

SCRUTINY COMMITTEE

Minutes of the Meeting held on 13 November 2014 at 3.30 pm

Present:

Councillor P H MurphyChairman
Councillor R LillisVice Chairman

Councillor M J Chilcott
Councillor G S Dowding
Councillor B Heywood

Councillor M O A Dewdney
Councillor J Freeman
Councillor D J Sanders

Members in Attendance:

Councillor H Davies
Councillor E May
Councillor K Mills
Councillor T Taylor

Councillor M Smith
Councillor K Kravis
Councillor D Ross

Officers in Attendance:

Assistant Chief Executive and Monitoring Officer (B Lang)
Assistant Director – Housing and Community Development (S Lewis)
Finance Manager (S Plenty)
Corporate Strategy and Performance Manager (P Harding)
Scrutiny and Performance Officer (S Rawle)
Administrative Support (A Randell)
Corporate Manager for Governance, Assets and Public Spaces – Mendip District Council
(D Nolan)

SC34 Apologies for Absence

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

SC35 Minutes

(Minutes of the Meeting of the Scrutiny Committee held on 16 October 2014 – circulated with the Agenda.)

It was agreed that the draft minutes be amended to explain gift aid relating to tax relief in the third bullet point, and that a statement be added at the end of the Community Asset Transfer Strategy item to reflect that the policy content was not discussed as it would be rewritten, and to reflect Member concerns with the process.

RESOLVED that the Minutes of the Scrutiny Committee held on 16 October 2014, as amended, be confirmed as a correct record.

SC36 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 |

SC37 Notes of Key Cabinet Decisions/Action Points

(Copy of Notes of Cabinet Decisions/Action Points, to be circulated at a later date.)

RESOLVED that the Key Cabinet Decisions/Action Points from the meeting held on 5 November 2014, be circulated and noted at a later date.

SC38 Cabinet Forward Plan

(Copy of the Cabinet Forward Plan published 29 October 2014, circulated with the agenda.)

RESOLVED that the Cabinet Forward Plan published on 29 October 2014, be noted.

SC39 Proposed Business Case for Shared Legal Service

(Report No WSC 152/14, circulated with the agenda.)

The purpose of the report was to provide the Scrutiny Committee with the opportunity to consider the raft Business Case for establishing a shared Legal Service between Mendip District Council, TDBC and WSC and to submit any comments it wished prior to the matter being considered by Cabinet and Full Council.

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

- Members questioned why Somerset County (SCC), Sedgemoor and South Somerset Councils were happy with their current arrangements and did not, at this stage, wish to join the partnership. The Assistant Chief Executive and Monitoring Officer explained that although the initial intention was for the partnership to be county wide, at this current time SCC, Sedgemoor and South Somerset wanted to see how the proposed Legal Shared Service developed before deciding whether or not to join.
- It was recognised that because of the scale of staff in the Legal Service plus timescales and software at SCC there would be additional complexity added. The costs compared with the SCC size ratio would be difficult in

terms of a shared service along with the differing areas, such as Social Services, which other authorities did not cover.

- Although Taunton Deane used external solicitors, it was believed that these were for individual projects. With a shared service the use of private practice might not be needed so often with more expertise to tap into. This would lead to savings being made.
- The ambition would be to go wider along with other authorities once the shared service was up and running.
- There was a difference in the way staff operated in the separate authorities. The introduction of a Case Management System would be used to make efficiencies in addition to allocating work more effectively.
- A shared service Business Development Manager was in post and would be involved in overseeing the proposals. The template for the proposals would be to deliver more services at less cost with less use of external services, ensuring smarter delivering of services with less travelling along with greater resilience than what was experienced currently.
- The role of scrutinising the service would be retained in all three councils with a review of the service in each authority after 5 years.
- Flat fees were discussed and it was questioned if profits could be made on charges.

RESOLVED that it be recommended to Cabinet that the Legal Shared Service Business Case be supported.

SC40 Financial Monitoring – Quarter 2 (1 April-30 September)

(Report No WSC 141/14, circulated with the agenda.)

The report provided the Scrutiny Committee with the opportunity to comment on the Financial Monitoring Quarter 2 report.

Steve Plenty, the Finance Manager, presented the report providing Members with details of the Councils expected financial outturn position in 2014/2015 for both revenue and capital budgets, together with information relating to predicted end of year reserve balances.

