

SCRUTINY FOR POLICIES AND PLACE COMMITTEE

Minutes of a Meeting of the Scrutiny for Policies and Place Committee held in the Taunton Library Meeting Room, on Tuesday 10 July 2018 at 10.00 am

Present: Cllr M Lewis (Vice-Chair), Cllr P Ham, Cllr B Filmer, Cllr John Hunt, Cllr J Thorne, Cllr G Noel, Cllr S Coles and Cllr L Leyshon

Other Members present: Cllr P Clayton, Cllr H Davies, Cllr D Hall, Cllr M Keating, Cllr J Lock, Cllr T Munt, Cllr L Vijeh, Cllr A Wedderkopp and Cllr R Williams

Apologies for absence: Cllr A Groskop

107 **Declarations of Interest** - Agenda Item 2

There were no declarations of interest.

108 **Minutes from the previous meeting held on 19 June** - Agenda Item 3

The minutes of the meeting on 19 June 2018 were accepted as being accurate by the Committee.

109 **Public Question Time** - Agenda Item 4

There were four public questions with regard to Item 5.

Brenda Weston, Trustee North Taunton Partnership

I would like to ask members of scrutiny committee to consider carefully the case that Trustees of the North Taunton Partnership have made in our written consultation response regarding the unique situation of Priorswood library, and to be take the opportunity to outline the reasons why we say that the options offered to the local community are not realistic options at all. These 'options' excluded the possibility of retaining the library as it currently exists, within a building which, in any event, will remain as part of the council's estate.

Corrine McMylor, Trustee North Taunton Partnership

Have you read and considered carefully what was said in the letter from Selworthy School, particularly the last 3 paragraphs ie

"For us being able to access Priorswood library has huge benefits. It supports our Lower School in the early teaching of phonics and reading. It also allows them to access the community and put into practice the skills such as stranger danger".

"Our upper school also access the library to support their reading".

"For our Sixth Form, the library provides opportunities for work experience, helping to develop the skills for future employment".

ps They do not have a library on site.

Paul Cram, Trustee North Taunton Partnership

Has the committee taken into account the letter from the Rev. Turley and the damaging effect reducing services at Priorswood would have on the local community especially to the most vulnerable in the area?

The public speakers from the North Taunton Partnership received the following response from the Strategic Manager, Community & Traded Services:

We would like to thank Brenda, Corrine and Paul for coming along today and for their comprehensive and well-researched response to the consultation on behalf of the North Taunton Partnership. The effort and work that has gone into the consultation process by this group, and a number of others, is commendable and is extremely useful in helping the County Council to make the right judgments and decisions.

Officers and councillors will, of course, be digesting and reflecting upon all of the views expressed in the consultation process. We are at an early stage in the process, and this committee has not yet had an opportunity to consider the many points made – this will be done in September, when we publish the full results of the consultation.

Please be assured that the case you have set out is being considered carefully by officers, and will in due course be considered carefully by members of this committee and the County Council's cabinet. This will include the points made in the letters of support received from Selworthy School, Rev. Turley of St. Peter's Church, and also the Priorswood Community Centre.

Peter Murphy, Friends of Somerset Libraries (FoSL)

Friends of Somerset Libraries was formed during the Library Service Review of 2010 when SCC proposed to cease funding eleven libraries unless communities took them over. A successful Judicial Review of that decision described the Council decision as “bad government” and the decision was quashed. FOSL won its costs back from the court case and our supporters were keen that we retain such funds should a further legal case be needed. Libraries were kept open and FOSL has since engaged with officers and decision makers and was heartened by the Leader of the Council announcing that he wished to keep all libraries open.

FOSL addressed this Committee in March and expressed concern over the wording of the consultation which we believe has reduced the willingness of some communities to engage with the Community Library Partnership (CLP) model being offered as an alternative to closure to many Library communities. We welcomed the subsequent decision to extend the consultation period which not only increased the number of responses but allowed more time for communities to engage with officers and we understand that there are several substantive proposals which require further work and discussion.

FOSL was concerned that offering only £5,000 to some Community Library Partnerships and no grant to others was not equitable nor conducive to encouraging communities to engage with the CLP proposal. FOSL presented a preliminary analysis to officers demonstrating that an average of £10,000 could be offered to all proposed CLPs. Further work building on the CLP guidance issued by SCC, showed that libraries delivering at the CLP minimum level of 10 hours opening a week made CLPs potentially much more affordable for communities and enabled SCC to be more of a joint partner in CLPs rather than expecting the majority of the funding to be found locally. In

addition, FOSL has helped identify more appropriate charge-out rates that should apply to CLPs.

