

Minutes of a Meeting held at Riverside, Lowestoft
on **Thursday, 10 September 2015 at 6.00 pm**

Members of the Overview & Scrutiny Committee

Councillors S Barker (Chairman), A Cackett, N Brooks, G Catchpole, J Ceresa, G Elliott, T Gandy, L Gooch, T Reynolds and C Topping

Cabinet Member in attendance

Councillor L Smith – Cabinet Member Without Portfolio

Waveney Norse and Suffolk Coastal Norse

M Emms – Managing Director, Waveney Norse
S Green – Operations Manager, Refuse, Waveney Norse
R Rutterford – Assistant Property Services Officer, Waveney Norse
M West – General Manager, Suffolk Coastal Norse

Officers present

A Charvonia (Strategic Director and Monitoring Officer), D Gallagher (Head of Commercial & Leisure Partnerships), P Gore (Head of Environmental Services & Port Health), A Jarvis (Strategic Director), A Reynolds (Environmental Protection Manager), N Rickard (Head of Communities) and A Stapleton (Democratic Services Officer)

1 APOLOGIES FOR ABSENCE / SUBSTITUTES

An apology for absence was received from Councillor M Parsons.

2 DECLARATIONS OF INTEREST

No declarations of interest were made.

3 MINUTES

RESOLVED

That the minutes of the Overview & Scrutiny Committee meeting held on 6 August 2015 be approved as a correct record and signed by the Chairman.

4 RESPONSES OF THE CABINET TO ANY REPORT OF THE COMMITTEE OR REPORTS OF ANY DISCUSSIONS WITH THE CABINET

The Chairman reminded Members that she would shortly be carrying out a skills audit of Scrutiny Members, in order to be better informed about the skills and experience of each Member of the Committee. Members could expect to receive the questionnaire in the next couple of weeks.

5 PUBLIC CONVENIENCES REVIEW – PROGRESS REPORT

The Head of Commercial & Leisure Partnerships introduced the report which provided the Committee with the progress to date relating to the Public Conveniences Review.

The objective of the review was to provide the Council with a comprehensive, informative and balanced tool to review public convenience provision within the District. The provision

of public conveniences was a discretionary service, and the current annual revenue cost of provision was approximately £390k, with a Capital Programme requirement of approximately £500k over the next 5 years.

In order to inform the review, a “Decision Matrix” had been created. The collation and calculation of findings resulted in an overall scoring scheme of 9 categories with weightings, set out in a table of results. The data capture provided a breakdown of condition, usage and costs for each of the 28 facilities operated by the Council, projecting capital spend and programme of works over a 5 year period. This was supplemented by an overall quality standard and perception of value to the community in various categories, to serve as a starting point to inform decision making. An extensive presentation at Appendix A to the report set out the review findings for each facility.

Potential options and proposals for consideration were set out in Section 4 of the report and included potential closure of low use and community value facilities; consultation with parish and town councils on possible divestment opportunities; rationalisation of number of units and opening times; consideration of self contained, modular provision; possible charging for use of facilities; and leasing options. The Committee was also invited to introduce and consider its own options, and to use all available information to make recommendations to Cabinet for consideration at its meeting in November 2015.

The following questions and issues were raised during the discussion of this report:

