

# Improvement and Review Commission Minutes

Date: 15 January 2014

Time: 7.00 - 9.00 pm

**PRESENT:** Councillor Mrs J D Langley (in the Chair)

Councillors K Ahmed, Z Ahmed, D H G Barnes, D J Carroll, Mrs L M Clarke OBE, A E Hill, Ms P L Lee, Mrs W J Mallen, J A Savage, A Slater and T Snaith

Standing Deputies: Councillors M C Appleyard, M Hanif, Mrs G A Jones, A Turner, D M Watson and R Wilson

Apologies for absence were received from Councillors M Angell, I Bates, G C Hall, A Hussain JP, J A Malliff and Mrs M L Neudecker.

Also present Councillors A D Collingwood, R M H Farmer, J M Gibbs (Cabinet Member for Community), A R Green (Cabinet Member for Economic Redevelopment & Regeneration and also Chairman High Wycombe Town Committee), Mahboob Hussain, Maz Hussain, Mrs J E Teesdale (Cabinet Member for Environment) and P R Turner.

## 27. DECLARATIONS OF INTEREST

There were no declarations of interest.

## 28. MINUTES OF PREVIOUS MEETING

RESOLVED: That the minutes of the meeting of the Improvement and Review Commission held on 13 November 2013 be approved as a true record and signed by the Chairman.

## 29. 'CALL IN' OF DECISION TO SEEK SECRETARY OF STATE'S APPROVAL RE TRANSFER OF BASSETSBURY ALLOTMENTS SITE TO ESTATES.

Chairman of the Commission, Councillor Mrs J D Langley, outlined the procedure to be followed in respect of this item and the following 'call-in' on the agenda.

The Chairman explained that she would call upon the initiator of the 'call-in'; Councillor T Snaith, to present his representations as to why the decision should be called in. Cllr A R Green (Cabinet Member for Economic Development &

Regeneration) would then be asked to make a short response. A vote would then be taken as to whether to have a full debate.

Councillor Snaith elaborated on the reasons for the call-in submitted, emphasising that the consideration of a number of options regarding the community use of the land should be considered before its transfer to the estates portfolio. These included an extension to the neighbouring nature reserve, a charity hub, a tranquil park or use as a trial bikes area. Councillor Snaith felt that this exploratory work regards future uses for the site needed to be done urgently.

Councillor Green responded, defending the decision emphasising that the decision to transfer the land to estates was confirmation that the land was surplus to requirements as an allotment given the confirmed contamination. After its transfer to estates, the land's future use would be considered in detail and all options, including those outlined by Councillor Snaith, explored. Councillor Green confirmed that a report would be submitted and considered by High Wycombe Town Committee on the future use of the land. The Committee would recommend to Cabinet to decide in due course on the proposed future use after all options had been assessed and evaluated.

The decision whether to have a full debate was then put to the vote.

**RESOLVED:** That a debate in respect of the Call-in of the Cabinet Decision of 4 November 2013 to seek the Secretary of State's consent for the closure of the Bassettbury Lane allotments as necessary and, once received, the site be declared surplus to requirements and transferred to estates to consider its future, **NOT** be held.

The Head of Democratic, Legal and Policy Services then confirmed to the meeting that as a result of the above resolution, the original Cabinet decision concerned would take effect at the end of this meeting.

### **30. 'CALL IN' OF CABINET DECISION - HIGH WYCOMBE TOWN COMMITTEE REFERRAL - MUSLIM BURIAL VAULTS**

Councillor K Ahmed elaborated on the reasons for this call-in, emphasising his remarks featured in the agenda and querying the utilisation of the first installation, given its evident unsuitability and the experiences encountered at other cemeteries with this design across the country.

