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Bob Coomber
Interim Chief Executive

Plymouth City Council
Civic Centre
Plymouth PL1 2AA

www.plymouth.gov.uk/democracy

Date: 28-8-2012

Please ask for: Helen Wright, Democratic Support Officer
T: 01752 304022 E: helen.wright@plymouth.gov.uk

OVERVIEW AND SCRUTINY MANAGEMENT BOARD

Date: Wednesday 5 September 2012

Time: 4pm

Venue: Council House (next to the Civic Centre)

Members:

Councillor Mrs Aspinall, Chair

Councillor Tuffin, Vice Chair

Councillors Bowie, Bowyer, Casey, Philippa Davey, James, Monahan, Murphy, Mrs Nelder, Nicholson and Wigans.

Members are invited to attend the above meeting to consider the items of business overleaf.

Members and officers are requested to sign the attendance list at the meeting.

Bob Coomber
Interim Chief Executive

OVERVIEW AND SCRUTINY MANAGEMENT BOARD

AGENDA

PART I – PUBLIC MEETING

1. APOLOGIES

To receive apologies for non-attendance submitted by Overview and Scrutiny Management Board Members.

2. DECLARATIONS OF INTEREST

Members will be asked to make any declarations of interest in respect of items on this agenda.

3. MINUTES (Pages 1 - 6)

The Management Board will be asked to agree the minutes of the meeting held on 25 July 2012.

4. CHAIR'S URGENT BUSINESS

To receive reports on business which, in the opinion of the Chair, should be brought forward for urgent consideration.

5. TRACKING DECISIONS (Pages 7 - 10)

The Overview and Scrutiny Management Board will monitor progress on previous decisions.

6. CALL-INS

Members will be advised of any executive decisions that have been called in.

7. URGENT EXECUTIVE DECISIONS

Members will receive a schedule of executive decisions that have been deemed urgent with the agreement of the Chair of the Overview and Scrutiny Management Board.

8. FORWARD PLAN (Pages 11 - 18)

To receive new items from the Forward Plan with a view to identifying items for scrutiny.

9. RECOMMENDATIONS (Pages 19 - 20)

To receive and consider recommendations from Panels, Cabinet or Council.

10. COMMUNITY RIGHT TO CHALLENGE (Pages 21 - 26)

To receive and consider a report on Community Right to Challenge.

11. WELFARE REFORM

The Chairs of the Overview and Scrutiny Panels will be asked to provide an update on the impact that the Welfare Reform Act 2011 will have on their areas of responsibilities.

12. WORK PROGRAMMES (Pages 27 - 40)

To consider and approve work programmes for each of the Panels, to include a progress update from each of the Chairs.

13. PROJECT INITIATION DOCUMENTS (PIDS) (Pages 41 - 44)

To consider the proposal for a task and finish group on the review of subsidised bus routes and through ticketing submitted by the Growth and Prosperity Overview and Scrutiny Panel.

14. EXEMPT BUSINESS

To consider passing a resolution under Section 100A (4) of the Local Government Act 1972 to exclude the press and public from the meeting for the following item(s) of business on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in paragraph(s) ... of Part I of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

PART II (PRIVATE MEETING)

AGENDA

MEMBERS OF THE PUBLIC TO NOTE

that under the law, the Panel is entitled to consider certain items in private. Members of the public will be asked to leave the meeting when such items are discussed.

NIL.

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Overview and Scrutiny Management Board

Wednesday 25 July 2012

PRESENT:

Councillor Mrs Aspinall, in the Chair.

Councillor Tuffin, Vice Chair.

Councillors Bowie, Bowyer, Mrs Bowyer, Churchill, Jarvis, Monahan, Murphy, Mrs Nelder, Mrs Pengelly and Tuffin.

Apologies for absence: Councillors Casey, Philippa Davey, James, Nicholson and Wiggins

Also in attendance: Jo Hambly (Financial and Social Inclusion Officer), Councillor Lowry (Cabinet Member for Finance), Councillor Penberthy (Cabinet Member Cooperatives and Community Development), Bronwyn Prosser (Social Inclusion Manager) and Helen Wright (Democratic Support Officer).

The meeting started at 4.00 pm and finished at 5.50 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.

15. DECLARATIONS OF INTEREST

There were no declarations of interest made by Councillors in accordance with the cost of conduct.

16. MINUTES

Agreed that the minutes of the meeting held on 13 June 2012 are confirmed as a correct record.

17. CHAIR'S URGENT BUSINESS

There were no items of Chair's urgent business.

18. TRACKING DECISIONS

The Board considered the schedule of decisions made and noted the latest position.

19. CALL-INS

There were no call-ins for consideration at this meeting.

20. URGENT EXECUTIVE DECISIONS

There were no urgent executive decisions to consider at this meeting.

21. **FORWARD PLAN**

The Board noted the new additions to the Forward Plan, as follows –

- Theatre Royal regeneration project;
- residential/nursing care rates for 2012/13;
- mental health supported accommodation service;
- policy framework; three year review of the statement principles for the Gambling Act 2005.

