

Scrutiny Committee – 1st November 2011

1. Minutes

South Somerset District Council

Draft minutes of the **Scrutiny Committee** held on **Tuesday 4th October 2011** in the Council Chamber, Council Offices, Brympton Way, Yeovil.

(10.00 a.m. – 1.15 p.m.)

Present:

Members: Councillor Sue Steele (Chairman)

Cathy Bakewell
Dave Bulmer
John Calvert

Carol Goodall
Pauline Lock
Tony Lock

Paul Maxwell
Graham Oakes
Martin Wale

Also Present:

Councillors Tim Carroll, Henry Hobhouse, Terry Mounter, Jo Roundell Greene, Sylvia Seal, Gina Seaton, Peter Seib, Graham Middleton, Sue Osborne, Peter Gubbins and Angie Singleton

Officers:

Rina Singh	Strategic Director (Place & Performance)
Vega Sturgess	Strategic Director (Operations & Customer Focus)
Steve Joel	Assistant Director (Health & Well-Being)
Donna Parham	Assistant Director (Finance & Corporate Services)
Martin Woods	Assistant Director (Economy)
Neil Waddleton	Section 106 Monitoring Officer
Alison Cameron	Leisure Policy Co-ordinator
Jo Gale	Scrutiny Manager
Emily McGuinness	Scrutiny Manager
Jo Morris	Committee Administrator

44. Minutes (Agenda Item 1)

The minutes of the meeting held on 30th August 2011 were approved as a correct record and signed by the Chairman subject to the following amendment under Item 39 – Local Strategic Partnership: South Somerset Together (SST) Comprehensive Review

The following paragraph:

Several members supported the way forward and felt that it made sense to have a more simplified structure and that the partners should take on more of a lead in order for Local Strategic Partnership to be more cost effective. It was also felt that Partners should bring resources equal to those provided by SSDC.

to be replaced by:

The majority of members did not support the way forward and were in favour of the initial recommendations of the Partnerships Task & Finish Review. Some members did support the way forward and felt that it made sense to have a more simplified structure and that the partners should take on more of a lead in order for Local Strategic Partnership to be more cost effective. It was also felt that Partners should bring resources equal to those provided by SSDC

45. Apologies for Absence (Agenda Item 2)

Apologies for absence were received from Councillors Colin Winder, Wes Read and Marcus Fysh.

46. Declarations of Interest (Agenda Item 3)

There were no declarations of interest.

47. Public Question Time (Agenda Item 4)

There were no members of the public at the meeting.

48. Issues Arising from Previous Meeting (Agenda Item 5)

There were no issues raised from previous meetings.

49. Chairman's Announcements (Agenda Item 6)

The Chairman welcomed members of Mendip District Council's Scrutiny Committee to the meeting. The Chairman of Mendip District Council invited the Chairman to attend their next meeting on Monday 17th October at which they would be considering the Glastonbury Festival Debrief. The Chairman kindly accepted the invitation.

The Chairman also welcomed Jo Gale, Scrutiny Manager to her first meeting since returning to work from maternity leave. Members noted that she would be working as Scrutiny Manager on Mondays and Tuesdays and that Emily McGuinness would be covering the remainder of the week.

Members were informed that Jo Gale, Scrutiny Manager would be arranging a training session for members on questioning skills and that a date would be circulated in due course. All members were encouraged to attend this event.

50. Strategic Leisure Contributions (Agenda Item 7)

The Assistant Director (Health & Well-being) introduced the report, which gave an overview of the current approach employed by the authority to secure planning obligations to remedy local deficiencies in strategic sport and recreation facility provision and to highlight future changes.

