

GREAT YARMOUTH
BOROUGH COUNCIL

AGENDA

for the

SCRUTINY COMMITTEE

7 July 2008

at 6.00 pm

**LARGER PRINT COPY AVAILABLE
PLEASE TELEPHONE: 01493 846325**

SCRUTINY COMMITTEE

To be held in the Council Chamber, Town Hall, Great Yarmouth
on Monday, 7 July 2008 at 6.00 pm

A G E N D A

DECLARATIONS OF INTEREST

You have a **PERSONAL INTEREST** in a matter being discussed at a meeting IF

- It relates to something on your Register of Interests form; or
- A decision on it would affect you, your family or friends more than other people in your Ward.

You have a **PREJUDICIAL INTEREST** in a matter being discussed at a meeting IF

- It affects your financial position or that of your family or friends more than other people in your Ward; or
- It concerns a planning or licensing application you or they have submitted
- **AND IN EITHER CASE** a reasonable member of the public would consider it to be so significant that you could not reach an unbiased decision.

If your interest is only **PERSONAL**, you must declare it but can still speak and vote. If your interest is **PREJUDICIAL**, you must leave the room. However, you have the same rights as a member of the public to address the meeting before leaving.

1. MINUTES

To confirm the minutes of the meeting held on 2 June 2008 (pages 1-4).

2. FORWARD PLAN

The Forward Plan for the period 1 June 2008 to 30 September 2008 is attached (page 5).

3. SEAFRONT MAINTENANCE

The Committee will be asked to consider future maintenance of the seafront.

4. HEDGES WORK PROGRAMME

The Committee will be given information on hedges and the rolling programme (pages 6-7)

5. TRADE REFUSE

... Members are asked to consider the accounts provided on Trade Refuse (pages 8-10).

6. FLYTIPPING

... Members are asked to consider the information provided on flytipping (pages 11-12).

7. OMBUDSMAN'S ANNUAL LETTER

... Members are asked to note the Ombudsman's Annual Letter attached (page 13-21).

8. WORK PROGRAMME

... Members are advised of the following suggested items for review:-

- Investigate the systems in place for receiving and sending posted items from and to the Town Hall along with items delivered by hand.
- Norfolk Constabulary, Safer Neighbourhood Teams.
- Look at concurrent and non concurrent funding of parish councils.
- Look at what the Town Hall could be used for to receive extra funding.
- Integrated Service Centre and accommodation of staff.
- Performance Indicators to be produced every quarter.

9. DATE OF NEXT MEETING

To note the date of the next Scrutiny meeting as Monday, 11 August 2008 at 6.00 pm.

10. EXCLUSION OF PUBLIC

In the event of the Committee wishing to exclude the public from the meeting, the following resolution will be moved:-

"That under Section 100(A)(4) of the Local Government Act, 1972, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph(s).....Part 1 of the Schedule 12(A) of the said Act."

* * * * *

(The Chairman had agreed for this item to be deferred to a future meeting)

THE GREATER YARMOUTH TOURIST AUTHORITY

The Chief Executive of the Tourist Authority along with David Marsh will attend and inform the Scrutiny Committee of the Tourist Authority's frustrations.

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SCRUTINY COMMITTEE

2 June 2008 – 6.00 pm

PRESENT:

Councillor Williamson (in the Chair); Councillors Barker, Burroughs, M Coleman, Collins, Hacon, Hewitt, Page, Pettit, Reynolds and Councillor Weymouth.

Mr G Jermyn (Director GYB Services), Miss K Edmonds (Senior Member Services Officer), Mr R Hodds (Member Services Manager and Scrutiny Officer), Mr T Howard (Head of Regeneration and Environment), Mr S Mutton (Service Manager – Environment), Mr P Hardy (Executive Director – Economy and Environment).

An apology for absence was received from Councillor Field.

1. MINUTES

The minutes of the meeting held on 25 March 2008 were confirmed.

2. FORWARD PLAN

The Forward Plan for the period 1 May 2008 to 31 August 2008 was noted.

3. GYB SERVICES PERFORMANCE DATA

The Committee was informed that the GYBS Partnership commenced with Great Yarmouth Borough Council in October 2003 and the objective of the Partnership was to deliver a service that achieves value for money for Great Yarmouth Borough Council.

The Director of GYB Services reported on the Performance Data provided, and informed the Committee that due to the way Great Yarmouth Borough Council pays GYB Services they often run with a deficit and then a profit, however, their aim was to have £51,000 at the end of the financial year. It was reported that there was an issue with the location and the premises of GYB Services and that they would ideally like to seek alternative accommodation, however, this was now on hold due to the Local Government Review.