22. **RECOMMENDATIONS**

The Board endorsed and agreed the following recommendations –

Customers and Communities

- (1) (minute 6) persons with the relevant knowledge and expertise would be invited prior to commencement of task and finish groups and co-opted as and when appropriate;

Children and Young People

- (3) (minute 3) the appointment of co-opted representatives;
- (4) (minute 6) the changes to its terms of reference;

Health and Adult Social Care

- (5) (minute 4) the appointment of co-opted representatives;

Support Services

- (6) (minute 4) appointment of co-opted representatives.

23. **WELFARE REFORM**

The Director for People submitted a report on welfare reform, which highlighted the following main areas –

- (a) the Welfare Reform Act 2012 introduced changes to the way in which welfare assistance was provided; these reforms were motivated by an aspiration for people to become socially mobile and to get back to work to stave off poverty in a sustainable way;
- (b) the report focused on five reforms that were key examples of the change and impact on customers –

- localisation of council tax benefit;
 - replacement of social fund;
 - housing benefit/local housing allowance reforms;
 - the benefit cap;
 - universal credit;
- (c) approximately 20 per cent of Plymouth's population would be affected by the reforms and other changes to benefits such as –
- working tax credit(s) for people over 50;
 - child benefit;
 - disability living allowance/personal independence payments;
 - incapacity benefit/employment and support allowance;
 - income support;
 - pension credit;
- (d) it was estimated that the income that would be lost to the city for 2012-13 would be between £13 and £27 million (which did not include changes associated with universal credit, council tax scheme, social fund replacement and other factors such as increasing levels of sanctions for those claiming work benefits;
- (e) the financial implications would be wide ranging and would include –
- increased customer demand at the front line for the delivery of services/benefits;
 - increased demand on discretionary pots of funding such as discretionary housing payments, Section 17 funding and the new social fund replacement;
 - supporting more customers who have got into financial difficulty via the council's financial including advice and information services;
- (f) the impact of the welfare reform changes on households and services were far reaching and varied; households would have reduced income and this reduction would be reflected in the council's ability to collect debts and generate income for services and an increase in crisis support services such as homelessness;
- (g) there would be an impact on demand for the council's front line services such as customer support, adult social care and children's social care.

The Social Inclusion Manager and the Financial and Social Inclusion Officer provided a presentation on the welfare reform 2012 – 17, which highlighted the following main areas –

- (h) reform overview (10 key areas) –

- localisation of council tax benefit
 - localisation of the social fund
 - housing benefit/local housing allowance
 - benefit cap
 - incapacity benefit/employment support allowance
 - universal credit
 - social care reform
 - localisation of business rates
 - cost of living increase
- (i) impact of the changes;
- (j) responding to change;
- (k) financial implications;
- (l) conclusion.

The following responses were provided to questions raised by Board members –

- at this stage, it was difficult to calculate the number of jobs that would be needed to grow the economy to offset the estimated loss of income to the city of £13 - £27 million;
- a communication strategy would be published by autumn 2013;
- work had commenced in engaging with the council's partners to ascertain the impact that the reforms would have on the city;
- discussions had been held with the Credit Union to look at ways of teaching people to better manage their money which could be rolled out to schools and the wider community;
- work had already commenced to find a commercial vehicle that would help deliver much needed housing within the city;
- at this stage, the impact of on front line services was more difficult to identify and quantify.

The Chair thanked Cabinet Members and officers for attending.

24. **TERMS OF REFERENCE**

The Board noted the amendments to the panels' terms of reference and recommended them to be submitted to the next city council meeting for approval.

25. **CO-OPTED REPRESENTATIVES**

The Chair put forward a suggestion of inviting a member of Plymouth Area Disability Action Network to observe two meeting of the Management Board with a view of co-opting a representative, if this proved to be of value.

Following discussions, the Board agreed to seek information as to how the council supported people with disabilities when seeking advice at First Stop.

26. **WORK PROGRAMMES**

The Chair advised that a separate meeting with the Chairs of the panels, lead officers and democratic support officers would be held to discuss and agree the work programmes for 2012/13.

27. **PROJECT INITIATION DOCUMENTS (PIDS)**

The Board considered and agreed the following project initiation documents –

- social fund replacement (the Department for Work and Pensions would hand partial funding to local authorities to design and deliver a localised welfare assistance scheme); membership of the task and finish group to comprise Councillors Ball, Damarell, P Davey, Ricketts and Tuffin;
- finance and performance reporting (to enable performance management rather than performance monitoring, focussing on key areas where improvements were necessary to achieve city priorities).

The library modernisation project initiation document is agreed but subject to a review of the objectives.

28. **EXEMPT BUSINESS**

There was no exempt business.

