

Overview and Scrutiny Management Board

Wednesday 2 December 2009

PRESENT:

Councillor James, in the Chair.
Councillor Mrs Watkins, Vice Chair.
Councillors Coker, Fox, Purnell, Roberts, Thompson and Wildy.

Apologies for absence: Councillor Viney and Mr D Fletcher (co-opted representative).

Also in attendance: Councillor Bowyer.

The meeting started at 2.00 pm and finished at 5.05 pm.

Note: At a future meeting, the committee will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

48. DECLARATIONS OF INTEREST

The following declarations of interest were made by Members in accordance with the Code of Conduct –

Name	Minute No. and Subject	Reason	Interest
Councillor Coker	Minute no. 55a Performance monitoring: to receive the bi-monthly Finance and Performance report and to identify issues for further review/monitoring by Panels	Director of Plymouth CityBus Limited	Personal
Councillor Wildy	Minute no. 55a Performance monitoring: to receive the bi-monthly Finance and Performance report and to identify issues for further review/monitoring by Panels	Partner an independent contractor for Devonport Regeneration Community Partnership	Personal
	Minute no. 55b Performance monitoring to receive information regarding Local Area Agreement Performance	Partner member of Plymouth Analysts Network	Personal

49. MINUTES

Resolved that the minutes of the meeting held on 4 November 2009 be agreed subject to the following amendments to minute 40 –

addition to penultimate bullet point response to Members' question –

- Officers would ensure that the forthcoming finance training event had a revised approach **and this would be circulated in advance**;

additional bullet point responses to Members' questions –

- it was confirmed that Children's Services was still a priority;
- it was confirmed that Members would have input into identifying locality boundaries.

50. **CHAIR'S URGENT BUSINESS**

Budget Scrutiny Arrangements

The Chair advised that consideration was being given to the February 2010 budget scrutiny arrangements.

Resolved that the Head of Performance, Policy and Partnerships be requested to investigate the possibility of reciprocal budget scrutiny arrangements with a similar Local Authority.

(In accordance with Section 100(B)(4)(b) of the Local Government Act, 1972, the Chair brought forward the above item for urgent consideration because of the need to inform Members and seek a decision.)

51. **CALL-INS**

(a) Members will be advised of any executive decisions that have been called in

The Chair advised that no executive decisions had been called in.

(b) To monitor actions from Call-ins

There were no actions from Call-ins to monitor on this occasion.

(c) Members will receive a schedule of executive decisions that have been deemed urgent with the agreement of the Chair

The Assistant Chief Executive submitted a schedule of executive decisions deemed urgent with the agreement of the Chair between 26 October and 20 November 2009.

Councillor Wildy commented that as the matter of the removal of the diving stage on the Hoe Foreshore had been on the risk register, had been referred by Audit Commission for scrutiny some considerable time ago and was a subject for planning permission, it was not understood why this was described as an urgent matter.

The Chair advised that the Health and Safety Executive had ruled that the matter had to be dealt with as a matter of urgency.

52. **TRACKING RESOLUTIONS**

Members considered a schedule of tracking resolutions from the O & S Management Board and resolutions brought forward from Overview & Scrutiny Commission and the Resources & Performance Overview & Scrutiny Panel, and commented as follows –

- regarding O & S Commission minute no. 33 (1) Governance Accountability of LSP, the Vice-Chair expressed reservations about the wording of Commission minute 33 (i) (minutes approved on 2 July 2009) in that there was evidence that partners were becoming more engaged and committed to the partnership ethos;
- regarding O & S Management Board minute no. 33b 'to agree further meetings/discussions with the LSP Theme Groups', there would be significant issues to discuss at the meeting to be held on 20 January, including protocols and LAA performance;
- regarding O & S Management Board minute no. 34 (2) 'to receive and consider recommendations from Panels for Management Board, Cabinet or Council', the 'Councillor Call for Action' protocols and tool kit were on the Customers & Communities OSP agenda for the meeting to be held on 25 January 2010.

53. **WORK PROGRAMMES**

(a) To receive new items from the Forward Plan for 1 December 2009 to 31 March 2010 with a view to identifying items for scrutiny

New items from the Forward Plan 1 December 2009 to 31 March 2010 were submitted for Members' consideration with a view to identifying items for scrutiny.

