



Scrutiny Committee (Informal)

Tuesday 7th June 2022

10.30 am

A virtual meeting via Zoom meeting software

The following members are requested to attend this meeting.

Chairman: Gerard Tucker
Vice-chairmen: Brian Hamilton and Sue Osborne

Robin Bastable
Ray Buckler
Louise Clarke
Karl Gill

Charlie Hull
Andy Kendall
Tim Kerley
Mike Lewis

Paul Maxwell
Robin Pailthorpe
Oliver Patrick

Any members of the public wishing to address the virtual meeting at Public Question Time need to email democracy@southsomerset.gov.uk , by 9.00am on Monday 6 June.

The meeting will be viewable online by selecting the committee meeting at:
https://www.youtube.com/channel/UCSDst3IHGj9WoGnwJGF_soA

For further information on the items to be discussed, please contact
democracy@southsomerset.gov.uk

This Agenda was issued on Thursday 26 May 2022.

Jane Portman, Chief Executive Officer

**This information is also available on our website
www.southsomerset.gov.uk and via the mod.gov app**

Information for the Public

In light of the coronavirus pandemic (COVID-19), Scrutiny Committee will meet virtually via video-conferencing to consider reports. As of 7 May 2021 some interim arrangements are in place for committee meetings.

At the meeting of Full Council on 15 April 2021 it was agreed to make the following changes to the Council's Constitution:

- a) To continue to enable members to hold remote, virtual meetings using available technology;
- b) To amend Part 3 (Responsibility for Functions) of the Council's Constitution to allow those remote meetings to function as consultative bodies and delegate decisions, including Executive and Quasi-Judicial decisions, that would have been taken by those meetings if the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 had continued in force to the Chief Executive (or the relevant Director in the Chief Executive's absence) in consultation with those meetings and those members to whom the decision would otherwise have been delegated under Part 3 of the Constitution;
- c) The delegated authority given under (b) will expire on 31 July 2021 unless continued by a future decision of this Council;

For full details and to view the report please see -

<https://modgov.southsomerset.gov.uk/ieListDocuments.aspx?CId=137&MId=2981&Ver=4>

Further to the above, at the meeting of Full Council on 8 July 2021, it was agreed to extend the arrangements for a further 6 months to 8 January 2022. For full details and to view the report please see -

<https://modgov.southsomerset.gov.uk/ieListDocuments.aspx?CId=137&MId=3033&Ver=4>

Further to the above, at the meeting of Full Council on 16 December 2021, it was agreed to extend the arrangements for a further 6 months to 8 July 2022 for all meetings apart from Full Council - Full Council will be in person. For full details and to view the report please see -

<https://modgov.southsomerset.gov.uk/ieListDocuments.aspx?CId=137&MId=2991&Ver=4>

Scrutiny Committee

The Local Government Act 2000 required all councils in England and Wales to introduce new political structures which provide a clear role for the Council, the Executive and non-executive councillors.

One of the key roles for non-executive councillors is to undertake an overview and scrutiny role for the council. In this Council the overview and scrutiny role involves reviewing and developing, scrutinising organisations external to the council and holding the executive to account. Scrutiny also has an important role to play in organisational performance management.

The Scrutiny Committee is made up of 14 non-executive members and meets monthly to consider items where executive decisions need to be reviewed before or after their implementation, and to commission reviews of policy or other public interest.

Members of the public are able to:

- attend meetings of the Scrutiny Committee except where, for example, personal or confidential matters are being discussed;

- speak at Scrutiny Committee meetings (limited to up to 3 minutes per person and at the Chairman's discretion usually no more than a total of 15 minutes is allocated for public speaking); and
- see agenda reports.

Meetings of the Scrutiny Committee are usually held monthly at 10.00am on the Tuesday prior to meetings of the District Executive (unless advised otherwise). However during the coronavirus pandemic these meetings will be held remotely via Zoom and the starting time may vary.

