

Scrutiny Committee – 3<sup>rd</sup> August 2010

## 1. Minutes

### South Somerset District Council

**Minutes** of the **Scrutiny Committee** held on **Tuesday 29<sup>th</sup> June 2010** in the Main Committee Room, Council Offices, Brympton Way, Yeovil.

*(10.00 a.m. – 1.20 p.m.)*

#### **Present:**

#### **Members:**

Councillor Sue Steele (Chairman) (until 12.30 p.m.)

Dave Bulmer  
Geoff Clarke  
Carol Goodall  
Pat Martin

Roy Mills  
John Richardson (until 12.14 p.m.)  
Angie Singleton  
Alan Smith (from 10.15 a.m.)

#### **Also Present:**

Councillors Tim Carroll, Jo Roundell Greene, Tom Parsley and Sylvia Seal.

#### **Officers:**

Rina Singh	Strategic Director – Place & Performance
Sue Eaton	Performance Manager
Alice Knight	Third Sector & Partnerships Manager
Jo Gale	Scrutiny Manager
Emily McGuinness	Scrutiny Manager
Jo Morris	Committee Administrator

## 17. Minutes (Agenda Item 1)

The minutes of the meeting held on 1<sup>st</sup> June 2010, copies of which had been circulated, were approved as a correct record and signed by the Chairman.

## 18. Apologies for Absence (Agenda Item 2)

Apologies for absence were received from Councillors John Calvert, Keith Ronaldson, Tony Lock, Martin Wale and John V Chainey.

## 19. Declarations of Interest (Agenda Item 3)

Councillor Tim Carroll declared a personal and prejudicial interest in agenda item 11 – Wincanton Sports Centre – Lessons Learnt, as he was an observer on the Wincanton Sports Centre Management Board. He left the room during consideration of the item.

Councillor Geoff Clarke declared a personal and prejudicial interest in Agenda Item 13 – Reports to be considered by District Executive on 1<sup>st</sup> July with regard to the report on Transfer of Sport and Leisure Facilities, as he was the Council's representative on the Crewkerne Leisure Management (Aqua Centre). He left the room during consideration of the item.

Councillor Angie Singleton declared a personal and prejudicial interest in Agenda Item 13 - Reports to be considered by District Executive on 1<sup>st</sup> July with regard to the report on Transfer of Sport and Leisure Facilities, as she was a Director of Crewkerne Leisure Management (Aqua Centre). She left the room during consideration of the item.

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## **20. Public Question Time (Agenda Item 4)**

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

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## **21. Issues Arising from Previous Meetings (Agenda Item 5)**

### **Quarterly Monitoring Report**

At the last Scrutiny meeting a question was raised in connection with the Quarterly Monitoring report regarding the procedure for fit notes. It was noted that a communication was circulated to staff on the fit note procedure on 31<sup>st</sup> March. In reality they make little or no difference to the Council's policy they just provide a box where the doctor can recommend any actions that would support a return to work.

### **Staff Survey**

Jo Gale, Scrutiny Manager reported that she had circulated to scrutiny members a copy of the staff survey. In response to Scrutiny concerns regarding staff morale, members of staff were being asked for their views on communications on the partnership with East Devon. Once the process was complete the results of the survey would come forward to the Scrutiny Committee.

### **Winter Maintenance Task & Finish Review**

Jo Gale, Scrutiny Manager reported that the first meeting of the Winter Maintenance Task & Finish Review would be held on Friday 9<sup>th</sup> July. All non-executive members had been invited to be part of the review.

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## **22. Chairman's Announcements (Agenda Item 6)**

The Chairman reported that the Joint Scrutiny Panel – Partnership Working SSDC/EDDC had been established. She also mentioned that she had had attended the Joint Integration Vision Training.

