

**SCRUTINY COMMITTEE held at COUNCIL OFFICES LONDON ROAD  
SAFFRON WALDEN at 7.30 pm on 15 OCTOBER 2013**

Present: Councillor E Godwin – Chairman.  
Councillors G Barker, P Davies, I Evans, S Howell, D  
Morson, E Oliver and D Watson.

Also present: Councillor J Ketteridge (Leader of the Council),  
Councillors S Barker and J Redfern.

Officers: R Auty (Assistant Director Corporate Services), R  
Dobson (Principal Democratic Services Officer), R  
Harborough (Director of Public Services), J Pine  
(Planning Policy/Development Management Liaison  
Officer), A Taylor (Assistant Director Planning and  
Building Control), V Taylor (Business Improvement and  
Performance Officer) and A Webb (Director of Corporate  
Services).

**SC24 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillors Harris and Rich.

**SC25 MINUTES**

The minutes of the meeting held on 3 September 2013 were received confirmed and signed by the Chairman as a correct record.

**SC26 BUSINESS ARISING**

**i) Minute SC16 – Clinical Commissioning Group**

Councillor Evans asked for an update. Members discussed responses given by the CCG and expressed concern at the lack of specific responses. Councillor G Barker reported that at a recent meeting of Essex GPs about the CCG which he had attended, the collective view was one of dismay at the funding gap and an issue regarding administration of the CCG's banking arrangements.

It was agreed to write a further letter to West Essex CCG to seek more specific replies and to enquire about the outcome of the consultation.

**ii) Minute SC17 – Highways Strategic Partnership**

Members asked for confirmation of the number of miles of highway treated per year. The Business Improvement and

Performance Officer said figures had been supplied by the Highways Strategic Partnership for 2012-13 showing that of 388,000 km of network, 7,500km (representing 5% of the total) had received major treatment.

Members were informed that the Local Highways Panel received reports on structural resurfacing programmes. Councillor Howell said he was interested to know how long a road survived, and asked how many miles of roads were resurfaced each year rather than defined as “major works”.

*Councillor S Barker declared an interest as a member of Essex County Council.* She said the figures were published regularly and much information was supplied to Local Highways Panels. Major roads were capitalised. There had been an audit committee decision at ECC to review the work of the strategic partnership. Whilst a proportion of minor works were getting done, unfortunately implementation of major works was now not possible before winter.

**iii) Minute SC18 – Highways Planning Consultation**

*Councillor Godwin declared an interest as a member of the Planning Committee.* She said the Committee had noticed an improvement in the level of information from Highways being supplied in reports during the last month.

**iv) Minute SC19 – Planning Performance Review**

Councillor Watson said he was pleased performance was improving but he was concerned that targets were still not being met. He said there were cases where Planning Committee was not being given the most up to date or accurate information. He referred to a recent application where health and safety information had been omitted which had had quite serious implications. There were instances where the new pollution formula was not included in applications and was only commented on after the event. He proposed that scrutiny of planning performance be undertaken.

Councillor Howell said Performance and Audit Committee, of which he was Chairman, had looked at the overall performance of planning. The Committee had monitored through benchmarking the planning service’s performance regarding major applications and the Council’s success rate for appeals, and there was clear evidence the service was improving. He did not see the point of looking at the planning function in duplicate.

The Director of Corporate Services said Scrutiny Committee could only look at process, not individual applications.

It was agreed to include scrutiny of the planning process in the Committee's work programme, to be timetabled by officers in consultation with the Chairman and Vice Chairman.

**v) Minute SC22 – scoping report rural broadband**

Councillor S Barker asked about the value of considering a full report on this matter now that the roll-out programme had been announced. The Chairman said it was right to look at rural broadband as there was confusion about the type of service to be supplied to some areas.

SC27

**SCRUTINY WORK PROGRAMME**

Members agreed the planning process review would be included initially as a scoping report at a future meeting, the date of which would be agreed by officers in consultation with Councillors Godwin and Morson.

Councillor Howell said he wished to add two items to the work programme: in view of the large numbers of housing planned for this district, the Committee should question Essex County Council to ensure it was taking all necessary steps to ensure sufficient school places were planned; and he would like the Committee to be supplied with a list of the functions the Council had a statutory duty to deliver and those which it delivered but which were not part of any statutory duty.

*Councillor Godwin declared an interest as a school governor at Birchanger Primary School. She said there was always consultation between the County, schools and the Education Department regarding school places, but she was concerned the schools did not request sufficient places.*

The Assistant Director Planning and Building Control said consultation was triggered by applications for 12 or more dwellings and that pupil projection numbers were considered. If capacity was insufficient then planning permission would always require a financial contribution or land. The delivery of these places was not within this Council's control, but with Essex County Council.

