

Overview and Scrutiny Committee



St Edmundsbury
BOROUGH COUNCIL

Minutes of a meeting of the **Overview and Scrutiny Committee** held on **Wednesday 9 November 2016** at **4.00 pm** at the **Conference Chamber, West Suffolk House, Western Way, Bury St Edmunds IP33 3YU**

Present: **Councillors**

Chairman Diane Hind

John Burns
Simon Brown
Tony Brown
Patrick Chung
Paula Fox
Susan Glossop
Richard Rout

Angela Rushen
Andrew Speed
Clive Springett
Sarah Stamp
Jim Thorndyke
Frank Warby

Substitutes attending:

Margaret Marks

By Invitation:

David Nettleton
Sara Mildmay-White , Cabinet Member for Housing
Peter Stevens, Cabinet Member for Operations

113. **Substitutes**

The following substitution was declared:

Councillor Margaret Marks for Councillor Jeremy Farthing.

114. **Apologies for Absence**

Apologies for absence were received from Councillors Jeremy Farthing and Paul Hopfensperger.

115. **Minutes**

The minutes of the meetings held on 14 September 2016 and 4 October 2016 were confirmed as an accurate record and signed by the Chairman.

116. **Public Participation**

There were no questions/statements from members of the public.

117. **Annual Presentation by the Cabinet Member for Operations**

[Councillor Andrew Speed arrived at 4.20pm during the consideration of this item]

As set out in the Council's Constitution, at every ordinary Overview and Scrutiny meeting at least one Cabinet Member would be invited to attend to give an account of his or her portfolio and answer questions from the Committee. Therefore, to carry out this constitutional requirement, members were asked to consider the responsibilities of the Cabinet Member for Operations, who had been invited to the meeting.

The Committee was reminded that on 11 November 2015, the Committee received a presentation from the Cabinet Member for Operations, setting out responsibilities covered under the operations portfolio.

At this meeting, the Portfolio Holder for Operations had been invited to the meeting to provide a follow-up presentation on his portfolio. Report No: OAS/SE/16/027 set out the focus of the follow-up presentation, which was to:

- Outline the main challenges faced during the first year;
- Outline some key successes and any failures during the first year and any lessons learned; and
- Set out the vision for the Operations Portfolio through to 2019, and whether on target to meet that vision.

Councillor Peter Stevens opened his presentation by thanking the Committee for the invitation. The presentation included information on areas of responsibility; finances; service round-up (car parks; garden waste service; West Suffolk Operational Hub; commercial services; Suffolk Waste Partnership and property).

A number of examples were also provided, outlining challenges; successes and vision through to 2019, such as:

- Maintaining frontline services whilst developing new opportunities / efficiencies (challenge);
- Developing commercialism (challenge)
- Implementation of garden waste collection service (success);
- New CCTV control room (success);
- More commercial ways of working (vision);
- Extending self-serve and online services for residents (vision)

Members discussed the presentation in detail and asked questions of the Cabinet Member for Operations and officers, to which comprehensive responses were provided.

In particular discussions were held on CCTV data storage and the location of CCTV cameras; the removal of brown bins; improving car parking signage; vehicle fleet servicing; the contamination of nappies in blue bins and the need for education; and the new waste leaflet, "getting your recycling right".

The Chairman thanked the Cabinet Member for the follow-up presentation on his portfolio.

There being no decision required, the Committee **noted** the presentation.

118. **Barley Homes - Five Year Business Plan**

The Chairman suggested to the Committee that it might wish to consider this report in its entirety along with the Exempt Appendix A in the exempt part of the meeting.

It was proposed by Councillor Andrew Speed and seconded by John Burns, and

RESOLVED:

That the Committee would consider Report No: OAS/SE/16/028 along with the Exempt Appendix A in private session (see Minute Number 124 below).

119. **Car Parking Update**

The Committee received Report No: OAS/SE/16/029, which updated Members on the implementation of the Car Parking Review.

The report included information on usage; issue of fines; upgrade of ticket machines; electric charging points; new information boards; new directional signs in Haverhill; Park Mark; planning for future car parking provision; Civic Parking Enforcement; financial and future work streams.

The Committee considered the report in detail and asked a number of questions to which comprehensive responses were provided.

In particular discussions were held on the development of parking provision at Moreton Hall; the park and ride for Christmas Fayre parking in Bury St Edmunds; cars parking on the cycle route along Beetons Way, Bury St Edmunds; progress towards potential Civil Parking Enforcement in Suffolk: the Bury/Haverhill Master Plans and identifying more parking capacity and pay on exit.

In response to a question, officers agreed to check the wording and the signage at Ram Meadow Car Park regarding all day parking.

The Committee noted the contents of the report, and Councillor John Burns moved the recommendation, this was duly seconded by Councillor Patrick Chung and with the vote being unanimous it was:

RECOMMENDED

That the Head of Operations, under his delegated authority, in consultation with the Portfolio Holder for Operations, vary the Traffic Road Orders as needed to implement the priority work streams as set out in Paragraph 1.9.2. to Report No: OAS/SE/16/029.

