

DRAFT

TORRIDGE DISTRICT COUNCIL

OVERVIEW & SCRUTINY (INTERNAL) COMMITTEE

Committee Room, Riverbank House, Bideford

4 June 2013 at 10.00am

PRESENT:

Councillor P Pennington (Vice Chair)

Councillors : B Edwards, D Fulford, T Johns (Substituting for Cllr Redwood),  
M Langmead (Substituting for Cllr Watson) and H Ratledge.

INDEPENDENT MEMBERS:

Mr R Baker, Mr I Harper and Mr M Pearce

ALSO PRESENT:

J Wallace – Head of Paid Service

S Harding – Chief Accountant

S Squire – Democratic Services Officer

Councillor K Murdoch (attended for Item 5)

Councillor A Eastman (attended at 10.20am)

J Edwards – Joint Head of HR

H Roper – Service Improvement Officer (attended for Item 5)

Councillor Pennington took the Chair in the absence of Councillor Redwood.

The Chair welcomed everyone to the meeting and asked each person to introduce themselves.

1. APOLOGIES

Apologies were received from Councillors B Redwood, J Lewis and P Watson.

2. MINUTES

The minutes of the Overview & Scrutiny (Internal) Committee Meeting held on 30 April 2013 were presented:

It was proposed by Councillor Langmead, seconded Mr Baker and –

Resolved:

That the minutes of the meeting held on the 30 April 2013 were agreed and signed subject to the following amendments:

- The meeting venue be amended to Bideford Town Hall
- Item 105 – the word ‘message’ be changed to read ‘question’
- Item 109 – Mr Harper be added to the list ‘In the absence of’
- Item 113 – The following be added: It was noted that the vacancy created by the resignation of Councillor Murdoch had not been filled. The Chair stated that it had been difficult in the past to fill vacancies and keep the political balance. It was agreed to represent to the Solicitor that the Overview & Scrutiny (Internal) Committee need not be balanced.

Matters Arising:

Item 112 - Mr Baker reported that it had been formally agreed that the MBR was to be presented at the next C&R Committee. He expressed concern that this had not happened and as it referred to February figures these may be out of date. He also stated that it had been agreed that Officers would look at the MBR and bring ideas back to this meeting; but there was no item on the Agenda for this.

The Head of Paid Service asked that Officers present their ideas under Item 5 on the Agenda and that the MBR be forwarded to the next C&R Committee meeting.

Vote: (For 5, Abstentions 4)

3. DECLARATIONS OF INTEREST

Declarations of interest were made as and when the specific agenda item to which they related was under discussion.

4. AGREEMENT OF AGENDA ITEMS PART I AND II

There were no Part II items.

5. URGENT MATTERS BROUGHT FORWARD WITH THE PERMISSION OF THE CHAIR

- a) Mr Pearce stated that he had emailed the Chair regarding the Peer Review. He had requested that the Peer Review Report be put before the O&S (Internal) Committee. The Head of Paid Service replied that three Informal Full Council meetings were being arranged to which Independent Members would be invited. She advised that the Peer Review Report needed to go before Full Council as its first step. The Chair requested that the Peer Review be added to the Forward Plan.
- b) Further to Item 2 and Matters Arising, Mr Baker asked whether there had been any further ideas from Officers regarding the MBR. The Head of Paid Service requested that the Service Improvement Officer be requested to attend to provide an update.

The Service Improvement Officer entered the meeting. He reported that regarding the MBR Officer ideas – he had discussed this with the new Chair and it had been agreed to add the item to the next O&S (Internal) Agenda. The Service Improvement Officer apologised if this had not been communicated.

It was proposed by Councillor Langmead, seconded by Councillor Fulford and -

Resolved:

That the item regarding Officer ideas for the MBR be added to the next Agenda.

Vote: (For 6, Abstentions 3)

- c) Councillor Murdoch raised the question, through the Chair, that O&S (Internal) investigate TDC Communication procedures and processes in general and with specific reference to the Westward Ho! gate issue.

There were concerns that the communication process was too 'reactive' and it was proposed that this process should be revised so that TDC are seen to be taking the lead with the press and promoting issues.

Mr Baker advised that there had previously been a Communication Working Party comprised of himself, Councillor Collins and Symons.

It was asked if the Communications Group could also investigate the current TDC website and if this could be improved. Councillor Edwards advised that the issue with the website had previously been raised and Councillors had been informed that the website would be reviewed.

Councillor Edwards expressed his support for Councillor Murdoch's request to investigate TDC Communications. In particular he felt it would have been beneficial to have been prepared regarding the Westward Ho! gate issue with a statement and answers to give the Press. This could have given TDC an opportunity to explain its position and reasoning behind it.

The Head of Paid Service suggested that the Communication Working Party be reconvened to address issues with the communications process.

Councillor Murdoch suggested a solution be that the Communication Officer attend CMT meetings to note any key points that need to be communicated. The Head of Paid Service advised that there was a procedure currently in place.

Councillor Pennington mentioned that he was aware that TDC were tending to react to issues. He advised that this matter would be brought back under Item 11 – Action Plan. He thanked Councillor Murdoch for her contribution.

