

OVERVIEW SELECT COMMITTEE

23 March 2021 at 6.00 pm

Present: Councillors Northeast (Chairman), English (Vice-Chair), Bennett, Bicknell, Mrs Cooper, Cooper (Substitute for Dendle), Dixon, Edwards (Substitute for Elkins), Gunner, Huntley, Miss Needs, Miss Seex, Tilbrook and Ms Thurston (Substitute for Mrs Catterson)

Councillors Coster, Mrs Gregory, Roberts and Dr Walsh were also in attendance for all or part of the meeting.

Apologies: Councillors Catterson, Dendle, Elkins, Lury, Staniforth and Oppler

504. DECLARATIONS OF INTEREST

A request to change the order of the agenda was made to bring item 10 forward to item 5 before the Cabinet members in attendance had to leave the meeting. The Chairman agreed that item's 5 and 6 would continue as planned as there were guests in attendance for these items after this then item 10 would be brought forward to item 7.

The Chairman declared a personal interest in item 8 [Equalities and Diversity] as his wife was an employee of the Council.

Councillor Bennett made an open-minded declaration in item 9 [Feedback from the Police and Crime Panel meetings held on 15 January and 29 February 2021] as he was a candidate for the Police and Crime Commissioner election.

505. MINUTES

The Committee approved as a correct record the minutes of the meeting held on the 26 January 2021 and agreed that the Chairman would sign these as soon as practicably possible.

506. GREENSPACE MANAGEMENT CONTRACT

The Environmental Services and Strategy Manager provided members with an overview of his report, where he drew members attention to the following key points;

- That there had been a consistent and constant flow of communication in terms of the planning and execution of the contract during the last 12 months and that this had strengthened the working relationship between Tivoli and the Council, enabling any day to day issues to be resolved swiftly.
- Page 5 (page 13 of the agenda) of the report before members highlighted the contract performance scores which showed that high level of standards had been maintained throughout the pandemic.

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- He expressed that the hard work that had been completed behind the scenes had allowed for a consistent, largely uninterrupted service, all while keeping Tivoli staff and the Council officers safe and protected from unnecessary risk
- Finally, he drew members attention to part 6 of the report that highlighted the Council's 6th Green Flag award had been achieved in 2020 for Brookfield Park in Littlehampton.

He then introduced Ian McIlroy, Danny Willmott and Dave O'Hare from Tivoli Group Ltd who provided members with a presentation on their performance over the last 12 months.

Members then took part in a full debate where the following points were raised;

- A question was raised regarding the flowering shrubs in Littlehampton that had been replaced by dwarf hebe, which was felt to have depleted the insect population in that area. It was advised by the Parks & Cemeteries Manager that the Council always tries to balance the appropriateness and species selected for planting schemes to the particular challenges of the space. It was also commented that the Council were always happy to hear from members of the public with their feedback.
- Discussion was had on the challenge of litter being left in public spaces and the increased collections needed to keep up with the level of visitors. Comments on education for the public on what to do with their litter if the bins were full, along with signage on the bins with clear contact details and a designated number for the bin, to ensure that it can be easily identified for the public to report. Concerns were also discussed at the increase in visitors that would also be seen at the beaches within the district over Bank Holidays and school breaks. It was confirmed that bin numbering was already in place for bins on the cleansing contract (Biffa) and that the Parks team would look to implement similar for some of the key parks. Tivoli were expecting a much busier Easter and summer period and plans were already being drawn up to be in place in time for the seasonal peaks.
- Clarification was sought on who would lead on the biodiversity plan for the Council, it was confirmed that a formal Biodiversity Action Plan is led by Planning, but that the Greenspace Service would continue working in partnership with Tivoli to deliver projects within parks and public open spaces that support biodiversity.
- Concern raised in relation to vandalism within the district and the ongoing cost of putting this right was raised. It was confirmed that this was closely monitored, and a list of hot spots did exist. Furthermore, the teams were working on plans to address and minimise the risk of vandalism happening within the district, from locking Hotham Park gates earlier, and working with the local Police. It was also confirmed that unfortunately there were a few persistent individuals who keep causing problems and unfortunately there was a cost to rectifying these issues.

