

## Overview & Scrutiny Committee – 4 April 2023

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Minutes of the meeting of the **Overview & Scrutiny Committee** held on **4 April 2023** when there were present:-

Vice-Chairman: Cllr Mrs J E McPherson

Cllr R P Constable	Cllr J R F Mason
Cllr A H Eves	Cllr R Milne
Cllr Mrs E P Gadsdon	Cllr G W Myers
Cllr J N Gooding	Cllr J E Newport
Cllr Mrs J R Gooding	Cllr L J Newport

### **VISITING MEMBERS**

Cllrs J E Cripps, D S Efde, Mrs C E Roe, A L Williams and S E Wootton

### **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllrs R Lambourne, D W Sharp, M G Wilkinson and S A Wilson

### **SUBSTITUTES**

Cllr A G Cross	- for Cllr D W Sharp
Cllr M Hoy	- for Cllr R Lambourne

### **OFFICERS PRESENT**

E Yule	- Strategic Director
P Barnes	- Director of Assets & Investment
M Hotten	- Director of Environment
A Hunkin	- Interim Director of People & Governance
S Worthington	- Principal Democratic & Corporate Services Officer

### **82 MINUTES**

The Minutes of the meetings held on 23 February 2023 and 1 March 2023 were approved as a correct record and signed by the Chairman.

### **83 FREE THREE HOUR PARKING FOR BLUE BADGE HOLDERS**

The Committee considered the report of the Interim Director of People and Governance on the call-in of a Portfolio Holder decision relating to free three hour parking for Blue Badge Holders.

The concerns raised relating to the call-in included ensuring that due diligence was followed and whether there were any budgetary considerations; exploring any data behind the proposed policy and why a limit of three hours was proposed.

The Portfolio Holder for Environment advised that an organisation focused on the welfare of the disabled had approached the Council suggesting a review of

this policy. Officers had accordingly looked at arrangements for Blue Badge Holder parking in other Essex authorities. Braintree District Council was the only other authority charging Blue Badge Holders and it was therefore considered appropriate to align with practice in the majority of other Essex authorities that offered three hours' free parking. It was not possible to ascertain the financial implications of offering unlimited free parking to Blue Badge Holders given that Blue Badge Holders are able to park in any parking bays within the Council's car parks. Currently they pay for the time that they park but are entitled to an additional hour at the end of their paid session. Introducing three hours free parking would minimise the financial implications for the Council.

In response to questions relating to the number of Blue Badge Holders within the district, number of disabled bays within the Council's car parks and whether a survey was considered of Blue Badge Holder usage of the car parks the Portfolio Holder advised that the number of Blue Badge Holders within the district was unknown; anyone displaying a Blue Badge was able to park within the Council's car parks, including those visiting from outside. It was not feasible to count the numbers of Badges displayed within the Council's car parks. The policy proposed was a reasonable compromise aligning with practice in the majority of Essex authorities and not blocking car parking bays which was a possibility if unlimited parking was introduced for Blue Badge Holders.

Responding to a Member question as to whether other councils were asked why they opted for up to 3 hours free parking or unlimited parking for Blue Badge Holders the Portfolio Holder confirmed that this had coincided with budget setting and this had not happened; the proposal was considered to have least financial impact for the Council.

In response to Member queries as to whether any organisations supporting the disabled or individual Blue Badge Holders had been consulted on the proposal, the Portfolio Holder confirmed that there had been liaison with the organisation that had originally approached the Council about reviewing its policy; this was considered a reasonable interim step to take in the short term to align with other Essex authorities. Unlimited free parking, for example, would require Full Council approval because of the budgetary implications.

The point was made by a Member that he would have expected the proposal to result in some positive impacts for some protected groups in terms of equality and diversity implications.

In response to a question as to why Castle Point Borough Council wasn't included in the table at paragraph 3.6 of the report, officers confirmed that there had been no response from that authority.

A Member observed that it would have been useful to have seen comparative data from other councils as to how many Blue Badge Holders took up the offer of free parking or numbers of Blue Badge Holders within other districts/ boroughs. The point was made that the table on page 6.4 of the report

highlighted that 5 councils offered three hours free parking and 6 councils offered free all day parking; the proposal would therefore not align with the majority of other Essex authorities. In addition, there was no reference within the report to this proposal being an interim one. In response the Portfolio Holder emphasised that it was his view that this was the appropriate step to take currently. He reiterated that it would be for Full Council to determine whether unlimited free parking should be introduced.

