

BABERGH AND MID SUFFOLK DISTRICT COUNCILS

Minutes of the meeting of the **JOINT OVERVIEW AND SCRUTINY COMMITTEE** held in the Virtual meeting on Friday, 4 September 2020

PRESENT:

Councillor: Alastair McCraw (Chair)

Councillors:	Siân Dawson	Keith Welham (Co-Chair)
	Lavinia Hadingham	Jane Gould
	Margaret Maybury	John Matthissen
	Mary McLaren	David Muller
	Adrian Osborne	Keith Scarff

In attendance:

Witness(es): Colin Taylor – Managing Director for CGT Consulting Ltd.
Mark Emms- Managing Director – Mark Emms Consulting

Officers: Assistant Director - Environment and Commercial Partnerships (CC)
Interim Corporate Manager -Environment and Commercial Partnerships (CA)
Corporate Manager - Internal Audit (JS)
Senior Governance Support Office (HH)

Apologies:

Councillors Terence Carter
James Caston
Kathryn Grandon

59 DECLARATION OF INTERESTS

59.1 There were no declarations of interests.

60 JOS/19/37 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 20 JULY 2020

60.1 Councillors McCraw, Welham and Hadingham requested a recorded vote.

By 8 votes 3 abstentions

	For	Against	Abstain
Councillor Sian Dawson	x		
Councillor Jane Gould			x
Councillor Lavinia Hadingham	x		
Councillor John Matthissen			x
Councillor Margaret Maybury			x
Councillor Alastair McCraw	x		

Councillor Mary McLaren	x		
Councillor David Muller	x		
Councillor Adrian Osborne	x		
Councillor Keith Scarff	x		
Councillor Keith Welham	x		
Total	8	None	3

It was **RESOLVED**: -

The minutes of the meeting held on the 20 July 2020 be confirmed and signed at the next practicable opportunity.

61 TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH THE COUNCIL'S PETITION SCHEME

61.1 There were no petitions received.

62 QUESTIONS BY THE PUBLIC

62.1 None received.

63 QUESTIONS BY COUNCILLORS

63.1 None received.

64 JOS/19/38 FUTURE DELIVERY MODEL FOR PUBLIC REALM

64.1.1 The Assistant Director – Environment and Commercial Partnerships provided a summary of the background for the Public Realm provision and outlined the differences between the two Districts. She explained the reasons for the recommendations to Cabinet.

64.2 She then introduced Colin Taylor – Managing Director for CGT Consulting Ltd. And Mark Emms- Managing Director – Mark Emms Consulting.

64.3 She also introduced Cathy Aubertin – Interim Corporate Manager- Environment and Commercial Partnerships and explained that this position had now been filled and that the new Corporate Manager would start in October 2020.

64.4 The Chair clarified to Members that there were currently two different service delivery models for Public Realm and that Members had to consider which of the proposed options would deliver the best service to residents.

64.5 Councillors Hadingham, Muller, McLaren and Osborne commended the officers on an excellent report.

64.6 Councillor Scarff asked for information regarding the minor arboriculturally work, which was carried out by Public Realm and the major work carried out

by contractors and how this would be managed in relation to the Cabinet recommendations and what services could be offered to Parish Councils.

- 64.7 Councillor Welham thought that services had not been developed well in the past and that the issues had been with one manager, managing two different services in two Districts. He asked if this would be an issue in the future.
- 64.8 The Assistant Director – Environment and Commercial Partnerships responded that a single manager would be capable of running two services once an efficient management process had been put in place. It was important to have an appropriate management in place for staff and officers. Arboriculture work would be developed in the future, the current priority was to establish and deliver a good service in the first place. Once this was working, consideration for what could be offered to the District and Parish Councils could be progressed.
- 64.9 Councillor Matthissen referred to page 47 in the report and asked why the report did not include arboricultural aspect for trees. He thought the report lacked data in certain parts.
- 64.10 The Assistant Director – Environment and Commercial Partnerships responded that arboriculture data was not included, as this was not included in the IdVerde contract. There were two arboricultural officers working across the District, and their work would continue. She agreed that the review process had some missing of data, caused by a historical lack of data collection.
- 64.11 Mark Emms clarified that the missing data did not have a profound impact on the report as there would now be a transitional period in preparation for the upcoming changes. However, there was further data included in Appendix A. which focused on the future.
- 64.12 Colin Taylor added that when the option appraisal were undertaken, the gaps were likely to be filled for the missing data.
- 64.13 Councillor Dawson was concerned that when the Council took on the maintenance responsibility for larger development sites this included responsibility for Hedges and trees. Her concern was regarding the cost of maintaining these sites and asked if each Council could dip into each other's Public Realm funding budget to cover costs.
- 64.14 The Assistant Director – Environment and Assets responded that an Assets and Investment strategy was being developed, which contained a policy addressing these issues such as taking on land incurring a cost. She wanted to get the correct cost into place for the Public Realm Service.
- 64.15 In response to Councillor Dawson's further questions – the Assistant Director continued that the two Councils would have separate accounts for Public Realm Services. Staff members would be flexible in the support across the two Districts and would be shared across the services.

