

**MINUTES OF THE MEETING OF SCRUTINY
HELD AT FOLLATON HOUSE, TOTNES ON THURSDAY 14 JANUARY 2010**

MEMBERS

* Cllr C M Pannell - Chairman

* Cllr K J Baldry - Vice-Chairman

* Cllr J H Baverstock

∅ Cllr R D Gilbert

* Cllr P H Cook

* Cllr J W Squire

* Cllr G J Fielden

* Cllr J A Westacott MBE

* Denotes attendance

∅ Denotes apology for absence

Also in attendance and participating:

Cllrs J T Pennington and M F Saltern.

Officers in attendance:

For all items: Chief Executive, Strategic Director (Resources), Strategic Director (Community), Head of Financial Services, Member Support Services Manager, Member Support Officer and Communications Manager.

For Item 6: (Minute SC.48/09 below refers) Head of Environmental Services.

SC.46/09 MINUTES

The minutes of the meeting of Scrutiny held on 16 December 2009 were confirmed as a correct record and signed by the Chairman.

SC.47/09 DECLARATIONS OF INTEREST

Members were invited to declare any interests in the items of business to be considered during the course of the meeting but none were made.

SC.48/09 BUDGET PROPOSALS 2010/11

**(a) BUDGET PROPOSAL SUBMITTED BY CLLR M
LAWRENCE RE CONCESSIONARY CAR PARKING TICKET:**

The Head of Environment Services discussed the proposal submitted by Cllr M Lawrence which was a secondary paper to his report 'Review of Car Park and Pannier Market Charges' presented at the Prosperity Policy Development Group Meeting on 18 November 2009 (Minute PPDG.19/09 refers).

Cllr Lawrence had proposed two options. Option 1 was to provide a free concessionary ticket to all households within the South Hams via the Council Tax distribution system. Option 2 was to revise the terms of the ticket that allowed free parking between 4.00 pm and 6.00 pm but not overnight.

The Officer stated that he proposed that the concessionary permit should be charged at £22.00 plus VAT. This figure had been calculated on the previous year's ticket sales. He also stated that if the proposal was adopted it was unlikely that it could be implemented in time for this year's Council Tax distribution. He also expressed concerns about the administrative and enforcement challenges that the proposal presented, which could impact on the authority's reputation.

During the discussion, the following issues were raised:

- In support of proposal one, a Member stated that other local authorities were adopting this system, and the core aim of the proposal was to encourage residents to use the local town centres and he would proceed to formally **MOVE** this proposal. (NOTE: this proposal was not seconded);
- Another Member noted that for a number of users (e.g. boat owners) it had proved a very useful permit as it meant there were no restrictions to the times they had to return to their vehicles. As a result of these benefits, the Member felt that the permit could increase in popularity next year;
- Other Members were conscious of the realities of the budgetary deficit and the extra burden on Council Tax Payers, should either of these proposals be accepted. It was also noted that this was a saving that could be achieved without any impact upon the Council Tax Payer. However, the view was expressed that the price of the ticket should be reviewed, as £22.00 was thought to be excessive. It was then **PROPOSED**, and **SECONDED** and when put to the vote subsequently declared **CARRIED** by **six votes in favour to one against** that:-

"With regret, and whilst recognising the good intentions of Cllr Lawrence's proposals, these should not be supported. In addition, the Executive should also be **RECOMMENDED** to reconsider the proposed price of £22.00 plus VAT".

It was then:

RECOMMENDED

That the Executive be **RECOMMENDED** that:-

1. with some regret, and whilst recognising the good intentions of the proposals, the Group do not support either of the suggested proposals;
2. the Group also suggest that these proposals be revisited again once the economic conditions improve; and
3. the Group also suggest that the proposed increase in concessionary parking permit from £10.00 to £22.00 represents too high an annual increase.

The Officer was then asked to thank his staff on the Group's behalf for the excellent service they had provided during the recent inclement weather.

(b) BACKGROUND TO THE DRAFT BUDGET PROPOSALS:

The Head of Financial Services gave an outline of the background to the proposals. He informed Members that the Government was having to borrow £170 billion this year, and was likely to have to borrow the same amount next year.

These sums were unprecedented and all political parties were sending out the message that they would be proposing cuts, which meant there would be very difficult times ahead.

At recent local Town, Parish and Business consultation meetings, the two service areas which were regarded as high priority for residents were waste collection and social housing. Tourism was regarded as the lowest priority area. The Business Community also congratulated the authority on the introduction of the concessionary car parking permit.

The officer went on to say that the authority had lost over £1 million in reduced income it received from interest on its account holdings and that it was likely to lose at least £500,000 the following year. The Council had previously relied heavily on such income. There had also been a reduction in income e.g. from planning application fees which would put further pressure on the budget. Lastly, indications were that the Government Grant would be increased by only £69,000 which ignored the pressures of lost income whilst demands on services such as housing were increasing. The authority would also be receiving £200,000 less to fund the Concessionary Bus Pass Tickets.

