling, Griffiths, Morrison and Turner
Also Present:	Councillor Michael Bush
In Attendance:	Paul Price (Corporate Director (Operational Services)), Richard Barrett (Head of Finance, Revenues and Benefits Services & Section 151 Officer), Keith Simmons (Head of Democratic Services and Elections), Anastasia Simpson (Head of People, Performance and Projects), Michael Carran (Head of Sport and Leisure), Katie Wilkins (Human Resources and Business Manager) and Charlotte Cooper (Committee Services Officer)

19. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were none on this occasion.

20. MINUTES OF THE LAST MEETING

The minutes of the previous meeting held on 29 July 2019 were approved as a correct record and signed by the Chairman.

21. DECLARATIONS OF INTEREST

Councillors Allen and Turner declared that, in relation to Agenda Item 6 – Scrutiny of Proposed Decisions, they were Town Councillors on Frinton and Walton Town Council which was due to consider the ‘Spendells’ site and would submit views thereon to this Council in the near future.

22. QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 38

On this occasion no Councillor had submitted notice of a question.

23. RECOMMENDATIONS MONITORING REPORT

The Committee had before it the current Recommendations Monitoring Report. The Committee were aware that this report outlined any recommendations it had made to the Cabinet, the Cabinet’s response and any relevant updates.

The report outlined one update to an item considered previously at the last meeting of the Committee on 29 July 2019 (minute 13 refers) with regards to two empty properties of the Council (Honeycroft and Spendells). In early August 2019, the Members of the

Committee had been advised it had been intended to demolish Honeycroft at the same time as another large building (which was identified as the Mermaid Building in Jaywick Sands). The advice in early August had also been that a proposal from a partner agency for the Spendells site had been at too early a stage to divulge the detail of the partner agency. The Corporate Director Operational Services advised the Committee at the meeting that the discussions with the partner agency had since been discontinued.

The Committee were further updated in respect of the unsuccessful recruitment exercise for the building surveyor/project manager role identified in the response from the Cabinet. Consequently, the Council's Building and Engineering Manager was now considering outsourcing the bulk of the process, whilst retaining overall monitoring within the department given the complexity of the demolition process. It was anticipated that a report would be submitted to this November's Cabinet meeting.

After some deliberation it was **RESOLVED** that the Committee notes the contents of the report. The issue was now marked as completed within the Recommendations Monitoring Report.

24. SCRUTINY OF PROPOSED DECISIONS

Pursuant to the provisions of Overview and Scrutiny Procedure Rule 13, the Committee reviewed any new and / or amended published forthcoming decisions relevant to its terms of reference with a view to deciding whether it wished to enquire into any such decision before it was taken. The relevant forthcoming decisions were before the Committee. The Committee was advised that the report referenced the lead Officers rather than the decision maker. The Committee was advised that rather than the officers identified in the report, the decisions would actually be taken by Cabinet in a meeting or by the relevant Portfolio Holder.

The list of proposed decisions include one for "The future use of Spendells House, Walton-on-the-Naze". In respect of this item Councillors Allen and Turner declared that this would be discussed at a Frinton and Walton Town Council Meeting and the recommendations of that Town Council would be sent to this Council in the near future.

After some deliberation it was **RESOLVED** that the Committee noted the list of forthcoming decisions. It did not amend its work programme to include any item on the list.

25. PERFORMANCE REPORT QUARTER 1 2019/20

The Committee had before it a report of the Deputy Chief Executive which presented the Performance Report for Quarter One (April – June 2019) ("Q1") including the Corporate Plan and Priorities and Projects 2018/19.

Appendix A to that report contained details of the 17 indicators and projects. Where performance was measured, 10 (59%) were on or above their expected targets. 5 (29%) were not currently in line with the expected performance and for 2 (12%) there was currently no data available.

Members were informed that any feedback they had from this report would be presented to a future meeting of the Cabinet as a separate reference report.

The Council's Human Resources & Business Manager (Katie Wilkins) gave the Committee an update in respect of the indicators and projects with particular focus on those indicators that were currently listed as "Behind Target".