A Member expressed concern that GYB Services were unable to provide a breakdown of costings for ground maintenance on Great Yarmouth seafront. A Member pointed out that the aim of Seafront Management was to ensure value for money for Great Yarmouth Borough Council, but without this information they were unable to ascertain this. The Chairman asked if details of what GYB Services were contracting for were available. The Service Manager (Environment) stated that the specification and schedule of old rates were

transferred to GYB Services. It was agreed that the Tourist Authority needed to know if it was receiving value for money and this should be pursued. The Service Manager (Environment) stated that maintenance of the Seafront within the Council/GYB Services partnership was managed by the Council within the Tourism Service Plan although some elements were now being overseen by Environmental Services on behalf of Tourism and that this was currently under review at the moment. It was reported that input based contracts had changed to output contracts. The GYB Services Partnership was now performance based and related to outcomes rather than relating to the old input based contracts. He referred to other areas of the Partnership where maintenance budgets had been aggregated to provide more flexibility in meeting priorities and delivering outcomes. The cost of the output/outcomes for these services in relation to the seafront would be able to be provided. It was suggested that the Chief Executive of the Tourist Authority should attend a future meeting of the Scrutiny Committee along with the Director of GYB Services in order for the Tourist Authority's frustrations to be detailed. The Director of GYB Services stated that all available data and information had been provided to the Service Manager (Tourism) on a number of occasions in the past. A Member suggested that a future meeting be held to discuss the seafront maintenance. The Service Manager (Environment) stated that within the next two months he would be working with GYB Services and Tourism on the impact of the asset management obligations arising from the completion of the inteGREAT scheme and the effect this would have on assessing future service priorities within budget provision and would be able to present details to the Scrutiny Committee in the Autumn. Comment was made that the appearance of the Seafront had improved considerably over the last couple of years.

Members discussed the customer satisfaction surveys being completed and the Committee were informed that Annual Citizens Panel Surveys had been undertaken (although not in 2007 where the results of the National MORI survey were used) and the next one was due in Autumn 2008. The Chairman suggested that stakeholder surveys also be carried out.

The Committee then discussed refuse collection and were informed that there were 30 missed bins per week and that the reasons behind the bins being missed was logged to avoid double collections. The Council was required to deliver 16,000 tonnes per annum of waste to Aldeby landfill. If GYB Services failed to achieve this target, then the Borough Council would be charged for transportation costs by Norfolk County Council. A Member pointed out there was a need to ensure that the refuse collectors were sympathetic to elderly residents in the Borough who may place incorrect rubbish in the incorrect bin to reduce the likelihood of bad press. Members discussed grass cutting in the Borough and a Member asked if grass could be blown away from the gullies.

Street cleaning was also discussed and the Committee were informed that National Indicator BV199 was about how unclean the streets were in the Borough and that this had been changed to National Indicator 195. It was reported that the Borough was randomly inspected by trained assessors who found in 2006/07 17% of streets failed to achieve cleanliness standards. However, in 2007/08 only 7% failed. The Chairman requested further information on costs for flytip removal.

The Director for GYB Services explained the accounts attached to the agenda which detailed the actual budget and variant sections.

RESOLVED:

- (i) That Seafront maintenance be discussed at a future meeting.
- (ii) That the Chief Executive of the Tourist Authority along with David Marsh be requested to attend a future Scrutiny Meeting where the Tourist Authority's frustrations could be detailed to the Committee.
- (iii) That information on hedges and the rolling programme along with how they are dealt be provided at a future meeting.
- (iv) That trade refuse accounts be produced at the next meeting.

(Councillor Reynolds and Councillor Collins declared a personal non-prejudicial interest in the following item on the grounds that they are both Members of the Greater Yarmouth Tourist Authority in accordance with the provisions the Members' Code of Conduct were both allowed to speak and vote).

4. THE GREATER YARMOUTH TOURIST AUTHORITY

The Committee considered the Executive Director (Economy and Environment's) report on the governance arrangements for the Greater Yarmouth Tourist Authority. The Committee were reminded that this review was part of the Scrutiny Committee's overall review of Partnership Working. Two recommendations had arisen from the report, the first being that in future, Cabinet should receive a written annual report from the Greater Yarmouth Tourist Authority which would include commentary on its main activities, the season's performance and longer term trends and issues. The second recommendation asked that consideration be given to the concept of a tourism based "business improvement district" broadly on the lines of the Town Centre Partnership business improvement district. The Committee stated that they were happy for Great Yarmouth Borough Council to apply for a business improvement district on the seafront which would allow for additional fees to be collected from businesses where a 100% of the fee received would be used for service delivery and to produce a Service Plan. The Committee however, agreed that the National Advisory body should be spoken to, to ascertain if a main bid area could be used along with sub-regional areas which would include Hopton, Gorleston, Caister and Hemsby.

