



Scrutiny & Overview Committee

MONDAY 13TH JANUARY 2014 AT 5.30 P.M

COUNCIL CHAMBER, PARK NORTH, NORTH STREET, HORSHAM

Councillors:

George Cockman (Chairman)
Brian Donnelly (Vice Chairman)
John Chidlow
Philip Circus
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

You are summoned to the meeting to transact the following business

Tom Crowley
Chief Executive

AGENDA

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1. Apologies for absence	
2. To approve as correct the record of the meeting of the Scrutiny & Overview Committee held on 11 th November 2013	1
3. To receive any declarations of interest from Members of the Committee	
4. To receive any announcements from the Chairman of the Committee or the Chief Executive	
5. To receive any replies from Cabinet/Council regarding Scrutiny and Overview recommendations <ul style="list-style-type: none">• Response from Cabinet to the recommendations made in the Business Improvement Working Group on the Review of Development Management and Planning Services	13
6. Report from the West Sussex Joint Scrutiny Task and Finish Group on Flooding	17

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| 7. | Business Improvement Working Group – To receive an update from the Chairman
Notes of the meetings held on 26 th November 2013 appended | 27 |
| 8. | Crime and Disorder Working Group - To receive an update from the Chairman
No update to receive – next meeting 7 th May 2014 | |
| 9. | Finance and Performance Working Group – To receive an update from the Chairman
Notes of the meetings held on 13 th November, 20 th November, 4 th December 2013 appended and 6 th January 2014 to follow | 31 |
| 10. | Social Inclusion Working Group – To receive an update from the Chairman | |
| 11. | Health Provision Working Group – To receive an update from the Chairman
Notes of the meeting held 14 th November 2013 appended | 43 |
| 12. | Trade Waste Working Group – To receive an update from the Chairman
Notes of the meeting held on 18 th December 2013 to follow | |
| 13. | Supporting Local Businesses Working Group - To receive an update from the Chairman | |
| 14. | To receive suggestions for the Scrutiny & Overview Work Programme - Work Programme attached | 47 |
| 15. | Items not on the agenda which the Chairman of the meeting is of the opinion should be considered as urgent because of the special circumstances | |

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 Management 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

SCRUTINY & OVERVIEW COMMITTEE – MATTERS REFERRED TO CABINET

Planning Services Review and Restructure and Response to the Scrutiny & Overview Committee's Recommendations

The Cabinet Member for Living & Working Communities reported that, following a meeting of the Scrutiny & Overview Committee in March 2013, where poor performance of the Planning Department had been brought before the Committee as a major concern of the Finance & Performance Working Group, the Business Improvement Working Group had been tasked with undertaking an independent member review of the Council's Development Management Department to establish the reasons for the poor performance on major applications. The final recommendations of the Working Group, as amended and agreed by the Scrutiny & Overview Committee at its meeting on 11th November 2013, were submitted.

Separately from this review, and in response to the threat of the Council being placed under 'Special Measures' by the Department of Communities and Local Government, an Interim Development Management Improvement Manager had been appointed to put in place short term measures to avoid designation and to identify measures to improve long-term performance, delivery of the service and to meet the needs of customers. As part of this process an action plan had been developed which had put in place a number of interim measures.

As a result of measures previously put in place by the Head of Service and the changes introduced by the Interim Manager, the performance of the department for the most recent two year period had increased from 17% in the last quarter of 2012/13 (January-March 2013) to 50% in the second quarter of 2013/14 (July-September 2013). In the second quarter of 2013/14 (July-September 2013) performance in respect of all applications had significantly improved, with a figure of 90.9% being returned in respect of major applications.

Having achieved the short-term goal of preventing the Council from being designated for special measures, it was now proposed to introduce further changes not only to sustain the improvements in performance but also to increase the momentum of change, moving towards to a more efficient service which met the needs of customers.

Whilst a number of the recommendations of the Scrutiny & Overview Committee were covered by these proposed measures, the recommendations regarding the reorganisation of the structure of the Development Management Department, the appointment of a Planning

Agenda Item 5

Director and the integration of all planning functions, including planning policy, within one Directorate were the subject of an ongoing Organisational Restructure process which was currently out for consultation.

RESOLVED

- (i) That the changes already put in place and those proposed to be implemented be noted.
- (ii) That the recommendations of the Scrutiny & Overview Committee in relation to the re-structuring of the department, which would form part of the wider management and Organisational Restructure review, be noted.
- (iii) That the following responses to the Scrutiny & Overview Committee's recommendations be agreed:

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	Agreed. Short term contracts have been used to cover absence and workload peaks. All new staff are appointed subject to a six month probationary period.
	complete staff evaluation and appoint the appropriately qualified and experienced 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.	as a restructure of Development Management. Council is due to decide on these proposals in January 2014 and it would not be appropriate to comment further at this stage.
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.	Noted. This is part of the proposal referred to at 1 above.
3.	Environment Health should be separated from the Development Management function.	Noted. This is part of the proposal referred to at 1 above.

Agenda Item 5

5.	A recognised effective appraisal, training and mentoring programme to be implemented.	<p>Agreed. Structured training needs for individual officers will be identified through the appraisal process. Additional training needs for individual officers will be identified through the case review process. Structured monthly half day training sessions will be provided by internal and external specialists for all officer. Support will be given for Continuous Professional Development training and activities for officers.</p>
6.	Provide training to staff on the use of the current software and implement upgrading of equipment as a matter of urgency	<p>Agreed. Individual training needs on software identified through processes referred to in 5 above.</p> <p>Updating and development of software is being undertaken and training being provided.</p> <p>Additional software and training has now been secured.</p>
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.	<p>Agreed. These steps are in hand.</p> <p>Development Management and legal section are involved in on-going discussions and implementing measures to ensure that process is speeded up to ensure early instruction by officers with the information which is required at the start of the application process.</p>
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.	<p>Noted. This is part of the proposal referred to at 1 above.</p>

Agenda Item 5

9.	External consultants should be engaged to clear the backlog of applications and S106 agreements that have not been dealt with in due time.	Agreed. Action already taken to tackle application backlog through the appointment of Interim DM Improvement Manager and three additional consultants. Further consideration is being given to securing additional resources to accelerate completion of outstanding s106 agreements.
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Report from the West Sussex Joint Scrutiny Task and Finish Group

December 2013

Flooding

Report by Chairman of the Task and Finish Group

Executive Summary

A Task and Finish Group made up of one non-executive councillors from the County Council and each of the seven district and borough councils met to consider the arrangements in place for before, during, and after a flood event. The Group:

- Explored the key issues arising from the June 2012 event
- Scrutinised the working arrangements, roles, and responsibilities between partners
- Identified areas for improvement in on-going flood risk management activities.

