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## REPORTS FROM THE EXECUTIVE AND COMMITTEES TO COUNCIL

### 2 REPORT OF THE STANDARDS COMMITTEE – 2 APRIL 2009

#### APPEALS COMMITTEE - MANDATORY TRAINING

- 2.1 This item of business was referred by the Standards Committee on 2 April 2009 to Full Council with a recommendation relating to mandatory training for Members of the Appeals Committee. The recommendation had been developed in conjunction with the work of the Charter for Member Development Sub-Committee (a Sub-Committee of the Standards Committee).
- 2.2 It was felt that:-
- A Member of the Appeals Committee should have received training before sitting on an Appeals hearing.
  - Members of the Appeals Committee should receive appropriate training to keep abreast of new legislation.
  - In any event, all Members of the Appeals Committee should receive 'refresher' training every two years.
  - Arrangements should be on the same basis as for mandatory licensing training (failure to complete a designated session will result in removal from the Appeals Committee and the ability to sit on Appeals hearings unless appropriate dispensation has been given).
- 2.3 It is proposed that Council **RESOLVES** that mandatory training for Members of the Appeals Committee be introduced on the basis of the four bullet points in paragraph 2.2 above with effect from the 2009/10 Municipal Year. (HICS)

### 3 REPORT OF THE REVIEW COMMITTEE – 7 APRIL 2009

#### ANNUAL REPORT

- 3.1 The Constitution (page 2.10) states that "the Review Committee must report annually to Full Council on its workings and make recommendations for future work programmes and amended working methods if appropriate".

- 3.2 At its meeting on 7 April 2009 the Review Committee approved its Annual Report for submission to Council.
- 3.3 A copy of the annual report, as approved by the Review Committee, is attached at Appendix 1.
- 3.4 It is proposed that the Council receives the annual report.

# Review Committee Annual Report 2008/2009



## 1 Index

1	Index.....	2
2	Glossary.....	2
3	Introduction.....	3
4	Sweyne Park Extension – Youth Football Pitches Call in.....	4
5	Overview of the Refuse Collection, Recycling, Street Cleansing and Grounds Maintenance Contracts .....	4
6	Overview of the Forward Plan.....	5
7	Review of Council’s Community Halls and Associated Assets.....	5
8	Review of Surface Rainwater Drainage Systems – the Ownership and Maintenance of Ditches in the District.....	5
9	Operation of the Political Decision Making Structure Review .....	6
10	Parish Liaison Review .....	6
11	Review of reduction in No 7 & 8 Arriva Bus Service.....	6
12	Rochford Housing Association (RHA).....	7
13	Other items considered by the Committee.....	7
14	Topics for future work programme.....	8
15	Performance Measures .....	8

## 2 Glossary

CEL	Connaught Environmental Ltd
ECC	Essex County Council
RHA	Rochford Housing Association

**If you would like this information in large print, braille or another language please contact 01702 546366**



### **3 Introduction**

- 3.1 During the 2008-09 Municipal year the Review Committee has considered a number of topics both as a whole Committee and in smaller teams reporting back to the main Committee once the team has completed its work. Details of the Reviews are outlined further on in this report.
- 3.2 In addition to the Committee's role to conduct Reviews it also has the duty to scrutinise decisions made by the Executive and during the year one item has been called in by the Committee for consideration.

## **4 Sweyne Park Extension – Youth Football Pitches Call in**

- 4.1 In April 2008 the Review Committee decided to “call in” a decision made by the then Executive Board relating to the use of the new Youth Football Pitches at the Sweyne Park extension.
- 4.2 The Chairman had been approached by representatives from Rayleigh Boys football club who had expressed an interest in leasing all of the pitches to establish a home ground for the club. The club did not feel that their request and the issues around the allocation of the pitches had been given a fair hearing when presented to the meeting of the Executive.
- 4.3 Following detailed discussion by the Committee and a presentation by officers at the meeting of the 10 June 2008 the Committee agreed to endorse the decision made by the Executive Board on the 23 April 2008.

## **5 Overview of the Refuse Collection, Recycling, Street Cleansing and Grounds Maintenance Contracts**

- 5.1 Following on from the Committees watching brief whilst the contracts were being discussed, and then awarded, it was agreed that the two contractors would be invited to a meeting of the Committee to provide an overview of how the new contracts were progressing during this municipal year.
- 5.2 Prior to these meetings taking place and after the implementation of the new contracts Cllr M G B Starke, Executive Portfolio Holder for the Environment, came to the Committee to provide an update on the collection rates and some teething problems that had been experienced.
- 5.3 Arrangements were made with the two contractors Connaught Environmental Ltd (CEL), the grounds maintenance contractor, and SITA UK the waste collection and street cleansing contractor, to attend meetings. Unfortunately the meeting with CEL had to be cancelled due to bad weather and this will be rearranged for early in the next municipal year. SITA UK attended a meeting of the Committee in March 2009 and provided an update on how they had changed their structure and personnel to comply with the specification in the recycling contract.
- 5.4 The Committee were pleased to see the progress that SITA UK had made to address the issues that had been identified at the start of the

Contract and it was agreed that a further meeting with SITA UK would be arranged in 6 months to review progress following the bedding in of their new structure.