- The annual revenue cost of £390k referred to on Page 7 of the report covered overheads associated with the running of the conveniences. The £2,183,949 referred to on Page 13 of the presentation were estimated running costs to maintain all existing conveniences for the next 5 years, including planned improvements.
- The ‘value to the community’ assessment on Page 22 of the presentation was a subjective assessment of each convenience made by Waveney Norse. Members did not necessarily agree with these assessments, for example whilst Beccles Quay was a large recreation area, the provisions in Old Market Place Beccles were equally important as they were located near to the bus station.
- Refurbishment costs of provisions which had shower facilities included refurbishment of those facilities, however usage figures provided in the report referred only to toilet provision.
- Details of modular prefabricated style toilet units were set out in the report, together with estimated costs for replacement of existing buildings with these units. Members were concerned that some potential suitable locations for replacement outlined would mean the destruction of relatively new buildings, however these examples were for illustration purposes only in order for Members to be able to compare the cost of such replacements against upgrading existing facilities.
- Whilst the prefabricated toilets illustrated in the report were French made, were the Council to pursue this area of provision then a full tender process would be followed.
- The five year refurbishment plan showed that the Blyburgate facilities were planned to be refurbished in 2016/17, whereas Beccles Quay refurbishments were not planned until 2019/20, and arguably these facilities were in greater need of refurbishment than Blyburgate, having been closed for several weeks earlier in the year whilst repairs were made. Members were advised that the programme had been based on condition surveys carried out by NPS Property Services, based on the quality standards set out on Slide 25. However, if opinion on need were to change, then the programme could be revised, so long as it remained within budget.
- When carrying out refurbishments, the aim was to upgrade facilities to the industry standard, in particular with regard to the building fabric and sanitary ware for example. There was also a move away from smaller toilet cubicles. A Member asked what refurbishments had been carried out in the past 12 months, and full details would be provided to Members outside of the meeting.

- A Member felt that the baby changing facilities in many locations were not fit for purpose.
- An error was pointed out on Slide 18 where Royal Plain had been omitted from the graph, and the running cost data for Royal Plain would be circulated to Members outside of the meeting. Additionally on Slide 18 Kirkley Cliff Road had been incorrectly shown as being in seasonal operation, whereas this should have been shown for Jubilee South.
- The four-week periods during which the winter and summer usage data had been collected had commenced on 1 November 2014 and 1 April 2015 respectively.
- Usage data was collected by way of infra-red people counters, which gave the total number of uses but could not split the data into hourly rates of use. Hours of operation were taken into account when assessing the data.
- A Member commented that whilst the list of facilities in each town set out on Slide 12 was useful, a map of their locations would have been helpful as not all Members were familiar with the whole District.
- The “payback period” of costs associated with introducing charged use set out on Slide 39 was between 1 and 39 years, and this could be seen as an indication of levels of usage of each facility.
- A table on Slide 24 set out the most recent condition survey findings for each facility. Members felt that they would not necessarily agree with some of the findings, for example Gordon Road, which had recently had some facilities removed and the roof of which was in need of a deep clean. Additionally Thoroughfare Car Park Halesworth had been assessed as good, whereas the Ward Member felt that it was not in a good condition. However, it was the only full time public toilet with facilities for disabled people in the town, although it would benefit from a sign stating where one could obtain the key. The condition surveys were carried out against the criteria of building fabric, sanitary ware and mechanical and electrical equipment and were subjectively based on these British Toilet Association industry-standard criteria.
- Divestment or leasing of facilities was an option which could be pursued, for example a community or Town Council may take on a facility if the Council were to pass it over fully refurbished.
- Page 34 of the presentation referred to additional data which did not affect the matrix score but which may influence the future provision of facilities, and Members were advised that this included local information such as historical issues or community groups which might be affected by decisions on any particular facility.
- The Strategic Director and Monitoring Officer reminded Members that the Overview & Scrutiny Committee had two ways in which it could work. The first was to take a retrospective look on decisions made, either after their implementation or via the call-in procedure. The second was to be more pro-active and to give a steer on forthcoming decisions before they were made. The report being considered was an early stage analysis of an issue which would be considered by Cabinet on 4 November 2015. Members had given an indication this evening of the value and condition of some of the facilities, and this would be useful for the next stage of the review.

The Head of Commercial & Leisure Partnerships drew Members’ attention to Section 4 of the report on Page 8 which set out possible options and proposals for Members’ consideration, and invited them to make recommendations concerning any individual facilities. The Vice Chairman of the Committee stated that she did not feel that it was the Committee’s place to make such recommendations, and asked for a similar report to that which had been received for the Car Parks Review to be brought back to the Committee, with options for each toilet set out in detail for Members’ consideration.