Having fully debated the item the Chairman then drew the item to a close, thanked those in attendance from Tivoli Group Ltd, the Environmental Services &

Strategy Manager and the Park & Cemeteries Manager for their presentation and report update.

The Committee then noted the report.

507. COMBINED CLEANSING SERVICES CONTRACT - BIFFA

[Councillor Roberts and Dr Walsh left the meeting at 18:58pm. Councillor Gregory arrived at the meeting at 19:39pm]

The Environmental Services and Strategy Manager provided members with an overview of his report, where he drew members attention to the following key points;

- Section 1 and 2 of the report that detailed the scope of the contract that Biffa was responsible for.
- Section 3 of the report that detailed the challenges of the last 12 months, operating in a pandemic and in line with restrictions. He commented that Biffa had done a brilliant job in maintaining their excellent service levels.
- Section 4 outlined the Council's approach to managing the contract
- Section 5 covered detail of the areas of performance that were monitored in line with the Councils' Corporate Plan and Service delivery Plan.
- Section 6 summarised health and safety compliance and that this area was priority for both Biffa and the Council.

He then introduced Fabrice Bouchon and Damien O'Neill from Biffa Municipal Ltd who provided members with a presentation on their performance over the last 12 months.

Members then took part in a full debate where the following points were raised;

- The Chairman commented that he had nothing but praise for the way Biffa had seamlessly operated over the last year and that it was also really good to hear that they had kept themselves safe throughout the pandemic.
- A query regarding street washing, specifically, related to the public realm work expected to take place in Littlehampton that was inclusive of new paving through part of the town centre and would street washing of this area be something that Biffa could incorporate. It was confirmed that this would be taking place.
- In answer to a question relating to Biffa recruitment and the salary for staff, it was explained that from a contract management point this would be something that would be addressed at contract renewal stage. The representative from Biffa also confirmed that they had a companywide goal to become a real living wage company.
- Clarification was sought on Waste Electrical and Electronic Equipment (WEEE) recycling collections and what exactly can residents put out for this. It was explained that all the collection vehicles were fitted with cages to allow the crew to pick up the waste of electrical equipment. However, the cages

were limited on their size, and because of this it would be electrical appliance that would fit in a carrier bag.

- Discussion took place regarding the missed bin collections in Rustington and East Preston and that for a short period Green Waste collection were also suspended. It was also raised that there had been a significant issue in reporting and resolving the issue of the bins overflowing in the summer months throughout Rustington and, East Preston. Several members were in agreement with this concern and it was asked by the Leader of the Opposition how were the daily priorities adjusted and how were these decided at this time? It was clarified that there was no impact to the refuse collections, but there were 8 days of impact to the Green Waste collections. It was also explained that litter was a massive challenge, a combination of the lovely weather and increased visitors to the area. There were several lessons learned from this and there were elements of shared responsibility. It was a balancing act and it was difficult at times due to staffing issues. However, the Council and Biffa were now in a much stronger position; contingency planning has gone well, and there will be extra measures brought in to mitigate a busy Easter and the busy summer months. It was also clarified that there were daily communications between the Council and Biffa, where any resident complaints and or Member complaints were dealt with quickly and escalated when needed. The Environmental Services and Strategy Manager stated that he believed the approach taken last year was reasonable, and he was comfortable with the decisions and actions taken at that time.
- Comments were made regarding combatting the issue with Seagulls ripping open rubbish bags. It was explained that in Bognor Regis there was currently a trial ongoing with the use of Seagull proof bags (hessian sacks).
- A query was raised specifically as to what happens with the rubbish collected from the curb side and was any of that material able to be recycled. It was confirmed that residual waste goes through the Mechanical and Biological Treatment (MBT) Plant in Horsham and recycling collections are process through the Materials Recycling Facility (MRF) in Ford. Both of these sites are operated by West Sussex County Council (WSCC) as the waste disposal authority.
- It was raised by the Chairman that it was almost time for grass verges to be cut, he asked if there was any partnership working between Arun and West Sussex County Council (WSCC) specifically to ensure that a litter pick was completed before the verges are cut, to stop the litter that had accumulated being left to blow around the district. It was confirmed that a Working Group has been started between Arun and WSCC, not only would litter picking of the grass verges take place, but that this would also improve the communication between the two Council's to ensure that resources are in the right place at the right time.,
- A concern was raised regarding the height and style of the bins along Bognor Seafront, which made it difficult for those in wheelchairs to use.. It was confirmed that some larger bins had been placed to allow for a greater capacity during peak times and that more recycling bins would be installed in May 2021. The Cleansing Operations Manager was more than happy to look at options for additional bins would be easily accessible to all.