1. Background and Methodology

- 1.1 The Task and Finish Group (TFG) was established by the West Sussex Joint Scrutiny Steering Group to review the multi-agency responsibilities, roles, involvement in, and management of, major flooding incidents across West Sussex.
- 1.2 The TFG comprised eight elected members – one from each district and borough council within West Sussex, and one from the County Council. The TFG met twice – in October and November 2013 - to consider evidence and develop recommendations.

2. Evidence

- 2.1 Evidence was heard from officers of West Sussex County Council (including the Fire and Rescue Service) and Worthing Borough Council, and from representatives of the Environment Agency and Southern Water. A member of the public also addressed the Group on the subject of partnership funding.
- 2.2 The TFG received reports on the June 2012 flooding event in West Sussex, including the causes and details surrounding the event, the response by the various partners, and what lessons had been learned for future resilience, response and recovery.
- 2.3 The TFG heard evidence about the changes in roles and responsibilities under the Flood and Water Management Act 2010 (the Act), of the importance of partnership working between agencies and authorities to the effective

delivery of flood risk management actions, and of the improvement in inter-agency working arrangements and relationships since the June 2012 floods.

- 2.4 The TFG learned about the Local Flood Risk Management Strategy (LFRMS) which the County Council, as Local Lead Flood Authority (LLFA) is required to develop under the Act. The Strategy had been subject to public consultation during summer 2013, and the Group was briefed on the main themes arising from the consultation feedback. One outcome arising from this work is the work programme, which identifies all county-wide flood risk-reduction projects not considered to be routine maintenance, but must be prioritised to ensure that any investment delivers the maximum benefit for taxpayers.

3. **Discussion and Recommendations.**

Lead Local Flood Authority (LLFA)

- 3.1 As the LLFA, the West Sussex County Council has a number of duties and powers relating to the management of local flood risk. In order to achieve the benefits of having one authority for supervising local flood risks as envisaged in the Pitt report, the LLFA has to continue to take a strong and proactive role. However, the County Council cannot succeed in this role without a significant contribution, in terms of will and resources, from all other stakeholders, be they other West Sussex flood risk management authorities, parish and town councils, public and private agencies, or landowners.

Recommendations

1. That West Sussex County Council will continue to develop its role as Lead Local Flood Authority
2. That West Sussex County Council allocates resources required to carry out this role adequately, using appropriate funding where available
3. That all local councils, water companies, and the Environment Agency support the Lead Local Flood Authority

Local Flood Risk Management Strategy

- 3.2 The County Council had consulted extensively on the draft LFRMS, which will ultimately be signed off by the district and borough councils, and the County Council. However, the role of the risk management authorities¹ is not limited to the drafting process - once the Strategy is implemented, partnership working will be integral to its success over the course of its five-year term.

¹ Flood Risk Management Authorities are defined under the Flood Water Management Act 2010, and comprise the Environment Agency, the County, district and borough councils, highway authorities, and water and sewerage companies.

Recommendations

4. That all West Sussex flood risk management authorities support the Local Flood Risk Management Strategy, and help implement its objectives using available resources
5. That all West Sussex flood risk management authorities support one prioritised work programme for major flood and coastal risk management works

Partnership Funding

- 3.3 The TFG learned that, due to changes in the way flood risk management activities are funded, few schemes would in future be wholly funded by central government. Any funding shortfall on a scheme would need to be made up through contributions from local authorities, businesses, residents, or other beneficiaries. The significant pressure for funding across the county will make it all the more important that the schemes which do move forward are the “right ones”, however this judgement is ultimately made.
- 3.4 Although the task of seeking non-government funding contributions for priority schemes appears daunting, there is little merit in delaying this work. Indeed, as other areas succeed in moving forward schemes in other parts of the country, the pool of central government funding available might diminish, further complicating the task.

Recommendations

6. That the County, district and borough councils support a system of prioritising areas for investment for major flood and coastal risk management works within West Sussex
7. That a multi-agency group be created to prioritise areas for investment, develop opportunities for co-operative funding, and identify and access external funding sources

Planning

- 3.5 One of the main feedback themes arising from the public consultation on the LFRMS concerned planning - specifically, a public perception that new development increases the flood risk to the existing housing stock. Members heard of different practices within different planning authorities when proposed new developments were considered – for example:
 - 3.5.1 Whether planners typically consulted their district and borough flood risk/drainage engineers routinely on particular applications. Practice around the county varies from engineers seeing the full application list and making comment on those of highest risk, to engineers being consulted infrequently, if at all. District/borough engineers have extensive local knowledge of local site history, and have access to

maps detailing risk of surface water and groundwater flooding. They can also provide detailed technical knowledge of whether a flood risk assessment submitted with an application is suitable and satisfactorily addresses the risks on that site.

3.5.2 Whether County drainage engineers were consulted on applications. County engineers have knowledge of surface water and groundwater risk flood risk, as well as sustainable drainage systems and a strategic overview of flood risk management work in the County. West Sussex County Council is not currently a statutory consultee in the planning process.

3.6 Although recognising duties and powers coming into effect from April 2014 should strengthen the role of local authorities, TFG members felt that all councils (including town and parish councils) needed to acknowledge public anxiety over development in areas of flood risk, no matter what the source of that risk, particularly in the face of the demand for more residential housing. When considering development applications in such areas, targeted consultation by the responsible planning authority with officers having specialised knowledge of the flooding issues (while not a legal requirement) could realise significant risk mitigation.

Recommendations

8. That all councils recognise and promote the vital role played by the local planning authorities in ensuring that inappropriate development does not take place in areas of flood risk, no matter what the source of that risk

Riparian Ownership of Ditches and Watercourses

3.7 Another feedback theme arising from the LFRMS public consultation concerned the riparian ownership responsibilities that came with owning a property alongside a watercourse. Experience showed that some of the flooding which occurs in West Sussex could have been alleviated or avoided had maintenance of watercourses been carried out by the riparian landowners. The recent drive toward stronger investigation and enforcement activities carried by county and district and borough officers has a part to play, but communication and education are far more cost-effective, and deliver greater benefits. All councils (including town and parish councils) could have a role in identifying potential maintenance requirements and informing responsible persons and organisations.

