

**Minutes of Performance Scrutiny Committee held on Thursday, 20 November 2014
at 9.30 am at Conference Room 1a, County Hall, Ruthin**

Present:

Councillors Meirick Davies, Richard Davies, Geraint Lloyd-Williams, Gareth Sandilands and David Simmons (Chair)

Also Present:

Chief Executive (MM), Head of Planning and Public Protection (GB), Head of Customer and Education Support (JW), Head of Internal Audit (IB), Head of Revenues and Benefits (RU), Corporate Complaints Officer (CO'G), Corporate Improvement Officers (NK & HG), Property Manager (DL), Valuation & Estates Manager (GT), Scrutiny Coordinator (RhE) and Democratic Services Officer (KE).

Councillor Julian Thompson-Hill, Lead Member for Finance and Assets attended at the Committee's request for agenda item 10.

1 APOLOGIES

Councillors Colin Hughes, Peter Owen, Dewi Owens and Arwel Roberts submitted their apologies.

Apologies were also received from Councillor David Smith, Lead Member for Public Realm.

2 DECLARATION OF INTERESTS

No declaration of personal or prejudicial interest had been raised.

3 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent matters had been raised beforehand.

4 MINUTES OF THE LAST MEETING

The minutes of the Performance Scrutiny Committee held on 2 October 2014 were agreed as an accurate record.

Matters arising.

Under the item relating to Provisional External Examinations and Teacher Assessments (page 8 para5) the Verified External Examinations and Teacher Assessments reports presented to the Committee in January 2015 will include historical data for comparative purposes as requested.

RESOLVED that the minutes of the meeting held on 2 October 2014 be received and approved as a correct record.

With the Committee's consent the order of business was varied at this point.

5 CCTV AND OUT OF HOURS SERVICE

The Committee considered a joint report by the Head of Planning and Public Protection (HPPP) and the Public Protection Manager (previously circulated) which outlined proposals, due to budgetary constraints, to withdraw the County's CCTV service following a managed exit strategy. The HPPP reminded members that 12 months ago a report had been brought to Scrutiny regarding the inconsistencies in CCTV provision across the County – in that Denbighshire provided the service in the north of the County whereas Town Councils in the South of the county provided their own - with a view to see whether expanding Denbighshire's service throughout the county was a viable option. The financial environment had changed drastically since then. In recent months the Authority has been going through the Freedom & Flexibilities process and had considered CCTV provision as part of the budget workshops. Whilst it was agreed that the service was of value it was not a statutory requirement and therefore not one that Denbighshire should be funding.

Members were advised that the report that would be presented to County Council in December would be the proposals to explore options for handing delivery of the CCTV service over to a third party and to agree to withdraw Council funding for the service with effect from April 2016.

This would enable options for alternative delivery of the service to be explored and negotiated upon during 2015/16, with a view to reaching an agreement with a third party (or a group of stakeholders) to facilitate a seamless hand-over of equipment and the establishment of an alternative service of quality by April 2016.

Members were advised that whilst Denbighshire had agreed in principle to explore further the viability of merging with Conwy County Borough Council in due course, this work was still at a very early stage. It would therefore be premature to hold back on any budget cut decisions subject to the merger work progressing, as the budget efficiencies had to be realised in the near future in order for Denbighshire to deliver a balanced budget for the forthcoming financial years.

Having discussed the implications at length the Committee members:

- emphasised the importance of a managed hand-over process of the current Service to an alternative provider;

- acknowledged that the replacement service was not likely to be a like for like service, but agreed that it should be a good quality service;
- supported the proposal to establish a multi-agency working group to devise and implement an exit strategy. This Group could in addition to looking at the current public space CCTV provision available in the three named towns also look at the wider community use of CCTV through the Community Safety Partnership (CSP), explore partners' joint capacity to deliver a CCTV Service and potential funding streams e.g. Police Commissioner Proceeds of Crime Fund monies for financing any alternative service;
- suggested that Scrutiny (possibly Partnerships Scrutiny Committee as the designated Crime and Disorder Scrutiny Committee) should monitor the development and implementation of the exit strategy and the Service's hand-over to a third party; and
- emphasised the need for the press and media to be regularly briefed, if possible in person, on the details of budget proposals to ensure that the proposals were factually reported to residents

