

Minutes of a meeting of the **PERFORMANCE MONITORING PANEL** held in Meeting Room 1, Council Offices, Priory Road, Spalding, on Wednesday, 16 September 2015 at 6.30 pm.

PRESENT

M D Booth (Vice-Chairman)

G R Aley  
J R Astill  
C J T H Brewis  
T A Carter

G K Dark  
P C Foyster  
R Grocock  
J L King

J D McLean  
A M Newton  
A C Tennant  
J Tyrrell

In Attendance: The Portfolio Holder for Housing, the Portfolio Holder for Legal, Performance and Democratic Services, the Portfolio Holder for Community Development, Councillor P A Williams, the Executive Manager - Governance, the Interim South Holland Place Manager, the Housing Landlord Manager and the Democratic Services Officer.

Apologies for absence were received from or on behalf of Councillors B Alcock and R Clark.

10. **DECLARATION OF INTERESTS**

In the interests of transparency, Councillor Brewis declared an interest in agenda item 5 (Crime and Disorder update), due to being Chairman of the Lincolnshire County Council Crime and Disorder Committee. However, he did not consider himself as having a disclosable pecuniary interest and therefore advised that he would remain in the meeting for the debate.

11. **PROCUREMENT**

At the last meeting of the Panel, Councillors discussed a number of issues regarding procurement and, in particular, procurement and tendering in the Construction Services Unit. It was agreed that the relevant officer and Portfolio Holder be invited to attend this meeting to discuss the current position. The Executive Manager Governance, the Portfolio Holder for Housing and the Portfolio Holder for Legal, Performance and Democratic Services were in attendance for this item.

The Executive Manager Governance provided Panel members with an overview of the procurement process at the Authority, and how contracting arrangements were governed by European Union legislation. Members considered the information and the following issues were raised:

- Even though the Authority had moved over to a process of

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open invitation to tender, did it still have a preferred select list and was this still used?

- The Executive Manager Governance responded that he was unsure if this still happened and that he would advise members in due course. He did point out that although the Authority had moved to open invitation, using a preferred select list was still a valid way of selecting contractors.
- What was the cost of advertising contracts Europe-wide?
  - The Executive Manager Governance commented that the monetary cost was not substantial. The greater cost was with regard to timescales as it could sometimes take longer to reach a conclusion.
- The on-line contracts register appeared to be out of date. When would this be brought up to date?
- The online list of payments over £500 to suppliers was also not up to date. It had last been updated in June 2015.
  - The Executive Manager Governance advised that the Corporate Improvement and Performance Team was working on bringing the contracts register up to date and was also considering issues around openness.
  - The Portfolio Holder for Legal, Performance and Democratic Services advised that she was aware that information around contracts had to be updated on the website, and that she would liaise with the Corporate Improvement and Performance Manager.

The Panel requested that an update report be provided in six months time.

**AGREED:**

- a) That the Executive Manager Governance advise the Panel in due course whether the Authority still had, and used, a preferred select list of contractors; MS
- b) That the Portfolio Holder for Legal, Performance and Democratic Services liaise with the Corporate Improvement and Performance Manager with regard to updating information on the on-line contracts register; and GP, SS
- c) That the Panel receives an update report in six months time on the current situation regarding issues around contracts, in particular in relation to the on-line contracts register. GP, MS, SS

(The Executive Manager Governance, and the Portfolio Holder for

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Legal, Performance and Democratic Services left the meeting following discussion of this item).

**12. SPALDING GYPSY & TRAVELLER SITE**

Consideration was given to the report of the Housing Landlord Manager, which provided the Panel with an update on the progress of the Spalding Gypsy and Traveller Site.

Land off Drain Bank North, Spalding had been acquired for the development of a Gypsy and Traveller site for permanent occupation, and planning permission for the site had been granted. Work had been undertaken to discharge the pre-commencement planning conditions attached to the planning permission. Condition 10 had been the most difficult to resolve and had been the cause of much of the delay. It stated that 'prior to the commencement of the development hereby permitted, details shall be submitted to and approved in writing by the Local Planning Authority for the provision of passing places and the execution of structural repair work to Drain Bank North. The works, as approved, shall be completed prior to commencement of the use of the permitted development'.

In March 2015, the Planning Manager and the Housing Landlord Manager had met with senior highway officers to discuss work required to satisfy condition 10, and following further design work by the Council's engineers, a satisfactory scheme was agreed in principle. More detailed estimates of the costs of delivering the site were provided, and it was anticipated that the costs of the highway work could be accommodated as the total costs did not exceed the figures agreed within the Cabinet report of 15 January 2013.

The specification for the site was now nearing completion; tenders would be sought from contractors for the development of the site; and Western Power Distribution had finalised their quotation for the provision of an electrical supply to the site. The quotation had been accepted, but was subject to a 20 week lead-in period from acceptance (this timing would be the largest unknown factor in the process).

