

OVERVIEW AND SCRUTINY COMMITTEE

Date and Time: Tuesday 20 February 2024 at 7.00 pm

Place: Council Chamber

Present:

Dorn (Chairman), Butler (Vice-Chairman), Smith, Butcher, Coburn, Davies, Harward, Farmer, Thomas and Crisp

In attendance:

Officers:

Kirsty Jenkins, Executive Director - Community

Mark Jaggard, Executive Director - Place

Graeme Clark, Executive Director – Corporate and S151 Officer

Caroline Winchurch, CEO, Hart Voluntary Action

Mark Berry, Development Manager and Building Control Manager

Daniel Hawes, Planning Policy and Economic Development Manager

Christine Tetlow, Planning Policy Officer

Joanne Rayne, Finance Manager

Sharon Black, Committee Services Manager

105 MINUTES OF PREVIOUS MEETING

The minutes of 16 January 2024 were confirmed and signed as a correct record.

Proposed by Cllr Dorn; Seconded by Cllr Butcher

Unanimously agreed by those at the January meeting.

106 APOLOGIES FOR ABSENCE

Apologies had been received from Cllr Engstrom and Cllr Vernon.

Cllr Crisp was attending as substitute for Cllr Engstrom.

107 DECLARATIONS OF INTEREST

No declarations were made.

108 CHAIRMAN'S ANNOUNCEMENTS

The Chairman suggested reordering the agenda to take the presentation from HVA next, then item 5 on public participation, then item 10 on the Conservation Area Appraisal Task and Finish Group. These changes were unanimously agreed.

109 PUBLIC PARTICIPATION (ITEMS PERTAINING TO THE AGENDA)

In relation to Agenda item 10, Conservation Area Appraisal Task and Finish Group Report, Mrs Julia Ambler spoke on behalf of Crookham Village Parish Council.

It was noted that Crookham Village Parish Council had recently undertaken a conservation area appraisal and welcomed the updated guidance. Their process had been somewhat fraught, with some advice being unclear and contradictory. They had been pleased to see that the guidance and the template for submitting a conservation area appraisal had been improved and seemed easier to use.

Crookham Village Parish Council had one request in that they would like feedback from Officers to be clear and unambiguous. A clear statement of the issue, why it represented a problem and any reference to sections of the guidance should be stated, as well as a clear statement on what could be done and whether this was a mandatory change.

Members thanked Mrs Ambler for her comments, and Officers agreed to review the template to incorporate the comments on feedback.

110 PRESENTATION BY CORE GRANT RECIPIENTS - HART VOLUNTARY ACTION

Members received a short presentation from Caroline Winchurch, CEO of Hart Voluntary Action (HVA), a core grant recipient, outlining the impact the core grant has had on their organisation.

Members heard:

- That HVA was set up by Hampshire County Council (HCC) and Hart District Council (HDC), both of whom gave annual grants
- HVA had a membership of 148 organisations, all of whom were voluntary, community or social enterprise organisations
- That there were core activities and specific services paid for using the grants
- About the KPIs for Q1-Q3 for 2023/24
- About the value of the core grant and support that HVA received from HDC, both to the charity and also to Hart residents

Members asked:

- Whether the HCC and HDC grants were equal. This was the case for this year, but HCC were proposing a 30% cut in funding for 2024/25, meaning that the organisation would need to use its reserves or seek additional funding.
- Whether HVA had any links with Royal British Legion? This was not the case and Cllr Dorn undertook to provide some contacts.

Members thanked Ms Winchurch for her interesting presentation on the impact of the core grant provided by Hart.

111 HALF YEARLY COMPLAINTS ANALYSIS

Members received an update on the number and outcome of customer complaints for Quarters 2 and 3, July-December 2023.