Resolved: that

(i) the above observations in relation to the Freedom and Flexibilities project and proposals relating to the CCTV Service be reported to County Council on 9th December; and

(ii) the progress made in devising, securing and implementing an exit strategy, and alternative solutions for delivering a CCTV Service in future be presented to Scrutiny in due course for examination

6 CORPORATE RISK REGISTER

The Corporate Improvement Officer presented the Risk Register report (previously circulated) in conjunction with a demonstration of the Verto system that manages it.

The Committee's attention was drawn to:

- revision of DCC017 – the risk was originally limited to the ICT Service now extends to other I.T. systems such as PARIS etc;
- addition of DCC027 and DCC028 – related to the proposed budget cuts, the timely delivery of a balanced budget and the eventual impact of the proposed cuts on services and residents. Another aspect of the cuts which was raised during the discussion was the actual long-term impact of the cuts/changes to service delivery on residents compared to the anticipated outcomes outlined in the Impact Assessments compiled for each proposed cut;
- addition of DCC029 – arising from a Supreme Court ruling that people under care and continuous supervision of the state are potentially being deprived of their liberty, training for Officers required.

The Committee considered information on the main changes to the Corporate Risk Register following its recent review. As a result the Committee:

Resolved:

(i) subject to the above observations to note the deletions, additions and amendments to the Corporate Risk Register; and

(ii) that the remit of the Scrutiny Task and Finish Group established to examine the impact of the budget cuts on the deliverability of the Corporate Plan be extended, to include examining the cuts' impact on Council Services' performance, and an evaluation of the actual outcomes of cuts in comparison to the initial assessment of their impact.

7 YOUR VOICE COMPLAINTS PERFORMANCE QUARTER 1 AND QUARTER 2

The Head of Customers and Education Support (HoC&ES) presented the report (previously circulated) and informed the Committee that management information from 'Your Voice' was used to improve services. Officers explained that overall performance in quarter two showed that 88% of complaints had been dealt with at Stage 1 and Stage 2, compared to 94% and 91% respectively for quarter 2. This meant that meeting the year-end target of 95% was unlikely.

Information had been contained in Appendix 2 to the report on the reasons why the Highways and Infrastructure had not met the performance target set out in the 'Your Voice' policy, whilst details pertaining to delays encountered in dealing with complaints lodged with the Finance and Assets Service had been circulated prior to the meeting.

During the course of discussion it became apparent that some complaints may fall outside of response deadlines due to the lack of redirection when the original recipient is out of office - both on automated email notifications and voicemail messages.

For out of office email notifications, it was suggested that an alternative contact number/name of somebody who is available be included on the message, to help the customer redirect their query if they need a more immediate response. This is currently used in some departments to inform customers that the query would be dealt with when the contact returned. The Chief Executive suggested putting queries on hold should only be in exceptional circumstances when specialist assistance was required.

Problems with voicemail messages appeared to be twofold. Either messages were not being picked up by the recipient on a regular basis or the recipient is off sick and the caller has no way of knowing that their message has not been heard. It was suggested that the voicemail facility be removed completely and phones redirected when the employee is out of office.

Answering a member's query as to what to do if a department does not respond to an issue the HoC&ES advised contacting the relevant Head of Service.

It was acknowledged that performance in responding to complaints had dropped. Members asked for an update in every case where targets had not been met together with an explanation as to why it happened and what measures had been put in place to prevent it happening again.

Resolved: *subject to the observations made:*

(i) to accept the reasons given for the delay in dealing with specific complaints and otherwise note the performance in dealing with other complaints under the 'Your Voice' Complaints Procedure; and

(ii) request that future performance monitoring reports include a comprehensive explanation on why targets have not been met when dealing with specific complaints, the reasons for non-compliance, measures taken to rectify the failures and to ensure that future complaints will be dealt with within the specified timeframe.