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Overview and Scrutiny Management Board 2012/13

5 September 2012

TRACKING DECISIONS

Grey = Completed

Minute number	Decision	Date agreed	Action by	Progress	Target date
Min 7. 13.06.12	Terms of Reference The Board <u>agreed</u> to revise its terms of reference to submit them along with the terms of reference for the Panels to the next appropriate city council meeting	25 July 2012	HW	Awaiting the Board's approval of any changes made to the panel's terms of reference at its meeting scheduled for 25 July 2012. Completed	25 July 2012
Min 8. 13.06.12	Co-opted Representatives The Board <u>agreed</u> to review the co-opted representatives nominations received from the panels, prior to considering nominations for the Management Board.	25 July 2012		Awaiting co-opted representatives nominations from panels. Completed	25 July 2012
Min 12. 13.06.12	Work Programme The Board <u>agreed</u> that the following items would be included on the work programme for the forthcoming year – <ul style="list-style-type: none"> • Charter for Older People • Corporate Plan 2012-2015 • Police and Crime Panel • Welfare reform • Library Modernisation Review • Youth unemployment (young people with special educations needs and disabilities) task and finish group • Finance and Performance Reporting task and finish group 	25 July 2012	HW	Completed	25 July 2012

Min 13. 13.06.12	Task and Finish Update/Reports The Board <u>agreed</u> to undertake a task and finish group to explore how successful young people with special educational needs and disabilities are in gaining employment.		GP/JG/GP Lead officers	Agreed at the meeting held on 8 August 2012 that this should be a joint task and finish group with Children and Young People, Health and Adult Social Care and Growth and Prosperity.	
Min 22. 25.07.12	Recommendations The Board endorsed and <u>agreed</u> the following recommendations – <u>Customers and Communities</u> (minute 6) persons with the relevant knowledge and expertise would be invited prior to commencement of task and finish groups and co-opted as and when appropriate. <u>Children and Young People</u> (minute 3) the appointment of co-opted representatives. (minute 6) the changes to its terms of reference. <u>Health and Adult Social Care</u> (minute 4) the appointment of co-opted representative. <u>Support Services</u> (minute 4) appointment of co-opted representatives		HW/ DSOs	Fed back to panel. Fed back to panel. Fed back to panel. Fed back to panel.	
Min 24. 25.07.12	Terms of Reference The board noted the amendments to the panel's terms of reference and <u>recommended</u> them to be submitted to the next city council meeting for approval.		HW	To be submitted to the city council meeting scheduled for 24 September 2012.	24 September 2012

Min 25. 25.07.12	<p>Co-opted Representatives</p> <p>The Board <u>agreed</u> to seek information as to how the council supported people with disabilities when seeking advice at First Stop.</p>		HW	To be circulated outside of the business meeting.	
Min 26. 25.07.12	<p>Work Programme</p> <p>The Chair advised that a separate meeting with the Chairs of panels, lead officers and democratic support officers would be held to discuss and agree the work programmes for 2012/13.</p>		HW	The work programmes for the Board and the Panels were agreed at the meeting held on 8 August 2012 (information previously circulated).	8 August 2012
Min 27. 25.07.12	<p>Project Initiation Documents</p> <p>The Board <u>agreed</u> the following project initiation documents –</p> <ul style="list-style-type: none"> ● social fund replacement; ● finance and performance. <p>The library modernisation project initiation document was also <u>agreed</u> but subject to a review of the objectives</p>		HW	<p>Fed back to panel</p> <p>Fed back to panel (Giles Perritt to review the PID and provide comments to Lead Officer Customers and Communities).</p>	<p>September 2012</p> <p>September 2012</p>

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THE FOUR MONTH FORWARD PLAN

1 September 2012 to 31 December 2012



THE FOUR MONTH FORWARD PLAN

1 September 2012 to 31 December 2012

NEW ITEMS WHICH APPEAR IN THE FORWARD PLAN FOR THE FIRST TIME

INVESTMENT IN CUSTOMER TRANSFORMATION AND ICT CORE INFRASTRUCTURE

STRATEGY FOR THE PROCUREMENT OF THE COUNCIL'S ENERGY REQUIREMENTS FOR THE NEXT FOUR YEARS

TO PROCURE A FRAMEWORK FOR EMERGENCY REPAIRS AND STATUTORY COMPLIANCE FOR PLYMOUTH CITY COUNCIL CORPORATE PROPERTY

COMMISSIONING PLAN FOR THE PLYMOUTH DOMESTIC ABUSE PARTNERSHIP

TENANCY STRATEGY

SCHOOL FUNDING REFORM

INVESTMENT IN CUSTOMER TRANSFORMATION AND ICT CORE INFRASTRUCTURE

First included in plan: September 2012

Nature of the decision:

Approval to release £3million of capital funding for investment in a core ICT infrastructure to improve customer access to services, modernise working practises and deliver efficiencies as required by the medium term financial plan.

Who will make the decision? Cabinet (on the recommendation of Councillor Lowry)

Timing of the decision? 11 September 2012

Who will be consulted and how?

Persons to be consulted with:

The City Council has already approved the allocation of funding subject to this Cabinet report.

Process to be used:

The City Council has already been consulted.

Information to be considered by the decision makers:

Business case detailing the infrastructure, capital and revenue implications and how the unsupported borrowing will be paid back.

