

OVERVIEW AND SCRUTINY PANEL

16 OCTOBER 2017 - 2:30PM



PRESENT: Councillor F H Yeulett (Chairman), Councillor Mrs A Hay (Vice-Chairman), Councillor S Clark, Councillor D Hodgson, Councillor D Mason and Councillor Mrs K F Mayor

ALSO IN ATTENDANCE: Councillor Clark, Councillor Cornwell, Councillor Murphy, Councillor Seaton, Councillor Sutton and Councillor Tanfield.

APOLOGIES: Councillor G G R Booth, Councillor Butcher Councillor S Count, Councillor Mrs M Davis and Councillor A Pugh

OFFICERS IN ATTENDANCE: Brendan Arnold (Corporate Director), Jane Bailey (Member Services and Governance), Richard Cassidy (Corporate Director), Gary Garford (Corporate Director), Anna Goodall (Head of Legal and Governance), Mark Mathews (Head of Environmental Services), Paul Medd (Chief Executive) and Carol Pilson (Corporate Director)

Councillor Yeulett, on behalf of the Overview and Scrutiny Panel, sent best wishes for a speedy recovery to Councillor Butcher.

Councillor Yeulett stated that Councillor Mrs Laws has resigned from the Panel for personal reasons; he offered thanks, on behalf of the Panel, to Councillor Mrs Laws for her contribution to Overview and Scrutiny.

OSC14/17 PREVIOUS MINUTES

The minutes of the meeting of 21 August 2017 and 4 September 2017 were confirmed and signed.

Councillor Yeulett updated the Panel with regards to the Overview and Scrutiny Recommendations Log; he stated that Anna Goodall has provided a draft which will be added to the next meeting agenda for consideration. He confirmed that the panel have asked for a RAG rating to be added for clarity. Anna Goodall agreed.

OSC15/17 ANNUAL MEETING WITH THE LEADER, DEPUTY LEADER AND CHIEF EXECUTIVE

Councillor Clark presented this item to the Overview and Scrutiny Panel informing them of the following:

- He started by thanking members and staff for their assistance in making this year yet another successful one for Fenland.
- The Corporate Governance Committee recently approved the final accounts for 2016/17, and to receive an external auditors report which gives an unqualified opinion is a credit to this Council, to members and to the staff involved.
- Whilst the austerity measures continue to reduce the amount of revenue support grant we receive from central Government, we have worked hard to pull in external funding to deliver some of our key priorities.
- Fenland were at the forefront of securing £736,000 for the Homelessness Trailblazer project which will be delivered across the whole of the Cambridgeshire and Peterborough Combined Authority area. This funding will help us to trial new approaches to addressing homelessness in advance of planned changes to legislation in April 2018. This strikes a

resonance with the petition that we received at full Council recently and also with the seminar informing members about the actions in place with regards to these matters.

