

OVERVIEW AND SCRUTINY BOARD

A meeting of the Overview and Scrutiny Board was held on 16 December 2008.

PRESENT: Councillor Brunton (Chair), Councillors Cole, Cox, C Hobson, J Hobson, Ismail, McPartland (as substitute for Councillor Khan), Purvis, Sanderson and Williams.

OFFICERS: J Bennington, G Brown, P Clark, A Crawford, J Ord, N Sayer, P Slocombe and E Williamson.

**** PRESENT BY INVITATION:** Councillor Carr (Executive Member for Children, Families and Learning) and Councillor N J Walker (Executive Member for Resources).

****APOLOGIES FOR ABSENCE** were submitted on behalf of Councillors Dryden, Khan, Mawston and J A Walker.

**** DECLARATIONS OF INTEREST**

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

**** MINUTES**

The minutes of the meetings of the Overview and Scrutiny Board held on 18 November 2008 and 3 December 2008 were submitted and approved as a correct record.

**** SUSPENSION – COUNCIL PROCEDURE RULE NO. 10 – ORDER OF BUSINESS**

ORDERED that in accordance with Council Procedure Rule No. 10, the Overview and Scrutiny Board agreed that, in order to accommodate the Executive Member for Children, Families and Learning and Executive Member for Resources who were attending other meetings, the order of business be varied and that Agenda Item No. 6 be dealt with as the next item of business.

MIDDLESBROUGH PARTNERSHIP

The Executive Office Manager presented a report, which gave an overview of the Middlesbrough Partnership, and how it operated in Middlesbrough.

The Middlesbrough Partnership brought together a range of organisations from across Middlesbrough including public and private sectors, residents and the voluntary and community sectors.

Although the Partnership had no legal powers its key aims were to: -

- work towards achieving the vision as set out in the Middlesbrough Sustainable Community Strategy (SCS);
- harness collective resources and build on the diverse base of representation, knowledge and expertise and ensure that the SCS is sustainable;
- develop and monitor the Local Area Agreement;
- reduce local inequalities and create a more inclusive Middlesbrough; and
- narrow the gap between areas in Middlesbrough and between Middlesbrough and the rest of the UK in relation to key quality of life indicators.

Appendix 1 of the report outlined the following three main elements of the Partnership.

Partnership Executive Board:

The report outlined the current composition of the Board, which met every six weeks, and a current membership of 21. The Board provided the management and direction for the Partnership and took the lead for driving the delivery of the Partnership's targets, aims and objectives.

An indication as given of the type of issues considered by the Partnership Executive Board as shown in a newsheet in relation to the last meeting as outlined in Appendix 2 of the report submitted.

Middlesbrough Partnership Forum:

It was reported that the Forum met at least four times a year and its main role was to provide a mechanism to provide information and consult on key cross cutting issues relevant to the partners.

A newsletter arising from the last Forum meeting was shown in Appendix 3 of the report. Specific reference was made to the involvement of the Partnership and links with Middlesbrough Primary Care Trust in the progression of Middlesbrough's recent award of Healthy Town status. Middlesbrough had been one of nine successful towns to receive Department of Health grant funding.

Action Groups:

Reference was made to the following seven Action Groups, some of which were required by statute: -

- Stronger Communities Group – the key roles of which included community cohesion, culture, community engagement and involvement and voluntary and community sector issues;
- Safer Middlesbrough Partnership – a statutory body, its key areas of responsibility including community safety and strands relating to crime reduction, alcohol and hate crime;
- Children's Trust Board – a statutory body with responsibility for the five themes of Every Child Matters which included; Be Healthy; Be Safe; Enjoy and Achieve; Make a Positive Contribution and Achieve Economic Well Being;
- Middlesbrough Learning Partnership – the role of which focussed on skills and learning covering the age groups 0-7, 8-13, 14-19 and Adult Learning;
- Health and Social Care Partnership – involving public health issues (including physical activity and smoking) and social care and key areas within its remit;
- Local Economy Action Group – involving key issues of culture, particularly flagship projects, economic regeneration and development, housing and transport;
- Environment Action Group – which covered areas including air quality, bio-diversity, recycling, sustainability and waste.

Underlying the specific roles, each Group also had responsibilities to review and monitor performance against relevant Sustainable Strategy themes and Local Area Agreement priorities for which they were also held to account.

Membership was drawn from relevant sectors to ensure that the Groups had the expertise and authority to deliver the Partnership's priorities and any actions of the Partnership Executive.

