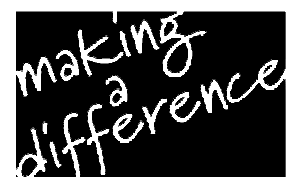


Overview and Scrutiny Committee

Wednesday, 23rd June,
2010
7.00 pm

Committee Room Two
Town Hall
Redditch



www.redditchbc.gov.uk

Access to Information - Your Rights

The Local Government (Access to Information) Act 1985 widened the rights of press and public to attend Local Authority meetings and to see certain documents. Recently the Freedom of Information Act 2000, has further broadened these rights, and limited exemptions under the 1985 Act.

Your main rights are set out below:-

- Automatic right to attend all Council and Committee meetings unless the business would disclose confidential or “exempt” information.
- Automatic right to inspect agenda and public reports at least five days before the date of the meeting.
- Automatic right to inspect minutes of the Council and its Committees (or summaries of business undertaken in private) for up to six years following a meeting.
- Automatic right to inspect lists of background papers used in the preparation of public reports.
- Access, upon request, to the background papers on which reports are based for a period of up to four years from the date of the meeting.
- Access to a public register stating the names and addresses and electoral areas of all Councillors with details of the membership of all Committees etc.
- A reasonable number of copies of agenda and reports relating to items to be considered in public must be made available to the public attending meetings of the Council and its Committees etc.
- Access to a list specifying those powers which the Council has delegated to its Officers indicating also the titles of the Officers concerned.
- Access to a summary of the rights of the public to attend meetings of the Council and its Committees etc. and to inspect and copy documents.
- In addition, the public now has a right to be present when the Council determines “Key Decisions” unless the business would disclose confidential or “exempt” information.
- Unless otherwise stated, all items of business before the Executive Committee are Key Decisions.
- (Copies of Agenda Lists are published in advance of the meetings on the Council’s Website:
www.redditchbc.gov.uk

If you have any queries on this Agenda or any of the decisions taken or wish to exercise any of the above rights of access to information, please contact

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Minicom: 595528

Welcome to today's meeting.

Guidance for the Public

Agenda Papers

The **Agenda List** at the front of the Agenda summarises the issues to be discussed and is followed by the Officers' full supporting **Reports**.

Chair

The Chair is responsible for the proper conduct of the meeting. Generally to one side of the Chair is the Committee Support Officer who gives advice on the proper conduct of the meeting and ensures that the debate and the decisions are properly recorded. On the Chair's other side are the relevant Council Officers. The Councillors ("Members") of the Committee occupy the remaining seats around the table.

Running Order

Items will normally be taken in the order printed but, in particular circumstances, the Chair may agree to vary the order.

Refreshments : tea, coffee and water are normally available at meetings - please serve yourself.

Decisions

Decisions at the meeting will be taken by the **Councillors** who are the democratically elected representatives. They are advised by **Officers** who are paid professionals and do not have a vote.

Members of the Public

Members of the public may, by prior arrangement, speak at meetings of the Council or its Committees. Specific procedures exist for Appeals Hearings or for meetings involving Licence or Planning Applications. For further information on this point, please speak to the Committee Support Officer.

Special Arrangements

If you have any particular needs, please contact the Committee Support Officer.

Infra-red devices for the hearing impaired are available on request at the meeting. Other facilities may require prior arrangement.

Further Information

If you require any further information, please contact the Committee Support Officer (see foot of page opposite).

Fire/ Emergency instructions

If the alarm is sounded, please leave the building by the nearest available exit – these are clearly indicated within all the Committee Rooms.

If you discover a fire, inform a member of staff or operate the nearest alarm call point (wall mounted red rectangular box). In the event of the fire alarm sounding, leave the building immediately following the fire exit signs. Officers have been appointed with responsibility to ensure that all visitors are escorted from the building.

Do Not stop to collect personal belongings.

Do Not use lifts.

Do Not re-enter the building until told to do so.

The emergency Assembly Area is on Walter Stranz Square.

Declaration of Interests: Guidance for Councillors

DO I HAVE A "PERSONAL INTEREST" ?

- Where the item relates or is likely to affect your **registered interests** (what you have declared on the formal Register of Interests)

OR

- Where a decision in relation to the item might reasonably be regarded as affecting **your own** well-being or financial position, or that of your **family**, or your **close associates** more than most other people affected by the issue,

you have a personal interest.

