

OVERVIEW AND SCRUTINY BOARD

A meeting of the Overview and Scrutiny Board was held on 28 July 2009.

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

OFFICERS: J Bennington, G Brown, P Clark, C Davies, S Joscelyne, J Ord and E Williamson.

**** ALSO IN ATTENDANCE:** Councillor P Thompson, Executive Member for Streetscene Services.

**** APOLOGIES FOR ABSENCE** were submitted on behalf of Councillors Cole, Davison (as a substitute), Elder, Kerr, Mawston and Sanderson.

**** DECLARATIONS OF INTERESTS**

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 30 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.

Reference was made to the schedule of proposed attendance by Executive Members to meetings of the Board as agreed at the meeting held on 30 June 2009. The Board was advised that Councillor Coppinger, Executive Member for Community Protection had now confirmed his attendance on 6 April 2010 and not 25 August 2009 as previously indicated.

NOTED AND APPROVED

EXECUTIVE MEMBER –STREETSCENE SERVICES

The Chair welcomed Councillor P Thompson, Executive Member for Streetscene to the meeting. Councillor Thompson focussed on his personal objectives in respect of the Streetscene business plan; budget pressures over the next two years; areas of concern; and future action.

Key areas in the Streetscene business plan included:-

- further improvements required to the waste collection service in relation to back alleys;
- enforcement needed to be strengthened;
- replacement of black bag system in certain areas to some type of container for the collection of waste;
- lack of community gardens/allotment areas in the south of the Town.

In terms of the likely budget pressures in the immediate future reference was made to the following:-

- financial constraints owing to changes in the grant funding with regard to the current collection of green waste which was not a statutory function;
- possible changes to kerbside recycling including the feasibility of collecting plastics;
- problems associated with trees.

The main issues and areas of concern included:-

- a decision on the £6.7m bid in respect of Stewart Park which was expected at the end of September 2009;
- a decision was also awaited on a smaller bid in relation to Newham Grange Country Farm;
- it was considered that there needed to be improved communication and sharing of information amongst the various Council departments in order to assist with problems such as back alleys with specific regard to the Town Centre area;
- a report on the tree policy was shortly to be considered by the Executive;
- the extent to which white goods and furniture were re-useable;
- feasibility of consolidating depots in view of current financial constraints;
- resources in terms of nature parks such as Fairy Dell and Ormesby Beck;
- the introduction of a charge except in certain circumstances for the replacement of wheelie bins.

The Board discussed the issues raised and sought clarification on a number of areas including the following:-

- a) Members acknowledged the improvements which had been achieved in the Town Centre over recent years but supported the intention to strengthen enforcement in order to maintain and make further improvements and agreed that the role of street wardens should be examined;
- b) Although it was recognised that much work had been undertaken it was agreed that enforcement should be pursued more vigorously and a stronger policy adopted in terms of fixed penalty fines;
- c) Further details were given of intended consultation with local residents regarding a rolling programme to introduce some form of container for the collection of waste to replace the use of black bags in certain areas;
- d) Given changes to certain grant funding it was acknowledged that difficult decisions would have to be made and efficiencies secured in certain areas;
- e) In terms of the problems of the re-use of white goods and furniture it was suggested that a joint approach might be examined across the Tees Valley in relation to the junk job service for which there was currently no charge in respect of Middlesbrough Council;
- f) Members supported the intention for the Executive to consider a report on how to address the problems relating to trees which was regarded as a major problem in many areas.

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

EXECUTIVE FEEDBACK – MIDDLESBROUGH YOUTH SERVICE AND CONNEXIONS

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 Children and Learning Scrutiny Panel's Final Report in relation to Middlesbrough Youth Service and Connexions.

The Executive had considered and supported both the Service and Corporate Management Team responses 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 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.

The Chair reiterated the importance for Members to examine the forward work programme for any emerging issues where it was considered that value could be added by Scrutiny considering the matter in advance of any decision being made.

NOTED

CO-OPTED MEMBERS – ADDED MEMBERS – SCRUTINY

The Members' Office Manager submitted a report regarding proposed revised arrangements for the involvement of co-opted and added members of scrutiny committees.

