



Overview and Scrutiny Committee

Tuesday, 23rd January, 2018 at 5.30 pm

Hastings & Knepp Room, Parkside, Chart Way, Horsham

Councillors:

Leonard Crosbie (Chairman)	
David Coldwell (Vice-Chairman)	
Toni Bradnum	Nigel Jupp
Alan Britten	Tim Lloyd
Peter Burgess	Mike Morgan
Paul Clarke	Brian O'Connell
Jonathan Dancer	Ben Staines
Matthew French	Michael Willett
Billy Greening	

You are summoned to the meeting to transact the following business

Tom Crowley
Chief Executive

Agenda

	Page No.
1. Apologies for absence	
2. Minutes	3 - 10
<p>To approve as correct the minutes of the meeting held on 27th November 2017 (<i>Note: If any Member wishes to propose an amendment to the minutes they should submit this in writing to committeeservices@horsham.gov.uk at least 24 hours before the meeting. Where applicable, the audio recording of the meeting will be checked to ensure the accuracy of the proposed amendment.</i>)</p>	
3. Declarations of Members' Interests	
<p>To receive any declarations of interest from Members of the Committee</p>	
4. Announcements	
<p>To receive any announcements from the Chairman of the Committee or the Chief Executive</p>	
5. Cabinet Member Interview	11 - 12
<p>Cabinet Member for Community and Wellbeing – Councillor Tricia Youtan</p>	

6. **To consider the proposed 2018/19 Budget and Medium Term Financial Strategy**

The report will be published with the Cabinet agenda:

[Cabinet Agenda](#)

7. **Task and Finish Group Updates**

a) CenSus Task and Finish Group

8. **To Receive the Final Report of the Traffic Around Primary Schools Task and Finish Group and the Recommendations** 13 - 24

9. **Response from Cabinet to the letter on Affordable Housing** 25 - 26

10. **Report on the Effectiveness of Local Authority Overview and Scrutiny Committees - For information**

[Report](#)

11. **Work Programme** 27 - 28

12. **Urgent Business**

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

Public Document Pack Agenda Item 2

Overview and Scrutiny Committee 27 NOVEMBER 2017

Present: Councillors: David Coldwell (Vice-Chairman), Toni Bradnum, Peter Burgess, Paul Clarke, Matthew French, Nigel Jupp, Mike Morgan, Brian O'Connell and Ben Staines

Apologies: Councillors: Leonard Crosbie, Alan Britten, Jonathan Dancer, Tim Lloyd and Michael Willett

Absent: Councillors: Billy Greening

Also Present: Councillor: Philip Circus

SO/13 **MINUTES**

The minutes of the Committee held 25th September 2017 were approved as a correct record and signed by the Vice-Chairman.

SO/14 **DECLARATIONS OF MEMBERS' INTERESTS**

There were no declarations of interest.

SO/15 **ANNOUNCEMENTS**

There were no announcements.

SO/16 **CABINET MEMBER INTERVIEW**

The Cabinet Member for Waste, Recycling and Cleansing was invited to the meeting of the Committee to answer questions based on his portfolio.

A number of questions were submitted by Members in advance of the meeting, the Cabinet Member provided answers to these questions:

1. Recent press reports stated that recycling of drinks cartons e.g. Tetrapak type containers is rather less common than the public perception. This is because of the plastic or other liners and the fact that there aren't many facilities capable of handling them. Is this the case for West Sussex and are we asking West Sussex County Council to improve the apparent lack of facilities.

The Cabinet Member answered as follows:

Tetra Paks:

- *Tetra Pak is the name of a packaging company that has become one of the world's biggest and well-known companies for producing milk, fruit juice and drinks cartons. That is why most people associate cartons with the name Tetra Pak, although other drinks carton manufacturers exist. Clean and empty drink cartons (Tetra Paks) can be recycled by putting them in your recycling bin at home.*

Items for your recycling bin include: fruit juice cartons, long life milk cartons', soup cartons and other cardboard cartons

2. From recent presentations it seems clear that HDC is best in West Sussex in the recycling stakes but rather poor against the best. Do we know why we are not as good as we would like to be, what do others do that makes them better at recycling, and what are we doing to catch up.

The Cabinet Member answered as follows:

Recycling

- *We have a kerbside rate of 44.2% with our nearest neighbouring authority sitting at 39.2% giving us a national league table position of 159 with MSDC at 226. The authorities that sit in the top 10 all have alternate weekly collections with food waste collections. Some have 3 weekly collections of residual waste with food waste. We are moving to a new service in February. I have also indicated to the County Council that we would be willing to participate in a feasibility study of food waste. We have 27% of the residual waste bin capacity taken up with food waste*
 - *As part of this change we have retained 140 litre residual waste bins which engineers waste reduction and recycling. All the top authorities use 140 or 180 litre wheeled bins*
 - *Some also offer a kerbside collection of WEEE – waste electrical and textile collections (we'll be looking at kerbside WEEE in 2018/19).*
3. With the UK leaving EU are HDC still going to have to make the 50% recycling rate targets?

The Cabinet Member answered as follows:

- *The EU legislation (Directive 2008/98/EC on Waste Reg 13) that covers waste is likely to be transposed across into UK legislation (UK Waste regs England & Wales 2011/12) covering the targets for 2020 at 50% further targets are set at 70% recycling by 2030. There are proposals to consider a more appropriate target related to carbon footprint and commodity value in a world economy.*

Members noted that no local authorities in West Sussex are meeting the 50% target at this stage.

