

SCRUTINY COMMITTEE

Minutes of the Meeting held on 12 February 2015 at 3.30 pm

Present:

Councillor P H MurphyChairman
Councillor R LillisVice Chairman

Councillor M J Chilcott
Councillor D J Sanders
Councillor B Heywood

Councillor M O Dewdney
Councillor J Freeman
Councillor K Ross

Members in Attendance:

Councillor T Taylor
Councillor D J Westcott

Councillor D Ross

Officers in Attendance:

Assistant Chief Executive and Monitoring Officer (B Lang)
Assistant Director – Operational Delivery (C Hall)
Assistant Director – Corporate Services (R Sealy)
Efficiencies and Performance Manager (K Batchelor)
IT Manager (K Penfold)
Group Manager – Housing and Environment – Sedgemoor District Council (A Gardner)
Scrutiny and Performance Officer (S Rawle)
Administrative Support (A Randell)

SC61 Apologies for Absence

Apologies were received from Councillors A H Trollope-Bellew and K H Turner.

SC62 Minutes

(Minutes of the Meeting of the Scrutiny Committee held on 15 January 2015 – circulated with the Agenda.)

Further to the request by Members of clarification of the arrangements concerning the Microsoft License, and the previously circulated written update, the IT Manager and Assistant Director – Corporate Services were invited to the meeting to answer questions on the issue.

It was confirmed that the SW1 arrangement had no bearing to the price. This was a public sector agreement so there could be no savings in terms of economies of scale because the same pricing structure was applied to both authorities. Due to the current agreement coming to end in July 2015 the license could be renegotiated and the supplier would be under review. Open

source software would be considered but caution was given over adopting this as it could lead to additional costs if it was not compatible with existing software. Discussion had taken place with other open office providers.

RESOLVED that the Minutes of the Scrutiny Committee held on 15 January be confirmed as a correct record following agreed changes.

SC63 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 K J Ross	All Items	Dulverton	Personal	Spoke and voted
Cllr P H Murphy	All Items	Watchet	Personal	Spoke and voted

SC64 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 from the meeting held on 4 February 2015, be noted.

SC65 Cabinet Forward Plan

(Copy of the Cabinet Forward Plan published 27 January 2015, circulated with the agenda.)

The Microsoft Licensing Model was discussed. Detailed that it was Taunton Deane's license requirement apportionment. This was a public sector agreement so there could be no savings in terms of economies of scale because the same pricing structure was applied to both authorities. Due to the current agreement coming to end in July 2015 the license could be renegotiated and the supplier would be under review. Open source software would be considered but caution was given over adopting this as it could lead to additional costs if it was not compatible with existing software. Discussion had taken place with other open office providers.

RESOLVED that the Cabinet Forward Plan published on 27 January 2015, be noted.

SC66 Creation of the Somerset Building Control Partnership

(Report No WSC 24/15, circulated with the agenda.)

The purpose of the report was to seek approval:-

(1) To create a Somerset Building Control Partnership, comprising Mendip and

Sedgemoor District Councils, Taunton Deane Borough Council and West Somerset Council; and

- (2) To seek approval to transfer employees to Sedgemoor District Council under TUPE – Transfer of Undertakings (Protection of Employment) Regulations 2006 as amended by the Collective Redundancies and Transfer of Undertakings (Protection of Employment) (Amendment) Regulations 2014.

During the course of discussion the following points were made:-

- A cost sharing mechanism had not been agreed between the authorities involved in the partnership.
- Consideration was given to the fee structure of the service. This had been worked out at a 'best guess' approach aimed at full cost recovery to break even.
- Reported that the service was likely to under-recover this financial year.
- The savings generated from the partnership would be aimed at the under-recovery to balance the budget.
- It was questioned if there would be a conflict of interest for officers in the service working for different authorities. If there were any issues where conflicts of interest did arise then Audit or the Monitoring Officer would be called upon.
- It was confirmed that if the partnership did not fit into the invest to save model then it would not be pursued.
- Staff would be advised by UNISON on new contracts.
- It was considered if proposals would create costs by basing staff further away. There would be hot desk facilities across all authorities but staff would be able to begin work from home working in their locality if viable to minimise travel.
- Assurance was given that this would lead to greater resilience of the service and that existing time limits would be adhered to. In addition, the partnership was likely to lead to a more predictable budget and avoidance of losses across the service. There was a possibility of wider scope to the partnership that would enable other partners to opt in if it was felt advantageous to both parties.
- It was requested that the delegated authority to determine the cost split be given to the Section 151 Officer. Members felt that agreement on the initial cost split between the four authorities needed to be agreed first before this delegation was authorized.

RESOLVED that Cabinet be recommended to recommend Full Council to approve:-

- (1) The creation of a Somerset Building Control Partnership as outlined in the Business Case, subject to the approval of the other proposed partner Councils;
- (2) The creation of a 'Joint Committee' to oversee the strategic direction, performance and budget of the partnership;
- (3) The nomination of the Portfolio Holder and Assistant Director - Operational Delivery to represent the Council on the proposed Joint Committee and

- (4) Delegating responsibility to the Section 151 Officer, the Monitoring Officer and the Assistant Director - Operational Delivery (following Councillors receiving initial sight of the cost apportionment figures before they are agreed) to finalise future legal agreements, partnership budgets and cost/income sharing arrangements, shared redundancy payments and detailed governance arrangements.

SC67 Scrutiny Committee Work Plan

(The Scrutiny Committee work plan, circulated with the agenda was considered.)

The report provided the Scrutiny Committee with the opportunity to consider the meeting timetable for 2015/2016.

Councillors were requested to consider and comment on the proposed Work Plan submitted.

During the course of the discussion the following points were raised:-

- An update on the Empty Homes Policy would be brought to the Committee in October.
- A written update was requested concerning the affordable housing provision at the Beach Hotel, Minehead including how the £320,000 S106 allocation had been spent and whether the objectives of the project had been fully delivered by Bridgwater YMCA.
- It was requested that WSC Members who were representatives on outside bodies be requested to provide written reports for the annual meeting. A reminder would be sent to Members about this.
- An update concerning the CIM fund process and particularly the criteria of how applications are assessed.

RESOLVED that the Work Plan be adopted.

The meeting closed at 5.15 pm.