

**EPPING FOREST DISTRICT COUNCIL
NOTES OF A MEETING OF FINANCE AND PERFORMANCE MANAGEMENT SCRUTINY
PANEL
HELD ON TUESDAY, 19 JUNE 2012
IN COUNCIL CHAMBER, CIVIC OFFICES, HIGH STREET, EPPING
AT 7.00 - 8.19 PM**

Members Present: A Lion (Chairman), , C Finn, Mrs R Gadsby, J Hart, D Jacobs, Ms H Kane, L Leonard and G Mohindra

Other members present: W Breare-Hall, D Stallan, Ms S Stavrou and C Whitbread

Apologies for Absence: G Chambers, T Church and H Mann

Officers Present D Macnab (Acting Chief Executive), J Gilbert (Director of Environment and Street Scene), A Hall (Director of Housing), V Loftis (Market Research Consultation Officer), P Maginnis (Assistant Director (Human Resources)), N Richardson (Assistant Director (Development Control)), S Tautz (Performance Improvement Manager), M Tipping (Assistant Director (Facilities Management & Emergency Planning)) and A Hendry (Democratic Services Officer)

1. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

The Panel noted that Councillor L Leonard was substituting for Councillor H Mann.

2. DECLARATION OF INTERESTS

Pursuant to the Council Code for Members Conduct, Councillor H Kane declared a personal interest in agenda item 7, by virtue of working for an IT Company. She declared that her interests were not prejudicial and that she would remain for the discussion and consideration of the item.

3. MINUTES FROM THE LAST MEETING

The minutes of the previous meeting held on 20 March 2012 were agreed.

4. TERMS OF REFERENCE / WORK PROGRAMME

The Panel noted that the wording for their Terms of Reference had been updated to take into account the loss of the statutory standing of some performance indicators; the fact that there had been no annual conferences on public consultation; that the webcasting system was now considered to be part of the overall ICT systems; the reference to a Task and Finish Value for Money Panel be removed as it was no longer required; the reference to Local Area Agreements be removed as these were abolished in 2010/11; and the item on equality now reflected progress against the achievement of the Council's equality objectives for 2012/13 to 2015/16.

The Panel also noted their Work Programme for the year. The Chairman, Councillor Lion, asked the Panel to focus only on what they needed to look at and to dig down into the details only when an item needed deeper scrutiny.

5. CHANGE OF RUNNING ORDER TO THE AGENDA

The Panel noted and agreed to alter the running order of the agenda by taking agenda item 7 before item 6.

6. KEY PERFORMANCE INDICATORS - PERFORMANCE OUTTURN 2011/12

The Performance Improvement Manager, Mr S Tautz, introduced a report on the Council's outturn performance for 2011/12 in relation to the Key Performance Indicators (KPI) adopted for the year. The Panel noted that 66.6% of the performance targets had been achieved for 2011/12; the target was 70%. Detailed outturn (1 April 2011 to 31 March 2012) performance reports in respect of each of the KPIs for 2011/12 were attached to the report for information.

The Panel noted that it had been previously agreed that no further changes would be made to the KPIs for 2012/13. Members were advised that following the adoption of the Council's equality objectives for 2012/13 to 2015/16, it was planned that equality progress would in future be monitored and reported in line with the achievement of the objectives. In view of the broad scope of the equality objectives, it was no longer intended to report equality progress via KPI 01 (Equality Framework for Local Government) Equality progress would continue to be reported to the Scrutiny Panel, through an annual report in respect of the achievement of the equality objectives.

The Panel then went through the Quarter 4 indicators for last year. They noted that:

Finance and ICT Quarterly KPIs: The Panel noted that these consistently underachieving KPIs were largely due to the processes of the Council such as benefits and Council tax. Staff worked hard but there were a number of problems such as strains around staff and capacity, also there had been an increase in benefit claims during the year.

Housing Quarterly KPIs: It was noted that KPI 42 and 43 would be substantially improved now that Mears have their computer system in place and performance should be judged from 1st April onwards. Councillor Stallan reported that Mears would be giving a presentation to the Housing Scrutiny Panel on this new system.

