

To:

Members of Scrutiny Committee

(Councillors P H Murphy (Chairman), R Lillis (Vice Chairman), D Archer, A Behan, R Clifford, G S Dowding, 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 13 April 2016

**THE PRESS AND PUBLIC ARE WELCOME TO ATTEND THE MEETING
THIS DOCUMENT CAN BE MADE AVAILABLE IN LARGE PRINT, BRAILLE, TAPE FORMAT
OR IN OTHER LANGUAGES ON REQUEST**

Dear Councillor

I hereby give you notice to attend the following meeting:

SCRUTINY COMMITTEE

Date: Thursday 21 April 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

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

Meeting to be held on Thursday 21 April 2016 at 3.30 pm

Council Chamber, Williton

AGENDA

1. Apologies for Absence

2. Minutes

Minutes of the Scrutiny Committee held on 10 March 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 6 April, 2016.

6. Cabinet Forward Plan

To review the latest Cabinet Forward Plan for the months of November onwards, published on 6 April 2016.

7. Chairman's Announcements.

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

8. Asset Management Update.

To consider Report No. WSC 60/16 to be presented by Tim Child

The purpose of the report is to provide an update on, the new Asset Management Group Terms of Reference, the new operational procedure for dealing with recovery of costs when dealing with low value agreements and Land and Property assets Health & Safety statutory compliance works.

With the agreement of the Chairmen of both Committees WSC Audit Committee have been invited to attend this meeting and participate in the discussion of this item.

13. 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 10th March 2016 at 3.30 pm

Present:

Councillor P H MurphyChairman

Councillor G S Dowding
Councillor J Parbrook

Councillor R Clifford
Councillor B Maitland-Walker
Councillor R Woods

Members in Attendance:

Councillor M Dewdney
Councillor A Trollope-Bellew

Councillor M Chilcott
Councillor B Heywood

Officers in Attendance:

Assistant Chief Executive and Monitoring Officer – (B Lang)
Chris Hall – Assistant Director
Tim Childs – Asset Manager
Adrian Priest – Principle Estates Surveyor
Democratic Services Coordinator (E McGuinness)
Democratic Services Officer - Scrutiny (M Prouse)

Also in Attendance:

David Wilson – Operations Manager – SWAST
Paul Cleeland-Smith – Staff Officer to Director of Operations - SWAST

SC159 Apologies for Absence

Apologies for absence were received from Councillors R Lillis and D Archer.
Councillor Karen Mills also submitted her apologies.

SC160 Appointment of Vice Chair

In the absence of the Cllr Richard Lillis, the Chairman asked for nominations from the members present for a vice chair for this meeting. Cllr Brenda

Maitland-Walker was nominated and seconded and was duly appointed as Vice Chair for the purpose of this meeting.

SC161 Minutes

(Minutes of the Meeting of the Scrutiny Committee held on 11 February 2016 – circulated with the Agenda.)

RESOLVED that the Minutes of the Scrutiny Committee held on 11 February 2016 be confirmed as a correct record.

SC162 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

SC163 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 2 March 2016, be noted.

SC164 Cabinet Forward Plan

(Copy of the Cabinet Forward Plan published 2 March 2016, circulated at the meeting)

RESOLVED that the Cabinet Forward Plan published on 2 March 2016, be noted.

SC165 Chairman's announcements

The Democratic Services Co-coordinator drew members' attention to the questionnaire which had recently been circulated to all members. She informed members that this exercise had been initiated in line with best practice to keep democratic practices and processes up to date. It was reported that

questionnaire responses would be analysed and a report would subsequently be prepared for members.

SC166 Update from South Western Ambulance Service Trust

David Wilson – Operations Manager SWAST and Paul Cleeland-Smith – Staff Officer to Director of Operations – SWAST attended at the request of the Scrutiny Committee.

