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## OVERVIEW AND SCRUTINY BOARD

**A meeting of the Overview and Scrutiny Board was held on 30 November 2004.**

**PRESENT:** Councillor Carr (Chair); Councillors Dryden, Mawston, Robson and Rooney.

**OFFICIALS:** B Baldam, J Bennington, C Burnham, H Child, P Clark, M Gannon, J Ord, J Polson, K E Robinson, P Slocombe and E Williamson.

**\*\* APOLOGIES FOR ABSENCE** were submitted on behalf of Councillors Booth, Cole, Rogers and Wilson.

### **\*\* 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 16 November 2004 were submitted and approved.

## **SECOND QUARTER REVENUE BUDGET OUTTURN 2004/2005**

The Director of Resources presented the second quarter's review of revenue expenditure against the 204/2005 Revenue Budget.

The report detailed the progress against the action points arising out of the first Quarter's Revenue Budget Outturn report and outlined new actions to be pursued.

The main matters of discussion focussed on the undermentioned areas.

Education - not changed significantly, a projected saving of £56,000

- the largest pressure related to the Catering Service (£50,000) as a result of increased staff and food following the opening of salad bars as part of the promotion for healthy eating in schools;
- Education were to provide a report on the above issues identifying options for dealing with the increase in costs information on which would be provided at the third quarter budget outturn;
- It was noted that there was a reduction in the numbers of Middlesbrough pupils in other authority special schools and units and pupils being educated in the Independent school sector which had resulted in savings of £188,000 and £79,000 respectively;

Environment and Neighbourhood Services

- a report on the Erimus/ land transfer impact on Grounds Maintenance Street Cleaning was to be submitted to the Executive;
- in relation to Streetscene Trading Services a deficit of £80,000 was expected in respect of building works mainly as a result of a reduction in work from the corporate repairs and maintenance budget during the early part of 2004/05;
- building cleaning was also anticipated a deficit of £85,000 which consisted of a £30,000 deficit on the scoped properties transferred back to Middlesbrough Council from HBS caused by difficulties in achieving the planned savings and a £55,000 deficit due to the loss of the cleaning services work when the Housing Stock transfer to Emirs took place on 15 November 2004;
- reference was made to pressure within the Waste Services budget of £150,000 of which £120,00 was in request of inflationary pressures, particularly relating to increases in landfill charges for which approval had been agreed in accordance with the Council's agreed 2004/05 agreed Budget Strategy;

- there was a pressure within the Beck's budget of £56,000 for which virement of £49,000 had been requested from the Environment Agency Levy budget together with a £7,000 contribution from the inflation provision;
- Members sought clarification regarding anticipated pressures on income targets in respect of Clairville Stadium (£31,000) and the Golf Centre (£50,000) in 2004/05 as a result of poor weather conditioned during the summer months reflected in a reduction on the use of such facilities;

#### Housing Revenue Account

- reference was made to estimated savings of £91,000 and more specifically the following:

		£000's
Opening Balance		3,696
Less Contribution towards repairs	(111)	
		3,585
Less Set Aside Provision (Pension Deficit)	(3,400)	
Add Forecast Saving		91
Anticipated Balances as at 31 March 2005	276	

- Members were advised of the action to be taken which had received ODPM approval in respect of the above with the aim of protecting the Pension Fund, mitigating cost to the Council tax payers and not undermining the Business Plan of Erimus;

#### Regeneration and Cultural Services

- In response to a previous action for the Medium Term Financial Plan to be updated to address the unrealistic income target for Enterprise Centres it was noted that an Officer had recently been assigned to cover this area of the service and prepare a report on the future role of such Centres;

#### Social Services

- it was noted that a small net saving of £30,000 had been projected;
- reference was made to the what was regarded as sound financial practice of having a contingency budget in order to cope with the significant costs should the Authority be required to place any children in secure accommodation following Court orders;

#### Corporate Services

- no significant changes from the last report.

**ORDERED** that the information provided be noted and the actions to be taken be endorsed.

### **SECOND QUARTER CAPITAL BUDGET OUTTURN 2004/2005**

The Director of Resources submitted a report, which provided an update of the 2004/2005 second quarters capital outturn position.

