

OVERVIEW AND SCRUTINY BOARD

A meeting of the Overview and Scrutiny Board was held on 13 January 2009.

PRESENT: Councillor Brunton (Chair), Councillors Cole, Dryden, C Hobson, J Hobson, Ismail, Khan, McPartland (as substitute for Councillor J A Walker) and Purvis.

OFFICERS: J Bennington, G Brown, J Burgess, P Clark, J Ord, N Sayer and K Robinson.

**** PRESENT BY INVITATION:** Councillor P Thompson (Executive Member for Streetscene Services)

Les Fawcett, Middlesbrough Senior Citizens Forum.

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

**** INTRODUCTION**

Following introductions the Chair expressed best wishes for the New Year and referred to the recent illness of Councillor J A Walker and extended good wishes for a speedy recovery.

**** 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 December 2008 were submitted and approved as a correct record.

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. The process was part of the arrangements of 'holding the Executive to account' and also provided the opportunity for the Board to identify or highlight any issues of concern.

NOTED AND APPROVED

EXECUTIVE MEMBER FOR STREETSCENE SERVICES

The Chair welcomed Councillor P Thompson who focussed on the progress in relation to the following:-

Waste and Recycling Service:

The introduction and implementation of a new Waste and Recycling Service based on a four day working week was considered to be a major achievement and since September 2008 had been working reasonably well and over the Christmas period. It was recognised that such major changes had inevitably resulted in a number of staffing issues, which were being resolved.

Area Care Teams:

Reference was also made to changes to the working practices of the Area Care Teams incorporating elements of horticulture and cleansing services.

Recycling:

Green waste and recycling arrangements had been aligned to the same day as refuse collections but on alternative weeks.

Reference was also made to improvements to be made in relation to Stewart Park as part of the successful bid for Heritage Lottery Fund and also to future plans in respect of Newham Grange Leisure Farm, which was to be the subject of an application for similar funding process.

In terms of ongoing and future work specific reference was made to the following:-

- consolidation of the waste and recycling service arrangements and to continue to make improvements;
- in consultation with residents and local Ward Councillors efforts be made to replace the black sack system still in existence in some areas with wheeled bins;
- of particular concern was to achieve improved rates of recycling the contract for which was being reviewed and consider the position with regard to recycling plastic and cardboard;
- there was still much work to be undertaken in conjunction with schools especially with regard to litter;
- specific reference was made to a joint enforcement team strategy in relation to the Town Centre, Gresham, Middlehaven and North Ormesby to assist in getting the message across in terms of back alley cleansing issues and reminding residents/owners of collection dates and their responsibilities;
- the feasibility of having a recycling site in East Middlesbrough would be examined;
- work was also ongoing to identify best practice mindful of the legislative requirements of seeking improvements to the effectiveness of weed control.

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

- a) in view of the transient nature of the population in some of the Wards with particular regard to the high number of students and tenants the Executive Member gave an assurance of ongoing work with a view to improving communication with regard to collection times and the junk job collection service to reduce the incidence of fly tipping;
- b) confirmation was given of recent improvements with regard to allotments and ongoing development of joint initiatives and utilisation of the Healthy Town Initiative funding in order to make further improvements;
- c) in view of recent problems associated with the breakdown of a refuse vehicle the Executive Member confirmed that given the significant costs of such a vehicle it would not be feasible for a replacement vehicle to be used just for standby purposes but gave an assurance that appropriate communication would be undertaken with the respective Ward Councillors in the event of any similar incidents;
- d) confirmation was given that as a result of the changes to the waste and recycling service the rate of recycling had increased for example a 20% increase had been achieved in November 2008 in respect of paper and glass;
- e) significant overall increases had been achieved in the collection of green waste and the recent siting of a skip at Natures World had proved successful;
- f) reference was made to ongoing discussions with Erimus Housing with a view to seeking improvements in relation to ground maintenance and the intention to employ additional staff in this regard was seen as a positive step to achieving improvements;

- g) in commenting on recent media reports regarding a backlog of recycling the Executive Member confirmed that in terms of current contract arrangements recycling items were sorted at the kerbside and there was currently no backlog of recycled material;
- h) whilst it was acknowledged that improvements had been achieved in the overall standard of street cleansing there still remained significant litter problems within the Town Centre in evenings and also associated with fast food outlets;
- i) in relation to (h) above the Executive Member confirmed that whilst efforts were being made with a current initiative to provide increased enforcement team action there was limited legal powers with regard to fast food outlets.

ORDERED that the Executive Member for Streetscene Services be thanked for the information provided.