4. What progress has been made in trying to secure more commercial waste contacts?

The Cabinet Member answered as follows:

We have undertaken direct mailing exercises covering Mid Sussex and Crawley. In addition a direct mailing exercise has taken place covering all the businesses in our district.

We have adverts placed in various publications covering BN5 and RH12 and 13 post codes as well as advertising in the District Post and County Times.

In December we have a marketing workshop to review related strategies and we will have a revised business marketing plan by April 2018. Our income growth:

*2015-2016- £947,476.43
2016-17 - £1,047,157.70*

Total increase in revenue £99,681.27

5. Has there been an increase in fly tipping within the District?

The Cabinet Member answered as follows:

Fly Tipping is measured against the number of incidents, material type and general quantities. The number of incidents is shown below, over the last few years. The main material types that are found relate to construction and green waste and black sacks.

For 2016 -17 against 2015/16 there has been a rise in total incidents of 142 from 595 to 737 .The increases seen relate to construction waste which has gone up by 38 incidents which may reduce now County have dropped charging at HWRS. Commercial Black bags up by 32 incidents. Household Black sacks up by 18 and White Goods by 17 incidents per annum.

Chichester had a total of 988 incidents

2015/16 & 2016/17 – areas of significant increase

Year	Construction	Black Bags Commercial	Black Bags Household	White Goods	Asbestos
2015/16	85	14	65	7	32
2016/17	123	65	83	24	20

So far we have brought one successful prosecution in 2017 and we have another pending in December with a number of cautions issued.

Future enforcement will be more robust with the use of FPN's for more minor offences set at maximum of £400 however prosecution is still an option for more significant cases. The Cabinet approved a new protocol for FPNs that will standardise our approach across the Council.

To provide a more robust response to environmental crime in general, we now have a dedicated enforcement officer who will cover education and enforcement where appropriate.

6. With the increase in development across the District has an assessment been done on what additional costs will be incurred for your portfolio. If so what are the costs and how much capacity will be needed.

The Cabinet Member answered as follows:

- *The increase in development across the district was something that was taken in to account as part of the new bin collection service. The new service has seen significant investment in the service with new trucks and will help drive efficiencies. We are looking to save up to £1million as part of the new collection service.*
- *The move to the new model has seen extensive remodelling and route optimisation work has been carried out for each new round. This also takes in to account material type. This was undertaken with growth in mind.*
- *This was carried out through We anticipated growth and we also made allowances for growth within the fleet procurement exercise and as we have the route optimisation software we can remodel as more housing becomes available in known areas such as North Horsham, Broad Bridge Heath and Southwater.*
- *We may need to adjust fleet numbers if additional recycling streams come on line in order to meet recycling targets beyond 2020. In West Sussex we produce inordinate tonnages of residual waste currently positioned as the 3rd highest producer of Household Waste per KG /House Hold much of it still containing valuable recycling materials. The changes to be introduced in February will encourage residents to recycle more and improve kerbside performance.
In addition to forecasting for Waste we also budget for Litter and Cleansing requirements as housing growth increases however through service delivery reviews we've found efficiencies to keep growth in budget to a minimum.*

Additional comments included: Members stressed the importance of the design of the new housing developments, as roads can often be too narrow for the collection lorries to access. It was hoped that this would be partially addressed with the switch over to the new rear-end loaders.

Members were keen to see the opening hours at Horsham's Household Waste Recycling Site extended, as the demand in Horsham was high.

The Council was also in discussions with West Sussex County Council about establishing a waste transfer station in Horsham.

The Committee thanked the Cabinet Member for attending the meeting.

SO/17 **UPDATE ON THE THE MEDIUM TERM FINANCIAL STRATEGY**

The Director of Corporate Resources presented the Update on the Medium Term Financial Strategy Report.

Members of the Committee noted the report. The update had been presented to Cabinet earlier in November and had also been discussed at the Cabinet Member's Policy Development Advisory Group and other forums. Therefore the Committee was satisfied that there had been a number of opportunities to comment.

Two questions were raised, both referring to the New Homes Bonus (NHB).

Members questioned the projected cost of The Bridge at Broadbridge Heath against the amount allocated from the NHB. The Director of Corporate Resources would provide Members with a written answer to this question following the meeting.

Secondly, Members sought clarification as to whether the entire project at Broadbridge Heath leisure centre was being funded out of the NHB. It was explained that although it was not originally intended, a recommendation was made to Cabinet to increase the amount used from the NHB as it was considered financially prudent to do so, rather than to borrow additional money.

Members also questioned the purchase of the Forum investment, it was originally intended that this be partly funded by the sale of the Council's assets, Members questioned what funds had been raised to date and projected in the next six months. It was agreed that a written answer would also be provided following the meeting after consultation with the Head of Property Services.

It was noted that the Committee would meet on 23rd January 2018 to discuss the Budget.

SO/18 **REPORT ON THE CORPORATE PLAN PRIORITIES, FINANCE AND PERFORMANCE IN Q2 2017/18**

The Committee received the Report on the Council's Corporate Plan Priorities, Finance and Performance in Quarter 2 2017/18.