Recommendations

9. That all councils recognise the vital role that landowner maintained ditches and watercourses have to play in ensuring county-wide land drainage operates efficiently
10. That a county-wide campaign of education and awareness-raising is undertaken to ensure riparian owners are aware of their responsibilities
11. That all councils continue to resource and support work to enforce riparian responsibilities for the free flow of drainage water

4. Next Steps

- 4.1 This report will be passed to the relevant Cabinet Members at each of West Sussex's local authorities, with a request that a written response to the Joint Scrutiny Steering Group be provided by the end of February 2014. For information, a copy of the report will be sent to the relevant overview and scrutiny committees in each of these authorities, and to the Joint Scrutiny Steering Group. The Joint Scrutiny Steering Group will be asked to forward the relevant recommendations to the Environment Agency and to Southern Water.

The report will be published on the County Council website and will be circulated to relevant interested parties, including the chairmen and mayors of all parish and town councils.

5. Resource Implications and Value for Money

- 5.1 Under the Flood and Water Management Act 2010 the County Council has become the Local Lead Flood Authority. However, significant contributions (both in funding and wider resources) will need to be forthcoming from district and borough councils (as well as other parties) for flood risk to be successfully managed in West Sussex.

6. Risk Management Implications

- 6.1 As well as the threat to life and health (both physical and psychological), flooding can result in extensive impact to property, communities, and businesses, and can have far-reaching economic impact.

7. Other Considerations – Equality – Crime Reduction – Human Rights

- 7.1 There are no implications for a local authority's duty to avoid or to reduce crime or anti-social behaviour, or to assist partners to do so.

There are no implications which compromise Human Rights. The proposals treat all members of the community equally.

TFG membership

Roy Barraclough, Worthing Borough Council
Keith Blake Crawley Borough Council
Ann Bridges, Adur District Council
Jack Callaghan, Mid-Sussex District Council
Duncan England, Horsham District Council
Paul English, Arun District Council
Henry Potter, Chichester District Council
Graham Tyler, West Sussex District Council (Chairman)

Contact:

Ninesh Edwards - 0330 222 2542

West Sussex County Council Joint Scrutiny Task and Finish Group on Flooding.

Report by Councillor Duncan England

Held at HDC Chamber 21st October 2013. Chaired by Graham Tyler WSCC Councillor

Term of reference agreed.

Flood Risk Management Activities in West Sussex, lengthy report. By Stuart Smith

Flooding in WS an overview of the risk.

Andy Gilham from the EA.

In WS 108,000 properties are libel to flooding.

Causes are sea and river, surface water urban areas, ground water in the chalk, sewers and reservoirs.

Main theme is working together. Future challenges Funding. Prioritise areas at risk.

Q- Concreted over areas how the EA can influence the flood risk. Answer- in local plans.

Q- I asked, how does the nature and flora and forna affect issue and hinders the improvement to flooding. Answer- have to find a balance.

Q- not all issues about Sea defence what other issues. Maintenance of ditches, Repairian Rights. SS/ Enforcement arrangements over ditches needs need enforcing.

I mentioned operation Watershed that allows Parishes to get estimates from WS contractor to provide quotes to address flooding issues. I represented Nuthurst and felt the system was very good and we have received a quote. The Contractor had advised me that few parishes had taken up the opportunity.

Before and During a Flood: What Worked and what didn't

Shane Gindra from WS Engineers dept.

Last flood 2012 and felt a lack of communication in service providers i.e. Water- electric – telephone companies. Need to advise public of what is going on, needs improving at local level. Funding issues again.

After flood response, clean up and Investigation.

More involvement from Parishes, support mechanism needed. Parishes should attend workshops to gain knowledge of what action to take.

Between Floods: Risk Management working. Glen Westmore Principle Drainage Engineer WSCC.

What is working well, Regional works and interaction from county councils in the south? Brighton & Hove Medway- Sy Sx Kent. Rivers have no boundaries.

Need to pool resources.

Summary of next session. Discussion for agenda.

To deal with Finance.

Report from Mark Thompson Southern Water.

Similar stance, working together – Multi agencies – Recognising flooding issues- Improve communication – Prioritise resources – funding Roles and responsibilities – resolve more issues.

FUNDING needs to push together, next 5 year plan talking to customers.

Report from Brian Curtis Worthing B C engineer for the last 35 years.

Spoke on what coastal defence and emergency response to the issue.

Major watercourses not clear who is doing what to resolve the issue. When issues are clear councils need to sign up to and engage with members.

What are needed Resources, Funding and staffing?

Further Q & A Session.

Q/Are WS being robust enough on input.

A/ Identifying to developers county thoughts are essential. SS.

Q by me- HDC have proposals for a lot of major housing developments, are HDC talking to you enough on these issues.

A/ not consulting with HDC on a daily basis as HDC are doing flood risk and it was felt a gap needed plugging. A good guide is being produced. No way to monitor if suggestions are being followed and implemented.

Q I asked, No mention of Insurance or communication with insurance companies.

A/ this is done at a national level.

Q/ I asked, what is being done to help residents with facilities like skips etc.

A/ Residents are helped when asked for such items and skips are provided. !!!!

Main theme is working together, Funding and staffing, Advice, Recognising issues, roles and responsibilities, Communication between agencies and public and parishes, Riparian rights, understanding ditches and responsibilities, watercourses and enforcement. More responsibility for parishes. Education. Helping residents in at risk areas. Early warning. Prevention. Identifying areas at risk.

Climate Change only got one mention in the report by Stuart Smith.

Date of Next Meeting. 29th November 2013 at 10.30am Worthing Borough Council Offices.

Duncan England 22.10.13

Friday the 29th November at Worthing Council Offices.

Report by Councillor Duncan England

Report of the West Sussex Joint Scrutiny Steering = Flooding Task and Finish Group.

Stuart Smith WSCC/

Suggested serious flooding every 10 years. Knowledge and experience being lost due to age and retirement of officers, so a greater need to work together collectively

Kevin Mackney referred to the Pitt Report and comments from councils being incorporated in the strategy with Identified 53 wet spots and 10 Priority areas, (coastal).

Key issues "Planning" and ground and surface water.

