

SCRUTINY COMMITTEE
26 September 2013 at 7.00 pm
Conference Room, Argyle Road, Sevenoaks

AGENDA

Membership:

Chairman: Cllr. London Vice-Chairman: Cllr. Brown
Cllrs. Abraham, Mrs. Bracken, Butler, Clark, Cooke, Mrs. Davison, Edwards-Winsor, Eyre,
Fittock, Gaywood, Maskell, Mrs. Morris, Neal, Mrs. Purves and Raikes

	<u>Pages</u>	<u>Contact</u>
Apologies for Absence		
1. Declarations of Interest Any declarations not already registered		
2. Minutes To approve the Minutes of the meeting of the Scrutiny Committee held on 18 July, as a correct record.	(Pages 1 - 4)	
3. Actions from the last meeting of the Committee (attached)	(Pages 5 - 6)	
4. In depth Scrutiny - setting up of a Working Group to consider the Budget	(Pages 7 - 8)	Adrian Rowbotham Tel: 01732 227153
5. Performance Monitoring	(Pages 9 - 16)	Lee Banks Tel: 01732 227161
6. Questions to the Portfolio Holder for Local Planning and Environment	(Pages 17 - 18)	
7. Questions to the Portfolio Holder for Economic and Community Development	(Pages 19 - 20)	
8. Work Plan	(Pages 21 - 22)	

EXEMPT ITEMS

(At the time of preparing this agenda there were no exempt items. During any such items
which may arise the meeting is likely NOT to be open to the public.)

To assist in the speedy and efficient despatch of business, Members wishing to obtain factual information on items included on the Agenda are asked to enquire of the appropriate Contact Officer named on a report prior to the day of the meeting.

Should you require a copy of this agenda or any of the reports listed on it in another format please do not hesitate to contact the Democratic Services Team as set out below.

For any other queries concerning this agenda or the meeting please contact:

The Democratic Services Team (01732 227241)

SCRUTINY COMMITTEE

Minutes of the meeting held on 18 July 2013 commencing at 7.00 pm

Present: Cllr. London (Chairman) (Chairman)

Cllr. Brown (Vice-Chairman)

Cllrs. Abraham, Butler, Clark, Cooke, Mrs. Davison, Edwards-Winsor, Eyre, Fittock, Gaywood, Maskell, Mrs. Morris, Mrs. Purves and Raikes

Apologies for absence were received from Cllr. Mrs. Bracken

Cllrs. Mrs. Clark, Fleming, Ms. Lowe, Mrs. Parkin, Piper and Miss. Stack were also present.

1. Declarations of Interest

There were none.

2. Role of In Depth Scrutiny

The Head of Information and Customer Services brought Members' attention to the updated version of the 'A Guide to In Depth Scrutiny' booklet. He would be liaising with Democratic Services on providing an external trainer for the meeting in September 2013.

Action 1: Training to be provided at the meeting in September 2013.

The Chairman broadly read the terms of reference, highlighting the powers to the committee with the caveat that there was a finite resource with regards to Member's and Officer's time. The Vice Chairman advised that he and the Chairman had received additional guidance from the Head of Legal and Democratic Services.

Action 2: The Head of Legal and Democratic Services to circulate the guidance to all Members of the Committee.

CHANGE IN ORDER OF AGENDA ITEMS

With the Committee's consent, the Chairman took item 4 'Work Plan' before item 3 'In Depth Scrutiny – Establishment of a Member Parking Working Group'.

3. Work Plan

The Chairman advised that there was the capacity for up to four in depth scrutiny reviews and asked for views and ideas. The following ideas were mooted:

- Roads – state of repair in district
- Economic regeneration
- Leisure services

Agenda Item 2

Scrutiny Committee - 18 July 2013

- Social housing – housing benefit changes
- Planning and environment issues: changes in planning legislation.

It was agreed that where possible duplication of work other committees may be doing should not occur, but this did not preclude scrutiny of any work later on.

The Vice Chairman advised that the previous Services Select Committee had carried out an in depth scrutiny on Universal Credit, it was agreed therefore that an update may be more appropriate. A Member suggested that analysis of performance indicators would help highlight areas of concern and help identify areas for scrutiny. The Chairman stated that areas may become apparent when questioning the Portfolio Holders. The Vice Chairman advised that from the next meeting, each meeting would receive an A4 sheet listing red indicators.

