

ENVIRONMENT AND ECONOMY OVERVIEW AND SCRUTINY PANEL

THURSDAY 13 SEPTEMBER 2012 AT 10.00 AM

PRESENT: Councillor Layden (Chairman), Councillors Bainbridge (until 11.40am), Bowditch, Graham, McDevitt, Nedved, Watson and Whalen.

ALSO

PRESENT: Councillor Mrs Martlew - Environment and Transport Portfolio Holder
Councillor Forrester – Representative of the Resources Overview and Scrutiny Panel
Councillor Craig – Representative of the Resources Overview and Scrutiny Panel
Councillor Bloxham – Observer
Councillor Mallinson – Observer
Councillor Allison - Observer

EEOSP.49/12 APOLOGIES FOR ABSENCE

There were no apologies for absence submitted.

EEOSP.50/12 DECLARATIONS OF INTEREST

Councillor McDevitt declared an interest in accordance with the Council's Code of Conduct in respect of agenda item B.1 Claimed Rights. The interest related to the fact that he was a Member on the Cumbria County Council.

Councillor Watson declared an interest in accordance with the Council's Code of Conduct in respect of agenda item B.1 Claimed Rights. The interest related to the fact that he was a Member on the Cumbria County Council.

Councillor Whalen declared an interest in accordance with the Council's Code of Conduct in respect of agenda item B.1 Claimed Rights. The interest related to the fact that he was a Member on the Cumbria County Council.

EEOSP.51/12 MINUTES OF PREVIOUS MEETINGS

RESOLVED – (1) That the minutes of the meetings held on 21 June 2012 and 2 August 2012 be agreed as a correct record of the meeting and signed by the Chairman.

EEOSP.52/12 CALL IN OF DECISIONS

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

EEOSP.53/12 PUBLIC AND PRESS

RESOLVED – That in accordance with Section 100A(4) of the Local Government Act 1972 the Public and Press were excluded from the meeting during consideration of the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in the paragraph number (as indicated in brackets against the minute) of Part 1 of Schedule 12A of the 1972 Local Government Act.

EEOSP.54/12 CLAIMED RIGHTS

(Public and Press excluded by virtue of Paragraph 3)

The Director of Local Environment (Ms Culleton) presented report LE.27/12 concerning the review of Highways Claimed Rights. Ms Culleton gave the background to the Highways Claimed Rights arrangements and the reasons for the review. Ms Culleton outlined the findings of the review and introduced Mr Trevor Clark of Buchanan Order Management who had carried out the review and attended the meeting to give a presentation on the future options for consideration.

Mr Trevor Clark gave a presentation which outlined the reasons for the review of the Highways Claimed Rights, the current service delivery, the perspective of both Carlisle City Council and Cumbria County Council and the conclusions from the review.

The Environment and Transport Portfolio Holder felt that the independent report addressed the involvement of both authorities in the highways claimed rights. The Executive had forwarded the report to the Panel without any specific recommendations on the options. This was so the Panel were able to give their opinion without any influence from the Executive. She added that the decision on the future of claimed rights had been discussed for some time and now, due to financial issues, the decision had to be made. Discussion had begun between the City Council and the County Council and they had been very positive. Both authorities wanted this to go forward.

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

- The Panel felt it was essential that if option 2 was chosen then the City Council must have equal representation on the Highways Transport and Working Group to ensure that the City Council had the relevant influence on the standard of service.
- A Member asked for clarification with regard to a figure contained within the summary of options financial analysis.

Mr Clark confirmed that the figure in question was the budget for the work that the City Council would continue to carry out if the Claimed Rights was transferred back to the County Council. The City Council would retain a statutory responsibility to carry out some aspects of the work but there were options around how this could be carried out.

- A Member sought assurances that resources would be available in Carlisle to deal with extreme weather.

The Environment and Transport Portfolio Holder informed the Panel that the first meeting had taken place with the County Council. The City Council wanted to ensure that the highways were maintained to the standard required and the County wanted to incorporate the City's expertise. The meeting had been extremely positive but the residual matters would require more detailed discussion.