Officers confirmed, in response to a Member question as to the organisation that had approached the Council to review this policy, that this request was made by Southend Access Group.

In response to a query as to how the parking start time for Blue Badge Holders was known, officers advised that this was determined by the arrival time displayed on the Blue Badge within the vehicle.

A Motion was moved by Cllr J R F Mason and seconded by Cllr Mrs J E McPherson that the interim decision of the Portfolio Holder for Environment on free three hour parking for Blue Badge Holders be noted and that a full report with other options be brought to Full Council for consideration and this was approved on a show of hands.

### **Resolved**

That the interim decision of the Portfolio Holder for Environment on free three hour parking for Blue Badge Holders be noted and that a full report with other options be brought to Full Council for consideration. (ADAI)

(11 Members voted in favour of the Motion, 0 against and 2 abstained.)

## **84 ROCHFORD DISTRICT COUNCIL VOLUNTEER POLICY**

The Committee considered the report of the Interim Director of People & Governance on the call-in of a Portfolio Holder decision seeking approval of the new Council volunteer policy, volunteer agreement and guide to managing volunteers.

The decision had been called-in as the policy didn't provide clarity on how this would work with volunteers undertaking litter picks. It was unclear who the policy covered. There were community grants awarded annually to voluntary sector and charity groups associated with the Council and it was unclear whether this policy applied to them or to those undertaking charity work employed by the Council; clarity was needed around who the policy applied to.

The Portfolio Holder for Environment emphasised that this was a policy that was, in his view, long overdue. The policy had been developed following liaison with insurers - Travellers, the Council's HR department, Legal unit. The experience of other councils had been drawn upon, as well as the expertise of officers. The intention was not to dissuade volunteers from undertaking

voluntary work for the Council; however, a policy was needed. Volunteer groups not operating under the auspices of Rochford District Council would continue operating in the way that they currently operated. The Council would continue to work with them to support them, but if RDC instigated any volunteer activity this policy had to be in place to cover such activities.

The Director of Environment added that there were instances of former Council employees wanting to undertake volunteer work for the Council, e.g., obtaining quotations from contractors, undertaking inspections, and using RDC vehicles to do so. The policy would cover those volunteers and in effect stipulated that if they were undertaking voluntary work on behalf of the Council then the Council's underlying policies would apply and would ensure that they were covered by the Council's insurance while undertaking such voluntary work. This was an internal policy that would not apply to those working for voluntary groups but for volunteers specifically employed by the Council to undertake specified works.

In response to a Member question as to whether it would be useful to have a similar structure in place for public volunteers, as well as volunteers directly employed by the Council, officers advised that the Council would expect to see risk assessments in advance for, e.g., voluntary work undertaken by the Essex Wildlife Trust in one of the Council's country parks and the Council would provide guidance on risk assessments.

In response to a Member concern relating to whether this policy would result in replacing people who would otherwise be paid to do the work, officers advised that core Council activities would not be covered by volunteers rather than paid staff.

A Member queried whether there was a programme coming forward that would give shape and direction as to where the policy would be used and whether not having this policy in place would impact on the Council's insurance premium. In response the Portfolio Holder for Environment advised that a Park Ranger had been employed recently whose remit included encouraging support groups, e.g., Friends of Hockley Woods and Friends of Cherry Orchard Country Park to support the Council. The Director of Environment confirmed that there would be no impact on the Council's insurance. Volunteers employed by the Council would be inducted and appropriate risk assessments undertaken. He added that there were posts planned and these would be advertised and there were plans for work parties, all of which could be taken forward once the policy was in place. In response the Member emphasised that he looked forward to seeing a report outlining this programme, what it was for and a follow up on the benefits obtained.

In response to concern expressed by a Member that the document does not make it clear who the policy relates to, the Director of Environment confirmed that a front page would be included to provide this clarity.

A Member queried how this policy would apply to the Friends of Cherry Orchard

Country Park who had volunteers under the age of 18, given that the policy applied only to those over 18; and asked if this would preclude them from volunteering for the Council. The question was also raised as to how DBS checks would be dealt with and whether the Council would pay for DBS checks to be undertaken and if so, how much this was likely to cost the Council and how difficult it would be to administer, given that the membership of such groups was likely to be fluid. In response the Director of Environment emphasised that you would expect DBS checks to be undertaken; if the Council was employing volunteers to undertake work the Council would undertake all necessary DBS checks. Under 18's would not be excluded from working with such groups but would have to do so under close adult supervision with appropriate risk assessments undertaken which would limit the activities under 18's could undertake. A paragraph would be included in the policy to provide this clarity.

