

Overview and Scrutiny Committee

Mon 16 Feb
2009
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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آپ انگریزی میں مدد چاہتے ہیں— نسلیاتی رسائی [Ethnic Access] سے رابطہ کریں ٹیلیفون: 01905 25121

ইংরেজি ভাষার বিষয়ে সাহায্য চান – এথনিক অ্যাকসেস [Ethnic Access] এর সঙ্গে যোগাযোগ করুন,
টেলিফোন: 01905 25121

‘Potrzebujesz pomocy z Angielskim – skontaktuj się z Ethnic Access Tel: 01905 25121’

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

Monday, 16 February 2009

7.00 pm

Committee Room 2 Town Hall

Agenda

Membership:

Cllrs: P Mould (Chair) R King
D Smith (Vice-Chair) W Norton
K Banks D Taylor
M Chalk D Thomas
W Hartnett

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. All Wards
3. Minutes	To confirm the minutes of the most recent meeting of the Overview and Scrutiny Committee as a correct record. (Minutes to follow) All Wards
4. Actions List (Pages 1 - 4)	To note the contents of the Overview and Scrutiny Actions List. (Report attached) All Wards
5. 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). All Wards

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6. Task & Finish Reviews - Draft Scoping Documents	<p>To consider any scoping documents provided for possible Overview and Scrutiny review.</p> <p>(No reports attached)</p> <p>All Wards</p>
7. Task and Finish Groups - Progress Reports	<p>To consider progress to date on the current reviews against the terms set by the Overview and Scrutiny Committee.</p> <p>The current reviews in progress are:</p> <ol style="list-style-type: none">1. Council Flat Communal Cleaning – Chair, Councillor P Mould;2. Housing Mutual Exchange – Chair, Councillor D Smith; and3. Role of the Mayor Task and Finish Group – Chair – Councillor M Chalk. <p>(Oral reports)</p> <p>All Wards</p>
8. Initial Estimates 2009/10	<p>To consider the Initial Estimates for 2009/10 and any recommendations for the consideration of the Executive Committee.</p> <p>(Report to follow).</p> <p>All Wards</p>
9. Centre for Public Scrutiny (CfPS) Parliamentary Seminar	<p>To receive an update from Councillor R King on the Centre for Public Scrutiny (CfPS) Parliamentary Seminar which took place on Wednesday 11 February.</p> <p>(Reports to follow).</p> <p>(No Specific Ward Relevance)</p>

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<p>10. Call-in: Explanation (Pages 5 - 6)</p>	<p>To consider an update on the call-in process and how and when call-in can be applied as part of the Overview and Scrutiny process.</p> <p>(Report attached)</p> <p>All Wards</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>All Wards</p>
<p>12. Work Programme (Pages 7 - 12)</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>All Wards</p>
<p>13. Exclusion of the Press and Public</p>	<p>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:</p> <p>"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".</p> <p>All Wards</p>

Actions requested by the Overview and Scrutiny Committee

Date Action Requested	Action to be Taken	Response
09/07/08 1	Members agreed to postpone further consideration of a potential review of the Borough's fishing tackle heritage, proposed during the WPPA, until the Role of the Mayor review had been completed.	Councillor Hunt is scheduled to submit a scoping document for this item for the Committee's consideration on 18 March. TO BE DONE, lead Member, Councillor D Hunt, estimated completion date, 09/03/09.
24/09/08 2	Members requested that Environmental Services Officers attend a future meeting of the Overview and Scrutiny Committee to provide an update oral report regarding fly tipping and the progress of the 'Worth It' campaign.	TO BE DONE. (Lead Officer, Waste Management Manager, estimated completion date not specified).
14/01/09 3	Members discussed the contents of the Forward Plan and noted that Officers were scheduled to present a report on the Council's Corporate Plan Part II before the Executive Committee on 11 March. Members agreed that, due to the importance of this document to the Council and local residents, that this item would be a suitable subject for pre-scrutiny. Relevant Officers were asked to provide a copy of the report for the consideration of the Committee and an Executive Summary in the form of a PowerPoint presentation.	Relevant Officers have been informed of this request for the item to be considered at a meeting of the Overview and Scrutiny Committee on Wednesday 25 February. (TO BE DONE). Lead Officer Head of Strategy and Partnerships, estimated completion date, Monday 16 February (for publishing the agenda).