Resolved: That after Parking, a Budget working group be set up at the next meeting, with Leisure Services as the third working group later on. Highways and Housing to remain on the list of possible areas.

Members considered possible external invitees. The Chief Executive of Sencio was suggested. A Member suggested speaking to current partners and potential partners such as Parish and Town Councils.

The Chairman and Vice Chairman advised that this would be an evolving process and encouraged Members to contact them outside of the meeting with any further ideas.

4. In Depth Scrutiny - Establishment of a Member Parking Working Group

Members considered a report proposing to establish a Working Group to consider issues relating to the provision and management of on and off street parking and parking enforcement, as requested by the Chairman and Vice Chairman.

The Committee commented on an article that had appeared in the Sevenoaks Courier that day which unfortunately reported that the working group would be formed to look at increasing parking charges to make up budget shortfalls and would be headed up by the Portfolio Holder for Economic and Community Development. A Member was keen to clarify that the group was not being set up to provide evidence to the Portfolio Holder to increase parking charges.

Resolved: That

- a) an in depth scrutiny Members' working group be set up to consider issues relating to the provision and management of on and off street parking and parking enforcement in the district; and
- b) that the group consist of the following Members: Cllrs Clark, Cooke, Edwards-Winsor, Eyre, Mrs Purves and Raikes (Chairman).

5. Questions to the Portfolio Holder for Strategy and Performance

The Chairman welcomed the Leader of the Council and Portfolio Holder for Strategy and Performance, who gave a brief run down of the areas within his remit and challenges

faced. He explained how funding was changing from grant to reward based and the challenges it posed. He wanted to look at the way services were delivered and what the community needed, more prudential borrowing and investing in assets with greater returns in order to support and sustain services going forward. Economic Development was a key driver; how could the Council become more commercial in certain areas and generate income; working with residents to deliver on higher expectation yet less funding; cloud computing; the paperless office; the use of physical equipment eg. staff using their own, were all ideas to be investigated.

After the presentation Members asked questions of the Portfolio Holder. In response he replied that what kept him awake at night was considering ways to get the Council out of a situation that was not of it's own making. However he believed that within local government there was an abundance of creativity which could be seen by the scale of savings already made, but a question of balancing this with the constant needs and wants of the residents the Council served. A priority over the coming year would be building a sustainable financial future, which may involve changing the typical local government view of risk. He had no way of predicting what the Council would be like in twelve months let alone five years, as the pace of change was so fast. Outsourcing would limit control and potentially be pricier, whilst not ruled out he would prefer to look elsewhere within the public sector. He believed the Council needed to aim for complete self sufficiency and get to a position where it was not reliant on any future government. A creative use of assets could be one way. There was a question of the need for the County Council when it no longer had much power with regards to education and no longer had the necessary funding for highways. He believed services needed to be delivered at the best possible layer, but there currently was no appetite for opening up a unitary debate. Fundamentally services had not changed much over the years and perhaps it was time to start from a blank page with what residents expected/felt they needed. Assumptions within the ten year budget needed revisiting. Working with the Strategy and Performance Advisory Committee he would produce a strategy document which would be sent to all the Advisory Committees.

The Chairman thanked the Leader on behalf of the Committee.

6. Questions to the Portfolio Holder for Housing and Community Safety

The Chairman welcomed the new Portfolio Holder for Housing and Community Safety, and gave a [powerpoint presentation](#) of the areas within her remit and challenges faced. She explained that many duties were statutory so all that could be investigated was carrying them out as cost effectively as possible.

A number of questions were posed that required detailed responses and it was agreed that this be made an action point. In response to other questions she undertook to feedback to the Advisory Committee's working group on CCTV the question of whether the whole of the Christmas period required cover; and whether there a need for CCTV at all, when it was not a statutory duty. Air quality monitoring was an area that was a statutory duty and the Advisory Committee would be looking at the possibility of doing the barest minimum required.