Aims and objectives

1) Understand the areas that flood.

2) Manage the flood risk in West Sussex.

3) Enable people, communities, business and public bodies to work together more effectively.

4) Put communities at the heart of what we do and help West Sussex residents: both during flood events and to recover as quickly as possible after incidents.

Finance.

£110 million for the joint work program Minor works program £1million p/a funded by Defra.

One area Upper Beeding is in the indicator program of capital works for W/S in HDC area and the Pulborough Flats gaining a mention.

Increase in needs for funding and extra funds will be needed to be found by county and developers to reduce the housing risk by 6 to 7 thousand. And an extra 20 to 30 million will be needed. To top up.

Derek Weller a Parish Councillor and Arundel resident gave his views.

Communities will have to raise funds, I asked who by, everyone. Parishes - Railways – BT- councils – Highways – local groups etc. The insurance companies will not help. If other finance does not come forward flood defences will not happen. Everyone seems to be passing the buck but we must make sure the process is started the draft strategy is not as good as it could be on finance, little details on finance. Problems not being addressed no leadership!!

Stuart Smith said W/S lead on the priorities and then the funding. Who has the funding will get in first.

I asked why more responsibility was not put on developers. Difficult to do as the E/A can only advise to local planning authorities it's up to the authorities to grant planning or no. I suggested West Sussex should have some input into developments as I felt the E/A and Southern Water gave fluffy or no replies.

Who checks developers? The local authorities have a lack of staff to check and also through enforcement and the planners do not consult with other departments.

The applicant usually want to get on with the developments quickly and works are done on drainage and filled in before they can be inspected to see if they are satisfactory.

Developers should be challenged before works start.

After next May the 14th WS will be a statutory consult tee.

Surface water and flooding areas should be going into Neighbourhood plans but details of water mapping are behind and it was said should be ready by the end of December.

Links to riparian rights on council websites are now linked to WS.

Page 2

The Local Lead Flood Authority (LLFAQ) directive was discussed and amended concerning, Strategy - Partnership Funding – Planning and Riparian ownership of ditches and watercourses. A draft report will be produced and circulated to members for comments and agreement within four weeks.

Timing of the report.

Report by the end of December and the final report to go to HDC scrutiny and other authorities and interested groups.

To monitor again in April to see what progress has been made.

Present Chairman Graham Tyler and 5 Councillors.

Plus

Bryan Curtis Principal engineer for Adur and Worthing Borough Council

Andrew Gilham E/A

Stuart Smith WS Highways

Kevin Macknay. W/S drainage strategy team leader.

Glen Westmore. WS Principle Drainage Engineer

Derek Waller. Parish councillor and Arundel Resident

Duncan England 29th November 2013

Notes of the Scrutiny and Overview Committee
Business Improvement Working Group
26th November 2013

Present: Councillors: Brian O'Connell (Chairman), Leonard Crosbie, Malcolm Curnock, Duncan England, Jim Goddard, Frances Haigh, David Jenkins

Apologies: Councillors: John Chidlow, Philip Circus

Also present: Councillors: Roger Arthur, George Cockman

Officers: Katharine Eberhart, Director of Corporate Services
Simeon Manley, Interim Planning Manager

1. RECORD OF THE MEETING HELD ON 22ND OCTOBER 2013

The notes of the meeting held on 22nd October 2013 were approved as a correct record.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. ANNOUNCEMENTS FROM THE CHAIRMAN OR CHIEF EXECUTIVE

The Chairman had not attended the last meeting of the Business Transformation Advisory Group meeting; therefore the minutes from the meeting would be circulated with the agenda for the next meeting of the Working Group.

4. OBLIGATION VALUES WHICH HAVE NOT BEEN SPENT

The Working Group had requested obligation values which had not been spent; the Planning Services Manager provided a breakdown of this information.

The Working Group wanted to know the time limit imposed for the funds which had not been spent.

Members noted that this money would not be affected by the introduction of the Community Infrastructure Levy (CIL). However, if funding had already been secured and allocated through the Planning Obligations Panel, the parishes would not be able to secure further additional funding through CIL.

Agenda Item 7

Business Improvement Working Group
26th November 2013

The Group noted that a maximum of five contributions could be secured for a project through the Planning Obligations Panel.

Members requested a copy of the paper produced by the Chief Executive on the allocation of funds through Section 106 (S106) agreements for community facilities and putting in place a structure for the spending of these funds. This paper would be available for the Council meeting on 11th December 2013.

Members felt that the key issue was the time restrictions on spending available funding and whether the parishes were aware of the money available to them, as this was funding from the past and may not be identified on the monthly S106 list which the parishes received. Members felt that the parishes needed to be aware of the money available to them and when it needed to be spent by.

S106 monies were site specific and there were officers in Planning Enforcement to ensure that that money was spent within the allocated time frame.

Some Members of the Working Group were concerned that on occasions money allocated to parishes which had not been spent had then been used for alternative community facilities in other parts of the District.

Members noted that with the introduction of CIL there would be a dedicated officer who would ensure that triggers were met and money was spent within the allocated time frame.

The Working Group accepted the pre 2010 figures that had been provided and requested that further information from the Planning Services Manager on the time limits for spending the funds listed and also whether they were allocated to a specific scheme, or if there was flexibility in where the money was spent provided it was for open spaces and community facilities.

Once this information was received then parish councils can be informed and they could submit a claim in order to use the money.

5. **OUTSTANDING TERMS OF REFERENCE FROM THE REVIEW OF PLANNING SERVICES**

Some of the Terms of Reference agreed for the Working Group's review of Planning Services had not been addressed by the final report; therefore the Members discussed the outstanding Terms and agreed how to proceed with each of them.

Term of Reference 5: To consider whether the current planning policy fairly reflects the needs of Horsham District and stakeholders.

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Business Improvement Working Group
26th November 2013

Members questioned whether this would be covered by the Council's draft preferred strategy. The strategy would be available for the Council meeting in December. Members requested a copy of the draft document to its next meeting to see whether it addressed this or whether the Group needed to take it forward.

Term of Reference 8: To consider the Council's communication of planning law to the public and stakeholders.

The Working Group agreed that once the planning policies were in place the Council needed to communicate these to the public and the reasons behind the decisions in order to avoid adverse feedback and also to make the information accessible to the public.