Members noted that –

- regarding 'contract award for the supply of temporary staff' FP 39 –
 - Children & Young People's OSP should have been consulted as the Services for Children & Young People's Directorate used a lot of temporary staff;
 - there was a role for a scrutiny panel to look at this issue to establish how good value for money was evaluated, what the specification was to take account of the vetting and barring system, how health and safety was addressed, what the comparison was between the old and the new contract, and whether all the learning had been achieved in regard to the use and abuse of temporary staff;
- regarding 'information, advice and guidance service for young People' FP 40, it was of concern that the Children's Trust and the Children & Young People's OSP were not included in the 'persons to be consulted with' section.

Resolved that –

- (1) 'contract award for the supply of temporary staff' FP 39 be considered by Support Services OSP at their next meeting;
- (2) 'information, advice and guidance service for young people' FP 40 be added to the work programme of Children & Young People's OSP.

(This item was moved up the agenda to facilitate good management of the meeting.)

(b) To agree Project Initiation Documents / Task and Finish Groups

Members advised that –

- there would soon be a Project Initiation Document (PID) prepared on the draft Carers' Strategy;
- a recommendation had been made by an Area Committee to refer an item to the Growth & Prosperity OSP in respect of driving speeds at the Hoe.

Resolved that the Area Committee's minute in respect of driving speeds at the Hoe be forwarded to the Growth & Prosperity OSP for consideration and, if it was agreed to take the matter further, a PID should be drawn up by the Panel in conjunction with the Chair and Vice Chair of the Area Committee.

(This item was moved up the agenda to facilitate good management of the meeting.)

(c) To receive updates on Task and Finish Groups

The joint Task and Finish Group's scrutiny report in respect of Localities Working was submitted.

Councillor Fox, Chair of the joint Task and Finish Group, introduced the report and advised that –

- the item had taken two days to scrutinise, plus a meeting to finalise recommendations, and the group had heard from 15 witnesses;
- it had been established that there was a common view that Area Committees were not working well;

- there were 43 neighbourhoods and community engagement should be at that level which would then feed up to Localities level;
- each neighbourhood was different and a flexible approach was required, building on community networks already in place and working well, e.g. PACTs, Northern Network.

Members commented that –

- Area Committees cost around £40,000 and this was money wasted;
- the cost of Area Committees could be transferred to neighbourhood working;
- meetings such as the Northern Network did not cost the Council money and it helped if engagement with the community was not on an official basis;
- there was still an issue about locality boundaries –
 - in order to avoid barriers, there was work to be done with Member colleagues to help their understanding of neighbourhood working;
 - concern about boundaries was mentioned in the scrutiny report and further discussion was needed;
 - good practice indicated that there were four factors to be taken into account – education and health, pilot projects, respect for political boundaries, emphasis on Councillor engagement; Councillors had been excluded from the process of setting locality boundaries in Plymouth;
- there was a need to be aware of the risks and the resources that would be required to make partnership working effective;
- joint commissioning of services was referred to in the scrutiny report and it was for Cabinet to agree with partners how it would work.

Resolved that –

- (1) the Assistant Director for Safer Communities be thanked for his valuable contribution to this piece of scrutiny;
- (2) the recommendations of the Localities Working scrutiny report be agreed.

(This item was moved up the agenda to facilitate good management of the meeting.)

54. **LOCAL STRATEGIC PARTNERSHIP / OVERVIEW AND SCRUTINY PANELS UPDATES**

- (a) To receive updates from each Panel on ongoing / completed work with the related LSP Theme Groups**

There were no updates on this occasion.

- (b) To agree further meetings / discussions with the LSP Theme Groups regarding Protocols**

See minute no. 55 (b) below.

55. **PERFORMANCE MONITORING**

- (a) To receive the bi-monthly Finance and Performance Report and to identify issues for further review / monitoring by Panels**

The report submitted to Cabinet on 10 November 2009 was received by the O & S Management Board.

