

SCRUTINY & OVERVIEW COMMITTEE

11TH NOVEMBER 2013

Present: Councillors: George Cockman (Chairman), Brian Donnelly (Vice Chairman) Roger Clarke, Leonard Crosbie, Laurence Deakins, Duncan England, Jim Goddard, Brian O'Connell, Kate Rowbottom, David Sheldon, David Skipp, Diana van der Klugt, Tricia Youtan

Apologies: Councillors: John Chidlow, Philip Circus

Also present: Councillor David Coldwell, Christian Mitchell

Officers: Tom Crowley, Chief Executive

SO/31 **MINUTES**

The minutes of the meeting of the Committee held on 9th September 2013 were approved as a correct record and signed by the Chairman.

SO/32 **DECLARATIONS OF INTEREST**

Councillor David Sheldon declared an interest in relation to agenda item 10, as Chief Executive of Horsham Matters.

SO/33 **ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COMMITTEE OR THE CHIEF EXECUTIVE**

The Chief Executive presented to the Scrutiny and Overview Committee the proposed restructure of the Council's staffing and management structure.

Members noted that the restructure was still in the consultation process.

In February 2012 the Council reviewed its Medium Term Financial Strategy and the financial pressures it was facing whilst trying maintaining quality services. This had led to adoption of a Business Transformation Programme a key part of which is a review of the organisational structure .The Chief Executive explained that the review had two objectives: to ensure that the structure was fit for purpose and to generate savings.

Over the past year problems had occurred in the Development Management and ICT departments. In addition there is an increased emphasis on the importance of action to support the local economy and these issues would be addressed as part of the planned restructure.

It was essential to ensure that there were the right skills and expertise at the right levels across the Council and there was an increased expectation for better, quicker and cheaper service delivery and to make sure that customer service was continually being improved.

SO/33 Announcements from the Chairman of the Committee or the Chief Executive
(cont.)

the Local Government Association and their partner consultants, Stanton Marris, were engaged to review the current structure using a “layers and spans” technique. They reported on issues with the current structure and also gave a critique of the Chief Executive’s proposals which supported the draft structure.

The Committee noted the proposals. Members noted there would be a new post of Director of Planning, Economic Development and Property, bringing together Development Management and Strategic Planning, this post along with the existing directors, Communications Manager and Business Transformation Manager would report directly to the Chief Executive.

Members noted that the Heads of Service posts would be deleted and replaced with a number of functional managers, the new managers were detailed in the presentation.

The Committee was particularly interested to note the changes in Development Management, following the Business Improvement Working Group’s report on the review of this department. The department would be split into teams, one to focus on major developments, another to focus on minor developments and other applications and the third team would concentrate on householder applications and delegated applications.

There would be a separation of the legal and finance departments, and the legal department would be managed by a new senior lawyer.

The Committee noted the other proposed changes as part of the restructure.

The consultation with staff would end on 19th December 2013, there would be a briefing to Personnel Committee Members and a the final report would be presentd to Council for decision on 22nd January 2014. If approved the changes restructure should be implemented by summer 2014.

The Committee noted that 28 posts would be deleted and 25 new posts created, this would create a saving of £200,000 per year, however, it was noted that the primary purpose of the restructure was to establish a structure to ensure that the Council was fit for purpose and not only to generate savings. If the intention had been primarily to make savings, a much greater sum would have been sought.

Members were concerned about resources in the legal department and wanted to ensure that the new head of legal not only possessed the right expertise but was also able to mange the department. Members wanted to ensure that there were sufficient resources in-house, and if not, that the new manager could bring in extra resources or externalise services in order to clear the backlog of work. The Committee was concerned about the number of

SO/33 Announcements from the Chairman of the Committee or the Chief Executive (cont.)

part-time workers in the legal department, however noted that existing part-time contracts could not be changed.

The Committee asked whether there would be any redundancies as a result of the proposals, the Chief Executive explained that some of the 25 new posts would be filled by existing staff whose current posts are very similar to the proposed roles and there would be a competitive process for other vacancies. Following these steps it was likely that there would be some redundancies.

Members welcomed the proposal to have dedicated to have managers in each department with expertise in that department's field of work, in conjunction with proven leadership skills.

