

Overview and Scrutiny Committee

Wed 26 Sep
2007
7.00 pm

Committee Room Two
Town Hall
Redditch



www.redditchbc.gov.uk

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- 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.
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- 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:
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**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
Jess Bayley and Helen Saunders
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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 the Ringway Car Park.

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, 26 September 2007

7.00 pm

Committee Room 2 Town Hall

Agenda

Membership:

Cllrs:	J Brunner	C MacMillan
	A Fry	B Passingham
	D Thomas	D Taylor
	J Cookson	K Banks

1. Apologies and named substitutes	To receive apologies for absence and details of any Councillor (or co-optee substitute) nominated to attend this meeting in place of a member of this Committee. All Wards
2. Declarations of interest and of Party Whip	To invite Councillors to declare any interest they may have in items on the Agenda and any Party Whip.
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)
4. Call-in and Pre-Scrutiny	To consider whether any Key Decisions of the Executive Committee's most recent meeting(s) should be subject to call-in and also to consider whether any items on the Forward Plan require pre-scrutiny. (No separate report).
5. Task & Finish Reviews - Draft Scoping Documents	To consider any scoping documents provided for possible Overview and Scrutiny review. (No reports attached)

Overview and Scrutiny

Committee

Wednesday, 26 September 2007

<p>6. Task and Finish Groups - Progress Reports</p>	<p>To consider progress to date on current scrutiny reviews against the terms set by the Overview & Scrutiny Committee.</p> <p>The current reviews in progress are:</p> <ol style="list-style-type: none">1. Communications Task and Finish Group (Stage One), Chair - Councillor J. Brunner.2. District Centres Task and Finish Group, Chair - Councillor A. Fry.3. Fees and Charges Task and Finish Group, Chair – Councillor C MacMillan. <p>Future Reviews (in current priority order):</p> <ol style="list-style-type: none">4. Housing Priority Task and Finish Group, Chair - Councillor B. Passingham5. Gypsy and Travellers Task and Finish Group, Chair - Councillor P. Hill <p>(Oral reports and / or reports attached)</p>
<p>7. Neighbourhood Group / PACT Meetings</p>	<p>To consider current and future arrangements for combining the Neighbourhood Group and PACT meetings.</p> <p>(Oral report to follow)</p> <p>All Wards</p>
<p>8. Anti-Social Behaviour Report – Officer Update</p>	<p>To consider the Council's response to recommendations contained in the Anti-Social Behaviour Report produced by the Social Overview and Scrutiny Committee in 2006.</p> <p>(Oral report to follow)</p> <p>All Wards</p>
<p>9. Portfolio Holder Annual Reports - Preparation</p>	<p>To identify Members' aims when considering the Portfolio</p>

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<p>(Pages 9 - 12)</p>	<p>Holders' annual reports to the Overview and Scrutiny Committee and to consider potential questions to address to the Portfolio Holders.</p> <p>(Report attached)</p> <p>(No Specific Ward Relevance)</p>
<p>10. Community Calls for Action (Pages 13 - 22)</p>	<p>To consider the implications of Community Calls for Action for the Overview and Scrutiny Process at Redditch Borough Council.</p> <p>(No separate report attached)</p> <p>(No Specific Ward Relevance)</p>
<p>11. Referrals</p>	<p>To consider any referrals to the Overview & Scrutiny Committee direct, or arising from:</p> <ul style="list-style-type: none">• The Executive Committee or full Council• Other sources. <p>(No separate report).</p> <p>(No Specific Ward Relevance)</p>
<p>12. Work Programme (Pages 23 - 28)</p>	<p>To consider the Committee's current Work Programme, and potential items for addition to the list arising from:</p> <ul style="list-style-type: none">• The Forward Plan / Committee agendas• External publications• Other sources. <p>(Report attached)</p> <p>(No Specific Ward Relevance)</p>

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13. Exclusion of the Press and Public

Should it be necessary, in the opinion of the Borough Director, during the course of the meeting to consider excluding the public from the meeting on the grounds that exempt information is likely to be divulged, it may be necessary to move the following resolution:

“That, under S.100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting for the following matter(s) on the grounds that it/they involve(s) the likely disclosure of exempt information as defined in the relevant paragraphs (to be specified) of Part 1 of Schedule 12 (A) of the said Act”.



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Overview & Scrutiny

12th September 2007

Committee

MINUTES

Present:

Councillor Colin MacMillan (Chair), and Councillors K Banks, J Brunner, J Cookson, A Fry, B Passingham and D Thomas

Officers:

C Smith

Committee Officers:

J Bayley

36. APOLOGIES AND NAMED SUBSTITUTES

An apology for absence was received on behalf of Councillor Taylor.

