

The Council's Vision:

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

SCRUTINY COMMITTEE

Meeting to be held on Monday 16 December 2013 at 3.30 pm

Council Chamber, Williton

AGENDA

1. Apologies for Absence

2. Minutes

Minutes of the Scrutiny Committee held on 18 November 2013, 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 4 December 2013 – **SEE ATTACHED.**

6. Cabinet Forward Plan

To review the latest Cabinet Forward Plan for the months of December, January and February, published on 5 December 2013 – **SEE ATTACHED.**

7. Scrutiny Committee Work Plan

To review and scope items for the Scrutiny Committee Workplan for 2013/2014 – **SEE ATTACHED.**

The Council's Vision:

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

8. Hinkley Point C Project – Resource Update

To consider Report No. WSC 158/12, to be presented by Adrian Dyer, the Executive Director (Interim) - **SEE ATTACHED.**

On 25th January 2012 Council approved the allocation of funds from the Hinkley Point C Site Preparation Works (SPW) s106 Agreement, part of which related to the recruitment of various members of staff to fill stipulated positions. The purpose of this report is to provide members with an update on the re-allocation of these funds, as agreed with EDF Energy, to mitigate the impact of the on-going delay being encountered in work to deliver the project.

9. Section 106 & Planning Obligations Task & Finish Group – Recommendations following attendance at Planning Obligations Group

To consider Report No. WSC 166/13, to be presented by Sam Rawle, the Scrutiny & Performance Officer - **SEE ATTACHED.**

The purpose of the report is to report to Members of Scrutiny Committee, observations by the Members of the Task & Finish Group following their attendance at the September meeting of the Planning Obligations Group.

10. Asset Management Review – Progress Report

To consider Report No. WSC 167/13, to be presented by Sam Rawle, the Scrutiny & Performance Officer - **SEE ATTACHED.**

The purpose of the report is to update the Scrutiny committee on the progress of the review of Asset Management.

COUNCILLORS ARE REMINDED TO CHECK THEIR POST TRAYS

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.

The Council's Core Values:

- Integrity
- Respect
- Fairness
- Trust

RISK SCORING MATRIX

Report writers score risks in reports uses the scoring matrix below

Risk Scoring Matrix

Likelihood	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
Impact							

Likelihood of risk occurring	Indicator	Description (chance of occurrence)
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**Minutes of the Meeting held on 18 November 2013 at 3.30 pm****Present:**

Councillor K J RossChairman
Councillor R P Lillis.....Vice-Chairman

Councillor M J Chilcott
Councillor G S Dowding
Councillor P N Grierson
Councillor P H Murphy

Councillor M O A Dewdney
Councillor J Freeman
Councillor B Heywood

Members in Attendance:

Councillor K M Mills
Councillor K H Turner

Councillor T Taylor

Officers in Attendance:

Interim Executive Director (A Dyer)
Monitoring Officer (B Lang)
Deputy Monitoring Officer (I Timms)
Corporate Manager Environment, Customer and Community (S Watts)
Section 151 Officer (S Campbell)
Principal Finance Accountant (S Plenty)
Scrutiny and Performance Officer (S Rawle)
Performance and Efficiencies Manager (K Batchelor)
Planning Manager (A Goodchild)
Administrative Support (H Dobson)

Also in Attendance:

Dr Rosie Benneyworth, Clinical Lead for Urgent and Emergency Care, Somerset Clinical Commissioning Group

SC66 Apologies for Absence

No apology for absence was received.

SC67 Minutes

(Minutes of the Meeting of the Scrutiny Committee held on 24 October 2013 – circulated with the Agenda).

Members noted the response of the Interim Executive Director that with regard to the future of EDF funded posts, EDF had been very flexible and pragmatic in their discussions and that he would report on progress once he was able.

There was no impact on the current base budget. Further, due to the sensitivity of the information the report may have to be held in closed session.

RESOLVED that the Minutes of the Scrutiny Committee held on 24 October 2013, be confirmed as a correct record.

SC68 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 P H Murphy	All Items	Watchet	Personal	Spoke and voted
Cllr K J Ross	All Items	Dulverton	Personal	Spoke and voted
Cllr H J W Davies	All Items	Somerset	Personal	Spoke
Cllr K H Turner	All Items	Brompton Ralph	Personal	Spoke

In addition:

Councillor K J Ross expressed a personal interest in Item 11, MTFP Savings Options - he and his wife were involved with one or more of the organisations included in the list of savings options, he spoke and voted;

Councillor S Dowding expressed a personal interest in Item 8, GP Out of Hours - he was a first responder, he spoke;

Councillor T Taylor expressed a personal interest in Item 8, GP Out of Hours, - he was involved in a health forum, he spoke.

SC69 Public Participation

No members of the public requested to speak on any items on the agenda.

SC70 Notes of Key Cabinet Decisions/Action Points

(Copy of Notes of Cabinet Decisions/Action Points, circulated with the agenda).

RESOLVED that the Key Cabinet Decisions/Action Points for 6 November 2013, be noted.

SC71 Cabinet Forward Plan

(Copy of the Cabinet Forward Plan published 30 October 2013, circulated with the agenda).

RESOLVED that the Cabinet Forward Plan published 30 October 2013, be noted.

SC72 GP Out of Hours

(Letter and Primary Care Out-of-Hours Service Specification from Somerset Clinical Commissioning Group circulated with the Agenda).

The purpose of the report was to receive an update regarding the operation of the GP Out-of-Hours Service in Somerset from Dr Rosie Benneyworth, Clinical Lead for Urgent & Emergency care, Somerset Clinical Commissioning Group.

The Chairman welcomed Dr Rosie Benneyworth, Clinical Lead, to the meeting and invited her to present the update.

Dr Benneyworth thanked the Committee for the opportunity to provide an update. She was a GP in Taunton and was leading the work that was currently reviewing the out-of-hours service in Somerset. She referred to the letter and Primary Care Out-of-Hours Service Specification, attached to the agenda, setting out the context and progress of the review of the out-of-hours service and NHS 111.

The Commissioning Group were looking to provide a more integrated service, more expert advice early in the patient's pathway and to obtain better outcomes longer term. Therefore, the Out-of-Hours and NHS 111 services will be jointly procured and it was envisaged that the new services would be in place from April 2015.

During the course of the debate the following issues raised included:

- Concern that residents living in, for example, Porlock would have to travel more than 30 minutes to access a treatment centre.
- Concern that shifts locally were unfilled leading to doctors travelling long distances. Response that NHS Somerset have explored the issues in depth and were working to rebuild relationships.
- The current service had changed very much from years gone by and was not improved.
- Concern that GPs were not required to provide a weekend service.
- Concern that GPs use the ambulance service more than is thought reasonable.
- Concern that GPs were not available at night.
- Concern that West Somerset had the highest figures in Somerset for poor health and households with no access to a car or van. Many residents had the added difficulty of there being no bus service after 8pm.
- A flexible model was needed that would match capacity against demand.
- Concern that emergency response transport was not available after hours.
- Concern that very few members of the public attended meetings whereby health professionals and members of the public discussed relevant issues.
- Concern that only two service requirements appeared to be directly related to the public.

