

Runnymede Borough CouncilOVERVIEW AND SCRUTINY SELECT COMMITTEE5 October 2017 at 8.27.p.m.

Members of the

Committee present: Councillors M J Maddox (Chairman), D A Cotty (Vice-Chairman), J R Ashmore, Miss E G Bancroft, Mrs L M Gillham, N M King, Mrs G M Kingerley, Mrs C S S Manduca and P S Sohi.

Members of the

Committee absent: None.

Councillors J R Furey, Mrs M T Harnden, M T Kusneraitis, S M Mackay, D W Parr and Miss J K Sohi also attended.

261 FIRE PRECAUTIONS

The Chairman read out the Fire Precautions.

262 NOTIFICATION OF CHANGE TO COMMITTEE MEMBERSHIP

The Group mentioned below had notified the Chief Executive of their wish that the change listed below be made to the membership of the Committee. The change was for a fixed period ending on the day after the meeting and thereafter the Councillor removed would be reappointed.

<u>Group</u>	<u>Remove From Membership</u>	<u>Appoint Instead</u>
Conservative	Councillor Miss D Khaliq	Councillor Mrs G M Kingerley

The Chief Executive had given effect to this request in accordance with Section 16(2) of the Local Government and Housing Act 1989.

263 MINUTES

The Minutes of the meeting of the Committee held on 6 July 2017 were confirmed and signed as a correct record.

264 DECLARATION OF INTEREST

Councillor J R Furey declared a non-pecuniary interest in item 6 on the Agenda on Impact of Reduction in Services: Surrey County Council as he was a Surrey County Councillor. He did not take part in the discussion on the item but remained in the room for the item.

265 IMPACT OF REDUCTION IN SERVICES: SURREY COUNTY COUNCIL

The Committee considered a report setting out the impact of cost reductions in services supplied and/or funded by Surrey County Council on Runnymede Borough Council budgets.

At its meeting on 6 July 2017, when considering its Annual Report for the Municipal Year 2016/17, the Committee had considered whether there were any items that it wished to discuss at future meetings. The Committee had noted that Surrey County Council was considering reducing its budgets in a number of service areas. This would

leave Runnymede with decisions to make on whether or not to increase funding for these areas. The Corporate Management Committee on 29 June 2017 had requested that the Chief Executive provide a list of items of this kind for its consideration and it was suggested at the Overview and Scrutiny Select Committee on 6 July 2017 that the Overview and Scrutiny Select Committee might receive this list before the Corporate Management Committee so that it could then refer any matters of concern to the Corporate Management Committee.

The report set out the latest position on cost reductions being proposed by Surrey County Council (SCC). At the beginning of this financial year, Runnymede Borough Council (RBC) was informed that a comprehensive savings plan was to be implemented by SCC. Savings for SCC necessary in the current financial year amounted to over £100m. Rising social care costs for children, adults and people with learning disabilities were at the heart of the cost reductions necessary. In essence however, all services were hit by cuts and some of the reductions affected Surrey District Councils including RBC. The current prediction was that SCC might not meet all of its savings targets for this year and was experiencing particular cost pressures in social care. Therefore there might be further implications for Surrey District Councils that were unknown at this stage.

Surrey County Council was a waste disposal authority (WDA) and the Surrey Districts were waste collection authorities (WCAs). For almost 20 years, the County Council had incentivised District Councils in Surrey to re-cycle through re-cycling credits, which in turn had reduced or contained landfill costs. SCC needed to make savings of £8m in this area from 2018/19 onwards. A new methodology for calculation of recycling credits was proposed and part of the formula was still being worked on by Surrey Waste Partnership but needed to be agreed by the end of the calendar year. It would be prudent for Runnymede not to budget for any additional income from the discretionary element of the formula.

SCC had indicated that it would only pay for 4 cuts a year on all highway verges. Like most Surrey Districts, RBC considered this unacceptable and Full Council in July 2017 had approved a supplementary revenue estimate to enable the frequency of highway verge cuts to be maintained and increased in the borough.

SCC had set a target of £200,000 additional income for on street parking and was seeking efficiency savings across the whole of Surrey. RBC enforced on street parking on behalf of SCC. RBC received an apportioned amount to cover its costs in respect of issuing on street parking tickets. The Surrey districts had been required by SCC to identify on street parking savings/income opportunities. SCC expected that districts would form "clusters" or groups in order to reduce costs (in the case of Runnymede the grouping would be with Spelthorne and Elmbridge) or alternatively SCC would invite competition from the private sector for a county wide contract. At this time, RBC was struggling to identify either savings or income generating opportunities. It was noted that SCC had looked at Controlled Parking Zones as a potential income opportunity but this was in relation to larger town centres in Surrey rather than residential areas.

Street lighting was a SCC function. It would cost RBC approximately £26,000 to turn back on street lights in the borough that SCC had switched off from midnight to 5.00.a.m. Some concern had been expressed by residents that crime would increase in the early morning period when the lights were switched off. The matter would be kept under review.