Action 3: That the Portfolio Holder for Housing and Community Safety reply by return to the following questions after the meeting:

Agenda Item 2

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1. *Costings of Benefit fraud investigations*
2. *When the last was check made on Hackney Carriages, was it done on notice.*
3. *CCTV – data on number of incidents early afternoons as opposed to the evenings and where it was most effective.*
4. *Cost of Licence service*
5. *Procedure with regards to food hygiene/number of inspections*
6. *Whether there were powers to enforce commercial properties to clear unsightly areas*
7. *Resource implications for the Licensing Section of the implementation of the Scrap Metal Dealers Act 2013.*

The Chairman encouraged Members to contact him or the Vice Chairman with any other observations or ideas.

THE MEETING WAS CONCLUDED AT 9.00 PM

CHAIRMAN

ACTIONS FROM THE MEETING HELD ON 18.07.13			
Action	Description	Status and last updated	Contact Officer
ACTION 1	Training to be provided at the meeting in September 2013	Training is being arranged for 7 October 2013.	Jim Carrington West / Democratic Services
ACTION 2	The Head of Legal and Democratic Services to circulate the guidance to all Members of the Committee.	The document has been circulated to members of the committee.	Christine Nuttall
ACTION 3	<p>That the Portfolio Holder for Housing and Community Safety reply by return to the following questions after the meeting:</p> <ol style="list-style-type: none"> 1. Costings of Benefit fraud investigations 2. When the last was check made on Hackney Carriages, was it done on notice. 3. CCTV – data on number of incidents early afternoons as opposed to the evenings and where it was most effective. 4. Cost of Licence service 5. Procedure with regards to food 	An email with the answers was sent on 12.09.13	Portfolio Holder for Housing and Community Safety

	<p>hygiene/number of inspections</p> <p>6.Whether there were powers to enforce commercial properties to clear unsightly areas</p> <p>7.Resource implications for the Licensing Section of the implementation of the Scrap Metal Dealers Act 2013.</p>		
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ESTABLISHMENT OF A MEMBER BUDGET WORKING GROUP

Scrutiny Committee – 26 September 2013

Report of Chief Finance Officer

Status: For Decision

Key Decision: No

Executive Summary: This report requests Members to consider the establishment of a Member Working Group for the budget as requested by this committee on 18 July 2013.

This report supports the Key Aim of effective management of Council resources.

Portfolio Holder Cllr. Ramsay

Contact Officer(s) Adrian Rowbotham Ext. 7153

Recommendation to Scrutiny Committee: That Members agree terms of reference and membership of a Budget Working Group to report to the Scrutiny Committee on the following area:

- a) The draft budget presented to Cabinet on 5 December 2013.
-

Reason for recommendation: to enable a small working group of Members to meet more frequently and report back to the Scrutiny Committee on it's findings for consideration.

Introduction

1. Members are asked to consider setting up a Budget Working Group to report back its findings to the Scrutiny Committee in accordance with the Scrutiny Committee Work plan. Members should note that any working group will last no longer than the municipal year it is set up unless reconstituted the following year.
2. Members need to consider and agree the number and membership of the Budget Working Group.

Draft Terms of Reference

3. Draft terms of reference have been drawn up below for Members consideration.
 - a. The membership of the Working Group to consist of 5 Councillors who do not sit on the Finance & Resources Advisory Committee
 - b. The Working Group to be set up for the consideration of the following only:

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- i. The draft budget presented to Cabinet on 5 December 2013.
- c. The Working Group to regularly report back in line with the Scrutiny Committee Work Plan.

Key Implications

Financial

Financial implications are contained in the 'Financial Prospects and Budget Strategy 2014/15 and Beyond' report to Cabinet on 12 September 2013.

Legal Implications and Risk Assessment Statement.

There are no legal implications.

Equality Impacts

Consideration of impacts under the Public Sector Equality Duty:		
Question	Answer	Explanation / Evidence
a. Does the decision being made or recommended through this paper have potential to disadvantage or discriminate against different groups in the community?	Not at this stage	Individual equalities assessments will be completed for all of the Service Change Impact Assessments (SCIAs) to ensure the decision making process is fair and transparent.
b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity?	No	
c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above?		

Appendices

None

Background Papers:

Financial Prospects and Budget Strategy 2014/15 and Beyond – Cabinet – 12 September 2013.