<p>14/01/09</p> <p>4</p>	<p>Members discussed the final report from the Role of the Mayor Task and Finish Group. The contents of the report were approved, subject to a number of amendments and the removal of a couple of the recommendations.</p>	<p>Officers to make the necessary amendments to the final report from the Role of the Mayor Task and Finish Group, in time for the document to be considered at a meeting of the Executive Committee on Wednesday 18 February. (TO BE DONE). Lead Member, Councillor M Chalk, estimated completion date, 9 February.</p>
<p>14/01/09</p> <p>5</p>	<p>The Portfolio Holder for Leisure and Tourism proposed an item for scrutiny.</p>	<p>The OSSOs to meet with the Portfolio Holder for Leisure and Tourism to discuss the terms of reference for the proposed scrutiny exercise. The OSSOs also to provide assistance to the Portfolio Holder when completing the Scrutiny Scoping document. (TO BE DONE), lead Member, Councillor Anderson, estimated completion date, Spring 2009.</p>
<p>04/02/09</p> <p>6</p>	<p>Members received the final report from the Worcestershire Joint Scrutiny into Flooding Task and Finish Group which contained a number of recommendations. Members recommended that this report should be referred to a Working Group of Officers, including the Operations Manager Asset Maintenance and the Councillor's Emergency Planning Officer, for further consideration and to develop costings. The working Group of Officers was tasked with then referring the final report and recommendations to the Executive Committee.</p>	<p>Lead Officer, Director of Housing, Leisure and Customer Support. (TO BE DONE). Estimated completion date, not specified.</p>

<p>04/02/09</p> <p>7</p>	<p>Following discussion of the Joint Scrutiny into Flooding item members requested that there be an Emergency Planning (Briefing/Training) Session for all Councillors.</p>	<p>Officers to organise an Emergency Planning Session for Councillors. (TO BE DONE). Lead Officers, Member Services Officer (in consultation with the Head of Customer and IT Services, estimated completion date, not specified.</p>
<p>04/02/09</p> <p>8</p>	<p>Members received a presentation on the Shared Services Board and Joint Working and requested that the Overview and Scrutiny Committee receive regular updates and information regarding the process and progress of the shared services process.</p>	<p>Relevant Officers to report before the Overview and Scrutiny Committee as part of the shared services process where appropriate. (TO BE DONE) – ONGOING.</p>
<p>04/02/09</p> <p>9</p>	<p>Members discussed a referral from the Executive Committee: a review of the Neighbourhood Groups process. They requested that relevant Officers meet with the Leader of the Council to complete a scoping document for this proposed review.</p>	<p>The completed scoping document should be presented at a forthcoming meeting of the Overview and Scrutiny Committee for further consideration. (TO BE DONE). Lead Member, Councillor Gandy, estimated completion date, not specified.</p>

Glossary

OSSO - Overview and Scrutiny Support Officer

Redditch Borough Council: The Call-in Process**Overview**

Overview and Scrutiny members have the power to call-in a decision that has been made by the Executive Committee and to refer it back for further consideration.

When the Executive Committee makes a decision, it is published in a Decision Notice as soon as possible after the meeting. Each decision comes into effect after seven working days of the publication date unless it is called-in.

Call-in may also challenge the exercise of authority of the Executive Committee, in terms of its acting within the Council's Policy and Budget Framework.

Call-In process

Within the five day period, the Committee, or any three non-executive Members of the Council, may call-in the decision if they have reason to suspect that any of the principles of decision making, as laid out in Article 13 of the Constitution, has been contravened. These principles are as follows: proportionality; due consultation; respect for human rights; openness; clarity of aims and outcomes; giving reasons for the decision and explaining what other options were considered.

Within five days of the call-in, a meeting of the Overview and Scrutiny Committee shall be held to review the decision. If it is decided that the decision should be referred back to the decision maker, it must be addressed at the next appropriate meeting of the Executive Committee.

When does Call-In Apply?

Call-in relates to decisions taken by the Executive. Decisions are recorded as 'RESOLVED' items in the Executive Committee's Decision notice and Minutes. Although not technically a "call-in", Overview and Scrutiny may also require to scrutinise any proposals for policy change being submitted to the Council.