## **6 Overview of the Forward Plan**

- 6.1 It was agreed by the Committee during last years review of the Political Decision Making structure that the Committee would look at the Forward Plan on a regular basis. A number of items were selected from the Plan based on the initial information contained in the Plan and the Members' understanding of the risks involved to the Authority. The relevant Executive Portfolio Holders were invited to attend Committee meetings to discuss the details behind their decisions.
- 6.2 The Committee has found this a useful way to explore the reasons behind the decisions being made and to reduce the likelihood of calling in a decision after it has been made.

## **7 Review of Council's Community Halls and Associated Assets**

- 7.1 A small team was formed from the Review Committee to look at this topic. The team have met with Officers from the Council and the assets that are leased from the Council have been identified. The issues set out in the Quirk Review have been discussed. Unfortunately due to additions to the Committee's work load, and also the delays around meeting with a number of Community Associations, it has not been possible to complete this Review during this municipal year. This topic will be carried over to the next municipal year in order for the team to finish the work that has been started.

## **8 Review of Surface Rainwater Drainage Systems – the Ownership and Maintenance of Ditches in the District**

- 8.1 This review was instigated following concerns that came out of the flooding events that affected parts of the Country in 2007. Whilst the review was taking place the Government commissioned Pitt Review has finalised its recommendations to the Government. Some of the recommendations had implications to the Authority and covered areas that were to be explored by the review.
- 8.2 One of the recommendations from the Pitt Review was for Local Authorities to map the drainage ditches in the area and establish ownership which was the main purpose of the review. At the current time Local Authorities are formulating their own response to the Governments proposals and until this has been decided the review has

been put on hold as it would be duplicating work that is already being undertaken.

## **9 Operation of the Political Decision Making Structure Review**

- 9.1 It was agreed by the Committee that it would again look at the political decision making structure. The project team comprised all Members of the Committee. The team met during the year to consider the topic and the final report with 21 recommendations has been submitted to the meeting of the Committee on 7 April 2009.
- 9.2 The team have suggested changes to the Area Committees which they hope will make the meetings more interesting and informative for the members of the public who attend them.
- 9.3 In addition the team have formulated a number of recommendations around the Forward Plan and the structure and work programme of the Review Committee for the next Municipal Year.

## **10 Parish Liaison Review**

- 10.1 This topic had been suggested by the Clerks at Rochford and Rawreth Parish Councils after they had heard about similar types of meeting organised by other District Councils.
- 10.2 A team was formed to consider this topic and a detailed study was conducted which included contacting other Local Authorities to ascertain the benefits to both parties and what topics were covered at the meetings.
- 10.3 A final report was prepared with a number of recommendations, which was presented and endorsed at the 7 October 2008 meeting.

## **11 Review of reduction in No 7 & 8 Arriva Bus Service**

- 11.1 In the middle of December the Chairman of the Review Committee received a request from the Portfolio Holder for Planning & Transportation to initiate a review of the decision by Arriva to reduce the No 7 & 8 Bus service in the Hockley/Hawkwell area.
- 11.2 It was agreed that a small team from the Review Committee would look into this topic on an urgent basis and meetings were arranged with various interested parties.
- 11.3 Representatives from the team have attended a meeting with Arriva, Essex CC, Hawkwell Resident Association, Hockley Residents

Association, Hockley Parish Plan Group, Leader of the Council, the Portfolio Holder for Planning and Transportation, and the Head of Planning and Transportation and also the team have had meetings with some of the parties individually. At the time of writing the team are waiting for further information from Essex County Council but it is hoped that the review will have been brought to a conclusion this May and a report will be submitted to the first meeting of the Review Committee in the next Municipal Year.

## **12 Rochford Housing Association (RHA)**

- 12.1 The Council's housing stock of approximately 1750 properties was transferred to Rochford Housing Association in September 2007.
- 12.2 The Review Committee decided that, as part of their work programme for this Municipal year, it would like to receive an update from the RHA on how the new organisation was developing and the progress being made towards delivering promises made in the transfer offer document.
- 12.3 The meeting with RHA took place on the 9 December 2008 and, subsequently, Members of the Committee have visited a refurbished property to see first hand what is being offered to tenants.
- 12.4 At the current time RHA are undertaking work at Britton Court and Spa Court and it has been agreed that the Committee will be invited to visit the premises towards the end of the summer.

