

OVERVIEW SELECT COMMITTEE

29 January 2019 at 6.00 pm

Present: Councillors Dingemans (Chairman), English (Vice-Chair), Mrs Bence, Blampied, Mrs Rapnik, Hughes, Mrs Oakley, Warren and Wheal

[Note: The following Councillors were absent from the meeting during the following items of business – Councillor English and Mrs Rapnik Minute 372 to Minute 378; and Councillor Wensley and Mrs Oakley (Part) Minute 383.]

Apologies: Councillors Councillors Elkins and Stanley. The Leader of the Council Mrs Brown and the Cabinet Member for Technical Services, Councillor Haymes also provided their apologies.

372. WELCOME

The Chairman welcomed Members of the Committee, Councillors and Members of the public to the Meeting.

373. DECLARATIONS OF INTEREST

Councillor Warren declared a Personal interest in Agenda Item 5, [Council Budget 2019/2020] in his capacity as a member of Littlehampton Town Council.

374. MINUTES

The Minutes of the special meeting of the Committee held on 3 December 2018 were approved by the Committee as a correct record and were signed by the Chairman.

375. COUNCIL BUDGET - 2019/2020

The Chairman welcomed the Financial Services Manager from Corporate Support to the meeting who was invited to give a detailed overview of the Council's Budget for 2019/2020 highlighting what was 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 11 February 2019 before the Minutes from that meeting would be submitted to the Special Meeting of the Council on 20 February 2019.

The Financial Services Manager then presented the Council's Budget for 2019/2020 and explained the main strategic issues. These have been summarised below:-

- This would be last year of the current funding regime and the budget 2019/20 was as forecast in the Medium Term Financial Strategy in September. Funding from 2020/21 would become increasingly uncertain and highly likely to be detrimental to the Council. The Fair Funding Review and the re-set of the Retained Business Rates System would result in significantly less Government funding.
- This year's budget represents the final year of the 4 year settlement that the Council accepted in 2016/17. The Council is no longer in receipt of the Revenue Support Grant (RSG) and this was due to become negative £430k (payment to the Government), however this was cancelled by the Government, resulting in a one off windfall for the Council in 2019/20 as anticipated in the Medium Term Financial Strategy.
- West Sussex was successful in its bid to become a 75% Business Rates Pool. The Pilot will be led by WSCC with all Districts and the County as members. The Pilot will allow 75% of Business Rates to be retained locally with 20% retained by the Districts and 55% by the County. The additional funding generated will be invested in superfast broadband, which would be to the benefit of the whole of West Sussex.
- Business Rate Reset is currently out to consultation. The Council would be at risk of losing all of the significant growth that had been achieved since the scheme was introduced.
- New Homes Bonus (NHB) had been successful for the Council due to the increase in the number of properties, however more recently this has been declining due to changes in the scheme. The future of NHB was looking increasingly uncertain.
- WSCC has terminated the current memorandum of understanding which has resulted in the reduction of recycling credits of £131k for 2019/20 with an additional £850k at risk for 2020/21; this would be significant to the Council's finances.
- The budget did not reflect the County Councils decision to cut HASC Housing related support to the voluntary sector like Stone Pillow. This would likely have a significant effect on the most vulnerable as well as the Councils finances.
- Another significant risk would be the rise in homelessness and a supplementary estimate up to £650k was approved by Full Council on 9 January 2019; this has not been reflected in the budget.
- The HRA balance shows a significant reduction, this reflects the results of the Stock Condition Survey which was received very late in the budget cycle. The increase allowed for flexibility to provide the programme but will require continuing liaison with regard to affordability.
- This was the first year that the Council has had to produce a Capital Strategy, which is being considered by the Audit & Governance Committee on 14 February with recommendations being forwarded to Full Council on 13 March 2019.

The Financial Services Manager summarised that the Budget for 2019/20 was balanced with an enhanced Capital investment programme and a contribution to the

Business Rates reserve for added resilience before the Council face the enormous challenges of reduced Government funding from 2020/21.

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

- The Committee raised serious concerns in relation to WSCC cuts in funding to Housing and Homelessness Charities in view of the ongoing national Homelessness crisis. Due to the strong feeling presented by the Committee the Chairman reconfirmed that this will be highlighted to the Cabinet Members.
- The Committee requested that it be noted that the Finance team should be commended on their excellent work

The Committee gave its support and noting the contents of the Council Budget for 2019/2020 [which would be considered by Cabinet at its next meeting on 11 February and then at the Special meeting of the Council on 20 February 2019] then confirmed that it noted and approved the Budget for 2019/20, with its discussion points being circulated to Cabinet on 11 February 2019.

### 376. GREENSPACE MANAGEMENT CONTRACT - UPDATE

The Cabinet Member for Neighbourhood Services, Councillor Wotherspoon gave an introduction to the Committee for this item and presented the Tivoli Management team, Chief Executive, Chris Mclain and the Regional Manager, Nigel Payne and James Jones-McFarland the Parks and Cemeteries Manager.