WHAT MUST I DO? **Declare the existence, and nature, of your interest and stay**

- The declaration must relate to specific business being decided - a general scattergun approach is not needed
- **Exception** - where interest arises only because of your membership of another **public body**, there is no need to declare unless you **speak** on the matter.
- You **can vote** on the matter.

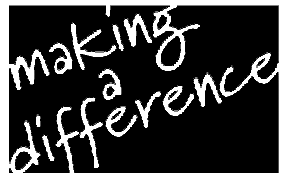
IS IT A "PREJUDICIAL INTEREST" ?

In general only if:-

- It is a personal interest **and**
 - The item affects your **financial position** (or conveys other benefits), or the position of your **family, close associates** or bodies through which you have a **registered interest** (or relates to the exercise of **regulatory functions** in relation to these groups)
- and**
- A member of public, with knowledge of the relevant facts, would reasonably believe the interest was likely to **prejudice** your judgement of the public interest.

WHAT MUST I DO? **Declare and Withdraw**

BUT you may make representations to the meeting before withdrawing, **if** the public have similar rights (such as the right to speak at Planning Committee).



Overview and Scrutiny Committee

Wednesday, 23rd June, 2010

7.00 pm

Committee Room 2 Town Hall

Agenda

Membership:

Cllrs:	Diane Thomas (Chair)	William Norton Brenda Quinney
	Anita Clayton (Vice-Chair)	Mark Shurmer Graham Vickery
	Kath Banks	
	Bill Hartnett	
	Robin King	

3. Minutes (Pages 1 - 8)

To confirm the minutes of the most recent meeting of the Overview and Scrutiny Committee as a correct record.

(Minutes attached)

(No Specific Ward Relevance)



Overview and Scrutiny Committee

2nd June 2010

MINUTES

Present:

Councillor Diane Thomas (Chair), Councillor Anita Clayton (Vice-Chair) and Councillors Michael Chalk, Robin King, William Norton, Mark Shurmer and Graham Vickery

Also Present:

Councillors Andrew Brazier, Jinny Pearce, Andrew Brazier and Derek Taylor and M Collins (Vice-Chair of Standards Committee).

Officers:

J Staniland, S Hanley, L Williams, R Bamford, T Kristunas and G Lavery

Committee Services Officers:

J Bayley and J Smyth.

1. APOLOGIES AND NAMED SUBSTITUTES

Apologies for absence were received on behalf of Councillors Banks and Hartnett.

Members agreed that a letter be sent to Phil Mould, former Councillor and Chair of the Overview and Scrutiny Committee, thanking him for his work during the course of his chairmanship of the Committee over the previous two years.

2. DECLARATIONS OF INTEREST AND OF PARTY WHIP

Councillor Shurmer declared a person and prejudicial interest in Agenda Item 9 (Business Centres Report – Pre-scrutiny) for the reasons stated in Minute 9 below.

There were no declarations of any Party Whip.

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Chair

Overview and Scrutiny Committee

2nd June 2010

3. MINUTES

In respect of Min.231 b) (CfPS Good Scrutiny Awards), the Committee was informed that the Authority's submission had been successfully shortlisted for a Community Influence Award. Members were advised that the winners of the various categories would be announced at the Centre for Public Scrutiny's (CfPS) 8th Annual Conference and Exhibition "Sustaining Outcomes in Changing Times" in London on the 30th June. The Chair, Councillor Thomas, Councillor Robin King and relevant Officers would be attending the Conference to represent the Council and the outcomes of the Awards would be reported to the Committee at its meeting on 14th July 2010,

RESOLVED that

the minutes of the meeting of the Committee held on 28th April 2010 be confirmed as a correct record and signed by the Chair,

subject to it being noted that:

Councillor Norton had tendered his apologies for absence prior to the meeting and the record being so amended.

4. ACTIONS LIST

For the benefit of new Councillors, Officers provided an explanation as to the purpose of the Actions List.