- The Council has also secured over £850,000 of funding through the Controlling Migration Fund. This money will help to relieve the pressure on public services and will assist with promoting community cohesion through a variety of projects; this work will mainly be focussed on the town of Wisbech as it has the highest migrant population in the Fenland area.
- The Combined Authority has made a £500,000 contribution towards developing a business case for dualling the A47. We have been talking about this for years and Councillor Clark is thrilled that Ministers are now listening to us and can see how this would bring a significant change to the area.
- With regards to the Combined Authority he congratulated Members on having the courage to agree to Fenland District Council joining the new Cambridgeshire and Peterborough Combined Authority in November 2016. We are the only two tier Combined Authority in the Country and we have arguably secured one of the best devolution deals from central Government. Almost 12 months later this was absolutely the right decision for our District.
- As well as the funding for the feasibility work around the dualling A47, the Combined Authority has also provided the £6.5m to fund the feasibility work needed for the Wisbech Garden Town Project. This includes the money required to fund the GRIP 3 study for the Wisbech Rail project which is the next essential part of the work needed to reopen this important transport link.
- The Combined Authority has a significant amount of money to spend and, as Mayor Palmer himself has said, we must connect the north of the Cambridgeshire and Peterborough area to the south. Mayor Palmer is also committed to closing the north/south divide in terms of both social and economic inequalities, which points towards further good news.
- A significant £10.5m has been received from the LEP for the Wisbech Access Study, enabling us to look at increasing local road capacity and reducing accidents, in line with local plan growth.
- We have successfully overcome a number of challenges over the past 12 months, through strong leadership and sound financial management. The continued financial pressures and uncertain political landscape at a national level may make delivering excellent services increasingly difficult , but we are fortunate to have the necessary strategic direction and enthusiasm of staff to keep customer satisfaction levels in the upper quartile.
- We remain on the front foot with regards to our finances, and we continue to make savings linked to the Comprehensive Spending Review. We are also looking at commercial opportunities, such as property investment and development strategy which is starting to outline our approach to investment and development in a measured way.
- We continue to 'sweat our assets' with part of Fenland Hall already being rented to another organisation, and a second area almost ready to lease for additional revenue.
- Charging for the collection of Garden Waste has probably been our largest and most controversial project delivered to customers over the past year. However, through careful planning and an excellent communication strategy, the scheme was successfully rolled out and savings are now being delivered.
- Looking to the next 12 months, we will be considering another high profile project to assess Leisure Options. In March 2017, Cabinet Members recommended that the Council entered into a formal EU procurement process to appoint a leisure operator to manage FDC's leisure centres.
- The procurement work is progressing and a clear market interest is evident. The next 12 months of going to tender and attracting a partner that matches Fenland's specification and financial ambitions will require careful management. Members will receive regular updates along with our current leisure centre users and the wider public.
- In summary, I am sure you will agree that despite the on-going challenges this has been another excellent year for the Council. We have ventured into new territory by becoming part of the Combined Authority and we are leading on some high profile and ground breaking projects. Despite the continued financial pressures, we are still delivering excellent

services to the local community.

Paul Medd stated that the Leader has covered the main points but added that some other notable achievements are;

- The Wisbech HLF project which is making very good progress and will make a huge difference to Wisbech High Street.
- He attended the Street Pride Awards Event and the difference the volunteers make across the district is immense led by the good work of Rebecca Robinette to facilitate those groups.
- We have seen an improvement in terms of how we work with social media as a Council, Amy Collet took over from John Carey, who had done a fantastic job for us, but moving forward with social media we are reaching out to a whole range of residents in particular young people.
- Looking at challenges moving forward, attracting talent will always remain a challenge, nationally we have a very positive reputation and so attract talent from across the country for more senior roles, but there are some professional roles that are more difficult to recruit to, particularly in the areas of planning and environmental health, and this is a country wide issue;
- We have some challenges in terms of housing growth and infrastructure revolving around viability issues that we have;
- We need to continue to look at improving health and social care integration, with the financial pressures building against the demographics if we do not get this right it will have a profound impact on the quality of life of Fenland residents.

Members asked questions, made comments and received responses as follows:

1. Councillor Yeulett thanked Councillor Clark and Paul Medd for their presentation. Referring to health and wellbeing, deprivation, Wisbech 2020 and the efforts being made by the Council with partners he stated that in some areas we are still not moving forward and asked how else can we look at this challenge. Councillor Clark stated that on the Combined Authority he sits next to a lady from the NHS and when we have been discussing the Garden Town she is very impressed with the plans and thinks that this is just what the area needs to raise it to the next level. He added that we know there is deprivation in Wisbech and there are so many problems but we have to keep working at it. Connecting Wisbech to Cambridge with the rail link will access jobs and opportunities. Paul Medd stated that this is a complex situation, there are parts of Fenland that have suffered from inequality for generations, and we are trying to unpick that complexity and make it better. Performance in some areas has got worse, and without the range of interventions that have been put in the decline might have been worse still. There are a lot of public health interventions that try to change people's behaviours as it is imperative that those people suffering with health inequalities take greater ownership, but they need help, guidance and support. It is important that we do not lose sight of the challenge, we have all of the evidence and now we have to put in place actions that lead to incremental outcomes. We will not see a transformation of this overnight; it will improve slowly over years and over generations. He added that the Wisbech 2020 refreshed vision document pays more attention to social issues that exist within the town. Physical infrastructure and growth will continue to be important as this links with improving peoples life chances and prosperity. He stated that he feels that there is a greater interest in Fenland's issues than there ever has been before;
2. Councillor Yeulett asked what plans we have to deal with the challenges around housing in the district. Councillor Clark confirmed that we have asked officers to look at custom build options with a view to building on our own land. There is more building starting in Fenland and Officers have been looking at the Housing Infrastructure Fund for the Wisbech Nene site which has been standing idle for some time waiting for a developer. The Wisbech Town Project will help to supply all the housing that the Government wants to deliver in Fenland, plus the additional smaller projects. There is no quick fix to these challenges but Gary