As part of the background information details were provided of the relevant current legislation and distinction between co-opted and added members.

Parent Governor representatives were elected to office by their representative organisations for a period of between 2 and 4 years whilst there was no statutory period in respect of Church representatives. Given the statutory nature of their involvement, it was considered appropriate to elect such co-opted members for a period of three years with an option to re-appoint at the end of the term of office.

Added members regarded as having a special knowledge of, or expertise in, a particular topic might be invited to participate in the work of scrutiny committees for the duration of a specific topic. At the end of such investigations such added members would cease to be members of the committee in question.

The role of co-opted and added members was seen as bringing to the work of a committee particular knowledge or interest that would enhance the work of that committee. Having co-opted and/or added members on committees was also regarded as assisting the Council in its commitment to consult with and involve a wide range of people and partners in the business of the Council.

Added members would differ from expert witnesses in that they would fully participate in the work of the committee but without voting rights.

It was acknowledged that whilst co-opted and added members could bring a different perspective, or experience, into the process, they could not be expected to be representatives of the community, group or interest with which they were concerned.

The Board was reminded of the current situation in respect of the Children and Learning Scrutiny Panel and the Social Care and Adult Services Scrutiny Panel and in a briefing note circulated at the meeting details were given of possible and actual attendance at such meetings.

In view of changes as a result of the evolution of the current scrutiny process and increasing difficulties in recruiting and retaining co-opted members the Board considered possible changes to the current system.

It was confirmed that there was no discretion in respect of the statutory voting members of church and parent governor representatives who were elected on the Children and Learning Scrutiny Panel.

The Board was asked to consider discontinuing the current system of appointing non-voting co-opted members and instead move to appointing added members, wherever this would assist the work of the Panel and where a suitable added member could be identified, for the duration of individual scrutiny topics. It was pointed out that such added members would not have voting rights.

Such a change was also considered to be beneficial, as such a scheme if adopted would apply to any scrutiny committee that considered added members might enhance an investigation. Presently the only provision for co-opted members was on Children and Learning Scrutiny Panel and Social Care and Adult Services Scrutiny Panel.

It was acknowledged that there needed to be a balance between the numbers of elected members and added members. It was suggested that in addition to the statutory Education voting co-opted members, there should normally be no more than one or two non-voting added members per panel or committee.

Should the Board agree to such a scheme it was pointed out that consultation would need to be undertaken with current co-opted members and the organisations they represented.

ORDERED as follows:-

1. That approval in principle be given to the following recommendations:-

- i) That the Council should no longer appoint co-opted members to scrutiny committees, with the exception of the statutory Church and Parent Governor representatives to be elected for a period of three years with an option to re-appoint at the end of the term of office.
- ii) That the Council introduces a system of 'added members' whereby non-elected members may be appointed to a scrutiny committee as a non-voting member of the committee for the duration of a particular scrutiny investigation.
- iii) That up to two added members may serve at any one time on any scrutiny committee.
- iv) That it is up to each scrutiny committee to decide whether an added member should be appointed and if so, then such an appointment should be notified to the Overview and Scrutiny Board.

2. That Officers consult with the relevant parties and report back to the Overview and Scrutiny Board.

PREVENTION AND EARLY INTERVENTION SERVICES IN MIDDLESBROUGH – FINAL REPORT – SOCIAL CARE AND ADULT SERVICES SCRUTINY PANEL

The Chair of the Social Care and Adult Services Scrutiny Panel outlined the process of investigation by the Panel into Prevention and Early Intervention Services in Middlesbrough.

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

- a) That a joint plan be formulated between the Council's Social Care Department and Middlesbrough Primary Care Trust's Practice Based Commissioning Group to establish appropriate early intervention and preventative services, in consultation with relevant partners.