Adrian Rowbotham
Chief Finance Officer

PERFORMANCE REPORT

Scrutiny Committee – 26 September 2013

Report of Chief Executive

Status: For Information

Key Decision: No

This report supports the Council Promise to provide value for money

Portfolio Holder Cllr. Peter Fleming

Contact Officer(s) Lee Banks (Ext. 7161)

Recommendation to Scrutiny Committee: That

- (a) Members note the contents of the report; and
- (b) if Members are dissatisfied by actions being taken to improve performance by either Officers, Advisory Committee or Cabinet, they call-in areas of underperformance for scrutiny.

Reason for recommendation: To ensure that areas of under performance within services are considered and reviewed by Members.

Introduction and Background

- 1 Scrutiny Committee have requested a regular update at each of their meetings of any performance indicators which are not meeting their target level. Attached to this short introduction paper is an exceptions report with a commentary from officers explaining the reasons why performance is not within 10% of target and detailing any actions the service is planning to take to improve performance levels.
- 2 Cabinet considered these indicators at their meeting of 12 September 2013 and Members may wish to consider the minutes of that meeting.

Performance Overview

- 3 The table on the following page summarises the performance levels as at the end of July 2013.

Agenda Item 5

	Current Month	Year To Date
Red <i>10% or more below target</i>	4 (10%)	3 (8%)
Amber <i>Less than 10% below target</i>	4 (10%)	6 (15%)
Green <i>At or above target</i>	31 (80%)	30 (77%)

- 4 Provided as Appendix A to this report are details of the four indicators where performance is 'Red' as they are missing their target levels by 10% or more.

Other Options Considered and/or Rejected

- 5 None.

Key Implications

Financial

- 6 Effective performance management monitoring arrangements will assist the Council in diverting resources to areas or services where it is considered to be a greater priority.

Legal Implications and Risk Assessment Statement.

- 7 Robust arrangements are in place to ensure that the risk of inaccurate data being reported to Members is minimised and assurance can be placed on the accuracy of data used to assess performance. By reporting to Members and ensuring all Members are able to access the Council's performance management system the risk of poor performance not being identified or addressed is minimised.

Equality Impacts

Consideration of impacts under the Public Sector Equality Duty:		
Question	Answer	Explanation / Evidence
a. Does the decision being made or recommended through this paper have potential to disadvantage or discriminate against different groups in the community?	No	The report provides information on the performance of services. The way in which those services are delivered are subject to their own Equality Impact Assessments.
b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity?	No	

Consideration of impacts under the Public Sector Equality Duty:		
Question	Answer	Explanation / Evidence
c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above?		Not applicable.

Conclusions

- 8 This report to Members summarises performance across the Council to the end of July 2013. Members are asked to consider four performance indicators which are performing 10% or more below their target and if the actions being taken by officers are not deemed sufficient are recommended to refer those indicators to the relevant Advisory Committee for further assessment.

Appendices

Appendix A – Performance Data

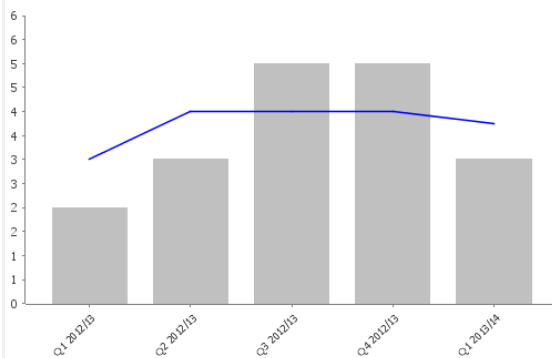
Background Papers:

None.

Dr Pav Ramewal
Chief Executive

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Scrutiny Committee – Performance Data (Data for July 2013)

						Cumulative (Year to Date) Performance			
Code	Short Name	Current Months Value	Current Months Target	Current Months Status	Performance Chart	2013/14			Officer Commentary
						Value	Target	Status	
LPI HP 001	The number of dwellings vacant for more than six months returned to occupation or demolished	3	4			3	4		<p>Targets for the number of empty homes returned to use are based on officers best estimate of completions expected each quarter. However, there is often some slippage in progress which can result in works to empty properties being delivered later than first anticipated. The target remains reasonable for 15 empty properties to be returned to use by the end of the financial year.</p> <p>The Council continues to work proactively and effectively with the Kent County Council No Use Empty scheme and has access to funding to turn around empty homes.</p>
LPI Waste 003	Percentage of missed collections put right by the next working day	80%	97%			93.61%	97%		<p>During July there were only 10 missed collections across the District. 8 of these were collected the next working day. The two remaining missed collections were corrected but not within the target time.</p> <p>The year to date performance relates to only 47 missed collections in the first four months of the year, which equates to one missed collection in every 18,000. Of those which were missed 44 were collected the next working day.</p>

