

MINUTES OF A MEETING OF THE
PERFORMANCE SCRUTINY
COMMITTEE HELD IN THE
WAYTEMORE ROOM, COUNCIL
OFFICES, BISHOP'S STORTFORD ON
WEDNESDAY 10 MAY 2006 AT 7.30 PM

PRESENT: Councillor Mrs D L E Hollebon (Chairman).
Councillors P R Ballam, H G S Banks, S A Bull,
E J Cain, A M Graham, L R Pinnell, J O Ranger,
J P Warren.

ALSO PRESENT:

Councillor A P Jackson

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Committee Secretary
Dave Cooper	- Performance Officer
Martyn Dutfield	- Head of Leisure
Will O'Neill	- Head of Housing and Community Planning
Ceridwen Pettit	- Head of Performance
Jackie Sayers	- Scrutiny Officer

ALSO IN ATTENDANCE:

Simon Parkinson	- Aspire Leisure
Michelle Davies	- Aspire Leisure

861 APOLOGY

An apology for absence were submitted on behalf of
Councillor A D Dodd.

862 CHAIRMAN'S ANNOUNCEMENTS

The Chairman reported that Appendix A5 (Performance
Monitoring of Leisure Contract) had been reprinted in
colour for clarity and that Appendices A7 (Strategic Plans

2005/06: Progress Report) and A9 (Best Value Review Action Plans: Progress Report) had been printed on white paper.

She announced that in respect of Minute 870 – Work Programme this would be deferred until the meeting on 23 May 2006 and requested that Members bring their papers to that meeting.

The Chairman thanked those Members who had taken part in the question planning session at 7 pm. She commented that Councillor A D Dodd had submitted a question in advance of the meeting. It was hoped that this new approach would help make the meetings more efficient.

The Chairman announced that this was the last meeting in the Civic Year and thanked Members and Officers for their support.

863 DECLARATIONS OF INTEREST

Councillor S A Bull declared a personal and prejudicial interest in Minute 866 (First Annual Review of Management Arrangements for the Council's Two Homelessness Hostels and Re-provisioned Temporary accommodation in the Private Sector) by virtue of the fact that he was a Board Member. (He left the meeting for the evening, prior to the item being discussed).

Councillor A M Graham declared a personal interest in Minute 868 (Strategic Risks Monitoring Report 1 January – 31 March 2006) in relation to the Rhodes Arts Complex by virtue of the fact that he hired the services of the Complex.

864 MINUTES

The Minutes of the meeting held on 13 April 2006 were submitted. Councillor A M Graham requested that his attendance at that meeting be recorded. Further, Councillor L R Pinnell commented that no reference had been made in the Minutes to the “three markets; decline of the town centres”. He requested that this issue be included

in the Work Programme.

RESOLVED - that the Minutes of the meeting of the Performance Scrutiny Committee held on 13 April 2006, as amended, be confirmed as a correct record and signed by the Chairman.

865 PERFORMANCE MONITORING OF LEISURE CONTRACT

The Head of Leisure submitted a report which detailed how the Council's Contractor, Aspire Leisure Trust, had managed East Herts' leisure facilities between the period January and mid April 2006. He referred to an article in the Mercury Newspaper concerning water quality and commented that this referred to an occasion in September 2005 when the water at Hartham Pool was tested. Following the results, the Pool had been closed and action taken immediately.

It was noted that a number of planned and unplanned reviews had been undertaken which provided greater insight into the effective management of the facilities under Aspire's control. Contract compliance had been nearly achieved across all areas of operation within the first 9 months of operation. Overall there had been an improvement of 2.15% in terms of measurable outputs between the overall 2nd quarter results and the overall 3rd quarter results.

The Head of Leisure reported that casual swimming was a cause of concern with attendances down by 12%. Health and Fitness Gym Memberships and attendances had increased.

Despite these slight improvements Aspire was projecting a loss in the first year which was greater than originally thought. The Company had indicated that they would not be in a position to sustain such a loss in the second year of the contract and beyond. Regular meetings were being held with the Council's senior managers and Executive Members to monitor the position and their Board was

ACTION

considering a range of measures to rectify the position.

It was noted that a claim submitted by Aspire in the sum of £47,500.11 in respect of staff payroll costs prior to the management transfer had been partially settled via an interim payment in the sum of £26,000. A settlement figure of £32,150 had recently been agreed upon. A further claim in relation to lost income for the Leventhorpe Pool and its three week closure was anticipated. Additionally NNDR rate relief had also been requested from Aspire which would, if granted, total around £30,000. The additional liabilities could not be met from the existing budgetary provision and it would be necessary to seek a virement or supplementary estimate.

