



# OVERVIEW AND SCRUTINY

Committee

10th September 2008

## MINUTES

**Present:**

Councillor Phil Mould (Chair), Councillor David Smith (Vice-Chair) and Councillors K Banks, M Chalk, W Hartnett, W Norton and D Taylor

**Officers:**

C Hemming and R Kindon

**Committee Officers:**

J Bayley and H Saunders

### 59. APOLOGIES AND NAMED SUBSTITUTES

Apologies for absence were received on behalf of Councillor Thomas.

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

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

### 61. MINUTES

**RESOLVED that**

**The minutes of the meeting of the Overview and Scrutiny Committee held on Wednesday the 20th of August be confirmed as a correct record and signed by the Chair.**

### 62. ACTIONS LIST

Officers circulated a document relating to item one on the Actions List, which concerned community safety performance data. This document contained performance data pertaining to community safety at ward level within the Borough, which had previously been circulated for the consideration of the Overview and Scrutiny Committee on Wednesday the 27th February 2008 (Appendix A).

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Chair

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Two templates for presenting this data were contained within the document. Members agreed that this information should be provided, using both templates, alongside the quarterly performance reports that were regularly submitted for the consideration of the Overview and Scrutiny Committee.

Members considered item two on the Actions List, which related to arrangements for the attendance of members of the Overview and Scrutiny Committee at a Parliamentary Select Committee meeting. Officers explained that a calendar of Select Committee meetings in October 2008 would be provided for Members consideration at the following meeting of the Overview and Scrutiny Committee on Wednesday the 24th September.

Officers explained that the detailed record of unauthorised gypsy and traveller encampments, noted in item three on the Actions List, would be presented for the Committee's consideration on Wednesday the 15th October 2008. The additional information about fly tipping, referred to in item nine of the Actions List, was scheduled to be considered by members on the 24th September.

## **RESOLVED that**

**the contents of the Actions List be noted.**

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

Officers explained that the Executive Committee, on Wednesday the 3rd September, had received an update report on the District Centres Task and Finish Review. The Executive Committee had subsequently approved ten of the twelve recommendations that had been referred by the District Centres Task and Finish Group.

There were no call-ins and no proposed items for pre-scrutiny.

### **64. TASK & FINISH REVIEWS - DRAFT SCOPING DOCUMENTS**

Members received two draft scoping documents for consideration.

#### **a) Council Flat Communal Cleaning**

The Chair explained that this item had originally been proposed during the Overview and Scrutiny Work Programme Planning Afternoon in June 2008. He informed members that, if the review was approved by the Committee, he intended to Chair the exercise.

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Officers explained that there were inconsistencies in cleaning arrangements across the borough for the communal areas around Council flats, including inconsistent standards and variations in service charges. The proposed review had been recognised by Officers as a potentially valuable exercise.

Members discussed the contents of the scoping document and agreed that objective one in the scoping document provided further clarification. The objective needed to be amended to demonstrate that the review focused on both contractual cleaning arrangements for communal areas around Council flats as well as cleaning requirements for communal areas not covered by the Council's cleaning contract.

The Chair informed members that the review would need to be completed in time to influence the renegotiation of the Council's cleaning contract for Council flat communal areas. The existing contract was due to expire on the 30th June 2010. The Council would need a year to renegotiate the contract. Members agreed that if the group was to make any recommendations pertaining to the contract the review would need to be completed by June 2009.

The Chair confirmed that a decision about the membership of this task and finish group would be made by himself and the Vice-Chair of the Committee in consultation with the political party group leaders.

b) Bus Services in Redditch

Councillor Taylor explained that this issue had originally been proposed by herself and Councillor Thomas as a potential item for scrutiny during the Overview and Scrutiny Work Programme Planning Afternoon in June 2008. The initial suggestion had been for a review of public transport in Redditch. However, the scope had later been narrowed to focus on the gaps in bus service provision in Redditch to ensure that the scope of the review would be manageable.

Members discussed the scope and objectives for the exercise and observed that they appeared to be slightly ambiguous. The Committee noted that the review could evolve into a larger exercise as members could extend the

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review to scrutinise related areas such as SMART cards. In addition, Officers advised that since the publication of the draft scoping document for the review the changes to the 57 / 58 and 55 / 56 bus routes in the Borough, referred to in the scoping document, had been addressed.

Officers explained that the Council did not have a lead officer for the review, though one would be appointed on the 17th September 2008. The Council did not have responsibilities for transport. Instead, Worcestershire County Council was responsible for transport issues. Members agreed that it would be useful to invite relevant Officers from Worcestershire County Council to discuss the viability of the exercise. These discussions would inform the content of the scoping document. Members agreed to postpone further consideration of the review until after this meeting had occurred.

The Chair noted that a number of scrutiny exercises had been launched and were being undertaken either by the Overview and Scrutiny Committee or Task and Finish Groups. He suggested that the Overview and Scrutiny process was close to capacity. Members would need to remain aware of Officer and Member capacity during consideration of proposed scrutiny exercises.

## **RESOLVED that**

- a) **subject to the amendments contained in the preamble above the proposed scrutiny of Council flat communal cleaning be approved;**
- b) **Officers from Worcestershire County Council be invited to a meeting of the Overview and Scrutiny Committee to discuss bus services; and**
- c) **Further consideration of the proposed Bus Services Task and Finish Review be postponed.**

## **65. TASK AND FINISH GROUPS - PROGRESS REPORTS**

The Committee received update reports in relation to current reviews.