In response, Dr Benneyworth advised that a doctor's practice had changed considerably since 2004 and that most doctors worked 12-14 hours per day. There has been an increase in the amount of work coming from the hospitals and a growing number of elderly people with medical needs. A huge amount of information has been gathered: who is calling the service, how many people call 111, where they go to, who go to A&E etc. This information can provide a daily picture enabling the service to predict busier days and act accordingly.

She believed that health and social care services should be more joined up and discussions with Somerset County Council were being held. The Primary Care

Out-of-Hours Service Specification was based on what patients and health professionals of Somerset wanted to see implemented. The new provider must work very closely with the Accident and Emergency units and integrate more closely with the minor injury units.

She confirmed that she would pass on the suggestion to the Ambulance Service that they have a base in Williton, which could reduce travelling time from Bridgwater.

Dr Benneyworth encouraged the members to pass on any areas of concern in order that they can be investigated and learnt from to improve care. She confirmed that members of the public can feedback their experiences via patient participation groups, health forums etc.

It was suggested that perhaps patients/public should be asked about their experience rather than be expected to volunteer information. If the experience has not been positive there can be various reasons as to why that information is not passed on.

The Chairman thanked Dr Benneyworth for attending the meeting and hoped that she would be able to pass on their concerns.

Dr Benneyworth thanked the Committee for inviting her and confirmed that she would take their concerns back with her so that they could be taken into consideration.

RESOLVED that the update regarding the operation of the GP Out-of-Hours service in Somerset from Dr Rosie Benneyworth, Clinical Lead for Urgent & Emergency Care, Somerset Clinical Commissioning Group, be noted.

Note: With the agreement of the Chairman this item was brought forward on the Agenda.

SC73 Review of the Pre-Application Planning Advice Charging Scheme

(Report No. WSC 152/13, circulated with the Agenda).

The purpose of the report was to provide Scrutiny Committee the opportunity to provide observations and input into a review of the pre-application planning advice charging scheme which was introduced in April 2013 – a copy of the current scheme is attached at Appendix A. The intention of the review is to ensure that any changes to the scheme can be introduced and factored into the budget for 2014/15 and particularly the fees and charges setting process to be introduced in April 2014. Based on the recommendations a revised charging schedule which will need to be approved when setting fees and charges was provided at Appendix B.

The Planning Manager presented the report and advised that the scheme was introduced earlier in the year with an estimated annual income target of £20,000. The first 6 months were almost on target, however, since April 2013 the provision of advice has been confirmed as a VAT rated service and so the actual income received is 20% less than would have otherwise been the case. Application advice sought in October had generated quite a lot of income and

so the financial picture was now quite different to that shown in the table at paragraph 5.5 of the report, attached to the agenda.

In response to questions the Planning Manager advised that there was no like for like scheme in order to compare the service. Further, that the requirement of the Planning team to now rely on 'standing advice' notes for smaller scale projects, once undertaken by Highways, had not seen a significant increase in officers' time and was in line with the requirements of other organisations such as the Environment Agency.

Members proposed that VAT should be charged on top of the agreed fee in order to avoid loss of income and that the suggested recommendation to Cabinet at (1) be amended to read, 'that fees are increased by the current rate of VAT...'

RESOLVED that the report be noted and that the Scrutiny Committee suggest the recommendations below to provide observations and input into the production of a report to be presented to Cabinet in December 2013.

- (i) That fees are increased by the current rate of VAT to accommodate the fact that the provision of advice is VAT rated
- (ii) That the Council positively consider increasing the fee for Type 2 Minor Developments and above which will be paid to the County Council to enable the provision of timely and effective Highways advice in accordance with an agreed Countywide approach
- (iii) That Town and Parish Councils contemplating development to provide community related facilities are given a 50% fee reduction
- (iv) That the fee schedule be amended to remove the option to seek pre-application advice without a site visit
- (v) That the Major development categories (Types 1, 2 and 3) is amended to include the provision of written advice and 2 meetings within the initial fee
- (vi) That where work is proposed which falls into two categories on the same site the fee payable is the higher of the two categories and not the combined fee for the two categories
- (vii) That accompanying information makes it clearer that the initial fee is payable on submission and will not be invoiced upon the provision of the advice.

SC74 Corporate Performance Report April – September 2013-14

(Report No. WSC 154/13, circulated with the Agenda).

The purpose of the report was to provide Members with an update on progress in delivering the corporate priorities, performance of council services and customer satisfaction covering the period from 1st April 2013 to 30th September 2013.

During the course of the debate the following issues were raised:

- Key Action 5.1.2. - In response to concern regarding tenants being able to downsize to properties with fewer bedrooms if necessary, members noted that the Council was working to assist tenants in realizing their options and trying to manipulate the stock in the best possible way. Further, the Silvermead development would provide some small properties.

- Members noted that key action 5.1.3 – support and enable Magna to deliver a portfolio of garage sites delivering 38 bed spaces – would be removed as no affordable housing would be delivered on the sites.
- Key Action 5.2.1 – deliver 25 empty properties in the Quantock panel area - Noted the request that the number of bedrooms be included for each property.
- Key Action 5.3.2 – delivering 40 disabled facilities grants – it was requested that members be advised of the number of schemes approved and the number completed.
- KPI 86 - % of waste recycled and composted – the Corporate Manager agreed with the suggestion that the target be reduced to 41% to reflect the national trend.
- KPI25 – abandoned call rate % - it was explained that the description ‘abandoned calls’ was misleading as it was not possible to differentiate between calls that were abandoned and calls that had been properly dealt with by using the automated number options provided in the recorded message. The PI would therefore be reviewed to see if it could be made more useful and meaningful.
- KPI92 - % of applications determined within agreed timescales (3 days) – noted that to change the KPI to ‘% of applications registered within agreed timescales (5 days)’ would be more meaningful.
- KPI94 – dangerous structures: % of incidents responded to within 24 hours – noted that the PI would be reviewed as to whether it was a useful PI to retain.

RESOLVED (1) that the Scrutiny Committee recommends the suggested mitigation actions, as listed above, be implemented;

RESOLVED (2) that the progress in delivering the corporate priorities for 2013/14 be noted;

RESOLVED (3) that the performance against Group and service Indicators be noted.

SC75 Financial Monitoring Report April – September 2013-14

(Report No. WSC 143/13, circulated with the Agenda).

The purpose of the report was to provide updated in year financial information on a range of issues including budgetary monitoring and business rate retention together with an updated Medium Term Financial Plan.

In response to concern regarding an overspend relating to housing (temporary accommodation) the Corporate Manager advised that due to efficient management of the homelessness issue there has been no tenant occupation. The Council were working to find a solution to mitigate the overspend.

Members expressed concern regarding the overspend relating to public conveniences. In response the Interim Executive Director suggested that the situation could be reviewed during the budget setting process in January 2014.

The Corporate Director advised how the raising of funds for coast protection for the Blue Anchor Hotel was progressing and the various partners who might be involved along with the Council i.e. the Environment Agency, Somerset County Council, the hotel proprietor etc.

Members noted that the Earmarked reserves figure would change due to partnership working with Taunton Deane Borough Council.

RESOLVED that the current financial standing of the Council together with the estimated position at the end of the financial year be noted.

SC76 MTFP – Savings Options

(Report No. WSC 151/13, circulated with the Agenda).

