

OVERVIEW AND SCRUTINY BOARD

A meeting of the Overview and Scrutiny Board was held on 30 June 2009.

PRESENT: Councillor Brunton (Chair), Councillors Elder, C Hobson, J Hobson, Ismail, Kerr, Khan, McPartland (as substitute for Councillor Dryden), McTigue, Purvis and Sanderson.

OFFICERS: J Bennington, P Clark, A Crawford, S Joscelyne, J Ord, P Stephens and E Williamson.

**** ALSO IN ATTENDANCE:** Councillor N J Walker, Executive Member for Resources.

**** AN APOLOGY FOR ABSENCE** was submitted on behalf of Councillor Dryden.

DECLARATIONS OF INTERESTS

Name of Member	Type of Interest	Item / Nature of Interest
Councillor Brunton	Personal/Non Prejudicial	Agenda item relating to the 4 th Quarter Capital Monitoring and Review 2008/2009 in so far as it relates to Acklam Grange School – School Governor.

** MINUTES

The minutes of the meeting of the Overview and Scrutiny Board held on 2 June 2009 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.

A schedule detailing the proposed attendance for Executive Members to meetings of the Board was outlined at Appendix 1 of the report submitted.

NOTED AND APPROVED

EXECUTIVE MEMBER – RESOURCES

The Chair welcomed Councillor N J Walker to the meeting. Councillor Walker reminded Members of the last occasion when she had addressed the Board and had concentrated on the scope of the portfolio of the Executive Member for Resources. The Executive Member for Resources indicated her intention to focus on key and emerging issues.

Reference was made to attendance at a recent CIPFA Annual Conference entitled Hard Times which had focussed on strategic challenges for government and public finance and had provided an insight as to how to cope with likely future financial pressures.

In commenting on the scope of the portfolio it was acknowledged that whilst the budget processes were very important other elements such as asset management and procurement were significant in assisting with future financial pressures. In terms of asset management reference was made to areas such as efficiency savings in relation to equipment and resources in buildings; consideration of climate changes; and disabled access. An indication was given of the ongoing processes in relation to the Salix scheme a corporate funding budget relating to energy saving measures in Council buildings.

Within the parameters of prevailing legislation and guidance reference was made to extensive work being undertaken in relation to assisting local businesses. As a representative on the North East Purchasing Organisation reference was made to the aims of the agreed Sustainable Procurement Policy and also the opportunities to raise the profile of the Tees Valley area and assist local businesses where possible. Procurement in terms of identifying ways of assisting local businesses was suggested as a possible topic of investigation by the Economic Regeneration and Transport Scrutiny Panel.

Specific reference was made to the current agreed budget process and the intention to examine the possibilities of engaging with Members and the public at an earlier stage of the process and for the overall presentations to be appropriately adapted to target the needs of the different audiences.

The Board supported the suggestion for Members to have an earlier involvement in the process. The Executive Member for Resources confirmed the opportunity for Members to discuss any suggestions with a view to making savings. Details were given of the extent of the role of the Executive Member for Resources in terms of the budget consultation and confirmation given that items other than structured budget issues would be highlighted by individual Executive Members and priorities identified which would then be considered collectively.

Specific reference was also made to the involvement of the Board in terms of their consideration of the following reports: -

- Quarterly Revenue Budget Projected Outturn
- Quarterly Capital Monitoring and Review
- Medium Term Financial Plan
- Capital Programme Review.

ORDERED that the Executive Member for Resources be thanked for the information provided.

EXECUTIVE FEEDBACK – AUDIOLOGY FINAL REPORT

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 in relation to the Health Scrutiny Panel's update on its investigation into Audiology Services.

The Executive had considered and noted the response of the Corporate Management Team.

NOTED

CONSOLIDATED PERFORMANCE CLINIC REPORT YEAR END 2008/2009

The Corporate Performance Team Leader presented a report, which summarised the Council's performance at the end of 2008/2009 with a view to identifying any potential issues and implications for the Overview and Scrutiny Work Programme.

The report stated that the 2008/2009 Strategic Plan set out the Council's key performance targets (including the key improvement priorities for Middlesbrough identified in the Local Area Agreement 2008-2011) and the actions it planned to take to contribute to the achievement of such targets during the year.

The report summarised the Council's performance against its key performance targets and planned improvement actions, and its management of key risks at the end of 2008/2009. It was noted that full details of progress were outlined in the full 2008/2009 year-end performance report a copy of which was available in Members' Resources.

The report indicated the implications for the Council and local communities.

The Local Area Agreement was fundamentally linked to the delivery of the vision for Middlesbrough and it was acknowledged therefore any off-target performance in such an area was of concern. Work had been undertaken during the preparation of the 2009/2010 Strategic Plan to prioritise actions impacting on LAA targets in the short to medium term. A Reward Grant of circa £1m was attached to the LAA. Failure to deliver the targets would impact on the receipt accrued.

