

## OVERVIEW AND SCRUTINY BOARD

A meeting of the Overview and Scrutiny Board was held on 25 August 2009.

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

**OFFICERS:** B Baldam, G Brown, P Clark, A Crawford, S Harker, J Ord, N Sayer and J Sheil.

**\*\* PRESENT BY INVITATION:** Councillor N J Walker, Executive Member for Resources.

**\*\* APOLOGIES FOR ABSENCE** were submitted on behalf of Councillors Cole and Elder.

### **\*\* 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 28 July 2009 were submitted and approved as a correct record.

## **EXECUTIVE FEEDBACK – CAR PARKING – JAMES COOK UNIVERSITY HOSPITAL**

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 Health Scrutiny Panel's Final Report in relation to Car Parking at James Cook University Hospital.

The Executive had considered and supported both the Service and Corporate Management Team responses and had also noted the response from the South Tees NHS Foundation Trust.

The Board was informed that the South Tees NHS Foundation Trust had agreed to provide an update to the Health Scrutiny Panel at the end of September. Following the meeting of the Executive, the Health Scrutiny Panel had added an additional recommendation to the report that free car parking would be provided to relatives of all patients receiving end of life care.

NOTED

## **FIRST QUARTER – REVENUE BUDGET PROJECTED OVERTURN**

A report of the Director of Resources was presented which provided an estimate of the annual projected overrun for 2009/2010 based on the first quarter review of revenue expenditure against the current year's Revenue Budget.

As previously indicated at the meeting held on 30 June 2009, Members reaffirmed that such quarterly reports should be considered by the Overview and Scrutiny Board prior to submission to the Executive.

As part of the background information the Board was reminded that the Council on 6 March 2009 had set its revenue budget at £130.980 million for 2009/2010 and had approved a Council Tax increase of 4.5%. In setting the budget approximately £6.5 million of efficiency savings had been identified and an additional £2.1 million had been identified for key services including £0.8m for Children, Families and Learning; £0.7m for Social Care for older people and disadvantaged groups; and £0.6m for investment in the Environment, Highways and Transport.

Reference was also made to the projected overrun position for 2009/2010 of a net budget pressure of (+£1,918K) which represented a 1.46% pressure against the £130.980m 2009/2010 budget. The report included a summary of the overrun position in respect of the service areas. A breakdown of Gross Expenditure and Income budgets against projected Expenditure and Income overruns was provided at Appendix A of the report submitted.

The Council had embedded within its budget monitoring procedures, reporting on efficiency savings. The Board was advised that the Council was projected to under-achieve its efficiency savings target by (+£670,000) as outlined in the report.

Services had been requested to identify areas for future review as part of the 2008/2009 budget setting exercise and a list of proposed reviews had been presented to the Executive in January 2009. It was acknowledged that it was important for such reviews to be undertaken during 2009/2010 to assist in addressing the significant budget pressures the Council would need to deal with in future years. It was noted that there had been varied progress so far and Services had been requested to provide an expected completion date for each of the reviews.

The report gave a summary of the projected movements on reserves and provisions for 2009/2010, a detailed breakdown of which was provided in Appendices E and F respectively.

In terms of bad debt provision details were provided of such debt across each service and impact on service budgets as summarised in the report submitted.

It was noted that no assets had been disposed of in the first quarter of 2009/2010 and as a result no gains or losses were reported.

The report provided details of a net budget pressure of (+£1,918,000) which was forecast within general fund services for the year which reflected percentage service variances of Children, Families and Learning (3.96%), Social Care (1.24%), Environment (1.06%), Regeneration (0.0%), Corporate Services (-0.18%), and Central Costs and Provisions (3.70 %).

The estimated revenue balance as at 31 March 2010 was reported as £3,621,000.

The Board's attention was drawn to a number of key budget pressure areas detailed in the report in respect of the following:-

a) Children Families and Learning:

Safeguarding – there had been a significant rise in the number of children looked after which had led to an additional increase of £1 million to the figures quoted in the submitted report. Twenty-five more children had been taken into care since the report was issued. The use of agency staff to cover vacancies in the front line locality teams had added to the pressure and the staff sickness rate had increased. A review of social workers' salaries was underway and training for additional qualifications related to child protection had been arranged with the University of Teesside.

a) Social Care:

There had been increases within Older People, Physical Disabilities and Learning Disabilities since budget setting.

