

## SWT Scrutiny Committee - 4 March 2021

Present: Councillor Gwil Wren (Chair)

Councillors Libby Lisgo, Ian Aldridge, Sue Buller, Simon Coles, Dixie Darch, Habib Farbahi, Ed Firmin, Dave Mansell, Derek Perry, Ray Tully, Roger Habgood and Hazel Prior-Sankey

Officers: Paul Fitzgerald, Andrew Randell, Marcus Prouse, Emily Collacott, Chris Hall, Alison North, Councillor Peter Pilkington (Portfolio Holder for Climate Change), Malcolm Riches and Richard Sealy

Also Present: Councillors Ross Henley, Sarah Wakefield, Alan Wedderkopp and Loretta Whetlor

(The meeting commenced at 6.15 pm)

151. **Adjourned from Scrutiny Committee held on 03.03.2021) Adjourned Scrutiny Committee meeting from 3rd March 2021 restarted at 6.15pm**

152. **Corporate Performance Report, Quarter 3, 2020/21**

The report provided an update on the council's performance for the first 9 months (April – December) of the 2020/21 financial year. The report includes information for a range of key performance indicators.

As part of the Councils commitment to transparency and accountability this report provides an update on performance for a number of key indicators across a range of council services.

Impact of Covid-19. There had been a continued impact on the work of the Council as a direct result of the Covid-19 pandemic.

The Q1 corporate performance report provided a more detailed update on the specific additional work undertaken by the council between April and July. Many of these tasks have continued and the pandemic has still had a significant impact on the council's activity and workload. In recent months the rapid moves from the second national lockdown in November 2020 through Tiers 2, 3 and 4 and into the current third national lockdown have presented significant challenges in administering things such as the business grant schemes. Further funding has also been provided by Government to support the discretionary element of the Test and Trace payments scheme. Good progress is however being made in quickly distributing grants to eligible businesses. In addition we are diverting resource to provide critical assistance to the NHS in making appointments for the Covid vaccination programme.

Key Performance Indicators The table in Appendix 1 includes the councils Key Performance Indicators and shows how the council has performed for the first 9 months of the 2020/21 financial year. The table also includes a "direction of travel" arrow to show whether performance has improved, worsened or stayed the same, since the last corporate performance report which was for the end of September. For the majority of indicators the target has either been met or, in many cases, has been exceeded. The direction of travel shows that performance has reduced slightly for 9 of the indicators, but the majority of them are still within target. Overall there are 3 'Red' and 2 'Amber'

indicators, which are being monitored closely. More information is provided below regarding the red and amber indicators. For the indicators that were marked as red at the end of Q2 (Complaint and FOI response timescales), monthly figures have been included to show how performance has improved significantly over the last 3 months.

Number of complaints responded to in 10 working days The performance indicator remains red and below target. Realistically, as the indicator is cumulative, we are likely to remain below target for the remainder of this financial year. In view of the poor performance identified earlier in the year a significant amount of work has been put into both improving response times and identifying changes and improvements to the process. This work is beginning to pay dividends and the monthly trend over the past 3 months shows clear and sustained improvement. A more detailed update is provided in Appendix 2.

Number of FOI requests responded to in 20 working days Again this has been an area of focus in view of the poor performance identified earlier in the year. However, this indicator also needs to be considered against the backdrop of the Covid crisis and the steer from Government that local authorities could relax their response times to FOI requests in order to focus on immediate Covid related priorities. The figures for the last three months demonstrated continued improvement and for December 2020 were within target. More detail is provided in Appendix 2.

Percentage of Licensing Requests processed within timescales Despite falling short of the target, the Licensing service have met all statutory obligations. The majority of applications not completed within the target timeframe were made in accordance with the Licensing Act 2003 and received tacit consent; this is where a licence is treated as having been granted if the objection period passes without an objection or the Licensing Authority does not determine the application within a prescribed time period. Tacit consent is something the Licensing service is wary of as it can, in some cases such as caravan site and pavement licensing, result in the granting of a licence without conditions which are required to uphold the principals and objectives of those regimes. This is not the case with applications made in accordance with the Licensing Act 2003, where conditions do apply whether that application receives tacit consent or not.

The delay in completing these Licensing Act 2003 applications was at the end of the process; issuing the licence document following the completion of all initial steps i.e. their being logged on the Licensing back office system, circulation to responsible authorities and determination following the objection period. This was part of a deliberate prioritisation and balancing of work pressures. The backfilling of vacant roles within the team has enabled the service to catch up and clear the bulk of this backlog, with only a small amount remaining. Performance in Q4 is therefore expected to be better.

Business Rates & Council Tax Collection Rates The cumulative collection rates for both are showing as amber for the end of Q3 because both were below target. The targets shown in Appendix 1 are for the end of year position, but we also track progress against monthly targets. For the end of Q3 the targets and actuals were as detailed below:

Realistically we are unlikely to hit the collection targets for either this year. We have remained surprisingly close to our end of month targets despite the economic impact of the Covid crisis. We have been unable to take any court action for unpaid debts this financial year. We have undertaken limited pre-court action, but this has been impacted by resourcing constraints resulting from the need to process business grants. In addition, we have quite consciously taken a more lenient approach to recovery activity this year in order to try and help both Business Rate and Council Tax payers experiencing difficulty (many for the first time) through the economic impact of the crisis.

