

# Overview and Scrutiny Committee

Wednesday, 17 June 2009

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## MINUTES

### Present:

Councillor Phil Mould (Chair), and Councillors K Banks, G Chance, R King, W Norton, D Taylor, and D Thomas

### Also Present:

Councillor M Braley  
M Collins, (Vice-Chair, Standards Committee)  
S Nelmes and I Rassool (BWB Consulting)

### Officers:

C Flanagan, C Hemming, S Mullins, J Staniland, L Tompkin and C Wilson

### Committee Services Officer:

J Bayley and H Saunders

### 13. APOLOGIES AND NAMED SUBSTITUTES

Apologies for absence were received on behalf of Councillors Pearce and Smith.

### 14. DECLARATIONS OF INTEREST AND OF PARTY WHIP

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

### 15. MINUTES

#### RESOLVED that

the minutes of the meeting of the Committee held on 27 May 2009 be confirmed as a correct record and signed by the Chair.

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Chair

## 16. ACTIONS LIST

The Committee considered the latest version of the Actions List. Specific mention was made of the following matters:

a) Scrutiny of the Countryside Centre

Members were informed, in relation to Action One, that Councillor Anderson was due to attend a presentation in June on the usage of the Countryside Centre. He had advised that once he had seen this presentation he would be able to provide the Committee with further information on the possible progression of this proposed scrutiny exercise.

b) National Angling Museum Domain Names

Officers informed the Committee, in relation to Action Three, that the four domain names requested by the Committee had been bought by the Council.

c) Budget Strategy and Deficit Information

Officers informed the Committee, under Action Twelve, that they had not received any requests for further information for this item which was due to be considered at a meeting of the Committee on Wednesday 8 July. The Chair urged Members to forward any requests for information relating to this item to Officers as soon as possible.

d) Public Transport in Redditch

The Committee was informed that, as a response to Action Ten, Officers had contacted the Chief Executive of Worcestershire Primary Care Trust (PCT) to invite a representative from that organisation to attend a future meeting of the Committee to discuss public transport access to the Alexandra Hospital. The PCT had confirmed that they would be willing to attend a meeting but that responsibility for many of the concerns highlighted by the Committee regarding public transport access to the hospital lay with Worcestershire Acute Hospitals NHS Trust. They would however, endeavour to provide a response to the Committee's query regarding community transport access to the hospital. Officers confirmed that they had contacted the Chief Executive of Worcestershire Acute Hospitals NHS Trust and were awaiting a response from him.

On a related issue, Officers explained that they had received further information regarding the installation of a bus stop close to the Arrow Valley Park which had been discussed at the previous meeting. Councillor Pearce had attended a meeting with Officers at Worcestershire County Council where she had been informed that it was feasible to install a bus stop close to the Arrow Valley Park. One bus stop could be installed which would service people both leaving and entering the park in a circular route and would utilise the existing number 60 bus route. In order to progress this proposal, the County Council had to submit a bid for funding by the end of the month. Councillor Pearce had sought advice from Officers about how this proposal could be endorsed by the Committee. Officers had advised that as the timeframes involved in making a recommendation regarding this proposal were limited Councillor Pearce should progress this using a different route. Councillor Pearce had subsequently contacted the Council's Leader, Councillor Gandy, regarding this issue.

The Committee agreed that it wanted to make a recommendation in support of Worcestershire County Council pursuing this proposal and asked if it would be possible to make a recommendation straight to Council. Officers agreed to explore options that would enable the Committee to have this recommendation considered at the forthcoming full Council meeting.

#### **RESOLVED that**

- 1) Officers investigate the means by which the Committee could recommend at full Council that the Council endorse Worcestershire County Council's plans to install a bus stop close to the Arrow Valley Park;**
- 2) the Actions List be noted.**

#### **17. CALL-IN AND PRE-SCRUTINY**

The Committee discussed an item for pre-scrutiny. The Chair referred to an item on the Forward Plan that was due to be considered at a meeting of the Executive Committee on Wednesday 26 August. This item related to possible options for the use of the former covered market in Redditch town centre. The Chair suggested that this report be discussed by the Committee before being presented to the Executive Committee. The

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Committee agreed that this issue be considered at its meeting due to be held on Wednesday 19 August.