37. DECLARATIONS OF INTEREST AND OF PARTY WHIP

There were no declarations of interest or of any party whip.

38. MINUTES

RESOLVED that

the minutes of the meeting of the Committee held on the 22nd of August 2007 be confirmed as a correct record and signed by the Chair.

39. CALL-IN

Members received the Decision Notice of the meeting of the Executive Committee held on Wednesday, the 5th of September 2007, with a view to considering the need for any Call ins.

RESOLVED that

no action be taken to initiate call-in procedures on any of the Key Decisions contained in the Executive Committee Decision Notice.

.....
Chair

Overview & Scrutiny Committee

12th September 2007

40. TASK AND FINISH REVIEWS - DRAFT SCOPING REPORTS

The Committee considered the original Scrutiny Proposal form for the Third Sector Task and Finish Group and reported that he had recently met with Officers to discuss this document, in the context of other work currently being undertaken by the Grants Panel, and had decided that the aims of the scrutiny exercise needed to be clarified further.

The Chair proposed that, in order to gain maximum benefit from the scrutiny, the document should be redrafted. The Chair also proposed that this redraft should be more forward looking and should incorporate the new Shopping, Investing and Giving (SIG) national guidelines.

Members agreed that the revised draft scoping document would be presented to the Committee for further consideration on the 17th of October 2007.

RESOLVED that

subject to Members' comments detailed in the preamble above,

- 1) the Third Sector Task and Finish Group Scrutiny Proposal Form be redrafted by Officers, in consultation with the Chair; and**
- 2) the Third Sector Task and Finish Group Scrutiny Proposal Form be presented back to the Overview and Scrutiny Committee on Wednesday the 17th of October.**

41. TASK AND FINISH GROUPS - PROGRESS REPORTS

The Chair explained that this item had been added to the agenda to enable the Overview and Scrutiny Committee to monitor and influence the progress of ongoing Scrutiny Reviews. The Chair stressed that it was important to stick to a time limit of two minutes for each report. The following oral reports were given:

- a. Communications Task and Finish Group (Stage One)–
Chair Councillor J. Brunner.

The Chair of this Group reported that the Members had made good progress.

The Group had identified which individuals and organisations they wanted to interview as part of the exercise and had sent

Overview & Scrutiny Committee

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them questionnaires. The Chair also reported that a questionnaire was due to be sent out to Officers the following week.

The Chair informed Members that a brainstorming session was due to take place with Corporate Management Team on Thursday the 13th of September and that the Group had organised for external Expert Witnesses to be interviewed the week beginning the 17th of September.

The Committee agreed that, in view of delays occasioned by forthcoming Officer annual leave, the initial findings from Stage One of the Communications exercise should now be presented to the Overview and Scrutiny Committee on Wednesday the 7th of November.

b. District Centres Task and Finish Group
– Chair Councillor A. Fry

The Chair of the District Centres Task and Finish Group explained that, due to Member changes to this Group, a bus trip had been arranged to take Members around Church Hill, Matchborough, Winyates and Woodrow District Shopping Centres. The Chair reported that the bus trip had been very successful and that Members had identified a range of Officer Expert Witnesses to interview, including planning and landscaping officers.

c. Fees and Charges Task and Finish Group
– Chair Councillor C. MacMillan

The Chair reported that only one meeting had taken place for this Task and Finish Group. Members were informed that at the first meeting the Group had requested a large number of detailed pieces of information. The Chair reported that to enable Officers to complete the required work the second meeting of the Group had been scheduled to take place on Tuesday the 25th of September. Members requested that the Borough Director ask the relevant Officers to provide the required information as soon as possible.

d. Housing Priority Task and Finish Group
– Chair Councillor B. Passingham

Officers reported that membership for this Task and Finish Group had been finalised and would comprise Councillors Passingham (Chair), Boyd-Carpenter, Cookson, Chalk and

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W. King.

Officers informed Members that they were in the process of finalising a date for the first meeting of this Group.

e. Gypsies and Travellers Task and Finish Group
– Chair Councillor P. Hill

Officers reported that relevant Officers and Councillor Hill had been consulted over the appropriate timing for this Task and Finish Group. Officers reported that as a result of this consultation process it had been suggested that the Task and Finish Review should begin in November. Members approved this suggestion and asked Officers to write to Group Leaders to request nominations for membership of the Group. Members also requested that Officers should provide future updates about the progress of this Task and Finish Group because Councillor Hill was not a Member of the Overview and Scrutiny Committee.