Councillor Green (as Chairman of the High Wycombe Town Committee) responded, outlining that cemetery costs throughout the District came from the appropriate parish precept or in the case here of High Wycombe Town, the special expenses

for the unparished area. Cabinet had indeed made the decision but had merely effectively ratified the wishes/recommendation of the High Wycombe Town Committee. He did not feel it appropriate that a scrutiny committee of Members across the District should make recommendations to revise the decision by means of the 'call in', as this was in regards to a High Wycombe Town only issue, although recognising that it was technically a Cabinet decision.

The decision whether to have a full debate was then put to the vote.

**RESOLVED:** That a debate in respect of the Call-in of the Cabinet Decision of 2 December 2013 Referral from High Wycombe Town Committee - Muslim Burial Vaults, **NOT** be held.

The Head of Democratic, Legal and Policy Services then confirmed to the meeting that as a result of the above resolution, the original Cabinet decision concerned would take effect at the end of this meeting.

The Chairman then reminded the meeting of the average cost to the Council of dealing with a call-in, and urged Members to always consider this action carefully.

### **31. PRESENTATION BY CABINET PORTFOLIO-HOLDER FOR ENVIRONMENT**

The Cabinet Member for Environment outlined the work currently being carried out under the Portfolio; the main areas highlighted being waste, parking, environmental health and public conveniences.

The new waste contract was focussed on initially; it was acknowledged that there had been certain pockets where repeated problems had occurred. The Cabinet Member and the Head of Service had met on a number of occasions with the Serco management team to seek early resolution to these teething problems.

Members made a number of points, and received clarification on a number of queries as follows:

- Phase Three of the Contract i.e. the roll out to flats was scheduled after the full bed in of the contract in its current form, from Spring 2014;
- In response to a Member query as to why drivers/operators did not appear to be reallocated under the new contract to areas or rounds that they knew, the loss of a number of the previous employees was cited along with the reconfiguration of rounds. Some operators still worked in their familiar areas, which would no doubt have aided the successful implementation in those areas.
- The Cabinet Member acknowledged the need for continued public relations initiatives in respect of the contract roll out and was seeking to arrange an

interview by the Bucks Free Press of the Serco Management team to re-iterate the re-cycling message and specific bin instructions;

- The issue of some lorries experiencing increased number of trips to the depot to unload was raised, in that certain types of refuse filled up on the lorries before others. It was explained that this would dissipate given that at the outset there was a considerable build-up of re-cycling materials from most households, additionally Christmas produced a spike in levels. The true average levels would appear shortly to alleviate the need for the vehicles to make extra journeys back to base;
- Additional re-cycling credits due from Buckinghamshire County Council in respect of improved performance were explained, along with anticipated income from what was known as Avoided Financial Pressure (AVP). The Cabinet Member undertook to circulate to Members details of performance against targets in an information sheet.
- Members were assured of the stringent instructions issued to crews regards returning empty bins to households rather than being left in the roads as possible hazards.
- Details of whether Serco had a reporting system regards any vandalised public litter bins (street and parks etc.) that they were collected from would be advised to Members by way of an information sheet;
- The sheer scale of the change in the waste contract was highlighted, generating financial savings and an improved service generally, and that these teething problems needed to be put into that context. The Cabinet Member and staff were commended on their work in delivering long-term benefits.

In respect of Car Parking issues Members had the following issues and queries:

- The merits of providing free car parking, or reduced charges. Details of the cost of free parking, be it an initial 1 hour or specific free days (e.g. Christmas etc.), would also be included in the information sheet;
- Reducing charges on under-utilised car parks ahead of the full roll out of ANPR across the District could be considered;
- Results for the ANPR trial in Easton Street and Railway Place Car parks would be shared by way of an information sheet.

Members commended the extensive review of Public Convenience provision planned by the Portfolio and asked that any considered closures were shared with the appropriate ward members early in, if not before, any closure procedure. Members were also pleased to see the work being done on a new joint pest control and dog control contract with Chiltern and South Bucks District Councils.

In response to Councillor Slater's written question forwarded to the Cabinet Member prior to the Meeting in respect of the provision of assistance to local flooding victims in the south west of the District, the Cabinet Member outlined the pump deployment at Firview Close, the delivery of sandbags and the joint working with Buckinghamshire County Council and the Environment Agency in this respect.