It was noted that the KPI (47) on temporary accommodation was just a snapshot on a particular day. It would be better to take a figure on the last day of each quarter and divide by 4. This was still a crude measurement but better than the one at present. It should also be noted that homeless numbers were increasing and this should be monitored closely.

Corporate Support Services Annual KPIs: It was noted that KPI 12 had just missed its target by 0.7% due to 5 vacant properties. Two of which had now been let, two were under negotiation with prospective clients. The fifth property was a difficult to let annex to one of the hangars at North Weald Airfield which had been vacant for some time. A long term view as to its marketability would have to be taken.

The Panel discussed the adoption of a corporate target for achievement of improvement against the KPIs for 2012/13 and agreed it should stay at 70%.

RESOLVED:

- (1) That, outturn performance for the Council's Key Performance Indicators for 2011/12 be noted;
- (2) That the following be recommended to the Finance and Performance Management Cabinet Committee:
 - (a) That KPI 01 (Equality Framework for Local Government) be deleted from 2012/13;
 - (b) That from 2012/13, KPI 47 (Households in Temporary Accommodation) be revised as indicated in the report using an average from figures taken at the end of each quarter;
 - (c) That adoption of the performance targets for individual KPIs for 2012/13 as set out in the report (with the exception of KPI 52 and KPI 53) be agreed; and
 - (d) That a corporate target of 70% be agreed for the achievement of improvement against the KPIs for 2012/13.

7. PERFORMANCE INDICATOR MEASURE AND TARGET FOR KPI 51, KPI 52 AND KPI 53

The Assistant Director Development Control, Nigel Richardson, introduced the report on the Key Performance Indicator measures and target for KPI 51, KPI 52 and KPI 53, seeking some changes to their measurement and target for 2012/13. It was noted that the move from a three to a four week area planning committee cycle had negatively impacted on the turnaround performance of planning applications in respect of minor category types (KPI 52 and KPI 53) for 2011/12. KPI 51 (Major application) should remain unchanged.

The Panel were sympathetic to the problems caused by the shift from a three week to a four week cycle and agreed that the proposed changes seemed sensible.

Councillor Mohindra asked whether it would still be feasible to compare against previous quarters. Mr Richardson confirmed that this would be possible.

RESOLVED:

The Panel recommended to the Finance and Performance Management Cabinet Committee:

- (1) That the following performance measure be agreed:
 - a) KPI 51: Major Applications – the means of measuring remains unchanged.
 - b) KPI 52: Minor Planning Applications – Delegated Decisions only
 - c) KPI 53: Other Planning Applications – Delegated Decisions only
- (2) That the following performance target for 2012-13 be agreed:
 - a) KPI 51: Major Planning Applications – 81%
 - b) KPI 52: Minor Planning Applications (Delegated) – 89%
 - c) KPI 53: Other Planning Applications (Delegated) – 94%

8. EQUALITY AND DIVERSITY - PROGRESS REPORT 2011/12

The Performance Improvement Manager, Mr S Tautz, introduced a report on the Council's progress in relation to a range of equality requirements and initiatives during 2011/12.

Members noted that the introduction of the Equality Act 2010 had placed a general duty on the Council to consider a range of people characteristics when planning and delivering services. The characteristics are referred to as 'protected characteristics' and are:

- Age;
- Civil Partnership;
- Disability;
- Faith or belief;
- Gender;
- Gender reassignment;
- Pregnancy and maternity;
- Race; and
- Sexual orientation.

The Council's general duty, also known as the Public Sector Equality Duty, requires 'due regard' to be taken when exercising Council functions. 'Due regard' means consciously thinking about the need to do the things set out in the general equality duty as an integral part of the provision of services.

Officers are currently developing an action plan for the achievement of these objectives. However, there were difficulties in interpreting what was wanted by government.

To help the Council the Corporate Equality Working Group was established in May 2009, to provide input and support to develop and implement the Council's approach to equality. A review of the operation of the Working Group was undertaken in January 2011, in light of almost two years experience, and a number of matters have been taken forward to focus the work of the Working Group, including the development of an annual work programme.