RESOLVED that

subject to Members' comments as detailed in the preamble above,

- 1) the Communications Task and Finish Group delay the presentation of their recommendations for Stage One of the exercise until the Overview and Scrutiny meeting to be held on Wednesday the 7th of November;**
- 2) the Borough Director ask relevant Officers for the information requested by the Members of the Fees and Charges Task and Finish Group; and**
- 3) the Gypsies and Travellers Task and Finish Group begin its work in November 2007.**

42. OVERVIEW AND SCRUTINY MEMBER REMUNERATION

Members reiterated their concern that there was a lack of financial parity of Members' allowances between Members of the Overview and Scrutiny Committee and Members of the Executive Committee.

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Members argued that the current arrangements set by the Independent Remuneration Panel (IRP) no longer reflected the change in structure of Overview and Scrutiny, which had moved from four separate Committees to the one current Committee with effect from the Council's Annual Meeting in May.

Members were concerned that, whilst the current Chair and Vice-Chair of the Overview and Scrutiny Committee still received Special Responsibility Allowance, the money that would have contributed to the allowances for Chairs and Vice-Chairs of all the Overview and Scrutiny Committees in the 2005/06 structure was not yet all allocated and expended.

In particular Members noted that allowances had been paid to three other Chairs and three other Vice-Chairs in the previous Overview and Scrutiny system. Members suggested that the money which would have contributed to those previous allowances could be pooled and divided up between the remaining Members of the Overview and Scrutiny Committee.

Members also discussed the need to allocate allowances to all the Members of the Overview and Scrutiny Committee in recognition of the new procedural role requiring Members to act as the individual Chairs of Task and Finish Groups. It was felt by some Members that the increased workload for these Chairs should warrant some financial recognition.

Officer explained that the next set of changes to the Members' allowances was due to take place from May 2008 and that Members would need to collectively decide how they would want to influence this prior to those arrangements being finalised. Officers pointed out that essentially there were two issues that Members might have wanted to bring to the attention of the IRP. Firstly, Committee Members may wish to make recommendations that reflect the changes to the Overview and Scrutiny process in time to influence the new scheme for Member allowances in the May 2008. Secondly, Members may want to request that they receive some recompense under the current scheme for this municipal year.

Members agreed that the Borough Director, the Democratic Services Manager and Councillor Thomas should convene to review the current arrangements for Member Remuneration in this area. Officers suggested that recommendations developed in this meeting should be referred to the Group Leaders for consideration before bringing the item back to the Overview and Scrutiny Committee for further discussion.

RESOLVED that

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subject to Members' comments as detailed in the preamble above,

- 1) **the Borough Director, Democratic Services Manager and Councillor Thomas consider the issue of Member Allowances for O&S Committee members further; and**
- 2) **these Officers and Councillor Thomas consult with the Group Leaders over their recommendations and then report back to the Committee in due course.**

43. PORTFOLIO HOLDER ANNUAL REPORTS - PREPARATION

The Chair explained to Members that each Portfolio Holder was due to attend an Overview and Scrutiny meeting to provide some background to Members about their Portfolio service area. The Chair was keen to discuss with Members what they wanted to get out of the process and what questions they wanted to pose to the Portfolio Holders. The Chair noted that Portfolio Holders would have ten minutes to make their presentations which will be followed by twenty minutes of questions suggested by Members of the Overview and Scrutiny Committee.

Members felt that the main aim of the sessions should be to brief the Overview and Scrutiny Committee Members about key issues facing the Portfolio Holder's service area and any solutions that the Portfolio Holder was proposing in response to these issues. Officers suggested that Members could read the Corporate Performance Plan which sets out the key issues and priorities for each service area. Members also commented that the Constitution would provide some guidance in relation to the role of Portfolio Holders. Members agreed that they should read both of these documents before the next meeting. This would inform Members of the key issues for each Portfolio Holder and assist Members to draft a set of questions in time for the next meeting. Members agreed that these questions should then be sent to the Portfolio Holder for Community Safety, who was due to make his presentation to the Overview and Scrutiny Committee on the 17th of October.

Members discussed the role of the Portfolio Holders. Officers informed Members that Portfolio Holders did not currently have individual decision making powers but were rather viewed as "champions" for their particular service areas. Officers explained that Portfolio Holders could undertake several roles. These included monitoring and reviewing delivery and working closely with Officers to help influence policy in their particular service area.

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RESOLVED that

the process for Portfolio Holders' Annual reports be agreed, as detailed above.

44. REFERRALS

There were no referrals.

45. WORK PROGRAMME

The programme of future work was received and accepted, without comment.

RESOLVED that

the Committee Work Programme be noted.