The Environmental Service & Strategy Manager presented his report and provided the Members with an update of the Council's current Greenspace Management Contract. The Committee also received a presentation from the Chief Executive and Regional Manager from Tivoli.

The key points have been summarised below;

- The Council awarded its 10 year Greenspace Management Contract (GMC) to ISS Facility Services Landscaping (ISS FSL) following a competitive tender process. The Contract commenced on 1 January 2017.
- In the summer of 2018 a new provider – Tivoli Group Ltd (TGL) whose holding company Amistha Holdings Ltd purchased the trade and assets of ISS Facility Services Landscaping.
- The GMC covers a huge breadth of services and operations from Grounds maintenance of Arun's Parks and Open Spaces through to Operating Cafes in Norfolk Gardens and West Park. The full list of all services and operations that fall under this contract are detailed in the report.

- The contract was awarded for a period of 10 years, with an optional extension of up to 5 years. The annual value of the contract is approximately £1.25 million. The tenderer delivered a saving to the Council of approximately £250k on the previous contract.
- An overview of how the Council proactively manages the performance of the GMC was given to the Committee. With an emphasis on staff from both the client and contractor, stating that the group, that have been involved with the contract for a considerable period of time and therefore their experience of the district and understanding of each-others respective aims have developed. All most 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.
- James Jones-McFarland spoke to the Committee regarding the contractor's performance. Targets set are detailed within the Greenspace Service's Service Delivery Plan. He advised that the monitoring of this performance was undertaken on a quarterly basis, consisting of Officers from the Council's Parks team 'mystery shopping' a selection of open spaces. Performance is assessed against a range of contractual operations applicable to each site e.g. grass cutting, litter collection and shrub maintenance. 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. Current performance to date for Year 1 overall was 73.08%, Year 2 sees Quarter 1 at 68.24% and Quarter 2 at 70.67%. The aim of the Council would be to see these scores continue to steadily improve throughout the duration of the contract.
- The Environmental Services & Strategy Manager drew the Committees attention to the achievements of the contract. Celebrating the Council's 4<sup>th</sup> Green Flag award for the Norfolk Gardens sports site in Littlehampton. This site joins Hotham Park, Mewsbrook Park and Marine Park Gardens in achieving this coveted award. Successful partnership with the GMC contractor and delivery of excellent standards of horticulture are seen as key to this achievement. Further success was seen in the delivery of investment and bid commitments. In early 2018 ISS FSL completed delivery of the new 'Wildforest Falls' Adventure Golf Facility at Hotham Park. Norfolk Gardens had a further £80,000 invested in the 'Buccaneer Bay' Adventure Golf Course which was opened during Easter 2017.
- On receiving notification of the proposed sale, the Council undertook due diligence in order to mitigate any risks to the Council associated with the proposal. This involved legal and procurement advice concerning the contractual implications to the Council and legal implications of compliance with the UL Public Contracts Regulations 2015. It is important to note that the existing contract remains unchanged under the novation agreement. A report went to Cabinet on 14 January and was approved.

A presentation was given to the Committee by the Chief Executive, Chris McIn and Regional Manager, Nigel Payne from Tivoli. The presentation gave a

detailed overview of the contract with Arun District Council inclusive of their structure, challenges and successes.

Questions and comments from the Committee have been summarised below;

- There was some surprise from the Committee that the contractual performance target was set at 61%. The Environmental Services & Strategy Manager explained that this was a baseline figure that can and will be reviewed at the appropriate time.
- A question regarding the employment of qualified Health and Safety risk assessors was asked and it was confirmed that all those who carry out checks had been fully and appropriately trained.
- A suggestion to focus on a Wellbeing aspect in terms of marketing the use of our open spaces. It was agreed that these open spaces do provide an opportunity for improved Health and Wellbeing for all sectors of the community. The Chief Executive from Tivoli explained that there will be an increase in signage for these areas and those discussions were currently on going, in particular how this will be executed and the use of Social Media campaigns to reach a wider audience.
- Concerns were raised about the increase in cost of insurance for public play areas after it had been reported in the local press recently. It was confirmed that the Council has Public Liability insurance in place as well as a strategy which was adopted by the Council 18 months ago to ensure that the Council is continuously implementing improvements to the standard of these play areas to minimise potential risks.
- Tivoli's 'Positive Interventions' campaign has just been re-launched previously known as 'Near Misses', with a clear focus on stopping future accidents. The Environmental Services & Strategy Manager stressed to the Committee that Health & Safety is really key for the tasks that are being undertaken on the ground. The Council and Tivoli are really passionate about reducing the number of incidents and making sure it is managed well. There is always room for improvement, but from a Health & Safety perspective I am really happy with our current results and future plans for improvements.
- Cabinet Member for Residential Services, Councillor Bence, Congratulated Tivoli for their provisions of equipment and support to the gardeners at Hotham Park and Norfolk Gardens. He also enquired about the redevelopment of the Cafes in the parks and was Tivoli aware of this outstanding work. It was confirmed by the Regional Manager that they were aware and that they had been on a site visit to the area today (29 January) to take a look around. Discussions are taking place to ensure that the Council offers the best facilities it can to the public.
- A further question was raised regarding the Health and Safety checks of out Play Areas in respect of the Risk Assessment documentation for each item of equipment in each Play Area. It was confirmed that the Council manage over 80 Play Areas, Arun District Council, Engineers and Tivoli employees carry out checks and all who do this have been fully trained. The Council's insurance company also undertake extra inspection every 6