The economic downturn was affecting sales at the Ayresome Industries workshop, particularly on UPVC window and door production. Trading was further hindered as 2009/2010 saw the end of the Erimus window replacement programme.

b) Environment:

In Parking Solutions there was a projected shortfall in income of £180,000 mainly due to the economic downturn and the reduction of people coming into the town to shop.

c) Regeneration:

There was an under-achievement of income from Development Control due to a reduction in the number of planning applications and rentals to businesses of units in the Enterprise Centres.

## d) Corporate Services:

There was a significant reduction in interest on balances as a result of the Bank of England rate cuts. The current rate of interest was 0.3% as compared to 4% at the same time last year.

## f) Strategic Resources:

During January-March 2009 no houses had been sold from the Erimus Housing stock and therefore predicted income had not been received. The anticipated income was not lost but was delayed which created a budget pressure.

## g) Efficiency Savings:

The Council was projected to under-achieve its efficiency savings target by £670,000. The Transport and the continuing Health Care reviews had not progressed as quickly as anticipated.

Members sought clarification on a number of areas and the action being taken to address the identified pressures.

**ORDERED** as follows:

1. That the information provided be noted.
2. That a report be provided to the next meeting of the Overview and Scrutiny Board regarding the operational and managerial implications of the current budget pressures in Children Families and Learning with particular regard to safeguarding.

**FIRST QUARTER – CAPITAL MONITORING AND REVIEW 2009/2010**

A report of the Director of Resources was presented which provided an update on the Council's capital programme (2009/2010 to 2012/2013) based on the first quarter review of capital expenditure.

As part of the background information it was noted that the capital programme had an agreed time line to 2012/2013 and a gross programme of expenditure of £279.923 million. The capital programme was funded from a number of sources including government grants, affordable borrowing, capital receipts, external funding and direct revenue funded contributions.

It was reported that the change in overall net expenditure across all schemes since the last review was an increase of £145,000 in Council wide resources to support the capital programme (0.052% of the total programme). The gross expenditure had increased from £274.694 million to £279.923 million and the level of over-programming was reported as £2.341 million. The overall programme position in respect of the first quarter was shown in Appendix F of the report submitted.

The changes in gross expenditure and resources since the last review were reported as an increase of £5.229 million with resources having increased by £5.084 million, thus a net difference of £145,000. Details of changes in gross expenditure and resources by service and individual scheme were outlined in Appendix A of the report submitted.

The Board's attention was drawn to significant variations to the programme as outlined in the report, which included the following: -

## a) Myplace YCC:

This project was a refurbishment of the former Customs House at Middlehaven to create a world-class youth facility. The Council had been successful in obtaining £4.262 million of Big Lottery funding.

b) Healthy Towns Grant:

The Council received this new grant in 2008/2009 although none of the capital schemes commenced until 2009/2010. The capital schemes relating to the grant totalled £1,452,000 made up in part of grant funding from the Department for Health and part match funding from the Local Transport Plan.

Reference was made to other variations relating to changes in existing projects that did not have an impact on the overall gross expenditure as shown in Appendix B of the report submitted.

In terms of re-profiling, £18.125 million had been re-profiled from 2009/2010 to 2010/2011 and future years, details of which were shown by service and individual scheme in Appendix C of the report submitted.

The Board's attention was drawn to the reasons for material re-profiling into 2010/2011 and future years from 2009/2010 as outlined in the report and in particular the Building Schools for the Future project. The original construction start-dates for the non-sample schemes were based on the outline business case but as the schemes had been developed the dates were likely to change. The cash flow for the sample schemes had also been revised in line with information supplied by the contractor.

The detailed allocation of block budgets held by service areas was shown by individual schemes in Appendix E of the report submitted. Such allocations had already been included within the gross expenditure of the capital programme and had no impact on the net expenditure of the programme.

In overall terms there was an increase in the need for Council wide resources to support the capital programme of £145,000. The gross expenditure had increased from £274,694 million to £279.923 million and the level of over-programming was £2.341 million. The overall programme position as at the quarter 1 review was shown at Appendix F.

**ORDERED** as follows:

1. That the information provided be noted.
2. That the overall capital programme outlined in Appendix F was approved.

**LOVE MIDDLESBROUGH? – FINAL REPORT – ECONOMIC REGENERATION AND TRANSPORT SCRUTINY PANEL**

The Chair of the Economic Regeneration and Transport Scrutiny Panel outlined the process of investigation by the Panel into how the Council was promoting the positive aspects of the Town and how it worked with its partners to help them to do the same.

