

MINUTES OF A MEETING OF THE
CORPORATE BUSINESS SCRUTINY
COMMITTEE HELD IN THE COUNCIL
OFFICES, THE CAUSEWAY, BISHOP'S
STORTFORD ON TUESDAY
22 JANUARY 2008 AT 7.30 PM

PRESENT: Councillor J O Ranger (Chairman).
Councillors R Beeching, Mrs R Cheswright
(Substitute for S Rutland-Barsby), R N Copping,
K Darby, R Gilbert, J Mayes, M Pope, R I Taylor
(Substitute for A M Graham), J P Warren.

ALSO PRESENT:

Councillor N P Clark, Mrs M H Goldspink,
A P Jackson, D A A Peek, M Tindale, M Wood.

OFFICERS IN ATTENDANCE:

Anne Freimanis	- Chief Executive
Mandy Barton	- Principal Accountant
Lorraine Blackburn	- Committee Secretary
Simon Chancellor	- Head of Financial Support Services
Simon Drinkwater	- Director of Neighbourhood Services
Lorna Georgiou	- Performance and Improvement Co-ordinator
Philip Hamberger	- Director of Internal Services
Marian Langley	- Scrutiny Officer
Anna Osborne	- Estate Surveyor
George A Robertson	- Director of Customer and Community Services
Joy Stevenson	- Interim Scrutiny Officer
Katie Taylor	- Accountant

ALSO IN ATTENDANCE:

Wayne Allen	- Police Community Support Officer
Alison Bayley	- Thorley Residents' Association
Robin Dunne	- Fairbet
Richard May	- Fairbet
Peter Simon	- NB Real Estate Sainsbury's Managing Agent

489 APOLOGIES

Apologies were submitted on behalf of Councillors A M Graham and S Rutland-Barsby.

490 CHAIRMAN'S ANNOUNCEMENTS

The Chairman, welcomed members of the public and clarified the running order of the agenda.

491 DECLARATIONS OF INTEREST

Councillor R N Copping declared a personal interest in relation to Minute 494 (Capital Programme) regarding a "past payment" received in relation to Sanville Gardens.

Councillor N P Clark declared a personal interest in relation to Minute 497 (Service Options 2008/09) by virtue of the fact that he was the Secretary of Harlow North.

RESOLVED ITEMSACTION492 MINUTES

RESOLVED – that the Minutes of the meeting held on 4 December 2007 be confirmed as a correct record and signed by the Chairman.

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493 RELAXATION OF RESTRICTIVE COVENANT – UNIT 4
THORLEY NEIGHBOURHOOD CENTRE, BISHOP'S
STORTFORD

The Executive Member for Resources and Internal Support submitted a report providing the background to a request for a relaxation of the restrictive covenant on Unit 4, Thorley Neighbourhood Centre. The covenant prohibited the use of the unit for certain uses, including as a betting shop. The Council no longer prohibited the use of premises for betting shops and currently had two shops leased for this use; in Havers Lane, Bishop's Stortford and on Sele Farm Estate, Hertford.

Members noted that in accordance with a recommendation by Performance Scrutiny Committee on 15 February 2007, Sainsbury's had carried out a marketing exercise of prospective users. Of the seven offers received, the betting shop was the only one recommended by Sainsbury's Managing Agent as viable.

The Chairman allowed Alison Bayley, Chairperson of Thorley Residents' Association, the opportunity to express the concerns of residents. She referred to proposed long opening hours, smoking outside the premises, the morality of gambling, limited parking, and the results of petitions objecting to a relaxation. She stressed that residents wanted a shop such as a normal café, which would reflect the day to day needs of the majority of residents.

Police Community Support Officer Wayne Allen, commented on the improvements made by Sainsbury's in the area including the installation of CCTV. He commented that based on past experience, betting shops did not present crime related problems.

Mr. Dunne (Fairbet) submitted his comments in support of the relaxation. He commented that Magistrates had found no evidence on which to reject a licence application for a betting shop at this location, that the premises were

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suitable and that there was sufficient demand for a betting shop. He referred to positive comments made by a Police Officer at the previous meeting.

