

Minutes

Overview and Scrutiny Committee 21st November 2018



Present

Councillors	Present	Councillors	Present
P Barlow (Chairman)	Yes	D Mann	Yes
Mrs. M Cunningham (Vice Chairman)	Yes	Mrs. I Parker	Yes
Mrs. D Garrod	Yes	R Ramage	Yes
J Goodman	Yes	B Rose	Yes
A Hensman	Yes	P Schwier	Yes
P Horner	Yes	C Siddall	Apologies
D Hume	Apologies	Vacancy	
G Maclure	Yes		

The following Councillors were also in attendance at the meeting: J Abbott, Mrs. J Allen, M Banthorpe, J Baugh, Mrs. J Beavis, D Bebb, T Cunningham, M Dunn, H Johnson, Mrs. A Kilmartin, J McKee, Mrs. J Pell and Miss. M Thorogood.

26 **DECLARATIONS OF INTEREST**

INFORMATION: The following interests were declared:-

Councillor Baugh declared a Non-Pecuniary Interest in Agenda Item 5 – “Scrutiny of the Priorities for 2019-20 and Initial Budget Position,” as a Director and Trustee of the Braintree District Museum Trust.

Councillor McKee declared a Non-Pecuniary Interest in Agenda Item 5 – “Scrutiny of the Priorities for 2019-20 and Initial Budget Position,” as Director and Chairman of Trustees of the Braintree District Museum Trust.

Councillor Mrs Pell declared a Non-Pecuniary Interest in Agenda Item 5 - “Scrutiny of the Priorities for 2019-20 and Initial Budget Position,” as Chairman of Halstead Community Centre Charitable Company.

27 **PUBLIC QUESTION TIME**

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

28 **MINUTES**

DECISION: The Minutes of the meeting of the Overview and Scrutiny Committee held on 19th September 2018 were approved as a correct record and signed by the Chairman.

SCRUTINY OF THE PRIORITIES FOR 2019-20 AND INITIAL BUDGET POSITION

INFORMATION: Members received a presentation from Councillor Bebb, Cabinet Member for Finance and Performance, and Councillor McKee, Cabinet Member for Corporate Services and Asset Management, on the Council's priorities for the 2019-20 period and Budget position.

The presentation slides can be viewed at:

<http://braintree.cmis.uk.com/braintree/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/707/Committee/4/Default.aspx>

Cabinet Members provided the following information in response to questions raised by Committee Members and other Members present:

- Members were advised that the consensus of discussions relating to the Community Grants Scheme was that the demand for the Grants had lessened. As such, the scheme would cease at the end of the current year, although it was added that this decision could be reviewed, following comment by a number of Members.
- In respect of the budget allowed for the cost of recyclable materials, it was confirmed that the allowance of £296,000 was an additional amount to the current budget for the period 2019-20.
- With regard to the uncertainty as to Essex County Council's (ECC) contributions to the Community Transport Scheme, it was advised that the format of the scheme was under review in order for the Council to achieve the best value for its investment. Although there were no current plans to abolish the scheme, the Council would need to ensure that it continued to encompass budgetary constraints in its forward planning.
- In respect of the investments made in towns for improvements and whether this was to continue, it was relayed that there were a number of small scale projects taking place that would contribute to the overall improvement of towns. The sum of £966,000 had been established previously for this purpose. Reference was also made to the respective consultations with the towns that the Council had previously initiated; in Witham, a new Market Square in Guithavon Street was consulted upon but ultimately rejected due to concerns raised by the Highway Authority, despite the largely positive response received from residents. In Halstead, improvements to signage and parking, as well as a pedestrian crossing, were also consulted upon with residents but the proposals were again rejected by the Highway Authority. There was an indication that the Highway Authority would change its stance on the proposals in future, although this was unconfirmed. It was also highlighted to Members that the funding for Braintree and the Manor Street Regeneration Project was not derived from the town centre improvements fund. Finally, it added that the sums gained from the recent street markets in the Braintree Town Centre could be used to help fund improvements to pedestrianised areas within the town.
- Members were advised that the outsourcing of services like that of IT was no longer a long-term cost-effective strategy, especially with the advent of new technologies. As opposed to outsourcing, it was more cost-efficient for the Council to use its own staff to implement services, although the Council would continue to consider the options available to it that provided the best value for money for tax payers. Remark was also made of the return of vehicle fleet maintenance to an in-house service, which would

result in a £45,000 saving for the Council and improved operational control.