Garford and his team are working hard to ensure that we have all the answers to confidently move forward with a project on this scale. Paul Medd stated that the Combined Authority in its focus on facilitating growth, is developing a non-statutory spatial plan, this does not over-ride local plans but acts in a way to compliment them, its focus is on how existing local plan housing targets can be delivered. A key issue and one of the biggest issues for Fenland is viability so anything that the Government can do to make development more attractive in Fenland is going to make a significant difference;

3. Councillor Yeulett asked what difference the key achievements have made to the residents of Fenland. Councillor Clark stated that in other areas people living standards have gone down as some Councils have removed services to save money, but we have managed to keep our services going and delivered those services to a good standard. Councillor Sutton stated that one area that is positive is the Combined Authority, there is funding available to us that has not been available before, including a share of £100m for social housing. The Housing Options and Planning Teams are looking at sites and talking to a range of social housing providers and we have had indications that more than one housing provider is interested so we are working hard to ensure that we bring our share of the £100m into Fenland. Paul Medd stated that members indicated that they wanted to pursue a course that protected frontline services and if you compare us to many parts of the Country, whilst members have had tough decisions to make, the amount of services lost to our public has been kept to an absolute minimum and have kept stability to frontline services. We take regular satisfaction surveys across a range of services and they are always very positive, that points towards the added value that many residents feel that we make as a Council in terms of the services that we deliver;
4. Councillor Mrs Hay asked who are our key partners, what are they helping us to achieve and how do we manage their performance to ensure that they are delivering the service we expect. Councillor Clark stated that we are always looking for partnership opportunities, always looking for partnerships where we can deliver better jointly than on our own. We are involved in the Shared Planning Board, CNC Building Control, ARP, Safer Fenland Partnership and the Health and Wellbeing Partnership, following careful consideration, once we have entered into a partnership, we monitor it very closely to ensure it is working and would never be afraid to say if something is not working for us. Paul Medd stated that accountability is very important to us, and Overview and Scrutiny have invited external partners to hold them to account which compliments the governance arrangements that exist within the Council. A good example of partnership working and accountability was a recent member seminar where colleagues from the County Council and Police attended to account for what we are doing around homelessness, rough sleeping and alcohol issues. He added that other categories of partnership working are community partnerships including Golden Age and business partnerships and we continue to work with 'Fenland for Business' to network with key businesses to demonstrate what support is available for them to survive difficult economic times and to grow and create new jobs in the area;
5. Councillor Mrs Hay asked if there is any dialogue between Fenland and Cambridgeshire County Council (CCC) with regards to accommodation as CCC are currently working on a business case to move out of the centre of Cambridge. They are looking to relocate their staff to hubs around the district in the future. Councillor Clark confirmed that we are aware of these plans and have offered premises here which they are considering as part of their overall plans, in addition the Combined Authority have also been offered office space. He stated that we want to make our assets work for us and we are actively marketing the office space;
6. Councillor Mason referring to the recent 'call in' by the Combined Authority Overview and Scrutiny Committee and the subsequent decision by the Combined Authority Board to increase the Mayor's staffing costs asked if there are any costs to Fenland to support that decision. Councillor Clark confirmed that we do not pay anything to the Combined Authority, the Chief Executive invested a proportion of his time, but Fenland was beginning to suffer as a result of the shared workload and the Combined Authority recognised this and did reimburse Fenland for his time;

