



Public Document Pack

Arun District Council
Civic Centre
Maltravers Road
Littlehampton
West Sussex
BN17 5LF

Tel: (01903 737500)
Fax: (01903) 730442
DX: 57406 Littlehampton
Minicom: 01903 732765

e-mail: committees@arun.gov.uk

Committee Manager Carley Lavender (Ext 37547)

2 March 2020

OVERVIEW SELECT COMMITTEE

A meeting of the Overview Select Committee will be held in the **Pink Room at Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF** on the Tuesday 10 March 2020 at **6.00 pm** and you are requested to attend.

Members: Councillors Coster (Chairman), Clayden (Vice-Chair), Bennett, Bicknell, B Blanchard-Cooper, Mrs Catterson, Dendle, Elkins, English, Huntley, Miss Needs, Miss Rhodes, Miss Seex, Tilbrook and Mrs Worne

AGENDA

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

Members and Officers are invited to make any declaration of pecuniary, personal and/or prejudicial interests that they may have in relation to items on this agenda, and are reminded that they should re-declare their interest before consideration of the items or as soon as the interest becomes apparent.

Members and Officers should make their declaration by stating:

- a) the item they have the interest in
- b) whether it is a pecuniary/personal interest and/or prejudicial interest
- c) the nature of the interest

3. MINUTES

(Pages 1 - 10)

The Committee will be asked to approve as a correct record the Minutes of the Overview Select Committee held on 28 January 2020.

4. **ITEMS NOT ON THE AGENDA THAT THE CHAIRMAN OF THE MEETING IS OF THE OPINION SHOULD BE CONSIDERED AS A MATTER OF URGENCY BY REASON OF SPECIAL CIRCUMSTANCES**
5. **GREENSPACE MANAGEMENT CONTRACT** (Pages 11 - 14)
This report provides members of the Overview Select Committee with a performance update for the Council's current Greenspace Management Contract and will include a presentation from Tivoli Group Ltd, the Council's current contract provider.
6. **SECTION 106 REVIEW - BRIEFING NOTE** (Pages 15 - 18)
A briefing note has been prepared for the Committee in response to an item on the OSC Work Programme by former Councillor Dingemans back in March 2019, in respect of section 106 agreements. It should also be noted that on 9 December the annual section 106 monitoring report was also presented to Cabinet.
7. **FEEDBACK FROM MEETING OF THE SUSSEX POLICE AND CRIME PANEL HELD ON 31 JANUARY 2020** (Pages 19 - 20)
A feedback report following Councillor Mrs Yeates attendance at the meeting of the Sussex Police and Crime Panel held on 31 January 2020 is attached.
8. **CABINET MEMBER QUESTIONS AND UPDATES**
(i) Cabinet Members will update the Committee on matters relevant to their Portfolio of responsibility.
(ii) Members are invited to ask Cabinet Members questions and are *encouraged* to submit these to the Committee Manager in advance of the meeting to allow a more substantive answer to be given.
9. **WORK PROGRAMME 2020/2021** (Pages 21 - 26)
A draft version of the proposed work programme for 2020/21 will be presented at this meeting of the Committee for Members to make their comments on.

Note : Reports are attached for all Members of the Committee only and the press (excluding exempt items). Copies of reports can be obtained on request from the Committee Manager).

Note : Members are reminded that if they have any detailed questions would they please inform the Chairman and/or relevant Director in advance of the meeting.

Note : Filming, Photography and Recording at Council Meetings – The District Council supports the principles of openness and transparency in its decision making and permits filming, recording and the taking of photographs at its meetings that are open to the public. This meeting may therefore be recorded, filmed, or broadcast by video or audio, by third parties. Arrangements for these activities should operate in accordance with guidelines agreed by the Council and as available via the following link – [Filming Policy](#)

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Agenda Item 3

Subject to approval at the next Overview Select Committee meeting

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OVERVIEW SELECT COMMITTEE

28 January 2020 at 6.00 pm

Present: Councillors Coster (Chairman), Clayden (Vice-Chair), Bennett, Bicknell, B Blanchard-Cooper, Mrs Catterson, Dendle, Elkins, English, Miss Rhodes, Tilbrook and Mrs Worne

Councillors Mrs Gregory, Gunner, Lury, Oppler, Purchase, Stanley, Dr Walsh and Mrs Yeates were also present during the meeting.

406. WELCOME

The Chairman welcomed Members, Officers and members of the press to the meeting.

407. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Huntley, Miss Needs and Miss Seex.

408. DECLARATIONS OF INTEREST

Councillor Elkins declared a Personal Interest in Agenda Item 5 [Council Budget 2020-2021] in his position as a Cabinet Member at West Sussex County Council.

409. MINUTES

The Minutes of the Special Meeting of the Committee held on 14 January 2020, as circulated at the meeting, were approved by the Committee as a correct record and were signed by the Chairman.

410. COUNCIL BUDGET 2020 - 2021

The Chairman welcomed the Financial Services Manager to the meeting and invited her to work through the Council's Budget for 2020/2021 highlighting what she felt were the significant areas that Members should be made aware of. It was explained that any comments that the Committee wished to make would be forwarded onto the next meeting of Cabinet taking place on 10 February 2020 before the Minutes from that meeting would be submitted to the Special Meeting of the Council on 19 February 2020.