The Meeting commenced at 7.00 pm
and closed at 7.50 pm

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Committee Room 2, Town Hall

ITEM 9

**PORTFOLIO HOLDER ANNUAL
REPORTS**

COVER PAGE



Overview & Scrutiny

No Direct Ward Relevance

Committee

26th September 2007

PORTFOLIO HOLDER ANNUAL REPORTS: QUESTIONS AND SUBJECTS FOR DISCUSSION IDENTIFIED BY MEMBERS WEDNESDAY THE 12TH SEPTEMBER 2007

Members suggested that the following questions be directed to the Portfolio Holders when making their presentations to the Overview and Scrutiny Committee:

- What are the key issues facing your Portfolio?
- What solutions do you propose to respond to those issues?
- What level of research do you, as the Lead Member for your Portfolio area, undertake into the various issues within your remit?
- What do you do as a Portfolio Holder? (More specifically, please provide a job spec for your portfolio holder role and a job description).

Members also suggested a specific question that they would like to direct to Councillor Hartnett, the Portfolio Holder for Community Safety who is due to present the first Annual Report to the Committee on Wednesday the 17th October 2007.

- How is the Crime Disorder and Reduction Partnership (CDRP) working?



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Committee

26th September 2007

7.00pm

Committee Room 2, Town Hall

ITEM 10

COMMUNITY CALLS FOR ACTION

COVER PAGE

Community Calls for Action: The University of Birmingham Training Event, Tuesday the 10th July 2007

Introduction:

At the beginning of this municipal year a new Overview and Scrutiny Procedures Document was produced. This document introduced Members to the concept of the Community Call for Action, which will come into operation from spring 2008. However, the Chair of the Overview and Scrutiny Committee asked to postpone consideration of CCAs/CCfAs until the new scrutiny arrangements had been established at the Council. It was agreed, therefore, that the Overview and Scrutiny Committee would start to consider CCAs/CCfAs and the implications for scrutiny in autumn 2007.

In the interim Officers have attended training courses at the University of Birmingham which have covered areas such as the Community Call for Action. This included a course at the Institute for Local Government Studies (INLOGOV) on Tuesday the 10th July 2007. A mixture of Members and Officers representing a variety of local authorities attended the course.

This report presents a summary of the comments and information provided at the training event. Many of the details contained in this report relate to information provided in the papers made available by the University of Birmingham or to comments made by the participants on the course. All contributions have been clearly referenced.

The Extended Role of Overview and Scrutiny:

The Local Government White Paper: Strong and Prosperous Communities (October 2006) and the Public Involvement in Health Bill, 2006/07 have expanded the role of Overview and Scrutiny within local government. In particular, these two papers have concentrated on expanding the remit of the Overview and Scrutiny process at a district authority level. This has implications for how the Overview and Scrutiny process should operate in future, although the terms of these papers have not yet come into force.

The Government White Paper suggested that Overview and Scrutiny Committees should concentrate on "strategic issues" (Bovaird et al., 2007, p8). The paper noted that from 2008 Overview and Scrutiny Committees will have an extended duty and authority to consider "specific matters regarding the action of local public service providers" (Bovaird et al., 2007, p8). The White Paper also stipulated that external public service providers will have a duty to co-operate with local authorities, to provide evidence where requested and to ensure that scrutiny recommendations are considered seriously.

The Involvement in Public Health Bill provided more specific guidelines in relation to which external partners would be required to give evidence to local authorities. These guidelines will be of particular significance to Community Calls for Action following the introduction of that process in 2008 (For more about Community Calls for Action see below).

The external partners will include County or District Councils; Primary Care Trusts (PCTs)*; NHS Foundation Trusts*; Chief Constables*; Police Authorities*; Local Probation Boards*; Youth Offending Teams*; Fire and Rescue Authorities;

* Only the Crime and Disorder version of the Community Call for Action will be able to call to account external partner organisations in the criminal justice system when considering a crime or disorder related matter. Health issues are managed through different health scrutiny arrangements.

Passenger Transport Authorities; Joint Waste Disposal Authorities; the Health and Safety Executive; Regional Development Agencies; Learning and Skills Councils; Job Centre Plus and the Highways Agency.

Participants on the course were informed that the Secretary of State for Communities and Local Government had reserved the right to produce regulations pertaining to external partners' provision of information to local authorities. These regulations have not yet been recorded and no indication was provided as to when/if these would be produced before the introduction of these powers (Rickard and Pullen, 2007).