The purpose of the report was to ask Scrutiny Committee to consider savings options identified by Officers.

The Section 151 Officer presented the report and advised that the actuarial review of the pension fund was worse than was expected and will have to be factored in. Members noted that a report would be presented to the next meeting of the Audit Committee scheduled for 3 December 2013.

The Interim Executive Director advised that the long list of savings did not include staff savings that would result from shared management and services with Taunton Deane Borough Council.

Members noted that some of the savings in the list of other savings options might change due to shared services with TDBC and suggested that if further savings could be identified in the short term it would help with the amount of savings to be identified in later years.

RESOLVED (1) that the Scrutiny Committee recommend to Council the savings totalling £121,027 for 2014/15, as set out in Table 3 of the report, attached to the agenda, to balance the budget;

RESOLVED (2) that the identification of the preferred savings options for 2015/16 and 2016/17 be deferred and that a Members Seminar be arranged in order to identify saving options for 2015/16 and 2016/17.

SC77 Car Parking Services – Review of Income and Shoppers Permits

(Report No. WSC 149/13, circulated with the Agenda).

The purpose of the report was to review the West Somerset Council (WSC) car parks 2013/14 mid-year financial position in the light of the new Shoppers Permit initiative.

The Lead Member for Regeneration and Economic Development presented the report and advised that there was no detectable loss of income received from the meters due to the Shoppers Permit scheme. She believed that it would be inappropriate to increase car park fees as many members of the public were of the opinion that such an act would be detrimental.

On consideration of the report it was suggested that the introduction of Civil Parking Enforcement for car parks might increase the income generated in West Somerset.

In response to a question the Lead Member advised that it was difficult to gauge whether the introduction of the scheme has had a positive or negative effect on the car park income. However, it was important to forecast as accurately as possible, and that there was an affordable solution for the public to use car parks as charging too much had an impact on the 'high street'.

RESOLVED (1) that the car parking services 2013/4 mid-year financial position of £292,500 against a projected income of £302,600 for this period be noted;

RESOLVED (2) that it be noted that the Shoppers Permit scheme has provided an income of £8,600 and has not to date had a negative impact on the income received from the current permit structure.;

RESOLVED (3) that the continuation of the Shoppers Permit trial for a further 12 month period from 1st April 2014 to 31st March 2015 be supported;

RESOLVED (4) that the current structure of car park fees and permit charges for 2014/5 be supported.

SC78 **Scrutiny Committee Work Plan**

RESOLVED (1) that the Community Safety report be moved to the Scrutiny Committee meeting scheduled for 20 January 2014;

RESOLVED (2) that the Magna half yearly update report be removed from the Scrutiny Committee Work Plan at its meeting scheduled for 16 December 2013.

RESOLVED (3) that, if possible, the Assets Task and Finish Group report to the Scrutiny Committee meeting scheduled for 16 December 2014;

RESOLVED (4) that the Scrutiny Committee Work Plan be noted.

The meeting closed at 6.49 pm.

DATE: 4 DECEMBER 2013

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)	Agreed that, subject to deferring 'Fees and Charges' and 'Draft Capital Programme' to January 2014, the latest Forward Plan published 22 November 2013 be approved.	Corporate Director
Cabinet Action Plan (Agenda Item 6)	Agreed (1) that CAB67 – Request for Allocation of Section 106 Funding – Fit to Work Hinkley be deleted as actioned. Agreed (2) that CAB68 – Council Tax Rebate Scheme be deleted as actioned.	Corporate Director
Review of Financial Regulations (Agenda Item 7)	Agreed that the changes to the Financial Regulations be recommended to Council.	Section 151 Officer
Corporate Performance April-September 2013/14 (Agenda Item 8)	Agreed (1) that the process in delivering the corporate priorities for 2013/14 be noted. Agreed (2) that the performance against the measures of success and key service indicators be noted.	Scrutiny and Performance Officer
Finance Monitoring April-September 2013/14 (Agenda Item 9)	Agreed that the current financial standing of the Council together with the estimated position at the end of the financial year be noted.	Section 151 Officer
Review of the Pre-Application Planning Advice Charging Scheme (Agenda Item 10)	Agreed that in order to inform the budget setting process for 2014/15 and particular the fees and charges setting process for April 2014 onwards, the following be agreed: (1) to reflect the fact that the provision of advice is VAT rated, the fees be increased by the current rate of VAT (2) that increasing the fee for Type 2 Minor Developments and above which will be paid to the County Council to enable the provision of timely and effective Highways advice in accordance with an agreed countywide approach be positively considered (3) that Town and Parish Councils contemplating development to provide community related facilities be given a 50% fee reduction (4) that the fee schedule be amended to remove the option to seek pre-application advice without a site visit (5) that the Major development categories (Types 1, 2 and 3) be amended to include the provision of written advice and two meetings within the initial fee (6) that where work is proposed which falls into two categories on the same site the fee payable is the higher of the two categories and not the combined fee for the two categories (7) that accompanying information makes it clearer that the initial fee is payable on submission and will not be invoiced upon the provision of the advice.	Planning Manager
Somerset Growth Plan Framework (Agenda Item 11)	Agreed (1) that the strategic framework for the Somerset Growth Plan be endorsed. Agreed (2) that the work undertaken to date to produce the	Corporate Manager Housing,

	document and the further work that will be undertaken to produce more detailed investment packages of work to address the priorities be noted.	Welfare and Economy
--	--	---------------------

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---4-December-2013>

Date: 5 December 2013

Weekly version of Forward Plan published on 5 December 2013

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	Documents and background papers to be available to decision maker	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/14/1/02 18/01/2013	8 January 2014 By Councillor K V Kravis – Lead Member Resources & Central Support	Title: Allocation of Section 106 funds held – Quarter 3 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	Ian Timms, Group Manager Housing, Welfare and Economy 01984 635271
FP/14/1/04 13/02/2013	8 January 2014 By Councillor D Westcott – Lead Member for Community and Customer	Title: Consideration of nomination/s received under the Community Right to Bid Legislation Decision: to approve listing		No exempt / confidential information anticipated	Bruce Lang, Corporate Director 01984 635200
FP/14/1/05 4/07/2013	8 January 2014 By Councillor C Morgan – Lead Member for Environment – Hinkley Point	Title: Hinkley Point Decision: to consider key issues relating to Hinkley Point		No exempt / confidential information anticipated	Andrew Goodchild, Planning Manager 01984 635245
FP/14/1/06 01/07/13	8 January 2014 By Councillor K Turner – Lead Member for Housing, Health and Wellbeing	Title: Review of Low Cost Home Ownership Scheme Decision: to propose changes to the operation of the scheme as it relates to Clanville and other schemes covered by the policy		No exempt / confidential information anticipated	Ian Timms, Group Manager Housing, Welfare and Economy 01984 635271

