

## 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 13 November 2018 at 9.30 am

**Present:** Cllr M Lewis (Vice-Chair), Cllr P Ham, Cllr B Filmer, Cllr John Hunt, Cllr J Thorne, Cllr G Noel, Cllr L Leyshon, Cllr A Groskop (Chair) and Cllr T Munt

**Other Members present:** Cllr M Chilcott, Cllr J Clarke, Cllr D Hall, Cllr M Pullin and Cllr L Redman

**Apologies for absence:** Cllr N Bloomfield

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

There were no declarations of interest.

136 **Minutes from the previous meeting held on 24 October 2018** - Agenda Item 3

The minutes of the meeting on 24 October 2018 were accepted as being accurate by the Committee.

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

Maurice Stanbury asked a public question in relation to Item 6. Mr Stanbury was representing Stawley Parish Council and raised concerns about the very poor broadband service in his parish. He stated that broadband provision is critical for both residents and for the development of businesses in Stawley. The Parish had been previously reassured that Gigaclear would be able to meet its published deadlines and was disappointed to hear this was no longer the case. He questioned the efficiency of the contractor and suggested that a review should be carried out. He volunteered Stawley Parish to take part in a study or pilot.

Mr Stanbury received a verbal response and it was clarified that previous reassurances had been given in good faith based on information provided to the Connecting Devon & Somerset (CDS) team at that time. He was reassured that the new owners of the contractor had introduced a senior consultancy team and that concerns have been raised at a senior level within the organisation. As a result of challenge, the CDS team is now seeing actions not previously seen and clear expectations have been set. It is not possible to give an indication at this time as to when Stawley will receive broadband provision. The idea of using Stawley as a pilot will be put forward to the provider to consider.

138 **Revenue Budget Monitoring Update** - Agenda Item 5

The Committee considered the 2018/19 Revenue Budget Monitoring update which highlighted that good delivery against the overspend had been achieved, bring the projected overspend down to around £3.1m. As reported at the October meeting, it was anticipated that decisions due to be taken by the Somerset Waste Board would bring this figure down further.

Members questioned what effect the recent Government budget announcements would have. It was clarified that £2.4m will be available for adult Social care in 2018/19. This must be additional spend and prioritised on delayed transfers of care. Information was received yesterday about funding for potholes. Around £10m will be available for Somerset in the form of a capital grant. It is not yet clear whether this must be spent in 2018/19 but the focus will be on bridges and other infrastructure. £650m has been made available nationally for 2019/20. Of this Somerset should receive around £4.1m between Adults and Children's Services. Conditions for this funding are not yet known. Members were reminded that this is one-off funding and is not the same as sustainable funding.

An update on the pressures on spending in Children's Services was also provided. The Committee were informed that this is a national issue and were reassured that a number of management actions were monitoring this and bringing spending back in line. A wide range of work has been carried out since the service was judged to be 'inadequate' in 2013 and this drive towards improvement has contributed to the overspend. Other contributory factors include: the need to address social work practice, quality and capacity issues linked to providers, levels of locum spend but the major cost is in placements. This has been exacerbated by a lack of foster carers and an increase in the number of children in care. The budget for Children's Services will be re-based and there is a move towards providing statutory services only.

It was clarified that the service is expecting Ofsted visits for both Special Educational Needs and Disability and with a focus on Children Looked After.

Members questioned the lengthy process for foster carer approvals and whether more could be done to advertise and share media with Councillors. There was a suggestion to advertise the income for offering supported lodgings. Councillors support with this would be welcome and suggestions will be shared with the Communications team. The service has to work hard just to maintain the level of foster carers but this is a much better option than residential care.

Member questioned what was being done to reduce the spend on School Transport. It was clarified that this area of spend places a much bigger pressure on rural areas. The Legislation has been unreformed since 1944 and there is currently no means testing for eligibility. It is possible to pay parents a mileage expense instead of providing transport and the service would be keen to explore this more. A member stated that it is important to consider the needs of the child first and the reasons behind transport decisions.

Members questioned the balance between permanent and locum social workers. It was confirmed that the service collects data on this this and reports regularly to the Scrutiny for Policies, Children & Families Committee and the Corporate Parenting Board.

The Committee noted the report and agreed to consider a suggestion to set up a joint focus group formed from Members of the Scrutiny for Policies and Place and the Scrutiny for Children & Families Committees to specifically consider the overspend in Children's Services and prevent duplication at public meetings.

