

Overview and Scrutiny Committee

Minutes of a Meeting of the Overview and Scrutiny Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **23rd September 2014**.

Present:

Cllr. Davison (Vice-Chairman in the Chair);

Cllrs. Aaby, Apps, Bartlett, Buchanan, Burgess, Clokie, Hodgkinson, Mrs Hutchinson, Mrs Martin, Mortimer, Sims, Yeo.

In accordance with Procedure Rule 1.2 (iii) Councillor Clokie attended as Substitute Member for the Conservative Vacancy.

Apologies:

Cllrs. Chilton, Miss Martin.

Also Present:

Cllr. Galpin.

Head of Finance, Policy & Performance Officer, Senior Scrutiny Officer, Senior Member Services & Scrutiny Support Officer.

151 Minutes

Resolved:

That the Minutes of the Meeting of this Committee held on the 22nd July 2014 be approved and confirmed as a correct record.

152 Report of the Budget Scrutiny Task Group – Informing the Next Five Years

The Vice-Chairman in the Chair asked Councillor Mortimer to introduce the report as a Member of the Budget Scrutiny Task Group. He said that the Task Group had been invited to scrutinise the 'Informing the Next Five Years' report and report back prior to the detailed budget build in the Autumn. He said that the Task Group broadly supported the report but there had been two additional recommendations made and he outlined the reasons for those. There was concern that new capital projects were being agreed by the Cabinet before O&S had had a proper opportunity to scrutinise them which gave the impression of them being a *fait accompli*. Such scrutiny would also give Cabinet the benefit of an extra check and balance and proper research, exploring all of the facts, before committing to a major project. He noted the Portfolio Holder's comments opposing the recommendations but hoped that the Committee would support them.

Another Member who had been on the Task Group said that the Portfolio Holder had mentioned Member Working Groups as the opportunity to provide feedback and challenge on major projects, however having sat on one of those Working Groups in particular, he knew that new details had emerged in the course of those meetings which could not have been appreciated by all Members and could not have been known when the original decision was taken. It was important that all of the facts were on the table. There was a general feeling that the Working Groups and the knowledge and experience of the Members on them, were not being used to their full potential. In addition, meetings had often been cancelled at short notice with no real reason given, when updates on the current situation would have been useful.

The Committee considered that whilst the existing Call In procedure was sound, there was still a danger of missing the opportunity to call major projects in for scrutiny given the proximity of Cabinet/Council meetings and the complexities involved in analysing all of the data and reading all of the reports. Additionally, the process of Call In could appear to the public that one part of the Council was contradicting what another part was doing. The general consensus of the Committee though was that the Call In function was something that O&S did not currently use nearly enough and perhaps not enough Members had a proper understanding of the process. It would be important to address that through more and improved training for the new Council. Members also considered it was wrong to compare the roles of the Member Working Groups, which should be purely technical and have specific interest in the detail of a project, and O&S which could provide more of an overview. It was considered that O&S was a more reliable, regular and substantial vehicle to ensure that the Council was spending the public's money in the right ways.

The Portfolio Holder said that his comments in the report had been given following considerable thought. He wanted to assure Members that the Cabinet took Overview & Scrutiny very seriously and that was one of the reasons they had referred this particular matter to the Budget Scrutiny Task Group in the first place. O&S had the right to call any issue in for scrutiny, but Members also had the opportunity to address questions directly to the Cabinet, and in his view that would sometimes be the most efficient route to getting an answer and something that perhaps could be taken more advantage of. Additionally, any Member could attend any meeting, and their input would be welcomed. If O&S wanted to call something in and it did not fit neatly in to the cycle of meetings, then Cabinet would happily hold that item in abeyance to a future Cabinet or Full Council meeting. In terms of the major projects, he noted that two of the 'Big 8' were already on the O&S Work Tracker, and perhaps the others should be added too. He accepted that the Working Groups could be used better and that was something the Committee may wish to add to their recommendations. In terms of the particular recommendations in the report, his reason for opposing them was that in his view there was a danger that O&S could start to scrutinise large projects before they were enacted and there could be a 'cart before horse' scenario.

A Member moved that instead of the proposed recommendation (ii), there should be a recommendation to the Selection & Constitutional Review Committee seeking to extend the Call In process, allowing Group Leaders the facility to call in major issues or issues of concern before these had got a position to be placed on the Cabinet Agenda. Other Members considered that was too much of a compromise and the original recommendation, which called for all new Capital Projects to be referred automatically to the O&S Budget Scrutiny Task Group, should stand. Given

comments about the sometimes short time span between Cabinet and Council meetings it was also recommended that there should be at least a three week gap between Cabinet meetings and Council meetings held to approve Cabinet decisions. This could come into effect from May 2015, and the new Council, to allow for proper diary planning, but would be in order to ensure that Overview & Scrutiny had a proper opportunity to exercise its duties and functions.