Members were encouraged to submit questions on the information contained in the report in advance of the meeting, in order for answers to be prepared by the relevant officers.

Three questions had been submitted, these, along with the answers were tabled at the meeting:

All referring to Appendix C:

1. DM07: Appeals Allowed 1 - the quantum was not reported per DM22, realising there are delays in settling, do we have the information yet?

Answer: £0 was paid in the Quarter.

It can take many months for negotiations to be resolved and for the most recent case finalised it took two years (this will be reported as part of Quarter 3 report.)

2. SSC9a: No. of fly tipping incidents and SSC9b: No. of fly tipping enforcement notices - 192 incidents of fly tipping, no enforcements, may we be advised if there is sufficient effort made to find offenders?

Answer: The Head of Service has identified that the full figures have not been provided -

For Q2 reporting 1 prosecution and 6 caution letters and for information in Q3 a further prosecution pending.

We make every effort to detect those who fly tip however it's not as easy as one might think to given that you actually have to see the act committed or observe via CCTV or still images . We have a still image camera in place at a known hot spot, however, in order to do this, we have to place signage up to inform the public that surveillance is in place, which usually deters them from using the known hot spot. This only drives them somewhere else.

In order to bolster our response we'll shortly have an enforcement officer in post to take this to the next level.

3. FS07: % of invoices paid on time and FS07a: % of invoices paid within 10 days - Do we have figures yet?

Answer: The implementation of the new Financial Management System has gone well. From a day to day transactional aspect, the basics are in place, albeit the team is learning as we go. But there are lots of things

still to do to get all areas back up to speed with the same outputs as before. Recreating all the processes for things that previously ran out of the old system is ongoing. This includes the performance data stats for the percentage of invoices paid on time for example.

The team have been concentrating on ensuring that payments are properly made, rather than the reporting of the data.

The data should be there in the system, but we've yet to write a full and comprehensive report that tells us accurately what the figures are for these two indicators.

When we've caught up, we can issue the data for the entire period by month.

The Committee noted the Report.

SO/19 **UPDATES FROM TASK AND FINISH GROUPS**

SO/20 **CENSUS TASK AND FINISH GROUP**

The Chairman of the CenSus Task and Finish Group explained that the Group had not met since the last meeting due to difficulties arranging a date suitable for the officers to attend. It was anticipated that this would happen in the near future and there would be an update on the progress at the next meeting of the Committee.

SO/21 **S106 TASK AND FINISH GROUP - FINAL REPORT**

In the absence of the Chairman of the S106 Task and Finish Group a Member of the Group presented the final report.

The review had now been completed and the Group had made three recommendations. The Committee noted the report and approved the recommendations subject to the wording being amended slightly.

RECOMMENDED TO CABINET

1. To support the issue of a short guide to all parish and neighbourhood councils explaining the potential S106 funds that might be available to them, and how to set about starting the process
2. That a brief period be allocated in the forthcoming planning training event, and future events, for parish councillors, to explain the section 106 processes

3. That the Council continues to send S106 reports to parish councils and ward members on a quarterly basis as previously agreed.

SO/22 **TRAFFIC AROUND PRIMARY SCHOOLS TASK AND FINISH GROUP**

The Chairman of the Task and Finish Group explained that the Group had met to consider the results of the questionnaire sent to all the primary schools in the District, it was evident that the problems were fairly consistent. The Group was drawing on its conclusions and it was anticipated that the final report would be ready for presentation to the Committee in January.

SO/23 **WORK PROGRAMME**

The Committee noted the Work Programme.

One suggested item for review was raised at the meeting, this was to review the provision of affordable housing. A suggestion form was tabled at the meeting. The committee noted the suggestion which was submitted before the author had seen the recent report to Cabinet on Affordable Housing Investment which made it clear that the work on Affordable Housing was on-going.

It was agreed that a task and finish group would not be created to look into this but instead the Committee agreed that the Vice –Chairman would write to both the Cabinet Member for Planning and Development and for Housing and Public Protection reflecting the discussions of the Committee and to ask that Overview and Scrutiny be kept informed about development on this matter as it progresses. In addition, to make a suggestion that the question of provision of affordable housing for purchase be considered.

The Vice-Chairman concluded by encouraging Members to submit any potential items for the Work Programme via a suggestion form.

SO/24 **URGENT BUSINESS**

None.

