



Minutes

Name of meeting	OVERVIEW AND SCRUTINY COMMITTEE
Date and time	THURSDAY, 8 DECEMBER 2011 COMMENCING AT 5.00 PM
Venue	COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	Cllrs Vanessa Churchman (Vice Chairman in the Chair), Jonathan Bacon, George Cameron, Julie Jones-Evans, Gary Taylor, Ian Ward, Chris Welsford
Officers Present	Ian Anderson, Steve Beynon, Dave Burbage, Davina Fiore, Chris Mathews, Paul Thistlewood
Cabinet Members (non voting)	Cllrs George Brown, Roger Mazillius, David Pugh
Other members present (non voting)	Cllrs Richard Hollis, Geoff Lumley, Arthur Taylor
Apologies	Cllrs Margaret Webster, Wayne Whittle

17. [Minutes](#)

RESOLVED :

THAT the Minutes of the meeting held on [27 October 2011](#) be confirmed.

18. **Declarations of Interest**

There were no declarations made at this time.

19. [Public Question Time \(1\)](#)

Ms Tanja Rebel, an Island resident, asked about the proposal contained within the budget report due to be considered by the Cabinet on 13 December 2011 relating to an economic improvement fund. The Chairman indicated that this issue was due to be discussed later in the meeting.

20. [Impact of the Adult Social Care Judicial Review](#)

The Strategic Director of Community Wellbeing and Social Care and the Director of Corporate Governance and Monitoring Officer gave a powerpoint presentation relating to the impact of the recent judicial review involving the

Council. This identified the context behind the Council's decision on adult social care and the three separate consultations that had been undertaken on this area. These predated the case law arising a legal challenge involving Birmingham City Council on a similar service area decision.

The grounds of the Judicial Review involving the Council and the outcomes were outlined. Arising from this officers were assessing what changes were required to the decision making process to reduce the risk of any future challenges being made. All the 32 clients that had been affected by the decision had been contacted but only 10 had requested a review of their case. The Strategic Director indicated that difficulties had been encountered in assessing the full impact of changes to two policies which formed part of the proposed changes to service delivery and entitlement.

The decision to defend the legal action was taken following consultation with the group leaders. The final costs of this were being collated and would be made public when fully known. It was highlighted that although the savings that were to be originally achieved through this particular decision on adult social care was to have resulted in savings of £56,000 this was on an annual basis and not a one off saving.

The Cabinet Member for Adult Social Care, Housing and Community Safety referred to the increased number of legal cases involving local authorities due to changes to service delivery. This was creating additional difficulties for Councils in making the necessary budget reductions within very short timescales.

A detailed report would be made to the Cabinet meeting on 14 February 2012 dealing with the issues raised as the result of the Judicial Review. This would be available for consideration by the Committee prior to that date.

RESOLVED:

THAT the Committee consider the detailed report on the overall impact of the adult social care judicial review at its 9 February 2012 meeting.

21. **[Budget 2011/12 and 2012/13](#)**

The Strategic Director of Resources gave a powerpoint presentation on the updated overall financial position of the Council and the settlement that had been announced earlier that day. The Committee also debated the report on the medium term budget strategy for 2012/13-2014/15 to be discussed at the Cabinet the following week.

There was a projected saving of £1.8m for 2011/12. The Cabinet would be considering utilising £250,000 of these savings to fund a one off economic improvement fund. This sum would be allocated by parish area and the criteria and timescales were outlined. Funding would only be made available to those Town and parish councils that submit an appropriate application and for which match funding would be available.

The revenue budget gap for 2012/13 and effect of the Council Tax freeze was outlined. In 2013/14 additional savings of £1.8m would be required on top of those of £3.835m still to be identified for 2012/13. Aspects of reserves and balances and the medium term financial plan were also covered. The Strategic Director also gave details of the provisional finance settlement for 2012/13 that had been announced earlier that day.

The Committee then discussed the Cabinet report on the medium term budget strategy 2012/13 – 2014/15. With regard to the Economic Improvement Fund members queried the criteria and timescales for town and parish councils applying to access the available funding. The Leader explained the purpose of the scheme and that clarified that this was intended to contribute to the economic wellbeing of the area. Funding was not for the operation of such facilities such as toilets and libraries which required on-going revenue expenditure. There had to be a balance between a prescriptive scheme and one with flexibility to enable innovative ideas to come forward.