The Cabinet Member was thanked for her comprehensive presentation on the work of the Environment Portfolio.

**32. SECTION 106 FUNDS - AFFORDABLE HOUSING - PREVIEW OF REPORT TO CABINET FEBRUARY 2014.**

The Cabinet Member for Community presented his report, which was a preview for the Commission of the report due to Cabinet on 10 February 2014. The report to Cabinet was seeking permission to spend the sizeable reserves in respect of Developer Section 106 contribution for Affordable Housing. Councillor Gibbs outlined that this was to be spent according to policy in the provision of affordable housing across the District in partnership with Registered Social Landlords.

In response to Member queries, the Cabinet Member confirmed that he was keen to see the establishment of a not for profit letting agency for affordable housing in the District. He recognised that this had been included in the recommendations of the Commission's Affordable Housing Task and Finish Group recommendations, responses to which were being prepared for consideration at the February Cabinet meeting.

The Cabinet Member emphasised his preference to not include any Houses of Multiple Occupation in the Section 106 fund allocation, also outlining the soon to be refreshed Bucks Home Choice Policy and confirming the definitions of 'local connection' therein.

Members queried the fact that areas suffered 'pain' as a result of development but for little, if no, 'gain' in respect of the Section 106 Affordable Housing funds if the "pooling" principle was adopted by Cabinet..

As a result it was proposed that a recommendation be made to Cabinet on 10 February 2014 that a significant percentage of the Section 106 funds for affordable housing collected in respect of a development were to be spent in the ward (or an adjoining ward) where the development occurred, at a minimum of 25% and up to 50%.

This proposal was carried.

The Cabinet Member for Community was thanked for sharing the report with the Commission prior to its submission to Cabinet.

**RESOLVED:** That

(i) the report on the use of Section 106 Developer Contributions for Affordable Housing due before Cabinet on 10 February 2014 as presented by the Cabinet Member for Community be noted; and

(ii) Cabinet be recommended that a significant percentage (at a minimum of 25%, up to 50%).of the Section 106 funds for affordable housing collected in respect of a development should be spent in the ward (and/or an adjoining ward(s)) where the development occurs.

### **33. UPDATE ON JOINT SCRUTINY RE UNITARY AUTHORITIES FOR BUCKINGHAMSHIRE**

The report outlined the three options to be considered by the Commission in respect of the Task and Finish Group on Unitary Government for Buckinghamshire, as a result of the responses received from the other Councils in Buckinghamshire.

Option 1 – Undertake a joint review with Buckinghamshire County Council.

Option 2 – Not to proceed with this review at this time, on the basis that not all Councils in Buckinghamshire were able to participate.

Option 3 – Defer consideration of the commencement of the Task and Finish Group until after the Aylesbury Vale District Council report has been published (scheduled for March 2014).

The Commission had before it the detailed responses from each of the other 4 authorities of Buckinghamshire.

Members made a number of points in respect of the options:

- Aylesbury Vale seemed to be exploring Unitary status alone, whilst Chiltern and South Bucks did not at this moment wish to invest any time or money into such scrutiny work; option 2 as a result would be the best course of action;
- Alternatively, if a joint piece of work was carried out with Buckinghamshire County Council (Option 1) it was felt the other authorities would follow;
- It was remarked that Central Government were not currently ‘against’ moves to unitary status, but were merely not actively ‘pursuing’ such a move at this time;;
- It was noted that Central Government would ultimately set the terms of reference and the rules of the game in respect of any transfer to unitary

status; any money and time spent before without these guidelines could well therefore be wasted.

The members then voted on each of the three options, and,

**RESOLVED:** That the Commission's 'Unitary Authorities for Buckinghamshire' Task and Finish Group NOT proceed with its review at this time, on the basis that not all Councils in Buckinghamshire were currently able to participate (option 2 in the report).