Agendas and minutes of committee meetings are published on the Council's website at: <http://modgov.southsomerset.gov.uk/ieDocHome.aspx?bcr=1>

Agendas and minutes can also be viewed via the mod.gov app (free) available for iPads, Windows and Android devices. Search for 'mod.gov' in the app store for your device, install, and select 'South Somerset' from the list of publishers, then select the committees of interest. A wi-fi signal will be required for a very short time to download an agenda but once downloaded, documents will be viewable offline.

Public participation at meetings (held via Zoom)

We recognise that these are challenging times but we still value the public's contribution to our virtual meetings.

If you would like to address the virtual meeting during Public Question Time please email democracy@southsomerset.gov.uk by 9.00am on Monday 6 June When you have registered, the Chairman will invite you to speak at the appropriate time during the virtual meeting.

This meeting will be streamed online via YouTube at:
https://www.youtube.com/channel/UCSDst3IHGj9WoGnwJGF_soA

Virtual meeting etiquette:

- Consider joining the meeting early to ensure your technology is working correctly.
- Please note that we will mute all public attendees to minimise background noise. If you have registered to speak during the virtual meeting, the Chairman or Administrator will un-mute your microphone at the appropriate time. We also respectfully request that you turn off video cameras until asked to speak.
- Each individual speaker shall be restricted to a total of three minutes.
- When speaking, keep your points clear and concise.
- Please speak clearly – the Councillors are interested in your comments.

Recording and photography at council meetings

Recording of council meetings is permitted, however anyone wishing to do so should let the Chairperson of the meeting know prior to the start of the meeting. The recording should be overt and clearly visible to anyone at the meeting, but non-disruptive. If someone is recording the meeting, the Chairman will make an announcement at the beginning of the meeting. If anyone making public representation does not wish to be recorded they must let the Chairperson know.

The full 'Policy on Audio/Visual Recording and Photography at Council Meetings' can be viewed online at:

<http://modgov.southsomerset.gov.uk/documents/s3327/Policy%20on%20the%20recording%20of%20council%20meetings.pdf>

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Scrutiny Committee (Informal)

Tuesday 7 June 2022

Agenda

Preliminary Items

1. Minutes

To approve as a correct record the minutes of the previous meeting held on 10 May 2022. The draft minutes can be viewed at:

<http://modgov.southsomerset.gov.uk/ieListMeetings.aspx?CId=141&Year=0>

2. Apologies for absence

3. Declarations of Interest

In accordance with the Council's current Code of Conduct (as amended 26 February 2015), which includes all the provisions relating to Disclosable Pecuniary Interests (DPI), personal and prejudicial interests, Members are asked to declare any DPI and also any personal interests (and whether or not such personal interests are also "prejudicial") in relation to any matter on the Agenda for this meeting.

4. Public question time

5. Issues arising from previous meetings

This is an opportunity for Members to question the progress on issues arising from previous meetings. However, this does not allow for the re-opening of a debate on any item not forming part of this agenda.

6. Chairman's Announcements

Items for Discussion

7. Verbal update on reports considered by District Executive on 12 May 2022 (Page 6)
8. Reports to be considered by District Executive on 9 June 2022 (Page 7)
9. Appointment of Scrutiny Committee Members to Joint Scrutiny Panels (Pages 8 - 11)
10. Verbal update on Task and Finish reviews (Page 12)
11. Update on matters of interest (Page 13)
12. Scrutiny Work Programme (Pages 14 - 16)
13. Date of next meeting (Page 17)



**Verbal update on reports considered by District Executive on
12 May 2022**

The Chairman will update members on the issues raised by Scrutiny members at the District Executive meeting held on 12 May 2022.



Reports to be considered by District Executive on 9 June 2022

Lead Officer: Stephanie Gold, Specialist (Scrutiny & Member Development)
Contact Details: stephanie.gold@southsomerset.gov.uk

Scrutiny Committee members will receive a copy of the District Executive agenda containing the reports to be considered at the meeting on 9 June 2022 (Informal Consultative Meeting).

