

Minutes of the Meeting of the Corporate Overview and Scrutiny Committee held on 5 March 2019 at 7.00 pm

- Present:** Councillors Oliver Gerrish (Chair), Jack Duffin (Vice-Chair), Mike Fletcher, Garry Hague and Andrew Jefferies
- Apologies:** Councillor Colin Churchman
- In attendance:** Matthew Boulter, Democratic Services Manager and Deputy Monitoring Officer
Mike Jones, Strategic Resources Accountant
Karen Wheeler, Director of Strategy, Communications and Customer Service
Sarah Williams, Education Specialist Service Manager
Lucy Tricker, Democratic Services Officer
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Before the start of the Meeting, all present were advised that the meeting may be filmed and was being recorded, with the audio recording to be made available on the Council's website.

33. Minutes

The minutes of the Corporate Overview and Scrutiny Committee held on 31 January 2019 were approved as a correct record, subject to an amendment by Councillor Fletcher to change the word 'required' to 'expressed preference' when discussing Portfolio Holders attending overview and scrutiny meetings.

34. Items of Urgent Business

There were no items of urgent business.

35. Declaration of Interests

There were no interests declared.

36. Verbal Update: The Overview and Scrutiny Functions and Motions Process Update

The Democratic Services Manager introduced the report and stated this update detailed the overview and scrutiny project and the work that had been done since the January Corporate Overview and Scrutiny meeting. He began by discussing Part 3 of the briefing note and described how this would be a desktop exercise to compare Thurrock with other councils based on their geographical location and organisation. He outlined that part 2 of the briefing note focussed on how the Committee and other overview and scrutiny Members could engage with each other in the form of a symposium; and described how part 1 outlined the work that Members could undertake with

Cabinet in the form of a workshop. The Democratic Services Manager asked Members for their input on the topics that could be discussed at the symposium and workshop. He added that the briefing note proposed a structure, but asked if Members would like to add or remove any items. He also asked Members who they would like to lead the symposium, as this could be done by either a member of the Democratic Services team or an external representative for political neutrality. He summarised and stated that this work would be ongoing, and the Democratic Services team would update and make changes following comments from Members.

The Chair opened the debate and asked if Democratic Services were planning to undertake both a symposium and a workshop, or if it was a case of 'either/or'. The Democratic Services Manager replied that both would be undertaken if agreed by Members. The Chair stated that he felt it was a good idea to start informally with a small workshop which could open the conversation, and then discuss the formal elements such as what the Constitution would allow. He drew the Committee's attention to Part 1 of the briefing note and stated that this could open discussion between Portfolio Holder's and overview and scrutiny Members, and stated that Cabinet Members currently had a blanket invite to attend overview and scrutiny meetings. He then asked if Cabinet would like to receive written responses, as well as overview and scrutiny Members attending Cabinet.

Councillor Fletcher stated that he felt Part 1 of the briefing note was a good idea as it involved both Portfolio Holder's and overview and scrutiny Members which could open a dialogue. He then raised a point regarding which decisions could become recommendations taken to Cabinet. He finally highlighted Part 3 and asked if Democratic Services could look East to boroughs such as Havering and Dagenham, as well as to Southend. He also stated that comparing with Essex County Council may be difficult, as their structure and organisation were significantly different compared to Thurrock.

Councillor Hague stated that as part of the democratic process, overview and scrutiny committee's reviewed and commented on reports before they were taken to Cabinet, and stated that in the past, Portfolio Holder's had attended overview and scrutiny meetings. He asked what had changed that meant Cabinet Members no longer attended. The Democratic Services Manager replied that when overview and scrutiny committee's make recommendations to Cabinet, they are not always in the written record due to timings with agenda publishing. He commented that often Portfolio Holder's and officers give verbal updates regarding overview and scrutiny recommendations, but there would be no evidence of this in the written record. He stated that he would like a process created where overview and scrutiny recommendations made to Cabinet could be recorded.

Councillor Duffin stated that if Portfolio Holder's attended overview and scrutiny meetings, they would have more time to discuss their report and focus on the detail. He felt that he would like to see Portfolio Holder's attending overview and scrutiny meetings as they could begin discussions and consider the minutiae of reports. He added that if overview and scrutiny

committees were disregarded by Cabinet, it could be an option to limit the number of overview and scrutiny committees, or limit how often they meet.

The Democratic Services Manager replied that there was a facility in place for overview and scrutiny Chairs to attend Cabinet meetings, but felt there could be a way to institutionalise this in the democratic process. He also added that in the past there had been fewer overview and scrutiny committees, but more Members sat on them, but felt that with more committees, there was more time to discuss reports. He added that the symposium would give Democratic Services the sense from Members on which way they would like to go.

