

To:

Members of Scrutiny Committee

(Councillors P H Murphy (Chairman), N Thwaites (Vice Chairman), I Aldridge, R Clifford, G S Dowding, B Leaker, B Maitland-Walker, J Parbrook, and R Woods)

Members of Cabinet

(Councillor A Trollope-Bellew (Leader), M Chilcott (Deputy Leader), M Dewdney, K J Mills, C Morgan, S J Pugsley, K H Turner, D J Westcott)

Our Ref CS

Contact Emily McGuinness emcguinness@westsomerset.gov.uk

Date 27 July 2016

**THE PRESS AND PUBLIC ARE WELCOME TO ATTEND THE MEETING  
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Dear Councillor

I hereby give you notice to attend the following meeting:

**SCRUTINY COMMITTEE**

**Date: Thursday 4 August 2016**

**Time: 3.30 pm**

**Venue: Council Chamber, Council Offices, Williton**

Please note that this meeting may be recorded. At the start of the meeting the Chairman will confirm if all or part of the meeting is being recorded.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during the recording will be retained in accordance with the Council's policy.

Therefore unless you advise otherwise, by entering the Council Chamber and speaking during Public Participation you are consenting to being recorded and to the possible use of the sound recording for access via the website or for training purposes. If you have any queries regarding this please contact Committee Services on 01643 703704.

Yours sincerely



**BRUCE LANG**  
Proper Officer

## RISK SCORING MATRIX

Report writers score risks in reports uses the scoring matrix below

**Risk Scoring Matrix**

<b>Likelihood</b>	5	Almost Certain	Low (5)	Medium (10)	High (15)	Very High (20)	Very High (25)
	4	Likely	Low (4)	Medium (8)	Medium (12)	High (16)	Very High (20)
	3	Possible	Low (3)	Low (6)	Medium (9)	Medium (12)	High (15)
	2	Unlikely	Low (2)	Low (4)	Low (6)	Medium (8)	Medium (10)
	1	Rare	Low (1)	Low (2)	Low (3)	Low (4)	Low (5)
			1	2	3	4	5
			Negligible	Minor	Moderate	Major	Catastrophic
<b>Impact</b>							

<b>Likelihood of risk occurring</b>	<b>Indicator</b>	<b>Description (chance of occurrence)</b>
1. Very Unlikely	May occur in exceptional circumstances	< 10%
2. Slight	Is unlikely to, but could occur at some time	10 – 25%
3. Feasible	Fairly likely to occur at same time	25 – 50%
4. Likely	Likely to occur within the next 1-2 years, or occurs occasionally	50 – 75%
5. Very Likely	Regular occurrence (daily / weekly / monthly)	> 75%

- Mitigating actions for high ('High' or above) scoring risks are to be reflected in Service Plans, managed by the Group Manager and implemented by Service Lead Officers;
- Lower scoring risks will either be accepted with no mitigating actions or included in work plans with appropriate mitigating actions that are managed by Service Lead Officers.

## **SCRUTINY COMMITTEE**

**Meeting to be held on Thursday 4 August 2016 at 3.30 pm**

**Council Chamber, Williton**

### **AGENDA**

**1. Apologies for Absence**

**2. Minutes**

Minutes of the Scrutiny Committee held on 16 June and 12 July 2016, to be approved and signed as a correct record – **SEE ATTACHED.**

**3. Declarations of Interest**

To receive and record any declarations of interest in respect of any matters included on the Agenda for consideration at this Meeting.

**4. Public Participation**

The Chairman to advise the Committee of any items on which members of the public have requested to speak and advise those members of the public present of the details of the Council's public participation scheme.

For those members of the public wishing to speak at this meeting there are a few points you might like to note.

A three-minute time limit applies to each speaker and you will be asked to speak before Councillors debate the issue. There will be no further opportunity for comment at a later stage. Your comments should be addressed to the Chairman and any ruling made by the Chair is not open to discussion. If a response is needed it will be given either orally at the meeting or a written reply made within five working days of the meeting.

**5. Notes of Key Cabinet Decisions/Action Points**

To review the Key Cabinet Decisions/Action Points from the Cabinet Meeting held on 13 July, 2016. – **SEE ATTACHED.**

**6. Cabinet Forward Plan**

To review the latest Cabinet Forward Plan for the months of November onwards, published on 20 July 2016. – **SEE ATTACHED.**

**7. Chairman's Announcements**

An opportunity to update the Committee on any matters of interest or matters arising.

## **8. Confidential - Street and Public Toilet Cleaning Retendering**

To consider Report No. WSC 92/16 to be presented by Councillor Dewdney.

The purpose of the report is to identify the process used to bring a complaint procurement activity to a position where a new contract to deliver street and toilet cleaning for West Somerset Council can be awarded.

The report contains Commercially Confidential information which has been printed on pink paper and included in the agenda papers. If Members wish to discuss the confidential information contained within this report, consideration will need to be given to exclude the press and public from the meeting – see below.

### **Exclusion of the Press and Public**

To consider excluding the press and public during consideration of Item 12 on the grounds that, if the press and public were present during that item, there would be likely to be a disclosure to them of exempt information of the class specified in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended as follows:-

The Confidential report included as part of Item 8 contains information that could release confidential information relating to the financial or business affairs of any particular person (including the authority holding that information). It is therefore proposed that after consideration of all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

## **9. Scrutiny Committee Work Plan**

To receive items and review the Scrutiny Committee Work plan for 2016/17. - **SEE ATTACHED.**

## **COUNCILLORS ARE REMINDED TO CHECK THEIR POST TRAYS**

### **The Council's Vision:**

To enable people to live, work and prosper in West Somerset

### **The Council's Corporate Priorities:**

- Local Democracy:  
Securing local democracy and accountability in West Somerset, based in West Somerset, elected by the people of West Somerset and responsible to the people of West Somerset.

- New Nuclear Development at Hinkley Point  
Maximising opportunities for West Somerset communities and businesses to benefit from the development whilst protecting local communities and the environment.

