

**MINUTES OF A MEETING OF THE
TOWNS & COMMUNITIES OVERVIEW & SCRUTINY SUB- COMMITTEE
Town Hall, Main Road, Romford
5 December 2018 (7.30 - 9.50 pm)**

Present:

Councillors Keith Darvill (Chairman), Tony Durdin, Paul Middleton, Gerry O'Sullivan, Christopher Wilkins (Vice-Chair), Robby Misir, Timothy Ryan and Carol Smith.

An apology for absence was received from Councillor Christine Smith.

11 DECLARATION OF INTERESTS

There were no disclosures of interest.

12 MINUTES

The minutes of the meeting of the Sub-Committee held on 4 September 2018 were agreed as a correct record and signed by the Chairman.

13 QUARTER TWO - CORPORATE PERFORMANCE REPORT

Members received a presentation that outlined the six corporate performance indicators for Quarter two that reported to the Sub-Committee.

It was noted that performance ratings were available for four of the six indicators. Three were off target; red and one was on target; green.

The Sub-Committee was informed that the following two indicators were not rated as it related to service demand.

1. Contractor Liaison: Consultation with residents was ongoing on each of the sites. Further consultation events were organised where residents have been updated on the latest ideas for their estates or scheme. Resident meetings are approximately every six months when there are new updates. It was noted that all twelve sites have had a meeting in September 2018.

2. Planning and Building Control: Two outstanding complaints resulted in the indicator being off target. The report stated that both complaints were delayed due to capacity issues within the team at the time the responses were due. It was noted that on both instances, the complainants were kept updated as to progress and when a response would be sent out.

The presentation outlined the following areas for improvement:

- 75% of ASB related Stage 1 Housing complaints were closed within 15 days in Quarter 2, while (74%) complaints relating to Housing repairs were closed within 15 days. It was noted that there was a slight improvement in comparison to the same period last year.

The Sub-Committee noted that a new process has been put into place to deal with Housing Complaints to bring about improvements to each of the service areas in Housing Services. Since 5 November 2018, Complaints Officers have been allocated to each of the service areas and were being managed directly by the Service Managers.

- From April to end of September 2018, of the 107 Stage 2 complaints, 78 cases were closed on time, resulting in the outturn being below target. There were 36 more Stage 2 complaints compared to the same period last year.

The Sub-Committee noted that all stage 2 complaint responses were signed off by Chief Executive and is kept up to date with delays on investigations. Case officers are in regular contact with complainants.

The reduced number of Stage 3 complaints supported the theory that a full, comprehensive investigation at Stage 2 brings a satisfactory resolution for the customer.

- The main repairs contractors' performance was at 88.53%; which was below the 95% target. The Repairs contractor (Breyer) provided an improvement plan and gave assurances to the Council that the actions being taken would result in improved performance by the end of the last quarter of 2017/18, this was yet to be achieved and performance against the KPI remain below target.

The report detailed that the main corrective actions taken by Breyer involved recruiting additional resources to assist in managing the number of "out of target orders", scrutinising employee productivity and reviewing supply chain management to ensure timely completions. Recruitment and retention of additional directly employed staff had also proved a challenging task for Breyer.

The Sub-Committee was informed that the service was reviewing its contract management approach, against other repairs services, in order to determine a new line of approach. It was noted that the lack of improvement

in performance against the KPI, had led to a new improvement plan being developed which the performance would be monitored. Breyer have advised that their new plan should result in improved performance and that the 95% target would be achieved by March 2019.

The report also outlined that the interim Director of Housing had also set up monthly strategic review meetings with the Managing Director of Breyer to ensure performance was highlighted as a key priority and to gain assurance that improvements would be delivered.

The Sub-Committee was informed that if Breyer were unable to achieve the new targets, the service could decide to issue a default notice leading to a termination of the contract.

The Housing Gas contractors', K&T (domestic) and BSW (communal) performance was rated at 95.82% against a target of 96% for gas repairs. It was noted the contractor K&T, had advised that there were ongoing system errors which the firm was addressing; this indicated that the actual performance was better than that reported. The service had advised K&T that they must meet a deadline to reconcile data in order that performance was accurately recorded. The service was therefore anticipating the improvement in performance next Quarter.

The Sub-Committee noted the contents of the report and the presentation.

14 PLANNING - PROCESSES AND SERVICE CHALLENGES

The Assistant Director of Planning presented a report that provided an overview of the processes followed by Planning Services further to a recommendation associated with findings reached in connection with a Stage three Member Review Panel under the Council's Corporate Complaints Procedure.

The report outlined the challenges faced by the service in the undertaking of their work, with a specific focus upon Development Management and planning application handling.

The Sub-Committee noted that the service currently comprises of several teams:

- a. Development Management team handles the majority of the planning applications submitted in the borough. It also provided a range of pre-application advice to residents, small businesses, developers and their professional representatives.
- b. Major Projects team; handles strategic planning applications submitted in the borough. It also provided pre-application advice.
- c. Planning Enforcement team; investigates and resolve alleged breaches of planning control.