Owing to the nature and range of issues considered by the Action Groups, a number of sub-groups had been established details of which were shown in Appendix 1 of the report submitted.

Although it was confirmed that the Partnership had robust performance management processes in place a recent review of the LSP structures took into account the new requirements of the national performance framework such as the Corporate Area Assessment.

As part of the performance framework each Action Group was held to account twice a year and there was also input from the Overview and Scrutiny Board.

The Board was advised of the intention for a report to be submitted to the Partnership Executive Board in January 2009 outlining a proposed work programme for that year and to examine such areas as the Constitution and profile of the Partnership.

Confirmation was given that unlike the Neighbourhood Renewal Funding the new Working Neighbourhoods Fund was not the responsibility of Middlesbrough Partnership but was subject to an open procurement exercise.

ORDERED as follows: -

1. That the information provided be noted.
2. That further update reports be submitted to the Board as and when appropriate.

EXECUTIVE MEMBERS – ATTENDANCE AT MEETINGS OF THE OVERVIEW AND SCRUTINY BOARD

In a report of the Scrutiny Support Officer the Board was reminded of arrangements for individual Members of the Executive to attend meetings of the Overview and Scrutiny Board and update Members on their respective work in terms of their aims, aspirations, objectives, priorities and any emerging issues. It also provided the opportunity for the Board to identify or highlight any issues of concern.

NOTED AND APPROVED

EXECUTIVE MEMBER FOR CHILDREN FAMILIES AND LEARNING

The Chair welcomed Councillor Carr who focussed on the progress against strategic priorities under Every Child Matters and highlighted the key issues. Reference was made to new statutory guidance which had been taken into account in particular the process of accountability in relation to the role at a political level of the Executive Member for Children, Families and Learning.

As part of his opening remarks it was noted that offers of appointment had recently been made in respect of the Deputy Director for Safeguarding and Deputy Director for Achievement.

By way of background information the Executive Member for Children, Families and Learning circulated a briefing note, which focussed on the following aspects: -

- i) summary of Performance Against all LAA targets;
- ii) achievement of LAA targets;
- iii) progress against Strategic Priorities;
- iv) Draft Sustainable Community Strategy – Theme selection.

The main issues focussed upon under the Strategic Priorities were identified as follows: -

Be Healthy:

- implementing national guidance on the prevention of obesity and continuing to promote healthy lifestyle choices through the healthy schools programme noting that unlike other indicators the high rates of obesity did not always correlate with areas of deprivation;
- significant work being undertaken to implement measures such as extending sex and relationship education in schools to assist in reducing the high rates of teenage pregnancy which was currently higher than the national average rate;

Stay Safe:

- ongoing measures to tackle alcohol and drug related problems;
- specific reference was made to The Families First Project which had received a regional award and more recently a national accolade;

- Families First was a small project working with families to assist parents to dissuade them from drug and substance misuse;
- ensure robust measures were in place in dealing with children at risk and that there appropriate levels of intervention;
- it was acknowledged that this was a difficult area and also bearing in mind the various pressures from Ofsted and Government'
- continue to examine early intervention and appropriate safeguarding measures;

Enjoy and Achieve:

- although progress had been achieved much work was being undertaken to improve attendance levels at school;
- although improvements had been achieved much work was being undertaken to reduce the gap between low and high achievers;
- reduce the proportion of young people who were NEET (Not in Education, Employment or Training);
- progress the Machinery of Government changes which included the formation of a Tees Valley sub regional group to establish a mechanism to support the regeneration and skills agenda;
- the responsibility for commissioning 16-18 education and training opportunities would transfer to local authorities in 2010;

Make A Positive Contribution:

- opportunities for working with young people were being pursued as part of the national programme 'My Place';

Achieve Economic Well-Being:

- increased emphasis on reducing child poverty which required a co-ordinated and a range of initiatives;
- implementation of Building Schools for the Future.

Members sought clarification and further information on a number of areas, which included: -

- a) acknowledgement of the importance of identifying those at risk and ensuring that appropriate safeguarding measures were in place and the importance of early intervention in order to reduce the likelihood of a crisis situation;
- b) reference was also made to the high costs involved with regard to the demand led pressures of children looked after but also mindful of the finances and resources required to implement early intervention measures where appropriate;
- c) the difficulties surrounding (a) and (b) above were acknowledged in that there was no simple solution and such circumstances involved extensive resources;
- d) an assurance was given of the monitoring procedures in place with particular regard to target intervention in those schools where attainment levels were considered to be too low although it was acknowledged that careful attention had to be given in achieving the correct balance given the importance of the overall education;
- e) the importance of the transition between primary and secondary schools was regarded as a major issue;

- f) it was hoped that with the ongoing work; the development of a more sustained pattern of support and the restructuring towards more local teams to focus on children's needs in a particular location the rate of progress in terms of educational attainment would continue and increase but at the same time maintaining overall standard of education;
- g) as part of the long term aim of tackling obesity specific reference was made to the extent to which local authorities pursued healthy lifestyle choices by promoting exercise, activities, healthy school meals and in conjunction with other partners such as the Middlesbrough Primary Care Trust providing free swimming initiatives.