A survey undertaken by Fairbet of 1000 people indicated that there was above average demand for this use. Anti-Social behaviour was not an issue. Mr Dunne confirmed the proposed opening hours.

Paul Simon (Sainsbury's agent) provided an outline of the marketing exercise which had been undertaken. He referred to the Unit's previous uses, which had not been financially viable.

Councillor Mrs M H Goldspink urged Members not to relax the covenant. She expressed concern about the vulnerability of some Members of the community who could become addicted. She referred to a betting shop in Havers Lane and commented that there was not sufficient demand for a betting shop at Thorley. Councillor Mrs M H Goldspink commented that a survey by Liberal Democrats found that there was overwhelming opposition to the relaxation for a betting shop. She commented on preferred uses such as an internet café.

Councillor D A A Peek opposed a request to relax the covenant and commented that the restriction was placed on the lease so that the use could be controlled. He commented on the role of Councillors of being custodians of what the community wanted.

Previous tenants of the Unit were explained and why these uses had failed.

A Member commented that she had visited the area and was more concerned about litter and bags outside of the hospice. She supported lifting the restriction.

A Member commented that the shop had been empty for two years and the fact that Havers Lane was not close. He referred to a betting shop at Snowley Parade which had not

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created any problems and neither had the one in Bishop's Stortford. He supported relaxation of the covenant.

Members acknowledged that the shop had been empty for two years and the businesses which had failed. Whilst Sainsbury's had undertaken a marketing exercise to find prospective tenants, it was noted that a decision had not yet been taken by Sainsbury's to have a betting shop at this location but that this was under consideration.

Following a vote, Members supported a recommendation to relax the covenant. It was noted that the decision could be taken by the Executive Member for Resources and Internal Support as a Non-Key Decision.

RESOLVED - that the Executive Member for Resources and Internal Support be informed that Corporate Business Scrutiny support the relaxation of the covenant in respect of Unit 4 should Sainsbury's decide to lease the shop as a Betting Shop.

(Note - Councillor Mrs R Cheswright asked that her abstention on the matter be recorded).

494 CAPITAL PROGRAMME

The Executive Member for Resources and Internal Support submitted a report setting out proposals for the Council's capital programme for the period 2007/08 (revised) to 2010/2011. The revised budget for the current year of £6.7M reflected slippage of £1.9M compared to the "current approved" position of £8.6M.

A number of new schemes had been supported by Capital Strategy Group and these were shown in bold in the appendices to the report now submitted. The Executive Member outlined investments planned against the resources available.

Councillor N P Clark asked who was acting in the role of the Section 151 Officer. The Chairman confirmed that

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there were a number of Finance Officers and Directors available and as such, the 151 Officer did not need to be in attendance.

Members of Corporate Business Scrutiny and other Councillors sought clarification on a number of issues, specifically :

- Future borrowing proposals and the fact that in around three years time the Council may need to consider prudential borrowing.
- Provision in the programme for an office relocation.
- Assets disposal assumptions and whether a list was available. The Director of Internal Services undertook to provide the Member with this information.
- Maintaining pools and the Council's obligations.
- Whether any assets for sale were controversial in the context of useable receipts.
- On the inclusion within the programme, of the CCTV Safer Parking Award 2008 (£90,000), On Street Charging – Town Centres (£130,000) and Linking Hertford MSCP to HCC TVP Control Room (£74,000) and to invite the Executive to consider and reassess the need for those particular schemes.
- Capital grants and how they were now processed.
- The introduction of the kitchen caddies recycling initiative. It was noted that this issue had already been included and approved in an earlier report to Committee. Members supported a recommendation to request Environment Scrutiny Committee to review the proposal to distribute free kitchen caddies and whether this was the best use of money and whether

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this could be done in a subsidised manner as with large composting tubs.

- The Bishop's Stortford Castle Moat and its lack of water.

The Committee agreed to approve the revised programme and to refer the matter of the kitchen caddies to Environment Scrutiny Committee. The Committee also agreed to request the Executive to reassess the need for the three schemes now detailed.

