

COTSWOLD DISTRICT COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE

7TH MARCH 2017

Present:

Councillor Jenny Forde - Chairman

Councillors -

SI Andrews
Andrew Doherty
RG Keeling

SDE Parsons (until 12.02 p.m.)
NP Robbins

Substitutes:

SG Hirst

Apologies:

Jim Parsons (absent on other
Council business)

OS.51 SUBSTITUTION ARRANGEMENTS

Councillor SG Hirst substituted for Councillor Jim Parsons, who was attending a meeting of the GCC Health Overview and Scrutiny Committee on behalf of this Council.

OS.52 DECLARATIONS OF INTEREST

(1) Member Declarations

There were no Declarations of Interest from Members under the Code of Conduct.

(2) Officer Declarations

There were no Declarations of Interest from Officers.

OS.53 MINUTES

RESOLVED that:

(a) the Minutes of the Meeting of the Overview and Scrutiny Committee held on 6th December 2016 be approved as a correct record;

Record of Voting - for 5, against 0, abstentions 2, absent 0.

(b) the Minutes of the Special Meeting of the Overview and Scrutiny Committee held on 7th February 2017 be approved as a correct record.

Record of Voting - for 4, against 0, abstentions 3, absent 0.

OS.54 CHAIRMAN'S ANNOUNCEMENTS

(i) The Chairman explained that the Meeting would be recorded largely due to the number of presentations on the agenda, without supporting written papers, as this would assist with subsequent Minutes production.

(ii) The Chairman wished to place on record her thanks to Councillor Julian Beale for his contribution to the Committee. Councillor Beale was no longer a Committee member following changes to the allocation of committee places arising out of a recent by-election, but his work on the Committee had been much appreciated.

(iii) The Chairman formally welcomed Councillor Andrew Doherty, the recently-elected Member for the Fairford North Ward, to his first Meeting of the Committee.

(iv) The Chairman welcomed Officers and other contributors to the Meeting.

(v) The Chairman reported that, having heard back from Gloucestershire County Council (GCC), there were two dates in the 2017/18 Municipal Year where there were clashes between meetings of this Committee and the GCC Health and Care Overview and Scrutiny Committee - Tuesday 6th June 2017 and Tuesday 6th March 2018. As a result, and in line with Members' previous comments, it was therefore proposed to 'delay' the CDC meetings by one week, i.e. to 13th June 2017 and 13th March 2018 respectively. The revised dates would still be in advance of the Cabinet Meeting for each month, thereby enabling any comments on the relevant summary performance report (and indeed on any other item) to feed into the Cabinet without any delay. Officers would confirm the revised arrangements by e-mail.

(vi) The Chairman stated that she intended to vary the order of business so as to deal with the 2020 Partnership item before the Leisure and Museum one, in order to allow David Neudegg to leave earlier for other scheduled meetings.

OS.55 PUBLIC QUESTIONS

No public questions had been received.

OS.56 MEMBERS' QUESTIONS

No questions had been received from Members.

OS.57 CALLED-IN DECISIONS

No executive decisions had been the subject of Call-In since the Committee's previous Meeting.

OS.58 2020 PARTNERSHIP UPDATE

The Managing Director of the 2020 Partnership, David Neudegg, was in attendance to answer any queries arising out of his presentation to Members after the February Council Meeting. He explained that he sought to attend scrutiny meetings of all partner councils on a fairly regular basis in order to enable the Committees to ask questions about issues of interest and/or concern.

In response to questions, Mr Neudegg provided the following information:-

- The pursuit of unitary governance in Oxfordshire presented both an opportunity and a potential risk. If West Oxfordshire DC ceased to exist, the shareholding would transfer to the new local government body, but in due course that new organisation might review how it delivered services - access to a local authority-owned company could prove attractive if that company delivered cost-effective services, but the organisation could choose to either outsource services or bring them in-house. For the 2020 councils, ultimately it would be about performance in the coming three to four years, in terms of cost and quality. In this connection, the Leader had written to Oxfordshire County Council advising that a unitary proposal could place potential risk on the 2020 partners that were not in Oxfordshire, leading to diminished benefits, but he did not believe that the innovative and creative work being undertaken should be stifled through old-style reorganisation.
- An information document, in simple format, would be drafted for Members to use in any discussions with town/parish councils/meetings.
- The proposed company structure offered commercial potential, and the opportunity to trade externally, with financial benefit. However, the key aim was about better services to users at a better price. It was also pointed out that some 'trading' already occurred - HR, ICT and finance to Cheltenham Trust, the Cheltenham arms-length Housing Association and Ubico, plus various work for the Cotswolds Conservation Board. Whilst, overall, the current arrangements were relatively small-scale, the opportunity existed to assess how trading might be taken forward based on what was attractive to other councils or within the community. There was a niche market to capitalise on, but a structured approach was required and there was a need to ensure that products and quality were right before embarking on any venture.
- The Company Articles provided for an AGM, open to all councillors across the Partnership. Further Member engagement was planned, and opportunities for work across executives and scrutiny would be explored.
- As there was not planned to be a role for the Joint Consultative Committee moving forward, it was acknowledged that the respective scrutiny committees would need to consider their roles in seeking to ensure that staff were treated well so that services were delivered efficiently. It was suggested that the respective JCCs could make suggestions as to any future arrangements.
- While, moving forward, the councils would have very few direct service responsibilities, they would still retain control albeit exercised in a different way - through specified policies and service standards.