A Member queried whether the Council had the necessary manpower to manage this. Concern was expressed that one Ranger post would be insufficient to manage the volunteers, DBS checks, risk assessments and training. The Portfolio Holder for Environment said that his reference to the Highway Ranger related to the work that the Ranger had been able to devote to pulling together these documents.

The point was made that page 7.16 of the document stated that the Council would not supply out of pocket expenses; however, page 3 of the volunteer agreement under expectations referred to reimbursement of agreed expenses, which was contradictory. It was good practice to offer out of pocket expenses to volunteers; not doing so could be a barrier to those who would not otherwise be able to afford to volunteer. The Director of Environment advised that this was included in the policy as a result of past instances when volunteers had purchased items without ensuring value for money or approval in advance, e.g., a marquee for an event. The Member made the point that the policy should set out clearly what out of pocket expenses would be covered, e.g., travel expenses and refreshments.

Responding to a Member question relating to page 7.4 of the report and reference to the existing informal ad hoc arrangement continuing, the Director of Environment confirmed that existing informal arrangements would continue.

### **Resolved**

That the Portfolio Holder for Environment note the concerns raised above. (DE)

## **85 OVERVIEW & SCRUTINY: INFORMATION BULLETIN – FREIGHT HOUSE AND OFFICE ACCOMMODATION FOR ROCHFORD DISTRICT COUNCIL STAFF**

The Committee received an information bulletin from the Director of Assets & Investment on the Freight House and office accommodation for Rochford District Council staff.

The Director for Assets & Investment confirmed, in response to a Member question, that Hamson Barron Smith had been commissioned to undertake a review of the Freight House and that GBP was aware that the Council was looking at different options.

Responding to a question as to where Council officers would go once offices had been spring cleaned, the Director of Assets & Investment advised that, given that the Freight House would need work to make it fit for purpose for office accommodation, and that the South Street offices weren't fit for purpose, temporary rented accommodation was being explored, within existing resources, to facilitate the culture change of moving into a more open plan working environment where there could be more collaborative working across departments until such time as the Freight House was ready for staff to move into. A Member expressed concern that more public money would be spent on temporary accommodation in addition to that already spent on hiring school accommodation.

A Member expressed concern about the reference to the South Street building not being fit for purpose as office accommodation as this was not something that he had been made aware of prior to receipt of this bulletin. He emphasised that the Council had been based in South Street for a good number of years and could not understand how a judgment had been arrived at so suddenly about the accommodation not being fit for purpose given that longstanding history. The Director of Assets & Investment advised that in comparison to the accommodation of other authorities' accommodation within Essex, other authorities' accommodation was better than that of RDC. There was a lot of silo working with departments sitting apart from each other and there was the risk that if someone was to fall ill within one of the offices this might not be known until someone visited that office; coming out of the pandemic, there wasn't the same number of officers on site as there were prior to the pandemic. The offices had not been fit for purpose for some time before the pandemic.

In response to a Member question as to whether a report on options for the Freight House would be funded from the £4.2 million allocated in the budget, the Director of Assets & Investment confirmed that the £4.2 million was within the capital programme; any consultancy support would be paid for from a revenue budget.

Responding to a Member question as to whether there were any implications in respect of the GBP contract if there was a change of approach for the South Street properties, the Director of Assets & Investment advised that a stop/go decision for the Asset Delivery Programme was needed at Full Council and that would include the South Street properties.

In response to a Member question as to whether this approach was officer-led or whether members of the administration or the Executive been involved, the Strategic Director advised that a request had been made of officers to provide a factual update within the pre-election period, which was the bulletin before the

Committee. Officers were still working to the direction given by Full Council as part of the agreement of the asset delivery programme. The work on reviewing the feasibility and design of the Freight House was to ensure due diligence as a result of the very different climate now compared to when the original proposals and designs were drawn up.

Responding to a supplementary question as to what other business cases were being looked at in respect of South Street, the Freight House or other potentially suitable office accommodation, the Director of Assets & Investment reiterated that work was being undertaken in line with the Full Council decision. Options in line with that decision were being explored for moving out of South Street to temporary accommodation, and the costs of remaining in South Street while the Freight House was being developed.

