

OVERVIEW AND SCRUTINY COMMITTEE

15th September 2010

PRESENT:-

Conservative Group

Councillor Jones (Chairman), Councillor Mrs. Farrington (Vice-Chairman) and Councillors Atkin, Mrs. Hood and Mrs. Plenderleith.

Labour Group

Councillors Bambrick, Lane and Mrs. Mead

OS/9. **MINUTES**

The Open Minutes of the Meeting held on 30th June 2010 were taken as read, approved as a true record and signed by the Chairman.

OS/10. **SWADLINCOTE WOODLANDS SCHEME**

At the Scrutiny Focus Session and the subsequent Committee Meeting, the Committee agreed a scoping document for the Swadlincote Woodlands Funding Review. A report was submitted which provided background on the Swadlincote Woodlands Scheme, funded originally through a Government Challenge Fund known as the Single Regeneration Budget. The scheme aimed to create new investment and sustainable employment opportunities with a key objective of creating a new forest park. Some 35 hectares of land were identified for reclamation of former coal and clay workings. The site was close to the town centre and adjoined existing green spaces. The background explained the process leading to the completion of the scheme including a funding agreement for aftercare of the site. At the current rate of expenditure, this funding could run out by July 2011 and options had been considered as to the future management of the site. The report then looked at the current situation, giving a description of the site, site uses and biodiversity. In terms of staffing there was one full time ranger and a part time park keeper. Details were provided of the duties of staff. As part of the Community Services restructure in April 2010, the Woodland Warden was seconded to another position. The revised staffing arrangement was due to be assessed and if this secondment was not made permanent, the Warden's post would continue to be a revenue cost for the site.

The report included a strategic context of the Corporate Plan themes and priorities that the site delivered against. A section was provided on stakeholders and partners, reflecting the initial good level of community involvement and the other partners involved in this site. The report then looked at opportunities, highlighting improvement projects undertaken in recent years and others identified to raise the standard of the site. A table appended to the report illustrated a number of these ideas, the benefits and

how costs could be met. In terms of threats, the loss of external funding could place the future of the site in jeopardy.

The budgetary implications were reported and the annual operating costs were £57,270. It was confirmed that the majority of costs related to staffing, but there were also costs for insurance, building maintenance and grounds maintenance. A number of funding scenarios were set out within the report.

The report then looked at the next steps required in order to inform a decision about how the site was managed and maintained in the future. The first step was to explore site management options and costs. Within this, options were to retain the service in-house or seek to contract with an external body. Following this, exploring external grant opportunities and developing a 10-year site management and development plan were the considered way forward.

It was questioned whether any funding pots had been identified. Reference was made to Forestry Commission monies for both capital funding and some limited revenue streams. Officers explained the issues associated with these grant funding schemes. A Member referred to the scale of this project, which was seen as an exemplar at the time. It was known that the funding would be depleted eventually, but long-term maintenance costs had not been included in the Council's mainstream budgets. Even if service reductions took place, there would still be residual costs to the Council for maintenance. There were a number of historic ideas for longer-term development of this site, but other schemes and projects, such as the Rosliston Forestry Centre had taken precedence. Questions were submitted about the costs of remedying vandalism, problems of anti-social behaviour and illegal encampments by travellers.

Referring to the 'Next Steps' section of the report, Members discussed the potential for an external partner to become involved in future maintenance, but without cost increases this was considered unlikely.

It was acknowledged that, in hindsight, an exit strategy should have been planned some years ago. There was also discussion about the biodiversity work undertaken and the costs and benefits associated with this. There was the potential for a small amount of income from the sale of timber, but this was of low quality and practically could only be used as fuel for wood burners. It was questioned whether a "Friends of" Group could be established for the site and the merits of doing this were discussed. The availability of lottery funding was also discussed. The only potential source was the "Big Lottery", but bids had to be submitted by voluntary organisations. It was noted that some landfill tax credit funding had been received in recent years. The Committee discussed the way forward with this review.

It was agreed that an update be submitted to the Committee's Meeting on 8th December 2010, if there was anything additional to report. Thereafter, the review would be concluded as part of the budget process at the Meeting on 9th February 2011.

OS/11. **BROADBAND**

A verbal report was provided on the recent work undertaken as part of the Broadband Review. Telephone conference meetings had continued with British Telecom (BT). It had been suggested that discussions take place with the Planning Section to see how BT could interact in the early stages of development, with regards to infrastructure. A troubleshooting guide had been produced by BT to assist residents experiencing problems with broadband.