The Chair asked how overview and scrutiny could become more active. He then stated that a comparative exercise would be interesting as Thurrock could learn from other Councils how they run their overview and scrutiny system, for example how their call-in procedure works or how overview and scrutiny could delay the implementation of decisions. Councillor Fletcher asked if the timing of overview and scrutiny meetings could be looked into, so recommendations made at overview and scrutiny could be written into Cabinet reports. Councillor Duffin stated he felt the project was a good idea as it could give Members a say in how the Council was run.

Councillor Hague added that although Cabinet Members did not have to listen to recommendations made at overview and scrutiny, it would give them a better democratic mandate if they did. He stated that by listening to overview and scrutiny, the Leader and Cabinet had more power and could make more informed decisions which would be better for residents. The Chair echoed Councillor Hague's sentiments and added that by scrutinising decisions, you could find problems before the decision was implemented. Councillor Fletcher asked if Democratic Services could look into which overview and scrutiny committees Members wanted, and if all key areas were covered by the current overview and scrutiny committees.

The Chair summarised and stated that the Corporate Overview and Scrutiny Committee gave their support to Democratic Services to move forward with the process.

37. Verbal Update: Capital Programme and Process Report

The Strategic Resources Accountant introduced the report and stated this updated Members on the capital process and how the capital programme was formulated. He began by saying that the capital programme included projects that would run for between 3 and 5 years, and corporate finance invited submissions for projects around September. He stated that these were reviewed for accuracy and purpose at a detailed level, and were assessed for how the projects fit within the corporate priorities. He stated that once this was completed the projects were formulated into papers which went to either the Service, Property or Digital Board, and were ranked from 1-3, with 1 being essential projects and 3 being projects that would be nice to have and could run in the background. He elaborated by stating that once the submissions had been reviewed by the relevant Board, it was then ratified and sent to

Directors' Board, before being agreed by Cabinet and then Full Council. He summarised and stated that capital programme followed the same timescales as the budget setting process.

The Chair opened debate and stated this report had come to Committee due to Councillor Hague's point at the last meeting regarding the level of detail and understanding of the previous Capital Programme report. The Chair felt that in January of the next municipal year, the programme would be in a good place for a report to be brought before the Committee, which would have a good level of detail, as well as a top level overview, which the Committee could scrutinise. The Strategic Resources Accountant replied that in regards to the Property Board, many capital projects were very detailed due to the number of assets, and gave the example of legionnaire's testing, as although this was a small scale project, due to the number of council properties, this became classified as a capital programme. He added that he felt there would be the potential to bring larger scale issues such as council house building to the committee. He felt there was a balance to be struck between the Committee receiving an overarching summary of capital programmes and the very detailed submissions that corporate finance received. He added that criteria could be put in place so the Committee did not have to scrutinise essential works or work that would be funded through an external provider.

Councillor Hague added that in the previous Capital Programme report, strategic investments were not linked to the corporate strategy, and did not contain a qualitative assessment of the return on investment. The Director of Strategy, Communications and Customer Services replied that due to the comments at the last Corporate Overview and Scrutiny meeting, strategic investments were now linked to corporate priorities, as a note had been added to the Full Council Capital Programme report.

The Chair summarised and asked for a report to be added to next municipal year's Work Programme which gave more detail on the capital programme, and asked for the next Chair to organise this with the Corporate Finance team.

38. Quarter 3 Corporate Performance Report 2018/19

The Director of Strategy, Communications and Customer Services introduced the report and stated this was for quarter 3 monitoring, which ended in December 2018. She stated that it showed consistent performance with Quarter 2 as 70% of key performance indicators (KPI's) had met their target. She highlighted the positive performance of planning applications, as 100% of both major and minor planning applications had been dealt with in target time. She elaborated that because of this, the planning team had been shortlisted for Planning Team of the Year at the national RTPI awards. She explained that within the report, KPIs which had not met their target had commentary alongside to explain the reasons why.