Documents to be considered when the decision is taken

The 'Investment in Customer Transformation and ICT core infrastructure' business case

Representations: In writing by 31 August 2012 to –

1. Mark Grimley (Assistant Director for Human Resources and Organisational Development)
2. Councillor Lowry (Cabinet Member)

Contact details available from Plymouth City Council Tel: 01752 668000

Further information – Availability of Documents: For further information contact: Mark Grimley, Assistant Director for Human Resources and Organisational Development Email: mark.grimley@plymouth.gov.uk Tel: 01752 304890

STRATEGY FOR THE PROCUREMENT OF THE COUNCIL'S ENERGY REQUIREMENTS FOR THE NEXT FOUR YEARS

First included in plan: September 2012

Nature of the decision:

To approve the strategy for the procurement of the council's energy requirements for the next four years.

Who will make the decision? Cabinet (on the recommendation of Councillor Lowry)

Timing of the decision? 11 September 2012

Who will be consulted and how?

Persons to be consulted with:

Corporate Management Team.

Process to be used:

Written report and briefing session.

Information to be considered by the decision makers:

Option appraisal contained within the report

Documents to be considered when the decision is taken

Written report and any documents to be appended to the report.

Representations: In writing by 31 August 2012 to -

1. Adam Broome (Director for Corporate Services)
2. Councillor Lowry (Cabinet Member)

Contact details available from Plymouth City Council Tel: 01752 668000

Further information – Availability of Documents: For further information contact: Chris Trevitt, Head of Capital and Assets Email: chris.trevitt@plymouth.gov.uk Tel: 01752 305441

TO PROCURE A FRAMEWORK FOR EMERGENCY REPAIRS AND STATUTORY COMPLIANCE FOR PLYMOUTH CITY COUNCIL CORPORATE PROPERTY

First included in plan: September 2012

Nature of the decision:

Agree to procure a framework for emergency repairs and statutory compliance for Plymouth City Council corporate property.

Who will make the decision? Cabinet (on the recommendation of Councillor Lowry)

Timing of the decision? 11 September 2012

Who will be consulted and how?

Persons to be consulted with:

Procurement Programme Board and Corporate Services departmental management team.

Process to be used:

Written report and briefing sessions.

Information to be considered by the decision makers:

The Business Case titled Asset Management Procurement of Hard Facilities Management.

Documents to be considered when the decision is taken

The Business Case titled Asset Management Procurement of Hard Facilities Management.

Representations: In writing by 31 August 2012 to -

1. Adam Broome (Director for Corporate Services)
2. Councillor Lowry (Cabinet Member)

Contact details available from Plymouth City Council Tel: 01752 668000

Further information – Availability of Documents: For further information contact: Graham Potter, Corporate Property Manager Email: graham.potter@plymouth.gov.uk Tel: 01752 304166

COMMISSIONING PLAN FOR THE PLYMOUTH DOMESTIC ABUSE PARTNERSHIP

First included in plan: September 2012

Nature of the decision:

Approval of the Commissioning Plan for the Plymouth Domestic Abuse Partnership, 2012-2019

Who will make the decision? Cabinet (on the recommendation of Councillors McDonald, Penberthy and Williams)

Timing of the decision? 11 September 2012

Who will be consulted and how?

Persons to be consulted with:

Consultation with service users, members of the Plymouth Domestic Abuse Partnership Board, and other stakeholders took place prior to the writing of this commissioning plan, the findings of which have fed into the recommendations of the plan.

Process to be used:

Cabinet report

Information to be considered by the decision makers:

Commissioning Plan for the Plymouth Domestic Abuse Partnership

Documents to be considered when the decision is taken

Cabinet report and the Commissioning Plan for the Plymouth Domestic Abuse Partnership

Representations: In writing by 31 August 2012 to -

1. Carole Burgoyne (Director for People)
2. Councillors McDonald, Penberthy and Williams (Cabinet Members)

Contact details available from Plymouth City Council Tel: 01752 668000

Further information – Availability of Documents: For further information contact: Kate Lattimore, Project Officer Email: kate.lattimore@plymouth.gov.uk Tel: 01752 37078

TENANCY STRATEGY

First included in plan: September 2012

Nature of the decision:

To agree publication of a Tenancy Strategy including content of the strategy

Who will make the decision? Cabinet (on the recommendation of Councillor Penberthy)

Timing of the decision? 11 December 2012

Who will be consulted and how?

Persons to be consulted with:

Councillors, members of the public, stakeholders and partners

Process to be used:

Draft strategy to be circulated in a consultation document in September. Focus groups with Registered Social Landlord partners

Information to be considered by the decision makers:

Tenancy Strategy

Documents to be considered when the decision is taken

Written report and strategy

Representations: In writing by 26 November 2012 to -

1. Carole Burgoyne (Director for People)
2. Councillor Penberthy (Cabinet Member)

Contact details available from Plymouth City Council Tel: 01752 668000

Further information – Availability of Documents: For further information contact: Matt Garrett, Housing Options Manager Email: matt.garrett@plymouth.gov.uk Tel: 01752 306733

SCHOOL FUNDING REFORM

First included in plan: September 2012

Nature of the decision:

To approve the changes to school funding in relation to national School Funding Reform requirements from April 2013 including the delegation of central services to schools. The decision will enable the statutory return to be submitted to the Education Funding Agency by the deadline of 31 October 2012.

Who will make the decision? Cabinet (on the recommendation of Councillor Williams)

Timing of the decision? 16 October 2012

Who will be consulted and how?