#### **34. COMMISSION'S WORK PROGRAMME AND CABINET FORWARD PLAN**

The Commission had before it their current work programme and the Cabinet Forward Plan.

Members discussed the Joint Wycombe and Chiltern Waste Task and Finish Group which was due to meet for the last time on 23 January 2014. It was requested that the final report of the joint Task and Finish Group be brought to a future Commission meeting overall implementation of the Contract. At that time, the Commission would be able to consider how best to continue to scrutinise the contract. , perhaps by way of regular progress reports.

The Meeting did not identify any additional issues from the Cabinet Forward Plan for specific scrutiny and noted the work programme of the Commission as appended.

**RESOLVED:** That:

- (i) No topics from the Cabinet Forward Plan currently require review by the Commission;
- (ii) The Scrutiny Work Programme be noted;
- (iii) A report on the implementation of the Joint Waste Contract be brought to a future Commission meeting, alongside options to consider in respect of the on-going scrutiny of this important contract and service.

#### **EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED:** That pursuant to Section 3 of Schedule 12A of the Local Government Act 1972 the press and public be excluded from the meeting during the

consideration of minute 35 because of its reference to matters which contain exempt information as defined as follows:

**Minute No 35 – Update on the recommendations of the Budget Task and Finish Group.**

Information relating to the financial or business affairs of any particular person (including the authority holding that information).

It was considered that the public interest in maintaining the exemption outweighed the public interest in disclosing the information because the third party in question is likely to be inhibited from participating in further discussions or negotiations with the Council if the report were to be disclosed.

### **35. UPDATE ON THE RECOMMENDATIONS OF THE BUDGET TASK AND FINISH GROUP**

Councillor Mrs L M Clarke OBE outlined the headline conclusions of the Budget Task and Finish Group as a preview to the Commission of the presentation of the Group's specific recommendations to the Budget Setting Cabinet Meeting of 10 February 2014.

These headlines included:

- The Group's acknowledgement of the challenges presented by the current economic situation and the need to continue to support the search for creative solutions to address the potential £2.4m funding gap by 2019/20 arising from cuts to the Revenue Support Grant.
- Recognition that reductions in staff headcount and changes to service delivery are not in themselves sufficient to deliver the required level of savings, especially given the small size of many services. Longer-term options for reducing costs should be explored – such as re-locating council services, rationalising or re-locating offices, or re-designing the way in which services are delivered.
- The need to support a review of the provision of discretionary and statutory services across the organisation, taking account of expected legislative and funding changes.
- To ensure optimum use of Council assets, and that opportunities for growth and investment in the current market conditions are maximised. The establishment of a Task and Finish Group on 'Making the Most of Council Assets' was being proposed.

- To support increased funding for economic development and regeneration.
- To support opportunities for collaboration, outsourcing and shared services where possible. Past joint working opportunities should be reviewed in light of the changed economic situation to investigate whether these might now offer potential to deliver savings, and new opportunities for collaborative working should continue to be proactively sought.

The effective team work of the six Budget Group Members built up over their three meetings, ably assisted by the Head of Finance and Democratic Services Officer, was remarked on. It was confirmed that the Environment, Community and Economic Development & Regeneration Portfolio holders had been interviewed, along with a wrap up session with the Cabinet Member for Finance.

The Budget Task and Finish Group Chairman was thanked for her extensive work with the Group, it was confirmed that the recommendations would be presented to Cabinet at the February Meeting.

## **36. COUNCILLOR CALL FOR ACTION**

There were no Councillor Calls for Action.

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Chairman

### **The following officers were in attendance at the meeting:**

Rob Blaikie	- Principal Housing Officer (Strategy & Enabling)
Brian Daly	- Housing Services Manager
Peter Druce	- Democratic Services
Caroline Hughes	- Head of Environment
Elaine Jewell	- Head of Community
Charles Meakings	- Head of Democratic, Legal and Policy Services