

South Somerset District Council

Draft Minutes of the **Scrutiny Committee** held on Tuesday 31st January 2012 in the Main Committee Room, Council Offices, Brympton Way, Yeovil.

(10.00 a.m. – 2.30 p.m.)

Present:

Members: Councillor Sue Steele (Chairman)

Cathy Bakewell
Dave Bulmer
Marcus Fysh
Carol Goodall
Pauline Lock

Tony Lock
Graham Oakes (until 12.10 p.m.)
Wes Read
Martin Wale
Colin Winder

Also Present:

Ric Pallister (until 12.10 p.m.)
Tim Carroll (until 12.10 p.m.)
Henry Hobhouse (until 12.10 p.m.)
Peter Seib (until 12.10 p.m.)
Sylvia Seal (until 12.10 p.m.)
Gina Seaton
Sue Osborne

Officers:

Rina Singh	Strategic Director (Place & Performance)
Vega Sturgess	Strategic Director (Operations & Customer Focus)
Donna Parham	Assistant Director (Finance & Corporate Services)
Kim Close	Assistant Director (Communities)
Martin Woods	Assistant Director (Economy)
Sue Eaton	Performance Manager
Jo Gale	Scrutiny Manager
Emily McGuinness	Scrutiny Manager
Jo Morris	Committee Administrator

85. Minutes (Agenda Item 1)

The minutes of the meeting of the Scrutiny Committee held on Tuesday 3rd January 2012 were approved as a correct record and signed by the Chairman.

86. Apologies for Absence (Agenda Item 2)

Apologies for absence were received from Councillors John Calvert, Tim Inglefield and Paul Maxwell.

87. Declarations of Interest (Agenda Item 3)

Councillor Dave Bulmer declared a personal and prejudicial interest in Agenda Item 9 – Reports to be considered by District Executive on 2nd February 2012 in relation to Item 20 – Disposal of SSDC owned land in Chard comprising the Boden Mill, former ACI factory site, Market Fields and Boden Street car parks, as he lived opposite the site. He left the room during consideration of the item. Councillor Martin Wale declared a personal interest in the same item, as he was a Chard Town Council representative on the CRS Management Board.

88. Public Question Time (Agenda Item 4)

There were no members of the public at the meeting.

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

There were no issues raised from previous meetings.

90. Chairman's Announcements (Agenda Item 6)

The Chairman informed members that Sedgemoor District Council have arranged a briefing on Friday 17th February at 2.30pm for any interested members from across Somerset. The briefing has been arranged to allow members to meet with SCC representatives to discuss the County Council's proposals to cut the County Youth Service budget. Members were asked to let the Scrutiny Managers know if they wished to attend.

She informed members that she would be attending a partnership-working event on 8th and 9th March in Warwick with Cllr. Jo Roundell Greene.

Members were informed that Emily McGuinness and Sue Steele would be absent from the next meeting on 28th February as they were due to attend a Scrutiny Police Commission event in Exeter.

Members noted that the June Scrutiny Committee meeting would take place on Wednesday 6th June, the day before District Executive in order to accommodate the additional Bank Holiday. It was also noted that the meeting in January 2013 would be held on Wednesday 2nd January.

91. Portfolio Holder Presentation (Agenda Item 7)

Councillor Peter Seib, Portfolio Holder for Regulatory and Democratic Services gave a short presentation about the services within his portfolio comprising Development Management, Environmental Health, Building Control, Licensing, Health & Safety and Democratic Services.

During the presentation, Members were informed of the following:

- Development Control has dealt with far fewer applications than in previous years. Reference was made to the setting of planning fees and it was noted that a Government announcement on this was expected shortly;
- The Development Control Service was an efficient and effective service and performance figures were good across the board;
- Priority continued to be given to Economic Development;
- Building Control had been hit enormously by the downturn in building. The Council has to undertake its statutory duties which still entails certain costs;
- An announcement was expected shortly on the new building control regulations which the team will have to learn and sign off;
- Environmental Health continued to undertake food and water testing. The main focus is around public protection and keeping a base service. There were areas where the service could not be cut as there was a need to guarantee public safety;
- With regard to the health and safety regime, it was noted that the regular inspections were starting to fall away;
- Reference was made to the need to maintain a spread of services and expertise across Environmental Health and Health and Safety and that multi skilling would help to maintain this;
- With reference to Licensing, it was noted that there were proposals for late night charges and that the Portfolio Holder was keen for Scrutiny to be involved;
- With reference to Community Governance reviews, the Council would need to take a risk- based position and consider proactively seeking a more wholesale Boundary Review rather than drip-feeding Community Governance Reviews.