Overview and Scrutiny

No Direct Ward Relevance

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Committee

12. WORK PROGRAMME

(Report of the Chief Executive)

Date of Meeting	Subject Matter	Officer(s) Responsible for report
ALL MEETINGS	REGULAR ITEMS	(CHIEF EXECUTIVE)
	Minutes of previous meeting Consideration of the Forward Plan Consideration of Executive Committee key decisions Call-ins (if any) Pre-scrutiny (if any) Consideration of Overview and Scrutiny Actions List Referrals from Council or Executive Committee, etc. (if any) Task & Finish Groups - feedback Committee Work Programme	Chief Executive Chief Executive Chief Executive Chief Executive Chief Executive Chief Executive Chief Executive Chief Executive
	REGULAR ITEMS Quarterly Performance Report Quarterly Budget Monitoring Report Review of Service Plans 2009 / 12	Chief Executive Chief Executive Relevant Lead Heads of Service

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	<p>REGULAR ITEMS</p> <p>Oral updates on the progress of:</p> <ol style="list-style-type: none"> 1. the Joint Scrutiny Exercise into Flooding 2. the Council Flat Communal Cleaning Task and Finish Group; and 3. the Third Sector Task and Finish Group. 4. the Role of the Mayor Task and Finish Group. 	<p>Relevant Lead Head(s) of Service</p> <p>Relevant Lead Head(s) of Service</p> <p>Relevant Lead Head(s) of Service</p> <p>Relevant Lead Head(s) of Service</p>
25 February 2009	<p>REGULAR ITEMS</p> <p>Quarterly Performance Report</p>	Relevant Lead Heads of Service
25 February 2009	<p>REGULAR ITEMS</p> <p>Quarterly Budget Report</p>	Relevant Lead Heads of Service
29 April 2009	<p>REGULAR ITEMS</p> <p>Annual Overview and Scrutiny Report 2008/09</p>	Chief Executive
OTHER ITEMS - DATE FIXED		
16 February 2009	Initial Estimates 2009/10	Relevant Lead Head(s) of Service

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16 February 2009	Report back from the CfPS Parliamentary Seminar Series	
16 February 2009	Additional Information about the Call-in process at Redditch Borough Council	Relevant Lead Head(s) of Service
25 February 2009	Portfolio Holder for Community Safety – Annual Report	
25 February 2009	Redditch Borough Council's Corporate Plan Part II – discussion and pre-scrutiny of draft plan	Relevant Lead Head(s) of Service
18 March 2009	Review of ditches – discussion	Relevant Lead Head(s) of Service
18 March 2009	Fees and Charges Task and Finish Group – Update on Response to Recommendations – Charging Policy	Relevant Lead Head(s) of Service
18 March 2009	Fishing Tackle Heritage – Scoping Document	Relevant Lead Head of Service
18 March 2009	Portfolio Holder for Community Leadership and Partnership – Annual Report	
19 March 2009	Centre for Public Scrutiny Session – How to Win Friends and Influence Partners	
23 March	Scrutiny of Performance Training – Open to all Members	

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8 April 2009	Redditch Passenger Transport Area Review – Update report	Relevant Lead Head of Service
8 April 2009	Third Sector Task and Finish Group – Stage One Update on Responses to the Group’s Recommendations	Relevant Lead Head(s) of Service
8 July 2009	District Centres Task and Finish Group – Update Report on Response to Recommendations	Relevant Lead Head(s) of Service
2 September 2009	Fees and Charges Task and Finish Group – Update on Response to Recommendations – Planning Charges.	Relevant Lead Head(s) of Service
14 October 2009	Communications Task and Finish Group – Update on response to recommendations	Relevant Lead Head of Service
June 2011	Third Sector Task and Finish Group – Stage Two Update on responses to the Group’s recommendations	Relevant Lead Head of Service
OTHER ITEMS – DATE NOT FIXED		
	Community Calls for Action – Discussion	Relevant Lead Head of Service
	Overview and Scrutiny Member Training on Pre-Scrutiny.	Relevant Lead Head of Service
	Neighbourhood Group Process – scoping document	Relevant Lead Head of Service

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	Uses of the Countryside and Visitors Centre – scoping document	Relevant Lead Head of Service
	Update on fly tipping and the 'Worth It' Campaign	Relevant Lead Head of Service

