

Select Committee Agenda



Governance Select Committee Tuesday, 5th December, 2017

You are invited to attend the next meeting of **Governance Select Committee**, which will be held at:

**Committee Room 1, Civic Offices, High Street, Epping
on Tuesday, 5th December, 2017
at 7.15 pm .**

**Glen Chipp
Chief Executive**

**Democratic Services
Officer**

J Leither
Tel: (01992) 564756 Email:
democraticservices@eppingforestdc.gov.uk

Members:

Councillors N Avey (Chairman), G Chambers (Vice-Chairman), R Bassett, N Bedford, L Hughes, S Jones, H Kauffman, M McEwen, L Mead, B Rolfe, D Stallan, B Surtees and D Wixley

SUBSTITUTE NOMINATION DEADLINE:

7.15 pm

1. APOLOGIES FOR ABSENCE

2. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

(Director of Governance) To report the appointment of any substitute members for the meeting.

3. NOTES OF PREVIOUS MEETING (Pages 3 - 12)

(Director of Governance) To agree the notes of the meeting of the Select Committee held on 3 October 2017.

4. DECLARATIONS OF INTEREST

(Director of Governance). To declare interests in any items on the agenda.

In considering whether to declare a pecuniary or a non-pecuniary interest under the

Code of Conduct, Overview & Scrutiny members are asked pay particular attention to paragraph 9 of the Code in addition to the more familiar requirements.

This requires the declaration of a non-pecuniary interest in any matter before an OS Committee which relates to a decision of or action by another Committee or Sub Committee of the Council, a Joint Committee or Joint Sub Committee in which the Council is involved and of which the Councillor is also a member.

Paragraph 9 does not refer to Cabinet decisions or attendance at an OS meeting purely for the purpose of answering questions or providing information on such a matter.

5. TERMS OF REFERENCE AND WORK PROGRAMME (Pages 13 - 18)

(Chairman / Lead Officer) The Overview and Scrutiny Committee has agreed the Terms of Reference of this Committee. This is attached along with an ongoing work programme. Members are asked at each meeting to review both documents.

6. SUBMISSION TO DECISION ON PLANNING DEVELOPMENT PROPOSALS (Pages 19 - 22)

(Director of Governance) To consider the attached report.

7. KEY PERFORMANCE INDICATORS 2017/18 - QUARTER 2 PROGRESS (Pages 23 - 32)

(Director of Governance) To consider the attached report.

8. CORPORATE PLAN KEY ACTION PLAN 2017/18 - QUARTER 2 PROGRESS (Pages 33 - 38)

(Director of Governance) To consider the attached report.

9. REPORTS TO BE MADE TO THE NEXT MEETING OF THE OVERVIEW AND SCRUTINY COMMITTEE

To consider which reports are ready to be submitted to the Overview and Scrutiny Committee at its next meeting.

10. FUTURE MEETINGS

To note the dates of future meetings of the Governance Select Committee:

06 February 2018; and
27 March 2018.

**EPPING FOREST DISTRICT COUNCIL
NOTES OF A MEETING OF GOVERNANCE SELECT COMMITTEE
HELD ON TUESDAY, 3 OCTOBER 2017
IN COMMITTEE ROOM 1, CIVIC OFFICES, HIGH STREET, EPPING
AT 7.15 - 9.12 PM**

Members Present:	D Stallan (Chairman), R Bassett (Vice-Chairman), L Hughes, B Rolfe, D Wixley, J Knapman and H Whitbread
Other members present:	M Sartin
Apologies for Absence:	N Avey, G Chambers, S Jones, H Kauffman, L Mead and B Surtees
Officers Present	G Chipp (Chief Executive), S Hill (Assistant Director (Governance)), J Leither (Democratic Services Officer), S Lewis (Senior Project Improvement Officer) and W MacLeod (Senior Electoral Services Officer)

14. ELECTION OF CHAIRMAN

In the absence of both the Chairman and Vice-Chairman, Members were asked by the Democratic Services Officer J Leither to nominate a Chairman for the duration of the meeting.

The nomination of Councillor D Stallan as the Chairman of this Governance Select Committee meeting, having been formally nominated by Councillor R Bassett and seconded by Councillor B Rolfe, it was:

RESOLVED:

That Councillor D Stallan be appointed as Chairman of the Governance Select Committee for the duration of the meeting.

15. APPOINTMENT OF VICE-CHAIRMAN

The Chairman asked for nominations for a Vice-Chairman, Councillor B Rolfe nominated Councillor R Bassett as Vice-Chairman which was seconded by Councillor J Knapman.

RESOLVED:

That Councillor R Bassett be appointed as Vice-Chairman of the Governance Select Committee for the duration of the meeting.

16. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

The Select Committee noted that Councillors J Knapman and H Whitbread were substituting for Councillors N Avey and G Chambers respectively.

17. NOTES OF PREVIOUS MEETING**RESOLVED:**

That the notes of the last meeting of the Select Committee held on 4 July 2017 be agreed as a correct record.

18. DECLARATIONS OF INTEREST

There were no declarations of interest made pursuant to the Member's Code of Conduct.

19. TERMS OF REFERENCE AND WORK PROGRAMME

The Select Committee received a report from the Assistant Director, Governance regarding the Terms of Reference and the Work Programme 2017/18.

(a) Terms of Reference

The Terms of Reference had been agreed at the last meeting and there were no further comments.

(b) Work Programme 2017/18

The Work Programme was on track for the coming year and that items 5, Equality Objectives 2016-2020/2018-2023 – 6 monthly reporting and 15, the Annual Equality Information Report – 2016 would be presented together under one report. The Committee had nothing further to add to the Work Programme at this time but noted that items could be suggested at any time during the cycle of meetings over the coming municipal year.

RESOLVED:

- (1) That the Terms of Reference of the Committee and progress against its work programme for 2017/18, be noted; and
- (2) That items 5 and 15 of the Work programme would be presented together.

20. EQUALITY OBJECTIVES 2016-2020 / (2018-2023) - 6 MONTHLY REVIEW AND COMBINED ANNUAL REPORT

Susan Lewis, Senior Project Improvement Officer introduced the report on the Equality Objectives 2016-2020 and 2018-2023 giving a six monthly review and a combined annual report.

The purpose of this report was to provide an update on the current action plan for the Equality Objectives 2016-20 and the approach to enable the Council to set some new Objectives for 2018-2023 alongside the corporate plan for 2018-23. The proposed actions were to be completed over the coming months and a new set of draft objectives presented back to Management Board for implementation in April 2018.

In addition, the new version Equality Impact Assessment form was attached for information. This would be used consistently going forward and would replace the previous Equality Analysis Report.

Equality Objectives 2016-20

The Equalities Working Group (EWG) met in July 2017 to review the action plan for the 2016-2020 objectives and an updated copy with current status against deliverables was attached to agenda item 6, appendix 1 for information.

Recommendations for new Equality Objectives 2018-23

Having conducted some research on other local authorities' equality objectives it was felt that our current plan focussed very much inwards on EFDC operations. The Council felt that the Equalities Objectives would benefit from a more holistic approach embracing our communities and focussing on the culture and behaviours the Council would like to improve throughout EFDC.