Following the presentation, members were given the opportunity to ask questions, which included the following:

- With reference to Development Control and there being a lot less applications do you envisage an increase and if so do we have the staff to cope with this?
- How will you ensure services continue to be delivered?
- Due to the spread of expertise within Building Control and Environmental Health do you envisage there being a case for buying in services?
- One member referred to the Boundary Reviews and Community Governance Reviews linking to growing towns and settlements. She cautioned against seeking to increase the number of seats on the Council.
- What consultation have you undertaken as part of the budget setting process? How have you effectively assessed the likely impact of your decisions re: priority and non-priority areas?
- With reference to Building Control, are we selling our services to other authorities?
- Is the budget allocated to your portfolio adequate to deliver your stated priorities to the desired levels?
- Are there any areas that you would welcome input of the Scrutiny Committee in the forthcoming year?

The Portfolio Holder responded to members' comments and questions. The following points were noted:

- He expected community development in town centres to be a key priority for Economic Development and it was hoped that people would be willing to start investing in commercial businesses. There was a need for experienced officers as keeping the town centres alive was vital;
- The increase in extra seats would be a matter for the Boundary Commission;

- Services could be brought in from neighbouring authorities if there was a large peak in demand for services;
- With reference to Development Control, regular meetings are held with Officers and monitoring is undertaken using the national performance indicators. If any complaints are received these are followed through on an individual basis;
- Consultation on the budget has been undertaken within District Executive which has included risk and impact assessments;
- Officers were looking at all the options with regard to providing Building Control services to other authorities;
- In general the fees charged for pest control cover the costs of providing services. The fees and uptake of services are regularly reviewed.

The Chairman thanked Cllr. Peter Seib for attending the meeting.

92. Verbal Update on reports considered by District Executive on 5th January 2012 (Agenda Item 8)

Members noted the minutes from the District Executive meeting held on 5th December 2011 as outlined in the agenda. The minutes included the comments raised by members of the Scrutiny Committee.

Members noted that Scrutiny would be consulted on the future use of the Annual Monitoring Reports.

With regard to the Capital Programme, District Executive would monitor any capital projects that have slipped as part of the quarterly monitoring reports.

District Executive had agreed that it would be useful to have a separate budget heading for Community Governance Reviews.

Members noted that an urgent report had been considered at District Executive for approval of a Save to Earn bid for the installation of photovoltaic arrays at Lufton Depot and Petters House. Cllr. Henry Hobhouse apologised for the report going straight to District Executive but this had been fundamental given the potential of additional savings to SSDC should the Government lose its High Court challenge.

93. Reports to be considered by District Executive on 2nd February 2012 (Agenda Item 9)

Members considered the reports outlined in the District Executive agenda for 2nd February 2012.

Review of South Somerset Together (LSP)

Members noted that this would be a verbal report. Members considered the main issues that they hoped the report would include.

It was agreed that the following questions would be taken forward to District Executive:

Which Partner organisations does the LSP now comprise of and what financial contributions do each of the partners make?

How have the structures of the partnership been simplified and why?

What is the overall purpose of the LSP? Do you still see yourselves in a pump priming capacity?

How will you ensure that communication with parishes and district councillors will improve?

Have you established an effective system for monitoring the amount of SSDC officer time that is spent working on the LSP (excluding the time of the Co-ordinator)?

Somerset Waste Partnership – Business Plan

The Strategic Director (Operations & Customer Focus) updated members on the rationale behind SSDC not introducing the SWB recommendations for the collection of garden waste.

