

Eden District Council

Overview and Scrutiny Committee Minutes

Date: 15 July 2021 Venue: The Sports Hall, Penrith Leisure Centre, Penrith Time: 6.45 pm

Present:

Chairman:	Councillor J Raine	
Vice Chairman:	Councillor D Ryland	
Councillors:	D Banks	W Patterson
	M Hanley	G Simpkins
	E Martin	D Wicks
	G Nicolson OBE	
Standing Deputies:	Councillor P G Baker	
	Councillor M Eyles	
Officers Present:	Les Clark, Deputy Chief Executive	
Others Present:		
Democratic Services Officer:	Paul Rogers	

OS/1/07/21 Appointment of Vice-Chairman

Councillor Raine proposed Councillor Ryland for Vice-Chairman, seconded by Councillor Martin. The proposal was carried.

OS/2/07/21 Apologies for Absence

Apologies for absence were received from Councillor Lawson. Councillor Eyles was present as substitute for Councillor Smith and Councillor Baker was present as substitute for Councillor Holden. Apologies for absence were received from Councillor Clark. Councillor Lancaster was present as her substitute for the meeting

OS/3/07/21 Declarations of Interest

No declarations of interest were made.

OS/4/07/21 Minutes

It was noted that the meeting of Annual Council held on 27 May 2021 resolved that the minutes OS/40/04/21 to OS/48/04/21 of the Overview and Scrutiny Committee held on 1 April 2021, were confirmed and signed by the Chairman as a correct record of those proceedings.

OS/5/07/21 Any Other Items which the Chairman decides are urgent

Councillor Raine, Chairman, informed Members that the following question submitted by Mrs M Longworth had been submitted within the specified notice period and she deemed the question should be considered as a matter of urgency.

The following question was received from Mrs M Longworth, clerk to Orton and Tebay parish Councils, under Rule 10 of the constitution:

1. I represent two Parish Councils (Tebay and Orton) who have opted to take on responsibility for footway lights and play areas from Eden District Council. We now pay for the maintenance of the equipment, the supply of electricity, insurance of the equipment etc. One of our councillors is to attend a training course to learn how to carry out accredited health and safety inspections of play equipment to ensure that the children are kept safe.
2. We were told by EDC that if we did not take on these services the District Council would discontinue the lights and play areas from 2022.
3. Local residents in our villages were consulted and the majority wanted to continue to have footway lights and play areas.
4. We understand that the Parish Councils who did not opt to take over these responsibilities will, following a decision taken by EDC on 29th April, now have these costs paid for by EDC. The services will not be withdrawn from them by EDC, as previously stated.

My question is what compensation will be paid to the parish councils I represent who have to bear the costs of services other councils will now receive for free?

Councillor Raine, chairman, responded:

On 29th April Eden District Council resolved to:

1. Immediately rescind the March 2022 deadline for the withdrawal of rural services that Parish and Town Councils have not adopted, as defined in the report considered by Council in July 2017.
2. Instruct officers to work with Overview and Scrutiny and partners – including Parish and Town Councils and/or their representatives - to develop a new policy that will support devolution of appropriate services to Parish and Town councils for the benefit of the communities we serve, rather than primarily to cut costs for Eden District Council. The current position is that whilst the deadline of March 2022 for services being withdrawn if not transferred has been removed, the rest of the policy on devolution remains in place until a new policy is developed in line with the Council resolution. It is not possible therefore to answer your question regarding compensation in advance of this review being carried out. This is included in the work programme for Overview and Scrutiny Committee to be considered later on this agenda. If agreed, this will include evidence gathering from Town and Parish Councils and we would value the input of Orton and Tebay Parish Councils in this process.

Mrs M Longworth asked the following supplementary question:

Does the Chairman have some ideas of the timeline for a decision on the review?

Councillor Raine, Chairman, responded:

By December 2021.

OS/6/07/21 Corporate Performance Report: Q4 January - March 2021

Members considered report F20/21 of the Interim Director of Corporate Services which provided a summary of progress against the revised corporate performance targets and for the period 1 January 2021 - 31 March 2021. The report also informed Members of any areas of concern or issues requiring attention and the remedial activity in place to deal with these.

Councillor Nicholson referred to Appendix A to the report and in particular, to the review of the Council's constitution which has been deferred until September 2021 and to the remodelling of Human Resources where action has been suspended where in both instances the report was inaccurate.

Amanda Yellowley, Assistant Director Customers and Performance, informed Members that the report was written in April this year and reflected the correct position for that quarter being reported rather than the current position.

