

Minutes of the Overview and Scrutiny Board

5 July 2023

-: Present :-

Councillor Billings (Chairman)

Councillors Cowell (Vice-Chair), Douglas-Dunbar, Harvey, Joyce, Law, Barbara Lewis, Maddison and Twelves

(Also in attendance: Councillors Bye, Chris Lewis, Long and Tranter)

1. Apologies

It was reported that, in accordance with the wishes of the Conservative Group, the membership of the Board had been amended to include Councillor Barbara Lewis in place of Councillor Bryant.

2. Minutes

The minutes of the meeting of the Board held on 15 March 2023 were confirmed as a correct record and signed by the Chairman.

3. Budget Monitoring Outturn 2022/2023

The Board considered and noted the submitted budget monitoring outturn report for 2022/2023 which provided a high level budget summary of the Council's final revenue and capital budget for the financial year 2022/2023. The report showed a delivered underspend of £0.4m due to £4m underspend in Finance and £4.6m from the Council's Investment Portfolio. £33m had been spent last year against a Capital Plan Budget of £44m.

The Cabinet Member for Place Services and Economic Growth and Deputy Leader of the Council, Councillor Chris Lewis, advised that a revised report would be issued to the Cabinet/Council to include the addition of £425k for a new sports pavilion (changing and social area) at Torre Valley North, which was fully funded from Section 106 funding and other external contributions to the current Capital Programme. The Cabinet Member and Deputy Director of Finance, Ian Rowswell, responded to the following questions:

- What were the current levels of reserves.
- Was the current level of Collection Fund Reserve appropriate at £5m taking into account the current collection levels for Council Tax and NNDR (this used to be around £2m).

- How reliant was the budget position on Government funding for both revenue and capital budgets.
- What provisions have been made in relation to the investments for changes in asset value.
- What was the reason for the £0.5m underspend within Parking Services.
- £200k had been spent on the Old Toll House which was now proposed to be disposed of as per a report going to the Cabinet next week, when would the cost of this capital project become a pressure on the revenue budget.

The Board requested the following actions:

- Future reports to include a header on each page.
- A written response from the Director of Pride in Place to cover:
 - Was £600,000 value for money on the two solar farms and what had this been spent on.
 - What was the business case for the two solar farms and will the benefits have increased due to higher energy costs.
 - Where were we with the National Grid and options to link to the National Grid for any surplus electricity or if the current proposed end users fall through.
 - What would the impact be to the community benefit for the local communities if either of the schemes do not reach completion.
 - What would the costs be to put the Nightingale site back.
- The Director of Pride in Place to provide a written response to Councillor Cowell regarding the changing rooms at Armada Park.

4. Internal Audit Review of Torbay Food and Music Festival Process Review

The Cabinet Member for Place Services and Economic Growth and Deputy Leader of the Council, Councillor Chris Lewis, outlined the Devon Audit Partnership report on the review of the Torbay Food and Music Festival and thanked them for the work that they had done. He also gave a big apology on behalf of the Council to all of the people who bought tickets and were affected by the cancellation of the event. He gave assurance that through the implementation of the recommendations in the report this would not happen again and responded to the following questions:

- How was it decided that this event would take place and what was the processes that were followed.
- Did any of the officers involved have a connection with the supplier for this event.
- What checks and balances were there for decision makers and what was the management response when something goes wrong.
- What were the issues around the waiver process and the rationale for a sole provider.
- Were any checks done on the characters of the Directors of the supplier.
- A lot of actions were due to be completed in June and then December, have the June actions been implemented.
- Does the Devon Audit Partnership have any concerns about procurements between now and the full review of the procurement processes.

- Should this be a role for the Audit Committee.
- Why did the Board not see the full report or at least the full paragraphs being referred to in the Executive Summary – it was requested that the Director of Finance look into this.
- Was advancing money for working capital normal.
- There were issues around the way stall holders were going to be paid with customers using a special card and then stall holders being reimbursed a few weeks after the event, was this approach normal.

Resolved (unanimously):

That the Overview and Scrutiny Board supports the management response to the recommendations from the Internal Audit Review of the Torbay Food and Music Festival and agrees to set up a task and finish group to work with officers on the implementation of recommendations and to focus on revised Council procurement policies, and for example, information to include a proper person test for company directors.

5. Cost of Living Crisis Funding

The Cabinet Member for Adult and Community Services, Public Health and Inequalities, Councillor Tranter, provided an update on the grants to help residents with the cost of living crisis. In addition to the information set out in the submitted report an update was given as follows.

