

ENVIRONMENT AND ECONOMY OVERVIEW AND SCRUTINY PANEL

THURSDAY 8 APRIL 2010 AT 10.00 AM

PRESENT: Councillor Mrs Rutherford (Chairman), Councillors Bainbridge (until 11.40am), Mrs Farmer, Hendry (from 12.05pm), Mrs Mallinson (as substitute for Cllr Mrs Vasey) (until 1.10pm), Mrs Riddle (as substitute for Cllr Mrs Styth) Mrs Robson (until 1.10pm), and Watson.

ALSO

PRESENT: Councillor Bloxham, Environment and Infrastructure Portfolio Holder
Councillor Mrs Bowman, Economy Portfolio Holder (for part of the meeting)
Councillor Ellis, Culture and Community Services Portfolio Holder (for part of the meeting)

EEOSP.24/10 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Mrs Styth and Mrs Vasey.

EEOSP.25/10 DECLARATIONS OF INTEREST

Councillor Mrs Mallinson declared a personal interest in accordance with the Council's Code of Conduct in Agenda Item A.4 Waste Services. She indicated that she was a Member of the Cumbria County Council.

Councillor Mrs Robson declared a personal interest in accordance with the Council's Code of Conduct in Agenda Item A.4 Waste Services. She indicated that she was a Member of the Cumbria County Council

EEOSP.26/10 MINUTES OF PREVIOUS MEETING

RESOLVED – That the Minutes of the meetings held on 25 February 2010 be noted with the word 'informed' added to resolution 5 of EEOSP.22/10 Making Space for Water Update.

EEOSP.27/10 CALL IN OF DECISIONS

There were no matters that had been the subject of call in.

EEOSP.28/10 OVERVIEW REPORT AND WORK PROGRAMME

The Acting Scrutiny Manager (Ms Edwards) submitted report OS.11/10 providing an overview of matters related to the Environment and Economy Overview and Scrutiny Panel's work. Details of the latest version of the work programme were also included.

Ms Edwards reported that:

- the Forward Plan of the Executive covering the period 1 March 2010 to 30 June 2010 was published on 15 March 2010. The issues that fell within the remit of the Panel were:

KD.001/10 – Corporate Plan 2010-2013

KD.009/10 – Solway Coast AONB Management Plan

KD.010/10 – North Pennines AONB Supplementary Planning Documents on Planning Policy and Building Design

KD.011/10 – Energy Efficiency Supplementary Planning Document

KD.012/10 – Planning Obligations Supplementary Planning Document

KD.013/10 – Garlands Hospital Supplementary Planning Document

KD.014/10 – Statement of Community Involvement (SCI)

Full details of the items were included in report OS.06/10 considered by the Panel at its previous meeting on 25 February 2010.

- The Tourism Task and Finish Group had met with the Director of Carlisle Tourism Partnership on 4 March 2010 and agreed that the Panel should have the opportunity to scrutinise the Action Plan of the partnership. The matter was on the agenda for this meeting.
- The Scrutiny Chairs Group would take place on Tuesday 13 April 2010 to primarily consider the Annual Scrutiny Report. Members were asked that any items for the meeting be discussed with the Chair of the Panel.

The Chairman expressed dissatisfaction with the number of items that had been scheduled for consideration by this Panel and had been removed or deferred.

RESOLVED: That, subject to the issues raised above, the Overview Report incorporating the Work Programme and Forward Plan items relevant to this Panel be noted

EEOSP.29/10 REFERENCES FROM THE EXECUTIVE

(a) EX.045/10 – Solway Coast AONB Management Plan

Minute Excerpt EX.045/10 was submitted setting out the decision of the Executive on 15 March 2010.

The Executive had decided:

- “1. That the Executive had given consideration to the final draft of the Management Plan, as attached to Report DS.08/10, and made it available for consideration by the Environment and Economy Overview and Scrutiny Panel
2. That, subject to the consideration of any changes to the Management Plan, the Solway Coast AONB Management Plan be referred to the City Council for adoption.”

RESOLVED – That the decision of the Executive be noted.

(b) EX.046/10 – North Pennines AONB: Planning Guidelines and Building Design Guide Supplementary Planning Documents

Minute Excerpt EX.046/10 was submitted setting out the decision of the Executive on 15 March 2010.