Community Calls for Action: (CCAs/CCfAs):

There are two forms of Community Call for Action. The first version of the Community Call for Action (CCA) relates to Crime and Disorder matters and was introduced in the Police and Justice Act 2006. The second version of the Community Call for Action (CCfA) relates to local government concerns that are not considered crime and/or disorder issues. The second version was introduced in the Local Government White Paper: Strong and Prosperous Communities (October 2006). The CCA and CCfA require slightly different procedural arrangements which will be explained below. However, whilst the CCfA is due to be introduced across the country in spring (April) 2008 the Home Office recently postponed the introduction of the CCA (Hills, 2007).

A) Crime and Disorder Community Calls for Action (CCAs):

CCAs have been introduced to enable members of the public to initiate action in response to community crime and disorder issues which they feel have not been adequately addressed to date. Under the terms of the Police and Justice Act 2006 a member of the public, or a group of people from the local community, will be able to ask their Ward Councillor(s) to respond to a local crime and disorder matter as a CCA. The Act noted that a CCA could be raised by "a person who lives or works in the area that the Councillor represents" (PJA 2006, quoted in Cade, 2007).

The Police and Justice Act 2006 will provide Overview and Scrutiny Committees with a power to review/scrutinise decisions/action taken in connection with crime and disorder functions by "responsible authorities". These "responsible authorities" are the agencies that are responsible for crime and disorder strategies usually within a Crime and Disorder Reduction Partnership, or CDRP (in this Borough that is the Redditch Community Safety Partnership, or RCSP).

The Police and Justice Act 2006 envisaged a particular order of referral for CCAs. Firstly, an individual or group of people will refer a CCA for Ward Councillor consideration. The Ward Councillor will have a duty to respond, although this could include a decision not to take any further action where an appropriate explanation can be provided. Members of the public will also be able to appeal directly to the Executive Committee to request action in response to a CCA (Rickard and Pullen, 2007). The Executive Committee will have a duty to respond and again if deciding not to act on this proposal would need to provide an explanation to the CCA 'proposer'.

The Ward Councillor/Executive Committee will have the opportunity to resolve the issue through informal consultation with the CDRP. The Police and Justice Act 2006 made it clear that the Home Office expects the majority of CCAs to be resolved either at the Ward Councillor/Executive Committee stage or in consultation with partner organisations within the CDRP. The Executive Committee will have the option to refer a CCA to Overview and Scrutiny. The Overview and Scrutiny

Committee may choose to reject or to act in response to the issue. The Overview and Scrutiny Committee would then have the authority to call on the CDRP to make available to the Committee any reports produced in response to initial Executive Committee/Ward Councillor consultation. Once the Overview and Scrutiny Committee has made a decision about the CCA it will be required to inform the CCA 'proposer', probably via the Ward Councillor.

The Police and Justice Act 2006 stipulated that if an Overview and Scrutiny report, produced as part of the CCA process, is sent to partner organisations within the CDRP those partner organisations will have a duty to respond (Cade, 2007). Firstly, the partner organisation will need to consider the report and its implications for practice. Secondly, partner organisations will need to respond to the Committee, indicating what action (if any) they intend to take in response to the report's recommendations. Finally, partner organisations will be required to have due regard to the report and its recommendations when exercising their functions in future. Unfortunately, little information was provided on the course about how the response of partner organisations could be monitored. This might therefore be something which would have to follow existing practice or the Overview and Scrutiny Committee may want to make recommendations about the processes that will be required to manage the Council's response to Community Calls for Action.

B) Local Issues Community Calls for Action (CCfAs):

The Involvement in Public Health Bill 2006 provided a detailed definition of what areas the CCfA is intended to address. The proposed CCfA must "relate to the discharge of any function of the authority" and must affect all or part of the electoral area or any person living within that area (Bovaird et al., 2007). Moreover, unlike the CCA, the CCfA is only intended to apply at a district level. One possible consequence of this is that a district authority may be required to review issues that are the responsibility of the County Council. It is useful, therefore, that County Councils will be obliged to send representative to the district when called upon by Overview and Scrutiny to provide evidence. As such, theoretically there should be few difficulties accessing information or service expertise that is not directly controlled at a district level.

However, a number of areas will be exempt from the CCfA process. Crime and Disorder issues will be exempt (mainly because they are due to be considered as CCAs). In addition, Health Scrutiny issues, which are discussed in separate pieces of legislation, will remain the preserve of the County Council and will therefore also be exempt. Finally, the Secretary of State for Communities and Local Government may introduce further exemptions, rules or regulations governing the operation of CCfAs prior to their introduction.

The White Paper also provided guidance in relation to what items should be considered suitable issues to address as CCfAs. In particular, Ward Councillors, the Executive Committee and the Overview and Scrutiny Committee will be able to reject any items considered to be vexatious complaints, time-wasting or "procedural gatekeeping" (Bovaird et al., 2007). In addition, items will only be accepted if considered community, rather than individual issues.