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	Documents and background papers to be available to decision maker	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/14/1/07 05/12/13	8 January 2014 By Councillor K Turner – Lead Member for Housing, Health and Wellbeing	Title: Countywide Housing Strategy and West Somerset action plan Decision: to outline the proposed strategy and action plan and to request that Cabinet endorse it for formal adoption by Council		No exempt / confidential information anticipated	Ian Timms, Group Manager Housing, Welfare and Economy 01984 635271
FP/14/1/08 05/12/13	8 January 2014 By Councillor K Turner – Lead Member for Housing, Health and Wellbeing	Title: Tobacco Declaration Decision: to request that Cabinet endorse signing the declaration in support of the Council's Health and Wellbeing responsibilities		No exempt / confidential information anticipated	Ian Timms, Group Manager Housing, Welfare and Economy 01984 635271
FP/14/2/01 18/01/2013	5 February 2014 By Councillor K V Kravis – Lead Member Resources & Central Support	Title: Annual Budget & Council Tax Setting 2014-15 Decision: to provide Members with all the information required for Council to approve the revenue budget and capital programme for 2014/15 for recommendation to Council.		No exempt / confidential information anticipated	Section 151 Officer
FP/14/2/02 18/01/2013	5 February 2014 By Councillor T Taylor – Leader of Council	Title: Draft Corporate Plan for 2014-15 Decision: to introduce the draft West Somerset Council Corporate Plan 2014/15 for recommendation to Council.		No exempt / confidential information anticipated	Chief Executive 01984 635212
FP/14/2/03 13/02/2013	5 February 2014 By Councillor D	Title: Consideration of nomination/s received under the Community Right to Bid		No exempt / confidential information anticipated	Bruce Lang, Corporate Director 01984 635200

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	Documents and background papers to be available to decision maker	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
	Westcott – Lead Member for Community and Customer	Legislation Decision: To approve listing			
FP/14/2/04 4/07/2013	5 February 2014 By Councillor C Morgan – Lead Member for Environment – Hinkley Point	Title: Hinkley Point Decision: to consider key issues relating to Hinkley Point		No exempt / confidential information anticipated	Andrew Goodchild, Planning Manager 01984 635245
FP/14/2/05 25/10/12	5 February 2014 By Councillor A Trollope-Bellew – Lead Member for Environment - General	Title: Quantock Hills Area of Outstanding Natural Beauty Management Plan 2014-19 Decision: To endorse the Management Plan as a cohesive means to safeguard the unique beauty and distinctive character of the Quantock Hills.		No exempt / confidential information anticipated	Angela Lamplough, Climate Change & Community Liaison Manager 01984 635318
FP/14/2/06 18/01/2013	5 February 2014 By Councillor K V Kravis – Lead Member Resources & Central Support	Title: Fees and Charges Decision: to propose levels of fees and charges for the period 1 April 2014 to 31 March 2015 (in some cases fee increases will be implemented earlier, this will be stated in the relevant sections of the report).		No exempt / confidential information anticipated	Section 151 Officer
FP/14/2/07 18/01/2013	5 February 2014 By Councillor K V Kravis – Lead Member Resources & Central Support	Title: Draft Capital Programme 2013-14 and Capital Strategy Decision: to present the draft Capital Programme 2013/14 and draft Capital Strategy for		No exempt / confidential information anticipated	Section 151 Officer

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	Documents and background papers to be available to decision maker	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
		recommendation to Council.			
FP/14/02/08 03/12/2013	5 February 2014 By Councillor D Westcott – Lead Member for Community and Customer	Title: Extension of Public Place Designations Zones Decision: to approve the extension of Public Place Designation Zones		No exempt / confidential information anticipated	Peter Hughes, Community Safety Officer 01984 635302
FP/14/3/01 1/03/2013	5 March 2014 By Councillor T Taylor – Leader of Council and Councillor K V Kravis – Lead Member Resources & Central Support	Title: Corporate Performance & Budget Monitoring Report 2013-14 – Quarter 3 Decision: to provide Members with an update on progress in delivering corporate priorities, performance of council services including budgetary information and customer satisfaction.		No exempt / confidential information anticipated	Bruce Lang, Corporate Director 01984 635200
FP/14/3/02 19/03/2013	5 March 2014 By Councillor D Westcott – Lead Member for Community and Customer	Title: Consideration of nomination/s received under the Community Right to Bid Legislation Decision: To approve listing		No exempt / confidential information anticipated	Bruce Lang, Corporate Director 01984 635200
FP/13/3/03 4/07/2013	5 March 2014 By Councillor C Morgan – Lead Member for Environment – Hinkley Point	Title: Hinkley Point Decision: to consider key issues relating to Hinkley Point		No exempt / confidential information anticipated	Andrew Goodchild, Planning Manager 01984 635245
FP/14/4/01 19/03/2013	2 April 2014 By Councillor K V Kravis	Title: Allocation of Section 106 funds held – Quarter 4		No exempt / confidential information anticipated	Ian Timms, Group Manager Housing, Welfare and Economy

SCRUTINY COMMITTEE – 12- MONTH WORKPLAN – 2013/14

2013 17 June	15 July	19 August	16 September	24 October	18 November	16 December	2014 20 January	17 February	17 March	14 April
Notes of key Cabinet Decisions/Action Points	Notes of key Cabinet Decisions/Action Points	Notes of key Cabinet Decisions/Action Points	Notes of key Cabinet Decisions/Action Points	Notes of key Cabinet Decisions/Action Points	Notes of key Cabinet Decisions/Action Points	Notes of key Cabinet Decisions/Action Points	Notes of key Cabinet Decisions/Action Points	Notes of key Cabinet Decisions/Action Points	Notes of key Cabinet Decisions/Action Points	Notes of key Cabinet Decisions/Action Points
Cabinet Forward Plan	Cabinet Forward Plan	Cabinet Forward Plan	Cabinet Forward Plan	Cabinet Forward Plan	Cabinet Forward Plan	Cabinet Forward Plan	Cabinet Forward Plan	Cabinet Forward Plan	Cabinet Forward Plan	Cabinet Forward Plan
Flooding – West Somerset Councils Role and Responsibilities	Economic Regeneration and Tourism Update	Impact of Welfare Reform on the Benefits and Fraud Services (follow up report from 2012/13 Task & Finish Grp recommendation)	Waste Partnership Update – Report from SWP Director	Joint Mgt & Shared Services Project Business Case	Report on Success of Implementation of Policy for Charging for Pre App Planning Advice	HPC Posts	Financial Standing and MTFP 2014/15 – 2016/17	Corporate Performance & Budget Monitoring 2012-13 – Quarter 3		Update on Family Focus Project
Service Plan Monitoring – Qtr 4 Outturn	Corporate Performance & Budget Monitoring – 2012/13 Outturn	Corporate Performance & Budget Report – Quarter 1 2013/14		Joint Management Structure	Corporate Performance Monitoring 2013/14 - Quarter 2	Section 106 & Planning Obs Review – Recommendations following attendance at POG	Corporate Plan & Service Plans – 2014-2015	Community Safety – Report from the Local Inspector and Community Safety Officer on Local Police Issues		Annual Report from Minehead EYE
	Devolution Update	Somerset Flooding Summit – Draft Final Report		Creating a Shared Workforce and Transitional Redundancy Policy	Report on Car Parking Arrangements -Analysis of Car Park Income and Charges/Permits/Estates	Asset Management Review – Progress Report	Update on Minehead Event Group			
Asset Management Review – Nomination of Members to Task & Finish Group	Cabinet Response to Reports if Scrutiny - Update	Cabinet Response to Scrutiny Recommendations: Section 106 & Planning Obligations		Proposed Governance Arrangements	GP – Out of Hours Service – Update from Somerset CCG					
	Scrutiny Recommendations – Reporting Process			MTFP – Council Tax Support Grant to Parishes	MTFP – Savings Options					
					Financial Monitoring 2013/14 – Quarter 2					
Scrutiny Committee Workplan Review	Scrutiny Committee Workplan Review	Scrutiny Committee Workplan Review	Scrutiny Committee Workplan Review	Scrutiny Committee Workplan Review	Scrutiny Committee Workplan Review	Scrutiny Committee Workplan Review	Scrutiny Committee Workplan Review	Scrutiny Committee Workplan Review	Scrutiny Committee Workplan Review	Scrutiny Committee Workplan Review