ORDERED that the Executive Member for Children, Families and Learning be thanked for the information provided.

MEDIUM TERM FINANCIAL POSITION 2009/2010 TO 2012 TO 2013

The Director of Resources presented a report, which outlined the medium term financial position for 2009/2010 to 2012/2013 and set out the estimated draft 2009/2010 revenue budget.

The report was based on a number of factors including the following: -

- i) It was confirmed that the 2007/2008 Final Outturn was reported to the Executive in May 2008 and all services had maintained their expenditure within the budgets allocated to them. Overall the Council had made approximately £485,000 net savings against its General Fund for 2007/2008 and efficiency savings of £4.5 million had been identified and applied during the year.
- ii) The Board was reminded that the Council had set its revenue budget at £126.3 million for 2008/2009. Temporary balances of £0.691 million had been utilised to support the overall expenditure level of the Council. A Council Tax increase of 4.9 % for Middlesbrough Council had been applied.
- iii) In setting the budget identified structural budget issues had been addressed with no cuts in services being proposed and extra investment of £5.1 million had been placed in key service areas including £0.8 million (Children Families and Learning); £3.4 million (for social care for older people and disadvantaged groups), £0.6 million (for the Environment); and £0.3 million for new investment.
- iv) Summary information was provided of the projected year end position by service. It was reported that Children, Families and Learning had identified pressures of £1.6 million. It was confirmed that measures were in place to help reduce such pressures by 31 March 2009.
- v) The Comprehensive Spending Review for the period 2008/2009 to 2010/2011 outlined a requirement to make 3% cashable efficiency savings. The target for Middlesbrough was reported as approximately £3.5 million worth of savings. It was confirmed that proposals would be identified as part of the budget setting process.
- vi) Details of the Local Government Finance settlement had been released on 26 November 2008 which set out the level of Central Government Revenue Funding (general and specific grants) for individual authorities for the period 2009/2010 to 2010/2011. The settlement had been in line with that previously indicated within the Comprehensive Spending Review.

The 2009/2010 projected revenue budget (£135.181 million) was outlined in Appendix A of the report submitted.

The Board's attention was drawn to the main variances from the current year's budget as summarised in a table contained within the submitted report under the Community Strategy headings.

Specific reference was made to the following: -

- a) pay awards had been provided for at 3% in 2009/2010, running costs and other inflation provided at 4.5%, income for fees and charges at 4.5% and grants at 3.75%;
- b) an additional inflationary provision had been made for the assessed impact of increased prices for energy and fuel of £0.5 million and food costs within Children, Families and Learning of £0.35 million;
- c) there were a number of identified potential pressures and efficiency savings relating to the Supporting Children and Young People Community Strategy theme which had been based on assumptions of expected demand;
- d) the revised payment structure for Foster Carers had been built into the medium term financial plan;
- e) in relation to Promoting Adult Health and Well-Being, tackling exclusion and promoting Social Care a provision of £40,000 had been made to deal with unavoidable demand led spending pressures in 2009/2010;
- f) within environment sustainability resources of £428,000 had been secured from efficiency savings within waste management and redistributed to support the standards of cleanliness and to develop public realm, open space and parks;
- g) the impact of new legislation in relation to the statutory bus concession for older and disabled individuals from individual authority areas to anywhere in England was currently being reviewed and the Board would be advised in due course;
- h) an additional provision of £351,000 had been made for an expected court judgement in respect of VAT on off street car-parking and reduced over-head recovery;
- i) an additional provision of £100,000 had been included in the 2009/2010 draft revenue budget to support the Council's contribution within the agreed funding package towards the Middlehaven Development.

A Medium Term Financial plan outlining a broad financial position for the period 2009/2010 to 2012/2013 across the sustainable community themes had been prepared on the basis of current information. The MTFP projected the levels of resources and commitments across the next financial year and a further three-year period, and was used to support strategic policy and service planning across the Council.