The Financial Services Manager then presented the Council's Budget for 2020/21 and explained the main strategic issues. These have been summarised below:-

- The General Fund budget needed to be seen in the context of increasing deficits from 2021/22 which the Council needed to address. It was planned to consult Members on efficiencies and income generating ideas during 2020.
- The Budget for 2020/21 was a roll forward settlement as important decisions about Local Government funding such as the future of the New Homes Bonus (NHB); details of the retained business rates system; and the Fair Funding formula that had been planned for 2020/21 had been delayed. This had had a positive effect on the Council's Budget, but it needed to be emphasised that this was only a one-off experience.
- The draft settlement had finally been issued on 20 December 2019 after being delayed by the General Election and Brexit preparation.
- Looking at Government funding, it was outlined that for NHB for 2020/21 the Budget included a one-off windfall and then it would only be legacy payments received from 2021/22. The report highlighted at Table 2.8 that the Council was not anticipating any NHB from 2023/24.
- The Council stopped receiving Revenue Support Grant (RSG) in 2018/19. The negative payment of £430k was cancelled by the Government in 2019/20 and for 2020/21.
- The Business Rate Retention Scheme, which would result in a reset of the growth in business rates was now anticipated for 2021/22. It was expected that this would have a very negative impact on the Council as the accumulated growth would be wiped out when the baseline was reset to the current level. However, the system had not been finalised.
- The changes in Government funding had been fully set out in Table 2.10 of the report.
- Council Tax Income – Council Tax was proposed to be increased by £4.95 or 2.73% for a Band D property. The Council's tax base for 2020/21 showed a significant increase from 61,281 to 62,244 which was mainly due to the completion of new dwellings in the District.
- Looking at the General Fund Budget the main highlight was a planned reduction in the General Fund Balance of £671k. Table 4.1 in the report illustrated a balance of around £7m at the end of 2019/20 which would reduce to around £6m by the end of 2020/21. The Council was required to keep higher level of balances given the threats to government funding forecasted for the future.
- The major budget variations were highlighted. These included:
 - A likely 2% pay award to Council staff.
 - The loss of £1m of recycling credits from West Sussex County Council over two years adding significant budget pressure.
 - The recently approved supplementary estimate to support the cost of homelessness nightly paid accommodation. It was emphasised that this was a national problem and so £500k had been added to the service budget for 2020/21 with £500k in the contingency budget in case this situation did not improve. This was matched by the Flexible Homelessness Support Grant but that was for 2020/21 only.

- Another big item of change was the contingency budget increase for housing related activities; the invest to save scheme of £250k and the Council's strategic target table at 4.14 of the report.
- Looking at the Housing Revenue Account Budget (HRA), it was confirmed that this budget was all in line with the approved priorities of the HRA Business Plan as updated. This identified how the Council intended to deliver its strategic target of providing 250 new affordable homes over a ten-year period.
- A budget of £15m had been approved in 2018/19 for the acquisition/new build programme. An additional £9m had been made available in 2020/21 to allow for the necessary amount of flexibility in terms of planning for this enhanced programme. The approved schemes had been set out in the report.
- It was explained that 2019/20 had been the last of the statutory annual 1% rent reductions, this had been over a 4-year period due to statutory prescription. For 2020/21 rents would be increased by 2.7% in accordance with the provisions of the new rent standard.
- Finally, looking at asset management and projects, Table 8.6 of the report showed the projects that would be funded from the Capital Programme Budget. This included £200k for Littlehampton Public Realm with the remainder being mainly essential maintenance works such as the Fizzleet Car Park. The remaining balance of £610k could be spent on Bognor Regis seafront and Sunken Gardens but it was outlined that this would be subject to appraisal and would be required to be viewed against the Council's other priorities.

Finally, and in summing up, the Financial Services Manager stated that the General Fund Revenue Budget and Capital Budgets had been set robustly and within the Council's approved Financial Strategy. Although this was a good news story, Members needed to look to 2021 and beyond when there would be more need for the Council to critically appraise its expenditure and investment decisions to meet the future challenges outlined earlier.

The Chairman thanked the Financial Services Manager for her detailed presentation and invited questions from the Committee. These have been summarised below:

- How could the proposed increase in Council Tax be justified at a rate of 2.7% when CPI was 1.7% and as the Council's staff would only be receiving a potential 2% pay increase, leaving them worse off. It was explained that the staff pay award had not been confirmed but if awarded this was more than CPI, the two could not be related. Any increases proposed in Council Tax were to bridge the budget gap.
- Could a breakdown be provided in terms of contingencies and miscellaneous items referred to in Appendix 1? The Financial Services Manager outlined the main items which were homelessness; Invest to Save, pump priming and the Council's Strategic Targets.

- In terms of capital expenditure by portfolio, in terms of the Economy budget for 2019/20 was zero and for 2020/21 was £200k – what was this? It was explained that Appendix 3 to the report detailed this and that it related to Public Realm work.
- Concern was expressed over the loss of funding for recycling credits and an explanation was requested. It was confirmed that the funding used to be received from WSCC which had been scrapped. This had been a way for WSCC to get their budget to balance.
- It seemed that Arun was being punished by WSCC for doing well with its recycling figures. In response, Councillors were referred to Table 4.4 in the report which showed that this had been the second year of reduction in recycling credits. The decision by WSCC could not be reversed.
- It seemed that the Council was increasing Council Tax partly due to WSCC cuts – were there any other issues that Councillors needed to be made aware of? There were none at present.
- On the Business Rate Retention scheme, would the Council receive more money and if so, how much? It was explained that the Council would lose the growth that the Council had benefited from when the system was reset and would only receive funding from new growth. Future funding would be redistributed through the fair funding formula which was likely to be adverse to District Councils as funding was redirected to Council's with responsibility for social care.
- Looking at the changes in Government grant funding which had increased very slightly, this would not continue and so what was the expectation in terms of how it was looking for next year? It was explained that there would be cuts but the level was impossible to predict as the new system had not been agreed.
- The Technical Services Budget had been cut from £691 to £ 424 and now £380k. Was this a staff reduction? It was confirmed that a written response would be provided.
- On the Retained Business Rates Reset and the appeal proves, had there been any challenges as expected? It was confirmed that there had been quite a lot of challenge which had had a knock-on effect as they could go back a number of years.
- On the same issue, had the Council seen significant income because of cases, how many cases had there been and to what extent. As these were technical questions it was confirmed that a response would be provided in writing.
- Turning to the new Governance structure approved by Full Council on 15 January 2020, the budget cost for a new Committee Clerk confirmed as £37k in the table at 4.14 did not match the figures set out in the report that went to Full Council confirming this to be £54k. Could this be explained? It was agreed that a written response would be provided.

