

**SCRUTINY COMMITTEE 2 – RESOURCES AND ENVIRONMENT held at
COUNCIL OFFICES SAFFRON WALDEN at 7.30 pm on 9 OCTOBER 2002**

Present:- Councillor R J Copping – Chairman.
Councillors Mrs C A Bayley, Mrs D Cornell, R C Dean,
Mrs S Flack, M A Hibbs, A J Ketteridge, Mrs C M Little,
Mrs J E Menell, A R Row, G Sell, R W L Stone and
A C Streeter.

Also present at the invitation of the Chairman:- Councillors Mrs J F Cheetham,
D M Jones, R J O'Neill and D M Miller.

Officers in attendance:- Miss E Anderson, J B Dickson, P Dickson,
A Forrow, P Hunt and M Perry.

S2.10 PUBLIC SPEAKING

Mr C Goldie from the Bridge End Residents' Association made a statement about flood defence in the Bridge End area. A copy of the statement is attached to these Minutes.

S2.11 APOLOGIES

An apology for absence was received from Councillor M L Foley. The Chairman welcomed Emily Anderson, Temporary Committee Officer, to her first meeting.

S2.12 FLOOD DEFENCE AT BRIDGE END

Councillors Mrs Cornell, Ketteridge, Miller and O'Neill had requested the call in of the decision taken by the Environment and Transport Committee on 10 September, on item 12 of its agenda, that there should be no further practical works carried out to reduce the risk of flooding in Bridge Street, Saffron Walden, but the situation be kept under review.

The Engineering and Safety Officer outlined the report on flood defences given to the Environment and Transport Committee. He highlighted the fact that maintenance had been catered for in the budget and therefore the watercourses at Bridge End, for which the Council was responsible, would be maintained in the future. He agreed that dynamic modelling would be required to provide fuller information to enable any significant improvement to be made.

The Chairman of the Environment and Transport Committee commented that Members were aware that funding was available to improve maintenance and arrangements had been made to improve the storage facility upstream of Bridge End. The Committee felt that it would like to eliminate flood risks but had to keep the budget to a minimum. Although work was not being carried out at the moment, the situation was being kept under close review. The

Vice-Chairman added that there was a misconception that responsibility for the work was solely down to the Council. Work had been carried out on the culverts and some of the work that was undertaken was effective. He felt it was sensible to get maintenance up to scratch.

The general consensus amongst the Councillors present was that the Council should take the lead in facilitating work needing to be carried out in this area. Uttlesford should use its power to liaise with other authorities and associations who are also responsible for these problems. Uttlesford should not necessarily take the full cost and other bodies should be involved.

Councillor O'Neill thought that the problems raised had not been discussed thoroughly enough at the Environment and Transport Committee meeting. Not enough consideration had been given to the impact the decision would have on the residents of this area. For example, people were finding it hard to renew their house insurance or to sell their house, as new buyers would find it extremely hard to insure the houses. He felt that the decision had been made prematurely and there were a lack of plans and costings. Whilst maintenance was helping the flood defences, in the long term, it did not solve the overall problems. The Committee would have done well to note the report and commission more work.

Councillor Mrs Flack commented on the strength of feeling on these issues, shown by the high turnout at the meeting, and added that it was important not to forget about flooding after the event.

Members considered that the number of authorities, agencies and riparian owners involved meant that nothing would be achieved unless the Council took the lead. The availability of grants should be thoroughly investigated. The diversion of the Southern Slade through the Audley End Estate to an existing independent watercourse should be actively pursued. Councillor Mrs Cheetham commented that the Environment and Transport Committee had taken the view that the effects of the remedial work already carried out should be assessed before more work was put in hand. However, she was happy for her Committee to reconsider the matter.

The Chairman invited Mr Goldie to comment on the debate. Mr Goldie was encouraged by Member's comments on the role of the Council. He stressed the need to budget for future maintenance and strongly supported the diversion of the Southern Slade. He felt that the existing residents of Bridge End would be able to renew their insurance policies but that future owners would find it difficult to insure their property.

The Committee considered that the decision should go back to the Environment and Transport Committee for reconsideration.