During the discussion, the following points were raised:

Employment Estates:

It was noted that the level of voids for rented employment units had gone up, but the current occupation was still 90%. The target was 96% but officers were budgeting for a projected loss of £50,000. However, the Strategic Director (Resources) commented that he had been pleased with the resilience of the employment estates and much of this had been down to the hard work of the staff in assessing potential rent defaults on a case by case basis.

(c) BUDGET BIDS:

Bid 1 – Environmental Health – Anti-Social Behaviour Officer Post for one year only funded from Reserves:

The Strategic Director (Community) informed Members that the current post was shared with West Devon on 2.5 days/1.5 days ratio with South Hams District Council receiving the higher portion based on population size.

The post holder liaised with local people and agencies to respond to individual cases of anti social behaviour. He highlighted that local authorities were increasingly being made responsible for these areas of community safety, although they did not receive an increase in resources which presented challenges. However, although crime was relatively low in the district, anti social behaviour problems could manifest anywhere and at anytime. It was acknowledged that anti social behaviour was a particularly miserable experience for those residents who were experiencing it in their neighbourhood, and he cited the Pilkington case. The Strategic Director (Resources) informed that the post would be funded from the Community Well Being Reserve and would not impact upon the Council Tax precept. The Group was informed that the Executive had proposed to make cuts to the Crime and Disorder Partnership funding, (i.e. at the strategic level), whilst focusing their statutory duties at the front line.

During the discussion, the following points were made:

Sentiment was expressed that dealing with anti-social-behaviour should be a police role and Members were unhappy that more and more responsibilities, such as street parking enforcement, were being placed on councils without the resources to match and on this basis it was therefore, **PROPOSED** and **SECONDED** that the proposal be rejected.

However, some Members were concerned about the impact on Community Safety if the bid was not supported and recognised that this was a statutory duty for the authority. In reply, the Group was informed that there was a risk that other Members in the Crime and Disorder Reduction Partnership might exclude the authority from the arrangements if they did not make a financial contribution. The authority would then be required to make its own arrangements which would most likely be a more expensive option. In terms of the impact in the community, with no officer in post, residents would be left with no option but to contact the police who might then take issue with the Council.

It was further stated that this judgement may be questioned in any future external inspections.

Several Members stated their support for the Bid noting that anti-social-behaviour often led to more serious crimes and was random as to where it might manifest. The Group Member, who was also a representative on the local South Devon and Dartmoor Crime and Disorder Reduction Partnership, urged Members to support the bid emphasising that this was a statutory duty of the Council and that he could not support any proposal to reject this Bid.

In light of the Group wishing to discuss the options regarding this post in more detail, it was:-

RESOLVED

That in accordance with Section 100(A)(3) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following item of business as the likely disclosure of exempt information as defined in paragraph 1 of Schedule 12A to the Act is involved.

Following the discussion in exempt session and once all parties were satisfied that there were no further questions, it was:

RESOLVED

That the public and press be re-admitted to the meeting.

As a result of the discussions in exempt session, the Proposer and Secunder stated that they wished to withdraw their earlier motion to reject the Bid.

It was then **PROPOSED** and **SECONDED** and when put to the vote subsequently **CARRIED** by four votes in favour, one against and with one abstention that the Bid be approved.

It was then

RECOMMENDED

That the Executive be **RECOMMENDED** that the Group approve the Bid for the continuation of the Anti-Social-Behaviour Officer post but that the Group wishes to note its concern at the increasing shift of police responsibilities on to local authorities.

Bid 2 – Street Sweeping £20,000 per annum:

Bid 2 related to the purchase of street sweeping vacuum cleaners. The Strategic Director (Resources) advised that the service was trying to become more effective and these machines would help to improve the quality of cleaning.

It was then **PROPOSED** and **SECONDED** and when put to the vote unanimously declared **CARRIED** that the Bid be approved.

Proposed Additional Bid – For Dedicated Scrutiny Officer:

A Member wished to record his support for the inclusion of an additional Bid for Dedicated Support for the Overview Scrutiny function. The Chairman noted that the Scrutiny and Policy Development Groups would benefit from dedicated officer time and awaited with interest the views of the Overview and Scrutiny Peer Review in February 2010. The Chief Executive stated that such a proposal would have to highlight the benefits of a dedicated post and what the outcomes would be, and also highlight the value for money implications for the Council.

(d) PROPOSALS TO REDUCE BUDGET SHORTFALL

The Head of Financial Services proceeded to introduce the additional pages which set out the Executive proposals to reduce the budget shortfall. He advised that should Members not agree to any of the proposals, then alternative suggestions would have to be put forward to fill the budget gap.

