

OVERVIEW AND SCRUTINY PANEL

23 NOVEMBER 2015 - 2:30PM



PRESENT: Councillor Yeulett (Chairman), Councillor Mrs Hay (Vice-Chairman), Councillors Mrs Bucknor, Buckton, Mrs Davis, Miss Hoy and Mason

ALSO IN ATTENDANCE: Councillors Clark, Murphy, Seaton and Sutton.

APOLOGIES: Councillors Garratt, Humphrey

Jane Bailey (Member Services and Governance), Rob Bridge (Corporate Director), Nick Harding (Head of Shared Planning), Geoff Kent (Head of Customer Services), Graham Nourse (Chief Planning Officer) and from Anglia Revenue Partnership Jo Andrews, Paul Corney, Adrian Mills and Stuart Philpot

OSC20/15 PREVIOUS MINUTES

The minutes of the meeting of 12 October 2015 were confirmed and signed.

Matters Arising:

1. Councillor Yeulett advised members of his intention to allow the Overview and Scrutiny Panel Members the opportunity to ask questions with regards to the Comprehensive Spending Review as an additional item at the end of the meeting;
2. Councillor Yeulett stated that when the relationship between Cabinet Members and the Leader was discussed at the last meeting the Overview and Scrutiny Panel Members recommended that Cabinet Members should have formal appraisals. He suggested that a Scrutiny Member be nominated to be part of that process with the Leader. Councillor Clark stated that he is happy with the suggestion to have appraisals, but added that he is not sure if he is the person to carry them out, suggesting that it is purely a Scrutiny function, adding that if you holding appraisals for Cabinet you should probably hold an appraisal for the leader too. Councillor Mrs Hay stated that she feels it is important that the Leader is involved as he would be the person setting targets. Councillor Clark stated that he does not currently set targets, but is happy to consider doing so moving forward. Councillor Mason stated that he thought this was a good idea as without targets it would be difficult to have an appraisal. Councillor Clark stated that at the moment we work our way through the Forward Plan, I do not set targets to work through the workload that is involved in that, but we could talk that through. Councillor Buckton stated that Cabinet Members have objectives that are linked to their responsibilities and maybe their appraisal could work from these objectives. He added that we do not want to add a burden or create unnecessary work; we see this as a positive way of working with the Leader and the Cabinet. Councillor Clark agreed that he is happy to come in to have further discussions with regards to this;
3. Councillor Miss Hoy asked what is happening with regards to the land at Wisbech. Rob Bridge confirmed that there was a report which went to Cabinet with regards to Coalwharf Road, and we have also looked at the land at the Nene, there is currently work ongoing to get a robust business case to see if it is something we might pursue;
4. Councillor Yeulett asked what progress has been made with regards to the paperless project and IT training for members. Geoff Kent confirmed that the proposals are being worked on, he added that officers could only start to take this forward once the Member

Allowance Scheme had been agreed at Full Council, he agreed to update members accordingly;

5. Councillor Yeulett stated that Overview and Scrutiny Members intend to formalise the procedure with regards to following up the recommendations that they make moving forward.

*** FOR INFORMATION OF THE COUNCIL ***

OSC21/15 ANGLIAN REVENUES PARTNERSHIP (ARP) UPDATE - REVIEWING PERFORMANCE

Members considered the ARP Update - Reviewing Performance Report presented by Councillor Councillor Seaton.