With reference to the increased charges for Business Waste Sacks, members were informed that the sacks were sold to businesses at cost price and that competitor prices were in the region of £4.00.

One member questioned whether there was a timescale for improving services to households in premises, which don't fit easily with the standard Sort It Plus Package. The Strategic Director (Operations & Customer Focus) explained that high-rise dwellings were considered on a case-by-case basis, depending on their storage facilities and that there were not many in South Somerset.

The Strategic Director (Operations & Customer Focus) provided members with an explanation on the VAT position with regard to the Waste Contract.

2011/12 Revenue Budget Monitoring Report for the Quarter ending 31st December 2012

The Portfolio Holder for Finance and Spatial Planning introduced the report, which updated members on the current financial position of the revenue budgets of the Council including the reasons for variances.

Reference was made to page 41 of the appendices, which stated that £24,070 had been transferred from Area East to the post of Communities Assistant Director and that the last budget identified that this post would be removed as a vacant post and that this did not appear to be the case. In response, the Assistant Director (Finance & Corporate Services) informed members that this post has been temporarily funded from other sources and that the post was on the establishment as being deleted. The issue would need resolving pending the outcome of the area review.

One member questioned whether the Council was likely to be in a position where it was required to repay the eco town reserve money back to the funder. The Assistant Director (Finance & Corporate Services) commented that the conditions around spend had been met and that she was not aware of any issues at the current time.

One member referred to the delivery of efficiencies and the budget for 2011/12 identifying £1,449.8 of efficiency savings and the District Executive report outlining progress against the major efficiencies totalling £1,184k in the report. She requested an update on the overall picture and if the £1,449.8 has been achieved. The Assistant Director (Finance & Corporate Services) reported that efficiencies in terms of lean have been delivered but there have been some issues with regard to income and rent from vacated properties.

2011/12 Capital Budget Monitoring Report for the Quarter ending 31st December 2011

In response to a member question regarding strategic leisure contributions, the Assistant Director (Finance & Corporate Services) explained that the contributions remain in the budget as strategic until such time they are allocated.

It was noted that the S106 update monitoring reports submitted to the Area Committee would give more detail on each of the agreements. Members could also obtain further information from the S106 Monitoring Officer.

Revenue Budget 2012/12, Medium Term Financial Plan (MTFP) and revised Capital Programme

It was agreed that the following comment would be taken forward to District Executive.

Recommendation (d) recommends that the Car Parking Strategy is amended to allow for the introduction of evening charges in Yeovil Whilst the existing Car Parking strategy makes provision for this, the strategy is due to expire, so what is the timescale for reviewing the Car Parking Strategy to take account of the recent developments, such as evening charges?

At the request of a member, the Portfolio Holder for Finance and Spatial Planning explained more about the New Homes Bonus. It was noted that each New Homes Bonus funding allocation would require District Executive approval.

Castle Cary Car Parks – Income Compensation Scheme

One member questioned whether the agreement would include the installation of car parking metres. The Strategic Director (Operations & Customer Focus) commented that the scheme was very simple and would replace the net amount in the machine and would not include the cost of the machine. The Council were looking to investigate the pay, phone & park system and therefore may not need to install so many machines in the future.

Members were informed that the closer spaces to the town would be shorter stay, which would hopefully be of more benefit to the businesses. Castle Cary would have the ability to buy cost price enforcement.

New SSDC Corporate Plan 2012-2015

It was agreed that the following questions would be forwarded to District Executive:

How will the delivery of the Corporate Plan be monitored? How will we know that the plan is being effectively delivered?

What is the timescale for the development of an appropriate way of managing performance – Scrutiny have said that they would welcome the opportunity to establish a Task & Finish Group to work with officers and Executive members in developing a more appropriate set of performance indicators – how and when will this take place?

Members felt that the importance of agriculture to the local communities and economy could have a higher profile within the plan.

Members noted that the new Corporate Plan is much more publically accessible than previous documents.

Review of Area Working

What are the likely timescales for implementation?

How is the external consultation going to be carried out?