In summing up the comments made, the Chairman outlined that he formally wished to have recorded his thanks passed onto the Finance Team for producing the budget and during very difficult times.

The Committee in giving its general support and noting the contents of the Council Budget for 2020/2021 [which would be considered by Cabinet at its next meeting on 10 February and then at the Special meeting of the Council on 19 February 2020] then confirmed that it noted and approved the Budget for 2021/21, with its discussion points being circulated to Cabinet on 10 February 2020.

Councillor Dendle requested that it be recorded that he abstained from voting on this item.

411. CORPORATE PLAN - 2018 - 2022 - Q2 PERFORMANCE OUTTURN REPORT FOR THE PERIOD 1 APRIL 2019 - 30 SEPTEMBER 2019

The Committee received the Quarter 2 performance outturn for the Corporate Plan performance indicators for the period covering 1 July to 30 September 2019. It was explained that this report was being submitted to Members later than normally scheduled as result of the snap General Election held on 12 December 2019.

The Group Head of Policy provided some background to the report and 2020 Vision programme in place. Behind the three Council Priority themes of Your Services; Supporting You; and Your Future sat a series of targets that were measurable with the performance of these targets being reported to the Council's Corporate Management Team (CMT) every quarter and to this Committee and Cabinet every six months and at year end.

There were 11 Corporate Plan indicators and six were measured at Quarter 2. The report set out what indicators were not achieving their target; were behind target; were achieving their target; and over achieving the target. Each of the thresholds and categories of performance for each indicator was outlined to the Committee and set out in the Appendix to the report with CMT providing their comments and where remedial action was required.

It was outlined that the Director of Place, with support from CMT, was recommending the Committee to consider recommending to Cabinet to amend the target figure for indicator CP10 [Total Rateable Business Value for the Arun District] from £91m to £99.138 m with effect from Quarter 1 in 2020. If approved, Cabinet would then make this a recommendation to Full Council to amend this target. The Committee was being requested to support this amendment to this target figure and to note the Council's overall Quarter 2 performance against the targets of the Corporate Plan.

The following questions were asked by the Committee:

- On CP11 questions were asked about the Government's proposals to introduce weekly food waste collections and if this was being introduced in 2021/22, was the Council proposing to get rid of weekly waste collections? The Leader of the Council, Councillor Dr Walsh responded confirming that WSCC were looking at introducing a trial of food waste collections in the Arun District, based upon a trial recently undertaken at Mid Sussex District

Council. It was explained that the area this trial would cover needed to be very carefully considered in terms of having a wide range of demographics. The results of this pilot project would inform how such a project would be extended to whole of the District.

- On CP11, the comment was made that it would have been beneficial to have had the appropriate Director present at the meeting so that a more in-depth explanation could have been provided in terms of why this indicator had been failing. What was the Council doing to address this? Had this been down to the withdrawal of recycling credits by WSCC? The Leader of the Council, Councillor Dr Walsh, explained that WSCC had withdrawn its recycling credits from every Local Authority, nothing could be done about this action. The Group Head of Policy confirmed that she would raise this issue with the Director of Services so that a written answer could be provided.
- On CP11, could the Council look at renewing stickers for recycling bins to improve recycling levels so that the public were aware of all new items that could be recycled. It was explained that this had happened but accepted that the Council could do more to engage the public, through use of Arun Times and social media platforms.
- On CP11, mention was made of the Council's decision to increase the target last year. Did the Council receive any accreditation for rubbish that was taken to a recycling centre as this could impact figures? It was explained that WSCC would take the credit for this and so it did impact figures.
- Further questions were asked about the new WSCC Food Waste trial and whether this would add to the Council's recycling rates - this would then assist the Council in getting to achieve the increased rate. Councillor Dr Walsh explained that this would have an improving effect.
- On CP11, to boost recycling rates could more work be done by junior officers to provide updates on social media to pass information onto the younger generation. Councillor Dr Walsh confirmed that the Council had now adopted a Digital Strategy and so this work would be taking place.
- On CP11, would the food trial include the recycling of nappies? Councillor Purchase explained that the trial would include all 'smelly' waste including hygiene products, not just food.
- Concern was expressed over the varying provision of recycling bins over the District and could this be addressed. Councillor Purchase confirmed that this would be looked at when the Council came to retender its contract.

The Chairman then reminded the Committee of the proposal to amend the target figure for indicator CP10 [Total Rateable Business Value for the Arun District] from £91m to £99.138m with effect from Quarter 1 2020. He explained that this would be a recommendation to Cabinet on 9 March 2020 who would then make a recommendation to Full Council on 18 March 2020.

The Committee

RESOLVED

That the Council's Quarter 2 Performance against the targets for the Corporate Plan Indicators as set out in this report and Appendix A be noted.

The Committee also

RECOMMEND TO CABINET ON 9 MARCH 2020

That the target figure for Indicator CP10 [Total Rateable Business Value for the Arun District] be amended from £91m to £99.138 m with effect from Quarter 1 2020.

412. SERVICE DELIVERY PLAN - 2018 - 2022 - Q2 PERFORMANCE OUTTURN REPORT FOR THE PERIOD 1 APRIL 2019 - 30 SEPTEMBER 2019

The Committee received the Quarter 2 performance outturn for the Service Delivery Plan performance indicators for the period covering 1 July to 30 September 2019.