Asset Management

Work to be Scheduled

East Quay Project (review post November Council)
Update on Rhynes (January)

Report Number: WSC 158/12
Presented by: Adrian Dyer, Executive Director (Interim)
Author of the Report: Adrian Dyer, Executive Director (Interim)
Contact Details:
 Tel. No. Direct Line 01984 635212
 Email: adyer@westsomerset.gov.uk

Report to a Meeting of: Scrutiny Committee
To be Held on: 16th December 2013
Date Entered on Executive Forward Plan N/A
Or Agreement for Urgency Granted:

HINKLEY POINT C PROJECT – RESOURCE UPDATE

1. PURPOSE OF REPORT

- 1.1 On 25th January 2012 Council approved the allocation of funds from the Hinkley Point C Site Preparation Works (SPW) s106 Agreement, part of which related to the recruitment of various members of staff to fill stipulated positions. The purpose of this report is to provide members with an update on the re-allocation of these funds, as agreed with EDF Energy, to mitigate the impact of the on-going delay being encountered in work to deliver the project.

2. CONTRIBUTION TO CORPORATE PRIORITIES

- 2.1 The extension of staffing capacity referred to in this report will, once work on the project recommences in earnest, be crucial in enabling the delivery of a number of objectives under the 'New Nuclear Development at Hinkley Point' corporate priority. These include in particular: -

4. *The economic opportunities that arise from the development and associated activities are maximised*
5. *The availability of housing supply within West Somerset is increased to mitigate the extra demands linked to Hinkley Point workers*
6. *The development at Hinkley Point is carried out in accordance with the approved plans and ensuring that the Council actively monitors the development and responds to any complaints received in a timely and sound manner.*
7. *The effects on the environment by working with partners to positively respond to opportunities to enhance the environment in the affected communities using secured funding within section 106 agreements are mitigated.*

3. RECOMMENDATIONS

- 3.1 It is recommended that Scrutiny Committee note the actions that have been taken and those proposed in order to maintain the Councils readiness to respond in an appropriate timely manner to mitigate the impacts that a recommencement of work on the development

will have on local communities whilst continuing to meet the high level of expectations from EDF Energy and Central Government.

4. **RISK ASSESSMENT (IF APPLICABLE)**

There are no risks directly associated with the recommendation in this report. However, it is considered that an assessment of the future potential risks surrounding the employment of staff in relation to the immediate delivery of the project would be beneficial

Risk Matrix

Description	Likelihood	Impact	Overall
Risk – That the Council does not have in place the necessary resources to fulfil its obligations under the s106 Agreement, including the Service Level Agreement (SLA)	Almost Certain (5)	Major (4)	Very High (20)
<i>Mitigation – To prioritise service delivery areas where mitigation has a long lead in time and is therefore a priority. To focus resources in these areas.</i>	Possible (3)	Major (4)	Medium (12)
Risk – That retaining the necessary resources has an unacceptable adverse impact on the Councils finances.	Possible (3)	Major (4)	Medium (12)
<i>Mitigation – Maintain an open dialogue with the provider (EDF Energy) of the resources referred to above and report any significant issues to members.</i>	Unlikely (2)	Major (4)	Medium (8)
Risk – The inability to recruit suitably experienced staff into vacant positions that have arisen.	Likely (4)	Major (4)	High (16)
<i>Mitigation – Negotiate with EDF Energy to ensure that available existing s106 funds are utilised in a way that maximises the employment opportunities of existing staff.</i>	Possible (3)	Major (4)	Medium (12)
Risk – That the inability to recruit the staff referred to above results in the necessity to employ consultants in order to meet s106 obligations the cost of which exceeds the level of contributions received resulting on an impact on the Councils finances	Likely (4)	Major (4)	High (16)
<i>Mitigation – Negotiate with EDF Energy to ensure that available existing s106 funds are utilised in a way that maximises the employment opportunities of existing staff.</i>	Possible (3)	Major (4)	Medium (12)
Risk – There is a reputational risk that would arise should the Council find itself in a position whereby resources are not available to mitigate impacts on its local communities.	Almost Certain (5)	Major (4)	Very High (20)
<i>Mitigation – (see above)</i>	Possible (3)	Major (4)	Medium (12)

The scoring of the risks identified in the above table has been based on the scoring matrix. Each risk has been assessed and scored both before the mitigation measures have been actioned and after they have.

5. **BACKGROUND INFORMATION**

- 5.1 At a meeting held on 25th January 2012 Council considered a report on the details contained within the Hinkley Point C Site Preparations Works Section 106 Agreement, including the allocation of monies. Two of the resolutions, as detailed below, specifically referred to monies allocated for the funding of new posts

“RESOLVED (6) that, subject to resolution (1) above, the allocation of monies set out in Table 8, of the report, to create new posts, be approved and that the content of paragraph 5.3 and 5.4, of the report, relating to recruitment is noted.

RESOLVED (8) that, subject to resolution (1) above, it be noted that Cabinet approved the release of £10,000 of the £525,687 of the first Service Level Agreement payment to West Somerset Council (item j of Table 8, of the report) to start the recruitment processes for some of the posts outlined above, in Tables 8 and 9, of the report - this money will be used for advertisements and initial interview costs.”

- 5.2 Thereafter eleven members of staff were recruited into post during the period April to June 2012 on two year fixed term contracts (table 1). Subsequently, as Phase 1 of the works started, and in accordance with the section 106 agreement contributions were received from EDF Energy during the period February 2012 and April 2013.
- 5.3 These contributions included funding for nine of the eleven posts. Funding for the Tourism Officer and Housing Initiative Implementation Officer was linked to the commencement of Phase 2 of the works which at the time was estimated to be in August 2012.
- 5.4 The level of contribution secured via the SPW Section 106 Agreement was calculated to cover the cost of two years employment, during which time it was anticipated that the Section 106 Agreement in respect of the ‘Development Consent Order’ (DCO) would be in place and providing further funding for future employment.