Talk of community libraries always calls to the mind the use of volunteers. FOSL believes that volunteers can support library staff and be used to extend opening hours but cannot be used to replace a professionally staffed front line library service. In most communities, a volunteer run library is not sustainable as the call on volunteers continues to increase in many areas of public life.

Where a community is offered a CLP or closure or outreach and / or mobile stops of limited frequency, FOSL believe that replacing a library building with outreach or mobiles is unlikely to meet the “comprehensive and efficient “ test of the 1964 Public Libraries and Museums Act. This is especially where the community has declared and demonstrated they wish to continue to have a library service delivered through a library building.

Where SCC has divested itself of service delivery it has encouraged communities to take this on through the provision of grants. In order for CLPs to be successfully established, sufficient grant must be offered to communities to show the Council is acting in good faith in true partnership. The library service is too important to the future well-being of communities to be allowed to wither on the vine, and we urge you to help ensure appropriate funding is made available for establishing viable CLPs.

Mr Murphy received the following response from the Strategic Manager, Community & Traded Services:

We welcome the continued engagement from Friends of Somerset Libraries, and we are extremely grateful for the extensive time they have put into meetings and discussions with officers before and throughout the consultation period.

As with all suggestions made through the consultation process, we are considering and reflecting on the points that Friends of Somerset Libraries have made about support for Community Library Partnerships, the use of volunteers, and the statutory context for library service delivery.

We look forward to continuing to engage with Peter and his colleagues from Friends of Somerset Libraries as the process moves forward.

110 **Library Service Consultation update - Agenda Item 5**

The Committee received a presentation which gave a high-level overview of the consultation exercise that ran from 19th January – 13th June 2018.

The Committee heard that the consultation was widely publicised including: posters and materials in library buildings; media coverage; social media; direct promotion to campaign & friends groups and direct promotion to specific stakeholder groups such as schools and parish councils.

Responses were largely gained through questionnaires both paper and online and at 19 drop-in events. Engagement figures were shared with the Committee. The level of engagement was significant and pleasing; particularly

when compared with other recent SCC consultations and with the library consultations of other neighbouring authorities. Results are still being analysed but a good level of response has also been received from vulnerable groups including: children & young people; disabled people & carers and people of different race.

The Committee were informed that the next steps would include full analysis and assessment throughout July and August 2018. It is expected that the full consultation report will be published in September 2018. Recommendations will then be presented to the Committee at the 09 October 2018 meeting before being taken to Cabinet for decision on 17th October 2018. Reassurance was given that any comments or recommendations from the Committee will be considered by the Cabinet before the decision is taken.

Next steps for Community Library Partnerships (CLP's) were also shared but it was stressed that any implementation will be dependent on the decisions that are taken by Cabinet.

A Member questioned what financial, fundraising and other support CLP's can expect and it was clarified that SCC would seek to develop a core offer. This would include: training; guidance; supporting IT equipment and access to book stock and inter-library lending and this would be offered at no charge. Some CLP's may then be able to justify a financial contribution in addition to this. It is recognised that there are financial restraints on SCC and that communities are often better at fundraising than SCC.

It was also clarified that all communities will be invited to establish a CLP after the final decision is taken, whether or not they have engaged so far, and they will be supported by SCC to express an interest if they wish. A guidance document has been produced and this is available to all communities including Trusts and Friend Groups.

Concern was expressed that some residents feel that a mobile library service will not be appropriate.

One Member suggested that the final decision should be taken by Full Council rather than by Cabinet and it was clarified that this would require a constitutional change. Cabinet has legal responsibility to take the decision and the decision would be reported to Full Council for information only. Another Member felt that support for a full Council decision could not be given as the library service has been widely consulted on and debated at various public meetings.

Members commented that this was a good consultation with a high level of engagement, however, the results of the consultation need to be considered in the decision-making process in order to make it meaningful.

One Member commented that previous reports presented to the Committee at its 03 October 2017 meeting did not make it clear that re-design might mean a CLP or mobile service. A suggestion was also made to re-consider whether to externalise the service as any changes from the re-design would not be implemented until 2019/2020. Officers re-visited the report and the minutes

from the 03 October 2017 meeting and were confident that these clearly proposed the direction of travel. They stated that every effort had been made to be clear and that all views had been listened to throughout the process. It was clarified that 2019/2020 was not originally intended as the implementation date but this was adjusted in response to Parish Council precepting timetable concerns expressed throughout the consultation process.

A Member questioned whether capital costs have been considered as there is currently only one mobile library and buildings need to be sustainable. It was clarified that there may be capital costs incurred for example with sharing buildings and extending the mobile library if required. Members were reassured that this has been budgeted for and that the mobile library will be replaced regardless of the outcome of the decision. With regard to buildings, each library is different with some being owned and some being leased. We are working closely with property services but this cannot be actioned until the decision is known.