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## 23. Verbal Update on Task and Finish Reviews (Agenda Item 7)

### **Somerset Cultural Strategy**

Councillor Dave Bulmer reported that the Group were nearing the end of the review. A draft report had been sent to the Assistant Director (Health and Well-Being) for his comments. He paid tribute to the excellent work that Carol Goodall had undertaken on the Action Plans. A final report would be submitted to the Scrutiny Committee on 3<sup>rd</sup> August prior to it being considered by District Executive.

### **Choice Based Lettings**

Councillor Carol Goodall reported that the Review Group were working towards presenting the findings of the review to the Homefinder Board on 27<sup>th</sup> September. She mentioned that public consultation was due to commence on 12<sup>th</sup> July.

### **Regional Partnerships**

The Leader of the Council updated members on the current position. It was noted that the Somerset Strategic Partnership and all of its sub groups were to be disbanded.

### **Joint Scrutiny Panel – Partnership Working SSDC/EDDC**

The Chairman reported that the first meeting of the East Devon/South Somerset Joint Scrutiny Panel had been held on 17<sup>th</sup> June in Honiton.

A member of the Joint Scrutiny Panel gave an update from the meeting. Members were informed that East Devon did not appear to be aware of some of the future proposals and were not as well informed as SSDC members. There was discussion concerning the relationship between East Devon District Council and Exeter City Council and the nature and the role of the Rationalisation Panel at East Devon. A statement was also made about the priority being given to implementing a shared management structure and whether it was still the case that a shared management structure would be introduced before sharing services and officers at lower tiers. Questions were also asked about a 'Plan b' option if the savings were not achieved. The member commented that there was a lot of work to do, as the partnership was moving onto a greater pace.

The Leader of the Council commented that EDDC was a sovereign council with differing views and ways of working and therefore internal processes could not be influenced. He informed members that the Rationalisation Panel was equivalent to SSDC's lean process and that EDDC working with Exeter City Council was a pre-existing arrangement. He was confident that progress was still being made and that East Devon Cabinet members were all on board.

It was noted that the Chief Executive would be addressing the issues raised concerning communication amongst East Devon members. Emily McGuinness (SSDC) and Debbie Meakin (EDDC) would be putting together a statement from the Chair and Vice Chair of the Joint Scrutiny Panel for members of both Councils.

The Leader of the Council commented that he appreciated the feedback from Scrutiny members.

Emily McGuinness, Scrutiny Manager commented that the first meeting had been very positive. She explained that the role of scrutiny members was about ascertaining the facts and then moving forward.

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#### **24. Verbal Update on the Joint Integration Committee (Agenda Item 8)**

Members were informed that the last meeting of the JIC was held on Thursday 17<sup>th</sup> June in Sidmouth. The JIC had agreed the Communication Plan & Timeline and had adopted the milestones and route map. It was noted that the selection protocol was still under discussion. The JIC had also approved the development of costed business plans for service integration for the Phase 1 projects (Finance, Human Resources, ICT, Legal & Democratic Services, Revenues & Benefits, Public Spaces: Street Cleaning and Civil Contingencies, Licensing and Environmental Health) to be presented to the JIC meeting in September for consideration.

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#### **25. Quarterly Performance and Complaints Monitoring Report – 4<sup>th</sup> Quarter 2009/10 (Agenda Item 9)**

The Performance Manager introduced the performance monitoring report covering the period to the end of the fourth quarter of 2009/10 (1st January – 31st March 2010). The report also outlined the year-end indicators and annual summary highlights. She reported on the following two indicators that were below target:

NI 157 – Processing of Major Planning Applications – this indicator had been in the red throughout the year, however in quarter 4 the target was exceeded. The annual performance was still below target. The actual figure was 47½% with the target being 63%.

LI021 – Working days lost due to sickness absence – this was an ongoing accumulative indicator. Absence figures in the 3rd quarter were particularly high. The target figure was 8.2 days with the actual figure being 9.56 days.

Members noted that there had been 185 complaints in quarter 4 with 414 for the whole year, which was on par with the previous year's complaints figure of 415. The services with the most complaints were Waste, Development Control and Streetscene. Streetscene complaints had increased, however some of these issues were not SSDC responsibility.