Table 1

Post Designation	Contract end date
Environmental Health Officer	31 st March 2014
Finance Officer	30 th April 2014
Principal Customer Advisor	31 st March 2014
Economic Development Officer	13 th May 2014
Employment & Skills Officer	27 th June 2014
Major Projects Senior Planning Officer	27 th May 2014
Major Projects Planning Officer	30 th April 2014
Major Projects Manager	13 th May 2014
Community Development Officer	17 th June 2014
Housing Initiatives Implementation Officer	24 th June 2014
Tourism Officer	7 th May 2014

- 5.5 However, for reasons that are well documented the commencement of Phase 2 work has been delayed to the point where significant work is not now expected to restart until at best in late summer / early autumn next year, by which time the last of the two year appointments would have ceased. The implication being that staff would have been made redundant only for a new recruitment exercise to be undertaken as and when Phase 2 of the Site Preparation Works or the Main DCO works commenced. Potentially the lead in time for recruitment would result in critical early work and opportunities to be lost in the early days of the restart. There is also a significant risk that recruitment would prove difficult and that even if successful candidates would not be of the same high calibre or have the same experience as those currently in post. The following paragraphs detail the chain of events that have led to the current position, a summary of which is included at **Appendix ‘A’**
- 5.6 The risk of this happening became more of a reality to the local authorities involved and EDF Energy earlier this year and resulted in a joint meeting taking place in May to discuss the likelihood of the delay being protracted and if so the subsequent impact and whether there were any mitigation measures that could be agreed and implemented.
- 5.7 From this meeting there was mutual agreement on the following points: -
- i. There was a need to align resources to support the delivery of agreed packages of mitigation, particularly where there is a longer lead in time, for example in the areas

of economic development, skills training and education. It was also agreed to continue work to discharge planning conditions and requirements.

- ii. Pending a date for the remobilisation of construction, and the linked further release of funds from EDF Energy there was a need to keep work activity under close review.
- iii. There was likely to be an under spend across those posts funded through the 'Service Level Agreement'.
- iv. Recognition from EDF Energy that there is a risk over the longer term that a gap in funding may emerge where work is required prior to receipt of further funds under s106 agreements.
- v. Acceptance that at the current time (May 2013) it was not possible to estimate a date for remobilisation and that a further meeting should take place in September 2013 when it may be possible to provide more certainty.
- vi. Confirmation from EDF Energy that if it becomes apparent that Councils do not have sufficient funds to fulfil the commitments made in the s 106 agreements or DCO they would consider options to identify an appropriate course of action. This may include the potential bringing forward s106 funds prior to the due date.
- vii. EDF Energy were not in a position to commit to further resources for local councils before the 'Final Investment Decision (FID) by its Board.

5.8 Actions taken by West Somerset Council following this meeting included: -

- a) To seek agreement (subsequently granted) from EDF Energy not to fill the vacant post of Major Projects Planning Officer.

5.9 A further joint meeting took place on 10th September 2013 where EDF confirmed that there was no further clarity regarding a possible date for remobilisation and consequently it was agreed that: -

- a) To cease EDF Energy contributions with effect from (wef) 1st June 2013 towards the cost of employing the Principal Customer Advisor.
- b) To cease EDF Energy contributions wef 1st December 2013 towards the cost of employing the Environmental Health Officer.
- c) To cease EDF Energy contributions wef 1st April 2012 towards the cost of employing a temporary Deputy Planning Manager as a backfill for the Planning Manager.
- d) To cease EDF Energy contributions wef 1st April 2013 towards the cost of employing the Planning Manager, Chief Executive, and Corporate Manager (Housing & Well Being)
- e) To cease EDF Energy contributions wef 1st June 2013 towards the cost of employing the Community Liaison Manager
- f) To cease EDF Energy contributions wef 1st November 2013 towards the cost of employing the Planning and Regeneration Support Officer
- g) To cease EDF Energy contributions wef 1st April 2013 towards the overall cost of the Community Safety Service.
- h) To prioritise current funding towards retaining employment in the areas of skills & training, economic development, planning and finance.

5.9.1 Although funding had ceased for the Principal Customer Advisor it was considered important that the supervisory roles and responsibilities attached to the post continued and the post therefore remained as part of the establishment. It is now recognised that this is

required to be a permanent position and it is therefore intended to re-designate the substantive post from Customer Advisor to that of Principal Customer Advisor. In accordance with Job Evaluation principles the salary grade will reflect the new supervisory roles and responsibilities. It is therefore intended to return the post holder to this new substantive post wef 1st February 2014.

- 5.10 Following this meeting a detailed and fully costed proposal was drafted and discussed informally with Cabinet that included implementing a number of compulsory redundancies whilst retaining services to EDF Energy in the areas referred to in paragraph 5.9(h) above. However, it soon became clear that an agreement on 'Strike Price' between the Government and EDF Energy was imminent which if it happened would make a remobilisation of the EDF Energy workforce later in 2014 more of a reality than had previously thought to have been the case.
- 5.11 With this in mind the objective of the proposal was changed to one that retained the services of the maximum number of the 'Hinkley Team' for as long as possible whilst at the same time ensuring that there was no overall adverse impact on the Councils base budget or reserves. In achieving this it was recognised that there would be no additional funding from EDF Energy (see 5.7 vii) and that any proposal would require their approval prior to implementation as it would potentially involve utilising funding differently from as first envisaged. This revised objective was predicated on the basis of not wanting to dismantle what was generally conceived to be a high performing team of people only to try and reconstruct it sometime in what was now considered to be the near future.
- 5.12 Accordingly a meeting with EDF Energy took place on 8th October 2013 where the objective and details of the proposal were explained. Although there was agreement on the objective of the proposal there was some doubt concerning the legality of funding Phase 2 posts (Tourism & Housing) from contributions received under Phase 1 of the Site Preparation Works. There was also uncertainty surrounding a proposal that EDF Energy continue to part fund the post of Environmental Health Officer. Consequently EDF Energy decided the best approach was from them to defer giving an opinion until they had examined the detail of the proposal.
- 5.13 The announcement of an agreement between the Government and EDF Energy on the Strike Price was subsequently made on 21st October 2013.
- 5.14 A further follow-up meeting with EDF Energy took place on 24th October 2013 following which written confirmation was received stating that EDF Energy were in agreement with what was being proposed and that their contributions under Phase 1 of the project could be used to: -
- a) Extend the period of employment of the following posts until 31st December 2014
 - o Major Projects Planning Officer
 - o Major Projects Manager
 - o Finance Officer
 - o Economic Development Officer
 - o Employment & Skills Officer
 - b) Fund the cost of temporarily increasing the salary grade of the Environmental Health Technician post to that of Environmental Health Officer
- 5.14.1 There was also acceptance that the following posts could be frozen until there is greater clarity on remobilisation
- o Major Projects Senior Planning Officer
 - o Community Development Officer
 - o Principal Customer Advisor
 - o Planning Support Officer*

* A small element of this post was funded through the SPW s106 but is completely funded in the DCO s106

5.14.2 There was also confirmation by omission that as had previously been suggested it would not be appropriate for posts required on commencement of Phase 2 of the Site Preparation Works to be funded from Phase 1 contributions. This meant that contrary to the current budget the cost of employing the Tourism Officer and Housing Initiatives Implementation Officer would have to be met by the Council. Nevertheless following informal discussions with Cabinet it was agreed that in order to maintain the Council's ability to mitigate the future impacts from the project the current experienced post holders should be retained providing there is no impact on the Council's base budget or current level of Reserves. Consequently it was agreed that both post holders should be retained until the end of their existing contracts as stated in table 1 above and the position then reviewed. The financial implications of this course of action are dealt with in paragraph 6.3 below.