Members noted that access for the public to see planning information on the website was in the process of being reviewed by the Business Transformation team. The Working Group agreed it would like to review this further and it would be added to the agenda for the Group's meeting in April 2014.

Term of Reference 9: To consider restrictions imposed on the Council by the National Planning Policy Framework.

The Working Group agreed that to review this would not add any further value to the Group's work and therefore it was omitted.

Term of Reference 10: To consider the enforcement procedure.

A number of complaints had arisen from the Council's enforcement procedure and the Group agreed that it would review this. The Group asked for clarification of the Council's enforcement policy, the Members also wanted to know the costs of the Planning Enforcement department. This would be added to the Group's work programme for 2014.

6. **CONSIDER THE REVIEW OF S106 AGREEMENTS**

The suggestion to review S106 agreements arose from the review of Planning Services. Issues had arisen regarding outstanding S106 agreements and delays had occurred as a result.

The Working Group agreed this would be added to the agenda for January 2014 and asked for the Planning Services Manager to attend.

The meeting finished at 7.06 p.m. having commenced at 5.30 p.m.

CHAIRMAN

Agenda Item 7

Business Improvement Working Group
26th November 2013

Notes of the Scrutiny and Overview Committee
Finance and Performance Working Group
13th November 2013

Present: Councillors: John Bailey, George Cockman, Leonard Crosbie, Brian Donnelly, Frances Haigh, Stuart Ritchie

Apologies: Councillors: John Chidlow, Jim Goddard, Brian O'Connell

Also present: Councillors: Roger Arthur, David Holmes

Officers: Natalie Brahma-Pearl, Director of Community Services
Katharine Eberhart, Director of Corporate Resources
Ian Jopling, Head of Operational Services
John McArthur, Parking Services Manager
Sue McMillan, Head of Financial and Legal Services

1. TO APPROVE AS CORRECT THE RECORD OF THE FINANCE AND PERFORMANCE WORKING GROUP MEETING ON 7TH AUGUST 2013

The notes of the Finance and Performance Working Group meeting held on 7th August 2013 were approved as a correct record of the meeting.

2. TO RECEIVE ANY DECLARATIONS OF INTEREST

There were no declarations of interest.

3. ANNOUNCEMENTS FROM CHAIRMAN OR CHIEF EXECUTIVE

The Chairman announced how it had been the Finance and Performance Working Group that had highlighted concern around performance figures relating to planning applications, which had then led to a review by the Business Improvement Working Group. As a result this could result in some senior appointments in the Planning Services department which would hopefully resolve these issues.

4. UPDATE ON THE BUDGET 2013/14

The Head of Financial and Legal Services presented the Budget 2013/14 Progress Report to end of September 2013 and Outturn Forecast.

Forecasts at this stage anticipated an underspend of £250,000 by the year end, based on estimations.

The Working Group discussed the carry forward amounts and noted that they are continually under review by the Cabinet Member. The Members requested a detailed explanation on the carry over of the

Capital budgets ahead of the 2014/15 Budget, to the Group's meeting in February 2014.

The Working Group highlighted the green waste collection budget; the Group would review the cost of the collection service.

The Group also requested comparative figures against the previous year's budget.

The Working Group also requested, from the Head of Financial and Legal Services, details on how long the South Downs National Parks payment from Quarter 1 had been outstanding.
In addition, the Members asked for details of the Parish Council's contribution to Street Wardens.

5. TRANSPORT SERVICES BUDGET

The Head of Operational Services provided an analysis from 2008/9 with the cost of transport, excluding fuel and the side-loader vehicles.

Members looked at the expenditure and noted that the highest expenditure was in 2009/10 just prior to the launch of the Acorn Plus scheme, at this point there were ongoing maintenance costs before the fleet was replaced.

Figures for 2011 included the cost of refurbishing the vehicles of £90,000.

Members noted that there had been a general increase in fuel costs.

In 2010/11 the Council was running two fleets before the new method of recycling collection was introduced, then there was a change over to recycling baskets and the vehicles did not visit every property instead an operative would collect the baskets. In the current operation the collection vehicle was required to visit every property.

Other increases in costs were as a result of the long journeys to transport materials to landfill sites because of the geographical state of the District. However, mileage had been reduced by using the demountable bodies.

Members noted that there had been many changes to the way the Council collected waste over the past years which explained the variations in the budget.

The Group noted that it was definitely a cheaper process for Horsham to run the side loading vehicles with demountable bodies.

The Head of Operational Services explained that there had been issues with budgeting in the past which resulted in the actual spend being higher than what had been budgeted.

There had also been issues with the maintenance of old vehicles and the budget had not been increased to reflect this.

Since 2008 there had also been an increase in properties in the District which had added to an increase in fuel costs.

Members questioned why the money in the Capital budget for 2013/14 had not been spent; the Head of Operational Services explained that there had been no need to replace the side loading vehicles or tugs in the financial year. The estimated life of these vehicles was seven years, but it was considered possible that a longer life may be achieved.

The Group noted that the salaries of the fitters had remained the same apart from inflation.

It was also noted that to the end of September 2013 fuel costs were lower than budget by £47,000 and tyres and tubes were down by £10,000.

6. PROPOSALS TO REVIEW CAR PARKING INCOME, USAGE AND COST

The Working Group had requested details of the car parking income, usage and ticket sales.

Papers were provided which detailed the tickets taken from pay and display car parks and pay on foot car parks, comparing tickets sold each month in 2012/13 and 2013/14.

Members noted that fewer tickets had been sold at Swan Walk car park, this was likely to be as a result of the change in season ticket prices, the price of a season ticket at the Forum had been reduced slightly to encourage town centre workers to park at the Forum and therefore freeing up spaces at Swan Walk car park.

Members were pleased to see a slight increase in ticket sales at Piries Place car park, despite that one of the pay and display machines had been removed and the lift had been out of order for three months.

Evening charges had been introduced in March 2013 in three of the town centre's car parks; Piries Place, Denne Road and North Street, Members noted that the number of £1.00 tickets sold in six months had generated £38,000.

The Chairman was concerned at the current state of disrepair that Piries Place car park was in; Members added that the communal area in the Forum car park was also considered dirty and untidy. The Working Group asked for a response from the Cabinet Member for the Local Economy regarding this.

The Director of Community Services explained that the ongoing issue regarding Piries Place car park was being resolved with the car park's management company, who have been working with the Council's

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cleansing team in order to improve the standard of cleaning in the car park.

