

**MEETING OF THE
CORPORATE SERVICES
OVERVIEW AND SCRUTINY COMMITTEE**

ON

TUESDAY 27 JANUARY 2015

AT

6:30PM

AGENDA

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**Civic Offices
Shute End
Wokingham
Berkshire**

**Andy Couldrick
Chief Executive**

To: The Chairman and Members of the Corporate Services Overview and Scrutiny Committee.

A Meeting of the **CORPORATE SERVICES OVERVIEW AND SCRUTINY COMMITTEE**, will be held at the Civic Offices, Shute End, Wokingham on **Tuesday 27 January 2015 at 6:30pm.**



Andy Couldrick
Chief Executive
19 January 2015

Members:- Norman Jorgensen (Chairman), Michael Firmager (Vice-Chairman), Parry Batth, Chris Bowring, Kate Haines, Ken Miall, Rachelle Shepherd-DuBey and Shahid Younis.

Substitutes: Prue Bray, Bill Soane, David Sleight and Dee Tomlin.

ITEM NO.	WARD	SUBJECT	PAGE NO.
29.00	None Specific	MINUTES To confirm the Minutes of the Meeting of the Committee held on 10 November 2014.	1-8
30.00	None Specific	APOLOGIES To receive any apologies for absence	-
31.00		DECLARATIONS OF INTEREST To receive any declarations of interest	-
32.00		PUBLIC QUESTION TIME To answer any public questions	-

The Council welcomes questions from members of the public about the work of this Committee.
Subject to meeting certain timescales, questions can relate to general issues concerned with the work of the Committee or an item which is on the Agenda for this

meeting. For full details of the procedure for submitting questions please contact Democratic Services on the numbers listed below or go to www.wokingham.gov.uk/publicquestions

Explanatory leaflets are also available in the Civic Offices and Libraries.

32.01	None Specific	Mr Berman asked the Chairman the following question: Question: When exactly did members receive the promised draft of the Local Enforcement Plan and is it considered reasonable that such a crucial (and maybe lengthy) document, which members are required to scrutinise and comment upon, is received barely a week before the meeting?	-
33.00		MEMBER QUESTION TIME To answer any member questions.	-
34.00	None Specific	PLANNING ENFORCEMENT SERVICE ACTION PLAN AND CONSULTATION ON THE LOCAL PLAN To consider the consultation on the Local Enforcement Plan that will set out the Council's policy and procedure to address improvements to the service.	9-30
35.00	None Specific	WOKNGHAM TOWN CAR PARKS STRATEGY AND COUNCIL CAR PARKS STRATEGY To receive a report on activity and achievements and to receive feedback on the consultation carried out earlier this year.	31-44
36.00	None Specific	REVIEW OF COMMUTER PARKING To consider terms of reference for a possible review.	45-50
37.00	None Specific	WORK PROGRAMME To consider the Committee's Work Programme for the remainder of the 2014/15 municipal year.	51-53
38.00		ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT A Supplementary Agenda will be issued by the Chief Executive if there are any other items to consider under this heading.	-

This is an agenda for a meeting of the Corporate Services Overview and Scrutiny Committee.

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**MINUTES OF A MEETING OF THE
CORPORATE SERVICES OVERVIEW AND SCRUTINY COMMITTEE
HELD ON MONDAY 10 NOVEMBER 2014 FROM 7:00PM TO 10.10 PM**

*Present:- Norman Jorgensen (Chairman), Michael Firmager (Vice-Chairman),
Parry Batth, Ken Miall, Rachelle Shepherd-DuBey, David Sleight and Shahid Younis.*

Also present:-

Tom Berman

Andy Couldrick, Chief Executive

Graham Ebers, Director of Finance and Resources;

Kevin Jacob, Principal Democratic Services Officer;

Andrew Moulton, Head of Governance and Improvement Services

Alison Wood, Service Manager, Electoral Services.

Philip Meadowcroft

PART I

18. MINUTES

The Minutes of the meeting of the Committee held on 8 September 2014 were confirmed as a correct record and signed by the Chairman.

19. APOLOGIES

Apologies for absence were submitted from Councillor Chris Bowring, (substituted by David Sleight) and Councillor Kate Haines.

20. DECLARATIONS OF INTEREST

Councillor Ken Miall declared a personal interest in Item: 27:00 Work Programme on the grounds that he had met Philip Meadowcroft through his work. Mr Meadowcroft would be asking a question on the subject of the Planning Enforcement Services at the meeting under the work programme item.

