

Report of the Scrutiny Committee for Policies and Place

Chair: Cllr Anna Groskop

Division and Local Member: All

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1. Summary

1.1. The Scrutiny Committee for Policies and Place is required by the Constitution to make an annual report to the Council and also to provide each other meeting of the Council with a summary progress report and outcomes of scrutiny. This regular report covers the work of the meetings held on 9 December 2020 and 3 February 2021.

1.2. The Committee agreed their work programme would comprise items considered directly at meetings plus other items considered or “commissioned” using flexible arrangements outside of the formal committee structure.

1.3. Members of the Council are reminded that:

- all Members have been invited to attend meetings of the Scrutiny Committee and to contribute freely on any agenda item;
- any Member could propose a topic for inclusion on the Committee’s Work Programme;
- any Member could be asked by the Committee to contribute information and evidence, and to participate in specific scrutiny reviews.

1.4. The Committee has 8 elected Members and we have meetings scheduled approximately for every month. Our next meeting will be held virtually at 10.00am on 10 March 2021.

2. Background

2.1. Scrutiny Work Programme

At each meeting the Committee considers and updates its work programme, having regard to the Cabinet’s forward plan of proposed key decisions. The Committee also agreed to hold themed meetings and Members are looking forward to this approach, in particular the attendance of representatives and/or stakeholders from partner agencies.

3. 9 December 2020

One Somerset Update and Consultations Outcomes

The first Item considered was the One Somerset Update and Consultation Outcomes.

The One Somerset Programme Director introduced the One Somerset Update and Consultation outcomes. The timeline of the process was set out along with the request for a deferred 2021 election, clarification was provided that the election deferral period would be one year with the May 2022 election comprising the New Authority and the Shadow Authority in place in the run up to implementation.

During the discussion of the report, the consultee response numbers were considered along with the next steps and the process leading up to the Secretary of States decisions. The 2022 election would be based on existing county divisions to be elected to the new shadow authority so they could oversee the implementation of the programme Boundary review in advance of the go live date. Once the decision had been made in relation to the business cases the structural change orders would address issues raised including the election and boundary review.

The Scrutiny for Policies and Place Committee: - noted the One Somerset Business Case Update and Consultation Outcomes.

Connecting Devon and Somerset Broadband Delivery Programme

The second report considered was an update in relation to the Connecting Devon and Somerset (CDS) Broadband Delivery Programme.

The Economy Service Manager, introduced the report and then set out the update, more than 300,000 homes and businesses across Devon and Somerset can access superfast broadband, with a further 38,000 having access to improved broadband. Every month hundreds more homes and businesses are being connected due to the Connecting Devon and Somerset programme. Take up of Phase 1 Openreach broadband services is nearly 60%. This level of take up is above the national average.

Phase 2 network build continues in lot 4 where Airband is delivering superfast coverage in Northern Devon. A total of 11,744 premises have been covered in lot 4 and build continues. CDS and Airband are exploring options to include some fibre delivery in the current contracts.

Following termination of contracts with Gigaclear in September 2019 and with continuing financial support from

Building Digital UK (part of DCMS), a procurement process was commenced to secure new infrastructure provision.

During consideration of the report, discussion took place in relation to commercial activity, following concerns in relation to duplicate upgrade and infrastructure works the committee were reassured that avoiding duplication of delivery was part of the design process. The process was underway to have further consultation in the next months to update information for what could to be done commercially.

The Scrutiny for Policies and Place Committee noted the progress of the CDS Programme.

Establishment of a new Passenger Transport Dynamic Purchasing System (DPS)

The third item considered was the establishment of a new Passenger Transport Dynamic Purchasing System (DPS)

The Service Manager, Commissioning, Highways and Transport introduced the item.

Transporting Somerset currently uses a Dynamic Purchasing System (DPS) to procure all Passenger Transport contracts to include Home to School, Public, Social Care and Health Transport. The current DPS was established in 2015, one of the first in the UK to be let under the updated Public Contract Regulations 2015 ("the Regulations"). Following a 2-year extension in 2019, is due to end 31st March 2021.

Following extensive review of the various procurement tools available, a DPS has been identified as still the most effective option for Passenger Transport to ensure best value is achieved for these contracts. It is therefore proposed to complete the procurement exercise to enable the establishment of a new DPS from 1 April 2021.

During the consideration of the report, discussion took place in relation to other authorities using a similar system, the links to the Councils Climate Change ambitions. A review of the system would be engaged in 2026, 5 years into the contract and a decision could be made to exercise the extension period.

The Scrutiny for Policies and Place Committee: -

- i. Approved the establishment of a new Dynamic Purchasing System (DPS) for the provision of Passenger Transport Services to take effect from 1st April 2021 and to continue for an initial period of five years, with rights for the Council to extend by two further periods of two years each;
- ii. To approve the publication of a contract notice in the OJEU in January 2021, advertising the DPS and inviting suppliers to submit their expressions of interest for the DPS;
- iii. To delegate authority to the Lead Director for Economic and Community

Infrastructure & Director of Commissioning (in consultation with the County Solicitor) to admit eligible suppliers to the DPS during its term by agreeing DPS agreements with each eligible supplier;

iv. Agrees that the Council lets the majority of its passenger transport contract portfolio through this system for an initial period of five years and, accordingly, delegates authority to the Director for Economic and Community Infrastructure Operations and/or the Strategic Manager (in consultation with the County Solicitor) to award individual contracts for passenger transport services, in accordance with the award and call-off ordering procedure set out in the DPS agreement;

v. Delegates authority to the Cabinet Member for Highways and Transport to exercise the Council's right to extend the DPS agreement with suppliers for two further periods of two years each, subject to satisfactory performance of the DPS arrangements;

vi. Delegates authority to the Director for Economic and Community Infrastructure Operations and/or the Strategic Manager (in consultation with the County Solicitor) to agree with suppliers such variations to individual contracts let under the DPS as may be necessary from time to time to meet the Council's business needs;

2020/21 Revenue Budget Monitoring Report – Month 7

The Director of Finance introduced the report setting out the forecast year position against the 2020/21 budget as at the end of October (Month 7). Predicting the year end position was very difficult given the significant financial impacts of Covid upon council services and the speed at which position can quickly change. The latest forecast is an underspend of £1.896m for the financial year which is an improvement of £1.2m from the previous month.

