

OVERVIEW AND SCRUTINY BOARD

A meeting of the Overview and Scrutiny Board was held on 12 December 2006.

PRESENT: Councillor Carr (Chair), Councillors Booth, Cole, Dryden, Mawston and Wilson.

OFFICIALS: B Baldam, J Bennington, G Brown, A Crawford, G Field, C Gledhill, J Ord, K Stokes and E Williamson.

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

****APOLOGIES FOR ABSENCE** were submitted on behalf of Councillors Cole, Harris and Rooney.

** DECLARATIONS OF INTEREST

Name of Member	Type of Interest	Item / Nature of Interest
Councillor Dryden	Personal/Non Prejudicial	Revenue Budget Outturn Second Quarters 2006/2007: Any matters relating to Levick House – Chair of Levick Trust.

** MINUTES

The minutes of the meeting of the Overview and Scrutiny Board held on 14 November 2006 were submitted and approved.

REVENUE BUDGET OUTTURN – SECOND QUARTERS 2006/2007

A report of the Director of Resources was presented regarding an estimate of the annual outturn for 2006/2007 based on the second quarter's review of revenue expenditure against the current year's Revenue Budget.

The Board was advised that the overall financial situation had improved and that a small underspend was projected.

A summary was provided of the overall outturn variances from budget. The Board's attention was drawn to some areas of concern and the proposed action to be taken to address such issues which included the following: -

- a) in response to concerns regarding the continuing significant pressures within the budget relating to Vulnerable Children the Board was advised that the Children, Families and Learning service had set out an action plan to mitigate such pressures which would be incorporated into the Medium Term Financial Plan;
- a) specific reference was made to the unforeseen outcome of the Supporting People Reviews of Learning Disabilities services which represented the most significant financial pressure facing social care and had resulted in a much greater element of the overall package of care /support being the responsibility of social care;
- b) it was noted that many other local authorities were facing the same pressures as (b) above and the Government had indicated that it would be more stringent on the level of care which should be provided by a local authority;
- c) specific reference was also made to a pressure on residential care costs as a result of increased placements and temporary dual costs that would be incurred during the closure of Albert Cocks and Levick House.

ORDERED that the information provided be noted including the proposed action plans and implications upon the Medium Term Financial Plan.

CAPITAL BUDGET OUTTURN – SECOND QUARTERS 2006/2007

A report of the Director of Resources was presented on the 2006/2007 second quarters' review of the Capital Programme and estimated variances.

The total gross expenditure had increased by an amount of £5,157k, which had been offset by specific additional earmarked resources of £5,171k.

NOTED

CONSOLIDATED PERFORMANCE REPORT JULY TO SEPTEMBER 2006

In a report of the Corporate Performance Manager details were provided of the Council's performance, for quarter two, July – September 2006/07 in respect of:

- a) Planned Actions given in the Strategic Plan
- b) Performance to date against targets set for BVPIs.

In overall terms it was considered that the Council had performed well in the second quarter of 2006/07. It was confirmed that 89% of planned actions were on target to be achieved within timescale and 63% of BVPIs were expected to achieve the target set.

Reference was made to the 165 Planned Actions for 2006/07. Of the 162 reported for the second quarter, 143 (89%) were on target to be achieved within the timescale set and 19 (12%) were not on target.

Details were provided of the Planned Actions not achieving the target set and the agreed response.

Members sought clarification on a number of areas including the following: -

- a) in commenting on FP15 relating to the increase participation levels of Community Council/Cluster Groups reference was made to the intention to submit a progress report on the scrutiny review in respect of community engagement;
- b) in addition to a number of improved activities arising from the Quarter 1 Action Plan, improvements around debt management had also been updated which had resulted in an increase in Council tax collection;
- c) although there had been sustained improvement across the attainment of BVPIs in respect of Children, Families and Learning Members suggested that careful attention be given to those targets not being met recognising that some targets may have been over ambitious;
- d) BV84 relating to waste per head of population had seen a significant increase to 15% which was the subject of further investigations including national trends;
- e) specific reference was made to the short-term impact of the closure of the EfW plant for maintenance, which had resulted in a marked increase in the landfill figures.

NOTED

CRIMINAL RECORDS BUREAU CHECKS

In a report of the Scrutiny Support Officer the Board was advised of the position of the Children and Learning Scrutiny Panel regarding their decision to include Criminal Records Bureau (CRB) checks as a scrutiny topic in its current work programme.

The Panel had subsequently been advised that the matter of CRB checks within the Authority had been reviewed by an Officer Working Group an interim report from which had been considered by the Panel.

The Corporate Management Team had subsequently approved the report and its recommendations and work was ongoing to cost the recommendations and develop a detailed implementation programme.