**SCRUTINY COMMITTEE**

**Minutes of the Meeting held on 16<sup>th</sup> June 2016 at 3.30 pm**

**Present:**

Councillor P H Murphy .....Chairman  
Councillor N Thwaites .....Vice-Chairman

Councillor B Leaker  
Councillor G S Dowding  
Councillor J Parbrook

Councillor I Aldridge  
Councillor B Maitland-Walker  
Councillor R Woods

**Members in Attendance:**

Councillor M Chilcott  
Councillor K H Turner

Councillor M Dewdney  
Councillor K J Mills

**Officers in Attendance:**

Assistant Director – Resources – P. Fitzgerald  
Principal Accountant Services – S. Meer  
Corporate Strategy & Performance Manager – P. Harding  
Principal Estates Surveyor – A. Priest  
Assistant Estates Officer – R. Mulcaire  
Lettings Manager – P. Hadley  
Housing Services Lead – Housing & Community – S. Boland  
Democratic Services Coordinator – E. McGuinness  
Democratic Services Officer - Scrutiny - M Prouse  
Magna West Somerset – T. Murray

**SC 181 Apologies for Absence**

Apologies were received from Cllrs R Clifford and A Trollope-Bellew.

**SC 182 Minutes**

(Minutes of the Meeting of the Scrutiny Committee held on 21 April 2016 – circulated with the Agenda.)

**RESOLVED** that the Minutes of the Scrutiny Committee held on 21 April 2016 be confirmed as a correct record.

**SC 183 Declarations of Interest**

Members present at the meeting declared the following personal interests in their capacity as a Member of a County, Parish or Town Council:

Name	Minute No.	Description of Interest	Personal or Prejudicial or Disclosable Pecuniary	Action Taken
Cllr B Maitland - Walker	All Items	Carhampton	Personal	Spoke and voted
Cllr P H Murphy	All Items	Watchet	Personal	Spoke and voted
Cllr J Parbrook	All items	Minehead	Personal	Spoke and voted
Cllr N Thwaites	All items	Dulverton	Personal	Spoke and voted
Cllr K H Turner	All items	Brompton Ralph	Personal	Spoke and voted

**SC 184 Public Participation**

No members of the public spoke at the meeting on any item on the agenda.

**SC 185 Notes of Key Cabinet Decisions/Action Points**

(Copy of Notes of Cabinet Decisions/Action Points, circulated at the meeting.)

**RESOLVED** that the Key Cabinet Decisions/Action Points from the meeting of the Cabinet held on 18 May 2016, be noted.

**SC 186 Cabinet Forward Plan**

(Copy of the Cabinet Forward Plan published 7 June 2016, circulated at the meeting)

**RESOLVED** that the Cabinet Forward Plan published on 7 June 2016, be noted.

**SC 187 Chairman's announcements**

- Cllrs were reminded that a Questioning Skills Training Event is taking place next month in Taunton on Thursday 14<sup>th</sup> July, this would be of particular interest to Councillors who sit on Scrutiny but is also open to the wider set of Members generally. A buffet lunch will be included. The course is being run by a nationally renowned Training Provider and has been recommended by the Center for Public Scrutiny and the Local Government Association. It has also been successfully run in neighboring authorities. The course is being offered to Members across TDBC and WSC but there are only 16 spaces so spaces are very much on a first come first served basis. Councillors who wished to attend were asked to let the Democratic Services team know by the end of the month.

**SC 188 Freehold Disposal of Church Street Public Conveniences, Dunster**

Councillor Mandy Chilcott – Lead Member Resources presented this item.

The purpose of this report is to consider the freehold disposal of Church Street Public Conveniences in Dunster, the extent of which is shown on the attached plan in the report.

During discussion, the following points were raised:

- The Portfolio Holder introduced the item and explained that this site has not been fully utilized in some years and is difficult to access in Dunster, with no disabled access.
- Members were reminded that in June 2013 Cabinet approved this asset as an Asset of Community Value.
- Asset of Community Value Status means the Council has to advertise the proposed disposal of the asset and can only proceed after 6 weeks if no community group comes forward.
- Members were informed that an expression of interest received leads to a six month moratorium period that allows the interested group to work up a plan.
- As it stands, the Portfolio Holder informed that it was proposed to sell at public auction on 11<sup>th</sup> October after a period of 6 weeks.
- It was noted that the Parish Council (PC) has been contacted and they are aware of the moratorium rules and guidelines and are likely to make an Expression of Interest.
- Cabinet Member responded to a query around profits being used from the sale to help fund Dunster PC acquisition of Dunster Steep toilets and stated that any surplus left after costs will go into the Transformation fund, which Dunster PC would have an opportunity to lodge a bid.
- It was confirmed by the Portfolio Holder that Council has picked up associated costs such as water rates and business rates, it was not cost neutral for this Council.
- It was confirmed that the Toilets were offered to be re-opened for the 2016 season under the same arrangement as 2015 when a local business was supported, but this option was rejected by the Council.
- This toilet has been closed but has been used every year for Dunster by Candlelight.
- Confirmed by the Portfolio Holder that Towns and Parishes will be worked with if they struggle with the deadlines, that if there is genuine engagement, the decision to sell will not be implemented.
- The Portfolio Holder reminded Members that this council agreed whichever way they voted to save 107k in the budget last year around toilet provision.
- Councillors queried that if the toilets were sold, the purpose of any building that replaces it or if it is re-purposed, must then be for Community Benefit?

**RESOLVED** that:-

- It is recommended that in supporting the recommendations as set out below, Scrutiny Committee members note that as stated in Paragraph 4.5 of this report, this property has been nominated as an Asset of Community



Value, and that any disposal of this property will require compliance with the necessary Asset of Community Value regulations.

- Then it is recommended that Scrutiny support the recommendation to Cabinet to approve:
  - The freehold sale of Church Street public conveniences by auction, subject to a reserve price which is to be agreed by the Assistant Director for Property and Development in consultation with the Portfolio Holder for Resources and Central Support.
  - Should the site not be sold at auction, the Council to seek to dispose of the site by alternative methods.