It was therefore currently anticipated that work would commence on site during November/December 2015 with completion of the site in February/March 2016. These dates could not be confirmed however until Western Power Distribution had provided their programme of work, and a contractor had been appointed to undertake the site development work.

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The Panel considered the information, and the following issues were raised:

- Why could this not have been dealt with purely as a Planning issue? Why had Lincolnshire County Council (LCC) become involved?
  - LCC had been consulted at the outset as works had to be undertaken on land owned by them.
- Why had it taken so long to resolve the issue?
  - Officers agreed that it had taken a long time. It was hoped that the Authority would shortly be in a position to release the discharge.
- Following a breakdown of the costs, would there be any budget remaining to provide a transit site in the same location? Councillor Newton had made this suggestion at a Council meeting – had further consideration been given to this?
  - The budget position was still the same as detailed in the report to Cabinet. The position regarding a transit site was unknown and officers would therefore clarify this and report back to members.
- Was the cost to the Authority for the passing places only, or for the whole road?
  - Within Condition 10, it had always been clear that the applicant's expense (the Authority) would be not just for the passing places, but also for the execution of structural repair work.
- If completion of the site was anticipated to be in early 2016, this would suggest that the road would be re-surfaced around this time also. Members felt that this would not be the right time to be undertaking this work.
  - The road had to be re-surfaced prior to use of the permitted development. The work could be delayed however, this would then delay occupation of the site. This would ultimately be a decision for members/the Portfolio Holder. All parties, including the travellers would have to be involved in order to negotiate a date to occupy the site.
- Additional land at the proposed site had been purchased by the Authority to be used as necessary. Could the Authority be confident that residents could not occupy this additional land, and would remain in the area identified for their use.
  - Under legal agreements, the travellers could not

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legally move onto this additional area.

- When would responsibility for the road no longer be the responsibility of the Authority?
  - The site and access road responsibilities would be conferred to travellers at an agreed time. Essentially, the majority of the area would be a land swap. This would all be agreed before the site was handed over.
- There had been a lot of negativity around the delay in resolving the road issue and occupation of the site. This had to be addressed.
  - The Portfolio Holder for Housing replied that the main concern now was to keep costs down, whilst fulfilling the Authority's obligations to the residents of Gosberton Clough. She would take note of comments made by Panel members, and commented that she was confident that the whole process would be completed within budget.

**AGREED:**

- a) That the position regarding whether a transit site would be incorporated on the site at Land off Drain Bank North be clarified; RS
- b) That members' concerns regarding the time of year that the resurfacing of the road could take place (potentially January/February 2016) be noted; RS
- c) That a date for occupation of the site be negotiated with the travellers, to take account of concerns regarding the roadworks as detailed at (b) above; RS
- d) That the Authority ensures that travellers should only occupy the area designated within the site, and that all detail of the conferring of responsibility for the land and the roadway to the travellers be agreed, prior to handover; and RS, MS
- e) That members noted that the Portfolio Holder for Housing would be responsible for negotiations.

(The Housing Landlord Manager and the Portfolio Holder for Housing left the meeting following discussion of this item).

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### 13. CRIME AND DISORDER UPDATE

The Portfolio Holder for Community Development was in attendance to provide an update report on community safety and how it was being delivered through the various tiers of Groups and Panels (including the East Lincolnshire CSP and Lincolnshire CSP). He advised on the following issues:

- The Lincolnshire Community Safety Partnership's 14/15 Annual Report was still not yet complete however, when it was, it would be circulated to members.
- He confirmed that the Lincolnshire Community Safety Partnership's priorities for 2015-18 were – 1) Anti-Social Behaviour and Hate Crime; 2) Domestic Abuse; 3) Reduction in re-offending; 4) Serious organised crime; 5) Sexual violence; and 6) Substance abuse.
- Anti-social behaviour training had been undertaken by the Anti-Social Behaviour Officer and the Safer Communities Officer
- Mental health issues – a number of people in the area had been processed.
- Community Safety Survey – this survey was still underway and was available online on the Council's website
- An initiative to combat illegal sale of alcohol in Spalding was working well.
- One of the CSP's targeted areas in the past had been around road safety. Statistics around this were improving, which was a success for the CSP.
- Pressure was being put on the Home Office with regard to funding for policing in the area. Changes in the population of the area were having an impact on real communities, and this information was being used to make the case for increased funding.

Consideration was given to this information, and the following issues were raised:

- With regard to domestic abuse, was additional publicity having an impact on reporting levels?
  - People had to be encouraged to report domestic abuse and convinced that it could make a difference. Increased reporting would attract more funding.
- Now that the new CCTV system was in operation in certain parts of the South Holland area, were there any figures available regarding arrests/convictions?
  - The Portfolio Holder advised that he would look into

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whether there was any data available. All cameras were now working and recording in Spalding, there were some issues with other cameras that were being refined.