- d) Councillor Johns reported that every day he received two Spam emails and that he was unable to access these to either view or release them. The Head of Paid Service advised that the IT Team had investigated this but that currently it was only possible to release Spam when logged onto a TDC computer system. Councillor Ratledge reported that he had experienced the same problems with Spam emails and the Head of Paid Service suggested Members contact the IT Department regarding this.

Councillor Langmead advised that he forwarded his Spam emails to the IT Department who released them. He also stated that he concurred with Councillor Murdoch and also he would like some Communications information that he could use with regard to Brunswick Wharf. The Head of Paid Service replied that this information was currently Part II. Councillor Langmead reiterated that he would like some information that Councillors could use to feed back to their residents regarding this.

## 6. LEASE CARS

The Head of Paid Service, Chief Accountant and Joint Head of HR all declared an interest as they had lease cars.

The Joint Head of HR presented the report. He advised that:

- The Lease Car arrangements had been changed recently and green incentives had been introduced. TDC had increased its buying power by teaming up with the NHS buying consortium.
- The Policy had been revisited in 2012, when TDC had reached an agreement with Trade Unions and a Report had gone before C&R.
- The level of support provided with lease cars, had reduced substantially with an overall net reduction of about a third and a 17% reduction from 2009.
- A number of staff had now elected to use their own cars.

The Joint Head of HR strongly recommended that TDC should not undertake a review of Lease Cars at this stage. He gave reasons for this including:

- The current Lease Car agreement was only negotiated with the Unions and Staff very recently and had been entered into freely.
- With the possibility of shared services, there would be a need to have similar pay and benefits across the two Councils and Lease Cars would become an issue again.
- There may potentially need to be compensatory payments and these would be best negotiated after further discussion regarding shared services.

There was general discussion regarding the number of essential car users and that this number was reducing at TDC. Also tax implications, insurances and Inland Revenue thresholds with Officers using their own vehicle.

Mr Harper questioned the variation on mileage claims and asked if Officers were required to drive a certain amount of mileage before being eligible. The Joint Head of HR replied that not all Officers claim their entitlement of mileage and therefore the claims were not a true reflection of miles driven. The Head of Paid Service confirmed that a number of Officers with Lease Cars did not claim mileage or else

only submitted a claim for particularly long journeys.

The Joint Head of HR advised that Officers with Lease Cars lend their cars to colleagues to use for specific work purposes therefore further reducing the cost burden on TDC.

There was further discussion regarding the different lease car schemes in operation. The Joint Head of HR advised that the old scheme dates from 2009 and the newest scheme from 2012.

Mr Pearce asked if the Lease Car scheme was essential to recruit new Officers to TDC and the Joint Head of HR confirmed that it was. It was mentioned that an alternative would be to provide higher wages to attract staff to the area.

It was proposed by Mr Baker, seconded by Mr Pearce and:

Resolved:

That the current TDC lease car scheme remains in operation without further review of the current arrangements for a further twelve months. It may however, be reviewed sooner if circumstances dictate.

Vote (For – Unanimous)

## 7. WORKING GROUP – TOWN COUNCIL AND USE OF OFFICES

Mr Harper provided a verbal update. He reported that the sum of £35,800 being paid to support the Town Council was a burden on TDC at this time of financial constraints. Mr Harper confirmed that there was no formal agreement in place, however he had consulted with the Solicitor and the Corporate Property Manager who had confirmed it was not possible to stop this arrangement due to the length of time it had been in operation.

Mr Pearce suggested that as this was a burden for tax payers, that it be proposed that a voluntary contribution could be made.

It was discussed that TDC also pay for services at the Town Council offices - including electricity, telephones, water and business rates. As Landlords TDC have no control over the energy consumption. It was further discussed that these costs are met by all residents of Torridge but that only those living in the area of the Town Council benefit.

It was reported that a number of Town Councils were making enquiries into purchasing their office premises as they wished to re-acquire their town's assets. It was mentioned that TDC should be encouraging Town Councils with this.

It was proposed by Mr Baker, seconded by Councillor Ratledge and –

Resolved:

To accept the verbal update and encourage TDC Officers to liaise with Town Councils regarding possible acquisition of Town Council offices; to continue to monitor this and that this be added to the Work Plan.

Vote: (For – Unanimous)

8. WORKING GROUP – COUNCILLOR COMMUNITY GRANTS

Councillor Edwards provided a verbal update. He advised that a meeting had been held to look into this and that there were some queries, mainly in regard to rolling-over of unspent grant monies and monies unspent from Councillors allocation.

Councillor Edwards advised that three Members (himself, Councillors Whittaker and Lock) had met with the Community Development Officer and they would like to present a full report and decision at the next meeting.

Councillor Langmead proposed, Councillor Fulford seconded, and

Resolved:

That the full report and decision be presented at the next Overview & Scrutiny (Internal) meeting.

Vote: (For – Unanimous)

9. COUNCIL TAX REBILLING

Councillor Pennington reported that of all the council tax bills issued, the maximum any bill was in error by was £12. He also reported that the software company had an error with their programme which incorrectly calculated the percentage increases. He advised that negotiations were ongoing with the software supplier. Steps were being taken to ensure the errors did not re-occur.

