

**SCRUTINY COMMITTEE**

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

**Present:**

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

Councillor B Leaker  
Councillor G S Dowding  
Councillor J Parbrook

Councillor I Aldridge  
Councillor B Maitland-Walker  
Councillor R Woods

**Members in Attendance:**

Councillor M Chilcott

Councillor M Dewdney

Councillor K H Turner

Councillor K J Mills

Councillor B Heywood

**Officers in Attendance:**

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

**SC 1     Apologies for Absence**

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

**SC 2     Minutes**

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

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

**SC 3 Declarations of Interest**

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

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

**SC 4 Public Participation**

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

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

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

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

**SC 6 Cabinet Forward Plan**

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

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

**SC 7 Chairman's announcements**

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

**SC 8 Freehold Disposal of Church Street Public Conveniences, Dunster**

Councillor Mandy Chilcott – Lead Member Resources presented this item.

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

During discussion, the following points were raised:

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

**RESOLVED** that:-

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

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

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

## **SC 9 Revenue and Capital Outturn 2015/16**

Councillor Mandy Chilcott – Lead Member Resources presented this item.

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

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

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

During discussion, the following points were raised:

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

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

**RESOLVED** that:-

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

**SC 10 Initial Draft Medium Term Financial Plan**

Councillor Mandy Chilcott – Lead Member Resources presented this item.

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

During discussion, the following points were raised:

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

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

**RESOLVED** that:-

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

**SC 11 Quarter 4 2015/16 Performance Report**

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

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

During discussion, the following points were raised:

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

- Somerset County Council's levels were also down to 7.42, but officers qualified that SCC has a lot of exclusions in their data.

**RESOLVED** that:-

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

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

**SC 12 Key policy changes to Common Allocations Policy 2016**

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

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

During discussion, the following points were raised:

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



**RESOLVED** that:-

- Therefore it is recommended that Scrutiny Committee consider and note the changes to the Homefinder Somerset Common Lettings Policy and note that Cllr Keith Turner as Portfolio Holder for Housing, Health and Wellbeing will make any final decision in consultation with the Housing Services Lead.

**SC 13 Scrutiny Committee Work Plan.**

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

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

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

The meeting closed at 5.49pm.