The Executive had decided:

“1. That the Executive had considered the draft Planning Guidelines and Building Design guide Supplementary Planning Documents, and made them available for consideration by the Environment and Economy Overview and Scrutiny Panel.

2 That, subject to the consideration of any changes to the draft SPDs, they be referred to Council for consideration prior to public consultation.”

RESOLVED – That the decision of the Executive be noted.

EEOSP.30/10 WASTE SERVICES UPDATE

The Waste Services Manager (Mr Gardner) submitted report CS.13/10 which provided Members with an update on developments relating to the Council's waste collection services as viewed through the prism of the Cumbria Strategic Waste Partnership's Joint Municipal Waste Management Strategy.

Mr Gardner reminded Members that report CS.50/09 presented to the Panel in October 2009 summarised the key developments to the Council's waste collection services over the previous 12 months. That report viewed those developments through the prism of the Cumbria Strategic Waste Partnership's (CWSP) Joint Municipal Waste Management Strategy (JMWMS), the overarching strategy that had provided the framework for much of the waste reduction work that had taken place across Cumbria. The strategy detailed 6 specific objectives which underpinned the overall aim of reducing the amount of waste sent to landfill across Cumbria. It was proposed that the same approach was applied to report CS.13/10 and that the JMWMS was used to view the continued development of this key Council service.

Mr Gardner reminded Members of the objectives and gave a brief update on progress made against each objective.

- Objective 1 – *‘Adopt a ‘Cumbria wide’ common method of kerbside collections of dry recyclables and garden waste as far as is reasonably practical’.*

While there had been limited progress towards the aim there was a convergence of methodologies employed in the kerbside collection of recyclables across Cumbria that would facilitate enhanced partnership working. Contractual and financial limitations meant that, to date, there remained little practical evidence of authorities collaborating with one another. The City Council had been awarded the contract for the collection of its Greenbox multi-material kerbside recycling scheme independent of Eden District Council, ending a partnership that had been in operation since 2002.

However, it was widely recognised that ‘common methods of collection’ represented a major opportunity to enhance partnership working and realise efficiencies. The CSWP had recently been awarded a grant from the Cumbria Improvement & Efficiency Partnership to commission an independent assessment of the practical options available to Cumbria’s 6 Waste Collection Authorities and the Waste Disposal Authority (WDA) for enhanced partnership working.

- Objective 2 – *‘Optimise the number/use of recycle points and Household Waste Recycling Centres, linking provision to the expansion of kerbside services and waste prevention initiatives’*

Significant progress had been made and recycling had increased and created a greater diversion to land fill.

- Objective 3 – *‘Enhance commercial waste recycling targeting biodegradable materials’*

Officers were currently evaluating submissions from companies wishing to purchase the Council’s commercial waste service. Whilst the Council would in future be unable to actively contribute to the above aim, it was suggested that with the continued increase in the cost of landfill coupled with the adoption of new disposal technologies, the collections of commercial waste in Cumbria would, in future, be less reliant on landfill and would become more environmentally sustainable.

- Objective 4 – *‘Reducing municipal waste produced by 1% per annum through waste prevention’*

Evidence from the first 3 quarters of the current municipal year continued to show a reduction in the overall amount of household waste collected.

- Objective 5 – *‘Maximise the benefits of recycling and composting to the local and regional economy’*

Report CS.50/09 presented in October 2009 outlined the benefits to the local economy of the Council’s recycling and composting schemes. The report detailed the production of a feasibility study to assess the opportunities of enhancing the Council’s partnership with Impact housing Association’s Centre 47, particularly with regard to the recycling of bulky waste items. That study was recently completed and its recommendations were currently being considered by Centre 47 and Officer of the Council. It was proposed that the results of that consideration were reported to Members in due course.

- Objective 6 – *‘Increase treatment capacity to minimise landfill of municipal waste and accommodate third party wastes.’*

The WDA’s procurement of Shanks in 2009 as its new waste disposal contractor had seen work start on the new Mechanical and Biological Treatment (MBT) facility at Hespin Wood that would provide a practical alternative to landfill and, allied with the Council’s recycling service, would provide Carlisle with a holistic, sustainable solution to municipal waste management. It was anticipated that the new MBT plant would be fully operation by September 2012.