A Member made particular reference to the fact that the Full Council decision on the Freight House included an extension to the building and asked whether the stop/go decision attracted any penalties. Officers advised that any stop option would be presented to Members with full details of any penalties.

In response to a Member question as to whether GBP was considered viable given that they had not filed their accounts, the Committee Vice-Chairman emphasised that this was not a question relating to the content of the bulletin – and that we were in a pre election period.

In response to questions relating to the cost of the review and timescale of the review and around the amount of space that would be available at the Freight House for community use, the Director of Assets & Investment advised that she did not have information to hand on the costs of the review. She emphasised that proposals were expected back by the end of the week to review, which would include proposals for space for community use. In response to a supplementary question as to whether it could be guaranteed that space available to the community would not reduce, the Director of Assets & Investment confirmed that this could not be guaranteed prior to receipt of the review.

In response to a Member question as to how long staff were likely to be in temporary accommodation, the Director of Assets & Investment advised that the timeline for the development of the Freight House would inform the period required for temporary accommodation. She confirmed, in response to a supplementary Member question, that any decision to move to temporary accommodation or the Freight House would be taken to Full Council for approval.

The Director of Assets & Investment confirmed that the Freight House was currently closed because the fire alarm panel was not compliant with regulations and would cost at a minimum approximately £20,000 to replace. She further advised that it was planned to decommission the smaller South Street offices and encouraging staff to use the larger offices. It wasn't possible to compare the costs of renting temporary accommodation with the cost of

replacing the fire alarm panel as the latter was a capital budget item, whereas accommodation costs were a revenue budget item. In addition, the Freight House was not in an acceptable condition for office accommodation, notwithstanding the fire alarm panel issue.

A Member queried whether the South Street offices were compliant with health and safety requirements and whether there was, e.g., rising damp and mould making them unfit for purpose. He also questioned whether a staff survey had been undertaken and whether staff had indicated that they didn't want to work in the South Street offices. He further queried whether the revenue loss of the Freight House being closed outweighed the cost of replacing the fire alarm panel. The Director of Assets & Investment confirmed that the cost of replacing the fire alarm panel outweighed any income from the Freight House. When it did reopen bookings were minimal and there were no future bookings. Replacing the panel would require rewiring of the building with sensors, etc; any changes to internal layouts would necessitate the panel being further rewired. The advice of the Assets team and surveyors was that it was not worth replacing the panel now when a completely new system would have to be installed when the building was developed. The South Street were compliant with health and safety regulations and were regularly checked by the Health & Safety Officer; however, having staff scattered working from home and around the buildings created a risk that would be mitigated by closing down some of the smaller offices and creating hubs within the larger office areas.

Cllr Mrs E P Gadsdon moved a Motion, seconded by Cllr R P Constable that a site visit to the offices be organised for Members. This was lost on a show of hands.

(2 Members noted in favour of the Motion, 8 against and 2 abstained.)

In response to a Member request for a report to go to the Overview & Scrutiny Committee to include the business case, staffing plan and budget and how this would be managed, the Strategic Director advised that a report would go to Full Council at the earliest opportunity in the new municipal year that would include the different options, budget and staffing arrangements.

### **86 KEY DECISIONS DOCUMENT**

The Committee noted the contents of the Key Decisions Document.

11/22 – Lease of Hullbridge Pavilion – Cllr M Hoy advised that there would be merit in officers liaising with the local Ward Councillors; he had received enquiries from interested parties. An interested party that had been interested in the site for a gym had now confirmed that the site was too small.

### **87 WORK PLAN**

The Committee discussed and noted the contents of the work plan.

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Cllr Mrs J E McPherson proposed a Motion, seconded by Cllr J R F Mason, that the first of the 6-monthly cost of living update reports should go to the first meeting of the Committee in the new municipal year and this was agreed unanimously.

A request was noted for a constructive review of the process around the summons for the meeting of the Development Committee of 28 February 2023. The Interim Director of People & Governance advised that he would review this request outside the meeting.

In response to a request for the review of the Constitution to be considered early in the new municipal year, the Strategic Director emphasised that any such review was lengthy and complex; work had already started on this by a cross Party working group with some areas identified already for review. It would be possible to bring a report to the Committee early in the new municipal year providing details of these.

The meeting closed at 9.11 pm.

Chairman .....

Date .....

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