The Chairman thanked the Executive Officer (Strategic Projects) for an excellent report.

RESOLVED:

That Cabinet be informed of this Committee's support to the above two recommendations, with the addition of the sub-regional areas being included for the bid area.

5. WORK PROGRAMME

The Member Services Manager and Scrutiny Officer reported that the Scrutiny Committee carried out reviews of the following items last year:-

- (i) Day to Day housing maintenance review
- (ii) A review of the public broadcasting screens
- (iii) A review of the SHARP project

- (iv) The Head of Financial Services detailed the Section 106 funds
- (v) A review of Partnership Working

It was reported that the Scrutiny Committee was yet to consider the Integrated Service Centre, The Greater Yarmouth Tourist Authority and Town Hall Repairs Project. Performance Indicators were considered on a quarterly basis.

The Member Services Manager and Scrutiny Officer tabled a form for members to complete detailing any items that they would like the Scrutiny Committee to investigate. Members were reminded that they were also able to scrutinise outside organisations and partnerships.

6. CONSTITUTION – SCRUTINY COMMITTEE

The Member Services Manager and Scrutiny Officer reported on the details of Article 6 of the Constitution relating to the functions and procedures of the Scrutiny Committee. The Chairman explained the process of call-ins to the Committee.

(Councillor Williamson declared a personal and non-prejudicial interest in the following item as a Member of the County LSP Board in accordance with the provisions of the Members' Code of Conduct and was allowed to speak and vote).

7. SCRUTINY NETWORK

The Member Services Manager and Scrutiny Officer explained to the Committee that the Scrutiny Network had recently discussed the proposal to create a Joint Scrutiny Committee to scrutinise Local Strategic Partnerships and Local Area Agreements in Norfolk and asked if the Great Yarmouth Borough Council Scrutiny Committee were in agreement with this. It was reported that this Joint Scrutiny Committee would be administered by Norfolk County Council.

RESOLVED:

That Great Yarmouth Borough Council's Scrutiny Committee agreed in principle to the proposal to create a Joint Scrutiny Committee.

8. CLOSURE OF MEETING

The meeting ended at 7.25 pm.

GREAT YARMOUTH BOROUGH COUNCIL

FORWARD PLAN LISTING KEY DECISIONS LIKELY TO BE MADE DURING THE PERIOD

1 June 2008 to 30 September 2008

Executive Members are:
 Stephen Ames Barry Stone
 Barry Coleman Bob Peck
 Jim Shrimplin Graham Plant

NB Key decisions are Executive decisions (i) likely to result in savings or expenditure of more than £100,000; or (ii) which are significant in terms of the effect on people living or working in two or more electoral wards.

Matter for key decision	Who will make decision	Date/Period when decision likely	Groups/organisations to be consulted	How consultations are to take place	How representations are to be made, and by when	List of documents to be submitted to decision taker
Golden Mile Development – next steps	Cabinet	June/July	-	-	To Head of Regeneration and Property	Report from Head of Regeneration and Property

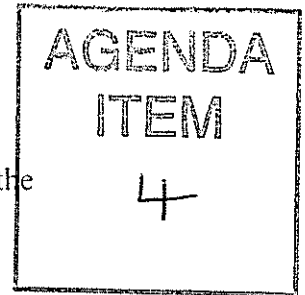
One key decision was made in May, namely to vire capital monies for Town Hall repairs.
 One key decision has been added. This relates to the Golden Mile Development, and the next steps to be taken.

CFS/MJG – 1/9/13
 10 June 2008

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AGENDA
 ITEM
 2

GYB SERVICES
GROUND MAINTENANCE
HEDGE CUTTING



The Grounds Maintenance department has to maintain various hedges within the Borough. The hedges are mainly grouped as such:

- Cemeteries
- Housing land (mainly sheltered housing sites)
- Parks, Seafronts and open spaces
- Highways areas
- Garden Maintenance scheme (Housing)

The Grounds Maintenance contracts refer to cutting schedules for hedges, these are no longer relevant as the Countryside Act came into force in about 2002 and precludes any cutting of hedges until the birds have stopped nesting. As you can appreciate as birds are now nesting earlier and later in the year due to the warming trend we are experiencing and this seriously limits the 'window of opportunity' GYB Services have for the maintenance of the hedges.

Having said this we have to take a pragmatic view and we will 'pick off' various hedges before the birds have stopped nesting. We accomplish this by starting on the smaller hedges where the men can physically look into them to determine if there are nesting birds, if there are not we can cut the hedge. We will also prioritise in terms of need, if there are overhang or obstruction issues then these will be dealt with first. With some of the larger hedges it is just not practicable to investigate them and we have to wait until August/September when we are legally allowed to cut.

