

Overview and Scrutiny Committee

Wednesday, 29 July 2009

MINUTES

Present:

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

Officers:

L Bellaby, S Hanley, B Houghton and S Mullins.

Committee Services Officer:

J Bayley and H Saunders.

38. APOLOGIES AND NAMED SUBSTITUTES

Apologies were received on behalf of Councillor Brunner, who had been expected to attend the meeting as the Portfolio Holder for Community Safety for Item Eight on the agenda.

39. DECLARATIONS OF INTEREST AND OF PARTY WHIP

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

40. MINUTES

RESOLVED that

the minutes of the meeting of the Committee held on 8 July 2009 be confirmed as a correct record and signed by the Chair.

41. 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 that the Executive Committee had considered the Committee's suggestion that work examining

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the future use of the Arrow Valley Countryside Centre be undertaken by the Overview and Scrutiny Committee as an alternative to commissioning consultants to review the subject. The Executive Committee had decided that they would employ consultants to undertake the work. However, they stated that if the Overview and Scrutiny Committee wished to conduct their own piece of work on this issue then they could do so. Alternatively, it had been suggested that the Overview and Scrutiny Committee could undertake pre-scrutiny of the consultant's report before the report was presented to the Executive Committee. Members agreed that they would prefer to pursue the pre-scrutiny option.

b) Letter of Thanks to John Rostill

The Committee was informed that, as requested at the previous meeting, Officers had contacted John Rostill, the Chief Executive of the Worcestershire Acute Hospitals NHS Trust, to thank him for providing the Committee with further information regarding public and private transport access to the Alexandra Hospital.

c) Proposed Scrutiny of the Local Strategic Partnership (LSP) and Local Area Agreement (LAA)

Members were informed that scoping documents had been completed outlining the possible terms of reference for reviews of the LSP and LAA as proposed by Councillor Thomas at the previous meeting of the Committee. A meeting had been arranged between Councillor Thomas, the Chief Executive, and the Overview and Scrutiny Support Officers to discuss the terms of reference further. These scoping documents would be presented to the Committee on 23 September.

d) Medium Term Financial Plan – Examples of Best Practice

The Chair informed the Committee that he had asked Officers earlier that day to find out if examples of best practice Medium Term Financial Plans had been identified by Officers. Officers confirmed that they had contacted the Head of Financial, Benefits and Revenue Services but that she had been in a meeting and unable to provide the information.

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RESOLVED that

- 1) **the Committee undertake pre-scrutiny of the consultant's report regarding the future use of the Arrow Valley Countryside Centre when completed; and**
- 2) **the Actions List be noted.**

42. CALL-IN AND PRE-SCRUTINY

The Chair referred to the Decision Notice of the Executive Committee which detailed the decisions relating to the Council Flat Communal Cleaning Task and Finish Group Final Report. He explained that the Executive Committee had approved the majority of the recommendations and that Officers could commence the statutory consultation process. There had been some debate regarding the statutory consultation process and Members had felt that before the Council could undertake this consultation process, Officers had to calculate the exact charge that tenants and leaseholders would be expected to pay if the cleaning contract was to be extended to all communal areas. The Chair expressed the view that this would be a difficult task as the cost would be dependant on the outcome of the renegotiation of the cleaning contract. He also explained that the Executive Committee had extended the consultation to cover those tenants living in the Council's sheltered accommodation that currently do not pay for the cleaning of their communal areas.

It was questioned how Members would be informed of the progress of the consultation. Officers explained that they could liaise with the lead Officers for this process to ensure that members of the Task and Finish Group had an opportunity to be involved. There would also be a chance for all Members of the Committee to track the progress of the recommendations through the standard Overview and Scrutiny monitoring procedures.

Councillor King expressed concern about the potential for a democratic discrepancy that may have occurred through the scheduling of recent Executive Committee and full Council meetings. He questioned how Members could call-in decisions made at the Executive Committee at their meeting on 22 July and the meeting held just before full Council on 27 July, as the resolutions had been approved at full Council on 27 July. Officers explained that even though full Council had considered decisions made by the Executive Committee on 22 July, Members still had the power to call these decisions in as the five day call-in period still

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applied. With regards to the Executive Committee meeting held shortly before the full Council meeting on 27 July, Members were informed that the Executive had only made recommendations which could not be called in.

Councillor King went on to question how the recommendations made to full Council could be challenged. Officers suggested that if Members wished to raise concerns about the process they could ask the Overview and Scrutiny Committee to look at this.

There were no call-ins or suggestions for pre-scrutiny.

43. TASK & FINISH REVIEWS - DRAFT SCOPING DOCUMENTS

There were no draft scoping documents.

44. TASK AND FINISH GROUPS - PROGRESS REPORTS

The Committee received reports in relation to current reviews.

a) Dial-A-Ride – Chair, Councillor R King

Councillor King explained that at the Group's previous meeting they had discussed their experiences of visiting the Dial-a-Ride Office. Members had viewed the system used to schedule the buses. They had noted that this system required a large amount of manual input by the operator for the system to work.