The Executive proposals were then discussed as follows:

1. Possible savings from Shared Services - £75,000

Officers advised that a total saving of £150,000 would be required and this would be split between the two authorities to achieve the £75,000 saving. Members were reminded of the services they had selected to be shared and whilst officers felt the amount was realistic, it was not possible to say exactly how this saving would be delivered.

When put to the vote, the proposal was unanimously agreed.

2. Possible savings from Crime and Disorder Activity - £30,000

It was noted that this possible saving had been considered at length in accordance with Bid 1 above.

When put to the vote, the proposal was unanimously agreed.

3. Possible savings from Tourism - £10,000

The Strategic Director (Community) reminded Members that the Council had entered into a five year tourism partnership and in time the contribution in terms of staff and finance would taper down. The Executive proposal would reduce the work on green tourism activity and focus the Council's contribution on marketing through the partnership.

It was **PROPOSED** and **SECONDED** and when put to the vote unanimously declared **CARRIED** that the Group wishes for investigations to be undertaken in an attempt to increase this saving to up to £20,000.

4. Possible savings from Development Control and Land Charges - £30,000

The Strategic Director (Community) advised Members that a saving would arise from joining the administrative elements of the two functions, which were currently split between different services. By joining the two teams together, they would be able to take advantage of synergies and the opportunity to manage peaks and troughs of activity.

When put to the vote the proposal was unanimously agreed.

5. Possible savings from Economic Development Activity - £45,000

The Strategic Director (Community) introduced this item by explaining that the Executive view of the Council's role in economic development was changing, and whilst the Council received positive feedback on the function, some of what was provided could come from other providers. In addition, this was increasingly being seen by government as an upper tier authority activity and much of the activity was discretionary.

When put to the vote, the proposal was unanimously agreed.

6. Possible savings from Community Grant - £30,000

For clarity, Members were reminded that this did not relate to the Locality Fund, but was a grant available for identified projects in the community. A number of projects had been supported over the years and the average grant was approximately £5,000. Whilst some Members expressed their concerns at this saving, it was overwhelmingly recognised that such decisions had to be taken.

When put to the vote, the proposal was unanimously agreed.

7. Contributions to Reserves

The Group then examined the list of reserves and their contributions. The Strategic Director (Resources) introduced the list of reserves and advised that he had already been asked to revisit the contributions made to the Vehicles and Plant Renewals Reserve. The Group was asked to consider the reductions where an 'annual' contribution was made.

Community Well Being: In relation to this reserve, It was **PROPOSED** and **SECONDED** and when put to the vote declared unanimously **CARRIED** that the contribution be halved from £24,000 to £12,000.

Vehicles and Plant Renewals: With regard to this reserve, the Group was informed that a reduction of £50,000 could be tolerated without jeopardising future acquisitions. It was then **PROPOSED** and **SECONDED** and when put to the vote declared unanimously **CARRIED** that the contribution should be reduced by up to £50,000.

When put to the vote the Group unanimously agreed the retention of all the remaining contributions to reserves.

Members then asked if further proposals could be made, and Cllr Pennington made the following suggestions in relation to the funding of certain partnership activity where he felt that savings to contributions could be made. The Group expressed its support for the request of the Member that each of the Partnerships to which the Council belonged be reviewed to assess whether the financial and officer time commitments made by the Council justified the consequent benefits gained by the Council.

A Member noted that a number of Central Services expenditure was being subsidised by the Council Tax payer, notably Housing and Council Tax Benefit administration costs. It was requested that a letter be sent to the local MPs expressing concern that the income received from a number of Central Service functions was falling short of Gross Expenditure, resulting in the Council Tax subsidising the shortfall. Also, the Group wished to urge Central Government to help in reducing the administration burden being placed upon local authorities (e.g. the Standards Regime, Development Control publicity and Freedom of Information requests).

It was then:-

RECOMMENDED

That the Executive **RECOMMEND** to Council that a letter be sent to the local MPs to:

1. Express concern about the shortfall in the level of funding received to meet the Housing and Council Tax benefit administration costs; and
2. Urge Central Government to reduce the administration burden on upon local authorities.

SC.49/09 **SCRUTINY SHADOWING ROLES**

The Members informed that generally they were kept fully briefed by their Executive colleagues, and in most instances, continued to meet frequently.

SC.50/09 **FUTURE AGENDA ITEMS**

Development Control Committee – 13 January 2010:

Following a lengthy debate on the outcome of a number of planning applications determined at a recent Development Control Committee meeting, it was apparent that there were a number of concerns regarding the Committee and it was therefore agreed, that an Informal Joint meeting of the Development Control Committee and Scrutiny Group be held to discuss these matters.

Citizens Advice Bureau and CVS

Following discussion of the Monitoring of the Service Level Agreements for the CAB and CVS at the Executive Meeting on 7 January 2010 (minute E.84/09 refers) the request that the Scrutiny Group undertake a detailed review of both the CAB and the CVS was accepted.

(Meeting commenced at 10.00 am and concluded at 12.55 pm).

Chairman