

Minutes of: **PERFORMANCE OVERVIEW AND SCRUTINY COMMITTEE**

Date of Meeting: 4 March 2009

PRESENT: Councillor Sandiford (Chair)
Councillors Crawforth, L Barnes, Lamb, Neal,
Stansfield, Thorne
Bernard Divine (Co-opted Member)

IN ATTENDANCE: Jason Foster, Operations Manager, Communities
Andrew Buckle, Head of Customer Services and ICT
Caroline Ridge, Planning Assistant
Sarah Blackwell, Trainee Solicitor
Stephen Stray, Planning Unit Manager
Pat Couch, Scrutiny Support Officer

ALSO PRESENT: 1 Member of the public

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Essex, Portfolio Holder, Finance and Resources.

2. MINUTES OF THE LAST MEETING

Resolved:

That the minutes of the meeting held on 17 February 2009 be approved and signed by the Chair as a correct record.

3. URGENT ITEMS

There were no urgent items for discussion.

4. DECLARATIONS OF INTEREST

Councillor L Barnes declared a personal interest in item 11 (Capita Performance and Monitoring) as she was Chair of both the Governance Board and Operations Board of Capita.

5. PUBLIC QUESTION TIME

There were no questions raised under this item.

6. CHAIRS UPDATE

The Chair welcomed everyone to the meeting.

At the last meeting, Members asked that contact be made with the Property Services Manager in relation to LI 156 – Buildings accessible to people with a disability. The Property Services Manager indicated that Rawtenstall Market was now 100% complete, therefore they are now 85% compliant. Work to Whitworth pool was on hold until CLAW decides if they were to extend the reception area or not, although work had been completed on toilets, changing rooms and pool side equipment. Until the works on the entrance to the building was complete the building cannot be deemed as DDA compliant.

It was reported that Marl Pits would be included into the performance target and this was not yet compliant.

The Chair gave a brief update on the Lancashire Scrutiny Forum meeting which made reference to the Councillor Call for Action and monitoring of Local Area Agreements.

A meeting was being arranged with the Executive Director of Business to discuss the future work of Overview and Scrutiny.

7. UPDATE REPORT

The Operations Manager gave an update on the development of a Waste Transfer facility and the feasibility study recently undertaken for all waste in Rossendale.

There was a proposal for a network of waste transfer stations in Lancashire as detailed in the Lancashire Waste Partnership (LWP), with Rossendale being a location for one of the transfer stations, but this was currently not in Lancashire County Council's Capital program.

A Waste Management Strategy was being developed, to provide guidance on how to manage waste in Rossendale.

The Council has a 12 month contract for the disposal cardboard and paper which is delivered to a contractor located in Bury. Cans glass and plastic go to a 3rd party waste transfer in Haslingden, for which Council are charged £10 per ton for storage, they are then sent to Darwen for sorting. Textiles were given to the Salvation Army. General waste was land filled at Whinny Hill, Accrington

For efficiency savings, the Council was applying for planning permission for change of use of a garage at Henrietta Street, allowing space to be created for bulking and transferring waste. There would be a small investment of £10,000 for construction of storage bays, but there would be a cost saving of circa £40,000 on transfer fees.

A number of questions were raised by Members as follows

- Advantages of having a Waste Transfer Station
- Process of disposal of batteries, textiles, light bulbs and sharp bins
- Lancashire County Council's own Transfer Station at Huncoat

The Operations Manager responded to the above questions and indicated that Rossendale Borough Council, as part of the Lancashire Private Finance Initiative (PFI), would have to take their waste to Huncoat when it came operational, and if Rossendale were using Henrietta Street as a transfer station at this point then Lancashire County Council would have to pay the difference in travel costs.

Resolved:

That the information be noted.

8. SECTION 106 AGREEMENTS

The Planning Assistant presented an update report on the progress and current situation with regard to Section 106 Agreements issued with the planning permissions throughout Rossendale.

Section 106 Agreements are issued as part of planning permission for developments which would create increased demand on services or facilities.

Some Section 106 agreements have 'trigger' dates for payment of sums due under the agreement. The Council monitor progress on site to determine whether the 'trigger' dates have been met. If they have, an invoice is sent out to the developer. Money was not guaranteed until invoiced.

Members raised a number of questions and asked for clarification on a number of the Council's S106 agreements and both the Planning Manager and Planning Assistant responded.

A concern was raised on the current status/action being taken on the Scout Moor Wind Farm Development and the Chair asked the Planning Manager to establish the requirements within the Section 106 agreement and what money was to be come to the Council, as the action stated that money was being paid to Rochdale MBC.

A question was raised in relation to value for money and whether it would be worth pursuing small debts, taking into account workload and court costs. It was confirmed that all costs were reimbursed where necessary.