- **Energy Bill support scheme** – This was a government designed scheme with defined criteria that closed on 31 May 2023, to support those that did not receive the £400 energy support payment, as they do not pay their fuel costs directly to the energy supplier e.g. those in HMO accommodation, caravan parks or care homes.
- **Household Support Fund (HSF)** - We were currently delivering scheme 4 for this year, which will provide £2.1m of assistance to residents. The same amount was also distributed in 2022/23. Guidance was issued by DWP for the design of the schemes, which had been reviewed and local criteria established and signed off by government. For HSF 3 which covered Oct – Mar 2022/23 these allocations were:
 - Food vouchers for children in receipt of free school meals - £196,000
 - Food banks - £100,000
 - Supermarket vouchers - £20,000
 - Warm spaces - £73,500
 - Pension credit households £215,000
 - Essentials linked to energy - £97,000
 - Low income households £406,000

As these schemes were government driven, there were strict guidance criteria and returns that were submitted, audited and signed off by the Section 151 Officer for the Council.

In addition to the above, increased funds were allocated to existing support schemes operated by Torbay Council for 2023/24.

- An additional £200K to support the discretionary housing payments.
- and an increase of £200K to Welfare support funds to assist with winter pressures later this year.

It was noted that Schemes had been codesigned with other organisations to meet the needs of the community that have direct involvement with residents. This has resulted in a new funding package for 2023/24 with a change in emphasis to meet wider food poverty and need supported through a social supermarket model, financial advice services and support for those that are not in support of benefits.

The Board asked the following questions:

- What amount of this funding was used for additional staffing costs to distribute the funding and was there a maximum amount that could be used for administrative purposes.
- The report mentions agency staff, was there a reason that the Council used agency staff rather than having a bank of staff to use.
- What lessons have been learned from delivering these schemes that can be used for future grants.
- Have the grants reached the demographic that it was intended to.
- There was a limit of funding available to help people were there other ways in which we could help people who were struggling. e.g. informal ways through our communities.
- There was an increase in demand for help and signposting how could the Council assist with this.
- A consultation was launched earlier in the year for a revised Council Tax Support Scheme which would help provide longer term support when was that due to come through for decision – Action: the Democratic Services Team Leader to find out the timescale for this.
- One of the areas of need was local affordable housing but there were barriers through the local planning system with local residents only being given seven calendar days to apply for a property, how could our housing policies be reviewed to make this fairer.
- Were there other mechanisms for disseminating information e.g. community partnerships.

Members noted that one of the key numbers for people to go to for help and support was the Torbay Community Helpline 01803 446022 which was a front door service to help people in crisis.

Members paid tribute and thanks to the Council's staff, particularly those in the Revenue and Benefits Team, who had been tasked with policing and delivering this funding as well as the community groups and organisations who helped.

Resolved (unanimously):

1. that Overview and Scrutiny Members consider all opportunities to help provide resilience and support to our residents, including wider economic and social benefits, in all their work;
2. that a briefing note be circulated to all Members on what support is currently available so that they can share it with their communities;
3. that, should Household Support Fund 5 be announced an all Member briefing be held; and
4. that the Overview and Scrutiny Co-ordinator write to the Divisional Director of Planning, Housing and Climate Emergency to request him to revisit the Section 106 criteria for entitlement to affordable housing and the bidding time extended to local residents for preferential opportunity.

6. Operation of Overview and Scrutiny

The Director of Corporate Services, Matt Fairclough-Kay outlined the submitted report which set out the future operation of Overview and Scrutiny and sought to encourage greater awareness and engagement both across the Council and in the community of the important role of Overview and Scrutiny. Members welcomed the approach identified in the report.

Resolved (unanimously):

That the Overview and Scrutiny Board endorses the proposed operation of Overview and Scrutiny and the recommendations 1 to 10 as set out in the submitted report.

7. Initial Overview and Scrutiny Work Programme 2023/2024

The Board discussed the submitted initial Work Programmes for the Overview and Scrutiny Board, Adult Social Care and Health Overview and Scrutiny Sub-Board and Children and Young People's Overview and Scrutiny Sub-Board as set out in the submitted papers.

Members raised a number of concerns about the timing and which Board would be most suited to lead on some of the topics and suggested a number of revisions. The Director of Corporate Services was requested to review the timeliness of the performance and budget monitoring reports to see if they could be reported closer to the end of the quarter.

Resolved:

1. that, subject to 2 to 4 below, the Initial Work Programme for the Overview and Scrutiny Board for 2023/2024 as set out in the submitted report be approved and that the Initial Work Programmes for the Children and Young People's Overview and Scrutiny Sub-Board and Adult Social Care and Health Overview and Scrutiny Sub-Board be noted and presented to their respective Sub-Boards for sign off;
2. that the Director of Corporate Services be requested to explore the feasibility of bringing forward the Review of Planning Services for the Future to September to be considered at the same meeting as the Levelling Up Bill and Regeneration Bill;
3. that the item on the Adult Social Care and Health Overview and Scrutiny Sub-Board on Homeless Support and Providers be expanded to 'Homeless and Insecure Housing Support and Providers – to consider a review on homeless and insecure housing support and providers' and moved to 14 September 2023 meeting; and
4. that the Democratic Services Team Leader be requested to write to South West Water's Resilience Manager and Member of Parliament Liaison Officer to ask them to attend a future meeting of the Board.

Chairman