It was noted that the computerised IT booking system was operational at Fanshawe and Hartham and that it should be operational at Grange Paddocks and Leventhorpe by the end of April 2006.

In advance of the meeting, Councillor A D Dodd had commented upon a previous recommendation in relation to improving the promotion of fitness centres and asked what had been done and what was the effect.

Simon Parkinson commented on the investment in marketing campaigns and the promotional literature. He undertook to provide all Members with a detailed account of the action which had been taken.

Members sought clarification on a number of further issues including:

- casual swimming and what had been done to promote this;
- the rationale for the downturn in attendances and why this had happened;
- programmed use of the pool and its effect on users;

ACTION

- pensioners who could not access the gym because of a change in the programme and time banding / pricing structure;
- negotiations with schools and winning more time from them;
- the need to continue to publish promotional literature detailing peak and off peak times in locally used literature (e.g. Buntingford Journal etc);
- the possibility of risk to the general public (prior to the closure of the pool) and the negative news in the Mercury newspaper. Further the need to publish a rebuttal;
- the “drop off” in percentage terms in relation to Royston and Ward Freman Pools;
- the projected losses, what these related to and why funds were not set aside in relation to costs which were anticipated to be incurred prior to the management transfer; and
- the application for NNDR and whether this had been approved

Aspire Leisure and officers provided clarification on these issues where possible. Simon Parkinson undertook to provide written responses to Members with more detailed information regarding issues of concern, including details of the promotional activities regarding casual swimming.

The Leader commented that at a strategic level, the Council was having discussions with Aspire on a number of issues and these included the programming of the pool and group usage so that they could be more economically focussed. He commented that a press conference had been arranged for this Friday to which Aspire had been invited. At that meeting, Aspire’s position would be

ACTION

clarified. It would also provide an opportunity to counter the negative press releases. The meeting on Friday would consider a range of management issues to ensure that the Contractor provided an efficient service. He commented that there was a need to reassure customers that the contract was being fulfilled and that services were being delivered.

Members reiterated the need to scrutinise the Contractor's performance.

Members welcomed the decision to ensure that promotional literature including that of casual swimming, be given a wide circulation and that a Press Conference had been organised to facilitate more positive press coverage.

RESOLVED – that the report be received.

866 FIRST ANNUAL REVIEW OF MANAGEMENT ARRANGEMENTS FOR THE COUNCIL'S TWO HOMELESSNESS HOSTELS AND RE-PROVISIONED TEMPORARY ACCOMMODATION IN THE PRIVATE SECTOR

The Head of Housing and Community Planning submitted a report concerning the new management arrangements for two temporary homeless (hostel and self contained accommodation for support staff) in East Herts effective from 1 April 2005. The new arrangements were set out in the report, now submitted.

The three elements of the review in relation to hostels and the formal monitoring of Paradigm's management were based on:

- Contract and lease
- Nominations Agreement
- Management Specification

ACTION

It was noted that the annual rental income in the sum of £62,500 had been received and that the nomination agreements which established protocols to ensure the most efficient and effective use of the hostels was working well. The management specification covered issues such as customer care, complaints, service failure etc. An update was provided on each of the criteria.

In relation to the temporary self contained accommodation, Bridgefoot House Hostel had been decommissioned in favour of self contained accommodation provided by the private sector and managed by Frays Housing Association. Target provision of 20 self contained homes across the district had been achieved. Further, a contract had been signed between Paradigm, Stort Valley Housing Association and Hertfordshire County Council for the provision of support to people in temporary accommodation.

It was noted that Paradigm would be invoking a penalty in relation to the Council's failure to nominate tenants which lost them rental income and arose through the Council's success in funding innovative solutions for potential homelessness. Given the benefits of this situation, this was viewed as positive news to the Council and Officers.

It was noted that in terms of self contained homes the target provision for three bed-roomed accommodation had been exceeded which was considered beneficial as it allowed families to be kept together and provided them with more space.

Members welcomed the real progress which had been made.

RESOLVED – that (A) the report be noted;

(B) a visit by Members to the Frays properties be included on a future tour of the District.

