OVERVIEW & SCRUTINY COMMITTEE – 05/01/2017

Minutes of a Joint Meeting of the Overview & Scrutiny Committee and the Audit & Governance Committee held at Riverside, Lowestoft on Thursday, 5 January 2017 at 6.00 pm

Overview & Scrutiny Committee Members present

Councillors A Cackett (Chairman), S Barker, N Brooks, G Elliott, T Gandy, L Gooch, P Light, J Murray, B Provan, C Rivett, L Smith and C Topping

Audit & Governance Committee Members present

Councillors S Woods (Chairman), E Back, M Cherry and I Graham

Cabinet Member in attendance

Councillor S Ardley – Cabinet Member for Operational Partnerships & Lowestoft Rising

Officers present

R Alexander (Service Manager for Commercial Partnerships), C Ames (Business Director for Sentinel Leisure Trust), K Blair (Head of Operations), M Emms (Managing Director, Waveney Norse), S Everett (Managing Director of Sentinel Leisure Trust), D Gallagher (Consultant for Sentinel Leisure Trust), I Gregory (General Manager, Waveney Norse), A Wilson-Sutter (Chairman of the Board of Trustees for Sentinel Leisure Trust) and N Wotton (Democratic Services Manager)

1 APOLOGIES FOR ABSENCE / SUBSTITUTES

Apologies for absence were received from Councillor N Webb and L Smith for lateness, from the Overview & Scrutiny Committee, and Councillors T Gandy (as she was sitting as a Member of the Overview & Scrutiny Committee), A Green, J Groom and C Punt from the Audit & Governance Committee.

Councillor M Cherry attended as a substitute for Councillor A Green on the Audit & Governance Committee.

2 DECLARATIONS OF INTEREST

Councillor E Back declared a Local Non Pecuniary Interest in Item 5 on the Agenda – “Annual Partnership Report on Sentinel Leisure Trust” – as he was a member of Sentinel Leisure Trust.

Councillor S Barker declared a Local Non Pecuniary Interest in Item 5 on the Agenda – “Annual Partnership Report on Sentinel Leisure Trust” – as she was a member of Sentinel Leisure Trust.

Councillor T Gandy declared a Local Non Pecuniary Interest in Item 5 on the Agenda – “Annual Partnership Report on Sentinel Leisure Trust” – as she was a member of Sentinel Leisure Trust.

Councillor I Graham declared a Local Non Pecuniary Interest in Item 4 on the Agenda – “Waveney Norse Annual Progress Report” – as he was a Co-opted, Non-Voting Member of the Waveney Norse Governance Board.

Councillor J Murray declared a Local Non Pecuniary Interest in Item 5 on the Agenda – “Annual Partnership Report on Sentinel Leisure Trust” – as she was a Trustee of Sentinel Leisure Trust.
Councillor B Provan declared a Local Non Pecuniary Interest in Item 5 on the Agenda – “Annual Partnership Report on Sentinel Leisure Trust” – as he was a member of Sentinel Leisure Trust.

3 ANNOUNCEMENTS FROM THE CHAIRMAN, RESPONSES OF THE CABINET TO ANY REPORT OF THE COMMITTEE OR REPORTS OF ANY DISCUSSIONS WITH THE CABINET

There were no announcements.

4 WAVENEY NORSE ANNUAL PROGRESS REPORT

Note: The Audit & Governance Committee was invited to attend the meeting for the consideration, debate and vote on this item as it was considered that the Committees had complementary functions.

N.B. Councillor L Smith arrived during the consideration of this item.

The Cabinet Member for Operational Partnerships & Lowestoft Rising introduced the report which provided an annual progress report on Waveney Norse for the 2015/16 year. Members were advised that it was recognised that the timing of the annual report needed to be closer to the company’s financial year end and that Democratic Services would be looking to schedule the next report on the Committee’s forward plan for July 2017. At the July 2017 meeting, there would be a presentation which would provide background information on the reasons for the establishment of the partnership and how it had progressed over time. It was also stated that an information booklet would be produced, which would assist all newly appointed Councillors to understand the partnership, how it worked and the benefits experienced by the Council, in terms of cost savings and efficiency.

Members were advised that substantial levels of activity had continued to take place during the 2015/16 year to both retain and increase commercial sales turnover and shared profit, which had raised the Company’s profile and market share. It was noted that Waveney Norse had aligned its reporting period to that used by the Council during 2015/16, which had resulted in a 14 month financial year for this year only. Members were pleased to note that the actual profit before tax had exceeded expectations by £413,227.