The Chair began the debate and stated that this report showed little change from Quarter 2 and felt concerned regarding the failed indicators. He felt that

the percentage of bins missed for collection and percentage of tenants satisfaction, as outlined on page 22 of the agenda, had been missed for the majority of the municipal year, and although had shown better performance recently, were still not meeting targets. He asked if the two indicators would be on target at the end of the municipal year, and if the team had taken any additional actions to ensure they met their targets. The Director for Strategy, Communications and Customer Service replied that the figures showed 'Year to Date' numbers, as opposed to quarterly figures, so the challenges at the start of the year were still present in the figures. She explained that for the last four months, 99% of bins had been collected on time and the KPI was now at green for those months, and this was due to the mitigation work by the team. She stated that for the KPI to meet its target by the end of the municipal year would be a challenge, due to the Year to Date figures, as it would be difficult to catch up. She added that at officer level, monthly figures were looked over, and the performance was increasing, but that level of detail was not reflected in the report. The Director of Strategy, Communications and Customer Services then added that a lot of work had been undertaken to ensure the KPI regarding tenant satisfaction met its target, for example letters had gone out to all Council tenants detailing the work of the Tenants Excellence Panel. She commented that in January and February a positive impact on the KPI could be seen, and felt hopeful that the KPI would hit its target in Quarter 4.

The Chair stated that although the monthly performance was increasing, it was not reflected in the report, and commented that he felt worried by the two indicators mentioned as they did not appear to be moving fast enough. He added that he would like to add a recommendation that a letter be written from the Corporate Overview and Scrutiny Committee to the Cleaner, Greener and Safer, and Housing Overview and Scrutiny Committee to consider those KPI's in a more detailed piece of work, if they did not hit their targets by the end of the municipal year.

Councillor Duffin commented that it was good to see an increase in the number of apprenticeships in the Council, and asked if the reason for an increase in fly-tipping, as outlined in the KPI on page 24 of the agenda, was due to the new permits being enforced at local household recycling plants. The Director of Strategy, Communications and Customer Services replied that the increase in fly-tipping was due to an increase in the reporting of fly-tipping, as the communications team had been running a campaign to encourage residents to report fly-tips across the borough.

Councillor Fletcher commented that all of the KPIs were based on quantitative data, and asked if some of them could be considered from a qualitative standpoint, for example the KPI regarding young people admitted to nursing homes had increased, but if young people needed to go into a nursing home then it may be good to see this happening. He also discussed the KPI regarding the number of complaints, and asked if the Committee could see the type of complaints and how they were dealt with. He then asked if the KPIs which had not met their targets had been implemented with a 'route to green' to ensure in the next quarter targets were met. He also asked if Councillors could sit on the board that met to discuss corporate performance.

The Director of Strategy, Communications and Customer Services replied that the board was at officer level where they put together the reports before they came to Committee. She added that the monthly corporate performance figures were shared with the relevant Portfolio Holder, so they could receive a higher level of detail. Councillor Fletcher then asked who was accountable if KPIs did not meet their target. The Director of Strategy, Communications and Customer Services replied that it was her responsibility as Director of Strategy, as well as the Portfolio Holder. She added that the report also goes to Directors' Board, as well as a detailed report on the number of complaints, which also went to the Standards and Audit Committee. She elaborated that Corporate Overview and Scrutiny Committee received a high-level, overarching report.

Councillor Jefferies then queried the KPI regarding graffiti and asked if it was scored on cleaning graffiti on private land as well as public. The Director of Strategy, Communications, and Customer Services replied that it was scored on both private and public land, even though the Council was not directly responsible for cleaning graffiti on private land. She added that the Council could help and support land owners in cleaning graffiti, which is why the Council were scored on it. Councillor Duffin then focussed on the KPI regarding timeliness of response to media enquiries, as this was at 40%, when he felt it should be at 70%. He commented that he understood certain enquiries such as Freedom of Information requests could take longer, but asked what was being done to improve the KPI. Councillor Fletcher asked if the Thurrock Independent requests were included in the KPI, as he believed the Council and Thurrock Independent were not communicating. The Director of Strategy, Communications and Customer Services replied that the Council and Thurrock Independent were communicating, and was included in the KPI. She also explained that the communications team tried to respond quickly to queries, but often they were interdepartmental which took time to collate information. She stated that the information sent to the media needed to be accurate; although she felt standard responses could be sent quicker. She added that comments from Corporate Overview and Scrutiny Committee would be referred to the Portfolio Holder ahead of the Cabinet meeting in March. Councillor Duffin asked if a column could be added to the KPI's which included the service or directorate responsible for the KPI, to be able to ascertain which services were doing well, and which services were challenged.

RESOLVED: That:

- 1. The Committee noted and commented upon the performance of the key corporate performance indicators in particular those areas which are off target.**
- 2. The Committee identified any areas which required additional consideration.**
- 3. The Committee asked for a formal letter to be written to the Cleaner, Greener and Safer Committee asking them to undertake a deep-dive into**

missed bin collection, if the relevant KPI has not hit target by the end of the municipal year. The Committee asked for a formal letter to be written to the Housing Overview and Scrutiny Committee to ask them to undertake a deep-dive into tenant satisfaction, if the relevant KPI has not hit target by the end of the municipal year.

