



Minutes of the Overview and Scrutiny Board

19 June 2013

-: Present :-

Councillors Addis, Bent, Darling, Davies, Hytche, Pentney, Stockman and Thomas (J)

(Also in attendance: Councillors Cowell, Hill, James, Morey, Pritchard and Thomas (D))

1. Election of the Chairman

Councillor Thomas (J) was elected Chairman of the Board for the 2013/2014 Municipal Year.

Councillor Thomas (J) in the Chair

2. Apologies

An apology for absence was received from Councillor McPhail and it was reported that, in accordance with the wishes of the Conservative Group, the membership of the Board had been amended to include Councillor Addis in place of Councillor Kingscote.

3. Appointment of Vice Chairman

Resolved: that Councillor Darling be appointed Vice-chairman of the Board the ensuing Municipal Year.

4. Minutes

The minutes of the meeting of the Board held on 30 April 2013 were confirmed as a correct record and signed by the Chairman.

5. Urgent Items

The Board considered the item in Minute 62 and not included on the agenda, the Chairman being of the opinion that it was urgent by reason of special circumstances i.e. the matter having arisen since the agenda was prepared and it was unreasonable to delay a decision until the next meeting.

6. Freedom of Information Requests

The Board heard a representation from a member of the public requesting that the Overview and Scrutiny Board consider the effectiveness of the Freedom of Information processes undertaken by the Council.

Resolved: that a briefing note on the issues raised be prepared for consideration by members of the Board.

7. Petition - Uncontrolled Pedestrian Crossing - Dartmouth Road/Fisher Street, Paignton

The Board considered a request for a review from a petitioner who had previously submitted a petition regarding the visibility at the uncontrolled pedestrian crossing at the junction of Dartmouth Road and Fisher Street in Paignton. The petition raised concerns that the tree at the junction reduced the visibility for pedestrians crossing the road.

Following a presentation to the Transport Working Party in April 2013, the petition had been considered by the Service Manager (Streetscene and Place) in May 2013. As a result, the bottom branches of the tree had been removed to improve visibility and the tree would be reviewed again in a year's time.

Resolved: (i) that the petition was dealt with in accordance with the Council's Petition Scheme and appropriate action had been taken; and

(ii) that no further action be taken.

8. South Devon Link Road - Use of Local Labour - Update

Following its meeting in September 2012, the Board had requested an update on the use of local labour within the contract to construct the South Devon Link Road.

Whilst the contract did not include specific clauses that required the contractor to use a set percentage of local labour or sub-contractors, it was noted that 62% of the 37 full time staff on site were recruited locally (with it envisaged that, when the full team of 45 staff were in place, 54% would be recruited locally). In addition, 53% of the 30 sub-contractors were either based locally or had a local regional office.

During the course of the debate members highlighted the effective communications strategy being employed by Galliford Try (the contractor) and asked questions in relation to the archaeological implications of the construction of the road.

Resolved: (i) that the Board welcomes the encouraging progress being made in the construction of the South Devon Link Road and is pleased with the levels of local labour being utilised; and

(ii) that a full update on the progress of the construction of the road be received in six months time.

9. Revenue Budget 2012/2013 - Outturn

The Board received a report which provided a summary of the Council's expenditure throughout the 2012/2013 financial year and made recommendations in relation to the Council's uncommitted reserves. The Deputy Mayor (on behalf of

the Mayor as Executive Lead for Finance) attended the meeting to present the report and answer the Board's questions.

It was noted that the Council would have declared an overspend of £2.375 million at the end of the year however the use of reserves and unallocated grants meant that a balanced budget was being reported. Further there was a total of £1.292 million of uncommitted budget at the year end. It was proposed that this be allocated to the General Fund, the recently approved Community Development Trust and the Growth Fund.

In applying £700,000 to the Growth Fund, the Council would be able to make the equivalent sum of money within the Council's capital resources (which had previously been earmarked for the Fund) available to support the existing Capital Plan.

Resolved: that it be recommended to the Council that the £700,000 now being made available to support the existing Capital Plan be allocated to highways maintenance.

(**Note:** During consideration of the item in Minute 65 the press and public were formally excluded from the meeting on the grounds that the discussion involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).)

10. Capital Plan Budget - Outturn

The Board considered a report which had been prepared which provided high level information on the Council's capital expenditure and income for the 2012/2013 financial year, compared with the budget position which had been reported for Quarter 3 in February 2013.

It was reported that the Council had applied for grant aid from the Environment Agency to cover the additional costs for the works at Livermead Sea Wall following the collapse of the wall earlier in the year.

Resolved: that, if the Council is not successful in securing grant aid from the Environment Agency for the increased costs of the works at Livermead Sea Wall, the Council explore the opportunity for approaching South West Water for funding and report back to the Overview and Scrutiny Board.

11. Review of Youth Unemployment

The Board considered the final draft report on Youth Unemployment in Torbay which had been prepared by the review panel chaired by Councillor Pentney.

Resolved: that the report be adopted, published and forwarded to the Mayor for his consideration and response.

12. Appointment of Health Scrutiny Board

Resolved: that the Health Scrutiny Board be appointed with terms of reference:

“To consider all matters and issues arising from the Council’s power of scrutinising local health services in accordance with the Health and Social Care Act 2001, the National Health Service Act 2006 and the Health and Social Care Act 2012”

and with the membership:

Five members of the Conservative Group (Councillors Bent, Hernandez, Hytche, McPhail and Thomas (J));

Two members of the Liberal Democrat Group (Councillors Davies and Doggett); and

One member of the Non-Coalition Group (Councillor Ellery).

13. Overview and Scrutiny Work Programme

The Board considered a report which explained the need for the Board to agree a robust, realistic and flexible Work Programme which would help to ensure that overview and scrutiny was driving service improvement and playing a role in the policy development process.

As part of the discussion, members expressed a desire to utilise different formats to encourage greater engagement with the community in undertaking its work.

It was suggested that an analysis of the complaints received by the Council be undertaken to identify issues of concern to the community. It was also suggested that the way in which the Council communicated with the public was one of the recurring issues which was raised with ward councillors.

Chairman