8 SCRUTINY WORK PROGRAMME

A report by the Scrutiny Co-ordinator was submitted (previously circulated) seeking Members' review of the Committee's future work programme (FWP).

The Committee considered its draft FWP as detailed in Appendix 1, and the following amendments and additions were agreed for the following meetings to allow for relevant consultation:

- the Street Naming Policy be moved to January's meeting;
- Draft Agriculture Estate Strategy 2015 onward be moved from January to February's work programme; and
- that the work relating to measuring the impact of the budget cuts on the deliverability of the Corporate Plan and the Council's performance be delegated to a scrutiny task and finish group that would report back to Performance Scrutiny Committee in due course.

RESOLVED *that subject to the above amendments and agreements, the Forward Work Programme, be approved.*

9 AGRICULTURAL ESTATES

EXCLUSION OF PRESS AND PUBLIC

RESOLVED that under Section 100A of the Local Government Act 1972, the Press and Public be excluded from the meeting for the following items of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraphs 13, 14, 15 and 16 of Part 4 of Schedule 12A of the Local Government Act 1972

The Lead Member for Finance and Assets introduced a confidential report (previously circulated) on the Agricultural Estate's performance in delivering its current strategy to the Committee.

He explained that there were two types of tenancy agreements:

- the Agriculture Holdings Act 1986 which provided for a full agricultural tenancy with less control from the Landlord's point of view, traditionally covering a long term tenancy agreement;
- the Agricultural Tenancies Act 1995 or Farm Business Tenancies which are more commercially minded and equitably share the burden of responsibility between landlord and tenant.

It was explained that local authority agricultural holdings were a legacy which most local authorities had inherited from predecessor authorities who had invested in land at the end of World War 1 to provide returning soldiers with a foothold onto the farming ladder, and as a way of feeding the population.

It was acknowledged that the nature of the agricultural industry, where the value of assets were far higher than any income that could be derived from any farming business, meant that agricultural tenancies had to be medium to long-term arrangements.

The capital value of the Estate is considerably affected by the number of tenancies in place i.e. vacant possession considerably increases value. Tenancy agreements are being reviewed and as they are released the land/farms are being sold.

Under the current strategy (adopted 2010) Denbighshire had realised capital receipts in the region of £1.9m through the disposal of non-viable agricultural units. It was anticipated that two other disposals would be made on the open market by the end of the financial year.

Part of the capital receipts received to date had been reinvested into the Estate to address Health and Safety, urgent maintenance work or improvements to operational functions rather than cosmetic alterations.

The Committee were informed (outlined in an appendix to the report) that the capital works identified for investment would be subject to a bid and scrutiny with other capital projects to the Strategic Investment Group (SIG). However, there was

no guarantee that they would be successful, particularly in light of budgetary constraints.

The following responses were given to the Committee's queries:

- the proposed capital funding bid relating to electrical testing referred to health and safety work on the entire estate;
- farm land included within the Local Development Plan is being considered for disposal as it becomes available;
- with exception of succession from father to son there have been no new tenants in recent years;
- there has been an amalgamation of some farms' land to make them more viable;
- land/property is usually sold with a claw-back clause that provides for a percentage to be paid back to the Council if the property is resold at a higher value within a certain period of time;
- the appointment of a qualified valuer to the Estates staff had increased capacity to deal with the workload and manage the Estate. The valuer had undertaken work on the rental income from the Estate and had concluded that the rent charged was in line with that of public and private estates;
- members' questions relating to individual holdings were also answered by officers.

The Committee were advised that the new draft strategy for the Estate was nearing completion and should be available for consultation in the near future.

It was:

resolved:

(i) subject to the above observations to note the Estate's performance under the current strategy; and

(ii) that the new draft Strategy for the Agricultural Estate be presented to the Committee for consideration in February 2015

Part 1.

10 FEEDBACK FROM COMMITTEE REPRESENTATIVES

Councillor Richard Davies had attended the Business Information and Modernisation Service challenge the previous day and would share the report when it was available.

Councillor Geraint Lloyd-Williams had attended an informal meeting with the Communication, Marketing and Leisure Service.

Meeting concluded at 12:15pm