For this reason the Council were taking the following approach to what would be a timely introduction of new Equality Objectives for 2018-2023:

- Consult with all staff and ask for their feedback on what they felt our vision and objectives should be for Equality via an all staff survey;
- Consult with a number of potentially vulnerable groups on our strategy and objectives to capture their feedback; and
- Develop a draft set of new Equality objectives to be taken back to Management Board for implementation from April 2018.

Equality Impact Assessment

There had been some inconsistency in usage of the new Equality Impact Assessment (EIA) form which was attached to agenda item 6, appendix 2. The Council had communicated to all Directorates and advised them that the EIA form was to be attached to all reports to Cabinet going forward, no reports would be accepted without an EIA form. A user guide to aid completion had been provided and Members would be given an overview and training on the form at a date which was to be advised, this guidance was attached to agenda item 6, appendix 3.

Councillor D Stallan asked if the EIA was to be included with Portfolio Holder Decisions and if so the wording should be changed to reflect this on appendix 2.

S Lewis stated that it did include Portfolio Holder Decisions and the wording would be changed to reflect this.

Councillor J Knapman stated that training was needed regarding the EIA, Portfolio Holders needed to know the significance of the EIA when signing off their Council, Cabinet and Portfolio Holder reports and decisions.

S Hill advised that previously there was a paragraph on the reports called a Due Regard but it had been identified that there was a higher level of importance attached to the reports and decisions and therefore a more detailed approach was needed.

G Chipp informed the Committee that at a recent meeting of the Leadership Team a long debate took place and it was recognised that the Councils decisions were challengeable if we didn't properly consider the impact of the decisions.

Councillor J Knapman asked what did section 2 of the EIA have to do in relation with equality.

Councillor Wixley referred to 2.3 of Section 2 and noted that it listed service users, employees and the wider community or groups of people but did not mention individuals.

G Chipp stated that the Equality Impact Assessment form, Section 2, in line with Members comments should be revised.

Councillor D Stallan asked Members if they had any further concerns in relation to any other sections of the EIA.

Councillor M Sartin stated that she had concerns around the amount of time Officers would have to spend filling in these forms.

S Hill advised that the EIA's were designed to be scaled up or down depending on what the reports were concerning.

RESOLVED:

(1) That the update on our existing Equality Objectives 2016-2020 and proposed approach for setting new Equality Objectives for 2018-2023 be noted.

(2) That the new version Equality Impact Assessment form, which replaced the previous Equality Analysis Report be noted apart from Section 2, which would be revised and circulated to Members of the Governance Select Committee, including Councillor J Knapman and Councillor H Whitbread who were in attendance as substitutes and Councillor M Sartin as Chairman of the Overview and Scrutiny Committee.

21. LOCAL AND PARLIAMENTARY ELECTIONS 2017 - REVIEW

The Select Committee received a report regarding the County Council and Parliamentary Elections held in May and June 2017 from the Returning Officer, G Chipp.

Members were asked to consider a review of the management of those elections and to recommend to the Returning Officer any changes to the procedure for future elections.

The Returning Officer advised that in his opinion, the processes put into place for these two elections were the most effective they had been since he became the Returning Officer.

This year had no respite for the Elections Team in the amount of work they had to carry out, as whilst they were involved in the County Council Elections, an unexpected snap General Election was announced on the 18 April 2017 to be held on the 8 June 2017. This in turn created a very heavy workload for the Elections Team and the Council. There were also three by-elections this year in Chigwell, Epping and Ongar and a further one arranged for the Lower Sheering ward in October 2017. The Returning Officer expressed his personal thanks to everyone across the Council who got involved in the Elections to make it run as smoothly and

efficiently as it did. He also gave his thanks to the Police and Chief Inspector Lewis Basford for a very visible police presence at the General Election polling stations and maintaining the security of the election process.

The Returning Officer stated with the two elections so close together duplication of on-line registration was high as the Governments publicity information created confusion.

Postal Voting

Postal voting had increased in popularity, there were 9,274 postal packs sent out for the County Council elections of which 5,300 packs were returned and counted. There were 8,305 postal packs sent out for the UKPGE which included 192 sent to overseas electors. A total of 123 postal applications were rejected, due to problems arising by the voter failing to enter their date of birth correctly and not due to fraudulent activity. This would be addressed by revisiting the layout of the form and making minor adjustments.

S Hill advised that the regulations around votes being rejected had changed and the Council were now required to advise voters if their vote had been rejected and the reason why. The 123 voters had been written to and asked if they would like to refresh their postal vote application.

The Returning Officer advised that despite the assurances from the Royal Mail that a full postal sweep would be completed on the evening of the 8 June, there were only 3 packets returned by Royal Mail at the count, a further 45 late packets arrived at the Council's Civic Offices on the Friday and Monday after the election.

Members expressed concern regarding the cost of the final sweep and the fact that 45 packets were delivered after the deadline and asked if there was anything the Council could do to prevent this happening for future elections. Members asked the Returning Officer if the Council had informed the voters of the late packs and that their votes were not counted.

The Returning Officer advised that by law the Council were not allowed to open the late packs as they had to be destroyed as they were received.

Councillor S Sartin stated that the Council had no proof that they were not posted on time.

Staffing

The Returning Officer stated that staffing levels for the polling stations, verification and counts were adequate. However staffing for the UKPGE in June was more problematic with many staff being on holiday. The Returning Officer decided to put some staff on standby to which EFDC paid for this as the Government would not pay for staff to be kept on standby.

Officers from Democratic Services and other sections provided support to the Electoral Staff Services by helping with enquiries regarding voting and registration. The level of staff required for the issue and opening of the postal votes proved to be correct as these procedures were all completed in good time. Directors were helpful in making officers available for these processes.

Polling Day Issues

The Returning Officer advised that all the Districts Polling Stations were fully operational in May and June. In May local residents reported difficulties trying to access the polling station in Lambourne, this was due to road resurfacing works. Officers contacted the County Returning Officer and the roadworks were suspended for the remainder of the day.

A Presiding Officer in Loughton identified a person voting twice. The Police interviewed a male who immediately admitted to voting for himself and then for his father. He was given a caution and wrote a letter to apologise to the Council.

There was one complaint received for the County election in May from a member of the public who had experienced delays in a polling station in Epping, this had stemmed from the mismarking of the register. This was resolved by the Deputy Returning Officer and was relayed to staff at the briefing session for the June election and there was no re-occurrence.

There were three complaints recorded for the UKPGE in June:

- A German national who was not sent a postal vote (EU nationals cannot vote at a UKPGE);
- A voter complaining about a teller speaking to voters on their way into the polling station; and
- A postal voter, after having returned their postal vote by post, now wished to change the way they had voted.

Councillor Wixley noted that there were building works occurring at Whitebridge School and asked if the Council would go back to using this school as a polling station in the future. The Returning Officer advised that once the building works had been completed then the Council would use Whitebridge School as a polling station again.

The Returning Officer reported that some schools were reluctant to close and be used as polling stations and were asking for count staff to have a Disclosure and Barring Service certificate. He advised that his powers as a Returning Officer could require that schools be opened to use as a polling station for any election.

Members expressed concerns over voters being able to vote more than once in different districts and asked if there were any checks implemented to stop this.

