

OVERVIEW AND SCRUTINY COMMITTEE

Minutes of the proceedings at a meeting of the Overview and Scrutiny Committee held in the District Council Chamber, Kendal Town Hall, Kendal, on Friday, 8 July 2022, at 10.30 a.m.

Present

Councillors

Vicky Hughes (Chairman)
Doug Rathbone (Vice-Chairman)

Giles Archibald
Pat Bell
Brian Cooper

Hazel Hodgson
John Holmes
Janette Jenkinson

Malcolm Lamb
Ian Wharton
Mark Wilson

Apologies for absence were received from Councillors Susanne Long, Robin Ashcroft, Jonathan Brook, Helen Chaffey, Dyan Jones and Suzie Pye.

Officers

Nicola Cassidy	Legal, Governance and Democracy Specialist
Ross Ette	Case Management Officer (Support Services)
Dan Hudson	Strategy Lead Specialist
Simon McVey	Director of Strategy, Innovation and Resources
Claire Read	Finance Specialist (Deputy Section 151 Officer)
Helen Smith	Finance Lead Specialist (Section 151 Officer)
Amy Servini	Senior Housing Standards Officer

Also in attendance was Councillor Andrew Jarvis.

O&S/1 MINUTES

RESOLVED – That the Chairman be authorised to sign, as a correct record, the minutes of the meeting of the Committee held on 04 March 2022.

O&S/2 DECLARATIONS OF INTEREST

No declarations of interest were raised.

O&S/3 DECLARATION OF THE PARTY WHIP

No declarations of the party whip were raised.

O&S/4 LOCAL GOVERNMENT ACT 1972 - EXCLUDED ITEMS

There were no excluded items on the agenda.

O&S/5 TERMS OF REFERENCE

RESOLVED – That the Terms of Reference be noted.

O&S/6 PUBLIC PARTICIPATION

No questions, representations deputations or petitions were received in respect of the meeting.

O&S/7 WORK PROGRAMME 2022/23 AND FORWARD PLAN

The Case Management Officer briefly presented the report, reminding Members that the Overview and Scrutiny Committee had only two further meetings before the dissolution of South Lakeland District Council.

Members recalled a previous request for a representative from the University Hospitals of Morecambe Bay Trust to attend a meeting to discuss the Trust's work. Members commented on the absence of such item from the Work Programme and re-iterated the desire for a representative to attend a future meeting.

Members expressed concern that there was only two subsequent meetings remaining and that there was a considerable gap between the two. They also highlighted two key issues facing the district, those being the cost of living crisis and an influx of Ukrainian refugees, and suggested that they were topics that should be looked at as part of the Committee's Work Programme.

The Chairman drew Members attention to the Portfolio Holder report items within the Work Programme, suggesting that such topics could be addressed in detail as part of those reports where appropriate.

Members and the Chairman, who also sat on the Lake Administration Committee, also raised the issue of loss of biodiversity at Windermere Lake and suggested that a separate session should be held to hold the relevant agencies to account.

After a short discussion between the Chairman and the Director of Strategy, Innovation and Resources, they agreed to meet in future to discuss the suggestions made by the Committee and how they could be best taken forward considering levels of time and resource available.

RESOLVED – That:

- (1) subject to agreement between the Chairman and the Director of Strategy, Innovation and Resources, the Work Programme is approved;
- (2) the Chairman and the Director of Strategy, Innovation and Resources will agree an approach to include additional topics within work programme, including; the cost of living crisis, the district's response to the homes for Ukraine scheme; and the loss of biodiversity at Windermere Lake;
- (3) the contents of the Forward Plan dated 21 June 2022 be received.

O&S/8 LOCAL GOVERNMENT REFORM - RECOMMENDATIONS FROM TASK AND FINISH GROUP

Cllr Wilson presented the report, expressing to Members that the work of the Task and Finish group had been very valuable and had resulted in an exciting report. He noted that the report was weighty and looked at the work of the Council over the years. He concluded, explaining that to have not formed the group would've been a missed opportunity to capture the Council's key strengths to be passed on to the new authority.

Members echoed Cllr Wilson's comments, noting their pride in the work of the Council and what a great shame it would be for the knowledge to be lost as part of the Local Government Reorganisation transition.

Members also highlighted that a close eye would need to be kept on the report and its recommendations to ensure that they were properly considered by Cabinet and the unitary authority.

RESOLVED – That:

- (1) the findings of Task and Finish group in Appendix 1 be noted;
- (2) that Cabinet be recommended to endorse the findings and recommendations within Appendix 1.

O&S/9

REVENUE AND CAPITAL OUTTURN 2021/22

The Finance and Assets Portfolio Holder introduced the report, acknowledging that it had been a tough year that stretched resources – particularly in the response to COVID-19 and large amounts of grants combined with preparation for Local Government Reorganisation. He thanked officers for their continued hard work.

Speaking on the Revenue Budget, the Portfolio Holder reminded members that the report looked at spend during the year and any carry forward into 2022/23. He informed members that the budget was set during the pandemic at a time where it wasn't clear what the full impact would be. As a result large contingencies were set aside to cover losses which ultimately were not required, resulting in an overall underspend for the year.

In terms of Capital Expenditure, the Portfolio Holder noted that there was a revised budget of £15m, with £11m spent in the year. The Portfolio holder noted the large underspend, but highlighted the huge spend of £11m on various projects such as Kendal Town Hall, Flood Defence schemes and Cross-a-moor roundabout.