EXECUTIVE FEEDBACK – PATIENT TRANSPORT TO AND FROM JAMES COOK UNIVERSITY HOSPITAL – CLEVELAND SHOW – ASPECTS OF THE COUNCIL’S CORPORATE PARENTING RESPONSIBILITIES

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 reports in relation to the following: -

- Patient Transport to and from James Cook University Hospital
- Cleveland Show
- Aspects of the Council’s Corporate Parenting responsibilities.

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

NOTED

COMPREHENSIVE PERFORMANCE ASSESSMENT – CORPORATE ASSESSMENT REPORT – IMPROVEMENT PLAN

The Head of Corporate Performance presented a report, which outlined the results of the Audit Commission’s Corporate Assessment which had taken place in April 2008 and subsequent proposed Improvement Plan.

The report set out the key findings from the Corporate Assessment report and the proposed response to the areas of improvement identified. A summary of the report had previously been circulated to all Members and a full copy of the Audit Commission’s report placed in the Members’ Resource Centre.

The Board was reminded that the purpose of the Corporate Assessment was to assess how well the Council engaged with and leads its communities, delivers community priorities in partnership with others and ensures continuous improvement across the range of council activities. It sought to answer three headline questions (what is the Council, together with its partners, trying to achieve; what is the capacity of the Council, including its work with partners, to deliver what it is trying to achieve; and what has been achieved;), which were under-pinned by five specific themes details of which were outlined in the report submitted and the score for each theme.

It was noted that of the Corporate Assessment reports currently published Middlesbrough Council was one of only 22 councils (out of 150 nationally) to score 4 in the Corporate Assessment. Of the 22 councils scoring a 4 Middlesbrough was ranked as second most deprived area.

The Corporate Assessment report highlighted some key strengths for Middlesbrough Council across all service areas which included:

- an aspirational vision;
- an understanding of the needs of the town;
- strong community leadership;
- working well in partnership;
- strong leadership at political and managerial levels with clear accountability;
- effective operator in the sub region;
- comprehensive framework for performance management, delivering significant improvement; and
- delivering improvements recognised by local people.

The Corporate Assessment report identified a small number of areas for improvement, which included:

- improve links between longer-term ambitions and short term targets;
- develop the medium term financial plan so that it links to priorities more explicitly;
- build on improvements in local confidence about the Council's willingness to listen and respond; and
- continue to seek to narrow the gap between Middlesbrough and the rest of the country, particularly in relation to health outcomes.

The proposed Improvement Plan as outlined in Appendix 1 of the report submitted set out each area for improvement and the proposed actions needed. The Board was advised that many of the actions proposed were either being addressed at the time of the assessment or had subsequently been responded to and therefore the timeframe for the implementation plan was unlikely to go beyond March 2009. It was proposed that any outstanding or ongoing actions should be rolled into the relevant strategic or service plan for 2009/10.

Members supported the proposed Action Plan and extended congratulations to all concerned.

ORDERED that the information provided be noted and the proposed Improvement Plan be endorsed.

OLDER PERSONS PARTNERSHIP – TOILET PROVISION WITHIN MIDDLESBROUGH TOWN CENTRE

Further to a request by the Board for further information the Older Persons Partnership Manager presented a report regarding the current toilet provision within Middlesbrough Town Centre.

Following presentations to the Older Person's Partnership Board about the toilet provision within Middlesbrough Town Centre the Middlesbrough Senior Citizens Forum had expressed concerns about the current quality and quantity of public toilet provision and the associated problems with particular regard to older persons and persons with a disability.

Reference was made to a survey, which had been undertaken, the results of which were outlined in the appendix to the report submitted.

The key issues of the Middlesbrough Senior Citizens Forum included the following: -

- toilets were often not located where older people needed them such as parks and cemeteries and additional facilities were required in the Town Centre and Bus Station;
- opening hours were another concern as many public toilets in the Town Centre were closed at 5.30 p.m.;
- it was felt that the opening hours needed to be publicised;
- regular opening hours and very clear sign posting with opening times advertised were considered essential;

- it was considered important for the Town overall to have adequate toilet provision but especially with regard to older people who were encouraged to pursue activities to stay active and independent;
- often the availability of adequate public toilets was a determining factor in organising such activities.

In terms of the background information reference was made to the following: -

- the 2001 census showed that the 65+ age group had increased by 31 per cent (to 9.7 million) whereas those aged 16 and under had fallen by 19 per cent (to 11.5 million);
- Help the Aged's report Nowhere to go: Public toilet provision in the UK (May 2007) showed that more than half of older people found that a lack of local public toilets prevented them from going out as often as they would like;
- Middlesbrough Physical Disability Reference Group some of whom were wheelchair users with mobility problems had voiced their concerns and frustrations about inconsistent standards of accessible provision which could make journeys out difficult for them and their families;
- customer expectations of council services continued to rise and together with an increasing older population meant a higher demand for toilet facilities that were accessible, clean and safe.