Comprehensive Area Assessment would focus on local partners' capacity to improve performance against priority indicators. Where performance was slow and plans to improve were not robust, a red flag may be raised in the Middlesbrough Area Assessment to be published in November 2009.

Members sought clarification on a number of areas including: -

- a) in response to a concern expressed regarding an apparent recurring low percentage not on target under the heading Supporting Children and Young People in relation to performance against the LAA (2008/2009) it was explained that following the receipt of further data a fuller picture of the situation would be known at the end of the next quarter;
- b) concerns were reiterated regarding the percentage not on target under the heading Supporting Children and Young People with regard to performance against the National Indicator Set at the end of 2008/2009;
- c) in terms of progress against planned actions 2008/2009 and a high level of performance achieved at the year-end with 86% of actions completed it was noted that in overall terms a figure of above 70% was regarded as a good level of achievement;
- d) it was suggested that the concerns expressed regarding the percentage of targets not being achieved in relation to the key indicators around children's health such as childhood obesity and teenage conceptions could be the subject of a scrutiny investigation;
- e) reference was made to a statement in the report and the possibility of a scrutiny investigation regarding the impact of the current economic climate upon key targets with specific regard to the need for a revised approach to be developed for plans to deliver extra-care housing in the Town;
- f) focus on Healthy Towns Programme with a view to improving performance against the performance of certain long term core health indicators;
- g) further information was requested regarding the reasons for a reduction in performance against fly tipping indicator NI 96.

NOTED

CONDITION OF EMPTY SHOPS AND PROPERTIES – FINAL REPORT – ENVIRONMENT SCRUTINY PANEL

The Chair of the Environment Scrutiny Panel outlined the process of investigation by the Panel into the condition of empty shops and properties.

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

1. That the Executive is advised that the approach taken by the Council to addressing environmental issues associated with empty properties has made some progress. In particular, the system of using a points and priority system to take action in respect of dilapidated buildings is endorsed and should continue to be used.
2. That information is shared between the Council and its partner organisations to highlight empty properties where future action may be needed in respect of environmental condition. This should aim to ensure that action could be taken as early as possible in respect of:

Short term empty properties.
Long term empty properties.
Problem empty properties in a dilapidated condition.
3. That, in order to avoid resource-intensive enforcement action at a later date, intervention in respect of the condition of empty properties is made as soon as possible, such as:
 - a) By monitoring the position in respect of empty private sector shops. Any potential issues of disrepair, damage, or dilapidation should then be addressed at an early stage by contacting property owners.
 - b) By publicising the issue of owners' obligations in respect of empty properties.
4. That, in the case of its empty housing properties, Erimus Housing is encouraged to use the more aesthetically pleasing type of shutters, which have been used in some areas. This would be particularly beneficial in areas of large-scale empty properties.
5. That the position concerning the use of legal/enforcement powers to address the worst case properties is monitored by the scrutiny panel and that a progress report on this issue is submitted to the panel in approximately six months. The report should also include an update on the points and priority system, which is also used to deal with such properties.

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

SCRUTINY WORK PROGRAMME 2009/2010

The Scrutiny Support Officer submitted a report, which outlined progress by the various scrutiny panels in considering their proposed scrutiny work programme for 2009/2010.

The report summarised the suggested topics for investigation in respect of the following: -

Community Safety and Leisure Scrutiny Panel:

- Fear of Crime;
- Community Courts;
- Credit Crunch;
- Selective Licensing;
- Sport and Health.

The Panel had also discussed the following: -

- Outcome of discussion on Mayor's Citizen Charter on the principle of 'Don't Walk By';
- Meeting with Crime and Disorder Reduction Partnerships relating to regulations under the Police and Justice Act 2006.

Economic Regeneration and Transport Panel:

Short Reviews: -

- Open plan estates;
- 20 mph zones.

Detailed Reviews: -

- Older Housing Areas;
- Durham Tees Valley Airport;
- Park & Ride Scheme.

The Panel had also included a recommendation in their review of Love Middlesbrough? to review progress on developments with the night time economy since the Panel's review in June 2005.

Environment Scrutiny Panel:

Detailed Reviews:

- Cleaning arrangements (to include Area Care, street/back alley cleaning and junk jobs);
- Packaging reduction;
- Energy reduction within the Council/Mouchel.

Short Review:

- Nature's World.

It was noted that the Panel had also indicated that they wished to receive updates on earlier scrutiny topics in respect of the following: -

- Recycling – particularly concerning the implications of more stringent targets;
- Maintenance of natural woodland (to update the position following the earlier review of Countryside Matters);
- Threatened species (to update the position re: bio-diversity etc following the earlier review of Countryside Matters).

Children and Learning Scrutiny Panel:

The Board was advised that since the circulation of the report the Panel had met and had identified the following topics for its 2009/2010-work programme: -

Detailed Reviews:

- Playscheme provision for children with complex need;
- New legislation in terms of protecting vulnerable children;
- Support for families/parenting skills;
- Support for young carers;
- Substance misuse by parents/carers.

Short Topic:

- Drug education.