For the past 3-4 years, Surrey Districts had formed teams with SCC Officers to offer generic support to families. Some of these families had relatively mild forms of dysfunctionality (e.g. a child not attending school regularly) whilst others had more complex needs. The method of working was designed to achieve swift outcomes over a period of 10-12 weeks. More complex needs were often referred on to SCC Social Services to give longer term support.

The reduction in grants from SCC for this function over the last three years was concerning for a number of reasons. This service was difficult to withdraw from families who needed support. Secondly, this level of intervention had been successful in terms of preventing families seeking more expensive and complex forms of support. Thirdly, early intervention could save money in terms of time pressures (e.g in the management and control of child truancy). SCC also proposed to make reductions in support for learning disability groups and gypsy/traveller support which would mean less resources available in Surrey to assist with the education and welfare of gypsies and travellers.

The Committee noted a number of potential reductions in SCC support affecting the Housing service. In addition to the rent and usual service charges, Independent Retirement Living (IRL) residents had a further charge on their rent account from the Supporting People budget which covered the higher level of management and support provided in the schemes. The Government devolved the Supporting People grant to Surrey County Council and since 2003 SCC had funded this charge for all tenants in receipt of Housing Benefit but the funding was not ring-fenced and they now intended to use it for Adult Social Care. In the budget year 2016/17 Surrey County Council paid £95,524 in Housing Related Support payments for residents of IRL. SCC might not be prepared to do this in future for those residents that were not deemed to be sufficiently in need of this support after a means testing exercise had been undertaken.

Housing Related Support was also expected to be withdrawn from people with learning, physical and sensory disabilities. Although Runnymede did not directly receive payments, 13 disabled residents within the borough were provided with housing solutions through this funding and if the current schemes were withdrawn by SCC the Housing Business Centre might have a duty to find alternative suitable accommodation for this vulnerable group or source additional funding.

SCC currently funded a number of support services for people in socially excluded groups who would not currently manage in general needs accommodation. This incorporated supported housing schemes for people with mental health problems and who were homeless due to alcohol/addiction issues. There were 58 Supported Housing placements in the borough that Runnymede Borough Council nominated to and currently there was a proposed 10% cut in payments to Transform, Riverside and Welmede. It was not clear if the providers would be able to sustain services.

The Floating Support Service was a service for tenants within any sector who were struggling to sustain their tenancy. Runnymede made referrals to the provider and the tenant was allocated a support worker for a period of time to assist in resolving their issues. Used by both Tenancy Management and Housing Options, this was a useful Tenancy Sustainable tool. However, in-house specialists were now used. The current proposal was to reduce funding for this service by 50% and review its provision. The estimated apportioned financial loss to the Borough would be around £25,000.

All residents of Runnymede had access to a telecare alarm system if they required it, many of whom would be homeowners and self-fund the service. IRL tenants benefitted from the alarm as part of their package and Runnymede Council tenants living in General Needs properties who had the alarm would be subsidised by the HRA if they were in receipt of Housing Benefit. Supporting People currently paid £33,785 per year to the HRA for these alarm charges and this was then part of the £99,000 that was paid to Safer Runnymede for monitoring the alarm service. However, it was understood that SCC was considering reallocating the Supporting People grant so this payment to the HRA might cease.

It was noted that it would be prudent for Runnymede to budget for meeting the cost of these potential reductions in support affecting the Housing service.

It was suggested that SCC could raise income by selling its Kingston offices in Greater London and relocating within the Surrey area. However, it was noted that any possible relocation would be a complex issue without an easy solution, e.g. covenants on the SCC premises in Kingston would make relocation problematic.

It was agreed that the report be copied to the Members of the Corporate Management Committee for information.

266 OPENNESS OF LOCAL GOVERNMENT BODIES REGULATIONS 2014

The Committee noted that Councillor Mrs Manduca had requested that, as part of the Committee's work programme for 2017/18, a review be undertaken of Runnymede Borough Council's compliance with the Openness of Local Government Bodies Regulations 2014 and that the Overview and Scrutiny Select Committee consider that review and whether to recommend that any action, and, if so, what action, should be taken to improve its compliance and/or best practice.

The Committee noted that this item had been added to the Committee's work programme for 2017/18.

267 CALL-IN OF DECISION – WAITROSE CAR PARK – EGHAM

By resolution of the Committee, the press and public were excluded from the meeting during the consideration of this matter under Section 100A(4) of the Local Government Act 1972 on the grounds that the discussion would be likely to involve the disclosure of exempt information of the description specified in paragraph 3 of Schedule 12A to Part 1 of the Act.

The Overview and Scrutiny Select Committee considered a call-in of decisions of the Corporate Management Committee held on 21 September 2017 relating to the Waitrose car park, Egham.