Resolved:

1. That a letter be sent to the Planning Manager asking for clarification on the S106 Agreement in relation to Scout Moor Wind Farm Development.
2. That the Committee note that work is continuing to improve the implementation, monitoring and invoicing of planning obligations through inter-departmental knowledge and information sharing and the availability of best practice guidance.

9. RETROSPECTIVE PLANNING APPLICATIONS

The Planning Unit Manager gave a brief overview of the process of retrospective planning applications.

The Council receive correspondence from the public if a particular development has been undertaken. The Council then go out to see if planning permission is required for the development undertaken.

If it is required, a retrospective application will normally be requested to regularise the development, unless there is no realistic chance of permission being granted in which case enforcement action would be taken. The applicant may also be advised to propose alterations to the unauthorised development to make it more acceptable, which would then be considered by a Case Officer as part of the application. The application would then be determined and permission either granted or refused, depending on the views of the case officer and / or Development Control committee. There had been 45 retrospective applications dealt with since April 2008 and between 1 April 2008 and 31 December 2008, 202 complaints were received by enforcement.

There was discussion on the possible requirement of planning permission for decking and the fact that the public may not be aware of this. A suggestion was made for an advert to be published in Rossendale Alive highlighting the possible need for planning permission if they are thinking of decking a particular area.

Resolved:

1. That the information be noted.
2. That the Communications Team be asked to include a section in the Rossendale Alive, highlighting the possible need for planning permission if they are thinking of decking an area.

10. PRE PLANNING ADVICE

The Planning Manager presented a report requested by Overview and Scrutiny Committee on pre application advice and whether there was value for money in offering such advice.

The Local Government Act 2003 gave local planning authorities a discretionary power to charge for giving pre-planning advice and the income raised must not exceed the cost of providing the service.

Members were informed that no local planning authority in the north west charge for the service, but were given information on those local authorities that do charge, which are mainly in the South and London.

The Council had been giving pre-planning advice for 2 years and since April 2008 there had been 4 major and 21 minor pre planning applications. This does not cover all pre- planning advice as some are just asking simple questions which do not warrant a file setting up.

A number of questions were raised which the Planning Manager responded. These were as follows.

- Does the Council work with Council Protection for Rural England
- Would the Council consider taking a deposit from those seeking pre-planning advice which could be deducted from their final bill
- Altering applications and the process which follows
- Need to continue with the service as part of customer services

Resolved:

1. That further work continues to ascertain the amount of Officer time such pre-applications currently take up and that once information is calculated on the time spent by the Council and Lancashire County Council Highway's Officers this be brought back to the Committee.
2. That as an assessment of value for money, this forms part of the Overview and Scrutiny work programme for 2009/10.

11. CAPITA MONITORING AND PERFORMANCE

The Head of Customer Services and ICT gave a brief overview of the provision of the Council Tax and Benefits service provided by Capita. . He then provided an update on the performance for the current financial year to date. The service is audited by the Department of Works and Pensions and the Audit Commission.

Targets are agreed yearly and the emphasis next year will be around Benefits.

Performances achieved in Benefit processing times for the year to date were expected to be on target or exceed target. In relation to PM2 – new claims outstanding over 50 days was 3.75% (target was 5%). The reason for this was that they were not being supplied with all correct information to processing new claims.

The Head of Customer Services and ICT explained that at the present time the Citizens Advice Bureau and Green Vale Homes accommodate rooms in the one stop shop on a regular basis. The plans were for a benefit processor to be on the front line at the one stop shop so that the public can make an appointment, take all the required information and able to have their new claim processed within 2 days. This would be piloted in the near future.

The concern was that to ensure confidentiality, a room would be needed in the one stop shop, which was currently being used by Green Vale Homes and the Citizen Advice Bureau and other alternatives premises would need to be found for them.

The Chair indicated that the new Government initiative was for use to be found for empty shops and it was suggested that perhaps Green Vale Homes or the Citizen Advice Bureau could move into one of the empty shops in the centre of Rawtenstall.

The Council are also working with Lancashire County Council for a financial Welfare Rights Officer to be allocated within the one stop shop.

The Head of Customer Services and ICT explained that empty properties with a rateable value of less than £15,000 will be exempt from paying rates in 09/10 and due to the makeup of the Valley, this would help many ratepayers. Notices would be issued on 6 March.

Resolved:

1. That Members note the contents of the report and the improvement in performance of these services and endorse the Service Assurance Team in their work in striving for continuous improvements.
2. That a letter be sent to the Head of Customer Services and ICT supporting the need for alternative premises to be found for Green Vale Homes and/or Citizen Advice Bureau to enable the Benefit Processor to be accommodated within the one stop shop.

The meeting commenced at 6.30pm and closed at 9.20pm

Signed (Chair)

Date.....