

MAIDSTONE BOROUGH COUNCIL

**MINUTES OF THE CORPORATE SERVICES OVERVIEW AND
SCRUTINY COMMITTEE MEETING HELD ON TUESDAY 4 NOVEMBER
2008**

PRESENT: Councillors Mrs Stockell (Chairman), Bradshaw, Butler, Hotson, Marshall, Mrs Marshall, Mortimer, Parr and F Wilson.

APOLOGIES: None.

70. Web-Casting

The Chairman highlighted that there were Part II minutes on the agenda and if there was any discussion on these it would not be web-cast.

Resolved: That all Part I items on the agenda be web-cast.

71. Notification of Substitute Members

There were no substitute Members.

72. Notification of Visiting Members

There were no visiting Members.

73. Amendment to the Order of Business

The Chairman proposed that Agenda Item 9 be taken first, followed by Agenda Items 8 and 12.

Resolved: That Agenda Item 9 be taken before Agenda Items 8 and 12.

74. Disclosures by Members and Officers

There were no disclosures.

75. Exempt Items

Resolved: That the Part II minutes of the meeting held on 7 October 2008 be taken in private due to the possible disclosure of exempt information.

76. Part I Minutes

A Councillor asked whether confirmation had been received on whether Maidstone Borough Council would be one of the first to undergo the Comprehensive Area Assessment. The Director of Change and Support Services informed Members that there were currently no details on this.

Resolved: That the Part I minutes of the meeting held on 7 October 2008 be agreed as a correct record and signed by the Chairman.

77. Review of the Council's Assets

The Head of Business Improvement, Alasdair Robertson, informed Members that work was being undertaken to review all of the Council's assets and to ensure that these were delivering as many benefits as possible. A central part of the review was establishing how much capital was tied up in the assets but in the current economic climate, it was not possible to obtain accurate or meaningful assessments. The review may therefore be delayed until the economic situation was more stable.

A Councillor highlighted that when this had previously been discussed at Scrutiny, it had been noted that some parishes maintained land for the Council that was not on the asset register. It would therefore be useful to write to parish councils to ensure that the Council was aware of all of its assets. Another Councillor suggested that an asset list be included with this letter. Mr Robertson agreed that this would be carried out.

A Councillor asked whether there was an existing list of the Council's assets and the income and costs associated with these. Mr Robertson confirmed this and agreed that it could be sent to Members.

Members expressed concern that the Council did not have a full, accurate list of its assets. Mr Robertson stated that there was an asset list but there was occasionally ambiguity with some historical records over small parcels of land that had been obtained by the Council through Section 106 agreements. The Council was aware of all of its substantial assets. The Corporate Property Manager's assistant was working through deeds to establish if there were any small areas of land that the Council owned but did not have on the asset list.

In response to a question, Mr Robertson explained that the Park Wood Industrial Estate valuation took place every three years due to auditing requirements.

Several Members highlighted examples of the Council selling assets that, in their opinion, should not have been sold, and asked whether there was a framework in place to ensure that assets were not sold if they helped the Council to meet its priorities. Mr Robertson stated that there was a framework in place for new capital projects and it was anticipated that this methodology would be applied to existing assets. This would enable comparison between existing and proposed assets to see how well they matched with corporate priorities, for example. It was highlighted that some assets were operational and some were for investment purposes, so these needed to be considered separately.

Members also discussed the need for an acquisition strategy, noting that opportunities for acquiring assets had been missed in the past. Assurance was needed that monitoring potential acquisitions was part of the work of

the Property Team. A Councillor highlighted that the current economic climate made this a good time to purchase land. Mr Robertson informed Members that there was currently between £200,000 and £300,000 in the Opportunity Purchase Fund.

With regard to resources for the review, Mr Robertson explained that invest-to-save funds had been obtained to recruit a temporary member of staff as it was expected that the review would lead to increased income from assets. However, the current economic climate meant that this increased income would not be achieved and so the additional staff member had not been recruited. It was confirmed, however, that additional staff would speed up the process.

Members agreed that this was an important subject, and resolved to continue their enquiries by interviewing members of the Property and Procurement team at their meeting on 3 February 2009.

Resolved: That

- a) Parish Councils be contacted to establish what land they maintained on behalf of the Council;
- b) A list of the Council's assets and an outline of whether each asset generated income or cost the Council money be sent to all Members;
- c) The development of an acquisition strategy be considered by the Cabinet Member for Corporate Services; and
- d) Members of the Property and Procurement team be invited to the meeting on 3 February 2009.