During consideration of this item, members put forward various comments and questions, which included the following:

- What was the percentage of money going towards strategic facilities rather than site specific? Reference was particularly made to the Lyde Road site.
- How does the Council work out the percentage of money going towards strategic facilities?
- Reference was made to Appendix 2 - Page 50 - scoring of public transport. Where would the provision of public transport come from? It was felt that families who do not have a car should not be disadvantaged.
- How do you make a decision about the original aspects?
- In the current economic climate, is it likely that SSSDC will be providing any form of strategic leisure facility for the foreseeable future? Would it not be a better use of increasingly scarce resources if the money gained through S106 agreements was retained within a certain radius of the contributing development?
- The Appendix states that the Council will pool resources – how are resources pooled and how does the Council make sure it is delivered in a fair and equitable way?
- Once monies have been pooled is it ever reviewed to see if that decision is appropriate?
- Many key sites are difficult financially to deliver – assuming there is not enough money – how do you prioritise? Do you apportion equally? Do members have an input?

The Assistant Director (Health & Well-Being) response to members' questions and comments as raised above included the following:

- With reference to the Lyde Road site, it was reported that a full assessment was undertaken in 2006 in terms of equipped play, youth facilities, strategic and playing pitch provision as described in the report. Members received all the appropriate information and approved the application. A full range of recreational provision will support the houses in this area;
- The percentage of money going towards strategic facilities is apportioned using the full cost schedule tool as outlined in Appendix 6 to the report;
- Currently Local Planning Policies set out standards of provision for play pitches and provision is calculated using these standards;
- The process involves trying to set a level of standard of provision by taking a balanced view and ensuring that an established network is reasonable. The main issue is about providing facilities that are within a reasonable travel time. Many of the rural needs were addressed through village and community halls and were not dealt with through the framework at the current time. Within the Core Strategy this would be met through a Village Hall Network. The provision of sporting four court facilities should be based on a 15 minute drive time;
- Under current legislation, it was not possible to keep back S106 money for the provision of public transport;
- Where the Council has assessed deficiency, there will always be two mitigation options set out (primary and secondary). The second option will always be a district wide option. Under current legislation, the Council is required to set out a relevant period in which contributions should be spent. In the current climate it was likely that the Council would be providing any bigger facilities. It was important to have a fallback position;
- The number of people generated by a development with the standards gives the requirement from the developer;
- In all cases the Council seeks to prioritise resources;

- The Infrastructure Development Plan will be based around what priorities members have made. Members will decide the infrastructure. If members decide they want to reduce levels of provision they will be able to take decisions as part of that process;
- All the standards are applied in a fair and equitable way no matter where the development is located across the district. As part of the planning portal, the summary sheet is always made available;
- In terms of pooling resources, the Community Infrastructure Levy will allow a lot more flexibility than the current policy by allowing resources to be pooled from across the district. If there is enough money in the pool, the facility can then be delivered;
- Contributions are reviewed on a quarterly basis using a specific monitoring process;
- Specialist surfaces for hockey and football were now available. There was no surface that would cater competitively for both sports;
- The Council looks to prioritise what it seeks from the developer. Housing takes priority and once a package has been agreed officers go back and reassess the impact and apply the funding pot in the best way possible. Members have input into the process through the Area Committees;
- On every site the Council pulls money for strategic development such as swimming pools as no site would ever be able to fund a pool or something of such considerable investment;
- S106 agreements cannot be changed including the location of a facility;
- Members were informed that the planning obligation process was agreed by District Executive earlier in the year;
- Since April 2010, the Council has achieved £1.8 million of contributions towards essential infrastructure;
- Officers use a specific model to make population forecasts and assessments were modified accordingly. Reviews were undertaken every 3-5 years;
- Timing of developments will always depend on the funding package. The Council was unable to seek loan finance;
- Assessments were undertaken for each area. There was a broad network of improvements envisaged across the district, which is prioritised on the biggest area of deficiency.

The Chairman thanked the Assistant Director (Health and Well-Being) for attending the meeting.

RESOLVED: That the information contained in the report and the associated appendices be noted together with the responses from the Strategic Director (Health & Well-Being) to members' comments and questions as detailed above.

(Steve Joel, Assistant Director - Health & Well-Being)
(steve.joel@southsomerset.gov.uk or 01935 462278)

51. **Proposals for the Joint Scrutiny of the Somerset Waste Board (Agenda Item 8)**

Emily McGuinness, Scrutiny Manager introduced the report, which proposed more effective future arrangements for the scrutiny of the Somerset Waste Board (SWB) by establishing a Joint Scrutiny Panel that would meet twice a year. Each partner authority was being asked to appoint two Scrutiny members and one substitute to the Joint Panel.