Members were informed that in 2008/09, 85 of the complaints received required improved communication. In 2009/10 this had dropped to 33 demonstrating an improvement in communication.

One member questioned the need to record complaints that were not in relation to services provided by SSDC and felt that it was unfair to the Head of Service. In response the Strategic Director (Place & Performance) clarified that these complaints were not recorded as an SSDC responsibility and were passed to the relevant service provider. The vast majority of non-SSDC complaints related to the Somerset Waste Partnership. She commented that residents were not concerned with who provided the service. It was important to record all complaints in order to get a full picture of why people were contacting the Council.

In response to a member question relating to complaints monitoring, the Strategic Director (Place & Performance) reported that none of the complaints that the Ombudsman made a decision on in 2009/10 were shown to be the fault of SSDC. We were in the top quartile

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when last reported. She assured members that SSDCs reputation with the ombudsman was excellent to date and the risk of numerous compensation payments based on that performance is low. The Leader of the Council noted that some of the cases related to people who objected to the Councils decision and that it was down to the complainant to take their complaint to the final stage. Members were informed that the appropriate officers reviewed all complaints in detail to look at what processes could be changed for the future.

With reference to Appendix B – Complaints Monitoring, it was suggested that in future reports, the column titled ‘Compensation issued?’ be amended to show the number of cases.

- RESOLVED:**
- (1) That the performance monitoring report be noted including those areas highlighted under ‘performance exceptions’ where performance is below target; and
  - (2) That the summary of complaints for the fourth quarter 2009/10 be noted.

*Sue Eaton, Performance Manager – (01935) 462565  
e-mail: sue.eaton@southsomerset.gov.uk*

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## 26. SSDC Partnerships (Agenda Item 10)

The Leader of the Council introduced the report.

The Third Sector and Partnerships Manager referred members to Appendix 1 of the report, which set out the draft template for reviewing and rationalising partnerships and explained that all managers would be asked to complete and present the information to the Task and Finish Review Group so that each partnership can be assessed individually.

The Task and Finish Review would initially be tasked with evaluating and testing the proposed Partnership Assessment Tool and suggest any amendments as appropriate.

Councillors Martin Wale, Alan Smith and Carol Goodall expressed an interest in being part of the Review Group.

The findings of the Task and Finish Review would be reported to District Executive no later than February 2011 in order to fit in with service planning.

- RESOLVED:** That an SSDC Partnerships Task and Finish Group be established.

*Alice Knight, Third Sector & Partnerships Manager – (01935 435061)  
e-mail: alice.knight@southsomerset.gov.uk*

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## 27. Wincanton Community Sports Centre – Lessons Learnt (Agenda Item 11)

*Councillor Tim Carroll having declared a personal and prejudicial interest in this item left the room during its consideration.*

Members considered the report, which outlined the service responses to the issues identified in the Wincanton Sports Centre Report as submitted by the Assistant Director – Health and Well-being in March.

In response to a comment made on behalf of Councillor Tony Lock in relation to the responses provided by the Procurement and Risk Manager and the Property Services

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Manager being contradictory, it was felt that both officers had their own distinct roles and that one of the lessons to be learnt was about working together.

**RESOLVED:** That the report be noted.

*Emily McGuinness, Scrutiny Manager – (01935 462566)  
e-mail: emily.mcguinness@southsomerset.gov.uk*

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## **28. Verbal Update on Issues Raised by the Scrutiny Committee at the District Executive meeting held on 3<sup>rd</sup> June 2010 (Agenda Item 12)**

The Chairman reported that the comments raised by the Scrutiny Committee had been taken forward to the District Executive meeting on 3rd June 2010. Members noted the following:

### **Quarterly Performance and Complaints Monitoring Report – 4<sup>th</sup> Quarter 2009/10**

With regard to the take up of green bins and whether any monitoring was undertaken particularly in rural areas, it was noted that there wasn't any monitoring at the present time. If a resident has paid the £42 fee SWP were obligated to pick up even if it was the only green bin in the village. It was hoped that Sort It Plus would improve the situation in the future.

