

OVERVIEW AND SCRUTINY BOARD

A meeting of the Overview and Scrutiny Board was held on 12 January 2010.

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

OFFICERS: J Bennington, C Breheny, G Brown, P Clark, A Crawford, G Field, S Joscelyne, J Ord and N Sayer.

**** APOLOGIES FOR ABSENCE** were submitted on behalf of Councillors Cole, Khan, 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 15 December 2009 were submitted and approved as a correct record.

EXECUTIVE FEEDBACK – CAR PARKING AT JAMES COOK UNIVERSITY HOSPITAL – OPEN PLAN ESTATES

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 respect of the following:-

- Car parking at James Cook University Hospital: a detailed response from the South Tees Hospitals NHS Foundation Trust;
- Open Plan Estates a report of the Economic Regeneration and Transport Scrutiny Panel.

The Executive had considered and supported both the Service and Corporate Management Team responses and had also agreed the proposed Action Plan in respect of Open Plan Estates.

NOTED

EXECUTIVE FORWARD WORK PROGRAMME

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

With the approval of the Chair an updated Executive Forward Programme (Appendix A) was circulated at the meeting.

NOTED

EXECUTIVE FORWARD WORK PROGRAMME REVIEW

Further to the meeting of the Board held on 17 November 2009 the Executive Office Manager submitted a report regarding the Executive Forward Work Programme (FWP) and gave an update on revised target dates.

Members were reminded that the FWP was a legislative requirement that must contain all key decisions to be taken by the Executive (both full and single member) over a rolling period of four months. The FWP was a public document which could be accessed through the Council's website and monthly updated copies placed in the Town Hall reception and libraries.

As part of the Board's remit of holding the Executive to account a report on the FWP was considered every eight weeks and consideration given as to whether any value could be added by Scrutiny examining any such matters in advance of a decision being made.

Reference was made to target dates within the FWP which related to dates on which it was proposed for an Executive decision to be taken on the identified issue. The Board was advised however that some target dates could slip for a range of reasons such as capacity issues within individual departments; changes in policy; extended consultation exercises, and in some cases over optimistic timetables.

The Board's attention was drawn to the recommendations of the Ad Hoc Scrutiny Panel in 2008 which had reviewed the Executive Scheme of Delegation. Whilst the Panel had acknowledged that the FWP had much improved one of its recommendations had been that it should be brought up to date as soon as possible. The report outlined a series of subsequent actions taken which included a revision of the standard report to provide further background information on the key decisions contained therein.

The Board was advised of a further internal review of the FWP which had been undertaken in March 2009 and of the subsequent steps carried out together with additional action taken following the request to review the FWP.

It was considered that the implementation of the various actions detailed had resulted in the monitoring arrangements of the FWP becoming more robust and timely. It was noted that the links with departments had also been much improved and with the identification of further planned actions additional improvements could be achieved. It was acknowledged however that it was a continuing process and as part of the overall procedures it was intended to submit a further progress report to the Board in six months time.

AGREED as follows:-

1. That the information provided be noted.
2. That the actions taken so far to improve the arrangements of the Forward Work Programme be supported and a further progress report be submitted to the Board in six months time.

CLEANSING ARRANGEMENTS – ENVIRONMENT SCRUTINY PANEL

The Chair of the Environment Scrutiny Panel outlined the process of investigation by the Panel on cleansing arrangements.

The Chair specifically referred to significant improvements which had been achieved over the last five years as demonstrated by the national monitoring standards in relation to performance indicator NI 195 in respect of street cleanliness and general appearance and maintenance with the level of dissatisfaction reducing from 40% to 4%. It was noted however as highlighted in the conclusions of the report there was a recognised need to pursue further action to tackle the problems as experienced by neighbouring local authorities to improve the level of cleanliness of back alleys.

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

- i) That in order to deter potential offenders, more action is needed in respect of enforcement action against people committing offences such as dumping in back alleys, littering and dog fouling.
- ii) That, following prosecutions, more publicity should be undertaken to raise the profile of Council enforcement activity – such as writing to all residents in a street following a prosecution or fixed penalty in their street (for example in respect of back alley dumping), 'naming and shaming' perpetrators, or discussing with the Evening Gazette the possibility of introducing a 'Scales of Justice' section regarding environmental prosecutions in Middlesbrough.

- iii) That, in order to reduce problems of dog fouling in gated back alleys, Dog Control Orders requiring all dogs to be kept on leads in back alleys, should be introduced.
- iv) That all Council staff working in the public domain should be encouraged to report any environmental problems.
- v) That local 'Street Champions' should be introduced in the worst problem areas, possibly in conjunction with Community Development. These should be encouraged to report environmental problems directly to the Council and be given priority in reporting to the Council's Contact Centre.
- vi) That following completion of the review of working methods and patterns to meet cleaning needs in respect of the emerging 24 hour economy, proposals should be submitted to the Scrutiny Panel for comment.
- vii) That moves towards more flexible specifications for grounds maintenance, street cleaning etc should be linked with the review of fleet/vehicle provision and the review of working methods and patterns which is to take place in regard to the 24 hour economy.
- viii) That the Council should ensure that continued monitoring is undertaken to ensure that there is no reduction in standards as the Erimus Housing grounds maintenance contract comes to an end.
- ix) That works is continued with Erimus Housing and Vale Contracts to move towards ensuring that there are no visible gaps or differing standards in the cutting regime of Vale Contracts and the Council.
- x) That all options are explored regarding work which is being undertaken to review Council depot provision- for example building one new depot or refurbishing existing depots, with the Environment Scrutiny Panel to be consulted on detailed proposals.
- xi) That the Officer responsible for monitoring cleanliness in respect of the NI 195 performance indicator undertakes an exercise to determine the impact of back alley cleanliness on this indicator and report findings to the Environment Scrutiny Panel. This should include information on a ward basis so that the worst problems areas can be identified.