Following investigation and further deliberations with the Chair of the Officer Working Group the conclusions of the Panel were reported as follows: -

- a) That the issue of CRB checks and associated procedures has been examined very thoroughly and effectively by the Officer Working Group.
- b) That the findings and recommendations of the CRB Working Group appear to cover all aspects of this topic that would have been considered by the Children and Learning Scrutiny Panel had the issue been examined by the Panel as a detailed scrutiny review.
- c) That the implementation of the recommendations of the CRB Working Group will ensure Council compliance with current legislation and guidance.
- d) That the CRB Working Group will continue to meet to ensure that any necessary future changes to the CRB checks procedure for example, following the anticipated introduction of the Safeguarding Vulnerable Groups Act are implemented.

It was also noted that it was intended that the Panel be kept informed of any future changes in procedure following the introduction of any new legislation or guidance.

The Panel had made the following recommendations: -

- i) That the thorough investigation of this issue by the CRB Working Group is welcomed and appreciated.
- ii) That the recommendations of the CRB Working Group be endorsed as their implementation will ensure compliance with all relevant legislation and guidance to safeguard potentially vulnerable groups.
- iii) That any necessary future changes in procedure following the introduction of new legislation or guidance should be overseen and implemented by the Working Group.

ORDERED as follows: -

1. That the updated position in terms of the Children and Learning Scrutiny Panel's 2006/07 Work Programme be noted.
2. That the findings of the Children and Learning Scrutiny Panel in respect of the process used for Criminal Records Bureau checks in the Council be endorsed and a report be referred to the Executive for information.
3. That any necessary future changes in procedure following the introduction of new legislation or guidance be overseen and implemented by the CRB Working Group.

LOCAL AREA AGREEMENT AD HOC SCRUTINY PANEL

A report of the Chair was presented regarding the Local Area Agreement (LAA) Ad Hoc Scrutiny Panel's findings following consideration of the current position and process adopted for developing the LAA.

The Council's LAA built on the outcomes and priorities identified within the Community Strategy 2005 and it provided an opportunity to build on the achievements of the Partnership and make progress against the Community Strategy Themes and Strategic priorities.

The findings of the Panel were reported as follows: -

- i) The Panel considered that the Draft LAA was comprehensive and that the initial remarks from Government Office on the Draft were very encouraging. The Panel recognises that there are benefits of bringing a range of plans together into one document, which assists in driving accountability of partners to deliver their commitments.
- ii) The Panel believes this has the potential of being a key role for the Local Authority and that it is important that the Authority ensures its leadership role in the LAA is clearly defined.

NOTED AND APPROVED

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 – PARKING ON AND PROTECTING GRASS VERGES

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

Specific reference was made to the meeting of the Board held on 14 November 2006 when it had been agreed that the Environment Scrutiny Panel be asked to review some aspects of the final report in respect of Parking On and Protecting Grass Verges.

The Panel had subsequently considered the Board's comments in relation to the budget, programming of works and enforcement and had agreed the following: -

- i) Priorities/work programme:
That the final report is considered to cover this aspect of the review in sufficient detail and does not require amendment.
- ii) Budget:
That the final report be amended to include a recommendation that an annual budget should be provided (over and above the highways maintenance budget) to fund verge repairs and maintenance.
- iii) Enforcement:
That the final report be amended to include an additional recommendation relating to the fact that enforcement action will be taken by the Council wherever possible and practicable.

ORDERED as follows: -

1. That the information provided be noted.
2. That the revised final report of the Environment Scrutiny Panel in respect of Parking On and Protecting Grass verges incorporating the changes outlined above be circulated to the Panel and Board Members and referred to the Executive.

ALLOTMENT SERVICE PROVISION – SCRUTINY REVIEW 2004/2005

A report of the Chair of the Environment Scrutiny Panel was presented which provided an update in respect of the 2004/2005 scrutiny investigation into allotment provision in Middlesbrough and the subsequent development of an Allotment Strategy.

The Environment Scrutiny Panel had made a number of recommendations as set out in the report submitted which primarily focussed on the need for the Council to set a longer term strategy for the allotment service; the need to reconsider the management of the service; and the need to review the funding of the service.

It was pointed out that the Executive at its meeting held on 8 February 2005 had agreed the service response which included a recommendation for a bid for additional funding (£50,000) in 2005/06 to be presented as part of the budget process.

It was confirmed that no additional funding for 2005/06 had been identified for allotments and that a £50,000 bid, as part of the 2006/07 budget had also been unsuccessful. It was noted, however, that funding totalling £75,000 had been obtained from various sources to ensure that some progress could be made on improving allotments.

The Environment Scrutiny Panel had subsequently been informed of the development of the Allotment Strategy and the implementation of the Panel's recommendations following their endorsement by the Executive.

The Board was advised that a report was to be submitted to CMT in the near future and that the Environment Scrutiny Panel and the Board would be advised of further updates on the matter.

ORDERED as follows: -

1. That the information provided be noted.
2. That a progress report be submitted to the Environment Scrutiny Panel and Overview and Scrutiny Board on the development of the Allotment Strategy to be considered by the Executive in January 2007.
3. That further clarification be sought regarding the additional recommendation for funding arising from the service response to the Environment Scrutiny Panel's final report and that the Chair of the Panel and of the Board be advised accordingly.

CALL IN REQUESTS

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