139 **Connecting Devon & Somerset Broadband Programme Update - Agenda Item 6**

The Committee considered this report which provided an update on the Connecting Devon & Somerset (CDS) Broadband Programme.

At its previous meeting in June 2018, the Committee had been informed that the Gigaclear contracts for Lots 1, 2, 3, 5 and 6 had fallen behind in build due to a number of factors including the introduction of additional funding which had required a more extensive redesign than had been expected as well as problems resulting from the compulsory liquidation of Carillion.

Despite introducing additional contractor resource, Gigaclear has not succeeded in its planned recovery of the programme and has failed to meet its first contracted dates which were due to be achieved by 30 September 2018. Gigaclear has attended before the Connecting Devon and Somerset board to explain its position. Gigaclear also issued a formal apology to CDS stakeholders on 8 October.

Gigaclear met with Connecting Devon and Somerset to provide its revised plans on 31 October 2018. At the time of writing this report Gigaclear's new plans have only just been received. CDS will be undertaking some detailed analysis of this over the coming weeks with our funders to ensure that the best option and solutions can be found. Until there is an agreed way forward which is supported and acceptable to CDS funders it will not be possible to confirm the critical information on new deployment dates to communities.

The Committee expressed concern and disappointment at this delay and discussed this issue at length. Following a vote, the Committee agreed to the following recommendation:

**The Scrutiny for Policies and Place Committee recommends that the Cabinet Member for Economic Development, Planning & Community Infrastructure writes to both BDUK and the CDS Board to express the Committee's concern and disappointment with the poor performance of the Gigaclear contracts for Lots 1, 2, 3, 5 and 6.**

Members reported confusion by residents as they were being contacted by commercial providers. It was clarified that there is little that CDS can do to influence this as it is an open market. Commercial providers are not obliged to connect all premises in that area. Therefore, commercial providers could cherry pick premises which could jeopardise the Gigaclear contract.

Members questioned why financial penalties had not been implemented and were informed that the contracts are based on BDUK standard contracts. BDUL is the major grant funder and we have to work within the ambit of the contract framework provided. Gigaclear's investment is around £60m. They build the infrastructure and are then reimbursed from public funding of around £30m under the Gap Funded Model.

A Member questioned whether delivery that is already underway will be prioritised. CDS understands that this will be the case but cannot be certain at this time as the proposals are still being worked through.

A Member questioned whether wireless solutions would be more appropriate and affordable. It was confirmed that wireless is less expensive overall but fibre is a more future-proof technology. Moving to wireless solutions would be the complete opposite to current Government policy.

The Committee noted the report and asked for an update as soon as is appropriate.

140 **Reduction in the Use of Single Use Plastics: A Strategy for Somerset County Council - Agenda Item 7**

The Committee then considered the Council's Strategy for the Reduction in the Use of Single Use Plastics (SUP). Following the resolution passed at the February 2018 meeting of Full Council, the Committee were asked to consider the draft Strategy before it was presented to Full Council for adoption at its November 2018 meeting.

The report highlighted the growing concern locally, nationally and globally about the impact single use plastics are having on our environment, and that action is needed to reverse this trend of negative impacts. The Council can act positively in reducing the use of plastics, and can use its position of influence with partners, providers and stakeholders, and the Strategy is designed to provide a framework for this work.

The planned timeline for the Strategy was shared but it was also stressed that the Strategy needs to be ambitious but realistic. It may not be feasible or economical to eliminate the use of Single Use Plastics completely. In addition, the current and future financial framework is extremely challenging.

Members questioned how success will be measured and whether any baseline data will be collected. Some performance will be easier to demonstrate, such as selling less plastic bottles in the County Hall restaurant but there are resource constraints. A full audit of plastic use had been planned but was no longer possible due to financial and resource constraints. A light touch audit is now planned.

Members commented that it is important to educate young children with key messages.

A Member highlighted that there is a need for huge behavioural change to achieve this strategy. Plastic has also brought benefits so suitable alternatives will have to be found.

Members highlighted the need to focus on commercial waste as well as residential and the need to work with innovators such as universities to learn from best practice.

The Committee noted the report and recommended that the Action Plan be amended to include what SCC will do to work with innovators and to also include safety considerations in setting out its timeline for delivery.

**141 Rights of Way Service - Agenda Item 8**

The Committee considered this report and a presentation which provided an update on the finances and workload of the Rights of Way Service, with a particular focus on the statutory duty to keep the Definitive Map & Statement under continuous review.