The meeting closed at 6.52 pm having commenced at 5.30 pm

CHAIRMAN

Cabinet Member for Community and Wellbeing Portfolio Summary 2017/18

23rd January 2018

Responsibilities	Corporate Plan Priorities 2016 -19 (as updated January 2018)	Other successes and challenges	Forthcoming Decisions (Forward Plan)
<p>a) Overall responsibility for the development, implementation and review of the Council's Crime and Disorder Reduction Strategy.</p> <p>b) Overall responsibility for and championing the development, implementation and review of policies for social well-being including those relating to people, local community needs, community transport and community development.</p> <p>c) Overall responsibility for Councils role in maintaining and improving the health of those who live or work in or resort to the District.</p> <p>d) Ensuring determination of applications for financial and other assistance including voluntary sector funding arrangements (excluding applications for discretionary rate relief) accords with Council priorities.</p> <p>e) Overall responsibility for working with voluntary sector organisations to promote and deliver the Council's priorities for the District's communities.</p> <p>h) Overall responsibility for the Councils equality and diversity policies</p>	<p>Communities:</p> <p>1. Develop the case for expansion of Community Warden schemes</p> <ul style="list-style-type: none"> • New scheme established in Pulborough in 2016 • Expressions of interest from Storrington and Billingshurst with decisions imminent • Plans in hand to introduce wardens in Town Centre <p>2. Ensure NHS and other health partners are fully aware of deficiencies in health care and are encouraged towards improved provision</p> <ul style="list-style-type: none"> • Courtyard and Riverside surgeries combining on an extended Courtyard surgery site in 2018 • Plans emerging to serve Primary Care needs of new communities West and North of Horsham and at Kilnwood Vale • Exploring additional clinical space at Park Surgery • New GP Access Hub established at Southwater Surgery for patients with transport who are generally well but who need to see a GP • Planning permission granted for new and larger Glebe Surgery in Storrington • Planning permission granted and s106 secured in order to extend Billingshurst surgery • Crawley Hospital Urgent Treatment Centre improvements completed in 2017 • Horsham Hospital Muscular Skeletal Unit (diagnosis and treatment) improvements completed in 2017 <p>3. Support and deliver initiatives to improve the quality of life of the most vulnerable within the district and deliver Phase 2 of the Think Family programme</p> <ul style="list-style-type: none"> • 377 Think Family phase 2 'attachments' since September 2014 (v target of 333) with 88% of families showing measurable improvement in behaviour at end of attachment • Council tax arrears project piloted • Positive placement mentoring service for young people not in employment, education or training established via YMCA • WISH (work, information and support) project 	<p>Successes</p> <p>Crime and Disorder</p> <ul style="list-style-type: none"> • Lowest crime level in Sussex • CSP plan outcomes? • Safe drive stay alive? • UTB? • Bucking national trend in relation to increasing ASB • Bucking national trend in relation to children's obesity <p>Health, social wellbeing, equality and diversity</p> <ul style="list-style-type: none"> • Over 1500 residents/year supported by Health and wellbeing hub • 100% of referrals to Health and Wellbeing hub self-reporting health improvements as a result of changed behaviours • Over a million attendances/year at leisure facilities • Parish youth provision maintained in Steyning, Bramber, Beeding, Ashington, Pulborough, Billingshurst, BBH, Warnham, Slinfold and Horsham (via Horsham Matters and parish funding) • Service Level agreements in place re Snack Wagon • 1000 people/month taking part in health walks • 160/week in Park Run • Men's Sheds Programme • Trafalgar parent group established • Pulborough Parent group established • Pre-diabetes Programme • Dementia Friendly status achieved for Horsham District (annually reviewed) • Recognised for good practice within Military Covenant <p>Voluntary organisations</p>	<p>None.</p>

Cabinet Member for Community and Wellbeing Portfolio Summary 2017/18

23rd January 2018

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	<p>delivered in Billingshurst</p> <ul style="list-style-type: none"> • X workless people helped into employment by HDC Journey to work programme • 2 Syrian refugee families accommodated/integrated as part of joint West Sussex Commitment • Grant support maintained to Horsham Age UK, Citizens Advice Bureau, Impact Initiatives, Y Centre, Homestart, Relate and Mediation Service • Direct role of Council being extended in support of all district voluntary organisations following decision to no longer grant fund Horsham and Mid Sussex Voluntary Action • Involved in Local Community Networks serving Henfield, Steyning, Storrington, Pulborough and Billingshurst and leading on befriending and social prescribing initiatives • 1,400 low income families or individuals using Leisure Access Card • Our Town (safe places scheme for disabled) established in Horsham Town • Reaching Higher, Ready and Able, Blue Oasis, Boom Tribe, inclusive pantomime, autistic friendly film screening, Wheels for All initiatives for people with disabilities still thriving • Together in Mind mental health support group maintained • New sports opportunities for disadvantaged young people planned • Fibromyalgia/chronic conditions yoga sustained • Young carers at Horsham YC • Falls prevention programme for elderly • Residential homes service for elderly/infirm maintained (sports, games, reminiscence, entertainments) • Alternative sports days for less confident/active primary aged children and those with special educational needs • Support of young sports leaders with disabilities • Rough sleeper role • Men in sheds • Prediabetes • 	<ul style="list-style-type: none"> • 57,000 hours/year of voluntary labour secured in support of directly delivered Council initiatives • Infrastructure secured for <p>Grants and financial assistance</p> <ul style="list-style-type: none"> • £1.342m of funding secured from external sources to deliver Council or partnership services and community projects in 2016/17 (of which £554k s106) <p>Challenges</p> <ul style="list-style-type: none"> • Securing community facilities/services to meet needs of growing and aging population • Maximising CIL in support of community facilities • Prioritising discretionary effort where it can make the most difference • Reshaping team and developing new skill sets for new challenges • Reduction in resources for NHS, Police, WSCC (whom we work with and sometimes deliver services on behalf of) impacts on social wellbeing and can raise expectations of HDC • Contributing to corporate savings whilst seeking to develop/maintain services • Maintaining support to voluntary providers whilst challenging for VFM and savings • Safeguarding our most vulnerable residents • Responding to National requests for support (housing Syrian Refugees) • Maintaining impact of health and wellbeing services through education and behaviour change with reduced resources • Impact of Benefits reform 	
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Report to Overview and Scrutiny Committee



23rd January 2018

By the Traffic Around Primary Schools Task and Finish Group

Not Exempt

Final Report of the Traffic Around Primary Schools Task and Finish Group

Summary

The suggestion for this review arose as a result of a meeting at the Upper Beeding Parish Council during which representatives from the primary school asked for the Parish Council's assistance in curbing antisocial behaviour, poor parking practices and general bad driving by people arriving at the local school in the mornings, thereby placing children at risk (appendix 1).