All the hedges will be cut using hand held reciprocating cutters except the large highway hedges which will be cut by our contractors using a tractor with a specialised side-arm flail unit. Another matter we have to take into consideration is the legislation that you cannot use stepladders when using powered hedgecutters, therefore there has to be a program of hedge reduction to alleviate this. Two years ago Community Housing funded a program of hedge reduction on their Garden Maintenance scheme and also their sheltered housing areas so as to make future maintenance easier.

Members should note that many complaints that GYB Services receive regarding hedge maintenance relate to hedges which are not the responsibility of GYBC, usually these involve private land or land that is under the ownership of NCC Highways department.

HOUSING AREA HEDGES

Parkland Drive
The Close
Isis Close
Charter Close
Windsor Way
Ecclestone Close
Elder Green
Suffolk Close
Suffolk Road
Kingfisher Close
St Nicholas Road flats
Wherry Way
Keyes Avenue
Grenville Place
Mountbatten Way/Pegasus Close
Queensway
Ferry Court Stokesby
Runham Housing
St. Margarets Way Fleggburgh
Pippin Close Ormesby
St. Marys Close Hemsby
Jubilee Close Repps
Coronation Avenue Rollesby
Dominion Homes
Cunningham Avenue

PARKS AND OPEN SPACES

Gorleston Cliffs Parade
Middleton Gardens
Thurne toilets
Caister toilets
Winterton Playground
Harbord Crescent
Crescent Gardens
Waterways
Buttercup Drive
Yarmouth Seafront
Millview Ormesby

HIGHWAY HEDGES

Crab Lane
Lowestoft Road
Beccles Road
Caister Cemetery (Parish & Village)
Pit Road Hemsby
Bure Park
Bridge Meadow Hemsby

AGENDA ITEM

5

NCS Ltd Management Accounts

Period: 12

Company: 35

Area: Trade Waste

	Budget	Net
Contracted Sales	£560,906	£626,752
Internal Co. Sales		£34,902
Non Contracted Sales		£633,662
Total Sales	£560,906	£642,012
Total Income	£560,906	£642,012
General Materials	£251,080	£2,684
Total Materials	£251,080	£2,684
Protective Clothing		£233
Waste Disposal		£320,055
Total Supplies & Services		£320,289
Basic Pay	£110,408	£45,709
Bonus Pay		£13,283
Holiday Pay		£9,187
Internal Labour Recharged - Dr		£43,495
I.I.I.		£7,672
Overtime		£35,137
Pension		£12,344
Sick Pay		£355
Total Labour Costs inc. Agency	£110,408	£167,183
Sub-Contractors		£5,532
Total Sub-Contractors		£5,532
Vehicle Consumables		£920
Vehicle Fuel		£17,954
Vehicle Inspections		£282
Vehicle Insurance		£791
Vehicle Lease Payment	£17,028	£21,158
Vehicle Licences		£908
Vehicle Rental		£2,046
Vehicle Repairs & Maintenance	£41,523	£23,207
Total Transport Costs	£58,551	£67,264
Equipment Lease Payment		£9,572
Equipment Minor Purchases	£7,944	£3,870
Equipment Rental		£233
Equipment Repair & Maintenance	£1,504	£355
Total Equipment Costs	£9,448	£14,031
Total Direct Costs	£429,487	£76983
Basic Pay	£41,796	
Total Salaried Costs inc. Agencies	£41,796	
First Aid & Staff Welfare		£198
Meal Claims	£3,780	
Recruitment		£8,170
Subscriptions & Memberships		£1,383
Subsistence	£196	
Telephone & Fax	£650	£200
Total Other Costs	£4,556	£9,951
Total Indirect Costs	£46,352	£9,951
Internal Company Reallocation	£46,261	£34,653
Total Central Overheads Reallocation	£46,261	£39,653
Profit/Loss	£38,806	£20,425