It was confirmed that the first error was human error and the second was a software fault. The Head of Paid Service advised that TDC had not paid the software company invoice and TDC had requested a meeting with the software company to discuss this. She further advised that the Interim Joint Head of Finance was drafting a letter for her to send to Parishes advising of the error but confirming the bills were legal and enforceable.

There was discussion regarding the communications TDC was sending out regarding the council tax re-billing. The Head of Paid Service advised that care would be needed as there may be a potential dispute with the software company. Members suggested that TDC need to be open and clear with this.

It was proposed by Mr Baker, seconded by Councillor Edwards and –

Resolved:

That the update be noted and that this item be brought back to O&S (Internal) following the meeting with the software company.

Vote: (For – Unanimous)

10. SCRUTINY TRAINING REQUIREMENTS

Mr Harper reported that he had recently received Scrutiny training with NDC. A brief discussion followed.

It was proposed by Mr Baker, seconded by Mr Harper and

Resolved:

That a training requirements report be brought back by the Corporate Services Manager to the next O&S Internal Committee meeting.

Vote: (For – Unanimous)

11. ACTION LIST AND WORKING GROUPS

Items on the Action List were considered. It was reiterated that all completed Actions should be removed from the list.

- It was agreed to rename the item 'Organise first meeting of the Service Review Working Group' to 'Review of Planning Service'.
- Income Generation has been completed. The Economic Regeneration Officer to report to the Head of Paid Service at the end of the month. This item to be added to Cycle 3 of the Forward Plan.
- Review of Assets – The Corporate Property Manager has completed a report which was going to C&R. Item to be removed from the Action list.
- Non Elected Members Report – item to be removed from the Action list.
- Unallocated Capital Report – item to be removed from the Action list.
- Non Elected Members Report – item to be removed from the Action list
- Capital Bidding Process Report – item on twice – to be removed from the Action list.
- Use of Reserves Report. Report due from the Chief Accountant as part of the annual closure of the accounts. It was added that this report went to C&R at year end and that it can be brought forward as an expanded element of the MBR. It was agreed that this item would be removed from the Action list and be added to the Forward Plan (cycle 5 & 6).
- Review of Induction/1<sup>st</sup> year/Member Development Report – item to be removed from the Action list.

Mr Baker reported that he had redesigned the Forward Plan 2013/2014 with the former Chair, Councillor Collins. It was agreed to delete the first column under Cycle 6.

It was asked if the Committee could increase the level of scrutinising carried out, in particular with regard to the Peer Reviews, the budget cuts and working with NDC. The Head of Paid Service advised that there were Informal Full Council meetings scheduled for these.

A discussion followed on the responsibilities of the Committee and that there was a need for the 'overview' aspect in order to be aware of what was planned and the direction of travel with issues. The scrutiny aspect had two approaches - calling-in a decision and also inviting Officers to attend and provide information about their area of work.

#### Consideration of Forward Plan 2013/14

It was agreed to remove the first column (30 Apr 2013) and add a new final column with the next new cycle details.

There was further discussion regarding the Forward Plan and it was agreed that the new Chair would need to provide a steer on items planned for the new year. It was agreed to move the 'Overview Harbour Port & Harbour Strategy' item from Cycle 2 to Cycle 3.

The problems with grounds maintenance contracting and complaints received was discussed. It was agreed to add 'Grounds Maintenance Contract' to the list detailed below on the Forward Plan.

Mr Baker requested that following on from Councillor Murdoch's representation that the Communications and Consultation Working Group deal with the communication issues as a matter of urgency. The Head of Paid Service agreed to speak to the Communications Officer about this.

It was proposed by Mr Baker, seconded by Councillor Langmead and

Resolved:

That the amendments detailed above to the Action List and Forward Plan be completed.

Vote: (For – Unanimous)

#### Working Groups

- The Head of Paid Service reported that the Service Review Working Group had not met for sometime. A Service Review Plan had been drawn up. She advised that the Working Group would need to be reconvened with new Members. Councillor Pennington proposed and it was agreed to change the name to 'Ongoing Service Reviews'. It was agreed that the Membership would consist of Councillors Redwood, Pennington, Edwards, Mr Baker and Mr Harper.
- Format of MBR – it was agreed that this would be removed.
- Priorities – it was agreed that this would be removed.
- Operations of Full Council/Dem Structure – this was discussed and it was agreed to leave it on as a Working Group but with no further action as

Informal Full Council would be considering this.

- Communications and Consultation – as was previously discussed under Item 5 - it was agreed to re-activate this with the group consisting of Councillors Redwood, Pennington and Mr Baker.
- Councillor Grant Process – It was agreed that Councillors Whittaker and Lock would continue working on this with Councillor Edwards.
- Review of Assets – it was agreed that this would be removed
- Lease Vehicles – it was agreed that the date be changed to April 2014.

The meeting commenced at 10.00am and closed at 12.50pm

Signed:

Dated: