

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

CABINET SCRUTINY COMMITTEE

**Minutes of a Meeting of the Cabinet Scrutiny Committee
held on Thursday 18 November 2010 at 6.00pm
in the Committee Suite, King's Court, Chapel Street, King's Lynn.**

PRESENT:

Councillors A Tyler (Chairman) I Mack (Vice-Chairman),
C Crofts, I Gourlay (substitute for D Collis), J Loveless (substitute for P Burall),
M Pitcher, D J Pope, G Sandell and J M Tilbury

Other Members Present:

Councillor A Beales, Portfolio Holder – Community
Councillor R Johnston, Portfolio Holder - Performance
Councillor B Long, Deputy Leader

Apologies for absence were received from Councillors P Burall, D Collis and
N Daubney

CSC41: **MINUTES**

The minutes of the meeting held on 22 September 2010 were agreed as
a correct record and signed by the Chairman.

CSC42: **URGENT BUSINESS UNDER STANDING ORDER 7**

There was none.

CSC43: **DECLARATIONS OF INTEREST**

CSC49: Councillors C Crofts, R Johnston, D Pope, I Mack (C Sampson
deleted - amendment agreed by Committee 21 February 2011) and G
Sandell declared a personal interest as being members of their
respective Parish Councils.

CSC52: Councillor A Tyler declared a personal interest due to being
employed part time in a convenience store.

CSC53: Councillor I Mack declared a personal interest due to being a
GP with an interest in health issues.

CSC44: **MEMBERS PRESENT PURSUANT TO STANDING ORDER 34**

There was none.

CSC45: **CHAIRMAN'S CORRESPONDENCE**

The Chairman reported that he had received no letters but had received a large number of emails raising issues of concern relating to the proposals for the Arts Centre.

CSC46: **RESPONSE TO PREVIOUS COMMITTEE RECOMMENDATIONS**

The Committee noted the response made by Council at its meeting held on 30 September 2010 to the recommendation made by the Cabinet Scrutiny Committee at its meeting held on 22 September 2010, in respect of King's Lynn Town Hall/Arts Centre.

CSC47: **MATTERS CALLED-IN PURSUANT TO STANDING ORDER 12**

There was none.

CSC48: **CAPITAL PROGRAMME AND RESOURCES 2010/2013**

This item was withdrawn prior to the meeting.

CSC49: **MINI SERVICE REVIEW – PARISH COUNCIL ELECTIONS**

In introducing the issue, the Chairman, Councillor Tyler noted that many concerns had been expressed about the proposals being made to charge parish councils for the costs of elections.

Councillors C Crofts, R Johnston, D Pope, I Mack (C Sampson deleted - amendment agreed by Committee 21 February 2011) and G Sandell declared a personal interest as being members of their respective Parish Councils.

Councillor Pope stated he was aware that in some parishes there were often vacancies and efforts were made to try and get new candidates to stand for election so that an election could take place. He expressed concern that these proposals may deter an election being held and that some existing experienced members may be encouraged to stand down to allow new candidates onto the parish council rather than incurring the expense of holding an election.

In response, the Deputy Leader commented that some parishes could hold a number of by-elections and parish polls, while others had none. These proposals would be fairer as those parishes which request an election or poll would pay, rather than all residents in the borough contributing toward the costs. Payment would not be required until the following financial year enabling the parish to control its budget.

Councillor Pope agreed that it was appropriate that parishes should pay for polls or by-elections, but considered that for the main election every four years parish councils should not be charged. He added that the

amount of saving was relatively small and for the sake of democracy the Council should not implement this proposal.

Councillor Pitcher stated that he was aware of some parishes where it had not been necessary to hold an election for a number of years, so were able to keep their precept low. He supported the view that if charges were introduced then parishes might try to circumvent the democratic process by co-opting to avoid holding an election. This view was supported by Councillor Gourlay.

Councillor Crofts stated that he supported the general principle of charging which was sound. He added that prior to 1999 parish councils had been responsible for their own elections.