Persons to be consulted with:

Plymouth Schools

Process to be used:

As well as consulting with the Plymouth Schools Forum, the Authority will hold consultation events for all schools during the week beginning 10 September 2012

Information to be considered by the decision makers:

Final Report on School Funding Reform Proposals and Implications from April 2013

Documents to be considered when the decision is taken

Final Report on School Funding Reform Proposals and Implications from April 2013

Summary of consultation responses from Plymouth Schools

Representations: In writing by 1 October 2012 to -

1. Carole Burgoyne (Director for People)
2. Councillor Williams (Cabinet Member)

Contact details available from Plymouth City Council Tel: 01752 668000

Further information – Availability of Documents: For further information contact: Anita Martin, Group Accountant (Schools) Email: anita.martin@plymouth.gov.uk Tel: 01752 307433

Overview and Scrutiny Management Board –5 September 2012
Recommendations

Date/min number	Resolution / Recommendation	Explanation
Children and Young People’s Overview and Scrutiny Panel		
Minute 19. 12/07/12	<p>Work Programme The panel agreed to recommend to the Overview and Scrutiny Management Board the following items for inclusion on its work programme –</p> <ol style="list-style-type: none"> 1. Primary school attainment to include secondary school attainment; 2. School transport to be brought forward to September 2012; 3. Hospital appointments for children and young people and the co-ordination of consultants when seeing patients. 	
Health and Adult Social Care		
Minute 19. 19.07.12	<p>Alcohol Plan The panel <u>agreed</u> that a Project Initiation Document (PID) would be drafted and submitted to a meeting of the Overview and Scrutiny Management Board for approval, the PID would focus on assisting the further development of the strategic and operational plan. The task and finish group would focus on balancing impact of Alcohol on health and maintaining a vibrant night time economy.</p>	

Date/min number	Resolution / Recommendation	Explanation
Cabinet		
Minute 33. 14 August 2012	<p>Community Right to Challenge Following the development of the policy and processes, a pre decision report would be made to the overview and scrutiny in September, prior to a report to Cabinet on 16 October 2012.</p>	<p>The Cabinet <u>agreed</u> that –</p> <ul style="list-style-type: none"> (1) an initial timetable to be published for the receipt of expressions of interest; (2) that any expressions of interest under the community right to challenge are not accepted until 5 November 2012.

PLYMOUTH CITY COUNCIL

Subject:	Community Right to Challenge
Committee:	Overview and Scrutiny Management Board
Date:	5 September 2012
Cabinet Member:	Councillor Penberthy
CMT Member:	Adam Broome, Director for Corporate Services
Author:	Tim Howes, Assistant Director for Democracy and Governance
Contact:	Email:tim.howes@plymouth.gov.uk Tel: 01752 305403
Ref:	
Key Decision:	No
Part:	I

Purpose of the report:

Following the Cabinet decision on community right to challenge taken at the meeting held on 14 August 2012, it agreed that pre decision scrutiny would be undertaken on the development of the policy and process in four specific areas –

1. The production of a comprehensive and workable timetable for submitting expressions of interest.
 2. The determination of what additional information would be required of those submitting expressions of interest;
 3. The setting of a timetable for making a decision on expressions of interests;
 4. The setting of a timetable for a procurement exercise.
-

Corporate Plan 2012 – 2015:

There are no direct implications at this stage, but any successful expressions of interest will have an impact.

**Implications for Medium Term Financial Plan and Resource Implications:
Including finance, human, IT and land**

There are no implications at this stage, but if an expression of interest is accepted then resources will be required to undertake the procurement exercise. If a service is then put out to contract, there will be other legal, financial and human resource implications.

Other Implications: e.g. Child Poverty, Community Safety, Health and Safety, Risk Management and Equality, Diversity and Community Cohesion:

None at this stage.

Recommendations and Reasons for recommended action:

It is recommended that:

The Overview and Scrutiny Management Board recommend proposals to develop the policy and process to Cabinet on 16 October 2012.

Alternative options considered and reasons for recommended action:

There are no alternative options for consideration.

Background papers:

Localism Act 2011 Sections 81-85 and Regulations made under this part of the Act
Draft Guidance on the Community Right to Challenge

Sign off:

Fin		Leg		HR	1207/ 002 MG	Corp Prop		IT		Strat Proc	
Originating SMT Member: Tim Howes, Assistant Director for Democracy and Governance											
Have you consulted the Cabinet Member(s) named on the report? Yes											

1.0 Introduction to the Community Right to Challenge

That part of the Localism Act 2011 relating to the community right to challenge came into force on the 27 June 2012. At the same time, both the supporting regulations were enacted and draft guidance was published.

The community right to challenge requires the Council (as a **relevant authority**), to consider expressions of interest in carrying out a **relevant service** from **relevant bodies**. Where the expression of interest is accepted, the Council must carry out a procurement exercise for the service.

The Act does not give an automatic right to the organisation expressing an interest to deliver the service, nor is it guaranteed the organisation will be successful in any procurement exercise.