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a) The Role of the Mayor Task and Finish Group – Chair Councillor M Chalk

Councillor Chalk reported that the Task and Finish Group had organised interviews with people who had previously served as Mayors in various parts of the country. The Group had also considered interviewing representatives of the local press about their coverage of mayoral events. He explained that the Group would then formulate some conclusions, although these were unlikely to be numerous.

b) The Third Sector Funding Task and Finish Group – Chair Councillor D Thomas

Officers reported that the group had arranged to interview representatives of Gloucester City Council and Worcestershire County Council to discuss the grants processes utilised by those local authorities. Questionnaires had been dispatched to a number of other local authorities to obtain information about their grants processes. The Group would also be considering third sector funding arrangements used by organisations outside the public sector.

**RESOLVED that**

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

**66. JOINT SCRUTINY EXERCISE ON FLOODING**

Council Chalk explained that the Joint Scrutiny Group were in the process of finalising their report. Copies of the report had been sent to all the organisations and individuals who had participated in the review for consideration.

Officers explained that Worcestershire County Council Officers had offered to accompany the Chair for the Joint Scrutiny Exercise to present the Group's recommendations to the Redditch Overview and Scrutiny Committee.

Members agreed that the Chair of the Group and Officers from Worcestershire County Council should be invited to attend one of the following meetings of the Overview and Scrutiny Committee, subject to the availability of the attendees. Members further agreed that, due to the potential significance of the recommendations to the whole of the Borough, all Redditch Councillors should be invited to attend this meeting. The start time for the meeting would be

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brought forward to 6.30 pm and would convene in the Council Chamber.

## **RESOLVED that**

- a) the Chair of the Joint Scrutiny Exercise on Flooding and relevant Officers from Worcestershire County Council be invited to attend a scheduled meeting of the Overview and Scrutiny Committee;**
- b) all members be invited to attend this meeting; and**
- c) the report be noted.**

## **67. THE DISPOSAL OF COUNCIL ASSETS**

Officers provided a verbal report on the Council's processes for the disposal of assets. An accompanying document, containing further information, was also provided for the consideration of Members (Appendix B). This handout contained a Minor Land Sales Flowchart, which demonstrated the Council's process for disposing of minor land assets; extracts from the Council's Asset Management Plan, which was in the process of being reviewed and updated; and an extract from the Council's constitution which contained the scheme of delegation to relevant Officers.

Officers explained that assets could be broadly defined as any interest in land that the Council owned or held. This included buildings and also the Council's vehicle fleet, though the report focused on the disposal of property assets.

Members were informed that there were four main types of property asset disposals. Firstly, there were disposals of non-physical minor assets such as removal of restrictive covenants and granting rights of way. Officers had adopted a practice of providing ward Councillors with advance notification about cases considered to have potentially contentious issues. Secondly, there were right of way disposals, which involved the sale of Council houses to sitting tenants under the terms of the Housing Act 1985. Thirdly, there were Minor Land Disposals, which involved the disposal of land which covered an area of up to half an acre and was valued at £10,000 or less. Finally, there were the Major Land Disposals, which involved assets which covered more than half an acre or had a value that was more than £10,000.

The Council's arrangements for Minor Land Disposals had been considered and approved by Members at Committee level in 2003.

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Members had agreed that the original £10,000 value threshold should be reviewed on an annual basis, although this had not subsequently occurred. Officers were delegated with a number of powers to manage the disposal of minor land assets. However, Officers had to consult with ward Councillors over the disposal of land which had formerly been play areas.

Officers advised that individuals who were seeking information about acquiring minor land assets did receive an acknowledgement in writing. They were also advised about the timeframes involved and the potential legal costs. Applications would also be referred to planning Officers for an informal assessment about whether it was likely that the applicant would obtain permission to make use of the asset in the manner in which they had applied to do so. There was no standard outcome to applications as each was assessed individually.

The Council had been assessing the availability of resources for the Minor Land Disposal programme. Following this review it was likely that there would be a concentration of resources of Major Land Disposals. Consequently, it was likely that the time that would be taken by the Council to process applications pertaining to Minor Land Disposals would increase.

The Council received approximately ten – fifteen Minor Land Disposal enquiries every week, of which one or two a week would eventually progress through the full disposal programme. Applications were assessed in chronological order. Officers were asked to provide further information about the amount of revenue generated through this process per annum.

The Council utilised a different process for the disposal of major land assets. Officers assessed the background of the asset including, maintenance costs and service requirements, and would enquire with other public bodies to determine whether the asset could be utilised by them to provide services to the public. In the event that Officers determined that the asset was surplus to requirements it would be recommended for disposal as a surplus asset. A report to declare the asset surplus would be produced and would contain information detailing how the asset should be disposed.

Assets could be disposed of in a number of different ways by the Council. The options for selling assets included the formal tendering process, informal tenders and sales at auction. The decision about the method for selling the assets tended to be made

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by the Officers, based on their professional expertise, using their delegated powers. However, when the Council sold major land assets the decision about which method of disposal to use could be made at Committee level as could approval of the sale price.

Officers explained that covenants were sometimes incorporated into the terms of the sale of an asset by the Council. In cases where the covenant was breached the Council attempted to reach negotiated settlements or would launch legal proceedings for continued breach. On occasions the Council would seek to dispose of assets that had been acquired with restricted covenants attached. In these circumstances the Council could enter into negotiations with relevant parties to resolve the situation with a view to maximising the value of the land to be sold. Restrictive covenants remained attached to land regardless of whether planning permission was granted.

## **RESOLVED that**

- a) **further information about the amount of revenue generated through the disposal of minor land assets per annum; and**
- b) **the report be noted.**

## **68. REFERRALS**

There were no referrals.

## **69. WORK PROGRAMME**

Members noted that the Portfolio Holder for Housing and Health would present his Annual Report at the following meeting of the Overview and Scrutiny Committee. Members proposed various themes that they wanted to discuss with the Portfolio holder during his report (Appendix C).

## **RESOLVED that**

**the Work Programme be noted.**