

OVERVIEW AND SCRUTINY PANEL

MONDAY, 11 NOVEMBER 2019 - 1.30 PM



PRESENT: Councillor A Miscandlon (Chairman), Councillor A Hay (Vice-Chairman), Councillor G Booth, Councillor M Cornwell, Councillor M Humphrey, Councillor D Mason, Councillor M Purser, Councillor R Skoulding, Councillor D Topgood, Councillor Wicks and Councillor F Yeulett

APOLOGIES: Councillor A Bristow

OFFICERS IN ATTENDANCE: Anna Goodall (Head of Governance and Customer Services), Phil Hughes (Head Of Leisure Services), Izzi Hurst (Member Services & Governance Officer), Carol Pilson (Corporate Director and Monitoring Officer) and Annabel Tighe (Head of Environmental Health and Compliance Manager)

GUESTS: Councillor C Boden, Councillor S Clark, Councillor S Hoy, Councillor S Count (Cambridgeshire County Council, Russell Beal (Anglian Water), Adrian Chapman (Cambridgeshire County Council), Rowland Potter (Cambridgeshire and Peterborough Combined Authority), Matt Hunt (Freedom Leisure) and Dan Palframan (Freedom Leisure)

OSC22/19 PREVIOUS MINUTES.

The minutes of the meeting of 14 October 2019 were confirmed and signed subject to the following comments;

1. Councillor Booth said in relation to minute OSC20/19 point 44; he has heard reports that trees in Wisbech Park are being removed and not replaced and asked for further clarification on this. Carol Pilson confirmed that there is no Council endorsed policy in relation to the replacement of trees however each tree replacement is assessed on its own merits. She agreed to look into this further.

OSC23/19 UPDATE ON PREVIOUS ACTIONS.

Members were provided with an update on the status of actions raised a previous meetings of the Overview and Scrutiny Panel.

OSC24/19 ENVIRONMENTAL ENFORCEMENT CONTRACT- PROGRESS UPDATE

Members considered the Environmental Enforcement Contract – progress update report, presented by Carol Pilson and Annabel Tighe.

Carol Pilson informed members that unfortunately Councillor Murphy was unable to attend today's meeting due to personal circumstances.

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

1. Councillor Wicks asked what the implications are to the Council following the action of Peterborough City Council (PCC) and their cancellation of the contract with Kingdom (LA

Support) from February 2020. Carol Pilson confirmed that PCC would be ending their contract with Kingdom (LA Support) in February 2020. She explained that whilst the Council have a separate contract with Kingdom (LA Support), they have been clear in that the contract was only viable if the Council were in partnership with another local authority. She confirmed that officers had been proactively exploring the options available to the Council including; finding another local authority partner, identifying existing resource within the Council to deliver this service in-house and the possibility of working with PCC by utilising their in-house service. She stated that discussions have taken place with other local authorities within and outside of Cambridgeshire and Peterborough to assess their plans. Officers are also working alongside Portfolio Holders, Councillor Murphy and Councillor Tierney.