The Committee had previously raised concerns in relation to applications to modify the Definitive Map & Statement. The paper sets out the context of the backlog of applications and associated issues. There is a significant backlog of applications – particularly in the South Somerset area. The report also set out the need for the service to update its Statement of Priorities, used to consider non-definitive appeals. The Committee heard that performance of ease of use of the network has improved since 2013/14.

Members commented that twice as many applications are being received than determined and questioned whether extra staff could be recruited. In the current climate this will be difficult but there is potential to consider some of the approached by other authorities. Members asked whether there was any affect on staff morale. Staff have to be suited to this type of work and there is a lot of training involved before reaching competency. Staff are very focussed and professional about the situation.

It was clarified that there is no ability to recover costs for modifications. The service currently has no control over the rate of submissions but this will be improved by the passing of the De-Regulation Act in 2025.

Members questioned whether a fast track service could be introduced. The service needs to remain unbiased and impartial, so a fast track service may not be appropriate. There is already an appeal process in place.

It was clarified that there have been several temporary closure orders and diversions orders processed in relation to Hinkley Point C. These are different to modification applications – they are processed by different staff and are subject to full cost recovery.

The vital contribution of volunteers was recognised by the service and by Members of the Committee.

The Committee put forward suggestions to improve the backlog of applications including: learning from other local authorities; consider taking part in a pilot; and asking multiple applicants to prioritise themselves.

The Committee noted the report and asked to be kept informed of progress.

**142 Community Leisure Services - Agenda Item 9**

The Committee considered this report which outlined a proposal to decommission Community Leisure Services.

In August 2009, the County Council entered into an agreement with Somerset Leisure Limited (now known as '1610 Limited') to provide community leisure services at dual-use centres on a number of secondary school sites across the county. The contract is due to expire at the end of the 2018/19 financial year. In January 2017, the Cabinet Member for Business, Inward Investment and Policy authorised officers to proceed with a project to review the County Council's future involvement in community leisure provision. The review resulted in the following recommendations:

(1) the Council to cease commissioning community leisure services at the following sites upon expiry of the existing contract with 1610 Ltd on 31 March 2019:

- Mendip – Glastonbury (St. Dunstan's Academy);
- Sedgemoor - Highbridge (The King Alfred School);
- South Somerset - Castle Cary (Caryford at Ansford Academy), Crewkerne (Wadham School), Stoke-sub-Hamdon (Stanchester Academy) and Yeovil (Preston School Academy);
- Taunton Deane - Taunton (The Castle School);
- West Somerset - Minehead (West Somerset College).

(2) Senior officers to negotiate the transfer of the County Council's residual leisure assets to the host schools / academies (where appropriate and where transfer has not already taken place through academisation).

The Committee heard that this action will save around £927k per year in management fees paid by SCC to 1610 Ltd to provide these services. SCC does not receive any income from these contracts and the facilities are integrated so do not have an open market value. It is proposed to transfer ownership of land, buildings and facilities to the schools and there will be no obligation to provide community leisure services placed on schools.

Members questioned what the implications would be for existing 1610 Ltd employees. It was not possible to comment on this as 1610 Ltd had not yet started any redundancy consultation exercise. There may be TUPE implications but this would be between the school and 1610 Ltd.

Members questioned whether consideration had been given to alternative community provision and it was clarified that there has been little interest so far. The integral nature of the facilities poses problems that may deter some providers.

It was clarified that some sites will continue to function but this will be without an SCC subsidy. This may have been influenced by the fact that 1610 Ltd have made significant investment at some sites and some sites are more profitable than others.

It was agreed to share the presentation slides from a recent workshop held with organisations that have been through a similar process with members of the committee.

The Committee noted the report

143 **Scrutiny for Policies & Place Committee Work Programme - Agenda Item 11**

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

Following debate, the Committee requested the following changes to the work programme:

- Add a CDS update once more information is known

The Committee turned down a request to add an item regarding the 'Westbury Pig' as the position of Somerset County Council and the South West Heritage Trust on this matter has already been established and scrutinised by the Committee.

The Committee agreed to consider further a suggestion of forming a joint focus group to scrutinise overspend in Children's Services to agree an approach and avoid duplication at meetings.

144 **Any Other Urgent Items of Business - Agenda Item 12**

There was no other urgent items of business.

**(The meeting ended at 2.01 pm)**

**CHAIRMAN**