Call-in of a decision was a procedure available to the Overview and Scrutiny Select Committee which prevented implementation of a decision or decisions of a Policy Committee until it/they had been considered further. A request for a call-in had to be signed by at least two Members of the Overview and Scrutiny Select Committee and delivered to the Chief Executive within the timescale required in the Council's Constitution. A call-in within the required timescale had been received dated 25 September 2017. The request had been made by Councillor Mrs Manduca and it had been supported by another Member of the Overview and Scrutiny Select Committee, Councillor P S Sohi. The Overview and Scrutiny Select Committee noted the terms of the call-in and an Officer response to the grounds for call-in along with the agenda report to the Corporate Management Committee on 21 September 2017 and the draft Minute of that Committee on this item.

The call-in was in respect of three decisions of the Corporate Management Committee (the relevant Policy Committee) which at its meeting on 21 September 2017 had resolved that –

- i) the progress made with resolving the long-standing debt referred to in the report be noted and a supplementary revenue estimate in the sum reported be approved to cover the specialist legal costs referred to in resolution iii) below and to settle the debt together with the further accumulated debt for 2017/18 as required, but with the first call on any car parking income surplus after all costs have been paid, to help fund the repayment of the debt;
- ii) the decision of Officers to sponsor a winding up order against the company referred to in the report be supported in order to seek repayment of the Council's loss through the payment of the debt referred to in resolution i) above; and

- iii) in view of the need to settle the debt and incur specialist legal costs in respect of sponsoring of the winding up proceedings against the company referred to in the report without delay, resolutions i) and ii) above be approved by the Corporate Management Committee under paragraph 1.3 of Committee Responsibilities in the Council's Constitution.

Although the Corporate Management Committee had also taken a separate decision that these decisions be not called-in and the Chairman of the Overview and Scrutiny Select Committee had voted in favour of that decision at that meeting, having reconsidered the matter under the Overview and Scrutiny Procedure rules, he had determined that the call-in request would be effective and that the matter be considered by report, advice and debate. As these decisions had been the subject of a call-in, action in respect of these decisions had ceased from the point at which the call-in was effective.

The Overview and Scrutiny Select Committee noted that in considering this call-in, the Chairman, Councillor Maddox and Councillor Mrs Gillham would abstain on any Overview and Scrutiny Select Committee vote as they had voted on the original decisions taken by the Corporate Management Committee that were the subject of the call-in.

Paragraph 12 of the Overview and Scrutiny Procedure Rules in the Council's Constitution provided that Members could call-in a decision where they had evidence which suggested that the Policy Committee did not take the decision in accordance with the principles set out in Article 12 (Decision Making). Article 12 of the Council's Constitution was noted by the Overview and Scrutiny Select Committee.

In accordance with the Overview and Scrutiny Procedure rules, the Members that had requested the call-in were called upon to explain their reasons for the request. Councillor Mrs Manduca made points at the meeting in support of the request and the Overview and Scrutiny Select Committee noted the responses of Officers to each of those points.

Conclusion

A Member suggested that the Corporate Management Committee would provide a better opportunity for a more full and open debate of these matters than at Full Council. A motion was moved by Councillor Cotty and seconded by Councillor Ashmore and was carried as set out below. Councillor Mrs Manduca then sought to move an amendment to this motion to the effect that the first two decisions that were the subject of the call-in should be recommended to full Council for discussion and that the Council's due diligence protocols should be reviewed. The meeting was advised that, under the provisions of Standing Order 34.3, Councillor Mrs Manduca's proposed amendment consisted of a contrary motion and could not be proposed unless and until the original motion was lost. As the original motion was carried, there was no purpose in moving the contrary motion.

RECOMMEND that –

the following recommendations be reconsidered by the Corporate Management Committee at its meeting on 12 October 2017: -

- i) the progress made with resolving the long-standing debt referred to in the report be noted and a supplementary revenue estimate in the sum reported be approved to cover the specialist legal costs referred to in resolution iii) below and to settle the debt together with the further accumulated debt for 2017/18 as required, but with the first call on any car parking income surplus after all costs have been paid, to help fund the repayment of the debt;**
- ii) the decision of Officers to sponsor a winding up order against the company referred to in the report be supported in order to seek repayment of the Council's loss through the payment of the debt referred to in resolution i) above; and**

iii) in view of the need to settle the debt and incur specialist legal costs in respect of sponsoring of the winding up proceedings against the company referred to in the report without delay, resolutions i) and ii) above be approved by the Corporate Management Committee under paragraph 1.3 of Committee Responsibilities in the Council's Constitution.

In accordance with Standing Order 39.2 and at the request of Councillor Mrs Manduca, the names of those voting on the recommendation above were recorded as follows:-

For 4 (Councillors D A Cotty, J R Ashmore, Miss E G Bancroft, Mrs G M Kingerley)

Against 2 (Councillors Mrs C S S Manduca, P S Sohi)

Abstentions 3 (Councillors M J Maddox, Mrs L M Gillham, N M King)

N.B. A more detailed Part II Minute of the Overview and Scrutiny Select Committee's consideration of this call-in can be found in Exempt Appendix '6' to the Corporate Management Committee Agenda of 12 October 2017 which contains exempt information under Section 100A(4) of the Local Government Act 1972 of the description specified in paragraph 3 of Schedule 12A to Part 1 of the Act.

Chairman

(The meeting ended at 10.28.p.m)