

SCRUTINY COMMITTEE

Minutes of the Meeting held on 17 December 2012 at 3.30 pm

Present:

Councillor K J RossChairman
Councillor G S Dowding..... Vice-Chairman

Councillor J Freeman
Councillor D D Ross

Councillor B Heywood

Members in Attendance:

Councillor K V Kravis
Councillor T Taylor

Councillor D J Sanders
Councillor K H Turner

Officers in Attendance:

Corporate Director (B Lang)
Scrutiny and Performance Officer (S Rawle)
Corporate Manager – Housing, Welfare and Economy (I Timms)
Section 151 Officer (S Campbell)
Principal Benefits and Fraud Officer (P Lamb) (Item 8 only)
Administrative Support (H Dobson)

SC53 Apologies for Absence

Apologies for absence were received from Councillors M J Chilcott, M O A Dewdney, P N Grierson and R P Lillis.

SC54 Minutes

(Minutes of the Meeting of the Scrutiny Committee held on 19 November 2012 – circulated with the Agenda).

RESOLVED that the Minutes of the Scrutiny Committee held on 19 November 2012, be confirmed as a correct record.

SC55 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	Action Taken
Cllr K J Ross	All Items	Dulverton	Personal	Spoke and voted
Cllr K H Turner	All Items	Brompton Ralph	Personal	Spoke

SC56 Public Participation

Members of the public spoke regarding item 7 - Review of Asset of Community Value Decision – Notley Arms, Monksilver, as follows:

Mr Ross Urquhart, Clerk of Monksilver Parish Council, spoke to the effect that the Notley Arms public house remained a social and cultural hub; it was the only pub in the area in which residents of Monksilver could meet. The property was currently valued at approximately £300,000 and he was concerned that should the proprietor gain a change of use the property could potentially be sold at twice the price to a developer to convert to residential use. He knew of a potential buyer who had made an offer to continue trading as a public house, and the offer was rejected. However, the offer does still stand. He urged the Committee not to remove the Notley Arms from the list of Assets of Community Value.

Mr Paul Brandwood, of Monksilver Action Group - Notley Arms, spoke to the effect that the group represented the majority of the residents in Monksilver. The group was formed prior to the closing of the public house and had offered help and support when the pub was struggling to survive, which had been rejected. The new legislation was welcomed and would allow the village to buy the pub which it would do if there were no other offers using the valuation provided by Christies.

Mrs Anna Thomas ran a business in Woodford and spoke to the effect that the Notley Arms should remain an asset of community value. The public house was the only pub within easy walking distance for her customers and the residents of Nettlecombe. The scattered communities around Woodford, Yard, Nettlecombe considered the Notley Arms to be their local pub and wanted it to remain that way.

SC57 Notes of Key Cabinet Decisions/Action Points

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

RESOLVED that the Key Cabinet Decisions/Action Points for 5 December 2012, be noted.

SC58 Cabinet Forward Plan

(Copy of the Cabinet Forward published 27 November 2012, circulated with the agenda).

RESOLVED that the Cabinet Forward published 27 November 2012, be noted.

SC59 Review of Asset of Community Value Decision – Notley Arms, Monksilver

(Report No. WSC 170/12, circulated with the Agenda).

The purpose of the report was to review the Cabinet decision to accept the nomination of the Notley Arms, Monksilver as an asset of community value.

Members considered the report and recognised that the Notley Arms was a central point for the community and a valuable community asset. They acknowledged the supporting information attached as appendix A and B to the report, and believed that the Corporate Management Team had correctly interpreted the information when they recommended to Cabinet to add the Notley Arms to the Council's list of Assets of Community Value.

Councillor J Freeman proposed the recommendation that the decision of the Cabinet to include the Notley Arms, Monksilver on the Council's list of Assets of Community Value, be upheld, which was duly seconded by Councillor B Heywood.

During the course of the debate the main points included:

- The community had shown strong support of the Notley Arms in the past and appeared to support its future.
- Examples of Assets of Community Value provided by the Department for Communities and Local Government included public houses.
- Concern that an unsuccessful public house could be sold as residential use for a significant profit.
- Noted that Exmoor National Park had given planning permission to alter the staircase in the public house to provide more room for customers.
- Noted that the proprietor of the Notley Arms had the right of appeal to a First Tier Tribunal.

RESOLVED that the decision of the Cabinet to include the Notley Arms, Monksilver on the Council's list of Assets of Community Value, be upheld.

SC60 Scrutiny Review of Benefit Fraud Investigation Service

(Report No. WSC 169/12, circulated with the Agenda).

The purpose of the report was to present to Scrutiny Committee the final report of the benefit fraud investigation task and finish group.

The Scrutiny and Performance Officer advised that the report was partly a result of the concerns raised regarding poor service indicators contained in the Council's quarterly performance report. She highlighted the terms of reference and objectives of the review at point 4.3 of the report, attached to the agenda. The review looked at joint arrangements with outside partners, what preventative work was conducted, how resources may have contributed to low surveillance etc. Meetings were held with appropriate officers and outside partners out of which interim arrangements to support the service had been agreed. She pointed out that recovery arrangements were in place for all overpayments raised as a consequence of fraud.

Members supported the recommendation to ensure that two officers attend an Interview Under Caution and to provide additional support. However there were concerns that the Council's resources may dictate otherwise.

In response to a question the Principal Benefits and Fraud Officer advised that there were no commensurate rewards for detecting fraud any longer. The Council worked hard to prevent incorrect benefit being paid, in line with

government direction. Of the £16M paid out, the total overpaid (eligible overpayment) for the Council's caseload was £341,000 and just under 8% of the eligible overpayment was detected through fraud. He advised further that the government would shortly be launching a single investigatory service in which all the fraud services would be merged into one. The service will be involved in fraud detection and overseen and resourced by the new agency.

RESOLVED (1) that the targets for KPI 7 & 8 should be reviewed taking into account available resources and performance history.

RESOLVED (2) that the joint working arrangements with partners, be noted.

RESOLVED (3) that the Scrutiny Committee receives an update report in July 2013 regarding the impacts of Welfare Reform on the Benefits and Fraud Investigation Service.

RESOLVED (4) that the fraud prevention work that the Council undertakes be noted and the hard work and commitment demonstrated by the Fraud Investigation Officer be acknowledged.

RESOLVED (5) that consideration be given to providing the Fraud Investigation Officer with additional support in her role to underpin the Council's statutory responsibilities in this area of work.

RESOLVED (6) that in the interests of health and safety, a protocol be adopted whereby at least two officers should be in attendance when any interview under caution is conducted as part of a fraud investigation.

SC61 Scrutiny Committee Workplan Review

(Scrutiny Committee Workplan, circulated with the Agenda).

The Scrutiny and Performance Officer reported that the South Somerset District Council scrutiny officer had been tasked with organising a joint county review on the flooding in Somerset. If the Committee wished to be involved they were requested to nominate two members to represent the Scrutiny Committee.

The Chairman proposed that those members whose wards were particularly affected with the recent flooding would be most appropriate.

RESOLVED (1) that Councillor S Dowding be nominated to represent the Scrutiny Committee with regard to the joint scrutiny review relating to flooding in Somerset.

RESOLVED (2) that the nomination of a second member to represent the Scrutiny Committee with regard to the joint scrutiny review relating to flooding in Somerset, be delegated to the Corporate Manager – Housing, Welfare and Economy, in consultation with the Chairman of the Scrutiny Committee.

RESOLVED (3) that the Workplan be noted.

The meeting closed at 4.37 pm.