Councillor Tilbury stated he considered that while there would be a saving to the Borough Council, charges would be made to individual parish councils plus an administration charge. Therefore the total cost would be more than if there was no recharge. He considered that the disadvantages outweighed the advantages, for the small amount which was expected to be saved by the proposal. However, costs could be minimised by charging those parishes wishing to hold parish polls and by-elections. He made the following proposal, which was seconded by Councillor Pope:

“That in future parish polls and by-elections will be charged in full to parish councils, but the 4-yearly election which coincides with the Borough Council elections, will continue to be funded in total by the Borough Council.”

The Chief Executive explained that although the estimated saving was relatively small when spread over four years, for each year when the four yearly elections were held the sum involved was quite significant and was likely to be in the £25,000 - £30,000 range which was a significant sum. He emphasised that underpinning the cost reduction programme, was the principle that every part of the organisation should take a share of the reductions. The Council was no longer in a position to subsidise other organisations' legitimate costs and measures had been taken to mitigate problems, as set out in the proposal, ie that payment would be made in the year following the election, and a mechanism introduced to allow very small parishes to spread the cost over a longer period. He gave an assurance that where no election took place there was no intention to pass on any costs to the parish council eg relating to advertising notices etc. Similarly, only a small administration charge would be made for the printing of poll cards. He also clarified that no administration charge would be made for any time spent calculating the sum to be charges to the Parish Councils. Every effort would be made to keep costs as reasonable and modest as possible so as not to cause undue difficulty to individual parishes. He emphasised that every contribution towards savings was important and would help to protect front line services.

In response to a question from Councillor Loveless with regard to how costs would be split for the joint 4-yearly elections, the Chief Executive explained that in 2011 it would not be straightforward. As well as the Borough Council and parish elections, there was likely to be a referendum on the alternative vote, so costs might be split 3 ways, which would be preferred as it would be more cost effective. However, the parish council elections may be moved and run separately. Those costs directly attributable to the parish, eg printing costs, would be charged in full, while some costs would be divided between the Borough Council and the parish. He reiterated that every effort would be made to try and keep costs modest and fair.

Councillor Loveless stated that he was reassured by what he had heard and was happy to support the Cabinet recommendation.

The Vice-Chairman, Councillor Mack made reference to the Representation of the People Act, which allowed the Council to recover certain costs relating to an election. He made the point that parish councils could not choose to hold independent elections and had to accept the cost levied on them by the Borough Council. He questioned how Cabinet had been able to make a decision about the level of savings when financial elements were missing from the report. Similarly, parish councils did not have detailed financial information available to them when considering their response. Without such information, Council would be asked to vote on the concept of the proposal. He stated that he considered it was important to consider the pros and cons of the proposal. The costs involved, and therefore the savings, were incredibly small and it was important to have functioning parish councils and to drive up the potential for parish council involvement and localism. He hoped that the costings would be clarified to enable Council to make a decision which recognised the need to maintain and facilitate democracy through parish councils.

The Deputy Leader commented that the bills presented to parish councils would be itemised so the costs would be obvious to parishioners. He reiterated that the present system where all the electorate subsidised the cost of elections was unfair. He stated that knowing the estimated annualised cost over a four year period was sufficient to enable Cabinet to make its decision. He emphasised that, as already stated, costs would be apportioned appropriately.

The Chief Executive added his reassurance that parish councils would receive proper itemised bills. He stated that it was difficult to provide a breakdown of costs as some were fixed eg staffing, while others such as printing costs and hiring of premises would vary according to the parish. The Council would ensure that all parishes were treated fairly, especially the smaller ones which might have difficulties where charges were disproportionately high. Common sense would be applied.

The Committee then voted on the proposal made by Councillor Tilbury and seconded by Councillor Pope, which was agreed.

RECOMMENDED: That Council be invited to consider the following amendment to the Cabinet recommendation:

That in future parish polls and by-elections will be charged in full to parish councils, but the 4-yearly election, which coincides with the Borough Council election, will continue to be funded in total by the Borough Council.