It was suggested that the focus for the future work of the CSWP would be dependent on the appetite of its constituent members for greater partnership working. Whilst it had been suggested that there was little evidence of any real appetite, there was a recognition that the need to reduce costs and realise greater efficiencies would effectively force the Council’s hand in that direction. It was hoped that the study being commissioned by the CSWP would provide its members with a considered assessment of the available options enabling the City Council to make the right decisions for the future.

In considering the report Members raised the following concerns and comments:

- *Given the emphasis on partnership working from the Government what was the reason for the end of the partnership working with Eden District Council for Greenboxes?*

The Environment and Infrastructure Portfolio Holder responded that regulations had stated that the Greenbox contract had to go out to tender. The results from that exercise meant that the most cost effective way forward was to have two separate contracts and as a result the partnership between the two Councils had ended. However, the relationship with Eden District Council was still quite strong. He added that he felt that the only way forward to enable the whole of Cumbria to meet targets and do one job was one partnership co-ordinated in a proper way. He reported that the situation was at a crossroads and officers were working with a situation where they wanted partnership working and value for money and sometimes there was conflict

between the two. He did not believe that partnership working should be entered into just to save money; there was a need to investigate all the other benefits.

- *Could there be a mix of fortnightly and weekly refuse collections to suit the needs of the communities?*

The Portfolio Holder agreed that many homes could not deal with fortnightly collections due to space issues and those areas did have a weekly collection service.

- *There was concern that large partnerships had not proved successful and other options for collective methodology across Cumbria should be investigated further.*

The Portfolio Holder explained that all Council's would be directed to work more economically in the future. Under the new disposal contract, Cumbria County Council would have two new waste treatment plants, one in Carlisle and one in Barrow in Furness, which would turn waste into fuels which would be burned for energy. He explained that it was an exciting time and there was a need to look at waste on a County wide basis as to what best fit all areas to get a fit for purpose system. He understood that each area may be varied but it would be varied in a similar way.

- *Was there any consideration for an entirely new body to oversee waste collection operations or contracting?*

Mr Gardner responded that the work commissioned by the CSWP would look at all the options from the current informal partnership through to a formal, constituted body in its own right. In response to Members concerns about setting up a new governing body he explained that in mapping a way ahead for the work of the CSWP it had been agreed that three key questions would need to be answered:

What is to be done jointly?

Who is to work together?

How should enhanced partnership be governed?

He added that there was a lot of work to be undertaken and it would take some time.

- *Members felt that the issue of partnership working needed addressed quickly and suggested that the Cumbria Joint Scrutiny Panel should consider the report.*
- *A Member asked if any of the work had already been carried elsewhere in Cumbria.*

The Portfolio Holder agreed that it would be helpful for the Joint Scrutiny Panel to consider the work and to find out if any of the work had already been carried out.

In response to a question Mr Gardner explained that the timetable for the project was set out on page 11 of the report and the final draft report and submission of claim to the Cumbria improvement and Efficiency Partnership (CIEP) would be made in June 2010. The CIEP had provided a grant of £15,000 to carry out the work.

- *There was concern that the cleanliness of the local communities would be forgotten.*

The Portfolio Holder responded that the Council would do everything it could to respond to reports of problems areas but it was a different subject to the report today.

- *There was a need to emphasise personal responsibility about rubbish and problems areas.*

RESOLVED –1) That the Panel was concerned about the slow progress being made by the Cumbria Joint Strategic Waste Partnership with some of its objectives. With this in mind, the Cumbria Scrutiny Panel should be asked to carry out a piece of Task and Finish Group work, examining ways forward for the Cumbria Strategic Waste Partnership.

2) That the Waste Services Manager provide an update on the work carried out by the Cumbria Strategic Waste Partnership in 2010.

EEOSP.31/10 SCRUTINY ANNUAL REPORT

The Scrutiny Manager (Dr Taylor) submitted a draft of the Scrutiny Annual Report (OS.07/10). The report aimed to summarise the work that had been carried out in 2009/10 and discuss issues for the future.