The Committee welcomed the fact that the restructure was driven by the best thinking in the management structure and not only financial benefit, and Members felt that this should be emphasised. The Chief Executive emphasised again that the structural changes to strengthen critical services far outweighed the importance of financial savings.

The Chairman of the Business Improvement Working Group supported this restructure and made reference to following the Group's report on Development Management and Planning Services.

SO/34 **REPLIES FROM CABINET/COUNCIL REGARDING SCRUTINY AND OVERVIEW RECOMMENDATIONS**

There were no replies from Cabinet or Council.

SO/35 **BUSINESS IMPROVEMENT WORKING GROUP - TO RECEIVE AN UPDATE FROM THE CHAIRMAN AND NOTES OF THE MEETINGS HELD 12TH SEPTEMBER AND 22ND OCTOBER 2013 AND FINAL REPORT OF THE WORKING GROUP ON THE REVIEW OF DEVELOPMENT MANGEMENT AND THE PERFORMANCE AND PRODUCTIVITY OF PLANNING AND ENVIRONMENTAL SERVICES**

The Chairman of the Business Improvement Working Group presented the notes of the meetings held on 12th September and 22nd October 2013.

The Chairman also presented the final report of the Working Group on the Review of Development Management and the Performance and Productivity of Planning and Environmental Services. He thanked the Members of the Working Group and the co-optees who joined to assist with the review.

The Working Group looked at the functionality and structure of the Planning Services department to establish what had led to the delays in planning applications and the bad reviews it had received. The review had not yet

SO/35 Business Improvement Working Group - To receive an update from the Chairman and notes of the meetings held 12th September and 22nd October 2013 and final report of the Working Group on the Review of Development Mangement and the Performance and Productivity of Planning and Environmental Services (cont.)

covered all the terms of reference and the remaining; these would be addressed at the next meeting.

A number of staff members were interviewed as part of the review and the Group identified a number of major issues which had led to the ineffectiveness of the department, these issues were detailed in the report, these included management of the department, resources and IT issues.

The review led to a number of recommendations which the Chairman of the Working Group presented individually to the Working Group. The Chief Executive's proposals for a restructure would address some of the issues around management which had been raised in the report.

The Working Group had expressed some concern that S106 agreements were not being completed on time and this was detrimental and leading to delays in planning applications and planning applications were being agreed at Committee but then were still awaiting S106 funding. It was suggested that it may be more efficient and cost-effective to outsource S106 agreements; this would help clear the backlog.

This issue along with the resources and structure of the legal department led to the Chairman's suggestion that the Working Group investigate this further and add it back to the Group's work programme.

There were two minor amendments to the Working Group's recommendations arising from the discussions at the Committee, one in relation to S106 agreements and the other in relation to the Council's appraisal process, the Committee wanted to ensure that there was an effective appraisal process in place.

The Committee noted that the Cabinet Member for Living and Working Communities was in support of the Group's work. The report recommendations would be presented to the Cabinet on 21st November 2013 and the Committee would receive a response to the recommendations.

The Chairman of the Committee thanked Councillor O'Connell and the Working Group for its work on the report.

RECOMMENDED TO CABINET

1. A "Director of Service" should be appointed to take full control of the day to day running of the department, to carry out a complete re-structure of the department, to carry out a full and complete staff evaluation and appoint the appropriately qualified and experienced

SO/35 Business Improvement Working Group - To receive an update from the Chairman and notes of the meetings held 12th September and 22nd October 2013 and final report of the Working Group on the Review of Development Mangement and the Performance and Productivity of Planning and Environmental Services (cont.)

staff in the correct positions and to be responsible for productivity and efficiency improvements to ensure that national targets are met in a timely fashion.

