

Monday, 9 December 2013
at 6.00 pm



Scrutiny

Membership:-

Councillor Warner (Chairman) Councillor Shuttleworth (Deputy-Chairman)
Councillors Cooke, Murray and Ungar

(Apologies for absence were reported from Councillor Belsey and Councillor Coles)

14 Minutes of the meeting held on 2 September 2013.

The minutes of the meeting held on 2 September 2013 were submitted and approved and the Chairman was authorised to sign them as a correct record.

15 Declarations of Disclosable Pecuniary Interests (DPIs) by members as required under Section 31 of the Localism Act and of other interests as required by the Code of Conduct.

Councillor Ungar declared a personal non prejudicial interest in item 10 Member Briefing 13 November 2013 – DGH, as a Member of HSOC. Councillor Ungar remained in the room and contributed to the discussion on this item.

Councillor Murray declared a prejudicial interest in item 10 Member Briefing 13 November 2013 – DGH, as his spouse works at the DGH. Councillor Murray took no part in the debate on this item.

16 Eastbourne Emergency Road Repairs - Presentation by East Sussex County Council

The committee received a brief verbal presentation from Karl Taylor providing members with an update on road repairs in East Sussex. County Councillor Maynard was also in attendance to answer members questions. Mr Taylor provided the committee with two reports:

1) Update on the effectiveness of the risk controls reducing the Council's exposure to risk from potholes

<http://www.eastsussex.gov.uk/PotholeRiskControls.pdf>

and

2) Future Levels of investment in Highway Maintenance.

<http://www.eastsussex.gov.uk/highwaymaintenance.pdf>

Mr Taylor advised the committee that the winter maintenance programme had started three weeks ago. There were over 65,000 potholes in the County with around 10,000 in Eastbourne – an unprecedented amount. Extra funding had been made available to fix potholes and the levels of investment required for Highways in East Sussex had been reassessed.

Members discussed the road gritting in Old Town and frequency of filling grit bins, pavement maintenance, the fixing of potholes and the requirements placed on the contractor to ensure repairs are viable and remaining in place for at least one year. The committee were advised that 96% of repairs were permanent; however there were a number of factors resulting in the remaining 4% being temporary. Failed repairs were filled at the contractor's expense.

Members were asked to contact their local stewards if they see areas of the highway that require attention. The committee were also requested to advise neighbourhood panels and residents to also contact their respective stewards. Issues can then be monitored and repaired at the control hub based in Ringmer.

The committee further discussed length of time for repairs and the use of the permitting scheme to ensure that utilities companies coordinate works, where possible, to minimise disruption to drivers

The two Eastbourne Highway Stewards were Jack Griffiths and Simon Coomber.

NOTED.

17 Council Tax and Business Rates Collection and Recovery Policy. Report of Revenues and Benefits Manager.

The committee considered the report of the Revenues and Benefits Manager seeking Members' views on the policy for the collection of Council Tax and Business Rates before its consideration by Cabinet on 11 December 2013.

Members were advised that in 2013/14 the total Council Tax due to be collected is c£52m on c47000 properties. Of the Council Tax collected, the Council retain 14%, with approximately 72% going to the County Council, 5% to the Fire Service and 9% to the Police.

There were certain discounts and exemptions available to people, for example people living on their own could get a 25% Single Person Discount and the Council operates a Local Council Tax Reduction scheme to help people on a low income to pay their Council Tax.

Business Rates (National Non-Domestic Rates) was a charge levied on commercial properties. There were certain discounts and exemptions available to businesses. In 2013/14 there was c£34m of Business Rates to collect on c2800 properties.

The policy (Appendix A appended to the report) was intended to set the framework within which, along with the statutory provisions, the Council would seek to collect the taxes and to recover any unpaid Council Tax and Business Rates.

In drafting the Policy account had been taken of the Citizens Advice Bureau's 'Collection of Council Tax Arrears Good Practice Protocol' and the

Department for Communities and Local Government's 'Guidance to local councils on good practice in the collection of Council Tax arrears'.

For example, the Revenues team were in the processes of signing up to the CAB protocol.

Consultation had taken place with the following organisations:

- Citizens Advice Bureau
- Disability Involvement Group
- East Sussex Credit Union
- Salvation Army
- Eastbourne Cultural Communities Network
- Crime Reduction Partnership
- East Sussex County Council
- Activating Eastbourne

There had been an increase in reminders of 10% this year, signs that the residents of Eastbourne are struggling to pay their Council Tax.

Members discussed the loss on non payment and who bore that loss, the wording of the reminders and whether this could be softened, the take up on the Summons Surgery – run by the Council to help people before Court proceeding. This is not a requirement for the Council however it has proved helpful for a number of residents.

The members further discussed the cost of recovery - £85. Members were advised that this figure was lower than neighbouring authorities and had not been increased since 2005/06. the figure represented the cost of the provision of the service as a whole with collection and arrears being of high cost to the Council resulting in the £85 figure.

NOTED.

18 Corporate Performance - Quarter 2 - 2013/14. Report of Deputy Chief Executive and Chief Finance Officer.

Members considered the report of the Deputy Chief Executive and Chief Finance Officer updating the Members on the Council's performance against Corporate Plan Priority actions, indicators and financial targets for 2013/2014.

The committee considered Appendix 1 containing information regarding quarter 1 activities and outturns of the performance indicators listed within the Corporate Plan which had been broken down into the 4 theme chapters. A summary table at the beginning of each chapter's data showed the number of indicators on and off target.

Each project had been allocated a number of in-year actions and milestones to be completed in order to progress the project efficiently. The specific milestones for Quarter 2 were set out in the actions report in Appendix 1 and details of the milestones for the whole year were available on Covalent and could be supplied on request. The first section of Appendix 1 lists all Corporate Plan priority actions whose in-year milestones had fully completed this year.