- 64.16 Councillor Dawson asked regarding the Council's approach in the future when assuming responsibility for the managing and maintaining large trees, as they were expensive to maintain.
- 64.17 The Officer explained that the Councils would continue to maintain those trees already under their care, but that the Councils would be obliged to be robust with developers when taking the responsibility for land. The Councils should not take on land, which had not been kept up to standard.
- 64.18 Councillor Gould asked for clarification for the staff cost, and the Assistant Director responded that the cost for staff would be under the overall staff budget, which was set up proportionally by the size of the service area requirements.
- 64.19 Councillor Maybury referred to Option 2, and that she was concerned that bringing the service in-house would end up costing more than predicted. The Babergh and Mid Suffolk Building Service (BMBS) had been an in-house service, which had had several such issues.
- 64.20 She further requested assurance that the collection of dog bins would continue.
- 64.21 The Assistant Director for Environment and Commercial Partnership said that the Councils had been able to use BMBS as a 'lesson learnt' opportunity and would use this experience to ensure that previous mistakes were not repeated.
- 64.22 She directed Councillors' attention to paragraph 1.1, bullet point 3 (page 13), which included the collection of dogs and street bins.
- 64.23 Councillor Maybury referred to when the Council assumed maintenance of land from developers. The clearing up associated with trees had in the past been expensive when previous Councils had decided to take on the management of land. Parish Councils had been offered to support the maintenance of open spaces in the past and she asked if this would continue.
- 64.24 Councillor Welham referred to Option 2 for both authorities and if this would influence the service provided for Mid Suffolk Public Realm. He asked for reassurance that this would not be affected by a shared service and if an assessment of what additional resources would be required had been undertaken.
- 64.25 The Assistant Director – Environment and Commercial Partnerships responded that resources had been assessed. The Finance and HR Departments had been involved and resources had been scoped and assessed. It was important that a robust management system for Public Realm was put in place for both Councils.

64.26 Councillor Maybury was concerned about the issues around resources such as staffing, benefits, pensions, and the additional vehicles and equipment required, however, the Chair asked that this was discussed in the private session of the meeting.

64.27 Members debated the issues and the Chair asked that for the first part of the debate, Members compared their own past experiences for Public Realm between the two Districts.

64.28 Members provided the following comments (Key: Babergh District Council BDC and Mid Suffolk District Council – MSDC)

- Members from MSDC generally agreed that the Public Realm service had been responsive, resolved any issues quickly and was easy to work with.
- New transfers of land to the MSDC Council ownership, which required legal work, had been undertaken quickly.
- Some Members felt that although the MSDC Public Realm Service was quick to respond to issues raised, the work was not always progressed.
- Other members thought that attempts to get developers and management companies to undertake work on public land was not always easy, but once the Council took on management of the land, Public Realm got the work done quickly.
- Some BDC Members thought the biggest issues were with the legal implications of transfer of land.
- Both Districts had experienced problem with fly-tipping and for MSDC this had generally been dealt with satisfactory, but for BDC some Members had experienced a lack of ownership when dealing with contractors.

Note: Councillor Dawson left the meeting at 1:37pm

- Rural wards in BDC did not always received the same service as other parts of the District and relied on volunteers to maintain public spaces, beaches and shorelines.
- It was difficult to identify, who were responsible for the maintenance of public spaces, whether it was Suffolk County Council, the District Council, the Parish Council, and sometimes local residents undertook work on their own accord.

64.29 Members continued the debate and Councillor Maybury asked for assurance that volunteer litter-picking would continue under all of the proposed options.

