

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Scrutiny and Overview Committee held on
Thursday, 25 February 2010 at 10.00 a.m.

PRESENT: Councillor John Batchelor – Chairman
Councillor James Hockney – Vice-Chairman

Councillors: Richard Barrett (substitute) Roger Hall
Liz Heazell Mervyn Loynes
Mike Mason David Morgan (substitute)
Bridget Smith Peter Topping (substitute)
Bunty Waters

Councillors Simon Edwards, Sue Ellington, Ray Manning, Charles Nightingale, Hazel Smith, Tim Wotherspoon and Nick Wright were in attendance, by invitation.

Officers: Patrick Adams Senior Democratic Services Officer
Jackie Sayers Scrutiny Development Officer

Apologies for absence were received from Councillors Val Barrett, Janice Guest and Julia Squier.

29. DECLARATIONS OF INTEREST

None.

30. PUBLIC QUESTIONS

None.

31. CALL-IN: SHARED SERVICE FOR DELIVERY OF THE REVENUES AND BENEFITS SERVICE

The Chairman introduced this item by explaining that the object of the Committee was not to debate the merits of the decision itself, but to examine the process by which the decision was made. He explained that the call-in was made on the basis that the decision had possibly contravened the following four principles of decision making, as detailed in Article 13 of the Constitution:

- Due consultation and the taking of professional advice.
- Presumption in favour of openness, helpfulness and consistency.
- Clarity of aims and desired outcomes.
- Consideration of available options and giving reasons for decisions.

Paperwork

Councillor Ray Manning explained that Cabinet's decision had been made on 11 February, so he expressed concern about the references being made to the Uttlesford Council meeting of 18 February, as these could not be relevant to the Cabinet's decision which had been taken five days before and this paperwork was not part of the agenda and had not been distributed to him or the deputy Leader. It was understood that the paperwork from the Uttlesford District Council meeting provided background information to the issue under discussion.

Professional advice

The Chairman read out a statement from the Chief Executive. He explained that the only formal advice he had offered was contained in the Cabinet report of 11 February. Apart from that, he had advised: the decision could only be made formally at a meeting of the Executive; minimisation of risk would have to be balanced against the potential and likelihood of the other party finding the terms unacceptable; and the size of the guarantee and apportionment of future profits, would have to be weighted against the savings that could be achieved from the safer in-house option.

Councillor Simon Edwards reported that he had heeded officer advice on this project and he considered that the proposed financial arrangements were unlikely to be acceptable to Uttlesford District Council.

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In response to questioning Councillor Simon Edwards explained that he had deliberately stayed away from the Scrutiny Committee meeting of 3 December to allow the Committee to make its own resolutions free from his influence. He expressed disappointment that the Committee had merely noted the report on the Shared Services project. The Chairman express regret that Councillor Edwards had not shared his intentions or concerns with the Committee.

Council 28 January 2010

Councillor Ray Manning explained that Council had made the decision at its meeting on 28 January to refer the matter back to Cabinet, accepting that more work was required.

It was noted that only the decisions of the Executive could be called-in, whilst recommendations to Council could not.

Risk

Councillor Ray Manning explained that there was opposition to the project from all the Council's political groups, which added to the risk and therefore influenced the Executive's decision to address this by asking Uttlesford District Council to agree to allocate the first £350,000 of the savings to this authority.

Openness - Joint statement from the Leader and Chief Executive

It was asserted that the decision to propose that this authority should receive the first £350,000 of the project's savings had been made outside a public meeting and so had not been open and transparent. Councillor Simon Edwards explained that following the meeting of January's Cabinet he had had serious concerns regarding the risk to the Council, as £200,000 of the savings could be realised in-house and so, with this authority claiming two-thirds of all savings, a total of £300,000 savings had to be made on the Project just to break even. These concerns had been expressed to Uttlesford District Council and the proposal that this authority receive the first £350,000 worth of savings had been made. Uttlesford could have responded to this authority's request with an alternative proposal, but had declined to do so. This had culminated in the statement by the Leader and Chief Executive of 21 January 2010, which explained that the two authorities were unable to progress the project.

Uttlesford District Council

Councillor Simon Edwards stated that he had no regrets on the way in which he had liaised with Uttlesford District Council on this matter. He concluded that his first duty of responsibility was to the people of South Cambridgeshire and he was satisfied that by his actions he had fulfilled his responsibility. The Leader explained that he continued to have a good relationship with Councillor Jim Ketteridge, the Leader of Uttlesford District Council, but in contrast to Councillor Edwards he did have one regret on the way in

which he had liaised with that authority. He explained that contacting Councillor Ketteridge to warn him of this Council's statement regarding the project had been the courteous thing to do, but as it was clear that Councillor Ketteridge could do nothing about it until speaking to his officers on the Monday it had probably not helped the situation.

It was noted that Members of the Executive of both authorities had attended council meetings of their counterparts.

Discussion between political groups in future

Councillor Ray Manning announced that he would welcome the opportunity for members of the Executive to address the other political groups in future and provide an overview of forthcoming projects such as this one, as this would help communication between the groups and could prevent misunderstandings.

Press reports

Councillor Ray Manning stated that he had been unaware of the press reports following Cabinet's meeting until Councillor Mike Mason had brought them to his attention.

Business Plan

Councillor Simon Edwards explained that the Business Plan by Anglian Revenues Partnership (ARP) had been commissioned by Uttlesford District Council, who had been looking for other partners, before discussions had started with this authority. There will be other opportunities for the Council to make savings by working in partnership in the future. It was understood that there was no business plan for any savings being achieved by staff reductions at the Council and this included the £200,000 to be saved in-house in the Revenues and Benefits service. It was noted that the Council had not committed any funding to the project and that Uttlesford District Council had no legal case for reclaiming the money, which they had invested in the project, from this authority.

Conclusion

Councillor Hockney proposed and Councillor Hall seconded that the Committee agree with the Cabinet's original decision.

The Committee unanimously agreed that the decision had been made with:

- Due consultation and the taking of professional advice
- Clarity of aims and desired outcomes
- Consideration of available options and giving reasons for decisions

Concerns were expressed that whilst the Committee agreed that due process had been largely followed in the Executive's decision, it was felt that the decision making process had not been open and transparent, as not all decisions had been taken in a public meeting. Councillor Liz Heazell proposed and Councillor Bridget Smith seconded that the Committee include a recommendation to Cabinet to be more open in their decision making. With 5 votes in favour and 6 against this recommendation was lost.

The Committee unanimously **AGREED** not to oppose the 11 February 2010 decision of the Cabinet.

32. TO NOTE THE DATES OF FUTURE MEETINGS

It was **NOTED** that the next meetings would be held on:

- 4 March & 1 April 2010 at 5:30pm.

The next meeting to be held at Linton Village College.

The Meeting ended at 11.25 a.m.