DPP

ACTION867 STRATEGIC PLANS 2005/06: PROGRESS REPORT

The Interim Executive Director submitted a report concerning the progress made in implementing the Strategic Plans for 2005/06. In future, one plan, the Corporate Strategic plan would be submitted to Performance Scrutiny Committee.

It was noted that of the 133 actions in the Strategic Plans:-

80% (106) had been achieved; and

20% (27) had their completion date revised;

Those not achieved, would continue to be monitored on Covalent and reported at six monthly intervals.

Clarification was sought on the target dates and the fact that these appeared to be a "long way off". Concerns were also expressed in relation to the need to ensure that the Human Resources Committee implemented the HR Strategic Plan identified in the report, now submitted.

RESOLVED – that (A) the progress made in implementing the Strategic Plans for 2005/06 be noted;

ED

(B) the revised completion dates for certain actions within the Strategic Plans 2005/06 be agreed; and

DCG

(C) Human Resources Committee be requested to investigate the delays in implementing the HR Strategic Plan Actions and ensure that plans were in place to rectify performance.

DCG/DOD

ACTION868 STRATEGIC RISK MONITORING REPORT (1 JANUARY
– 31 MARCH 2006)

The Director of Corporate Governance submitted a report which detailed the action taken to mitigate and control risks tracked by strategic risk registers during the period 1 January to 31 March 2006. It was noted that parts of the Comprehensive Performance Assessment (Use of Resources Key Lines of Enquiry), required that reports be submitted to the responsible Committee to ensure that corporate business risks were being actively managed. In future, such reports would be submitted to the Audit Committee.

Operational and strategic risks had been evaluated using a rating system in relation to “potential impact” and the “likelihood of an event happening without controls being in place”.

Of particular concern was SRB11h – “Leisure Contract” which was expected to be in “Control” at the end of quarter 4 but was considered to be “Critical” in view of the financial downturn experienced by Aspire Leisure Trust. SRB2 – “Decision Making Process” was now “in Control” at the end of quarter 4.

It was noted that quarter 4 action had not been fully achieved in relation to SRB 18 – Procurement Toolkit, and that the risk rating should be changed to that of quarter 3. The need to ensure that the Toolkit covered price and suitability was stressed by Members.

Similarly, it was noted that quarter 4 action had not been fully achieved in relation to SRB19 – Project Management and that the current risk rating be changed to that of quarter 3.

Members supported the suggestion to include the Rhodes Arts Complex on the Risk Register in view of the Council’s capital investment in the project.

ACTION

A Member referred to SRB11d – Restructuring the Senior Management Team and Review of Heads of Service and requested that Officers confirm that the current status for quarter one is correct.

DOD

A member requested whether the I&DEA (Improvement and Development Agency) Efficiency Health Check report had been received by the Council in relation to SRB18 – the Procurement Toolkit. The Head of Performance confirmed that it had, and undertook to circulate the report separately.

RESOLVED – that (A) the progress in taking action to mitigate and control risks tracked by strategic risk registers be noted;

(B) the changes in relation to SRB 18 Procurement Toolkit and SRB19 – Project Management be noted; and

(C) the report be referred to the Executive on 30 May 2006 with a request that the Executive include the Rhodes Arts Complex on the 2006/07 Risk Register to monitor any concerns which may affect this Council.

DCG

869 BEST VALUE REVIEW ACTION PLANS: PROGRESS REPORT

The Interim Executive Director submitted a report concerning the action plans from the Best Value Reviews of Organisational Development, Environmental Stewardship, Development Control, Health and Living Support and the Leisure and Recreation Services Improvement Plan.

The Appendix to the report now submitted, detailed the current status for those actions which had had their completion dates revised.

ACTION

Members queried whether the Meals on Wheels service used voluntary workers. It was noted that a decision had been taken to introduce paid staff. Members stressed the need to ensure that voluntary workers were still welcome. The Leader undertook to ask Councillor Parker to write to the Member clarifying the position.

RESOLVED – that (A) the progress against Best Value Review Actions Plans be noted;

(B) the revised completion dates be agreed;

(C) Performance Scrutiny Committee no longer monitor the Development Control Action Plan; and

(D) the Human Resources Committee investigate the delays in implementing the Action Plan and ensure that the Plans were in place to rectify performance.

DCG/DOD

870 WORK PROGRAMME

RESOLVED – that the report be deferred to the meeting on 23 May 2006.

Chairman
Date

The meeting closed at 9.14 pm.