The Board was advised that the Middlesbrough Senior Citizens Forum believed that the current toilet provision could be improved. It was noted however that there was currently no statutory duty for local authorities to provide public toilets and the Government looked unlikely to introduce such a duty.

The provision and maintenance of toilets in public places was at the discretion of local authorities who had, under section 87 of the Public Health Act 1936, a power to provide public conveniences.

In terms of background statistical information reference was made to the Audit Commission and the Valuation Office Agency which showed a 9.1% reduction of public toilets in the North East of England.

In terms of any future action the Middlesbrough Senior Citizens Forum had suggested the following: -

- a) that the local community be consulted when considering changes to local authority toilet provision;
- b) the Council should signpost the availability of toilets that were accessible to the public;
- c) in order to improve the balance of provision there was a need to increase women's provision in all new developments or major refurbishment schemes which the Council had control or influence over;
- d) in order to improve the attractiveness of facilities careful attention should be given to the planning, design, maintenance and public toilets should be clearly signposted.

The Board was advised that the Social Care department and Middlesbrough Senior Citizens Forum were pursuing an active campaign for a Changing Places Toilet. It was confirmed that a site had been identified for one Changing Places facility for which funding had been obtained. It was noted that a further two facilities would be installed at the Lansdowne Centre to cater for the needs of people with complex disabilities. Changing Places toilets catered for the needs of people with profound and multiple learning disabilities.

The Chair welcomed Les Fawcett, Chair of the Middlesbrough Senior Citizens Forum who addressed the Board and reiterated the key issues as outlined in the report and other issues which included the following:-

- given recent and future improvements to the Town Centre it was seen as an opportunity to seek additional toilet provision and assist in attracting people to the Town Centre;
- special mention was made to the lack of appropriate facilities for the disabled especially wheelchair users;
- it was confirmed that the Council was only responsible for the toilet provision at the Bus Station and MIMA;
- reference was made to current arrangements with certain stores whereby access to toilet facilities was by use of a code after making purchases within that store and in most cases toilet facilities were not available on the ground floor.

Members referred to the difficulties in maintaining and finding appropriate sites for toilet facilities and pointed out a number of sites which had previously been closed or demolished as a result of anti-social behaviour.

On behalf of the Board the Chair thanked Mr Fawcett for his contribution to the debate and reiterated that the Board was not a decision making body but would channel the comments made accordingly.

The Board concluded that whilst acknowledging the current problems associated with the lack of appropriate toilet provision within the Town Centre it was recognised that the Council had currently no statutory duty in this regard. Although it would take some time, approximately 12 to 18 months, the Board nevertheless welcomed the efforts in obtaining funding for a Changing Places Toilet in the Bus Station and supported the ongoing discussions with Town Centre stores with a view to improving access to toilet provision.

AGREED that the information provided be noted.

EMOTIONAL WELLBEING AND MENTAL HEALTH IN MIDDLESBROUGH

The Chair of the Health Scrutiny Panel outlined the process of investigation and presented the findings of the Panel's investigation into Emotional Wellbeing and Mental Health in Middlesbrough and extended thanks to Members and Officers for their work and contribution in this regard.

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

In respect of Older People:

- i) The Panel would like to hear from Middlesbrough's Department of Social Care and Middlesbrough Primary Care Trust, how they are planning to implement the emerging national policy, regarding more preventative services. This is especially so around the prevention of social isolation, which can lead to poor mental health. The Panel would welcome the opportunity to contribute to that work and would be interested to hear how the local authority and PCT are making budgetary provision for such programmes.
- ii) The Panel would like to see the local authority make it easier for community groups providing activities for older people to access community grant monies, to enable such activities to have a surer financial footing and become more sustainable. This could be done through increased advertisement or awareness raising. The local authority could target specific groups to ensure their awareness of such monies if felt appropriate.

- iii) The Panel feels that as a condition of financial support being granted to Community Councils, a proportion of that figure should be spent on activities for older people in their area of influence. Such programmes could be aimed at combating social isolation and specifically targeted at those in perceived danger of social isolation.
- iv) The Panel would like to receive progress reports on the two recommendations above at (ii) and (iii) above.