The level of resources estimated to be available had been based on the Spending Review released by Central Government on 9 October 2007 together with an assessment of the level of Central Government revenue funding being made available under 6 December 2007 Local Government Finance Settlements.

Pay award assumptions had been based on the Local Government Employers settlement to 2008/2009 at 2.5% and a further 3% in 2009/2010 and ongoing.

Appendix B of the report set out the expected position over the Medium Term 2009/2010 and 2012/2013.

In preparing the 2009/2010 projected revenue budget and medium term financial plan, the report outlined the principles, consistent with previous year's budget strategies and statements by the Executive, which had been adopted.

Appendix C of the report outlined the potential gap/surplus at different Council Tax increase levels. A potential gap (at a 4.9 % Council tax increase) of £4.353 million was projected for 2008/2010.

Members sought clarification on a number of areas: -

- in relation to paragraph 32 of the report in respect of the custodian property portfolio it was confirmed that the lease in respect of Gurney House had expired;
- an indication was given of the extent of the involvement of the Youth Council as part of the budget consultation arrangements;
- in commenting on the previous year's budget in particular a sum of £342,000 of unallocated resources clarification was sought as to the need for the proposal that all services identify annual cashable savings of 3% over the medium term;
- it was noted that in response the 3% savings to be identified referred to officer proposals and the subsequent decision to channel savings to a specific service area had not been part of the initial budget strategy and the allocation of the £342,000 had been a one-off sum the utilisation of which had been determined by the Council;
- the Board acknowledged the difficulties in tackling the potential gap of £4.3 million from net requirements projected for 2008/2010.

ORDERED that the information provided be noted.

EXECUTIVE FEEDBACK – AUDIOLOGY SERVICES

As part of the scrutiny process and in a report of the Executive Office Manager it was reported that the Executive had considered the Board's comments on the final report in relation to Audiology Services.

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

Copies of the responses on the final report received from Middlesbrough Primary Care Trust and South Tees Hospitals NHS Trust had been circulated for the Board's information.

NOTED

EXECUTIVE FORWARD WORK PROGRAMME

As part of the Board's remit in terms of holding the Executive to account Members considered a report of the Executive Office Manager which identified the forthcoming issues to be considered by the Executive as outlined in Appendix A of the report submitted.

NOTED

**** DECLARATION OF INTEREST – COUNCILLOR BRUNTON**

Name of Member	Type of Interest	Item / Nature of Interest
Councillor Brunton	Personal/Non Prejudicial	Any matters relating to Langdon Square Community Centre – Chair of Management Committee.

COMMUNITY CENTRES FINAL REPORT

The Chair of the Economic Regeneration and Transport Scrutiny Panel gave an outline of the process of investigation and presented the findings of the Panel's scrutiny investigation of the Council's Community Centres and its Youth and Community Centres.

The Board considered the following recommendations of the Panel based on the submitted evidence: -

- a) That Centre opening times be adjusted to ensure weekend opening especially for use by young people where there is a demand.
- b) That the Council's proposals to publicise Community Centres through the Council's website should be completed as soon as possible.
- c) That in view of the importance of Management Committees being able to seek external funding and their reliance on that funding the Council should ensure that Management Committees are given the support they need in order to be able to seek external funding.
- d) That the Council ensures a smooth transition for the Whinney Banks Community Centre and ensures that the move does not take place until the new one is built and operational. That the Council also considers the long term funding implications for the centre to ensure its long term viability now that they no longer have the additional income from the rent of rooms.
- e) That given the importance of management committees who find funding for Centres the Panel wanted to ensure that the Council would give an assurance that they would intervene should a situation arise where no volunteers could be found for a management committee.
- f) That the Council reviews the cost of Adult Education fees for older people.
- g) That the department monitors the drop in the contact rate for young people in Youth & Community Centres to ensure that the methods being put in place ensure that the targets are being reached.
- h) That given the importance of volunteers to Community Centres a campaign to increase volunteers numbers should be undertaken.
- i) That the good practice that is ongoing in Middlesbrough is continued to be shared between the centres.

Members sought clarification on a number of areas including: -

- it was noted that the lack of volunteers in particular from young persons in respect of Management Committees was a problem across Middlesbrough;
- specific reference was made to the recommendation for the Council to be able to assist and provide interim support in the event of any management committee being unable to obtain such volunteers;
- although the Panel had concluded that it was difficult to attain the right balance of use of the centres by youth clubs and user groups and evidence had shown that overall it had been achieved it was acknowledged that such levels did varied in some cases.

ORDERED that the findings and recommendations of the Economic Regeneration and Transport Scrutiny Panel be endorsed and referred to the Executive.

