

Forest Heath District Council

INFORMAL JOINT PERFORMANCE AND AUDIT SCRUTINY COMMITTEE

Notes of Informal Discussions held in the Council Chamber at the District Offices, College Heath Road, Mildenhall on Thursday 31 July 2014 at 5.00pm

- PRESENT: St Edmundsbury Borough Council (SEBC)
- Councillor Mrs S O Broughton
 (Chairman for the informal discussions)
- Councillors Cox, Nettleton, Redhead, Mrs Wade, F Warby and
 Mrs P Warby
- Forest Heath District Council (FHDC)
- Councillors Anderson, Barker, Bimson, Jaggard, Jefferys, Noble
 and Wheble.
- IN ATTENDANCE: SEBC – Councillor Ray, Portfolio Holder for Performance and
 Resources
 FHDC – Councillor S J Edwards, Portfolio Holder for Resources,
 Governance and Performance

Prior to the formal meeting, at 5.00pm informal discussions took place on the following three items:

- (1) Key Performance Indicators and Quarter One Performance Report (2014-2015);
- (2) West Suffolk Strategic Risk Register – June 2014; and
- (3) Performance and Audit Scrutiny Committee Work Programme Update.

All Members of St Edmundsbury Borough Council's Performance and Audit Scrutiny Committee had been invited to attend the District Offices, College Heath Road, Mildenhall to enable joint informal discussions on the above reports to take place between the two authorities.

The Chairman of Forest Heath's Performance and Audit Scrutiny Committee welcomed all those present to the District Offices, Mildenhall and advised on the format of the proceedings for the informal joint discussions and subsequent separate meetings of each authority, prior to handing over to the Chairman of St Edmundsbury's Performance and Audit Scrutiny Committee, who would be chairing the informal joint discussions.

SEBC's Performance and Audit Scrutiny Committee noted that under its Constitution, FHDC permitted public participation at its Performance and Audit Scrutiny meetings. Therefore, for the purpose of facilitating this Constitutional requirement, it was proposed that public speaking should be permitted prior to the start of the informal discussions to enable any questions/statements to be considered by both Performance and Audit Scrutiny Committees. On this occasion however, there were no questions/statements from members of the public.

Each report was then considered in the order listed on each authorities agenda.

1. Key Performance Indicators and Quarter One Performance Report (2014-2015)

The Business Partner (Resources and Performance) presented the report, which set out the Key Performance Indicators (KPIs) being used to measure the Council's performance for 2014-2015 and also provided an overview of performance against those indicators for the first quarter of 2014-2015.

Appendix A included proposed KPIs for 2014-2015. The list of indicators had been developed in discussion between Heads of Service and Portfolio Holders, with a view to:

- 1) giving particular focus to ensuring that the Council used KPIs to evaluate its success in terms of making progress towards its strategic priorities; and
- 2) further alignment of performance measurement across the two authorities.

Appendix A contained all KPIs for both Councils and West Suffolk and these had been grouped and referenced by the West Suffolk Strategic Plan and priorities. Appendix B included performance against Quarter One (2014-2015) for both Forest Heath and St Edmundsbury, together with a combined performance for West Suffolk where relevant. A colour coded "traffic light" system was used to indicate levels of performance against most indicators and additional commentary provided for performance indicators below optimum performance.

The current quarter one performance summary for Forest Heath showed that of a total of 25 indicators, 6 were green, 7 were amber, 3 were red and 8 were data only indicators. For St Edmundsbury, the current quarter one summary showed that of a total of 24 indicators, 9 were green, 3 were amber, 4 were red and 7 were data only indicators. For West Suffolk, the current quarter one performance summary showed that of a total of 22 indicators, 6 were green, 4 were amber, 3 were red and 7 were data only indicators. Members were advised that the figures would not agree to the total number of indicators due to 2 indicators not having been able to provide values for quarter one.

The overall performance had improved within the housing and planning services since the last quarter update report.

Members were advised that Local Performance Indicators would continue to be available within service areas.

Members scrutinised the report in detail and asked a number of questions of officers, to which responses were duly provided. In particular detailed discussions were held on the following indicators:

- (1) **FAC001** – Income generated from leisure service activities – Council controlled. Members were advised that this indicator did not include income from Abbeycroft Leisure.
- (2) **COR009** – Percentage of answered calls. This was a new indicator and the target of 90% was set by the Head of Service and the Portfolio Holder and would be closely monitored.
- (3) **Major Planning Applications** - Members suggested that the number of major planning applications received in each quarter should be provided. The Head of Planning and Regulatory Services agreed to circulate numbers for Quarter One to all members and that future quarterly reports would also include numbers.