Children and Young People:

- v) The Panel recommends that Middlesbrough PCT, Middlesbrough Council and partners use their best endeavours to deliver a mental health first aid programme, specifically designed for Children & Young People. Further, that all staff working with children & young people be given the opportunity to attend that specialist mental health first aid training, when it is operational.
- vi) The Panel recommends that school governors, investigate how that particular school can seek to address emotional wellbeing training for staff.
- vii) The Panel recommends that the Children's Trust seeks clarity on how it is identifying the mental health and emotional wellbeing needs of children. The Panel would like to hear the outcome of that exercise and hear the examples of the services being commissioned.
- viii) The Panel recommends that a systematic audit takes place to inform the incidence of poor mental health in Middlesbrough amongst children and young people. Until this is done, a commissioning strategy and associated investment cannot be reliably undertaken. This should be completed as a priority.
- ix) The Panel would encourage the Children's Trust, to support Looked After Children and their foster families in accessing leisure facilities.
- x) The Panel recommends that Middlesbrough Council, as a corporate parent, continues to invest in leisure passes for Looked After Children and their foster families.
- xi) Middlesbrough PCT looks to actively support Looked After Children their foster families in undertaking leisure activities, which would be beneficial for their physical and mental health.

Wider Mental Health Issues for the Town:

- xi) The Panel recommends that Middlesbrough Council and PCT extend services for Adult Mental Health first aid across the town, so it is accessible for all people who would benefit from the training in the performance of their job. The Panel would envisage that this would necessitate extra investment in the programme.
- xii) The Panel recommends that the PCT commissions a comprehensive range of services, from as wide range of providers as possible, aimed at assisting people with mental health concerns, at the earliest possible juncture. This would assist General Practice in being able to have more options of appropriate support for people, such as debt advice where relevant and talking therapies.
- xiii) Connected to the above, the Panel would recommend that the PCT support this policy shift by committing substantial investment to its implementation. The Panel would not seek to suggest a precise sum, but would recommend that it is substantially more than the current 3% spend on primary care services out of the budgetary provision for adult mental health services.
- xiv) The Panel would, in the near future, like to see evidence of the PCT and the Middlesbrough Council implementing joint investment plans for the emotional wellbeing and mental health services in Middlesbrough, which is very much a shared priority.

- xv) As a final observation, the Panel notes that there will be indicators that can be devised to ascertain whether the suggested actions above have had an impact. For example, the success of a Commissioning Strategy will largely be borne out as to whether GPs feel that there are more options in prescribing services for poor mental health. It would also be indicative of an improved commissioning strategy, if General Practice felt that services were improving. In addition, the success of more mental health first aid training for those in contact with young people or older people may mean an increase in accurate and appropriate referrals.
- xvi) The Panel would suggest that in considering new commissioning strategies, such performance measures are investigated.

Members acknowledged and endorsed what was considered to be a very comprehensive report.

The Chair of the Health Scrutiny Panel indicated that although the Youth Council had been approached the aspirations of young people were one aspect of the investigation which could be pursued further at some future time.

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

SCRUTINY REVIEWS - CONSIDERATION OF REQUESTS – OPEN PLAN ESTATES

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

The Scrutiny Support Officer submitted a report, which outlined a request from a Non- Executive Member for an investigation to be undertaken into Open Plan Estates in Middlesbrough.

The reasons for the request were reported as follows: -

“Within Middlesbrough there are estates that have been identified as open plan. I’m aware there are planning restrictions for these estates that prohibit residents from erecting walls or fences on their property. I think it would be beneficial if a review was carried out which identifies the monitoring and enforcement that is in place to ensure these rules are adhered to.”

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

ORDERED that the topic of Open Plan Estates in Middlesbrough be included within the scrutiny work programme of the Economic Regeneration and Transport Scrutiny Panel.

SCRUTINY PANELS – PROGRESS REPORTS

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

Further to the circulation of the reports reference was made to the work recently undertaken by the Ad Hoc Scrutiny Panel into the library provision in Middlesbrough with a view to the Panel contributing towards the Council’s current efficiency review.

Reference was also made to the current membership of the Dementia Ad Hoc Scrutiny Panel and to the first meeting of the Panel when the North East NHS Director of Commissioning for Mental Health and Disabilities had provided an initial briefing on the emerging national strategy for dementia services.

ORDERED as follows:-

1. That the information provided be noted.

2. That Councillor Brunton be added to the membership and appointed Chair of the Dementia Ad Hoc Scrutiny Panel.
3. That Councillor McPartland be appointed as Vice Chair of the Dementia Ad Hoc Scrutiny Panel.

COUNTRYSIDE MATTERS – FINAL REPORT OF THE ENVIRONMENT SCRUTINY PANEL

A copy of the final report of the Environment Scrutiny Panel in relation to Countryside Matters had been circulated.

ORDERED that in the absence of the Chair of the Environment Scrutiny Panel owing to a sudden illness consideration of the final report into Countryside Matters be deferred.

CALL IN REQUESTS

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