It was agreed to invite the ECC infrastructure delivery manager to report to the Committee before the end of the year when the planning process scoping report was considered.

Councillor Oliver asked that the discrepancies in the North Essex Parking Partnership information supplied to the Committee should be scrutinised. He

referred to areas where he had concerns, in particular reference in the reports to use of reserves.

The Director of Corporate Services said this issue was one which was being examined by internal auditors across Essex, including this Council's own Internal Audit Management team, and he questioned whether the Committee wished to scrutinise this matter in parallel with them.

Councillor Evans said she shared Councillor Oliver's concern.

Councillor S Barker said over the last year Epping Forest District Council had been introduced into the NEPP and this change had had an effect on NEPP's dynamics and finances. The finances were complicated by the fact that NEPP was responsible for both on- and off-street parking. Finances for on-street parking were managed by ECC, and the money was not all in one pot.

The Assistant Director Planning and Building Control said there was a drawdown at the end of the year from reserves, and from this year going forward on-street parking had to be cost-neutral; if not, then each council would have to pick up the tab. For off-street parking the Council paid a management charge, which was less than when the Council operated it in-house.

It was agreed to discuss these issues when the scoping report was available.

SC28

## **CAR PARKING TASK GROUP FINAL REPORT**

Councillor Godwin thanked Councillor Evans and Jeremy Pine for an excellent report.

Councillor Evans said she too was very grateful to Mr Pine and to her fellow members of the task group, Councillors Davies and Watson. She presented the report, highlighting the Task Group's terms of reference, evidence obtained and the recommendations.

Members commented on the report and it was proposed and seconded for recommendation to Cabinet.

Councillor Ketteridge said he shared the task group's disappointment at the low level of response from Saffron Walden businesses. He asked whether weekend parking at these offices had been taken into account. He asked also whether the task group had looked at car parking tariffs in neighbouring districts. He felt many of the responses to the questionnaire indicated a need to educate people as to what was in fact provided in terms of parking in Uttlesford.

The Planning Policy and Development Management Liaison Officer said use of the Council's office car park had been taken into account although had not

featured much in responses to the survey. In relation to charges, people were reasonably happy with the levels charged, but inevitably always wanted cheaper parking; regarding free 30 minute parking the range of tariffs was fairly limited, so this proposal could be looked at.

Councillor Evans said the timescale and limited resources available for the task group had prevented undertaking benchmarking outside the district.

Councillor G Barker reminded members that the 4 hour tariff at The Common in Saffron Walden had been introduced as a result of a petition from customers of a particular hairdressing salon who wished to have a longer duration of time available. This and some other caveats on the recommendations should be looked at carefully, including the rationalising of discrepancies such as the reference in one place to income of £500,000 and in another to income of £900,000. There was an impression that car parking income was a “cash cow” for the Council. Otherwise he supported the recommendations.

The Assistant Director Planning and Building Control said the recommendations mainly comprised management issues, so only three main elements needed to be recommended to Cabinet: tariffs, 30 minute free parking and pay by phone. Cabinet had already agreed the latter and input for progressing this scheme was expected soon from NEPP.

The Assistant Director Corporate Services said the limited response of the business community gave the Council the opportunity to engage with them again.

Councillor Redfern said for businesses based outside Saffron Walden town centre the survey had not seemed relevant.

Councillor S Barker said it was surprising that a recommendation was made for facilitating a shoppers’ parking charge rebate scheme in Stansted Mountfitchet without such a scheme being made also for businesses in Dunmow. She asked for the recommendation to be extended to include Dunmow. She suggested also that it was important to print information about such schemes on the parking tickets themselves, or to provide an official sign for businesses to display.

RESOLVED to recommend to Cabinet that officers should explore all the recommendations set out in the report before Scrutiny Committee.

SC29

## **POLICE CRIME COMMISSIONER MEETING**

The Chairman gave a verbal update on the recent public meeting held by the Police Crime Commissioner. She said it had been disappointing in that the Police Crime Commissioner himself had not attended, so the meeting had

taken place with his Deputy. Only eight Members from this Council had attended. Further, the responses which had been given to questions had been unsatisfactory. These issues had included the following:

Q: What level of police cover was in place for rural areas?

A: Cover depended on the type of crime being reported. Cover was provided by six individuals who were not qualified police officers.

Q: Was performance data available, in particular regarding border responsibility?

A: The service operated across borders, depending on which police were nearest.

Q: What measures were taken to assist rural areas where police station closures had taken place?

A: Rural crime was attributable to a small number of repeat offenders.

Members discussed whether there was any advantage to be gained in inviting the Police Crime Commissioner, or as an alternative, a senior police officer, to attend before the Committee, when answers were likely to be given along the same lines as answers to written questions. It was also suggested the Committee should ask the Police Service to provide regular updates.