The Committee considered the latest version of the Actions List and specific mention was made of the following matters:

a) Action 2: Household Waste

Members were informed that the County Council had now provided the figures for Redditch's percentage of household waste being sent for use, recycling and composting which had equated to 30.79%. They had not, however, offered any explanation or reasons for the delay in providing the figures.

b) Action 3: Convergence between Council and Registered Social Landlords (RSL) Rents

Officers reported that obtaining the requested information from the RSL's had proved to be a difficult process because they were external organisations and they used different methods to calculate rents. Members were advised,

Overview and Scrutiny Committee

2nd June 2010

however, that the data would be available for consideration during the next meeting of the Committee.

c) Action 4: Communal Cleaning Contract for Council Properties

Officers reported that it was anticipated that the focused consultation in Exhall Close, Church Hill and Winyates would be completed by July 2010.

RESOLVED that

the report be noted.

5. CALL-IN AND PRE-SCRUTINY

It was noted that there had been no specific call-ins relating to the Decision Notice of the Executive Committee meeting held on 27th May 2010.

In respect of pre-scrutiny requests, the Committee discussed Minute 12 (WETT Regulatory Service – Delegation to the Joint Committee of the WETT Regulatory Service) of the 27th May Decision Notice. There were some concerns that the decision to delegate the Executive functions to the Joint Committee had been rushed through without sufficient consultation with Members and that the matter was important enough to be suitable for further scrutiny.

It was further suggested and agreed that a report on the Garden Waste Collection Service, listed in the Executive Committee Forward Plan and due to be considered at the Committee's meeting in September, would also be suitable for pre-scrutiny prior to any decisions by the Executive Committee.

RESOLVED that

- 1) the Worcestershire Enhanced Two-Tier (WETT) Regulatory Service be scrutinised in further detail at a future meeting of the Overview and Scrutiny Committee;**
- 2) a report on the subject be provided by the Head of Legal, Equalities and Democratic Services; and**
- 3) the report on the Garden Waste Collection Service be provided for pre-scrutiny at a meeting of the Overview**

Overview and Scrutiny Committee

2nd June 2010

and Scrutiny Committee prior to the Executive Committee's consideration of the item.

6. TASK & FINISH REVIEWS - DRAFT SCOPING DOCUMENTS

There were no draft scoping documents for the Committee to review, however, for the benefit of new Members, Officers provided a brief explanation on the purpose of scoping documents.

Members expressed concern that further scrutiny reviews would be difficult to support whilst there was still a vacancy in the Overview and Support team. Relevant Officers were asked to discuss and consider appropriate courses of action to address the issue as soon as possible.

7. TASK AND FINISH GROUPS - PROGRESS REPORTS

The Committee received oral reports in relation to current reviews, namely:

a) Local Strategic Partnership

Members were informed that the review process had been split into two areas – engagement and accountability and performance and noted that an interim Scrutiny report on two aspects of the review, accountability and engagement, had been presented to and fully accepted by the Partnership at its meeting the previous week. It was also noted that an additional witness interview would be taking place with a relevant senior Officer on the 7th June and that the review was still on course for completion in September as planned.

In response to a suggestion that the “red flag” areas, particularly around health inequalities, could be looked at, Officers reported that the Government had announced its intention to phase out Comprehensive Area Assessments (CAA) and it was likely that no further information on red and green flags would be forthcoming.

Members were advised that the Task and Finish Group were looking to produce a mechanism whereby Overview and Scrutiny could monitor the progress and targets of the Redditch Sustainable Community Strategy during the three year process.

Overview and Scrutiny Committee

2nd June 2010

b) Worcestershire Hub Review

The Committee was informed that due to the change of Member representation on the Scrutiny Task Group, no new information was available on progress to date although Members' attention was drawn to the minutes of a meeting held on 24th March for information.

It was agreed that Councillor Hopkins, the Council's co-opted representative on the Group, be invited to attend the next meeting of the Committee to discuss the review. Councillor Hopkins was also to be asked to provide a brief written update on the progress of the review for consideration at each meeting of the Committee.

RESOLVED that

the updates be noted.

8. BUS PASS SCHEME: COUNTY PROVISION - UPDATE

Members were informed that, further to news received the previous year on proposed changes to the national scheme no further information had been forthcoming on the process. Responsibility for administering the scheme would be transferred to the County Council and some early consultation responses had indicated that there would be significant funding issues for the Districts. Members requested that a presentation on the Council's baseline position for management of the bus pass scheme be brought to the Committee's next meeting.