The General Manager for Waveney Norse advised that the Partnership maintained robust governance through its three main bodies: The Partnership Board, the JVCo Board and Corporate Governance Management Team. It was confirmed that the Council’s Internal Audit Team had carried out an Audit during Quarter 1 of 2015/16 and a total of 4 recommendations had been made, which had all been successfully implemented. All of the control areas assessed had been declared as either Adequate or Good and there were no significant concerns. Performance Monitoring also took place on a monthly basis and quarterly summaries were discussed at each Partnership Board meeting. Member were pleased to note that Waveney Norse continued to hold and maintain the various BSI accreditations for Quality, Environmental and Occupational Health and Safety Management Systems.

One of the main achievements during 2015/16 was the Easy Green Bin Scheme, which went ‘live’ on 29 February 2016. It was noted that initial estimates for the £42 per year subscription were 10,000 bins, however that had been significantly exceeded and participation was currently at 25,000 or 52% of households in Waveney. It was reported that the scheme had run very smoothly, with fewer than expected complaints and missed bins. Members were pleased to note that levels of contamination of green waste were very low and that there were no operational issues or concerns. Around 7,000 unsubscribed bins had been removed and of the recovered bins, around 1,000 would be re-used or re-issued to Easy Green Bin Subscribers. The remaining green bins would be sent away for recycling.

Waveney Norse had also supported a number of incentivised community litter picking schemes, including the national ‘Clean for the Queen’ campaign, and funded the prize monies, cost of litter disposal and all the equipment used by the volunteer groups.
During Quarter 2, a new online helpdesk system was introduced to capture and plan all property services jobs, workflow and training. This had proven to be very successful and had improved efficiency.

In respect of Grounds Maintenance, Members were advised that grass cutting in 2015/16 had commenced 6 to 8 weeks earlier than expected in a number of areas, due to the mild winter, which meant that the majority of cuts were either on or ahead of schedule. It was noted that new advice had been received from the HSE (Control of Vibration at Work Regulation 2005) in respect of permitted work time allowed on vibrating machinery eg strimmers. This would present significant challenges in maintaining previous standards, as this type of equipment was used in many areas across the district. Members were advised that Nicholas Everitt Park had received the Green Flag Award for the sixth consecutive year, and had also received an additional award from Anglia in Bloom, for the Best Small Park (under 5 acres).

A Member requested information about how a complaint would be logged onto the system and processed. It was reported that all complaints started as an Inquiry, they would be logged onto their computer system and then investigated. If there was found to be a fault with the level of service provision eg a bin had not been emptied, then the Inquiry would become a complaint, which was justified and would be logged appropriately. Many complaints were also received by the Council on behalf of Waveney Norse and they would be followed up according to the Council’s own processes and procedures. Sometimes complaints were received about matters such as an overgrown hedge, however if that hedge was on private land, Waveney Norse would not be able to cut it and that Inquiry would not be classified as a complaint.

A Member was saddened to note that the amount of household waste being recycled was reducing, whilst instances of flytipping were increasing and they queried why this was happening. The General Manager for Waveney Norse reported that the Council was a member of the Suffolk Waste Partnership (SWP) and there was a general trend of increasing amounts of black bin waste across the county. It was thought that the public were becoming apathetic to recycling. It was felt that the public’s interest in recycling needed to be reinvigorated and a public awareness campaign would be launched in due course. The Head of Operations advised that there had been no increase in the amount of green waste being put into the black bins since the introduction of the Easy Green Bin Scheme, which was extremely positive. The Cabinet Member for Operations and Lowestoft Rising stated that flytipping was a criminal offence and had to be investigated by the Police, therefore Waveney Norse could not clear it up until it had been investigated and any evidence collected by the Police. Detailed analysis had taken place in respect of flytipping and it was hoped that targeted enforcement, education and awareness campaigns would help to reduce instances in the future. A Member queried whether flytipping was connected to flooding issues locally and after further discussion, it was agreed that more detailed flytipping information would be provided in the next Waveney Norse Annual Report, to enable more detailed discussion and consideration in this respect.