The Cabinet Member for Finance, Property, People & Governance and the Director for Corporate Support advised that –

- the Revenue budget was an improving position;
- a £2.3m deficit was still forecast and the drive to deliver a balanced budget continued;
- there were significant pressures for the Children's Services in respect of Looked After Children and for Community Services regarding service delivery;
- regarding Icelandic investments, it was expected that the Council would receive back 88 per cent of the original investment and that penalty interest added would bring this to more than the original investment, which was potentially good news;
- regarding the Medium Term Financial forecast, the medium term pressures in respect of waste management, capital receipts, Building Schools for the Future, and costs of increasingly elderly population were highlighted;
- the Council was preparing to withstand the coming economic difficulties and there would be a need for tough decisions;
- there were risks around the future financing of the capital programme;
- Treasury Management activities forecast a reduction in the Council's debt;
- the Government Settlement had been announced last week and was as expected, in line with the third year of the Government's three year plan;
- the new spending round beginning in 2011/12 was expected to present a significant challenge;
- the economic downturn was affecting the Council but it was positive that there were still some year end projections on target;
- an exceptional Capitalisation Direction in respect of stock transfer was being pursued;
- there was potentially a saving to be achieved from the contingency revenue budget.

In response to questions, Members were advised that –

- (i) each Directorate was required to bring forward proposals on how they intended to manage financial pressures and these would be monitored;
- (ii) as the level of penalty interest was not yet known, it was too early to say if the Icelandic Bank investments would be down overall; a reserve was in place to manage the situation;
- (iii) although phase 2 had been deferred, the target date for completion of the capping at Chelson Meadow remained the same;
- (iv) the Council needed a sound grasp of different sources of data in order to aid its ability to successfully challenge Government population figures which formed the basis of Government Settlement; the Council was in a better position in this regard than it used to be;
- (v) regarding Devonport's Building Schools for the Future, the possibility of the Devonport Regeneration Community Partnership contributing to this would be investigated;
- (vi) the issue of LAA reporting on a quarterly basis and the Council's finance reporting on a bi-monthly basis was being reviewed as it was recognised that synergy was required.

(Councillors Coker and Wildy declared personal interests in the above item.)

(This item was moved up the agenda to enable the officer to attend another appointment.)

(b) To receive information regarding Local Area Agreement Performance

The Assistant Chief Executive submitted a report providing an overview of the performance of the targets within the Plymouth's Local Area Agreement 2008-11, incorporating data on the performance of Plymouth's 2007 Stretch Targets which were due to be assessed on 31 March 2010. Officers advised that the 188 national performance statistics would be included in the next bi-monthly finance and performance report.

In response to questions, Members were advised that –

- (i) in respect of NI 192 'Recycling levels', it was quite possible that the Acting Chief Superintendent, Devon & Cornwall Constabulary, Chair of the Safe and Strong Theme Group, would welcome the opportunity for joint scrutiny with the Customers & Communities OSP;
- (ii) protocols were being developed for the Plymouth Analysts Network regarding sharing of data;
- (iii) there were data quality issues, e.g. conflicting data in respect of drug treatment and PCT data in respect of emergency bed days which had been recorded incorrectly but was now being rectified;
- (iv) third party reporting was now being added to police data;
- (v) the Local Strategic Partnership Executive received a report which contained national indicator performance information and officers would consider how this could be communicated to the O & S Management Board;
- (vi) the LSP Executive was carrying out work to tighten and strengthen performance management arrangements and drive up performance and would welcome the opportunity to engage with the Management Board as they took their work forward;
- (vii) it was noted that the O & S Management Board was very concerned about the high number of areas that were significantly under-performing and officers agreed to encourage Theme Group Chairs to come to the 'breakfast' meeting on 20 January as there would be important items on the agenda.

Resolved that –

- (1) the Customers & Communities OSP invite the Chair of the Safe & Strong Theme Group to its next meeting with a view to setting up a joint task and finish group in respect of NI 192 'Recycling levels';
- (2) the following items be included on the agenda for the Theme Group and Scrutiny Chairs' meeting on 20 January 2010 –
 - LAA targets;
 - Protocols.

(Councillor Wildy declared a personal interest in the above item.)