It was explained that the performance of these indicators was reported to the Corporate Management Team (CMT), this Committee and Cabinet every six months and at year end.

There were 23 Service Delivery Plan indicators and 13 were measured at Quarter 2. The report set out what indicators were not achieving their target; were behind target; were achieving their target; and over achieving the target. Each of the thresholds and categories of performance for each indicator was outlined to the Committee and set out in the Appendix to the report with CMT providing their comments and where remedial action was required.

The following questions were asked by the Committee:

- SDP4 [Occupied Rental Units in Littlehampton] – concern was expressed that there were 10-12% of empty shops in Littlehampton and that there should be more of a strategic push to get these premises re-let. Could the Council do more to improve this situation and was the Council flexible in providing discounts for business rates.
The Leader of the Council, Councillor Dr Walsh, responded stating that the figures quoted were better than other areas across the southern coastal strip. There was a scheme in place whereby any business with a turnover of less than £80k did not have to pay business rates – this was applied as widely as possible.

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- On SDP4 – in Littlehampton 1 in 9 properties were empty and there did not seem to be much of a plan to address this.
- SDP 18 [Cost of Emergency Accommodation per annum] – figures were requested on the average length of stay for a family in emergency accommodation.

The Cabinet Member for Residential Services, Councillor Mrs Gregory, responded stating that the Homelessness Reduction Act confirmed that no families could stay in emergency accommodation for longer than 56 days. The Council was complying with this and this was why it was buying more of its own property. Also, a review of the Housing Service had put into place measures allowing the Council to employ more staff to face the demands of this part of the housing service.

- SDP 18 [Housing Benefit Overpayments Recovered] – had the Council seen an increase in spend since WSCC had cut its grants to homeless charities. Councillor Mrs Gregory stated that she did not have the figures to hand but thought that this would have had an impact.
- SDP 4 and SDP 5 – could the exact figures for Littlehampton and Bognor Regis please be provided to the Committee.
- SDP 4 and SDP 5 – now that the Council was part of the Greater Brighton Economic Board, could the Cabinet Member confirm if this had helped in attracting more businesses to the District and had there been any more interest from larger business looking to relocate? Councillor Dr Walsh confirmed that having membership to this Board was bringing to the District greater publicity with Arun now being a great area to migrate to as opposed to some areas of central Brighton. Exciting projects such as Gigabyte West Sussex were all positive moves.

The Committee

RESOLVED

That the Council's Quarter Two Performance against the targets for the Service Delivery Plan (SDP) indicators as set out in the report and the Appendix is noted.

413. FEEDBACK FROM MEETINGS OF THE HEALTH AND ADULT SOCIAL CARE SELECT COMMITTEE HELD ON 27 NOVEMBER 2019 & 15 JANUARY 2020

The Committee received and noted the feedback reports received from Councillor Bennett following his attendance at the meetings of the West Sussex County Council's Health and Adult Social Care Committee (HASC) held on 27 November 2019 and 15 January 2020.

414. CABINET MEMBER QUESTIONS AND UPDATES

A wide range of questions were asked by the Committee to Cabinet Members present in the Public Gallery. These have been summarised below:

- Councillor Dendle – Could the Council commit to planting 10,000 trees per annum across the District? The Cabinet Member for Neighbourhood Services, Councillor Purchase, stated that a full answer could not be provided but that he would investigate this request and provide a written response.
- Councillor B Blanchard Cooper – various points were made about Regeneration in Bognor Regis and Littlehampton. Could anything be done to put the following issues into one document to prove what the Council was doing to improve regeneration – being discounted rates for shops, progressing work on the Littlehampton Public Realm, the relationship with traders, money for events; Town Councils working with the District Council on improving security in the Towns and plans to make buildings look better. The Leader of the Council, Councillor Dr Walsh, confirmed that all of this work was in progress, some of it would feature in the Arun Times publication with other issues featuring in the Position Statement reports that were submitted to each meeting of the two Regeneration Sub-Committees.
- Councillor Bennett to the Cabinet Member for Planning - it was felt that there was a serious lack of staff in the planning enforcement team and that large development firms were getting away with not adhering to planning conditions as part of an approved planning application – could a response be provided in terms of how this could be addressed? Councillor Lury outlined that staffing levels and processes were being looked at but that a written response to the question would be provided.
- Councillor Bennett to the Cabinet Member for Community Wellbeing on anti-social behaviour. There was concern that levels of anti-social behaviour in young people was increasing. This had affected the youth centre in Rustington with staff being harassed to such a level that the centre had closed on a temporary basis. Councillor Bennett referred to the Council's Wellbeing Team being overstretched and how could they deal with this? He asked the Cabinet Member if she could investigate the situation. Councillor Mrs Yeates stated that she would raise this at the next meeting of the Police and Crime Panel which she would be attending soon but would take the concerns back to Arun Officers to see what could be done.
- Councillor Dendle to the Cabinet Member for Technical Services regarding renewable energy on top of the Civic Centre and whether this could be rolled out to other public buildings. Could the Cabinet Member provide a response outlining the Council's plans to introduce this? Councillor Stanley confirmed that he would provide a written response.
- Councillor Dendle to the Cabinet Member for Community Wellbeing on leisure, did the Council have plans to work with the NHS in organising free entrance to the Council's leisure facilities for people who were disadvantaged? Councillor Mrs Yeates reminded Members of the presentation that this Committee received last year from Freedom Leisure where it was explained the new initiatives in place to do this.