The Returning Officer advised that there were no checks available to control people voting multiple times and stated that this would be a very difficult procedure to put into place. Voters can just turn up at a polling station give their name and address and providing they were on the register and not already marked off they would be given a ballot paper.

S Hill advised that the Government were trialling identification procedures for voters at stations in Watford in May 2018, by barcoding polling cards. He was not sure how this would work as it was noted that many people do not bring their poll cards when they come to vote.

The Returning Officer asked Members for their views on holding a Candidates and Agents meeting prior to an election. He advised that they were not very well attended

and consequently one was not set up for the May County election. He asked Members if they thought a meeting should be held or the information could be sent by email.

Councillor Wixley stated that the Candidates and Agents should be asked if they would like a meeting prior to an election.

S Hill replied that the Council did not know who would be standing before the meeting.

Councillor H Whitbread stated that when she was up for election the meeting was at 6pm and she did not attend because she was out canvassing at that time.

Councillor Stallan stated that maybe we should not hold them, if the attendance was considerably low and if candidates or agents complained that they should have a meeting then it could be reinstated the following year.

The Returning Officer acknowledged that this was a sensible way forward and that it could be reviewed at any time.

Members therefore recommended to the Returning Officer that there would be no Candidates/Agents meeting before the election in 2018 but that it could be reviewed after the election if so required.

RESOLVED:

- (1) That the management of the County Council Election on 5 May 2017 and the UK Parliamentary Election on 8 June 2017 be noted; and
- (2) That Members agreed that there would not be a Candidates/Agents meeting before the election in 2018 but this would be reviewed after the election.

22. KEY PERFORMANCE INDICATORS 2017/18 - QUARTER 1 PERFORMANCE

The Select Committee received a report from S Hill the Assistant Director, Governance regarding the Key Performance Indicators 2017/18 – Quarter 1 Performance.

The Local Government Act 1999 required that the Council make arrangements to secure continuous improvements in the way in which its functions and services were exercised, having regard to a combination of economy, efficiency and effectiveness.

As part of the duty to secure continuous improvement, a range of Key Performance Indicators (KPI) relevant to the Council's services and key objectives, are adopted each year by the Finance and Performance Management Cabinet Committee. Performance against the KPIs was monitored on a quarterly basis by Management Board and Overview and Scrutiny to drive improvement in performance and ensure corrective action was taken where necessary.

A range of 32 Key Performance Indicators (KPIs) for 2017/18 were adopted by the Finance and Performance Management Cabinet Committee in March 2017. The KPIs were important to the improvement of the Council's services and the achievement of its key objectives and comprised a combination of some former statutory indicators and locally determined performance measures. The aim of the KPIs are to direct

improvement effort towards services and the national priorities and local challenges arising from the social, economic and environmental context of the district that are the focus of the key objectives.

The overall position for all 32 KPIs at the end of Quarter 1 was as follows:

- (a) 27 (84%) indicators achieved first quarter target;
- (b) 5 (16%) indicators did not achieve first quarter target, although 1 (3%) of these indicators performed within the agreed tolerance for the indicator.

There were 5 KPIs which fell within Governance Select Committee's areas of responsibility, the overall position with regard to the achievement of target performance at Q1 for these 5 indicators were as follows:

- (a) 5 (100%) indicators achieved target;
- (b) 0 (0%) indicators did not achieve target;
- (c) 0 (0%) performed within the agreed tolerance for the indicator; and
- (d) 5 (100%) indicators were currently anticipated to achieve year end target.

The 'amber' performance status used in the KPI report under agenda item 8, appendix 1, identified indicators that had missed the agreed target for the quarter, but where performance was within an agreed tolerance or range. The KPI tolerances were agreed by Management Board when targets for the KPIs were set in March 2017.

The Select Committee was requested to review Q1 performance for the KPIs within its areas of responsibility. The full set of KPIs was also considered by Management Board on 16 August 2017 and the Finance and Performance Management Cabinet Committee on 14 September 2017.

Councillor J Knapman asked if these statistics were accurate, as he understood more to be instances of applications getting near to the 8 week deadline, withdrawn then re-submitted a few weeks later and the 8 week deadline would start again.

S Hill advised that he was not aware of this practice on smaller applications and there wasn't an officer present at the meeting to be able to answer.

Councillor D Stallan asked Members if they would like a report on this item to come to the next meeting of the Governance Select Committee.

Members agreed and asked that the report included information about the performance from the date when the application was validated to the date the application received a decision.

RESOLVED:

- (1) That the Key Performance Indicators 2017/18 for Quarter 1 be noted; and

- (2) That a report comes to the next meeting detailing the time planning applications were first submitted to the time they received the final decision.

23. CORPORATE PLAN KEY ACTION PLAN 2017/18 - QUARTER 1 PROGRESS

The Select Committee received a report regarding the Corporate Plan Key Action Plan 2016/17 – Quarter 1 from the Assistant Director, Governance.

The Corporate Plan was the Council's key strategic planning document, setting out its priorities over the five year period from 2015/16 to 2019/20. The priorities or Corporate Aims were supported by Key Objectives which provided a clear statement of the Council's overall intentions for these five years.

The Key Objectives were delivered by an annual action plan with each year building upon the progress against the achievement of the Key Objectives for previous years. The annual action plans contained a range of actions designed to achieve specific outcomes and were working documents and therefore subject to change and development to ensure the actions remained relevant and appropriate and to identify opportunities to secure further progress or improvement.

The Corporate Plan Key Action Plan for 2017/18 was adopted by Council at its meeting on 27 September 2016. Progress in relation to all actions and deliverables was reviewed by the Cabinet, the Overview and Scrutiny Committee and the appropriate Select Committee on a quarterly basis.

There were 50 actions in total for which progress updates for Quarter 1 were as follows:

- (a) 46 (92%) of these actions had been Achieved or were On Target;
- (b) 0 (0%) of these actions were Under Control;
- (c) 3 (6%) were Behind Schedule; and
- (d) 1 (2%) were Pending.

There were 8 actions that fell within the areas of responsibility of the Governance Select Committee. At the end of Quarter 1 these were:

- (i) 8 (100%) of these actions had been Achieved or were On Target;
- (ii) 0 (0%) of these actions were Under Control;
- (iii) 0 (0%) of these actions were Behind Schedule; and
- (iv) 0 (0%) of these actions were Pending.

RESOLVED:

That the Corporate Plan Key Action Plan 2017/18 Quarter 1 Progress Report be noted.

24. BOUNDARY COMMISSION FOR ENGLAND - 2018 REVIEW REVISED PROPOSALS FOR THE EASTERN REGION

The Assistant Director, Governance informed the Select Committee that as part of the next stage of the 2018 Parliamentary Constituency Boundary Review the Boundary Commission for England (BCE) intended to publish their Revised proposals for new constituency boundaries on Tuesday 17 October 2017. They would consult on these proposals for eight weeks, until 11 December 2017. This would be the last consultation during this review of constituencies, and the last chance to contribute views to the Commission on the best pattern of constituencies to recommend to Parliament, when they concluded their review next year, as they were statutorily obliged to do.