SWAST had previously attended West Somerset Council's Scrutiny Committee in November 2015 – at that meeting they requested more time to respond to the following specific questions relating to SWAST response times within West Somerset:

- Over the past 12 months, how many calls from West Somerset have been responded to by ambulances leaving from within the West Somerset area?
- Over the past 12 months, how many response times to calls from West Somerset have exceeded 45 minutes within each of your response categories?
- Are you able to provide any data that shows where Minehead ambulances physically were when West Somerset response times have exceeded 45 minutes and crews from as far away as South Molton have attended?
- How long, on average, does it take for back up to arrive to support Rapid Response Vehicle crews within the West Somerset area?

The SWAST representatives provided members of the committee with a written response to their questions, a copy of which is attached to these minutes at Appendix A.

During discussion, the following points were raised:

- The SWAST Officers were thanked for producing the briefing note in response to the questions previously raised by members. The Chair commented that it would have been preferable to have had this information further in advance of the meeting to allow more detailed consideration.
- Some members were disappointed that the data for Question 1 could not be provided, - and that the main concern of the Scrutiny Committee that there is a perceived difference in service between rural West Somerset and the more urban areas of the operational area had not been adequately addressed.
- David Wilson from SWAST was able to categorically state that any Ambulances do not sign in at Minehead to be routinely sent to Taunton and Bridgwater.
- Paul Cleeland-Smith from SWAST emphasized that it was about maximizing resources to give the best possible cover.
- There were points raised about dispatch points in the area, with David Wilson able to state that Williton, Minehead and Watchet were

designated dispatch sites, with Community First Responders located across the district.

- David Wilson assured Members that the figures presented to Members were the result of a data trawl for the specific area of West Somerset.
- Members commented that it appeared that through the status plan more resources are likely to be allocated to urban areas with more population.
- David Wilson stated that the geography of West Somerset, on particularly busy days the response times of West Somerset could suffer.
- Paul Cleeland-Smith said the biggest issue in terms of time lost is in handover delays, which costs 457 hours in the last quarter and in the SW Area 100 odd hours could be lost in a day.
- It was also emphasized that SWAST is under severe pressure with demand up year on year, so the Chief Exec of SWAST has written to the Lead Commissioner as they are struggling to meet targets.
- Members queried whether Minehead could be seen as an urban area.
- Clarification was sought by Members around the red response categories of A and A8 and as to why Minehead South figures were a lot poorer than the rest of Minehead?
- SWAST was unable to explain this discrepancy without further considerable analysis of the data sets.
- Members sought clarification as to whether the arrival of a Community First Responder in scene counted towards response time targets. SWAST confirmed that the attendance of a person equipped with a Defibrillator did represent a clinical response.
- Training members of the public was recognized as important, Cllr Dowding is a first responder and recommended that it is a worthy scheme and encouraged anyone to sign up if interested.
- SWAST confirmed that despite a national shortage of paramedics, this area is fully staffed, with absenteeism low
- Members were informed that SWAST is one of the top trusts in the country but also one of the leanest.

Resolved that:-

- The Scrutiny Committee would continue to support SWAST and thank them for contributing so positively to the West Somerset Scrutiny Process
- Continue to monitor the views of West Somerset Residents in relation to West Somerset Response times.
- Consider promoting an increase in the number of Community First Responders within the district.

SC167 Update on Car Parking Matters

The February Scrutiny Committee considered two reports relating to car park income. During discussion, members sought clarification on how car parking income can be utilised by the Council. Chris Hall – Assistant Director attended this meeting to update members on the following points:

- WSC receive no income from on-street parking and have no responsibility for its enforcement. On-street parking income is covered by the Road Traffic Regulation Act 1984, part 4 section 55.
- SCC's income for on-street parking can be spent on:
 - Service provision
 - To pay back into the general fund any deficits in the parking income from previous years
 - Other related infrastructure or transport improvements, including contributions to off-street parking
- Off-street parking on public land is the responsibility of WSC who have the powers of enforcement and setting of fees and charges. Income received by this authority from parking (excluding that from penalty charge notices) can be used for:
 - Service provision
 - To pay back into the general fund any deficits in the parking income from previous years
 - To support other Council policies.
- It is important to note that whilst consequential surpluses can be used on things other than parking the Council must not set its fees with the intention of making a surplus.
- Income from penalty charge notices (PCN's) must be used in the same way as on-street parking income regardless of their issue for on or off street offences.
- Members were advised that there must be no deliberate act to increase fees and charges with the intention of creating a surplus, but should any surplus be achieved without intent it would be legitimate for the Council to spend this money on other services.