- (4) **Other Planning Applications** – Members questioned what was meant/ defined other planning applications. The Head of Planning and Regulatory Services agreed to provide a written response explaining the different types of planning applications.
- (5) **FAC003** – Financial benefit of families and communities agenda – Members questioned whether the Council should also be looking at social benefits, and suggested that it might be helpful to receive commentary on how the targets were arrived at within a future quarterly KPI report.

Members discussed the issue of enforcement and suggested the inclusion of an indicator for monitoring enforcement, which would enable Members to understand how the service area was working. The Head of Resources and Performance suggested that enforcement could sit as a local indicator within the service area. The Head of Planning and Regulatory Services advised that it would be difficult to have a performance indicator for this service because of the individual nature to each case. Work was currently in progress in reviewing the enforcement process, which included inputting all enforcement complaints onto a database. Members would then be able to be provided with access to this database to follow the progress of individual cases, redacted to protect any confidential or sensitive information. It was further suggested by Members that it would be useful for the Committee to reinstate the regular report about enforcement action to the Development Control Committees of each Council. The Head of Planning and Regulatory Services advised that he would be in a better position to report on enforcement issues once the current work on the enforcement process was completed.

2. West Suffolk Strategic Risk Register – June 2014

The Head of Resources and Performance presented the report, which informed Members that following the development of the single management and service structure across Forest Heath and St Edmundsbury, there had been considerable similarity between the risk registers of the respective councils.

At its July 2014 meeting, the Risk Management Group considered a new risk register and risk management toolkit for West Suffolk. For each risk, the Group considered the inherent risks, the risk level prior to any mitigating actions being taken, and the residual risk following actions put in place to reduce the risk. These assessments formed an integral part of the West Suffolk Strategic Risk Register, attached as Appendix 1 to the report.

The Risk Management Group had used the newly developed West Suffolk Risk Management Toolkit, attached as Appendix 2 to the report to assess each risk identified in Appendix 1. Part of the assessment included the consideration of the summary of actions in place to address the individual risks. Where residual risk levels were lower than the inherent risk assessment, action was either being taken or planned in order to treat the risk and meet the target.

The West Suffolk Strategic Risk Register would be updated regularly by the Risk Management Group. The Group was comprised of service representatives, including Health and Safety, supported by a Director and the Portfolio Holders for Resources and Performance. Heads of Service might be required to provide further information as requested by the Group.

Members were invited to scrutinise the West Suffolk Strategic Risk Register at Appendix 1 and the West Suffolk Risk Management Toolkit at Appendix 2 and to refer and to refer any major issues requiring attention to the Cabinet.

Members scrutinised the report and noted that the colour coding matrix in the toolkit attached at Appendix 2 did not correspond with the colour coding matrix in the West Suffolk Strategic Risk Register attached at Appendix 1. The Head of Resources and Performance apologised for the formatting issue, which had only just come to light. Members were reassured that the toolkit matrix at Appendix 2 was correct and the scoring in the Risk Register at Appendix 1 were also correct. The formatting itself would be corrected for future reporting.

3. Performance and Audit Scrutiny Committee Work Programme

Members received an update on the current status of each Committee's Work Programmes for 2014-2015.

Councillor Jefferys, a Member of Forest Heath's Performance and Audit Scrutiny Committee asked a question on the attendance of the Forest Heath Leader at a future committee meeting to which the Head of Resources and Performance and the Chairman of Forest Heath's Performance and Audit Scrutiny Committee duly responded.

On the conclusion of the informal joint discussions at 5.38pm, the Members of St Edmundsbury Borough Council's Performance and Audit Scrutiny Committee withdrew from the Council Chamber to the Training Room in the District Offices, Mildenhall to hold their formal meeting at 6.00pm.

The Chairman then formally opened the Forest Heath District Council's Performance and Audit Scrutiny Committee in the Council Chamber at 6.00pm.

Forest Heath District Council

MINUTES of the **PERFORMANCE AND AUDIT SCRUTINY COMMITTEE** held at the District Offices, College Heath Road, Mildenhall on Thursday 31 July 2014 at 6.00 pm.

PRESENT:

Councillors:

C Noble (Chairman)	D W Bimson
A J Wheble (Vice-Chairman)	G Jaggard
M J Anderson	M J Jefferys
C J Barker	

Also in attendance:

M Evans, Senior Business Partner, Finance and Performance
T Hobby, Housing Options Manager
M Walsh, Head of Waste Management and Property Services
S Wood, Head of Planning and Regulatory Services
S Turner, FHDC Cabinet Officer/Committee Administrator

APOLOGIES

Apologies for absence were received from Councillors J M Bloodworth, T J Huggan and J W McGhee.