Dr Taylor explained that the first part of the report provided brief details of the work of the individual panels and some scrutiny work which was being carried out jointly in Cumbria. The second part of the report considered the implementation of changes to scrutiny practices and looked to the future, giving consideration to areas when further development could be considered.

Dr Taylor drew particular attention to part 2 of the report and asked Members to give consideration to the questions set out. He also asked Members, in light of the Transformation process, if the Panel consideration should be given next year as to whether there should be fewer scrutiny panels.

In considering the draft report Members raised the following comments and observations:

- *Members questioned why the Panel were being asked to re-consider the amount of scrutiny panels. The matter had been discussed at previous meetings of the Panel and it had been agreed that the number of panels would not be reduced. Members felt that the system was working well and*

felt that a reduction in panels would result in a reduction in Members who were involved in the Council's processes.

Dr Taylor agreed that the number of panels had been previously discussed but since then there had been changes to the support for scrutiny, changes to the structure of the authority and to the Council's priorities. He added that the current structure had been in place for nine years and a review would be useful. He explained that after the work was completed it would be up to Members to decide how they moved forward.

The Chairman added that the review did not have to be restricted to reducing the number of panels but could also look at the possibility of increasing panels or membership to panels. She added that although the subject had had some consideration previously there had been no background work or detailed information available.

A Member reminded the Panel that Scrutiny had the power to co-opt Members who were not on Scrutiny onto Task and Finish Groups and suggested that this should be explored further to encourage other Members to be involved and to utilise existing knowledge and skills.

- *There was some dissatisfaction with the change in the Panels names.*

Dr Taylor clarified that the names of the Panels was a matter for Members to decide.

- *It would be beneficial to scrutiny to consider matters that had not already been decided by the Executive.*

At the request of the Chairman the Strategic Director (Mr Crossley) explained that he had previously worked for South Ribble District Council and any policy or key decision would be considered by scrutiny then the comments of the committee would be taken with the report to the cabinet. He added that this made some difference in terms of cost and it changed the emphasis on scrutiny. He explained that South Ribble had two scrutiny committees, one for resources with shared arrangements with a neighbouring authority and one to consider all other matters. This had some difficulty with the amount of work for one committee.

- *There was a need to improve the quality of work being considered by Scrutiny and there also needed to be more dialogue between Scrutiny and the Executive.*

The Panel responded to each of the questions set out in part two of the Annual Report and

RESOLVED – That the Panel felt that the relationship between Scrutiny and the Executive needed to be improved;

That informal meetings between the Chair and Portfolio Holders should be encouraged;

That Scrutiny continued with designated Lead Members for the next municipal year;

That the Development Sessions had proved very productive and should be continued;

That the Environment and Economy Panel did not continue with 'wash up' sessions but the Panel would consider alternative methods for providing feed back on the meeting;

That the Scrutiny Chairs Group be asked to monitor the effectiveness of the new support arrangements in the next municipal. In particular, they should seek to ensure clarity as regards the respective roles of the scrutiny officer and the senior officers supporting the Panels.

The Scrutiny Chairs Group should carry out a review of the new arrangements after 6 months to ensure that the Panels were being supported appropriately.

That the Scrutiny Chairs Group be asked to give consideration in the next municipal year to the number and make up of the Overview and Scrutiny Panels.

EEOSP.32/10 KEY PERFORMANCE INDICATORS FOR PRIORITIES

The Policy and Performance Manager (Mr O'Keeffe) submitted report PPP.17/10 that identified the key performance indicators for the 'Local Environment' and 'Economy' priorities.

The report focussed on the Key Performance Indicators for each of the new priorities. The Key Performance Indicators provided a set of measures through which the performance on the new priorities could be tracked.

The approach to target setting had been developed from a set of principles established with the Executive in February 2010. A new target strategy was being adopted for 2010/11 with four distinct levels:

- Stretch – a target for significant improvement on historical performance
- Improvement – an improvement (of any margin) on the previous year's performance
- Maintenance – to maintain the previous year's performance or to ensure that performance did not drop below an agreed 'floor level'
- No Target – no target set.

Mr O'Keeffe reminded the Panel that consultation on the priorities had begun in May 2009 and had continued throughout 2009. Overview and Scrutiny Panels had been included at the earliest opportunity and the Environment and Economy Panel had been included as the Key Performance Indicators for the

new priorities would form the basis for the quarterly and annual performance reports for the Panel.