In March 2011, the Cabinet agreed an Equality Scheme for the four years from 2012/13 to 2015/16, which set out the Council's responsibilities under the Equality Act together with its equality plans and information.

The Equality Scheme included a set of Equality Objectives selected to help the Council meet one of more aims of the general duty and help bring about positive improvements to the Council's service design and delivery. The Equality Objectives had been the subject of public consultation in January 2012 and would form the focus of the Council's equality related work for the next four years when a new set of equality objectives are required to be set. The Equality Objectives were:

- (a) To develop existing customer and employee intelligence gathering systems and the use of the intelligence gathered in service planning;
- (b) To ensure ownership of equality by those in a position to shape services e.g. Members and Managers;
- (c) To develop engagement across all the protected equality groups; and

- (d) To ensure a culture, systems and working practices which allow for the development of a senior management profile representative of the Council workforce as a whole.

An action plan for the achievement of the equality objectives was currently being developed by the Corporate Equality Working Group.

The Public Sector Equality Duty also required the Council to publish information to show how it was complying with its equality duties and the progress it has made with its equality work. In January 2012, the Council produced and published on its website, an Equality Information Report providing an illustration of what the Council has achieved in recent years, including projects, activities and achievements across all of its service areas. This report was to be updated annually from January 2013. During the last year, the Council had undertaken a range of engagement opportunities to increase awareness of equality issues, and to inform the development of the equality objectives.

The Scrutiny Panel also considered the Council's progress against the Equality Framework for Local Government having regard to its earlier decision that performance against the framework not be continued as a Key Performance indicator from 2012/13.

RESOLVED:

- (1) That progress in relation to a range of equality requirements and initiatives for 2012/13, be noted; and
- (2) That the Council's outturn performance for 2011/12, in relation to the Equality Framework for Local Government be noted.

9. CONSULTATION PLAN 2012/13 AND REGISTER 2011/12

The Market Research and Consultation Officer, Val Loftis, introduced the report on the Consultation Plan 2012/13 and Register 2011/12.

The Panel noted that the duty to involve was repealed by the Coalition Government in 2011. This duty provided that local authorities sought to ensure local people had greater opportunities to influence decision making and provided for consultation and involvement of representatives of local people across all council functions. In its stead, the Government introduced minimal, light touch Best Value statutory guidance.

The general duty of Best Value is provided for under Section 3 of the Local Government Act 1999; the relevant provision for best value is:

"The general duty: A best value authority must make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness."

It was noted that in order to meet the general duty and traditionally to follow best practice, every year a list of all consultation planned and carried out by the Council was published on the website and brought to the attention of this Scrutiny Panel.

All consultation and engagement exercises undertaken by and on behalf of the Council were required to comply with the provisions of the Council's Public Consultation and Engagement Strategy.

The Panel noted the Consultation Plan for 2012/13 and that a list of planned consultation exercises was also available on the Council's website.

Asked about the cost of the private sector house condition survey and if the cost was compatible with other districts, the Director of Housing said that the reason it was on the high side was because they had to go and physically inspect the properties. This was done every 4 to 5 years and it was a statutory condition to assess the condition of the housing stock but it was discretionary that a survey was undertaken. The work was undertaken under a competitive tender process.

RESOLVED:

That the Panel noted the Consultation Plan for 2012/13 setting out those issues on which public consultation was to be undertaken during the municipal year and those consultation exercises completed during 2011/12.

10. SICKNESS ABSENCES

The Assistant Director (Human Resources), Paula Maginnis, introduced the sick absence figures for quarter 4 and the outturn figures for 2011/12. The Panel noted that the Council had met their target for last year; the target was 7.75 days per employee and the actual figure achieved was 7.58. This target has now been reduced to 7.5 days for this year.

Ms Maginnis amended some figures for Table 4, the last four figures in the column for 'total number of days' should have read 142.9 instead of 133.4; 11.1 instead of 55.9; 134.7 instead of 168.3; and 6 instead of 13.9.