The Board considered the following recommendations of the Panel based on the submitted evidence in the Final report entitled Love Middlesbrough?: -

- a) That funding for the lovemiddlesbrough project be sought to enable work to be carried out on the project on a full time basis.
- b) That funding should also be sought to ensure that the campaign can be developed on a national basis.
- c) That Councillors are made aware of the project and are encouraged to use the lovemiddlesbrough brand where appropriate.
- d) That the increased involvement of external organisations should be supported.
- e) That joint links are encouraged with the University especially in the development of joint cultural events.

- f) That the Panel reviews the progress on developments with the night time economy since the Panel's review in June 2005.

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

### **IMPROVING THE LEVELS OF EMPLOYMENT FOR PEOPLE WITH DISABILITIES – UPDATE ON FINAL REPORT – SOCIAL CARE AND ADULT SERVICES SCRUTINY PANEL**

The Chair of the Social Care and Adult Services Scrutiny Panel presented a report on an update on the Panel's previous investigation into Improving the Levels of Employment for People with Disabilities.

In considering the progress made and information received the Panel had agreed to the following additional recommendations:-

- a) That the FORWARDS service ensures that there is an appropriate referral system with the James Cook University Hospital to enable the service to provide a facility to support people who have had a stroke back to work.
- b) That the Council considers the option of ensuring that any vacancies within the Council are submitted to the FORWARDS team prior to their publication.

It was suggested that the second recommendation should be amended to include all vacancies and not just those within the Council. With regard to the Panel's recommendation that Councillors should be appointed as 'Champions' within each department, it was agreed that a Champion should also be appointed for the FORWARDS service.

**ORDERED** as follows:

1. That recommendation (b) above, be amended to read "any vacancies are submitted to the FORWARDS team prior to their publication."
2. That a further recommendation be added to the report that a Champion should be appointed to the FORWARDS Service.
3. That the findings and recommendations of the Social Care and Adult Services Scrutiny Panel be endorsed and referred to the Executive.

### **DEMENTIA SERVICES IN MIDDLESBROUGH – FINAL REPORT – DEMENTIA AD HOC SCRUTINY PANEL**

The Chair of the Dementia Ad Hoc Scrutiny Panel outlined the process of investigation by the Panel on Dementia Services in Middlesbrough. The Chair highlighted that the cost of dementia care exceeded that of cancer, heart disease and stroke combined and that the number of people with dementia was set to double in the next thirty years. The Panel was concerned that whilst the services available to those people diagnosed with dementia were adequate, many people did not receive a formal diagnosis and therefore did not access the support they needed.

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

- a) That the Older People's Inreach Acute Liaison Psychiatry Service at James Cook University Hospital operated by Tees Esk and Wear Valleys NHS Trust (Mental Health & Learning Disabilities, should be developed to the extent where it has the capacity to deal with the likely calls on its time, which is far from the case at the moment. The Panel sees this as a shared responsibility amongst the local health and social care economy.
- b) That the Middlesbrough Practice Based Commissioning Cluster Groups scopes and invests in specialised Dementia services for use across General Practice in Middlesbrough. Such a

resource would ensure that there is the necessary expertise and capacity in General Practice to increase the amount of accurate and appropriate referrals for those with suspected Dementia. The Panel recognises that neither the PBC Cluster or NHS Middlesbrough can implement such a service in isolation. NHS Middlesbrough has a responsibility to support the PBC framework as much as it can in delivering such a vision. General Practice has a responsibility to actively engage in the debate, as the current picture of a one third diagnosis rate for Dementia must be challenged.

