

South Somerset District Council

Minutes of the **Special Scrutiny Committee** held on **Tuesday 9th February 2010** in the Main Committee Room, Council Offices, Brympton Way, Yeovil.

(3.10 p.m. – 4.35 p.m.)

Present:

Members: Councillor Sue Steele

Dave Bulmer
Geoff Clarke
Carol Goodall
Tony Lock
Pat Martin

Roy Mills
Keith Ronaldson
Jo Roundell Greene
Alan Smith
Martin Wale

Also Present:

Councillors Rupert Cox, Tim Carroll, Lesley Boucher, Ric Pallister, Ian Martin, Robin Munday and Tom Parsley.

Officers:

Phil Dolan	Chief Executive
Donna Parham	Assistant Director (Finance & Corporate Services)
Ian Clarke	Assistant Director (Legal & Corporate Services)
Lyn Lockyer	Member Development Officer
Jo Gale	Scrutiny Manager
Jo Morris	Committee Administrator

128. Apologies for Absence (Agenda Item 1)

An apology for absence was submitted from Councillor John Calvert.

129. Declarations of Interest (Agenda Item 2)

There were no declarations of interest.

130. Public Question Time (Agenda Item 3)

There were no members of the public present at the meeting.

131. Scrutiny Working in Partnership Task and Finish Review Conclusions (Agenda Item 4)

Councillor Rupert Cox, Chairman of the Working in Partnership Review Group introduced the report, which presented the recommendations of the Working in Partnership Task and Finish Review.

Members noted that the final decision to agree to work in partnership with East Devon District Council would be considered by Full Council on 25th February 2010. The recommendations agreed by Scrutiny Committee at this meeting would form part of the Working in Partnership report to Full Council.

Councillor Rupert Cox informed members that the last meeting of the Review Group had been held on the previous Friday and apologised to members for the delay in receiving the report. He thanked the non-executive members for their comments and views, which formed part of the review.

He referred to the options available as outlined in the report and explained that option a – proceed to make the required savings independently had been discounted. The other option was to look to work in partnership.

Members noted that the Review Group had used the Improvement and Development Agency – “Shared Chief Executives and Joint Management – a model for the future? publications to evaluate the proposed partnership. He explained that the Group had identified and looked at a number of additional issues, which he briefly described and were also outlined in the report.

During the presentation of the report, Councillor Rupert Cox highlighted the following:

- The need for clear governance and terms of reference for the Joint Integration Committee;
- The S113 agreement must be robust in protecting the interests of both councils
- The need for a robust exit strategy;
- There needs to be a real vision over and above the savings, as present it was felt that there was a lack of common goal/vision;
- Joint procurement opportunities should be considered especially in areas such as IT;
- Communication with staff should be strong;
- If we are going to work in partnership we should fully embrace it;
- The sooner the Council entered into the partnership the quicker the savings would be achieved.

He reported that the Task and Finish Review Group, although reluctant at the start of the review, supported the principles of the proposal to work jointly with East Devon District Council for the next four years and referred members to the recommendations of the Task and Finish Review as outlined on page 6 of the report. He referred to the top 7 recommendations as being fundamental.

In response to member comments and questions, the following points were noted:

- The telephone research undertaken with other authorities had been undertaken with members only;
- An announcement on the Devon Unitary bid was expected the following day;
- In order to maintain a good level of service throughout the changes the Council had applied to RIEP for extra capacity to assist the process;
- The agreement was for four years, which would terminate a year before the next election to allow the Council to assess its situation and also by this time the grant settlement could become more favourable;
- The Protocol only ever outlined the broad rules of engagement, which allowed members to consider if they were happy with the sentiments. All the details would be contained within the S113 agreement;
- The S113 would protect the Council from any financial implications associated with Unitary Authority for Devon;

- Membership of the Joint Integration Committee would be politically balanced;
- With regard to staff morale, it was felt that staff were more perceptive if offered a positive proposal;
- There was no intention of merging authorities, both would remain sovereign.