Scrutiny members indicated that they were happy that the outcome (to proceed with Option Three) was an accurate reflection of the review process undertaken.

Proposed Introduction of Community Infrastructure Levy (CIL)

The Portfolio Holder for Regulatory and Democratic Services introduced the report. He explained that the decision was to consider a CIL and not a decision to enter into a CIL. The first step was about going out to consultation with the public and setting the work to underpin the regime.

Councillor Marcus Fysh proposed the following additional recommendation to go forward to District Executive for consideration, which was seconded by Councillor Colin Winder:

“That consultation on the proposed introduction of the Community Infrastructure Levy occurs simultaneously with the consultation on the Infrastructure Development Plan”.

A request was made for a recorded vote, however, this was not supported by the majority of members present.

On being put to the vote there were 3 votes in favour and 7 against the proposal with 1 abstention, therefore the proposal was lost.

Scrutiny Committee suggested the following amendments (shown in bold) to recommendations 2 and 4:

2. Subject to the approval of the above that District Executive **agree to consult on** the charging levy scales recommended by the Local Development Framework Project Management Board (PMB) for incorporation into a Preliminary Charging Schedule as set out within the report and delegate the rest of the contents of the Preliminary Draft Charging Schedule to the PMB.
4. That District Executive charge the PMB with initial preparatory work prior to adoption of **a** CIL Charging Schedule to suggest governance arrangements for future infrastructure planning in South Somerset.

Quarterly Performance and Complaints Monitoring Report – 3rd Quarter 2011/12

Members noted that working days lost to sickness absence had improved.

Members felt that further work was required on the perception of what is a complaint.

Appointment of Substitute Members to Council Committees

It was agreed that the following comment would be submitted to District Executive:

Members questioned whether it is appropriate to appoint substitute members to Committees requiring specialist knowledge such as Licensing and Audit. Members felt that any member attending the Scrutiny Committee in a Substitute capacity would need to ensure a sound understanding of South Somerset's Scrutiny process.

Forward Plan

Members noted that there would be a Special District Executive Meeting on 26th March 2012 to consider the Core Strategy.

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).

Transfer of Responsibility for Public Conveniences off South Street, Crewkerne to Crewkerne Town Council (Confidential)

Members supported the recommendations outlined in the report.

Disposal of SSSDC owned land in Chard comprising the Boden Mill, former ACI factory site, Market Fields and Boden Street car parks (Confidential)

Having earlier declared his personal and prejudicial interest, Councillor Dave Bulmer left the room during consideration of this item.

It was agreed that the following comments would be forwarded to District Executive.

Members highlighted the importance of keeping the ward members informed and involved and in particular giving them advance notice of any notifications to the press and public.

They also sought assurance that the wording in the risk matrix will be amended to read:

Ensure contract with developer has time constraints on securing a RETAIL TENANT.

94. Student Participation with Scrutiny (Agenda Item 10)

The Chairman introduced the report, which outlined proposals to engage students in the Scrutiny function. In October 2011, an initial report was considered and the outcome of that meeting was that the Scrutiny Manager was asked to amend the proposals to take into account the points raised. It was noted that the Scrutiny Manager had e-mailed all Committee members seeking clarification and more detail on the concerns raised and that only one member had responded.

Members noted that the proposals were for a pilot project and that there would be minimal cost implications.

Members supported the proposals outlined in the report, which they considered to be a good compromise and acceptable way forward.

RESOLVED: That the proposals outlined in the report for engaging students in the Scrutiny function be supported and taken forward by the Scrutiny Manager.

*(Emily McGuinness, Scrutiny Manager)
(emily.mcguinness@southsomerset.gov.uk or 01935 462566)*

95. Joint Scrutiny of the Somerset Waste Board – Feedback from recent meeting (Agenda Item 11)

Emily McGuinness, Scrutiny Manager introduced the report, which provided members with feedback from the Joint Waste Scrutiny Panel meeting held on 9th January 2012.

Members noted that the next meeting would be held in October 2012 to enable the Panel to consider progress made against the priorities set out in the Business Plan.