Members are asked to read the reports and bring any concerns/issues from the reports to be discussed at the Scrutiny Committee meeting on 7 June 2022 (Informal Meeting).

The concerns and views of the Scrutiny Committee will be reported to the responsible Portfolio Holder(s) and officer(s) in advance of the District Executive meeting to be held on 9 June 2022, for consideration and response in advance of the decision being taken.

Please note:

The Press and Public will be excluded from the meeting when a report or appendix on the District Executive agenda has been classed as confidential, Scrutiny Committee will consider this in Closed Session by virtue of the Local Government Act 1972, Schedule 12A under paragraph 3 (or for any other reason as stated in the District Executive agenda):

“Information relating to the financial or business affairs of any particular person (including the authority holding that information).”

It is considered that the public interest in maintaining the exemption from the Access to Information Rules outweighs the public interest in disclosing the information.



Appointment of Scrutiny Committee Members to Joint Scrutiny Panels

Lead Officer: Stephanie Gold, Specialist (Scrutiny & Member Development)
Contact Details: stephanie.gold@southsomerset.gov.uk

Action Required

That members agree the two members of SSDC's Scrutiny Committee to serve on the Somerset Rivers Authority and the Somerset Waste Board Joint Scrutiny Panels for 2022 / 2023. The members previously appointed for 2021/ 2022 on the panels were:

Joint Scrutiny Panel	Members Appointed
Somerset Waste Board Joint Scrutiny Panel	Cllrs Robin Bastable Brian Hamilton.
Somerset Rivers Authority Joint Scrutiny Panel	Cllrs Paul Maxwell Robin Pailthorpe

Further information about the panels (or extracts from governance documents) is shown on the following pages.

Joint Scrutiny Panel of Somerset Waste Board

Purpose and powers

The Somerset Joint Waste Scrutiny Panel (the Panel) will allow effective multi-authority Scrutiny of the Somerset Waste Board and support the strategic development of the Somerset Waste Partnership. The Panel will not be constituted as a formal joint committee. It does not replace or duplicate the role of individual partner scrutiny committees but aims to add value to the joint working of the board.

Membership

The Panel will comprise of two members from each participating authority. They will be appointed annually by the Scrutiny Committee (or equivalent) of each partner authority as determined locally, except that they should not be Executive members of any authority.

Role

The Panel will act as a “scrutiny commission” or “task group” on behalf of every authority. In conducting this role it may:

- Scrutinise decisions of the Somerset Waste Board
- Explore specific issues that benefit from member involvement in detailed review
- Support the board in developing its strategic development

Recommendations

The recommendations of the Panel will be reported to the:

- each authority’s Scrutiny Committee via the authority’s representative member
- Somerset Waste Board via the chair of the panel.

If necessary, each Scrutiny Committee can make recommendations to its own Executive and receive a response.

Joint Scrutiny Panel of Somerset Rivers Authority

Purpose and Powers

The Somerset Rivers Authority (SRA) is an established partnership involving all Somerset local authorities and other key delivery agencies. An informal Joint Scrutiny Panel for the SRA has been in place since

Role

The Memorandum of Understanding and Terms of Reference for the informal Joint Scrutiny Panel are attached to this report.

Recommendations

As an informal Joint Scrutiny Panel, any recommendations or actions proposed by the Panel will need to be endorsed by the Scrutiny functions of each partner authority. Working together informally should facilitate wider engagement of elected members in the work of the Somerset Rivers Authority and provide a more effective mechanism for fulfilling the statutory scrutiny functions of local authorities.

Local Memorandum of Understanding & Constitution (for the Somerset Rivers Authority Scrutiny Panel)

1. Background and Context

1.1 The Parties

Somerset County Council (SCC), the Axe / Brue and the Parrett Internal Drainage Boards (IDBs), Mendip, Sedgemoor, South Somerset, West Somerset District Councils and Taunton Deane Borough Council. These Parties, to whom this Local Memorandum of Understanding (MoU) applies will comprise the membership of the Somerset Rivers Authority (SRA) Joint Scrutiny Panel and will agree how to involve other stakeholders, such as the Environment Agency, Natural England, and the Wessex Regional Flood and Coastal Committee.