NCS Ltd Management Accounts

Period: 12

Company: 35

Area: Domestic

	Budget	Net
Contracted Sales	£1,533,128	£1,652,185
Non Contracted Sales		£69,811
Total Sales	£1,533,128	£1,721,997
Total Income	£1,533,128	£1,721,997
General Materials	£13,496	£56,014
Total Materials	£13,496	£56,014
Protective Clothing		£2,664
Waste Disposal		£2,956
Total Supplies & Services		£5,620
Agency Staff Direct		£40,359
Basic Pay	£913,000	£435,800
Bonus Pay		£35,731
Holiday Pay		£53,953
Internal Labour Recharged - Cr		-£105,635
Internal Labour Recharged - Dr		£134,127
H.I.I.		£44,205
Overtime		£90,583
Pension		£78,358
Sick Pay		£31,332
SMP/SPP/SAP		-£29
Total Labour Costs inc. Agency	£913,000	£844,820
Sub-Contractors	£3,000	£671
Total Sub-Contractors	£3,000	£671
Vehicle Consumables		£7,330
Vehicle Fuel		£132,956
Vehicle Inspections		£1,273
Vehicle Insurance		£11,560
Vehicle Lease Payment	£236,536	£240,479
Vehicle Licences		£10,103
Vehicle Rental		£23,124
Vehicle Repairs & Maintenance	£251,000	£132,462
Total Transport Costs	£467,536	£559,277
Equipment Lease Payment		£730
Equipment Minor Purchases		£691
Equipment Rental		£400
Equipment Repair & Maintenance	£4,356	
Total Equipment Costs	£4,356	£1,821
Mileage Claims		-£9
Total Other Costs		-£9
Total Direct Costs	£1,401,428	1,478,414
First Aid & Staff Welfare		£91
Medical Fees		£135
Subscriptions & Memberships		£77
Telephone & Fax	£2,503	£5,502
Training		£1,674
Total Other Costs	£2,503	£8,478
Total Indirect Costs	£2,503	£8,478
Internal Company Reallocation	£129,187	£129,720
Total Central Overheads Reallocation	£129,187	£121,720
Profit/Loss	£10	£108,385

NCS Ltd Management Accounts

Period: 12

Company: 35

Area: Refuse Group

	Budget	Net
Contracted Sales	£2,094,034	£1,625,434
Internal Co. Sales		£34,602
Non Contracted Sales		£703,673
Total Sales	£2,094,034	£2,364,009
Total Income	£2,094,034	£2,364,009
General Materials	£264,576	£68,698
Total Materials	£264,576	£68,698
Protective Clothing		£3,697
Waste Disposal		£323,011
Total Supplies & Services		£326,708
Agency Staff Direct		£46,389
Basic Pay	£1,023,488	£402,516
Bonus Pay		£49,013
Holiday Pay		£63,141
Internal Labour Recharged - Cr		-£100,656
Internal Labour Recharged - Dr		£177,622
N.I.		£51,877
Overtime		£125,720
Pension		£99,782
Sick Pay		£31,687
SMP, SPP, SAP		-£29
Total Labour Costs inc. Agency	£1,023,488	£1,012,003
Sub-Contractors	£3,000	£6,203
Total Sub-Contractors	£3,000	£6,203
Vehicle Consumables		£6,260
Vehicle Fuel		£150,909
Vehicle Inspections		£1,656
Vehicle Insurance		£12,340
Vehicle Lease Payment	£253,564	£291,637
Vehicle Licences		£11,011
Vehicle Rental		£25,170
Vehicle Repairs & Maintenance	£272,523	£155,669
Total Transport Costs	£253,564	£626,542
Equipment Lease Payment		£10,392
Equipment Minor Purchases	£7,644	£4,561
Equipment Rental		£933
Equipment Repair & Maintenance	£5,960	£355
Total Equipment Costs	£13,644	£15,852
Mileage Claims		-£9
Total Other Costs		-£9
Total Direct Costs	£1,830,915	£2,055,397
Basic Pay	£41,796	
Total Salaried Costs inc. Agencies	£41,796	
First Aid & Staff Welfare		£269
Medical Fees		£125
Mileage Claims	£3,780	
Recruitment		£5,170
Subscriptions & Memberships		£1,460
Subsistence	£199	
Telephone & Fax	£1,193	£6,762
Training		£1,674
Total Other Costs	£7,059	£18,429
Total Indirect Costs	£48,855	£18,429
Internal Company Reallocation	£175,448	£161,373
Total Central Overheads Reallocation	£175,448	£161,373
Profit/Loss	£38,816	£128,810

Total Incidents by Land Type

	April 2006 – March 2007	April 2007 – March 2008
Highways	1051	932
Footpath	41	62
Back Alleyway	956	803
Railway	0	0
Council Land	704	529
Agricultural	20	3
Private – Residential	37	37
Commercial/Industrial	61	81
Watercourse/bank	12	8
Other	4	15

Total Incidents by Waste Type

	April 2006 – March 2007	April 2007 – March 2008
Animal Carcass	2	1
Green	65	48
Vehicle Parts	45	38
White Goods	293	227
Other Electrical	114	114
Tyres	39	46
Asbestos	5	3
Clinical	3	4
Construction	213	151
Black Bags – Commercial	16	5
Black Bags – Household	850	585
Chemical Drums (oil or fuel)	28	24
Other Household Waste	1142	1143
Other Commercial Waste	44	26
Other	27	55