The Strategic Director and Monitoring Officer replied that officers could work up some specific options to bring back to the Committee, however this would be reliant on the

Cabinet agreeing to defer its decisions on the issue until after the Committee had had a chance to consider these options and make its recommendations to Cabinet. If the Cabinet wished to make an earlier decision, then the Committee would only have the option to consider the decisions retrospectively, or via the call-in process. However, a request would be made to the Cabinet to timetable its decisions on this review in such a way as to allow the Committee to consider detailed options on the future of public conveniences in the District prior to the Cabinet making its decisions.

RESOLVED

1. That the contents of the report and progress made to date be noted.

RECOMMENDED TO CABINET

2. That the options set out in Section 4 of Report REP1170 be reviewed, and that recommendations on these options be brought back to the Overview & Scrutiny Committee prior to their consideration by the Cabinet.

NB: Councillor Elliott arrived during the consideration of this report, at 6.45pm.

NB: The Cabinet Member Without Portfolio left the meeting at this point in the proceedings, at 7.10pm.

6 ENVIRONMENTAL ENFORCEMENT

The Head of Environmental Services & Port Health introduced the report, which provided the Committee with details of the current arrangements, roles and responsibilities for environmental enforcement, as well as information on recent performance and a draft improvement plan. This report had been requested at the Committee's December 2014 meeting.

A list of the statutory provisions relating to the type of environmental enforcement defining the scope of the report was set out at Appendix 1 to the report, and Appendix 2 provided performance data during 2014/15 (performance data for the past 5 years were unfortunately not available due to archiving and decommissioning of the information systems previously employed). An update was provided on the two areas covered in detail in the earlier report to the Committee, ie Litter Picks/Green Print Forum and the "Incident Ticketing Scheme".

Section 4 of the report set out an improvement plan for Members' consideration.

Issues raised during the discussion of the report were as follows:

- A Member was aware that letters had been sent to residents in areas where dog fouling was a particular issue, and felt that even more should be done to highlight this unpleasant and dangerous problem, such as regular letters to residents, articles in the press and encouraging people to report both problems and offenders.
- Some Councils were involved in a scheme where occurrences of dog fouling were DNA tested and checked against a database of microchipped dogs, thus identifying the owners; however, this was a nationally funded scheme and the Council was not in a position to access it.
- Fly tipping was an offence, whether it occurred on private or public land, and the Council had a duty to investigate and enforce following any instances. However, the Council was only obliged to remove items fly tipped on Council owned land.
- The Green Print Forum had been set up in the 1990s following the Rio Earth Summit, and aimed to encourage communities to take action locally on green issues, for example via litter picks. The Group was facilitated by the Council and included representatives from environmental bodies, town and parish councils, businesses and individuals. The

Council was trying to raise the profile of the Group and provide incentives for communities to get involved.

- The existing Waveney Dog Control Orders (DCOs) were currently under review with a view to replacing them with Public Space Protection Orders (PSPOs) tailored to meet the needs of specific areas. During the review, local people would be consulted in order to inform what should be included on any particular Order. However, Members should keep in mind that although more areas could potentially be covered by PSPOs, the Council's enforcement resource would then be stretched more thinly.
- A table of Fixed Penalty Notices (FPNs) issued under the Incident Ticketing Scheme between 2007/08 and 2015/16 to date was set out on Page 52 of the report. Members noted that the number of incidents reduced from 2012/13. This was due to two issues, the first being a change in arrangements with Waveney Norse from 2012/13 whereby they started to deal with their own evidence rather than passing this on to Environmental Services, and the other being the departure of a member of staff who had now been replaced, hence the rise in figures seen for 2015/16. Members asked for the data on FPNs issued by Waveney Norse to be provided outside of the meeting.
- With regard to fly tipping and dog fouling, a Member asked whether Waveney Norse could supply the artwork for signs which parish and town councils could then have made and posted around their areas. The Operations Manager for Refuse for Waveney Norse advised that it was part of the service to promote awareness of these issues, and that he should be able to provide this information to town and parish councils.
- With regard to FPNs for dog fouling, if people were able to provide evidence such as time, date and place of offence, the Environmental Services Team would be able to issue FPNs to offenders. If not paid, and where there was sufficient evidence, offenders could be prosecuted.
- Income from FPNs issued for littering had to be reinvested into the service, and income to date during 2015/16 was £1,050.
- The staff cost analysis on pages 57/58 of the report showed that 20% of the cost of two full time equivalent staff plus 20% of the Operations Manager were allocated to Waveney during 2015/16, however there would be an officer full time in Waveney carrying out the duties set out on Page 58. This percentage was declining compared to the previous three years, however, if the Council wished to increase the resource carrying out these duties then it would have to reduce resources elsewhere.
- The Waveney Norse and Suffolk Coastal Norse Environmental Team consisted of 4 full time equivalent staff. The team was working closely with Waveney's own Environmental Services Team to ensure that an effective service is provided and there is no duplication of effort.