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- Councillor Bicknell on local infrastructure and utility companies requiring access underground for power; gas and drainage work. Was there a way of organising a central bank of information so that such works could happen at the same time and to reduce the risk of building over sewers to prevent flooding issues? Councillor Dr Walsh confirmed that this was a function of West Sussex County Council and he recommended that Councillor Bicknell should contact the Cabinet Member for Highways and Infrastructure, Councillor Elkins.
- Councillor Gunner referred to some notices on Climping beach which had been placed by the Environment Agency stating that it was not economical to maintain groynes – could this be explained? Councillor Stanley confirmed that a written response would be provided.

415. WORK PROGRAMME 2019/2020

The Committee received and noted a verbal update from the Group Head of Policy which reminded Members that its next meeting the Committee would be looking at its Work Programme for 2020/21.

(The meeting concluded at 8.04 pm)

ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF OVERVIEW SELECT COMMITTEE ON 10 MARCH 2020

PART A : INFORMATION PAPER

SUBJECT: Greenspace Management Contract update

REPORT AUTHOR: Oliver Handson, Environmental Services & Strategy Manager

DATE: 29 January 2019

EXTN: 37955

PORTFOLIO AREA: Neighbourhood Services

EXECUTIVE SUMMARY: This report provides members of the Overview Select Committee with a performance update for the Council's current Greenspace Management Contract and will include a presentation from Tivoli Group Ltd, the Council's current contract provider.

RECOMMENDATIONS:

1.To note the information concerning the Council's Greenspace Management Contract contained within this report

1.0 Background

1.1 Following a competitive tender process, Arun District Council awarded its ten year Greenspace Management Contract (GMC) to ISS Facility Services Landscaping (ISS FSL). The contract commenced on the 1st January 2017.

1.2 The contract was novated to a new provider - Tivoli Group Ltd (TGL) whose holding company Amistha Holdings Limited purchased the trade and assets of ISS Facility Services Landscaping in the summer 2018.

1.3 The contract is a ten year contract, with an optional extension of up to 5 years. The annual value of the contract is approximately £1.25 million. The retender delivered a saving to the Council of approximately £250k per annum on the previous contract, therefore contributing to the Council's Medium Term Financial Strategy.

2.0 Contract scope

2.1 The GMC covers the following services/operations

- Grounds maintenance operations of Arun's Parks & Open Spaces (approx. 500 individual sites including Council Housing land) Operations include but are not limited to; grass cutting, litter picking, bin emptying, hedge cutting, shrub maintenance, bedding supply and maintenance, cemeteries maintenance and grave digging.

- The size of the area maintained under the contract equates to approximately 2.5 million square metres of open space.
- The grounds maintenance, management & marketing of the Council's Outdoor Recreation Service, which includes bookings for and use of sport facilities e.g. football pitches, bowling greens, tennis courts, par 3 golf, adventure golf. These services are accessed by approximately 80,000 customers annually. These services are currently delivered under the Tivoli 'Lifestyle' brand.
- Play area repairs & maintenance plus fortnightly inspections of 80 play areas.

3.0 Contract management

3.1 The Council proactively manages the performance of the GMC as follows;

- Regular auditing and site monitoring of performance against contract standards.
- Regular site visits with contract supervisors to plan and review works.
- Checks of operational compliance i.e. risk assessment, PPE with operatives on the ground.
- Utilising contractual clauses around remedial notices and defaults where performance necessitates it.
- Weekly operational meetings between the Environmental Services & Strategy Manager/Parks & Cemeteries Manager and Tivoli Contract Manager. These meetings cover staffing updates, operational updates, Health & Safety updates, machinery updates and contract administration.
- Quarterly meetings between senior Arun managers & contractor regional management.
- An annual Health & Safety compliance review of all contract operations and subsequent report, shared with Arun's Corporate Health & Safety Officer.

3.2 Many key staff, from both the client and contractor, have been involved with this contract for a considerable period of time. Therefore, experience of the district, the open spaces themselves and an understanding of each organisations respective aims have developed. Almost all of the thirty plus operatives on the contract plus all of the local Tivoli management team reside in the district, which promotes pride of place in delivery of the contract.

4.0 Performance

4.1 For the purpose of the contract and targets set within the Greenspace Service's Service Delivery Plan (SDP), the contractor must achieve a prescribed level of performance in delivering operations. Monitoring of this performance is formally undertaken on a quarterly basis and consists of officers from the Council's Parks team 'mystery shopping' a selection of open spaces across the contract in terms of geographical area and typology.

Performance is assessed against the range of contractual operations applicable to each site - such as grass cutting, litter collection and shrub maintenance. This is used to determine individual site and overall contractual levels of performance. Each operation is scored on a scale of 1 to 5 (1 being very poor and 5 exceeding target).

The contractual performance target is 61% as a minimum, which is considered as 'satisfactory'. Performance to date for 2019/20 is as follows;

Contract package/site typology	Score (April 19 – Dec 19)
Specialised	83.91%
Fine turf/Rec	71.51%
Amenity	72.86%
Housing	66.56%
Site 6/LNR's/Cems	77.32%
O/Rec sites	72.26%
OVERALL SCORE FOR	74.59%

4.2 Whilst the scores in the above table are in excess of the contractual performance requirements, the Council's aim is to ensure greater consistency of performance and continuous improvement in service delivery. Therefore, the Council's aim is that these scores continue to steadily improve throughout the duration of the contract.

4.2.1 It is our proposal that to demonstrate a commitment to continuous performance improvement, this minimum performance target is increased through a contractual variation to 66%

4.3 2019 was a positive and consistent year, with no contractual defaults issued. Standards were generally maintained to high levels which met expectations and excellent progress has been made over the winter period in terms of pruning and enhancement work

4.4 The play area repairs and maintenance element of the contract continues to run efficiently, with a two man team undertaking repairs and maintenance based on works and priorities identified from weekly play area inspections. All staff involved in this area of the contract have been fully trained in play area inspection and maintenance and are DBS checked.

