

**SCRUTINY COMMITTEE**

**Minutes of the Meeting held on 18 March 2013 at 3.30 pm**

**Present:**

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

Councillor M J Chilcott  
Councillor J Freeman  
Councillor R P Lillis

Councillor M O A Dewdney  
Councillor B Heywood  
Councillor D D Ross

**Members in Attendance:**

Councillor E May  
Councillor M A Smith  
Councillor K H Turner

Councillor D J Sanders  
Councillor T Taylor  
Councillor D J Westcott

**Officers in Attendance:**

Corporate Director (B Lang)  
Scrutiny and Performance Officer (S Rawle)  
Corporate Manager - Housing, Welfare & Economy (I Timms)  
Efficiencies and Performance Manager (K Batchelor)  
Administrative Support (H Dobson)

**SC81 Apologies for Absence**

An apology for absence was received from Councillor P N Grierson.

**SC82 Minutes**

(Minutes of the Meeting of the Scrutiny Committee held on 18 February 2013 – circulated with the Agenda).

**RESOLVED** that the Minutes of the Scrutiny Committee held on 18 February 2013, be confirmed as a correct record.

**SC83 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 K H Turner	All Items	Brompton Ralph	Personal	Spoke
Cllr D J Westcott	All Items	Watchet	Personal	Spoke

**SC84     Public Participation**

No members of the public had requested to speak on any item on the agenda.

**SC85     Notes of Key Cabinet Decisions/Action Points**

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

In response to a question regarding the production of a business case setting out potential joint working with Taunton Deane Borough Council, the Leader confirmed that he would provide verbal updates on the progress being made at full Council meetings.

The Corporate Director advised of a Joint Members Advisory Panel that would meet on a monthly basis and from which could emerge broader member involvement.

**RESOLVED** that the Key Cabinet Decisions/Action Points for 6 March 2013, be noted.

**SC86     Cabinet Forward Plan**

(Copy of the Cabinet Forward published 8 March 2013, circulated with the agenda).

**RESOLVED** that the Cabinet Forward published 8 March 2013, be noted.

**SC87     Assets of Community Value – Review Panel**

(Report No. WSC 37/13, circulated with the Agenda).

The purpose of the report was to notify Scrutiny Committee of the change to the Assets of Community Value review process and to appoint a panel of three members to hear the review of the decision to list Minehead Old Hospital as an Asset of Community Value.

The Corporate Director outlined the details in the report and advised that since the distribution of the report a request to review the decision to list Silk Mills, Holford as an Asset of Community Value had also been received. Therefore he requested that the Scrutiny Committee consider nominating three members of the Committee to form a panel/s for the Minehead Old Hospital and Silk Mills, Holford. He confirmed that a legal advisor would be available during the course of the review. The review would not be a public meeting and would enable questions and answers to be provided in an easy manner.

In response to a question the Efficiencies and Performance Manager advised that community groups who had successfully included land/properties on the list of Assets of Community Value had six months in which to make a bid. If the bid was not accepted by the owner, the owner would have 12 months to put the land/property on the market. If the land/property was not sold after that time the process could potentially start again. The land/property would remain on the Asset of Community Value list for five years.

Members discussed concerns as to whether panel members should or should not include local ward members and the importance of having local knowledge relating to the asset of community value available to the panel. The Corporate Director reminded the Committee of the importance that all members of the panel be impartial.

Members concluded that panel meetings held to review Assets of Community Value would:

1. be held on an ad hoc basis;
2. comprise of three members of the Scrutiny Committee who had no conflict of interest and were not local ward members;
3. as a matter of course to invite local ward member/s to attend the review;
4. Scrutiny Committee members not on the panel or invited to attend as local ward members be permitted to attend to observe only; and
5. not be open to the public.

**RESOLVED (1)** that the change in the process for determining a review of a decision to include land/property on the list of assets of community value so that a review hearing will be undertaken by a panel of three members of the Scrutiny Committee supported by the Chief Executive/member of Corporate Management Team, be noted, adopting the protocol above;

**RESOLVED (2)** that Councillors M O A Dewdney, K J Ross and B Heywood of the Scrutiny Committee be appointed to form a panel to hear reviews of the Cabinet's decisions to list the Minehead Old Hospital and Silk Mills, Holford as Assets of Community Value, on dates to be arranged by the Scrutiny and Performance Officer.