Councillors agreed that other primary schools in the District were likely to have similar issues and following the Parish Council meeting a suggestion was made to the Overview and Scrutiny Committee to form a task and finish group to have a look at the various issues around traffic at the local primary schools.

The Traffic Around Primary Schools Task and Finish Group was formed with the following Members: Councillors David Coldwell (Chairman), Andrew Baldwin, Billy Greening and Mike Morgan.

Terms of Reference

The following Terms of Reference were agreed by Members at the Group's first meeting.

1. To examine traffic, access and other issues reportedly causing problems at primary schools in the District
2. To explore with other authorities what the Council can do to mitigate such Problems
3. On conclusion of the review a report will be made to the Overview and Scrutiny Committee with recommendations based on the Group's findings.

Background Information

The Chairman of the Group visited the primary school in Upper Beeding before the Summer term ended so that he could observe the problems faced. He was accompanied on this visit by the local county councilor, the Parish Council, neighbourhood wardens plus representatives from the school, including the chair of governors.

Some of issues observed were as follows:-

- Parking on double yellow lines
- Parking on the solid red line which indicates no stopping
- Parking on pavements and in front of a private house driveways
- Excessive speed in relation to the numbers of children using the footways
- Double yellow lines poorly maintained or wholly obscured by leaf fall

It was also noted that:

- The majority of children arriving at the school must cross at least one road and more likely two
- There have been many incidents of antisocial behaviour and road rage by drivers who are in a hurry to get their children to school and themselves to work
- The school itself has done much to encourage parents to behave responsibly and the Parish Council itself has spent a considerable sum on providing a safe pathway route from the local car park about 500m away. This safe walking route is used by the children coming in from the car park or from the side and of the village and only accounts for a modest number of all students
- Many of the other students do walk to school, often in small groups accompanied by an adult and are escorted across the various roads they encounter. However at the school itself there is no crossing warden as the County Council has not provided one and the school cannot afford to due to budget constraints
- Having made this visit and met with representatives from the school it is clear that there were actions that could be taken by both taken by Horsham and West Sussex County councils to mitigate the risks that are attached generated about the school

Report

At the first meeting of the Task and Finish Group Members agreed to send a questionnaire (appendix 2) out to all primary schools in the District to help identify whether they faced similar issues and whether they had any successful measures in place to help reduce the problems.

From the nine replies received, it became quite clear that the various problems observed at Upper Beeding were being repeated elsewhere. All schools reported issues with antisocial parking and excessive speed in the vicinity of schools given the numbers of children in the area.

In answer to the question about what it would be most effective to reduce the number of problems, most schools felt that enforcement would be probably the most effective solution. The lack of school patrols seemed to be a concern but it was also pointed out by the schools that there was a significant problem in securing volunteers to do the necessary duties.

Having reviewed the returned questionnaires the Task and Finish Group interviewed officers from the Parking Services team, Mandy Cracknell, Parking Operations Manager and Ben Golds, Head of Parking Services. In addition the Group heard from John McArthur, Head of Waste, Street Scene and Fleet, who is ultimately responsible for street cleaning.

From these interviews it became apparent that the enforcement by Parking Services was likely to be a problem unless appropriate legislation was adopted by West Sussex County Council. This would involve the County Council adopting Regulation 10 of The Civil Enforcement of Parking Contraventions (England) General Regulations 2007, which would allow enforcement officers to issue penalty notices without having to wait for a until a certain period of time to lapse (normally five minutes). It should be noted here that neighbourhood wardens do not currently have the power to enforce traffic or parking regulations.

The Head of Parking Services explained Regulation 10 of the Civil Enforcement of Parking Contraventions (England) General Regulations:

Currently a Penalty Charge Notice (PCN) can only be considered served if it is affixed to a vehicles windscreen or handed to the driver. Due to this there are times when a Civil Enforcement Officer (CEO) is in the middle of completing the PCN process and the driver returns and drives away. The PCN then has to be spoilt and the driver avoids the fine for their illegal parking.

Regulation 10 allows for provision for the service of a PCN by post where a CEO has been prevented by some person from serving one directly to a vehicle; or had begun to prepare a PCN but the vehicle was driven away before it has been officially served. This can include if someone intervenes with the serving of a PCN including threatening behaviour and violence; or that the CEO didn't have enough time to finish the PCN before the vehicle drove away.

It's important to note that a PCN process isn't considered as 'started' if the vehicle is within the observation period. For example, a CEO has to give 5 minutes observation on a vehicle parked on double yellow lines to confirm that the driver is not loading or unloading; if the vehicle is driven away before these 5 minutes are up then it is not considered that the PCN has been started and a postal PCN can not be issued.

Regulation 10 is something that the highway authority (WSSCC in our case) has to adopt and then passes the powers down to the enforcing authority (HDC in this case). WSSCC are considering the inclusion of regulation 10 to add to our powers. This will mean that HDC will be able to issue PCN's via the post where (as stated above) a CEO has started the PCN process but has not been able to serve it for some reason. This applies to all contraventions across the district.

