

# Minutes

## Overview and Scrutiny Committee

28<sup>th</sup> January 2009



Councillors	Present	Councillors	Present
M. Dunn	Yes	R. Ramage	Yes
Dr. R. L. Evans	Yes	Mrs. C. Sandbrook	Apologies
Ms. L. B. Flint	Yes	A. F. Shelton	Yes
M. Gage (Chairman)	Yes	C. Siddall	Yes
J. E. B. Gyford	Yes	Mrs. J. Smith	Yes
A. M. Meyer	Yes	F. Swallow	Apologies

Cllrs. M. C. M. Lager, Cabinet Member for Efficiency and Recycling, Cllr. R. G. Walters, Cabinet Member for the Environment and Sustainability, Cllr. R. G. S. Mitchell, Deputy Cabinet Member, Environment and Sustainability, and Cllr. J. E. Abbott were also in attendance.

### 66. DECLARATIONS OF INTEREST

**INFORMATION:** Cllr. Lager declared a personal interest in respect of the Budget Scrutiny item and the discussion on Parish Support Grant as he was a member of Witham Town Council.

### 67. MINUTES

**DECISION:** That the minutes of the meeting of the Overview and Scrutiny Committee held on 19<sup>th</sup> January 2009 be approved as a correct record and signed by the Chairman.

### 68. QUESTION TIME

**INFORMATION:** There were no questions asked or statements made.

### 69. MUNICIPAL WASTE STRATEGY FOR ESSEX

The Chairman welcomed Nicola Beach, Head of Waste and Recycling, Essex County Council and Alex Creecy, Technical Manager, Essex County Council to the meeting.

The Chairman reminded Members that the Committee had agreed at its meeting on 29/10/08 that as part of its scrutiny role it would look at aspects of the strategy by focussing on the Private Finance Initiative aspects and the operation of Micro Biological Treatment plants with a view to ensuring that the fullest amount of information is available in the public domain on these issues.

Alex Creecy then gave a slide presentation covering:-

- \* The key objectives of the Joint Municipal Strategy for Essex;

- \* Waste Treatment Technologies;
- \* Private Finance Initiative;
- \* Inter-Authority Agreements.

A copy of the presentation slides are included in Appendix 1 to these minutes.

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Members then proceeded to ask a number of questions arising from the presentation and answers were given by Alex Creecy and Nicola Beach as appropriate.

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Following discussion, the Committee agreed that the presentation had been extremely useful and had provided members with a great deal of information on the subject.

The Chairman thanked Nicola and Alex for making the presentation and for giving full answers to Members questions.

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It was agreed that the Chairman would send a formal letter of thanks to Nicola and Alex.

***Action Point: The Chairman to write to the officers.***

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As part of their focus on the Private Finance Initiative aspects and the operation of Micro Biological Treatment plants and to gain further insights of the subject from an independent standpoint, Members agreed that an independent expert should be invited to talk to Members on this subject at a future meeting, and that this should be open to all members of the Council to attend.

***Action Point: The Scrutiny Manager is to make the necessary arrangements.***

Cllr. J. Abbott left the meeting following the discussion on this item.

## 70. BUDGET SCRUTINY

This was the final budget scrutiny session in respect of the Cabinet's proposed budget for 2009/10.

Members had previously received the report and accompanying appendices setting out the proposed budget proposals, that is due to be considered by Cabinet on 2<sup>nd</sup> February 2009. In addition, a report was circulated at the meeting by Trevor Wilson, Head of Finance which contained feedback from the Budget Consultation exercise.