The **relevant bodies** that can submit expressions of interest are:

- A voluntary or community body
- A body of persons or a trust established for charitable purposes only
- A parish council
- Two or more City Council employees
- Any other person or body specified by the Secretary of State

The **relevant services** that can be the subject of an expression of interest are those provided by or on behalf of a relevant authority in the exercise of its functions. It only relates to services of the authority rather than its functions. Those services jointly commissioned with health, are excluded (either temporarily or permanently). Services commissioned or managed by individuals using direct payments are also excluded.

2.0 Submitting expressions of interest.

The Council may choose to specify periods during which expressions of interest may be submitted in relation to a particular service. This will allow the council to manage the flow of requests and synchronise them around commissioning cycles for services. The 'timetable' for submissions of interest must be published, including publication on the Council's website. In the event we choose not to specify periods, then they can be submitted at any time.

3.0 Requirements of expressions of interest.

Expressions of interest must be in writing and conform to other requirements as specified in the regulations. The Council may request further information but it must be made clear that it is optional. The required information includes:

- Information about the financial resources of the relevant body (or bodies) submitting the expression of interest.
- Evidence that demonstrates that by the time of any procurement exercise the relevant body submitting the expression of interest will be capable of providing or assisting in providing the relevant service.
- Information about the relevant service sufficient to identify it and the geographical area to which the expression of interest relates.
- Information about the outcomes to be achieved by the relevant body or, where appropriate, the consortium of which it is a part, in providing or assisting in the provision of the relevant service, in particular:

- How the provision or assistance will promote or improve the social, economic or environmental well-being of the relevant authority's area; and
- How it will meet the needs of the users of the relevant service.
- Where the relevant body consists of employees of the relevant authority, details of how that relevant body proposes to engage other employees of the relevant authority who are affected by the expression of interest.

4.0 Notifying decisions on an expression of interest

The Council must specify the maximum period that it will take to notify a relevant body of its decision on an expression of interest. Different periods may be specified for different services.

The notification must be made in writing within 30 days of the closure of the period for submitting expressions of interest.

5.0 Grounds for rejecting an expression of interest

The Council may reject an expression of interest only on one or more of the following grounds:

1. The expression of interest does not comply with any of the requirements specified in the Act or in regulations.
2. The relevant body provides information in the expression of interest which in the opinion of the relevant authority, is in a material particular inadequate or inaccurate.
3. The relevant authority considers, based on the information in the expression of interest, that the relevant body or, where applicable-
 - (a) any member of the consortium of which it is a part, or
 - (b) any sub-contractor referred to in the expression of interestis not suitable to provide or assist in providing the relevant service.
4. The expression of interest relates to a relevant service where a decision, evidenced in writing, has been taken by the relevant authority to stop providing that service.
5. The expression of interest relates to a relevant service -
 - (a) provided, in whole or in part, by or on behalf of the relevant authority to persons who are also in receipt of a service provided or arranged by an NHS body which is integrated with the relevant service; and
 - (b) the continued integration of such services is, in the opinion of the relevant authority, critical to the well-being of those persons.
6. The relevant service is already the subject of a procurement exercise.
7. The relevant authority and a third party have entered into negotiations for provision of the service, which negotiations are at least in part conducted in writing.
8. The relevant authority has published its intention to consider the provision of the relevant service by a body that 2 or more specified employees of that authority propose to establish.
9. The relevant authority considers that the expression of interest is frivolous or vexatious.
10. The relevant authority considers that acceptance of the expression of interest is likely to lead to contravention of an enactment or other rule of law or a breach of statutory duty.

6.0 Modifying an expression of interest

If the Council might otherwise reject an expression of interest, it may seek instead for it to be modified.

7.0 Period between accepting an expression of interest and a procurement exercise starting

The Council must specify the period between accepting an expression of interest and a procurement exercise starting. In specifying these periods, the Council should consider:

1. The need to provide employees of the Council, and other relevant bodies, with a fair, reasonable and realisable opportunity to bid in the procurement exercise for the service;
2. The nature, scale and complexity of the service being procured. For example, it may take relevant bodies longer to prepare to bid for larger, complex services than smaller more straightforward ones; and
3. The timescales for any existing commissioning cycle relevant to the service being procured, or any other relevant authority processes. These may include Council Cabinet decision making or budget setting processes.

8.0 The procurement exercise

When an expression of interest is accepted, the Council must carry out a procurement exercise for the service. This must comply with procurement law and will be in accordance with our existing processes.

9.0 Comment and Next Steps

At one level, these provisions could be seen as a good thing in that the right to challenge is consistent with a range of Council commitments to better engage with the local community through pursuing cooperative working and direct service provision. In so doing, communities and voluntary sectors can take direct action in the provision of a local service for the local community themselves.

However, the Council and the local community it serves needs to be alert to concerns contained with the right to challenge provisions which appear to mitigate against this.

For example, it is worth noting that a relevant body may submit an expression of interests in partnership with other relevant or non-relevant bodies. So an expression of interest can be submitted with a partner from the private commercial sector.

There appears to be no restriction in terms of which non-relevant bodies may partner a local community or voluntary/community body. Accordingly, there must be an inherent risk that, as opposed to being used as a vehicle to support local communities in public service provision for community benefit, this will be used as an opportunity for hostile takeovers of services for profit from partner bodies with little or no local community connection or local community interest.