120. Review and Revision of the Constitution

As set out in the Council's Constitution, the Overview and Scrutiny Committee on a quarterly basis would receive a report from the Monitoring Officer setting out minor amendments made arising from changes to legislation; changes to staffing structures/job descriptions or changes in terminology.

Report No: OAS/SE/16/030 set out minor amendments which had been undertaken by the Monitoring Officer under delegated authority from July to September 2016.

The Committee was advised that all Members of the Council had also been informed of the minor amendments made as part of the ongoing review and revision of the Constitution.

The Committee considered the report presented by the Monitoring Officer, and there being no decision required, the Committee **noted** the minor amendments undertaken by the Monitoring Officer under delegated authority.

121. Directed Surveillance Authorised Applications (Quarter 2)

The Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) Order 2010 required that Members should scrutinise the authority's use of its surveillance powers on a quarterly basis.

The Monitoring Officer advised that in Quarter 2, no such surveillance had been authorised. Therefore, there being no decision required, the Committee **noted** the Regulation of Investigatory Powers Act, Quarter 2 update.

122. Work Programme Update

The Committee received Report No: OAS/SE/16/031, which updated Members on the current status of its rolling work programme of items for scrutiny during 2017 (Appendix 1).

The Committee considered its work programme and asked questions to which responses were duly provided.

In particular the Chairman, Councillor Diane Hind requested that the an update on the Bury St Edmunds Bus Station be presented to the Committee at its meeting on 11 January 2017.

Councillor Andrew Speed further suggested that an update and progress on the Sports Review and Local Club Consultations be included as part of the

Portfolio Holder's presentation (leisure and culture) to the Committee on 11 January 2017.

There being no decision required, the Committee **noted** the contents of the Work Programme for 2017 and the requested updates on the Bus Station at Bury St Edmunds and the Sports Review and Local Club Consultations at its meeting on 11 January 2017.

123. Exclusion of Press and Public

It was proposed by Councillor Andrew Speed, seconded by Richard Rout, and

RESOLVED:

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

124. Exempt Appendix A - Barley Homes Group Business Plan (Para 3)

Councillor Sara Mildmay-White, Cabinet Member for Housing introduced Report No: OAS/SE/16/028, which asked Members to scrutinise the content of the Barley Homes initial five year Business Plan, prior to being considered by Cabinet and Full Council in December 2016 to approve the funding mechanism required to deliver the plan.

Attached as Exempt Appendix A to the report was the Barley Homes Group Business Plan.

The Committee was reminded that the primary function of Barley Homes was to generate profits through the development of new housing for sale and rent, on land owned by one of the councils initially in west Suffolk. The establishment of the housing company was one of the many ways that the council was looking to become self-sufficient through new income generation activities, as central government grants were reduced and eventually removed.

The Report set out key issues, which included initial sites; investment opportunity and financial returns; monitoring of progress and future development decisions; delivery of the business plan; legal implications and the next steps.

The Committee considered Exempt Appendix A to Report No: OAS/SE/16/028, where reference was made to specific detail contained within the Appendix, and asked a number of questions, to which comprehensive responses were provided.

Councillor Richard Rout moved the recommendation, this was duly seconded by Councillor Andrew Speed and with the vote being 14 for and 1 abstention, it was:

RECOMMENDED:

Subject to approval by full Council, the Committee recommends that:

- 1) The five year Business Plan, attached at Exempt Appendix A to Report No: OAS/SE/16/028, be approved;**
- 2) A £3m revolving investment facility, to be added to the Council's capital programme, financed from the reallocation of the "Housing Company" pending capital budget of £2.35m and an additional £0.65m from the Strategic Priorities and the Medium Term Financial Strategy reserve, be approved;**
- 3) Delegation be given to the S151 Officer and Monitoring Officer, in consultation with the Portfolio Holders for Resources and Performance and Housing to issue equity and loan funding from the revolving investment facility (set out in 2 above), subject to state aid requirements;**
- 4) The S151 Officer and Monitoring Officer, in consultation with the Portfolio Holder for Resources and Performance, be authorised to negotiate and agree the terms of such loans with Barley Homes and the funding and necessary legal agreements, taking into consideration the Council's loans policy and state aid requirements;**
- 5) The sale of Council owned land as detailed in the five year Business Plan (Exempt Appendix A), with outline planning permission, subject to approval by the planning authority and with Section 123 best value obligations, with the costs of planning permission being approximately £35,000 being funded from the Strategic Priorities and Medium Term Financial Strategy reserve, be noted.**
- 6) Approval of the Business Plan will constitute consent for Barley Homes to issue shares and enter into debt financing, in line with the Business Plan, be noted.**

The Meeting concluded at 5.45pm

Signed by:

Chairman
