

**OVERVIEW AND SCRUTINY BOARD**

**A meeting of the Overview and Scrutiny Board was held on 16 November 2004.**

**PRESENT:** Councillor Carr (Chair); Councillors Booth, Ferrier, Mawston, Robson, Rooney, Rogers, T Ward and Wilson.

**OFFICIALS:** J Bennington, C Burnham, P Clark, J Ord and E Williamson.

**\*\* APOLOGIES FOR ABSENCE** were submitted on behalf of Councillors Cole and Dryden.

**\*\* DECLARATIONS OF INTEREST**

No declarations of interest were made at this point of the meeting.

**\*\* MINUTES**

The minutes of the meeting of the Overview and Scrutiny Board held on 13 October 2004 were submitted and approved.

**EXECUTIVE FEEDBACK – SCRUTINY REPORT - PROVISION OF TOILET FACILITIES FOR LIBRARY USERS**

As part of the scrutiny process and in a report of the Executive Officer Manager it was reported that the Executive had considered the findings of the Economic Regeneration and Transport Scrutiny Panel in respect of the provision of toilet facilities for library users.

The Executive had considered and supported both the Service Response and the response of the Corporate Management Team and had agreed the proposed Action Plan.

NOTED

**EXECUTIVE FORWARD WORK PROGRAMME**

As part of the Board's remit in terms of holding the Executive to account a report of the Senior Scrutiny Officer was submitted which identified the most recent entries to the Executive's Forward Work Programme since the last report to the Board. It was pointed out that this would not negate Non Executive Member's ability to call-in a decision after it had been made.

Members expressed concern that whilst the Council's draft Licensing Policy had been the subject of a number of Members' seminars and various consultation the scrutiny process had not been directly involved in what was regarded a document of major importance.

It was noted that whilst the report concerning East Middlesbrough Review of Primary School Provision had not been formally considered by the Overview and Scrutiny function the respective Chairs of Overview and Scrutiny Board and Children and Learning Scrutiny Panel had had the opportunity of making initial comments. Such comments had been noted by the Executive at its meeting held on 9 November 2004 and a request made for further information on a number of issues of detail which could be addressed as part of the consultation process.

**ORDERED** as follows: -

1. That the information provided be noted.
2. That the Board's concerns that the Overview and Scrutiny function had not been directly involved as part of the consultation process in respect of the draft Licensing Policy be brought to the attention of the Executive and/or Council.
3. That in view of the time constraints involved the Chair liaise with Officers as to the best way forward for the Overview and Scrutiny Board to consider the Council's draft Licensing Policy by the end of December 2004.

4. That Members of the Economic Regeneration and Transport Scrutiny Panel be invited to attend the meeting of Overview and Scrutiny Board when considering the Council's draft Licensing Policy.

#### **AUDIT 2003/04 - BEST VALUE PERFORMANCE INDICATORS**

In a report of the Corporate Performance Manager the Board was advised of the results of the internal and external audit of the 2003/04 Best Value Performance Indicators (BVPIs) particularly in the light of concerns expressed during the scrutiny process in relation to the audit of the 2002/03 BVPIs. The report also outlined the proposed actions required in relation to the 2004/05 and 2005/06 BVPIs.

Following criticism from external auditors in 2002/03 Members were advised of the action taken to improve the data collection processes since that time.

It was noted that further information was awaited following the ODPM's consultation with authorities on a new suite of BVPIs for 2005/06 with effect from 1 April 2005. In view of the impending changes and the need for continued improvement the report outlined measures, which were being pursued for the 2004/05 suite of BVPIs.

NOTED

#### **SCRUTINY REVIEW REQUESTS - NON EXECUTIVE MEMBERS**

In a report of the Senior Scrutiny Officer the Board was advised of a request received from a Non-Executive Member relating to the possibility of implementing a ban on smoking in enclosed public areas within Middlesbrough.

Reference was made to recent Government announcements in this regard and a Council report, which was currently being prepared on the subject.

Since the circulation of the agenda and with the approval of the Chair the Senior Scrutiny Officer submitted an addendum to the report which indicated that a further request had been received from a Non-Executive Member for a scrutiny review in relation to the operation and management of Youth and Community Centres.

It was noted that the Youth Service was currently the subject of an Ofsted inspection and for this reason the Children and Learning Scrutiny Panel had agreed to postpone a scrutiny investigation until after the submission of the Action Plan.

**ORDERED** as follows: -

1. That following the submission of the report in relation to smoking in public places the matter be referred to the Health Scrutiny Panel for their determination as to whether or not to undertake its own scrutiny investigation or to submit a response on the Council's proposals.
2. That the request regarding the Youth and Community Centres be acknowledged but that no action be taken until the outcome of the Ofsted inspection is known and the Children and Learning Scrutiny Panel had responded to the Action Plan.

#### **SCRUTINY REVIEWS – CONSIDERATION OF REQUESTS**

It was confirmed that no requests for scrutiny reviews had been received from the Executive and Executive Members.

NOTED

## SCRUTINY REVIEWS - CONSIDERATION OF REQUESTS - MEMBERS OF THE PUBLIC

In a report of the Senior Scrutiny Officer details were given of a response to a Scrutiny Leaflet which had been received from a member of the public which had been assessed in accordance with the criteria previously approved by the Board.

The topic, which had been put forward for consideration focussed on the problems associated with the number of cars/vans that parked on the pavement in the Marton area.

**ORDERED** that the problems associated with indiscriminate parking be considered as part of the Economic Regeneration and Transport Scrutiny Panel's investigation of car parking in Middlesbrough, a topic included in its current work programme and that such a review include a specific response to the areas referred to in the request submitted from the member of the public.

## SCRUTINY REPORTS – PROGRESS REPORTS

A report of the Chair of the Board and of each Scrutiny Panel was submitted outlining progress on current activities.

Specific reference was made to the following in respect of the Overview and Scrutiny Board:

- a list of Executive reports which the Chair had agreed to being dealt with as 'urgent' reports would continue to be reported to the Overview and Scrutiny Board;
- the Overview and Scrutiny report on permanently excluded pupils was to feature on 'File on Four' programme on city academies on Radio 4 on 23 November 2004;
- the Labour Group Executive had submitted three scrutiny reports namely; Gleneagles Resource Centre, Key Stage 2/3 transition and Dental Health for the Labour Party's Best Practice awards in the 'involving stakeholders in scrutiny' category.

Further to the last meeting of the Board the Chair confirmed that he was to meet with the Mayor, Deputy Mayor and the Chief Executive regarding the way forward on the suggestions outlined within the report on the inclusion of Non-Executive Members.

NOTED

## CALL IN REQUESTS

It was confirmed that no requests had been received to call-in a decision.