SUBSTITUTES

There were no substitutes at the meeting.

093. PUBLIC PARTICIPATION

Public participation had been included within the previous informal discussions and there had been no questions/statements from members of the public.

094. CONFIRMATION OF MINUTES

The minutes of the meeting held on 29 May 2014 were unanimously accepted by the Committee as an accurate record and signed by the Chairman.

095. KEY PERFORMANCE INDICATORS AND QUARTER ONE PERFORMANCE REPORT (2014-2015) (REPORT NO PAS14/040)

Further to the joint informal discussions held prior to the meeting with St Edmundsbury Borough Council's Performance and Audit Scrutiny Committee, the Committee formally considered Report No PAS14/040.

Members had scrutinised the report in detail at the joint informal discussions and had asked a number of questions to which responses were duly provided.

There being no decision required, the Committee **noted** the contents of the report.

096. **WEST SUFFOLK STRATEGIC RISK REGISTER – JUNE 2014 (REPORT NO PAS14/041)**

Further to the joint informal discussions held prior to the meeting with St Edmundsbury Borough Council's Performance and Audit Scrutiny Committee, the Committee formally considered Report No PAS14/041.

Members had scrutinised the report in detail at the joint informal discussions and had asked a number of questions to which responses were duly provided.

There being no decision required, the Committee **noted** the contents of the report, subject to the formatting of Appendix 1 as detailed in the informal meeting being corrected for future reports.

097. **PERFORMANCE AND AUDIT SCRUTINY COMMITTEE WORK PROGRAMME UPDATE (REPORT NO PAS14/042)**

Further to the joint informal discussions held prior to the meeting with St Edmundsbury Borough Council's Performance and Audit Scrutiny Committee, the Committee formally considered Report No PAS14/042.

Following on from the joint informal discussions, Councillor M J Jefferys again raised that the Leader of the Council had not been present at this meeting, as had previously been requested by the Committee. All the other Cabinet Members had addressed the Committee and he considered that it was also appropriate that the Leader of the Council should also do so the same, to provide his overall assessment of how the Cabinet was operating.

The Chairman noted the concern raised and agreed to extend an invitation to the Leader of the Council to attend the next meeting of the Committee on 25 September 2014.

With the vote being unanimous, it was

RESOLVED:

That:-

1. The contents of the work programme for 2014-2015 be noted.
2. The Chairman of the Performance and Audit Scrutiny Committee to extend an invitation to the Leader of the Council to attend the meeting on 25 September 2014, to address the Committee on his overall assessment of how the Cabinet was operating.

098. **FINANCIAL OUTTURN REPORT (REVENUE AND CAPITAL) (2013-2014) (REPORT NO PAS14/043)**

The Committee received Report No PAS14/043, which updated Members on the current position with regard to the 2013-2014 revenue and capital spend

against budget. Attached at Appendix A to the report, was the revenue outturn position as at 31 March 2014, which currently showed a small overall underspend of £95,000.

Financial pressures that adversely impacted the Council's financial position during the year included reduced industrial and town centre rental income due to vacancies (£53,000) and an overspend on building control mainly as a result of reduced fees levels (£128,000). In contrast to the financial pressures, there were areas of budget savings such as the additional tipping fees of £146,000, and savings achieved on the management fee costs previously paid for the operation of car parks £92,000. Appendix B detailed all other major variances over £25,000

The Council's capital outturn position for 2013-2014 showed a net underspend of £58,000 after allowing for project timings being carried forward into 2014-2015.

Appendix C to the report set out the actual capital expenditure incurred in 2013-2014, the carried forward budgets into 2014-2015 and provided a comparison to the budgeted expenditure approved for 2013-2014. This appendix also included comments regarding the variances in respect of individual projects.

Councillor M J Jefferys raised concern regarding the over-estimated rental income from the Council's commercial property and proposed as to whether this should be a Key Performance Indicator (KPI), to ensure closer monitoring. Councillor M J Jefferys also requested as to whether it would be possible to list the rental income from the industrial units and from the retail properties separately. The Head of Head of Waste Management and Property Services explained that this was a KPI (FH/EDG003 – Income from entire commercial property portfolio) and had been set out within Report No PAS14/040, earlier on the agenda. The Officer also confirmed that the budget presumptions for 2014/2015 had been more realistically estimated. The Officer would also undertake to ascertain whether the separation of the two incomes could be achieved.