### **SC 189 Revenue and Capital Outturn 2015/16**

Councillor Mandy Chilcott – Lead Member Resources presented this item.

The purpose of the report is to provide Members with details of the Council's financial outturn position for both revenue and capital budgets, together with information regarding end of year reserve balances, for the financial year 2015/16.

- The Reporting Officer apologised for any inconvenience caused by the provision of an amended document.
- The reported underspend of £299k in the original document provided to Members did not take into account the fact that as part of the Quarter 3 Budget Monitoring Process the Council agreed to set aside two amounts of £50k from in-year underspend into the Earmarked Reserves.
- The under spend was in fact £199k.
- The other change to the addendum was an approval of an allocation of Hinkley Funding that wasn't reflected in the Capital Carry Forward figure which will go forward for recommendation for Cabinet and Council.
- Officer felt that though two errors are regrettable mistakes, emphasised as presentational only and do not affect the underlying figures on the Reserves position for the Council.

It was moved by the Chair and seconded that a motion to refuse consideration of this report at this time, in light of amended paperwork that was submitted only on the day of the Committee Meeting. This motion was lost.

During discussion, the following points were raised:

- Portfolio Holder introduced the item and emphasised that the Council has challenging decisions coming up, that it was better Councillors have a clear understanding of the financial position of the Council.
- Officers outlined the Hinkley funded projects part of the report as just a snapshot, there had been a request for more reporting to Council about the position with these projects, as they involve large amounts of money. There will be an Annual Report in July to Council which will give more detail on these.

- Raised by Councillors that it was good to see more reserves than we thought we had, which is encouraging and all the team should be congratulated
- It was stated that next there would be a need to look at how we prioritise on how we use these Reserves and what the Council can do to support people in the communities.
- Councillors raised that there was a couple of areas where costs have increased, and an explanation was sought as to what does Increased Shared Services Costs mean?
- To clarify for Members it was stated that the demand for services from the One Team that support both Councils, has been delivered by the Council using Earmarked Reserves to buy time from the One Team.
- Officers were unsure whether it had come up at Full Council or through delegated authority.
- Councillors raised queries as to why the Council incurred more staffing costs than it had budgeted for?
- Officers were unable to provide a detailed response at this time and would be happy to provide a clarified written answer.

**RESOLVED** that:-

- Move the Recommendations 2.1 – 2.5 as amended, to be put to vote in bloc, were unanimously passed.

**SC 190 Initial Draft Medium Term Financial Plan**

Councillor Mandy Chilcott – Lead Member Resources presented this item.

The purpose of the report is to present Councillors with an initial draft of the Council's Medium Term Financial Plan (MTFP) covering the five year period 2017/18 to 2021/22. The MTFP describes the projected financial forecasts for spending and income, and summarises the approach to closing the gap where projected spending requirements exceed projected funding. Elements of this strategy will emerge in the coming months, taking into account proposals to be developed to implement the new Corporate Strategy 2016-2020 and to deliver the transformation plans currently being prepared for Councillors to consider.

During discussion, the following points were raised:

- Portfolio Holder introduced the item and emphasised that this information is also important to Councillors making decisions in the future as regards to the Business Cases and to gain further understanding of the Councils challenging position.
- When the 16/17 Budget was approved by Full Council in Feb 2016, Members were advised of the projected budget gap. The forecasts have been updated since last seen in Feb 2016.
- Portfolio Holder stated that funding from Government will likely decrease in future which is well known.
- Portfolio holder reminded members that New Homes Bonus is used by WSC to support its budget, so any changes which are afoot could affect this Council.

- Councillor thought that an under spend of £199k were not good in some respects as there were important decisions were made that affected residents.
- Portfolio Holder pointed out that the shortfall was still £1.2 million even after all measures taken by the Council, even with a repayment holiday, which without that the figures would have definitely been worse.
- Portfolio Holder proposed that whatever this Council decides to do it should be something that is not reactive but provides a solution once and for all, that hopefully the Business Plans of the future will lead to sustainability of the Council and the 1.2 million Budget Gap will go down.
- Officers stated that £100k above the minimum reserves level is not a lot of money to this authority, as the Council is not in a strong position to meet urgent matters that may arise during the year.
- Officers reminded members that inbuilt savings that are coming forward have been captured now, to save Councillors making further savings than necessary. Officers stated that Assumed Ongoing Savings of 85k have been captured now, and some of that underspend would have been captured when the Budget was set in 16/17.
- Councillors were thanked by the Portfolio Holder for providing ongoing feedback on areas for potential to be looked at.
- Portfolio Holder felt that Council is currently doing its best to work with the Community, as part of the Council's Customer First ethos, with engagement with Towns and Parishes a priority.
- Officers stated that in 3 years' time this Council needs to be saving 1 million pounds a year. It was thought this fact was important to keep in mind when coming to decisions made next month at the Business Case Meetings.
- Officers clarified that ultimately its 1.2 million a year of savings through additional incomes, reduced costs or whatever combination, but that is the scale of the challenge.
- Councillors pointed out that 1.2 million out of 5 million turnover is 24 percent and that is a huge challenge, and this is what seems to drive the Transformation Agenda.
- Councillors raised that it was obvious less is going to have to be provided in future, could reports reflect the general truth that the Council is going to struggle to maintain the services it gives out?

**RESOLVED** that:-

- The Committee notes the draft Medium Term Financial Plan, and commits to the challenge of addressing the gap between costs and income in order to produce a sustainable financial position for the foreseeable future.

Councillor Mandy Chilcott – Lead Member Resources and Deputy Leader presented this item in the absence of the Leader of the Council, Cllr Anthony Trollope-Bellew.

The purpose of the report is to provide members with key performance management data up to the end of quarter 4 2015/16, to assist in monitoring the Council's performance.