Members noted that there would be a report published at the end of the year detailing the projects that had been funded and their outcomes. Given the current difficulties faced by young people in finding job and training opportunities the Committee hoped that initiatives would come forward that would add to that of the Council's.

With regard to other budget issues contained within the Cabinet report members sought clarification on aspects relating to the youth service review, Community Safety Management costs, street based services, Children's Centres, public rights of way and concessions in car parks. The savings to be made through procurement and contract management was highlighted as a being of key importance. It was suggested that this should be the subject of a more detailed report to the Committee at a later date.

The Committee noted the summary of the outcomes arising from the budget consultation sessions held to date. Information would be added to this from the results of the on-line budget simulator. This should provide a more comprehensive view of the views of residents and stakeholders when the budget report is produced in February 2012.

The Committee did not identify any particular areas where any additional changes should be investigated for budget reductions or changes to service delivery.

RESOLVED:

THAT the report on the budget be noted.

22. **[Quarterly Performance Management Report – Quarter 2 2011/12](#)**

Consideration was given to the Council's performance for the period 1 July 2011 to 30 September 2011. There were no Corporate Plan priorities where there was any significant under performance.

The Committee queried the absence of the paragraph outlining the wider context for the Corporate Plan priorities of Regeneration and Economy, Highways PFI and Waste. Officers advised that this had been included in the quarter 1 report and was only included where further national changes warranted additional narrative or changes were of a significant nature.

Members noted that work was still on-going to overcome the problems encountered with the electronic data transfer so that the number of permanent exclusions and persistent school absence rate could be recorded.

Additional areas discussed related to the raising of educational attainment following school re-organisation, initiatives dealing with young people not in education, employment or training and the timetable for the waste strategy.

RESOLVED :

THAT the quarter 2 performance report be noted.

23. **Public Question Time (2)**

The Chairman was aware that a number of members of the public had arrived late and had missed the agenda item relating to public question time. She indicated that she was willing to allow a further period for public question time.

Mr Robert Turner, a resident of Newport Harbour, asked a question about a number of Counsel's opinion that had obtained in relation to Newport Harbour. The Chairman advised that it would be difficult to give a full answer at the meeting as no notice of the question had been given. It was noted however that the local members would be able to view appropriate documents which were not publically available. Mr Turner asked a supplementary question on the designation of land and buildings within the harbour area. The Chairman advised Mr Turner that in order to obtain a written response he could submit a written question for the Cabinet meeting on 13 December 2011 by the relevant deadline.

Mr Sam Fulford of Cowes asked a question on the policies on regeneration and the economy in relation to Newport Harbour. The Chairman advised that as in the previous case it would be difficult to give a full answer as no notice of the question had been given. She advised that a written question could be submitted for the next Cabinet meeting. Mr Fulford asked a supplementary question on the comments from the District Auditor about income from leases. He was advised by the Chairman that this could also be the subject of a written question for public question time at the Cabinet on 13 December 2011 and advised of the deadline for the submission of these.

24. **Comments on items due to be considered by Cabinet on 13 December 2011**

The Committee took the opportunity of looking at the reports due to be considered by the Cabinet at its meeting on 13 December 2011.

A number of issues relating to the home to education transport policy were discussed. The Leader outlined the comprehensive consultation process that had been undertaken on this matter. Certain aspects of the current arrangements would be continued. The policy complied with all the Council's statutory requirements.

RESOLVED:

THAT the items due to be considered by the Cabinet on 13 December 2011 be noted.

25. Forward Plan and Consultations

(a) Forward Plan

Members were made aware of relevant items contained in the Forward Plan for the period December 2011 to March 2012.

RESOLVED:

THAT the report be noted.

(b) Consultations

The Committee was reminded that this was now a standard agenda item following its decision at the last meeting. The results of a number of completed consultations had already been covered in the reports considered earlier in the meeting. The only current active consultation related to the autism strategy.

RESOLVED :

THAT the matter be noted.

26. Progress Report on Recommendations

The Committee was made aware of progress on its previous recommendations and decisions.

RESOLVED :

THAT the progress report be noted.

CHAIRMAN