2. Councillor Cornwell asked for the results of the Council's discussions with Kingdom (LA Support). Carol Pilson explained that the Council's partnership with Kingdom (LA Support) will likely end at the same time as the PCC contract ends.
3. Councillor Cornwell highlighted that the Council only have a short period of time to make alternative arrangements and asked for assurance that the Council are working hard to mitigate the risks of this service ending. Carol Pilson reiterated that the Council are being very proactive in their approach and are liaising with Kingdom (LA Support) on a daily basis. She confirmed that the Council are discussing alternative options with Kingdom (LA Support) as well as other local authorities and added that the Council do have their own resource available too however this would be dependent on member's future plans for this service area.
4. Councillor Booth stated that Full Council had recently considered a motion in relation to the decriminalisation of parking and asked whether officers had explored combining the enforcement of this with the current enforcement service. Carol Pilson confirmed that officers continue to monitor how the two projects could run in parallel with one another. She explained that Kingdom (LA Support) offer a wide range of enforcement services however combining these projects would be dependent on member's priorities at the time. She added that there would be a significant capital start-up cost in relation to parking enforcement which may not make the project financially viable.
5. Councillor Miscandlon asked if there was a risk of the current contract ending with Kingdom (LA Support) and the Council having no replacement service in place. Carol Pilson confirmed that there could be a small break in service whilst the Council assess their options however dependent on member's priorities, there may be flexibility within the Council's in-house resource to continue delivery of this service. The Street Scene team carry out valuable work across the district including issuing parking fines in March on the Market Place, investigating cases of fly tipping and issuing their own fixed penalty notices (FPN) for littering and dog fouling and whilst she cannot promise continual service post February 2020, the Council will not be in a position of having no resource available to them.
6. Councillor Hay asked why businesses receive a lower level of fines compared to residents in relation to fly tipping FPNs. Carol Pilson explained that these fines are covered by two separate pieces of legislation with business fines being issued under the offence of having no licensed waste collection provision whilst resident's fines relate to waste being removed by a non-registered waste carrier. Both fines are set at the maximum levy as per the legislation.
7. Councillor Hay disagreed with this approach and asked if the Council have approached Central Government to reconsider these differing levels of fines. Carol Pilson stated that she does not believe the Council have and reiterated that these are two different issues with both fines covered by different legislation.
8. Councillor Booth asked how the Council will assess and determine member's priorities for this service. Carol Pilson explained that she believes the options will be considered by Cabinet but in the absence of Councillor Murphy, she would need to pass comments on to him.
9. Councillor Cornwell expressed concerns in relation to the contract ending in February 2020 and suggested engagement with members needs to begin at the earliest opportunity to

inform them of the options available to the Council.

10. Councillor Yeulett highlighted the viability issues in relation to the contract and endorsed Councillor Booth's suggestion that other enforcement services are considered as part of the new arrangement. He highlighted the high number of FPNs issued in Wisbech compared to the other towns in the district and asked if higher tariffs in these areas, would act as a deterrent. Carol Pilson agreed that options would be considered as part of the new contract and explained that the tender exercise for the current contract produced a cost neutral service. She explained that the service is a difficult marketplace to find a delivery partner and Kingdom (LA Support) had been the most viable partner to the Council as part of the tender. In relation to additional services, she informed members that Boston Borough Council has recently started enforcement of 'bin placement' and there are a suite of enforcement operations available. Regarding the option of higher tariffs in high FPN areas; this would be something that would need further consideration however she does not believe a higher fine can be levied based on the location of an offence.
11. Councillor Miscandlon proposed that the Overview and Scrutiny Panel express their concerns in relation to the short timescale until the contract ends with Kingdom (LA Support) and asked that officers bring forward any options available to members in relation to the replacement service.
12. Councillor Cornwell asked if there has been any increase in fly tipping following Cambridgeshire County Council's (CCC) decision to introduce a licensing requirement for users of their household recycling centres. He asked that members are provided with the number of fly tipping incidents since licensing was introduced. Carol Pilson agreed that this will be monitored.
13. Councillor Cornwell highlighted that once the contract with Kingdom (LA Support) comes to an end this could have an impact on service provisions as the current Street Scene officers have little resource outside of their current duties to carry out environmental enforcement work.
14. Councillor Booth stated that the report fails to mention whether any time is spent patrolling villages across the district and the contract stated that 10% of Kingdom (LA Support) time would be spent carrying out extra duties. He highlighted that as most incidents of fly tipping are in rural wards, a presence of enforcement officers in these areas could act as a deterrent and subsequently reduce the pressure on Street Scene officers. Carol Pilson explained that as the contract has to be commercially viable; Kingdom (LA Support) officers base themselves in locations with the highest likelihood of issuing FPNs. She confirmed that the Council had engaged with Town and Parish Council's during the tender process but unfortunately had not received many responses from more rural wards.
15. Annabel Tighe highlighted that the presence of Kingdom (LA Support) officers in the district's towns has allowed the Street Scene team to spend more time in the rural wards. She stated that whilst the environmental enforcement in rural wards was a priority for Street Scene officers the majority of offences are committed in the towns and the Kingdom (LA Support) officers are more productive there. Fly Tipping enforcement required detailed investigation and does not fit the current LA Support business model based around the service of littering FPNs. She informed members that one example of Kingdom (LA Support) non-income generated time is carrying out dog fouling patrols in Chatteris. She reminded members that Street Scene officer are a known and trusted brand in the community and regularly engage with rural areas and whilst they still have the power to issue FPNs, they also respond to community priorities.
16. Councillor Booth asked how the Council can allocate resource to rural areas when the cleanliness of rural streets is not even monitored. He said more consideration needs to be given to rural areas as fly tipping is a big issue and an increased presence is required.
17. Councillor Humphrey disagreed with this approach, as whilst there is an issue in rural wards, patrols do not act as a deterrent and make little difference as very few offenders are caught fly tipping and the majority of committed the offence.
18. Councillor Booth said the Council should use the powers available to them under the Regulation of Investigatory Powers Act (RIPA) more.