RESOLVED that

- 1) the update be noted; and**
- 2) Officers provide an update on the baseline position for management of the bus pass scheme for consideration at the next meeting of the Committee.**

9. BUSINESS CENTRES REPORT - PRE-SCRUTINY

The Committee, in its pre-scrutiny capacity, considered a report due to be submitted to the 16th June 2010 meeting of the Executive Committee, which detailed the findings of a review on the performance of the Council's Business Centres, their role and purpose and the financial implications for the Council.

Overview and Scrutiny Committee

2nd June 2010

Officers provided clarification on various matters, including performance and capacity, as well as the impact of the economic downturn on occupancy levels and ways to attract new business and improve income. In particular this related to a proposal for a key change to the delegated powers in respect of negotiating offers and changing rents and fees to allow greater flexibility to react more quickly than currently allowed to negotiate on and win business.

The Portfolio Holder for Planning, Regeneration, Economic Development and Transport supported the report and its recommendations, advising that, whilst the overall position with the Business Centres was not good, pulling out was not really an option and would have a far greater impact financially on the Council and the town's economic development.

The Committee welcomed the report and supported the recommendations, with the exception of Recommendation 2.5, in respect of a proposal to extend current delegations which would allow relevant Officers to vary fees and rents by 10% to 20%. Members were concerned that varying fees and rents in excess of 10% would impact on the Council's budgets and could not support this particular aspect of the proposed extensions in delegations.

RECOMMENDED that

- 1) the proposed terms of delegations detailed in Appendix 6 to the report be amended as indicated below:**

(Extract only)

“To manage all lettings and licenses, to include (a) the annual review of rents and service charges, (b) the setting of fees for secretarial services, (c) negotiation of offers to secure new tenants when occupation rates are low (provided the variation in fees / rents shall be limited to plus or minus ~~20%~~ 10% of the current year rent / fees unless first approved by Executive Committee)”; and

- 2) subject to the amendment as detailed in 1 above, the recommendations outlined in paragraphs 2.1 to 2.6 in the Business Centre report, be approved.**

(Prior to consideration of this item, and in accordance with the requirements of Section 81 of the Local Government Act 2000, Councillor Shurmer declared a personal and prejudicial interest in view of the fact that his place of employment was at one of the Business Centres, and withdrew from the meeting for this item.)

Overview and Scrutiny Committee

2nd June 2010

10. WORK PROGRAMME PLANNING EVENT

For the benefit of new Members, Officers provided a brief explanation for the purpose of the Work Programme Planning Event and initial details for the 2010/11 event. It was suggested that all Members of the Council and appropriate Officers be invited to the Event for their input. It was also agreed that the event should be held early evening to provide an opportunity for maximum attendances.

Members' attention was drawn to an extract (Min. 225) of the minutes of the 7th April 2010 Overview and Scrutiny Committee and specifically to the four potential topics proposed then by the Committee namely: the Budget Setting Process, Communications, Portfolio Holder Annual Reports and Topics for Scrutiny 2010/11.

Members were reminded that completed scoping documents would be required for all topics identified for scrutiny and these would have to be submitted to the Overview and Scrutiny Committee for consideration and prioritisation if agreed.

RESOLVED that

- 1) **Officers provide a selection of dates for the Scrutiny Work Programme Planning Event for Members consideration;**
- 2) **the four items suggested for consideration by the Overview and Scrutiny Committee at its meeting on 7th April 2010, be included on the agenda for the Scrutiny Work Programme Planning Event;**
- 3) **all members of the Council and appropriate Officers, including senior representatives of Financial Services and the Communications Team, be invited to the Event.**

11. REFERRALS

There were no referrals to the meeting.

12. WORK PROGRAMME

Members noted that, a list of suggested items for scrutiny proposed by the Council's Corporate Management Team for possible inclusion on the Work Programme, would be presented at the next meeting of the Committee for consideration.

Overview and Scrutiny Committee

2nd June 2010

RESOLVED that

subject to the additional item detailed in the preamble above and any updates previously agreed during the course of the meeting, the Committee's Work Programme be noted.

The Meeting commenced at 7.43pm
and closed at 9.20 pm

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CHAIR