Members also raised some concern about the lighting, however this was included in the Council's budget for the current financial year therefore would be addressed.

The Group discussed the overall parking experience, this was being improved over the forthcoming months, new equipment for number plate recognition was being explored, the Council was looking to install this in Swan Walk, the Forum and Piries Place car parks, however this would require construction works at the entrances and exits to each car park. Other improvements would include contactless and credit card paying machines.

Members noted that as part of the parking improvement policy, there was a Parking Improvement officers group. Officers would review the car parks, how they performed, identifying and rectifying issues.

The cleanliness of the lifts in the Forum car park was also an issue. This was a result of a design fault; the lifts were due to be replaced in 2017.

The Working Group requested from the Director of Community Services a timetable with the main issues: lighting, payment machines, decorating, cleaning and dates of when the issues would be addressed and the costs.

The Members also suggested that the officers review the cleaning contact with Piries Place car park management company and that the Parking Services Manager provide a note on this.

The meeting ended at 7.51 p.m. having commenced at 5.30 p.m.

CHAIRMAN

Notes of the Scrutiny and Overview Committee
Finance and Performance Working Group
20th November 2013

Present: Councillors: Leonard Crosbie (Chairman), George Cockman, Brian Donnelly, Jim Goddard, Frances Haigh, Stuart Ritchie

Apologies: Councillors: John Bailey, John Chidlow, Brian O'Connell

Also present: Councillors: David Holmes, Christian Mitchell

Officers: Katharine Eberhart, Director of Corporate Resources
Julie McKenzie, Performance Manager
Sue McMillan, Head of Financial and Legal Services
Jill Scarfield, Head of Strategic Planning and Performance

1. TO APPROVE AS CORRECT THE RECORD OF THE FINANCE AND PERFORMANCE WORKING GROUP MEETING ON 13TH NOVEMBER 2013

The notes of the Finance and Performance Working Group meeting held on 13th November 2013 were not yet available; these would be circulated for the next meeting.

2. TO RECEIVE ANY DECLARATIONS OF INTEREST

There were no declarations of interest.

3. ANNOUNCEMENTS FROM CHAIRMAN OR CHIEF EXECUTIVE

There were no announcements.

4. COMPLAINTS, COMPLIMENTS AND SUGGESTIONS – MONITORING AND LEARNING REPORT FOR THE PERIOD 1ST JULY TO 30TH SEPTEMBER 2013

The Head of Financial and Legal Services presented the Complaints, Compliments and Suggestions Monitoring and Learning Report for the period 1st July to 30th September 2013.

Members noted that complaints were down on the previous quarter.

Included in the report were details of the stage three complaints, following a request by the Working Group, the Group found this information very helpful.

The Group noted that compliments were also down.

5. ANALYSIS OF ACTIVITY UNDER THE FREEDOM OF INFORMATION ACT 2000 AND ASSOCIATED LEGISLATION

The Working Group received the quarterly report on the level of activity under the Freedom of Information Act 2000.

The Council had received 280 Freedom of Information (FOI) requests for information, compared to 290 for the same period in 2012. Members noted that the officers were receiving a number of complicated requests which involved a number of departments and responding to these was increasingly time consuming for officers.

Members noted 77% of requests were responded to within the statutory timescales, the Information Commissioner's Office required public authorities to respond to over 85%, otherwise they could be monitored. The Council needed to be careful to avoid this.

A number of complex FOI requests had been received in relation to the Preferred Strategy; these were often complex and time consuming.

The Working Group requested that details of stage one, two and three FOIs be included in the report for Members.

The Council had the authority to refuse answering FOI requests if it demanded more than 18 hours of officer time. Also, there would be a charge for FOIs requiring more than 18 hours of officer time, however to avoid payment the questions were often reduced.

The Council was required to publish the information for FOIs and ensure it remained up to date on the Council's website, therefore if the information was requested again in the future it was easily available.

The Working Group requested details of all the FOIs which took between 16 and 18 hours of officer time to respond to, this would help identify how many were being received just under the 18 hour threshold which meant that they could be responded to without a charge.

Some Members felt that there should be a flat charge for all FOIs.

6. MEMBERS OVERVIEW OF THE COUNCIL'S USE OF THE REGULATION OF INVESTIGATORY POWERS ACT 2000

The Working Group noted that the Council had not used the powers under the Regulation of Investigatory Powers Act 2000 in the past quarter.

7. REPORT ON OUR DISTRICT PLAN PRIORITIES PROGRESS, PROJECTS AND PERFORMANCE INDICATORS FOR QUARTER 2 2013/14

The Head of Strategic Planning and Performance presented the Report on the Council's District Plan Priorities, Projects and Performance Indicators for Quarter 2 2013/14.

The 2013 Residents Survey had recently finished; two thirds of responses had been electronic, compared to the previous survey of which only half of responses had been received electronically. Members noted that the total amount of responses were down on the previous survey.

Feedback from the results would be available in 2014.

Members commented on the number of responses being relatively low.

The Performance Manager presented the summary of the Key Performance Indicators for quarter two (Appendix A); Members noted the performance analysis: 60 percent of the indicators had been within target range, 20 percent close to target range and 20 percent outside target range. Members noted the summary of the positives and the performance issues.

Members noted that planning appeals allowed were above target and the Group raised a number of questions related to this, firstly how did the number of appeals received at Horsham compare to other local authorities, also who was responsible for analysing the planning appeals allowed. Members also requested a breakdown of Member determined and officer determined planning applications, the Performance Manager would provide the requested information and figures at the next performance meeting of the Group.

Members would also welcome more information on planning enforcement cases currently being worked on with particular reference to the number of cases investigated in relation to complaints received from councillors/members of the public.

The Group was concerned by the number of households in temporary accommodation; officers explained that the Bridge House development was running 12 months behind schedule. There had also been a steep rise in single people with complex conditions (alcohol/substance issues combined with mental health problems) presenting as homeless. Also this figure reflected the conditions arising from the current economic climate.

Members wanted to know how long people were kept in temporary accommodation before they were housed.

The Group discussed long and short term sickness absence; the Working Group wanted to know how the Council compared to other

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20th November 2013

local authorities. The Group requested a copy of the document produced for the Personnel Committee on long term sickness for next performance meeting.