There were no Call-ins.

## 18. TASK & FINISH REVIEWS - DRAFT SCOPING DOCUMENTS

There were no draft scoping documents. The Chair informed the Committee that as some of the current Task and Finish Groups were nearing completion, capacity would exist to progress new Task and Finish Groups. Councillor Thomas noted that the Executive Committee had approved the need for further work to be undertaken on the allocation of funding to the Third Sector and that this could provide further Task and Finish Group work.

## 19. TASK AND FINISH GROUPS - PROGRESS REPORTS

The Committee received reports in relation to current reviews.

### a) Council Flat Communal Cleaning – Chair, Councillor P Mould

This was considered under item nine of the agenda.

### b) Dial-a-Ride - Chair, Councillor R King

Councillor King informed Members that the Group had completed its third meeting. At this meeting, it had requested that Officers provide some background statistical information about the service. It had also discussed arrangements for the Group to visit the Dial-a-Ride Office and to spend an afternoon on the Dial-a-Ride buses in order to observe how the service operated first hand. The Group had requested that drivers of the Dial-a-Ride service be asked to make a note of the number of passengers they carried on each journey for a month.

### c) National Angling Museum – Chair, Councillor P Mould

The Chair informed the Committee that the next meeting of the Group was scheduled to take place on Thursday 2 July at Forge Mill Needle Museum. The Group was due to look at the current collection and to consider possible methods that could be utilised to further promote the town's fishing tackle heritage at the museum. The Chair confirmed that the Group had discovered that another National Angling Museum project was already underway elsewhere in the country so it was unlikely that the Council could pursue this option further.

d) Neighbourhood Groups - Chair, Councillor K Banks

Councillor Banks confirmed that the first meeting of the Neighbourhood Groups Task and Finish Group would take place on Tuesday 23 June at 6.00pm. Councillor Thomas noted that she had been approached by PC Fergus Green who had asked if he could give evidence to the Group.

**RESOLVED that**

**the Task and Finish Group update reports be noted.**

**20. WORCESTERSHIRE LAND DRAINAGE PROTOCOL**

The Committee considered updated information regarding flood and land drainage management which had been presented to them at a previous meeting in March. Officers explained that they wished to provide Members with further information regarding the development of the Flood and Water Management Bill. Officers explained that a report was due to be considered by the Executive Committee regarding guidance and protocols that the Council would need to develop to ensure that the Council complied with changing legislation regarding flooding.

Consultants from the firm BWB Consulting provided a presentation to Members on the Flood and Water Management Bill 2009. They began the presentation by outlining the key objectives of the Bill. They explained that the Bill had been initiated to address some of the disparities in current legislation and that the main objective of the Bill was to clarify the roles and responsibilities of each of the organisations and authorities expected to deal with flooding and drainage issues in the local area.

Members were informed that the Bill was in a draft format and was currently subject to consultation. It was expected that the Bill would receive Royal Assent in the summer of 2010. One of the key changes that the Bill was designed to initiate would be to enhance the role of local authorities in flood management. There was an expectation that County and Unitary authorities would assume a leadership role in addressing local flooding concerns and co-ordinating the work of stakeholders involved in dealing with flooding issues. County and Unitary authorities would also be expected to publish a strategy for local flood risk management in their area.

The Council would need to consider several issues in response to the Flood and Water Management Bill. Worcestershire County Council would be responsible for prioritising the use of funding to

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address flooding in the County. Under these circumstances it would be important for Redditch Borough Council to promote the Borough's priority flooding areas to ensure that these were not downgraded in any flooding prioritisation exercise that might be undertaken by the County Council.

It was suggested that, as rainfall and resultant flooding incidents were not often restricted to local authority borders, increased collaborative work with other local authorities was needed. The Committee was informed that local authorities based in the South of the County had been working together to promote their flooding needs to the County Council. Officers suggested that the local authorities in North Worcestershire should also work together to address cross border issues and to promote their flooding priorities to the County Council in order to attract funding.