With the vote being unanimous, it was

RESOLVED:

That:-

1. The 2013-2014 outturn revenue and capital outturn positions as set out in Appendices A and C to Report No PAS14/043, be noted.
2. The Head of Waste Management and Property Services to ascertain whether the rental income from the industrial units and from the retail properties could be listed separately within the Key Performance Indicators (KPIs) (FH/EDG003).

099. **FINANCIAL PERFORMANCE REPORT (REVENUE AND CAPITAL) (APRIL TO JUNE 2014) (REPORT NO PAS14/044)**

The Committee received Report No PAS14/044, which provided information on the financial position for the first three months of the financial year 2014-2015.

The Council's capital financial position for the first three months of 2014-2015 showed expenditure of £1,281,000. The report also summarised the Councils revenue position for the year to date position after three months, which currently showed an under spend of £420,000. Attached at Appendix A to the report was the year end forecast position, which was showing an underspend of £51,000.

Members were requested to note the position to June 2014 and the significant variances as outlined in the report at paragraph 4.3.1. Budget Holders would continue to work with the Resources Business Partners and Business Support Advisors for the remainder of the financial year in order to monitor the forecast position and an updated position would continue to be presented to the Committee on a quarterly basis.

Initial reporting showed that the overall business rate yield anticipated for 2014-2015 was slightly higher than the forecasted yield as part of the NNDR1 return back in January 2014. Work would continue to monitor the business rates closely with the Anglia Revenue Partnership and a further update would be provided in the next quarters monitoring report.

There being no decision required, the Committee **noted** the contents of the report, including the year end forecast financial position.

100. **WEST SUFFOLK ANNUAL REPORT 2013-2014 (REPORT NO PAS14/045)**

The Committee received Report No PAS14/045, which explained that the Chairman had requested that the West Suffolk Annual Report for 2013/2014 be included on this agenda, for information only.

The report highlighted the key activities and developments that had been achieved over the financial year 2013/2014, with reference to the priorities set out in the Forest Heath District Council Strategic Plan 2012/2016 and the St Edmundsbury Borough Council Corporate Plan 2012/2016.

Both Overview & Scrutiny Committees on 13 May 2014, held an informal joint meeting to discuss the Annual Report and both Councillors J H M Griffiths and J E Waters had provided an overview of the progress made in 2013/2014 and responded to questions which had been raised by Members. Both Committees had supported the document and had suggested some additions which had since been incorporated into the final draft.

Councillor M J Jefferys referred to paragraph 3.1 of the Annual Report (Enhancing our town centres) and stated that he considered that this aspect was failing in relation to the promotion of the High Street in Newmarket, mainly due to the on-going situation with the Queensbury Lodge site. The Head of Planning and Regulatory Services explained that members of the Cabinet had requested that action be taken to try and resolve the issues preventing the

property being renovated and being brought back into use. He further reported that meetings were taking place with the owners of the site to establish their plans for the site.

Following on from the comments made by Councillor M J Jefferys, Councillor A J Wheble also expressed concerns regarding Mildenhall. His concerns related to the poor road surface by the War Memorial and how this did not enhance the entrance to this area of the Town. It was acknowledged that this particular issue was not necessarily the specific remit of this Committee, however, the Head of Planning and Regulatory Services stated that he would liaise with Suffolk County Council Highways to ascertain when/if there was to be a programme of works scheduled for this area and would inform Members accordingly.

There being no decision required, the Committee **noted** the West Suffolk Annual Report 2013-2014 for information.

101. **LOCAL GOVERNMENT OMBUDSMAN COMPLAINT UPHELD – JULY 2014 (REPORT NO PAS14/046)**

The Committee received Report No PAS14/046, which explained that a resident had taken a complaint to the Local Government Ombudsman, where the complaint had been upheld under the category of maladministration and injustice and was recommending that the Council paid the Complainant £1,000 in compensation. The Local Government Ombudsman's decision was attached as Appendix 1 to the report.

The Housing Options Manager explained that this case had highlighted a lack of robustness in the administration of homelessness cases and this had been addressed by the introduction of a Housing Options Team Leader, who had specific responsibilities for managing the homelessness function across West Suffolk.

With the vote being unanimous, it was:

RECOMMENDED:

That the Cabinet is recommended to agree the level of compensation of £1,000, as proposed by the Local Government Ombudsman.

The meeting closed at 6.25 pm.