CSC50: **STANDING ORDERS – UPDATE**

The Vice-Chairman, Councillor Mack made reference to the proposed amendment to Standing Order 29 which relates to Scrutiny Bodies. He highlighted that it was proposed to remove the wording “if Chair is from Administration, Vice-Chair should be from Opposition” and asked why Cabinet considered that this change was required.

The Deputy Leader advised that this part of the Constitution had been written when the proportionality of the Council was very different and the amendment was in line with current proportionality and arrangements which had been in operation for at least 3 years. A further change may be required depending on the results of the 2011 election.

The Vice-Chairman commented that the time for any changes to be made would be next year after the election when the political proportionality was known. He considered that it was important to have Chairs and Vice-Chairs from opposition parties as this allowed earlier consideration of items. There was an opportunity for wider control of the sifting process and it was useful to have skilled members from opposition groups involved. He thought it might be possible to include a form of words which recognised the opportunity for opposition involvement if the political proportionality changed.

In response the Deputy Leader advised that the make up of the committees and panels were determined each year at Full Council and could be different depending on the proportionality of the Council. He reiterated that the proposed change was in line with the current arrangements.

Councillor Gourlay commented that he considered that the current wording was unclear and open to different interpretation, which he had challenged a number of times. He asked why references to Chair had been amended to Chairman and whether this was a backward step. In response, the Deputy Leader advised that this change had been made at the specific request of the only female chairman on the Council.

In response to a question from Councillor Crofts with regard to Standing Order 9.1, it was clarified that the time allowed for public speaking was thirty minutes in total.

Councillor Tilbury commented that Standing Orders were completely neutral and should not need to change depending on which political group was in power. Members were realistic and accepted that currently the ruling group would appoint the Chair and Vice-Chair and he did not consider it was necessary to change the Standing Orders. The Deputy Leader advised that there may be instances when it was necessary for changes to be made and gave a practical example, although this related to the County Council.

The Vice-Chairman, Councillor Mack summed up by stating that proportionality dictated when the change should be reflected in appointing an opposition member as Vice-Chair and he considered that it was not necessary to change the wording of the Standing Order. He suggested that the proposed amendment to the Constitution be deleted. The proposal was seconded by Councillor Tilbury and after being put to the vote, was agreed.

RECOMMENDED: That Council be invited to consider that the proposed amendment to Standing Order 29.1 relating to Policy Review and Development Panels be deleted.

CSC51: **EXCLUSION OF THE PRESS AND PUBLIC**

RESOLVED: “That under Section 100(a)(4) 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 they may involve the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A to the Act.”

CSC52: **REVENUES AND CUSTOMER SERVICES – SERVICE REVIEW**

The Chairman, Councillor Tyler introduced the item and made reference to the closure of the Cash Office and alternative payment systems proposed. At this point he declared a personal interest due to being employed part time in a convenience store. He asked whether Cabinet was aware of the problems which could be experienced when people wanted to make payments through the means suggested. There were a number of different methods of payment, not all of which were available at all outlets. He also asked whether the impact on businesses due to the increase in customers had been considered. He sought an assurance that the problems which currently existed would be ironed out.

The Deputy Leader stated that any encouragement for people to visit their local stores and post offices should be welcomed as this could also help to increase their business.

Councillor Johnston, Portfolio Holder for Performance confirmed that the matter had been carefully considered. He acknowledged that there were many different methods, although the vast majority used LINK, and it should be easy to find a payment which would accept particular cards. It was possible to get cash over the counter at the post office and post

offices would also receive a financial benefit through the banking system. This would provide an opportunity to increase footfall in the shops and an incentive for customers to purchase other goods while they were there. It was highlighted that over 70% of customers already paid by direct debit and these proposals may encourage more to do so, which was the Council's preferred option. However, the Council also had to cater for those who did not want to pay by this method. He highlighted that many other district councils operated similar schemes.