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months. An external Company also complete a full risk assessment for the Council every 2 years.

The Chairman thanked the team and Tivoli for a great report and presentation as well as the great work completed by all the teams.

The Committee noted the report.

377. FEEDBACK FROM MEETINGS OF HEALTH AND ADULT SOCIAL CARE COMMITTEE HELD ON 12 DECEMBER 2018 AND 16 JANUARY 2019

The Committee received and noted the reports for the Health and Adult Social Care Committee that were held on 12 December 2018 and 16 January 2019.

The Key Points highlighted:

- As raised earlier in the meeting the Committee have strong feelings over WSCC decision to reduce funding for Housing and Homelessness Charities especially considering the national Homelessness crisis.

378. FEEDBACK FROM MEETINGS OF THE SUSSEX POLICE AND CRIME PANEL HELD ON 18 JANUARY 2019

The Cabinet Member for Wellbeing, Councillor Clayden updated the Committee that the meeting on 18 January did not take place. The next meeting of the panel will be on 1 February 2019.

At this meeting the Police and Crime Commissioner will update the Panel on the proposed precept and draft budget for 2019/20. The Panel will be asked to consider the proposed precept of £189.91 (on a Band D property), an increase of £24.00 equivalent to 14.5% and make recommendations.

The Committee saw this as an opportunity to highlight their ongoing concerns regarding local Policing.

The Committee noted the updated

379. FEEDBACK FROM MEETINGS OF THE JOINT SCRUTINY STEERING GROUP HELD ON 26 NOVEMBER 2018

The Committee received and noted an update from the Chairman from the last meeting of the Joint Scrutiny Steering Group held on 26 November 2018.

The key point highlighted was that it was agreed to streamline the processes to reflect the current working arrangements. The main changes were;

- To only hold Group meetings when the need arises
- Scrutiny Officers will meet on a regular basis to discuss work programmes
- If a relevant project is identified for joint scrutiny, the group will be consulted for agreement. At this point the group will decide whether to meet in person to discuss the project proposal
- A Chairman will be appointed at each meeting. No standing Chairman.

There were no comments made by the Committee.

The Committee noted the update.

380. CABINET MEMBER QUESTIONS AND UPDATES

The Deputy Leader and Cabinet Member for Corporate Support, Councillor Wensley, was asked, considering the Local Government Act 1972 Parish Meetings (as opposed to Parish Council Meetings) according to the Act, Arun District Council should appoint a Proper Officer to be a Parish Trustee alongside the Parish Meeting Chairman. Have we ever done so?

The Deputy Leader and Cabinet Member for Corporate Support, Councillor Wensley, responded confirming that the Chief Executive is appointed as the proper officer as defined under Section 13(3) of the Local Government Act 1972, as amended. This is confirmed in the Council's Constitution at Part 4, Officer Scheme of Delegation, Section 2.

In practice, the Chief Executive has not been asked by any Parish Meeting to perform his role as a Trustee to date.

The Cabinet Member for Planning, Councillor Charles, was asked what plans Arun District Council has to use modular buildings to help achieve our affordable housing target and what can we do to encourage developers to do so even if it eats into their profit margins?

The Cabinet Member for Planning, Councillor Charles, responded by stating that the Council take new building methods very seriously. He explained that the Council had had discussions with 3 companies that use the modular building process and are making progress with research on this. Modular builds are definitely the way forward and the Government are very keen to see more of this build method being used.

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No questions were taken from any other Cabinet Member and the Committee asked no further questions.

381. WORK PROGRAMME - 2019/2020

The Group Head of Policy asked the Committee for their suggestions for items to be considered for the Work Programme for 2019/20.

The following comments from the Committee were;

- Review the performance of Freedom Leisure
- Scrutinise WSCC decision to reduce Housing related grants
- More vigorous scrutiny of the Forward Plan

A discussion took place between the Committee and the Cabinet Members around the importance of Stone Pillow funding and the Homelessness Reduction Act. It was agreed that there is further work to do on these topics and the Committee was in agreement to consider further suggestions at the March meeting. The Group Head of Policy also agreed with the Committee to communicate with the new Committee after the Election period, to push forward action on the above items.

(The meeting concluded at 7.22 pm)