Several Members of the Committee referenced the absence of data for 'Missed Bin Collections' and for 'Recycling Rate' in the Targets section of the Performance Report. Albeit that this was for Q1 of 2019/20, and therefore prior to the roll out of the new wheeled bin based waste collection service, Members expressed concerned that the data was not available given that it was now Q3 of that year. Although the Committee did not have Q2 data before it, there were several comments about the new wheeled bin based waste collection service rolled out in Q2. The Corporate Director (Operational Services) referenced the extent to which teething problems with the new service had occurred and he also reported on specific issues currently being faced by Veolia, the Council's waste and recycling collection contractor. In particular, the level of recycled material being collected by Veolia was proving difficult to accommodate in the separate weekly rounds that took place in the District on Thursdays. The Corporate Director confirmed that for the performance data the Council used verified data received from Essex County Council and it was the absence of data from the County Council that meant that this had been reported as unavailable in the Q1 performance report submitted to the Committee. There was therefore no guarantee that he could give that this data would be available for the Q2 and subsequent reports.

Consideration was also given to the element of the report on Jaywick Sands which recorded the targets there as "Behind Target" and indicated that several milestones of the target were 'currently on hold'. The Corporate Director (Operational Services) advises the Committee that a key issue in respect of this was an updated flood risk assessment currently being undertaken by the Environment Agency to take account of climate change predictions. This was anticipated in 2-3 weeks and would be used to develop a spatial plan for the area. This spatial plan was critical to avoid poorly co-ordinated piecemeal development that did not maximise the opportunities of development to revitalise the area. Officers agreed to seek a response to a Member's question on this issue.

In respect of the target of achieving 'Cloud migration' planning and for 40% of services to be migrated (within the aim of Creating a Quality Environment for our Staff), a question was asked about the use of Microsoft Office 365 and there was a concern expressed that this was a more costly option when compared with other options.

After some deliberation by the Committee it was **RESOLVED** that the Committee notes the contents of the Performance Report Quarter 1 2019/20; records its thanks for the staff of the Council in respect of the work undertaken as recorded in the Performance Report and determines that it shall for the time being continue to seek an update in these Performance Reports on the project 'Transforming Tendring'.

26. CORPORATE PLAN

With the approval of the Committee, the Chairman identified that Agenda item 10 – Corporate Plan, would now be considered at this point in the meeting.

The Committee had before it a Report of the Deputy Chief Executive – New Corporate Plan 2020-24, which sought that the Committee note the new Corporate Plan 2020-24 and determined whether it has any comments or recommendations it wishes to put forward to the relevant Portfolio Holder or Cabinet.

The report to this Committee also included the report to the Cabinet meeting on 13 September 2019 (minute 34 referred) in respect of the Draft Corporate Plan, Corporate Plan Timetable and Consultation Proposals.

The Council's Head of People Performance and Projects was in attendance and presented to the Committee key elements from the above. This presentation was then circulated to the Committee after the meeting.

After some deliberation it was **RESOLVED** to note that the deadline for consultation responses on the emerging Corporate Plan was 21 October 2019.

It was then further **RESOLVED** that this Committee recommends to Cabinet that the content of the emerging Corporate Plan 2020-2024 should be supported.

27. REVIEW OF THE WORK PROGRAMME

The Committee had before it an updated Work Programme 2019/20 that outlined the scrutiny to be undertaken by this Committee in the remainder of that Municipal Year. It had been expanded from that originally approved following discussions undertaken by the Head of Democratic Services and Elections with officer colleagues. Scrutiny must be Member led and as such the Committee was asked to consider the detail now submitted and confirm or amend the scope of the reviews in the work programme; including the expectations of this Committee for the scrutiny reviews. This detail would be further expanded to include whether the relevant Portfolio Holder and others were to be invited to give evidence as part of those reviews.

The Committee also had referred to it the decision of the Community Leadership Overview and Scrutiny Committee on 5 August 2019 (Minute 64 referred) that this Committee scrutinise the budget arrangements for the delivery of 200 homes agreed by Cabinet at its meeting on 19 July 2019, and as part of that exercise to examine the financial deliverability of building up to 500 new homes, as suggested in the statement by the Leader of the Liberal Democrat Group, and where this number of new council homes could actually be accommodated.

After some deliberation it was **RESOLVED** that:

- (1) The Work Programme for the Committee be amended to accommodate an interim scrutiny of the implementation of the new waste and recycling collection service at the meeting of the Committee scheduled for 28 November 2019. Veolia (the contractor undertaking the service) and the Portfolio Holder for Environment and Public Space are to be invited to this meeting to provide information on that implementation and to respond to questions thereon.