The Chair thanked Officers and the consultants from BWB Consulting for attending the meeting.

## **RECOMMENDED that**

- 1) **the policies and procedures regarding watercourse dredging maintenance, drainage and landscape maintenance and drainage enforcement be approved by the Executive Committee at its meeting on 12 August 2009; and**
- 2) **the Council work with other local authorities in North Worcestershire to promote local flood and land drainage priorities in order to attract available funding from Worcestershire County Council; and**

## **RESOLVED that**

**the report be noted.**

### **21. COUNCIL FLAT COMMUNAL CLEANING TASK AND FINISH GROUP**

The Committee considered the draft report of Council Flat Communal Cleaning Task and Finish Group. The Chair of the Group, Councillor Mould, explained the Group's rationale for each of the recommendations which had been highlighted in the report.

Officers raised concerns with regards to recommendation 1b that *"subject to statutory consultation procedures for secure tenants and consultation with leaseholders being undertaken by the Council, a*

*service charge be imposed on all tenants and leaseholders to cover the cost of this cleaning”*. They questioned what would happen if the majority of tenants responded that they did not want to pay for this service. The Chair explained that if, as a result of the consultation, it became clear that the majority of tenants and leaseholders did not want to pay for cleaning the Council would not be able to implement this recommendation. Officers suggested that the wording of this recommendation be altered to reflect the fact that the Council would undertake consultation to establish if there was support for the introduction of a service charge. The Committee approved this suggestion.

Members raised concerns regarding the format of this consultation. They explained that they did not think that an officially worded letter would be adequate to engage tenants and leaseholders on this issue and that any response that the Council might then receive was likely to be negative. The Committee agreed that the consultation should be tenant-led and make use of the Council's current tenant participation structures. Officers pointed out that the Members involved in the Task and Finish Group had made it clear that they wished to take a lead in the consultation process.

Members queried the extent of the problems that the Council might encounter when collecting this additional service charge from tenants. Officers admitted that they had experienced difficulties in collecting service charges from tenants in some of the flats where the communal areas were currently cleaned. This was why it was imperative that the consultation was as effective as possible to try to get tenants on board with the proposals.

Members queried if the charge could be imposed on leaseholders. Officers confirmed that the Council could not make leaseholders pay the charge as the Council would be unable to make any changes to the terms of their lease. It would be up to the Council to convince leaseholders to voluntarily pay the service charge.

## **RESOLVED that**

- 1) the wording of recommendation 1b be altered to reflect the fact that the Council would need to undertake consultation to establish if there was support for the introduction of a service charge; and**

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- 2) **the Executive Committee be asked to consider the recommendations of the Council Flat Communal Cleaning Task and Finish Group, as amended by the Overview and Scrutiny Committee and as detailed in the resolutions above.**

## **22. COUNCILLOR CALLS FOR ACTION (CCFAS) - PROCEDURE**

Members considered information provided to them detailing case study examples of Councillor Calls for Action (CCfA) processes used by other local authorities. Officers informed the Committee that the case studies demonstrated how the process could be documented and that the style of presentation either consisted of complex directions or a series of questions and answers. Members commented that they thought some of the examples appeared to be lengthy and set out in an unappealing style. They queried if the process had to be uniform across all local authorities or whether there was scope to tailor the approach to fit local circumstances. Officers explained that there was a degree of flexibility for local authorities to develop their own approach. There were however, certain elements that had to be incorporated.

Officers asked Members if there was any one particular example that they would prefer to use as the basis for Redditch's CCfA procedures. Members confirmed that they thought that the Kirklees example should be used.

### **RESOLVED that**

**Officers develop the Council's procedure for the Councillor Call for Action in accordance with the example adopted by Kirklees Council.**

## **23. FEEDBACK FROM JUNE SCRUTINY CONFERENCES**

The Committee received feedback reports from Councillors who had recently attended training events and conferences.