- On the topic of the Business Rate Retention Pilot, and whether there would be equal share of the potential gain to the North Essex Authorities; Braintree, Colchester and Tendring, should the Authorities qualify, Members were informed that the shares in this instance would be subject to negotiation.
- Members were informed that the amount of growth within the District (i.e. increasing population) would need to be planned for in order to ensure that the future costs incurred would be anticipated and any negative impacts of this on residents and the services provided to them mitigated.
- There was an element of risk associated with the continued provision of the Community Transport Scheme due to the current challenges being experienced by ECC in respect of Social Services and Adult Social Care, and as such there was a risk of further reductions to the amount allocated by ECC toward the scheme. Alternative options were under consideration by the Community Transport Team for the continuation of the service in a way that was efficient and cost-effective. A subsequent report was expected to follow for presentation at Cabinet in 2019.
- Members were advised that the recovery of Court Costs for the collection of Council Tax was borne by the District Council as the Billing Authority, not ECC.
- In respect of the high costs associated with the Third Litter Pick of the Braintree Bypass, Cabinet Members were unable to comment on whether value for money was being provided in this instance, although it was agreed that the area was unsightly. It was stressed that it was a key priority of the Council to clear the road and maintain this.
- Further to a query as to which Authority, Braintree District Council (BDC) or ECC had ownership of the Great Notley Country Park, a written response would be provided.
- Members were advised that computers and software across the Council that were out of date were gradually being replaced by new machines. The investment of £40,000 was necessary in order for the funding of replacement equipment for Officers and Councillors to continue.
- Members were informed that the owner of the derelict Crittall's site in Silver End had not come forward for planning and that the land the site was situated on was contaminated; as such, the New Homes Bonus money could not be utilised in this instance as the land was under private ownership and the Council had no power to directly intervene with New Homes Bonus.
- On the subject of library closures in Essex, Members were advised that to the knowledge of Cabinet Members, no conversations as to the future of local libraries had occurred between BDC and ECC. The Council had only been appraised of the situation with regard to libraries in the week preceding the meeting, and no pre-warning was given. A consultation event was due to take place in Chelmsford in respect of the libraries issue, the outcomes of which would be reported back to Members as soon as was possible.
- The possibility of issuing of green bins during the winter period and the Council's financial capacity for this would be forwarded to the Cabinet Member for Environment

and Place for a written response.

- Members were informed that an internal review of the Operations Department was underway, with the effectiveness and efficiency of the fleet operation a key aspect of this (e.g. whether alternative fuel vehicles could be used).
- It was agreed that the Council needed a sufficient contingency arrangement for the purposes of combating Planning Appeals. The budgetary allocation of £500,000 in this area would be kept under review.
- Cabinet Members advised that if Section 106 funds were available they should be utilised, especially to help propel schemes for improving open spaces. It was suggested that a written question be posed to Cabinet Members who would conduct further investigation as to why Section 106 funds, if available, were not being employed.
- The capital budgetary allowance for town centres and whether this could be allocated towards the alleviation of some of the access issues within Halstead, especially in light of the proposed bypass between Chelmsford and Sudbury, was a Highways issue rather than a BDC one.
- Members were informed that the funding for the astro-turf grounds at the Great Notley Discovery Centre was to be taken from a BDC sinking fund that was established for the purpose of funding replacement facilities.
- With regard to the potential expansion of Stansted Airport and associated benefits that this could entail for the Braintree District, Members were informed that there were no comments that could be made that as the airport was located outside of the District.
- On the subject of Land Charges and Environmental Protection fees, it was advised that the amount of fees received had been reduced.
- In respect of the pooled investment funds, Members were advised that the income was additional to that already being received.
- In relation to the limit and contributions for Disabled Facilities Grants, it was advised that the proposal was to increase the administrative charge from 10% to 15%, with a maximum charge increased from £500 to £750.
- Members were informed that there was a statutory obligation to provide parking spaces within the District, irrespective of whether they were being used or not.
- With regard to parking obstructions, the enforcement procedures surrounding this and whether parking charges could be lessened to encourage residents to use parking within the towns, it was suggested that a written submission be forwarded to the Cabinet Member for Environment and Place.
- Cabinet Members agreed that the Idox System used by the Council was unreliable; however, there was uncertainty as to whether the nature of BDC's contract with Idox would permit a renegotiation of the fees charged by the company.

