



## Minutes of the Overview and Scrutiny Board

18 February 2015

**-: Present :-**

Councillor Darling (Vice-chairman) (In the Chair)

Councillors Davies, Kingscote, Tyerman, Pountney and Parrott

(Also in attendance: Councillors Cowell and Mills)

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### **41. Apologies**

Apologies for absence were received from the Chairman and from Councillor Hernandez.

It was also reported that, in accordance with the wishes of the Non-Coalition and Liberal Democrat Groups, the membership of the Board had been amended by including Councillors Parrott and Pountney in place of Councillors Stockman and Pentney, respectively.

### **42. Minutes**

The minutes of the meeting of the Board held on 28 January 2015 were confirmed as a correct record and signed by the Vice-chairman.

### **43. Revenue Budget Monitoring - Quarter 3**

The Board received a report setting out the latest projected forecast for the Council's Revenue Budget. An overspend of £1.5 million was currently expected to be the year-end position. There were a number of variations to approved budgets across the Council with Children's – Safeguarding and Wellbeing facing the largest forecast overspend at year-end.

The Board asked questions around the level of reserves available to the Council to offset the overspend at the end of the financial year given that the Comprehensive Spending Review reserve had a number of calls on it. Questions were also asked about overpayments within Exchequer and Benefits and the trends within Adult Social Care.

**Resolved:** (i) that the Board raises its concern about the possible calls on the General Fund balance of £4.4 million given the high probability that the Comprehensive Spending Review reserve will be depleted through the estimated level of redundancy costs, the current projected overspend at year end and the possible outcome of the ongoing Judicial Review.

(ii) that additional information be prepared and presented to the Council in its consideration of the Quarter 3 Revenue Budget monitoring report in relation to:

- The lessons learnt in respect of Housing Benefit overpayments (in particular those made by Council rather than through claimant error);
- The principles by which the Council determines whether to appoint consultants and the costs associated with consultants currently contracted; and
- The trends (against projections) within Adult Social Care on the numbers of clients receiving Direct Payments and the numbers of clients within residential care.

#### 44. Capital Plan Budget Monitoring - Quarter 3

The Board considered a report on the Council's capital investment plan and the position as at the end of Quarter 3 of the 2014/2015 financial year.

The Board questioned the rationale behind the recommendation to extend the period of prudential borrowing for the replacement beach chalets at Meadfoot Beach from 25 to 35 years. The Board also asked questions on the business case for replacing the chalets at Oddicombe Beach and highlighted that work appeared to have started before Council had agreed to undertake further prudential borrowing.

**Resolved:** (i) that additional information be prepared and presented to the Council in its consideration of the Quarter 3 Capital Investment Plan update report in relation to:

- The business case for the replacement and enhancement of the beach chalets at Oddicombe Beach;
- Confirmation of whether the work on the Oddicombe Beach Chalets has commenced prior to Council approval being given to increasing the Council's level of Prudential Borrowing; and
- The return costs associated with the works at the base of Princess Pier; and

(ii) that Council re-confirm its position that any additional Prudential Borrowing must be backed by a clear Business Case.

#### 45. Torbay Growth Fund

The Board considered a report on the Torbay Growth Fund which included details of how the Fund had been set up and administered together with the outcomes that had been achieved. Also included was a report from the Monitoring Officer on how the criteria for determining applications had been approved or otherwise.

**Resolved:** that the report be noted and that any future reports include further detail about numbers of jobs created to date and the level of match funding attracted.

#### 46. Review of Corporate Plan

The Board considered a paper which had been prepared setting out progress against the Council's Corporate Plan.

Members raised the issue of the previous decision made by the Council to amend the Corporate Plan to take account of the recommendations within the report of the Child Poverty Commission. To date the Corporate Plan had not been re-submitted to the Council for amendment.

**Resolved:** (i) that the Monitoring Officer be asked to provide her opinion on the Board's concern about the governance of the Council whereby requests made at Council for reports to be presented to future meetings are not actioned; and

(ii) that, in agreeing its Work Programme for the coming year, the Board should be using the Corporate Plan to hold the Mayor and administration of the Council to account.

#### 47. Scrutiny Development Area - Principles of Overview and Scrutiny

The Board considered a report produced as a result of the work which had been undertaken with the Centre for Public Scrutiny as a Scrutiny Development Area. The report set out the findings from the work and included a set of principles by which, it was recommended, overview and scrutiny at Torbay Council should operate. The report also contained a more detailed proposal which it was hoped would form the basis of discussions post election for determining the governance arrangements of Torbay Council.

It was noted that the report was not included on the agenda for the meeting of the Council scheduled for 26 February 2015 as had been detailed within the project plan for the Scrutiny Development Area work.

**Resolved:** (i) that the principles within the report be supported; and

(ii) that the Chairman of the Council be asked to include the report on the agenda for the meeting of the Council to be held on 26 February 2015.

Chairman

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