### **Recommendations of Joint Integration Committee of 13<sup>th</sup> May 2010**

In response to concerns raised over lack of direction, reassurances had been given that progress was being made. The timetable had been corrected and appropriate meetings were now included.

### **Revenue Budget Outturn 2009/10**

In response to concerns about the number of services overspending money, it was noted that an e-mail had been circulated to the Scrutiny Chairman from Legal outlining the reasons why. It was agreed to circulate the e-mail to all members.

### **Land Transfer at Burowfield Close, Bruton**

The residents living at No. 17 would still keep their driveway.

### **Procurement Strategy**

With reference to page 24 – 6a – there was no target date as it was an ongoing process. Monitoring of the Strategy was already in place.

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## **29. Reports to be considered by District Executive on 1<sup>st</sup> July 2010 (Agenda Item 13)**

The Scrutiny Chairman agreed to take forward the following comments to the District Executive meeting on 1<sup>st</sup> July 2010.

## Annual Performance Report 2009/10

How did the portfolio holders decide on these priority areas? What is the process? What tools or evidence in terms of Community engagement are used to help inform this decision?

The terminology used in several of the portfolio statements will not be meaningful to the general public, these need to be amended.

Several of the critical activities will need to be reviewed due to the removal of the LAA targets.

Under Health, Housing & Spatial Planning, No 6 members questioned whether child obesity was an LA responsibility?

Scrutiny highlighted the concern of Young people not in employment or training but appreciated that it was not an SSDC responsibility.

CP1.22 – Decrease the % of pensioners on low income - what initiative was undertaken?

CP5.11 – 100% staff have appraisals within timescales, no comments or figures, why and when can these be expected?

Summary of performance – in the report it states a number of the PI's are still not yet available from third party sources, which parties are they and why the delay? Can Scrutiny have a full response to this?

## Recommendations of Joint Integration Committee of 17 June 2010

In respect of the work of the Joint Scrutiny Panel looking at the recommendations emerging from the JIC, members identified the need to establish the extent to which each authority is continuing to pursue partnership options with other authorities, this is based on the fact that the relationship between East Devon District Council and Exeter City Council was mentioned at the meeting. Following on from these comments, questions were asked about a 'plan b' option for each individual council and the Joint Scrutiny Panel will now be looking to reassure members on this issue.

There was a lengthy discussion at the Joint Scrutiny meeting about the nature and role of the Rationalisation Panel at East Devon. With resources limited it makes sense to avoid duplication of effort on the part of both officers and members and it would be helpful if members of the Joint Scrutiny Panel could have a definitive terms of reference for the rationalisation panel and be kept informed of their emerging recommendations. It is not the intention of the Joint Scrutiny Panel to influence the internal workings of EDDC, but if the work of the rationalisation panel is to run in parallel to that of the JIC, it would make sense for members to have a complete a picture as possible. Obviously, information relating to the SSDC Lean equivalent should be made available in the same way.

Members of the Joint Scrutiny Panel agreed that they should meet after each meeting of the JIC and before the Executive meetings of each Council. The dates of these meetings will be finalised shortly and it would be helpful if they could be included in the JIC Communication Plan.

Question relating to the Strategic Alliance - Selection Protocol for Joint Management Tiers

Paragraph 2 (a) states that Trade Unions will be informed that the proposed management structure will be 'subject to the meeting of the Full Council' whereas paragraph 2 (e) states

that the selection process will commence after proposals have been consulted upon and agreed by Executive Boards.

In line with the Constitution, decisions relating to the proposed management structure of the authority need to be taken at Full Council, and Scrutiny members seek clarification that the Selection Process will not be started until a decision has been taken at Full Council.

Will full risk assessments be carried out throughout the whole process and reported to members of the JIC and Joint Scrutiny Panel?