The Strategic Director (Operations & Customer Focus), who was a member of the Senior Management Group on the SWB commented that Steve Read, Managing Director of

SWB was willing to attend any Scrutiny meetings that were held about waste and that he welcomed the proposals put forward.

It was proposed and seconded that Councillors Paul Maxwell and Sue Steele be appointed as representatives on the informal Joint Scrutiny Panel. It was proposed and seconded that Councillor Carol Goodall be appointed as substitute.

- RESOLVED:**
- (1) That an informal Joint Scrutiny Panel be established as outlined in the report consisting of two non-executive members from each member authority (Plus one nominated substitute);
 - (2) That Councillors Sue Steele and Paul Maxwell be appointed as representatives on the informal Joint Scrutiny Panel;
 - (3) That Councillor Carol Goodall be appointed as substitute on the informal Joint Scrutiny Panel;
 - (4) That Officers produce the detailed Terms of Reference for the informal Joint Scrutiny Panel to be agreed by the first meeting of the panel;
 - (5) That the legislative position re: establishing Joint Scrutiny Committees be kept under review, and further reports submitted as necessary.

(Emily McGuinness, Scrutiny Manager)
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(Jo Gale, Scrutiny Manager)
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52. Student Participation with Scrutiny (Agenda Item 9)

The Scrutiny Chairman introduced the report, which set out proposals to engage students in the Scrutiny function. She commented that she had a keen interest in working with young people and had been involved in the shadowing programme and Democracy Day. She felt that involving young people would be of great benefit to scrutiny.

During the ensuing discussion, the officers responded to members' questions and comments, which included the following:-

- Part of the Scrutiny development role was to engage young people in the decision making process;
- As the students were aged between 16-19 years old only a minimal level of support would be required;
- The tutors would undertake risk assessments and the schools would meet any mileage costs associated with students travelling to meetings;
- The application process proposed would involve the completion of candidate specifications and interviews would be undertaken;
- The proposals did not include setting up any additional Task and Finish meetings;
- Working with students as part of the Homefinder Task and Finish Review had been invaluable.

During consideration of the report, members made a number of comments and suggestions, which included the following:

- It was felt that it was not appropriate to have young people involved in Task and Finish Reviews as confidential issues relating to finance and other matters were often discussed and it would be better for young people to participate in Scrutiny Committee meetings;
- Several members supported the concept of working with young people but were unable to support the proposed method outlined in the report;
- Some members stated that there was already an active Youth Council in Yeovil;
- It was felt that two young people was not enough and there needed to be more;
- It would be useful if the schools could identify the most appropriate young people;
- It was not felt that this proposal was a good use of the Scrutiny Manager's time and that limited resources have to be seen to be 'well spent'.

Some members spoke of the positive experiences that they had observed whilst working with young people through the Homefinder Task and Finish Review and that the contributions the young people had put forward had been invaluable.

The majority of members were unsupportive of the proposals outlined in the report, which they considered to be unclear. They requested that the Scrutiny Manager rework the report and bring back alternative proposals for consideration at a future meeting of the Scrutiny Committee.

RESOLVED: That the Scrutiny Manager 'rework' the report and re-submit alternative proposals to a future meeting of the Scrutiny Committee.

(Emily McGuinness, Scrutiny Manager)

(emily.mcguinness@southsomerset.gov.uk or 01935 462566)

(Jo Gale, Scrutiny Manager)

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53. Verbal Update on Task and Finish Reviews (Agenda Item 10)

Martin Wale reported that he had chaired a meeting of the Inescapable Bids Task and Finish Review held on 22nd September 2011. He commented that the meeting had been a useful process and that the bid list was much smaller this year.

District Executive would consider the recommendations put forward by the Task and Finish Group as part of the budget setting process.

54. Scrutiny Work Programme (Agenda Item 11)

Jo Gale, Scrutiny Manager reported that she would be working on evaluating the recommendations of the HomeFinder Somerset Review to ensure that they are being implemented. The evaluation process would be undertaken as a joint review across the district.