RESOLVED – that the Executive be informed that
(A) Corporate Business Scrutiny supports the new programme for the period 2007/08 (revised) to 2010/2011; and

(B) Environment Scrutiny Committee be requested to review the proposal of distributing Kitchen Caddies and be asked to consider whether this is the best use of money and whether this could be done in a subsidised manner, as with large composting tubs.

DCCS

(C) Corporate Business Scrutiny requests that the need for the following schemes be re-assessed:-

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- CCTV Safer Parking Award 2008
- On Street Charging – Town Centres
- Linking Hertford MSCP to HCC TVP Control Room.

495 ROUND 2 SERVICE ESTIMATES

The Executive Member for Resources and Internal Support submitted a report on the Round 2 service estimates. This reviewed the current year and provided an estimate for next year based on the 2007/08 base position. Fees and

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charges were set out in a separate report elsewhere on the agenda.

Overall the Probable Estimates for services excluding capital financing costs were approximately £400,000 underspent from the Original 2007/08 Estimate.

The Director of Internal Services confirmed that it was not proposed to include a contingency in the 2008/09 budget. Predictions had also been made of the costs of running services.

Members of Corporate Business Scrutiny and other Councillors were provided with clarification on a number of issues, specifically :

- The administration of Section 106 agreements and the £10,000 shortfall in projected income.
- The income shortfall within the Building Control Services. Concerns were expressed at the lack of Building control staff which impacted on the number of inspections carried out, the need to ensure rural areas were included and the need to carry out spot checks.
- The River Stort Sluice Gates which had been removed by the Town Council. The Director of Internal Services undertook to write to the Member on this issue.
- In relation to the Concessionary Transport estimate figures, whether there was a risk.
- In relation to Economic Development whether the windfall Government grant of £147,000 (based on increases in the NNDR tax base) was going to be spent on economic development.

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- In relation to the Corporate and Democratic Core, that there were no plans to appoint another Executive Member.
- The increase in relation to Support Services and Divisions Costs in some service areas.
- Provision for depreciation in relation to capital costs.
- The level of Council subsidy in relation to Hackney Carriage and Private Vehicle Licensing. Whilst Members did not want the public to use unlicensed vehicles, the level of subsidy was felt to be high. Members agreed that the Executive should be asked to review this figure.
- The variances in the cost of service for revenue contributions and grants to voluntary bodies.
- The Council's statutory role in providing certain Pest Services and ensuring that this was affordable to all.
- The Meals on Wheels Service in relation to the choices and quality provided. It was noted that this matter had been raised at Community Scrutiny Committee when Members had requested that this issue be included on the Committee's work programme for investigation.

The Chairman referred to the need for Members and Staff to receive continuous training in order to accommodate ongoing demands by Government. He urged the Executive to ensure that funds were made available to accommodate this. The Leader confirmed that the Executive would be asked to take this on board.

The Committee agreed to recommend to the Executive that the estimates be approved and asked the Executive to review the subsidy in relation to Hackney Carriage and

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Private Vehicle Licensing.

RESOLVED - that the Executive be informed that
(A) Corporate Business Scrutiny Committee supports the probable Revenue Estimates for 2007/08 and the draft Revenue Estimates for 2008/09;

(B) the subsidy of £90,000 (2008/09) in relation to Hackney Carriage and Private Vehicle Licensing be reviewed.

496 FEES AND CHARGES

The Executive Member for Resources and Internal Support submitted a report detailing additional income to the Council which could be generated by increasing fees and charges in 2008/09 in relation to a number of services.

It was noted that the budget strategy for 2008/09 had been submitted to the Executive on 4 September 2007. The report now submitted, explained the rationale for some of the increases. Those fees and charges set by Government were explained.

The Executive Member for Resources and Internal Support explained that parking charges had already been agreed. Other charges set out in the report now submitted, would ensure that these reflected the Council's priorities.

Members of Corporate Business Scrutiny and other Councillors were provided with clarification on a number of issues, specifically :

- On the level of increase in relation to residents season ticket parking which had already been agreed. The Director of Customer and Community Services undertook to provide Members with a written response.

