

## **MINUTES OF A MEETING OF THE COMMUNITY AND CORPORATE OVERVIEW AND SCRUTINY COMMITTEE HELD ON 13 MARCH 2017 FROM 7.00 PM TO 9.15 PM**

### **Committee Members Present**

Councillors: Philip Mirfin (Chairman), Michael Firmager (Vice-Chairman), David Sleight, Bill Soane and Shahid Younis

### **Other Councillors Present**

Councillors: Prue Bray, Norman Jorgensen, Pauline Jorgensen, Oliver Whittle and Malcolm Richards

### **Officers Present**

Arabella Yandle (Democratic Services Officer), Alison Dray (Service Manager, Highway Assets), Paul Feven (Interim Head of Strategic Commissioning), Kien Lac (Head of Commercial Services), Simon Price (Head of Housing) and Richard Turner (Procurement Business Partner)

### **Attendees from Other Bodies**

Acting Chief Inspector Christina Berenger, Deputy LPA Commander for Bracknell and Wokingham

### **36. APOLOGIES**

Apologies for absence were submitted from Rachelle Shepherd-DuBey, Chris Bowring, Ken Miall and Lindsay Ferris (deputising for Rachelle Shepherd-DuBey).

### **37. MINUTES OF PREVIOUS MEETING**

The Minutes of the meeting of the Committee held on 9 January were confirmed as a correct record and signed by the Chairman.

### **38. DECLARATION OF INTEREST**

Councillor Bill Soane declared a personal interest in item 42, Review of Procurement Regulations, on the grounds that he had business links with contractors who may be employed by the Council. Councillor Soane remained in the meeting during discussions.

### **39. PUBLIC QUESTION TIME**

There were no public questions.

### **40. MEMBER QUESTION TIME**

There were no Member questions.

### **41. GOVERNMENT'S RIGHT TO BUY SCHEME**

Simon Price, Head of Housing, delivered a report updating the Committee on the Governments Right to Buy Proposals including in the housing and Planning Act 2016. He outlined the following key points and how they could potentially impact the Council:

- Instructions of a 1% rent decrease year on year for four years. This would amount to approximately £150,000 pa and would impact the Council's business plan and the ability to carry out capital repairs;
- The introduction of a levy in 2018-19 whereby the Council would subsidise Housing Associations who will entering into the Voluntary Right to Buy Market by requiring the Council to match Housing Associations by selling Council stock in line with them, and

- A possible impact of the levy of up to £2m pa which could affect the viability of the Housing Revenue Account as a business.

In response to a Member question regarding the likelihood of high value assets being involved, the Head of Housing directed the Committee to a table on page 10 of the report and concurred that properties in the Borough would be seen as high value assets and would have to be sold to meet the levy, itself impacting on the business plan. It was likely that the scheme would be confirmed later in the year.

**Resolved:** That

1. Simon Price, Head of Housing, be thanked for the Update on the Right to Buy Proposals; and
2. An update to be presented to the Committee in November regarding the introduction of the levy and its impact.

#### **42. REVIEW OF PROCUREMENT**

*Councillor Bill Soane declared a personal interest on the grounds that he had business links with contractors who may be employed by the Council. Councillor Soane remained in the meeting during discussions.*

The Chair invited members of the Audit Committee to take part in discussions.

Kien Lac, Head of Commercial Services, presented an update on the Public Contracts Regulations 2015 legislation, how it had been incorporated into the Council's own Constitution through the new Procurement & Contracts Rules and Procedures (PCRP) and the execution and impact of this on procurement activity and outcomes across the Council. He explained that the key changes included old part B services such as social care, that had previously been exempt from procurement regulations, were now included and that there was increased support for Small and Medium Enterprises (SMEs) through various provisions.

He stated that the Council had used the opportunity presented by the new regulations to reframe the Council's own procurement rules and procedures in the following ways:

- Clearer set of core instructions plus the use of linked information sources;
- The PCRP was now more prominent, being a defined section within the Constitution (section 13);
- Inclusion of checklists of functions that must happen and default processes that were available;
- Implemented through a training programme that included eLearning, classroom training and Procurement Business Partner support, and
- Improving compliance through educating and upskilling officers and instilling best practice in procurement activity across the Council.

He explained that the changes happening as a result of the 21<sup>st</sup> Century Council would further assist in this process through the development of a dedicated Strategy and Commissioning team to focus much of the key activity in one function.

In regards to the inclusion of social care in the procurement regulations, the Head of Commercial Services suggested that the impact had been an increase in the levels of

market testing and tendering which had resulted in savings but which did also place some stress on resources in those Commissioning teams, who were not historically geared up to undertake such levels of activity. Again, the 21st Century Council changes should improve this. The impact of provisions to give increased support for SMEs in public procurement opportunities was less clear at this stage, although there was evidence that more SMEs were participating in Central Purchasing Organisation opportunities (Frameworks) which WBC do procure from.