- b) That an audit should be undertaken of low level preventative services, with assistance from the Voluntary Community Sector, in order to clearly identify the gaps in service, including the funding arrangements of existing provision.
- c) That the Social Care Department and the Primary Care Trust should undertake further joint work with the Voluntary Community Sector with a view to supporting voluntary and community groups and creating additional opportunities for extending a range of activities centred on low level preventative services.
- d) It was considered important to continue to raise awareness and find ways of identifying a broader range of people with potential needs and pursue current activities such as screening, publicity events and publication of a range of information
- e) That the department provides an update on the expenditure of the Social Care Reform Grant and that this be provided alongside an overall update to the Panel in 12 months time.

In supporting the recommendations Members specifically referred to the importance of pursuing joint arrangements in order to cope with the increasing pressures on social care.

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

VICTIMS OF CRIME – FINAL REPORT – COMMUNITY SAFETY AND LEISURE SCRUTINY PANEL

The Chair of the Community Safety and Leisure Scrutiny Panel outlined the process of investigation by the Panel on Victims of Crime.

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

- a) That the Council engages with Victim Support and looks at methods to increase public awareness of the Victim Support organisation through increased publicity.
- b) That the Council's Executive Sub-Committee for Grants to the Voluntary Sector be approached with regard to the possibility of providing support funding for the Victim Support Services.
- c) That in compliance with the Code of Practice for Victims of Crime and supported by the Policing Pledge that the Police report back to all victims and that their performance is reported to the Executive Member for Community Protection.
- d) That the Magistrates Court ensure the facilities identified for the separation of defence and prosecution witnesses within the court is operational as soon as possible.
- e) That the Police ensure the Victim of Support service is aware of any developments, which may affect the services, they are providing to a victim. Also that the Police establish a formal process for reporting back to wardens on the reports submitted to them by Wardens.
- f) That a meeting be established between street wardens and victim support to build both links and an understanding of the facilities both provide to support victims.

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

SCRUTINY REVIEW – IMPLEMENTATION OF RECOMMENDATIONS

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

The Board was advised that of the 546 Executive actions which should have been implemented by June 2009, 523 had been implemented, 14 partially completed and 9 had not been implemented.

Appendix B of the report gave an update in relation to the Health Scrutiny Action Plan all of which had met the target.

AGREED as follows:-

1. That the information provided be noted.
2. That a further report be submitted to the meeting of the Board to be held on 25 August 2009 in respect of the 14 partially completed and 9 Executive actions which had not been implemented by the target date.

SCRUTINY REVIEWS - CONSIDERATION OF REQUESTS – CENTRE SQUARE EAST

It was confirmed that no requests for scrutiny reviews had been received from the Executive, Executive Members, 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 to consider undertaking an investigation into the emerging plans for Centre Square East on the following basis: -

' The decision to develop this area to produce more empty office spaces goes against several of Mayor Mallon's key reduction policies, and must undergo suitable scrutiny.

It will increase both: stress-related illnesses, by depriving town centre workers of a green space to relax in during their breaks and road traffic accidents, by ensuring that additional people come to work in the centre of the town.

Furthermore, it destroys one of the few attractive features of the town.

I believe this decision must be brought before the scrutiny panel as it is also against the interests of users of this area in the town who signed the petition to save it.'

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

Whilst Members supported the possibility of undertaking a scrutiny review into access to public open space at some time in the future it was considered inappropriate to undertake an examination of the plans for Centre Square East at this time given the ongoing discussions regarding the future plans for this area.

ORDERED that a scrutiny investigation into the suggested topic for review be not undertaken.

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 meeting papers the Environment Scrutiny Panel had since met when it had received an overview of the next topic for review concerning cleaning arrangements the detailed terms of reference for which would be determined at the next meeting of the Panel.

In relation to the Health Scrutiny Panel it was reported that the Panel had suggested the inclusion of an additional topic to its current scrutiny work programme concerning the governance arrangements following the South Tees Hospitals Trust receiving Foundation Trust status.

NOTED AND APPROVED

CALL-IN REQUESTS

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

NOTED

ANY OTHER BUSINESS – SCRUTINY SUPPORT OFFICER – ELISE WILLIAMSON

Members joined the Chair in expressing thanks to Elise Williamson for her excellent work as Scrutiny Support Officer and wished her every success in her new job in the Social Care Department.

NOTED