

By: Peter Sass - Head of Democratic Services

To: Scrutiny Committee – 26 March 2013

Subject: Recommendations from Scrutiny Committee – 12 December 2012 and 21 January 2013.

Classification: Unrestricted

Summary: This report sets out the recommendations from the Scrutiny Committee

### **Introduction**

1. This is a rolling schedule of previous recommendations of the Scrutiny Committee.
2. If the information supplied is satisfactory it will be removed following the meeting, but if the Committee should find the information to be unsatisfactory it will remain on the schedule with a request for further information.
3. The recommendations from the meeting of the Scrutiny Committee on 12 December 2012 and 21 January 2013 are set out in the table below along with the response of the relevant Cabinet Member.

### **Recommendation**

4. That the Scrutiny Committee notes the responses to the issues raised previously.

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Background Information: *Nil*

**Amalgamation of Walmer Science College and Castle Community College**  
**Decision:- 12/01977**  
**(12 December 2012)**

Cabinet portfolio: Mr M Whiting, Cabinet Member for Education, Learning and Skills

Synopsis: The report set out the reasons for the call in of the Cabinet Member's decision to issue a Public Notice to close Walmer Science College with effect from 31 August 2013, conditional upon the Secretary of State's agreement to the enlargement of Castle Community College.

**Recommendations and responses:**

- (1) Thank Mr Whiting, Mr Leeson and Ms White for attending the meeting and answering Members questions**
- (2) Request that a webpage be developed containing all information relevant to the proposal to amalgamate Walmer Science College and Castle Community College. This would allow all interested parties to easily access the information in one place.**
- (3) Ask the Cabinet Member for assurance that the Walmer Science College buildings, which were a public asset, would be retained for future educational use.**
- (4) Does not require reconsideration of the decision.**

**Cabinet Member's Response:**

A webpage has been developed containing all information relevant to the proposal to amalgamate Walmer Science College and Castle Community College. This webpage can be found at the following link:

<http://consultations.kent.gov.uk/consult.ti/WalmerandCastle/consultationHome>

The Cabinet Member wrote to the Chairman of Governors of Castle Community College and Walmer Science College on 4<sup>th</sup> December regarding the provision of a lease; copies of these letters are available on the designated webpage. In addition, a phone call was made by officers to alert them to the discussions that took place at the Education Cabinet Committee on 21st November 2012 and at the Scrutiny Committee on 12th December 2012.

Furthermore, Walmer Science College being retained for educational use is reflected in the published decision taken by the Cabinet Member for Education Learning and Skills on 3<sup>rd</sup> December 2012.

**Fastrack Phase 1 Major Scheme – Compulsory Purchase Order Claim by Darent  
Valley Hospital Trust, Dartford  
(12 December 2012)**

**OPEN REPORT ON EXEMPT DISCUSSION**

Cabinet portfolio: Mr R Gough, Cabinet Member for Business Strategy, Performance and Health Reform.

Synopsis: The report set out the concerns of the Chairman and Spokespeople around this urgent decision

**Recommendations and responses:**

- 1. Thank Mr Gough, Mr Austerberry, Mr Farmer and Ms Crease for attending the meeting and answering Members' questions**
- 2. Urge the Cabinet Member to pass all information relating to the Council's advisors appointment and conduct of the Compulsory Purchase Order claim to the Council's Legal Department to determine whether there was a case for pursuing the Advisors for compensation. In particular the letter dated 30/11/2010, which in the opinion of the Scrutiny Committee, and Counsel, substantially weakened the County Council's negotiating position.**
- 3. Ensure that in future when urgent decisions are to be taken that the full facts are provided in any documentation to Members.**
- 4. Ask that the Policy and Resources Cabinet Committee (or Property Sub-Group whichever is deemed most appropriate) review the Compulsory Purchase Order procedure, including the negotiation and valuation process and also to examine value for money issues.**

Cabinet Member's Response:

The Cabinet Member has asked for the relevant documents, as proposed by the Scrutiny Committee, to be passed to the Council's Legal Department and this has been done.

Date of Response:

26.01.13

## **Draft Budget 2013/14 and Medium Term Financial Plan (21 January 2013)**

Cabinet portfolio: Mr J Simmonds, Cabinet Member for Finance and Procurement

Synopsis: The report presented the Draft Budget 2013-2014 and the Medium Term Financial Plan 2013-2015

### Main Points from debate:

1. Mr Wood highlighted two issues of concern which would be adjusted in the budget before it was presented to County Council on 14 February 2013. These related to the future cost of residents claiming ordinary residence for social care and review the provision for price increases (particularly social care).
2. Members discussed the money that had previously been taken from reserves but it was considered entirely appropriate that this should have been done in times of austerity and any money taken out would be replaced.
3. Questions were raised around the Freedom Pass and if any consideration had been given to increasing the cost of the pass. This had been increased two years ago and it was decided to retain the current cost of the Freedom Pass this year to help families. It was accepted that a small increase, e.g. £5, would not raise significant additional income.
4. Witnesses confirmed that the “saving” on the arrangements to renew concessionary fares passes was in fact an avoidance of additional costs rather than a cash saving.
5. In response to a question around procurement the witnesses confirmed that they were confident that the savings made by the procurement team would more than outweigh the cost of the procurement team. The team was also mindful of using Kent businesses where possible which had led to a 10% increase in the use of Kent businesses.
6. There had been a recent focus, led by the procurement team, to ensure that the Council’s contracts were not linked to inflation indices and that indexation of contracts was not generally included in new arrangements.
7. It was confirmed that KCC’s current Council Tax was below the average for other county councils.
8. Savings had been made from reviewing the ways in which the 97 Children’s Centres were run, without impacting on the number or opening hours of centres. The £1.4m saving in the 2012/13 budget should be seen in the light of a £11 million reduction compared to the current year on a like for like basis in the Early Intervention Grant included in the new local government funding arrangements.
9. There would be a need for an additional 10,000 primary school places over the next 2-3yrs which presented a risk to the budget. Much would depend on the level of basic needs funding received from Government. There were concerns around the associated highways issues and costs and the need to negotiate with the districts whose role had become crucial as a result of the new Community

Infrastructure Levy legislation.

10. KCC was still trying to recover asylum money relating to the Swattenden Centre and a letter had recently been sent to the Minister to try to resolve this issue. Conflicting legislation within the Children's Act and the Leaving Care Legislation, particularly around the "all rights exhausted" clients, and different interpretations of the legislation meant that this was a complicated situation but the council was pressing the Government for settlement.
11. Provision had been made within the budget for the recent settlement for the Dartford Fast Track CPO claim in 2007 which would cover almost the entire final compensation figure.

**Recommendations and responses:**

- 1. Thank Mr King, Mr Simmonds, Ms Carey, Mr Wood, Mr Shipton and Mr Abbott for attending the meeting and for answering Members' questions. Members expressed their appreciation for the clear and understandable budget document that had been produced by the finance team.**
- 2. Ask for clarification on savings in transport because of an increased use of the Freedom Pass. Confirm whether contracted services for home to school transport were paid for by headcount or per vehicle/journey.**

An update on point 2 will be provided to the Committee.