It was agreed that officers, together with the Chairman and Vice Chairman, should identify a representative from the Police to attend a future meeting of the Committee and provide regular written updates.

SC30

## **AIRPORT RELATED PARKING SCOPING REPORT**

Members discussed the information they wished to see in the report. Members felt it should include the inconvenience to local residents of cars left parked in their streets by airport users; parking by airport workers; unauthorised businesses operating unofficial car parks on land outside the airport, and whether there was an issue of suppressing commercial alternative parking, although members said conditions made at the time of the planning permission required commercial parking to be kept within the confines of the airport.

Members emphasised their wish to look at the airport's policy regarding drop-off arrangements. These arrangements were seen as unfair and inconsiderate both to the airport's customers and to local residents, and were also inconvenient for the elderly and disabled. The difficulty in obtaining the local residents' concession and poor publicity for its availability should also be examined. Similarly the "hotline" offered by the airport for people to report parking problems was not well publicised.

The Assistant Director Planning and Building Control said the data on historic enforcement action should be looked at. The reasons for the confining of

airport related parking to within the airport boundary were based on the principles of protection of the countryside.

SC31

### **MANAGEMENT OF FOUL DRAINAGE FROM RURAL PROPERTIES**

The Committee considered a report by the Director of Public Services on management of foul drainage from rural properties.

The report stated that there was one area currently requiring specific action which was the Petlands Plant. The Council was requiring the suppliers to resolve an issue regarding compliance with the plant's discharge consents.

Councillor S Barker suggested a proactive approach to replacement of tanks and treatment plants. She suggested identifying properties which might be suitable for replacement of systems, and where private owners might contribute to the cost.

The Director of Public Services said the Council asked each year the owners of private properties which were connected to a Council owned tank to indicate whether they wished to make changes. However there would be a substantial cost which private owners were often not willing to take on.

Members questioned whether weekly checking the treatment plants by a Council employee was a necessary measure.

The Director of Public Services said the Council had one dedicated operative checking the treatment plants on a continuous cycle. The facilities being inspected were generally larger than the average domestic septic tank. If a water course were to be polluted, there would be environmental consequences, and therefore this issue was one of the more significant risks for the Council, because of the reputational damage. In 2005, when the Council had found itself facing a significant backlog of work associated with these systems, it had considered a programme for replacing all its plants but discovered that the costs were prohibitive. It determined that having a dedicated inspection operative would in practice be the most cost-effective approach.

RESOLVED to note the report.

SC32

### **TRADE WASTE CONTRACTS AND PRICING**

*Councillor Redfern declared a disclosable pecuniary interest as a trade waste customer of the Council and left the meeting.*

The Chairman invited Members to consider a scoping report on trade waste contracts and to identify information to be included in the full report.

Councillor Morson said he was concerned at the obligation on the Council to publish its trade waste service figures, which could then be undercut by what in his view were sometimes predatory traders. The Council had recently faced this situation in that the Leader had had to make a decision affecting the price charged to one of its customers. He would like the report to explore the following issues: whether there were any measures the Council could take to prevent a recurrence of this situation; whether it was legal to publish a list of prices and then reduce those prices for only one customer; whether there was scope for reducing the price for smaller customers; and whether the Council should privatise the trade waste service.

Councillor Howell said he agreed with most of the points Councillor Morson had made. He did not wish to pre-judge the findings of the full report, but welcomed a discussion on the financial viability of the provision of this service. Companies offering better rates than those published by the Council would only do so if these were indeed competitive, so he would not describe this behaviour as “predatory”. The Council was not the only provider for trade waste collection, and councils possibly faced constraints which other providers did not.

The Director of Corporate Services said the management team had already agreed to start looking at the viability of provision of the trade waste service in its current form, and whether there were opportunities to grow the business.

Councillor Evans said she agreed with what Councillor Morson had said and asked whether there were any strategies or guidelines for local authorities when dealing with their customers, and how rates charged for services were set.

The Director of Corporate Services said prices were set as part of the annual budget.

Councillor Evans asked about rules for provision of discounts for trade waste collection.

The Director of Public Services said prices were dependent on the size of the containers provided and serviced. There was a question of investment costs if efficiency savings were to be made to ensure competitive pricing. He confirmed that the council had a statutory obligation to make arrangements to collect trade waste if requested to do so by a business in its area.

Councillor G Barker asked that the report include a list of the Council's statutory obligations.

Councillor Watson said the report should address whether the trade waste service was profitable and whether the Council should use another provider.



The Chairman thanked all for their contributions and said officers would bring a report to the next meeting.

The meeting ended at 9.45pm.