The Involvement in Public Health Bill also provides guidelines about how local authorities should approach the CCfA process. Similarly to the CCA, Members of the community will be able to raise concerns with their local Councillor. However, an issue will only be regarded as a CCfA if a Ward Councillor chooses to treat it as such. Consequently, the Bill will extend considerable authority to Members in the management of CCfAs. Once a CCfA has been referred to the Executive Committee the Committee may choose to refer the issue to Overview and Scrutiny.

The Overview and Scrutiny Committee will then be required to consider the issue and to consult with any relevant partners, although it is likely that the CDRP will be involved as the CCfA will not be investigating a crime or disorder issue.

There were indications in all pieces of relevant legislation, that local authorities will be expected to co-opt representatives of partner organisations onto Overview and Scrutiny Committees to work on the extended scrutiny powers (Cade, 2007). A limit was not placed on the number of co-optees and no guidelines were provided. However, the Head of Scrutiny at Birmingham City Council noted that the government placed a particular emphasis on co-opting a representative of the Police Authority for the consideration of CCAs (Cade, 2007). This arrangement would correspond with existing Overview and Scrutiny co-optation arrangements at Redditch Borough Council. Currently two representatives of UNISON, one representative of UCATT and two Borough Tenant's Panel representatives act as Co-optees in the Overview and Scrutiny process. Co-optees generally only attend Committee meetings when the Committee is due to consider relevant items of interest, though as a general rule they receive the paperwork for each meeting.

A certain number of difficulties in accepting issues as CCfAs were identified by the participants on the course. A number of participants were concerned about the implications for existing complaints' procedures, particularly with regard to ensuring that all relevant forms of complaints procedures have been addressed before launching a CCfA. It was suggested by participants that the complaints procedures in many Councils might need to be reviewed and streamlined to ensure that information about previous Council action in response to complaints would be made available to Members/Committees when considering a relevant CCfA.

Mr Pullen noted that any reports published by Overview and Scrutiny as the result of the CCfA process will require specific responses. Firstly, the Executive Committee will be obliged to provide a published response within two months of receipt of an Overview and Scrutiny CCfA report indicating any actions taken in response to that report (Rickard and Pullen, 2007). In addition, the Overview and Scrutiny Committee will have the authority to require local partner organisations to "have regard to" an Overview and Scrutiny report when exercising their functions. This will only apply where the contents of the report relates to local improvement targets that are of relevance to the external partner, is specified by the Local Area Agreement and/or do not apply to Primary Care Trusts (PCTs). The Executive Committee and the Overview and Scrutiny Committee will both be obliged to make copies of their published reports available to the Member who raised the CCfA.

Local Authorities: Current and Future Actions in Response to these new Arrangements:

Birmingham City Council has developed a Gateway Scheme to manage the introduction of Community Calls for Action (all the following on Birmingham city Council's Gateway Scheme is taken from Cade, 2007).

The first stage of the Gateway Scheme will focus on the role of the Ward Councillor. Councillors will be expected to resolve the majority of CCAs/CCfAs before they reach the consultation stage and to use their discretion to decide whether to launch a CCfA in response to the issue. Guidelines are being developed by the Council for their Councillors to advise them about how to resolve CCAs/CCfAs at the referral stage, how to determine whether issues are vexatious, flippant or particular "hobby horses" and how to inform residents of the outcome of a CCA/CCfA. Birmingham City Council also intends to provide copies of these guidance notes to Officers within the Council and partner organisations in order to make them aware of the CCA/CCfA process and the rationale for Councillor's recommendations. Similarly, these

guidance notes will be provided to the appropriate Scrutiny Committee in Birmingham City Council to ensure that Members are made aware of the process.

Ward Councillors will be expected to demonstrate to the Scrutiny Committee that they have consulted the following areas before the Scrutiny Committee will agree to consider a CCA/CCfA. Firstly, the Councillor will need to demonstrate that the relevant complaints procedures have been complied with and that the service provider has attempted to respond to the complaint. Secondly, Members will need to demonstrate for CCfAs that the local service manager has been approached. This point would be particularly useful in cases where the issue relates to concerns about the suitability of existing services as it may be possible for the Service manager to introduce slight alterations to the service without the CCfA needing to progress any further. Thirdly, Members would be required to demonstrate that relevant partnership bodies or local groups have been informally approached and been given an opportunity to respond to a concern raised as a CCfA. Finally, in cases where the CCfA is likely to require major policy change Ward Members will be expected to demonstrate that the relevant Portfolio Holder in the Executive Committee has been consulted.