The Vice-Chairman made reference to the National Consumer Council Survey which identified that people on low incomes wanted to control their finances and if they had a bank account were more likely to get into debt. He highlighted the poor provision of post offices in the centre of King's Lynn and concerns expressed about issues of confidentiality about using Paypoint. He expressed concern about ensuring that the needs of the more deprived section of the population had been addressed, which had also been reflected in the consultation responses from staff.

Councillor Johnston stated that it was recognised that some people preferred to pay by cash and they could continue to do so through the post office. There were many outlying post offices and local shops where payments could be made. People would not be forced to use the direct debit system and provision had to be made to cater for the relatively small number involved. The situation would continue to be monitored.

In response to a question from Councillor Gourlay with regard to a handling charge added to payments made at the post office, the Customer Information Centre Manager advised that Giro payments were subject to a £1.70 charge. However, the Council would be using the Allpay system for which there was no charge to the customer.

Councillor Tilbury commented that within his ward there was only one post office for the six villages and he asked how the Council would provide a reasonable facility for those people to pay in cash. The Customer Information Centre Manager explained that research showed there would be more Paypoints available to people living in his ward which were closer than the Council's current cash offices. The Executive Director, Revenues and Customer Services added that many customers would already be familiar with Paypoint for paying other bills. He commented that the Department for Work and Pensions was driving the need for people on low incomes to have a bank account for payment of benefits.

The Vice-Chairman, Councillor Mack made reference to the lack of Paypoints listed in Downham Market and questioned the sustainability of Paypoint as a business. He also asked whether consideration had been given to sharing payment services with Freebridge Community Housing.

In response, the Customer Information Centre Manager explained that Freebridge Community Housing used the same payment system and Allpay was currently shared at Hunstanton and Downham Market. She stated that it was understood that Allpay had a waiting list of stores ready to sign up to the scheme, so she was satisfied that the system would be sustainable. It was emphasised that the Council continued to work closely with Freebridge Community Housing and had liaised with them over the proposal to close the cash offices in Hunstanton and Downham Market.

The Chairman, Councillor Tyler highlighted that stores were charged by their banks for handling cash and these charges would be higher as a result of more cash being dealt with. The Deputy Leader stated that some smaller stores were starting to offer 'cash back', which helped to reduce the amount of cash being handled and reduced their bank charges as a result. This was a service which stores could explore through their banks.

Councillor Pitcher commented that he welcomed the proposal as a way of helping rural post offices. He also made reference to the other proposals set out in the report, including possible future joint working and staff reductions, which would contribute to the financial savings. The Executive Director, Revenues and Customer Services confirmed that the proposals would exceed the savings target which had been set for the service and went a long way to helping the Council to make the savings required.

In response to a question from Councillor Gourlay about the future of services in Downham Market, it was explained that Downham Market was recognised as an important hub. There would still be a presence for enquiries and the Tourist Information Centre would remain. It was confirmed that it was just the cash office which would close.

The Vice-Chairman, Councillor Mack reiterated his concerns about those who might be disadvantaged by the proposed closure of the cash offices and proposed that the relevant Review Panel be asked to look at the consequences of this decision in six months. The Portfolio Holder for Resources suggested that a year would be a better length of time for an assessment to be made.

The Deputy Leader welcomed the proposal and stated that the Resources and Performance Panel would be the appropriate Panel and that they might wish to set their own criteria and timescale for review.

The Vice-Chairman, Councillor Mack amended his proposal replacing "six months" with the words "at an appropriate stage". This proposal was agreed by the Committee.

RECOMMENDED: That Council be invited to consider an additional recommendation, as follows:

That the relevant Review Panel be asked to look at the consequences of the decision to close the cash offices at an appropriate stage.

CSC53: **ENVIRONMENTAL HEALTH AND HOUSING DEPARTMENT SERVICES (COST REDUCTION) REVIEW 2010**

The Chairman introduced the item and invited questions from Members.

A question was asked by Councillor Crofts about CCTV funding. As the query did not directly relate to this decision of Cabinet, the Executive Director, Environmental Health and Housing undertook to respond to Councillor Crofts by email.

