

INFRASTRUCTURE OVERVIEW AND SCRUTINY COMMITTEE

THURSDAY 31 JANUARY 2002 AT 10.00 AM

PRESENT: Councillor Mrs Rutherford (Chairman), Councillors Mrs Bowman, Mrs Crookdake, Hodgson B, Hodgson G, Mrs Mallinson, Mallinson J (as substitute for Councillor Dodd) and Weedall.

ALSO

PRESENT: Councillors Firth, Fisher L, Glover, Prest G and Wilson.

Councillor Ellis attended the meeting on behalf of the Community Overview and Scrutiny Committee in respect of Agenda item A.5 – Review of Dog Fouling Policy.

Mr David Sheard (Carlisle Area Support Manager, Cumbria County Council) and Mr Robin McCartney (Associate Director, Capita dbs) attended the meeting in respect of Agenda item A.4 – Relationship between the City Council, Cumbria County Council and Capita dbs.

IOS.1/02 APOLOGY FOR ABSENCE

An apology for absence was submitted on behalf of Councillor Dodd.

IOS.2/02 AGENDA

The Chairman indicated that she had agreed to a report from the City Treasurer concerning the Concessionary Fares Best Value Review being considered as a matter of urgency in view of the need to deal with the issue before the next meeting of the Committee. She added that it would be dealt with as Agenda item A.6, with the remainder of the Agenda following thereafter.

The Chairman then indicated that she would require to leave the meeting at 11.30 am in order to attend the Organisational Assessment Best Value Review Sub-Committee. Members commented that it was not good practice for Members and Officers to be "double booked" and the scheduling of meetings should be investigated and reported back.

The City Solicitor and Secretary commented that the meeting in question was a special meeting, called at short notice, and the date had been chosen by the Corporate Resources Overview and Scrutiny Committee.

RESOLVED – That the scheduling of meetings be investigated and a report submitted to the Overview and Scrutiny Management Committee.

IOS.3/02 DECLARATIONS OF INTEREST (INCLUDING DECLARATIONS OF "THE PARTY WHIP")

Councillors Mrs Mallinson and Mallinson J declared non-pecuniary interests in accordance with the National Code of Local Government Conduct in the item of business relating to Cumbria County Council Corporate Strategy Review 2002/05.

IOS.4/02 MINUTES

The Minutes of the meetings held on 1 November and 13 December 2001 were signed by the Chairman as a correct record of the meetings.

IOS.5/02 CALL-IN OF DECISIONS

RESOLVED – That it be noted that there were no matters which had been the subject of call-in.

IOS.6/02 THE FORWARD PLAN

The Head of Corporate Policy and Strategy presented report TC.27/02 highlighting Forward Plan (1 February to 31 May 2002) issues which fell within the ambit of this Committee.

The Director of Environment and Development, and Head of Corporate Policy and Strategy then provided background information on the items regarding the Carlisle Northern Development Route, and Carlisle Enterprise Centre and the City Centre Marketing Initiative respectively.

At the invitation of the Chairman, the Portfolio Holder for Economic Prosperity commented that the future use and operation of the Enterprise Centre had been raised when the Brampton Business and Telecentre had been discussed and a report detailing options would be forthcoming. With regard to the pilot and implications for future marketing initiatives for Carlisle City Centre, the Portfolio Holder had nothing to add to his report to Council, other than to say that a further report would be produced at the end of the financial year.

The Chairman asked whether the Portfolio Holder would be happy for those reports to also be submitted to this Committee and he confirmed his agreement to that course of action.

RESOLVED – (1) That the issues contained within the Forward Plan for 1 February to 31 May 2002 and which fell within the ambit of this Committee be noted.

(2) That future reports regarding Carlisle Enterprise Centre and City Centre Marketing Initiative be submitted to this Committee.

IOS.7/02 WORK PROGRAMME

The Head of Corporate Policy and Strategy submitted an Overview and Scrutiny Work Programme for 2001/02, which took into account matters scheduled to be dealt with by this Committee..

RESOLVED – That the 2001/02 Work Programme for the Infrastructure Overview and

Scrutiny Committee be noted.

IOS.8/02 RELATIONSHIP BETWEEN THE CITY COUNCIL, CUMBRIA COUNTY COUNCIL AND CAPITA DBS

The Chairman welcomed Mr David Sheard, Carlisle Area Support Manager, Cumbria County Council, and Mr Robin McCartney, Associate Director, Capita dbs to the meeting.