Regarding a point raised in relation to the Zero Carbon Strategy, Amanda Yellowley stated that an action plan had been completed and would be reported to this Committee at the September meeting.

Councillor Ryland referred the Economic Draft Strategy milestone which the report stated would be ready by March 2021. Les Clark, Deputy Chief Executive, informed the Committee that this issue was work in progress and would be taken forward by the newly appointed Assistant Director of Development. He envisaged a report on the draft Strategy to Committee in September or October.

And **RESOLVED** that

1. progress for Quarter 4 2020/21 be noted;
2. the Strategic Risk Strategy for the period 2021/22, and the draft Strategic Risk Register be approved.

OS/7/07/21 Overview and Scrutiny Committee Work Programme

Members considered report G25/21 of the Chairman of Overview and Scrutiny Committee which set out the current and possible future agenda items for the Overview and Scrutiny Committee, and in particular to set the Committee's work programme for the municipal year 2021-22.

Councillor Nicholson referred to Appendix 1 to the report and was of the view that it is a comprehensive work programme. He asked for assurance that there would be adequate staff in place to support the programme.

Les Clark, Deputy Chief Executive, assured Members that adequate support would be available to take forward the work programme.

Councillor Ryland asked if the Green Growth report could be brought forward to October 2021 and the Housing and Health reports be submitted in January 2022.

In response, Les Clark informed Members that he would approach the Portfolio Holders with that suggestion.

and **RESOLVED** that the work programme as set out in Appendix 1 for the Overview and Scrutiny Committee for the municipal year 2021-22 be agreed.

OS/8/07/21 Policy Review - Devolution of Services

Members considered report CE6/21 of the Deputy Chief Executive on determining how the Overview and Scrutiny Committee intended to carry out the review of the current policy for the devolution of services to Town and Parish Councils. Council had requested the review due to some local Councils not adopting the devolution of services.

In response to suggestions from Members that it is not the remit of the Committee to determine policy regarding the devolution of services to Town and Parish Councils, Les Clerk informed Members that although the Committee did not have the remit, the Committee can make recommendations to modify the policy to Council via the Executive.

Members took the view that a task and finish group comprising ten non - Executive Members should be established to enable the scope of the policy, as set out in paragraph 3.2 of report, to be reviewed. It was also suggested that the Group be split into two sub groups to review the areas set out in the scope of the policy.

Members noted the suggestion that local outside organisations such as the Eden Association of Local Councils could assist the group in its review.

Councillors Raine, Hanley, Martin, Nicholson and Patterson expressed their interest in being nominated onto the task and finish group.

And **RESOLVED** that

1. a Task and Finish group comprising ten non-Executive Members be set up to review the scope of the Policy, as set out in paragraph 3.2 of the report, on the devolution of services to Town and Parish Councils ;
2. Councillors Raine, Hanley, Martin, Nicholson and Patterson be nominated to serve on the Task and Finish group and the remaining non-Executive Council Members be requested to express their interest in serving on the Task and Finish group with a view to determining the five remaining places on the group.

OS/9/07/21 Date of Next Scheduled Meeting

RESOLVED that the next scheduled meeting to be held on 2 September 2021.

OS/10/07/21 Exclusion of the Press and Public

RESOLVED that the press and public be not excluded from the meeting.

OS/11/07/21 Delivery of Waste and Recycling Collection Services

Members considered the report CE7/21 of the Chair of the Waste and Recycling Task and Finish group in respect of options for the delivery of waste, recycling and other front line services.

Members’ attention was drawn to the recommendation of the Task and Finish group to extend the existing contracts with the current provider until March 2027.

Councillor Wicks informed Members that the Task and Finish Group had taken into account of how other adjoining Councils were moving forward on the issue.

Councillor Ryland referred to the need to receive value for money on any further negotiation with the current provider.

Les Clark, Deputy Chief Executive, advised Members that any extension of the contracts with the current provider would be under the same terms and conditions as the current contracts. He advised that the Task and Finish group would be considering the configuration of collection services in the context of the emerging national Resources and Waste Strategy and would provide the Committee with a price indexation on both contracts.

Members requested that the extension of contracts take account of possible service delivery improvements and maximum possible benefit in terms of reducing carbon footprint to contribute to the Sustainable priority in the Corporate Plan.

and **RECOMMENDED** that Council agree that the current contracts providers, with Urbaser Ltd and Cumbria Waste Recycling Ltd, for the delivery of waste, recycling and other front line services, be extended for a period of 5 years from April 2022, as provided for in the terms of the existing contracts.

The meeting closed at 8.05 pm

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