- d. Building Control, the team handles submissions made under the Building Regulations.
- e. Development Planning and Transportation, the team was responsible for producing key policy documents, including the Local Plan, the Local Implementation Plan and the borough's Transport Strategy.
- f. Local Land Charges team was responsible for issuing official searches of the Land Charges Register. The team was also responsible for Street Naming and Numbering.

The Assistant Director of Planning outlined that Planning and other related applications were generally subject of 8, 13 or 16 week statutory timeframes, depending upon the type of development being proposed.

The decision on an application was taken either i) under powers delegated to the Assistant Director and her officers or ii) via the Planning or Strategic Planning Committees, in the event that the development type does not fall within the scope of delegated powers or it has been called in to committee by a Ward Councillor. In all cases, reports are authorised by a separate senior officer. If it was a delegated decision, a decision notice would be issued thereafter. If it was a Committee decision, the decision notice would be issued following the Committee meeting.

It was noted that performance against statutory timeframes was monitored both locally and nationally via a range of performance indicators. The Government measures performance against quality and speed indicators. Members were informed that failure to meet the targets set could result in the Council being designated as poorly performing with applicants for planning permission being able to choose not to use the Council for determining the application.

The Sub-Committee noted that in the event that a decision was not reached on a planning application, then it is open for an applicant to appeal against non-determination via the Planning Inspectorate. In the absence of a non-determination appeal, it remains open to the Council to reach a decision on the application.

The report also outlined if a planning application goes beyond the statutory deadline, it was good customer practice amongst all Local Planning Authorities to keep an applicant or their agent updated on what was happening with their submission, why and when a decision would be reached.

The Sub-Committee was informed that in the event that it becomes evident that a decision could not be made on the application during the statutory timeframe, an officer may request what was called an 'Extension of Time' agreement. The agreement establishes a revised deadline for determining the application, which could be helpful when dealing with a complex application and negotiations were underway in respect of the application revisions.

Members noted the two key issues which were impacting upon the service's ability to strongly perform within Development Management. The fluidity of staffing, over the last nineteen months (from April 2017), nineteen members of the team have moved on to new opportunities.

This fluidity had resulted in a skills and local knowledge deficit within the team, particularly at Senior and Principal level and it had impacted upon the team's capacity to deal with some applications promptly and effectively.

The Sub-Committee also noted that the application administration process often hindered the prompt handling of an application up to the point where the case officer commenced the assessment process. It was stated that these two issues have impacted and are continuing to impact upon performance and customer focus, which was leading in some cases to customer dissatisfaction being expressed at service level and formal corporate complaints being lodged, as was the case in the specific example which triggered the Adjudication and Review meeting.

The Assistant Director of Planning outlined that to deliver the Council's place making vision, it was essential that the service offered by those determining planning applications was of a high level, pro-active and had a delivery/customer led mind set.

The Sub-Committee noted that the following works have been commissioned to tackle the challenges:

1. A review of the service was undertaken by the Planning Advisory Service to explore any areas of weakness in service provision; identify and implement smarter ways of working to improve efficiency and identify implement the potential for customer service and efficiency improvements. It was stated that good progress had been made since the review.
2. The Planning Services restructure; the proposals reorganises the team to create three new teams: Development Management, Strategic Planning and Spatial Planning. The significant growth in capacity would help to unlock the potential within team. It was intended that recruitment to all posts would be completed by the end of the financial year.
3. The third stream of work involves the transfer of part of the planning application process to an external service provider. It was considered that the element of the determination process was key to unlocking improvements with planning application handling. The project to deliver this transfer was underway.

The Sub-Committee thanked the Assistant Director of Planning for the report update and noted the content of the report.

15 THE FUTURE OF CHAFFORD SPORTS CENTRE

The Sub-Committee received a presentation on the future of Chafford Sports Complex.

Members were advised that the Sports Complex and its land were now owned by the Harris Academy. Due to the dual use, the complex did not meet with current expectations for quality of leisure facilities and a significant capital investment would be required to modernize the complex.

The Sub-Committee was advised that Government funding to Havering had reduced by over £29m since 2014/15 and that the Council faced £37.8m funding gap over the next four years. The options for Chafford Sports Complex were being reviewed to avoid the funding gap increasing. The options available were to cease the current arrangements by removing Chafford Sports Complex from leisure management contract; to continue with the current arrangement; to transfer the land and asset or for a new build on the school site.

Councillor Durant addressed the sub-committee, during which he felt that the funding arrangements for Chafford should be included and requested that in the interests of public health and fair funding, that consideration be given that the Council resume ownership of the Sports Complex and that the complex remained open until a new centre was built in the south of the borough, or at least until the new Hornchurch centre was opened.

The Sub-Committee noted that a report would be presented to Cabinet for a decision on the future of Chafford Sports Complex on the 6 February 2019 following the ongoing consultation.

Members noted the presentation.

16 URGENT BUSINESS

The Sub-Committee agreed to establish a Topic Group to scrutinise Housing Issues – Repairs in particular.

Chairman