- (2) Further to (1) above, the Chairman of the Committee be authorised to seek the views of all District Councillors on the implementation of the new waste/recycling service and possible, the experiences of the residents of their Wards and possible questions for Veolia's representatives and the Portfolio Holder with a view to these being collated and assist the Committee in its interim scrutiny.
- (3) The Chairman of the Committee and the Head of Democratic Services and Elections be requested to consider arrangements for the annual budget scrutiny, currently scheduled in the Work Programme for 16 December 2019 and 8 January 2020 (commencing at 9.30am on both days) with a view to developing proposals to conduct that scrutiny (and that therefore may change the arrangements in the Work Programme); the proposals would then be submitted to the members of this Committee for consideration.

28. NORTH ESSEX GARDEN COMMUNITIES JOINT SCRUTINY PANEL

The Committee were aware that at its meeting on the 29 July 2019 (minute 15 referred) it was resolved to create a new North Essex Garden Communities (NEGC) Joint Scrutiny Panel with the Community Leadership Overview and Scrutiny Committee.

At the meeting the Council's Head of Democratic Services and Elections provided the Committee with a verbal update on the decisions taken by the Chairmen of the two Overview and Scrutiny Committees following a process of considering the membership of the Panel. The two Chairmen proposed that the membership of the Joint Scrutiny Panel should comprise of;

Councillor M Stephenson (Chairman)
Councillor Bush
Councillor Griffiths
Councillor Steady
Councillor Turner

Notice of the above had been submitted to the Committee in an email of 3 October 2019 from the Head of Democratic Services and Elections on behalf of the Chairmen of the Council's two Overview and Scrutiny Committees.

It was also announced that the NEGC Joint Scrutiny Panel would be holding its first meeting on 16 October 2019.

It was **RESOLVED** that the Committee endorses the decision of the Chairmen of this Committee and the Community Leadership Overview and Scrutiny Committee on the membership of the new NEGC Joint Scrutiny Panel.

29. CORPORATE BUDGET AND FINANCIAL FORECAST MONITORING 2019/20 FIRST QUARTER

The Committee had before it a report of the Deputy Chief Executive – Financial Performance Report – in Year Performance against the budget at end of First Quarter 2019/20 and Long Term Financial Forecast Update, which provided an overview of the Council's financial positions against the budget as at the end of June 2019 and to

present an updated forecast on an on-going basis as part of developing the budget for 2020/21 and beyond.

The report invited the Committee to consider the in-year financial position of the Council as at the end of June 2019 and determine whether it had any comments or recommendations it wished to make or put forward to the relevant portfolio holder or Cabinet; and that it considered the updated long-term financial forecast update and determines whether it has any comment or recommendations it wished to make to Cabinet as part of the financial strategy consultation process.

The Committee was made aware that on 13 September 2019 Cabinet had considered a Financial Performance Report, which was attached as Appendix A to the report to this Committee. It was reported that Cabinet had resolved:

- (1) In respect of the financial performance against the budget at the end of June 2019:
 - (a) The position be noted; and
 - (b) The proposed in-year adjustments to the budget, as set out in Appendix H to the report, be approved, with the additional requirement that the fund of £1.134million set aside for investment in the Council's property assets be spent in such a way as to reduce future cost pressures and to contribute to the Council's commitment to carbon reduction.
- (2) In respect of the Updated Long Term Financial Forecast, the updated forecast be agreed and that the Resources and Services Overview and Scrutiny Committee be consulted on the latest position.

In response to individual questions of Members, the Head of Finance, Revenues & Benefits Services reported:

- The first three years of the 10 year financial plan had seen significant savings be achieved. The reason why the increase in the annual target for savings was rising from £300K to £450K over the remaining 7 years of that plan was a reflection on cost pressures that had arisen following the commencement of the 10 year plan.
- The payments to the Council in respect of the former M&S store in Clacton Town Centre amounted to approximately £200K per year.
- If a major emergency were to occur and the Council needed to respond it would seek to recover costs incurred under the Bellwin scheme. This scheme provided for government emergency financial assistance to reimburse local authorities for costs incurred on, or in connection with, their immediate actions to safeguard life and property or to prevent suffering or severe inconvenience as a result of a disaster or emergency in their area.
- The funds held by the Council for Disability Facilities Grants were released for those in private sector housing in response to an assessment by the Essex County Council Occupational Therapist of the facilities needing to be installed.
- The Capital Scheme for Clacton Multi Storey Car Park was to reflect the fact that the expected life of the current structure had now been fulfilled. While there was no reason to consider there was an imminent need to replace the structure it was appropriate to include the full sub to replace it and to continue to inspect/monitor the structure.