Incidents and Cost

Size of Incident	April 2006 - March 2007		April 2007 - March 2008	
	Number of Incidents	Total Cost of Clearance	Number of Incidents	Total Cost of Clearance
Single Item	516	£14964.00	493	£14297.00
Single Black Bag	0	£0.00	89	£623.00
Car Boot load or less	453	£13137.00	305	£8845.00
Small Van load	1227	£68712.00	1157	£64792.00
Transit Van load	549	£63135.00	362	£41630.00
Tipper Lorry load	85	£31671.00	60	£24687.50
Significant Multiple loads	4	£4000.00	4	£3360.00

Number of Actions Completed

Action Type	April 2006 – March 2007		April 2007 – March 2008	
	Number of Actions	Total Cost of Actions	Number of Actions	Total Cost of Actions
Investigation	463	15279.00	650	21450.00
Warning Letter	1008	33264.00	297	9801.00
Statutory Notice	3	99.00	4	132.00
Fixed Penalty Notice	0	0.00	0	0.00
Duty of Care Inspection	106	3498.00	129	4257.00
Stop and Search	3	972.00	0	0.00
Formal Caution	2	66.00	7	231.00
Prosecution	3	700.00	14	550.00
Injunction	0	0.00	0	0.00

Total Number of Prosecutions Outcomes

Outcome type	April 2006 – March 2007 Number of Outcomes	April 2007 – March 2008 Number of Outcomes
Absolute Conditional Discharge	0	9
Community Service	0	0
Fine	3	4
Custodial Sentence	0	0
Paid Fixed Penalty Notice	0	0
Cases lost	0	0
Other successful	0	1

Total Number of Fines

Fine Band	Number of Fines	
	April 2006 – March 2007	April 2007 – March 2008
£0.00 - £50.00	0	2
£51.00 - £200.00	2	0
£201.00 - £500.00	0	1
£501.00 - £1,000.00	1	0
£1001.00 - £5000.00	0	1
£5001.00 - £20000.00	0	0
£20001.00 - £50000.00	0	0
Over £50,000.00	0	0

Subject: Ombudsman's Annual Letter

Report to: Cabinet and Scrutiny Committee

Report by: Head of Central Services

For information

The Ombudsman's Annual Letter is reported to both Cabinet and Scrutiny Committee. Points to note this year are:

- A significant decrease in the number of complaints
- No findings of maladministration
- Two complaints were settled locally with the payment of £318 in compensation
- Continued improvement in response times for dealing with complaints

FINANCIAL IMPLICATIONS:

None

LEGAL IMPLICATIONS:

None

EXECUTIVE BOARD OR DIRECTOR CONSULTATION:

Not applicable

RECOMMENDATIONS

Does this report raise any legal, financial, sustainability, equality, crime and disorder or human rights issues and, if so, have they been considered?	Issues	
	Legal	X
	Financial	X
	Risk	X
	Sustainability	X
	Equality	X
	Crime and Disorder	X
	Human Rights	X
	Every Child Matters	X

Local Government
OMBUDSMAN

18 June 2008

Mr R Packham
Chief Executive Officer
Great Yarmouth Borough Council
Dx 41121
Great Yarmouth

MANAGING DIRECTOR
<i>H. G. S.</i>
19 JUN 2008
Action

Our ref: JRW/BRH/JCR/le
Please quote our reference when contacting us

If telephoning contact: Mrs B Hedley on 02476 820018
or email: b.hedley@lgo.org.uk

Dear Mr Packham

Annual Letter 2007/08

I am writing to give you a summary of the complaints about your authority that my office has dealt with over the past year, set out in the annual letter attached. I hope you find the letter a useful addition to other information you have on how people experience or perceive your services.

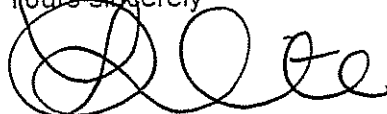
I would again very much welcome any comments you may have on the form and content of the letter.

We will publish all the annual letters on our website (www.lgo.org.uk) and share them with the Audit Commission. We will wait for four weeks after this letter before doing so, to give you an opportunity to consider the letter first. If a letter is found to contain any material factual inaccuracy we will reissue it. We will also publish on our website a summary of statistics relating to the complaints we have received and dealt with against all authorities.

I would again be happy to consider requests for me or a senior colleague to visit the Council to present and discuss the letter with councillors or staff. We will do our best to meet the requests within the limits of the resources available to us.

I am also arranging for a copy of this letter and its attachments to be sent to you electronically so that you can distribute it easily within the council and put the annual letter on your Council's website. This covering letter is not intended for publication.

Yours sincerely



J R White
Local Government Ombudsman

Enc: Annual Letter

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Jerry White
Local Government Ombudsman
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**The Local Government Ombudsman's
Annual Letter**

**Great Yarmouth Borough
Council**

**for the year ended
31 March 2008**

The Local Government Ombudsman (LGO) provides a free, independent and impartial service. We consider complaints about the administrative actions of councils and some other authorities. We cannot question what a council has done simply because someone does not agree with it. If we find something has gone wrong, such as poor service, service failure, delay or bad advice, and that a person has suffered as a result, the Ombudsmen aim to get it put right by recommending a suitable remedy. The LGO also uses the findings from investigation work to help authorities provide better public services through initiatives such as special reports, training and annual letters.

Annual Letter 2007/08 - Introduction

This annual letter provides a summary of the complaints we have received about Great Yarmouth Borough Council. We have included comments on the authority's performance and complaint-handling arrangements, where possible, so they can assist with your service improvement.

I hope that the letter will be a useful addition to other information your authority holds on how people experience or perceive your services.

Two attachments form an integral part of this letter: statistical data covering a three year period and a note to help the interpretation of the statistics.

Complaints received

Volume

We received 25 complaints against your Council during the year, 21 fewer than last year (46), but on a par with 2005/6 when we received 29 complaints. We expect to see these fluctuations year on year and I see nothing significant in the movements here.

Character

The complaints that we received about benefits reduced significantly from 11 in 2006/7 to three in 2007/8. Four housing complaints were received this year, half of the number in 2006/7, and planning complaints reduced by a third, from 12 in 2006/7 to eight this year.

We received a similar number of public finance complaints this year (five) to last year.

The remaining five complaints were recorded in the 'other' category. They included complaints about waste management, environmental health, drainage, land and one miscellaneous matter.

Decisions on complaints

Reports and local settlements

We use the term 'local settlement' to describe the outcome of a complaint where, during the course of the investigation, the Council takes or agrees to take some action which we consider is a satisfactory response to the complaint and the investigation does not need to be completed. These form a significant proportion of the complaints we determine. When we complete an investigation we must issue a report. I issued no reports against your Council this year.

Two complaints were settled locally. In a housing repairs complaint, the Council delayed in completing a roof repair and failed to keep the complainant informed, with the result that she had to cope with a leaking roof for longer than necessary. The Council included the dwelling in its re-roofing plans for the year and paid £250 for the time and trouble the complainant experienced.

In the second complaint, the complainant believed that his Council tax balance was nil but the Council then took recovery against him. It was established that the balance on one

account was nil but that there was an outstanding balance on another property and that the Council had delayed in recovering the amount. As a gesture of good will the Council agreed to refund the enforcement costs of £68.

The Council paid a total of £318 in compensation this year.

Other findings

Nine complaints were treated as premature and referred back to your Council so that they could first be considered through your Council's complaints procedure.

In a further five cases I took the view that the matters complained about were outside my jurisdiction.

The remaining 15 complaints were not pursued because no evidence of maladministration was seen or because it was decided for other reasons not to pursue them, mainly because no significant injustice flowed from the fault alleged.

Your Council's complaints procedure and handling of complaints

This year nine complaints were determined to be premature and were returned to your Council to respond to. This accounted for 29% of all complaints decided, this is in line with the national average of 27%.

Four of those nine complaints were re-submitted to me. In all cases the complaints were not pursued, either because insufficient evidence of maladministration was seen or because it was decided not to pursue them for other reasons.

Liaison with the Local Government Ombudsman

Enquiries were made on nine complaints during the year. Your Council's average response time was just over the target timescale of 28 days.

The average response time in respect of seven of the nine complaints relating to planning and building control, Housing and public finance and was just less than 24 days.

My investigators also made enquires on two benefits complaints. In each case the Council took 44 days to respond, although in one of these cases, emailed correspondence between my officers and the Council was misdirected, which contributed to some of the delay.

Overall, the Council has made pleasing progress to improve its response times to my enquiries over the last three years.

Training in complaint handling

Part of our role is to provide advice and guidance about good administrative practice. We offer training courses for all levels of local authority staff in complaints handling and investigation. This year we carried out a detailed evaluation of the training with councils that have been trained over the past three years. The results are very positive.

The range of courses is expanding in response to demand. In addition to the generic Good Complaint Handling (identifying and processing complaints) and Effective Complaint Handling (investigation and resolution) we now offer these courses specifically for social services staff and a course on reviewing complaints for social care review panel members. We can run open courses for groups of staff from different smaller authorities and also customise courses to meet your Council's specific requirements.

All courses are presented by an experienced investigator so participants benefit from their knowledge and expertise of complaint handling.

I have enclosed some information on the full range of courses available together with contact details for enquiries and any further bookings.

LGO developments

We launched the LGO Advice Team in April, providing a first contact service for all enquirers and new complainants. Demand for the service has been high. Our team of advisers, trained to provide comprehensive information and advice, have dealt with many thousands of calls since the service started.