Ms Culleton added that the options in the report would allow the retention of staff with the knowledge and expertise required to maintain the service within Carlisle.

- Were there any case studies available from authorities that have undergone the transfer of claimed rights?

Ms Culleton confirmed that a desk study of other authorities who had evaluated their residual transfer had been carried out. There were very few, if any, authorities that had retained the claimed rights. Most authorities had transferred highways maintenance back to the County or the Highways Authority e.g Lancashire and the rest of Cumbria.

- A Member questioned whether the risks outlined for option 2 were sufficient?

Mr Clark reminded the Panel that the Council's current influence for claimed rights was limited due to financial constraints, if the City Council had representation on the Highways and Transport Working Group they would be able to influence the service, priorities and new initiatives. He reminded the Panel of the City Council and County Council's position; by bringing the teams together the available resources would be used more effectively.

- The Panel felt it was important that scrutiny should be involved in the future of claimed rights.

Ms Culleton agreed that there should be a role for scrutiny. Other authorities reviewed the agreement through scrutiny and she felt that the City Council would have a role in scrutinising the service in the future.

- A Member commented that there was a lot of confusion regarding who had the responsibility for different roads, the options in the report would erase the issues.

Ms Culleton agreed that it was essential to make things easier for members of the public.

The Panel thanked Mr Clark of Buchanan Order Management for his informative presentation and for his responses to Members questions.

The Panel also thanked Councillor Forrester and Councillor Craig for their attendance on behalf of the Resources Overview and Scrutiny Panel.

Following voting thereon it was:

RESOLVED: That the Panel recommend option 2, as set out in report LE.27/12, to the Executive as the preferred option.

The Panel ask that the Executive use their best endeavours to negotiate equal representation for Carlisle City Council on the Cumbria County Council Highways and Transport Working Group.

Councillors Bainbridge abstained from voting on the matter.

The Panel then moved into a public session.

EEOSP.55/12 OVERVIEW REPORT INCORPORATING THE WORK PROGRAMME AND FORWARD PLAN ITEMS

The Overview and Scrutiny Officer (Mrs Edwards) presented report OS.24/12 which provided 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.

Mrs Edwards reported that:

- The Forward Plan of the Executive covering the period 1 September 2012 to 31 December 2012 had been published on 17 August 2012. The items that related to the work of this Panel were:
 - KD.026/12 – Public Realm Works (as referred to in Sainsbury Section 106-687 document) – the Executive considered the report at their meeting on 3 September 2012 and agreed the release of funds and to include the project in the Capital programme. The Panel had agreed not to scrutinise the report
 - KD.027/12 – Highways Claimed Rights Review – the item had been discussed earlier in the meeting
 - KD.031/12 – Old Town Hall – the Executive considered the report at their meeting on 3 September 2012 and resolved to approve additional capital to ensure delivery of a preferred repair and improvement programme
 - KD.028/12 – Future Use of Council Property at Paternoster Row and Castle Street – the Executive would consider this report at their meeting on 29 October 2012
 - KD.032/12 – Carlisle City Centre Business Improvement District – Approval for the City Council to enter into an Operational Agreement and Baseline Agreement with the Carlisle BID Complaint – the Executive would consider to

report at their meeting on 29 October 2012 (dependent upon the outcome of the ballot which was scheduled to be held on 28 September 2012)

- KD.033/12 – Budget Process 2012/13 – the item was on the agenda for the meeting of the Panel on 29 November 2012
- References from the Executive meeting held on 2 July 2012 were included within in the report. The Minute excerpts referred to:
 - EX.073/12 – Botchergate Conservation Area appraisal
 - EX.076/12 – Events Guidance Document 2012-2017
- Mrs Edwards reminded Members that the Terms of Reference for the Tourist Information Centre Task and Finish Group had been agreed at the last meeting of the Panel. Members of the group had spent some time visiting the Carlisle Tourist Information Centre and the Group met on 4 September 2012 to consider the next steps of the review. There would be a further update following a visit to Tourist Information Centres in Skipton and Leeds.
- Councillors Bainbridge and Bowman had been appointed to a joint piece of work on Members Small Scale Project Grants with Resources Overview and Scrutiny Panel. Councillors met with the Director of Local Environment on 3 September 2012.