2. Strategic Planning to be brought under the direct control of the new Director of Planning Services in order to improve co-ordination between departments and ensure thorough, accurate and consistent advice is given to Development Control in respect Five Year Housing Land Supply and Localism.
3. Environment Health should be separated from the Development Management function.
4. The use of six month short term contracts should be reviewed in greater detail. New staff being recruited should have an appropriate "Trial Period" within their contract and then engaged on a full time basis at a fair market rate. This will enable the council to attract the calibre of staff that is now required.
5. A recognised and effective appraisal, training and mentoring programme to be implemented.
6. Provide training to staff on the use of the current software and implement upgrading of equipment as a matter of urgency.
7. Consideration should be given to how Section 106 agreements are resourced in the Council and the processes between the departments improved to ensure that there are no unnecessary delays. In the event of lack of suitable resources within the in house legal department the production of S106 agreements should be outsourced so as not to cause any delay in issuing decisions.
8. A review of the departmental structure (North/South and Majors) should be undertaken and changes made forthwith to address the problems identified and establish a new structure ensuring the most efficient provision of services.

SO/35 Business Improvement Working Group - To receive an update from the Chairman and notes of the meetings held 12th September and 22nd October 2013 and final report of the Working Group on the Review of Development Mangement and the Performance and Productivity of Planning and Environmental Services (cont.)

9. External consultants should be engaged to clear the backlog of applications and S106 agreements that have not been dealt with in due time.

SO/36 **CRIME AND DISORDER WORKING GROUP – TO RECEIVE AN UPDATE FROM THE CHAIRMAN**

There had been no further meetings of the Crime and Disorder Working Group, the next meeting would be held on 7th May 2014.

RESOLVED

That an update on the Crime and Disorder Working Group be received.

REASON

All Working Group updates are to be received by the Committee.

SO/37 **FINANCE AND PERFORMANCE WORKING GROUP – TO RECEIVE AN UPDATE FROM THE CHAIRMAN**

There were no further notes from the Finance and Performance Working Group since the Committee meeting on 9th September 2013 (see minute SO/24).

The Working Group would be reviewing car parking income at its next meeting on 13th November 2013.

RESOLVED

That an update from the Finance and Performance Working Group be received.

REASON

All Working Group updates are to be received by the Committee.

SO/38 **SOCIAL INCLUSION WORKING GROUP – TO RECEIVE AN UPDATE FROM THE CHAIRMAN AND NOTES OF THE MEETING HELD 23RD SEPTEMBER 2013**

The Chairman of the Social Inclusion Working Group presented the notes of the meeting held 23rd September 2013.

Some Members of the Working Group had visited the Information Shop. Attendance at the Information Shop had been low and after consultation with young people it had been rebranded and was known as its new name the FindItOut centre.

The Working Group had also reviewed how the Council was represented on outside bodies and as part of its review of poverty amongst an ageing population, the Group had met with Age UK and met with the Chairman of the Senior Persons' Council.

The Committee referred back to the rebranding of the FindItOut centre, young people were encouraged to visit the centre and take advantage of the services available. Some Members of the Committee were concerned that the centre only serviced young people in Horsham town centre and young people in the wider District did not have access to this service. Members felt it was important to get this service out to the young people in the rural areas. Although this could be done over the web through Facebook and Twitter, Members agreed that face to face contact was essential.

It was agreed that the Chairman of the Committee and the Chairman of the Working Group would contact West Sussex County Council regarding the Committee's concerns.

RESOLVED

That the notes of the Social Inclusion Working Group meeting, held on 23rd September 2013, be received

REASON

All notes of Working Group meetings are to be received by the Committee

SO/39 **HEALTH PROVISION WORKING GROUP – TO RECEIVE AN UPDATE FROM THE CHAIRMAN AND NOTES OF THE MEETING HELD ON 19TH SEPTEMBER 2013**

The Chairman of the Health Provision Working Group presented the notes of the meeting held on 19th September 2013. The Chief Executive of Surrey and Sussex Healthcare NHS Trust attended the meeting.

SO/39 Health Provision Working Group – To receive an update from the Chairman and notes of the meeting held on 19th September 2013

At the next meeting the Working Group would hear from two representatives from the Clinical Commissioning Groups to discuss some of the issues raised at the last meeting. The Group would then hope to finalise the review and present the final report to the Scrutiny and Overview Committee.

The Chairman of the Working Group was also attending a Health and Adult Social Care Select Committee meeting and would question why there would be no extra beds at Horsham Hospital over the winter period.