During discussion, the following points were raised:

- Officer introduced the report and stated that West Somerset has 62 current measures on the corporate scorecard for the current financial year.
- Members were informed that 5 measures cropped up as having a significant variance in Qtr 4 or the Annual Performance.
- The reporting officer clarified that sickness was one of the 5, but 62% of that was long term, which is harder to legislate for as these involve serious illnesses, with hopefully further information coming to Councillors on this from the HR team in July.
- Officers emphasised that 8 days is the target but it came in as 8.86 and comparatively, South Somerset's figure is worse than West Somerset's at 10.58 days.
- It was explained by Officers that the average processing time for New Housing Benefit Claims was scored 'red' but next year this should be back to normal, as this year there was work on a new computer system which was done in house by the team on top of their usual workload.
- Officers stated the Council are largely in the hands of the behaviors of tenants and HA's in facilitating bed spaces made available through Housing Associations downsizing policies.
- Officers felt there would be a focus on the 'reds', but there is a good number of measures in green such as on Council Tax collection rates etc.
- It was emphasised by Officers that customers are still getting a good service and the Council is delivering on what it set out to achieve.
- Councillors queried as to whether the two authorities at the moment are using activities such as Back to Work Interviews?
- Officers responded that all the staff are under a Taunton Deane contract, and has been a number of years BTW interviews have been in place.
- Members were informed that a number of reports are routinely run by the HR dept. to spot signs of recurring sickness. The Sickness issue has been affected by a small number of people with serious issues, the later report will be able to show further information breakdowns.
- Councillors queried whether a breakdown could be given of the works involved for employees, for example are they sedentary employees or the manual workers such as in the DLO?
- Councillor raised that they researched and provided details of Sedgemoor District Council's sickness levels as 5.42 for 14/15 and 15/16 3.56 and whether we could find out what they are doing and learn from them?
- Somerset County Council's levels were also down to 7.42, but officers qualified that SCC has a lot of exclusions in their data.

**RESOLVED** that:-

- Scrutiny have reviewed the Council's performance and have highlighted any areas of particular concern.

(Chair P. Murphy left the meeting at 17.33 handing over to Vice Chair Cllr N. Thwaites)

**SC 192 Key policy changes to Common Allocations Policy 2016**

Councillor Keith Turner – Lead Member for Housing, Health and Wellbeing.

The purpose of this report is to provide an update following the Somerset Monitoring Board has reviewing the Common Allocations policy in the light of ongoing changes to welfare payments and changes to the way in which applicants express interest on properties. The review has taken account of issues raised by local authority and landlord partners. The updated draft policy has been reviewed in detail by various local authority and landlord officer groups and has been the subject of a consultation exercise with applicants and stakeholders.

During discussion, the following points were raised:

- Portfolio Holder introduced the item and emphasised that the Homefinder Somerset and the Monitoring Board continue to monitor the changes to the welfare system.
- The Portfolio Holder informed Members that it had been in place since 2005, but has seen some complaints crop up, it was acknowledged that it was hard to have a one size fits all policy that pleases all.
- Members were informed that all 5 DC's involved with this same process, and so any comments made today will be dealt with by the Portfolio Holder and the officers present.
- The Portfolio Holder informed Members choice based lettings had implemented a new computer system, and that has come at no cost to the Council.
- In response to Councillor Queries around certain changes in the policy could be perceived as weakening the local connection, it was clarified by officers that the local connection is important but the properties priority should be to be filled wherever possible.
- Officers emphasised that it is still built into the system a priority for local people, the longstanding perception that exists is that people from outside the area are housing priorities which is not the case.
- Councillor raised that the Somerset Armed Services Covenant Committee is keen that any Member of the Armed Services former and current is given fair treatment in terms of Housing.
- Officers assured that Armed Forces being given priority is well understood.

**RESOLVED** that:-

- Therefore it is recommended that Scrutiny Committee consider and note the changes to the Homefinder Somerset Common Lettings Policy and note

that Cllr Keith Turner as Portfolio Holder for Housing, Health and Wellbeing will make any final decision in consultation with the Housing Services Lead.

**SC 193 Scrutiny Committee Work Plan.**

(Copy of the Forward Plan for 2016, circulated with the agenda.)

- Members were reminded that this was their opportunity to suggest items for the Work Programme – all requests will be considered using the process agreed by the Committee in June 2015. In the first instance, all suggestions should be made to the Scrutiny Team.
- Cllrs Aldridge and Parbrook were nominated and duly appointed to the Joint Waste Partnership Board.
- Member's attention was drawn to the Special Scrutiny Meeting on the 12<sup>th</sup> July which is to consider the 3 Business Case Options, which is crucially important for all members to attend.

**RESOLVED** that the Scrutiny Forward Plan published on 16<sup>th</sup> June be noted.

The meeting closed at 5.49pm.

**SCRUTINY COMMITTEE**

**Minutes of the Meeting held on 12<sup>th</sup> July 2016 at 3.30 pm**

**Present:**

Councillor G S Dowding .....Chairman

Councillor B Heywood .....Vice-Chairman

Councillor I Aldridge  
Councillor B Leaker  
Councillor J Parbrook

Councillor R Clifford  
Councillor B Maitland-Walker  
Councillor R Woods

**Members in Attendance:**

Councillor M Chilcott  
Councillor M Dewdney  
Councillor A Hadley  
Councillor K Mills  
Councillor A Trollope-Bellew  
Councillor D Westcott

Councillor H Davies  
Councillor S Goss  
Councillor R Lillis  
Councillor C Morgan  
Councillor K Turner

**Officers in Attendance:**

Chief Executive – P James  
Director of Operations – Resources – S Adam  
Assistant Chief Executive – B Lang  
Assistant Director – Corporate Services – R Sealy  
Principal Accountant – E Collacott  
Corporate Strategy & Performance Manager – P Harding  
Transformation Lead Officer – K Batchelor  
Press Officer – D Rundle  
Democratic Services Officer – Scrutiny – M Prouse

**SC 14     Election of Chairman**

**RESOLVED** that Councillor S Dowding be elected as Chairman for the meeting.

**SC 15     Appointment of Vice-Chairman**

**RESOLVED** that Councillor B Heywood be appointed as Vice-Chairman for the meeting.

**SC 16     Apologies for Absence**

Apologies were received from Councillors P Murphy and N Thwaites.  
Councillor B Heywood was substituting for Councillor N Thwaites.