7. Councillor Mason asked where the money is coming from to finance the Combined Authority staffing costs. Councillor Clark confirmed that the Government have agreed that the Combined Authority costs can be taken out of their allowance;
8. Councillor Mason, referring to the open letter from the Mayor of Cambridgeshire and Peterborough to the Local Enterprise Partnership (LEP), asked if there will be any detrimental impact to Fenland resulting from Central Government freezing the LEP's Growth Funding for the area whilst the National Audit Office conduct an investigation. Councillor Clark confirmed that, at present, this will not have a detrimental impact to Fenland and that medium and longer term implications are unlikely. Paul Medd confirmed that there is likely to be some short term frustration until the Combined Authority and LEP situation is resolved, but there is an appetite to move forward quickly;
9. Councillor Yeulett asked about the status of the CSR. Councillor Seaton stated that a number of CSR projects have been delivered successfully. The review of leisure services is a big item and we are working hard towards achieving another successful outcome with this project. There is uncertainty about the future until the Autumn statement in November is announced, as the capping is being looked into for the NHS and Police and we do not know what impact that might have on local government at this time. Brendan Arnold stated that we have an established track record in delivering the CSR with more than £900,000 already delivered so that gives a level of confidence that the work that is on-going is very likely to be delivered successfully. In terms of the relationships with the Combined Authority, it is a pleasure to see the quality of the relationship between the Councils in Cambridgeshire which are resulting in real decisions being made and this bodes well for the future. A lot of work is being done by colleagues to ensure that Fenland is at the top of the agenda, and this is a positive step for the future;
10. Councillor Yeulett asked if we have any service level agreements with the Combined Authority. Paul Medd confirmed that Fenland has no service level agreements with the Combined Authority at this current time, but the Combined Authority is currently working on the funding agreement for the £6.4m funding for the Wisbech Garden Town feasibility and this is something that we will want to look at closely to ensure that we are happy with the detail. Some of these projects taken on by the Combined Authority are complex and varied, so a lot of work is being undertaken to ensure that effective governance arrangements are in place, and making sure, from an officer point of view, that we have the right people to progress some of these important projects for which we are starting to see funding from the Combined Authority. Councillor Clark stated that the Combined Authority is the commissioner of services, they want to see how money is spent and that it is being spent correctly, they want to see good value for money or it could have an impact on future funding;
11. Councillor Yeulett asked for clarification that we have made no financial contribution to the Combined Authority. Councillor Clark confirmed that originally we understood that we would have to, but the Government relaxed the terms and we have made no financial contribution;
12. Councillor Mrs Hay stated that given recent statements from the Mayor in relation to Local Government Reform what impact is there to be for district Councils. Councillor Clark stated that the mayor has indicated that he feels that the County Council could perform better, but that no discussions have taken place yet. Paul Medd stated, for clarity, that Public Service Reform is something that we have been working on for many years, transforming the way that we deliver public services, an example of this would be around the work that is currently on-going looking at the future of health and social care. Local Government Reorganisation is something different, and suggests that a review of the current governance arrangements would be looked at with the prospect of moving towards a unitary model of local government. However, he added that Public Service Reform could result in changes by looking at which services are delivered by different partners an example of this would look to see if the Districts can deliver some of the County Council Services. Councillor Clark stated that this Council needs to be flexible to take advantage of any things that come this way;
13. Councillor Mrs Hay asked if we have any plans for future shared service arrangements. Councillor Clark stated that we are continually looking, and are currently looking for

opportunities around Economic Development. Paul Medd confirmed that we have had some early discussions with a partner Council around possibility of joining up with Economic Development. With regards to any shared service arrangements we will always make sure that we are confident that the service at least maintains itself if not provides the scope for improvement as well as an opportunity to deliver savings. We will not progress anything without the involvement of members, and once we have a business case we will share those details with members so that they understand and have the opportunity to challenge;

