

# West Wiltshire District Council

## Minutes

- Minutes of the:** Scrutiny Committee
- Held on:** Wednesday 29 November 2006
- Held at:** Council Offices, Bradley Road, Trowbridge
- Present:**
- Councillors:** Phillips OBE (Chairman), Blakemore, Bower, Conley, Fortescue, Hames, Hawker, Manasseh, Mounde, Payne, Repton and While.
- Also in attendance:** Portfolio Holders: Cllrs Bryant, Carbin and Osborn. Other Members: Cllr Chivers
- Officers:** Head of Finance (IJ), Policy & Communications Manager (PM), Policy and Scrutiny Officer (ML) and Member Support Officer (MS)

### 83. Apologies and Membership of the Committee

Apologies for absence were received from Cllrs Cunliffe-Jones, March, Oakman and Oldrieve.

There were also the following changes to the membership of the Committee: -

- Temporary change: Cllr Repton replaced Cllr Oldrieve for this meeting only.
- Permanent changes: Cllr Newbury had resigned from the Committee, following his appointment to the Cabinet. Cllr Hawker had been appointed to the Committee by Council on 8 November.

### 84. Declarations of Interest

The following interests were declared on agenda item 'Provision of Youth Development Centres – Possible Task and Finish Group', minute 88: -

Cllr Manasseh – Chairman of Westbury Youth Services Committee – did not take part in the debate.

Cllr Hawker - Personal Interest - District Council representative on Westbury Youth Services Committee.

Cllr Payne also declared an interest during the debate on 'Update from Cllr Carbin, Portfolio Holder for Finance and Policy – Response to questions raised by the Scrutiny Committee', minute 89, and remained in the Council Chamber, as one of his relatives worked for Cleanaway.

## **85. Announcements from the Chairman**

The Chairman made the following announcements: -

### **IDeA Peer Review**

The IDeA Peer Review would take place between 12 – 14 December. All members would be invited to participate in the review.

### **Local Government White Paper – Seminar**

The Chairman sought interest from Members on attending the above Seminar, in London on 30 November, the place on which had recently become available.

### **South West Regional Branch Local Government Association meeting**

The meeting was held last week and the Chairman was disappointed that no other District Council representatives had attended the meeting.

### **Primary Care Trust (PCT)**

The Chairman informed the Committee that he would like to invite the new heads of the PCT to the Council to discuss the outcome of the Pathways for Change consultation. It was suggested that if the PCT declined, the Chairman could offer to go to the PCT.

### **Transforming Trowbridge Update**

Due to the lead officer being unable to attend the meeting, the Chairman had agreed to defer the item for consideration by the committee until its meeting on 17 January 2007.

### **Neighbourhood Policing Teams**

This issue had been raised at the previous meeting. The earliest the item could be considered by the committee was at its meeting on 28 February 2007.

### **Order of Agenda**

The Chairman would be altering the order of the agenda to accommodate Cllr Bryant who was only presenting one item.

## **Local Government Ombudsman Complaints**

The Committee felt that Members should know the existence of Local Government Ombudsman Complaints and requested CMT consider how it should inform Members of complaints referred to the Local Government Ombudsman, including outcomes following Local Government Ombudsman investigations and any actions the Council decides to implement following the investigation.

## **Health and Older Persons Champion**

The Chairman allowed the Health and Older Persons Champion, Cllr Osborn, to inform the Committee of the meetings he would be holding to discuss the future provision of health in West Wiltshire. The meetings would be held on Monday 4 December for Melksham and Bradford on Avon areas and on Tuesday 19 December for Trowbridge, Westbury and Warminster areas.

### **86. Minutes**

The minutes of the meeting held on 11 October 2006 were approved as a correct record and signed by the Chairman.

### **87. Notice of Motion**

The following Notice of Motion was presented to Council, on 8 November from Cllrs Chivers and Barker.

#### **Post Offices – Cllrs Chivers and Barker**

“This Council calls upon the government to support local Post Offices by,

1. Reverse the decision to take away TV Licences and other services
2. Maintain the £150m social Network payment
3. Keep Post Office Card Accounts or provide an alternative

This Council writes urgently to ministers urging them to note local concerns and the concerns of this Council.”

Council resolved to refer the notice of motion to the Scrutiny Committee for consideration and report back to Council.

Cllr Chivers presented the Notice of Motion and evidence in support of it.

The Committee amended the Notice of Motion and made the following;

#### **RECCOMENDATION TO COUNCIL: -**

The Scrutiny Committee recommends that the Notice of Motion be adopted, as amended.

“This Council calls upon the government to support local Post Offices by,

1. Reverse the decision to take away TV Licences and other services
2. Maintain the £150m social Network payment. The above should be borne in mind of any consequences of the social Network payment.
3. Keep Post Office Card Accounts or provide an alternative, which should be made more widely available in the interests of maintaining a sustainable community.
4. Clearing banks that do not have arrangements with the Post Office should make arrangements, as originally agreed.

This Council writes urgently to ministers, including opposition party spokesmen and MEP's, urging them to note local concerns and the concerns of this Council.”

#### **88. Provision of Youth Development Centres – Possible Task and Finish Group**

Cllr Bryant, Community Portfolio Holder, presented a report, which sought the Committees views on whether or not to set up a task and finish group to examine provision of youth development centres in the District.

Youth provision was a County Council function and there was some concern that it could be seen that the District was trying to exercise County Council functions. It was necessary for the District Council to work with the County Council to enable input into this subject by the District Council. However the scope of the Task and Finish Group should be limited.

Before it could be considered to expand the scope of work of the Task and Finish Group, it would be necessary to ensure that the expertise was available.

