

Minutes



Listening Learning Leading

OF A MEETING OF THE

Scrutiny Committee

HELD AT 6.00PM ON 14 FEBRUARY 2012

AT COUNCIL OFFICES, CROWMARSH GIFFORD

Present:

Mr D Turner (Chairman)

Mrs A Badcock, Ms J Bland, Mrs C Collett, Mr S Connel, Mr J Cotton, Ms K Crabbe, Mr L Docherty, Mrs E Hards (as substitute for Mr T Joslin), Mr P Harrison, Mr S Harrod, Mrs E Hodgkin

Apologies:

Mrs P Dawe and Mr T Joslin submitted their apologies.

Officers:

Mr S Bishop, Mr G Bushell, Mr A Duffield, Ms P Fox, Mr S Hewings, Mrs J Thompson

Also present:

Mrs A Ducker, Leader of the Council
Mr D Dodds, Cabinet member for finance, waste and parks
Rev'd A Paterson, Cabinet member for
Mr B Service, Cabinet member for leisure and grants

19. Minutes, 20 December 2011

RESOLVED: to approve the minutes of the meeting held on 20 December 2011 as a correct record and agree that the Chairman sign these as such.

20. Review of the impact of charging for pre-application advice

The committee considered the report of the Head of Planning providing information about the income generated from charging for pre-application planning advice and the impact of charges on the service and its use by customers.

Dr N Hards, a local resident and member of Didcot Town Council, spoke to the committee about the report. There was no advice about any reduction in charges in cases of financial hardship and this could deter people on low incomes from seeking advice. The website could usefully offer more guidance about finding further advice.

There was a view that pre-application advice in writing constitutes a guarantee (or otherwise) of permission and that this disadvantaged the consultees who had no knowledge of pre-application discussions and potentially laid the council open to challenges.

Mr A Duffield, Head of Planning, Ms P Fox, Development Control Manager, and Rev'd A Paterson, Cabinet member for planning, introduced the report and answered questions from the committee as follows:

On the points raised by Dr Hards:

- the enquiry team gave general advice and pointers to on-line advice and in cases of exceptional financial hardship advice could be offered. However the costs of pre-application advice were generally a small fraction of the overall costs of any project;
- appropriate caveats were added to written advice to clarify that this was a preliminary appraisal and did not predetermine the outcome of a formal application;
- pre-application advice was published along with the application details if a formal application was made.

On questions from the committee:

- Charges had been in place for three years for major and minor applications and for nearly two years for householder/ other applications.
- Telephone advice was rarely given as many factors influenced whether planning permission was needed for even seemingly straightforward work. Officers were better able to deal with a written enquiry and provided written advice. This could then be retained by the property owner to show, for example, that the advice had been that no planning permission was needed.
- The work undertaken to give pre-application advice was the same regardless of the advice and charges were fairly applied.
- Time recording showed a constant level of 30 per cent of each officer's time spent on pre-application advice. The level of charges was still adequate to recover all the costs associated with this work.
- Fees were set below the level of an application fee to encourage people to seek advice not just submit an application.
- Agents and developers now expected the level of service they received would incur charges.
- Officers were not aware of a general problem of people approaching councillors for free advice.
- All advice was checked by a senior officer and given with caveats. The final decision of an application generally matched that of the pre-application advice, but this was not guaranteed as new information or considerations may become apparent when the full application was made. Ms Fox was confident that the discrepancies were as a result of new information not inadequate advice.
- A duty planning officer was still available at the offices to deal with enquiries.
- While the risk that third parties could perceive that decisions had been made without their input could not be directly tested, there had been few complaints from consultees regarding the existence of pre-application advice when it was published along with full application details.

The committee agreed that the system for giving pre-application advice and the charges for this were working well and thanked officers for their report.

21. Revenue budget 2012-13 and capital programme 2012-2016¹

Mr D Dodds, Mrs A Ducker and Mr B Service declared a personal and prejudicial interest in this item as required by the councillors' code of conduct paragraph 11. As permitted by paragraph 12 of the code, they took part in the meeting to present the report and answer questions, then left before the committee debated the item.

The committee considered the report of the Head of Finance and the appendices setting out the proposed revenue budget for 2012-13 and capital programme for 2012-16 that Cabinet had approved for presentation to Council on 23 February.