RESOLVED that the decision be referred back to the Environment and Transport Committee.

Councillor Mrs Cheetham agreed to programme this issue into the next ordinary meeting of the Environment and Transport Committee. Officers

confirmed that the full reasons for the Committee decision would be set out in writing in accordance with overview and scrutiny procedure rule 7.5.

S2.13 **MINUTES**

The Minutes of the meeting held on 3 July 2002 were received, confirmed and signed by the Chairman as a correct record.

S2.14 **BUSINESS ARISING**

(i) Minute S2.3 (i) – Home Office Proposals for a Removals Centre

In answer to a question, the Assistant Chief Executive said that there was no further progress to report, at the moment, on this issue.

(ii) Minute S2.3 (iii) – Office Accommodation

Councillor Hibbs declared a non-pecuniary interest in the following item and took no part in the discussion.

In answer to a question from Councillor Sell it was stated that the office move for the Planning services should take place in January.

Councillor Ketteridge referred to a planning application involving the creation of car parking spaces on the green in front of the Saffron Walden offices and asked how this had arisen. The Assistant Chief Executive confirmed that the application was designed purely to establish what options were available and was not a firm proposal.

(iii) Minute S2.3 (iv) – Audley End Station to Saffron Walden Proposed Cycle Way

In answer to Councillor Mrs Menell's question, the Assistant Chief Executive confirmed that the minutes of a recent meeting of Local Agenda 21 Forum, which discussed strategy in the district, had been readily available at the Environment and Transport meeting in September.

S2.15 **EARLY RETIREMENT – PROPOSALS TO AMEND PPN25**

The Director of Resources presented a report outlining the proposals to amend Personnel Policy Note 25 concerning the Council's Early Pension Payments Policy. He said the proposed amendments had been circulated to Heads of Service and UNISON. This had not generated many comments and the changes had been accepted as realistic. He added that if the amended PPN was agreed, then it should go to the next Resources Committee meeting on 21 November for final approval.

The main aim of changing the PPN was to simplify it. The principal change was that previously staff could qualify for both redundancy and added years

payments, whereas under the new policy, there would be no added years in cases of redundancy. In cases of early retirement on the grounds of the efficiency of the service, discretionary added years could be given, but not redundancy. In addition, it was proposed that added years should not be given until an employee had over 25 years continuous local government service, and the maximum number of years given should be reduced from ten to six and two thirds.

Also, the government had tightened up the rules on ill health retirement. These changes aimed to cut the increasing costs to the pension fund.

Councillor Mrs Flack raised concerns about the cumulative £40,000 limit on delegated approval of early retirements. Councillor Ketteridge agreed and asked about equal opportunity implications. The Director of Resources said that the PPN had been looked at objectively, and that other authorities had used similar delegation schemes. He was satisfied that there were no equal opportunities implications.

The Chairman of the Committee commented that these changes were a move in the right direction for reducing costs.

RESOLVED that

- 1 the proposed amendments to Pension Payments Policy and Procedure (PPN 25) be accepted, and
- 2 the draft revised PPN be recommended for final approval to the next Resources Committee meeting on 21 November 2002.

S2.16

CORPORATE PERFORMANCE; BEST VALUE REVIEW OF LEGAL AND MONITORING SERVICES

The Head of Legal Services described the main issues raised in the Best Value Review. He highlighted the need for a Procurement Officer and said that Councils without one ran the risk of being highly criticised in the C P A process. The Director of Resources commented that most things were already obtained through Central Purchasing via various staff expertise and suggested that we should look at joint procurement procedures with other councils to cut costs. The Head of Legal Services said that in his opinion, we did not have enough general in-house expertise and therefore the establishment of a procurement officer was suggested. Councillor Hibbs expressed doubts as to whether one person would have the expertise to purchase a wide range of consumables, such as building supplies and vehicles. Councillor Ketteridge would like to see examples of how having a Procurement Officer would save money showing actual figures instead of assumptions.

