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## OVERVIEW AND SCRUTINY BOARD

A meeting of the Overview and Scrutiny Board was held on 29 March 2006.

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

**OFFICIALS:** B Baldam, J Bennington, G Brown, P Clark, A Crawford, J Ord, D Robinson, K E Robinson and E Williamson.

**\*\* PRESENT BY INVITATION:** Councillor N J Walker (Executive Member for Resources).

**\*\* AN APOLOGY FOR ABSENCE** was submitted on behalf of Councillor T Ward.

### **\*\* 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 28 February 2006 were submitted and approved.

## **REVENUE BUDGET OUTTURN – THIRD QUARTER 2005/2006**

The Director of Resources presented a report on the third quarters review of revenue expenditure against the 2005/2006 Revenue Budget and gave a summary of the main issues arising from the budget clinic process.

An overspend was predicted in relation to Children, Families and Learning with particular regard to the Vulnerable Children budget as a result of an increase in the placement of children in secure accommodation outside of the area and an increased number of Court cases. Although it was noted that a working group had been set up to develop a long-term strategy for this area, Members requested further information on the background and implications of the increases given the impact of the budget.

Specific reference was also made to service demand pressures within social services mainly associated with older people and mental health.

The largest projected saving was reported with the Corporate Centre which would help to address pressures in front line services.

NOTED

## **CAPITAL BUDGET OUTTURN – THIRD QUARTER 2005/2006**

The Director of Resources presented a report on the third quarters review of Capital expenditure and the estimated variances on the Authority's capital programme for 2005-2008.

The main changes to the capital programme were indicated in Appendix A of the report submitted. Appendix B showed the total planned expenditure, total earmarked resources and total un-earmarked resources updated.

Over the period of the programme to the end of 2007/2008 there were additional resources available of £2.4m.

Specific reference was made to variances in respect of the MIMA project, which were being closely monitored.

NOTED

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## INTERNAL AUDIT – THIRD QUARTER PROGRESS REPORT

A report of the Director of Resources was presented on the third quarter monitoring report against the 2005/2006 Audit Plan.

The Board's attention was drawn to the main issues arising in the third quarter of the current financial year and a number of issues which had been addressed in respect of the following: -

- Work performed and a comparison with work planned;
- Key issues emerging from Internal Audit work;
- Changes to the Audit Plan for the period.

Although the audit plan showed an improvement on the number of planned audits specific reference was made to the reasons as to why certain planned audits had not been delivered.

Reference was made to ongoing work associated with the recruitment and retention difficulties in the Audit section as previously reported and future options for the delivery of the service.

NOTED

## STRATEGIC RISK REGISTER – BUSINESS CONTINUITY MANAGEMENT

In a report of the Corporate Performance Manager information was provided on the following: -

- a) the third quarter monitoring of the Council's Strategic Risk Register 2005/2006;
- b) the Council's approach to strengthening one method of mitigating risk, Business Continuity Management.

The Board was advised of the Council's significant progress as identified by external auditors stating 'the Council is performing strongly on Risk Management' (1). Such progress included producing a revised Corporate Risk Management Strategy 'a sense of proportion', which built upon the previous strategy 'Chance or Choice' and a revised Strategic Risk Register, aligned to the Community Strategy themes.

The Council was continually striving to improve its approach to risk management one element of which was Business Continuity Management (BCM) which was the main method used to mitigate the risk of external factors, which might prevent the Council from continuing its service delivery in the event of a major incident.

Reference was made to the fifty-one risks in the Strategic Risk Register 2005/06, which were categorised in line with the Council's six Community Strategy themes and the Council's overarching 'Fit for Purpose' priority as detailed in table 1 of the report submitted.

Specific reference was made to the Council's approach to BCM, which was to be strengthened. The Council had ensured through its partnership with HBS that Council-wide Business Continuity Plans were in place in high priority areas and risk areas as follows: -

- IT services covering all the Council's IT systems;
- HR and Employee Services including payroll, health and safety, training, communications and HR advisory;
- Financial services;
- Customer services including contact centre, Middlesbrough House, reception areas and Careline.