78. Corporate Improvement Plan

The Director of Change and Support Services, David Edwards, explained that the Corporate Improvement Plan (CIP) covered issues such as data quality and use of resources. With regard to use of resources, the Council received an annual view from the Audit Commission on this and the next view was due in December. With regard to the comments that Cabinet had made:

- More information on UR3 – 'Improving member engagement in the process of agreeing Gershon efficiency savings' would be included in the CIP;
- It had been confirmed that funding for Community Learning Champions would be available from the Learning and Skills Council; and
- The grouping together of empty and unfit homes in Gen9 – 'Steps should be taken to address the levels of unfitness and the numbers of empty properties' – had been a mistake and this had now been rectified.

The Committee then raised a number of issues with regard to the CIP:

- Gen1 (Kent Price Book)– Kent Price Book had identified five areas where Maidstone was spending more money than other boroughs. This was being investigated through business transformation, internal work and the Mid Kent Improvement Partnership. Members suggested that this needed to be made more explicit in the CIP;
- Gen3 (carbon neutrality and climate change)– the Leader was currently looking at the Council’s commitment to carbon neutrality and a report to Cabinet on this would be published shortly;
- Gen6 (Sustainable Community Strategy)– With regard to devolution of power to parishes, a best value review of this had been carried out in 2007-08 but there was not a great desire among parish councils to take on additional powers. These discussions did, however, continue as part of the ongoing localism debate. Members recommended that the comments section of Gen6 in the CIP should reflect that these discussions had been held. Members also asked whether parish plans informed the Sustainable Community Strategy and Mr Edwards confirmed this;
- UR4 (publication of council documents) – A Councillor asked whether modern.gov would be used to publish agendas straight to the website in November 2008. The Senior Overview and Scrutiny Officer explained that modern.gov was being used for the production of agendas, and publishing these to the website would take place as soon as tests had been carried out to ensure that Part II papers were not accidentally published;
- UR7 (access to services) – in response to a question, Mr Edwards explained that this was only a medium priority because the Council already performed well in terms of access to services. If the Council’s performance was weaker, it would be a high priority. It was suggested that this be explained in the comments so as not to imply that the Council did not consider ‘fair access to services’ to be important;
- UR9 (asset management) – a Councillor asked whether the new Asset Management Plan would be prepared on time given the current economic climate. Mr Edwards agreed to check this and report back to the Committee;
- SIC1 (legislation) – the Head of Legal Services and Corporate Law monitored new legislation and informed the appropriate officers. Consideration of this legislation then featured in all reports to councillors;
- Consultations – recent consultations included the Sustainable Community Strategy consultation and the place survey, and would produce a range of both qualitative and quantitative data. It was suggested that where consultations were mentioned in the CIP, it should specify who these consultations were with, for example the public or councillors, to add clarity to how decisions were taken;
- The Audit Commission placed high importance on ‘notable practice’ and the Council ensured that it looked at all areas where other authorities were performing better. The Council had submitted 12 examples of ‘notable practice’ to the Audit Commission last year that other councils could consider;
- A Councillor asked whether some English Heritage activity would soon be devolved to Local Authorities and form part of the

Comprehensive Area Assessment (CAA), and if so, whether the Council was prepared for this. Mr Edwards explained that a number of activities were being suggested as areas for consideration under CAA but this was not confirmed yet. Members asked for information on whether English Heritage activity was to be devolved to local authorities to be provided when this was confirmed as part of the CAA model.

Resolved: That

- a) Gen1 be amended to demonstrate actions being taken as a result of the Kent Price Book;
- b) Gen6 be amended to highlight the discussions that had taken place with parish councils on devolving powers;
- c) UR7 include an explanation as to why it was only considered 'medium' priority;
- d) The Committee be informed of any delays to the production of the 2009-11 Asset Management Plan;
- e) References to consultation in the plan be supplemented with information on who those consultations would be with to ensure clarity around how decisions were taken; and
- f) Information be provided to the Committee on whether English Heritage activity was to be devolved to local authorities when clarified in the Comprehensive Area Assessment.

79. Mid Year Performance Indicator Out-Turn 2008-09

The Director of Change and Support Services, David Edwards, explained that Best Value Performance Indicators (BVPIs) were being replaced by National Indicators but some BVPIs had been retained for year-on-year comparison and to demonstrate how the authority was progressing. Maidstone was second in Kent last year in terms of performance but was not complacent and needed to continue to improve.