A Member asked that the effects on unparished areas be taken into consideration. For example, only around £48,000 per year is raised through council tax for the unparished areas of Taunton and therefore they would not have sufficient funds to support a CLP. Priorswood is also an unparished area and concern was expressed for residents if their library closes.

A Member suggested that libraries might be able to run more efficiently with better use of technology.

The Committee noted the report.

111 **Heart of the South West (HotSW) Local Enterprise Partnership (LEP) Joint Scrutiny Committee - Agenda Item 6**

The Committee considered this report which outlined a proposal to establish a Joint Scrutiny Committee of council members from across the Heart of the South West to scrutinise the Heart of the South West (HotSW) local Enterprise Partnership (LEP).

The Committee heard that currently there is no collective local authority scrutiny arrangement in place for the HotSW LEP and therefore LEP activity falls to individual councils to scrutinise through their local scrutiny arrangements. This at best a 'piecemeal' approach and there is also currently no legislative requirement on local authorities to scrutinise LEPs.

In addition, the Annual Conversation process for the HotSW LEP with Government identified them as not being compliant in relation to Scrutiny. Of particular note was future LEP funding from Government depended on the LEP having compliant local arrangements in place in conjunction with local authorities and Scrutiny was identified as a key area for improvement. This led to the HotSW LEP's governance arrangements as 'Requiring Improvement'. This is therefore a key 'driver' in the absence of any specific legal requirement although it should be noted that there is little formal detail published in guidance as to what 'compliant' looks like.

The Government has said that the HotSW LEP could be considered compliant if the local authorities have a plan agreed for the implementation of joint scrutiny arrangements, even if the mechanism is not operational just yet.

Members questioned whether agendas should be published on the websites of all member authorities. It was clarified that for practical reasons it needs to be published on the host authority's website (Devon County Council) but it is proposed to provide a link to this on the SCC website.

Members queried what decisions the Committee will be able to make and it was clarified that they will agree the Heart of the South West Productivity Strategy and Delivery Plan.

Following discussion, the Committee agreed the following recommendations to Full Council:

- (a) to approve the implementation of a Joint Scrutiny function (Committee) for the South West Local Enterprise Partnership (LEP) and the Terms of Reference and Operating Procedures, as outlined in appendix 1, be endorsed, together with the required amendments to the Constitution, reflecting the new joint arrangements and Delegation of the Overview and Strategic Scrutiny of the LEP functions (as outlined in the roles, duties and responsibilities of appendix 1);
- (b) to appoint 4 SCC non-executive members to the Joint Scrutiny Committee in accordance with the rules of political proportionality;
- (c) that it be agreed that Devon County Council becomes the host Authority to support the new Heart of the South West Local Enterprise Partnership (LEP) Joint Scrutiny Committee, which will operate under the Standing Orders of Devon County Council;
- (d) That delegated authority is given to the Strategic Manager – Partnership Governance to agree a small funding contribution (up to a maximum of £3k per annum) towards the costs of administering the Joint Committee.

112 **Devon, Somerset and Torbay Trading Standards Service Update - Agenda Item 7**

The Committee received a report and presentation which outlined the continued positive progress of the joint service in 2017/18 and included the extension of the joint service to include Torbay Council (May 2017).

The Trading Standards Service delivers Somerset County Council's (SCC's) statutory responsibility to enforce a wide range of complex and overlapping legislation that collectively contributes to ensuring a fair and safe trading environment supporting both consumers and businesses. While having responsibilities that impact on all trade sectors it primarily covers the farming, food production, manufacturing, import, retail and service sectors, including internet trading.

The Committee were informed that the Joint Trading Standards Service has continued to perform well and deliver the expected financial and non-financial benefits, and in many cases exceed them. The report highlighted the key ways in which the Service will contribute to the priorities of Somerset, Devon and Torbay Councils including support for vulnerable adults through scams prevention work and boosting the local economy through new business interventions, advice provision to SME's, running the Buy With Confidence scheme to promote good businesses and the Primary Authority scheme to support business growth. It is recognised that compliance is key to sustainable business growth.

Members of the Committee were also encouraged to become Scam Champions or Scambassadors.

Members questioned what happens to the proceeds of crime and it was clarified the service is permitted to cover expenses only. A significant part of texpenses is staff time and this is also divided with the judicial service. Any other funds are held in a separate budget but its use is limited to crime prevention and ommunications support.

The committee heard that banking scams should be reported to the Citizen's Advice Bureau as well as the bank directly as this contributes to building local and national intelligence.