The Council intended to further strengthen its BCM approach and to align it within the Risk Management Framework by implementing the following changes: -

- The Deputy Mayor becomes Risk management and BCM Champion for Members;
- The Chief Executive becomes Risk Management and BCM Champion for CMT;
- The directorate risk champions become Risk Management and BCM Champions;

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- The risk forum is expanded to include BCM and becomes the Risk and BCM Forum.

NOTED

## **BORO BUZZ – FINAL REPORT**

The Chair of the Community Safety and Leisure Scrutiny Panel presented the findings of the Panel's investigation into Boro Buzz.

The Board considered the following recommendations of the Panel: -

- a) That the Council consider organising and running an annual community firework display for the people of Middlesbrough on Bonfire Night.
- b) That the Council no longer use the term 'Mischief' night in any of their publications.
- c) That events and competitions associated with Mischief night be renamed as Boro Buzz night.
- d) That a full programme for marketing and distribution of leaflets be prepared earlier for any future Boro Buzz festival.
- e) That Schools should be encouraged to promote Boro Buzz and provide supervised facilities during this period a contribution towards diverting attention from Anti Social behaviour.
- f) That consideration be given to identifying a specific budget provision within the Council's base budget for any future Boro Buzz events.
- g) That events which could be provided free through the Leisure department during Boro Buzz should be promoted to encourage attendance and divert youngsters away from mischief.
- h) That Community Councils be directly approached in connection with any future Boro Buzz event in their ward and encouraged to financially support the events through the Community Council Grant.
- i) That the Youth Service should examine their staff levels for the period of Boro Buzz and that they consider providing additional activities to support the festival.
- j) That the co-operation between Outreach Youth Workers and wardens continues during Boro Buzz to prevent Anti Social behaviour.
- k) That the Executive Member report back to the Panel in August on the progress in developing a programme for a 2006 Boro Buzz festival.

Although Members expressed reservations about the Council organising and running an annual community firework display on Bonfire Night they nevertheless supported the recommendation for the suggestion to be examined.

**ORDERED** that the findings and recommendations of the Community Safety and Leisure Scrutiny Panel be endorsed and referred to the Executive.

## **TOBACCO CONTROL WITHIN ENCLOSED PUBLIC PLACES – FINAL REPORT**

The Chair of the Health Scrutiny Panel presented the findings of the Panel's review into the topic of Tobacco Control in Enclosed Public Places.

The Board considered the following recommendations of the Panel: -

- a) That following the imposition of the total smoking ban, Middlesbrough Council in conjunction with key partners actively seeks to promote Middlesbrough as 'smoke free', so that the Town may capitalise on any upturn in commercial activity as a result of the ban.

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- b) That the Council lobbies the Government to publicly clarify exactly how the incoming ban will be policed and who will be responsible for its policing, including whom will meet the financial commitments of policing the ban.
  - c) That Middlesbrough Council, together with key partners, strenuously pursues a campaign to combat potential displacement of tobacco use into the home and that such a campaign should emphasise that smoking has been banned in enclosed public places for a reason and that reasoning applies equally to the home.
  - d) That the Council, together with key partners, consider providing more litter bins and other receptacles outside establishments likely to have people smoking outside of them in an effort to prevent increases in the amount of tobacco related litter dropped.
  - e) That the Council considers the likely ramifications of a smoking ban for street cleaning functions and devotes an appropriate level of resources to deal with the possible increase in tobacco related litter.
  - f) That the Council encourages local businesses in the hospitality sector to provide open-air areas upon their premises, where appropriate, where people can smoke.

**ORDERED** that the findings and recommendations of the Health Scrutiny Panel be endorsed and referred to the Executive.

## **COMMUNITY ENGAGEMENT – FINAL REPORT**

The Chair of the Community Safety and Leisure Scrutiny Panel presented the findings of the Panel's investigation into the development and enhancement of community engagement in Middlesbrough.