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Portfolio Holder Areas of Responsibility

Cllr Bosley – Portfolio Holder for Local Planning and Environment

Richard Morris: Chief Planning Officer

- Development Management
- Planning Policy
- Conservation and Trees

Key issues and future challenges:

- Providing for new development while protecting the natural and built environment, and the green belt
- Continuing to deliver a high quality, consistent, transparent and reliable development management function
- Drafting, consulting on, adopting and implementing development plans and other policy documents

Pat Smith: Chief Housing Officer

- Climate Change
- Energy Efficiency

Key issues and future challenges:

- Delivering Climate Local and the Council's part of the Kent wide green deal
- Delivering on Local and Kent Energy and Efficiency targets.
- Tackling fuel poverty, affordable warmth incentives
- Collective switching and retro fitting in domestic and business sectors

Richard Wilson: Chief Officer Environmental and Operational Services

- Waste and Recycling collections
- Street Cleaning
- Fly Tipping
- Cesspool Emptying
- Trade Waste collection
- Vehicle Maintenance, servicing and repair
- Vehicle workshop including taxi testing and M.O.T's
- Public Conveniences, plus cleaning, under contract, conveniences for Tandridge District Council.
- Abandoned Vehicles

Agenda Item 6

- Commercial Fleet Management and vehicle purchasing
- Parks, Playgrounds and Recreation Areas
- Grounds Maintenance
- Pest Control
- Countryside Ranger and Parks –Rural
- Depot management and maintenance [Dunbrik, Hollybush and Shoreham Lodge]
- Emergency standby service

Key issues and future challenges:

- Diesel costs
- Recycling rate [currently 33%]
- Pest Control – Review of Service
- Kent Resource Partnership. Valuing Waste as a Resource. Waste Management Partnership of all 12 Kent Districts plus KCC as waste disposal authority
- Recent fire at Dunbrik waste transfer station. Waste currently having to be taken to either North Farm [Tunbridge Wells] or Pepperhill [Gravesham]. Uncertainty over future of Dunbrik transfer station.

Portfolio Holder Areas of Responsibility

Cllr Hogarth – Portfolio Holder for Economic and Community Development

Lesley Bowles: Chief Officer Communities and Business

- Community Grants
- Community Plan
- Health
- Leisure
- Economic Development
- Regeneration
- Tourism
- West Kent Partnership

Key issues and future challenges:

- Supporting existing efforts and finding new ways to improve Broadband, particularly in the rural areas
- Producing and delivering an Economic Development Strategy & Action Plan that helps to attract new businesses to the District, encourages existing business to stay in the District, promotes tourism and makes the District a desirable place to do business.
- Finding a long-term solution to the replacement or refurbishment of Whiteoak Leisure centre that is affordable and meets local needs.
- Ensuring that Members' priorities are addressed through Health & Wellbeing Boards and that external funding for health improvement is maintained.

Richard Wilson: Chief Officer Environmental and Operational Services

- Building Control
- Emergency Planning and Business Continuity
- Markets
- Parking Services
- Street Naming and Numbering
- Land Charges

Key issues and future challenges:

- Accepted Market Tender for Swanley £62,000 less than Income budget
- Assessment of demand on Sevenoaks Town Centre parking following Marks and Spencer development

Agenda Item 7

- Scrutiny Members Parking Group
- Emergency plan to be reviewed
- Business Continuity Plan to be reviewed and replaced with a Business Continuity Management System

Pat Smith: Chief Housing Officer

- West Kent Leader Programme

Key issues and future challenges:

- Continuing to deliver the programme in partnership with TMBC and TWBC with SDC as the accountable body whilst compiling a bid for a further 5 years
- Supporting the Executive local action group working with members of rural organisations