- The fundamental principle of the sovereignty of each individual council remained, with each determining its own policies and delivery standards. Any alignment of policies and/or services was likely to be advantageous, particularly in financial terms, but there was no compulsion and the choice remained with each council. That said, even if policies were different, they could still be delivered by largely the same officers. There was a clear potential for economies of scale but, if a council wished to do something different then it could, subject to providing the necessary additional financial resource.

On behalf of the Committee, the Chairman thanked Mr Neudegg for his attendance.

OS.59 REVIEW OF LEISURE AND MUSEUM SERVICE

Further to the previous presentation to the Committee in September 2016, Martin Holland, the Joint Leisure Services Manager, together with Jamie Nesbit, the Contract Manager of Sport & Leisure Management (SLM), the Council's leisure and museum contractor, were in attendance to provide a further update on the operation of the outsourced Leisure and Museum Service.

The presentation sought to clarify a number of aspects, and enable the Committee to then identify any further information and/or work/actions required.

The Joint Leisure Services Manager reminded the Committee that the contract had been let in 2013, for a ten-year term, and the scope included leisure facilities at Cirencester, Bourton-on-the-Water and Chipping Campden, together with the Corinium Museum. The contract was currently in year 4.

As had been agreed with review group members, the presentation sought to provide a snapshot as to how the contract was running, with supporting data; together with the key outputs expected by the Council. As such, the presentation and information provided focussed on the seven high level outputs, as follows:-

- Summary of achievement of benefits anticipated by the Council
- Reduction in running costs
- Energy use reduction
- Maintenance of award-winning standards
- Contract Monitoring and Evaluation
- Performance Measures
- Customer Satisfaction.

The Committee was pleased with the successes achieved, and the fact that many targets had been exceeded. The maintenance of award-winning standards was also welcomed and commended. It was noted that the contract provided for comprehensive and regular monitoring and evaluation. Customer feedback was generally positive, and a further national bench-marking exercise would be undertaken that year. However, the non-availability of on-site parking for centre users in Cirencester was becoming an issue.

Looking forward, it was the aim to continue effective/close working; seek to collaborate on projects; investigate the use of CIL monies; and undertake a full contract review in Year 6 and report back.

In response to questions, Messrs Holland and Nesbit advised as follows:-

- Parking issues needed to be addressed.
- It was hoped that museum visitor numbers would increase when the improvement works had been concluded, with an 'offer' of bigger and more varied collections.
- In terms of Tripadvisor rating, the Museum scored 4.5 out of 5; and in terms of things to do in Cirencester it achieved either the number 1 or 2 ranking.
- There were no concerns over current financial performance, including trends; and, from the Council's perspective, the sum received was fixed, whether business was busy or quiet - the risk was with the contractor.
- More detailed financial information was available from the contractor, and could be provided to Members if required.
- A strategic review of leisure provision in Cirencester would be required, particularly given the possible Chesterton development with its potential increased demand but also increased opportunities. Work was already underway in this regard.
- Discussions were being held with the operators of the leisure facilities at Fairford and Tetbury as, although not part of the contract, they did provide facilities to the community. Advice and help was offered, but there was a risk that the Council's influence would decrease when the time-limited grant funding expired.
- The Active Lifestyles GP referral scheme was thriving in Cirencester; but there were issues about similar schemes in Fairford and Tetbury as SLM was not responsible for those sites and the scheme contract was with SLM. However, this could be investigated further; along with healthy lifestyles generally given the funding being offered by Sport England to promote active lifestyles among specific groups.
- Off-site and/or collaborative provision could be looked into, particularly in respect of activities in school holiday periods.
- Further work could be done in terms of promotion and publicity.
- An access audit had been undertaken at Cirencester in 2015 by representatives of disabled groups, which covered all aspects of service delivery. The outcomes had been fed back to SLM for action where possible. In this connection, further accessible equipment was being installed in the pool and changing areas, including a hoist to assist with pool access. In general, it was considered that the centre was very accessible, with lots of use by people with disabilities and the provision of bespoke activities. There was niche market advertising, including TV coverage, but it was accepted that more could be done.