- a) Crime and Disorder Scrutiny – 15 June 2009

Councillor Norton explained that he, along with one of the Overview and Scrutiny Support Officers, had attended an event in London regarding the scrutiny of community safety issues. The event had been aimed at informing Officers and Members about the new statutory duty for local authorities to



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establish a Committee to scrutinise community safety issues and Crime and Disorder Reduction Partnerships. He explained that one of the National Indicators was now focussed towards reporting on people's confidence level in local authorities and their partners to address community safety issues. Councillor Norton suggested that the Council might already be fulfilling this new role through the Committee's interview of the Portfolio Holder for Community Safety.

Members enquired about whether there had been any guidance provided about how to encourage partners to attend meetings. Members commented that there was a need for the Scrutiny Committee and Members to build up relationships with the Council's partners. Officers explained that they had already received a letter from the Chief Executive of West Mercia Police Constabulary enquiring about what procedures the Council would be implementing to enable the scrutiny of crime and disorder issues. In this letter, he had also confirmed that West Mercia Police would be willing to send a representative to any meetings where required.

Officers explained that they had spoken with Community Safety Officers and it had been suggested that a meeting take place which would be attended by relevant Officers and the Chair of the Committee to discuss methods for scrutinising community safety issues. Once this meeting had taken place, it was suggested that further information should be provided for the consideration of the Overview and Scrutiny Committee.

b) Centre for Public Scrutiny (CfPS)– June Conference

Councillor Thomas explained that she had recently attended the Centre for Public Scrutiny's (CfPS's) annual conference. The conference took place over a period of two days.

One of the main features of the first day was a presentation from the shadow minister for Local Government highlighting key points from their Green Paper on Local Government. Among the proposals was one which would provide local authorities with the choice of moving back to an enhanced Committee system. Councillor Thomas voiced her concerns about this proposal especially given the progress Overview and Scrutiny had made at Redditch since it had been introduced.

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Councillor Thomas explained that she had also attended the Good Scrutiny Awards on the evening of the first day of the conference when awards had been given to local authorities that had undertaken good pieces of scrutiny. She suggested that in future, any successful scrutiny exercises undertaken at Redditch Borough Council should be submitted for consideration in this awards process.

On the second day of the conference, Councillor Thomas explained that she had attended a workshop presented by Jo Dungey regarding the new legal framework to scrutinise the Council's partners. This session had provided useful information about the new powers for scrutiny especially in relation to the scrutiny of the Local Area Agreement but had also highlighted the problems of trying to undertake this in two tier authority areas.

## **RESOLVED that**

- 1) further information about scrutiny of community safety issues be considered at a meeting of the Committee on Wednesday 29 July;**
- 2) a copy of Jo Dungey's publication "Changing Place: Local Area Agreements and Two Tier Authorities" be circulated to Members;**
- 3) Officers investigate the new powers available for scrutiny and any limitations that might apply in two tier authority areas; and**
- 4) the reports be noted.**

## **24. REFERRALS**

There were no referrals.

## **25. WORK PROGRAMME**

The Committee considered the Committee's Work Programme. Officers advised the Committee that the Economic Advisory Panel had been considering the Town Centre Strategy but it had been suggested that the Overview and Scrutiny Committee could undertake some pre-scrutiny on the proposals contained within the Strategy.

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The Economic Advisory Panel and the Planning Advisory Panel were due to receive a presentation from consultants working on the strategy on the evening of Thursday 20 August. It had therefore been suggested that members of the Overview and Scrutiny Committee attend this presentation.

Officers informed Members that all of the Portfolio Holders' reports had been scheduled onto the Committee's Work Programme.

## **RESOLVED that**

- 1) members of the Committee attend a presentation regarding the Town Centre Strategy on Thursday 20 August;**
- 2) the Committee consider the Town Centre Strategy at the meeting of the Committee scheduled for Wednesday 2 September; and**
- 3) the Committee's Work Programme be noted.**

The Meeting commenced at 7.00pm  
and closed at 9.10pm