- c) That NHS Middlesbrough and Middlesbrough Council further develops Dementia Advice services. Such services should be located, or at least heavily advertised, in places where people will typically receive diagnosis of dementia.
- d) That NHS Middlesbrough and Middlesbrough Council invests, as a priority, in an appropriate number of Dementia Advisor Posts as envisaged in the National Dementia Strategy. To fill the position of this sort that is currently vacant would be an excellent start. These posts should be proactive, contact people who are newly diagnosed and guide the patient and their carers through all stages of the journey, paying specific attention to the 'softer' services that people rely upon so much.
- e) The Panel recommends that NHS Middlesbrough and Middlesbrough Council develop and open a Dementia Café for the use of patients and carers. Such a facility could be operated in established premises, to keep down capital costs. It would provide patients and carers with an opportunity to meet with people going through similar experiences and would allow patients and carers the opportunity to speak with professionals in a relaxed, informal and 'normal' environment.
- f) NHS Middlesbrough and Middlesbrough Council should consider in detail whether the local Alzheimer's Society and associated third sector organisations, currently have the capacity and appropriate funds, to deliver the sorts of 'softer services' that are envisaged as being developed and that are the speciality of the sector. The Panel would like to hear the outcome of that exercise.
- g) The Panel recommends that the local health and social care economy investigate methods to increase awareness of the condition and thereby challenge the perception that it is a 'normal' part of ageing. In so doing, it is hoped that the stigma could also be challenged. Whilst anecdotal, the Panel feels that the stigma associated with Dementia probably prevents some people accessing the services they need.
- h) The Panel is aware of the advancements made recently in services for Carers, particularly out of the Life Store. The Panel would urge the local health and social care economy to keep the needs of Dementia Carers at the forefront of its thinking when developing Dementia services.
- i) The Panel recommends that staff on wards at James Cook University Hospital which deal with a high proportion of older people should continue to receive training on how to recognise poor mental health symptoms amongst older patients. Such training, however, is intrinsically linked to the urgent work required in ensuring that the older people's acute liaison psychiatry service has the capacity to deal with referrals when they are received.

**ORDERED** that the findings and recommendations of the Dementia Ad Hoc Scrutiny Panel be endorsed and referred to the Executive.

## **PRACTICE BASED COMMISSIONING – FINAL REPORT – HEALTH SCRUTINY PANEL**

The Chair of the Health Scrutiny Panel outlined the process of investigation by the Panel into Practice Based Commissioning.

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

- a) That General Practice engages much more fully with Practice Based Commissioning and takes an active role in the operation of the Primary Care Trust's Strategy Delivery Groups. General Practice representation on each strategy delivery group strikes the Panel as a sensible and not too onerous way forward.
- b) That Practice Based Commissioning and the Department of Social Care work collaboratively to take a joint responsibility and ensure that commissioning of services properly reflects the full spectrum of needs across Middlesbrough. This would assist the Practice Based Commissioning Cluster by accessing the Department of Social Care's expertise around service design and commissioning. In addition, it would also encourage discussions around service design to focus upon the whole person, thereby complementing medical interventions with non-medical interventions, which could be just as powerful in the correct circumstances.
- c) That the Practice Based Commissioning Cluster actively broadens its focus to consider commissioning around issues which have a wider focus than strictly medical interventions. This should include the preparation of a joint commissioning plan with the Department of Social Care, with a specified timescale.
- d) That the Primary Care Trust and Practice Based Commissioning develops a process that expedites innovations from the embryonic stage to the point where a service is operational, and looks to make that process as easy and swift to navigate as possible.
- e) That the Primary Care Trust employs a senior salaried clinical lead for Practice Based Commissioning, who is principally responsible for convening and driving forward the PBC agenda across Tees.

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

#### **FEAR 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 'Fear of Crime' the overall aim of which was to assess the issues associated with the statement made by the Council's auditors in their Audit and Inspection letter presented to the Board at its meeting held on 5 May 2009.

The Board was advised that the Panel had specifically addressed the auditor's comments regarding the proposal that the Council needed to take action regarding the fear of violent crime. In addressing this reference, the Panel had determined that they could not find any evidence that indicated the fear of violent crime in Middlesbrough was high or had deteriorated.

Consequently the Panel had agreed the following recommendation: -

That the Council's Executive engage with the Auditors to ensure that future proposed actions contained within the Audit and Inspection letter are well founded and that proposals clearly state their evidence source.

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

#### **SCRUTINY REVIEW – IMPLEMENTATION OF RECOMMENDATIONS**

Further to the meeting of the Board held on 28 July 2009 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, 530 had now been implemented, 13 partially completed and 3 had not been implemented.

Members' attention was drawn to Appendix A of the report submitted which provided an update on the outstanding actions and reasons for the delayed implementation.

Attention was drawn to the outstanding recommendation with regard to Speed Cameras which had not been implemented due to the long term sickness of a member of staff.

**ORDERED** that another Officer be requested to implement the recommendation with regard to Speed Cameras and provide feedback at a future meeting.

#### **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.

NOTED

#### **CALL IN REQUESTS**

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

NOTED