The team handles complaints submitted by telephone, email or text, as well as in writing. This new power to accept complaints other than in writing was one of the provisions of the Local Government and Public Involvement in Health Act, which also came into force in April. Our experience of implementing other provisions in the Act, such as complaints about service failure and apparent maladministration, is being kept under review and will be subject to further discussion. Any feedback from your Council would be welcome.

Last year we published two special reports providing advice and guidance on 'applications for prior approval of telecommunications masts' and 'citizen redress in local partnerships'. I would appreciate your feedback on how useful you have found these reports, particularly on any complaints protocols put in place as part of the overall governance arrangements for partnerships involving your Council.

Conclusions and general observations

I welcome this opportunity to give you my reflections about the complaints my office has dealt with over the past year. I hope that you find the information and assessment provided useful when seeking improvements to your Council's services.

J R White
Local Government Ombudsman
The Oaks No2
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Westwood Business Park
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June 2008

Enc: Statistical data
Note on interpretation of statistics
Leaflet on training courses (with posted copy only)

Complaints received by subject area	Benefits	Housing	Other	Planning & building control	Public finance	Transport and highways	Total
01/04/2007 - 31/03/2008	3	4	5	8	5	0	25
2006 / 2007	11	8	9	12	6	0	46
2005 / 2006	6	9	7	4	2	1	29

Note: these figures will include complaints that were made prematurely to the Ombudsman and which we referred back to the authority for consideration.

Decisions	MI reps	LS	M reps	NM reps	No mal	Omb disc	Outside jurisdiction	Premature complaints	Total excl premature	Total
01/04/2007 - 31/03/2008	0	2	0	0	13	2	5	9	22	31
2006 / 2007	0	6	0	0	8	1	4	19	19	38
2005 / 2006	0	3	0	0	12	3	7	11	25	36

See attached notes for an explanation of the headings in this table.

Average local authority response times 01/04/2007 to 31/03/2008

Response times	FIRST ENQUIRIES	
	No. of First Enquiries	Avg no. of days to respond
01/04/2007 - 31/03/2008	9	28.3
2006 / 2007	13	27.8
2005 / 2006	15	36.1

Types of authority	<= 28 days %	29 - 35 days %	> = 36 days %
District Councils	56.4	24.6	19.1
Unitary Authorities	41.3	50.0	8.7
Metropolitan Authorities	58.3	30.6	11.1
County Councils	47.1	38.2	14.7
London Boroughs	45.5	27.3	27.3
National Park Authorities	71.4	28.6	0.0

Notes to assist interpretation of the LGO's local authority statistics 2007/08

1. Complaints received

This information shows the number of complaints received by the LGO, broken down by service area and in total within the periods given. These figures include complaints that are made prematurely to the LGO (see below for more explanation) and that we send to the council to consider first. The figures may include some complaints that we have received but where we have not yet contacted the council.

2. Decisions

This information records the number of decisions made by the LGO, broken down by outcome, within the periods given. **This number will not be the same as the number of complaints received**, because some complaints are made in one year and decided in the next. Below we set out a key explaining the outcome categories for 2007/08 complaints.

MI reps: where the LGO has concluded an investigation and issued a formal report finding maladministration causing injustice.

LS (local settlements): decisions by letter discontinuing our investigation because the authority has agreed to take some action which is considered by the Ombudsman as a satisfactory outcome for the complainant.

M reps: where the LGO has concluded an investigation and issued a formal report finding maladministration but causing no injustice to the complainant.

NM reps: where the LGO has concluded an investigation and issued a formal report finding no maladministration by the council.

No mal: decisions by letter discontinuing an investigation because we have found no, or insufficient, evidence of maladministration.

Omb disc: decisions by letter discontinuing an investigation in which we have exercised the Ombudsman's general discretion not to pursue the complaint. This can be for a variety of reasons, but the most common is that we have found no or insufficient injustice to warrant pursuing the matter further.

Outside jurisdiction: these are cases which were outside the Ombudsman's jurisdiction.

Premature complaints: decisions that the complaint is premature. The LGO does not normally consider a complaint unless a council has first had an opportunity to deal with that complaint itself. So if someone complains to the LGO without having taken the matter up with a council, the LGO will usually refer it to the council as a 'premature complaint' to see if the council can itself resolve the matter.

Total excl premature: all decisions excluding those where we referred the complaint back to the council as 'premature'.

3. Response times

These figures record the average time the council takes to respond to our first enquiries on a complaint. We measure this in calendar days from the date we send our letter/fax/email to the date that we receive a substantive response from the council. The council's figures may differ somewhat, since they are likely to be recorded from the date the council receives our letter until the despatch of its response.

4. Average local authority response times 2007/08

This table gives comparative figures for average response times by authorities in England, by type of authority, within three time bands.