The Head of Legal Services informed the Committee that the Internal Audit Partnership with Stevenage was up and running. Savings were not as great as would have been the case in the proposed partnership with Epping Forest, but there were some savings and hopefully they would increase over time. In

relation to the costs of legal services, comparisons were made on the difference between costs at Maldon and North Kesteven District Councils and this Council. Uttlesford came out favourably in this comparison based on hourly rates but not so well on the total cost of the service. This was due to the amount of Uttlesford's external legal spend. Members were informed of the increased requirement for court work and it was pointed out that outsourcing of this work had adverse effects on the budget. The Head of Legal Services outlined the advantages of employing an additional internal contentious lawyer, which would result in a considerable saving in external legal costs.

Councillors Hibbs referred to Maldon transferring their legal business to Essex County Council. Councillor Mrs Flack stated that Maldon, like other authorities, used ECC when it did not have the internal resources or expertise. Members also asked questions about the figures on legal costs, which the Head of Legal Services answered. The workload of the monitoring officer was very likely to increase if, as expected, new regulations resulted in alleged breaches of the Code of Conduct being referred to them. This could have resource implications.

RESOLVED that the Committee accept the report and approve it as a basis for incorporation in the Improvement Plan to be presented at the next meeting of this Committee.

S2.17

BEST VALUE REVIEW OF STREET CLEANSING

The Services Officer provided the Committee with supporting information on this review, outlining the objectives and action needed with the financial implications. He said that the challenge event had been successful and the information provided was being put to use.

The performance of the Direct Service Organisation (DSO) was discussed. After going through two rounds of tendering the costs were low for this service. Street cleansing in Saffron Walden was kept up to a good standard, however, performance outside of Saffron Walden town centre was sub-standard, but was improving.

The problem of litter arising from cutting of grass verges could be tackled by working alongside the Town/Parish Councils. With more communication litter-picks could be arranged at the same time. Members also suggested that the times when the Saffron Walden civic amenity site would accept trade waste needed more promotion to discourage fly tipping. Councillor Mrs Flack commented that Essex County Council had a policy to accept no trade waste at civic amenity sites at any time.

Councillor Hibbs was worried that the service was failing in some areas. He was concerned about the reemployment of the same contractor and felt that there was no encouragement for improvement. The Director of Resources commented that when the contract went out to tender again, an internal bid would be needed to ensure real competition. A number of Members expressed concern about the increase in problems such as dog fouling, graffiti

and chewing gum. The problem of un-emptied litterbins was also raised. Councillor Mrs Flack suggested that the litterbins needed to be upgraded to prevent litter from being blown out. Councillor Mrs Flack also wanted to encourage education in schools to reduce litter generation. She suggested that providing adequate litter and recycling bins would not only help to keep schools tidy but would also inculcate good habits in pupils to carry with them through life.

The Committee felt there was a lack of performance on the contractor's part and members would like to see financial penalties imposed on contractors if they did not meet standards. A number of Councillors agreed that schedules were needed to monitor work. They wanted more emphasis on the Council checking the work carried out and not relying on the public to do so. In reply to Members' questions, the Services Officer confirmed that financial penalties had been introduced with effect from 1 October 2002.

RESOLVED that this Committee accept the report and approve it as a basis for the final improvement plan for the Street Cleansing Best Value Review to be submitted to the next meeting of this Committee.

S2.18 **MATTERS ARISING FROM THE MEETING OF THE ENVIRONMENT AND TRANSPORT COMMITTEE HELD ON 10 SEPTEMBER 2002**

The Committee considered the decision list of the Environment and Transport meeting.

Councillor Hibbs considered that if the Local Agenda 21 minutes had been available at the meeting, the decision on the Audley End Station – Saffron Walden cycleway might well have been different. The Assistant Chief Executive suggested that it might have been the minutes of the Transportation Forum, not those of the Local Agenda 21 Forum, which had been available and undertook to investigate.

Agreeing with the decision that the Lower Street car park site should not be released for the Stansted Health/Community Facility, Councillor Sell commented that another site was being investigated.

S2.19 **MATTERS ARISING FROM THE MEETING OF THE RESOURCES COMMITTEE HELD ON 19 SEPTEMBER 2002**

The Committee considered the decision list of the Resources Committee meeting.