During discussion, the following points were raised:

- Chris Hall would be providing an update for all councillors as requested.

Resolved: That the advice of the Assistant Director be noted.

SC168 Freehold Transfer of land a Mill Street Watchet

Councillor Mandy Chilcott – Lead Member Resources presented this item.

The Town Council's request to take ownership of the land was considered and supported by the Asset Management Group on 19th August 2015. It was recommended that the freehold of the land was transferred at a nominal consideration.

Resolved that the Scrutiny committee support the recommendation that the Cabinet approve:

- The freehold transfer of an area of land at Mill Street Watchet for a nominal £1 consideration.
- All other terms and conditions of the transfer to be agreed by the Assistant Director for Property and Development in association with the Lead Member.

SC169 Community Asset Transfer Policy

Councillor Mandy Chilcott – Lead Member for Resources presented this report.

The Community Asset Transfer Policy was first drafted in July 2014 and was sent out for an initial community consultation. Following the response to that consultation, it was agreed to comprehensively reassess the draft policy to take into account the issues raised. The policy now before members addresses issues previously raised. The policy reflects national best practice as well as meeting local requirements.

Members were informed that 143 consultees were contacted via mail alerting them to the consultation hosted on the Council's website – the response rate was 8.4%.

During discussion the following points were raised:

- Members were informed that whilst future asset transfers may well have financial implications, there were none associated directly with this report.
- Members were informed that SHAPE refers to the shared legal partnership of which West Somerset is a member.
- Members commented that the second iteration of the policy is much improved and thanked officers for their efforts.
- Members requested that any reference to Ward Councillor should be amended to reflect that some wards have more than one West Somerset Councillor.
- Members also requested that the policy makes it clear that applicants should contact their West Somerset Councillor as part of the process as opposed to Parish Councillors. It was suggested that the policy should contain a link to the Councillor details on the WSC website.

Resolved:

That Scrutiny Committee supported the adoption of the Community Asset Transfer Policy and the Initial Expression of Interest Form.

RESOLVED that the press and the public be excluded during consideration of SC170 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:

SC170 contained information that could release confidential information relating to the financial or business affairs of any particular person (including the

authority holding that information). It was 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.

Proposed by Cllr Murphy Seconded by Cllr Maitland-Walker.

SC170 Freehold Disposal of Barnsclose Industrial Estate – Dulverton

Councillor Mandy Chilcott – Lead Member for Resources and Central Support introduced this item.

During discussion, the following points were made:

- Members sought clarification about the fact that the LEP had taken over the responsibilities previously held by the South West Regional Development Agency.
- Members requested additional clarification on the details of the restricted covenant.

Resolved: That the Scrutiny Committee support the recommendation to the Cabinet that they approve:

- The freehold sale of Barnsclose Industrial Estate by auction subject to a reserve price which is set to be agreed by the Assistant Director for Property and Development in consultation with the Lead Member for Resources and Central Support.
- Should the site not be sold at auction, the Council seek to dispose of the site by alternative methods.

Resolved that the press and public be re-admitted to the meeting.

SC171 Scrutiny Committee Work Plan.

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

The Democratic Services Co-ordinator informed members that the report on future service delivery models of the Somerset Waste Partnership scheduled for the April meeting would be deferred to allow the Board to progress discussions with the contractor.

RESOLVED that the Scrutiny Forward Plan published on 10th March be noted.

The meeting closed at 5.21pm.