Cllr. Lager introduced this item. He emphasised that the Cabinet wanted to be open and candid about its budget proposals, and took the Committee through the Cabinet report papers covering:-

- \* The budget consultation process;
- \* The General Fund Revenue Account (Budget 2008/09 Update; Inflationary Pressures;

Service Level Agreements with Greenfields Community Housing; New Budgetary Demands; Fees and Charges; Proposals for Changes to Service Provision, Efficiencies and Budget Reductions; Investment Income; Grants; Collection Fund Surplus/Deficit; Taxbase; Council Tax Level; Sensitivity Analysis; Proposed Approach to Balance the General Fund Budget between 2009/10 and 2012/13);

\* The Housing Revenue Account and Rent Levels (Housing Revenue Account Estimates 2009/10; Housing Rent Levels 2009/10; Service Charges);

\* Use of Balances and Earmarked Reserves;

\* Capital Programme (Capital Resources; Proposed Capital Programme; Funding Summary; Future Investment in the District);

\* Prudential Indicators and Treasury Management Strategy 2009/10 (Treasury Management and Prudential Indicators; Minimum Revenue Provision);

\* Robustness of the Estimates and the adequacy of the Proposed Financial Reserves.

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Cllr. Lager advised the Committee that the 2009/10 budget proposals provided for a 2.5% rise in the Council's portion of the Council Tax. There was a shortfall in funding of £108,340 which was still to be found, but it was currently proposed to make this up from balances although the Cabinet will continue to look for additional savings.

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Members of the Committee then proceeded to ask questions regarding the Cabinet's budget proposals which were answered by Cllr. Lager or Trevor Wilson as appropriate.

In response to a question from Cllr. J. Gyford enquiring as to the outcome of a meeting that had been held with Essex County Council on 27/1/09 to discuss whether the County Council would meet the increased costs of the Concessionary Fares Scheme for Essex from 1/4/09, Trevor Wilson agreed to provide a written response.

***Action Point: Trevor Wilson to provide a written response to this question.***

Cllr. A. Meyer asked for clarification regarding Appendix K (Schedule of Estimated Movements on Earmarked Reserves) - item relating to Senior Management Review. He indicated that he had queried this item during last year's budget scrutiny process when the bid had stood at £80,000, but had been advised that the budget bid had been withdrawn. He queried as to why the schedule showed an opening balance of £160,000 at 1/4/08 and an 08/09 estimated movement of -£60,000.

Trevor Wilson explained that the £160,000 was set aside to look at providing additional capacity at senior management level and was approved by Cabinet last year. The £60,000 that has been used in the current year was in respect of additional consultancy work undertaken by Alexander Consultants into Performance and Project Management. That work has been completed and there are no current proposals to utilise the balance remaining in 09/10.

Cllr. Meyer was concerned at the expenditure incurred in engaging consultants given the cuts in some front line services that were being proposed in the Cabinet's 09/10 budget proposals. He also queried as to whether the information that he had been given last

year was accurate.

Cllr. Lager agreed to meet with Cllr. Meyer on a one to one basis to discuss the issues raised and to clarify the position.

***Action Point: Chris Fleetham, Corporate Director to make the necessary arrangements.***

A note of the outcome of the meeting is to be circulated to the Committee. The Chairman indicated that Cllr. Meyer would have the opportunity to raise the matter again at the Committee if he remains dissatisfied.

In relation to Appendix C (Proposed Changes to Service provision and Management Reductions to Budgets) item regarding Community Halls (Halstead Senior Citizens Centre), the Chairman drew attention to an article in the 30/1/09 edition of the Halstead Gazette regarding Age Concern's use of the centre headed "Elderly Fear Centre Cuts". Trevor Wilson confirmed that he had spoken to the newspaper following the 21/1/09 meeting of the Halstead Area Local Committee when this issue had also been raised, to confirm that the senior citizens who use the centre would not in fact experience any reduction in service.

***Action Point: Trevor Wilson to follow this up further with the newspaper.***

In response to a question from Cllr. J. Gyford in respect of Appendix L (Proposed Capital Programme 2009/10) item relating to the Cut Throat Lane Allotment Extension, querying what the cost would be just to install fencing to the existing allotment site as opposed to extending it, Trevor Wilson agreed to provide a written response.