This will be particularly beneficial in areas where there are high volumes of contraventions taking place at once such as schools and busy high streets, in volatile areas and if there is an issue with the CEO's issuing equipment stopping the PCN's from being printed.

The Head of Waste, Street Scene and Fleet advised the Group that road sweeping was carried out on a 63 day cycle but this did not include all roads and that at certain times of the day parked cars obstructed sweepers. The Group suggested that it might be possible for the operators of the waste collection trucks to report back on the conditions of the double yellow lines in the areas around schools where compacted leaf fall had been noted.

The Group concluded its review by making a number of recommendations based on its findings.

Recommendations

The Committee is recommended:

- i. To request that West Sussex County Council implement Regulation 10 of The Civil Enforcement of Parking Contraventions (England) General Regulations (appendix 3)
- ii. Recommend to Cabinet that enforcement officer presence is increased during peak times around schools, with a suggested target of visiting each school once per each half term. It is also suggested that the strength of the enforcement team be examined with a view towards increasing numbers
- iii. Recommend to Cabinet that Waste, Street Scene and Fleet team keep road markings around schools clear and visible, especially schools in rural areas
- iv. That the Communications team to draft a press release/newsletter/magazine article to increase awareness/educate those that drop off and pick up students and place same article on social media sites

Background Papers

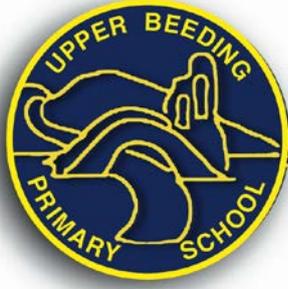
Appendices:

1. Letter from Upper Beeding Parish Council
2. Questionnaire sent to all the primary schools in the District
3. Copy of Regulation 10 of The Civil Enforcement of Parking Contraventions (England) General Regulations

Councillor David Coldwell

Chairman of the Traffic Around Primary Schools Task and Finish Group
23rd January 2018

Contact: Daniela Smith, Lead Scrutiny and Committee Support Officer 01403 215138.



Governing Body

Upper Beeding Primary School

School Road, Upper Beeding, BN44 3HY.

Tel: 01903 812288 Fax: 01903 816401

Email: ubpsgovernors@yahoo.com

Website: <https://upper-beeding.eschools.co.uk/site>

Chair: Mr N Pringle Clerk: Ms L Brown

Thursday 6th July 2017

Dear David,

Once again, thank you for your time today and in initiating a wider team engagement in helping us address the continuing road safety issues at Upper Beeding Primary School.

As discussed, this letter is to provide you with the information which was shared with the team today – we hope very much it will help you drive forward the initiatives and gain the support the children at Upper Beeding very much need.

We have had an on-going parking issue which has created road safety issues for a number of years now. As our school role has increased so has the problem. This last year we have made it a significant priority of the governing body to find ways to attempt to resolve this issue once and for all.

This began with a survey to all parents from which we received a tremendous response with over 130 replies. This survey gave us some key information and demonstrated the frustration and concern this issue causes for parents on their way to school. I have attached the quotes I referenced to you on the following page – there are many more quotes we can also provide.

It is frightening that 2 in 3 parents claimed to have personally witnessed an incident where someone could have been hurt. I myself have witnessed 3 in the time since the survey was taken.

Enforcement is widely supported by the parents with 84%, agreeing or strongly agreeing, that parking restrictions should be enforced including the use of penalty notices.

We know we have frustrated, concerned but a supportive majority of parents.

Based on the feedback we have developed a 3 pronged strategy which has been pursued strongly this year. That strategy includes

1. Ensuring the best possible **infrastructure** is in place
2. **Educating and communicating** with parents, children and the wider bodies who can support our cause
3. **Enforcing** - this is where we are in need of your help the most.



We have achieved the following by pursuing this strategy this year – and are grateful to all those who have helped on this journey so far.

1. Infrastructure

- a. New path in place from local car park to school – providing improved accessibility to parking.
- b. New school car park layout will happen over the summer increasing the number of spaces from 25 – 40.
- c. We operate a permit parking scheme for parents in exceptional circumstances to park on site for drop off and pick up.
- d. The zig zag lines which were very worn have been repainted
- e. We are awaiting other markings to be repainted and cleared before the end of term.

2. Education and communication has included:-

- a. New news on road safety is communicated to parents every term in a variety of ways, it reminders on parking restrictions, informing of line painting, presence of community wardens, advising of alternative parking options.
All of which ensures a constant parking reminder is happening.
- b. A short film has been produced and shared with parents and our website showing the dangers of bad parking through the eyes of a child walking to school.
- c. We are raising parking at new parent inductions and producing parking packs to encourage and drive new behaviours
- d. We have visited, council meetings, district and parish meetings to engage with those who can help outside of the schools influence.
- e. Pene Mather engages with UBPS, we operate a park and stride scheme and have involved the school council (*a children’s council*) in addressing the problem.
- f. Competitions have been run for the children to draw road safety posters ensuring the message gets home also via children.
- g. Assemblies have been held with children on road safety - how to keep ourselves safe and how drivers can help children to be safer
- h. The school actively takes part and promotes national Walk to School Weeks in October and May collecting data and updating school travel plan

3. Enforcement

- a. Our head teacher is on the gate daily speaking to parents and encouraging changes in parking behaviour (*this is only a small part of the reason for her presence on the gate*).
- b. We encourage parents to use Operation Crackdown
- c. Parents themselves speak to other parents about parking inappropriately.
- d. As governors we speak to those parking inappropriately.
- e. We have community wardens who visit – although they can not enforce their presence is welcome.