There has been additional expenditure by services in responding to Covid and there will be further costs in 2021/22 particularly on our care services as the longer terms impact of Covid become clearer. The government has recognised this and has paid a grant of £29.1m to cover the additional costs and in October provided a 4th tranche of funding of £2.8m. This now brings the total allocation of Covid funding to cover the additional Covid costs of £31.9m.

During consideration of the report, discussion took place on recovery of Covid-19 costs, value for money around the business case for Local Government reorganisation and funding for parking reviews.

The Scrutiny for Policy and Place Committee noted the projected revenue outturn for 2020/21.

3 February 2021

Medium Term Financial Plan 2021/22 Budget Update

The first item considered was the Medium-Term Financial Plan 2021/22 Budget Update.

The Finance Director presented the report which set out the report to Cabinet in December 2020 detailed the background to the 2021/22 budget and highlighted the unique difficulty with producing the budget estimates against the backdrop of the Covid-19 pandemic and the significant uncertainty that it brings.

On the 17 December the Government announced the provisional Local Government Finance Settlement which provided details of the funding for 2021/22 including referendum levels for Council Tax and the Adult Social Care precept. The provisional finance settlement is subject to consultation and will be finalised at the end of January/early February 2021.

Any changes will be reported to the Cabinet at its February meeting. The District Councils have finalised their Council Tax base figures for 2021/22 and these have been incorporated into the budget proposals. The main outstanding area for the 2021/22 is the details of the Business Rates funding which the Districts will be compiling during January 2021 when they will also finalise the figures for the Collection Fund deficit/surpluses for both Council Tax and Business Rates. Any surpluses will impact upon 2021/22 and any deficits will impact upon 2021/22, 2022/23 and 2023/24 as these will be spread over three financial years.

During the consideration of the report the Committee put questions around the Discovery contract, council tax support scheme, loss of Council Tax and Business Rates revenue and reserves held for Maintained Schools. Concerns were expressed around adequate funding for Citizens Advice alongside funding for Community Groups. Further questions were placed in relation to Covid-19 Government Grants and funding from the impact of the pandemic in future years.

The Scrutiny for Policies and Place Committee noted the proposed budget for 2021/22 and indicative budgets for 2022/2023 and 2023/24. The Committee is asked to review specific proposals for changes from previous years, so that they can comment on them, offer assurance to Cabinet and/or identify any matters for consideration that they would like to highlight to the Cabinet.

Update regarding the Somerset Levels and Moors nutrients Issue

The Service Manager for Development and Planning presented the update which set out the Update regarding the Somerset Levels and Moors.

There was significant amount of concern across Somerset, following a letter from Natural England, in relation to the impacts of (predominantly housing) development on the Somerset Levels and Moors Ramsar Site. Natural England issued this letter (a statutory direction) stating that prior to determining a planning application that may give rise to additional phosphates within the Somerset Levels and Moors Ramsar catchment (the Rivers Tone, Parrett, Brue and Axe), competent authorities (each of the Planning Authorities in Somerset) should undertake a Habitats Regulations Assessment (HRA) to ensure that the development reaches nutrient neutrality.

This new statutory duty placed on Planning Authorities, has a significant impact on the determination of planning permissions across Somerset and an associated delay to the delivery of (primarily housing) development.

During the consideration of the report, discussion took place in relation to the timeline and ruling of the matter, the creation of a phosphates calculator and the role of developers in offsetting levels of phosphates. Levels of engagement with the farming community was considered, it was acknowledged that a wider communications package was required to communicate with the public and all stakeholders. Brownfield sites would consider what levels were generated previously. Main concerns focused around the impact on Communities and Planning. The Strategy would be considered at a future meeting.

The Scrutiny for Policies and Place Committee noted:-

1. The Somerset Planning and Development team (included Somerset Ecology Services) were actively working within two live, parallel work streams with the other Planning Authorities in Somerset.
2. Whilst there are Service Level Agreements (SLA) operating between Somerset Ecology Services and each of the Districts in respect of Business As Usual tasks, the time spent supporting these workstreams is not being externally charged, as the service believes that this is a critical role that we should be leading on.
3. As well as dedicating officer time, the Planning and Development service has managed to find £25k from this year's budget to contribute to the development of a strategic County wide project to develop a Phosphates/Nutrients strategy for Somerset. Once complete, this strategy will need to be adopted by each of the Planning Authorities in Somerset.
4. It was agreed by each Authority that the reporting of progress on this strategic piece of work will be through the Somerset Growth Management Group

The Committee invites all County Councillors to attend and contribute to every one of its meetings.

4. Implications

4.1. The Committee considers carefully, and often asks for further information about the implications as outlined in, the reports considered at its meetings.

4.2. For further details of the reports considered by the Committee please contact the author of this report.

5. Background papers

5.1. Further information about the Committee including dates of future meetings, and agendas & reports from previous meetings are available via the Council's website www.somerset.gov.uk/agendasandpapers

Note: For sight of individual background papers please contact the report author.