DCCS

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- On the logic around the decision to increase the proposed Meals on Wheels service per unit. It was noted that the Council provided a significant subsidy for this service and that fewer meals meant a higher unit cost.
- In relation to Subsistence Charges, the Director of Neighbourhood Services undertook to write to the Member.
- In respect of the Hackney Carriage subsidy, Members agreed that the Executive should be asked to review this level of subsidy.
- Pest control issues and pricing in relation to cluster flies and bed bugs.

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Members supported the increases in charges and noted that the Executive's attention would be drawn to an earlier request by Members to review the level of subsidy required to fund the Hackney Carriage and Private Vehicle Licensing.

RESOLVED - that the Executive be informed that Corporate Business Scrutiny supports the increases in fees and charges for 2008/09 as set out in the Appendices of the report now submitted.

497 SERVICE CHARGE OPTIONS 2008/09

The Executive Member for Resources and Internal Support submitted a report detailing a number of service options prepared by Heads of Service for their service areas for 2008/09 and beyond, in line with the Medium Term Financial Planning process.

The four options which Heads were asked to consider were:-

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Option 1: – the ultimate desired level of service

Option 2 : current services – maintaining the current level of service;

Option 3: efficiency – running the service with at least 3% efficiency;

Option 4: minimum statutory/minimum economic – the minimum level of service which could be achieved without cutting totally

The Chairman commented that finding ongoing savings of 3% was difficult to maintain in meeting major priorities. It was noted that some of the options chosen, might need to be a hybrid / combination of options in order to maintain an appropriate level of service.

Members of Corporate Business Scrutiny and other Councillors were provided with clarification on the options set out in the report now submitted, specifically:

- Democratic and Legal Support Services - Meetings which could be held during the day. Members were concerned about “rush hour” problems, and excluding Members who worked full time.
- Parking - That Option 3 had already been agreed by Council.
- Customer Services and New Media – of the need to accept a hybrid of Options 1 and 2 with as much a saving as possible.
- Community and Cultural Services – of the need to support Option 3 unless full funding was forthcoming.
- Planning and Building Control – of the constant pressures and time restrictions placed on Development Control staff generally and in relation to

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local proposals (Stansted Airport) and Government proposals such as the Local Development Framework. Members supported Option 2 but agreed to further funding if the service was seen to be declining.

- Health and Housing – of the need to decommission a hostel (by 2012) and the impact the capital receipt would have on the capital programme.

Councillor N P Clark asked why Members had not been provided with a statement showing the Council's level of resources including the Medium Term Financial Plan (MTFP) Model. The Director of Internal Services confirmed that the model was a snap shot in time based on many permutations and one based on the Service Options proposed by the Executive would be included in the consolidated budget report. It was not practical to produce versions covering all permutations of service options at this stage.

The Committee supported the options as now detailed.

RESOLVED – that the Executive be informed that Corporate Business Scrutiny supports the following preferred Options:

- Strategic Direction – Option 3.
- Financial Support Services – Option 3.
- Democratic and Legal Support Services – Option 3 (but that this may need to be a hybrid of two options).
- Revenues and Benefits – Option 3.
- Business Support Services – Option 3.
- People and Organisational Development Service

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- Option 2.
- Parking – Option 3.
- Customer Services and New Media – Options 1 and 2 hybrid saving as much as possible.
- Community and Cultural services – Option 3 possibly a hybrid mix depending on full funding.
- Environmental Services – Option 1.
- Planning and Building Control – Option 2 possibly more if the service was in decline.
- Health and Housing – Option 2.
- Community Safety – Option 3.

498 WORK PROGRAMME 2007/08

Due to the lateness of the hour, the Committee deferred consideration of the Work Programme until the next meeting of Corporate Business Scrutiny Committee on 18 March 2008.

RESOLVED - that the Work Programme be deferred until the next meeting of Corporate Business Scrutiny Committee on 18 March 2008.

The meeting closed at 10.30 pm.

Chairman Date
