

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Corporate Overview and Scrutiny Committee**
held on Thursday, 7th June, 2018 at Committee Suite 1,2 & 3, Westfields,
Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor M Simon (Chairman)
Councillor M Grant (Vice-Chairman)

Councillors Rhoda Bailey, B Burkhill, S Corcoran, B Dooley, S Edgar,
S Gardiner, S Pochin and B Walmsley

Apologies

Councillors H Davenport and T Dean

27 APOLOGIES FOR ABSENCE

Councillors H Davenport, T Dean and A Moran.

28 ALSO PRESENT

Councillor Simon Yates, Crewe Town Council
Councillor Janet Clowes, Portfolio Holder for Adult Social Care and Integration
Councillor Paul Bates, Portfolio Holder for Finance and Communities
Visiting Members:
Councillors Nick Mannion, Brian Roberts and Jill Rhodes for minute item 34:
Cheshire East Flytipping Update.
Councillors Amanda Stott and James Nicholas for minute item 29: Minutes of the
last meeting, specifically the item on New Homes Bonus.
Councillor Les Gilbert for minute item 35: Cheshire East Private Enforcement
Update.
Kath O'Dwyer, Chief Executive Officer
Kirstie Hercules, Partnerships Manager
Ralph Kemp, Corporate Manager Commissioning
Laura Woodrow-Hirst, Anti-Social Behaviour Team Leader
Sean Hannaby, Director of Planning and Sustainable Development, Strategic and
Economic Planning
Linda Couchman, Interim Director of Operations
Jo Wilcox, Finance Lead, Corporate

29 MINUTES OF PREVIOUS MEETING

RESOLVED:: That the minutes of the meeting held on the 5 April 2018 be
confirmed as a correct record and signed by the Chairman.

30 DECLARATIONS OF INTEREST

Councillor Stewart Gardiner declared a non -pecuniary interest as a Member of
Civicance. Councillor Beverley Dooley declared a non-pecuniary interest as a

Member of TSS and Councillors Sarah Pochin and Bernice Walmsley declared non-pecuniary interest as Members of The Skills and Growth Company.

31 DECLARATION OF PARTY WHIP

There were no declarations of the Party Whip.

32 PUBLIC SPEAKING TIME/OPEN SESSION

There were several members of the public who wished to speak and one visiting Member.

Mr. Joseph Cosby was a resident in Crewe and wished to speak on minute number 34: Cheshire East Flytipping Update. He advised the Committee that there have been a prolific number of flytipping incidents where he lives, particularly at the rear of terraced houses. He had come to speak to request help from Cheshire East Council, for a period of 12 months to assess the contamination of bins.

Currently incidents of flytipping had been cleared but the problem had not been sorted. The problems had led to it being dangerous for children to play out and neighbours deciding to move out of the area.

Kirstie Hercules, Partnerships Manager advised the Committee she would make a commitment to contact Mr. Cosby after the meeting.

Councillor Simon Yates from Crewe Town Council addressed the Committee on minute number 34, Cheshire East Update on Flytipping. Councillor Yates advised the Committee that flytipping was a criminal act, the number of instances of flytipping in Crewe were a bad advert for Crewe and the Council and demonstrated a lack of pride in the area and gave no incentive for anyone outside of the area to be involved with Crewe.

Councillor Yates described the low moral that residents affected by the flytipping had. Crewe Town Council had provided an Enhanced Crewe Ranger Service however Councillor Yates advised that in his opinion flytipping was part of a bigger problem of under performance by Cheshire East Council.

Other considerations were population density the indifference of private landlords and the cost to clear the flytipping.

Councillor Yates acknowledged the report to this Committee was welcome but did not tackle the causes of the issue.

Councillor Yates asked the Committee for consideration of a Landlord Registration Scheme and surveillance of streets most at risk of flytipping.

Councillor Amanda Stott addressed the Committee in respect of Minute number 29: Minutes of the Previous Meeting, specifically the item related to New Homes Bonus. Councillor Stott advised that she was present, in the capacity of a substitute, at the previous meeting of this Committee in April where the New Homes Bonus was being discussed. Councillor Stott was concerned that the draft of the Cabinet papers had areas that did not reflect what was said during the Committee.

The £10k cap on projects was an idea not well received by this Committee.

RESOLVED: That Kirstie Hercules, Partnerships Manager to contact Mr. Joseph Cosby after the Committee meeting;

33 2017/18 FINANCIAL OUTTURN AND REVIEW OF PERFORMANCE: QUARTER 4

Jo Wilcox, Finance Lead for Corporate attended the meeting to present the Financial Outturn and Review of Performance for Quarter Four.

Jo summarised the end of year position for the Committee, highlights included the fact that the report balanced and the general reserves remained untouched. Earlier in the year the Council had been facing an £18 million deficit, however mitigating action had been put into place in order to finish in a balanced position. Wholly owned companies had returned a profit, this would go into the reserves.

The Committee congratulated the finance team on a positive balanced budget, given the projected overspend in Adult Social Care and Children's Department, this has now been successfully balanced.

The Committee requested that for future reports, more meaningful data that related back to the policies should be included in the section for Equality and Diversity.

The Chairman summarised the good progress had been maintained, and acknowledged that there were some areas for improvement but commended Officers on managing to pull back the budget to a balanced position.

RESOLVED:

- (a) That the Officers be thanked for their attendance;
- (b) That the report be received and noted.

34 CHESHIRE EAST FLY TIPPING UPDATE

Councillor Jill Rhodes attended the meeting addressed the committee. Councillor Rhodes advised the Committee that there was a huge problem with flytipping in the Crewe area. There had been some investment in the area to try and deal with the issue, over the past 12 months, but this was insufficient by the Crewe community

The number of Houses of Multiple Occupancy (HMOs) had increased in the Crewe area, and a culture had developed whereby tenants left large items of rubbish were left in the street. Over time this had had a negative impact on the reputation of the area.

As many tenants did not recycle, ANSA had piloted a scheme whereby orange stickers were placed on contaminated bins. The residents were in favour of this service and thought it should be adopted. Councillor Rhodes felt there should be more funding towards additional wardens and education for residents.

Councillor Janet Clowes, Portfolio Holder for Adults Social Care and Integration, commented acknowledged the work of the Task and Finish Group that had

looked at the issue of fly-tipping across Cheshire East. but highlighted that the main problem was that fly-tipping was a covert crime.

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The funding that had been invested in Crewe had been found through enforcement fines, this funding was likely to decline as littering offences reduced in through continued enforcement.

The Chairman reminded the Committee that she had given a commitment at Full Council to review fly-tipping as part of the agenda of this Committee.

Councillor Nick Mannion, a former Member of the Task and Finish Group also addressed the committee. Councillor Mannion advised the Committee that he was of the opinion that the Task and Finish group that the group should have ensured that the pilot projects that had been put in place were sustained for a further 12 month.

Councillor Mannion requested that the Committee consider re-establishing a small group to oversee the the implementation of fly-tipping recommendations.

Councillor Brian Roberts was the final visiting Member for this item and also a former member of the Task and Finish Group. Councillor Roberts expressed his concern to the Committee about the change in culture connected to the rise of HMOs has had in the Crewe area.

RESOLVED:

- (a) That the Visiting Members be thanked for their attendance and contributions to the meeting;
- (b) That the reports be received and noted,
- (c) That, the continuation of the 'No Rubbish Excuses' Campaign be supported at a cost of £18,800 for 12 months through an allocation from environmental enforcement FPN income reserve;
- (d) That, the Committees support be given to ANSA's waste education role in schools, community groups and partner agencies, be extended to cover wider waste management issues and includes those schools in the hotspot areas;
- (e) That, the Portfolio Holder be supported to endorse £5,000 for specific bin identification marking equipment to increase public ownership and care of their bin in affected areas through an allocation from environmental enforcement FPN income reserve;
- (f) That, the Portfolio Holder be supported to agree a one-off payment and agrees with Crewe Town Council what the funding will be spent on to add value to the work of the team already in place. To support the allocation of a one off sum of £74,000 (the residual amount of money that remains after everything is paid for relating to Fixed Penalty Notices (FPN)) from the 2017/18 FPN Income reserve to add value to the work Crewe Town Council are leading on. This will be a one-off payment as there is an income target of £118k pa from April 2018 onwards;
- (g) That a Fly-tipping Task and Finish Group be re-instated on a cross party basis to oversee the implementation of Fly-tipping recommendations,
- (h) That Cabinet be requested to secure further funding to support ongoing Fly-tipping initiatives.

35 CHESHIRE EAST PRIVATE ENFORCEMENT CONTRACT

Councillor Les Gilbert attended the meeting and addressed the Committee in connection with the Cheshire East Private Enforcement Contract.

Councillor Gilbert advised the Committee that he was of the opinion that littering was a borough wide issue. The original spirit of enforcement across Cheshire East was to improve the visual appeal of the borough. Councillor Gilbert had some concerns that enforcement had moved towards penalisation of smokers via Fixed Penalty Notices (FPN) in more urban areas as opposed to the wider issue of litter across the borough that included rural areas.

Councillor Janet Clowes, Portfolio Holder for Adult Social Care and Integration, advised the Committee that the enforcement target had started with a local company (Kingdom) via a Task and Finish Group and had originally targetted observable littering offences. Littering from cars was a Highways offence. In order for the council to employ Kingdom to carry out this work, it had to be at no additional cost to the council, under the current arrangements, and that all the money paid via FPNs was paid to the courts.

RESOLVED:

- (a) That Councillor Gilbert be thanked for his attendance and contributions to the meeting;
- (b) That the recommendation to support the option to extend the current contract to existing the Environmental Enforcement Service until the 31st August 2019 be supported;
- (c) That the recommendation to support the proposal to undertake an option appraisal exercise to determine the preferred service delivery model and prepare a briefing paper for Informal Cabinet be approved.

36 WORK PROGRAMME

The Committee considered the Work Programme.

During Public Speaking Time, Councillor Stott had requested that an item be added to the Work Programme in respect of Member Expenses. Councillor Stott had advised the Committee that the way in which Member Expenses are recorded has a lack of clarity.

RESOLVED: An item be added to the Work Programme in respect of Member Expenses.

37 FORWARD PLAN

The Committee considered the current Forward Plan.

Item number: CE 17/18-60 Review of the HMO Licensing Fees (To approve the revised fee charging structure for the licensing of houses in multiple occupation) was noted by the Committee. The Chairman suggested this item be added to the current Work Programme and the Committee approved this suggestion.

RESOLVED: That an item be added to the current Work Programme from the Forward Plan in respect of the Review of the HMO Licensing Fees.

The meeting commenced at 2.00 pm and concluded at 4.45 pm

Councillor M Simon (Chairman)