14. Councillor Mrs Mayor asked what the current position is with regards to the introduction of a Community Infrastructure Levy (CIL) particularly given that we are the only local District Council which has not adopted CIL, and have the circumstances changed surrounding this issue which would make it prudent to look again. Councillor Clark stated that around 3 years ago, at an All Member Seminar to look into this matter, we were advised that there was no financial advantage to us moving over to CIL. Councillor Sutton stated that the decision in 2014 was to review in 3 years, but that he feels it would be foolhardy for us to spend a lot of officer time on something that may not continue due to a national review. He added that CIL has not been the success that it was hoped to be and he feels we took the right decision locally not to implement it. He informed members that there are potentially going to be different options available, like the Local Infrastructure Tariff (LIT) and also as we are part of the Combined Authority there could potentially be a Regional Infrastructure Tariff (RIT). Therefore, he confirmed that a Fenland review should wait for the outcome of the review by Government and further guidance;
15. Councillor Yeulett asked if we are happy that our current arrangements more than adequate. Councillor Sutton stated that Section 106 is frustrating and we are not happy about viability at this time, but there are viability issues in many areas;
16. Councillor Sutton commended Paul Medd in his role of interim Chief Executive of the Combined Authority and his involvement in the setting up of the Combined Authority. He added that the Leader, Councillor Clark has taken on a huge amount of work too, and he offered congratulations to them both;
17. Paul Medd thanked Councillor Sutton for his comments and stated that on a daily basis he is indebted to CMT and the fantastic staff across the organisation; without their on-going passion, commitment and ability to deliver we would not be celebrating some of the successes we have seen as a Council, and we would not be in the position that we are to tackle some of the challenges we have faced. It is genuinely a team effort, and it can never be underestimated the powerful impact that effective relationships between members and staff has on the wider workforce.

Councillor Yeulett, on behalf of the Panel, reiterated Councillor Sutton and Paul Medd's comments, he stated that we as a Panel see what you all do and the benefits it brings to the community and thanked everybody for their attendance today.

OSC16/17 REVIEW OF GARDEN WASTE SCHEME

Members considered the Garden Waste Service Update Report presented by Richard Cassidy.

Members asked questions, made comments and received responses as follows:

1. Councillor Yeulett asked if the direct debits set up previously by existing customers are carried over to 2017/18 subscriptions. Richard Cassidy confirmed that the direct debits set up previously will be carried over, but we are looking to change the payment date in some instances to ensure funds are collected prior to the commencement of next years' service, letters will be sent out to advise customers about the new payment date;
2. Councillor Yeulett asked for clarification that existing customers need to do nothing and that the bank will make the payment automatically. Richard Cassidy confirmed that existing customers need to do nothing;
3. Councillor Mrs Hay asked if the additional costs incurred of £200,000 referred to in the

budget forecast table at 1.12 of the report cover the additional rounds for all 3 bins. Richard Cassidy stated that it is the estimated budget, he explained that there were some small inefficiencies caused by separating the brown bin rounds from the others and we needed overall to increase capacity, therefore an additional round was introduced, this in addition to the housing growth pressures that already had pushed the requirement for the new capacity. He agreed that as we refine the budget for the new service over the rest of the year, the exact cost would be identified;