19. Councillor Miscandlon agreed that fly tipping is a retrospective offence in that the majority of individuals are only identified after they have committed the offence as part of the investigation. He said it was paramount that the Council continue to investigate cases of fly tipping.

The Overview and Scrutiny Panel noted the outcomes of the enforcement contract to date, expressed concern about the current contract ending in February 2020 and requested that members are kept fully updated in relation to the options of a replacement service.

OSC25/19 WISBECH 2020 VISION & WISBECH RAIL UPDATE.

Members received a presentation in relation to the Wisbech 2020 Vision and Wisbech Rail Update.

Russell Beal thanked Anglian Water for supporting and financing his work as the Programme Manager on the Wisbech 2020 project.

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

1. Councillor Miscandlon asked what impact the Government's decision to postpone the rail upgrades to Ely North will have on the project. Rowland Potter explained that discussions are still ongoing in relation to this rail enhancement and assured members that the Cambridgeshire & Peterborough Combined Authority (CPCA) are passionate about resolving these constraints and have lobbied Central Government. He confirmed that the CPCA have highlighted the impact these constraints will have on both the region and wider area.
2. Councillor Miscandlon said further work needs to be undertaken in relation to public engagement. Rowland Potter agreed.
3. Councillor Count referred back to the postponement of works at Ely North and confirmed that the Mayor of the CPCA is lobbying Central Government. He said the upgrade work is essential to the project due to train paths that will be released to allow access direct access to Wisbech.
4. Rowland Potter assured members that partners are standing firm and resolute to accelerate these programmes of work to allow increased rail capacity in the region.
5. Councillor Booth asked if the delay in work at Ely North will stop the implementation of the Wisbech to Cambridge rail line. Rowland Potter explained that a study is current underway to assess the impact of this with the outcome expected in March 2020. He confirmed that this work will have a transformational impact as it will provide a service that does not currently exist, on to a main line rail link and is a fundamental part of the Wisbech 2020 Vision.
6. Councillor Count added that if the direct line between Wisbech and Cambridge is not available, this will mean passengers travelling to Cambridge or Peterborough will have to change at March Railway Station. He informed members that whilst the service will be impacted locally, it will also impact other regions that rely on that train line. He explained that consideration is being given to the possibility of delivering a shuttle service which again will be dependent on the timetabling and Ely North junction. He reiterated that whilst we can consider timetabling issues locally, consideration must also be given to the end location of these trains too.
7. Councillor Cornwell highlighted that following the formation of the CPCA, powers were to be removed from Central Government however there still appear to be blockages from Central Government and asked if the Wisbech 2020 Steering Group could lobby Central Government to appoint a direct representative locally. Rowland Potter that ministers are aware of the challenges and there have been positive discussions at a senior government level.
8. Adrian Chapman explained that the former Member of Parliament, Steve Barclay, had been

a member of the Wisbech 2020 Core Vision Group and had consistently championed both the short term and long term aspirations of the Wisbech 2020 project. He said it was incumbent of the Wisbech 2020 Steering Group to make effective use of the Wisbech 2020 Core Vision Group whilst raising the profile locally and nationally.