Scrutiny Committee Workplan

Committee	18 July 2013	26 September 2013	21 November 2013	5 February 2014	2 April 2014
Attendees ¹	Cllrs London (Chair), Brown (Vice Chair), All members of the Scrutiny pool	Cllrs London (Chair), Brown (Vice Chair), TBA	Cllrs London (Chair), Brown (Vice Chair), TBA	Cllrs London (Chair), Brown (Vice Chair), TBA	Cllrs London (Chair), Brown (Vice Chair), TBA
External Invitees					
Scrutiny Committee	Peter Fleming – Leader, Strategy and Performance Michelle Lowe – Housing, Welfare and Community Safety	Performance Monitoring Ian Bosley – Local Planning and Environment Roddy Hogarth – Economic and Community Development	Performance Monitoring Brian Ramsay – Finance and Resources Peter Fleming – Leader, Strategy and Performance	Draft Annual Scrutiny report to Council Performance Monitoring Michelle Lowe – Housing, Welfare and Community Safety Ian Bosley – Local Planning and Environment	Performance Monitoring Roddy Hogarth – Economic and Community Development Brian Ramsay – Finance and Resources
In-Depth Scrutiny	Working Group 1 Parking - Stage One ²	Working Group 1 Parking - Stages Two/Three/Four ² Working Group 2 Budget – Stage One ²	Working Group 1 Parking - Stage Five ² Working Group 2 Budget- Stages Two/Three/Four ²	Working Group 2 Budget - Stage Five ²	Working Group 3 – TBC
2014 dates will all be subject to any changes at Annual Council and nothing is yet booked	July 2014	September 2014	November 2014	February 2015	April 2015
Attendees ¹	Cllrs London (Chair), Brown (Vice Chair), TBA	Cllrs London (Chair), Brown (Vice Chair), TBA	Cllrs London (Chair), Brown (Vice Chair), TBA	Cllrs London (Chair), Brown (Vice Chair), TBA	Cllrs London (Chair), Brown (Vice Chair), TBA
External Invitees					
Scrutiny Committee	Performance Monitoring Peter Fleming – Leader, Strategy and Performance Michelle Lowe – Housing, Welfare and Community Safety	Performance Monitoring Ian Bosley – Local Planning and Environment Roddy Hogarth – Economic and Community Development	Performance Monitoring Brian Ramsay – Finance and Resources Peter Fleming – Leader, Strategy and Performance	Performance Monitoring Michelle Lowe – Housing, Welfare and Community Safety Ian Bosley – Local Planning and Environment	Performance Monitoring Roddy Hogarth – Economic and Community Development Brian Ramsay – Finance and Resources
In-Depth Scrutiny	Working Group 3 - TBC	Working Group 3 – TBC	Working Group 4 – TBC	Working Group 4 – TBC	Working Group 4 - TBC

¹ Political proportionality of each committee meeting is 9 Conservative (Including Chair/Vice Chair), 1 Labour and 1 Liberal Democrat

² For detailed information on stages refer to “A Guide to In-Depth Scrutiny”

Membership (Pool)

Strategy & Performance
Abraham, Neal, Mrs Purves (Lib)
Economic & Community Development
Butler, Fittock (Lab), Maskell
Finance & Resources
Cooke, Edwards-Winser, Mrs Davison
Housing, Welfare & Community Safety
Mrs Bracken, Eyre, Raikes
Local Planning & Environment
Clark, Gaywood, Mrs Morris

Possible areas for In-Depth Scrutiny

Parking
Budget
Leisure
Highways
Housing – Welfare Reform

Possible External Invitees

Position	Name	Topic
KCC Cabinet Member – Transport and Environment	David Brazier	Highways
KCC Cabinet Member – Community Services	Mike Hill	Libraries
KCC Cabinet Member – Community Services	Mike Hill	Housing
Kent Police – Chief Inspector for Sevenoaks	Tim Cook	Community Safety and CCTV
CAB – Sevenoaks and Swanley – Chairman and Manager	Martin Wells, Angela Newey	
CAB – Edenbridge and Westerham – Chairman and Manager	Graham Coldman, Jill Eyre	
Local Government Minister (Parliamentary Under-Secretary of State)	Brandon Lewis	Challenges to Local Government
Sencio	Jane Parish	Leisure