Mr O'Keeffe added that National Indicators 184 and 170 had been deleted since the report had been produced.

In considering the report Members raised the following comments and observations:

- *Some of the National Indicators were positive but the City Council could not influence them.*

Mr O'Keeffe agreed that some of the work was not naturally the work of the City Council but there were teams within the authority that did touch on some of the areas.

A Member suggested that, if possible, Key Performance Indicators(KPIs) be included underneath the National Indicators to show how the City Council fed into the National Indicators.

- *It would be useful to have the names of responsible officers or directorates included in the report and not just the relevant Portfolio Holder.*
- *Did the National Indicators have to be considered by Scrutiny?*

Mr O'Keeffe responded that the National Indicators were specific to the priorities and they would have to be reported annually to the Panels.

- *Were the stretch targets which had a reward under the Local Area Agreement included in the report?*

Mr O'Keeffe confirmed that the targets were included and agreed to highlight them in future reports.

RESOLVED – 1) That the Panel looked forward to monitoring the Key Performance Indicators for Priorities;

2) That future reports included some outcomes for the National targets and Key Performance Indicators and how they add value to the Corporate Plan.

EEOSP.33/10 – CARLISLE TOURISM PARTNERSHIP – SCRUTINY PROPOSALS

The Panel welcomed Ms Marie Whitehead, Director of Carlisle Tourism Partnership to the meeting.

The External Funding Officer (Mr Griffiths) submitted report ED.21/10 which provided an introduction to the purpose and work of the Carlisle Tourism Partnership along with proposals for the involvement of the Panel in its scrutiny.

Mr Griffiths reminded Members that Scrutiny had last considered the formation of a partnership to deliver the tourism service in Carlisle in April 2009. Since that time, the establishment of the Carlisle Tourism Partnership had been approved by all partners.

The key governance elements of the agreement were:

- Collaboration agreement for the Carlisle Tourism Partnership
- Budget arrangements
- Carlisle Tourism Partnership Board, Management and Staffing
- Action Plan

The Scrutiny Panel proposals were initially discussed with 3 Members of the Environment and Economy Panel at a workshop held in early March.

Mr Griffiths explained that Members now had the opportunity to scrutinise the first proposed Action Plan, but there also needed to be provision to review the performance of the Carlisle Tourism Partnership on an annual basis as well as looking forward to the proposed activity for the following year. That would be necessary in advance of considering the following year's funding agreement request.

The Action Plan outputs to be achieved in 2010/11 would form the basis of the performance management of the Carlisle Tourism Partnership. It would be necessary to undertake a self assessment of the Partnership's governance arrangements in early 2010/11 and there is also a specific requirement for an annual review at the end of 2010/11. That would allow the Panel to consider progress and issues arising in the following areas:

- Review of aims and objectives and involvement of service users in the process
- Ongoing risk management arrangements
- Financial performance
- Progress towards achieving outcomes
- Value for money assessment.

Mr Griffiths advised that it was proposed to include all of the above in one scrutiny session towards the end of 2010/11 financial year. There may also be the opportunity for the Panel, or 1 or 2 Members of the Panel, to assist with review or development matters relating to tourism.

Ms Whitehead gave a presentation on the Carlisle Tourism Partnership (CTP) outlining the priorities, main activity programmes and the benefits to Carlisle City Council and the Carlisle Tourism Partnership. She explained that the

Carlisle Tourism Partnership needed to deliver a number of things including a Strategy and Programme to increase the value of tourism in Carlisle, enhance communication and joint working between Carlisle City Council, Carlisle Tourism Partnership and Carlisle Renaissance, re-engage and enthuse the private sector, maximise the potential, and avoid duplicating resources and enhance Business Tourism on a county basis.

She highlighted a number of activities and improvements that were being carried out and explained that whilst the Council had committed £90,000 marketing and promotion budget in 2010/11 this had been supplemented with other match funding and increased to £300,000 over the next two years. She added that the Carlisle Tourism Partnership was made up of a motivated, enthusiastic and professional team who were committed to improving the whole experience of Carlisle and its branding.

