

Overview and Scrutiny Management Board

Wednesday 7 October 2009

PRESENT:

Councillor James, in the Chair.

Councillor Mrs Watkins, Vice Chair.

Councillors Bowie (substitute for Councillor Purnell), Coker, Fox, Roberts, Thompson, Viney and Wildy.

Co-opted Representatives: Mr D Fletcher.

Apologies for absence: Councillors Purnell.

Also in attendance: Councillor Ian Bowyer.

The meeting started at 2.00 pm and finished at 4.40 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.

25. Apologies and Substitutions - Welcome

The Chair welcomed Mr Douglas Fletcher, co-opted representative, to this, his first meeting of the O & S Management Board.

26. 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 Viney	Minute no. 32e To receive updates on task and finish groups	Director of Plymouth CityBus Limited	Prejudicial
Councillor Wildy	Minute no. 29a Performance monitoring: to receive the bi-monthly Finance and Performance report and to identify issues for further review/monitoring by Panels Minute no. 31 Tracking Resolutions	Partner an independent contractor for Devonport Regeneration Community Partnership	Personal

27. MINUTES

Resolved that the O & S Management Board minutes of the meeting held on 2 September 2009 be approved as a correct record.

28. CHAIR'S URGENT BUSINESS

Training opportunity

The Chair advised that –

- a training event entitled 'Scrutiny one step beyond' was being provided by Devon Improvement Programme Learning and Development, to be hosted by Plymouth City Council, on 13 November 2009.

- invitations were being issued to Plymouth's elected Members and other local authorities in the area and a programme (see 'agenda supplement pack – CUB and presentation' on www.plymouth.gov.uk/democracy) and booking form was circulated to all present;
- places would be allocated on a 'first come, first served' basis and O & S Management Board Members in particular were encouraged to attend this event.

(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.)

29. 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 15 September 2009 was received by the O & S Management Board.

The Cabinet Member for Finance, Property, People & Governance, the Director for Corporate Support and the Head of Policy, Performance and Partnerships advised that –

- the £3m forecast overspend was due mainly to the high risk areas within directorates, e.g. income generation by the Development directorate and 'looked after children' within the Services for Children and Young People's directorate;
- Cabinet had requested Directors to submit robust action plans outlining proposals to meet the deficit forecast;
- the capital programme had been adjusted to reflect the economic conditions;
- the Council's performance now had a focus on Corporate Improvement Priorities (CIPs).

In response to questions, Members were advised that –

- it would be possible to prepare a list indicating which CIP projects were the responsibility of Plymouth City Council, which were to be delivered in partnership and which were Plymouth City Development Company's projects;
- the CIP progress and management reports included milestone indicators which were measures of success and Eperform traffic lights provided information: these sources of information could form the basis of Panels' scrutiny of CIPs' under-performance;
- strategic risks were reported to Audit Committee and were accessible by all;
- high level budgetary risks were reported in the finance and performance report and these could be referred to Panels for monitoring;
- with regard to 'looked after children', this had been a performance issue for the council in the past but was now a financial pressure due to improvements regarding safeguarding children;
- in view of the economic pressures, income collection was better than might have been expected, with year end projections green or amber, apart from commercial rents;
- the level of spending in the capital programme had been adjusted to reflect a more realistic assessment of what was deliverable;
- the Council was approaching the end of the Job Evaluation process;
- the CIP 7 (keeping children safe) red traffic light represented the financial forecast

till the year end and was an emerging pressure.

Members were requested to email any further questions to the Cabinet Member for Finance, Property, People and Governance and the Director for Corporate Support.

Resolved that –

- (1) the report's recommendations be noted;
- (2) all high level budgetary risks be referred to Panels for monitoring, including –
 - Children's Services: 'looked after children';
 - Development and Regeneration: income levels in respect of rentals, planning applications, building control and car parking;
- (3) discussions regarding the report format/content be held by Members at a future time.

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

(b) To receive a timetable of key dates re drafting of 2010/11 budget and Corporate Plan, together with a table of consultation events

The Head of Policy, Performance and Partnerships gave a presentation on the planning process in respect of drafting the 2010/11 budget and Corporate Plan, and consultation events (see 'agenda supplement pack CUB and presentation' www.plymouth.gov.uk/democracy). He advised that –

- earlier scrutiny input into the Corporate Plan, before February, was necessary and corporate improvement priorities could form the basis of scrutiny of Panels for the coming months;
- it was intended that public consultation should be through Area Committees, as before, and the views expressed in the public Place surveys would also contribute;
- he would seek advice from the Corporate Area Assessment (CAA) lead from the Audit Commission how their emerging findings could be shared with Members, which would help to inform them in their consideration of priorities.

Resolved that –

- (1) Support Services OSP be requested to develop proposals for achieving public engagement consultation on the proposed budget, at the earliest opportunity;
- (2) the Head of Policy, Performance and Partnerships be requested to consider how to ensure that Members are properly informed about external inspection findings in order to properly enable the setting of Corporate Improvement Priorities.