MEETING: CABINET

DATE: 6 APRIL 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)	Agreed that the Forward Plan for the month of May 2016 be approved.	Assistant Chief Executive
Empty Homes in West Somerset/Draft Empty Homes Strategy Review (Agenda Item 7)	Agreed (1) that the Draft Empty Homes Strategy be approved. Agreed (2) that a two year extension to the contract for the Empty Homes Coordinator on the basis of 3 days per week (i.e. as existing: 1 day for West Somerset and 2 days for Taunton Deane) funded from the surplus Housing Benefit / Council Tax Reduction Admin Grant be approved.	Strategy and Partnerships Lead Officer
Freehold Transfer of Land at Mill Street, Watchet to Watchet Town Council (Agenda Item 8)	Agreed (1) that it be recommended to Council to approve the freehold transfer of an area of land at Mill Street, Watchet for a nominal £1 consideration. Agreed (2) that it be recommended to Council that all other terms and conditions of the transfer to be agreed by the Assistant Director for Property and Development in association with the Lead Member.	Assistant Estates Officer
Planning Obligations Allocation – Mineral Line Poetry Pin (Agenda Item 9)	Agreed that the allocation of £3,000 to West Somerset Arts Consortium (ARTLife) for the Mineral Line Poetry Pin be agreed.	Assistant Director Planning and Environment
Hinkley Point C S106 Agreement – Allocations of Housing Fund (Agenda Item 10)	Withdrawn	Assistant Director Energy Infrastructure
Community Asset Transfer Policy (Agenda Item 11)	Agreed that the Community Asset Transfer Policy and the Initial Expression of Interest Form be approved.	Asset Manager
Freehold Disposal of Barnsclose Industrial Estate, Dulverton (Confidential) (Agenda Item 13)	Withdrawn	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--6-April-2016.aspx>

Date: 7 April 2016

Weekly version of Cabinet Forward Plan published on 5 April 2016

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/16/5/01 02/09/2015	18 May 2016	Title: Cabinet Appointments on Outside Bodies Decision: to appoint representatives to serve on outside bodies for the period to the Annual Meeting in 2017 (except where specific periods are stated)	No exempt / confidential information anticipated	Bruce Lang, Assistant Chief Executive 01984 635200
FP/16/5/02 02/09/2015	18 May 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/16/5/03 21/01/2016	18 May 2016 By Lead Member for Housing, Health and Wellbeing	Title: Homefinder Somerset Common Allocations Policy Decision: To note the changes to the policy as required by changes in legislation	No exempt / confidential information anticipated	Mark Leeman Strategy & Partnerships Lead 01823 356411
FP/16/5/04 30/03/2016	18 May 2016 By Lead Member Resources & Central Support	Title: Business Rates Write-Off Request Decision: to seek cabinet approval in accordance with the Financial Regulations to authorise individual write offs in excess of £5,000	Contains information that could release confidential information relating to the financial or business affairs of any particular person (including the authority holding that information)	Steve Perkins, Senior Debt Recovery Officer 01984 635247
FP/16/7/01 02/09/2015	13 July 2016 By Lead Member Resources & Central Support	Title: Allocation of Section 106 funds held – Quarter 1 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/16/7/02	13 July 2016	Title: Allocation of Hinkley Point C Community Impact Mitigation Funding	No exempt / confidential information anticipated	Lisa Redston, CIM Fund Manager

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
02/09/2015	By Lead Member Resources & Central Support	Decision: to present the recommendations of the HPC Planning Obligations Board for the allocation of monies from the CIM Fund		01984 635218
FP/16/7/03 9/12/2015	13 July 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/16/7/04 17/02/16	13 July 2016 By Lead Member Resources & Central Support	Title: Revenue and Capital Outturn 2015/16 Decision: to note the financial position and approve transfers to and from reserves and supplementary estimates	No exempt / confidential information anticipated	Paul Fitzgerald, Assistant Director Resources 01823 358680
FP/16/7/06 6/01/2016	13 July 2016 By Lead Member Resources & Central Support	Title: Disposal of Church Street Public Conveniences, Dunster Decision: to recommend to Council to approve the disposal of Church Street Public Conveniences, Dunster	No exempt / confidential information anticipated	Tim Child, Asset Manager 07760260465
FP/16/7/07 02/09/2015	13 July 2016 By Leader of Council	Title: Corporate Performance Report Quarter 4 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/16/7/08 02/09/2015	13 July 2016 By Lead Member Resources & Central Support	Title: Budget Monitoring Report Quarter 4 Decision: to provide Members with details of the Council's expected financial outturn position in 2015/16 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

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/16/7/09 15/03/2016	13 July 2016 By Lead Member Housing, Health and Wellbeing	Title: Homefinder Policy Changes Decision: to provide Members with details of the changes to the Homefinder Policy	No exempt / confidential information anticipated	Mark Leeman Strategy & Partnerships Lead 01823 356411
FP/16/7/10 04/06/2015	13 July 2016 By Lead Member Resources & Central Support	Title: Review of Financial Regulations [FR2] Decision: to recommend to Council to approve updated Financial Regulations	No exempt / confidential information anticipated	Paul Fitzgerald, Assistant Director Resources 01823 358680
FP/16/7/11 17/03/2016	13 July 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/16/9/03 02/09/2015	7 September 2016 By Lead Member Resources & Central Support	Title: Medium Term Financial Plan Update 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: Corporate Performance Report 2016-17 Quarter 1 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: Budget Monitoring Report Quarter 1 Decision: to provide Members with details of the Council's expected financial outturn position in	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
		2016/17 for both revenue and capital budgets, together with information relating to predicted end of year reserve balances		
FP/16/9/07 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/16/11/01 9/12/2015	2 November 2016 By Lead Member Resources & Central Support	Title: Allocation of Section 106 funds held – Quarter 2 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

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/17/1/01 6/01/2016	4 January 2017 By Leader of Council	Title: Corporate Performance Report 2016-17 Quarter 2 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/17/1/02 6/01/2016	4 January 2017 By Lead Member Resources & Central Support	Title: Budget Monitoring Report Quarter 2 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: 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	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: Fees and Charges 2017/18 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, R Lillis, D Archer, G S Dowding, B Maitland-Walker, J Parbrook, R Clifford, R Woods and A Behan.

Report Number:

West Somerset Council

Scrutiny Committee – 21st April 2016

Asset Management Service – Updates

This matter is the responsibility of Cllr Mandy Chilcott, Lead Member for Resources & Central Services

Report Author: Tim Child, Asset Manager

1 Executive Summary / Purpose of the Report

1.1 At Corporate PAG on 16th January 2016 the Committee were updated on:

- The new Asset Management Group Terms of Reference
- The new operational procedure for dealing with recovery of costs when dealing with low value agreements
- Land and Property assets Health & Safety statutory compliance works

1.2 It was requested that Asset Management compile a report to Scrutiny in respect of the above issues.

2 Recommendations

2.1 It is recommended that:-

- The Scrutiny Committee note the:
 - a) Asset Management Group Terms of Reference
 - b) Land and Property assets Health & Safety statutory compliance update

And support the:

- a) Recovery of Costs when dealing with low value agreements – Operational Procedure

3 Risk Assessment

3.1 Not applicable in this instance.

4 Background and Full details of the Report

4.1.1 Asset Management Group Terms of Reference

- 4.1.2 The Asset Management Group (AMG) has existed for many years in a similar form, its current format having been implemented post JMASS. This is a Lead Member briefing attended by others with closely related portfolios and is not a decision making body. Where at an AMG an Executive Decision (non-key decision) is made by the Lead Member for Resources and Central Support, as well as being noted within the minutes, it is recorded on a decision record sheet and circulated to all Councillors as per usual practice and therefore enabling call-in as per process. It is beneficial to have this forum for debating with a wider audience on specific asset management related issues.
- 4.1.3 Member attendance remains as per arrangements pre JMASS. Officer attendance includes Assistant Director – Property & Development (Terry May), Asset Manager (Tim Child), Principal Estates Surveyor (Adrian Priest), Assistant Estates Officer (Rachel Mulcaire) and usually a senior officer within Property Services.
- 4.1.4 Meetings take place typically every 8 weeks and post JMASS have followed a standard agenda, paperwork issued prior to meetings and minutes prepared.
- 4.1.5 To provide greater focus and ensure proper governance of Asset Management related activities, Terms of Reference were agreed by AMG in its meeting of 14th December 2015. As this is a non-decision making group it is not considered necessary to seek wider support, although it was known by AMG Members that this item was to be presented at the 16th January Corporate PAG for information only.
- 4.1.6 The Terms of Reference are as follows:

Terms of Reference for Asset Management Group

1. *Purpose of the Asset Management Group*

- *To provide strategic 'ownership' and provide direction and support to officers in delivering key strategic asset management objectives, as outlined in the Corporate Plan, Asset Strategy and Asset Management Plan*
- *To act as ambassadors for the delivery of Asset Management activities, championing these amongst key stakeholders, and to provide continued commitment and endorsement in support of the Asset Management objectives at WSC committees and other communications events*

2. *Core functions*

To provide a steer on:

- *WSC's strategic direction against which the Asset Management Plan is to deliver and support*
- *Proposed new projects, business cases & initiatives/activities prior to formal approval*
- *Authorising delivery and sign off at closure stage of any projects*
- *To monitor and oversee delivery of The Asset Management Strategy and Plan and related activities to ensure the required outcomes and benefits are realised:*

- *receiving progress update reports on current projects initiatives/activities, and reviewing, commenting on these*
- *reviewing decisions required and making any relevant recommendations for approval by the Council*
- *To ensure good governance of the Asset Strategy, Asset Management Plan and related activities*

3. Membership

Portfolio Holder for: Resources and Central Support

Portfolio Holder for: Regeneration and Economic Growth

Portfolio Holder for: Environment

Portfolio Holder for: Energy Infrastructure

Officers: Representatives from Asset Management and the wider Property & Development team as appropriate

4.2.1 Recovery of Costs when dealing with low value agreements – Operational Procedure

4.2.2 It had become evident to both Officers and AMG Members during 2015 that the AMG were spending considerable time discussing low value transactions and the issue of payment of costs – both the Council’s and third parties. Where the Council incurs costs on a low value transaction (either it’s own or third party costs) the Council is in effect subsidising that 3rd party. This was often an emotive subject and one where for transparency, consistency and general guidance and generally better use of time it was considered beneficial that a procedure be agreed. This was to be prescriptive whilst at the same time to be flexible, reflecting the importance of each and every transaction being considered individually.

4.2.3 On 14th December 2015 at AMG a new procedure was agreed by Lead Member – Resources and Central Support, but on the basis that it would be presented to Corporate PAG for information only on 16th January. At the Corporate PAG a request was made that Scrutiny wanted to consider this matter. As such, following this meeting and taking into consideration the views of the Committee, an Executive Decision (Non Key) will be made, recorded and circulated in usual manner. For the avoidance of doubt this is not considered a new policy, it is an internal guidance document like many others. Ultimately transactions will either be considered a Key Decision and consulted on in the usual manner or Non Key and again consulted on, with the ability for call-ins.

4.2.4 The operational procedure proposed is as follows:

Recovery of Costs when dealing with low value agreements – Operational Procedure

In progressing any freehold, leasehold or licence transactions, the other party will be responsible for paying a reasonable estimate of the Council’s internal costs, estimated at the commencement of a transaction when the receipt is either:-

- a) *Less than best consideration - for social / economic / environmental reasons*
Or
- b) *A capital receipt of less than £5,000 or rental receipt of less than £2,000 per annum*

Any exception to the above will only be permitted in exceptional cases and if approved by Lead Member and where the proposal clearly supports the Council in delivering its strategic aims. In this instance, a 50% contribution would be the norm expected.

The reasonable estimate of costs would be provided at commencement of the transaction, but the Council reserves the right to increase this if through the actions and requests of the other party, estimated costs increase. In such instance the other party will be advised.

A transaction will not be progressed until such time as agreement to pay costs is given, or if deemed appropriate either a formal undertaking given or actual payment.

4.3.1 Compliance Update

4.3.2 The position as at 13th April 2016 is as follows:

ENERGY PERFORMANCE CERTIFICATES

Energy Performance Certificates have been undertaken on a number of buildings that are let by the Council. This included 11 units at Roughmoor Enterprise Centre and 5 other let properties. This work is now complete.

ELECTRICAL CERTIFICATES

Electrical certificates for the majority of the buildings that the District is responsible for have been completed. This has identified some further work to be carried out on some premises and orders have been raised for these works.

The main bulk of the work is now undertaking the testing of the street lights belonging to the Council.

WATER HYGIENE / LEGIONELLA

A tender exercise has been carried out to undertake risk assessments and monthly monitoring of all the WSC sites that require testing. Interserve submitted the lowest price and are to be appointed from the 1st May 2016 to carry out the relevant works.

PROPERTY VISITS

Site Visits have now been completed on all of the WSDC premises to ascertain what other surveys are required. This has included buildings, car parks, shelters, temporary housing properties and various other anomalies. These visits have helped identify what properties require asbestos surveys and fire risk assessments.

ASBESTOS

Further to the above visits, work orders have now been issued to carry out 32 asbestos surveys on properties which are a combination of management surveys and R&D surveys dependent on the property. There will be a handful more to be carried out following completion of the fire risk assessments. These are on hold as the fire risk assessments will advise whether works are required to the building or not. This will then determine which sort of asbestos survey is required.

FIRE RISK ASSESSMENTS

Fire Risk Assessments are to be carried out on a number of buildings and are being undertaken in house.

COMPLIANCE BUDGET 2015/16

Surveys/Assessments Budget:	£94,750.00
Spend To Date (Includes Spend allocated)	£50,940.69
Budget Remaining:	£43,809.31

Urgent Works Budget	£35,000
Spend To Date (Includes Spend allocated)	£7,899.83
Budget Remaining:	£27,100.17

Roll over requests have been submitted to take these budgets forward into 16/17.

5 Links to Corporate Aims / Priorities

- 5.1 To properly manage the Council's land and property asset portfolio, ensure fairness, transparency and consistency, meet regulatory and statutory obligations, mitigate reputational risk, ensure that land and property assets are sustainable, fit for purpose and safe.

6 Finance / Resource Implications

- 6.1 None for purpose of this report.

7 Legal Implications

- 7.1 None for purpose of this report.

8 Environmental Impact Implications

- 8.1 None for purpose of this report.

9 Safeguarding and/or Community Safety Implications

- 9.1 None for purpose of this report.

10 Equality and Diversity Implications

- 10.1 There are no decisions in this report that require an impact assessment.

11 Social Value Implications

- 11.1 This does not involve procurement of services.

12 Partnership Implications

12.1 None for purpose of this report.

13 Health and Wellbeing Implications

13.1 None for purpose of this report.

14 Asset Management Implications

14.1 This report originates from Asset Management

15 Consultation Implications

15.1 None for purpose of this report.

Democratic Path:

- **Scrutiny / Corporate Governance or Audit Committees – Yes**
- **Cabinet – No**
- **Full Council – No**

Contact Officers:

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Scrutiny Committee – Work Programme 2015/16

April	May	16 th June	4 th August	13 th October	15 th December	TBC
Notes of any Key Cabinet Decisions / Action Points.	Notes of any Key Cabinet Decisions / Action Points.	Notes of any Key Cabinet Decisions / Action Points.	Notes of any Key Cabinet Decisions / Action Points.			Williton Hospital Stroke Unit Business Case Consultation – (Provisional date)
Update Asset Management		Financial Out-turn Report				
		Approval of changes to Home Finder Somerset Policy – Mark Leeman				
		Counter Fraud Strategy – Heather Tiso				