Members thanked Messrs Holland and Nesbit for an extremely informative presentation, and welcomed the positive situation. However, further information and/or action was requested on the following issues:-

- Gym Investment - Impact of usage
- Car Parking Issues
- Active Lifestyles GP Referrals - Fairford and Tetbury
- Accessible Facilities - Publicity and Promotion
- Include Spend per Head within SLM reports.

On behalf of the Committee, The Chairman expressed her thanks to Councillor Andrews for the review work undertaken between formal meetings.

OS.60 REVIEW OF PLANNING ENFORCEMENT - UPDATE

The Head of Planning and Strategic Housing, Philippa Lowe, provided an update in respect of progress with this review; including having regard to the allocation of additional resources for the planning enforcement service by the Council.

The Committee was reminded that of the context of the review; work undertaken to date; and contributions made thus far by not only Overview and Scrutiny Committee Members but also by other Members generally.

The need for training for Members and town/parish councils was acknowledged; and it was hoped that better informed members could assist in the management of expectations against a background of somewhat restricted legal powers. In addition, if more information was provided for the public, then they too might better appreciate the context within which the Council had to operate.

It was explained that Officers were evaluating how best to use the additional budgetary allocation provided by the Council. However, the use of the finance was limited to a degree as it had only been guaranteed for one year - a specific post was therefore unlikely, with the funding being used for agency staff/consultants to clear the work backlog, and review operations/working methods. Continuing vacancies within development management would also impact on the level of resource that could be directed to enforcement work.

In summary, the Head of Planning and Strategic Housing confirmed that the review of enforcement would be progressed and assessed as part of the broader development management review; and that the current focus was to identify both existing and future user needs; demands for the service; suitable delivery options; and potential obstacles. Whilst seeking the best use of the additional resources made available, a longer term vision was also required. Regular updates would be provided to the Committee.

During the ensuing debate, the following comments were made and/or responses provided to questions:-

- Further information would be presented to the Committee in due course, so that Members could assess whether they wished to support any further funding bid.
- The additional funding had only been made available for one year so that an assessment could be made as to its effectiveness in addressing the

problems faced; with scope for sums to be included in the future base budget.

- There was a need for Ward Members to be made aware of enforcement issues at an early stage, even on a confidential basis, so that there was not a risk of them being 'caught out' at meetings held in the locality due to a lack of knowledge. It was considered essential for the issue of Member communications to be addressed as a matter of priority, rather than await the conclusion of the review.
- There was no standard pro-active checking of compliance with conditions, as this was not considered to be feasible given the overall number of permissions and related conditions. This would not, however, apply to anything required by way of pre-commencement or the submission of further details or, indeed, major applications where a dedicated resource would be allocated. In general, the Council relied on town/parish councils and neighbours for the identification of potential breaches. Officers were not aware of any council which undertook pro-active checks, due to the significant resource implications.
- There was not considered to be a major problem with developers not complying with conditions, and non-compliance in those situations was relatively straight-forward to deal with. If a pattern of non-compliance prevailed, then Officers would keep a check on a particular development. However, on the assumption that the majority would comply, this would allow resource to be focussed on the real issues/problems.
- Whilst the relevant town/parish council did receive copies of all permissions, with conditions attached, Members were not certain that the local council would be made aware of any changes to conditions that might be agreed. In this connection, Members were invited to share any experiences of such information not being passed on, and any resultant problems.
- It was considered vital for local councillors to be more aware of processes and procedures; what constituted a breach etc.; what action was available to the District Council, given the need for any action to be proportionate; and what they could or could not get involved in.
- As a related point, the need for clearly worded conditions was considered paramount, as this would assist with enforceability.
- Officers confirmed that the potential synergies between development management and building control were being explored as part of the review; but it needed to be remembered that the Council's Building Control Inspectors would not deal with all development sites and would not be aware of all conditions on every permission.

In welcoming, and thanking Ms Lowe for, the update, it was felt that a short paper should be presented in due course on the next steps, 'quick wins', and future timetable.