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

The Vice-Chair advised that the PID for Safeguarding Adults had been approved at least a year ago but she was concerned that it had not progressed due to lack of resources. The Head of Policy, Performance and Partnerships advised that he was in the process of arranging a meeting between himself, the Vice-Chair and lead officer of the Panel in order to progress the matter.

(d) To monitor performance against Local Area Agreement targets and to identify issues for further review / monitoring by Panels

See minute 29a above.

(e) To monitor performance against the Scrutiny Improvement Plan / development of Protocols

The Head of Policy, Performance and Partnerships advised that a protocol regarding the links between theme groups and scrutiny was being prepared and he suggested that this should be circulated to all before the next Chairs' 'breakfast' meeting.

The 'Councillor Call for Action' protocol was being prepared.

(This item was moved up the agenda to enable the Cabinet Member Finance, Property, People & Governance and the Director for Corporate Support to attend another meeting.)

30. **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 report on action taken by the Chair of the Overview and Scrutiny Commission / Management Board regarding the approval of urgent decisions (in accordance with Special Urgency rules as set out in Paragraph 16, Part 6 of the Constitution) taken by Cabinet Members and by the Cabinet collectively from 22 June to 18 September 2009.

Resolved that the report be noted.

31. **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 –

- (i) regarding O & S Commission resolutions 135 and 146 (08/09) and 7(1) (09/10) which referred to Forward Plan and delegated decision issues –
 - the Head of Policy, Performance and Partnerships advised that the specific Forward Plan issues had been raised with the relevant Cabinet Members and Directors;
 - the generic Forward Plan issues had been considered by Cabinet who had agreed that a capital programme reference would be included when appropriate;
 - the Compact Code of Practice had been circulated to all departments which supported achieving clarity for delegated decisions;
- (ii) regarding O & S Commission minute no. 33 (1) re Governance and Accountability of the Local Strategic Partnership, the LSP Board wished to consult those affected and had deferred the item, to be considered before December;
- (iii) regarding O & S Commission minute 37(5), the presentation for all Members and LSP theme groups on the Care Quality Commission would be delayed until the outcome of the recent Adult Social Care inspection was known;
- (iv) regarding Resources & Performance OSP minutes 112(3) and 112(8) –

- the scrutiny budget was –

	Full year budget	Actual spend as at 30.9.09	Commitment	Budget remaining
	£	£	£	£
O & S Commission/ Management Board	10,000	1,194	0	(8,806)
Joint Health Scrutiny Committee	2,000	9	0	(1,991)
Safer & Stronger / Customers & Communities OSP	2,000	0	0	(2,000)
Sustainable Communities / Growth & Prosperity OSP	2,000	0	0	(2,000)
Health & Wellbeing / Health & Adult Social Care OSP	2,000	745	0	(1,255)
Children & Young People OSP	2,000	213	130	(1,658)
Resources & Performance/ Support Services OSP	2,000	0	0	(2,000)
	22,000	2,161	130	(19,709)

- the purpose of the budget was to cover specific training or incidental expenses relating to reviews, e.g. hire of outside venue, travel expenses, details of which should be included in PIDs at the time they were prepared;
- (v) regarding Resources & Performance (R & P) OSP minute 112(4), the policy and performance area within the Services for Children and Young People's department was currently undergoing a restructure;
 - (vi) regarding O & S Management Board minute no. 6b(4), the Head of Policy, Performance and Partnership agreed to provide clarification to Democratic Support Officers on the issue of budget and performance monitoring by Panels;
 - (vii) regarding O & S Management Board minute no. 7a, a finance training event had been arranged for 27 October and another date option would be arranged for November;
 - (viii) regarding O & S Management Board minute no. 19c, Members were informed that the Devonport Regeneration Community Partnership Succession Plan was now prepared and it would help to inform the task and finish group scrutinizing Localities.

Resolved that –

- (1) Commission minutes 135 and 146 (08/09), 7 (1) (09/10), R & P OSP minute 112 (3) & (8) (08/09) and Management Board minute 7a be now considered completed;
- (2) regarding R & P minute 112 (4) (08/09), the Head of Policy, Performance and Partnerships be requested to discuss the proposed restructure of policy and performance personnel within the Services for Children and Young People's department with the Chair of the Children & Young People's Overview and Scrutiny Panel.

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

32. **WORK PROGRAMMES**

(a) To consider and approve work programmes for the O & S Management Board and each of the Panels

The work programmes of the Overview & Scrutiny Management Board and the Overview & Scrutiny Panels, with the exception of Customers & Communities Overview & Scrutiny Panel, were submitted and considered.

(b) To consider and approve additions to work programmes

No additions to work programmes were identified on this occasion.

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

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

Resolved that the Children & Young People's OSP be requested to consider the Forward Plan item no. FP 31 09/10, 'Building Schools for the Future - Governance'.

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

There were no Project Initiation Documents or new Task and Finish Groups to consider on this occasion.