**SC 17 Declarations of Interest**

Members present at the meeting declared the following personal interests in their capacity as a Member of a County, Parish or Town Council:

<b>Name</b>	<b>Minute No.</b>	<b>Description of Interest</b>	<b>Personal or Prejudicial or Disclosable Pecuniary</b>	<b>Action Taken</b>
Cllr B Maitland-Walker	All Items	Carhampton	Personal	Spoke and voted
Cllr J Parbrook	All Items	Minehead	Personal	Spoke and voted
Cllr I Aldridge	All Items	Williton	Personal	Spoke
Cllr H Davies	All Items	Williton and SCC	Personal	Spoke
Cllr S Goss	All Items	Stogursey	Personal	Spoke
Cllr C Morgan	All Items	Stogursey	Personal	Spoke
Cllr A Trollope-Bellew	All Items	Crowcombe	Personal	Spoke
Cllr K Turner	All Items	Brompton Ralph	Personal	Spoke
Cllr D Westcott	All Items	Watchet	Personal	Spoke

**SC 18 Public Participation**

Phil Bisatt – Branch Secretary of Taunton and West Somerset UNISON had provided a statement to Members and made a statement highlighting specific areas of concern in relation to the proposals. Overall, the view of UNISON was that the case for adopting the proposed operating model had not been fully demonstrated for all council services. He referred to doubts raised about the suggested ICT solutions and most importantly, requested that any proposals should be fair to staff and should not risk damaging the current One Team as this would undermine effective service delivery.

**SC 19 High Level Transformation Business Case**

Councillor Anthony Trollope-Bellew – Leader of the Council presented this item.

The purpose of the report was to set out how the transformation vision could be delivered, and the key areas needing investment to enable change. The report set out the likely one-off costs of achieving this and the likely ongoing savings it could deliver for the Council.

During discussion, the following points were raised:

- The Leader introduced the item and stated that this was the most important decision for the future of the Council past or present, and it was important we get it right. Also the Leader recognised that around Governance more work needed to be done, with some more Member input, but the duplication in the processes is something we needed to address.
- The Director of Operations then went through a presentation to Members highlighting the key details of the report.



- The UNISON representative Mr Bisatt then made a statement based on the document circulated to all Members beforehand.
- Mr Bisatt fully understood the need for financial savings, but the transformation model had risks for staff and the Local Authority (LA) as it has been done elsewhere.
- Mr Bisatt informed Members that staff have walked out in the other authorities due to recruitment regime – 50 percent for West Devon and 40 percent for Eastbourne.
- Mr Bisatt warned Members that the software the LA is looking to buy may have issues with it – this was an IT driven solution and there was a risk this could not be as good as promised.
- Members raised concerns over how this new way of working is being stated, this is high level but back up detail must be provided for a permanent decision.
- Members wanted to know who had written the Business Case. Members wanted to know had there been a payment to the consultants for this work and how much is anticipated to be paid out in the future? *Officers stated that the report was written by the Director for Operations and the project team, and there was some overall project support from consultants IESE at a cost of £45,000; in addition there was advice from Civica/Ignite free of charge/at risk.*
- Member felt that locally based teams is a costly approach, in a diverse rural environment.
- Members wanted to know why the High Level Business Case does not mention products?
- *Officers responded that this is a High Level ‘proof of concept’ not the implementation stage and so did not have specific information around IT products.*
- Members felt that under the section ‘Benefits for Members’ there was nothing new here, only the mobile access part.
- Members raised concerns over the allocated budget for Video Conferencing costs of £40,000, why was it this figure and who did they envisage using it?
- *Officers responded that this area was currently being looked at in detail at the moment, and would depend on what Councillors decide to do at the implementation stage.*
- Member felt that the overall impression is that it does not gel and that there are details that are not provided that are needed before a major decision is made.
- Members were concerned over cash flows and as to how would we finance what we have to pay out before we get payback?
- *Officer responded that in terms of the funding of the proposals, there are a range of options that could be considered depending on what members choose to do. Transformation could be funded up front but difficult choices would have to be made to facilitate this.*
- Members felt that savings are still having to be made regardless, and that transformation will not close the gap on its own, and it is not, therefore, the ‘silver bullet’.

- Member felt that having drafted a Local Plan to 2032 and all the work associated with that, and to then go for the merger option, could result in the Council being largely subsumed and that this would cut across the stated aspirations of the current Council.
- Members stated that it cannot just be focus on the financials, as there have to be others such as legal implications.
- Members sought reassurances that the conclusions around financial assumptions were credible and realistic and asked how confident Officers were of raising the £800,000 shortfall of year on year revenue funding by 2021 through commercial means in West Somerset if Option 1 was chosen? Also, if that is not achieved, what will happen after spending £1,100,000 to implement Transformation?
- *Officers responded that Option 2 provides the better payback return, but commercial activity would honestly probably not deliver £800,000 worth of ongoing resilient income for WS.*
- Some Members were of the view that the figures in this report are the worst case scenario, we may actually gain from Business Rates and other things, and it may not be as bad as this report actually states.
- Portfolio Holder for Economic Regeneration expanded that as WS has virtually no economic regeneration resources, this area has a difficult climate of business regeneration, the £800,000 is going to be hard to deliver with a population of 35,000 people.
- Portfolio Holder for Resources considered that Financial Planning was key, and that the council cannot wait 18 months or a year, from this point to find this shortfall. Council decisions are made on spending on the cost of democracy verses services and it is owed to the public to deliver the best services possible and to keep democracy costs to a minimum.
- A view was expressed that whilst the economic Silver Bullet is Hinkley, it will not bring the benefit to the value needed to make the council sustainable. Other Councils are thinking outside of the box, one Council is borrowing money cheaply and then re-lending out at a higher value to fund their economic development. So the Council had to be brave, make change, otherwise it is dead in the water, the choice is fundamental to the survival of the Council.
- Members felt that the suggested benefits to members are things that Councillors are doing anyway, apart from the part about mobile access. Does that affect the costings as this is done anyway by some councillors?
- *Officer responded that it does not, as the technology will deliver the resource to support members to be the best they can in their localities.*
- Figures start from 2020/21, are any of these benefits going to be delivered before the new council would be in place?
- *Officers responded that Option 2 would take place, hopefully, in 2019, and so the financial benefits will be delivered from 2019 onwards. Savings from transformation come in earlier, but one off costs have to be dealt with.*
- Members queried the Design Principles include; would it be possible to have outputs or key performance indicators for each of the design principles, to judge whether they were successful or not?
- *Officers stated that this would take place at the implementation stage.*