We hope you will agree we are working hard to proactively prevent an accident. As however you will have seen and heard this morning – we need more help.



The help we discussed in our meeting particularly for random enforcement of penalty notices on a once every half term basis, may be the key factor we really need to prevent the accident no one wants to happen.

We look forward to an early response and please do get in touch if we can provide any more information to assist.

Many thanks again for your support.

Best wishes,

Julie Krysik
Governor
On behalf of UBPS Governing Body

Becky Linford
Headteacher

Quotations from parents on their views on the parking situation

Source UBPS Governors parking survey

- ***Awful! Parents who park illegally & put children at risk because they can't be bothered to walk a couple of minutes defies understanding. Action needs to be taken against repeat offenders***
- ***Hazardous, reckless parking and aggressive driving.***
- ***There is no safe place for children to cross at all***
- ***People do not take notice of very worn out paint markings around the school.***
- ***Parking restrictions blatantly disregarded***
- ***I would like to see safer places for children to cross the road***
- ***Very dangerous – seen many near misses***
- ***Daughter almost hit by a parent reversing. Someone will get hurt – it's chaos.***



Questionnaire from the Traffic Around Primary Schools Task and Finish Group
September 2017

SCHOOL:

ADDRESS:

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1. Do you have a school travel plan? And could we have a copy?

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2. Do you have any particular issues around parking outside your school in the morning? And in the evening?

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3. Are there problems with parking illegally outside the vicinity of your school?

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4. What do you think would work well to resolve the issues?

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5. Can you tell us about the current situation regarding parking i.e. yellow lines, hatched boxes, are they visible, outside your school?

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6. Do you have a walking bus?

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7. What do you do at your school to try to prevent antisocial behaviour? i.e. teachers/teaching assistants/parents with high visibility jackets outside the school at the beginning and end of the school day

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8. What does your school do to involve children to encourage their parents to help with the problems? i.e. encouraging walking to school

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9. Is speeding a problem near your school?

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10. Do you have a policy in place to encourage cycling? Also for students to wear helmets when cycling and remove headphones?

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.....

11. Do you have a record of accidents, incidents and near misses, caused by drivers outside your school?

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.....

12. Is the parking at your school bad? (indicate as appropriate)

Strongly Agree Agree None Disagree Strongly Disagree

13. Do you have a lollipop person?

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14. What would encourage your children to walk to school or travel by bike?

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15. Are road markings adequate/visible outside your school?

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16. What time does the school day start and finish and what time do the school gates open and close (if different)?

Gates Open AM
School Start Time AM
School Finish Time PM
Gates Close PM

17. In your opinion, what would be the one single solution to relieve the parking problems at your school?

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18. Have the schools consulted with parents on these problems?

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If you have any further comments which might be useful for the Group, please enter them in the box below:

Completed by:

Date:

Thank you for taking the time to complete this questionnaire and assist with our review.

STATUTORY INSTRUMENTS

2007 No. 3483

**The Civil Enforcement of Parking Contraventions
(England) General Regulations 2007**

PART 2

PENALTY CHARGES

Penalty charge notices — service by post

- 10.**—(1) An enforcement authority may serve a penalty charge notice by post where—
- (a) on the basis of a record produced by an approved device, the authority has reason to believe that a penalty charge is payable with respect to a vehicle which is stationary in a civil enforcement area;
 - (b) a civil enforcement officer attempted to serve a penalty charge notice in accordance with regulation 9 but was prevented from doing so by some person; or
 - (c) a civil enforcement officer had begun to prepare a penalty charge notice for service in accordance with regulation 9, but the vehicle concerned was driven away from the place in which it was stationary before the civil enforcement officer had finished preparing the penalty charge notice or had served it in accordance with regulation 9,

and references in these Regulations to a “regulation 10 penalty charge notice” are to a penalty charge notice served by virtue of this paragraph.

(2) For the purposes of paragraph (1)(c), a civil enforcement officer who observes conduct which appears to constitute a parking contravention shall not thereby be taken to have begun to prepare a penalty charge notice.

(3) A regulation 10 penalty charge notice shall be served on the person appearing to the enforcement authority to be the owner of the vehicle involved in the contravention in consequence of which the penalty charge is payable.

(4) Subject to paragraph (6), a regulation 10 penalty charge notice may not be served later than the expiration of the period of 28 days beginning with the date on which, according to a record produced by an approved device, or information given by a civil enforcement officer, the contravention to which the penalty charge notice relates occurred (in these Regulations called “the 28-day period”).