5.14.3 The letter of confirmation from EDF also contained the following comment: -

"As you are aware maintaining tight cost control is central to our ability to deliver the nuclear new build project and I am grateful to West Somerset Officers for their constructive and pragmatic approach taken to focussing on core planning activities and your dealings with progressing planning submissions."

6. FINANCIAL/RESOURCE IMPLICATIONS

6.1 In an attempt to provide some clarity the financial implications have been broken down into three distinct elements. Those relating to the nine posts funded under Phase 1 of the SPW s106 Agreement, the two posts that should be funded under Phase 2 and those existing WSC posts that were temporarily part funded.

6.2 Posts funded under Phase 1 of the Development (9)

Funding of the **five** posts referred to in paragraph 5.14 (a) and the part funding of **one** post referred to in paragraph 5.14 (b) above will be, with EDF Energy's agreement, from savings within the s106 agreement. Part of these savings will be achieved by not recruiting into **two** vacant posts

The additional cost arising from the changes to the **one** substantive post of Customer Advisor described in paragraph 5.9.1 will be funded from savings identified within the current salary budget.

6.3 Phase 2 Posts (2)

It is proposed that these **two** posts (paragraph 5.14.2) will be funded from a reserve earmarked as the 'Hinkley Point C Contingency Reserve' which has been created to fund any necessary but unexpected items of expenditure required prior to remobilisation and the receipt of further s106 funds. Sums will be transferred into this reserve from the General Fund Reserve which, are equal to amounts arising from the recharging of overheads on posts funded through the s106 Agreement.

6.4 Part Funding of Existing WSC Posts

The current base budget contains a provision for contributions from the s106 Agreement towards the cost of providing services as well as salaries totalling £99,739. As is described in paragraph 5.9 (c) to (g) above these contributions have, at the dates stipulated, now all ceased. The impact on the budget has been minimised by the decision not to recruit a replacement Deputy Planning Manager following the recent resignation of the previous post holder. As a result the actual estimated impact on the General Fund is £76,327 in 2013/14 and £38,438 in 2014/15.

The impact of there being no contribution towards the cost of employing a Deputy Planning Manager in 2012/13 will be accounted for in the Contingency Reserve.

This impact on the General Fund Reserve in the current year will be further minimised because of a contribution received from the National Grid of circa £30,000 in lieu of work undertaken by the Council's Planning Manager and the eventual transfer back of the balance held in the Hinkley Point C Contingency Reserve.

7. SECTION 151 OFFICER COMMENTS

- 7.1 The on-going impact of the loss of funding for existing posts has been factored in to the current MTFP (£38,437). The impact in 2013/14 will be covered from general reserves.
- 7.2 Any redundancy costs in respect of the Tourism and Housing posts will, if paid prior to the commencement of Phase 2 of the works, need to be found from general reserves.
- 7.3 The financial implications will be included within the budget setting papers to Scrutiny in January and Cabinet/Council in February.

8. EQUALITY & DIVERSITY IMPLICATIONS

Members need to demonstrate that they have consciously thought about the three aims of the Public Sector Equality Duty as part of the decision making process.

The three aims the authority **must** have due regard for:

- Eliminate discrimination, harassment, victimisation
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

- 8.1 There are no direct implications associated with the recommendations in this report

9. CRIME AND DISORDER IMPLICATIONS

- 9.1 There are no direct implications associated with the recommendations in this report

10. CONSULTATION IMPLICATIONS

- 10.1 The necessary consultations with the Trade Union (UNISON) took place on 27th November 2013. No official feedback has been received. The relevant individual members of staff have been informed of the proposals.

11. ASSET MANAGEMENT IMPLICATIONS

- 11.1 There are no direct implications associated with the recommendations in this report

12. ENVIRONMENTAL IMPACT IMPLICATIONS

- 12.1 There are no direct implications associated with the recommendations in this report

13. LEGAL IMPLICATIONS

- 13.1 There are no direct implications associated with the recommendations in this report

Designation	Contract termination date	Action	Response
Phase 1 Posts (9)			
Principal Customer Advisor	31 Mar. 14	Contributions ceased 1 st June 2013	Post holder returns to substantive post 1 February 2014 which is re-designated to Principal Customer Advisor with a salary grade of WS7.
Environmental Health Officer	31 Mar. 14	Contributions ceased on 1 st December 2013	Post holder returns to substantive post 1 February 2014. Receives monthly honorarium funded by EDF until 31 December 2014
Major Projects Planning Officer	30 Apr. 14	Agreed priority area for service retention	Extend employment until maximum 31 December 2014
Major Projects Manager	13 May 14	Agreed priority area for service retention	Extend employment until maximum 31 December 2014
Major Projects Senior Planning Officer	27 May 14	(Vacant Post)	Post frozen
Community Development Officer	17 Jun. 14	(Vacant Post)	Post frozen
Finance Officer	30 Apr. 14	Agreed priority area for service retention	Extend employment until maximum 31 December 2014
Economic Development Officer	13 May 14	Agreed priority area for service retention	Extend employment until maximum 31 December 2014
Employment & Skills Officer	27 Jun. 14	Agreed priority area for service retention	Extend employment until maximum 31 December 2014
Phase 2 Posts (2)			
Tourism Officer	7 May 14	Phase 2 – No contributions	Retain post holder until end of contract and review
Housing Initiatives Implementation Officer	24 Jun. 14	Phase 2 – No contributions	Retain post holder until end of contract and review
Existing WSC Posts			
Planning & Regeneration Support Officer	N/A	Contribution ceased 1 November 2013	None
Housing Officer	22 Jul. 14	Contribution ceased 1 April 2013	Retain post holder until end of contract and review
Deputy Planning Manager	N/A	Contribution ceased 1 April 2012	Post frozen
Chief Executive, Planning Manager, Corporate Manager (Housing & Wellbeing)	N/A	Contribution ceased 1 April 2013	N/A
Community Liaison Manager	N/A	Contribution ceased 1 June 2013	N/A
Community Safety	N/A	Contribution ceased 1 April 2013	N/A

Report Number: WSC 166/13
Presented by: Sam Rawle, Scrutiny & Performance Officer
Author of the Report: Sam Rawle, Scrutiny & Performance Officer
Contact Details:
 Tel. No. Direct Line 01984 635223
 Email: sjrawle@westsomerset.gov.uk

Report to a Meeting of: SCRUTINY COMMITTEE
To be Held on: 16th December 2013
Date Entered on Executive Forward Plan Or Agreement for Urgency Granted: Not applicable

SECTION 106 & PLANNING OBLIGATIONS TASK & FINISH GROUP – RECOMMENDATIONS FOLLOWING ATTENDANCE AT PLANNING OBLIGATIONS GROUP

1. PURPOSE OF REPORT

- 1.1 To report to Members of Scrutiny Committee, observations by the Members of the Task & Finish Group following their attendance at the September meeting of the Planning Obligations Group.

2. CONTRIBUTION TO CORPORATE PRIORITIES

- 2.1 The work of the Scrutiny Committee contributes towards the Local Democracy priority by providing local accountability and critical friend challenge to Cabinet.