In responding to a question on employment problems impacting on expenditure, the Portfolio Holder noted that it was key to ensure resources were being prioritised and that the Council was acting ahead of events to ensure that the appropriate staff were in place. He suggested that the committee could invite officers to take a look at what is being done administratively.

Responding to the question of what happens to projects that aren't completed prior to the vesting day in April 2023, the Portfolio Holder confirmed that that money could not be ring-fenced. He continued noting that it was a significant issue that was yet to be resolved, but work was being done to ensure March 31 2023 did not become a hard stop for projects.

Members queried why the Ulverston Leisure Centre project was on hold, noting that local residents were disappointed that nothing had been done yet. The Portfolio holder responded by clarifying that no promises were made regarding expenditure on the project, but rather it was agreed to look at a business case for the project. He continued noting that any decision would now be the responsibility of the new unitary authority, but acknowledged the strong need for a replacement pool and that there was still a firm intention to do something.

Members continued querying whether improvements to the sports fields and courts would be going ahead. The Portfolio Holder responded to confirm it was his understanding that

those works were within the budget, and to provide some reassurance he informed members that the unitary authority had given general consent for works up to £2 million which included leisure centre and sports facilities works.

Members thanked the Portfolio Holder and officers for the work that went into Cross-a-moor junction, which was due to open on the day of the meeting.

In relation to the Shared Prosperity Fund bid, members queried what projects and funding levels were being applied for. The Portfolio Holder responded noting that he had not had sight of a list of specific projects as the Council had only applied under certain 'themes' at present. He also confirmed that expenditure would likely not be on Council activity but rather spent through partners, and that expenditure and delivery would be the responsibility of the unitary authority. Members continued by querying what measures were in place to ensure member engagement. The Portfolio Holder responded noting that he believed the matter would come to Cabinet, but at this stage the council only needed to notify the government which themes it would be applying under. The Director of Strategy, Innovation and Resources added that he would be happy to raise the matter and provide a written response on member engagement and further details on the funding bid.

Members drew attention to the large overspend on salaries, further highlighting that money spent on salaries for the planning department were increasing and not decreasing. The Section 151 officer responded by informing members that the specialist planning team had a number of vacancies during the year and that agency staff had been used to carry out these functions as well as for COVID-19 Test and Trace and the Outbreak Management Fund. The Portfolio Holder added that a large portion of the overspend had been offset by grant income.

Responding to a question on the lease for Braithwaite Fold Caravan Park, the Portfolio Holder confirmed that the lease had been signed over a year ago, and would transfer over to the new unitary authority. He noted that the leaseholder was investing in upgrading the site and that the Council would continue to receive income from the site.

Members passed on concerns raised by residents in relation to the planning department, noting that some people were unhappy with the current service provided. The Director of Strategy, Innovation and Resources updated the meeting with latest planning performance and confirmed that if details of particular cases were provided he would raise internally.

RESOLVED – That the outturn figures and variance explanations set out in the report and appendices be noted.

O&S/10

2021/22 ANNUAL TREASURY MANAGEMENT REPORT

The Finance and Assets Portfolio Holder presented the report, informing members that the Treasury Management Framework had been approved by Council in February 2021 ahead of the financial year.

He confirmed that the Council was £11.2 million under-borrowed with external debt remaining at £12.8m, well below the Capital Financing Requirement of £24 million. He highlighted rising interest rates and noted that were it not for Local Government Reorganisation, the Council would be considering borrowing ahead of future expenditure. He continued noting that it would be inappropriate for the council to take on borrowing that is not currently required.

He concluded by thanking officers for their continued hard work.

In relation to a request for a list of Council properties that had been declassified as investment properties, the Section 151 verbally read through the list of properties.

RESOLVED – That:-

- (1) the 2021/22 Annual Treasury Management Report be noted; and
- (2) the 2021/22 Annual Treasury Management Report be recommend to Council for approval.

O&S/11 DISABLED FACILITIES GRANT (DFG) POLICY

The Senior Housing Standards Officer presented the report, noting that the policy had originally been approved by Council in 2018.

She informed Members that the policy was being reviewed for two main reasons, firstly to ensure links to the Council plan are clear following audit recommendation and secondly to increase level for a means test from £5,000 to £10,000. She continued noting that by increasing the means test level it would bring it in line with that of Eden District Council and Barrow Borough Council and reflect national increases in labour costs, which in turn would reduce delays for those customers that need assistance most.

In responding to a request for figures on Disabled Facilities Grant approvals, the Senior Housing Specialist confirmed she would provide a written response with a breakdown of the figures.

Members thanked officers for their hard work in delivering the grants.

RESOLVED – That the amended Disabled Facilities Grant Policy be recommended to Cabinet for approval.

O&S/12 CUMBRIA HEALTH SCRUTINY COMMITTEE UPDATE

Cllr Wilson provided an update as a County Council member of the Cumbria Health Scrutiny Committee. He informed members that all the minutes and information was available on ModGov or the Cumbria County Council website.

He highlighted various topics considered and explored by the Health Scrutiny Committee, including; stroke services across north and south Cumbria, availability of dentistry services within Cumbria and the work of the University Hospitals of Morecambe Bay Trust.

RESOLVED – That the verbal update be noted.

The meeting ended at 12.22 p.m.