An excerpt of the Minutes of the last meeting had been circulated which outlined a number of matters upon which clarification was sought (Minute IOS.22/01 refers).

Mr Sheard commented that he had received a copy of the report considered at the last meeting of this Committee. He drew attention to an error at paragraph 1.4 d) of the report regarding Insurance Claims, the correct position being that under the Claimed Rights procedures the City Council was required to provide insurance cover to indemnify the Highway Authority against any claims which may arise.

Mr Sheard and Mr McCartney then commented on the issues raised as follows:

(a) Exactly what service Capita was contracted to deliver and what service City Council Members and the public could expect from Capita dbs –

The performance standards remained unchanged under the Capita/County split, it being a seamless service. Mr Sheard's approach was that the relationship with Capita was a partnership, rather than a purely contractual arrangement and it was important to endeavour to respond as appropriate in individual cases. He stressed that Capita did not sub-contract work to other organisations.

A Best Value Review had been undertaken, the final report for which had been fairly good. The points raised by the Best Value Inspector were being addressed, including the need to work on the public's perception of the service provided.

Mr Sheard recognised that many people still contacted the Officers with whom they had dealt prior to the termination of the Highways Agreement and were able to obtain answers that way. Mr Jim Smith, Area Engineer was now the main point of contact. However, Members could also contact the Highway Call Centre, write to Mr McCartney or himself and they would reply directly where possible.

(b) The procedures which were in place to record details of requests received for minor improvements –

Telephone number 0845 609 6609 was the contact number for the Highway Call Centre which was fully operational and should be publicised by the Council as the first point of contact to be used when reporting constituents' complaints. Complaints were recorded and if they required investigation would be passed to the relevant Officers. In addition, a reporting system was in place in order that Mr Sheard could be made aware of the nature of complaints received.

(c) Any procedures in place for the agreed prioritisation of schemes across the whole area –

The County Council set the budgets and Officers were responsible for the prioritisation of work. However, if additional funding was required in a particular area, that decision would rest with the County Council Local Committee for Carlisle. It was recognised that peoples perception of what was important many differ throughout Cumbria and Mr McCartney was happy to discuss that issue with Members if they so wished.

(d) Mechanisms in place for City Council Members to be informed of schemes in their Ward –

The Transport Steering Group was the focus for the City and County Councils to work together on highway issues, and City Council Members could be kept informed in that way. Mr Sheard felt that if a separate system was established that could lead to conflict.

(e) Procedures for consulting and communicating with the public -

Neighbourhood Forums were used as a means of communication and in order that the Unit could adopt an integrated approach. There were also specific consultation processes which would be adopted in relation to individual schemes e.g. within the City Centre.

A Member commented that there were now numerous companies who were continually digging up the highways and that Government legislation was required to address the problem nationally. The Chairman commented that a meeting had been held with the utility companies, but no satisfactory conclusion had been reached since they were all in competition with each other and reluctant to co-ordinate their work programmes.

A Member commented that it had been hoped that the Transport Steering Group would become a decision making body which in turn would speed up the decision making process. The City Solicitor and Secretary indicated that he had had substantial correspondence with the DTLR but, as things stood, the Group must remain purely discussion based. It was, however, recognised that they Group was working well at present.

Mr Sheard, Mr McCartney and the Director of Environment and Development then responded to Members' questions.

The Chairman thanked Mr Sheard and Mr McCartney for their attendance.

RESOLVED – That the position be noted.

IOS.9/02 DOGS (FOULING OF LAND) ACT 1996 – DOG WARDEN ENFORCEMENT

Pursuant to Minute IOS.8/01(c), the Head of Environmental Services presented report EN.18/02 concerning the Dogs (Fouling of Land) Act 1996 – Dog Warden Enforcement. He

introduced members his team, namely Mr David Ingham, Principal Environmental Health Officer, Ms Julie Parton, Mr Peter Hogarth and Mr Alan O'Brian, Dog Fouling Enforcement Officers who were present at the meeting. A representative from the Environment Forum had been invited to attend but, unfortunately, was unable to do so.

Mr Ingham, in his capacity as Head of the Environmental Protection Section, then gave a presentation on the Dogs (Fouling of Land) Act 1996 which was the enabling legislation allowing Local Authorities to designate land within their areas thus making it an offence for dogs to foul on such land. The Council operated a fixed penalty scheme (£25 to be paid within 14 days) and failure to pay resulted in prosecution. He added that there was no requirement on Local Authorities to provide dog waste bins or signs.