9. Councillor Boden agreed with Councillor Cornwell and said whilst it is frustrating that initiatives take a long time to progress, there are many Government departments involved and the project has benefitted from having a Cabinet Minister on the Core Vision Group.
10. Councillor Skoulding referenced the map included in the presentation. He asked for clarification on the two rail cross over points on the A47 and asked if any studies have been carried out to show how many people currently use the bus service between Wisbech and March. Russell Beal explained that the map included is one of several illustrative maps included in the masterplan. The map was used to show that the project is looking at different rail and road integrations and is purely indicative.
11. Rowland Potter explained that the Rail Study is currently focusing on the disused railway line and the ability to have a town centre or parkway railway station depending on the viability of these locations. He confirmed that the number of current bus users, this will be considered as part of a future study.
12. Councillor Skoulding explained that the current bus service is underutilised between March and Wisbech. He asked if there are still plans to dual the A47. Rowland Potter explained that Highways England has been lobbied and an agreement has been made that these schemes will be considered as part of their rate investment strategy. Further information on the A47 should be available in next year.
13. Councillor Miss Hoy stated that the inclusion of the map is unhelpful and causes confusion. She stated that this was the first time she had seen the presentation and highlighted that these plans are contradictory to Fenland's Local Plan. She agreed that the Core Vision Group need to meet more regularly as she has considered withdrawing Wisbech Town Council's support due to the lack of communication.
14. Councillor Topgood explained that as a former Operations Manager at Network Rail, consideration needs to be given as to whether or not trains coming from Wisbech could be joined with trains at March station to increase capacity. Rowland Potter welcomed Councillor Topgood's expertise but highlighted the issue with this suggestion is the timetabling as the coupling and uncoupling of trains can cause further delays.
15. Councillor Count said his understanding is that the train carriages required to do this are not readily available as the carriages required are diesel carriages and following the Government's programme to electrify the railway lines, they are no longer manufactured. He explained that the Department for Transport are reallocating the remaining units around the country. This area was promised six carriages last summer however these were unfortunately sent elsewhere which was very disappointing.
16. Councillor Topgood explained that it only takes a short amount of time to couple these trains as most out it is carried out automatically and only takes a matter of minutes.
17. Councillor Yeulett referred back to Councillor Miss Hoy's comments and asked how Wisbech residents are embracing the project. Russell Beal confirmed that a previous consultation for 'I ♥ Wisbech Project' had shown a lot of public support especially in relation to the rail project. He explained that a forthcoming community event had had to be postponed due to the forthcoming General Election but confirmed that this would be re-arranged in the New Year.
18. Councillor Miss Hoy explained that the public reaction has been mixed and whilst many of the proposals would be welcomed by residents, they do not know enough about them due to the lack of publicity. She stated that as a representative for the town of Wisbech, she wants to ensure delivery of the project for residents of the town.
19. Councillor Yeulett asked what work had been undertaken in relation to Flood Risk. Russell Beal confirmed that strategic work is ongoing in relation to flood risk and the effect of the the changing climate. He stated that discussions have taken place between the Environment Agency and Internal Drainage Boards in relation to future river barrier and the focus will be to ensure that any works carried out are resilient and adequate for future generations.

20. Councillor Yeulett asked if consideration has been given to a guided bus route as oppose to a railway. Rowland Potter confirmed that many options have been considered and the region is currently subject to a study into the delivery and improvement of the current bus provisions.
21. Councillor Booth referred back to Councillor Cornwell's comments about Central Government involvement and said this role would be best suited to a Civil Servant. He highlighted a study was undertaken a few years ago as part of the Hansford Review, which discussed the streamlining of Network Rail's processes.
22. Councillor Booth said in relation to public engagement, the project team need to ensure there is a joined up approach between Wisbech 2020 and Wisbech Garden Town project. He added that neighbouring villages need to be included in these consultations too.
23. Councillor Boden agreed and explained that the Core Vision Group has a willingness to work collaboratively with all external partners to address the issues. He added that the Wisbech Garden Town is currently just a concept and until the options are narrowed down, this cannot be communicated to the public.
24. Councillor Mason highlighted that often there can be a detrimental impact on towns with increased transport links. As a resident of Whittlesey, many people earn their living in Peterborough and often the economy is taken out of Whittlesey and spent in Peterborough. He asked what will be done to encourage businesses to locate to Wisbech to stop this from happening there. Rowland Potter agreed that transport can be a 'two way route'. Whilst it can be used by the public to access employment, leisure and educational opportunities outside of the locality, the infrastructure must attract people to the town as well. He highlighted that whilst he resides outside of the district, he regularly visits Wisbech with his family.
25. Councillor Cornwell said it was positive to see such a high level vision for Wisbech and he offered support to the project. He said increased engagement will allow the public to see the potential results and asked that consideration is given to the short term gains as well as the overarching main vision of the project.
26. Councillor Count agreed and highlighted there have been notable successes in Wisbech which have not been widely reported. He informed members that an anti-smoking campaign has reduced smoking in the area from 27% to 17% and a recruitment drive has also resulted in many teaching vacancies in the town's schools and colleges, being filled. He said that whilst these are micro successes, the long term effects of these such as increased life expectancy and higher level education, will not be seen for many years. He assured members that the CPCA have had a positive impact on the area with the authority securing high levels of funding for the district. Referring back to the current bus provisions between March and Wisbech, he explained that the current service cannot be used to form future provisions as many of the buses between March and Wisbech currently stop at many villages on the way.