The Dial-A-Ride Manager had attended the meeting to discuss the service and to provide information that had been requested by the Group. Councillor King explained that unfortunately it had not been possible to provide this information to the Group. However, he explained that the Group needed to look at this information as it would help provide them with an idea of the current position for the service.

b) National Angling Museum – Chair, Councillor P Mould

This was discussed under Item Eleven on the agenda.

c) Neighbourhood Groups – Chair, Councillor K Banks

Councillor Banks informed the Committee that the Group was due to meet the following day where they would look at the feedback from the questionnaires that had been sent out

to Officers, Members and the Police. It was noted that there had been a good response to the questionnaire.

RESOLVED that

the Task and Finish Group update reports be noted.

45. CRIME AND DISORDER SCRUTINY

The Committee received a report by Officers which contained information regarding the recently introduced powers for Overview and Scrutiny to scrutinise the local Crime and Disorder Partnership (CDRP). Officers explained that the Council were required by provisions in the Police and Justice Act to establish a Committee or Panel to undertake the scrutiny of the CDRP. This Committee or Panel was required to meet a minimum of once a year but it was expected that any bespoke crime and disorder scrutiny committee or panel should be convened more frequently than this in order to undertake effective scrutiny.

The Council's constitution stated that the Overview and Scrutiny Committee should act as the Crime and Disorder Scrutiny Committee. However, there were several other models that could be implemented by the Council in order to comply with the legislation. Officers had identified three potential models. Each model had advantages and disadvantages.

The first model would require Members to use the Overview and Scrutiny Committee as the Crime and Disorder Scrutiny Committee. The second model involved establishing a stand alone panel which would be a sub-Committee of the existing Overview and Scrutiny Committee. A small number of Members would sit on this panel which would be chaired by a member of the Overview and Scrutiny Committee. The third option involved setting up a Joint Redditch and Bromsgrove Crime and Disorder Scrutiny Panel. However, it was noted that separate crime and disorder scrutiny procedures would still be required at each of the authorities.

The Chair explained that he had met with Officers and the Portfolio Holder for Community Safety to discuss the options that had been presented to Members. He suggested that the preferred model would be to establish a separate Crime and Disorder Scrutiny Panel. He explained that he felt that the first model of using the Overview and Scrutiny Committee would overburden the Committee which already had a busy Work Programme. Meanwhile, the third option of setting up a joint Committee might be problematic as there was still a requirement for each Council to

have an additional structure to scrutinise crime and disorder issues. The majority of Members agreed with the Chair; though some Members noted that the Council should not abandon the idea of joint scrutiny for relevant reviews.

RECOMMENDED that

the Council establish a Crime and Disorder Scrutiny Panel to undertake the scrutiny of the Crime and Disorder Partnership; and

RESOLVED that

the report be noted.

46. COUNCILLOR CALLS FOR ACTION

The Committee considered the final version of the Council's proposed procedures for the Councillor Call for Action (CCfA) (Appendix A). Officers explained that they had utilised details about best practice procedures from other local authorities to produce a document bespoke to Redditch.

Members were informed that some minor changes had been made to the document since it had been printed. The Committee were informed that on page 18 of the agenda pack the second title had been changed to "What Issues are Excluded from Referral as a CCfA and what Happens with a Referral?". On page 19, the wording of the final paragraph regarding the order of response to a CCfA had been altered slightly and the number of levels of responses reduced from four to five. On page 20, the reference to the Councillor being informed of whether their CCfA had been successful had been removed and instead changed to reflect the fact that the Councillor would be informed of the date of when their CCfA would be considered by the Overview and Scrutiny Committee.

The document would also explicitly state that the councillor proposing the CCfA should attend the relevant meeting of the Overview and Scrutiny Committee to present their proposal. As a consequence the box on the CCfA Referral form which asked if Members wished to speak to the Overview and Scrutiny Committee had been removed. Finally, the part of the document relating to CCfA case studies had been altered to make "The Initial Issue Checklist" statements into questions.

Members concluded by noting that it would be good practice to review the CCfA procedure once a couple had been completed.

RESOLVED that

- 1) **the amendments detailed in the preamble above be made to the document; and**
- 2) **the report be noted; and**

RECOMENDED that

the Councillor Call for Action (CCfA) guidance for the Council be approved.

47. PERFORMANCE MONITORING - OUTTURN REPORT

The Committee considered the Council's performance outturn report for 2008/09. Officers reported that the performance report now provided information about performance in relation to the national set of indicators (NIs) including the indicators listed in the Local Area Agreement for Worcestershire. The figures collected for 2008/09 would form the baseline for future reporting by the Council. The Committee was informed that the indicators provided had been reported on an exception basis which included those indicators where targets had been exceeded and where targets had been missed.

