

**SCRUTINY COMMITTEE**

**Minutes of the Meeting held on 19 November 2012 at 3.30 pm**

**Present:**

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

Councillor M O A Dewdney  
Councillor P N Grierson  
Councillor R P Lillis

Councillor J Freeman  
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)  
Group Manager – Environment, Customer and Community (S Watts)  
Group Manager – Housing and Economy (I Timms)  
Section 151 Officer (S Campbell)  
Principal Accountant (S Plenty)  
Principal Benefits and Fraud Officer (P Lamb)  
Efficiencies and Performance Manager (K Batchelor)  
Administrative Support (H Dobson)

**Also in Attendance:**

Piers Feilden, Chairman of Magna West Somerset Board  
Tony Murray, Magna West Somerset Director

**SC42 Apologies for Absence**

An apology for absence was received from Councillor M J Chilcott.

**SC43 Minutes**

(Minutes of the Meeting of the Scrutiny Committee held on 22 October 2012 – circulated with the Agenda).

**RESOLVED** that the Minutes of the Scrutiny Committee held on 22 October 2012 be confirmed as a correct record.

**SC44 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 P N Grierson	All Items	Minehead	Personal	Spoke and voted
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

**SC45 Public Participation**

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

**SC46 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 7 November 2012, be noted.

**SC47 Cabinet Forward Plan**

(Copy of the Cabinet Forward published 9 November 2012, circulated with the agenda).

**RESOLVED** that the Cabinet Forward published 9 November 2012, be noted.

**SC48 Magna – Annual Report**

(Half year review report, circulated with the Agenda).

The purpose of the report was to receive a half year review report from Piers Feildon, Chairman of Magna West Somerset (MWS) Board and Tony Murray, MWS Director, with regard to their activities in the last year and to provide information to the Scrutiny Committee in order to monitor the effectiveness of the Council's working arrangements with Magna.

During the course of the discussion, Members noted the following main responses:

- Magna's decision not to borrow more was mainly a result of trading being currently very difficult, due to proposed increased rates on existing and new loans. However, there was scope for small projects, should the Board approve and Exmoor National Park (ENP) were to re-word their policy (yet to be adopted) which could help to provide further housing in the ENP area.
- Magna were putting together a flood plan with the Environment Agency; the first Housing Association in the South West to do so. It was hoped that a plan would be in place within the year for properties at high and moderate risk. Residents would be advised of any recommendations accordingly.

- There were currently 1900 Magna properties in West Somerset. Priority was not given to one area over another i.e. towns and villages, however, attention was prioritised depending on need. In the past it had been difficult to obtain HCA grant for small settlements, so in spite of Magna's intention it was not always possible to develop plans for small scale developments in villages.
- This year Magna had sold three properties with two more to be sold; completion was expected by the end of March 2013. The money was being used to create conversion funding to build 33 homes at Alcombe. Magna's Board considered potential empty properties to be sold by taking into account the associated long term costs, demand issues and management issues. The properties sold to date were spread throughout West Somerset: two in Brompton Regis, one in Porlock, one in Skilgate and one in Watchet.
- The MWS Director confirmed that Magna had an existing policy that took into account personnel leaving the armed forces.
- Concern was expressed regarding the introduction of the social housing size criteria and that not all residents would be able to down-size to a smaller property to avoid the penalty as the smaller properties were not available. Magna recognised the seriousness of the issue and confirmed that they had made that point to central government many times. It was likely that some residents would find themselves in that position. It was possible to take in a lodger, which might suit single residents; also there was a big increase in the number of residents wanting to exchange accommodation, which could resolve some problems. The issues had not been quantified as yet. He recognised that it could increase the number of homeless, which would impact upon the Council, which was a concern.

**RESOLVED (1)** that Piers Feilden, Chairman, and Tony Murray, Director of Magna West Somerset, be thanked for their informative report.

**RESOLVED (2)** that the next annual report of Magna be presented to the Scrutiny Committee in early summer, June/July 2013.

**SC49 Review of Financial Regulations 2012**

(Report No. WSC 148/12, circulated with the Agenda).

The purpose of the report was for the Scrutiny committee to offer comment on proposed changes to Financial Regulations for 2012, attached as Appendix A to the report.