Councillor Miscandlon thanked the Wisbech 2020 representatives for attending today's meeting.

OSC26/19 FREEDOM LEISURE REVIEW.

Members received a presentation in relation to Freedom Leisure Review, from Matt Hunt (Freedom Leisure).

Matt Hunt thanked members for the invitation to today's Overview and Scrutiny Panel meeting and introduced Dan Palframan (Area Manager for Freedom Leisure).

He informed members that Freedom Leisure have been very impressed by the calibre of staff that joined them from the Council.

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

1. Councillor Topgood highlighted the negative public perception of Freedom Leisure following the closure of Wisbech Indoor Bowls Club and asked what is being done to improve engagement with this part of the community. Matt Hunt explained that when the Council decided to outsource the management of their Leisure Centres, one of the consequences of this was the closure of Wisbech Indoor Bowls Club. He explained that Freedom Leisure are working hard to reverse the perception residents have based on this decision and are actively engaging the older generation through many community activities, one of which is the 'Over 75's Unlimited Swimming Programme'.
2. Councillor Booth stated that there have been complaints on social media regarding some of the facilities and building maintenance at the Hudson Leisure Centre in Wisbech and asked what is being done to tackle this. Councillor Clark explained that whilst she is the Portfolio Holder for Leisure, she is also a member and user of the Hudson Leisure Centre. She explained that there have been issues however these have been addressed and dealt with quickly and efficiently by operational staff. Matt Hunt endorsed this and reiterated that Freedom Leisure try to resolve problems as soon as they are raised. He highlighted that due to the age of the buildings, they have inherited some issues however Freedom Leisure are passionate about investment into these facilities. He informed members that the new showers have opened today at the Hudson Leisure Centre.
3. Councillor Booth asked that if these comments could be addressed on social media to improve the public's negative perception. Matt Hunt agreed to consider this.
4. Councillor Yeulett asked if the uptake of membership varies seasonally. Matt Hunt confirmed this as correct.
5. Councillor Yeulett asked what proportion of the Capital Investment is the Council's. Matt Hunt confirmed that it was 80%.
6. Councillor Yeulett asked if the Council have to make any further financial contribution, how much this will be. Matt Hunt confirmed that this has not been decided.
7. Councillor Booth asked if members could be provided with a key list of the contractual requirements and Freedom Leisure's delivery against these. Phil Hughes confirmed that this data would be available in April 2020.
8. Councillor Clark encouraged members to visit the leisure centres to see the work undertaken as part of the capital investment.

(Councillor Cornwell declared an interest by virtue of the fact that his son is an employee of Freedom Leisure and took part in the discussion for this agenda item)

OSC27/19 FUTURE WORK PROGRAMME

Members agreed the Future Work Programme subject to the following comments;

1. Due to the General Election, the meeting scheduled to take place on 2 December 2019 has been cancelled. Members asked if consideration could be given to holding an additional meeting on 13 January 2019. Councillor Miscandlon agreed to liaise with officers in relation to this.

3.44 pm

Chairman