***Action Point: Trevor Wilson to provide a written response to Cllr. Gyford.***

There was a brief discussion regarding the 15/12/08 Council meeting Minute 57 (ii) (b) when the Medium Term Financial Strategy was considered, and the "Decision" set out in the minute. In particular,

\* Decision: 2 - limiting the increase in Parish Support Grant for 2009/10 to 2.5%;  
and

\* whether Decision 1 to 4 was a final decision by the Council or whether it was a decision taken by the Council for the purposes of consultation on the 2009/10 budget.

The matter is likely to be raised further at the next Council meeting when the minutes of the 15/12/08 meeting would be considered.

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At the conclusion of the session, the Chairman thanked Cllr. Lager and the Officers for attending and for answering Members questions. The budget proposals would be considered by Cabinet on 2/2/09 and then full Council on 16/2/09.

71. PROGRAMME FOR MEMBERS OF THE CABINET TO ATTEND MEETINGS OF THE OVERVIEW AND SCRUTINY COMMITTEE – CLLR. R. WALTERS THE PORTFOLIO HOLDER FOR THE ENVIRONMENT AND SUSTAINABILITY.

The Chairman reminded Members that the purpose of the session was to help the Committee understand the Portfolio Holder's responsibilities and priorities, and to link this

with the current budget setting process.

The Chairman welcomed Cllr. Walters, the Cabinet Member for the Environment and Sustainability, and Cllr. Mitchell, the Deputy Cabinet Member, to the meeting. He then invited Cllr. Walters to give his presentation.

Cllr. Walters advised the Committee that his portfolio was very extensive and covered a wide range of services: Abandoned Vehicles; Allotments; Car Parks; Parking Enforcement (on behalf of Essex County Council); Cemeteries; Community Warden Service; Horticultural Services; Grounds Maintenance Services to Greenfields Community Housing; Markets; Parks and Open Spaces; Street Cleaning; Waste Management; Fleet Management; Health Protection; Environmental Protection; Licensing; Environmental Engineering; Building Control; Climate Change Strategy; Health and Safety and Emergency Planning.

He then gave a snapshot of the key challenges and achievements under the relevant corporate objectives. The key challenges are summarised below.

#### The Environment is clean and green

Key challenges include:-

- \* the extension of the alternate weekly wheeled bin collections to further properties in the District;
- \* developing a partnership with the Highways Agency to improve the cleanliness of the A12 and A120;
- \* developing various projects in the 3 year Carbon Implementation Plan supported by the Carbon Trust;
- \* Implementation of the Pitt Report recommendations that apply to District Councils relating to surface water flooding.

#### Everyone can Enjoy a Healthy Lifestyle

Key challenges include:

- \* the demand for allotments exceeds the supply;
- \* working on a partnership with Essex County Council and Great Notley Football Club to secure match funding for a football foundation all weather pitch.

#### People take pride in their local areas

Key challenges include:

- \* Anti-social behaviour at Nottage Green and Gulls Croft open spaces are a problem;
- \* Amendments to the Private Water Supply Regulations – assessing risk contamination.

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### Key Challenges

- \* Capacity in Braintree Cemetery is limited although land is earmarked at the back of Braintree College.
- \* The possible future loss of the Service Level Agreements with Greenfields Community Housing in respect of Street Scene Services and Grounds Maintenance, and the implications for the retention of the Millennium Towers depot facility.

### Housing and Transport Meets Local Needs

#### Key Challenges

- \* Loss in income from Building Control as a result of the downturn in the construction industry – need to look at how best to manage this situation including looking at other ways of generating income;
- \* Creating more available accommodation – a partnership project with Maldon secured additional funding amounting to £200,000 for the next two years and the money will be targeted at private landlords to encourage them to bring empty properties up to the decent homes standard.

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There then followed a question and answer session which is summarised below.  
(Answers were provided by Cllr. Walters unless otherwise indicated).

#### Question from Cllr. Dr. R. Evans

In the context of the Council's responsibilities regarding health and safety issues, and with particular reference to the Health and Safety at Work Act (Section 22A – Providing safe work places; Section 22C – Provision of Adequate Information, Instruction and Supervision; Section 3 – responsibility that the Council has for people other than our own employees), can you confirm that we have our risk assessments (general risk assessments and fire risk assessments) in place so that we are fulfilling the requirements of the law?

