

At a Meeting of the **OVERVIEW & SCRUTINY COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **15<sup>th</sup>** day of **JANUARY 2013** at **2.00 pm**.

**Present:**

Cllr D W Cloke – Chairman	
Cllr S C Bailey – Vice-Chairman	
Cllr K A Clish-Green	Cllr C Hall
Cllr L J G Hockridge	Cllr D M Horn
Cllr J B Moody	Cllr D K A Sellis
Cllr J Sheldon	Cllr D Whitcomb

Corporate Director (TW)  
Community Manager  
Community Development Officer  
Personnel Manager  
Head of Corporate Services  
Head of ICT & Customer Services  
Democratic Services Manager  
Member Services Manager  
Member Services Admin Officer

**In Attendance:**

Cllr R E Baldwin	Cllr M J R Benson
Cllr W G Cann OBE	Cllr R J Oxborough
Cllr T G Pearce	Cllr P R Sanders

Chief Executive  
Acting Head of Finance & Audit

Mrs Barbara Osborne – CAB  
Mandy Kenyon – CAB

**\*O&S 24 APOLOGIES FOR ABSENCE**

No apologies for absence were received.

**\*O&S 25 DECLARATIONS OF INTEREST**

Members and officers were asked to declare any interests in the items of business to be considered during the course of this meeting but none were made.

**\*O&S 26 CONFIRMATION OF MINUTES**

The Minutes of the meeting held on 16 October 2012 were agreed and signed by the Chairman as a correct record.

**\*O&S 27 PRESENTATION BY MRS BARBARA OSBORNE AND MANDY KENYON OF THE CAB**

Members received a presentation from Mrs Barbara Osborne and Mandy Kenyon of the CAB which was followed by a question and answer session for Members.

**\*O&S 28 SERVICE LEVEL AGREEMENT MONITORING – CAB/CVS**

The Community Development Officer presented a report (page 3 to the agenda) for Members to review the operation in 2011/12 of the Service Level Agreements (SLAs) with West Devon Community and Voluntary Services (WDCVS), including West Devon Volunteer Centre (WDVC), and West Devon Citizens Advice Bureau (WDCAB).

Having received a presentation from the CAB, the Community Development Officer advised that Members could invite the CVS to attend a future meeting of the Overview and Scrutiny Committee.

A Member asked if anyone had calculated the additional cost to the Borough Council if the CAB and CVS did not exist. In response, the Member was advised that this was difficult to do without exact figures but the cost would be considerable and the value of the CAB and CVS was in excess of what the Borough Council paid out through the SLAs.

It was **RESOLVED** that Members had scrutinised the performance of WDCVS and WDCAB against the SLAs.

**\*O&S 29 USE OF AGENCY STAFF**

The Personnel Manager presented a report (page 38 to the agenda) to provide Members with an overview on the use and costs of engaging agency workers.

During discussion, the following points were raised:

A Member asked if the report could be made clearer in indicating what money had been shown as being as a cost to the Council. Page 39 to the agenda indicated a cost to the Council when in actual fact it was a cost to Fosca;

A Member asked the Personnel Manager if instead of using agency staff, any additional hours could be offered first to existing part time staff, who might be glad of some additional hours/responsibility. In response, the Personnel Manager advised that most of the jobs available tended to be full time positions although utilising part time staff could be a way of meeting a short term need;

In respect of entitlement to holiday, the Personnel Manager advised that agency staff were not able to accrue holiday at the expense of the Borough Council and any holiday that needed to be taken would need to be arranged through their employer;

A Member asked the Personnel Manager if he thought that there would be an increase in using agency staff. The Personnel Manager advised that this was difficult to predict but at the present time the demand was not high;

A Member made reference to the 12 week level, where it was beneficial to the Council to change agency staff after every 12 weeks, to save money. In response, the Personnel Manager advised that this would not happen as there were anti avoidance measures in place.

A Member asked the Personnel Manager how many agency staff were currently employed by the Council. The Personnel Manager advised that at present, the Council employed five agency staff. A further question followed asking as to when agency staff were recruited how their suitability was assessed. In response, the Personnel Manager advised that the agency sourced suitable candidates from information provided and if the candidate proved to be unsuitable, then they could be replaced.

A Member raised concern that the Enforcement Officer costs seemed very high. In reply, it was noted that this unfortunately was due to supply and demand.

After a general discussion from Members, it was agreed that more regular up-dates on this were necessary to keep Members aware of the situation and that this would be included on a future O&S agenda.

It was then **RESOLVED** that Members agree that the Senior Management Team continue to monitor the use and cost of using agency workers.

**\*O&S 30**

**PERFORMANCE INDICATORS QUARTER 2**

The Head of ICT & Customer Services presented a report (page 43 to the agenda) to provide Members with information on Key Performance Indicators where performance was 10% or more below target at the end of quarter 2 2012-13. The information was set out in a new format with the Balanced Scorecard showing broad performance levels, indicators at 'red' status providing additional information and a standard information report giving background information and context to workload.

The Head of ICT & Customer Services advised that the Council was working tirelessly to hit all of the targets set and that these were very high.