RESOLVED

That the notes of the Health Provision Working Group meeting, held on 19th September 2013, be received

REASON

All notes of Working Group meetings are to be received by the Committee

SO/40 TRADE WASTE WORKING GROUP - TO RECEIVE AN UPDATE FROM THE CHAIRMAN AND NOTES OF THE MEETING HELD 24TH OCTOBER 2013 AND TO APPROVE THE REVISED TERMS OF REFERENCE

The Chairman of the Trade Waste Working Group presented the notes of the meeting held on 24th October 2013 and the revised Terms of Reference.

RESOLVED

- i. That the notes of the Trade Waste Working Group meeting, held on 24th October 2013, be received
- ii. That the revised Terms of Reference of the Working Group be approved by the Committee

REASON

All notes of Working Group meetings are to be received by the Committee

SO/41 SUPPORTING LOCAL BUSINESSES WORKING GROUP – TO RECEIVE AN UPDATE FROM THE CHAIRMAN AND NOTES OF THE MEETING HELD 30TH OCTOBER 2013

The Chairman of the Supporting Local Businesses Working Group presented the notes of the meeting held 30th October 2013.

SO/41 Supporting Local Businesses Working Group – To receive an update from the Chairman and notes of the meeting held 30th October 2013 (cont.)

The Working Group was very disappointed that after a number of well attended meetings, during its review and the report and recommendations had been made, many of the recommendations had not been followed through.

There would be further updates on the recommendations would be available at the next meeting of the Working Group in January 2014. But overall the Group was disappointed with the lack of action against the recommendations and the Chairman would be meeting with the Cabinet Member for the Local Economy to discuss this. It was agreed by the Committee that the Cabinet Member also be invited to the next meeting to discuss the Member's concerns how and when the recommendations will be addressed.

RESOLVED

That the notes of the Supporting Local Businesses Working Group, held on 30th October 2013 be received.

REASON

All notes of Working Group meetings are to be received by the Committee.

SO/42 TO RECEIVE ANY SUGGESTIONS FOR THE SCRUTINY AND OVERVIEW WORK PROGRAMME

There were no suggestions for the Scrutiny and Overview work programme.

The Chairman of the Committee would meet with Councillor Sheldon and the Director of Corporate Resources, outside of this meeting to discuss the two suggestions which Councillor Sheldon had raised at the last meeting: to consider the effectiveness of CenSus Revenues and Benefits (as managed by Mid Sussex District Council) and Discretionary Housing Payments which CenSus awarded.

SO/43 ITEMS NOT ON THE AGENDA BUT CONSIDERED URGENT

There were no urgent items.

SO/44 **EXCLUSION OF THE PRESS AND PUBLIC**

RESOLVED

That under Section 100A of the Local Government Act 1972 as amended, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Local Government Act 1972 by virtue of the paragraphs specified against the items and in all the circumstances of the cases the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

SO/45 **FINAL REPORT OF THE WORKING GROUP ON THE REVIEW OF DEVELOPMENT MANGEMENT AND THE PERFORMANCE AND PRODUCTIVITY OF PLANNING AND ENVIRONMENTAL SERVICES (PARAGRAPHS 1,2 &3)**

The Chairman of the Business Improvement Working Group presented the final report of the Working Group on the Review of Development Management and the Performance and Productivity of Planning and Environmental Services (exempt version).

The Committee had a full discussion on the report.

The Committee questioned how long it would take to clear the backlog of S106 agreements; the Chief Executive would provide an update for Members on this.

The Chairman of the Business Improvement Working Group also requested that the Working Group review the progress of the recommendations in approximately six months and the success of any changes which would be made following this report. The Committee approved this suggestion for the Group's work programme.

It was also suggested that the Business Improvement Working Group review the legal department and outstanding S106 agreements; the length of time they had been outstanding and how long it would take to resolve these. This suggestion was approved by the Committee.

The Members were reminded that the Scrutiny and Overview Committee was responsible for holding the Cabinet to account and the concerns of the Committee and those expressed in the report should be raised with the Cabinet.

The Chairman of the Committee thanked the Business Improvement Working Group and the Chief Executive.

The meeting finished at 8.17 p.m. having commenced at 5.30 p.m.

CHAIRMAN