Mr D Dodds, Cabinet member for finance, Mr S Bishop, Strategic Director, and Mr S Hewings, Chief Accountant, accompanied by the Leader of the Council, Mrs A Ducker, and Cabinet member Mr B Service, introduced the report and appendices.

Mr Dodds thanked the finance team who had worked hard to prepare the budget. While central government's settlement and the council's budget for this financial year were as expected, there was considerable uncertainty over the financial position in the next few years. Costs were continuing to be driven down. Cabinet were proposing taking £7 million from reserves over the next five years to maintain services and were not proposing major changes to the budget until the long-term position was clearer.

In answer to questions officers and Cabinet members reported that:

- The budget included a reduction in council tax for this year and taking some funds from reserves. It was not prudent to give a larger one-off reduction in council tax as the centrally-imposed cap meant that the tax could not be increased by the same amount the next year if required. Any reductions had a long-term effect on the council's finances.
- However, politicians felt that a reduction of 2.5 per cent was prudent. The council had a higher council tax than Vale of White Horse District Council with whom it shared all services and this discrepancy should not continue indefinitely.
- More cost-effective storage for brown bins was being sought to reduce costs and the council had appealed the non-domestic rates valuation. The costs included in the budget were the maximum costs the council would incur. Buying bins in large numbers reduced the cost per bin.
- Flood alleviation funding was channelled via Oxfordshire County Council and this council would be seeking other grants to complement this funding.

Mr D Dodds, Mrs A Ducker and Mr B Service left the meeting when the committee had finished their questions.

Members of the committee commented:

¹ Rev'd A Paterson left the meeting immediately prior to the start of this item. She had previously declared a declared a personal and prejudicial interest in this item as required by the councillors' code of conduct paragraph 11.

- This was the first time in twelve years that the council tax per household had reduced. However this would be masked in many cases by increases in the parish precept. Parishes were picking up a number of services such as youth provision that the county council was no longer providing.
- The district council was providing similar or improved services at lower unit costs. This council needed to ensure it was not over-charging residents but must show prudence in ensuring there were no long-term problems given the proposed changes in local government financing.

The committee noted the report.

22. Performance review of contractors

The committee considered the report of the Head of HR, IT and Customer Services setting out proposed improvements to the system for reviewing the performance of the council's major contractors.

Mr G Bushell, Shared Performance, Projects and Customer Services Manager, introduced the report with a short presentation and answered questions from the committee as follows:

- Paragraph 15 of the report should refer to 26 January 2012 not 26 February.
- Annual performance reviews close to the expiry of a contract could be waived if publication of performance data could release commercially sensitive information.
- For complete clarity the formula on page 6-33 of the report should be written as:

$$S = \frac{(W_1 * S_1) + (W_2 * S_2) + \dots + (W_n * S_n)}{W_1 + W_2 + \dots + W_n}$$

- Within each contract, there were areas where performance improvements could be made but these may cost the contractor or the council more than either was prepared to pay. There was a trade-off between an appropriate service level and an appropriate cost.
- Targets were set at an acceptable performance level and then adjusted to be achievable within the cost constraints. This council usually set very stretching targets.
- Key performance targets were scored on a five point scale reflecting the overall scoring of the performance framework.
- However, the weightings for customer satisfaction reflected the five-point scoring system of excellent/good/neither/poor/very poor. Anything below 3 on customer and council satisfaction meant that on balance the majority of residents were dissatisfied and thus would attract a score of 'poor'.
- Any scheme needed to define clearly what good performance looked like and must take account of external factors outside the contractors' control. It also needed to remove any perverse incentives so that if a target was missed for an individual, then that did not result in an unacceptably long time before any action was taken to rectify the situation. Bonuses and penalties were also determined by the performance scheme for each contract.

Councillors commented that

- On page 6-19, at paragraph 13, heads of service should make decisions about waiving the annual review close to a contract's expiry in consultation with the appropriate Cabinet member.
- Targets and thresholds should be unambiguous and measures should not overlap (eg not 20-30/30-40 but 21-30/31-40).
- The formulae and calculations should form the basis, but not the sole criteria, for determining performance.

The committee noted the report and the changes in the system for reviewing the performance of contractors.

23. Board report – summary or performance to December 2011²

The committee considered the report of the Head of HR, IT and Customer Services setting out the council's performance in key areas. Mr S Bishop, Strategic Director answered questions from the committee asked at the meeting and questions previously submitted in writing as follows:

- Question: What impact does the relatively lower planning performance at the Vale of White Council District Council have on South Oxfordshire District Council's performance? Is there capacity for further improvements in performance at this council?