3. RECOMMENDATIONS

- 3.1 Scrutiny Committee are requested to consider the observations from the Task & Finish Group following their attendance at the September Planning Obligations Group.
- 3.2 When considering project applications and the allocation of funding, consideration is given to as wide a range of project applications as is appropriate within the scope of the Section 106 agreement.
- 3.3 It is noted that the Portfolio Holder for Resources and Central Support attends the meeting as any subsequent reports are in her name, it is recommended that consideration is given to the Shadow Portfolio Holder also attending on a similar basis to ensure political balance and obviate the potential for the perception of any undue influence on the process by any individual Member.

4. **RISK ASSESSMENT (IF APPLICABLE)**

Risk Matrix

Description	Likelihood	Impact	Overall
There are no risks associated with the recommendations in this report			

The scoring of the risks identified in the above table has been based on the scoring matrix. Each risk has been assessed and scored both before the mitigation measures have been actioned and after they have.

5. **BACKGROUND INFORMATION**

- 5.1 On 22nd April, 2013, Scrutiny Committee received a report by Members of the Section 106 and Planning Obligations Task & Finish Group, concerning the review of the Section 106 and Planning Obligations process.

One of the recommendations concerned the attendance of the Task & Finish Group Members at a meeting of the Planning Obligations Group with Members reporting back their observations to Scrutiny Committee.

RESOLVED (10) that consideration be given to any observations reported to Scrutiny Committee by members of the Task & Finish Group following their attendance at the June meeting of Planning Obligations Group.

- 5.3.1 At their meeting of the 5th June, 2013 Cabinet adopted the recommendation with the amendment that the Task & Finish Group members attend a one off meeting of the Planning Obligations Group.

Because of prior commitments, not all Task & Finish Group members were able to attend the June meeting so instead attended the 2nd September meeting of the Planning Obligations Group.

5.3.2 **Reasons for Recommendations**

5.3.3

Scrutiny Recommendation: When considering project applications and the allocation of funding, consideration is given to as wide a range of project applications as is appropriate within the scope of the Section 106 agreement.

Reason for Recommendation: The Task and Finish Group Members were of the opinion that the POG in their deliberations could give greater consideration to the allocation of funding across a wider range of project applications. Task and Finish Group Members acknowledge that funding applications need to have a business case that meets the terms of the Section 106 agreement and would like to ensure that funding opportunities for projects are maximised as far as possible.

5.3.4

Scrutiny Recommendation: It is noted that the Portfolio Holder for Resources and Central Support attends the meeting as any subsequent reports are in her name, it is recommended that consideration is given to the Shadow Portfolio Holder also attending on a similar basis to ensure political balance and obviate the potential for the perception of any undue influence on the process by any individual Member.

Reason for Recommendation: The Task & Finish Group Members were of the opinion that the attendance of the Shadow Portfolio Holder would provide political balance to the procedure and eliminate perceptions of undue influence.

6. FINANCIAL/RESOURCE IMPLICATIONS

6.1 None specifically respect of this report.

7. SECTION 151 OFFICER COMMENTS

7.1 None in respect of this report.

8. EQUALITY & DIVERSITY IMPLICATIONS

Members need to demonstrate that they have consciously thought about the three aims of the Public Sector Equality Duty as part of the decision making process.

The three aims the authority **must** have due regard for:

- Eliminate discrimination, harassment, victimisation
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

8.1 None specifically in respect of this report.

9. CRIME AND DISORDER IMPLICATIONS

9.1 None specifically in respect of this report

10. CONSULTATION IMPLICATIONS

10.1 None specifically in respect of this report.

11. ASSET MANAGEMENT IMPLICATIONS

11.1 None specifically in respect of this report.

12. ENVIRONMENTAL IMPACT IMPLICATIONS

12.1 None specifically in respect of this report

13. LEGAL IMPLICATIONS

13.1 None specifically in respect of this report.

Report Number: WSC 167/13
Presented by: Sam Rawle, Scrutiny & Performance Officer
Author of the Report: Sam Rawle, Scrutiny & Performance Officer
Contact Details:

Tel. No. Direct Line 01984 635223
Email: sjrawle@westsomerset.gov.uk

Report to a Meeting of: SCRUTINY COMMITTEE
To be Held on: 16th December 2013
Date Entered on Executive Forward Plan Or Agreement for Urgency Granted: Not applicable

ASSET MANAGEMENT REVIEW – PROGRESS REPORT

1. PURPOSE OF REPORT

1.1 To update the Scrutiny Committee on the progress of the review of Asset Management.

2. CONTRIBUTION TO CORPORATE PRIORITIES

2.1 The work of the Scrutiny Committee contributes towards the Local Democracy priority by providing local accountability and critical friend challenge to Cabinet.

3. RECOMMENDATIONS

3.1 To note the progress made by the Task and Finish Group on the review of asset management.

4. RISK ASSESSMENT (IF APPLICABLE)

Risk Matrix

Description	Likelihood	Impact	Overall
There are no risks associated with the recommendations in this report			

The scoring of the risks identified in the above table has been based on the scoring matrix. Each risk has been assessed and scored both before the mitigation measures have been actioned and after they have.

5. BACKGROUND INFORMATION

- 5.1 At its meeting of the 20th May, 2013 the Scrutiny Committee agreed to the formation of a Task and Finish Group to review the Council's approach to Asset Management.
- 5.3.1 The objective of the review is to investigate the Council's approach to asset management and to make recommendations to ensure that the Council's assets are managed effectively and deliver value for money.
- 5.3.2 The membership of the Task and Finish Group are:-
- Cllr P Grierson
Cllr M Dewdney
Cllr R Lillis
Cllr P Murphy
- 5.3.2 To date the Task and Finish Group have met on three occasions. They have analysed the Council's asset database and have held in depth conversations with the Group Manager for Environment and the Interim Executive Director to understand the Council's approach to managing its portfolio of assets.
- 5.3.3 A major influence to this review is the Council's continuing financial pressures and significant budget gap. This has focused the Task and Finish Group on developing outcomes aimed at minimising financial liabilities and increasing income generation. The Task and Finish Group are also mindful of the devolution and delegation strategy which the Council has developed and the on-going approach in creating a dialogue with parish and town councils to seek opportunities of the transfer of assets where the relevant criteria is met and the outcome will be a benefit to local communities.
- 5.3.4 The Task and Finish Group intend to have a final meeting with the relevant portfolio holder before submitting their final report and recommendations to the Scrutiny Committee. It is envisaged that the final report will be presented to the January 2014 meeting of the Committee.

6. FINANCIAL/RESOURCE IMPLICATIONS

- 6.1 None specifically respect of this report.

7. SECTION 151 OFFICER COMMENTS

- 7.1 None in respect of this report.

8. EQUALITY & DIVERSITY IMPLICATIONS

Members need to demonstrate that they have consciously thought about the three aims of the Public Sector Equality Duty as part of the decision making process.

The three aims the authority **must** have due regard for:

- Eliminate discrimination, harassment, victimisation
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

- 8.1 None specifically in respect of this report.

9. CRIME AND DISORDER IMPLICATIONS

9.1 None specifically in respect of this report

10. CONSULTATION IMPLICATIONS

10.1 None specifically in respect of this report.

11. ASSET MANAGEMENT IMPLICATIONS

11.1 There are no implications at this stage of the review.

12. ENVIRONMENTAL IMPACT IMPLICATIONS

12.1 None specifically in respect of this report

13. LEGAL IMPLICATIONS

13.1 None specifically in respect of this report.