64.30 The Assistant Director – Environment and Commercial Partnership responded that she wanted to develop the relationships with volunteers further and that the Council should support and promote this and other possible activities that volunteers could do.

64.31 Councillor Muller said that maintenance management companies, who maintained public land could be difficult to get hold off and he urged caution of choosing this option. He was in favour of an in-house service.

- 64.32 Councillor Matthissen said that there were significant differences of the extent to which public realm work overlapped with volunteers and community work in the different wards.
- 64.33 Councillor Scarff thought that the in-house service for Public Realm was responsive and flexible, and that contractors were difficult to monitor.
- 64.34 Councillor Adrian Osborne returned to the issues regarding fly-tipping and whether the Council received any information of who the fly-tippers were. To which the Assistant Director for Environment and Commercial Partnerships responded that the legislation required that evidence had to be obtained from the site and clearly identified a name and an address of the offender. The Council would always enforce the law, providing there was full evidence.
- 64.35 Councillor Maybury had some reservation for Option 2 and asked if each sovereign Council would have their own allotted time for a shared Public Real service.
- 64.36 Councillor McLaren thought that Public Realm should have more interaction with residents, as many did not know anything about the service provided by Public Realm. She supported option 4.
- 64.37 The Chair agreed and thought that Option 4 should remain an option for the future.
- 64.38 Councillor Welham supported that Option 4 could be considered in the future.
- 64.39 Councillor Maybury believed that a lot of work was undertaken by wardens in the villages and ask if there would be competition between them and LATCo.
- 64.40 The Assistant Director responded that if town and parish councils would be interested in devolution of work in their communities this option could be considered.
- 64.41 Councillor Scarff added that he though consideration for the delivery of different services should be a future option, however, it was important to first establish teams and management and to implement the new system before assuming further responsibilities for Public Realm.
- 64.42 The Chair advised Members that the meeting would now go into closed session and he put the resolution to members for voting.
- Note - the Committee considered the restricted papers in part 2.
- 64.43 The Committee returned to Open Session and the Chair explained that the recommendations in the report was intended for Cabinet and that the Committee were to provide its own recommendations to Cabinet.

64.44 Councillor Welham proposed that the Committee thanked the Assistant Director – Environment and Commercial Partnerships and the Consultants for the report and that the Committee recommended option 2 to Cabinet and that further work be undertaken to develop the KPI and contract management. The option for LACto would continue to be an option for the future.

NOTE: Councillor Gould left the meeting at 15:33pm

64.45 Councillor McCraw seconded the recommendations

By a unanimous vote

It was RESOLVED: -

1. **That the Joint Overview and Scrutiny Committee thanked the Assistant Director for Environment and Commercial Partnership and Consultants for the detailed report and recommended to Cabinet that the Committee endorses Option 2 as the preferred option.**
2. **That further work be undertaken in respect of developing the KPIs and contract management.**
3. **That Option 4 (LATCO) be retained as an option for future consideration by both Councils.**

65 RESOLUTION TO EXCLUDE THE PUBLIC (WHICH TERM INCLUDES THE PRESS)

By a unanimous vote

It was RESOLVED: -

That pursuant to Part 1 of Schedule 12A of the Local Government Act 1972 the public be excluded from the meeting for the business specified in the report on the grounds that if the public were present during the item, it is likely that there would be disclosure to them of exempt information.

66 JOS/19/38 - PART 2 FUTURE DELIVERY MODEL FOR PUBLIC REALM

67 FORTHCOMING DECISIONS LIST

65.1 The Chair deferred the discussion of the Forthcoming Decisions List to the next meeting.

68 JOS/19/39 BABERGH OVERVIEW AND SCRUTINY WORK PLAN

66.1 Item 9 and Item 10, The Babergh and Mid Suffolk work plans were discussed.

66.2 Councillor Welham proposed that with the following changes to the work

plans be approved, which was Seconded by Councillor Muller:

- That the January 2021 meetings be separate
- That the Citizens Advice Item in January 2021 be moved to February.

By a unanimous vote

It was RESOLVED: -

That with the above changes the Babergh and Mid Suffolk Overview and Scrutiny Work plan be approved.

69 JOS/19/ MID SUFFOLK OVERVIEW AND SCRUTINY WORK PLAN

67.1 Please see previous item.

The business of the meeting was concluded at Time Not Specified.

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Chair