- The Capital Scheme for Bath House Meadow Security Measures was a scheme to deter unauthorised use of that meadow.
- While the complete figures as to financial support of £2.25m for the North Essex Garden Communities company (NEGC Ltd) and the approved use of £905K of that sum were not in the report submitted to Cabinet and this Committee, he intended to adjust the reports to report these details in the future.

During the discussion of this item there were suggestions about potential income generation ideas (involving the building and selling of Beach Huts), the extent to which the reserves of the Council were appropriate and otherwise could be made to work for the Council while the projects they were there to fund were not requiring expenditure, the extent to which savings had been made that then resulted in a need for spending authorised by way of 'one-offs'.

After some deliberation it was **RESOLVED** that:

- (1) The Committee notes the contents of the report;
- (2) Requests that, for its meeting on 28 November, it should have submitted to it a complete list of reserves and provisions; and
- (3) Amends the Committee's Work Programme to identify that it intends to look at income streams for the Council to contribute towards the savings target of £450K per year in the Revenue Budget.

30. REVIEW OF THE BUSINESS CASE FOR THE FUTURE OF PUBLICLY OWNED LEISURE CENTRES WITHIN THE DISTRICT

The Council's Head of Sport and Leisure was in attendance to present to the Committee a verbal update on the development of the proposed Business Case for the future of publicly owned leisure centres within the District. He advised the Committee that later in this Calendar Year there was intended to be consideration by Cabinet of a 10 year Strategy for Sports facilities in the District as provided by the Council. The underpinning themes of the new Strategy were reported as:

- (1) Securing the financial sustainability of the Council's leisure and sports facilities.
- (2) Seeking to harness the work being undertaken with Sport England to break the cycle of inactivity and consequential health problems and design services that will align with the outcomes of the project.
- (3) Adjusting the service offer and pricing policy to respond to the changing market in leisure facility provision nationally and attract more users.

He also pointed out that the agreement for joint use facilities in Brightlingsea, Harwich and Manningtree had a term that would come to an end in the next 2-3 years.

The Committee was also advised that the Football Foundation had identified the appropriateness of 3rd generation artificial pitches (3G pitches) in Clacton, Harwich and Walton and the Council would work with partners to respond to the Foundation's assessment.

Each project under the intended Business Case for the future of publicly owned leisure centres within the District would need to be separately assessed and approved in the

same way as the project for asset investment for Clacton leisure Centre had when it was considered by Cabinet on 11 October 2019. For reference, the Committee had before it a report of the Portfolio Holders for Corporate Finance and Governance and Leisure and Tourism Business Plan for Clacton Leisure Centre to the Cabinet held on 11 October 2019.

Several Members of the Committee asked questions about the financial basis of the proposals in the report to Cabinet on Clacton Leisure Centre asset investment. Likewise there were questions about the timing of the project in view of the peak in gym memberships occurring in January each year. There were concerns expressed about the absence of consultation with members and users of the Centre about the proposals and issues such as disabled access to different areas within the Centre based on the proposals set out in the report. Questions also spanned the potential for use of the photo-voltaic cells on the roof of the Centre to generate electricity.

There were further questions around procurement and contract management for the project; given the previous experience of works at the Centre (a lift near the Spa Pool that failed to work repeatedly).

The Head of Sport and Leisure informed the Committee that there had been some slippage in the scheme programme and it was now unlikely to commence at the end of November 2019. The duration of the project was reported as being five weeks.

After much deliberation by the Committee it was **RESOLVED TO RECOMMEND TO CABINET:**

- (1) That the asset improvement works to Clacton Leisure Centre as approved by the Cabinet Committee on 11 October 2019 not be commenced until after the end of January 2020 and that before those works commence consultations are undertaken with Members and other users of the Leisure Centre on the works and the findings of those consultations reported on and considered; and
- (2) That the detail of the cost implications of the individual elements of the project be fully reported on and considered.

The meeting was declared closed at 10.20 pm

Chairman