With reference to the Public Service Agreement decision, Councillor Mrs Flack asked how much money the Council would receive. The Director of Resources replied that the sum would be £160,000 if all 12 targets were met.

S2.20 **COMMITTEE WORK PROGRAMME**

The Assistant Chief Executive said that the half-year performance review was due to be considered at the next meeting. The Chairman suggested looking at the planning system and how it was affecting us regionally and nationally and also suggested that Brian Young of the Government Office, Eastern Region, be invited along for a discussion.

RESOLVED that this matter be considered at the next Committee meeting.

Members also suggested looking at the issue of attracting funds generally, and the need for an officer to be responsible for disability issues.

The meeting ended at 10.00 pm

STATEMENT TO SCRUTINY COMMITTEE 2 – RESOURCES AND ENVIRONMENT 9 OCTOBER 2002
MR C W H GOLDIE – BRIDGE END RESIDENTS’ ASSOCIATION

I represent the Bridge End Residents’ Association, of Saffron Walden, and I am here with the members of the Flood Committee of that Association to support the case for a review of the decision that the Environment and Transport Committee made on 10 September 2002 on Flood Defence, and to outline action that we think that committee should decide to take now to reduce the risk of flooding in Bridge End and downstream along and around the course of the Madgate (Northern) Slade in Saffron Walden. We are grateful for the opportunity to address the Scrutiny Committee.

The Environment and Transport Committee decided “at this stage, there should be no further practical works by the council at Bridge End..., but the situation should be kept under review.” We submit that doing no more than keeping the situation under review, i.e. simply waiting for the next flood, is not an adequate response to the risk of flooding, and that in addition to practical works there is other action that the Council should take.

First, a further study should be commissioned to supplement the Hannah Reed report. Hannah Reed pointed out that while the steady – state modelling they have used is adequate for an initial study, hydrodynamic modelling would provide more accurate information about flooding. In section 8.7 of the report they write:

“Limitations of the modelling methods used in this report are described in sections 6 and 7 above and should be noted when considering the findings of this report. Further analysis of the improvement options using a hydrodynamic model is recommended to demonstrate the positive impacts in Bridge Street as well as the potential negative effects in Bridge End Gardens.” They make the comment in section 7.14 that *“much of the current modelling and study would be used in any supplementary work”*, which would of course reduce the cost of supplementary work such as a hydrodynamic study. We think that the further study, which was not mentioned in the agenda note for the meeting on 10 September, should be commissioned now.

We come next to the three *“potential improvements”* to the Slade catchment that were summarised in section 8.5 of the Hannah Reed report and which were reported to the Environment and Transport Committee on 10 September. I will refer to each of these in turn and propose the action we think should be taken.

1. Improved maintenance of the watercourse
The Council has carried out work on the sections of the watercourse for which it is responsible, but in addition to continuing to ensure that other riparian owners keep their sections of the watercourse clear, the Council should plan and budget for continuing maintenance of the watercourse.
2. Provision of a new link from the Southern Slade at Swan Meadow to an existing watercourse (the lower channel) through Audley End Estate

The Council should at the very least make contact with Audley End Estate to discuss the possibility of creating this link, and should prepare detailed estimates of the cost of the work.

3. Construction of a flood wall in Bridge End Gardens and other plans for the areas north of Bridge Street

We agree with the conclusion of the Officers in their report to the Environment and Transport Committee on 10 September that the construction of a flood wall in Bridge End Gardens would not be acceptable, but in respect of the areas upstream of the Bridge Street culvert there are other possibilities that were reported to the Committee by the Officers, viz. the provision of alternative flood-water storage on the open space southeast of the Gardens and on some open space to the northeast. The Officers reported that feasibility studies for such schemes could mostly be carried out in-house, though some additional survey work would have to be bought in. The Council should provide funds for feasibility studies for these schemes and arrange for those feasibility studies to be carried out as soon as possible.

Bridge End is one of the most attractive parts of Saffron Walden, a Conservation Area full of picturesque listed buildings. It must be protected from flood damage, and its residents freed from the fear of flooding and from the insurance problems that flood risks create. We hope that the Environment and Transport Committee will take note of the points we have made and will come to a new and positive decision on Flood Defence.