A general discussion took place from Members regarding car parking issues. One comment was made that the car parking figures were down due to the bad weather and lack of visitors to the Borough. Concern was raised that the tariffs were incorrectly advertised despite being reduced. It was noted however, that this had now been rectified. The question was raised regarding publicity as to what we are doing now to tell the media that we were reducing costs. A suggestion was made that perhaps the Borough could explore offering free car parking after 3 pm.

In response to a query relating to the end to end time for change of circumstances, the Head of ICT and Customer Services advised that there was a new system that was working well, but a backlog of cases had built up which artificially inflated the figures. The Committee was given assurances that the figures would improve in the new financial year.

It was then **RESOLVED** that:-

- (i) Members note the Key Performance Indicators for Quarter 2 and consider the action detailed to improve future performance; and
- (ii) for all of the five indicators at red status for two consecutive quarters as detailed in para 2.4 of the presented report, the following action be taken:
  - End to end time for change of circumstances – agree with action response as per the presented report
  - Car parking income (day tickets from machines) – agree with action response as per the presented report, and in addition, request that the Car Park Strategy Group bring a report to a later Overview and Scrutiny Committee in response to comments made
  - Income collected: Land Charges – agree with action response as per the presented report
  - Average days sickness/FTE – agree with action response as per the presented report
  - Average time for completion (Minor) – agree with action response as per the presented report

## **O&S 31      REPORTS OF TASK & FINISH GROUPS**

### **(i)      Two Committee Structure**

The Chair of the Overview & Scrutiny Committee presented the Group findings of the current two committee pilot (page 53 to the agenda) for its consideration and recommendation to full Council.

A Member asked the Chairman whether, if any changes were to be made to the current two committee system, this would be with immediate effect. In response, the Chairman advised that the Committee would make its recommendations to the next full Council Meeting for its determination.

A Member raised concern regarding the ability for the Community Services Committee to have Lead Members (who had specific roles and responsibilities) and how these Lead Members had been selected. Concern was raised again that Members did not know who the Lead Members were or their level of responsibility. To clarify this point, it was agreed that a list of the current Lead Members and their responsibilities would be circulated to all Members.

A Member commented how important the role of the Overview & Scrutiny Committee was and suggested how its workings could be adapted to reflect this importance (e.g. by carrying out more focused specific reviews and by investigating the merits of creating a second O&S Committee, with one being focused upon the

workings of the Community Services Committee and the other focused upon the Resources Committee). In reply, the Chairman advised that there was a further option to divide the workings of the two Committees within the existing Overview and Scrutiny Committee (e.g. with some O&S Members focusing upon the Resources Committee and others concentrating on the workings of the Community Services Committee)..

A general discussion took place. It was thought that the current two committee pilot needed to run for a further period of time. Concern was raised that the workload for the Chair of the Community Services Committee was an unsustainable workload.

Specifically for the Community Services Committee, a Member queried the current roles of the Chairman, Vice Chairman and the then appointed Lead Members and how the wording of Lead Members caused concern for some Members. The question was asked if there was provision in the Council Constitution for a Chairman and two Vice Chairmen to be appointed rather than Lead Members. Another Member felt that the current system with Chairs and Vice Chairs having their own briefing meetings was operating like an Executive model.

The Chairman of Community Services Committee advised that the use of Lead Members had happened in an evolutionary way

It was **RESOLVED** to **RECOMMEND** to Council that:

- (1) the current pilot (due to end in May 2013) be extended until the full Council meeting in December 2013; and
- (2) with immediate effect, the Chairmen and Vice-Chairmen of the Resources Committee and Community Services Committee consider revising current working arrangements to ensure that the workload, particularly within the Community Services Committee, be more evenly spread amongst its Committee Members, including clarifying the roles of Lead Members, Champions and Working Groups.

**(ii) Member IT Provision**

The Deputy Leader of the Council, Councillor Baldwin presented the draft Member IT provision policy (page 63 to the agenda) to the Overview & Scrutiny Committee for its consideration and recommendation for adoption to full Council.

A Member referred to the proposed additional IT allowance for 2013/14 of £400 (page 67 – 3.2.2) and queried why this figure would be subject to income tax. In response, the Deputy Leader assured the Member that this was the case but that he would check with the Head of Finance for clarification.

A Member in attendance wanted to thank the Deputy Leader and the Democratic Services Manager for all their hard work to date on this matter. For clarification, the Member wanted it noted that Members had a choice that they could either keep to the same arrangements as they had now or accept the proposed £400 to provide their own IT equipment (page 67 2.1 & 2.2 of the agenda).

After a general discussion, the Deputy Leader advised that the proposed new policy was a draft as prepared by the Task and Finish Group and therefore could be changed if necessary.

It was **RESOLVED** to **RECOMMEND** to Council that the draft Member IT provision policy (as attached at appendix B) be adopted.

**\*O&S 32      REGULATION OF INVESTIGATORY POWERS ACT 2000: REPORT ON INSPECTION AND AUTHORISATION**

As a standing item on the agenda, Members noted that there had been no requested to use the powers under RIPA during the last quarter.

(The meeting terminated at 4.50 pm)