When BCE consulted on initial proposals last year, they relied heavily on local authorities to assist in publicising the consultation, so BCE could engage with as many citizens as possible. BCE would be working with the Local Government Association and preparing a partner pack full of resources. Unlike last year's consultation, BCE will not be hosting public hearings across the country - there was no provision to allow this in governing legislation. All the information people need to see the proposals and contribute to the review would be on the BCE website, at www.bce2018.org.uk from 17 October 2017.

RESOLVED:

- (1) To note that the Boundary Commission for England would be publishing their proposals for consultation on 17 October 2017 which would be published in the Member's Bulletin thereafter; and
- (2) That a further report be made to Members on the BCE's final proposals at the next meeting.

25. REPORTS TO BE MADE TO THE NEXT MEETING OF THE OVERVIEW AND SCRUTINY COMMITTEE

There were no reports for recommendation to the Overview and Scrutiny Committee.

26. FUTURE MEETINGS

The next meeting of the Governance Select Committee would be held on Tuesday 5 December 2017 at 7.15pm in Committee Room 1.

GOVERNANCE SELECT COMMITTEE

TERMS OF REFERENCE 2017/18

Title: Governance Select Committee

Status: Select Committee

1. To undertake overview and scrutiny, utilising appropriate methods and techniques, of the services and functions of the Governance Directorate;
2. To develop a programme of work each year, informed by relevant service aims and member priorities, to ensure that the services and functions of the Governance Directorate are appropriate and responsive to the needs of residents, service users and others;
3. To consider any matter referred to the Select Committee by the Overview and Scrutiny Committee, the Cabinet or a relevant Portfolio Holder, and to report and make recommendations directly to the Committee, the Cabinet or such Portfolio Holder as appropriate;
4. To consider the effect of Government actions or initiatives on the services and functions of the Governance Directorate and any implications for the Council's residents, service users and others, and to respond to consultation activities as appropriate;
5. To establish working groups as necessary to undertake any activity within these terms of reference;
6. To undertake pre-scrutiny through the review of specific proposals of the Council and its partner organisations or other local service providers, insofar as they relate to the services and functions of the Governance Directorate, to help develop appropriate policy;
7. To undertake performance monitoring in relation to the services and functions of the Governance Directorate, against adopted key performance indicators and identified areas of concern;
8. To identify any matters within the services and functions of the Governance Directorate that require in-depth scrutiny, for referral to the Overview and Scrutiny Committee; and
9. To recommend the establishment of task and finish panels to the Overview and Scrutiny Committee as necessary, in order to undertake any activity within these terms of reference.

Chairman: Councillor N Avey

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Governance Select Committee (Chairman – Councillor N Avey)

Work Programme 2017/18

Item	Report Deadline/Priority	Progress/Comments	Programme of Meetings
(1) Key Performance Indicators (KPIs) 2016/17 - Outturn	04 July 2017	Governance indicators only - Completed	04 July 2017 03 October 2107 05 December 2017 06 February 2018 27 March 2018
(2) Key Performance Indicators (KPIs) 2017/18 - Quarterly Performance Monitoring	Q1 – 03 October 2017 Q2 – 05 December 2017 Q3 – 06 February 2018	Governance indicators only.	
(3) Development Management Chairmen and Vice-Chairmen's Meetings	04 July 2017	Feedback from meeting of the Chairmen and Vice-Chairmen of the Area Plans Sub-Committees and the District Development Management Committee – Completed	
(4) Building Control	04 July 2017	To be carried forward onto work programme for 2017/18. Building Control Officer to give a presentation - Completed	
(5) Equality Objectives 2016-2020 / (2018-2023) - 6 monthly reporting	Q1 - 03 October 2017	Completed	
(6) Equality Objectives 2016-2020 / (2018-2023) - 6 monthly reporting	Q3 - 06 February 2018		

Governance Select Committee (Chairman – Councillor N Avey)

Work Programme 2017/18

(7) Corporate Plan Key Action Plan 2015/16 - Outturn	04 July 2017	Governance actions only - Completed
(8) Review of Public Consultations	04 July 2017	Annual Review - Completed
(9) Governance Directorate Business Plan 2017/18	04 July 2017	Portfolio Holders attended Cllrs J Philip, A Lion and G. Waller - Completed
(10) Review of the Elections and General Election May and June 2017	03 October 2017	Review of the processes for the County and General elections - Completed
(11) Corporate Plan Key Action Plan 2016/17- Quarterly reporting	Q1 – 03 October 2017 Q2 – 05 December 2017 Q3 – 06 February 2018	Governance actions only.
(12) Review of the operation of the Council's Petitions Scheme	06 February 2018	To be completed during the 2017/18 municipal year. ST/JL
(13) Analysis of Compliments and Complaints information in identifying trends	06 February 2018	The Head of Customer Services has been invited to attend a future meeting. To identify trends, a period of time will need to elapse.

Governance Select Committee (Chairman – Councillor N Avey)

Work Programme 2017/18

(14) Annual Equality Information Report – 2016	03 October 2017	Combined with Item (5) - Completed
(15) Key Performance Indicators	05 December 2017	GOV-005 – Percentage of minor planning applications that are processed within 8 weeks or extension of time.
(16) Directorate Business Plans 2018/19 (NEW)	27 March 2018	Presentation by all relevant Portfolio Holders.
(17) Planning applications submitted to time final decision is received	05 December 2017	NR to provide a report.
(18) Transformation Projects relevant to this Committee	As Appropriate	Details of relevant new transformation projects to be submitted to the relevant SC for scrutiny.
(19) Transformation Projects closure and benefits reports	As Appropriate	That any Directorate appropriate project closure and benefits realisation reports to be submitted to this SC for information.

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Report to: Governance Select Committee

Date of meeting: 5 December 2017



Portfolio: Planning and Governance (Councillor J Philip)

Subject: Time taken from initial submission to decision on planning development proposals

Officer contact for further information: N. Richardson (01992 564110)

Democratic Services Officer: J Leither (01992 564756)

Recommendations/Decisions Required:

- (1) That the Committee note that those planning applications resubmitted following a previous application being withdrawn or refused planning permission are a very small percentage of all planning decisions made.
- (2) The quarterly return of the three planning application type Key Performance Indicator (KPI) is accurate and in line with the KPI criteria and measures set by Dept. of Communities and Local Government.

Introduction

1. At the last meeting in October, the Committee received a report regarding the Key Performance Indicators 2017/18 – Quarter 1, in respect of planning application turnaround times, which showed that the targets set were being achieved
2. Councillor Knapman, substituting at this meeting, asked if these statistics were accurate, as he understood more to be instances of applications getting near to the 8 week deadline, withdrawn then re-submitted a few weeks later and the 8 week deadline would start again.
3. The committee asked for a report to be brought to this meeting with further detail from Officers, as the Assistant Director of Governance (Development Management) was not present at this particular meeting.

Summary

4. Of the 1,714 planning application decisions issued over the last year, 40 have been withdrawn by the applicant and no resubmissions have been made. 56 have either been withdrawn or refused planning permission and then submitted a revised new planning application, representing just over 3% of the total, so the instances of applications getting near to the 8 week deadline, withdrawn then resubmitted are very low. The measure of performance is in accordance with guidelines for the return of statistics to the Dept. of Communities and Local Government and used for the Council's

three planning application related KPI's.

Detail

5. Submitted planning applications are registered and the "start date" of the planning application begins when all the information required by both the national and the Council's own Local List of Validation requirements are received. The Council then has 8 weeks (13 for major category applications) to make a final decision, unless an extension of time is agreed by the person submitting the planning application, which is nearly all the cases that go to the 4-week cycle area planning committee's and 8 week cycle District Development management Committee. All planning applications count towards the achieved KPI target if they are decided within the time limit or extension of time. Withdrawn applications are not included in the KPI's or the CLG quarterly returns performance.
6. The extension of time was introduced by the Government in 2010 (Article 29 of The Town and Country Planning (Development Management Procedure) (England) Order 2010) and allows a planning application determination to be extended beyond the statutory deadline so long as it is agreed by the applicant who submitted the planning application. The new date then becomes the target. Quarterly return of statistics of planning applications to the Dept. of Communities and Local Government measure performance on this basis, as does the Council's three planning application KPI's.
7. Of the 1,714 planning application decisions issued over the last year, 56 of these involved resubmission of planning applications following the first application either being refused planning permission or being withdrawn by the applicant before a decision was made. Broken down further, of these 56, 24 were refused applications (12) and then later became revised approved applications (12), 32 were withdrawn (16) and then submitted as new planning applications (16, of which 2 were refused). In addition, 40 have been withdrawn by the applicant and no resubmissions have been made. Reasons for withdrawal vary in each case.
8. However, running through all the planning applications in this time period, the grounds for refusal, some of which have been committee reversals made by members, have then been the subject of negotiation with officers and in most cases a more positive decision on a resubmission is made through a fresh planning application.
9. There is no evidence that officers deliberately try and hit the 8/13 week deadline by refusing planning permission rather than re-negotiating revisions to the planning application beyond this deadline, particularly as the extension of time is available, unless the changes required are so fundamental to that proposed, i.e. where there are objections or where an application is reported to a planning committee and members reverse the officer recommendation and refuse planning permission rather than defer and seek alterations.
10. Similarly with withdrawn applications. Agents regularly keep in touch with the officers on their own planning applications and are often keen to avoid a refusal of planning permission for their client and therefore will withdraw it, negotiate a revision with officers and resubmit. Surprisingly, there were 40 applications withdrawn where no resubmission has taken place, which could be because there is no way forward and they had not sought pre-planning application advice beforehand.
11. The instances therefore are a small percentage of the total decisions and in any case are in accordance with national and local criteria.

Recommendations

12. The Select Committee is therefore requested to note that those applications the subject of a resubmission is a small percentage of the total decided. In addition a low proportion are withdrawn and not resubmitted and so do not count towards the performance measure.
13. The quarterly return of the three planning application type Key Performance Indicator is accurate and in line with the KPI criteria and measure set by Dept. of Communities and Local Government.

Resource implications: None for this report.

Legal and Governance Implications: None for this report.

Safer, Greener and Cleaner Implications: None for this report.

Consultation undertaken: None.

Background Papers: Article 29 of The Town and Country Planning (Development Management Procedure) (England) Order 2010), DCLG guidance notes for Quarterly PS1/PS2 Return and planning records over the last year.

Impact Assessments:

Risk Management - None for this report.

Equality - No equality implications arise from this report.

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Report to: Governance Select Committee

Date of meeting: 05 December 2017

Portfolio: Planning and Governance (Councillor J Philip)

Subject: Key Performance Indicators 2017/18 - Quarter 2 Performance

Officer contact for further information: Monika Chwiedz (01992 562076)

Democratic Services Officer: Jackie Leither (01992 564756)

Recommendations/Decisions Required:

- (1) That the Select Committee reviews Q2 performance in relation to the key performance indicators within its areas of responsibility.

Executive Summary:

The Local Government Act 1999 requires that the Council make arrangements to secure continuous improvement in the way in which its functions and services are exercised, having regard to a combination of economy, efficiency and effectiveness.

As part of the duty to secure continuous improvement, a range of Key Performance Indicators (KPI) relevant to the Council's services and key objectives, are adopted each year by the Finance and Performance Management Cabinet Committee. Performance against the KPIs is monitored on a quarterly basis by Management Board and overview and scrutiny to drive improvement in performance and ensure corrective action is taken where necessary.

Reasons for Proposed Decision:

The KPIs provide an opportunity for the Council to focus attention on how specific areas for improvement will be addressed, and how opportunities will be exploited and better outcomes delivered. It is important that relevant performance management processes are in place to review and monitor performance against the key performance indicators to ensure their continued achievability and relevance, and to identify proposals for appropriate corrective action in areas of slippage or under performance.

Other Options for Action:

No other options are appropriate in this respect. Failure to monitor and review KPI performance and to consider corrective action where necessary could have negative implications for judgements made about the Council's progress, and might mean that opportunities for improvement are lost.

Report:

1. A range of thirty-two (32) Key Performance Indicators (KPIs) for 2017/18 was adopted by the Finance and Performance Management Cabinet Committee in March 2017. The KPIs are important to the improvement of the Council's services and the achievement

of its key objectives, and comprise a combination of some former statutory indicators and locally determined performance measures. The aim of the KPIs is to direct improvement effort towards services and the national priorities and local challenges arising from the social, economic and environmental context of the district, that are the focus of the key objectives.

2. Progress in respect of each of the KPIs is reviewed by the relevant Portfolio Holder, Management Board, and overview and scrutiny at the conclusion of each quarter. This report provides an overview of all KPIs and includes in detail those indicators which fall within the areas of responsibility of the Governance Select Committee
3. A headline end of Q2 performance summary in respect of the KPIs falling within the Governance Select Committee's areas of responsibility for 2017/18, together with a detailed performance report for each of these indicators, is attached at Appendix 1 to this report.

Key Performance Indicators 2017/18 - Quarter 2 Performance

4. The overall position for **all** thirty-two (32) KPIs at the end of the Quarter 2, was as follows:
 - (a) 25 (78%) indicators achieved target;
 - (b) 3 (9%) indicators did not achieve target,
 - (c) 4 (13%) indicators performed within the agreed tolerance for the indicator, and
 - (d) 26 (82%) of indicators are currently anticipated to achieve year-end target, 3 (9%) are uncertain whether they will achieve year-end target and a further 3 (9%) are anticipated not to achieve year-end target.
5. **Governance Select Committee indicators** – Five (5) of the Key Performance Indicators fall within the Governance Select Committee's areas of responsibility. The overall position with regard to the achievement of target performance at Q2 for these five (5) indicators, was as follows:
 - (a) 4 (80%) indicators achieved target;
 - (b) 1 (20%) indicators did not achieve target, and
 - (c) 0 (0%) of these KPI's performed within the agreed tolerance for the indicator
 - (d) 4 (80%) of indicators are currently anticipated to achieve year-end target, and a further 1 (20%) indicator is uncertain whether it will achieve year-end target.
6. The 'amber' performance status used in the KPI report identifies indicators that have missed the agreed target for the quarter, but where performance is within an agreed tolerance or range. The KPI tolerances were agreed by Management Board when targets for the KPIs were set in March 2017.
7. The Select Committee is requested to review Q2 performance for the KPIs within its areas of responsibility. The full set of KPIs was also considered by Management Board on 15 November 2017 and the Finance and Performance Management Cabinet Committee on 16 November 2017.