Ms Parton outlined the current work of the Dog Fouling Enforcement Officers. The team consisted of one full-time and two part-time Officers and covered the whole of the Carlisle City area and surrounding villages. 135 Fixed Penalty Tickets had been served, 5 people had been successfully prosecuted through the Magistrates Court and a total of 720 dog owners approached during the previous year. In cases of habitual offending observation sheets were distributed which provided Officers with the necessary information to enable them to go out and catch offending owners. In addition, if an area suffered badly from fouling letter drops were undertaken inviting people to complain and to display stickers so that offenders would be aware that they were being watched. The Unit was responsible for the location of 30 additional bins and a scheme was in place to reward those who cleaned up after their dogs.

A major part of the team's work was a rolling programme of education, including presentations to school children and a poster competition. The team had also acquired mountain bicycles which would enable them to carry out their work more efficiently.

The Head of Environmental Services, Mr Ingham and Ms Parton then responded to Members' questions.

In considering the matter, a Member asked whether Members could be of any assistance and the Head of Environmental Services commented that it would be helpful if when Members received complaints they encouraged people to report offenders in order that the Council could take action. A Member commented that it may prove useful to "name and shame" offenders via the press and Council publications. The question of a Neighbourhood Dog Watch was also raised and it was felt that it could initially operate in two areas, i.e. the Stanwix area and one rural type area on a trial basis to allow comparisons to be made.

During consideration of this item of business the Chairman left the meeting and the Vice-Chairman took the chair.

The Vice-Chairman thanked Officers for their attendance.

RESOLVED – (1) That the report and presentation be noted.

(2) That the Director of Environment and Development be requested to provide progress reports to future meetings of this Committee.

IOS.10/02 CONCESSIONARY FARES BEST VALUE REVIEW

The Head of Revenues presented Financial Memo 2001/02 No.136 concerning the Best Value Review of Concessionary Fares.

He commented that during the Review, efficiency savings of £100,000 had been identified. The Executive had recommended the use of £80,000 to help fund new Council initiatives in 2002/03, leaving £20,000 p.a. to support further improvements to the Concessionary Fares Scheme. He therefore sought guidance from Members on the use of that sum.

An Executive Summary, reflecting the improvements to the Scheme which had been identified and, where practicable, implemented during the Best Value Review process, together with Action Plan targets to achieve further improvements over the next three years were appended to the report.

In considering the matter, Members expressed their support for the introduction of Concessionary Railcards to qualifying pensioners and disabled people as an alternative to concessionary bus passes. It was, however, felt that the options of free bus travel to qualifying pensioners and disabled people and introduction of travel tokens/vouchers should also be borne in mind and looked at again as part of the Best Value Review.

RESOLVED – (1) That the Executive Summary and Action Plan be noted.

(2) That this Committee supports the recommendation to the Executive that the £20,000 efficiency savings retained in the Concessionary Fares Budget (of the total £100,000 savings) be used to finance the introduction of Concessionary Railcards for qualifying residents who find the train more convenient than bus travel.

(3) That it be noted that the final draft of the Best Value Review of Concessionary Fares would be submitted for scrutiny on 7 March 2002.

IOS.11/02 REGENERATION - BEST VALUE REVIEW – UPDATE

The Head of Community Support presented report LCD.4/02 providing an update on progress with the Regeneration Best Value Review.

The Head of Community Support commented that the Review was still in its early stages. Preparatory work had included the compilation of a Schedule of Regeneration Activities and Projects in which the Council were currently involved, together with a list of some of the Council's Strategies under which that work was being or could be carried out.

He then provided details of definitions and explanations relative to the Review and outlined progress to date. Vantage Point, consultants, had been appointed to work alongside the Officers Working Group, particularly on the Compare and Consult elements, which would mark a significant gear change in the timetable for progress, a current copy of which was appended to the report.

The first of a series of workshop style consultations to ensure the involvement of relevant Members of the Council should have taken place on 29 January 2002, but had to be cancelled. Another was scheduled for 13 February to which Members of this Committee were welcome and the Head of Community Support undertook to e-mail the relevant details to Members.

A Member commented that the Council Project/Activity List was cross-cutting and requested that the Head of Corporate Policy and Strategy bring forward a list of those which were pertinent to this Committee.