21. PUBLIC QUESTION TIME

Mr Meadowcroft asked the Chairman of the Committee the following question:

Question

Members should be concerned that Planning Enforcement and Local Enforcement Plan are two important items which are not on this evening's agenda.

I would like to request that the Chairman inform members under item 27 why this Committee's expectation, which emerged at its September 8 meeting, that a decision on approval to go out to a public consultation on a draft of the Local Enforcement Plan is not being sought at this evening's meeting.

In drawing members' attention to this issue, could the Chairman please explain why the Head of Development Management and Regulatory Services, Clare Lawrence, did not take the opportunity to consult on this matter with Parish and Towns at the October 23 meeting with them – an occasion she referred to quite specifically during her presentation to this Committee on September 8.

The Chairman has on more than one occasion and indeed so have individual Members, in the last six consecutive meetings of this Committee which I have attended, expressed

serious concern that this Committee should be able to provide critical input to such a draft prior to it being out to public consultation, rather than merely reading about it after the event. Had Miss Lawrence delivered tonight what this Committee asked her for at the last meeting, tonight's meeting would be reviewing matters which instead are now being metaphorically kicked into the long grass of 2015 – by when the Silvester Report declaring that this Borough's Planning Enforcement service was "unfit for purpose" will be 18 months 'old, getting brown at the edges, and with no substantial and completed on-going remedial action having been implemented. I note that one or two things have been implemented. I am taking about substantial actions.

I believe that this must be an acute Overview and Scrutiny concern and goes to the heart of what Overview and Scrutiny is all about.

Answer

We had expected the Local Enforcement Plan, (LEP) would come to this meeting of the Committee. The timescale for the paper has changed so instead of the plan going to the Executive in November which is why we expected to see it now, the current plan is for it to go to the Executive in January.

What I would still like to do is for this Committee to receive the report prior to the Executive taking a decision on whether to go out to public consultation. From my discussions with the Executive Member, I think the only way that we can achieve that it is to slot in a meeting between when the Executive report is published and the Executive meeting which is 29 January 2015. I will be proposing that we move our 14 January meeting of the Committee to 27 January 2015 so we can have a chance to consider it prior to the Executive, admittedly two days before.

If we have any serious concerns it will give us a chance to make the Executive Member aware of those concerns just prior to the Executive meeting. So in the event that there was something serious that we wanted to bring to his attention, he would have the opportunity to take that into account and perhaps, withdraw the paper if that was the right thing to do. I think that is going to be our opportunity to see the paper prior to it going out to consultation.

During the consultation period, we along with any other bodies and members of the public will have the opportunity to review the Plan and I would suggest that during the six week consultation period the Committee again has a meeting and looks at the Plan in detail and submit our comments and suggestions at that stage. The one advantage of doing that is that our comments will get recorded and there will be a record of who said what comments. For my point of view this is not an ideal timetable, but this is the way it is likely to work out.

In terms of the meeting with Towns and Parishes, the plan is to hold a meeting on 26 November 2014. The proposed planning enforcement process in the Plan involves the Town and Parishes. The draft is that it will involve the Towns and Parishes so in order to get their buy in and comments to that, the intention is to meet with them and discuss that with them to see if they are keen to play a role in the enforcement process.

Things have not been standing still over the last 18 months. A number of improvements have been made, but there are still substantial things to be done like the Plan. However, I think we have all seen changes to the enforcement process and there has been a substantial amount of activity over the last year in getting on top of planning enforcement

issues and I have certainly seen that on several occasions in the Ward I represent and I am sure that others have as well. So it is not that everything is standing still things are moving forward all the time. There are a couple of things that remain to be done and we are very keen to push those through to a conclusion.

Supplementary Question

It would appear that notwithstanding this Committee requiring a Council Officer to deliver a task by a specified date the Officer can simply say it is not convenient to do so as has happened on this occasion. Is it not the role of Overview and Scrutiny to robustly challenge Officers and insist on timely performance. Is that really being done in respect of the issue I have raised?

Supplementary Answer

Firstly I think it is necessary to remind you that scrutiny has an advisory role, it can make recommendations. A scrutiny committee cannot make decisions that are to be implemented. So it is not scrutiny's role to say whether a report can go out to consultation or not, that is a decision that would be made by the Council's Executive and the Executive Member working with the Officers responsible for timetabling. The Committee has made its point and as I think as I have said before, I would have preferred to have had this done more quickly and for the Committee to have had more involvement as the Local Enforcement Plan has gone through the processes.