Councillor Gourlay made reference to the potential impact of the proposed changes relating to Community Safety and Neighbourhood Nuisance. He commented that he had seen a great improvement in his Ward and was anxious that the current service should be maintained and not be allowed to deteriorate.

Councillor Beales, Portfolio Holder for Community advised that the whole approach would be closer working with the Police and other agencies. He stated that he was satisfied with the proposal and did not accept that problems would be inevitable as a result of the changes.

The Vice-Chairman, Councillor Mack asked whether discussions had taken place with the Police Authority regarding their own cost reduction plans to ensure that they were not planning to make similar economies. In response, Councillor Beales confirmed that discussions had taken place and he was assured that anti-social behaviour was at the core of the work of the Police, which was likely to continue. From the information available, joint working with other agencies was the best way forward.

The Chief Executive advised that in the New Year a strategic assessment would be carried out through the Local Strategic Partnership, to assess the cumulative impact of changes being made by various authorities on the area. The Council was also waiting to receive notification of the Government Grant settlement, expected on 2 December, in order to assess the impact on budgets and knock-on effect on services, following which a report would be brought back to Members. He highlighted that other partners were less advanced in their cost reduction programmes than the Council.

Councillor Gourlay asked what consideration had been given by Cabinet to the loss of the pest control service, the ability of private companies to cope with increased demand and at what cost.

Councillor Beales stated that he had every confidence in the ability of the private sector to cope. With regard to the cost, he explained that currently the service operated with an extremely large subsidy, which was unsustainable. Reference was made to the proposal to introduce a

'preferred supplier' option, who would be selected on a range of criteria including cost. In response to a further question from Councillor Tilbury, he confirmed that the 'preferred supplier' would be subject to monitoring to ensure quality of service and affordability. The Executive Director, Environmental Health and Housing added that there would be a requirement to provide statistical information to the Council at agreed intervals. Council Officers would also undertake assessment of how the service was perceived by the public and any enforcement activity which may be required.

Councillor Pope commented that the public needed to be educated with regard to pest control. Councillor Beales noted that an important consideration was that, in other areas where similar arrangements had been introduced, there had not been a dramatic rise in incidents.

At this point, the Vice-Chairman, Councillor Mack declared a personal interest due to being a GP with an interest in health issues. He made reference to the proposals with regard to food safety and asked what tools had been used to assess potential risks. The Executive Director, Environmental Health and Housing advised that no specific tool had been used. An assessment had been made based on the experience and knowledge of the officers involved who had considered how the service could be managed so as not to increase any risk to public health or to receive criticism from the Food Standards Agency. Consideration had been given to the impact of reducing the frequency and depth of inspection of lower risk premises.

In response to a further question from Councillor Mack concerning how systematic the approach would be, the Executive Director, Environmental Health and Housing explained that the frequency of inspection was determined by a number of factors. These included how good the premises were when it was inspected, the type of premises and potential risks, confidence in the management regime and whether any work was needed to be carried out to improve standards. It was recognised that the decline in the condition of food premises could be quite rapid and an assurance could not be given that no change would occur, particularly where there was a change in management. An assurance was given that as soon as Officers became aware of any potential problems, or a change in management then the inspection regime for those premises would be changed.

The Chairman thanked the Officers and Portfolio Holders for their responses to questions and assurances given.

CSC54: COLLEGE OF WEST ANGLIA

This item was withdrawn prior to the meeting.

RETURN TO OPEN SESSION

CSC55: **PORTFOLIO HOLDERS' DECISIONS MADE UNDER DELEGATED POWERS**

There was none.

CSC56: **DATE OF NEXT MEETING**

The Committee noted that the meeting on Monday 20 December 2010 had been cancelled, due to the cancellation of the Cabinet meeting on 7 December 2010.

It was further noted that the next meeting of the Committee was scheduled to be held on Monday 24 January 2011 at 6pm.

Meeting closed at 8.08 pm