OS.61 SUMMARY FINANCE/SERVICE PERFORMANCE REPORT - 2016/17
QUARTER 3

The Committee received a report summarising overall performance by the Council during Quarter 3 of the 2016/17 financial year, with particular focus on progress towards achieving the Council's top tasks and efficiency measures; and which also provided information on the Council's capital expenditure, capital receipts and the use of reserves. Officers amplified various aspects of the circulated report.

As part of this item, the Environmental and Regulatory Services (ERS) Group Manager, Bill Oddy, and Service Business Manager, Stuart Rawlinson, attended the meeting and provided information on existing and planned service and performance improvements to Building Control Services following its transfer to ERS in April 2016.

It was explained that the focus of the initial business transformation had involved the Public Protection service, and had led to significant efficiency and financial savings. Work in respect of building control was therefore less advanced, and had presented different issues given that it represented a very traditional service and operation with 'value' around quality, despite issues over the years about productivity and income generation capabilities.

Early work had identified that, post-recession, planning applications had increased but this had not translated into more work for Building Control, primarily due to market deregulation - leading to more authorised inspectors, small companies becoming more agile and capable of meeting the needs of small developers, and large developers entering arrangements with authorised inspectors.

The Committee was pleased with the significant improvements to service performance, with improved turnaround times. However, it was acknowledged that the financial challenges were a longer term issue. More generally, a Service Improvement Road Map had been agreed, comprising:-

- A review of fees and charges to understand the value of service, assess whether it was viable, and whether a more flexible approach could be taken to encourage business.
- Improve the customer experience through a close and trusted working relationship, and ensuring that timely responses were provided.
- Seek a robust business and marketing plan, including a pro-active targeting of customers via the planning system.
- Improve service resilience - a shared service should offer a larger pool of officers to maximise service delivery and provide flexibility.
- Consolidate back office business support.
- Introduce a case management tool/workflow system - to understand demand on service at any one time, and an effective allocation and reallocation of work to officers as opposed to the traditional methodology.

In summary, it was confirmed that work on the building control element of the service was in progress, and was now the focus of attention. That said, a period

of some 12 months had been earmarked to complete such a significant review, following which Officers would report back to the Committee.

In response to questions, Officers reiterated the key elements of the detailed project plan; highlighted the techniques to be used in an attempt to secure a gradual increase in market share; identified the need to secure market intelligence in order to understand the areas of work on which to focus; and emphasised the need for more detailed work in terms of customer experience and service evaluation. The need for relevant, robust and realistic performance and income targets was considered to be critical.

Some Members questioned whether the Council could become part of a local authority consortium, or the like, in an attempt to secure an increased market share and to be able to compete with the building control teams of the National House Builders. The possibility of a packaged service being offered - including pre-application advice, planning and building control - was also suggested. Members also supported a more flexible and innovative approach to employee turnover, and recruitment and retention.

Messrs Oddy and Rawlinson were thanked for their valued update.

RESOLVED that the report be noted.

Record of Voting - for 7, against 0, abstentions 0, absent 0.

OS.62 QUARTERLY DIGEST (INCLUDING COUNTY MATTERS)

The Committee received a Quarterly Digest, which included updates in respect of Gloucestershire County Council's Economic Growth Scrutiny Committee and Health and Care Overview and Scrutiny Committee; and the Gloucestershire Police and Crime Panel.

A Member provided a brief update on the 'Pub is the Hub' Event the previous day, and emphasised the need for the early engagement/involvement of local councils and communities when local facilities were being discussed as part of any planning obligations. He considered this to have relevance in relation to the proposed Chesterton development in Cirencester.

No other specific issues were highlighted.

OS.63 WORK PROGRAMME 2017/18

The Committee was requested to consider its forward work programme, including the identification of any other matters for possible consideration.

During the Committee's deliberations, the following additions/changes were agreed to the circulated programme:-

- June - an update on the Planning Enforcement review, possibly incorporating some recommendations for action;
- June - any further update on the Leisure and Museum contract review;
- June - initial position statements in respect of the use of consultants and neighbourhood planning;
- September - presentation by Bromford Housing;
- September - 2020 update, including options for scrutiny;

- March (2018) - Building Control review update.

RESOLVED that, subject to the above, the Work Programme be approved.

Record of Voting - for 6, against 0, abstentions 0, absent 1.

OS.64 OTHER BUSINESS

There was no other business that was urgent.

The Meeting commenced at 10.00 a.m. and closed at 1.02 p.m.

Chairman

(END)