Councillor Mohindra was pleased that our sick absence policy was taking affect and working. Councillor Jacobs noted that although some directorates had improved others had not. He also noted that with the new figures reported for table 4 this should give a better forward projection. Ms Maginnis replied that they had to use a particular formula to work out the averages and this could be put in their next report.

Councillor Stallan noted that cases of diabetes were on the rise and this would affect the numbers for heart and blood pressure absences. This had been noted in the report.

Councillor Whitbread commented that 65.8% of staff had had no sick absence at all in the last 12 months and that this was worthy of notice.

Councillor Lion wanted to know how the Council helped staff stay healthy and was told that SLM advertised various schemes such as a running club and walking at lunchtime; the council also encouraged cycling to work and enabled staff to have flu vaccinations every year.

RESOLVED:

That the report on sickness absence for 2011/12 be noted.

11. PROVISIONAL REVENUE OUTTURN 2011/12

The Assistant Director of Finance, Peter Maddock, introduced the report, Provisional Revenue Outturn 2011/12. This provided an overall summary of the revenue outturn for the financial year 2011/12.

The Panel noted that the net expenditure for 2011/12 totalled £15.165 million which was £517,000 (3.4%) below the original estimate. The original in year CSB savings figure of £1,408,000 became an in year savings figure of £1,750,000. They also noted that the money put aside to cover the potential claims for asbestos liability would come from the Housing Revenue Account.

RESOLVED:

- (1) That the overall 2011/12 revenue out-turn for the General Fund and Housing Revenue Accounts (HRA) be noted; and
- (2) That as detailed in Appendix D of the report, the carry forward of £446,000 District Development Fund expenditure is also noted.

12. PROVISIONAL CAPITAL OUTTURN 2011/12

The Assistant Director of Finance, Peter Maddock, introduced the report Provisional Capital Outturn 2011/12 in terms of expenditure and financing and comparing the provisional outturn figures with the revised estimates.

The Panel noted that the overall position in 2011/12 was that a total of £9,563,000 was spent on capital schemes, compared to a revised estimate of £12,329,000. This represents an underspend of £2,766,000 or 22% of the Council's revised capital budget. Expenditure on General Fund projects totalled £3,943,000, which was £1,360,000 or 26% less than anticipated, and expenditure on the Housing Revenue Account (HRA) totalled £5,620,000, which was £1,406,000 or 20% less than anticipated.

There were three schemes which were underspent by more than £100,000 within the General Fund. The largest underspend of £495,000 related to the new All Weather Pitch at Waltham Abbey. This project was delayed because of planning issues raised by the Environment Agency. At their request, additional surveys had been undertaken and a decision regarding the outcome was expected during June 2012. If planning permission was subsequently granted, construction work will commence in July and it was anticipated that the pitch would take 16 weeks to complete. Members were requested to approve a carry forward to 2012/13 equivalent to the full underspend to allow for the delay. A re-evaluation of estimated costs will be undertaken and it may be necessary to request additional funding.

The outturn on the HRA was 20% under the revised budget overall and Appendix 3 of the report showed where savings were achieved and which areas of work experienced slippage. It also showed one overspend and areas of work where the programme is ahead of target.

Members were requested to approve the savings, overspend, carry forwards and brought forwards referred to in the report on the schemes identified in appendices 2

and 3. The total carry forward requested was £1,368,000 on the General Fund and £1,429,000 on the HRA. Members were also requested to retrospectively approve the brought forwards of £45,000 and £103,000 on the General Fund and HRA respectively. These were retrospective because they could only be identified after the event.

RESOLVED:

- (1) That the provisional outturn report for 2011/12 be noted;
- (2) That retrospective approval for the over and underspends in 2011/12 on certain capital schemes as identified in the report be recommended to Cabinet;
- (3) That approval for the carry forward of unspent capital estimates into 2012/13 relating to schemes on which slippage had occurred be recommended to Cabinet; and
- (4) That retrospective approval for changes to the funding of the capital programme in 2011/12 be recommended to Cabinet.

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

To report back to the Overview and Scrutiny Committee with a general update on the reports considered at this meeting and specifically the proposed changes to the Terms of Reference.

14. FUTURE MEETINGS

The dates for the future meetings of this Panel were noted.