Members heard:

- That there had been fewer complains in Q2 and Q3 than earlier in the year
- Planning complaints had been high in Q2/Q3 but were beginning to ease in Q4
- There had been an increase in response times. This would be acceptable as long as the complainant was kept informed
- All but one upheld complaint related to shared services
- There was an ongoing proactive campaign to raise the profile of complaints amongst officers
- Work had begun to survey complainants after the completion of the process – so far two responses had been received
- The Local Government Ombudsman had decided to issue a separate code for Local Government complaints, with an implementation date of 2026/27. Hart had volunteered to be part of the pilot project

Members questioned:

- Whether there would be a need for a significant number of changes to be made following the issuing of the updated Local Government complaints process
- What was driving the delays in responding to complaints
- Whether it was felt fair for residents to experience such delays vs the pressure needed to be put on Officers to respond to the complains
- Why there had been a spike in waste and council tax complaints in October 2023. As this was not clear, it was requested that the Officer provide a written answer to this question.
- How more complex complaints that crossed multiple service areas were managed and how any potential delays were communicated to residents
- Whether the causes of recurring issues were looked at in more detail to see what could be done to reduce these

In conclusion it was noted that some residents did not wish to complain as they felt that they would be treated “differently” by the Council. The Officer offered his details to be passed onto residents to help dispel this myth, where required.

The report was noted.

112 LOCAL ENFORCEMENT PLAN

This report was to enable Overview and Scrutiny to consider a new Local Enforcement Plan and pass comments to Cabinet. The plan brought together the Environmental Health & Licensing Enforcement Plan and the Planning Enforcement Plan under one overarching document.

Members questioned:

- That there was a number of areas that were duplicated in both Plans, and why they were not in the overarching document
- Whether the use of the word “complaint” in the Environmental Health & Licensing Plan should be changed to avoid confusion with the Hart complaints process
- Whether it would be beneficial to have some guidance clearly published on the website detailing what enforcement covers and the processes involved, so that residents were clear on what was covered
- Whether it would be possible to improve the information published on the website, especially to signpost to other areas, and/or whether a leaflet with information for residents would be beneficial
- What the legitimate number of complaints was compared to those that proved to be false
- The timescales involved in each stage of the process
- Whether it would be possible for ward councillors to be updated when the status of a case changes
- Whether the use of “FixMyStreet” could be referenced in the Plan as a method of reporting fly tipping, dog fouling etc.

Members noted:

- That currently there were approximately 200 live enforcement cases
- That staffing levels were one full time employee and two part time
- The majority of cases were either resolved informally, were found not to be a breach or were not worthwhile following up
- Only around one enforcement or breach of condition notice was issued a month
- The appeal process could be lengthy and took up a significant amount of resources
- There was an intention to provide an update to Councillors on outstanding cases in their wards

In conclusion, it was unanimously agreed that the report and Plans be sent to Cabinet for their March meeting, including the views of the Committee.

113 FEEDBACK FROM CORPORATE AND PLACE SERVICE PANEL MEMBERS

To receive feedback from Members on the Corporate and Place Service Panels.

Members heard:

- The Corporate service was good and well run
- The majority of the Corporate service priorities were green, and there were good explanations for those which were amber
- The only red was with the services risk register, which was due to the SERCO contract end date and changes in legislation relating to waste. However this was high risk due to the size of the area and work was in progress to mitigate this risk
- That savings of £30k had been made on the cost of mobile phones, although there were potential additional costs relating to the waste service if Government requirements were turned into legislation

- The service agreement with Shared Legal Services was being continued
- The Place service panel had heard of a number of large projects being worked on
- Most projects were on plan, but there had been some delays due to staffing, particularly around planning and tree officers

Planning applications took a dip in Q2 due to staffing issues, but had picked up in Q3.

114 CONSERVATION AREA APPRAISAL TASK AND FINISH GROUP

This report updated the Committee on progress addressing task and finish group recommendations regarding Parish & Town Council led conservation area appraisals (CAAs), in particular the production of a guidance note.

Members heard:

- Comments and recommendations from the Task and Finish Group had been taken on board when producing the updated guidance
- The guidance document was a “live” document and would be regularly updated following feedback from Parishes

Members queried:

- Whether the template had yet been “road tested” by any of the Parishes
- Why the recommendation of the Task and Finish Group to only let Officers have “one bite at the cherry” when commenting on appraisals had not been included
- Whether the timescale of 4 weeks under stage 9 (HDC review of the revised draft) was too long

Members noted:

- That Crookham Village Parish Council had used the template and provided some feedback which would be incorporated
- There was a need for Officers to make comments at various stages of the process, and therefore it was felt that the “one bite of the cherry” approach was not appropriate
- That Officers would provide advice and support to Parishes but were not there to write the documentation
- That the guidance was for Town and Parish Councils who either wanted to update their Area Appraisal or create a new one. The documentation wording would be amended accordingly.
- The timescale of 4 weeks for stage 9 allowed for annual leave and other extenuating circumstances

Members of the Task and Finish Group agreed that their recommendations had been addressed, and that the guidance note would be kept under review both within Place directorate and at Place service panel meetings.