**RESOLVED** that Cabinet be advised that the Scrutiny Committee noted the changes to the Financial Regulations, attached as Appendix A to the report.

**SC50 Corporate Performance Report , April – September 2012/13**

(Report No. WSC 152/12, circulated with the Agenda).

The purpose of the report was to provide members with an update on progress in delivering the corporate priorities, performance of council services including

budgetary information and customer satisfaction covering the period from 1 April 2012 to 30 September 2012.

The Leader presented that part of the report relating to quarterly performance. The Lead Member for Resources and Central Support presented the financial information contained in the report and highlighted the underspend of £99,097. She advised that the council tax collection rates usually contained in the report would now be reported to the Audit Committee.

During the course of the debate the points raised included:

- The car parking income was down due mainly to the poor economic situation.
- Noted that development control indicators were generally above target.
- Noted that with regard to key task 10.2 on page 78 of the report, attached to the agenda, savings on Ground Maintenance, the update be amended so that the second statement ends after the word 'materialised'.
- Noted that the data required for quarter 2 relating to KPI 10, '% of council tax collected in the year' was 68%.
- Members praised staff who had assisted the Land Charges service in reaching its target of 90% of searches being returned within 5 days for the whole quarter whilst the service suffered reduced resources.
- Noted that the capital spending programme had been quite significant this year and that an update was scheduled for the Scrutiny Committee meeting to be held in January 2013.

**RESOLVED (1)** that the progress in delivering the Corporate Priorities for 2012/13, be noted.

**RESOLVED (2)** that the performance against Group and Service Indicators, including Budget Monitoring indicators, be noted.

#### **SC51 Draft Localised Council Tax Benefit Scheme**

(Report No. WSC 150/12, circulated with the Agenda).

The purpose of the report was to inform Scrutiny Committee of the results of the consultation undertaken and seek their recommendations with regards to the proposed draft scheme relating to the Council Tax Support Scheme.

The Lead Member for Community presented the report and highlighted the Community Policy Advisory Group's concerns relating to the results of the consultation on the seven proposals that could combine to create a scheme that lowered liability to 70% and how it would impact upon vulnerable residents of West Somerset on a very low income, which, in turn, could be financially detrimental to the Council.

Members noted the confirmation that the suggestions listed in 4.8 of the report, attached to the agenda, would enable the Council to generate more income, which could support the most vulnerable residents in West Somerset. However, bearing in mind the Council's current financial position it was

important that any extra income generated should be considered in relation to the overall picture of savings to be identified.

In response to questions the Principal Benefits and Fraud Officer advised that it had been estimated that approximately £93,000 would not be recovered if the scheme was adopted based on 70% liability. Further, he advised that the scheme could be reviewed every year; if there were significant changes proposed then those changes would have to be consulted upon.

Members expressed concern that given the deadline in getting the scheme adopted by 31 January 2013, and the current financial position of the Council, that it was difficult to make a recommendation without further information.

The Group Manager – Housing and Economy advised that if the liability were to change from 70% there may not be time to re-consult with the major preceptors in time to deliver the Localised Council Tax Benefit Scheme for 31 January 2012.

**RESOLVED (1)** that the results of the public consultation for the proposed scheme and the feedback obtained from West Somerset residents be noted.

**RESOLVED (2)** that the Scrutiny Committee noted the detailed Equality Impact Assessment, attached as Appendix A to the report.

**RESOLVED (3)** that the Scrutiny Committee recommend to Council to design a Council Tax Support Scheme based on 85% liability.

## **SC52 Scrutiny Committee Workplan Review**

(Scrutiny Committee Workplan, circulated with the Agenda).

The Scrutiny and Performance Officer advised that the draft Fraud report would go the Task and Finish Group and then to the Scrutiny Committee meeting in December 2012.

Members were advised that the Council had received an appeal against an Asset of Community Value (The Notley Arms) and that a report in this respect would be presented to the Scrutiny Committee for consideration at its next meeting.

**RESOLVED (1)** that the report of the Fraud Task & Finish Group be considered by the Scrutiny Committee scheduled for 17 December 2012.

**RESOLVED (2)** that a report regarding an appeal against an Asset of Community Value be considered by the Scrutiny Committee scheduled for 17 December 2012.

**RESOLVED (3)** that the Workplan be noted.

The meeting closed at 5.48 pm.