The Assistant Director (Legal & Corporate Services) commented that the S113 agreement covered all the points highlighted in the report. Members noted the following:

- The termination date was between 1st April – 30th September 2015 (i.e. on the expiry of 12 months notice that can be served at any time during 1st April – 30th September 2014);
- The Council was in effect buying the services of the Joint Chief Executive (CEO) and therefore if the person in post was to leave, there was provision in the agreement to ensure that SSDC were involved in the recruitment for a replacement. This would be done through a joint appointment process;
- The key role of the Joint Integration Committee (JIC) was to ensure delivery of the structure and ongoing management of the Joint Chief Executive;
- A role of the JIC was to carry out the appraisal of the Joint CEO;
- At this stage, the agreement only dealt with the Joint CEO. There would be another agreement when other stages were agreed;
- The agreement would need to be agreed by both councils before proceeding;
- The costs and savings arising from the creation of the Joint CEO including redundancy and other costs would be shared between Councils;
- The Agreement may be extended by agreement in writing between both Councils;
- In the event that either Council cannot or does not wish to give 24 months notice the Council shall be entitled to give a lesser period of notice with the other council's consent;
- Both Councils will agree that when the Agreement terminates they will not be adversely affected

Councillor Jo Roundell Greene commented that having spoken to other authorities working in partnership, it was important to proceed quickly.

In response to a member comment about communication with the public, the Chief Executive commented that following the in principle decision made at Full Council in December all parish/town councils and partners had been sent a letter explaining the Council's intentions of working in partnership. An article had also been published in the Western Gazette and in response to this very little communication had been received from the public.

In response to a member question, Councillor Rupert Cox commented that the Group had looked at a number of options and referred members to the background papers to the report including an e-mail from the Leader of the Council.

The Assistant Director (Finance & Corporate Services) commented on the savings required for 2011/12. A copy of the budget scenarios for 2011/12 and the comments from authorities working in partnership were circulated to members at the meeting and are attached to these minutes for information.

One member commented that he was concerned that many of the Parish Councils had not read the letter. The Leader of the Council commented that it was now timely to send another letter.

Members of the Scrutiny Committee unanimously supported the recommendations of the Working in Partnership Task and Finish Group.

RESOLVED: That the following recommendations of the Working in Partnership Task and Finish Review Group be endorsed by the Scrutiny Committee to go forward to Full Council on 25th February 2010 for consideration:

The Task & Finish Group supports the principles of the proposal to work jointly with East Devon District Council for the next 4 years as is proposed.

The group would recommend that the following areas of concern be addressed:

1. Need for both authorities to develop a common goal – not just saving money
2. The Joint Integration Committee (JIC) become familiar with the success achieved by other authorities working in partnership in relation to value for money and services provided.
3. The Protocol and Section 113 agreement documents should be clear and robust and open to scrutiny.
4. A communication plan should be developed prior to the commencement of the partnering arrangement.
5. The Risk Assessment should be monitored and reviewed.
6. The Scrutiny Task and Finish review group continue to review proposals as the partnership working develops and work in response to the Joint Integration Committee. This work should be done in conjunction with the scrutiny arrangements at EDDC
7. It should be the responsibility of the Audit function of both authorities to monitor:
 - Proceedings regarding each authority's governance framework to check that there are no clashes/impact.
 - The progress of achieving projected savings and report exceptions to the Scrutiny Committee.

Additionally.....

8. Both authorities need to have an imaginative approach to identify further savings.
9. Members and staff of all levels should be encouraged to make suggestions on how future savings could be made by either closer working with EDDC or managing our existing discretionary services more efficiently.
10. Members must be considerate to staff throughout the transitional process. Staff morale should be of paramount importance.
11. A meeting should be arranged to give Members of both authorities an opportunity to meet in a relaxed and informal environment to 'break the ice'. Further meetings may feature presentations by the JIC on progress or informal discussions of future budget savings or shared services.

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Chairman