In response to a member question in relation to Green Waste Collection charges, the Strategic Director (Operations & Customer Focus) informed members that the proposal of allowing South Somerset customers to continue paying a lower rate if paid on line was now difficult to implement following the completion of an Equality Impact Assessment.

RESOLVED: That the minutes of the Somerset Waste Board meeting held on 9th January be noted by the Scrutiny Committee as outlined in the agenda report.

*(Emily McGuinness, Scrutiny Manager)
(emily.mcguinness@southsomerset.gov.uk or 01935 462566)*

96. Report Request – Update on Park Homes (Agenda Item 12)

At the February 2011 meeting of the Scrutiny Committee, members considered a report by the Assistant Director – Health & Well-being, updating them on the implementation of the Park Homes Projects. At that meeting members requested 12 monthly updates on the site management of the Gypsy Park Homes at Ilton and Tintinhull.

In order to ensure that the officer and the relevant Portfolio Holder provide the relevant information members were asked to consider and complete the report request template, as outlined in the agenda in relation to this issue.

During discussion, members raised a number of issues that they wished to be included in the update report. This information would be sent to the Assistant Director – Health & Well-being and the Portfolio Holder prior to their attendance at the 28th February Scrutiny Committee meeting.

RESOLVED: That the information requested as part of the report request template be submitted to the Assistant Director – Health & Well-being prior to his attendance at the 28th February Scrutiny Committee meeting.

*(Emily McGuinness, Scrutiny Manager)
(emily.mcguinness@southsomerset.gov.uk or 01935 462566)
(Jo Gale, Scrutiny Manager)
(joanna.gale@southsomerset.gov.uk or 01935 462077)*

97. Verbal Update on Task and Finish Reviews (Agenda Item 13)

Outside Organisations

Cllr. Martin Wale, Chairman of the Review Group reported that the last meeting was held on 26th January 2012. Work was progressing well and they had reviewed the first 4 partnerships plus 2 additional partnerships not included on the list. They were waiting for legal advice from the Solicitor to the Council regarding issues of liability and travel. The next meeting would be held on 14th February 2012.

Social Housing Fraud

Members were informed about the Housing Inquiry Day being held on Wednesday 22nd February at 10.00am – 2.30pm. All members were invited to attend. Representatives from the Chartered Institute of Housing and RSLs would be attending to talk about how they test and deter housing fraud.

Housing and Council Tax Benefits

Jo Gale, Scrutiny Manager referred to the recent presentation given at Full Council on the changes to the Housing Benefit regulations. The following members had indicated that they were interested in being members of the Task and Finish Group: Sue Steele, Carol Goodall, Dave Bulmer, David Recardo, David Norris, Sue Osborne and Jenny Kenton. She explained that she was looking for a large pool of members so that there would be no delays in the process. Some concerns had been expressed over the September deadline but it was noted that this was beyond the Council's control.

Homefinder Review

Jo Gale, Scrutiny Manager informed members that she would be arranging a meeting with the Housing Portfolio Holder to discuss various issues. As there was still further work required, she would not be in a position to bring a report to the next meeting as stated in the Work Programme.

98. Scrutiny Work Programme (Agenda Item 14)

Reference was made to the agenda report, which informed members of the Scrutiny Committee Work Programme.

Councillor Sue Osborne asked officers to obtain further information on the evidence base used to inform the County Council's decision to reduce expenditure on bus transport throughout the county.

It was noted that the Scrutiny Chairman was still in discussions with Councillor Harvey Siggs, the district representative on the Shadow Health and Wellbeing Board with reference to him attending the April Scrutiny Committee meeting.

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

(Emily McGuinness, Scrutiny Manager)

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

(Jo Gale, Scrutiny Manager)

(joanna.gale@southsomerset.gov.uk or 01935 462077)

99. Somerset Waste Board – Forward Plan (Agenda Item 15)

RESOLVED: That the Somerset Waste Board Forward Plan be noted as outlined in the agenda.

100. Date of Next Meeting (Agenda Item 16)

Members noted that the next meeting of the Scrutiny Committee would be held on Tuesday 28th February 2012 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