A reminder was given around the risks of non-compliance including more suppliers challenging the process (potentially unlimited damages; new case law, and regulatory body penalties of up to 10% of annual turnover.

In response to Member questions, the Head of Commercial Services stated that the previous WBC Procurement Regulations had been 122 pages long, and significant work had already been done to 'summarise' the rules and procedures into 11 pages of the new PCRPs core instructions. When accessed via computer, there were links to working documents, guidance notes, glossaries and flowcharts to assist officers, and that officers were actively encourage to seek professional support from the central Procurement team early in any project. In relation to local suppliers, he stated that actively approaching suppliers to offer contract opportunities was expressly prohibited by law, iterating that the process of procurement had to be seen as open, fair and transparent. It was, however, permissible to widen advertising to encourage SMEs and to actively encourage local SMEs by pointing them towards the adverts for opportunities.

Richard Turner, Procurement Business Partner, Corporate, spoke about existing frameworks, stating that whilst the Council could create its own frameworks or look at other systems such as dynamic purchasing systems, the frameworks, such as Scape that was used for SDLs, were well known and vigorously controlled but difficult for SMEs to access. There was growing evidence that some of the newer frameworks created by Central Purchasing Organisations were being successful in encouraging SME participation.

In response to questions regarding extension of contracts, the Head of Commercial Services explained that extensions were only permissible to a contract if extension provisions were specifically written into the contract at the outset. Otherwise, the contract would have to be re-tendered at the end of the contract term. He went on to state that the onus would be on officers to ensure that contracts did not expire, although this was centrally monitored and reported to senior management routinely, and to be more rigorous and focused at the outset regarding criteria for drawing up contracts and awarding them after the tender process. There would be warning flags at intervals allowing officers to plan ahead. He clarified that it was not expected that all officers would be procurement experts but that the training they were given should at least enable them to actively recognise where their service activities had procurement and contracts implications that they need to plan for and, where appropriate, to seek advice and input from the professional team.

Paul Feven, Interim Head of Strategic Commissioning, stated that procurement procedures in social care had been paper based and that the new system was a great improvement, citing a centralised system with one team of commissioners sitting alongside procurement. In response to a question regarding the process when there were few bidders, the Procurement Business Partner stated that the processes would handle low levels of response and there were clear regulations to deal with the specific circumstances

for a direct award. The Head of Commercial Services reiterated these comments, stating that there would be room for checks and balances and improvements in the procedures as time went on, and that, if effort was put in to make sure the process was followed properly it would mean fewer issues then needing to be dealt with reactively.

**Resolved:** That

1. Kien Lac, Head of Commercial Services, be thanked for the Update on the impact of new Procurement Regulations; and
2. That his team be commended on the progress that had occurred.

#### **43. CIVIL PARKING ENFORCEMENT (CPE)**

Alison Dray, Service Manager, Highway Assets, delivered a report updating the Committee on the intention of the Council to introduce Civil Parking Enforcement (CPE), explaining that the Council was on track and that there were certain aspects she would not be able to comment on as they were subject to a tendering process. She outlined the steps in the process and indicated the methods the department were using to maximise the success of the roll-out, the key points of which included engagement in public consultation; dialogue with stake holders including the police, and a public campaign.

In response to a question regarding abuse of the parking permit system, the Service Manager stated that the current situation was a temporary one, being impacted by the works going on around the town, and that the introduction of CPE would help address this by consistent and regular patrolling. Richard Turner, Procurement Business Partner, Corporate, went on to explain that the contract would include conditions allowing for a re-organisation of hours to cover hot spot areas and times. The contract also allows for the provision of additional resources to support specific needs of Town & Parish Councils and other stakeholders, though this would have to be balanced with cost.

In regards to the cost of the scheme and fines, the Service Manager explained that most of the line marking and signage that would be required was or had been done as part of routine road improvement or maintenance. She indicated that experience of other councils showed it was better to look at fine tuning of road markings and so on when the impact of enforcement had been measured six months to a year after the start. She confirmed that monitoring and annual reporting would be part of the contract as it was important it was scrutinised. She went on to state that the level of penalties would be set by the Department of Transport and that the service should be cost neutral.

In response to a Member question regarding risk if there were to be a delay in the introduction of CPE, the Service Manager indicated that the contract was being written in such a way to reduce risk. She explained that the CPE market was a mature one, and that contractors understood the risks. In addition, there would be other parts of highway and car park enforcement that would be managed by the chosen contractor in the meantime.

The Service Manager went on to explain that the contractor would be expected to engage with stakeholders and that this included the police. She stated that some roads, such as high-speed roads like the M4, and obstructions would continue to be managed by the police.

Acting Chief Inspector Christina Berenger, Deputy LPA Commander for Bracknell and Wokingham, stated that Civil Enforcement would be the extra eyes and ears for the police,

allowing the police to focus on their main business and, as such, would have a positive impact on the whole. She indicated that it was likely that a system of community radios would be re-started in Wokingham Town Centre that would link the Council Enforcement Officers and the Police.