In considering the report and presentation Members raised the following comments and observations:

- *Members were extremely impressed with the level of enthusiasm for the partnership and the plans for the future of tourism in Carlisle.*
- *It would be useful for future reports to include any achievements in outputs or any problems incurred.*
- *What was the Welcome to Carlisle programme?*

Ms Whitehead explained that the 'Welcome' programme offered courses and training to local businesses which covered a wide range of topics including customer service, leadership and management. The programme had been extremely successful and 125 people had been trained so far.

- *Was there any connection with the Carlisle Local Committee?*

Ms Whitehead asked Members how the CTP should engage with the Carlisle Local Committee and agreed to contact the Chairman.

- *There was concern that the Carlisle Tourism Partnership Board would run as an informal partnership without a formal constitution.*

Ms Whitehead informed the Panel that it had been agreed by the founding partners that a formal constitution would restrict the work of the partnership and agreed that a formal collaboration agreement would be more appropriate and a legal document had been prepared by the City Council's legal team.

- *Would larger conference facilities be a possibility for Carlisle in the future?*

The Economy Portfolio Holder responded that Carlisle did hold large conferences but they were spread over various venues.

Ms Whitehead explained that the CTP were working with hotels to help them develop capacity and an understanding of conference venues. The CTP were looking at what already existed in Carlisle and were trying to establish who they wanted to attract. The more large events that were held in Carlisle then the bigger the increase in investment.

- *Members had been very impressed with the recent torchlight procession that was part of Illuminating Hadrian's Wall but had concerns that the news item had not mentioned Carlisle.*

Ms Whitehead agreed that it had been disappointing not to have Carlisle mentioned but as a result of the procession Carlisle had featured in the New York Times and twenty seven European publications, the procession in Carlisle also received 1.8m viewers in Japan.

- *It would be useful to have any links with Cumbria County Council added to the report.*
- *It was felt that the outputs in the action plan could be more specific and could show how the CTP could attract funding. It would also be very useful to know how the work of the CTP generated income for the City. The Action Plan should also include more information on how outcomes would be monitored.*

Mr Griffiths stated that the partnership was in its early stages and the next report would have more detail and information on progress included.

RESOLVED - 1) That the Panel welcomed report ED.21/10 and the presentation by the Director of Carlisle Tourism Partnership

2) That the Panel would like to see a further report on the progress of the Carlisle Tourism Partnership in six months time.

EEOSP.34/10 SUSPENSION OF COUNCIL PROCEDURE RULE

It was noted that, during consideration of the above item of business, the meeting had been in progress for three hours and it was moved and seconded, and

RESOLVED – That Council Procedure Rule 9 in relation to the duration of meetings be suspended in order that the meeting could continue over the time of three hours.

EEOSP.35/10 – CORE STRATEGY REPORT (TO INCLUDE ST NICHOLAS/WARWICK ROAD)

The Assistant Director (Economic Development) (Mr Hardman) gave a verbal report on the Core Strategy Report considering the planning issues.

Mr Hardman explained that there was a lot of work outstanding on the report and that there were four strands to the report. The first strand was an explanation of what the Core Strategy was what it would achieve and the necessary background information. The second strand would be the Issues Paper setting out key issues forming the first consultation. The third strand was the need to get people involved at the start of the consultation process outlining what the Council was doing as part of the consultation plan. The fourth would involve looking ahead at how Members would want to be involved through Overview and Scrutiny.

In response to a question Mr Hardman stated that it would be beneficial for the report to be considered at the first meeting of the Panel in the next municipal year.

RESOLVED - 1) That the update on the Core Strategy Report be noted.

2) That the Core Strategy Report would be programmed into the Environment and Economy Overview and Scrutiny Panel's work programme at the Panel's development session.

EEOSP.36/10 – MORTON MASTERPLAN

The Assistant Director (Economic Development) (Mr Hardman) gave a verbal update on the Morton Masterplan.

Mr Hardman informed the Panel that the Executive had considered a report on 15 March 2010 and agreed that the land at Morton be placed on the open market at the appropriate time. He added that this meant that there would be no further work required at this time.

RESOLVED – That the update on the Morton Masterplan be noted.

[The meeting ended at 1.20pm]