Answer: Vale of White Council District Council's planning application performance is solely dependant on their application staff and systems to deliver the service. Once a joint application processing system is in place after 1 April 2012 and processes harmonised, performance will improve across both councils as capacity is created by more efficient ways of working. There is scope to improve performance at this council but with decreasing returns compared to the resources needed.

- Question: The proportions of recycled waste changed significantly in December and yet the absolute quantity remained fairly static. What is the explanation for that?

Answer: Fewer people do gardening in the run up to Christmas so the green waste rate dropped as it did the previous year. However additional wrapping paper and packaging from presents probably accounted for the increased dry recycling rate.

- Question: Why did recycling volumes drop later in 2011 compared to 2010?

Answer: It is very difficult to tell why the recycling rate went up from October in 2010/11 to a peak in December, compared to the stable but slightly downward trend in 2011/12 from October. It will be interesting to see what happens in January 2013 as in January 2012 there was a significant drop from the previous month. When you look over the course of both years there are peaks and troughs which occur at slightly different times. We are keen that our recycling rates climb higher rather than that they stabilise and we are looking at steps we can take to achieve this. We are investigating the installation of bring banks for small household electrical items. We are planning a big push on the garden waste scheme in the spring to encourage more residents to join and we are considering

² Mrs C Collett left the meeting just before the start of this item

taking all domestic Christmas trees away rather than just those on the green waste scheme as that will have an impact on our green waste tonnages in December. We are also going to extend the on-street recycling bins to the larger villages. Obviously we do need to be aware of the costs of these options and consider those against recycling credits that we would receive, the increased rate achieved and the educational message that we are sending out.

- Question: The first four reasons given for the differing performance between this council and the Vale of White Council District Council on fly-tipping seem weak given that they could apply equally to both districts. On the last point, is this a new level of staffing? If not, why is this council's performance better at the beginning of the year (when any continually employed staff could be expected to have the same effect over the year)?

Answer: Evidence as to why there are comparatively higher levels of fly tipping when compared to Vale of White Council District Council is hard to find but officers believe that the conclusions are sound.

It is true that they could also apply to the Vale of White Council District Council but the it has a long history of high profile strong enforcement and officers believe that this leads to lower fly tipping rates.

Although there are peaks and troughs over the last three years, this council has a consistently higher average of fly tips than Vale of White Council District Council and consistently lower enforcement activity. We believe that this particular dip at the beginning of the year could be that the recycling centre at Oakley Wood ran an unofficial amnesty with contractors in the early months of the year which they withdrew gradually.

- Question: Why is 100 per cent of council tax not targeted for collection? Would it not be good to have a really stretching target for collection?

Answer: The target set is the "in year collection target". It is impossible to achieve 100 per cent in year collection due to bills being raised right up to the end of the year and, which could be for large retrospective sums. However, they continue to be vigorously collected long after the financial year through a number of statutory debt recovery tools we have at our disposal, which include engaging bailiffs, attaching to earnings, deducting from benefits and instigating bankruptcy proceeding where applicable. We also apply the ultimate sanction of committal to prison and court hearings are held monthly without fail. We have now collected 99.23 per cent of 2010/11 council tax debt and this will continue to rise. We compare favourably with our benchmarking groups and with the country as a whole.

- Question: If 100 per cent of benefit claims can be processed accurately in September, why can't it be done every month?

Answer: This is almost impossible given the complexities of the housing and council tax benefit calculations. The Audit Commission has an acceptable benchmark of 90 per cent and the Department of Works and Pensions itself acknowledges through its error thresholds that there will always be inaccuracies in processing - hence its allowance through the subsidy process. The financial services contract has incentives to reward good and excellent performance.

- On sickness absence, the final figures showed 4.56 days absence per FTE.

- On housing numbers, the target of 189 affordable units by year end was achievable.
- All payments for the garden waste service should be made by direct debit by March 2013, although alternative methods would be available for the small number of people for whom direct debits were not appropriate. By the end of 2012 all historic debt should be collected, cancelled if not actually money owed, or written off if uncollectable. Where the service has not been paid for, bins will not be emptied.

The committee noted the report.

24. Work Programme

The committee noted that the agenda for the April meeting should include items on:

- Waste contract performance review
- Update on the actions resulting from the review of the 2011 district and parish council elections.

The meeting closed at 8.00pm.

Chairman

Date