4.5 Tivoli have recently invested in and rolled out the use of handheld devices and a electronic contract management tool, across the Arun contract. Further details will be provided as part of Tivoli's presentation.

5.0 Achievements

5.1 Green Flag Awards

In 2019 the Council was awarded its 5th Green Flag Award for Old Rectory Gardens in Felpham. This site joins Hotham Park, Mewsbrook Park, Marine Park Gardens and Norfolk Gardens sports site in achieving this coveted award, which recognises best practice in green space management.

Successful partnership with the Tivoli and delivery of excellent standards of horticulture are seen as key to this achievement. Arun and Tivoli plan to increase this number to 6 awards in 2020 by entering Brookfield Park into the award scheme.

2. PROPOSAL(S): None		
3. OPTIONS: N/A		
4. CONSULTATION: N/A		
Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		✓
Relevant District Ward Councillors		✓
Other groups/persons (please specify)		✓
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial		✓
Legal		✓
Human Rights/Equality Impact Assessment		✓
Community Safety including Section 17 of Crime & Disorder Act		✓
Sustainability		✓
Asset Management/Property/Land		✓
Technology		✓
Other (please explain)		✓
6. IMPLICATIONS: N/A		

7. REASON FOR THE DECISION: N/A

8. BACKGROUND PAPERS:

Briefing Note to Overview Select Committee – 10 March 2020

Section 106 Review

Neil Crowther, Group Head of Planning

1. This briefing note has been prepared in response to an item placed on the OSC work programme by former Councillor Dingemans in respect of section 106 agreements. At the outset, it should also be stated that an annual section 106 monitoring report was also requested by Cabinet and this was presented at the Cabinet meeting on 9 December 2019. This report contained details in terms of receipts and project spends on obligations related to planning permissions so there will obviously be a degree of overlap between this requested Briefing Note and that report.
2. The OSC Chairman has confirmed that the scope of this Briefing Note should be as follows;
 - i. Have there been any issues with s106 monitoring processes since the Committee were last updated?
 - ii. The recruitment of s106 data and monitoring post – has this resolved the issues of delays and oversights as described at 12 March meeting
 - iii. Former Councillor Dingemans made a suggestion regarding placing bonds (PGB) on developers – what is the update on this suggestion/ is it/has it been considered

Dealing with each in turn.

Have there been any issues with s106 monitoring processes since the Committee were last updated?

3. At the outset it is important to recognise that the obligation for confirming when triggers are reached with a certain development, and therefore when an obligation is due, falls on the developer. That is what they agree to when signing the s106. However, they very rarely undertake this obligation, and this then leaves the Local Planning Authority on the back foot.
4. The Group Head of Planning took up his position in April 2017. Approximately 3 years ago a new officer took up post dealing solely with s106 monitoring and reporting. It is acknowledged that monitoring processes were not satisfactory between around 2013 and 2017 and that resources were insufficient to be able to adequately monitor all planning obligations which resulted in the potential loss of some funds and non-financial obligations not being adhered to sufficiently and timely. This is set out in the report to Cabinet (December 2019).
5. There are now new monitoring systems and processes in place together with additional resource obtained for monitoring the strategic site non-financial obligations. All historic cases have been investigated and are resolved or in

hand to resolve. Therefore, such delays and oversights are very much less likely now.

6. In January 2017, a report was presented to Cabinet in order to secure additional resources for Monitoring within the Strategic Team relating to strategic development. This was in order to be closer to the implementation requirements/obligations on these sites. The department has two members of staff in post on these matters. However, these are concentrated on the strategic sites within the District. To put the scale of this work in context;
 - The Council currently holds £8.426m on deposit for s106 agreements in addition to £2.455m for other organisations (e.g. the NHS). The total held on deposit is £10.881m.
 - As at the end of September 2019 (and only including agreements logged up to the 31st March 2019) there is 112 live Section 106 Agreements with 481 financial and 237 non-financial obligations agreed and being monitored by Arun and WSCC.
 - Since 2013, over £23 million has been received in s106 contributions.
7. On 9 December 2019, a report was presented to Cabinet outlining the current position on s106 agreements. This set out the amount of contributions we have by category, the scale of payments that are overdue/outstanding, some current issues as well as specific projects for which contributions have been collected and that need to be progressed. Members raised no questions on the content of this report and noted its content.
8. With the introduction of the Community Infrastructure Levy, the number of s106 agreements will significantly reduce as most applications will be covered by CIL and will need to make payments for infrastructure through a standard process. Therefore, there will be a very small amount of s106 agreements prepared (relative to CIL) when CIL is adopted. However large and complex Section 106 Agreements will still be required on the Strategic site applications so there will still be a significant monitoring requirement for many years to come on strategic sites and all the existing sites with S106.
9. As part of these recently amended CIL regulations (Part 10A -121A) which came into force on 1st September 2019, the Authority will be required to report to Government (starting in December 2020) an Annual Infrastructure Funding Statement which must amongst other things, include S106 Agreements signed in the reporting year, a list of live Obligations and a list of Obligation transactions (i.e. secured, received, spent).

The recruitment of s106 data and monitoring post – has this resolved the issues of delays and oversights as described at 12 March meeting?

10. This has helped by assisting the S106 monitoring officer in dealing with the non-financial elements of the strategic site S106 agreements, which are time consuming to deal with. The new monitoring officers deal with strategic condition monitoring as well as Steering groups/Advisory meetings and the new Strategic Web site pages. Having this extra resource has enabled the

monitoring officer to keep much more on top of the latest status of sites and to liaise with developers in a more-timely matter to ensure they comply with obligations and conditions at the right times.

11. The 'oversight' referred to dated back to 2014. At that time, monitoring processes and databases were inadequate and poorly managed. Since that time, significant improvements have been made (see paras 4-6). That said, there are an enormous number of obligations to monitor at any one time and our resources for this are limited.
12. The report to Cabinet (December 2019) sets out the extent of obligations that are currently being monitored and the status of those. There are no outstanding obligations where an invoice has not been issued.