Members were informed that the Scrutiny Managers would be working up the suggestions put forward at the Work Programming Session and bring these forward to a future meeting for members to score following the Corporate Plan update being completed.

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

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(Jo Gale, Scrutiny Manager)
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55. Somerset Waste Board – Forward Plan (Agenda Item 12)

Emily McGuinness, Scrutiny Manager reported that this was the first time that the Somerset Waste Board work programme had been included in the agenda. It was hoped that by including this document members would have a greater awareness of the work of the Waste Board.

It was noted that members could refer any issues/comments to Councillors Jo Roundell Greene and Henry Hobhouse who were SSDC's representatives on the Board.

RESOLVED: That the Somerset Waste Board Forward Plan be noted.

56. Verbal Update on Reports considered by District Executive on 1st September 2011 (Agenda Item 13)

There were no comments/questions taken forward by Scrutiny Committee to District Executive on 1st September 2011.

57. Reports to be considered by District Executive on 6th October 2011 (Agenda Item 14)

Members considered the reports contained in the District Executive agenda for 6th October 2011.

The following questions and comments would be taken forward to District Executive on 6th October 2011:

Draft National Planning Policy Framework Consultation

One member commented that this was a vast important document and thanked Councillor Ric Pallister for his Portfolio Holder briefing on the issue.

In view of the document being a vast and important piece of work Scrutiny members were encouraged to attend District Executive to ask questions.

It was felt that there was a need to have a clear and legal view on what was meant by the term 'Sustainable Development'.

One member commented that she was encouraged by the Neighbourhood Plans but pointed out that there could be a resource implication for the District Council that needed to be considered.

Clarification was sought on the relationship between Neighbourhood Plans and the Local Plan and it was felt that there was a need for a clear definition on how the two fit together.

SSDC Partnerships Review

It was felt that it would be useful if a key could be included in Table A to explain what was meant by a Key, Substantial and Minor Partnership as listed under category.

Medium Term Financial Strategy & Financial Plan for 2012/13 to 2016/17

The Assistant Director (Finance and Corporate Services) updated members on the current position on the Medium Term Financial Plan (Revenue Budgets for 2012/12 to 2016/17).

Members noted that a Workshop would be held on 15th November for all members to consider the first draft of a new Corporate Plan.

Scrutiny members were invited to attend a meeting on 15th December at 2.00pm in the Council Chamber to review the Portfolio Holder Savings Plans.

Members were issued with a Budget and Corporate Plan Timetable for 2012/13.

District Executive Forward Plan

Members noted that the report on Scrutiny arrangements for the Somerset Waste Board listed on the District Executive Forward Plan for November was not a District Executive report and would be removed from the Forward Plan.

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 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).

Redevelopment of Council owned building at Goldcroft, Yeovil

Members expressed concern that the Ward Members had not been consulted on the proposals.

Members questioned whether the Council had a policy for the disposal of assets and felt that it would be beneficial for Scrutiny to look at this in the future.

To what extent had the Council considered selling the property on the open market?

SSDC Comprehensive (Efficiency) Review of South Somerset District Council

Members continued to question the purpose of the Partnership and expressed reservations about its continued operation.

Transfer of Community Activity Bus – Selection of Preferred Bidder

Members questioned who would decide how the 30 days to be made available to SSDC would be allocated?

What was the level of member involvement in the tendering process?

What are the monitoring arrangements to ensure that the Partnership is delivering?

There is no mention under the financial implications of the report that the money would have to be returned to the Lottery if the Council were to sell the Bus. In view of this members sought clarification that all reports are seen and signed off by Finance prior to being seen by members.

58. Date of Next Meeting (Agenda Item 15)

Members noted that the next meeting of the Scrutiny Committee would be held on Tuesday 1st November 2011 at 10.00am in the Main Committee Room, Brympton Way, Yeovil.

Members of the Committee are invited to attend at 9.30 a.m. to scope questions on the reports in the agenda.

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Chairman