The main changes from the approved capital programme were summarised in Appendix A of the report in respect of the following: -

- a) additional Housing Revenue Account Capital Expenditure £609,400 - funding was available from Capital receipts following the sale of the Cargo Fleet Depot to Erimus as part of the Housing Stock Transfer arrangements;
- b) the Supported Capital expenditure allocation for Education from Central Government had increased by £58,6000;

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- c) other small variances of £17,100.

Reference was made to slippage of approximately £600k, which was shown at Appendix A of the report, which represented a relatively small proportion of the overall programme and continued to show an improvement from previous years.

An assessment of the level of expected capital receipts had been undertaken and the expected position was summarised at Appendix B of the report. It was noted that approximately £4.6m of additional capital resources arising from additional capital receipts were expected to be available over the next six years.

Members were advised that a key issue in the current year related to Single Regeneration Budget funding which ceased on 31 March 2005 and as such the regeneration team were completing exit strategies for each scheme in consultation with relevant Project Sponsors.

In response to clarification sought from Members regarding the identification of individual projects reference was made to the overall budget setting process. In commenting on the overall procedures Members asked to what extent the revenue implications were built into the process.

**ORDERED** as follows: -

1. That the information provided be noted and the actions to be taken be supported.
2. That the need to ensure that the revenue implications of a capital scheme was built into the overall process be emphasised as part of the Board's response to the Executive.

## **SCRUTINY REPORT – COUNCIL'S DRAFT LICENSING POLICY**

The Chair referred to the meeting of the Board held on 16 November 2004 when concerns had been expressed that scrutiny had not been consulted in respect of the Council's draft Licensing Policy. An additional meeting of the Board had subsequently been held on 26 November 2004 to which Members of the Economic Regeneration and Transport Scrutiny Panel had been invited to attend together with the Chair and Vice Chair of the Licensing Committee.

The Board at that meeting considered information and evidence provided by the Community Protection Service, Regeneration Service, Executive Director Environment, Police and Middlesbrough Town Centre Company.

A report was circulated at the meeting which highlighted the main areas of discussion relating to the licensing policy which centred on whether or not to include a saturation policy and views relating to a pricing policy.

The attention of Members' was drawn to the main conclusion of the report in that the Licensing Policy needed to be considered in the context of a policy for the Town Centre as a whole. The Board supported the initiation of a Town Centre Strategy.

It was noted that the Economic Regeneration and Transport Scrutiny Panel were to address such an issue as their next topic for review.

Members considered the suggested recommendations as follows:-

1. That the Council should adopt a 'saturation policy' for licensing, covering the Town Centre area as a whole, in order to give a positive message about the type of licensed premises it wishes to encourage in the Town Centre.
2. That the Council should support a voluntary pricing policy, in order to discourage binge drinking.

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3. That the Council's Licensing Policy be reviewed when the Council considers a comprehensive Town Centre policy.

**ORDERED** that the recommendations outlined be approved and referred to the Executive at its meeting to be held on 14 December 2004 and thereafter the Council at a special meeting to be arranged.

#### **CONSOLIDATED PERFORMANCE REPORT – APRIL TO SEPTEMBER 2004**

In a report of the Corporate Performance Manager information was provided on the Council's performance against key commitments made in the Corporate Performance Plan 2004/2005 and also in the suite of Best Value Performance Indicators.

The Council was responsible for 97 commitments of which 79 (81%) were meeting the target set as shown in Table I of the report.

The Board was advised that the majority of the commitments which were not meeting the original timescale set were expected to be achieved but over a slightly longer timeframe. In most instances it reflected over-ambitious timetables set at the beginning of the year or other priorities taking precedence such as the Housing Stock Transfer.

In relation to BVPI's there were 149 in the 2004/2005 suite of indicators, 98 of which had been reported at the second quarter clinic. Of these, 56 (57%) were meeting the target set and 42 (435) were not as shown in Table 2 of the report submitted.

Education had the lowest percentage of BVPI's meeting the target set. It was noted however that this was as a result of the methodology that DfES insisted upon for target setting and that a high proportion of key indicators had shown continuous improvement such as the percentage of pupils achieving five or more GCSE's at grades A – C (38.8% 2003/04, 40.5 % 2004/2005).

The Board's attention was drawn to Appendix A which provided details of those BVPI's that were not meeting target and a brief outline of the actions being taken to address the situation.