#### **RESOLVED:**

**That a Task and Finish Group be set up to examine the provision of youth development centres in the District.**

**That the scope of the investigation be how West Wiltshire District Council can support youth development, subject to support from Officers from Wiltshire County Council.**

If no Officer support was available from Wiltshire County Council, the Task and Finish Group would not be able to go ahead. Instead a report would be presented back to the Scrutiny Committee on the remaining areas of scope outlined in the report.

**89. Update from Cllr Carbin, Portfolio Holder for Finance and Policy – Response to questions raised by the Scrutiny Committee**

Cllr Carbin presented his responses to the questions raised by the Members of the Scrutiny Committee.

Cllr Carbin and the Head of Finance, Ian Jamieson, also provided answers to the following additional questions: -

- The current contribution rate, in respect of pensions, was 32.3% – who contributes, the employer, employee or both – The employer.  
How much of the £18.6m is the responsibility of West Wiltshire District Council? – West Wiltshire District Council was responsible for the whole amount.
- Planning Appeals – what has been provided in the budget and how would the Council cover costs against the Council in the forthcoming budgets?

In 2006/07 £101k had been allocated to cover costs incurred defending appeals. It had been an extraordinary year in terms of planning appeal activity. The on-going budget for current and future years was a net £4k.

In addition the Council was still awaiting confirmation of costs to be awarded against the Council in respect of two appeals. Some costs had been allowed for in the previous year and any costs above £4k would be met from making a virement or the contingency fund.

- Clarification of how much the Council pays for outside legal services relating to planning appeals etc, was the £58k all for external advice? - Yes.  
What input have our Legal officers made at appeals? – The Legal department was involved with initial case discussions as to whether their role was lead or supportive
- Benefits – staffing, where is funding coming from if the grant was withdrawn?  
How much were the grants during the last two years.

Anticipated by Medium Term Financial Plan

Revenue	£k	Capital	£k
05/06	311		104
06/07	88		29

- Benefit refunds – how much have we given out in refunds? - £12,735.38

- How much latitude do managers have to refuse to pay/reduce the overheads charged by Corporate Departments? - Monthly statement produced; managers have 1 month to challenge charges. Recharges are agreed at budget setting based on usage and future need. Service Manager would identify any significant change in usage and advise provider of service.

The Committee was also informed of the cost to the Council of holding the recent Local Determination Hearing was £10k.

The Council had submitted a claim against the contractor, for the industrial action taken during which time the bin collections were disrupted.

**RECCOMENDATION TO CABINET: -**

**The Scrutiny Council recommends to Cabinet that at its Council Tax Setting stage for 2007/2008, it is made explicitly clear that any money received from the contractor, due to the industrial action, be returned to those affected by the disruption to the refuse collection service.**

**And that Officers recommend how this money be distributed.**

**90. Service and Resource Planning 2007/08**

Cllr Carbin presented a report, which provided background information to assist the Committee to determine its role in the 2007/2008 Service and Resource Planning process. The role of the Committee was essential to ensure a robust budget process.

**RESOLVED:**

**That the Scrutiny Committee agree the timetable for its consideration of the Service and Resource Planning Process, as detailed in Appendix 1 of the report presented.**

**That Portfolio holders be asked to attend to answer questions in respect of their portfolio areas at its meeting on 17 January 2007.**

**91. Performance Monitoring(Quarter 2)**

Cllr While presented a report which summarised the Council's performance in the second quarter of 2006/07.

Performance clinics had been recommended by the KPMG consultants. The first one would be held in early 2007.

**RESOLVED:**

**That the Scrutiny Committee**

- **Notes the maintained improvement in performance during quarter two;**
- **Supports the specific comments of the performance monitoring group**

**RECCOMENDATION TO CABINET: -**

**That Cabinet gives its full support to the continuation of the work being carried out by the Scrutiny Committee and the Officers supporting the Committee.**

**92. Transforming Trowbridge Update**

In the absence of the Corporate Director, Ian Gallin, Cllr Osborn, as Planning and Development Portfolio Holder updated the Committee on key Transforming Trowbridge projects.

**93. Financial Monitoring 2006 - 2007**

The Head of Finance, Ian Jamieson, presented a report informing Members of the Council's financial position for the period ending 30 September 2006. There was a projected year-end underspend of 120k, which updated as at the end of October was 205k.

In response to a question raised by the Committee, the Head of Finance explained that there was still some pressure on the legal fees budget which was as a result of using outside agencies.

**RESOLVED**

**That the report be noted and;**

**That the Policy & Communications Manager, in conjunction with the Chairman of the Scrutiny Committee construct a service bid for 2007/08 to enable the Scrutiny Committee to carry out its full functions.**

**94. Committee's Forward Work Plan**

The Committee considered the forward work plan.

The Committee resolved to deal with the Review of the Constitution by electing a Task and Finish Group, which would report back to the Scrutiny Committee.

**RESOLVED:**

**That the Forward Work Plan be approved with the following additions: -**

**Transforming Trowbridge Update and the PCT Presentation – 17 January 2007**

**Service and Resource Planning 2007/2008, would also incorporate financial information relating to the Legal budget.**

**Neighbourhood Policing Teams and Recommendations from the Task and Finish Group on Youth Issues - 28 February 2007**

**That a Constitutional Review Task and Finish Group be set up with the following members – Cllrs Manasseh, Hawker and Bower.**

**DATE OF NEXT MEETING**

The next ordinary meeting of the Scrutiny Committee would be held on Wednesday **17 January 2007** in the Council Chamber at the Council Offices, Bradley Road, Trowbridge at **7pm**.

(7.05pm – 9.52pm)

These minutes were prepared by Melanie Stimpson, Member Support Officer who can be contacted on direct line 01225 770322 or email [mstimpson@westwiltshire.gov.uk](mailto:mstimpson@westwiltshire.gov.uk)