Former Councillor Dingemans made a suggestion regarding placing bonds (PGB) on developers – what is the update on this suggestion/ is it/has it been considered

13. Officers have investigated the current use of these measures and have only been able to find one council that requires a surety for all of the obligations within a section 106 agreement. In applying these, the Council can find the power to require a surety under Section 111 Local Government Act 1972 or Section 1 Localism Act 2011.
14. Essentially, this measure would require a developer to provide an undertaking shortly after commencement of the development to provide a surety to bind it to the payment of the contributions within a s106 agreement. The surety would be a sum equivalent to any expenditure which the Council may incur in carrying out completing and/or implementing the works and/or sums of money in a s106. These are likely to be substantial sums of money.
15. If we take a recent example of a relatively small-scale application for 23 dwellings in Aldingbourne (AL/3/19/PL), the total value of the obligations within the s106 could be around £550,000.
16. These measures would essentially add a further cost to a s106 agreement, and it is likely that applicants will wish to 'off-set' this cost against other obligations. It may also make attracting smaller scale developers to the District much more difficult as these matters would be more onerous than adjoining areas of the country. It should also be noted that, after 1 April 2020, there will be significantly fewer s106 agreements.
17. It is considered that, if this is likely to find support to begin to include within s106 agreements that it is used for only a small number of strategically important elements of infrastructure. Applying it to all obligations would create a complex system and will mean that agreements take much longer to conclude.

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Agenda Item 7

Name of Meeting:	Sussex Police & Crime Panel
Date of Meeting:	31 January 2020
Report by:	Councillor Mrs Gill Yeates
Relevant Cabinet Member:	Cabinet Member for Community Wellbeing

The meeting on 23 January was primarily to consider the Police precept. Due to the General Election timing, details of the policing funding settlement were delayed, with the Minister's statement only being made on 22 January. The Police & Crime Panel had set up a working group to consider possible rises and looked at several scenarios, which included the originally expected £5 pa on a Band D property and a potential £10 pa one.

On the day of the Panel, at our pre-meeting, we were given a comprehensive report from the Commissioner requesting a £10 pa increase. Our Chairman discussed options available to the Panel. As this is my first year attending a precept meeting, I thought it would be useful to share these:

- 1) To accept
- 2) To not accept and request that the PCC's Office review. This would result in a further meeting to consider any revised figure put forward. This might not result in any reduction at all.
- 3) To veto. In this case, a new figure must be produced but it could be only slightly less. The P&CP has only one veto in any year.

During our pre-meeting discussion, it was considered that £10 pa on Band D equated to less than 20p per week, approximately a 5% increase for the year. The PCC had conducted 'snap polls' and two thirds of the members of the public supported the £10 rise. Of all the Forces in the UK, Sussex Police receive the fifth lowest precept. The Chief Constables' priorities for using the additional funding did seem to meet with public expectations:

- a) More enforcement; increasing the Tactical Enforcement Units, more investment to tackle organised crime groups (inc County Lines), more officers for roads policing to tackle anti-social drivers and criminals, increased funding for dog's unit
- b) More investigation; more detectives & investigators to tackle complex crimes such as modern slavery & county lines, more support to build quality cases, local resolution centres to help victims of hidden crimes, e.g. domestic abuse & stalking
- c) Greater Police presence in towns, villages and online

The other substantive item on the agenda related to the Estate Strategy. I asked the Commissioner about plans for the Chichester custody suite as this seemed to cross over with both estates and budgetary issues. She did confirm that, although there had been an intention to sell this, its future was now under review, especially in light of the increased Police numbers as it may be needed in order to achieve the Chief Constable's aims.

The April meeting has been cancelled due to the PCC election. This will be replaced by a visit to the new Hastings custody suite. The Panel has already visited Gatwick Airport and will visit the Command & Control Centre at Lewes, so I will combine a report on all three to replace the report which would have been due in April to fit with other agendas.

**OVERVIEW SELECT COMMITTEE
WORK PROGRAMME – 2020/2021**

Date of Meeting: 09 JUNE 2020			
Report Deadline for Agenda Prep: 27 April 2020			
Date of Agenda Prep: 12 May 2020			
Final Report Deadline: 25 May 2020			
Policy/Strategy Reviews			
Agenda Items	Subject	Lead Officer/Member	Comments
1	Citizens Advice Report	Robin Wickham	
Performance Reviews			
2	Corporate Plan 2013-2018 – Q4 and End of Year Performance outturn for 1 April 2018 to 31 March 2019	Gemma Stubbs – Executive Assistant to the Chief Executive	
3	Service Delivery Plan 2013-2018 – Q4 and End of Year Performance outturn 1 April 2018 to 31 March 2019	Gemma Stubbs – Executive Assistant to the Chief Executive	
Contractor/Partner Performance Reviews			
	There are no items for this meeting		
Partner Reviews			
	There are no items for this meeting.		
Feedback from Joint Scrutiny in West Sussex			
	There are no items for this meeting.		
Holding Cabinet to account			
4	Cabinet Member Questions and Updates	All Cabinet	
Work Programme			
5	To agree the work programme for 2020/21	Jackie Follis	To be reported to Full Council on 15 July 2020