Members felt that communication of the new system and how it would work was essential, so Officers outlined a range of methods they would employ to raise the profile of CPE among the public and its positives. The Service Manager also clarified that there would be a mapping system that the public could use that would improve access to information

**Resolved That:**

1. Alison Dray, Service Manager, Highway Assets, be thanked for the Update on the introduction of CPE;
2. The Update be noted, and
3. The Committee receive an update as part of the report on the Car Parking Strategy Update due in June 2017.

**44. COMMUNITY SAFETY PARTNERSHIP**

Paul Feven, Interim Head of Strategic Commissioning, delivered the annual report on the Community Safety Partnership, highlighting the four key Council priorities of:

- Increasing the effectiveness of multi-agency arrangements to encourage the reporting of domestic abuse and responding accordingly;
- Work with the Integrated Offender Management (IOM) Cohort to reduce the likelihood of repeat offending;
- Understand the needs associated with hidden crime such as hate crime, and
- Understand the issues affecting all residents and working to make them feel safer.

In response to a Member question regarding recidivism in domestic abuse, Acting Chief Inspector Christina Berenger, Deputy LPA Commander for Bracknell and Wokingham, stated that positive intervention was usually effective with first time offenders, but that this did not have a bearing on the likelihood of recidivism as repeat offenders were likely to escalate quickly to multiple offences. She explained that the preventative work carried out with victims, such as the Domestic Abuse Identification Matrix (DARIM) had been effective and that this was now being followed up with a new system for offenders. Holli Dalgliesh, Policy and Strategy Officer, indicated that Officers would be working with the whole family and offering perpetrator support.

In response to a Member question regarding low level, persistent crime such as arson and vandalism, the Deputy LPA Commander suggested that these crimes were not being reported due to a perception that nothing would be done. She went on to outline the four pillars of Neighbourhood Policing: visibility; engagement; problem-solving and building resilience, explaining how the new neighbourhood structure being rolled out in June would increase problem solving and be more effective at dealing with the type of low level, persistent crime that had a disproportionate effect on the community. She stated that the neighbourhood teams would be able to move around the Borough to address issues, helped by their release from Parking Enforcement, but that the community would have to take some level of responsibility in regard to security measures, lighting and so on.

The Deputy LPA Commander for Bracknell and Wokingham was happy to report that the reporting of hate crimes had seen an increase in 67%.

**Resolved:** That

1. Paul Feven, Interim Head of Strategic Commissioning, Acting Chief Inspector Christina Berenger, Deputy LPA Commander for Bracknell and Wokingham, and Holli Dalgliesh, Policy and Strategy Officer be thanked for the report on the Community Safety Partnership; and
2. The Update be noted.

#### **45. COMMUTER PARKING TASK AND FINISH GROUP**

Councillor David Sleight, Ward Member for Wokingham Without and Committee Member, delivered an update on the Commuter Parking Task and Finish Group, highlighting two key areas: prioritisation the recommendations of the task and finish group regarding commuter parking, and to consider the potential of income generation following the Crossrail Project.

In relation to the prioritisation of the community parking recommendations, Councillor Sleight indicated that Twyford should be the first priority, with Earley following as the second priority and the other stations following.

In regards to commuter parking, Councillor Sleight spoke to the issues surrounding commuters parking for up to ten hours a day on the street and taking up residential spots, and the Council priority towards sustainable transport. Members felt that this should be looked into in conjunction with the developments at the station.

Alison Dray, Strategic Co-Ordination Manager, indicated that as part of the review of the parking charges in June, all these areas would be taken into consideration and that the introduction of CPE would improve the situation. She stated that this would be brought to the Community and Corporate Overview and Scrutiny Committee in June. Councillor Sleight stated that the recommendations relating to parking charges at Winnersh Park and Ride and metered parking near railway stations would also be considered by the Parking Policy Working Group

Councillor Sleight referred to Crossrail and its impact. He stated that the revenue risk would be taken by Transport for London (TfL) with MTR Crossrail being responsible for maintaining the stations and the trains. Services East of Paddington would start in 2018, with the complete network open in 2019. He stated that Crossrail was already influencing house prices and changing travel patterns and that Twyford Station would be used more, needed a marked improvement in parking of up to 700 places and access, suggesting that there would be the possibility of generating an income stream for parking. He indicated that the access from the North was difficult and that there was no room for bus parking and turning. He suggested that the access from the South of the station was better but that there was no parking in the South.

The Committee's wished to see the parking issue at Twyford Station addressed as a matter of urgency, bearing in mind that GWR electric services from Twyford will start in December 2017, the Elizabeth Line (Crossrail) east of Paddington will open in December 2018 with these Elizabeth Line trains extended through Twyford to Reading in December 2019.

**Resolved:** That

1. Councillor David Sleight and Alison Dray, Strategic Co-Ordination Manager be thanked for the report and input on the update on Commuter Parking Task and Finish Group; and
2. The Update be noted.

**46. WORK PROGRAMME**

The Work Programme for 2017-18 was noted.

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