## **13 Other items considered by the Committee**

- 13.1 Following the West Area Committee of the 8 June 2008, when County Highways advised the meeting that Countryside Developers had requested return of their section 106 contributions because a pedestrian crossing had not been completed in time, a representative from Essex County Council Highways Department was invited to attend the meeting of the 8 July 2008. The Committee heard details of section 106 monies and proposals for allocating them across the District. They were also advised of the new scheme that was due for introduction in the future.
- 13.2 At the meeting of 10 June 2008 the Committee requested that they be given the opportunity to examine the budget. The Head of Finance, Audit and Performance management attended the 19 November 2008 meeting to advise Members on the mid year review of budgets and the medium term financial strategy.



## 14 Topics for future work programme

14.1 The following topics are being forwarded as worthy of consideration by the Review Committee during the 2009/10 Municipal year:-

- Car parking charges including enforcement, on street parking etc.
- Taxi Licensing including test and issue of license.
- Role of Members on outside bodies and organisations
- Child welfare focusing on young people's social care.
- Role of Local Authorities in the light of the Recession – a review of best practice.

## 15 Performance Measures

15.1 At the meeting of the 10 June 2008 the Review Committee agreed a set of new performance measures. These are listed below with the results or comments linked to them.

1. Completion of Overview and Scrutiny work programme on time.

<b>Project</b>	<b>Scheduled Completion date</b>	<b>Actual Completion date</b>	<b>Reason for extension of date</b>
Parish Liaison Review	December 08	October 08	
Review of Surface Rainwater Drainage Systems – the Ownership and Maintenance of Ditches in the District	February 09	Currently on hold	Waiting for outcome of the Local Government response to the recommendations in the Pitt Review.
Review of Council's Community Halls and Associated Assets	April 09	To be carried over to the next municipal year	Difficulty experienced in arranging meeting with Community Association Trustees and adjustment in

			Committee work load due to the urgency of the Bus Review.
Operation of the Political Decision Making Structure Review	April 09	April 09	
Review of reduction in No 7 & 8 Arriva Bus Service	No date set due to the urgent nature of the request	It is hoped that the Review will be completed by the end of May 2009.	

2. The percentage of Overview and Scrutiny recommendations approved/rejected/acted upon by the Executive.

At the current time no recommendations have been submitted to the Executive for consideration during this Municipal Year. The recommendations from the Political Decision Making Structure Review will be submitted to the Executive following the Review Committee meeting of the 7 April 2009.

3. Number of external representatives involved in Overview and Scrutiny work per annum.

During this year the Committee has heard from representatives from three different external bodies in relation to the items that have been examined at meetings.

4. Number of items on the work programme suggested by the public or in response to issues raised through surveys, comments or complaints.

The initial work programme that was agreed by the Committee in June 08 contained one item that had been suggested from outside of the Council - the Parish Liaison Review. The original request for this came from two of the Parish Councils.

The Bus Review that started in December 08 was a result of a number of complaints received from the public and it was clear that this matter was of concern to a large number of residents in the Hockley/Hawkwell area.

The call-in of the youth football pitches at the Sweyne Park extension was also as a result of public concern over the original decision.

5. Number of call-in notices received per annum.

The Committee heard one call-in during the course of the Municipal year the details of which are included in section 4 of this report.

6. The number of times that the Executive state that a decision is urgent and not subject to call-In.

During the year there have been three decisions that have been made that have not been subject to call in. One of these was taken by the Executive and the other two by the Portfolio Holder for Planning and Transportation.

7. Whether sufficient information is provided to witnesses of the Review Committee or its project teams about the Overview and Scrutiny process.

During the year two witnesses were seen by a team from the Review Committee in relation to the reduction in the No 7 & 8 Bus Services. The witnesses have been asked to complete a feedback form to evaluate their experience.

Only one of the witness feedback forms was received back in time for inclusion in this report. The response received indicates that there could be value in reviewing the way that witnesses are briefed.

8. Witnesses' views of value added by Overview and Scrutiny meetings.

It is hoped that once the review of the No 7 & 8 bus services has been completed the Review Committee's contribution will have been seen as worthwhile.

9. What has changed as a result of the Overview and Scrutiny function?

During this Municipal Year two Reviews have reached their conclusions. The first of these was the Parish Liaison Review which came to the conclusion that there was no proven need for a separate liaison meeting with the Parish Clerks. The other review that was completed is the Political Decision Making Structure Review which has made a number of recommendations for changes to the way the Area Committees function and other parts of the Council's decision making structure.

A review that will affect a number of residents is the review currently being undertaken into the cuts to the No 7 & 8 Arriva bus services. These changes to the service have already been highlighted in the press and been the subject of a well attended public meeting. Whilst the review has not yet reached a conclusion the views of several

affected groups have been taken into account and we are awaiting the outcome with interest as the matter is now with the County Council portfolio holder.