Birmingham City Council will then require certain procedures to be followed when referring a CCfA to a Scrutiny Committee. A Ward Councillor would need to inform Scrutiny Officers of the addition of the item to the agenda and will be expected to discuss the item with the Chair of the Committee, Officers and relevant partners before it is addressed by the Committee. The Ward Councillor will then be expected to present the case for the CCA/CCfA to the first Committee meeting to consider the item. Partner representatives will also be invited to present their position as will relevant Heads of Service. Birmingham City Council envisages that there will be three possible outcomes to a Scrutiny Committee investigation of a CCA/CCfA.

1. The Committee may determine not to make a report because it is not considered timely. The Ward Councillor will be expected to inform his/her constituents accordingly.
2. Alternatively, the Scrutiny Committee may decide to produce a report in response to the CCA/CCfA which would be published and made available to the public.
3. The Scrutiny Committee will decide that the CCA/CCfA is a complex matter and will need to be investigated further as a scrutiny exercise.

Academics at the University of Birmingham suggested that Area Committees/Neighbourhood Groups could be incorporated into the process to ensure a local focus in keeping with the Government's Localisation Agenda. The advantages of this approach are that these meetings already have a local focus and established criteria for the selection of agenda items which are required to be relevant to the community rather than individual concerns. However, at Redditch the Neighbourhood arrangements do not consistently attract large attendances. There could be a danger that limiting the initiation of CCAs/CCfAs to this level could restrict the process. Instead, the Neighbourhood Group could act as one forum through which CCAs/CCfAs could be identified for consideration.

Potential Impact on Overview and Scrutiny:

The introduction of CCAs/CCfAs has implications for Overview and Scrutiny. In particular, if a number of CCAs are launched simultaneously it could impact on the Overview and Scrutiny Committee's Work Programme, resources and Officer support. Indeed, a report from the University of Birmingham's Institute of Local Government Studies (INLOGOV) has noted that "the biggest challenge facing scrutiny under the new dispensation will be its ability to cope with a greatly increased

workload” (Bovaird et al., 2007, p. 9). Furthermore, Members will require comprehensive training provision that acquaints them with their extended responsibilities vis-à-vis the CCA, the CCfA and external partner organisations.

The volume of CCAs/CCfAs that will reach Overview and Scrutiny will be difficult to determine until the new arrangements have been established. The Government has indicated that it does not expect CCAs/CCfAs to reach the scrutiny stage regularly but, rather, to be a last resort. However, a number of Officers and Members on the course expressed concern that this process could be abused and increase the scrutiny workload to an unmanageable level. The Government White Paper did recognise these concerns and noted that an Overview and Scrutiny Committee might “wish to agree a limit on the number of calls for action individual Councillors will bring to the Committee” (Cade 2007).

The Department for Communities and Local Government (DCLG) has apparently recognised that for local authorities to manage the additional workload generated by CCAs/CCfAs they may require extra financial support (comments made by Bob Pullen). The Department may, therefore, set aside supplementary funds to support Councils, particularly District Authorities. However, this remains to be confirmed independently by the DCLG.

The role of Executive Committee Members in the CCA/CCfA process will need to be clarified and explained to both Members and Officers. Constitutionally Executive Members are not permitted to participate in Overview and Scrutiny Reviews. However, Executive Committee Members, like any other Councillor, will have the authority to represent their constituents and to bring forward CCAs/CCfAs for consideration. Academics at the University of Birmingham have suggested that “there is no reason why Executive Members should not be involved, provided they declare an interest and take no part in scrutinising matters where they have been involved in the decisions” (Bovaird, et al., 2007).

What is the current situation for Redditch Borough Council?:

The Executive Committee considered two reports discussing the implications of the Local Government White Paper: Strong and Prosperous Communities on the 31st January 2007. The first report briefly mentioned the introduction of CCAs/CCfAs. The second reviewed the implications of the Local Strategic Partnership for Scrutiny and other Council areas. At that meeting Members resolved that the Member Development Programme would be expanded to take into account the implications of the new arrangements and the Overview and Scrutiny Committee would be asked to mark the implications for future scrutiny work.

Conclusion:

Academics at the University of Birmingham, agreed that arrangements would need to be determined in accordance with local needs. Whilst some authorities may establish another Overview and Scrutiny Committee to consider CCAs/CCfAs this will not be suitable for all local authorities. At Redditch Borough Council the single Overview and Scrutiny Committee commissions scrutiny work from smaller Task and Finish Groups. This Overview and Scrutiny arrangement was established at the beginning of the municipal year to ensure that the main Committee concentrated on wider strategic responsibilities. It could arguably, therefore, adopt a version of the Birmingham City Council Gateway Scheme. However, further exploration of local needs may be suitable before any arrangements are implemented.