(c) To receive updates from Panels on actions / progress on issues previously identified

Members and officers advised that –

- a Project Initiation Document in respect of Safeguarding Adults would be prepared shortly;
- the Independent Remuneration Panel was currently reviewing the revised membership of the Overview & Scrutiny Management Board and officers were happy to take forward the views of those Management Board Members who were not being interviewed.

56. WORK PROGRAMMES: (cont'd)

(a) To consider and approve work programmes for each of the Panels

The work programmes of the Overview & Scrutiny Management Board and the Overview & Scrutiny Panels were submitted and considered.

The Vice-Chair requested funding from the O & S Management Board's scrutiny budget for a Health & Adult Social Care OSP lunch which was required because of an all day meeting; she explained that there were insufficient funds remaining in the Panel's individual budget.

Resolved that the O & S Management Board's scrutiny budget be used to pay for O & S Panel lunches, but only when Panels' own budgets were unable to support the expenditure.

(b) To consider and approve additions to work programmes

No additions to work programmes were identified on this occasion.

57. **QUARTERLY REPORTS**

(a) To receive quarterly reports from each Panel and O & S Management Board

The draft quarterly scrutiny reports of the Overview & Scrutiny Management Board and O & S Panels were submitted for consideration.

The following points were highlighted –

- Children & Young People's OSP – add 'the Panel had changed the time of its business meeting to accommodate the needs of the wide membership of the panel';
- the meeting and attendance statistics included in all the reports required to be updated.

Resolved that the Head of Performance, Policy and Partnerships prepare a covering report and that this, together with all the quarterly reports, be forwarded to all O & S Management Board Members for feedback which required to be returned to him by Christmas to meet deadlines for the Cabinet meeting in January 2010.

(b) To agree the quarterly scrutiny report for forwarding to Cabinet

See minute no. 57 (a) above.

(c) To receive Cabinet feedback reports from the Chair

There was no Cabinet feedback to report at this stage.

58. **RECOMMENDATIONS FROM PANELS**

(a) To receive and consider recommendations from Panels for O & S Management Board, Cabinet or Council

The following Panel recommendations were submitted –

- Customers & Communities OSP – 23.11.09 minute nos. 37 and 39;
- Support Services OSP – 1.10.09 minute no. 18 (iv) and 29.10.09 minute nos. 29 and 33.

Discussion took place regarding Customers & Communities OSP minute no. 39 which requested that the current anomaly regarding the roles of O & S Management Board and the O & S Panels when considering finance and performance matters was further investigated. Points raised were -

- (i) the finance and performance report went to O & S Management Board so that all Panel Chairs were able to consider this information across the board and they had responsibility for identifying issues for their Panels;
- (ii) some Panels felt that if the responsibility was totally with the Chairs, there was a lack of ownership by the panel and this was why they wished to receive the report at the Panels;
- (iii) Panels were unable to monitor Corporate Improvement Priorities without a report;
- (iv) too much delay was built in if the report had to go first to O & S Management Board and then to the Panels.

Members also raised the following points –

- all suggestions to improve Panels' performance and ownership would be welcome;

- substitution nominations were now available for Councillor Coker and Councillor Wildy.

Resolved that –

- (1) regarding Customers & Communities OSP minute 37, recommendation (3), 'Life Centre and Related Leisure Projects – update and to agree future scrutiny arrangements', authority to approve the Panel's recommendations in respect of the Life Centre be delegated to the Head of Performance, Policy and Partnerships in consultation with the Chair of the O & S Management Board;
- (2) regarding Customers & Communities OSP minute 39, 'Corporate improvement priorities', the Head of Performance, Policy and Partnerships be requested to take forward the issue of finance and performance reporting to Panels with the Panel Lead Officers.

(b) To monitor actions against recommendations made to Cabinet / Council

There were no actions to monitor on this occasion.

59. **COMMUNICATIONS**

(a) To receive reports of any press coverage

The Head of Performance, Policy and Partnerships advised that the Project Initiation Document (PID) template should be amended to include a section for media communications so that those preparing PIDs were prompted to consider how to engage with the media.

(b) To consider any communication plans

There was nothing to report at this stage.