During the ensuing discussion Members sought clarification on a number of areas and expressed support for the detailed work undertaken by the Panel and subsequent recommendations.

Further details were provided in relation to current and future enforcement action and ongoing liaison between the Council, Erimus and Vale Contract Services, which had resulted in improvements in terms of the ground maintenance contract. Additional information was also given in respect of the current review of depot arrangements and future options including the possibility of operating from a single depot.

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

QUALITY OF HOMECARE SERVICES – 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 on its review of the Quality of Homecare Services.

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

- i) That the Department of Social Care establishes and publicises a strategic vision for how it wishes to develop Homecare services in the next three to five years. Following the

establishment of that vision, the Department of Social Care should take the necessary steps to stimulate the market to bring about the realisation of that vision. The Panel would like to be involved in discussions about developing that vision.

- ii) That the Local Authority and specifically Elected Members, commence a debate around the future of Homecare services and specifically the additional pressures that an ageing population will bring about. The Panel considers it absolutely vital that such a crucial topic around future growing demand of local authority resources is fully and frankly debated within the political domain.
- iii) That the Panel is updated on a regular basis of the progress of the implementation and the accompanying data produced of the Electronic Monitoring system for ensuring that clients receive the amount of Homecare that has been assessed as necessary.
- iv) That the Department of Social Care continues to develop thorough and extensive training courses for people commissioned via Direct Payments, in an attempt to ensure that minimum standards can be applied and thereby increasing the quality of services given to those utilising direct payments. Those people receiving Direct Payments should be made explicitly aware of such courses and encouraged to send their commissioned help on such courses.

During the ensuing discussion Members sought clarification on a number of areas and expressed support for the recommendations. The Board acknowledged and was pleased to learn that evidence had shown that Homecare Services in Middlesbrough was performing well.

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

SCRUTINY REVIEWS – IMPLEMENTATION OF RECOMMENDATIONS

Further to the meeting of the Board held on 15 December 2009 the Assistant Scrutiny Officer presented a report the purpose of which was to introduce the Business Development Manager (Streetscene) to provide an update on the progress of implementation of the following agreed recommendation in respect of the following:-

Countryside Matters: Reference 09/06/05 (Target Date 31/07/2009) – ‘An updated Tree Policy will be produced for the Council that will address all of the issues outlined by the Scrutiny Panel’.

The Business Development Manager advised the Board of the current five-year tree inspection regime of trees on either public adopted highway or in public open spaces but within falling distance of such a highway. The purpose of the survey was to establish the numbers, condition of the trees and identify urgent remedial treatments to be undertaken. Such information would be compiled on a database and assist in the formulation of a tree policy.

It was noted that the process of inspection had been hindered by difficulties in recruiting an arborist.

The Board was advised of a number of complex issues in formulating a tree policy including the potential long term financial implications; safety issues; significant resources required should a ‘right to light or satellite policy’ be introduced; and taking into account changes to the legislation in respect of Tree Preservation Orders.

AGREED as follows:-

1. That the information provided be noted.
2. That a further progress report be submitted in three months time.

SCRUTINY REVIEWS - CONSIDERATION OF REQUESTS – CORONER’S DEPARTMENT – WINTER MAINTENANCE AND GRITTING – RESIDENTS CAR PARKING SCHEME

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 to consider undertaking an investigation into the Coroner's Department.

The Board was advised of the reasons for undertaking such a review based on the following:-

'Following the Corporate Affairs Committee meeting, held on 23 December 2009, there was a roundtable discussion about the current problems in the Coroner's Department. It was agreed that an investigation should be undertaken to review the Coroner's Department and establish what can be done to improve matters both financially and employee-wise for the benefit of all Middlesbrough and Teesside residents, since Middlesbrough is the lead Council for Coroners throughout Teesside.'

Since the circulation of the agenda and with the approval of the Board the Chair outlined two further requests in respect of the following:-

- a) a review of the residents car parking scheme in the University Ward;
- b) Council's winter maintenance and gritting arrangements.

Taking into account the agreed criteria the Board considered the appropriateness of undertaking scrutiny reviews into the suggested topics.

ORDERED that scrutiny investigations be undertaken as follows:-

- a) Coroner's Department – Ad Hoc Scrutiny Panel
- b) Council's Winter Maintenance and Gritting arrangements – Overview and Scrutiny Board
- c) Residents car parking scheme in the University Ward – 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.

NOTED AND APPROVED

CALL IN REQUESTS

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

NOTED