Paragraph 3 refers to the selection protocol:

- Who will consider VR requests? Will any scoring template be used to ensure a fair approach to all?
- Who is compiling the person specification, is it an independent or external person?
- Members of the Scrutiny Committee feel that it may be inappropriate to have Mark Williams the CEO on the selection panel as he will have working relationships with East Devon Staff that he will not have been able to replicate with South Somerset Staff therefore potentially preventing him from being truly impartial.
- Appeals procedure will be established; will this include the criteria re who can appeal and what the time limit is etc?

Page 9 paragraph 4 – leading on from this members are concerned that posts still being advertised on a permanent basis (in some cases externally), this could potentially cause greater costs to be incurred as a result of redundancy payments. What is the procedure/policy for recruitment in this period of transition?

How is the JIC looking to learn from the lessons of other partnerships? Why re-invent the wheel!

(At this point in the proceedings, the Vice-Chair Councillor Dave Bulmer took the Chair for the remainder of the meeting)

### **Petition Scheme**

On page 4 of the Appendix under 5.1 it states that petitions must include a clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the Council to take. Members felt that the petition template as outlined on page 13 did not ask for this information.

### **SSDC Voluntary Sector Strategy**

The Third Sector & Partnerships Manager attended the meeting to answer members' questions.

### **Exclusion of the Public**

In accordance with Section 100A(4) of the Local Government Act 1972 (as amended), the Committee resolved that the press and public be excluded from the meeting for the following items in view of the likely disclosure of exempt information as described in Paragraph 3 of



Part 1 of Schedule 12A to the Act, i.e. "Information relating to the financial or business affairs of any particular person (including the authority holding that information)."

### **Transfer of Sport & Leisure Facilities**

*(Having earlier declared personal and prejudicial interests in this item, Councillors Angie Singleton and Geoff Clarke left the room during its consideration.)*

Scrutiny supported the recommendations contained in the report. Members requested that the details of the Service Level Agreement should be considered by Scrutiny.

### **West Coker Ropeworks**

Members noted that the Leader of the Council and the Scrutiny Chairman had agreed for the District Executive to take this as an urgent item.

The Assistant Director (Economy) attended the meeting to answer members' questions on points of detail.

Scrutiny supported the recommendations contained in the report. Members noted the final phase of funding that was required to complete the project.

## **30. Scrutiny Work Programme (Agenda Item 14)**

Councillor Pat Martin mentioned the problems she was experiencing with Groupwise and that the system was getting slower and slower and had been down on a number of occasions including over the weekend. She requested that an appropriate officer be invited to attend the next meeting to explain about the cause of the problem.

In response, Jo Gale, Scrutiny Manager agreed to obtain a schedule of works and include it as an item on the next agenda.

**RESOLVED:** That the Scrutiny Work Programme be noted as outlined in the agenda with the updates above.

*Jo Gale, Scrutiny Manager – (01935) 462077  
e-mail: jo.gale@southsomerset.gov.uk*

## **31. Executive Forward Plan (Agenda Item 15)**

Members noted that the Council meeting in September had been cancelled and replaced with a meeting on 21<sup>st</sup> October.

Jo Gale, Scrutiny Manager agreed to investigate whether the report due to be considered by District Executive in August on the Joint Municipal Waste Minimisation Strategy was an issue that should be considered by the Scrutiny Committee as a separate item or whether it could be considered as part of the District Executive reports.

**RESOLVED:** That the Executive Forward Plan be noted.

*Angie Cox, Democratic Services Manager – (01935 462148)  
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**32. Date of Next Meeting (Agenda Item 16)**

Members noted that the next meeting of the Scrutiny Committee would be held on Tuesday 3<sup>rd</sup> August 2010 at 10.00am in the Main Committee Room, Brympton Way, Yeovil.

Members of the Committee are invited to attend at 9.30am to scope questions on the report in the agenda.

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Chairman

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