Members asked questions, made comments and received responses as follows:

1. Councillor Yeulett asked what we as a Council can learn from this partnership that we can apply to other areas, he stated that we do not appear to be leading on anything and asked if we can join with other authorities in a partnership that we can lead on. Rob Bridge stated that what is important to remember with ARP is that there is not one lead authority in that partnership. He added that with regards to other partnerships, we have been looking at shared services opportunities and will always look to see if we can be that lead role where it is possible to do so. Councillor Seaton confirmed that ARP is a collection of seven Councils, all Councils within this partnership are equal, there is no one lead authority. Councillor Yeulett stated that he is happy to hear that we are looking at these opportunities moving forward;
2. Councillor Mason stated that different authorities have different strengths; can we be assured that Fenland has an equal share? Paul Medd confirmed that every authority is treated equally, the highest priority work gets targeted regardless of the area;
3. Councillor Mrs Bucknor stated that she is very supportive of the principle of the Anglia Revenue Partnership Trading Company and asked what our commitment is to that Trading Company. Rob Bridge stated that the Trading Company has been agreed by the joint committee, it is a separate limited company and the directors of that company are the directors of the councils in the partnership. Councillor Seaton confirmed that any decisions made have to come back for ratification with the partners and will only go ahead with 100% backing;
4. Councillor Mrs Bucknor asked if there is an additional cost to this Council with regards to the Trading Company. Rob Bridge confirmed that there is no additional cost but there will be some additional hours required;
5. Councillor Mrs Hay stated that the report indicates almost £132,000 of fraud identified in Fenland and asked what proportion of that is likely to be recovered, adding that she is concerned that the numbers for Fenland are quite high especially when compared to the overall fraud identified. Adrian Mills stated that throughout the year there will be a flat-lining of those figures, some authorities are not full partners as far as fraud is concerned and therefore this work is across 5 Councils not all 7. There are good relationships in place with Roddons, and already have a lot of success with regards to fraud cases;
6. Councillor Mrs Hay stated that she would have liked to have seen the number of cases as well as the amounts of money involved. Councillor Seaton agreed to forward that information to the panel and to include that detail in the report in the future;
7. Councillor Buckton stated that caseloads will be different for different authorities; he asked how the work is allocated. Adrian Mills agreed that the number of caseloads will be different and will depend on the size of the Council and the demographics. When the work comes in it is allocated irrespective of where it is;
8. Councillor Buckton asked how much the Fraud Team costs. Rob Bridge stated that it costs

in the region of £110,000/£115,000;

9. Councillor Buckton asked if this team is effectively paying for themselves. Rob Bridge confirmed this;
10. Councillor Buckton asked Rob Bridge why he was attending the meeting today. Rob Bridge stated that he thought it would be useful as there are some relatively new faces around the table today;
11. Councillor Buckton asked what officers were hoping to get out of this meeting today and is this panel adding value when we are just being asked to note the report, he added that there is a lot time, money and expertise in this room just for the panel to note the report. Paul Medd stated that ARP is part of each Council and part of that role is to come into these meetings, it is also helpful for representatives from ARP to come in to answer questions and meet members. Rob Bridge stated that we also have to remember that we agreed to bring this forward to Overview and Scrutiny on an annual basis. He added that it is more of an overview to show you that this partnership is working. Councillor Seaton stated that this is a valid point to raise, we are 1 of 7 partners and I am sure that this question will be asked at other meetings too;
12. Councillor Buckton asked how the Trading Company is being resourced. Rob Bridge confirmed that there are no staff at the moment, he added that it is a facility that will be able to trade with other authorities, if we decide we can, we will deliver a service via the trading company and may need to employ staff moving forward;
13. Councillor Buckton asked if there is currently any activity for that Trading Company. Rob Bridge stated there is no work coming through yet, but it has only just been set up;
14. Councillor Buckton stated that it is a concern that if the trading company is established and existing staff are used, they may find it is not possible to do their day job. Rob Bridge confirmed that the Trading Company is never to have a detriment on the quality of work to the partners. If we get a contract or lots of work in we would need to look at employing staff for this. Councillor Seaton stated that any of these decisions would need to come back before all of the partners for ratification;
15. Councillor Mrs Bucknor asked what the process is for reporting possible fraud cases. Adrian Mills stated that there is a hotline for members of the public. Rob Bridge agreed to send this information to members;
16. Councillor Miss Hoy stated that with regards to the information on the Council Tax Bill, the contact address has changed but the telephone number is the same. She asked what the possibilities are for customers to be able to call a shared contact centre. Paul Medd stated that this is a business case that we want to bring forward, and is a piece of work that is taking place at the moment. Rob Bridge stated that it is important to remember that our customer services have been very successful at what they do, and there is a slight concern about having another contact number for some enquiries, these are the kind of details that need to be considered;
17. Councillor Yeulett what the progress is moving forward. Rob Bridge stated that we are in a positive position, and moving forward the trading arm is a good opportunity try to bring in some income. We are looking forward to further good results moving forward.

