

**SCRUTINY COMMITTEE**

**Minutes of the Meeting held on 10 March 2016 at 3.30 pm**

**Present:**

Councillor P H Murphy .....Chairman

Councillor G S Dowding  
Councillor J Parbrook

Councillor R Clifford  
Councillor B Maitland-Walker  
Councillor R Woods

**Members in Attendance:**

Councillor M Dewdney  
Councillor A Trollope-Bellew

Councillor M Chilcott  
Councillor B Heywood

**Officers in Attendance:**

Assistant Chief Executive and Monitoring Officer – (B Lang)  
Chris Hall – Assistant Director  
Tim Childs – Asset Manager  
Adrian Priest – Principle Estates Surveyor  
Democratic Services Coordinator (E McGuinness)  
Democratic Services Officer - Scrutiny (M Prouse)

**Also in Attendance:**

David Wilson – Operations Manager – SWAST  
Paul Cleeland-Smith – Staff Officer to Director of Operations - SWAST

**SC159 Apologies for Absence**

Apologies for absence were received from Councillors R Lillis and D Archer.  
Councillor Karen Mills also submitted her apologies.

**SC160 Appointment of Vice Chair**

In the absence of the Cllr Richard Lillis, the Chairman asked for nominations from the members present for a vice chair for this meeting. Cllr Brenda Maitland-Walker was nominated and seconded and was duly appointed as Vice Chair for the purpose of this meeting.

**SC161 Minutes**

(Minutes of the Meeting of the Scrutiny Committee held on 11 February 2016 – circulated with the Agenda.)

**RESOLVED** that the Minutes of the Scrutiny Committee held on 11 February 2016 be confirmed as a correct record.

**SC162 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:

<b>Name</b>	<b>Minute No.</b>	<b>Description of Interest</b>	<b>Personal or Prejudicial or Disclosable Pecuniary</b>	<b>Action Taken</b>
Cllr B Maitland - Walker	All Items	Carhampton	Personal	Spoke and voted
Cllr P H Murphy	All Items	Watchet	Personal	Spoke and voted

**SC163 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 2 March 2016, be noted.

**SC164 Cabinet Forward Plan**

(Copy of the Cabinet Forward Plan published 2 March 2016, circulated at the meeting)

**RESOLVED** that the Cabinet Forward Plan published on 2 March 2016, be noted.

**SC165 Chairman's announcements**

The Democratic Services Co-coordinator drew members' attention to the questionnaire which had recently been circulated to all members. She informed members that this exercise had been initiated in line with best practice to keep democratic practices and processes up to date. It was reported that questionnaire responses would be analysed and a report would subsequently be prepared for members.

**SC166 Update from South Western Ambulance Service Trust**

David Wilson – Operations Manager SWAST and Paul Cleeland-Smith – Staff Officer to Director of Operations – SWAST attended at the request of the Scrutiny Committee.

SWAST had previously attended West Somerset Council's Scrutiny Committee in November 2015 – at that meeting they requested more time to respond to the following specific questions relating to SWAST response times within West Somerset:

- Over the past 12 months, how many calls from West Somerset have been responded to by ambulances leaving from within the West Somerset area?
- Over the past 12 months, how many response times to calls from West Somerset have exceeded 45 minutes within each of your response categories?
- Are you able to provide any data that shows where Minehead ambulances physically were when West Somerset response times have exceeded 45 minutes and crews from as far away as South Molton have attended?
- How long, on average, does it take for back up to arrive to support Rapid Response Vehicle crews within the West Somerset area?

The SWAST representatives provided members of the committee with a written response to their questions, a copy of which is attached to these minutes at Appendix A.

During discussion, the following points were raised:

- The SWAST Officers were thanked for producing the briefing note in response to the questions previously raised by members. The Chair commented that it would have been preferable to have had this information further in advance of the meeting to allow more detailed consideration.
- Some members were disappointed that the data for Question 1 could not be provided, - and that the main concern of the Scrutiny Committee that there is a perceived difference in service between rural West Somerset and the more urban areas of the operational area had not been adequately addressed.
- David Wilson from SWAST was able to categorically state that any Ambulances do not sign in at Minehead to be routinely sent to Taunton and Bridgwater.
- Paul Cleeland-Smith from SWAST emphasized that it was about maximizing resources to give the best possible cover.
- There were points raised about dispatch points in the area, with David Wilson able to state that Williton, Minehead and Watchet were designated dispatch sites, with Community First Responders located across the district.
- David Wilson assured Members that the figures presented to Members were the result of a data trawl for the specific area of West Somerset.

- Members commented that it appeared that through the status plan more resources are likely to be allocated to urban areas with more population.
- David Wilson stated that the geography of West Somerset, on particularly busy days the response times of West Somerset could suffer.
- Paul Cleeland-Smith said the biggest issue in terms of time lost is in handover delays, which costs 457 hours in the last quarter and in the SW Area 100 odd hours could be lost in a day.
- It was also emphasized that SWAST is under severe pressure with demand up year on year, so the Chief Exec of SWAST has written to the Lead Commissioner as they are struggling to meet targets.
- Members queried whether Minehead could be seen as an urban area.
- Clarification was sought by Members around the red response categories of A and A8 and as to why Minehead South figures were a lot poorer than the rest of Minehead?
- SWAST was unable to explain this discrepancy without further considerable analysis of the data sets.
- Members sought clarification as to whether the arrival of a Community First Responder in scene counted towards response time targets. SWAST confirmed that the attendance of a person equipped with a Defibrillator did represent a clinical response.
- Training members of the public was recognized as important, Cllr Dowding is a first responder and recommended that it is a worthy scheme and encouraged anyone to sign up if interested.
- SWAST confirmed that despite a national shortage of paramedics, this area is fully staffed, with absenteeism low
- Members were informed that SWAST is one of the top trusts in the country but also one of the leanest.