With regard to the creation of a Lowestoft Town Council, a Member commented that the Town Council, when established, would be responsible for a number of green spaces in the Town. They queried whether Waveney Norse had a contingency plan in place, should the Town Council decide to make alternative arrangements for the maintenance of those green spaces in future. The Head of Operations reported that the contracts for maintaining the green spaces were complex and legal advice was being sought in this respect. However, the Town Council would have the ultimate decision on how they wished to make arrangements for the maintenance of services and Waveney Norse had a robust and ambitious business plan in place, should the Town Council not wish to use their services in future. The Member queried how much advice the newly appointed Town Councillors would receive in respect to contracts and legal matters and it was reported that this matter was not for consideration at this meeting, however there was significant support available for all Town and Parish Councils.

With regard to abandoned vehicles, a Member asked why there had been a substantial increase during 2015/16. It was reported that this was due in part to the scrap value of the
vehicle. If the scrap value was high, people were more likely to dispose of their unwanted vehicle responsibly for financial gain. If the scrap value was low, they were more inclined to dump their vehicle for the Council to remove.

A Member commented that they had tried to renew their Easy Green Bin Scheme subscription and had encountered problems online. The Head of Operations reported that there had been some technical issues in this respect however the system was expected to be working properly tomorrow. The Council would put alternative measures in place, if the problems were likely to continue.

With regard to the recyclable waste in blue bins, a Member questioned whether there was a significant issue with contaminated items and it was reported that there were no issues in Waveney. If a non-recyclable item was put into a blue bin, it would be removed at the sorting plant and would be taken to the energy from waste plan for incineration. Recyclable items were also not rejected if they were dirty. Members were pleased to note that no waste from Waveney had gone into landfill for over 2 years, which was a significant achievement.

In respect of the Council’s website which provided information on recycling, a Member raised concerns that it was not very effective or easy to navigate. There followed some discussion in this respect and it was reported that a review into the webpages could be undertaken to see if any improvements could be made.

A Member requested clarification on the works undertaken at the Oulton Broad Quay Heading, which had been deteriorating. It was confirmed that new boarding and a safety chain had been installed to a small 25 metre section of the quay, which had cost approximately £10,000. There had been no piling or other invasive work on this occasion.

With regard to the flooding which had occurred at Kirkley Stream, it was noted that flytipping had been an issue and that education was extremely important. It was commented that a joined up approach was required involving all partners and relevant outside organisations.

A Member requested that Town and Parish Councils be sent a schedule advising them of approximate dates when grass cutting and other work would commence in their area, as it was noted that this was a cause of concern for many residents. The General Manager advised that it was very difficult to provide a schedule in this way, as grass cutting was very dependent upon the seasons and weather, however a very approximate frequency could be provided. The need to keep Town and Parish Councils informed was noted and it was confirmed that Waveney Norse had produced a Frequently Asked Questions (FAQ) sheet with contact numbers and general information, which could be sent to all the Councils and placed upon their individual websites, which may be of assistance.

A Member queried whether a short educational information video could be produced, which showed what happened to the waste produced in Waveney, as this would help to educate the public and would be relatively cheap to produce. There followed some discussion in this respect and it was confirmed that this request would be raised at the next meeting of the Suffolk Waste Partnership in February. It was noted that a leaflet had been produced outlining what could and could not be recycled and this could be shared more widely on social media.

With regard to the number of unused green bins which had been collected from non-subscribers to the Easy Green Bin Scheme, it was queried why so many were being recycled rather than reused or sold on to other councils. It was confirmed that the green bins had been stamped with the Waveney District Council logo, therefore other Councils did not want them and due to their size they were very hard to store. Therefore, the best thing to do was to recycle them. Members were informed that when some unwanted green bins had been left to be collected, they had been full of a wide variety of waste, which Waveney Norse had disposed of, at their own expense.

A Member queried how the Public Conveniences Review had been progressing. It was confirmed that work in this respect had ceased on a temporary basis due to the Community
Governance Review which had been taking place for the unparished areas of Lowestoft. Once the Town and Parish Councils had been established for Lowestoft and Oulton Broad respectively, it was anticipated that the review of Public Conveniences would recommence and a further report would be brought back to the Committee for consideration in due course.

A Member requested further information on how the Council was confident that they were getting value for money from the partnership with Waveney Norse. The Head of Operations reported that a full tender process was undertaken prior to Waveney Norse being chosen to provide services in partnership with the Council. They were chosen as they were the most competitive and cost effective by a significant margin. Any profits made by Waveney Norse were shared jointly with the Council, which improved its finances and sustainability. Lowestoft Town Council and Oulton Broad Parish Council, when established, would be able to seek quotes from various companies to undertake the maintenance of their green spaces etc and they would be able to choose whoever they wanted, however it would not be appropriate to comment further in this respect. Members were reminded that Waveney Norse would provide an information booklet and could do a presentation to the July 2017 meeting and to make sure they were fully apprised of the work undertaken by Waveney Norse and the history behind the partnership. Further training for all newly elected Councillors would be provided in future.