1.2 Background

The establishment of an informal joint Scrutiny Panel, agreed by the SRA Board on 23rd March 2016, reflects the need for the Somerset Rivers Authority to be accountable to the constituent councils and partners. The Panel will enable the scrutiny of activities of the SRA and provide necessary assurance to the constituent councils and partners that the SRA is operating effectively. As this will be an informal panel rather than a formally constituted joint Committee, there is not a requirement for each individual council to formally give the Panel delegated powers. It will operate as a cost effective mechanism whereby through a maximum of 2 to 3 meetings per year, members of each council and the IDB can come together collectively scrutinize the effectiveness of the SRA. This approach is consistent with the current status of the SRA as an unincorporated association and based upon the current Joint Waste Scrutiny model in

operation in Somerset. The onus will be on the representatives of each Council / organization who attend the Panel to feedback any issues or concerns into their Councils' formal scrutiny process.

1.3 Workings of the Panel

The SRA Joint Scrutiny Panel will:

- Consist of 2 elected members from each of the 6 councils and 1 from each Internal Drainage Board;
- Appoint a Chairman on an annual basis;
- Appoint a Vice Chairman on an annual basis;
- Receive administrative support from Somerset County Council
- Be the usual body to which called-in decisions of the Somerset Rivers Authority Board are referred to. The Panel will meet on a 6 monthly basis (unless an issue arises which requires more frequent meetings) and acting to in an informal capacity will seek to add value to the work of the SRA Board by:
- Improve pre-decision scrutiny of the work of the SRA Board, using the SRA Board's forward work programme as a source document;
- Improve communication amongst the wider membership of all partner authorities, including those not on the Joint Scrutiny Panel;
- Minimise the impact of effective scrutiny on the time of the SRA Board – by providing dedicated opportunities to engage with the Scrutiny functions of all Board member Councils / organisations.
- Consider policy development opportunities as and when they arise to support the SRA Board.

1.4 This Local Memorandum of Understanding (Local MoU)

This Local MoU document is not intended to be legally binding on the Parties, but the Parties agree to the Local MoU, intending to honour their obligations set out in it. It will cover the period up to 1st January 2018 and will be supported by an SRA Joint Scrutiny Panel Terms of Reference/Constitution.

1.5 Term & Amendment

This local MOU shall come into effect on 1st January 2017, and shall continue in force unless terminated in accordance with the this Local MoU. It will be reviewed annually or when relevant legislation is in place, defining accountability and scrutiny, whichever comes soonest. Proposals for amendments should be communicated to the SRA Senior Manager, no less than 30 days ahead of any Board meeting at which they would need to be considered. Proposals would then be circulated for comment and a recommendations made to the SRA Board, and in accordance with its decision-making arrangements decided by a simple majority.

1.6 Previous Arrangements

Prior to this Local MoU, the existing arrangements have provided for individual scrutiny by each of the constituent councils through their existing scrutiny processes. Those arrangements will be superseded by the arrangements put in place under this Local MoU.



Verbal update on Task and Finish reviews

The Task and Finish Review Chairs or Specialist (Scrutiny & Member Development) will give a brief verbal update on progress made.

Current Task & Finish Reviews

- Flooding in South Somerset - on hold
- Productivity Analysis - on hold



Update on matters of interest

Lead Officer: Stephanie Gold, Specialist (Scrutiny & Member Development)
Contact Details: stephanie.gold@southsomerset.gov.uk

Action Required

That members of the Scrutiny Committee note the verbal updates as presented by the Specialist (Scrutiny & Member Development).

Purpose of Report

This report is submitted for information to update members of the committee on any recent information regarding matters of interest to the Scrutiny Committee, and for the Specialist (Scrutiny & Member Development) to verbally update members on any ongoing matters.