4. Councillor Mrs Hay stated that the addition of this line in the table is very misleading, and feels that as we are picking up less brown bins now the increased cost for the other 2 bins should not be assigned to the brown bins. Richard Cassidy agreed that the table could be represented more clearly and the budget would be better reflected once the first year of the service was completed;
5. Councillor Mrs Hay stated that she is pleased that the direct debit discount is proposed to be offered again next year as it will keep a lot of customers very happy and will encourage new customers to sign up. She added that she is also pleased to see the option for customers to spread the cost over 3 months should they need to. She asked for clarity with regards to disposing fruit and vegetable waste as there is conflicting advice within the report. Richard Cassidy stated that for clarity, we cannot charge for any kitchen waste to go into the brown bin, and therefore have to tell people that we will reject waste that does not look like garden waste. Councillor Murphy stated that we are continuing to work with our partners to find a solution as it goes into exactly the same place as the garden waste. Councillor Mrs Hay suggested that the wording was changed on the leaflets to say that they can put fruit and vegetable waste in that brown bins. Richard Cassidy stated that at present we are not able to tell people in the leaflet that they can put raw fruit and vegetable food waste from their kitchen into the bins, all we can say is that we will not collect waste that looks like kitchen waste. Councillor Mrs Hay asked if the refuse collectors see potato peelings in my brown bin will they refuse to take it. Richard Cassidy confirmed that they will not refuse it. Councillor Murphy stated that another enquiry he gets quite often is with regards to the brown sacks sold at the one stop shops, he confirmed that these can still be used;
6. Councillor Mrs Mayor stated that we have 19,600 subscriptions but only 307 responded to the satisfaction survey. Richard Cassidy confirmed that we sent out 750 surveys so to receive 307 completed could be considered a good response rate;
7. Councillor Mrs Mayor stated that only 50% of those were satisfied or extremely satisfied, and asked if officers can be sure that the vision for next year is correct. Richard Cassidy stated that he felt the survey was statistically significant and representative of general customer views;
8. Councillor Mrs Mayor asked who were the 750 surveys sent to, and if it is a sufficient amount with nearly 20,000 customers. Richard Cassidy confirmed that the 750 surveys were sent to randomly selected addresses. He explained that he felt 750 was an adequate number to send out to get a general feeling of how the service is going and this avoided significant costs of surveying all 20,000 customers;
9. Councillor Sam Clark asked what happened with regards to unsubscribed filled bins that were put out for collection. Richard Cassidy stated that nearly 13,500 people did this, we explained that they need to make their own arrangements to empty the waste, and most people have complied. If members are aware of any that have not complied please report this and we will take further action if necessary;
10. Councillor Mason stated that the budget forecast anticipates a 3% reduction in subscriptions for next year, but asked, with more houses being built is this prediction correct. Richard Cassidy stated that when we looked into this a few local authorities reported that their numbers had dipped slightly in the second year and 7% of people who responded to the survey to say they might not want subscribe to the service next year. Taking this into account and looking at a number of possible scenarios we wanted to ensure that it would still collect sufficient funds to keep the early bird direct debit offer in place. Councillor Murphy agreed that we need to look at this cautiously and will look at this each year to ensure that we are cost neutral;

11. Richard Cassidy stated that customers had raised the uncertainty around the issue of kitchen waste with us and would like to continue as per the old scheme so we are not entirely sure how that may affect subscriptions next year. Councillor Murphy stated that if we were allowed to include food waste he feels we would have had a better take up;
12. Councillor Hodgson stated that he has always been concerned with regards to the additional fly tipping issues and bonfires, and has had conflicting advice recently about who would deal with fly tipping reported on a public footpath. Richard Cassidy confirmed that he would be happy to look into the issue and suggested that he passes the details over following the meeting;
13. Councillor Yeulett asked with regards to the food waste, is it a technical problem or a rule. Richard Cassidy confirmed that legislation allows local authorities to charge for garden waste, and the waste from your kitchen is not classed as garden waste even though it is the same material. Councillor Yeulett stated that every other authority must have this issue, and asked what more can we do. Richard Cassidy stated that we will continue to talk to the County Council around agreeing how we can define this, but not every authority is the same, some have separate food waste collections and some were able to include it together, and so not all are in the same position;
14. Councillor Mason stated that it is the definition of food waste that is the problem. Richard Cassidy stated that we would be happy to move to the situation where we define as green waste, but we have to work with partners and be mindful that might be challenged as some people were opposed to the scheme in the first place. Councillor Murphy stated that it is something that we are working on and we are getting closer but is not a quick fix.

Councillor Yeulett stated that the Panel and Councillors in general are pleased with the scheme, as are the public, given the take up of subscriptions, and offered congratulations to all involved.

OSC17/17 FUTURE WORK PROGRAMME

Members considered the Future Work Programme 2017/18 for the Overview and Scrutiny Panel.

The panel discussed the following changes:

- Re-scheduling the Private Rented Sector Item to the new year, date to be confirmed.
- The Progress of Corporate Priority - Economy has been deferred to the April 2018 meeting.
- CSR - Customer Access deferred to the November meeting.

Members were reminded that the next meeting will take place on Tuesday 28 November due to the Combined Authority Overview and Scrutiny Meeting date clash.

Members agreed the Future Work Programme 2017/18 for the Overview and Scrutiny Panel subject to the changes outlined above.

4:38pm

Chairman