The Board considered the following recommendations of the Panel: -

- a) That all service departments should be aware of, and utilise, the full range of consultation methods identified in the Corporate Consultation Strategy. Consultation exercises should consider the full range of mechanisms available, and follow the most appropriate. A protocol should be developed in order to ensure that this is achieved.
- b) That all the Voiceover results are circulated to Members for their information.
- c) That the Planning Department should use a range of consultation mechanisms in seeking the views of local people, in addition to consulting Community Councils.
- d) That both the Council and Middlesbrough Partnership consider developing ways for greater involvement and engagement with young people.
- e) That the Council continues to work closely with MVDA on community engagement issues in order to ensure effective community engagement with the voluntary sector.
- f) That a generic 'job description' and 'person specification' should be developed for officers of Community Councils, to assist those who occupy such roles.
- g) That an evaluation framework for Community Councils is established by the Council in order to measure their development and performance.
- h) That a review of the support given to Community Councils is undertaken to ensure that there is a consistent approach and to analyse the kind of support that those involved with Community Councils would find beneficial; and that an appropriate training programme is developed for Community Councils.
- i) That in order to provide a local mechanism for the development of the Government's agenda, and to assist Ward Councillors to ensure their place at the heart of their community, a ward based community decision-making body should be established, to be chaired by a ward

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councillor. This body should have a delegated budget. Active members of the local community such as representatives of community councils, voluntary bodies, residents associations, the police, housing associations etc should be involved. The overall decision-making authority would rest with the Ward Councillors.

- j) That if this structure is agreed in principle, detailed proposals should be developed to enable the scheme to become operational following the elections of May 2007.
- k) That a training programme should be put in place in order to assist Members in the development of their role.
- l) That given the limited role for elected members in the Partnership's area clusters, consideration should be given to the creation of area management committees to oversee Middlesbrough's services on an area basis. Area management committees should be coterminous with the area clusters, and all ward councillors should be members.

**ORDERED** that the findings and recommendations of the Community Engagement Ad Hoc Scrutiny Panel be endorsed and referred to the Executive subject to the inclusion of: -

- a) a reference to the Licensing Section within recommendation (c) above, and
- b) that a working group of Members, including Non-Executive Members and Officers be established to oversee the development and implementation of the Panel's recommendations.

#### **EXECUTIVE FEEDBACK – WORKLESSNESS**

As part of the scrutiny process and in a report of the Executive Manager it was reported that the Executive had considered the Board's findings on the Final Report of the investigation into Worklessness.

The Executive had considered and supported the responses of the Service Area and the Corporate Management Team and had also agreed the proposed Action Plans.

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 the time-scales had changed for consideration by the Board of the reports relating to the Housing Regeneration Strategy and Middlesbrough Urban Renaissance Strategy.

It was also confirmed that each Scrutiny Panel would be provided with further information on the Executive Forward Programme as part of the arrangements for the compilation of the scrutiny work programme 2006/2007.

NOTED

#### **SCRUTINY REVIEW - IMPLEMENTATION OF RECOMMENDATIONS**

The Senior Scrutiny Officer submitted a report which outlined progress achieved in relation to the implementation of agreed Executive actions resulting from the consideration of Scrutiny reports.

In terms of the Executive actions which should have been implemented by February 2006, 182 had been implemented, 22 partially completed and 5 had not been implemented.

Specific reference was made to Appendix A outlined those recommendations which had not been fully implemented by the target date.

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Appendix B of the report submitted gave an update in respect of the Health Scrutiny Action Plans.

NOTED

#### **SCRUTINY REVIEWS - CONSIDERATION OF REQUESTS**

It was confirmed that no requests for scrutiny reviews had been received from the Executive, Executive Members, Non Executive Members and members of the public since the last meeting of the Board.

NOTED

#### **SCRUTINY PANELS - PROGRESS REPORTS**

A report of the Chair of each Scrutiny Panel was submitted which outlined progress on current activities.

NOTED

#### **CALL IN REQUESTS**

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