- (5) Paragraph (6) applies where—
- (a) within 14 days of the appropriate date the enforcement authority has requested the Secretary of State to supply the relevant particulars in respect of the vehicle involved in the contravention and those particulars have not been supplied before the expiration of the 28-day period;
 - (b) an earlier regulation 10 penalty charge notice relating to the same contravention has been cancelled under regulation 23(5)(c); or
 - (c) an earlier regulation 10 penalty charge notice relating to the same contravention has been cancelled under regulation 5 of the Representations and Appeals Regulations.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (6) Where this paragraph applies, notwithstanding the expiration of the 28-day period, an enforcement authority shall continue to be entitled to serve a regulation 10 penalty charge notice—
- (a) in a case falling within paragraph (5)(a), for a period of six months beginning with the appropriate date; or
 - (b) in a case falling within paragraph (5)(b) or (c), for a period of 4 weeks beginning with the appropriate date.
- (7) In this regulation—
- (a) “the appropriate date” means—
 - (i) in a case falling within paragraph (5)(a), the date referred to in paragraph (4);
 - (ii) in a case falling within paragraph (5)(b), the date on which the district judge serves notice in accordance with regulation 23(5)(d); or
 - (iii) in a case falling within paragraph (5)(c) the date on which the previous regulation 10 penalty charge notice was cancelled; and
 - (b) “relevant particulars” means particulars relating to the identity of the keeper of the vehicle contained in the register of mechanically propelled vehicles maintained by the Secretary of State under the Vehicle Excise and Registration Act 1994.

To the Cabinet Member for Planning and Development and the Cabinet Member for Housing and Public Protection

Affordable Housing

A suggestion was made that the Overview and Scrutiny Committee should look at the question of the provision of affordable housing in a task and finish group. The suggestion was made before the report to Cabinet of 23rd November 2017 had been seen by the member who made it.

The Committee agreed that the report was a very comprehensive and useful document, in that it thoroughly discussed all the various options and issues surrounding affordable housing in its various forms, that is rented and shared ownership options. It was agreed by the Committee that there was little point in setting up a task and finish group to look into the question when quite clearly the Cabinet member for Housing and Public Protection and her team were continuing to explore a number of options including that of the creation of a separate housing company.

Having decided that, the Committee will not take a key issue any further, it was noted that nowhere in the document was the option of low-cost housing to buy mentioned.

It was noted out that some councils have been engaged in the provision of modest housing development to be sold at such a price that buyers could afford on a relatively modest salary.

The suggestion is therefore made and that the relevant Cabinet Members and their officers add to their work programs the development of modestly priced housing in an effort to get more people, at least those who wish it, started on the housing ladder and fulfilling the apparent national objective of Owning Your Own Home.

Councillor David Coldwell
Vice Chairman of Overview and Scrutiny
Monday 11th December 2017

Response from the Cabinet Member for Housing and Public Protection

Affordable Housing

Thank you for the email that you sent on behalf of the Overview & Scrutiny Committee (OSC). I am glad that the OSC considered that the Cabinet report on affordable housing was useful and comprehensive. As the report noted, for the period 2010 - 2016 we made some good progress delivering over 1110 new affordable rented and shared ownership homes across the district. It is also the case that increasing the supply of affordable homes, and in particular homes that people in need can afford, remains a priority and a key part of the Council's housing strategy.

I note that the OSC has identified that some councils are investing in affordable housing for sale with the aim of helping people on to the housing ladder. It has also requested that this be picked up as part of our work on affordable housing. I think this is a good idea and feel that fits nicely with the next steps we set out in the Cabinet report. The report identified three options that we want to explore to deliver new affordable homes and make the best use of committed sums. These were: continuing to work with our Registered Provider partners, delivering more temporary accommodation and exploring the creation of a housing company. If we take the final option as an example, some councils have used this model to

provide affordable tenures such as shared equity or shared ownership and therefore meet the very need identified by the OSC. As a result I will make certain it is considered as part of the next phase of work on affordable housing as we want to explore as many options as possible.

I hope the OSC finds this response constructive and would encourage members to follow our work on affordable housing and to let me know if they would like to attend future meetings of the Housing & Public Protection Policy Development Advisory Group to see how it progresses.

Councillor Kate Rowbottom
Cabinet Member for Housing and Public Protection
9th January 2018

Overview & Scrutiny Work Programme
May 2017 to May 2018

	Scrutiny & Overview Committee	Traffic Around Primary Schools T&F Group	CenSus Revs and Benefits Service T&F Group	
June	S106 Funding report from BISC Call-In Note			
July	24 th July Cabinet Member interview Quarterly Finance and Performance Report from June 2017 12 month follow up on s106review to review outcome and progress (see SO minutes 14/03/16)			
August		1 st meeting to appoint chairman, agree terms of reference, scope review and agree work programme and timescales.		
September	25 th September Cabinet Member Interview Quarterly F&PSC Report		1 st meeting to appoint chairman, agree terms of reference, scope review and agree work programme and timescales.	
October			12 th October 2 nd Meeting (TBC by Group)	
November	27 th November Cabinet Member Interview Quarterly F&PSC Report MTFS	9 th November 2 nd Meeting to consider feedback from school questionnaires		
December		14 th December Final meeting of the Group (TBC if required)		
January 2018	23 rd January 2018 Cabinet Member Interview Budget	Final Report to O&S		
February				

Overview & Scrutiny Work Programme
May 2017 to May 2018

March	26 th March Cabinet Member Interview Quarterly F&PSC Report Crime and Disorder End of Year Report (TBC)			
April				
May				
June	12 month review of new format of O&S with T&F Groups (see minutes of O&S 5/6/17) Cabinet Member Interview			