Recommendation (i) and the alternative recommendation (ii) were then put to the vote and carried.

Recommended:

- (i) That having considered the report the Cabinet be advised that the O&S Committee broadly supports Appendices A, B, C and E of the 'Informing the Next Five Years' report but would like to make one addition: -**
 - (a) Appendix F (projected New Homes Bonus receipts): any surplus should be applied to balances, not new expenditure.**

- (ii) That the Committee recommend to the Selection & Constitutional Review Committee that the Constitution of ABC is changed so that: -**
 - (a) Group Leaders (or Deputy Leaders when acting for a Leader), can call matters in to Overview & Scrutiny when the greater number of them require greater scrutiny of a project on its merit.**
 - (b) In order to ensure that Overview & Scrutiny has a proper opportunity to exercise its duties and functions, Council meetings held to approve Cabinet decisions are not less than three weeks after the Cabinet meetings, from May 2015.**

153 ABC Business Plan Performance Report – Quarter 1 2014-2015

The Policy and Performance Officer introduced the report. He explained that the report sought to update Members and the public on the performance of the Council during the quarter. This included information on what the Cabinet had achieved through its decision-making processes, key performance data on the Council's frontline services, and consideration of the wider Borough picture which impacted on the Council's work. Following feedback from a number of Services, the Portfolio Holder and this Committee, the report had been updated to include some additional performance metrics and comparative data, alongside a 'Technical Annex' of all numerical information included within the report which provided comparison and trend data against performance over the previous four quarters.

The Policy and Performance Officer and Portfolio Holder drew particular attention to a number of issues set out within the report which included: - general performance remaining strong; pressure in areas affected by welfare reform such as benefits beginning to ease or level off; the continued reduction in terms of the number of households in B & B accommodation; the fall in the number of residents claiming Job Seekers Allowance (JSA); and the high level summaries of the work of the Business Plan and front line services.

During the ensuing discussion, the following points were covered:

- It was suggested that the statement that 99.9% of properties had a current gas safety certificate, should be re-worded for clarity as only 90% of properties were on mains gas.
- A Member said she had requested a number of times for a more detailed breakdown of figures for those people claiming JSA in terms of the reasons why that number was falling (finding work, moving to other benefits, moving away etc.), but that had never been forthcoming. The Portfolio Holder said that they did have such figures as part of the Council Tax & Welfare Reform Task Group papers and he would ensure they were forwarded to the Member.
- Some questions were raised over the robustness of the statistics and a Member said that she did have concern about whether the published figures always reflected the true picture. In terms of homelessness and benefits there were people who were not on the Council's radar. The Portfolio Holder said he was confident in the robustness and accuracy of the figures. It was the best data available and provided the realistic snapshot that the Council needed.
- In terms of town centre footfall and car park usage, a Member asked if figures for County Square, Park Mall and the NCP car parks could also be obtained and included. Whilst he understood there may be some commercial sensitivities, if obtained they would help provide a clearer indication of the true picture in the town centre.
- In relation to the unemployment figures, a Member mentioned the new warehouse development at Junction 10 of the M20 which purported to be offering 2100 new jobs to be filled by people from Ashford. Looking at the number of people currently unemployed the numbers did not add up so he wondered how concerned the Council should be about the economic validity of the figures given as part of the proposal. The Policy & Performance Officer said that the JSA figures were collected by the Office of National Statistics and some benefit claimants fell outside those figures. There was more detail in the Council Tax & Welfare Reform Task Group papers mentioned earlier and he would ensure that they were forwarded to the Member as well.
- A Member said he welcomed the reduction in the unemployment figures but asked if the Council had any figures for the number of people working on zero hour contracts. The Portfolio Holder said there was not a way of capturing that data at present as it related to private contracts between individuals and their employers. The annual national labour market survey might be the only vehicle for that in the future.

Resolved:

That the report be received and noted.

154 Future Reviews and Report Tracker

The Vice-Chairman in the Chair asked the Committee whether there were any comments on the Future Reviews and Report Tracker.

A Member said he was frustrated that the update on the Conningbrook project had been deferred until further notice. If there was nothing further to report he considered both this Committee and the Members Working Group should be told the reasons for that and given an opportunity to scrutinise those. The Committee agreed that there should be an update and this should be added back in to the tracker for the November meeting.

Resolved:

That subject to the addition above, the Future Reviews and Report Tracker be received and noted.