The Council has the right under the Localism Act 2011, to set time periods within which it will consider expressions of interest. In addition, the Council can reject expressions of interest it receives outside that time period.

Mindful of these concerns and with the intention of allowing the Council time to develop the policy and process for reviewing expressions of interest, it is recommended that the Council start accepting expressions of interest after the 5 November 2012 and that none will be considered prior to this date.

The matters to be the subject of further development include:

- The production of a comprehensive and workable timetable for submitting expressions of interest (see 2.0 above)
- The determination of what additional information will be required of those submitting expressions of interest (see 3.0 above)
- The setting of a timetable for making a decision on expressions of interests (see 4.0 above)
- The setting of the timetable for a procurement exercise (see 7.0 above)

It is planned that these matters will be the subject of a pre-decision report to Overview and Scrutiny in September and to Cabinet on the 16 October 2012 after which, the information will be published on the website.

Topics	J	J	A	S	O	N	D	J	F	M	A	M
Task and Finish Groups												
Youth Service					TBC							
Children and Young People with special educational needs and disabilities succeed in gaining employment (Joint with Health and Adult Social Care and Growth and Prosperity)									TBC			
Updates												
Government Policy Changes												
<i>Child Poverty Working Group</i>												
<i>Update from Children and Young People's Trust Board</i>												
<i>Update from Corporate Parenting Group</i>												
<i>Update from Local Safeguarding Children's Board</i>												
Strategies and Plans												
Children and Young People's Plan (Action Plan)												
Youth Justice Action Plan												
Training and Development												
Development Session for panel members												

Key:

New Item = #

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Draft Work Programme 2012/13

Work programme	J	J	A	S	O	N	D	J	F	M	A
General items											
Departmental verbal updates (as required)		4									
Update on Government Policy changes		4	1	19		21			20	1	
Local Economic Partnerships – Heart of the South West				19							
Economic Development											
Minutes of the Growth Board			1								
Events and Visitor Plan						21					
Youth Unemployment Update / Plan for Jobs						21					
Connectivity: Broadband				19							
Commercial Assets Strategy											
*Welfare Reform Pooling of Business Rates											
Inward Investment						21					

Work programme	J	J	A	S	O	N	D	J	F	M	A
Transport & Highways											
Community Events and Road Closure Policy Update (Briefing Paper on policy)				19							
Evaluation of Gydnia Way Changes			I								
Connectivity: Rail Franchise											
Highways Maintenance (inc. cycle tracks and Transport and Highways Partnerships)				19							
On street parking review (briefing paper and presentation)			I								
On Street Trading											
Planning Services											
Local Development Framework Annual Monitoring Data (web based presentation)									20		
Private sector Housing Stock Condition (briefing paper)						21					
Planning Code of Publicity			I								
*Housing Delivery Plan						21			20		

Work programme	J	J	A	S	O	N	D	J	F	M	A
Plymouth Plan – update										May	
Market Recovery Scheme				19					20		
City and Council Priorities											
• Delivering Growth											
• Raising Aspiration											
• Reducing Inequalities											
• Value for Communities											
Other Topics											
Joint Finance and Performance Monitoring including LAA Performance Monitoring (subject to the Overview and Scrutiny Management Board referring issues to the Panel)											
Bi-annual Scrutiny Report											
Task and Finish Groups											
Subsidised bus routes/cross ticketing/patronage/accessibility											
Youth Unemployment (young people with special educational needs and disabilities) (Joint T&F Group)											

Key* **New item**

N.B – items will be automatically deleted from the work programme once they have been considered by the Panel.

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Work Programme 2012/13

Topics	J	J	A	S	O	N	D	J	F	M	A
Health Integration Programme											
Healthwatch		19									
Health and Wellbeing Board / Joint Strategic Needs Assessment (JSNA) / Joint Health and Wellbeing Strategy (JHWBS)				13							
Government Policy Changes											
Public Health Transition				13							
Joint Priorities											
Alcohol Strategy (Task and Finish)											
Dementia Strategy		19									
Safeguarding Vulnerable People (review of recommendations)						22					
NHS Devon Cluster Primary Care Trust											
NEW Devon, Clinical Commissioning Group (Western Locality)											
Commissioning Intentions						22					
Plymouth NHS Hospitals Trust											
Hospital Discharge Process (TBC)											
Foundation Trust Business Case						22					
Plymouth City Council – Adult Social Care											
Social Care Transformation Programme								24			

Topics	J	J	A	S	O	N	D	J	F	M	A
Plymouth Community Healthcare											
Recovery Pathways (Mental Health Service)		19									
Performance Monitoring											
Quality Accounts											11
Referred by Local Involvement Network											
Services for Gypsies and Travellers				13							

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Support Services Overview and Scrutiny Panel