- It was acknowledged that Mobile Access be good for members and the public
- Members requested clarification around Option 2 – if that was chosen, is it safe to assume that all current ring-fenced community benefits from the Hinkley project will remain ring-fenced?
- *Officers responded that the Hinkley Point funding is covered by existing legal agreements and governance arrangements which will not be affected by a merger.*
- Members also requested what happens to the TDBC Growth Agenda, or is any of that funding ring-fenced?
- *Officers responded that this would be a matter for the new merged Council and so it would not come with automatic ring fencing, and any New Homes Bonus would accrue to the new Council.*
- Members queried the Civica Business Case and the possibility for greater savings than 22% - more clarity was requested and would it be possible to get a higher % saving?
- *Officers responded that the suggested target savings were based on what they believed was possible on a range of figures and that the Council has gone for middle/lower figure which they were confident of delivering.*
- Concerns were raised around the Ignite/Civica Partnership particularly in regards to the working relationship/'partnership' between Ignite and Civica.
- *Officers responded that they are not in partnership and are individual companies that would have to be engaged separately in the procurement process. They have worked together before and therefore had a proven track record. Officers clarified that it was the approach suggested by Civica/Ignite that was being considered favoured whilst no specific ICT package for adoption had yet been chosen/procured as this would be art of the implementation stage.*
- Members had queries around HR Support and enquired whether it would be better perhaps to have a contract out to tender?
- *Officers responded that these questions would be considered as part of the implementation plan.*
- Members warned that IT was a very high risk area to work in - if the IT goes wrong it can be expensive, and unless it is known what the software architecture and the package looks like it would be hard to make a decision.
- Members requested a special session/drop-in session for those especially interested in the IT.
- *Officers responded that Civica have offered to come down and explain what the proof of concept is built on.*
- Members wanted to know if any additional IT services were required, was the council being asked to pay for these separately?
- *Officers responded that this was correct but that an allowance was already in the business case figures to cover for this.*
- Members had questions around the IT Solution as part of this package.
- *Officers reassured Members that, if they wished, Scrutiny could be involved in monitoring the ICT element of transformation process in the implementation stage.*

- It was pointed out that the Council cannot afford to buy a system that doesn't work, could there be some reassurance around this that there will be a test of the system and that it will be futureproofed?
- *Officers concurred that this was the case.*
- A Member indicated that the new proposed system would be an improvement over the current ways of working where you have to approach each council service area separately.
- Members raised the possibility of a Joint Scrutiny process with TDBC to look at HR and IT when in the implementation stage.
- Members did state that West Somerset, with one of the oldest population profiles in the country, with broadband access issues could pose a problem for customers of the council under the proposed new ways of working.
- *Officers responded that there still would be provision to meet the needs of customers who were unable/unwilling to use ICT based options.*
- It was also stated that to deal with the Council sat in your own home was easier than travelling into Williton. Other places are using such technology and the council needs to embrace change to move into the 21<sup>st</sup> century.
- Members queried whether true democracy was too expensive to operate and the proposed streamlined governance proposals would emasculate the role of the Members and could erode the principle of democracy
- The Leader emphasised the current governance arrangements do need to be refreshed as they were antiquated, with lots of duplication from PAG to Scrutiny to Cabinet to Council etc.
- Councillor Parbrook read through a prepared statement representing some of the Scrutiny Committees shared thoughts as follows:
  - The Councils can transform only once and should be looking at more than 22% savings, possibly something between the two business cases e.g. 30-35%.
  - Consideration should be given to putting all staff at risk to ensure that the council can recruit what we need; possibly increased redundancy costs could be set, to some extent against training and associated costs.
  - HR Support – consideration should be given to putting the HR Contract out to tender.
  - Consideration should be given to more Councillor involvement in HR issues e.g. an HR Committee.
- Some Members highlighted concerns when it comes to investment in a merged scenario as the majority of the investment would situate on the areas near Taunton with its connections to infrastructure. If West Somerset will lose out, how will that be managed?
- Other Members countered that a new council would have to cater for the whole of the new area.
- Members considered that the size could be considered a strength as opposed to a weakness – Taunton – M5 corridor but also WS coastal strip with tourism.
- In terms of the three options no member expressed a preference, only Councillor Aldridge commented that Option 3 is an option he considered would not be viable.

- The Chairman noted that Option 3 had not been supported by any of the Members during the debate.

**RESOLVED** that:-

- Scrutiny has considered the High Level Transformation Business Case and has offered comment on the proposals therein as set out above.

**SC 20 Scrutiny Committee Work Plan.**

(Copy of the Forward Plan for 2016, circulated with the agenda.)

Members were reminded that this was their opportunity to suggest items for the Work Programme – all requests will be considered using the process agreed by the Committee in June 2015. In the first instance, all suggestions should be made to the Scrutiny Team.

**RESOLVED** that the Scrutiny Forward Plan published on 12<sup>th</sup> July be noted.

The meeting closed at 6.52pm.