The Chief Executive then confirmed to members that the Government had been consulting on waste, he confirmed that they announced on Monday (22 March 2021) that they were entering their second round of this waste consultation. One of the options that had been put forward was food waste collections. He explained that the Council would be responding to that consultation and that Arun were working with WSCC and the District Councils' Network (DCN) on what waste collections may look like in the future.

Having fully debated the item the Chairman then drew the item to a close, thanked those in attendance from Biffa Municipal Ltd, the Environmental Services & Strategy Manager and the Cleansing Manager for their presentation and report update.

The Committee then noted the report.

The Chairman then confirmed to members that were in attendance that, as there was only one Cabinet Member in attendance at this point in the meeting he would commence with the original order of the agenda and the next item would be the Covid-19 update.

508. COVID-19 UPDATE

The Chairman stated that on this day of reflection, he was sure that we all knew someone who had lost someone to Coronavirus, including one of our own Arun colleagues. Our thoughts go out to all those that had been affected over the last year.

The Chief Executive provided members with an overview of his report, he drew members attention to the following points;

- The Government had announced today more grant money that would be made available to Councils. In particular that all Council's would be in receipt of a Covid Outbreak Management Fund (COMF) grant. This funding would be distributed via West Sussex County Council (WSCC) and could be used for a number of activities.
- Further funding for Housing bids and funding to aid homelessness, from money advice right through to digital inclusion tools

Members were then invited to ask questions on the report update which are summarised below;

- Questions in relation to Government grant monies, how much had been retained by the Council versus how much had been given out were asked. It was advised that a written answer would be given to answer these questions.
- Staff returning to the office, it was asked if staff had yet returned to working one day from the Council buildings it was confirmed that there had been approximately 15/20 people who had and were still working out of the Council buildings. It was also confirmed that the Election Team were now also working from the office preparing for the upcoming election in May 2021. It

was also stated that there was some cross-communication in terms of Government guidelines as these, still state that office workers should continue to work from home where possible until 21 June 2021. It was also confirmed that Local Government Association (LGA) and the District Council Network (DCN) had been pushing the Government for a decision to be made regarding virtual meetings at a local level to be continued beyond 7 May 2021 or for the legislation to be extended beyond this date also. Discussion was also had on the availability of lateral flow tests. A letter of support from the Chairman was agreed to be sent to ask the Prime Minister to extend the legislation.

- A briefing for members was requested on how Freedom Leisure would be opening to the public ahead of the reopening date. It was also confirmed that an update regarding grant monies received for the Leisure industry would also be given.
- Covid Marshalls, clarification was sought as to the process that had been rolled out to be followed by Covid Marshalls. Concerns were raised by two members that in Rustington the marshalls had not been engaging with business owners, but simply observing from outside and then sending letters. An answer in writing was promised.

The Committee then noted the report and the actions taken to date.

509. EQUALITIES & DIVERSITY

(Councillor Roberts returned to the meeting at 20:45pm, during discussion on this item.)

The Group Head of Policy provided members with an overview of her report, drawing their attention to the following points;

- There are two key pieces of legislation the Equality Act 2010 which sets out the 9 legally protected characteristics and the Public Sector Equality Duty.
- There are a number of key principals set out in the public sector equality duty, but fundamentally decisions makers have to make decisions with due regard to equality and diversity.
- Mandatory training for members and staff had been completed in early 2020. Further training would be made available for all Members and all staff
- Digital strategy that was approved at Cabinet on 22 March 2021, we need to ensure that the Council considers full digital inclusion, there will be a number of people who do not have access to online resources.
- All of the Council's Contractors are obligated to meet our standard practices
- Recruitment and employment flexibility, there is a need to balance our needs as a business with the needs of our staff, a lot of staff can work from anywhere in terms of a geographical location and we need to ensure that we remain an attractive employment opportunity.