Councillor Yeulett thanked the representatives from ARP for attending the meeting today.

OSC22/15 COUNCIL TAX SUPPORT - 2016-17 SCHEME

The Overview and Scrutiny Panel considered the Council Tax Support 2016-17 Scheme Report presented by Rob Bridge. He explained to the Panel that the money we receive for local council tax is all wrapped up with other income, in the CSR pack there is an option to take the percentage higher but the experience of other authorities that have done this is that when you get close to 20% the cost of collection goes up, and this brings in other complications.

1. Councillor Buckton stated that with regards to the CSR, at some point people need to be

sitting in the same room and making a decision, this should not be a box ticking exercise. He added that 6.1 of the report says 'The CTS changes continue to cause more customers to get into arrears with Council Tax payments as the tables show', stating that this shows cause and effect, this all needs to be put into the mix to make that decision. He asked how we can ensure good decisions are made. Rob Bridge agreed that Councillor Buckton makes a good point, there could be an addition impact, it says that in the CSR document too. The CSR plan moving forward was that if we have a number of ticks for a particular service we would bring more information forward at that stage to give members more in-depth details to enable them to make an informed decision;

2. Councillor Yeulett stated that when the panel had a pre meet the members stated that they would like to have more input in this rather than just to note the report. Rob Bridge stated that in previous years Overview and Scrutiny have had much more input, this year it is difficult and are only able to ask you to note;
3. Councillor Mrs Hay stated that she had mentioned that the table was incorrect, and a corrected table was circulated, however this is also incorrect. Rob Bridge agreed to amend, check and re-circulate the table to members;

Councillor Yeulett thanked Rob Bridge stating that the panel realise the constraints and await more news moving forward.

OSC23/15 CHARGING FOR PRE-APPLICATION PLANNING ADVICE

The Overview and Scrutiny Panel considered the Charging for pre-application planning advice report presented by Councillor Sutton.

Members asked questions, made comments and received responses as follows:

1. Councillor Mrs Bucknor asked what the justification is for the £60 charge, how has this figure been decided. Councillor Sutton confirmed that the charge mirrors that of Peterborough;
2. Councillor Mrs Bucknor stated that she is keen to ensure that although the charges mirror those of Peterborough, that they are accurate for us, and wants to feel comfortable that the £60 covers the officer time required. Some applications need more work than others, for example when an applicant has not complied with the pre-application advice, will it be possible for additional charges to be added for additional work or is it just a flat fee? Councillor Sutton stated that this kind of work would be enforcement work and would not be subject to additional charges under pre-application charging;
3. Councillor Mrs Bucknor asked how we can get an additional charge. Councillor Sutton confirmed that we cannot charge additional fees for Pre-application planning advice, the scenario you have given us would however incur an enforcement charge. The pre-application route is voluntary, if applicants do not comply with advice and guidelines the issue moves to enforcement;
4. Councillor Mason stated that there is evidence that imposing pre-application charges that the service improves. Councillor Sutton agreed, stating that once you start charging the quality of the pre-application improves. Nick Harding stated that the pre-application charges have to be applied with a little flexibility, I would expect the planning officer to talk through an application before the pre-application stage, sometimes a developer knows that their scheme will go through and just wants a little advice, in this scenario a bespoke price would be arranged for them;
5. Councillor Miss Hoy suggested that if this item is to go to full Council for ratification it should include the pricing explanation. She added that she feels that if applicants have to pay for pre-application advice they will just go straight to the application stage. Councillor Sutton stated that it is up to the applicant; however this would give officers more time to deal with the pre-applications that have been paid for. Graham Nourse stated that looking at the value of a development it is in the developers interest to go through the pre-application stage first;