I set out the timetable earlier which the Executive Member has agreed so I think you need to direct your question at the Executive rather than as us as scrutiny committee.

22. MEMBER QUESTION TIME

There were no Member questions.

23. WOKINGHAM BOROUGH COUNCIL – HOW IT LEARNS AS AN ORGANISATION

The Committee received a presentation from the Chief Executive, Andy Couldrick and Graham Ebers Director of Finance and Resources, which set out how the Council needed to innovate and find improved ways of working as an organisation in response to the ongoing squeeze on resources and the need to meet increased expectations from its customers and its partners.

(A copy of the slides used during the presentation are attached as an Appendix to these minutes).

A summary of the key points arising from the discussion between the Committee, Andy Couldrick and Graham Ebers is set out below:

- Many leading organisation had successfully employed a learning organisation approach to their activities;
- The balance in the skill set of Officers needed to shift between technical ability and horizontal skills;
- The Council had already adapted its performance management procedures to focus on a joint conversation between employee and manager;
- Within a Learning Organisation, the principle of high support and high challenge was a robust option as the elements of support and challenger were in equal proportion and did not negate recourse to normal capability provisions if they were required;

- Support for managers from coaches was very important as more managers themselves became coaches the coaching culture would gradually become rooted within the organisation. Around a 100 Officers had received coaching support to date, but it was recognised that managers skills would need development;
- It was important to focus upon appreciative enquiry from the starting point of what had gone well, but also to look at and learn from any unintended consequences in a safe environment in order to facilitate reflection and exploration. Many large organisations both private and public sector did this;
- There was a role for overview and scrutiny in assisting the Council to learn more positively from its experiences and key role for Councillors more generally to help the concept become embedded within the organisation. Members of the Committee commented that overview and scrutiny had worked to become more forward looking in its approach;
- A number of Members commented that the embedding of a learning organisation culture required patience and the results did take time to become obvious, but that the potential rewards were significant;

Following the presentation, the Committee had a short discussion on the next steps. It was felt that there was a potential role for Members of the Committee to support the adoption of the learning organisation ethos within the Council. Andy Couldrick indicated that he was happy to accept expressions of interest from members of the Committee in taking the issue forward.

It was felt that rather than involvement by the whole Committee into the learning organisation process, individual Members should consider inputting into groups that had already been established. The introduction of the principles of a learning organisation to the Council was supported and felt to be a positive development.

RESOLVED:

- 1) That the Members of the Committee wishing to know more about the embedding of the Learning Organisation Culture within the Council contact the Chief Executive or Director of Finance and Resources;
- 2) That the information contained in the presentation be noted.

24. MAY 2015 ELECTION COUNTS

The Committee received and discussed a report, as set out on Agenda pages 19 to 23, which advised Members of the issues that would affect the timing of the various counts that will take place in May 2015. Andrew Moulton, Head of Governance and Improvement Services and Alison Wood, Service Manager Electoral Services attended for this item and presented the report.

Andrew Moulton commented that in January 2014 the Committee had received an update on preparations for the European, Borough and Parish election counts that subsequently successfully took place in May. At that time it was highlighted that it would be necessary to present a further report to the Committee when preparations were further advanced for the May 2015 elections.

In summary, the Committee's was informed that:

- The primary election that would take place on 7 May 2015 would be the United Kingdom parliamentary general election. United Kingdom Parliamentary General

Election Legislation around the timing of the parliamentary count was very clear in that the election count must begin within four hours of the close of poll;

- The primary focus of the Elections Team through the early hours of the 8 May 2015 would be to provide an accurate and timely parliamentary election result for the Wokingham Constituency seat;
- In 2010, the result for the parliamentary election was declared at 5.10 am and it was not expected that there would be an earlier declaration in 2015 taking account of present circumstances;
- In addition to the parliamentary election in 2015, an election would be taking place in 18 Borough Council Wards and 9 parish councils would also have elections if contested. It was anticipated that at least some of the Parish elections would be contested, particularly the three Town Councils;
- In determining the timing of the Borough and Parish Election counts the Returning Officer had to balance the competing needs for accuracy and timeliness. Four options had been identified as set out in the report ranging from starting these counts immediately after the parliamentary declaration through to early the following week commencing 11 May 2015. It was intended to hold the Borough and Parish counts on Saturday 9 May, but comments from the Committee were welcomed;

Alison Wood commented that:

- It was important to stress that no two election years were ever the same as the circumstances changed;
- The last time that a combined election had taken place involving a national referendum on the voting system, Borough and Parish election count was 2011. In that year, the Parish count had taken place on the following Monday;
- Uncertainty around which Parish election would be contested was a problem, but planning was being undertaken on the basis of past experience which was that the majority of Parish elections would be contested in 2015;
- It was also important to recognise that Parish counts were the most complex of the election counts. There had not previously been an election combining both Parliamentary, Borough and Parish counts;
- In comparison to the 2010 United Kingdom Parliamentary General Election there would be an increased number of ballot boxes requiring verification - a potential 161 in 2015 vs 98 in 2011. This demonstrated the size of the challenge and that it was extremely unlikely that the parliamentary count would be finished earlier than in 2010;
- Individual Electoral Registration, (IER) had resulted in a significant impact to the administration of the electoral process. The principle impact thus far was to registration which would increase as the deadline for registration approached;
- It was highlighted that electors who had not been confirmed under IER would lose their postal vote which could mean more electors would be visiting polling stations;
- Another change in electoral legislation that could have a knock on impact for the timeliness of the count related to the circumstance of electors queuing to vote at the close of poll at 22:00. If there were queues in 2015 this would delay the closing of the Polling Station and because of the combined elections, Presiding Officers would have the task of completing up to three ballot paper accounts. In 2014, the last ballot box did not arrive at the count centre until 23:45;

The following points were made in response to Member questions:

- It was confirmed that Wokingham Borough Council would receive all the ballot boxes from polling stations within the Wokingham constituency. This will include ballot boxes for the local elections in the West Berkshire part of the Wokingham constituency. Wokingham would verify all of these ballot boxes. The local ballot boxes for the Wokingham Borough Council areas within the Reading East, Bracknell and Maidenhead constituencies will be verified at their counts. All of the local ballot boxes, once verified, would have to be transported to the home local authorities to be counted;
- It was confirmed that any elector who was not automatically transferred to the new register through the IER process and is a postal voter has had the opportunity to register under the new system. Such electors had been encouraged to register. Anyone who did not register by the deadline would lose their entitlement to a postal vote, but would still have the right to vote in person at a polling station;
- It was confirmed that if there was a queue of electors waiting at the close of poll at 22:00 all of the electors would be entitled to be issued with a ballot paper and vote. Advice to Presiding Officers was that they placed a member of staff at the end of the queue immediately upon the close of poll to signify the last elector that would be entitled to vote;
- It was becoming increasingly difficult to recruit polling station and count staff as the Council had reduced its headcount and bearing in mind the imperative of keeping regular services running. Electoral Services did also recruit staff from outside the Council, but was in a market where other local authorities were seeking to recruit elections staff;
- The Electoral Services core team was small – approximately 6 people and the assistance and good will of other services within the Council was essential. Staff were continually trained in response to turnover and every effort was made to retain staff. It was felt that a number of staff choose to work for the Council in preference to other local authorities but it was finite resource;
- A mix of people were employed at polling stations and at the count and a database of staff maintained;
- A range of strategies were used for recruiting staff including word of mouth and advertisements;
- With regard to Individual Elector Registration, the Committee was informed that in August 2014 letters had sent to all electors who had been confirmed as transferred to the new register. At the same time letters had been sent to electors who had not been transferred inviting them to register;
- It was confirmed that encouraging and supporting vulnerable groups such as the elderly to register was a key priority to ensure they were not disenfranchised;
- A follow up letter to electors who had not yet been confirmed had been sent in early November, but the legislation was clear in that unless the elector was confirmed by 1 December 2014 they would lose their entitlement to a postal vote. In January 2015; a list of electors who had not been confirmed would be given to the political parties;
- It was confirmed that before any counting could take place verification of all the ballot boxes would take place. At this point ballot papers that had been placed in the wrong ballot boxes would be identified. A consequence of this was that made it harder to start the count earlier;
- Following Individual Electoral Registration, the electoral register would be published on 1 December 2014. However, people were still be added to the Pending Register who would need to be registered. For example, students who had taken up residency recently would be added to this list and invited to register to complete Stage 2 of the process, but this would involve them completing an on-line form;

- The legislative situation remained very uncertain including around the length of the next parliament;
- It was expected that the parliamentary count would not be completed until after 06:00 on Friday 8 May 2015. This count had to start within four hours of the close of poll;
- The proposed option was hold the Borough and Parish counts on Saturday 9 May. Although this meant that the results for these elections would not be declared until two days after the election, the advantages were that the majority of councillors would not have to take additional time off work to attend the count, the break would enable staff to be rested and therefore accuracy would be improved and that the availability of staff would also be easier;
- It was not expected that there would be a significant increase in cost arising from holding the Borough and Parish counts on a Saturday. The Council had a flexible agreement with operator of the count venue;
- As set out in the report all the options around the timing of the Borough and Parish counts had been considered including asking staff to come back later on Friday 8 May 2015. This was not felt to be the best option because staff did need to rest in order to ensure accuracy was maintained and there was felt to be a serious risk that that not all the counts would be completed during that day;
- There was a relatively small amount of people that had the necessary skills and experience to oversee the running of the counts and therefore it was crucial to allow for sufficient breaks. It needed to be taken into consideration that by the time of the completion of the parliamentary counts many staff would have been at work for over 24 hours;
- Because the circumstances of each local authority were different each local authority within the local area adopted different responses and there was not a uniformity of approach;
- It was confirmed that there was provision in the legislation around IER for voters who were on the Electoral Roll, but not confirmed to be able to vote in the parliamentary election. The issue was around unconfirmed electors being able to use a postal vote;
- In response to a question about why some residents have not responded to confirmed their registration, the Committee was informed that this was because:
 - The resident had not responded to requests to get in touch despite repeated attempts;
 - The resident had not been matched on the Government digital database;
 - The resident had changed their name, (most often following marriage) but had not amended their details;
 - There was a need to ask for additional evidence;
- Having taken the decision to opt for a Saturday Borough and Parish Count, the next step was to put all the necessary measures in place to achieve it.

The Chairman and Members of the Committee thanked Andrew Moulton and Alison Wood for their attendance and the information supplied to the Committee.

RESOLVED: That the information contained in the report about planning for the election counts in 2015, be noted.

25. WORK PROGRAMME

The Committee received its work programme for the remainder of the 2014/15 municipal year, as set out on Agenda pages 24 to 26.

The Committee was advised by the Chairman that the Agenda did not contain an item on the draft Local Enforcement Plan or Planning Enforcement as had been expected to be the

case at the time of the last meeting in September. The reason for this was that a decision on the approval of the draft Local Enforcement Plan (LEP) for consultation had been deferred from the November Executive meeting to the 29 January meeting. It was suggested that as an alternative, the January meeting of the Committee would be re-scheduled from 14 January to 27 January. This would allow the Committee to consider the draft plan prior to consideration by the Executive on 29 January although it was recognised the timings were very tight. If serious concerns were raised by the Committee, the Executive would have opportunity to take the concerns into consideration. In addition the Committee would have opportunity to act as a formal consultee if the draft LEP was approved to go out to public consultation.

Ken Miall commented that he was very unhappy that the draft LEP had not been brought back to the current meeting and that there had already been an unsatisfactory level of delay. He felt that the John Kaiser, the Executive Member for Planning and Highways should have been invited to attend the meeting in order to respond to the Committee's concerns regarding the delay. These concerns were shared by a number of other members of the Committee who also had concerns that two days would be an insufficient period of time before the draft plan was considered by the Executive.

The Chairman responded that he had discussed with John Kaiser when the Committee could consider the draft LEP. It had been the John Kaiser's firm view that he was not prepared to release the draft plan to the Committee prior to the publication of the Executive Agenda and the Committee could not technically require him to do so. The Committee was also informed that the reason for the deferral as stated in the published Forward Programme was so that the Borough Council could consult with the Town and Parish Councils about planning enforcement, to allow their views to be reflected in the plan. A workshop with Town and Parish Councils had been scheduled for 26 November 2014.

With regard to the date of the next meeting, the Chairman commented that he would with Kevin Jacob look at alternatives, but that the 27 January was felt to be the only suitable alternative date.

David Sleight referred to the work programme for the meeting scheduled for January and drew the Committee's attention to the Review of Commuter Parking item. He commented that it was important that the parking situation around Crowthorne Station was included. This was because although Crowthorne Station was just within Bracknell Forest, the commuter parking for it affected both authorities.

RESOLVED:

- 1) That the work programme for the remainder of the 2014/15 municipal year, be noted;
- 2) That the date of the January meeting be rescheduled from 14 January to 27 January subject to further discussions between the Chairman and Kevin Jacob regarding possible alternatives.

These are the Minutes of a meeting of the Corporate Services Overview and Scrutiny Committee.

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