Work Programme 2012 - 2013

Proposed work programme	J	J	A	S	O	N	D	J	F	M	A
Finance, Efficiencies, Technology and Assets											
Shared Services Programme Review			6								
Carbon Management update					1						
Civic Centre update (Accommodation Strategy)					1						
ICT improvements update			6								
Customer Services											
Review Revenues and Benefits Service (Follow on from SS OSP T&F Group)					1						
Human Resources and Organisational Development											
School Academy Transfer update			6								
Review other authorities' occupational health services and sickness (referred by Audit Committee on 16.12.11)		2									
Human Resources Workforce Update											
Sickness Policy Review			6								
Democracy and Governance											
Corporate Communications											
Social Networking Review						19					
Policy, Performance and Partnerships											
Community Engagement update											
Other Issues											
Government Policy Changes											
City and Council Priorities											

Proposed work programme	J	J	A	S	O	N	D	J	F	M	A
Value for Communities											
Task and Finish Groups											
Council Tax Scheme review (Welfare Reform)											
Shared Services (DELT ICT Shared Services)						19					

Key:

New Item = #

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Overview and Scrutiny Management Board

Draft Work Programme 2012/13

Topics	J	J	A	S	O	N	D	J	F	M	A	M
Budget Scrutiny								9, 14 & 16				
Cabinet response to budget scrutiny recommendations												
Budget Scrutiny Review (Min 84 (2) refers)												
Medium Term Financial Strategy												
Scrutiny Bi-Annual / Annual Scrutiny Report												
Leader and Chief Executive	13											
Review 2011 Interim Staff Survey Results (Minute (70 (8) refers)												
Corporate Plan 2012-15		3										
Welfare Reform		25		5, 19								
Police and Crime Panel												
Finance and Performance Reporting					3							
Child Poverty Working Group												
Community Right to Challenge				5								
Government Policy Change												
Joint Finance and Performance Report					3		12					

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REQUEST FOR SCRUTINY WORK PROGRAMME ITEM



PLYMOUTH
CITY COUNCIL

	Title of Work Programme Item	Review of Subsidised Bus Routes and Through Ticketing
2	Responsible Director	Anthony Payne, Director for Place
3	Responsible Officer	Adrian Trim, Head of Sustainable Transport
	Tel No.	(01752) 307729
4	Relevant Cabinet Member(s)	Councillor Coker, Cabinet Member for Transport
5	Objectives	Review Subsidised Policy and criteria for intervention Review of Through Ticketing progress
6	Who will benefit?	The Council will benefit with regard to value for money, The community with regard to the identification of service gaps and measures to address / provide access to jobs health leisure and improve quality of life.
7	Criteria for Choosing Topics (see table at end of document)	<ul style="list-style-type: none"> • Issue consistently identified by Members as key through constituency activity • Public interest issue covered in local media
8	What will happen if we don't do this review?	Lack of awareness of accessibility related issues and oversight of VFM and service provision. Constituent feedback to Members following revised services.
9	What are we going to do?	<ul style="list-style-type: none"> • Review of existing provision • Review of changed commercial network • Identify gaps and assess provision against agreed criteria / budget • Review opportunities for through ticketing with Operators and continue with options for exploiting Smartcard technology
10	How are we going to do it? (witnesses, site visits, background information etc.)	Analysis of Operator Data Analysis of geographical service provision Assess opportunities and options for improved ticketing

11	What we won't do.	N/A
12	Timetable & Key Dates	<ul style="list-style-type: none"> ○ Review of proposed commercial network changes and comparison of existing subsidised provision - subject to Plymouth Citybus network overhaul but expected to be available by mid August. Therefore review will take 2 weeks from Citybus announcement. ○ Full review of subsidised bus routes to commence in October 2012. ○ Work with bus operators to secure a citywide multi operator ticket by September 2013. With future expansion to ferries once technology is available. ○ Roll out of Electronic Money card technology by late 2012.
13	Links to other projects or initiatives / plans	Growth and economic improvement agenda. 2011/12-2012/13 Regional Smart Ticketing Project
14	Relevant Overview and Scrutiny Panel / Membership if Task and Finish Group (to be decided by OSP before submission to OMB)	Growth and Prosperity Overview and Scrutiny Panel Task and Finish Group. Members – Councillors Michael Leaves, Mrs Nelder, Nicholson, and Wheeler.
15	Where will the report go? Who will make the final decision	Scheduled meeting dates of Panel – Dates to be confirmed Overview and Scrutiny Management Board – Dates to be confirmed Cabinet /Council – Dates to be confirmed
16	Resources (staffing, research, experts, sites visits and so on)	Democratic Support Public Transport Team Operating Companies
17	Is this part of a statutory responsibility on the panel?	No
18	Should any other panel be involved in this review? If so who and why?	No
19	Will the task and finish group benefit from co-opting any person(s) onto the panel.	Representatives of Operating Companies
20	How does this link to corporate priorities?	Delivering Growth, Raising Aspiration, Reducing inequalities, Value for Communities.

Criteria for review

(Items would be expected to meet at least two of the following criteria)

- Corporate priority area
- Poor performing service (evidence from PIs, benchmarking or where high levels of dissatisfaction from customers are recorded)
- High budgetary commitment
- Pattern of not reaching budget targets
- Issue raised by external audit, management letter, inspection report
- New government guidance or legislation
- Issue consistently identified by Members as key through constituency activity
- Public interest issue covered in local media

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