**Resolved that:-**

- The Scrutiny Committee would continue to support SWAST and thank them for contributing so positively to the West Somerset Scrutiny Process
- Continue to monitor the views of West Somerset Residents in relation to West Somerset Response times.
- Consider promoting an increase in the number of Community First Responders within the district.

**SC167 Update on Car Parking Matters**

The February Scrutiny Committee considered two reports relating to car park income. During discussion, members sought clarification on how car parking income can be utilised by the Council. Chris Hall – Assistant Director attended this meeting to update members on the following points:

- WSC receive no income from on-street parking and have no responsibility for its enforcement. On-street parking income is covered by the Road Traffic Regulation Act 1984, part 4 section 55.

- SCC's income for on-street parking can be spent on:
  - Service provision
  - To pay back into the general fund any deficits in the parking income from previous years
  - Other related infrastructure or transport improvements, including contributions to off-street parking
- Off-street parking on public land is the responsibility of WSC who have the powers of enforcement and setting of fees and charges. Income received by this authority from parking (excluding that from penalty charge notices) can be used for:
  - Service provision
  - To pay back into the general fund any deficits in the parking income from previous years
  - To support other Council policies.
- It is important to note that whilst consequential surpluses can be used on things other than parking the Council must not set its fees with the intention of making a surplus.
- Income from penalty charge notices (PCN's) must be used in the same way as on-street parking income regardless of their issue for on or off street offences.
- Members were advised that there must be no deliberate act to increase fees and charges with the intention of creating a surplus, but should any surplus be achieved without intent it would be legitimate for the Council to spend this money on other services.

During discussion, the following points were raised:

- Chris Hall would be providing an update for all councillors as requested.

**Resolved: That the advice of the Assistant Director be noted.**

**SC168 Freehold Transfer of land a Mill Street Watchet**

Councillor Mandy Chilcott – Lead Member Resources presented this item.

The Town Council's request to take ownership of the land was considered and supported by the Asset Management Group on 19<sup>th</sup> August 2015. It was recommended that the freehold of the land was transferred at a nominal consideration.

**Resolved** that the Scrutiny committee support the recommendation that the Cabinet approve:

- The freehold transfer of an area of land at Mill Street Watchet for a nominal £1 consideration.

- All other terms and conditions of the transfer to be agreed by the Assistant Director for Property and Development in association with the Lead Member.

### **SC169 Community Asset Transfer Policy**

Councillor Mandy Chilcott – Lead Member for Resources presented this report.

The Community Asset Transfer Policy was first drafted in July 2014 and was sent out for an initial community consultation. Following the response to that consultation, it was agreed to comprehensively reassess the draft policy to take into account the issues raised. The policy now before members addresses issues previously raised. The policy reflects national best practice as well as meeting local requirements.

Members were informed that 143 consultees were contacted via mail alerting them to the consultation hosted on the Council's website – the response rate was 8.4%.

During discussion the following points were raised:

- Members were informed that whilst future asset transfers may well have financial implications, there were none associated directly with this report.
- Members were informed that SHAPE refers to the shared legal partnership of which West Somerset is a member.
- Members commented that the second iteration of the policy is much improved and thanked officers for their efforts.
- Members requested that any reference to Ward Councillor should be amended to reflect that some wards have more than one West Somerset Councillor.
- Members also requested that the policy makes it clear that applicants should contact their West Somerset Councillor as part of the process as opposed to Parish Councillors. It was suggested that the policy should contain a link to the Councillor details on the WSC website.

#### **Resolved:**

That Scrutiny Committee supported the adoption of the Community Asset Transfer Policy and the Initial Expression of Interest Form.

**RESOLVED** that the press and the public be excluded during consideration of SC170 on the grounds that, if the press and public were present during that item, there would be likely to be a disclosure to them of exempt information of the class specified in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended as follows:

SC170 contained information that could release confidential information relating to the financial or business affairs of any particular person (including the authority holding that information). It was therefore proposed that after consideration of all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Proposed by Cllr Murphy Seconded by Cllr Maitland-Walker.

**SC170 Freehold Disposal of Barnsclose Industrial Estate – Dulverton**

Councillor Mandy Chilcott – Lead Member for Resources and Central Support introduced this item.

During discussion, the following points were made:

- Members sought clarification about the fact that the LEP had taken over the responsibilities previously held by the South West Regional Development Agency.
- Members requested additional clarification on the details of the restricted covenant.

**Resolved:** That the Scrutiny Committee support the recommendation to the Cabinet that they approve:

- The freehold sale of Barnsclose Industrial Estate by auction subject to a reserve price which is set to be agreed by the Assistant Director for Property and Development in consultation with the Lead Member for Resources and Central Support.
- Should the site not be sold at auction, the Council seek to dispose of the site by alternative methods.

**Resolved** that the press and public be re-admitted to the meeting.

**SC171 Scrutiny Committee Work Plan.**

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

The Democratic Services Co-ordinator informed members that the report on future service delivery models of the Somerset Waste Partnership scheduled for the April meeting would be deferred to allow the Board to progress discussions with the contractor.

**RESOLVED** that the Scrutiny Forward Plan published on 10<sup>th</sup> March be noted.

The meeting closed at 5.21pm.