Resource Implications: none for this report

Legal and Governance Implications: none for this report; however performance management of key activities is important to the achievement of value for money.

Safer, Cleaner, Greener Implications: none for this report

Consultation Undertaken: Relevant Select Committees and the Finance and Performance Management Cabinet Committee.

Background Papers: KPI submissions held by the Performance Improvement Unit.

Impact Assessments:

Risk Management: none for this report

Equality: none for this report.

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Key Performance Indicators 2017/18 – Quarter 2 Performance Report

Appendix 1

Governance Quarterly Indicators		Q1 2017/18			Q2 2017/18			Q3 2017/18			Q4 2017/18			Is year-end target likely to be achieved?
		Target	Value	Status	Target	Value	Status	Target	Value	Status	Target	Value	Status	
GOV004	What percentage of major planning applications were processed within 13 weeks or extension of time date?	90%	100%	✔	90%	100%	✔	90%			90%			Yes
GOV005	What percentage of minor planning applications were processed within 8 weeks or extension of time date?	90%	95.73%	✔	90%	93.67%	✔	90%			90%			Yes
GOV006	What percentage of other planning applications were processed within 8 weeks or extension of time date?	94%	96.37%	✔	94%	95.44%	✔	94%			94%			Yes
GOV007	What percentage of planning applications recommended by planning officers for refusal were overturned and granted permission following an appeal?	20%	11.76%	✔	20%	12.5%	✔	20%			20%			Yes
GOV008	What percentage of planning applications, refused by Council Members against the recommendation of the planning officers, were granted permission on appeal?	50%	42.86%	✔	50%	68.75%	✘	50%			50%			Uncertain

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Key Performance Indicators 2017/18 Quarter 2 Performance

Report Author: Monika Chwiedz (Performance Improvement Officer)

Reflecting on our performance:

There are 32 KPIs for this year

25 (78%) achieved target and 3 (9%) missed target and 4 (13%) performed within their amber tolerance.

Five (5) of the Key Performance Indicators fall within the Governance Directorate.

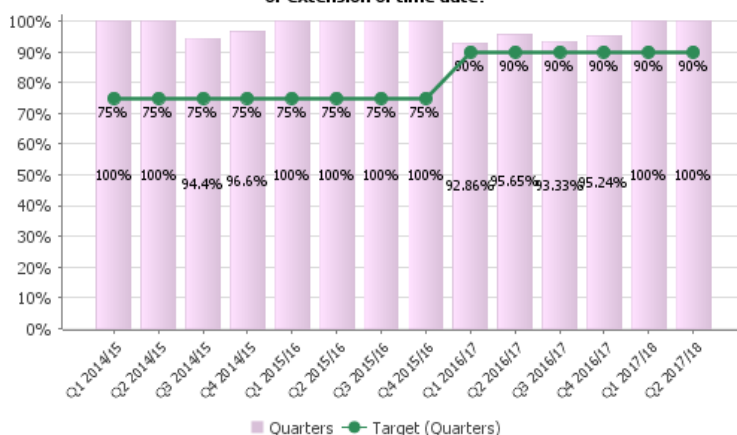
What percentage of major planning applications were processed within 13

GOV004 weeks or extension of time date?

This indicator ensures that local planning authorities determine major planning applications in a timely manner (within thirteen weeks).



GOV004 What percentage of major planning applications were processed within 13 weeks or extension of time date?

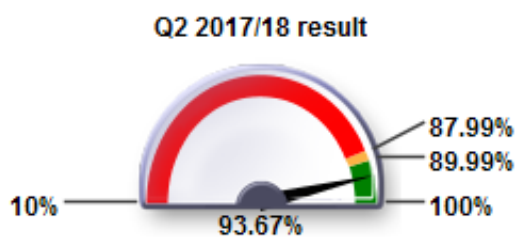


Comment on current performance: Major type applications represent only a small number of the overall number of planning applications received, but they are more complex and generally are reported to planning committees, so deadlines for decisions are tight. Because of this, the performance can be volatile, but with all 17 decided in time, the target has been achieved.

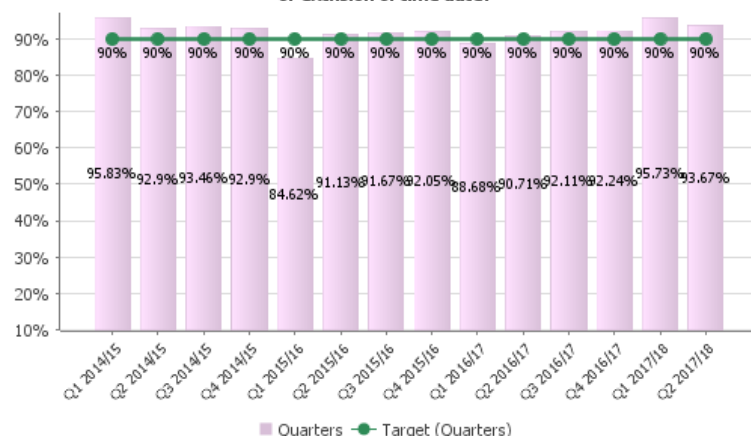
What percentage of minor planning applications were processed within 8 weeks or extension of time date?

GOV005

This indicator ensures that local planning authorities determine 'minor' planning applications in a timely manner (within eight weeks).



GOV005 What percentage of minor planning applications were processed within 8 weeks or extension of time date?

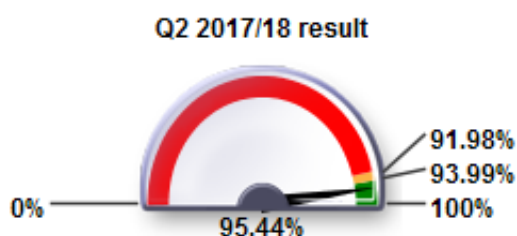


Comment on current performance: This covers planning applications that include 1 to 9 dwellings/ pitches per application as well as offices, light industry, general industry, storage, warehousing or retail floorspace under 10,000sq m or 1 hectare and other minor developments. 222 out of 237 applications were made in time.

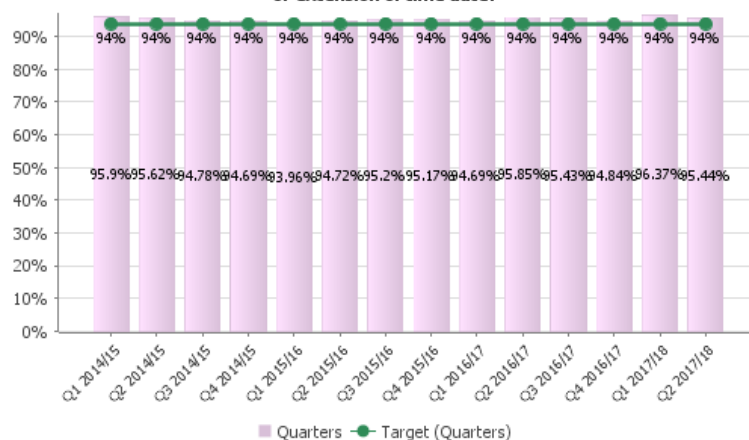
What percentage of other planning applications were processed within 8 weeks or extension of time date?