The Committee thanked officers from Environmental Services and Waveney Norse for the report.

RESOLVED

That the current arrangements for environmental enforcement and recent performance in this area of activity be noted.

7 DRAFT EAST SUFFOLK BUSINESS PLAN (2015 – 2023)

The Strategic Director and Monitoring Officer presented the report, which reminded Members that Waveney District Council's first Business Plan, replacing the previous Corporate Plan, had been adopted in 2012. The Business Plan had been designed for a 10 year period, whilst also recognising the need to review it regularly. Following the recent national and local elections, and three years after its original adoption, it was now appropriate to refresh the Business Plan.

Suffolk Coastal District Council had adopted a similar Business Plan in 2012, and as part of the greater integration between the two Councils it was proposed that the new Business Plan be adopted as an integrated business planning approach for East Suffolk. The Committee was asked to review and comment upon an initial draft version of a refreshed and long term (12 year) Business Plan for East Suffolk, which contained clear outcomes and detailed what would be delivered together over the next four years.

The Strategic Director and Monitoring Officer guided the Committee through the Plan, drawing Members' attention to:

- the Vision: "To maintain and sustainably improve the Quality of Life for everybody growing up in, living in, working in and visiting East Suffolk";
- the three strands of the strategy to achieve that Vision: Enabling Communities, Economic Growth and Financial Self Sufficiency;
- the 10 critical success factors which would support the delivery of the Vision; and
- the anticipated outcomes to be achieved by 2019, both for Waveney and for East Suffolk as a whole.

Members were asked for their views as to whether the Strategy, Vision and Outcomes illustrated a sensible way forward for Waveney for the next 4 years.

Issues raised during the discussion of the report were as follows:

- The document referred to a number of groups including individuals, communities and customers, and had been written aimed at the residents of East Suffolk, with the intention of being accessible to all. The Foreword had been written by the Leaders of the two Councils.
- Elements of the Business Plan which had been imported from other documents might be better placed as appendices to the main document, in order to avoid regular changes in style.
- The final document would be designed to make it easier to read and with photographs to illustrate its aims.
- Other strategies underpinning the Business Plan included the Enabling Communities Strategy, the East Suffolk Growth Plan and the Medium Term Financial Strategy.
- The Waveney outcome "Establish a Leader's Community Enabling Fund of £25k per annum, and consider developing Community Enabling Grants for each Councillor" had yet to be worked up in any detail, and would need to be both affordable and have clear terms of reference, as was the case in other councils.
- The critical success factor for leisure could be progressed by enabling others to provide access to leisure and cultural activities, it did not necessarily mean the Council would provide them directly.
- The strategy of financial self sufficiency concerned how the Council spent money, including delivering in partnership and a focus on cost effectiveness, whilst maintaining or improving service levels. It may also involve entrepreneurship and making the most of the expertise available across the Councils.
- There were a number of ways that the Councils could deliver their services, including directly, or via outsourcing to commercial enterprises or charitable trusts.
- The East Suffolk outcome concerning the evaluation of the potential for greater East Suffolk autonomy included the Suffolk joint devolution bid which had been submitted to Central Government. Devolution did not just refer to services transferring from Central

Government to councils, it could also mean the transfer of services between councils and partner organisations, with the aim of service delivery being at the most appropriate level and undertaken by the organisation best equipped to deliver.

The Strategic Director and Monitoring Officer advised that the Draft Business Plan would next be considered at a Simultaneous Cabinet Meeting of the two Councils in early November 2015, and would then be taken to each Full Council, towards the end of November/early December 2015.

