

## PLYMOUTH CITY COUNCIL

**Subject:** Overview and Scrutiny Management Board Recommendations of  
27 July 2011

**Committee:** Cabinet

**Date:** 13 September 2011

**Cabinet Member:** Councillors Bowyer, Jordan, Sam Leaves, Michael Leaves and  
Ricketts

**CMT Member:** Directors for Corporate Support, Community Services and  
Services for Children and Young People, and Assistant Chief  
Executive

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**Ref:**

**Key Decision:** No

**Part:** I

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### Executive Summary:

The Overview and Scrutiny Management Board at its meeting on 27 July 2011 made recommendations to Cabinet on -

- monthly budget updates;
- the localism agenda;
- school academy transfers;
- the Sex Establishment Licensing Policy; and
- Localities and Neighbourhood Working.

The recommendations and officers' comments on the proposals are set out in the report and in the case of Localities and Neighbourhood working, in a separate report.

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### Corporate Plan 2011 – 2014:

Budget monitoring is fundamentally linked to delivering the priorities within Council's corporate plan. Allocating limited resources to key priorities will maximise the benefits to the residents of Plymouth.

The localism agenda, as proposed in the Localism Bill, includes provisions relating to community empowerment, planning and housing, and meets the priority to provide value for communities by increasing engagement with the community.

School academies are linked to the priority to provide value for communities and to become more efficient and join up with partners and local residents to deliver services in new and better ways.

The Sex Establishment Licensing Policy is linked to the priority to deliver growth.

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

Robust and accurate financial monitoring underpins the Council's Medium Term Financial Plan. The Council's Medium Term Financial Forecast is updated regularly based on on-going monitoring information.

Schools opting out of the Council's services due to transferring to Academy status will have an impact on our ability to provide cost-effective services to those schools remaining, with fewer schools to absorb our overhead costs.

The implications of the Sex Establishment Licensing Policy will be addressed by the officer's report on the policy document which will be considered by Cabinet on the 15 November 2011'

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

The reducing revenue and capital resources across the public sector has been identified as a key risk within our Strategic Risk register. Equality Impact Assessments have been undertaken on the delivery plans that underpin the 2011/12 budget.

The implications of the Sex Establishment Licensing Policy will be addressed by the officer's report on the policy document which will be considered by Cabinet on the 15 November 2011'

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**Recommendations & Reasons for recommended action:**

That -

- (1) the OSMB continue to receive the full quarterly Performance and Finance Monitoring Reports and extracts from the report will be submitted to City Council meetings;
- (2) Cabinet supports the need for Member briefings and seminars on new legislation and will instruct officers to take this work forward jointly between OSMB and relevant Portfolio Holders starting with a Member seminar of the Localism Bill.
- (3) the OSMB recommendation on school academy transfers is noted and that Cabinet requests a financial report, outlining the risks of schools not buying into council services, as part of the budget report.
- (4) the OSMB is advised that the officer report on the Sex Establishment Licensing Policy document, to be considered by Cabinet on 15 November 2011, will address the recommendations of the scrutiny panel.

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**Alternative options considered and reasons for recommended action:**

In considering the budget variations for the year, Directors will identify any potential risks to delivering the current year budget plus future years. These will be monitored as part of the corporate reporting process.

Increasing cost base will be monitored and future provision of the services will have to be considered.

These will be addressed by the officer report on the Sex Establishment Licensing Policy document which will be considered by Cabinet on the 15 November 2011

**Background papers:**

Minutes of the Overview and Scrutiny Management Board of 27 July 2011.

**Sign off:**

Fin	DJN 111 2.01 0	Leg	1267 8/D VS.	HR		Corp Prop		IT		Strat Proc	
Originating SMT Member: Tim Howes											

## **1.0 Recommendations of the Overview and Scrutiny Management Board of 27 July 2011**

1.1 At the Overview and Scrutiny Management Board's (OSMB) meeting held on 27 July, 2011, a number of recommendations were approved for submission to Cabinet concerning –

- monthly budget updates;
- the localism agenda;
- school academy transfers;
- Sex Establishment Licensing Policy; and
- Localities and Neighbourhood Working.

## **2.0 Monthly Budget Updates**

- 2.1 Members of the Board referred to the delay in producing the Joint Finance and Performance and it was recommended that Cabinet arrange provision of monthly budget updates to the OSMB.
- 2.2 It is not possible to publish the full report to OSMB before it has been approved by Cabinet, and it has been noted that, with the timings of meetings, the Board are then reviewing out of date reports.
- 2.3 Quarterly monitoring through Cabinet and Scrutiny is still considered appropriate. Officers are considering carefully how the production of the quarterly report can be sped up, both from a performance information and budget monitoring perspective. Scrutiny has the opportunity to identify areas of concern from the quarterly report which can be reviewed more thoroughly via the scrutiny panels. An extract of each quarterly monitoring report will be provided to the next full council meeting for information and as a matter of course from now on.

## **3.0 Localism Agenda**

- 3.1 The Board agreed its work programme as submitted, subject to the Overview and Scrutiny Management Board taking the lead in driving localism agenda through the Council and inviting all Members to a Localism Bill Seminar.
- 3.2 Cabinet support and agree the need for a focus on the Localism Bill and other emerging legislation. Cabinet welcomes the commitment from OSMB to give this work a focus and time within their agendas working alongside Cabinet, Portfolio Holders and Officers. Cabinet specifically supports the need for Member briefings and seminars on new legislation and will instruct officers to take this work forward jointly between OSMB and relevant Portfolio Holders starting with a Member Seminar of the Localism Bill.

## **4.0 School Academy Transfers**

- 4.1 Following consideration by the Support Services Overview and Scrutiny Panel of staff and service provision following the transfer of local authority schools to academies, the Board recommended that Cabinet undertake urgent discussions with Cornwall Council, Devon County Council and Torbay Council to minimise the difficulties that the exodus of local authority maintained schools to become Academies is causing Plymouth and its neighbouring authorities.
- 4.2 The Council has set up a corporate impact group that considers the impact of school transferring from the maintained sector. This group is chaired by Colin Moore Assistant

Director for Lifelong Learning. The recommendation of the OSMB is noted and it is reported that discussions and dialogue between authorities is ongoing. Joint ventures offering services to schools between authorities are developing opportunities that are being considered. The market for Academies is clearly growing and it is important for the right services to be established that can compete in this market.

- 4.3 A financial report outlining the risks of schools not buying into council services will be compiled as part of the quarterly monitoring report to Cabinet.

## **5.0 Sex Establishment Licensing Policy**

- 5.1 In respect of the Customers and Communities Overview and Scrutiny Panel's consideration of the Sex Establishment Licensing Policy, the OSMB agreed –

- (1) the adoption of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982:
- (2) the content of the draft Sex Establishment Licensing Policy with the inclusion of the following –
  - (hours of opening) to include 'Good Friday' on a similar basis to Sundays;
  - (notification) that residents, chairs of school governors, religious establishments within a specific distance from the proposed sex establishment, as well as the relevant Ward Councillors, are notified of any application by individual letters.

- 5.2 The recommendations from the overview and scrutiny panel on the 18 July 2011 will be addressed in the officer's report on the policy document, which will be considered by Cabinet on 15 November 2011.

## **6.0 Localities and Neighbourhood Working Review**

- 6.1 The recommendations of the OSMB, following the Task and Finish Group on Localities and Neighbourhood Working, are addressed in a separate report on this agenda.