#### Answer

Cllr. Walters will give a written answer to this question.

***Action Point: Cllr. Walters to provide a written answer.***

#### Question from Cllr. J. Gyford

In relation to supermarket trolleys, have you had any complaints or comments made to you with particular reference to the Grove Centre at Witham where apparently the trolleys can no longer get as far as the Taxi 'pick up' point behind the Red Lion. This means that unless the Taxis are willing to come through the car park and pick people up then some elderly residents have to struggle with their shopping to get to the Taxi 'pick up' point?

## Answer

Tesco's have put in a magnetic floor in response to complaints from Witham Town Council about the issue of trolleys being left at the taxi rank. The magnetic floor prevents trolleys being taken beyond a certain point. This is largely an issue between Tesco's and the Town Council and there has not been any specific involvement by the District Council.

## Questions from Cllr. A. Shelton

- (i) In relation to "Green" grants to improve house insulation, how is the availability of grants promoted?
- (ii) When Community Wardens visit elderly residents, how is any pertinent information shared with other caring agencies?
- (iii) As regards the proposals to extend further the wheelie bin scheme for alternate weekly refuse/recycling collections, will the refuse/recycling vehicles with bin lifting facilities be able to traverse the somewhat narrow country roads and lanes?
- (iv) As regards the Local Area Agreement and the Local Strategic Partnership, could you tell us what involvement you have in these?

## Answer to Question (i) provided by Cllr. R. Walters/Cllr. R. Mitchell, Deputy Cabinet Member

Last year 137 properties received grants to improve house insulation. The scheme was promoted through offering a £110 credit on the Council Tax bill.

Another 200 plus properties received free cavity wall and loft insulation on a means tested basis in partnership with Warm Front and British Gas.

There are various public information leaflets and information on the web site.

Initiatives are published in the Council's Contact magazine and other publications such as the 'Higgler', and through press releases.

We will set up a formal mechanism to provide information to Linda Hadley the Council's Parish Liaison Officer to ensure that information on initiatives is included in the 'Parish Update' newsletter.

## Answer to Question (ii)

All the Community Wardens provide a written report of visits, and there are procedures in place for information to be communicated to the caring agencies and Town/Parish Councils as appropriate.

## Answer to Question (iii)

If it is a private lane, residents will be asked to take their bins to the curtilage of their property/end of the private lane. We do have smaller vehicles with bin lifting facilities which can be used for the narrower roads and lanes.



#### Answer to Question (iv)

I do not sit on the Local Strategic Partnership because the Council has its own representatives on that body. Performance on the Local Area Agreement targets and issues related to the Local Strategic Partnership, are co-ordinated by the Council's Policy Section.

#### Question from Cllr. L. Flint

In relation to the proposal to stop the green bin collection during the winter, what will happen to residents who have weekly black sack collections?

#### Answer

The black sacks will continue to be collected.

#### Question from Cllr. R. Ramage

As regards the Council providing free car parking in its car parks over the Christmas week, can you advise what publicity was undertaken. Signage within the car parks, particularly in Witham, seemed somewhat sparse, and some users were unaware that there was no charge for this period?.

#### Answer

The point about publicity is taken and we will see what we can do to improve publicity/signage next year.

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Cllr. Mitchell the Deputy Cabinet Member advised the Committee that he had the brief for the climate change strategy. There were various targets set out in the strategy, and the Climate Change Manager had recently been appointed. There is a draft climate change progress report that will be published shortly. The Council is committed to respond to two national indicators with partner organisations, as follows:-

- \* a per capita reduction of CO2 emissions;
- \* adapting to climate change.

He informed members that he was heavily involved in the local authority government programme 07/08 which is now being implemented where practicable – this has included, for example, timers on the vending machines in Causeway House, installation of low energy light bulbs in George Yard Car Park, installation of Dyson Blade hand driers in the ladies WCs at Causeway House, the decommissioning of one of the two hot water boilers at Causeway House as one boiler provided sufficient hot water. All these had helped reduce carbon emissions as well as making financial savings on energy costs.