GOV006

This indicator ensures that local planning authorities determine 'other' planning applications in a timely manner (within eight weeks).



GOV006 What percentage of other planning applications were processed within 8 weeks or extension of time date?

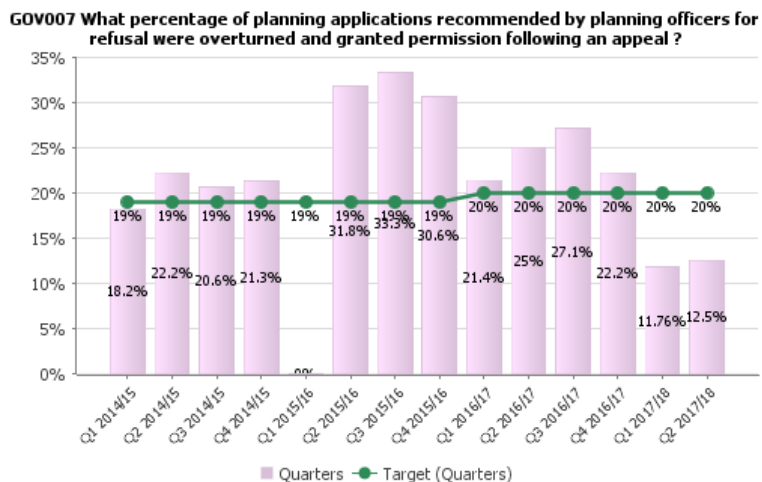
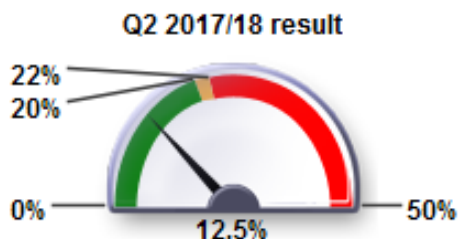


Comment on current performance: GOV006 includes the highest subject type applications received (householder extensions) and 669 out of 701 applications were decided in time in this category, which meets the target.

What percentage of planning applications recommended by planning officers

GOV007 for refusal were overturned and granted permission following an appeal?

This indicator is expressed as a percentage of the no. of appeals determined and seeks to assess the levels of applications that may be refused in order to meet development control performance targets. It measures the performance of only Officer Recommendations for refusal of planning permission.



Comment on current performance: Of the 32 appeal decisions resulting from officer recommendations to refuse planning permission, only 4 were allowed on appeal (granted planning permission)

Appeals decided in Q2 15 = 17(Q1) + 15(Q2) = 32

Allowed in Q2 = 2

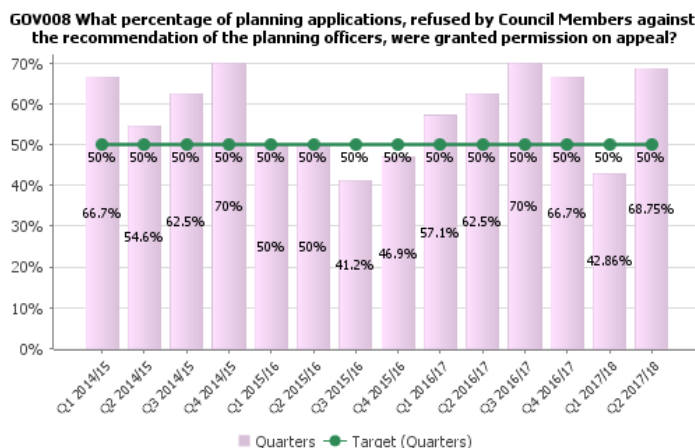
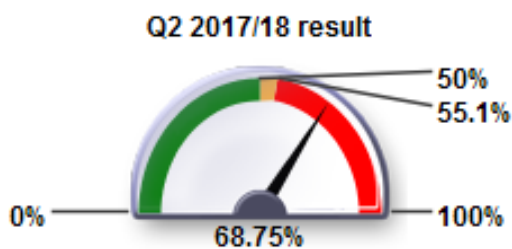
= 2(Q1) + 2(Q2) = 4

4/32 = 0.125 x 100 = 12.5%

What percentage of planning applications, refused by Council Members against the

GOV008 recommendation of the planning officers, were granted permission on appeal?

This indicator is expressed as a percentage of the no. of appeals determined and seeks to assess the levels of applications that may be refused in order to meet development control performance targets. It measures the performance of only Officer Recommendations for grant of planning permission, overturned by Members.



Comment on current performance: Members decisions to refuse planning permission by reversing officer recommendations on planning applications were supported on appeal in 5 out of 16 cases and therefore are failing to meet this target. In Q2 alone, 8 out of 9 were granted planning permission by appeal.

Appeals decided in Q2 9

$$= 7(Q1) + 9(Q2) = 16$$

Allowed in Q2 = 8

$$= 3(Q1) + 8(Q2) = 11$$

$$11/16 = 0.6875 \times 100 = 68.75\%$$

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SCRUTINY



Report to: Governance Select Committee

Date of meeting: 5 December 2017

Portfolio: Leader (Councillor C. Whitbread)

Subject: Corporate Plan Key Action Plan 2017/18 – Quarter 2 progress

Officer contact for further information: Monika Chwiedz (01992 562076)

Democratic Services Officer: Jackie Leither (01992 564756)

Recommendations/Decisions Required:

- (1) That the Committee review the first quarter (Q2) progress of the Corporate Plan Key Action Plan for 2017/18 in relation to its areas of responsibility; and
- (2) That the Committee identifies any actions arising from the Corporate Plan Key Action Plan for 2017/18 Q2 within its areas of responsibility, which require in-depth scrutiny or further report on current progress.

Executive Summary:

The Corporate Plan is the Council's key strategic planning document, setting out its priorities over the five-year period from 2015/16 to 2019/20. The priorities or Corporate Aims are supported by Key Objectives, which provide a clear statement of the Council's overall intentions for these five years.

The Key Objectives are delivered by an annual action plan, with each year building upon the progress against the achievement of the Key Objectives for previous years. The annual action plans contain a range of actions designed to achieve specific outcomes and are working documents and are therefore subject to change and development to ensure the actions remain relevant and appropriate, and to identify opportunities to secure further progress or improvement.

The Corporate Plan Key Action Plan for 2017/18 was adopted by Council at its meeting on 27 September 2016. Progress in relation to all actions and deliverables is reviewed by the Cabinet, the Overview and Scrutiny Committee, and the appropriate Select Committee, on a quarterly basis.

Reasons for Proposed Decision:

It is important that relevant performance management processes are in place to review progress against the key objectives, to ensure their continued achievability and relevance, and to identify proposals for appropriate corrective action in areas of slippage or under-performance.

Some actions have cross directorate responsibility. Where this is the case the most appropriate Select Committee is requested to consider the action. This report presents

progress against the Key Action Plan for 2017/18 for actions most appropriately considered by the Governance Select Committee.

Other Options for Action:

Actions with cross directorate responsibility could be considered by an alternative Select Committee, or not considered by the Select Committees.