With regard to the internal audits which were taken on a regular basis, a Member queried whether these were regularly reviewed. It was noted that there were robust procedures and processes in place in this respect and the Council's Internal Audit Team were also involved.

Following the debate, each Committee considered and voted separately on the following recommendation and it was:

RESOLVED

That the Annual report and progress of Waveney Norse be noted.

N.B. THE MEETING WAS ADJOURNED FROM 7.10PM TO 7.20PM TO ALLOW FOR A SHORT COMFORT BREAK.

5 ANNUAL PARTNERSHIP REPORT ON SENTINEL LEISURE TRUST

Note: The Audit & Governance Committee was invited to attend the meeting for the consideration, debate and vote on this item as it was considered that the Committees had complementary functions.

The Cabinet Member for Operational Partnerships & Lowestoft Rising presented the Annual Partnership Report on Sentinel Leisure Trust, which provided an overview of the performance of the Charitable Non Profit Distributing Organisation, which operated leisure services on behalf of the Council.

The Managing Director of Sentinel Leisure Trust gave a detailed presentation on the significant changes and developments which had taken place, since the Trust was created in 2011.

It was noted that the Trust had been supporting the Community Health and Wellbeing Programme and provided a wide range of services such as: Partnership work with James Paget Hospital, Stop Smoking Groups, Weight Management and Childhood Obesity, Physiotherapy and work with the Mental Health Team. Other programmes included the Making Memories initiative involving palliative care at James Paget Hospital, the Christmas Day Swim and Lowestoft Ogogo for young mums and those aged 55+. Members were also pleased to note that free access to leisure facilities were provided to Suffolk Young Carers during the school holidays and also for the homeless in temporary accommodation. It was
hoped that the Trust would develop even further during the next 12 months and would build upon its latest accomplishments and broaden its reach on a national basis.

A Member queried how complaints received were internally processed. It was reported that all complaints were logged onto the internal system and were reviewed on a monthly basis. The responses given were thoroughly reviewed and checks were made that each complaint had been classified correctly.

Members were pleased to note that the number of people visiting the Sentinel Leisure website had tripled in the past year and queried what improvements had been made to facilitate this. It was reported that a new website had been developed with much greater functionality, which met user needs. This meant that usage could be monitored closely and different devices could be used to access the website by the public. The new site was more welcoming and easier to use and regular checks were made on a monthly basis by ‘Mystery Shoppers’ who would use the site to book classes and check timetables etc and feedback on ease of use was provided. The website was constantly evolving and assistance could be provided to improve the waste and recycling pages on the Council’s website, if required.

A Member raised concerns that the number of visitors logged going to Water Lane may not be correct, as the gate was often left open during the day. Members were informed that the gates were due to be replaced in either January or February 2017. It was noted that the visitor counter was actually located above the main entrance, therefore it was providing accurate information.

With regard to the newly installed beach huts in Pakefield, a Member queried how the Trust was managing the fact that many beach hut owners were not obeying the suggested colour palette for their huts. The Managing Director reported that the colour of the beach huts came under the Planning legislation and changes could be enforced if required. However, there had been very positive feedback received about the appearance of the beach huts, the colour schemes being implemented would be monitored over time and enforcement would be undertaken if appropriate. A Member then queried whether the beach hut leases would be transferred over to Lowestoft Town Council in due course. It was confirmed that there had been no decision made to transfer any of the leases to a future Town Council however, reassurance was provided that each beach hut had its own lease, therefore they would be easy to transfer, if required in the future.

A Member requested clarification regarding the income generated by the Trust in the previous year, as it showed 2 different figures within Section 4 of the report and it was confirmed that one figure was net profit, the other was gross. It was also confirmed that Waveney District Council paid for the capital costs for the facility developments / landlord obligations as the Council owned the Leisure Centres which were being run by Sentinel Leisure Trust, therefore the depreciation costs were borne by the Council. Depreciation would vary on an annual basis and further information could be provided by the Finance Team, upon request.

With regard to risk, Members noted that there was monthly and quarterly monitoring and any additional work or initiatives taken on by the Trust were thoroughly researched to ensure that they did not create any risk to the core business of the Trust. Members were pleased to note that the Trust was over achieving in its Key Performance Indicators (KPIs) and financial objectives by bringing in additional revenue. A full and robust business case was provided for each project, which would then be thoroughly evaluated. Members were reassured that business growth would not be allowed to compromise service delivery and if there was an operational risk, the project would be deemed unviable.