Members noted that of the 33 Key Performance Indicators reported in the Corporate Plan this quarter, 5 were currently showing as "Red," 17 were showing as "Green," 3 were showing as "Amber" and 8 were "data only" or contextual PIs. The off target PIs were;

- ECSP_004 Violent crime in a public place
- TL_014 Towner visitors
- CD_055 Number of completed adaptations
- CD_056 Average number of days for assistance with adaptations
- CS_011 Telephone call abandonment rate

The Senior Head of Infrastructure provided the committee with an update of the Waste Contract performance, following the briefing at the previous meeting. Members noted that the Council were exceeding the targets for recycling. Bin delivery and collection required additional work. The call abandonment rate and targets for answering calls was improving.

Members noted that the position to the end of September showed a variance of £78,000 on service expenditure which was a movement of £102,000 compared to the position reported at the end of the first quarter in June. Service expenditure had a variance of £182,000 mainly as a result of:

- Refuse Collection Contract savings (£80k)
- Housing Benefits Subsidy and overpayments recovery (£30k)
- Cremation income over target (£40k)
- Cremation gas savings from installation of new cremators (£53k)
- Grounds maintenance additional cost of contract dispute £105k
- Revenues and Benefits additional costs of £71k
- Council Tax summons income below target £37k
- Shortfall in Catering income of £100k
- Shortfall in income and additional costs at the Bandstand 28k

This service overspend was off set by the saving on the contingency fund.

The contingency allowance currently stood at £208,409 and had been used to offset service expenditure. Therefore there was no further funding available for any future unforeseen one off areas of expenditure during the year.

The projected outturn showed a negative variance of £58,000. This was within 0.34% of the net budget and was within an acceptable tolerance level. However management continued to manage this position to ensure that this final position was achieved.

Financial procedure rules require all virements requests over £10,000 for revenue expenditure to be approved by Cabinet. Virement requests are set out at Appendix 3. The General Fund item was required to formalise the budget transfer of a post between two services areas.

Transfer from reserves were also set out in Appendix 3. These transfers were in line with the approved financial strategy

HRA performance was currently above target due to an increase in service charge income less several areas of minor over spends which were being carefully monitored. The current spend on the under occupation scheme indicated a potential overspend for the year of £60,000 due to the increase in the number of property transfers taking place. It was proposed to offset this additional cost from the extra income received from service Changes.

A prudent increase in the provision for bad debts was included in the budget to offset any effect of the new benefits regime. Whilst rent collection performance for the quarter had remained at prior year levels, the introduction of universal credits and the benefits cap might impact on this position later in the year. This was carefully being monitored and any reduction in the provision would be reflected at quarter three.

The detailed capital programme was shown at Appendix 4. Actual expenditure was low compared to the budget, due to delays in the start dates of housing major projects, sheltered accommodation remodelling projects and several general fund projects. Expenditure was expected to increase as schemes progress however the spending patterns would be reviewed at quarter three and re-profiled into 2013/14 year where appropriate.

The capital programme had been amended from that approved by Cabinet in September to reflect new approved schemes.

The report further detailed activity in Collection Management, Treasury Management, Interest Rate forecast, the Council's Annual Investment Strategy and Investment Performance.

NOTED.

19 Member Briefing 13 November 2013 - DGH - Outcome and next steps.

The Head of Corporate Development summarised the current position of the notes of the briefing hosted by the Council - two Council officers were accountable for taking the notes. The combined content of these notes were used to form the official record which was approved by the chair of scrutiny and subsequently published without change. ESHT had stated that they disagreed with the notes and had produced their own version based on a taped recording they undertook at the meeting. They also maintained that EBC had failed in the previously agreed intent to produce a jointly agreed set of notes. The Head of Corporate Development responded to these points as follows:

1) The intent was always that the Council, as hosts, would administer the meeting and then would offer ESHT the opportunity to comment and/or suggest specific amendments. This had been done and ESHT were entitled to simply disagree, which would not invalidate the notes produced by the Council as being the official record.

2) At no point had ESHT sought to make anyone aware that they were recording the meeting or, as basic courtesy, sought the agreement of the Chairman. Had they done so, it would almost certainly have been agreed and could have been given to EBC officers to assist in preparing the record. At this point, ESHT had not offered to make the full recording available to the Council and had not produced a full transcript of any recording.

Members agreed the record taken by Council officers without amendment. The notes had been shared with both Leaders and the Chair and Deputy Chair of the Scrutiny committee. This had given limited time for ESHT to comment. Therefore the committee agreed to approve the notes subject to giving ESHT a further week to make any specific comments, the inclusion of which would be subject to liaison with the Chair and Deputy Chair and both Leaders. ESHT would be invited to comment and/or suggest amendments by no later than 16th December 2013. This was consistent with the process previously agreed.

The committee thanked Katie Armstrong and Simon Russell for their efforts in recording the meeting.

Members considered the various options available. The committee were in agreement that the current arrangement for maternity services to be based in Hastings, and the ESHT's statement that services would not be provided at both sites had somewhat predetermined their decision that services should be provided in Hastings alone.

The committee were keen to gather evidence to support the Council's opinion that maternity services should return to Eastbourne given that in the region of 250,000 people would be affected by the final decision. The committee were keen to have full input into the CCG consultation process due to start in early 2014 and agreed that further discussion with the Save the DGH campaign group and Liz Walke would be required to determine the way forward. The committee also agreed that it would be important to ensure that the County Council's Health and Overview and Scrutiny Committee be advised of the Council's intentions.

NOTED.

The meeting closed at 8.40 pm

Councillor Warner (Chairman)