MEETING: CABINET

DATE: 13 July 2016

## NOTES OF KEY DECISIONS

**Note: The details given below are for information and internal use only and are not the formal record of the meeting**

AGENDA ITEM	DECISION	CONTACT LEAD OFFICER
Forward Plan (Agenda Item 5)	<b>Agreed</b> that the Forward Plan for the month of September 2016 be approved.	Assistant Chief Executive
HPC Planning Obligations Board – Allocations of CIM Funding (Agenda Item 7)	<b>Agreed</b> that it be recommended to Council to endorse the recommendations of the Hinkley Point C Planning Obligations Board for projects applying for over £25,000 as follows: <ul style="list-style-type: none"><li>• To recommend the release of £65000 from the 1st Annual Payment to Greenways and Cyclerroutes Ltd to support the Brean Down Way project with the conditions that funding will not be released until:<ul style="list-style-type: none"><li>- The applicant has provided copies of its policies, insurance documents and current financial position.</li><li>- The budget has been reviewed following the tender process to ensure project is viable.</li></ul></li><li>• To release £57036 from the CIM Fund ring-fenced for West Somerset to West Somerset Council on behalf of the West Somerset Employment Hub Network for the West Somerset Community Employment Hubs Future Development and Sustainability project.</li><li>• That the application for £96,048 from Sustrans should be refused on the basis that it did not sufficiently meet the value for money criteria and the application has the potential to duplicate other section 106 transport schemes being developed by Somerset County Council.</li></ul>	CIM Fund Manager
Hinkley Tourism Action Plan – Phase 2 Delivery 2016/17 (Agenda Item 8)	<b>Agreed (1)</b> that it be recommended to Council to formally approve Phase 2 of the Hinkley Strategic Tourism Action Plan for delivery in 2016-17. <b>Agreed (2)</b> that it be recommended to Council to approve the drawdown of the £171,926 second allocation for Tourism from the Hinkley Point C Site Preparation Section 106 agreement for delivery of Phase 2 of the Hinkley Tourism Action Plan in 2016-17.	Tourism Officer
Planning Obligations Allocation – Redesign of play space at Memorial Ground Watchet and Multi-Use Games Area (MUGA) at Dunster Marsh Junior Playing Field (Agenda Item 9)	<b>Agreed (1)</b> the allocation of £16,984 to Watchet Town Council for the redesign of the play space at the Watchet Memorial Ground. <b>Agreed (2)</b> the allocation of £12,240 to Dunster Parish Council for a Multi-Use Games Area (MUGA) at Dunster Marsh Junior Playing Field.	Assistant Director Planning and Environment

Quarter 4 2015/16 Performance (Agenda Item 10)	<b>Agreed</b> that the Council's performance be noted.	Corporate Strategy & Performance Manager
Revenue and Capital Outturn 2015/16 (Agenda Item 11)	<p><b>Agreed (1)</b> that the Council's reported General Fund Revenue Budget underspend of £199,132 for the financial year 2015/16, which takes into account proposed earmarked reserve transfers including budget carry forwards be noted.</p> <p><b>Agreed (2)</b> that it be recommended to Council to approve the net Earmarked Reserve transfers as set out in <b>Table 4</b> and <b>Appendix B</b> of the report, including recommended Budget Carry Forward of 2015/16 underspends for specific service costs in 2016/17 totalling £212,775 as set out in <b>Appendix B</b> of the report.</p> <p><b>Agreed (3)</b> that it be recommended to Council to approve the proposed Capital Programme Budget Carry Forwards totalling £1,535,237 for general schemes to be funded using capital receipts, capital grant and S106 contributions (as set out in Appendix D of the report).</p> <p><b>Agreed (4)</b> that it be recommended to Council to approve the proposed Capital Programme Budget Carry Forwards totalling £1,282,629 for Hinkley S106-funded schemes (as set out in <b>Appendix D</b> of the report).</p> <p><b>Agreed (5)</b> that the residual net underspend of £33,999 in relation to the Capital Programme for general schemes in 2015/16 be noted.</p>	Finance Manager
Freehold Disposal of Church Street Public Conveniences, Dunster	<p><b>Agreed (1)</b> that the freehold sale of Church Street public conveniences by auction be approved, subject to a reserve price which is to be agreed by the Assistant Director for Property and Development in consultation with the Portfolio Holder for Resources and Central Support. Should the site not be sold at auction, the Council would seek to dispose of the site by alternative methods.</p> <p><b>Agreed (2)</b> to ring-fence the net proceeds specifically related to the sale of these premises for sustainability initiatives.</p>	Principle Estates Surveyor

For a record of the reasons for the decision; details of any alternative options considered and rejected by the decision-making body at the meeting at which the decision was made; a record of any conflict of interest relating to the matter decided which is declared by any member of the decision-making body which made the decision; and in respect of any declared conflict of interest, a note of dispensation granted by the relevant local authority's head of paid service, please use the attached link below, to the Council's website where the minutes and relevant reports can be viewed:

<http://www.westsomersetonline.gov.uk/Council---Democracy/Council-Meetings/Cabinet-Meetings/Cabinet---13-July-2016>

Date: 14 July 2016

**Weekly version of Cabinet Forward Plan published on 20 July 2016**

<b>Forward Plan Ref / Date proposed decision published in Forward Plan</b>	<b>Date when decision due to be taken and by whom</b>	<b>Details of the proposed decision</b>	<b>Does the decision contain any exempt information requiring a resolution for it to be considered in private and what are the reasons for this?</b>	<b>Contact Officer for any representations to be made ahead of the proposed decision</b>
FP/16/9/03  02/09/2015	7 September 2016  By Lead Member Resources & Central Support	Title: <b>Medium Term Financial Plan Update</b>  Decision: to present the updated Medium Term Financial Plan	No exempt / confidential information anticipated	Paul Fitzgerald, Assistant Director Resources 01823 358680
FP/16/9/04  9/12/2015	7 September 2016  By Lead Member for Energy Infrastructure	Title: Hinkley Point  Decision: to consider key issues relating to Hinkley Point	No exempt / confidential information anticipated	Andrew Goodchild, Assistant Director Energy Infrastructure 01984 635245
FP/16/9/05  9/12/2015	7 September 2016  By Leader of Council	Title: <b>Corporate Performance Report 2016-17 Quarter 1</b>  Decision: to provide Members with an update on progress in delivering corporate priorities and performance of council services	No exempt / confidential information anticipated	Paul Harding, Corporate Strategy and Performance Manager 01823 356309
FP/16/9/06  9/12/2015	7 September 2016  By Lead Member Resources & Central Support	Title: <b>Budget Monitoring Report Quarter 1</b>  Decision: to provide Members with details of the Council's expected financial outturn position in 2016/17 for both revenue and capital budgets, together with information relating to predicted end of year reserve balances	No exempt / confidential information anticipated	Paul Fitzgerald, Assistant Director Resources 01823 358680
FP/16/9/07  6/05/2016	7 September 2016  By Lead Member for Community and Customer	Title: West Somerset Lottery  Decision: to recommend to Council to explore the possibility of setting up a West Somerset Lottery	No exempt / confidential information anticipated	Angela Summers Housing and Community Project Lead 01984 635318
FP/16/9/08  04/06/2015	7 September 2016  By Lead Member Resources & Central Support	Title: <b>Review of Financial Regulations [FR2]</b>  Decision: to recommend to Council to approve updated Financial Regulations	No exempt / confidential information anticipated	Paul Fitzgerald, Assistant Director Resources 01823 358680