**Note:** that a change to the membership of the panel for the Minehead Old Hospital review was necessary as Councillor Dewdney indicated that he was not available on the arranged date of 28 March 2013, and Councillor P Grierson agreed to attend.

#### **SC88 Verbal update on Task & Finish Reviews & Joint Review of Flooding**

- Section 106 Planning Obligations Task and Finish Group  
The Scrutiny and Performance Officer reported that the group would hold its final meeting on 3 April after which the final report would be presented to the Committee. The group has held in depth discussions with relevant officers and considered the process and delivery of the scheme. So far, possible areas identified for potential improvement included bringing local ward members into the system, working more with relevant parish and town councils and building up an evidence base.

The Corporate Manager confirmed that communication with the parish and town councils had needed improvement and that the issues had been addressed within the previous 4-6 months. He welcomed any suggestions for improvement that would help the Council manage the process more effectively.

Concern was raised regarding groups who might not be able to apply through their parish/town council due to timescales and would not be included in the parish/town council's priorities.

It was requested that the Task and Finish Group look at whether parish/town councils were able to identify priorities outside of their community, such as the shared use of sports facilities with a neighbouring parish/town.

- Business Rates Retention Scheme Task and Finish Group

The Scrutiny and Performance Officer advised that the group held their first meeting on 27 February. The general aim was to identify the financial impacts on the new Business Rates Retention Scheme and examine the process and impacts. A new scheme would come into force on 1 April 2013 and would make the Council liable for a percentage of its Business Rates that remain uncollected which would, in turn, negatively impact the Council's resources. The group had identified how performance management could be improved through the quarterly performance management report. The group's investigations will include looking at neighbouring authorities' recovery procedures.

The Scrutiny and Performance Officer suggested that the Scrutiny Committee may wish to arrange a meeting in May in order to consider the final reports of the Business Rates Retention Scheme Task and Finish Group and the Section 106 Planning Obligations Task and Finish Group, and to receive an update from Steve Read, Managing Director, Somerset Waste Partnership.

- Joint Review of Flooding

Councillor S Dowding reported on the Flooding Conference held the previous week attended by the Somerset authorities and representatives from many other organisations and groups. The focus was not to apportion blame but how to overcome the obstacles for the future. The Met' Office advised that the jet stream had moved south and so the county could expect similar recent rainfall over the next ten years. The Country Land and Business Association would not be able to continue providing the level of support as in the past and therefore it was essential to encourage land owners and householders to, where possible, undertake the work of monitoring/clearing water courses. It was proposed that an action list of who is responsible for what, how it will be done and who will pay for it would be produced.

In response to concerns the Corporate Manager advised that he would look at the Council's responsibilities regarding the monitoring of its water courses/rhynes. He advised that the Council was looking at local areas that had been affected by the flooding and that preventative work would be undertaken.

It was suggested that the appropriate Corporate Manager report back to the Committee on his findings.

**RESOLVED (1)** that a Special Meeting of the Scrutiny Committee be held 20 May 2013, at 3.30pm in the Council Chamber, Williton.

**RESOLVED (2)** that the verbal updates on the Section 106 Planning Obligations Task and Finish Group, Business Rates Retention Scheme Task and Finish Group and Joint Review of Flooding, be noted.

**SC89 Scrutiny Committee Workplan Review**

(Scrutiny Committee Workplan, circulated with the Agenda).

Councillor R Lillis requested that perhaps Minehead Eye be invited to attend a meeting of the Scrutiny Committee in order to gain an understanding of their work, future objectives and financial position.

**RESOLVED (1)** that MAGNA be invited to provide a half yearly update to the Scrutiny Committee, at its meeting scheduled for 22 April 2013;

**RESOLVED (2)** that the Managing Director for Somerset Waste Partnership, be invited to provide an update report to the Scrutiny Committee, at its special meeting scheduled for 20 May 2013;

**RESOLVED (3)** that the date of 20 May 2013 be scheduled for the final report of the Section 106 Planning Obligations Task and Finish Group to report back to the Scrutiny Committee;

**RESOLVED (4)** that the date of 20 May 2013 be scheduled for the Business Rates Retention Scheme Task and Finish Group Task and Finish Group to report back to the Scrutiny Committee;

**RESOLVED (5)** that an invitation be extended to Minehead Eye to attend a future Scrutiny Committee, to provide an understanding on their current work, future objectives and financial standing;

**RESOLVED (6)** that the Workplan be noted.

The meeting closed at 5.32 pm.