The Policy and Performance Manager, Georgia Hawkes, informed Members that the papers included retained BVPIs and Key Performance Indicators (KPIs) which reflected key objectives in the strategic plan. The report rated targets according to whether or not they were on target and gave a direction of travel compared to the end-of-year figures for 2007-08. 66% of BVPIs and 71% of KPIs were on target, while 51% of BVPIs and 44% of KPIs were rated as improving. The Report of the Policy and Performance Manager outlined a number of areas where the 'credit crunch' could have a negative impact on performance, including housing and benefits, so these would need to be monitored closely.

Members then discussed a number of indicators:

- BV 8 (invoices paid in 30 days) – Mr Edwards explained that the office move had resulted in the percentage of invoices being paid within 30 days decreasing slightly. There had previously been

government penalties if authorities had not scored highly on this indicator, however even the lower out-turn rated as high performance. Mr Edwards was confident that this figure would return to its previous level.

- BV 79b (housing benefit overpayments recovered) – A Councillor asked why the amount of housing benefit overpayments recovered was not meeting its target. Mr Edwards explained that new checks had been brought in that highlighted more overpayments, however it still took time for these repayments to be made, particularly if the resident in question was still on benefits. In this case, being proactive in reducing the problem made performance look worse in the first instance.
- BV 86 (waste collection) – in response to a question, Mr Edwards confirmed that bins for the new waste collection had now been purchased and the roll-out of the service would go ahead. The cost of the waste collection was high because of the type of service, however following the full roll-out it would also result in higher levels of recycling. It was also noted that the full year target cost was likely to be missed and it was therefore suggested that a commentary on any revised estimate be included in the comment column.
- BV 126-128 (crime) – a Councillor questioned why the crime targets for 2008-09 were higher than the actual scores for 2007-08. Mr Edwards explained that this was likely to be due to changes in police recording methods and classifications for two of the measures. Members agreed that if this was the case this should be explained in the comment column as it currently appeared that an increase in crime was being aimed for.
- NI 196 (fly tipping) – a Councillor highlighted that the comment column for this indicator stated that “enforcement action has not increased” and asked how this would be measured if it was not mentioned in the comment column. Members agreed that enforcement was a priority. Mr Edwards stated that he would speak to the enforcement team to clarify how this was measured.
- KPI 22 and 23 (implementation of strategies) – a Councillor stated that it was not clear what the targets meant or what the completion dates were for implementation of different strategies.
- KPI 43 (parks and open spaces) – a Councillor asked why footfall had reduced in the Borough’s parks in July – September 2008 compared to the same three months in 2007. Mr Edwards stated that he would look into this.

A Member asked what influence performance indicators had on auditors and meeting targets. Mr Edwards explained that the key issue with performance indicators was setting clear targets linked to the Council’s objectives and monitoring progress. He confirmed that the Council did not change published best value, national and local performance targets during the year but that comments were provided where there were variations as part of the process of reporting to Cabinet.

Resolved: That it be recommended to Cabinet that:

- a) An estimate for the full year cost per household of the waste collection service be included in the BV 86 comments;
- b) Explanations of changes in police recording methods and crime classifications be included in the BV 126-128 comments;
- c) The way in which environmental enforcement is measured be investigated;
- d) The reason for the reduction in footfall in parks and open spaces be investigated; and
- e) Completion dates and clearer explanations of targets be included in the comments column where possible.

80. Future Work Programme

The Senior Overview and Scrutiny Officer informed the Committee that it would consider the Communications Strategy at its meeting on 2 December 2008 and receive a presentation on the impact of the current economic climate on the Council. Members stated that key areas they wished to consider as part of this were:

- Income from investments;
- Take-up of benefits;
- Assurance that payments were being made on time to small businesses;
- Costings for concessionary fares.

Members also discussed the ongoing work on the review of whole council elections and agreed that, where possible, meetings should be arranged for 5 p.m. or later to allow as many Members as possible to attend.

Resolved: That the future work programme be noted.

81. Exclusion of the Public from the Meeting

Resolved: That the public be excluded from the meeting for the following item of business due to the likely disclosure of exempt information for the reason specified under schedule 12A of the Local Government Act 1972:-

	Head of Schedule 12A and Brief Description
Part II Minutes of the Meeting Held on 7 October 2008.	4 – Labour Relations

Resolved: That the Part II minutes of the meeting held on 7 October 2008 be agreed as a correct record and signed by the Chairman.

82. Duration of the Meeting

6:30 p.m. to 8:30 p.m.