A Member commented that they worked for a Disability Rights Charity and queried whether they would be able to refer some of their clients for free or reduced rate leisure services. It was reported free usage for certain groups was a new scheme and in the future it was hoped that referrals could be made in a variety of ways including by Social Services, Citizens Advice, GP Surgeries, James Paget Hospital, Foster Care Charities and Homelessness Charities. Further inquiries about additional groups who could benefit from this initiative could be sent to the Managing Director, for their consideration.
A Member queried whether it would be possible to do a joint Air Festival with Great Yarmouth Borough Council, now that Sentinel Leisure was running their leisure facilities. It was confirmed that it was not practical to have a joint air festival due to the logistics and distance between the two Towns. However, Sentinel staff were giving advice in this respect to Great Yarmouth Borough Council already.

With regard to future working, it was noted that the Trust was working closely with Sport England and it was hoped that grants would be available in the future. The need to expand and build resilience was noted and working in partnership with a variety of partners was a sensible way forward. An increase in turnover would lead to additional initiatives, and profits would be reinvested within the Trust to provide further improvements to facilities.

Clarification was provided that carers under 16 were being supported by the Trust and given free access to facilities and this was managed via an Agency who handed out the passes to the appropriate children discreetly and sensitively. Unfortunately there was not sufficient capacity available to assist all foster children in this way, however the Waveney Fostering Forum was being assisted, as the Trust facilitated various networking and training events by providing a venue and practical assistance.

A Member queried the recent works to the Harbour Wall at Southwold and it was confirmed that the repairs had been a capital project to improve the operation of the Harbour. Sentinel Leisure Trust was assisting with the management and support of the Harbour Master and Caravan Site, they were not responsible for the capital project.

A Member queried how the Trust was monitoring demographic inclusion eg by area and age to ensure that groups were not being ignored or disadvantaged. It was confirmed that a latent demand report had been created, and the Trust was currently over-performing with regard to young families and was under-performing with the retired. A targeted marketing strategy focussing on getting the elderly swimming and taking part in social activity would soon be launched.

The Chairman of the Overview & Scrutiny Committee stated that the next performance report for 2016/17 would be presented to the Committee in July 2017 to ensure that the information was still pertinent and relevant. The Work Programme would therefore be updated accordingly.

Following the debate, each Committee considered and voted separately on the following recommendations and it was:

RESOLVED

That the Annual Report of Sentinel Leisure Trust be received.

N.B. The Audit & Governance Committee Members left the meeting at this point in the proceedings.

6 CURRENT POSITION OF THE WORK PROGRAMME

The Chairman presented a report which reminded Members that the current position of the Committee’s work programme was provided at each meeting, in order for it to be continually reviewed by the Committee.

Members discussed the work programme and it was agreed that

- The Annual Report on Waveney Norse would be presented at the 6 July 2017 meeting to ensure that the information was pertinent and timely.
- It was suggested that the presentation from the Waveney Youth Council, which was also scheduled for the 6 July 2017 meeting, should be kept to 15 minutes and any questions or discussions should be kept concise.
- The 3 August 2017 meeting should be kept clear if possible.
• The Sentinel Leisure Trust Annual Report would be considered at the 7 September 2017 meeting.
• The Update on Public Conveniences would remain on the list of reviews still to be programmed.
• Post implementation review of the closure of the Tourist Information Centres (TICs) – Members queried whether there had been any complaints received by the Kirkley Business Association following the closure. If there had been no complaints, the item could be removed from the list of reviews still to be programmed.
• Review the reintroduction of car parking charges in Bungay – no complaints had been received. Item to remain on the list of review still to be programmed for the time being.

Members were reminded that should they have an issue that they wanted the Overview & Scrutiny Committee to look at, that they should complete a Scoping Form and return it to Democratic Services.

RESOLVED

That the current position of the Overview & Scrutiny Committee’s work programme, as set out in Appendix A to Report REP1514 including the changes discussed above, be noted.

7 INFORMATION BULLETIN

The Committee received the Information Bulletin provided on Kirkley Stream and noted the contents. Members were advised that should they have any queries, there were contact details of the Suffolk County Council Officers at the end of the document.

RESOLVED

That the Information Bulletin be received.

The meeting was concluded at 8.55pm

Chairman