Overview & Scrutiny Committee unanimously:

- noted the completion of Guidance Note for Parish & Town Councils at Appendix 1, and

agreed that the recommendations of the task and finish group, set out at Appendix 2, had been addressed.

115 FLY TIPPING TASK AND FINISH GROUP

Members heard the findings of the Task and Finish Group.

Members heard:

- that there was an increase in fly tipping
- that it was likely that issues with local household waste recycling centres (HWRCs) had contributed to the increase
- funding had been allocated in the 2024/25 budget to help address the issue of fly tipping
- officers do an outstanding job of collecting fly tipped rubbish
- it was felt by the Task and Finish Group that improvements in communications with residents around fly tipping could be made and that potentially a social media campaign targeted at carriers and householders could be run
- the use of interviews and cautions for carriers and householders found fly tipping could be reintroduced as a deterrent
- householders had a duty of care to ensure that any carriers they employed to remove rubbish had the correct licenses
- there was a definite need for more officer time and bringing the service under one Executive Director would be seen as being a step forward

Members discussed:

- that Hart sat 4 out of 16 authorities in Hampshire for fly tipping, although it was believed that a reasonable proportion of this was as a result of non-Hart residents coming into the District, either working or solely to fly tip
- there was a lack of confidence in Hart's approach to enforcement and prosecution. Parish Councils had been surveyed by the Task and Finish Group although responses had not been high
- Bring banks had not been included as fly tipping sites, as they were classed as littering
- There was a significant issue with dumping of large loads in rural roads and farmers areas just off highways
- Whether an increase in fines for fly tipping would act as a better deterrent.
- That comments had been received from South Warnborough Parish Council, which were seen to be very helpful
- The potential use of cameras for enforcement and prosecution would be worth investigating further

It was proposed that the report should be updated with the comments from Overview and Scrutiny, and then passed to Cabinet with a proposal that they carry out a review and options appraisal for the service.

Overview and Scrutiny members also expressed a wish to see the final document, with Cabinet's options appraisal, before any final decisions were made.

Proposed by: Cllr Dorn; Seconded by: Cllr Smith

Unanimously agreed

116 QTR 3 BUDGET MONITORING REPORT AND FORECAST OUTTURN FOR 2023/24 INCORPORATING TREASURY ACTIVITY

Members considered the latest projections of expenditure and income, including capital, for 2023/24 for review and any action necessary. The report included treasury activity and adherence to approved policy

Members noted:

- That the headline figure was similar to that in Q2 with an £871k surplus
- Employee costs had a £480k surplus - £117k due to the pay settlement; £98k due to pensions costs and the remainder due to staff vacancies
- Supplies and services additional costs were as a result of the decisions made by Cabinet at its December 2023 meeting
- Planning income had increased by £100k than previous, due to a number of larger projects
- Treasury net debt was the same at Q2, with interest yield at 5%+, so there may be additional income from this
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(Cllr Davies left the meeting at 9:03pm and returned at 9:05pm)

Members queried:

- Whether there was any indication on interest rates for the future
- Why the revenue items spend was below budget by £130k (this was the Bramshot forest walk, which was not now going ahead)

Members thanked the finance team for a very clear report and noted the report and the four recommendations:

- Noting the projected outturn
- Noting the capital overview
- Noting the project overview

Noting the Treasury Management position

117 CABINET WORK PROGRAMME

Members considered and noted the Cabinet Work Programme.

118 OVERVIEW AND SCRUTINY WORK PROGRAMME

Members considered and amended the Overview and Scrutiny Work Programme as follows:

- To add an item: UKSPF mid-year monitoring report to be added for October
- To add an item: Fly tipping task and finish group options appraisal report (before Cabinet) – date to be confirmed

Members were reminded that draft Service Plans for 2024/25 would be presented to the March Overview and Scrutiny meeting and that there would be a half yearly complaints analysis put to the April meeting, and then in October and April moving forward.

The meeting closed at 9.10 pm