NOTED

#### **DRAFT IMPLEMENTING ELECTRONIC GOVERNMENT STATEMENT**

The Partnership Manager presented a report on the draft of the Council's 2004 IEG4 Statement which was used in assessing the Council's progress with e-government prior to submission to the Executive and subsequently to the Office Deputy Prime Minister by 20 December 2004.

Over the last three years, authorities had received capital funding in return for submitting an acceptable IEG Statement. Each Authority had received an allocation of £150,000 for 2004.

One of the Government's key objectives was for all transactions between the public and public service organisations to be electronically enabled by the end of 2005. Although this had been the measure through the Best Value Performance Indicator 157, over the last 12 months the Government had introduced new assessment criteria.

In accordance with the revised criteria the report outlined the draft IEG4 which followed a prescribed format which comprised a brief introduction and a series of standard pro-formas.

It was considered that the Council was reasonably well positioned to meet the Government's targets for December 2005 and beyond. An indication was given of work which was progressing in terms of sharing information especially in the areas of health and social services.

The report highlighted a number of areas which required significant work and provided information on the current status and proposed action to be taken.

The approach used to assess progress against the BVP1157 target had also changed and all Councils were required to use the Electronic Service Delivery toolkit. It was acknowledged that

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work was ongoing in updating the information needed to run the toolkit. It was noted that the toolkit appeared to be a more rigorous method of assessing progress than that previously adopted by most Councils.

NOTED

## **SOCIAL CARE AND ADULTS SERVICES SCRUTINY PANEL – DIRECT PAYMENTS**

The Chair of the Social Care and Adults Services Scrutiny Panel presented the findings of the investigation into the barriers of improving the take up of direct payments.

The Board's attention was drawn to the conclusions of the Panel in particular:-

- a) the implementation of direct payments must be understood within the wider context of the work of Social Services. The Panel recognised the pressures placed on Social Services with regard to the continued implementation of a number of national initiatives and increased financial pressures;
- b) the Panel recognised that Social Services were working hard towards ensuring that the level of direct payments was increased whilst also facing a number of barriers to that take up, barriers of which the Panel had found to be common nationally;
- c) the direct payments scheme could have the capacity to change people's lives for the better, enabling people to have a better quality of life and access the community to which they belonged;
- d) the training of social workers and staff involved in direct payments was imperative to ensuring the success of the Scheme.

The Board considered the Panel's recommendations as follows:-

- a) That a clear policy be developed which details the targets, objectives and timescales of the direct payment process.
- b) That given the confusion regarding the name Direct Payments the Executive Director of Social Services explores the possibility of raising the issue with the appropriate Minister.
- c) That considering the shortage of personal assistants attention be given to working towards increasing the number of carers.
- d) That the possibility of using family as carers for people who wish to take up direct payments should be considered in certain circumstances in order to make the option more widely available.
- e) That the option of making social services provision more flexible should be considered, perhaps by allowing existing social services care staff to be employed by people in receipt of direct payments.
- f) That a review of the way publicity is presented should be considered to ensure that the information is easy to understand, that it is made available in a number of different formats and accessible for people with differing needs.
- g) A review of where information is provided should be considered to ensure that the information is made more widely available in day centres, other community facilities, schools and colleges etc.
- h) That there is a review of the way direct payments are discussed with service users to ensure that the positive elements of direct payments are highlighted first and that they are clear about the level of support and backup that they will receive.

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- i) That the development of a process should be considered that enables the potential users of direct payments, for whom taking up direct payments has enhanced their way of life, to provide testimonies or even speak to those service users who are considering taking up direct payments.
  - j) As it was found that the paperwork associated with direct payments was daunting for many people and acted as a barrier to take-up, a review of the paperwork service users must complete should be considered to ensure that the process is as simple and straightforward to follow as possible.
  - k) Ensure that effort is concentrated to work with the appropriate agencies to improve the take up amongst older people, whilst ensuring that the views of the older person are taken into account.
  - l) That assurances are given that current staff have been trained in regard to direct payments and that all new staff undertake a mandatory training session.
  - m) That the current structure of the team that supports the direct payment process be examined to ensure that it has the capacity to support the expected increase in the take up of direct payments.
  - n) That details of the take up of direct payments are reported back to the Board in March 2005.

**ORDERED** that the findings and recommendations of the Social Care and Adults Services Scrutiny Panel be endorsed and referred to the Executive.

#### **CALL IN REQUESTS**

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