The Working Group moved on to the list of Key Performance Indicators. The Chairman asked whether the tables displayed in the report could be adapted in order to provide Members with the historical figures, i.e. the figure for the same quarter but for the previous year, as the Group felt that it needed the historical figure to use as a benchmark.

Members felt that if volumetric indicators were of concern they should be flagged up in the report for the Working Group to identify. The Performance Manager would address this.

Areas which the Working Group flagged up for as concern for Cabinet or for further information were:

FS09: Parking: Total Income

DM02a: Number of Planning Enforcement cases received/under consideration, Members requested an explanation on this indicator.

DM02b: Number of Planning Enforcement cases closed, Members questioned the definition of closed.

Members felt some consideration should be given to providing a target for this indicator in order to identify how well the department was performing.

DM21: Percentage of all major applications allowed at appeal within the assessment period, the Group wanted further explanation on this indicator.

EH06: National Food Hygiene scheme, Members requested more details on the Council's powers in relation to this indicator.

HS18: Number of households in temporary accommodation and HS19: Of which number of households in B&B accommodation, the Group wanted to flag these indicators up for Cabinet.

LS01a: Attendance at sports centres and LS01b: Swimming attendances, the Group was pleased to see that these figures were up on the previous quarter.

LS03: Attendance at the Capitol, Members requested that the targets for the Capitol be reviewed

LS05: Attendance at Horsham Museum and Visitor Information Centre, Members were pleased to hear that Horsham Museum was considered the 13th top free attraction in the South East, the Group wished to applaud the Cabinet Member for Arts, Heritage and Leisure.

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OP13(iv): Green garden waste rejects and OP13(v): Blue topped bin recycling rejects, Members noted that these figures were high. Funding has been received for an education project to help address this.

OP14: Acorn Plus recycling rate, the Working Group requested further information on this from Operational Services.

CD13: Total crime, CD14: Antisocial behaviour incidents and CD15: Crime – Theft and acquisitive crimes, Members noted that all these crime figures were up on the previous quarter; however this had taken into consideration the school summer holidays. Figures were, in fact, lower than the same period in 2012.

The Working Group reviewed the Tracked Projects list for Quarter 2, Members flagged up the following:

6b: Leisure Management Provision and the issues and concerns regarding the Pavilions.

10: Horsham District Planning Framework – officers updated the Working Group that responses had been received by 1857 individuals and over 2000 comments on the preferred strategy. An initial report would be presented to Planning Policy Advisory Group, and the responses were being analysed.

In relation to staff turnover, Members noted interviews had taken place for officers in Strategic Planning. The Working Group requested figures on staffing in Strategic Planning, including current figures compared to those from 2012.

11: Community Infrastructure Levy Scheme – Members noted that the Government had agreed to extend the deadline from 2014 to 2015.

13: Terms and Conditions – Members noted that changes coming out of this project were being implemented. The Group was concerned that the Hay Review would not be delayed.

14 (b): Horsham Town Vision: Implementing Horsham Town Car Park Strategy – The Working Group requested figures on the budget and expenditure profile for the West Street project. This information would be presented at the next finance meeting of the Working Group.

18: Neighbourhood Plans – Members questioned the progress on this project and requested a note on the progress.

The Working Group noted the District Plan Priorities report for Quarter 2 – Strategic Objectives (Appendix C).

Members noted that a number of priorities had been identified in the CMT Tracked Project List (Appendix B).

Theme Four: Living, Working Communities – under item five: Develop a new Single Equality Scheme, Members noted that there had been a seminar on 16th October 2013 which was poorly attended, however it had been very valuable and the Cabinet Member for a Safer and Healthier District was looking to run a second seminar in Spring 2014.

The Group also questioned Theme six: Safer and Healthier, item one: Develop new ways to deliver community safety, the Members wanted to know who was responsible for following up the funding from the Police and Crime Commissioner.

8. **CENSUS JOINT COMMITTEE MINUTES FROM THE MEETING HELD 27TH SEPTEMBER 2013**

The Director of Corporate Resources presented the minutes from the CenSus Joint Committee meeting on 27th September 2013.

Members expressed their concern regarding their laptops, problems were often arising and Members were not satisfied with the length of time taken to resolve some IT issues.

The Director of Corporate Resources explained that this was often a result of a lack of resources in the department, however they were working to address this so that IT issues could be resolved quicker.

There was also some concern regarding customer care in the department.

The concerns raised by Members were noted by the Director of Corporate Resources and Members were ensured that this had been raised at the CenSus Joint Committee and that the issues would be addressed.

Members of the Working Group also requested a copy of the information which went to the Committee on empty homes.

The meeting ended at 7.45 p.m. having commenced at 5.30 p.m.

CHAIRMAN

Notes of the Scrutiny and Overview Committee
Finance and Performance Working Group
4th December 2013

Present: Councillors: Leonard Crosbie (Chairman) John Bailey, George Cockman, Jim Goddard, Frances Haigh, Stuart Ritchie

Apologies: Councillors: John Chidlow, Brian Donnelly, Brian O'Connell

Also present: Councillors: Roger Arthur, Gordon Lindsay

Officers: Katharine Eberhart, Director of Corporate Resources
Sue McMillan, Head of Financial and Legal Services

1. TO APPROVE AS CORRECT THE RECORD OF THE FINANCE AND PERFORMANCE WORKING GROUP MEETING ON 13TH NOVEMBER 2013

The notes of the Finance and Performance Working Group meeting held 13th November 2013 were approved subject to two minor amendments proposed by the Chairman, which were agreed.

2. TO RECEIVE ANY DECLARATIONS OF INTEREST

There were no declarations of interest.

3. ANNOUNCEMENTS FROM CHAIRMAN OR CHIEF EXECUTIVE

The Chairman announced that with the Member's agreement he would propose to add to the Working Group's work programme, a detailed analysis of income and costs of three or four key areas of the Council's activity, for example, planning, operational services and parking.

4. UPDATE ON THE DRAFT BUDGET 2014/15

The Director of Corporate Resources outlined the latest budget projections, based on the draft 2014/15 budget. The main factors increasing costs in future years were discussed, including an assumption of 2% pay increases from 2015/16, 1% per annum increase in the employer's superannuation contributions and an increase in N.I. employer's contributions from 2016/17. The impact of financing the capital programme had also been factored into future expenditure figures.

The financial impact of possible savings proposals and measures to increase income were noted.