Social Care and Adult Services Scrutiny Panel:

It was noted that the Social Care and Adult Services Scrutiny Panel was scheduled to meet on 2 July to discuss the options for their work programme 2009/2010.

The suggested topics for investigation included the following: -

- Individual Budgets and Person Centred Planning;
- Adult Protection;
- Single Point of Access;

- Telecare;
- Asylum Seekers;
- Updates from previous reviews in respect of Improving Levels of Employment for People with Disabilities; Survey of Street Wardens; Homes Care Survey from the review of Dignity in Care;
- Citizenship for people with Learning Disabilities;
- Accessibility of information, advice and advocacy;
- Supporting Carers in or into employment;
- Quality in Home Care Services;
- Supporting People with Physical Disabilities to live independently.

The Board expressed support in particular for the suggestion to undertake a detailed review into Quality in Home Care Services.

Health Scrutiny Panel:

- Conclusion of Practice Based Commissioning;
- Services for People with Strokes;
- Updates on previous reviews.

Tees Valley Health Scrutiny Joint Committee:

- Statutory Consultations around NEAS's Foundation Trust;
- Statutory Consultations on Sexual Health Services;
- Prescription Charges.

South Tees Health Scrutiny Joint Committee:

- Community Foundations Trust Status.

Ad Hoc Scrutiny Panel:

The Board considered the following suggestions: -

- Children's Trusts;
- Economic Downturn and Credit Unions;
- Welfare Benefits – persons leaving home after domestic violence.

ORDERED that the Scrutiny Work Programme as outlined above be approved subject to the following: -

- a) further details to be given of the work programme of the Social Care and Adult Services Scrutiny Panel following consideration of the suggested programme at its meeting to be held on 2 July 2009;
- b) that changes to national primary school literacy and numeracy strategies be added to the work programme of the Children and Learning Scrutiny Panel;
- c) that Procurement (local businesses) be added to the work programme of the Economic Regeneration and Transport Scrutiny Panel;
- d) that Fly Tipping be added to the detailed review of Cleaning Arrangements by the Environment Scrutiny Panel.

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.

The Board was advised that since the circulation of the papers for the meeting a formal response (copies available at the meeting) had been received from South Tees NHS Foundation Trust in relation to the final report of the Health Scrutiny Panel on car parking at James Cook University Hospital the contents of which would be considered by the Panel at its meeting to be held on 22 July 2009.

It was also noted that a further meeting of the Dementia Ad Hoc Scrutiny Panel would be arranged shortly to consider the final report on Dementia Services.

NOTED

CALL IN REQUESTS

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

NOTED

FOURTH QUARTER – CAPITAL MONITORING AND REVIEW

With the approval of all concerned a report of the Director of Resources had been added to the agenda for consideration at this meeting.

In a report of the Director of Resources the Board was advised of the latest position in respect of the Council's capital programme (2008/2009 to 2012/2013) based on the fourth quarter review of capital expenditure in 2008/2009.

The capital programme had an agreed time line to 2012/2013 and a gross programme of expenditure of £327.313 million.

Confirmation was given that the change in overall net expenditure across all schemes since the last review was an increase of £95,000 (0.03% of the total capital programme). It was confirmed that this was an additional call on Council wide resources required to fund the capital programme.

The Board was advised however that changes in gross expenditure and resources could arise as a result of the cost of a scheme changing through either planned or unplanned additional project costs or cost reductions.

The change in gross expenditure since the last quarterly review in December 2008 as shown in Appendix A of the report submitted was reported as a small increase of £9,000. Resources had decreased by £86,000 resulting in a net difference of £95,000.

Members' attention was drawn to significant variations in the programme in respect of the following: -

- LABGI Grant (£100,000)
- A66 Gateway (£100,000)
- MIMA (£219,000).

Reference was also made to other variations relating to changes in existing projects that did not have an impact in the overall gross expenditure with the exception of Eligibility Site Preparation Middlehaven Phase 2 (-£1,659,000) as outlined in Appendix B of the report.

The profiling of expenditure over the programme period was considered important as it needed to be realistic and achievable in terms of what could be delivered and matched with the timing of available capital resources. In overall terms it was reported that £6.821 million had been

re-profiled from 2008/2009 to 2009/2010 and future years of which £672,000 related to block budget provisions. It was noted that this was largely as a result of actual expenditure in 2008/2009 being only £52.619 million against a budget of £59.192 million at the third quarter.

The re-profiled gross expenditure and resources since the third quarter review were shown by service and individual scheme in Appendix C of the report.

The Board noted that at quarter 3 the capital programme was over-programmed by £2.67 million which had been favourably reduced down to £2.19 million over the programme period an improvement of £480,000. It was also noted that significant uncertainty still remained over the estimated future capital receipts of £9.5 million supporting the current capital programme.

The overall programme position as at the fourth quarter was outlined in Appendix E of the report.

The Board reaffirmed their wish to consider such quarterly reports prior to submission and consideration by the Executive.

ORDERED that the information provided be noted.