Members then took part in a full debate, where the following points/concerns were raised;

- Clarification was sought about whether a Consultant should be recruited to complete an action plan, what was the budget that had been set aside for this and how would the members be kept up to date on the progress of this. It was confirmed that a budget of £10,000 had been set aside for equalities, but this was not all for consultancy support. It was also confirmed that all future updates on this item, would report into the Policy and Resources Committee from May 2021.
- Concerns were discussed in relation to why the work for this was not being completed 'in house', with an approach of reaching out to other Council's for advice and guidance if needed. As well as concerns voiced in reference to spending a large amount of money at the current time.
- It was confirmed that this work linked back to the strategic targets approved by members, and it had been budgeted for at the time the targets were approved. It was also confirmed that this work falls into a specialised and essential area, that it required a person with the right skills to complete the essential work.
- It was requested by the Leader of the Opposition that at the time the recommendation was put to the vote, that the recommendation was to be split into two parts, recommendation A and B to be taken together and C separately.

The Group Head of Policy thanked Members for their debate and reminded members that at this current time it was a balancing act in terms of workload. The Budget had already been agreed and that the £10,000 documented in her report was a maximum figure. Recruitment of an individual to complete the action plan would be carried out effectively and diligently to ensure best value for money.

On turning to the vote, the Leader of the Independent Group requested a recorded vote was requested for recommendation 1, part a) and b).

Those voting for were, Bennett, Bicknell, Mrs Cooper, Dixon, Edwards, English, Huntley, Miss Needs, Northeast, Tilbrook and Ms Thurston (11). Those voting against were, Cooper and Gunner (2). Councillors who abstained from voting were Miss Seex (1).

The recommendation was therefore carried,

The Committee

RECOMMEND to Cabinet that;

- a) a consultant is appointed to carry out an in-depth Equality and Diversity Survey and advise on a best practice action plan for the Council

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- b) the Group Head of Policy be given delegated powers to appoint this resource within the available budget
- c) the Council takes full account of Equalities and Diversity in the development of the new Corporate Plan 2022- 2027

510. FEEDBACK FROM MEETINGS OF THE SUSSEX POLICE AND CRIME PANEL HELD ON 29 JANUARY & 15 FEBRUARY 2021

The Committee took the report that had been attached to the agenda as read.

511. CABINET MEMBER QUESTIONS AND UPDATES

The Chairman expressed his disappointment at the lack of Cabinet Members in attendance tonight. The Chief Executive stated he would follow this up the following morning. The Chairman then invited members to share their updates and ask questions from Cabinet Members who were in attendance.

There were several comments made and opinions expressed by various members regarding the lack of attendance of Cabinet Members at the meeting. Support for a motion to suspend standing orders at Full Council meeting to be held on 24 March 2021 to allow for questions to be put to those Cabinet Members who were not in attendance tonight (23 March 2021). The Chairman agreed he would put this motion forward at the meeting of Full Council tomorrow night (24 March 2021).

In turning to the questions that were asked of the Cabinet Members in attendance a summary is detailed below;

The Leader of the Opposition asked the Cabinet Member for Commercial and Business Development, how had he fought excessive spending and kept costs down for the Council? The reply from the Cabinet Member stated that he did have concerns about the Council's future finances, and that there needed to be a focus on finding other ways to increase income to the Council, other than increasing Council Tax.

The Leader of the Opposition then asked his supplementary question which was, one of your election pledges was that you would keep Council Tax down, are you disappointed in what you have not been able to achieve in this last year as part of this administration? The reply from the Cabinet Member stated, yes, he was disappointed. The Pandemic immediately rendered what he wanted to do, almost impossible. He explained that the complications regarding the recruitment of a Commercial Manager had been discussed and explained at the Cabinet meeting on 22 March 2021 and that the welfare and wellbeing of Council staff and our residents had taken priority and that he was remaining patient.

Councillor Roberts asked the Cabinet Member for Residential Services was she surprised when the Leader of the Council announced at the Special Council meeting that housing supplied would be well over 90 houses and that this was a very different figure that those in your update reports, did you supply this information to the Leader of

the Council? The reply from the Cabinet Member stated that this was a difficult one to explain, in terms of the properties that had, had a deposit paid on them should have been able to be delivered within the timeframe we are referring to. However, we had a Pandemic and Brexit to work through and furthermore she was disappointed that we had not been able to take more people off, of the housing register during this time.