It was hoped that final details of the Local Government Finance Settlement would soon be available, but in the meantime, budget projections for government grant income were based on the provisional

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figures for 2014/15 announced last year with further reductions assumed for future years. It was also anticipated that New Homes Bonus would be subject to a 35% claw back, though a government announcement on this was still awaited.

A detailed list of changes from the current year's budget to the draft 2014/15 budget was discussed.

The meeting ended at 7.25 p.m. having commenced at 5.30 p.m.

CHAIRMAN

Notes of the Scrutiny and Overview Committee
Health Provision Working Group
14th November 2013

Present: Councillors: David Skipp (Chairman), Frances Haigh, Liz Kitchen, Kate Rowbottom, Tricia Youtan

Also present: Councillors: Christian Mitchell

By invitation: Dr Simon Dean and Sue Braysheer from the Clinical Commissioning Group

1. TO APPROVE AS CORRECT THE RECORD OF THE MEETING HELD ON 19TH SEPTEMBER 2013

The notes of the meeting held on 19th September 2013 were approved as a correct record.

2. TO RECEIVE ANY DECLARATIONS OF INTEREST

There were no declarations of interest.

3. ANNOUNCEMENTS FROM THE CHAIRMAN OR CHIEF EXECUTIVE

There were no announcements.

4. TO HEAR FROM DR. SIMON DEAN AND SUE BRAYSHER FROM THE CLINICAL COMMISSIONING GROUP

Members noted that the Draft Infrastructure Development Plan for Horsham and Mid-Sussex was principally focused on the development of the necessary infrastructure at Horsham and Mid-Sussex Hospitals.

The Clinical Commissioning Group (CCG) was in the process of reviewing the services required at Horsham Hospital, trying to bring into line the delivery of healthcare to meet the local needs of the District.

The Plan provided a number of options; the CCG was seeking input from GPs in Horsham, East Grinstead, Haywards Heath and Redhill, in order to move progress forward.

The CCG was working with NHS England, property services at Horsham Hospital, and with Crawley's CCG.

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In relation to Horsham Hospital, Members noted that new clinics were already up and running, for example the Venus Leg Ulcer Clinic and the procurement process was also underway to bring the Muscular Skeletal Clinic to Horsham as well.

The Group was keen to ensure that the Infrastructure Plan would not prevent the CCG bringing other services to Horsham Hospital in the meantime.

The CCG wanted to ensure that there was a locally sensitive model at Horsham Hospital and better access to services for residents in the area.

Members questioned why Horsham Hospital had difficulty in attracting staff. The CCG explained that by bringing innovative services to Horsham, this would attract suitable professionals to the Hospital.

The Group agreed that there needed to be better publicity of the services offered at Horsham Hospital, as often the public were unaware to what was available.

Members noted that the CCG had invested heavily in the communication department which would focus on getting the message out to the public.

The CCG was also working towards gaining patient consent to enable all health professionals to have access to patient's medical records.

The Working Group was pleased to note that residents of Horsham could be assured that outpatient facilities would be enhanced at Horsham Hospital and not diminished.

The CCG and Working Group agreed that they wanted to see a vibrant service at Horsham Hospital and good access for the residents of the District.

The Chairman also raised his concerns regarding the planned number of beds at Horsham Hospital over the winter; he was assured that this was because there would be increased support for people at home through community care, as well as extra support in the nursing homes.

The CCG would also be working with the landlord of Horsham Hospital regarding the management and day to day running of the Hospital, especially the empty rooms, to ensure that the Hospital was better utilised. The CCG was responsible for bringing service providers to Horsham, however required the administrative side to be organised by the owners of the Hospital.

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There would be no changes to the Minor Injuries Unit for the time being.

Members were assured that Horsham was a priority for the CCG.

The CCG asked for the support of the Working Group for its integrated care and patient care, support for the utilisation of Horsham Hospital at the centre of the community, improving communication regarding the access to services and the improvement of health and wellbeing services. The CCG explained that it needed to focus on bringing service to Horsham which were achievable; otherwise it ran the risk of losing them.

The Group noted the additional housing and increasing population in the District and would support the CCG by encouraging NHS England to develop the necessary infrastructure.

5. REVIEW THE PROGRESS OF THE GROUP

The Working Group agreed it would have a final meeting to pull together the findings of the review into a final report. This meeting would be arranged.

The meeting finished at 6.56 p.m. having commenced at 5.30 p.m.

CHAIRMAN

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SCRUTINY AND OVERVIEW WORK PROGRAMME 2013-2014 (as at January 2014)

	Business Improvement Working Group	Finance & Performance Working Group	Social Inclusion Working Group	Crime & Disorder Working Group	Health Provision Working Group (Short term WG)	Trade Waste Working Group (Short term WG)	Other Short Term Working Groups
Dec		Agenda to be confirmed (budget issues)	Poverty Amongst an Ageing Population Horsham Town Access Audit		Working Group Final report (to be presented to Scrutiny Committee in January 2014)	Receive information about the Council's trade waste collection & recycling service	
Jan 2014	Business Transformation update Annual Member Overview of HDC Corporate Policy & Procedures Document on the Regulation of Investigatory Powers Act 2000 (RIPA) Probity in Planning Guide Items arising from BIWG meeting on 26/11/13 TBC	Agenda to be confirmed (budget issues)					
Feb		-Quarterly District Plan KPIs & Finance Report -Complaints & Compliments report -RIPA report -CenSus Joint Committee: quarterly finance report					
Mar			Poverty Amongst an Ageing Population Horsham Town Access Audit			Working Group Final Report (to be presented to Scrutiny Committee in May 2014)	Business Transformation Programme proposals: Customer access and Digital Horsham
Apr	Business Transformation update Items arising from BIWG meeting on 26/11/13 TBC	Agenda to be confirmed					Progress on Climate Change WG – annual update

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May		<ul style="list-style-type: none"> -Quarterly District Plan KPIs & Finance Report -Complaints & Compliments report -RIPA report -FOI report -CenSus Joint Committee: quarterly finance report 		Annual Review of Community Safety Partnership's (CSP) work CSP Plan 2014/15			Horsham District Council's Communications Policy Southern Rail's Performance in Severe Weather WG to reconvene
June							Business Transformation proposals update
July	Business Transformation update (Approx) 6 month follow up on recommendations made in the BIWG report on Development Management and Planning Services in November 2013.			Review performance of CSP & its partners			