Scrutiny Work Programme

Meeting Date	Agenda Item	Background/Description	Lead Officer/ Lead Member
TBC	Flooding in South Somerset	Regarding the recent flooding in Chard and other areas across the district, Scrutiny committee have expressed concern about how the various public and private sector bodies responsible for flood management are mitigating further damage and devastation caused by the extreme flooding in South Somerset. Waiting for SCC Section 19 flood investigation report.	Specialist Scrutiny and Member Development Cllr Gerard Tucker/Cllr Sue Osborne
TBC	S106 SWAP audit findings	Following concerning findings from a recent SWAP report, members have requested an update on S106 funds at SSDC. There is a project team currently working on process improvements to S106 monitoring, and the Locality Team Manager will come back with an update as soon as he is able.	Locality Team Manager

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The Somerset Waste Board and Somerset Waste Partnership Forward Plan of key decisions can be viewed at:

<http://democracy.somerset.gov.uk/mgListPlans.aspx?RPId=196&RD=0>

Agendas and minutes for the Heart of the South West (HotSW) Local Enterprise Partnership (LEP) Joint Scrutiny Committee can be viewed at:

<https://democracy.devon.gov.uk/ieListMeetings.aspx?CId=456&Year=0>

Agendas and minutes of the Joint Scrutiny Panel of Somerset Waste Board can be viewed at:

<https://democracy.somerset.gov.uk/ieListMeetings.aspx?CId=356&Year=0>

Agendas and minutes of the Joint Scrutiny Panel of Somerset Rivers Authority can be viewed at:

<https://democracy.somerset.gov.uk/ieListMeetings.aspx?CId=351&Year=0>

Agendas and minutes of the Local Government Re-Organisation Joint Scrutiny Committee can be viewed at:

<https://democracy.somerset.gov.uk/ieListMeetings.aspx?CId=420&Year=0>

Current Task & Finish Reviews

Date Commenced	Title and Purpose	Members
<i>ON HOLD</i>	<p>Productivity Analysis</p> <p>Understanding the cost of services, products and process.</p> <p>Workshops focussed on analysis and review of fees and charges across various service delivery areas.</p>	<p>Cllr Robin Bastable, Cllr Brian Hamilton, Cllr Crispin Raikes and Cllr Gerard Tucker. (with the Assistant Director Strategy and Support Services)</p>
<i>ON HOLD</i>	<p>Flooding in South Somerset</p> <p>Regarding the recent flooding in Chard and other areas across the district, members of the Scrutiny committee have called for a Task and Finish group to understand the issues and work with stakeholders to mitigate flooding at a local level.</p>	<p>Cllr Gerard Tucker, Cllr Sue Osborne (chair), Cllr Robin Bastable, Other members: Cllr Mike Stanton, Cllr Gina Seaton, (with the Specialist Scrutiny and Member Development)</p>
<p>If you have any suggested topics for Scrutiny Committee to consider please contact Specialist (Members) – stephanie.gold@southsomerset.gov.uk</p>		

Other Scrutiny working groups/workshops/matters of interest

Meeting date	Title	Description	Officers/Members
Updates as required	SWP Joint Scrutiny Panel	The representatives from the SWP Joint Scrutiny committee will provide verbal updates as appropriate.	Cllr Brian Hamilton, Cllr Robin Bastable
Updates as required	SRA Joint Scrutiny Panel	The representatives from the SRA Joint Scrutiny committee will provide verbal updates as appropriate.	Cllr Paul Maxwell, Cllr Robin Pailthorpe
TBC	Role of Scrutiny & Audit	Refresher on the role of both Scrutiny and Audit, with a clear definition of the lines between the two functions.	All members of Scrutiny and Audit with Specialist Scrutiny and S105 Monitoring officer.



Date of next meeting

Members are requested to note that the next meeting of the Scrutiny Committee will be held on Tuesday 5 July at 10.30am, as a virtual meeting using Zoom.