6. Councillor Mrs Hay stated that with regards to the responses received in the consultation there needs to be consistency between the pre-application advice and at the application stage. People must not be led to believe that because their application has gone through the pre-application stage that they will be automatically be approved. Councillor Sutton agreed, stated that will not change and will be made very clear;
7. Councillor Buckton stated that it had been suggested that 50% of the pre application costs would be reimbursed at the application stage. Councillor Sutton confirmed that was a suggestion that was not considered. Rob Bridge stated that it is important that we give you all the details, this was a suggestion made in the early stages which was not considered as part of the final proposal;
8. Councillor Yeulett stated that with regards to the consideration of 28 day response for major applications rather than 42 days we have to be realistic and would not want to offer something that is undeliverable, what will be the consequences of that. Rob Bridge confirmed that if we did not meet our target we would refund;
9. Councillor Buckton stated that presumably the response time will be on a sliding scale depending on the application. Councillor Sutton confirmed that the response times will be different for minor and major applications;
10. Councillor Yeulett asked if this is likely to increase pressure on the team. Councillor Sutton stated that the team work hard through peaks and troughs, and it is not expected to increase pressure;
11. Councillor Mrs Bucknor stated that in the past she had spoken to officers at the pre-application stage that had no concerns, the application was then passed on to somebody else in the team at application stage. She asked if the same officer will deal with applications through the whole process. Nick Harding stated that wherever possible the same officer will deal with the pre-application and application, however there will have to be some caveats in place for when this is not possible;
12. Councillor Mrs Bucknor asked if there will be a record of the pre-application advice given. Nick Harding confirmed that there will be. Graham Nourse stated that there will be a strong record of what has been advised at the pre-application stage.

Councillor Yeulett thanked officers for attending the meeting today and answering questions from the panel.

OSC24/15 FUTURE WORK PROGRAMME

Members considered the Future Work Programme 2015/16 for the Overview and Scrutiny Panel.

Members agreed the Future Work Programme 2015/16 for the Overview and Scrutiny Panel.

OSC25/15 OVERVIEW AND SCRUTINY RECOMMENDATIONS

The Overview and Scrutiny Panel made the following recommendations:

1. With regards to ARP, for more detailed data to be included in future reports;
2. With regards to the pre-application planning advice the panel would like officers to ensure that the work does not cost any more than the fees we are charging;
3. The panel would like an update on the land at Wisbech;
4. The panel would like an update on IT training for members;
5. The panel would like officers to consider how they can get the best out of the Overview and Scrutiny Panel moving forward;
6. The panel would like officers to make shorter presentations on items.

OSC26/15 COMPREHENSIVE SPENDING REVIEW DISCUSSION

Councillor Yeulett stated that as there are many officers present today the Overview and Scrutiny Panel would like to take the opportunity to ask some questions with regards to the Comprehensive Spending Review process.

Members asked questions, made comments and received responses as follows:

1. Councillor Mrs Bucknor stated that it was very helpful to receive the financial details, however still regrets the decision that was made to send the forms out without this information. She added that there is a strong feeling amongst Councillors that they would like to have had a discussion and not just a box ticking exercise so that they could understand everyone's views. Councillor Clark stated that it is the first time that this Council has ever done anything like this, we have not got the resources to price everything out as a business case and had to complete it with the resources and officer time that was available. He added that he still believes that in most cases the consultation paper would have gone into people's dustbins even with the added financial details, but perhaps in hindsight we could have included indicative figures. He stated that he has no problem meeting with Councillors at a forum where everyone can state their views and agreed that these issues need to be discussed further, however he believes that the best time to have these discussions is after everyone has given an indication on the form so that officers can collate the responses and provide more in-depth detail;
2. Councillor Miss Hoy stated that we would be here for hours if we were to get together to discuss the whole document. She added that she would have liked to have seen more details with regards to increasing funding streams into the Council. Councillor Clark agreed, but added that this is still a very early stage of the process. Rob Bridge stated that we have been working with other authorities, looking at housing build projects, looking at what a business model could look like with regards to the plots at the Nene. We are currently waiting to go through those plans. There are many options for this Council to consider, and we also need to understand the implications on the Capital Programme. There is a lot to come together to allow us to make some informed decisions;
3. Councillor Mrs Hay stated that before we complete the CSR form we should have a Council meeting, we cannot go through every page of the form but we could take the opportunity to capture some highlights. Councillor Clark stated that this panel is in the position to put that idea forward as a recommendation, however I still feel that if it is scaled down it will be a more useful discussion;
4. Councillor Mrs Davis stated that some people could be ticking something simply because they do not understand the implications, therefore there is a worry that this will bring forward the wrong things for further discussion. Councillor Clark stated that this was the first stage of going out to public consultation and therefore the document that was sent out was simplified. When we go back out for the second consultation we will explain that some are statutory services. He added that he feels that it will be more useful to narrow the scope down than if we all sit down to go through the whole document. In the end we will be the decision makers and will agree a way forward;
5. Councillor Mason stated that the public consultation has been laid out now, but it is important that you make it clear at the second stage that some services are statutory. Councillor Clark agreed stating that the biggest thing for him was that the public accepted that some services should pay for themselves;
6. Councillor Hoy stated that it might have been better to tick the services that you do not want to cut. Rob Bridge stated that this is a fair point, we are hoping that the list will show the most popular ticked areas, and show us where we need to focus the next piece of work. We will share this list with members and understand that for some there would need to be further consultation;
7. Councillor Buckton stated that he would like to reiterate that there is generally a large discomfort that there has not been the opportunity for discussion so that members are in a better position when the box is ticked. He added that he would be happy if we left this meeting today with an agreement for a date for those discussions to take place. Councillor

Clark stated that if there is a big feeling that members would like a meeting before they fill in their forms then we will put arrangements in place;

8. Councillor Buckton stated that some members want the opportunity to discuss, he added that he feels that if people have had the discussions and had the chance to listen to other people's point of view before any decisions have been made then they will feel more like they have been part of that decision making process and would be happier. Councillor Clark stated that it is a new process and is flexible, adding that he thought that once we narrowed the scope down the discussions could be more focussed, but agreed that if people want a meeting before they complete the forms he is happy to arrange that. Rob Bridge stated that in January and February, once the initial analysis of the forms has been done we will be looking more closely at the options and there will be plenty of opportunities for members to discuss and ask questions at that stage before any decisions have to be made;
9. Councillor Yeulett suggested that a note be sent out to all members to clarify the process, addressing the points we have raised today. Councillor Clark stated that this is the first step in a long process, it is about prioritising the list of savings and not the final decision what so ever. Rob Bridge stated that it is about providing more information at that crucial stage to allow members to make an informed decision;
10. Councillor Buckton stated that it is about making the right choice and maybe that means it needs looking at from a different perspective. It might not just be a matter of stopping something altogether, but looking at it another way, that is why the discussions would be helpful. Councillor Sutton stated that everything we are currently looking at has been looked at in the past and will be looked at again the future, we are looking at this all the time;
11. Councillor Yeulett thanked members and officers for addressing some of the concerns put forward today. Councillor Clark stated that he is always happy for discussions to take place. He added that his steer as Leader is to create a 3-4 year plan of where we are going, if we come up with sound business plans to make some money during that time then we can reassess but we need to keep the moral up within the workforce with a longer term plan.

4.45pm

Chairman