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

- Concern was expressed at the reported overspend in Building Control. The deficits in the last three years were requested to be provided to Members.
- An update was requested by Members in relation to the Building Control Business Case.
- Usable capital receipts were discussed. These were held in reserves and used to fund capital expenditure. It was requested that future monitoring reports include information on usable capital receipts.
- Further information was requested regarding whether the costs included in the 2014/15 capital budget in respect of street sweeping vehicles were a gross/net cost.
- The priorities around the use of surpluses generated were considered.

- The JMASS reserve detailed in Appendix B was questioned. It was requested if the proportioned split in the business case could be looked into. The Section 151 officer was aware of concerns relating to the split of the grant. This would be monitored and more detail would be known when it was understood how the grant was to be spent.

RESOLVED that:-

- (1) The current financial standing of the Council together with the estimated position at the end of the financial year be noted and that the comments made by Scrutiny be referred to Cabinet for consideration;
- (2) Cabinet be recommended to approve the transfer of £136,318 to General Fund Reserves in respect of the following:-
 - Council Tax Benefit £41,160;
 - NDR Administration £75,158; and
 - Interest Costs £20,000; and
- (3) Cabinet be further recommended that £49,985 be transferred to the Business Rates Smoothing Reserve to set aside the updated forecast retained business funding surplus in the year.

SC41 Corporate Performance Report – Quarter 2 (1 April-30September)

(Report No WSC 153/14, circulated with the agenda.)

The report provided the Scrutiny Committee with the opportunity to comment on the Corporate Performance Quarter 2 report.

Paul Harding, the Corporate Performance Manager presented the report providing Members with an update on progress in delivering the Council's Corporate Priorities and performance of Council services for the period from 1 April to 30 September 2014.

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

- The likelihood of non-delivery was considered with indicators flagged as amber discussed.
- In relation to staff sickness figures it was considered that there were no issues at present.
- The increase in housing homeless applications along with the implications for those facing homelessness were discussed. In many cases accommodation was unaffordable for those on benefits, combined with difficulties in negotiating with landlords, reduced staffing of the service and the upheaval of JMASS. There was confidence that figures would improve in future quarters.
- Work done in attempting to put empty homes back into use was discussed. It was believed that targets would be met in relation to this.
- There had been consultation with the Private Sector Housing Partnership Manager on how the empty homes target was set. Many properties had been taken off the empty homes register, with a lot of work being done to get the figures down.

- An agency member of staff had been taken on to process minor planning applications until recruitment had been set up for that position.
- It was considered why energy efficient home improvements were still not undertaken. The Government criteria had changed for this, therefore continuing the scheme could not be justified if there was no demand for the service. It was believed that this would be picked up through volunteer routes. It was hoped that this would be reinstated if the opportunity arose.
- An update was requested into the merging of the Building Control partnership. There had been additional complexity experienced in negotiations. An update in relation to this would be forwarded to Councillors in due course.
- Information was requested on the review of the Constitutions. A target had been set to complete this by the end of March 2015.

RESOLVED that the progress in delivering the Corporate Priorities for 2014/2015 be noted and the highlighted areas of concern be brought to the attention of Cabinet to consider mitigating actions.

SC42 Scrutiny Committee Work Plan

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

The Scrutiny Officer updated Members with progress in relation to the task and finish review of secondary education in West Somerset. She explained that a meeting with representatives from Somerset County Council was in the process of being scheduled either late November or early December.

In response to Members request to be updated on the new GP Out of Hours contract for West Somerset, the Scrutiny Officer confirmed that representatives from Somerset NHS Foundation Trust had agreed to attend the March meeting of the Scrutiny Committee.

The Scrutiny Officer advised of two suggestions that had been received for the work plan concerning a JMASS Update post the tier 6 implementation stage and an item concerning use of the Transformation Award Funding.

Members considered that the item concerning Transformation Award Funding be included as part of the JMASS Update.

RESOLVED (1) that the Scrutiny Committee Work Plan be noted.

RESOLVED (2) that an item concerning the GP Out of Hours service be added to the work plan for March.

RESOLVED (3) that an item concerning JMASS Update post tier 6 be added to the work plan for February.

RESOLVED (4) that the meeting of the Committee scheduled for 18 December 2014 be cancelled.

Councillors S Dowding and J Freeman left the meeting at 4.40 pm and 4.55 pm respectively.

The meeting closed at 5.36 pm.