(e) To receive updates on Task and Finish Groups

Councillor Coker, Chair of the 'monitoring the Plymouth CityBus Limited Shareholding project' task and finish group, reported that the first of two meetings had been held. He advised that the task and finish group had requested that he passed on to O & S Management Board the concerns of some Members, i.e. –

- the remit of the task and finish group was too narrow as it prevented consideration of how the Cabinet report was prepared;
- the report given to Cabinet could be judged to be biased as it suggested that the reasonable course of action was to sell shares;
- regarding the experience of the sale of Chester Bus, one view expressed by the decision makers was that this was not taken into account but a conflicting view was also expressed that they did not want to get into the same problems as Chester Bus.

Resolved that the 'monitoring the Plymouth CityBus Limited Shareholding project' task and finish group's Chair's update be noted.

(Councillor Viney declared a prejudicial interest in the above item and withdrew from the meeting.)

33. **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

No updates were received on this occasion.

(b) To agree further meetings / discussions with the LSP Theme Groups

Resolved that meetings for the Chairs of Theme Groups and scrutiny panels be arranged for the following dates, 8.30am commencement time –

- 4 November 2009
- 20 January 2010
- 31 March 2010

34. **RECOMMENDATIONS FROM PANELS**

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

The following recommendations were submitted to the O & S Management Board for consideration –

- (i) Children & Young People's OSP minute no. 17 (24.9.09) – substitute Member for O & S Management Board to be Councillor Bowie;
- (ii) Children & Young People's OSP minute no. 18 (24.9.09) – 'a focus on reducing teenage conception rates in the city' joint task and finish group nominations from the Children & Young People's OSP, i.e. Councillors Purnell, Mrs Beer and Mr Kevin Willis;
- (iii) Health & Wellbeing OSP minute no. 86 (3) (08/09) – Commission be recommended to pursue the 'quality' training opportunities for Members recently publicised by the IDeA (not Audit Commission as previously reported);
- (iv) Health & Adult Social Care Minute no. 2 (2) (29.7.09) – the O & S Management Board be recommended to invite the Democratic and Member Support Manager to a future meeting in order to ascertain what was being done to address the lack of resources in Democratic Support: it was observed that it would be more appropriate to discuss this matter in an informal meeting;
- (v) Health & Adult Social Care Minute no. 14 (23.9.09) - co-opted representatives for the Panel to be –
 - a non-executive board member nominations from each of the PHT and PCT;
 - LINK representative, Chris Boot;
- (vi) Health & Adult Social Care minute no. 15 (23.9.09) – substitute Member for O & S Management Board to be Councillor Stark;
- (vii) Health & Adult Social Care minute no. 24 (23.9.09) – 'a focus on reducing teenage conception rates in the city' joint task and finish group nominations from the Health & Adult Social Care OSP, i.e. Councillors Mrs Watkins, Mrs Aspinall and Delbridge;
- (viii) Safer & Stronger OSP minute, (15.6.09) - amendments to the Customers & Communities OSP's terms of reference, resolutions as follows –
 - (1) the terms of reference include the following –
 - the relevant policies and review dates;
 - the relevant CIPs, 3, 4, 6 and 10;
 - the relevant cross cutting CIPs 1, 2, 13 and 14;
 - the relevant LSP Theme Groups (Safer, Stronger), Health, Cultural Board;
 - (2) the terms of reference be amended to read 'to monitor the budget and performance of the Cabinet Members, Department and partners to oversee delivery of the priorities of the area and with regard to better value for money;

- (ix) Customers & Communities OSP minute no. 16 (28.9.09) – substitute Member for O & S Management Board to be Councillor Mrs Stephens;
- (x) Customers & Communities OSP minute no. 17 (28.9.09) – co-opted representatives of the Panel to be Colin Trend (Money Centre) and Chaz Goldie (FAT-HE);
- (xi) Customers & Communities OSP minute no. 19 (28.9.09) – update on tackling anti-social behaviour strategy, including the Councillor Call for Action example –
 - provision of a tool kit outlining the process and procedures for a Councillor Call for Action request, to be made available to all Members, departments and interested parties within the next committee cycle;
 - request the local strategic partners for resourcing to be made available for –
 - (a) research on national indicators 17 and 21
(NI 17 relates to how people perceive how big anti-social behaviour is in their locality, NI 21 relates to how people perceive how well the police and council deal with anti social behaviour);
 - (b) mapping of intergenerational work within the city and further resources to enhance its delivery;
- (xii) Support Services OSP minute no. 18 (1.10.09) – People’s Strategy be recommended to Cabinet for approval.

Members were advised that co-opted representatives (other than statutory co-opted representatives on the Children & Young People’s OSP) were non- voting and they would receive Code of Conduct training.

Resolved that –

- (1) items (i), (ii), (v), (vi), (vii), (ix), (x) and (xii) above be noted;
- (2) with regard to (xi) above, first bullet point, the Head of Policy, Performance and Partnerships be requested to provide a report on ‘Councillor Call for Action’ and report the date by which this will be available to the next meeting of the Customers & Communities OSP.

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

There were no actions to monitor on this occasion.

35. APPOINTMENT OF CO-OPTTEES

See minute 34a, items (v) and (x) above.

36. COMMUNICATIONS

(a) To receive reports of any press coverage

Members were advised that there was no progress to report at this stage.

(b) To consider any communication plans

There was nothing to report at this stage.