The climate change progress report will bring members up to date with developments, the savings made to date and the plans for the next 12 to 18 months.

Energy Saving Week and World Environment Week have been organised in the District.

Measures have been implemented in the Green Travel Plan.



There is encouragement of renewable energy installations on either new builds or existing buildings, as well as looking at 'smart' metering.

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There then followed a further question and answer session which is summarised below.

Question from Cllr. M. Gage

What do you see as your key priorities for the coming year and how is this reflected in your budgets for 2009/10?

Answer

There is a plan to eventually re-route the waste collection service possibly towards the end of next year, and this could achieve savings at the end of a three year period of £370,000.

Those services that are required to be provided by statute are seen as a priority over other discretionary services.

There are high priorities in maintaining service standards for Street Scene and Parks and Gardens.

We look to the non-statutory services for any savings that can be made.

Question from Cllr. Dr. R. Evans

Can you provide information on grants available for solar panels?

Answer by Cllr. R. Mitchell

There are grants of £1000 available from the Council. The panels have to be provided by accredited installers. There are also other grants available which are provided by the Carbon Trust as part of the low carbon building programme.

Question from Cllr. M. Dunn

Can you explain what the Climate Change Manager does, and whether the post provides value for money?

Answer by Cllr. R. Mitchell

In my view the post of Climate Change Manager provides value for money, and the post-holder has already achieved significant savings for the Council by reducing carbon emissions and energy costs. In addition, we are required to undertake a significant amount of work in connection with meeting national performance indicators. The Climate Change Manager has a wide range of responsibilities and it was necessary to have an officer in place to do the job specifically. I will provide a summary of the savings that have been achieved. (Since the meeting, Cllr. Mitchell has provided a note indicating that "the total aggregated value at stake, if we do nothing about mitigating and/or adopting to Climate Change, is calculated to be £1.8m, between the start of the programme and 2015, with an example of £488,000 in 2012 alone. This is created by a combination of

rising energy costs and business growth against our target savings of 25% by 2012.” A copy of the Climate Change Service Plan is also attached in Appendix 2 to these minutes for Members information).

Question from Cllr. C. Siddall

Do energy saving bulbs actually save energy?

Answer by Cllr. R. Mitchell

Low energy light bulbs do use less energy by a significant amount.

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At the end of the session, the Chairman thanked Cllrs. Walters and Mitchell for attending the Committee and for giving an insight into their portfolio responsibilities, and answering members questions.

Cllrs. Walters, Mitchell and Lager left the meeting at this point.

72. The Call-in Procedure

The Scrutiny Manager presented a report on the procedure for calling in decisions made by the Cabinet. Attached to the report were relevant extracts from the Council's constitution, and two flow charts that the Scrutiny Manager had compiled to illustrate the procedures to be followed.

There were two elements to the Call-in process:

- \* Call-in of decisions by reason of being outside the budget or policy framework;
- \* Call in of key decisions.

With both elements, there are certain timescales laid down. There are also provisions in the Council's constitution for the decision taker to take urgent decisions and, as long as these provisions have been followed, Call-in does not apply.

The Committee noted that, nationally, there has been a low take up of the Call-in process.

**DECISION:** that the contents of the report be noted.

73. TASK AND FINISH GROUPS

Bus and Rail Services Task and Finish Group

Cllr. Shelton the Chairman gave a brief update on the work of the Group. Members were working diligently on their research, and at the completion of this element of the study the group would be inviting representatives from the bus and rail operators to attend as witnesses to provide further information on a number of issues.

74. FORWARD PLAN – 1<sup>ST</sup> FEBRUARY 2009 TO 31<sup>ST</sup> MAY 2009

Members received the four month Forward Plan for the above period.

**DECISION:** that the contents of the Forward Plan be received and noted.

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The meeting closed at 10.12pm.

M. Gage  
Chairman