Councillor Roberts then asked a supplementary question which was, was the Leader deliberately misleading the public when he gave his answer? The Cabinet Member stated that she did not believe that the Leader deliberately misled anyone, he took the information provided by herself. She went on to explain that there were many factors that had slowed down the building process on some of these properties. She agreed that the word 'delivery' was misleading as that insinuates that it was here and ready. However, this was standard wording that was used when purchasing property.

The Cabinet Member for Residential Services was then invited by the Chairman to present her portfolio update for March to those in attendance at the meeting.

Councillor Bennett asked the Cabinet Member for Residential Services a question on housing numbers and stated that he thought it was great that this administration was providing more social housing. The Cabinet Member advised that the HRA Business plan had indicated that the Council could purchase additional properties to take the number up to 230 houses. She also explained that the Council were buying back any ex social housing, should the owner be wanting to sell within the first 5 years of their ownership and confirmed that 2 of these properties had already be bought back.

The Leader of the Opposition asked the Cabinet Member for Commercial and Business Development if he would elaborate on part of the answer he gave to his earlier supplementary question and he also mentioned that the Council lacked capacity to make progress with a Commercial Strategy. The Cabinet Member advised that he was not prepared to comment further on his last answer in reference to a 'test' that he completed. He then went on to state that his ideal in terms of recruiting a Commercial Manager and that he would be able to work with that Manager to draw up a Commercial Strategy for the Council. Not that the manager would do that work on their own. He stated that he felt the work needed to be done energetically and enthusiastically and not be a pickup and put down piece. It was evident to him that this would not have been possible at this current time. When the Council does appoint, it would need to have the right amount of man or woman power behind it to be successful.

The Leader of the Opposition then asked for clarification from the Cabinet Member, which was, what you are saying is that the Council, need more officers and that these would be financed through the commercial endeavours that you hoped to be able to complete. Discussion then was had on comments made at the Cabinet meeting that was held on 22 March 2021 in reference to the Cabinet Members previous comments on his ideas on how the Council could develop a great Commercial Strategy.

Councillor Cooper asked the Cabinet Member for Commercial and Business Development, what have you delivered for this council and do you feel that, that

represents value for money for the Council, can anything be carried forward when your Cabinet role ends and would it have been better and better value for money for you to have stood down when you realised that you could not deliver what you wanted to and save the Council money by not paying your Special Responsibility Allowance (SRA)? The Cabinet Member stated that, he was hugely disappointed that he had not been able to do all, that he wanted. However, he had been able to provide advice and experience in terms of commercial treatment of property and that he believed had been of added value to the Council. He also reminded members that his SRA did not cost the Council any additional money, as his SRA was created by reducing the other Cabinet Member's SRA's.

The Leader of the Arun Independent Group asked the Cabinet Member for Residential Services if she believed it was possible for the Council to build enough houses to meet the current demand? And was there anything the Town Council could do to support this? The Cabinet Member provided a detailed response and in summing up she stated that we would always need social housing and in terms of the Town Council getting involved it was not something she had, had experience of.

Councillor Roberts asked the Cabinet Member for Commercial and Business Development in terms of value for money, given your failure to deliver anything in your Cabinet Role, do you think you have a right to Chair one of the new committees. The Cabinet Member responded. No.

Councillor English asked the Cabinet Member for Commercial and Business Development, how have you managed to get away with taking an SRA from public money and deliver nothing? The Cabinet Member stated that the Leader of the Council at the Cabinet meeting yesterday voiced that he believed he (I) had added value for money through my advice and expertise.

The Chairman advised the Committee that there was no Work Programme as this was the last meeting of this Committee due to the upcoming change in Governance Structure. He went on to add his thanks to the supporting Officer team and for the help and support in enabling the Council to move so quickly to virtual meetings. He gave thanks to his Vice-Chair, Cllr English. He then stated that he had concerns in reference to the new Governance Structure being one that 'self-scrutinises', he said that meaningful scrutiny came from independence and unbiased. In summing up he thanked the Committee for their performance over the last 12 months, he stated that their questions had been challenging and effective in holding those to account, Chief Inspector Carter would attest to that.

(The meeting concluded at 10.11 pm)