39. School Capital Programme Update 2019/20

The Education Specialist Service Manager introduced the report and highlighted an inaccuracy in the executive summary which stated that 180 places would be created, when in fact 210 places would be created. She described how the report was split into two sections, with the first section asking for approval for £2.2m to increase the capacity of Benyon Primary School to a two form entry; and the second section asking for approval for £1m to increase the number of secondary school places across the borough, to ensure the Council met its statutory duty in September. She stated that this report asked for comment, before going to Cabinet next week, and elaborated that Cabinet had received a report in November 2018 which included a feasibility study, but this report brought back firm costings. She highlighted that there was a shortfall of school places for children starting secondary school in September, and the £1m to ensure there were places would be coming from the Schools' Basic Need fund.

The Chair began by stating it was important for the Council to meet its statutory duty in ensuring there were enough school places for children, and asked if the Benyon Primary expansion would be included within the current boundary of the site, and the Education Specialist Service Manager confirmed that it would be. She highlighted that a Traffic Impact Assessment had been undertaken on the site, as well as advice being sought from the highways team and pre-planning advice. The Chair then asked how large the shortfall was in secondary school places across the borough. The Education Specialist Service Manager replied that at the beginning of the year, there had been a shortfall of 300 places, but as national offer day on 1 March 2019 approached, the shortfall had reduced to 100, as parents had been requesting out of borough places. She clarified that the figure of 100 shortfall of placements included in-year applications.

The Chair then asked how much planning had been undertaken to find schools willing to take an additional bulge class. The Education Specialist Service Manager replied that lots of work had been done to find additional places, particularly in Grays and Stanford-le-Hope. She added that the additional places in Benyon Primary School were due to the development in Ockendon. She also commented that additional classrooms and facilities would be built in Benyon Primary School to accommodate the additional children.

Councillor Jefferies asked if the education team had spoken to local secondary schools about taking an additional bulge class and how easy it would be for schools to find those places. He also welcomed the expansion of

Benyon Primary School. The Education Specialist Service Manager replied that lots of secondary schools had been asked to take the bulge class, and the response had been positive. Councillor Fletcher asked if the out of borough places for children had been voluntary, or if there were simply not enough school places for the children within the borough. The Education Specialist Service Manager replied that all out of borough placements were parental preference, and that all Thurrock children would have a place in a Thurrock school if they so wished. She commented that the shortfall of places this year was due to a delay in the delivery of the free schools programme, which had been delayed until September 2020. Councillor Fletcher replied that it was good to see new projects undertaken, but did not like to see a gap between the idea and the delivery. He welcomed the expansion of Benyon Primary School, although shared concerns regarding parking as there were currently problems with parking for Somers Heath Primary School. The Education Specialist Service Manager replied that a Traffic Impact Assessment had been undertaken, and the additional places should not pose an impact on local traffic as parents dropping off and picking up their children could have an hour of free parking in Canterbury Parade, which took the cars off highways.

Councillor Duffin asked what the definition of a bulge class was. The Education Specialist Service Manager replied that it was a temporary class that allowed a school to go over their PAN number for one year, which followed through the school. She explained that when a bulge class started in year 7, it remained until year 11.

RESOLVED: That:

1. The Committee agreed that the following recommendations be made to Cabinet in March 2019:

1.1 To approve a £2.2m budget for the expansion of Benyon Primary School to be funded from the School's Basic Need capital funding 2019/20

1.2 To approve a budget of up to £1m for works to be undertaken to enable construction of additional classrooms in current secondary schools.

1.3 To progress the procurement process to secure design and construction for the expansion of Benyon Primary School to take forward the proposed schemes.

1.4 To delegate authority of the approval of the construction contract for the Benyon School scheme to the Corporate Director of Children's Services, in consultation with the Portfolio Holder for Education and Health

40. Work Programme

The Chair stated that a report on the capital programme would be added to the January meeting of the next municipal year, as well as an update report on the overview and scrutiny project whenever progress had been made. He stated this was the final meeting of the municipal year and thanked Members and officers for all of their hard work.

The meeting finished at 7.57 pm

Approved as a true and correct record

CHAIR

DATE

**Any queries regarding these Minutes, please contact
Democratic Services at Direct.Democracy@thurrock.gov.uk**