Sources

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Coulson, A., (10th July 2007), 'The White Paper thinking on Scrutiny and the New Legislation', paper presented at the Institute of Local Government Studies, the University of Birmingham.

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Rogers, S., (10th July 2007), 'CAAs and LAAs – Acronyms for Local or Central Scrutiny?', paper presented at the Institute of Local Government Studies, the University of Birmingham.

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No Direct Ward Relevance

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12. WORK PROGRAMME

(Report of the Borough Director)

Date of Meeting	Subject Matter	Officer(s) Responsible for report
ALL MEETINGS	REGULAR ITEMS	(LEAD DIRECTOR - CHRIS SMITH)
	Minutes of previous meeting	Borough Director
	Consideration of the Forward Plan	Borough Director
	Consideration of Executive Committee key decisions	Borough Director
	Call-ins (if any)	Borough Director
	Referrals from Council or Executive Committee, etc. (if any)	Borough Director
	Task & Finish Groups - feedback	Relevant Lead Director
	Committee Work Programme	Borough Director
	REGULAR ITEMS	
	Quarterly Performance Report	Borough Director
	Quarterly Budget Monitoring Report	Borough Director
	Review of Service Plans 2007/10	Relevant Lead Director

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<p>26th September 2007</p>	<p>REGULAR ITEMS</p> <p>Oral updates on the progress of:</p> <ol style="list-style-type: none"> 1. the District Centres Task and Finish Group; 2. the Communications Task and Finish Group; 3. the Fees and Charges Task and Finish Group; and 4. the Housing Priority Task and Finish Group. 	<p>Relevant Lead Directors</p> <p>Relevant Lead Directors</p> <p>Relevant Lead Directors</p> <p>Relevant Lead Directors</p>
<p>17th October 2007</p>	<p>REGULAR ITEMS</p> <p>Portfolio Holder Annual Reports - Community Safety (Cllr Bill Hartnett)</p>	<p>Relevant Lead Director</p>
<p>7th November 2007</p>	<p>REGULAR ITEMS</p> <p>Quarterly Performance Report</p> <p>Quarterly Budget Monitoring Report</p>	<p>Relevant Lead Directors</p> <p>Relevant Lead Directors</p>
<p>7th November 2007</p>	<p>REGULAR ITEMS</p> <p>Portfolio Holder Annual Reports - Corporate Management (Cllr Michael Braley)</p>	<p>Relevant Lead Director</p>
<p>28th November 2007</p>	<p>REGULAR ITEMS</p> <p>Portfolio Holder Annual Reports - Housing and Health (Cllr Mark Shurmer)</p>	<p>Relevant Lead Director</p>
<p>19th December 2007</p>	<p>REGULAR ITEMS</p> <p>Portfolio Holder Annual Report - Community Leadership and Partnership (Cllr Phil Mould)</p>	<p>Relevant Lead Director</p>

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16th January 2008	REGULAR ITEMS	
	Quarterly Performance Report	Relevant Lead Directors
	Quarterly Budget Monitoring Report	Relevant Lead Directors
16th January 2008	REGULAR ITEMS	
	Portfolio Holder Annual Report - Leisure and Tourism (Cllr Malcolm Hall)	Relevant Lead Director
6th February 2008	REGULAR ITEMS	
	Quarterly Performance Report	Relevant Lead Director
	Quarterly Budget Monitoring Report	Relevant Lead Director
27th February 2008	REGULAR ITEMS	
	Portfolio Holder Annual Report - Local Environment, Planning and Transport (Cllr Greg Chance)	Relevant Lead Director
9th April 2008	REGULAR ITEMS	
	Annual Overview and Scrutiny Report 2007/08	Borough Director
OTHER ITEMS - DATE FIXED		
26th September 2007	Community Calls for Action - Discussion	Relevant Lead Director
17th October 2007	Gypsies and Travellers Task and Finish Group to be launched	Relevant Lead Director
7th November 2007	Communications Task and Finish Group Stage One: Recommendations	Relevant Lead Director

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6th February 2007	Fees and Charges Task and Finish Group - Recommendations	Relevant Lead Director
OTHER ITEMS - DATE NOT FIXED		
	District Centres Task and Finish Group - Recommendations	Director of Housing and Asset Management
	Member Support - Baseline IT/Equipment Task and finish Group	Relevant Lead Director
	Cross Cutting Housing Priority Task and Finish Group	Director of Housing and Asset Management