Forward Plan Ref / Date proposed decision published in Forward Plan	Date when decision due to be taken and by whom	Details of the proposed decision	Does the decision contain any exempt information requiring a resolution for it to be considered in private and what are the reasons for this?	Contact Officer for any representations to be made ahead of the proposed decision
FP/16/9/09 17/03/2016	7 September 2016 By Lead Member Resources & Central Support	Title: Customer Access and Shared Assets (CASA) Project  Decision: to recommend to Council to approve the project		Sue Tomlinson, Transformation Project Manager 07880 179022
FP/16/11/01 9/12/2015	2 November 2016 By Lead Member Resources & Central Support	Title: <b>Allocation of Section 106 funds held – Quarter 2</b>  Decision: to make proposals for the allocation of monies secured through planning obligations to individual schemes, and to update members with the current funding position.	No exempt / confidential information anticipated	Tim Burton, Assistant Director Planning and Environment 01823 358403
FP/16/11/02 6/01/2016	2 November 2016 By Lead Member Resources & Central Support	Title: Allocation of Hinkley Point C Community Impact Mitigation Funding  Decision: to present the recommendations of the HPC Planning Obligations Board for the allocation of monies from the CIM Fund	No exempt / confidential information anticipated	Lisa Redston, CIM Fund Manager 01984 635218
FP/16/11/03 9/12/2015	2 November 2016 By Lead Member for Energy Infrastructure	Title: Hinkley Point  Decision: to consider key issues relating to Hinkley Point	No exempt / confidential information anticipated	Andrew Goodchild, Assistant Director Energy Infrastructure 01984 635245
FP/16/11/04 05/04/2015	2 November 2016 By Lead Member for Community and Customer	Title: Review of Council Tax Rebate Scheme for 2017/18  Decision: to review the Council Tax Rebate Scheme 2017/18 for recommendation to Council	No exempt / confidential information anticipated	Heather Tiso, Revenues and Benefits Manager 01823 356541
FP/17/1/01 6/01/2016	4 January 2017 By Leader of Council	Title: <b>Corporate Performance Report 2016-17 Quarter 2</b>  Decision: to provide Members with an update on progress in delivering corporate priorities and performance of council services	No exempt / confidential information anticipated	Paul Harding, Corporate Strategy and Performance Manager 01823 356309

Forward Plan Ref / Date proposed decision published in Forward Plan	Date when decision due to be taken and by whom	Details of the proposed decision	Does the decision contain any exempt information requiring a resolution for it to be considered in private and what are the reasons for this?	Contact Officer for any representations to be made ahead of the proposed decision
FP/17/1/02 6/01/2016	4 January 2017 By Lead Member Resources & Central Support	Title: <b>Budget Monitoring Report Quarter 2</b>  Decision: to provide Members with details of the Council's expected financial outturn position in 2016/17 for both revenue and capital budgets, together with information relating to predicted end of year reserve balances	No exempt / confidential information anticipated	Paul Fitzgerald, Assistant Director Resources 01823 358680
FP/17/1/03 6/01/2016	4 January 2017 By Lead Member Resources & Central Support	Title: <b>Allocation of Section 106 funds held – Quarter 3</b>  Decision: to make proposals for the allocation of monies secured through planning obligations to individual schemes, and to update members with the current funding position	No exempt / confidential information anticipated	Tim Burton, Assistant Director Planning and Environment 01823 358403
FP/17/1/04 6/01/2016	4 January 2017 By Lead Member Resources & Central Support	Title: <b>Fees and Charges 2017/18</b>  Decision: to propose levels of fees and charges for the period 1 April 2017 to 31 March 2018 (in some cases fee increases will be implemented earlier, this will be stated in the relevant sections of the report) for recommendation to Council	No exempt / confidential information anticipated	Paul Fitzgerald, Assistant Director Resources 01823 358680
FP/17/1/05 6/01/2016	4 January 2017 By Lead Member for Energy Infrastructure	Title: Hinkley Point  Decision: to consider key issues relating to Hinkley Point	No exempt / confidential information anticipated	Andrew Goodchild, Assistant Director Energy Infrastructure 01984 635245

Note (1) – Items in bold type are regular cyclical items.

Note (2) – All Consultation Implications are referred to in individual reports.

The Cabinet comprises the following: Councillors A H Trollope-Bellew, M Chilcott, M Dewdney, K M Mills, C Morgan S J Pugsley, K H Turner and D J Westcott.

The Scrutiny Committee comprises: Councillors P H Murphy, N Thwaites, R Clifford, G S Dowding, B Leaker, B Maitland-Walker, J Parbrook, R Woods and I Aldridge.

Scrutiny Committee – Work Programme 2016/17

4 <sup>th</sup> August	13 <sup>th</sup> October	Possible November Budget?	15 <sup>th</sup> December	<i>February?</i>	<i>April?</i>	<b>TBC</b>
Notes of any Key Cabinet Decisions / Action Points.	Minehead Events Group – Corinne Matthews					Williton Hospital Stroke Unit Business Case Consultation – (Provisional date)
New Joint Street and Toilet Cleansing Contract – Chris Hall						