IMPROVING LEVELS OF EMPLOYMENT FOR PEOPLE WITH DISABILITIES

The Chair of the Social Care and Adult Services Scrutiny Panel gave an outline of the process of investigation and presented the findings of the Panel's investigation into improving levels of employment for people with disabilities.

The Board considered the following recommendations of the Panel based on the submitted evidence: -

- a) That a 'champion' be appointed in each Council department in order to push forward the initiative in the Council and improve awareness.

- b) That a Councillor also be appointed as a 'champion'. Other Councillors should be made aware of the scheme in order to be able to signpost people to the FORWARDS service.
- c) That the FORWARDS Team and the Council's Economic Development Team work closely to share information about new and current employers within the Town.
- d) That the service returns to the Panel in six months to discuss the progress and in particular the number of people who have been in contact with the service and the total number of jobs found.
- e) That Ayresome Industries is used as an example of good practice for other employers. Employers should be encouraged to visit Ayresome Industries to see its operation in practice.
- f) That the Council, as an exemplar, should be seen to be leading the way in providing opportunities for people with disabilities especially in the use of 'job carving' to create appropriate work opportunities and that this should be a corporate policy.
- g) That the Council ensures that the correct level of resources is directed to FORWARDS to enable its work to be carried out effectively.
- h) That a press release be issued to publicise the work of the service to the public, potential users and businesses. The benefits of the mental health first aid should be highlighted and work should continue to be undertaken with employers to alter their perceptions of disabled employees and to get them to undertake the mental health first aid training course in their organisations.
- i) That in order to assist Ayresome Industries in being able to employ more workers, Ayresome Industries should be given the opportunity and assistance to develop their facilities to enable the organisation to recycle plastic waste.
- j) That the Council also reviews its policy on commissioned services to identify services which Ayresome Industries could provide, including the internal waste destruction policy.

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

SCRUTINY REVIEWS - CONSIDERATION OF REQUESTS – OPEN SPACES

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

The Scrutiny Support Officer submitted a report, which outlined a request from a member of the public for an investigation to be undertaken into Open Spaces in Middlesbrough.

The reasons for the request were reported as follows: -

'In my opinion the continued loss of open spaces to housing has gone beyond the 'tipping point'. While I accept Councils have, in most cases, no option but to approve these developments, I feel the consequences are just not being recognised. Open spaces are just as important as buildings but in the current dash for development, this is being forgotten. It is essential that what little remains are protected and ways and means are found to redress the balance.

The original town was spoilt by infilling and what is happening now will harm everyone's quality of life. It is clear some people have realised what is going on but it may be too late to take effective action if the current situation is allowed to continue much longer.'

Taking into account the agreed criteria the Board considered the appropriateness of undertaking a scrutiny review into the suggested topic.

ORDERED that given the requirements of the Local Development Framework and the Council's Open Spaces Strategy a scrutiny investigation into open spaces be not undertaken.

SCRUTINY REVIEWS - CONSIDERATION OF REQUESTS – BME COMMUNITY NETWORK

The Scrutiny Support Officer submitted a report, which outlined a request from a member of the public for an investigation to be undertaken into the BME Community Network.

Taking into account the agreed criteria the Board considered the appropriateness of undertaking a scrutiny review into the suggested topic.

ORDERED that consideration of the request for a scrutiny investigation be deferred to the next meeting of the Board pending further information on the issues raised.

SCRUTINY PANELS – PROGRESS REPORTS

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

CALL IN REQUESTS

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

ANY OTHER BUSINESS – PLAY SCHEME PROVISION FOR CHILDREN WITH DISABILITIES – ASPECTS OF THE COUNCIL'S CORPORATE PARENTING RESPONSIBILITIES FINAL REPORT

With the approval of the Chair and following discussions with the Chair of the Children and Learning Scrutiny Panel reference was made to the overall scrutiny work programme with particular regard to a suggested scrutiny topic into play scheme provision for children with disabilities.

Reference was also made to a request which had been received from the Chair of the Corporate Parenting Board for the Chair and Vice-Chair of the Children and Learning Scrutiny Panel to report to the Board on the main issues highlighted in the Panel's Final report of Aspects of the Council's Corporate Parenting Responsibilities.

ORDERED as follows: -

1. That the Children and Learning Scrutiny Panel undertakes a scrutiny investigation on play scheme provision for children with disabilities.
2. That the request for the Chair and Vice Chair of the Children and Learning Scrutiny Panel to attend a meeting of the Corporate Parenting Board as outlined be approved.