The Chair explained that he had concerns about the Council's performance in relation to Indicator BVPI 79b "the amount of Housing Benefit overpayments recovered as a percentage of all Housing Benefit overpayments". He had asked Officers prior to the meeting to establish why the target for this indicator had not been met. Officers had provided a written explanation which noted that concerns over performance in this area had previously been identified by Members. Officers had responded by devising a Benefits Improvement Plan. This Plan was due to be considered by the Executive Committee on 26 August.

Members enquired how the target for each indicator was calculated. It was explained that targets were derived through a variety of methods; some were based on national best practice and national standards whilst some were based on historical performance data for the authority.

Members discussed the new Comprehensive Area Assessment (CAA) performance framework and questioned how the authority would be rated within this framework. Officers explained that it would be difficult to make a judgement at this stage. The Council was rated "Fair" under the previous performance management system. As part of the CAA process, the Council had completed: a Value for Money assessment; a Direction of Travel assessment; self assessment of Managing Performance; and a Use of Resources assessment. The feedback the Council had received from the Audit Commission in relation to these assessments had been positive as they had been regarded as being practical and realistic. Officers stressed that within the new performance management framework the standards were extremely high.

Members queried performance in relation indicators BVPI 16a, the percentage of local authority employees with a disability, and 17a percentage of local authority employees from minority ethnic communities. The Chair explained that as the numbers of disabled people working in the authority were small, any small change might have a major impact on the performance figures. Members also queried performance indicator LT1, total concessionary use of sports and leisure facilities. It was noted that the figures included one less sports centre facility due to the operation returning to a school. Members asked for clarification on these figures.

RESOLVED that

- 1) **clarification be provided regarding the Council's performance in relation to Performance Indicators BVPI 16 and 17a and LT1 as detailed in the preamble above; and**
- 2) **the report be noted.**

48. NATIONAL ANGLING MUSEUM TASK AND FINISH GROUP - REPORT

The Chair introduced the report produced by the National Angling Museum Task and Finish Group. He explained that the Group had recorded a series of actions that they wished the Committee to resolve rather than recommend. These actions needed to be undertaken by Officers before Members could proceed in assessing the viability of having a National Angling Museum in the town.

It was noted in relation to the first resolution that Officers would be staging a temporary fishing tackle exhibition at Forge Mill Needle

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Museum which would help to gauge interest in angling displays. Officers were also scheduled to meet with a Regional Manager from the Heritage Lottery Fund. During this meeting Officers would discuss the feasibility of obtaining funds from the Heritage Lottery Fund and other external sources of funding to establish a National Angling Museum in Redditch. This information would be important as the Group had discovered that the Council could not afford independently to establish a National Angling Museum and so would be reliant on external sources of funding to pursue the project.

The chair explained that the fishing tackle exhibition was not due to take place until mid-2010. Officers would require some time to collate information about the number of visitors to this exhibition. Therefore, in relation to resolution three, he suggested that the Overview and scrutiny Committee should consider the outcomes with respect to resolutions one and two at a meeting in late 2010.

RESOLVED that

- 1) the Group's request that Officers stage a temporary fishing tackle exhibition, incorporating an angling competition, in 2010 in order to demonstrate the level of interest in an Angling Museum be noted;**
- 2) Officers' intention to discuss with the Regional Manager for the Heritage Lottery Fund the feasibility of securing funding for the establishment of a National Angling Museum in Redditch be noted; and**
- 3) the Overview and Scrutiny Committee monitor the outcome of resolution 1 and 2 above at a meeting of the Committee in 2010/11 in order to determine the viability of establishing a National Angling Museum in Redditch.**

49. SCRUTINY TRAINING - REPORTS

Members delivered reports on the subject of scrutiny related training which they had recently attended.

- a) Chairing Scrutiny – INLOGOV, University of Birmingham – Councillor Banks

Councillor Banks explained that a variety of points relating to chairing and facilitating scrutiny meetings came out during the day. These included: the need to keep meetings to a maximum of two hours in length; to keep agendas short; to

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avoid providing large amounts of associated documentation; to keep any presentations short but with a longer amount of time for questions and answers; and to use private briefing meeting sessions of the Group or Committee to prepare before the actual meeting. Councillor Banks explained that whilst the venue and the food provided were of a high standard, the cost of the course was very high and therefore she felt that the overall value for money of the course was poor.

- b) Comprehensive Area Assessments: The Role of Scrutiny, the Local Government Information Unit (LGIU) – Councillor R King

Councillor King explained that this course had represented excellent value for money. Many ideas had been discussed that could be implemented at the Council. Issues relating to the scrutiny of the Local Strategic Partnership; two tier government working; and incorporating the views of the public effectively were addressed. He explained that he would deliver a more comprehensive presentation on the subject at the following meeting of the Committee.

RESOLVED that

the reports be noted.

50. REFERRALS

There were no referrals.

51. WORK PROGRAMME

Members considered the Committee's Work Programme. Officers confirmed that consideration of the Local Strategic Partnership and Local Area Agreement scoping documents had been postponed and would be considered at a meeting of the Committee scheduled for 23 September.

RESOLVED that

the Committee's Work Programme be noted.