The Government's response to Covid has also had a significant impact on the amount of Business Rates actually collectable. At the point of undertaking annual billing in February 2020 we raised a net collectable debit of £60.1m. In March 2020, in response to Covid, Government extended relief to 100% for all small, retail, hospitality and leisure businesses. This had the effect of reducing the collectable debit to £38m and makes a meaningful year-to-year comparison between collection rates difficult

During the discussion the following comments and questions were raised:-

- Waste and recycling collection rates and fly tipping were discussed, it was acknowledged that there had been a reduction in rates as a result of the pandemic and a change of contractor coinciding with the time of the first lockdown.
- Accurate performance statistics based on productivity across the organisation were requested. Measures of performance were requested going forward such as time recording.
- The Somerset Waste Partnership was made up from all partners and should be recognised as part of the council services. The change of contractor experienced some challenges which had largely been resolved, there still remained the risk of staffing levels through the remainder of the pandemic.
- A number of staff and operators had to self-isolate leaving a disruption to some collections.
- 200 applications in planning had been held up due to habitat assessment regulations as a result of the ongoing phosphate levels across the district.
- It was requested if there was a timeframe to the improvement of the complaints process and recognising complaints needed to be treated as a priority. It was recognised there had been a cultural attitude to complaints which was being addressed to give greater priority.
- It was questioned what impact the business rates holiday had on the service.
- Increasing the target for a green criteria to a higher percentage level was questioned.
- Reassurance was provided that no customers have suffered due to licensing application, the delays were due to the completion of paperwork and had not impacted on customers. Licensing visits had been restricted due to the pandemic and there also had been staff absence matters due to the pandemic.

The Scrutiny Committee noted the Quarter 3 Corporate Performance Report.

### 153. **2020/21 Financial Monitoring as at Quarter 3 (31 December 2020)**

This report provided an update on the projected outturn financial position of the Council for the financial year 2020/21 (as at 31 December 2020).

The position this year is significantly affected by COVID – both in terms of large additional sums spent on issuing financial assistance to local businesses and council tax payers, and direct impact on the Council's service costs and income. Additional COVID related financial pressures, through additional costs and income losses, are forecast to be £7.3m for the year. This is partly offset by projected £5.4m emergency grant funding from Government, but has also required the Council to reprioritise funds and support the annual budget from reserves. The net impact of COVID on the Council's own resources

is therefore projected to be £1.9m for the year. Despite this, the Council remains financially resilient and continues to forecast adequate reserve balances.

The current Revenue Budget forecast was summarised:-

General Fund Revenue:- Projected £1.466m underspend (£245k overspend relating to COVID and a net underspend of £1.711m for non-COVID)

Housing Fund Revenue:- Projected £274k underspend

Although services were projecting fairly large underspends with the General Fund, this is largely due to timing of spend. Based on the Q3 projected year end position, budget holders have indicated proposals to carry forward £1.277m of expenditure into next year's budget, which if approved would effectively reduce the underspend to £189k. These proposals will be finalised at the year end.

During the discussion the following comments and questions were raised:-

- External Operations and Climate change set out in table 1 was considered, a comparison with the budget considered in February and a possible disparity was raised.
- The increase in the budget could have been in relation to capital charges and depreciation, this would be taken away for a response to be provided following the meeting.
- Page 143 detailing the senior management budget was questioned with the reasoning for difference in costs compared to the budget report.
- Page 145 – more information was requested relating to the contribution towards capital cost to investment properties. This was as a result of overachieving on net budget in this financial year.
- Page 146 – a significant backlog of arears was questioned, with more information requested.
- Capital budget and HRA budget changes and adjustments as reported at the end of December compared with the new financial year were questioned.
- A senior management underspend was reported in the budget due to the senior management restructure the budget was not being needed to support staffing costs.
- Work to carry over budgets was being undertaken, there remained a budget for IT member training which would be utilised for Councillors shortly.
- Review of IT heritage systems was questions along with the systems changes planned and required for the future.
- Major systems had been in place with future planning and timing priority of this being planned currently. This could be shared with the Committee if helpful.
- Having large underspends was a concern and was not considered good financial management in future years. It was acknowledged that this was a significantly difficult year but and underspends would be avoided in future years.
- A long term asset maintenance programme was being created, this was acknowledged as a risk with the potential for unforeseen maintenance going forward until the programme has been completed.

The Scrutiny Committee reviewed and noted the Council's forecast financial performance and projected reserves position for 2020/21 financial year as at 31 December 2020.

154. **Scrutiny Committee Annual Report 2020/21**

It was a great honour to have been re-appointed as Chair of the Somerset West and Taunton Scrutiny Committee by my Councillor peers at the Annual General Meeting of Council in May last year.

I had hoped that the 'transition' we had embarked on in 2019/20 would continue but as we all know the Covid pandemic severely disrupted normal life including this Council. As a result we had to move to virtual meetings on Zoom and this took some adjusting to. However once we had established a remote working pattern things bedded down quickly and the Committee was able to get to grips with business without too much difficulty.

In 2019 the Government had published new Guidance for Scrutiny Committees which aimed to clarify and broaden their role and influence. Both I and the Vice-Chair have always been keen to ensure that Scrutiny Councillors gained a greater oversight of their work programme than was done previously. This was to give us a stronger voice over the Executive reports we wished to look at in detail and enable maximum influence to be exerted. We also wanted to be more proactive and investigate external matters which had a bearing on the residents of our area.

The Leader of the Council continued to encourage transparency and the involvement of members and the programme of Briefings to provide information and background on Council business was able to continue successfully online. This allowed these matters to be aired and questioned without impinging on the committee process where time is limited.

As a Scrutiny Committee formulating our programme of work and getting updates on our suggestions and recommendations is a key way that this Council can demonstrate the transparency and accountability that the residents of Somerset West and Taunton expect from their decision-makers. Scrutiny's role as critical friend of the Executive is vital in ensuring that the voice of the community is heard and should result in more inclusive decision making.

The Scrutiny Committee formally resolved that the report is considered at Full Council and thanked the Chair for his Annual Report.

(The Meeting ended at 7.43 pm)