The Chairman expressed his thanks to the Cabinet Members and Officers for their attendance and contribution to the meeting.

DECISION: That Members noted the report.

30 **FIFTH EVIDENCE GATHERING SESSION FOR THE SCRUTINY REVIEW INTO THE ROLE OF THE HIGHWAY AUTHORITY IN THE BRAINTREE DISTRICT – HIGHWAYS FUNCTION ENQUIRY WITH PARISH AND TOWN COUNCILS 8TH OCTOBER 2018**

INFORMATION: Members were asked to consider a report which contained the responses of Parish Clerks on behalf of Parish and Town Councils in respect of the recent Highways Enquiry.

Members were informed that on 8th October 2018, an e-mail enquiry and accompanying letter was distributed to all Parish and Town Councils within the District to solicit responses from the Parish Clerks on their behalf. The enquiry sought the views of Parish and Town Councils as to their knowledge of the Highways Function and the services provided, their experiences when engaging with the Highways Authority and how accessible they found the services provided to be, as well as any suggestions they had for improved liaison with the Highway Authority. Furthermore, the enquiry also sought the Parish and Town Council views on the subject of potential devolution of highways functions from Essex County Council and their inclination toward undertaking new functions. As of 5th October 2018, 13 responses from Parish and Town Councils had been collected in response to the enquiry.

The Chairman invited Members to discuss the report, further to which the following information was provided:

- It was inferred from the responses received that there had been similar issues experienced with the Highway Authority to those identified by the Members of the Overview and Scrutiny Committee during evidence gathering sessions.
- An intervention was needed from ECC as without their involvement, there was little means through which BDC Members could pursue issues encountered by residents with regard to highway concerns.
- Members agreed that improved communication and interaction from Essex Highways was needed, with more sufficient explanation provided as to why some issues raised by Members and residents alike could not be resolved as opposed to a stock response.
- The delayed response time of Essex Highways was one of the overriding issues that had emerged from the responses received from Parish and Town Councils.
- It was stated that in principle, the ideas surrounding devolution were positive in nature as they would enable Parishes and residents to carry out repair works and maintenance in a swifter fashion than the current system under Essex Highways allowed. It was noted that the priorities of Town Councils and those of Parish Councils and villages were likely to be different, and further discussion was needed regarding the anticipated hazards associated with devolution in order for Parishes to make more informed decisions surrounding the subject.
- The exact monetary amount offered to Parishes under the Highways Partnership Pilot Scheme for the purposes of repairs and maintenance was unknown. There was also uncertainty as to whether, as part of the devolution of functions, residents within

Parishes would be expected to pay themselves for the repairs and maintenance normally implemented by the Highway Authority.

- There was concern as to the role of Parish Rangers in addressing issues along highways that were ordinarily the responsibility of more experienced Highways Rangers, the repairs of which required stringent health and safety regulations and codes of practice to be in place.
- The lack of response from Essex Highways during planning application processes was commented upon.
- Members were informed that there were 49 recipients of the Highways Enquiry.
- The Parish and Town Council responses would be included within the final Scrutiny Review Report in the form of appendices. The recipients of the enquiry were informed that any responses received would be included in the final Scrutiny Review Report.