The Director of Local Environment (Mrs Culleton) reported that the meeting had showed the value of smaller grants within the community. There had been some confusion with regard to the scheme and one outcome of the meeting would be to create a checklist to go with the applications so Members could easily identify projects that would fit in with the scheme.

- The outcome of the ballot of businesses to create a Business Improvement District (BID) in Carlisle City Centre was due to be announced on Friday 24 August 2012. However due to an administrative error by Electoral Reform Services the ballot forms were sent out late, which invalidated the ballot process. The ballot was being re-run and the outcome was due to be announced on 28 September 2012. If there was a “yes” vote to the ballot the formal Business Improvement District would run from 1 January 2013 for a five year period to 31 December 2017. The matter would be considered by the Panel at the meeting on 25 October 2012. Mrs Edwards advised that the final version of the BID Business Plan was available on the Carlisle BID website.
- Work Programme – Mrs Edwards presented the current work programme. She informed the Panel that a visit to the Enterprise Centre had been arranged for 2 October 2012 and Members would be sent further details and confirmation. She confirmed that the tenants of the Enterprise Centre would be informed of the visit so they could raise any concerns or questions.

Mrs Edwards updated the Panel on the Botchergate Conservation Area Appraisal. The matter had been discussed at the Tripartite meeting and it had been agreed that an update report would be submitted to the Panel in November and the comprehensive action plan would be considered early in 2013.

RESOLVED – 1) That, subject to the issues raised above, the Overview Report incorporating the Work Programme and Forward Plan items relevant to this Panel be noted.

2) That Forward Plan items KD.033/12 – Budget Process 2012/13 – would be considered by the Panel at their meeting on 29 November 2012.

EEOSP.56/12 PERFORMANCE MONITORING REPORTS

The Policy and Performance Officer (Mr Daley) submitted report PPP.12/12 which detailed the development of the new Corporate Plan and the indicative timetable for the work. The report also introduced the Service Standards that would measure the Council's performance and customer satisfaction.

Mr Daley reminded the Panel that the 2010-2013 Corporate Plan was drawing to an end and work had begun on developing a new Corporate Plan and performance framework. The new Plan would set out the Council's vision for Carlisle and priorities for action. Each of the priorities would initially aim to be delivered by the end of March 2013. This would align the Plan with the budget year, and future actions that developed could fit into the budget planning process.

The new list of Service Standards reflected what the Council believed affect its customers the most and were standards which the Council could be held to account on. The Standards were based on timeliness, accuracy and appropriateness of the service provided in key areas.

Mr Daley added that that it was not the Council's intention to measure the Service Standards' performance solely against targets and performance would be measured on a monthly basis and the results would be displayed in the Civic Centre reception and on the Council's website.

In addition to the Service Standards and the measures that each Directorate would have in place, the Council was developing a set of principles for staff that would support them, guide behaviours and help them perform to the best level.

Members were asked to consider the Service Standards and refer any comments to the Scrutiny Chairs Group for their review of future Corporate Plan reports.

In considering the report Members raised concerns that the comparisons made in the report were with the best Councils in the Country in that particular area. The report did not give any indication of the size of the authority or the resources that authority placed on that service standard. Members felt that it would be more appropriate to compare the City Council with Councils of a similar size with similar service size.

Mr Daley confirmed that future reports would contain comparison information using 'nearest neighbours', which were authorities with similar demographics.

In response to a Member's comments the Deputy Chief Executive highlighted the new principles for staff to follow and informed the Panel that they had been introduced to ensure all members of staff were encouraged to take responsibility and to feel valued in their job.

RESOLVED – That report PPP.12/12 Corporate Plan be noted.

(The meeting ended at 12.10pm)