The Officer and the lead Member for this review had become aware of funding from the East Midlands Development Agency (emda) and subsequent discussions with BT had taken place regarding potential bids for this funding, to improve broadband services. BT had undertaken research on suitable sites for exchange upgrades and Overseal had been identified as a possible area. An expression of interest had been submitted in partnership with the District Council, BT and others, but it was confirmed that no commitment had been made at this stage. It was hoped that an indication would be received by mid-October on the likelihood of this project going forward. The Committee discussed the area served by the Overseal exchange and the potential infrastructure improvements that could be achieved if the project was successful.

An outline was then given of a further potential project involving a wireless broadband company, Zycomm. This Company had shown an interest in submitting a bid for the emda funding, for a wireless scheme for the Hilton area in conjunction with the District and Parish Councils and the Village Hall. emda had confirmed that two bids could be submitted for the South Derbyshire area.

Further contact would be made with BT at the end of the month. Members discussed how the Planning Division could liaise with BT on infrastructure provision at an early stage of developments. The Chairman thanked Councillor Mrs. Plenderleith and the Head of IT and Business Improvement for their work on this review area.

OS/12. **CONSULTATION ON DRAFT PROPOSALS FOR SCHEMES FOR THE TRANSFER OF PRIVATE SEWERS TO WATER AND SEWERAGE COMPANIES IN ENGLAND AND WALES.**

It was reported that a consultation document had been received from the Department for Environment, Food and Rural Affairs (DEFRA) on this matter. In view of the Committee's earlier work on household drainage, it had been asked to give initial consideration to the consultation document and to submit views to the Environmental and Development Services Committee, prior to the formal response being submitted to DEFRA.

The consultation document set out proposals for transferring private sewers and lateral drains to the statutory water and sewerage companies, in order to resolve the multiple problems presented to homeowners by private sewer ownership. The Government was proposing the make the adoption of new sewers compulsory and mandatory build standards were proposed for gravity foul sewers and lateral drains. The rationale for mandatory adoption was to

prevent additional private sewers in the future, replicating the current problems. It would also ensure that all new sewers were adopted and became the responsibility of water and sewerage companies, ensuring their continued maintenance. The standards would ensure that water and sewerage companies acquired appropriate, quality assets, which in turn would avoid passing on unnecessary costs of repair and upgrading to bill payers. The consultation also set out an option for those building sewers to seek agreement on construction to different standards, to avoid stifling the development of innovative techniques. A section was also provided on the agreements that would bind the water and sewerage companies to adopt the new sewer.

The document contained a series of questions aimed at facilitating discussion, which the Committee was referred to. A particular issue highlighted by officers concerned the lack of DEFRA engagement with LABC (Local Authority Building Control) the umbrella organisation that represents local authority building control services at a national level. The Council's Building Control service would remain responsible for ensuring the proper construction of drains until the point they met the public sewer. If additional drains from other properties were subsequently connected, then this would itself constitute a new sewer and would be taken over by the water and sewerage companies. At this point, Officers were not aware if there would be powers to compel the Council to undertake other work over and above that done to meet building regulations.

Initial responses were invited by 7th October 2010 and this would be followed by a series of targeted consultation workshops hosted by DEFRA. There were some areas within the document that were unclear. A Member asked about the potential for householders to meet the costs of upgrading drains to the required standard. It was confirmed that potentially such costs might be added to water rates.

It was considered that the Council should support the transfer of private sewers to water and sewerage companies, but strongly urge DEFRA to enter into meaningful discussions with LABC in regard to the detailed implementation of the scheme, particularly any new sewer construction standards, in order to avoid potential conflict between water and sewerage companies' standards and those of the Building Regulations, which could result in additional, unnecessary and unfunded work being undertaken by staff.

It was agreed that a response be submitted to the Environmental and Development Services Committee, as set out above, highlighting the need for involvement of Local Authority Building Control in the consultation process.

OS/13. WORK PROGRAMME

It was reported that the Overview and Scrutiny Committee agreed an annual work programme which was reviewed at each Meeting. An update was provided on the publicity work undertaken over the summer months to raise the profile of the Committee. Arising from this, Members discussed the lack of

public understanding of the function and suggestions were submitted about changing the name of the Committee. Officers explained the process, which would need to be followed to achieve this. A view was expressed that public participation tended to be issue led. A further suggestion was to arrange a session during the summer months, similar to the Heads of Service briefings, to highlight the work of Scrutiny to all Members of the Council.

An update was given on Private Hire Licensing and no suggestions had been received on areas that the Committee could undertake a further review of. It was noted that the scheduled Health Scrutiny update had been delayed until the next Meeting, as information was still awaited from colleagues at the Derbyshire County Primary Care Trust.

It was requested that a tour be arranged of the Swadlincote Woodlands Site. Officers agreed to liaise with Members on a suitable date and time for the visit.

It was agreed that the work programme report be received.

C. JONES

CHAIRMAN

The Meeting terminated at 7.25 p.m.