Members also expressed their appreciation of the considerable amount of work undertaken by Officers.

RESOLVED – That the report be noted and the content endorsed.

IOS.12/02 BEST VALUE REVIEW – WASTE MANAGEMENT AND PUBLIC CONVENIENCES – ACTION PLAN

The Head of Environmental Services presented report EN.17/02 concerning the Waste Management and Public Conveniences Best Value Review Action Plan.

The Head of Environmental Services outlined the content of the Action Plan, progress made during year one (financial year 2001/02) and the considerable problems associated with the huge increase in refuse special collections as detailed at Appendix 1 to the report. The kerbside collection pilot scheme, run by the City Council and partners, including Cumbria Waste Recycling Limited, had commenced that week and the response was also beyond that anticipated. It was hoped to extend the scheme to include garden waste in the future.

One area of concern within the Street Cleaning Contract was the continuing operation of the FIDO dog-waste collection vehicle. The Environment Agency had raised concerns regarding the disposal of the contents and the machine had become progressively less reliable. It was felt that consideration should be given to the re-direction of the staff resource for FIDO into enhanced cleaning in the City Centre area where problems were being experienced in meeting the standards of the Code of Practice due to the continuing growth in litter. The Head of Environmental Services recommended that the relevant Portfolio Holder should make a decision in that regard.

He provided details of the proposals for year two (2002-03), commenting that much would depend on the outcome of the pilot kerbside recycling scheme and the result of any bid for additional funding from the recently announced £140 million Government fund for the promotion of recycling.

The Head of Environmental Services then responded to Members questions.

In considering the matter, the acting Chairman requested that a further report be submitted to the Committee including the following –

- details of the contract for bulk disposals, together with budget implications

- with regard to the extension of neighbourhood recycling sites, details of how the Council would meet the ambitious targets set by Government under the Waste Strategy 2000;
- details of any bid for additional funding, together with budget implications
- how the Council can meet the new recycling targets imposed by Government without an injection of cash

RESOLVED – (1) That the report be noted and the second year of the Waste Management and Public Conveniences Action Plan be approved.

(2) That the Director of Environment and Development be requested to submit a further report to this Committee, including his response to the points raised above.

IOS.13/02 SUSPENSION OF COUNCIL PROCEDURE RULE

A Member commented that the meeting had been in progress for three hours and moved the suspension of Council Procedure Rule 9 in order that it may continue.

RESOLVED – That Council Procedure Rule 9 in relation to the duration of meetings be suspended in order that the meeting continue over the time limit of 3 hours.

The Chairman returned to the meeting and resumed the Chair.

IOS.14/02 PLANNING GREEN PAPER – PLANNING : DELIVERING A FUNDAMENTAL CHANGE

The Head of Planning Services presented report EN.15/02 concerning changes to the planning system suggested in the Planning Green Paper issued on 12 December 2001 and entitled "Planning: Delivering a Fundamental Change".

The Head of Planning Services outlined the main changes proposed, commenting that the aim was to simplify the complex hierarchy of plans, deliver fast decisions and better engage the community. There was also recognition within the Green Paper that local Planning Authorities were overstretched, the planning function needed to be properly resourced and there were problems in recruitment. In addition to the main Green Paper there were other associated documents concerning Compulsory Purchase Orders and compensation arrangements, the reform of planning obligations, changes to the Use Classes Order and new Parliamentary procedures for major infrastructure projects.

He added that the proposals would be discussed in detail at various meetings and seminars, and it was therefore considered to be appropriate to wait until after those events before making any recommendations in respect of the Council's views and opinions on the changes.

The Head of Planning Services then responded to Members' questions.

In considering the matter, a Member expressed concern at the suggested reduction in the number of statutory consultees, commenting that it was quality which counted, rather than speed of response.

Members then made the following points –

- Consultation should take place prior to the submission of applications;
- Reasons for decisions should apply to approvals as well as refusals;
- There should be more effective enforcement action against those who cheated the system.

RESOLVED – That the report, together with the points detailed above, be noted.

IOS.15/02 AGENDA

RESOLVED – That consideration of the following items of business be deferred until the next meeting of the Committee –

Planning Services Service Plan;

Cumbria County Council Corporate Strategy Review 2002/05;

Government White Paper – "Strong Local Leadership – Quality Public Services"; and

Performance Indicator Report : April – September 2001.

[The meeting ended at 1.30 pm]