- In the absence of a plentiful police presence, more reliance was being placed on CCTV. An assurance was needed that it was being used effectively.
  - The Portfolio Holder advised that there was a wish to use CCTV cameras to address issues that fell under the Council's jurisdiction. The Portfolio Holder was currently in discussions with the Portfolio Holder for Place with regard to using CCTV to address environmental crime.
- Councillors reiterated the point that had been made above, and at previous meetings, with regard to the lack of data showing the numbers of arrests, convictions etc linked to information gathered from CCTV. This information had to be provided to demonstrate that the cameras were producing results.
- When the CSPs met, was there any analysis of why certain actions were or were not taken when a crime was committed?
  - The Portfolio Holder advised that the reporting of crime, such as attempted break-ins, was an issue as this could become a greater problem further along the line. Enforcement was undertaken, but not in all instances and this was a question to ask of the Police.
- With regard to mental health issues, was this an issue of greater relevance nationally, or was it a significant issue in this area?
  - Matters relating to mental health and vulnerable people were an issue everywhere. Multi-agency working between bodies such as the Council, health authorities and the Police was required to address these areas.
- Councillor Brewis commented on issues around access to justice provided by Magistrate's Courts. There had been consultation regarding a reduction in service provided by the Court in Lincoln. Sufficient consideration should be given to all those involved in hearings and proceedings at the court. Should the area of jurisdiction necessarily be Lincoln for some parts of the South Holland area as other locations were more convenient for certain sections of the district? In the drive to

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save money, had issues such as expenses, (including travel expenses if travelling further was necessary), for all those involved been considered?

- The Portfolio Holder requested that Councillor Brewis send him details of the issues raised and consultation undertaken.

A number of issues were raised which were policing matters, and the Portfolio Holder suggested that Inspector Jo Reeves be invited to the meeting in six months time, where he would be providing his next update, to answer these questions and any others that Panel members wished to ask:

- There was a perception that bodies such as the East Lincolnshire CSP and Lincolnshire CSP were ‘talking shops’, achieving little of any real substance, and that money would be better spent on a greater Police presence in the South Holland area. What evidence was there that bodies such as the CSPs provided any benefit or made a real difference?
- Councillors were concerned about the lack of data showing the numbers of arrests, convictions etc linked to information gathered from CCTV. This information had to be provided to demonstrate that the cameras were producing results.
- Data regarding moving traffic offences was requested – how many prosecutions had there been in this area?
- At what point were the Police alerted when an incident was viewed on CCTV? Was there a trigger level?
- Councillors raised concerns over the level of people committing offences and ignoring the law because it was felt that they could ‘get away with it’.
- Enforcement following attempted criminal incidents was undertaken in some instances, but not always. Why was this? Minor incidents should still be dealt with.

**AGREED:**

- a) That the update provided by the Portfolio Holder for Community Development be noted;
- b) That the Portfolio Holder for Community Development be requested to provide a further update to the Panel in six months time; and
- c) That Inspector Jo Reeves of Lincolnshire Police be requested to attend the same meeting to answer members’ questions regarding policing matters.

CM

CM

(The Portfolio Holder for Community Development left the



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meeting following discussion of this item).

**14. MINUTES**

The minutes of the meeting held on 30 June 2015 were signed by the Chairman as a correct record.

The following issues were raised in relation to the minutes:

- Sir Halley Stewart Playing Field Task Group – The Chairman of the Task Group, Councillor Dark advised that he had met with officers recently and was satisfied that they now understood the intentions of the Task Group. Costs payable by the football club would be clarified and included within the fees and charges for the next season.
- Minute 3 (b) – That the Panel be updated on revised timescales for the Transformation Programme – The Panel was advised that this information would be emailed to members shortly.
- Minute 9 (b) – That the biennial review of Implemented Planning Decisions be undertaken during the spring of 2016, and that a process to undertake the review be drawn up and then agreed by the Chairman of the Panel – The Panel was advised that officers would shortly be considering the process for the review and would be liaising with the Chairman.
- Minute 9 (c) – That the recommendations of the CSU Task Group be circulated to all members of the Panel, and that the new CSU General Manager provide an update on progress to the Panel meeting in December 2015 – The Panel was advised that arrangements were underway with regard to the December meeting, and that the Task Group's recommendations would be circulated.

CM, GP

LE, CM

CM

**15. QUESTIONS ASKED UNDER COUNCIL PROCEDURE RULE 10.3**

There were none.

**16. TRACKING OF RECOMMENDATIONS**

There were none.