RESOLVED

That the Draft East Suffolk Business Plan be noted.

NB: Following the consideration of this item Members expressed concern at the length of the agenda and the size of the Committee's Work Programme in general. The Chairman explained that the Committee now met monthly in order to better programme its workload, however this had not had the effect of reducing agenda size. The Strategic Director and Monitoring Officer advised that the Committee should not be afraid to decline requests to carry out reviews by Cabinet or Council, and should bear in mind its already programmed reviews before adding more to the work programme.

The Chairman would meet with the Democratic Services Officer to discuss how to make the Committee's workload more manageable, and the two Strategic Directors would discuss ways to make reports more focused, to make it clearer what Members were being asked to do, and to provide reports earlier to Members where possible.

Other suggestions included information bulletins instead of agenda items where Members were not required to make formal recommendations, monitoring of the Work Programme at each meeting, and Members emailing detailed questions to lead officers in advance of meetings.

8 DRAFT ENABLING COMMUNITIES STRATEGY

The Head of Communities presented the report, which advised Members that Suffolk Coastal District Council had developed its first Enabling Communities Strategy in 2013. Although Waveney District Council had not formally adopted an equivalent strategy, the principles and ethos of "enabling communities" had underpinned the way in which the Council worked.

The new Draft East Suffolk Business Plan considered as the previous item on this agenda identified three clear priorities for the Council, one of which was enabling communities. As part of the greater integration between the two Councils, it was therefore proposed that a new Enabling Communities Strategy be adopted to provide a framework for an integrated approach to working with and supporting communities across East Suffolk. The Strategy was about developing vibrant, resilient and sustainable communities that were strong, resistant and quick to recover from setbacks. The approach would be one that started from "what's strong" in a community rather than "what's wrong", prompting a conversation that focused on what was already there that could be built upon in an asset based approach.

The Committee was asked to review and comment upon an initial draft version of the new East Suffolk Enabling Communities Strategy, in particular ensuring that it said what it should say, and set out the right ambitions.

Issues raised during the discussion of the report were as follows:

- The Strategy would be designed and written in plain English before publication.
- Concerning volunteering, it tended to be the same people involved across a number of volunteering organisations and events, and the Strategy would encourage the participation of a greater number of people in volunteering, across the whole age

spectrum. For example, events were planned aimed at getting people to volunteer at one-off events, and a link with the Duke of Edinburgh Award would connect young people to volunteering opportunities.

At this point in the proceedings, the meeting having commenced at 6.00pm and it now being 9.00pm, it was

RESOLVED

That the meeting continue beyond 3 hours' duration.

Further issues raised during the discussion were as follows:

- Re-education might be necessary in order to encourage people to support certain categories of vulnerable people.
- Any work undertaken by community organisations would consist of low level support and signposting to services with responsibility for an issue, rather than taking over that responsibility.
- Some roles in organisations which were previously paid jobs had now transferred to being voluntary roles. People would always volunteer for the "easy" jobs, or the glamorous ones such as the Olympics, the difficulty was attracting volunteers to longer terms roles or ones which required particular skills or qualifications. Capability may be a barrier, as may issues such as accountability or safeguarding. However, in many ways it was also the simple things that were most important, such as keeping an eye on one's neighbours and being a valuable member of the community.
- The Strategy was not just about volunteering, but was much wider, putting a framework around the support currently given to communities and enabling them to explore what else they could achieve and to increase capacity. It also appreciated that some communities had more available time and resilience than others.
- Councillors would be a prime resource in terms of delivering some of the aims of the Strategy.

RESOLVED

That the Draft East Suffolk Enabling Communities Strategy be noted.

9 EXEMPT / CONFIDENTIAL ITEM

RESOLVED

That under Section 100(A)(4) of the Local Government Act 1972 (as amended) the public and press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Act.

10 MINUTES

RESOLVED

That the Exempt Minutes of the Overview & Scrutiny meeting (Part Two) held on 6 August 2015 be approved as a correct record and signed by the Chairman.

The meeting was concluded at 9.38 pm

Chairman