**OVERVIEW SELECT COMMITTEE
WORK PROGRAMME – 2019/20**

Date of Meeting: 01 September 2020			
Report Deadline for Agenda Prep: 20 July 2020			
Date of Agenda Prep: 4 August 2020			
Final Report Deadline: 17 August 2020			
Policy/Strategy Reviews			
Agenda Items	Subject	Lead Officer/Member	Comments
	There are no items for this meeting		
Performance Reviews			
	There are no items for this meeting		
Contractor/Partner Performance Reviews			
1	Chief Inspector Carter – Local Policing	Jackie Follis	
Partner Reviews			
	There are no items for this meeting.		
Feedback from Joint Scrutiny in West Sussex			
2	Feedback from Police and Crime Panel Meeting held on 26 June 2020	Cllr Mrs Yeates	
3	Feedback from HASC meeting held on 10 June 2020	Cllr Bennett	
Holding Cabinet to account			
4	Cabinet Member Questions and Updates – focus for this meeting on reviewing performance against the Corporate Plan and Service Delivery Plans	All Cabinet	
Work Programme			
5	Work Programme – 2020/21 – Update	Jackie Follis – Group Head of Policy	

**OVERVIEW SELECT COMMITTEE
WORK PROGRAMME – 2019/20**

Date of Meeting: 06 October 2020			
Report Deadline for Agenda Prep: 24 August			
Date of Agenda Prep: 8 September 2020			
Final Report Deadline: 21 September 2020			
Policy/Strategy Reviews			
Agenda Items	Subject	Lead Officer/Member	Comments
1	Equalities & Diversity	Jackie Follis	
2	Overpaid Housing Benefit Policy 2014 Review	Andrew Dale	
Contractor/Partner Performance Reviews			
	There are no items for this meeting		
Partner Reviews			
	There are no items for this meeting.		
Feedback from Joint Scrutiny in West Sussex			
3	Feedback from Police and Crime Panel Meeting held on 25 September 2020	Cllr Mrs Yeates	
4	Feedback from Meeting of HASC held on 9 September 2020	Cllr Bennett	
Holding Cabinet to account			
5	Cabinet Member Questions and Updates	All Cabinet	
Work Programme			
6	Work Programme 2020/21 – Update	Jackie Follis – Group Head of Policy	

**OVERVIEW SELECT COMMITTEE
WORK PROGRAMME – 2019/20**

Date of Meeting: 01 DECEMBER 2020			
Report Deadline for Agenda Prep: 19 October 2020			
Date of Agenda Prep: 3 November 2020			
Final Report Deadline: 16 November 2020			
Policy/Strategy Reviews			
Agenda Items	Subject	Lead Officer/Member	Comments
	There are no items for this meeting		
Performance Reviews			
1	Corporate Plan – 2018 – 2022 – Q2 Performance outturn report for the period 1 April 2020 – 30 September 2020	Gemma Stubbs – Executive Assistant to the Chief Executive	
2	Service Delivery Plan – 2018 – 2022 – Q2 Performance outturn report for the period 1 April 2020 – 30 September 2020	Gemma Stubbs – Executive Assistant to the Chief Executive	
Contractor/Partner Performance Reviews			
3	Leisure Contract Annual Report	Robin Wickham	Unless there is a specific aspect Members want to review, there does not need to be an annual report on this contact – next review could be 2021.
4	Combined Cleansing Services Contract – Biffa	Oliver Handson	
Partner Reviews			
	There are no items for this meeting		
Feedback from Joint Scrutiny in West Sussex			
5	Feedback from Meeting of HASC held on 11 November 2020	Cllr Bennett	
Holding Cabinet to account			
6	Cabinet Member Questions and Updates	All Cabinet	
Work Programme			
7	Work Programme 2020/21 – Update	Jackie Follis [Group Head of Policy]	

**OVERVIEW SELECT COMMITTEE
WORK PROGRAMME – 2019/20**

Date of Meeting: 02 February 2021			
Report Deadline for Agenda Prep: 21 December 2020			
Date of Agenda Prep: 5 January 2021			
Final Report Deadline: 18 January 2021			
Policy/Strategy Reviews			
Agenda Items	Subject	Lead Officer/Member	Comments
	There are no items for this meeting		
Performance Reviews			
2	Council Budget – 22/23	Alan Peach – Group Head of Corporate Support	
3	Greenspace Management Contract	Oliver Handson – Greenspace & Development Manager	
Contractor/Partner Performance Reviews			
	There are no items for this meeting		
Partner Reviews			
	There are no items for this meeting		
Feedback from Joint Scrutiny in West Sussex			
3	Feedback from the Meeting of the Police and Crime Panel held on 29 January 2021	Cllr Mrs Yeats	
4	Feedback from the Meeting of the HASC Panel held on 13 January 2021	Cllr Bennett	
Holding Cabinet to account			
5	Cabinet Member Questions and Updates	All Cabinet	
Work Programme			
6	Work Programme 2020/21 – Update	Jackie Follis [Group Head of Policy]	

**OVERVIEW SELECT COMMITTEE
WORK PROGRAMME – 2019/20**

Date of Meeting: 23 MARCH 2020			
Report Deadline for Agenda Prep: 8 February 2021			
Date of Agenda Prep: 23 February 2021			
Final Report Deadline: 8 March 2021			
Policy/Strategy Reviews			
Agenda Items	Subject	Lead Officer/Member	Comments
1	There are no items for this meeting		
Performance Reviews			
	There are no items for this meeting		
Contractor/Partner Performance Reviews			
	There are no items for this meeting		
Partner Reviews			
	There are no items for this meeting.		
Feedback from Joint Scrutiny in West Sussex			
2	Feedback from Sussex Police and Crime Panel Meeting held on 15 February 2021	Cllr Mrs Yeates	
3	Feedback from the Meeting of the HASC Panel held on 24 February 2021	Cllr Bennett	
Holding Cabinet to account			
4	Cabinet Member Questions and Updates – focus for this meeting on reviewing performance against the Corporate Plan	All Cabinet	
Work Programme			
5	Work Programme 2020/21 – Update and Work Programme planning for 2021/22	Jackie Follis – Group Head of Policy	