Members queried how crimes are managed if they occur outside of the Somerset border, for example, in North Somerset. Members were reassured that whilst North Somerset is not part of the partnership, Trading Standards services work closely together, sharing intelligence and using similar databases.

There was a suggestion that the Committee should receive more frequent updates but it was agreed that there were other, more appropriate mechanisms to provide information more frequently.

The Committee noted the report.

113 **Planning Control Service Improvement Service - Agenda Item 8**

The Committee received a report which outlined an Improvement Plan to improve the performance of the Planning Control Service.

The Planning Control, Enforcement and Compliance Service deals with Minerals, Waste and planning applications for the County Council's own developments (such as schools or new/amended highway developments). It also provides an enforcement function for planning, gypsies/travellers, site monitoring, and professional services relating to ecology and acoustics. Being a County Planning Authority is a statutory duty the Council has to deliver.

The Committee heard that the quality of the service, and its resourcing, has steadily declined over the last 6 or so years. This has led to it struggling to meet customer expectations, with a subsequent rise in complaints, appeals and an

upheld Ombudsman complaint. The service has struggled to recruit and retain Planning Control Officers and this reflects a national shortage of suitably qualified and experienced staff.

Following an internal restructure in 2017 the service was transferred to Community Infrastructure Commissioning. It was clear that work needs to be done to make the service fit for purpose and an Improvement Plan is the chosen vehicle to deliver the evolution of the service.

The Committee were invited to consider and comment on details of the Improvement Plan and its timescales. It is expected that the Improvement Plan will be implemented over an 18-month period.

Members expressed frustration about the detrimental effects of delayed planning on major industries in the county such as quarries and raised concerns over the backlog of applications. Members heard that SCC is aware of the issue and the impact it has and has appointed some consultants to start clearing the backlog. Members questioned how long it will take to clear the backlog and it was confirmed that the consultants will be in pot for 6 months, during which time it is hoped to have recruited 2 planning officers. Realistically it may take 12 – 18 months to get the backlog down to a manageable level. The service has an exemption from the current recruitment freeze in place to enable this to happen.

Members queried how the service plans to recruit additional officers and was informed that the service is aiming to recruit experienced planners but will also use schemes from entry level to 'grow their own' and graduate level. It was confirmed that it would be difficult to attract applicants from other organisations as they are able to offer higher payment rates. There has been a suggestion made to offer a fast track service which would enable the service to charge more. One Member expressed concern that a fast track service would favour the wealthy over the poor.

Members questioned the level of co-ordination with District Council planning responsibilities and asked whether better links could be made for issues such as housing, Gypsy and Travellers and highways. Members were informed that joint discussions had been taking place between all parties with regard to the Housing Infrastructure fund to ensure efficient and fit for purpose planning.

The Committee noted the report.

114 **Registration Service Update** - Agenda Item 9

The Committee considered this report which outlined the performance of the Registration Service for the 2017/18 period.

The Registration Service fulfils the Council's statutory duty to undertake the registration and solemnisation of Births, Deaths, Marriages, Civil Partnerships and Citizenship Ceremonies. All of these events mark key moments in an individual's life and the service is used by the vast majority of residents at some point in their lives.

Registration Services are provided wholly in-house by the Local Authority in partnership with the General Register Office (GRO), a section of the Home Office. This partnership is underpinned by a formal governance agreement and tightly regulated, with operational delivery governed by a number of key service standards and a performance measures as outlined in the report. In order to comply with the governance agreement between the Local Authority and the General Register Office, the service submits an annual report on performance against nationally set targets.

The Committee considered the performance data for: timeliness of birth and death registrations; appointment availability customer engagement and satisfaction and public protection and counter fraud as well as considering financial performance figures.

The Committee discussed how targets are set and the reasons for low customer satisfaction response rates. It was recognised that high response rates would be difficult to obtain at a time when customers were experiencing a marriage or death. A suggestion was made to link with funeral directors to help signpost people to register deaths and it was confirmed that this is already being trialled.

The Committee noted that the service continues to perform well compared with regional and national attainment and that improvements have also been made to the North Somerset service. It was agreed to circulate Appendix A to the Committee.

115 Scrutiny for Policies and Place Committee Work Programme - Agenda Item 10

The Committee considered and noted the Council's Forward Plan of proposed key decisions.

It was noted that some Members find 9.30am meeting start times difficult due to travel distances. Following debate, the Committee requested the following addition to the work programme:

- A Trading Standards update in 12 months time

116 Any other urgent items of business - Agenda Item 11

There were no other items of business.

(The meeting ended at 1.20 pm)

CHAIRMAN