**17. ITEMS REFERRED FROM THE POLICY DEVELOPMENT PANEL.**

There were none.

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**18. KEY DECISION PLAN**

Consideration was given to the Key Decision Plan issued on 26 August 2015.

**AGREED:**

That the Key Decision Plan issued on 26 August 2015 be noted.

**19. AYSCOUGHFEE HALL**

At meetings of the Panel earlier in the year, Councillors had requested and received updates on the current situation with regard to the bandstand and aviary at Ayscoughfee Gardens. The Interim Place Manager was in attendance to provide the following update:

- At the end of 2014, Ayscoughfee Hall had been awarded Grade 1 listed status. The same process was being followed for the Lutyens Memorial. If the Memorial was also to be awarded Grade 1 listed status, the combined status of both buildings would have consequences regarding further development of the hall and gardens and funding streams.
- Consultation would take place with the Heritage Lottery fund around undertaking works to registered parks and gardens which would bring social cohesion benefits.
- Two previous schemes for a new bandstand/performance area had failed because of budget issues and not being supported by Heritage Lincolnshire. The applications had been withdrawn. Heritage Lincolnshire and Heritage England would be working together to produce some preliminary drawings.
- Rather than a bandstand, a performance area was being proposed. This would be a more multi-functional space and, it was hoped, would be less subject to vandalism.
- The Panel had previously raised concerns that the budget allocated from Section 106 monies for the bandstand and aviary should not be exceeded. The Interim Place Manager confirmed that the budget could not cover the cost of both. It would allow for a new pavilion to be constructed, but not for the aviary to be upgraded to complement the remainder of Ayscoughfee Gardens and Hall.
- It was suggested that Section 106 monies be used to secure a new pavilion within budget, and that it was likely that Heritage Lincolnshire would be in agreement with the approach.
- It was also suggested that minor works be undertaken on the aviary, and that more major improvements to it be included in a future lottery bid to include the whole gardens.

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The Panel agreed that, although it was unfortunate that the aviary could not be improved upon in the immediate future, that the focus should be on the new performance space and that the aviary be dealt with separately as part of the gardens as a whole. Councillor Aley advised that the Spalding Town Forum would be meeting the next evening, that he would relay this information to its members and advise that the Panel was in agreement with the proposals.

The Interim Place Manager advised that he would be happy to attend the next meeting of the Spalding Town Forum following the one the next evening.

**AGREED:**

- a) That the identified Section 106 monies be used to fund the building of the bandstand/performance area at Ayscoughfee;
- b) That the Panel accepted that the Section 106 monies would not be sufficient to rebuild the aviary and that it should be temporarily repaired until funding from other sources could be identified to address the issue; PJ
- c) That the Chairman of the Spalding Town Forum, Councillor G Aley, advise the Forum of the information received by the Panel, and its views, at its meeting on 17 September 2015; and PJ
- d) That the Interim Place Manager attend the next meeting of the Spalding Town Forum, following 17 September meeting, to provide an update to the Forum. SF, PJ

(Councillors Newton and King left the meeting during discussion of the above item)

**20. PERFORMANCE MONITORING PANEL WORK PROGRAMME**

Consideration was given to the report of the Executive Manager, Governance, which set out the Work Programme of the Performance Monitoring Panel. The Work Programme consisted of two separate sections, the first setting out the dates of the future Panel meetings along with proposed items for consideration, and the second setting out the Task Groups that had been identified by the Panel.

In view of continued issues around CCTV, Councillors considered whether it would be appropriate to reconvene the Effectiveness of CCTV Task Group. There were concerns over the delay in

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implementing the scheme, why some Parish Councils had decided not to have the cameras, and why CCTV data was still not available. Councillors were advised that the Shared Executive Director Place had had involvement with CCTV, that there would shortly be significant movement and that some of the issues raised may be resolved. It was agreed that the Shared Executive Director Place attend the next Panel meeting to update Councillors on the current position and that following this update, consideration be given as to whether to re-instate the Effectiveness of CCTV Task Group.

Councillors also gave consideration to the Inspection of Planning Files, which had been undertaken regularly for a number of years, and whether this should still continue. It was agreed that the inspections had served their purpose, that there had been no changes in processes since the last inspection, and that the Panel should no longer undertake the inspection.

**AGREED:**

- a) That both sections of the Panel's Work Programme, as set out in the report of the Executive Manager Governance, be noted;
- b) That the Shared Executive Director Place be requested to attend its next meeting to provide an update on the current situation with regard to CCTV;
- c) That the re-instatement of the CCTV Task Group be considered should the Panel not be happy with developments as provided in the update; and
- d) That the Panel no longer undertake the annual inspection of planning files.

CM, RW

CM, RW

LE, PJ, CM

(The meeting ended at 9.00 pm)

(End of minutes)