

## 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 **22<sup>nd</sup> May 2018**.

### Present:

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

Cllrs. Bartlett, Burgess, Farrell, Heyes, Knowles, Krause, Miss Martin, Mrs Martin, Mrs Webb.

In accordance with Procedure Rule 1.2 (iii) Councillors Heyes and Mrs Webb attended as Substitute Members for Cllrs. Buchanan and Feacey.

### Apologies:

Cllrs. Buchanan, Chilton, Feacey.

### Also Present:

Cllrs. Bell, Galpin, Shorter.

Director of Finance & Economy, Head of Corporate Property and Projects, Head of Legal & Democracy, Head of Finance, Head of Corporate Policy, ED & Comms, Senior Accountant, Senior Policy and Scrutiny Officer, Member Services Officer.

## 14 Minutes

### Resolved:

**That the Minutes of the Meeting of this Committee held on the 24<sup>th</sup> April 2018 be approved and confirmed as a correct record.**

## 15 Agenda and Tabled Papers

A Member commented that she had not received a hard copy of the agenda in the post until Saturday, and considering the large volume of papers attached to this meeting's agenda, she wondered if in future the papers could be sent out any earlier.

The Committee considered whether the meeting should be deferred to a forthcoming date owing to the large amount of papers pertaining to the meeting. Some Members expressed concern that the Overview & Scrutiny Committee were not being given a thorough opportunity to scrutinise particular issues, in certain situations when not all of the relevant papers were available or were delayed. Another Member pointed out that there had been a large amount of questions submitted regarding the report on this agenda and this had subsequently generated a lot of work for Officers, and they had to be allowed time to undertake this extra work. The Committee was assured that any delays with providing papers were not intentional. The Vice Chairman in the Chair agreed to look further into this issue and report back to the Committee.

## 16 Corporate Performance Report – Quarter 4 2017/18

The Senior Policy and Scrutiny Officer introduced this item and explained that the report provided an overview of performance against the Council's Corporate Plan for Quarter 4 2017/18 and where possible the whole of 2017/18.

The report was then opened up to the Committee and the following points/questions were raised:

- A Member asked how the Town's vacancy rates (recorded on Page 10 of the report) compared to other areas. The Senior Policy and Scrutiny Officer confirmed that Ashford's rates through 2017 had been broadly in line with or better than national performance.
- A question was asked querying what methods were used to measure footfall in Park Mall. The Senior Policy and Scrutiny Officer explained that there were four counters within the centre, one at each entrance (High Street, St. George's Square, Park Street and the NCP car park). The counters used infrared sensors to record each person walking through a sensor area. Whilst a single person could be counted multiple times if they were to walk back and forth in front of the counter, the figures were reconciled to account for duplication and examining the trend showed that year on year a clear increase in footfall in Park Mall had been seen.
- A Member asked for further detail on statistics concerning the decline in smokers in Ashford and the prevalence of e-cigarette users. The Senior Policy and Scrutiny Officer advised that the information from The Kent Public Health Observatory and Public Health England indicated that e-cigarette use nationally had plateaued in the last few years at around 3 million people, however switching from smoking to vaping conveyed substantial health benefits and pilot programmes that supported smokers to quit using e-cigarettes had seen a 76% success rate.
- A Member raised a concern that some of the statistics within the Performance Report were not wholly relevant and said it would be more beneficial to have sight of figures that required further examination by the Committee. The Vice Chairman in the Chair agreed that the data within the report needed to be meaningful. The Portfolio Holder for Finance and IT added that a new performance framework and revised suite of key performance indicators were in development and as part of this work, a performance board would be created at Management Team level to review service performance on a monthly basis. He encouraged Members to discuss any concerns or ideas that they had regarding performance data with the Portfolio Holders.
- The Vice Chairman in the Chair asked if the potential deployment of staff across services to address capacity issues could create problems further down the line, since it was felt that staff were already working to their full capability. The Portfolio Holder explained that each situation would be discussed at Management Team level and it was continually evolving. It was a case of identifying priorities alongside any shortfalls and tackling each scenario appropriately to ensure staff were managed correctly. A Member added that

concerns over staffing levels had been raised at the Overview and Scrutiny Budget Task Group meetings and she considered that something was drastically wrong. She suggested this issue be raised at a separate meeting. The Portfolio Holder advised that the year-end figures were due to be published shortly and the information demonstrated satisfactory outcomes for the financial year.

**Resolved:**

**That the report be received and noted.**

## **17 Overview and Scrutiny 2017/18 Annual Report and 2018/19 Work Programme**

The Vice Chairman in the Chair introduced this item and commented that the Committee had covered a good variety of subjects.

**Resolved:**

**That the report be received and noted.**

## **18 Future Reviews and Report Tracker and Topic Selection**

A Member asked whether the topic of additional staff resources should be included to be discussed as part of the Medium Term Financial Plan at Overview and Scrutiny in September 2018. The Vice Chairman in the Chair agreed.

**Resolved:**

**That the report be received and noted.**

## **19 Exclusion of the Public**

**Resolved:**

**That pursuant to Section 100A of the Local Government Act 1972 members of the press and public be excluded during consideration of the following item, namely A Better Choice for Property Limited - Trading Company, as it was likely that there would be disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 where in the circumstances the public interest in maintaining the exemption outweighs the public interest in disclosing the information.**

## **20 A Better Choice for Property Limited – Trading Company**

Some Members of the Committee suggested that this session be adjourned in order to provide more time for the tabled papers to be reviewed. The Vice Chairman in the

Chair suggested instead that, the opportunity to hear the answers provided by Officers should be taken at this time, since questions had been emailed in advance to the Committee prior to the Meeting.

The Committee then considered the exempt tabled papers that contained responses to questions submitted previously by Members, and Officers provided further detail to enquiries made at the meeting. The Vice Chairman in the Chair thanked the Officers and Portfolio Holders for their time and hard work.

**Recommended:**

- That**
- (i) the six monthly reports to the Trading and Enterprise Board (TEB ) should include a table setting out affordable social rented property, local needs housing and specific accommodation for vulnerable people provided by the property company.**
  - (ii) TEB's right to appoint or remove Directors of the company be no longer subject to approval by the Leader.**
  - (iii) an experienced non-executive Director be appointed to the property company to minimise the risk of governance failings.**
  - (iv) a firm be appointed to carry out a review of the tax affairs of the Property Company and address whether the UK Corporate Interest Restriction rules apply to the Property Company as it is "grouped" with the Council and whether the Criminal Finances Act 2017 could apply to Councillors.**
  - (v) the financial regulations of the company are changed to ensure that a Director can no longer act singularly to purchase property.**