Further to comments and questions raised by Members, the following areas of interest to be explored were identified:

- A potential recommendation to be included within the final Scrutiny Review Report was the establishment of a Highways or Broadband Champion who would advise Parish Councils as to how electronic systems and software (e.g. superfast broadband) worked, thereby improving communication between Parishes and the Highway Authority.
- Members agreed it would be useful to ascertain when and how often white lines were painted onto areas such as crossroads, particularly within rural areas.
- It was suggested that areas of uncertainty in relation to devolution be raised within the Scrutiny Review Report along with recommendations such as the establishment of codes of practice and operational procedures.
- Members requested that they receive a presentation or information document on the subject of the the devolution of Essex Highways functions.
- The possibility of awarding Section 106 money, where available, for the purposes of addressing traffic calming issues that emerged during planning permission processes was raised. A potential recommendation was improved communication between those responsible for Planning Permissions within ECC and Essex Highways in order to allow traffic calming issues be more effectively identified.
- The Chairman advised Members that Councillor Don Smith, Chairman of the Braintree Association of Local Councils (BALC) was due to attend the upcoming meeting of the Overview and Scrutiny Committee on 5th December 2018. In addition to this, it was hoped that Jasmine Wiles, Essex Highways Liaison Officer, would also be in attendance.
- In advance of the next meeting of the Overview and Scrutiny Committee, the Chairman asked Members to consider the Parish and Town Council responses in further depth and to identify any other areas relating to Essex Highways where clarification was needed. It was requested that any such area identified be raised at the upcoming meeting of the Committee on 5th December 2018.

- Members were informed that a response had not as of yet been received from Mr Andrew Cook, Director of Highways and Transportation at Essex Highways, of who Officers had submitted a list of queries to. It was advised that Officers would continue to pursue this matter.
- Members were reminded that the draft version of the Scrutiny Review Report was due for consideration by Members at the meeting of the Overview and Scrutiny Committee on 6th February 2019. The final version of the Scrutiny Review Report would then be submitted for consideration at the meeting of the Overview and Scrutiny Committee on 6th March 2019.
- The Lead Officer added that the evidence gathered throughout the duration of the Scrutiny Review, including that of the Parish and Town Council responses, would be incorporated within the final Scrutiny Review Report and ultimately received by Officers at Essex Highways.
- Members were reminded that the topic of devolution was not included as an item within the Terms of Reference for the Scrutiny Review, although it was acknowledged that the issues surrounding devolution had emerged following their composition.

31 **UPDATE ON TASK AND FINISH GROUPS**

INFORMATION: Members were updated on the progress of the Task and Finish Groups.

Further to the meeting of the Overview and Scrutiny Committee held on 19th September 2018, Members were advised that the respective Task and Finish Groups were both progressing well and that the fifth meetings of the groups had now taken place. Both groups now sought to refine the draft recommendations identified that would help to form the outcome of their final reports.

The Chairman informed Members that he had attended the previous Task and Finish Group meeting for the Scrutiny Review into Social Isolation and Loneliness for observation purposes. As a Member of the Task and Finish Group for the Scrutiny Review into Recycling, Re-Use and Reduce, the Chairman was pleased to add that both groups were on track to meet the report deadlines in January 2019, ready for the final versions of the reports to be referred to the meeting of the Overview and Scrutiny Committee on 6th March 2019.

DECISION: That the report was noted by Members.

32 **DECISION PLANNER**

INFORMATION: Members considered the Decision Planner for the period 1st December 2018 to 31st March 2019.

DECISION: That the Decision Planner for the period 1st December 2018 to 31st March 2019 be noted.

The meeting commenced at 7.15pm and closed at 9.25pm.

Councillor P Barlow
(Chairman)