Report:

1. The Corporate Plan 2015-2020 is the Council's highest level strategic document. It sets the strategic direction for the authority for the five year lifetime of the Plan. It focuses on a number of key areas that the Council needs to focus on during that time and helps to prioritize resources to provide quality services and value for money. These key areas are known as the Corporate Aims and are supported by a set of Key Objectives which represent the Council's high-level initiatives and over-arching goals to achieve the Corporate Aims. The Key Objectives are in turn, delivered via an annual Key Action Plan.
2. The Key Action Plan 2017/18 is populated with actions or deliverables designed to secure progress against each of the Key Objectives during 2017/18. During the subsequent years in the lifetime of the Key Objectives, annual action plans will be developed which build on progress achieved during preceding years.
3. The annual action plans are working documents are subject to change and development to ensure that the actions remain relevant and appropriate, and to identify opportunities to secure further progress or improvement. The Leader of Council, in consultation with the Chief Executive, is authorised to agree any further changes to Key Action Plans, following their approval by the Council.
4. Progress against the Key Action Plan is reviewed on a quarterly basis to ensure the timely identification and implementation of appropriate further initiatives or corrective action where necessary. Quarter 2 progress against the individual actions of the 2017/18 Key Action Plan, is as below: In reporting progress, the following 'status' indicators have been applied to the to individual actions:

Achieved (Green) - specific deliverables or actions have been completed or achieved in accordance with in-year targets;

On-Target (Green) - specific deliverables or actions will be completed or achieved in accordance with in-year targets;

Under Control (Amber) - specific deliverables or actions have not been completed or achieved in accordance with in-year targets, but completion/achievement will be secured by a revised target date (specified) or by year-end;

Behind Schedule (Red) - specific deliverables or actions have not been completed or achieved in accordance with in-year targets and completion/achievement may not be secured by year-end; and

Pending (Grey) - specific deliverables or actions cannot currently be fully completed or achieved, as they rely on the prior completion of other actions or are dependent on external factors outside the Council's control.

5. There are 50 actions **in total** for which progress updates for Q2 are as follows:
 - 42 (84%) of these actions have been 'Achieved' or are 'On Target'
 - 2 (4%) of these actions are 'Under Control'
 - 6 (12%) are 'Behind Schedule'
 - 0 (0%) are 'Pending'

8 actions fall within the areas of responsibility of the Governance Select Committee. At the end of Q2:

- 8 (100%) of these actions have been 'Achieved' or are 'On-Target'
- 0 (0%) of these actions are 'Under Control'
- 0 (0%) of these actions are 'Behind Schedule'
- 0 (0%) of these actions are 'Pending'

6. The Committee is requested to review the Q2 progress against Key Action Plan for 2017/18 as set out in Appendix 1 of this report, and identify any actions that require more in-depth scrutiny or further progress reports.
7. This report will also be considered by the Cabinet on 7 December 2017 and will be considered by the Overview and Scrutiny Committee on 9 January 2018.

Resource Implications: None for this report.

Legal and Governance Implications: None for this report. Performance monitoring contributes to the delivery of value for money.

Safer, Cleaner, Greener Implications: None for this report.

Consultation Undertaken: The performance information set out in this report has been submitted by each responsible service director.

Background Papers: Relevant documentation is held by responsible service directors.

Impact Assessments:

Risk Management: None for this report.

Equality: None for this report.

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Aim 1. To ensure that the Council has appropriate resources, on an ongoing basis, to fund its statutory duties and appropriate discretionary services whilst continuing to keep Council Tax low

Objective 1.a. To ensure that the Council's Medium Term Financial Strategy (MTFS) plans to meet the Council's financial and service requirements for any forward five year period, whilst minimising any reliance on Government funding


Action	Lead Directorate	Target Date	.	Status	Progress notes
3. Deliver savings and generate income identified for 2017/18 as approved by the Cabinet	Management Board	31-Mar-2018	●	On Target	Q2 - savings still on track Q1 (2017/18) Langston Road will open this quarter. Savings initiative on track.
4. Prepare to deliver savings and generate income for 2018/19 within the Medium-Term Financial Strategy	Management Board	31-Mar-2018	●	On Target	Q2 – Not yet due, will be addressed in budget process for 2018/19 Q1 - Not yet due, will be addressed in budget process for 2018/19
5. Develop additional business cases, including the use of the 'Invest to Save' Fund, to address the need for net savings and income generation in subsequent years	Management Board	30-Sep-2017	●	On Target	Q2 – Not yet due Q1 - Not yet due.

Objective 1.c. To explore appropriate opportunities to make savings and increase income through the shared delivery of services with other organisations, where such arrangements would provide improved and/or more cost effective outcomes




Action	Lead Directorate	Target Date	.	Status	Progress notes
3. Evaluate the potential to expand the provision of legal services provided to other authorities, to generate income	Governance	31-Dec-2017	●	On Target	Q2 - meeting with senior managers of neighbouring councils to discuss the potential for a fully integrated partnership working or sharing of resources Q1 - Retained the Lexcel accreditation to assist the marketing of the legal service. Networked through attendance at various special interest groups within the public law partnership.

Aim 3. To ensure that the Council adopts a modern approach to the delivery of its services and that they are efficient, effective and fit for purpose

Objective 3.a. To have efficient arrangements in place to enable customers to easily contact the Council, in a variety of convenient ways, and in most cases have their service needs met effectively on first contact

Action	Lead Directorate	Target Date	.	Status	Progress notes
5. Deliver projects of legislative importance, to ensure our services for customers are fit-for-purpose.:	Management Board	31-Mar-2018		On Target	Q2 - as per Q1
					Q1 - Election and Accounts Closure ran smoothly. internal Audit Programme approved and progressing in line with plan.

Objective 3.b. To utilize modern technology to enable Council officers and members to work more effectively, in order to provide enhanced services to customers and make Council services and information easier to access

Action	Lead Directorate	Target Date	.	Status	Progress notes
1. Trial flexible working for Building Control and Development Control officers through the use of new technologies	Governance	31-Mar-2018		On Target	Q2 - development management and building control senior officers have met with ICT colleagues in order to agree implementation plans and dates and raise any other issues arising.
					Q1 - Await initial feedback from 2 authorities who have gone live with the system we wish to trail and then ICT indicate that the commencement of the in-building control is imminent.
4. Produce a plan to improve the management of information, to protect public data and comply with legislation	Governance	31-Mar-2018		On Target	Q2 - the working group has met on three occasions, developed an action plan and continues to report to CGG on progress towards implementation on 25 May 2018. Appropriate officers are being trained and cascading that training through leadership team and to individual management teams.
					Q1 - The Chief Internal Auditor chairing a group looking at our information asset register which will feed into the new working group on general data protection regulations, chaired by a director of governance on 24th July.
6. Deliver the Corporate Communications project, to increase customer recognition of our services and improve communications with our customers	Governance	31-Mar-2018		On Target	Q2 - PR has attended Management Board to agree a new format for reporting its work and for identifying communications needs throughout the years for significant projects.
					Q1 - The communications PR team has recently concentrated on both the election and the Local Plan and the future focus will be to produce audit and analysis of our communications.