

**OVERVIEW AND SCRUTINY COMMISSION
22 JANUARY 2009
7.30 - 9.15 PM**



Present:

Councillors Edger (Chairman), McLean (Vice-Chairman), Mrs Birch, Burrows, Finnie, Leake, Mrs Shillcock, Thompson, Virgo and Worrall
Dr P Josepchs-Franks
Mr I Sharland

Executive Members:

Councillor Iain McCracken, Executive Member for Leisure, Corporate Services and Public Protection

Apologies for absence were received from:

Councillors Brunel-Walker
Mr G S Anderson

In Attendance:

Alison Sanders, Director of Corporate Services
Alan Nash, Head of Finance
Richard Beaumont, Head of Overview & Scrutiny
Priya Patel, Democratic Services Officer
Emma Silverton, Overview & Scrutiny Officer
Sue Boyce, Communications Officer

52. Minutes and Matters Arising

RESOLVED that the minutes of the meeting of the Commission held on 20 November 2008 be approved as a correct record and signed by the Chairman.

Minute 42, Attendance of Executive Members at Overview & Scrutiny Meetings

It was noted that each respective Overview and Scrutiny Panel had now agreed the recommendations in this report and the Chairman had sent letters to all Executive Members to explain the new requirements. Amendments would be made to the Constitution by the Constitution Review Group.

Minute 45, Performance Monitoring Reports

The Director of Corporate Services confirmed that the indoor market was not considered a barrier to potential sites for development and that the pressure had lessened due to the development of the Town Centre being postponed in certain areas. The Commission noted the pressure on traders at present and the need to encourage the use of the indoor market. It was confirmed that there were currently no planning applications relating to the Indoor Market.

Minute 49, Report of the Review of the Implications of English as an Additional Language in Bracknell Forest Schools

This report had now been sent to both the Executive Member for Children & Young People and the Executive Member for Education & Libraries and the officer recommendations had been agreed in full.

53. Declarations of Interest and Party Whip

Councillor Mrs Birch declared a personal interest relating to Item 5, as the spouse of the Executive Member for Adult Social Care, Health and Housing.

54. Executive Response to the Review of the Local Area Agreement

The recommendations of the Overview & Scrutiny Review had now been accepted by the Executive in full. The Chairman stated that as the Executive's response to this Overview and Scrutiny report, also the two which followed on the agenda, were very positive, he had decided that it was unnecessary for the Executive Members concerned to attend the Commission's meeting.

55. Executive Response to the Review of Support for Carers

It was reported that the response from the Executive Member regarding the Overview & Scrutiny report on carers confirmed that the report had been endorsed in full. The Commission noted that work was progressing well, with real evidence that the recommendations were being implemented in practice.

The Head of Overview & Scrutiny reported that work was currently underway to map all overview and scrutiny recommendations against Executive responses and to monitor whether recommendations had been agreed and progressed. Members would be given access to this work.

It was noted that the Library Services Review would be used to pilot this work.

Members suggested that information could be displayed on the Member section of Boris.

The Chairman stated that members would be given access to the document and would be kept informed.

56. Executive Response to the Review of Street Cleaning

The Head of Overview and Scrutiny reported that all recommendations had been endorsed by the Executive with the minor exception of recommendation 5.13, which was seen to be impractical by officers.

57. Executive Forward Plan

The Director of Corporate Services reported that the internal audit contract would require Executive approval, instead of Director approval, as the cost of the contract was over the agreed budget provision. This would be considered by the Executive on 10 February.

The Commission noted that the paper on Discretionary Rate Relief (p.36 of the agenda papers) would also consider applications for hardship relief and the title of the report would be changed to incorporate this.

Members requested that items appear on one page as far as possible, rather than paragraphs/ sections being split over two pages.

58. The Council's Objectives - 2009/11: Additional Priority on Economic Prosperity

The Commission noted that there was an added priority, together with additional Medium Term Objectives (MTO's) (P.44 of the agenda papers). The Commission requested that in future they be involved at an earlier stage of any updating of the Council's objectives. It was reported that the reference to MTO 11 'partners' referred to local partners and wider strategic partners across Bracknell, including local businesses.

The Head of Overview and Scrutiny reported changes to the original draft, MTO 11 was being expanded to refer to close working with the Berkshire Economic Strategy Board including the publication of the Berkshire Economic Strategy.. This amendment had been suggested by a Member of the Commission, and it would be put forward to the Executive, for subsequent submission to Council.

59. Corporate Performance Overview Report (CPOR)

The Director of Corporate Services reported that, 272 out of 292 of the detailed actions were on track or complete which equated to a 92% success rate. Actions that were not performing well had been highlighted in the report. These included the development and construction of the town centre due to the economic climate. However the Secretary of State had now confirmed the compulsory purchase order, which meant that legal difficulties had now been overcome. Housing targets would also be difficult to meet due to the current economic climate.

Schools in the Borough had seen a number of improvements which meant they were well above the national average, i.e. at Key Stage 4 there was a 3% improvement in pupils achieving five or more grades A-C which included both English and Mathematics.

Crime had fallen in general terms according to the statistics, although there had been an increase in burglaries recently. The Commission noted that there was a need to monitor this. The figure for the number of most serious crimes (P.130 of the agenda papers) needed to be clarified, work was needed to re-assess the statistics as it was acknowledged that some required further validation.

The Commission noted that there was a new indicator under the Comprehensive Area Assessment on traffic congestion (P.62 of the agenda papers) but as this was an annual indicator there was no information present on this yet.

The Director of Corporate Services reported that the targets were carefully negotiated with the Government Office for the South East. Some members stated that they liked the new format of the report and that it would be useful to see the trends carried through to the second year and to compare the figures of both years.

Members noted that a number of indicators were blank and queried whether it would be more effective to pull the information together in the fourth quarter to offer a more complete picture.

The Head of Overview and Scrutiny explained some of the reasons for the blanks in information; there were a large number of new indicators which were subtly

different from the old Best Value indicators and as a result trends could not be effectively compared, and in some cases the government had yet to issue technical definitions for the indicators. A vast number of indicators were not collected by the local authority, but by other bodies and partners for example, Sport England. This meant that officers were reliant on these bodies to provide this information. In addition, a large number of indicators were based on citizens perceptions. Officers had not yet received results from the CLG on the first Place Survey and so could not set baselines until this information was received.

The Commission queried why the employee sickness absence rate in the Social Care and Learning department was higher than that of the other Directorates. It was noted that this had already been reviewed by the Overview and Scrutiny Panel concerned. As staff in Social Care and Learning worked with children and the elderly, they were more likely to be exposed to viruses. It was also noted that it was important that these employees did not then pass on viruses to children or the elderly. Overall, the sickness absence rate in the Council was good and well below the national average.

The Commission noted that there had been a delay in the production of a 'Data Quality Strategy and Policy, and roll out with staff training' (P.157 of the agenda papers) and external resources were being sought. The Commission asked if this was a justifiable expense. The Head of Overview and Scrutiny reported that the Council's performance had been criticised in this area by the Audit Commission on at least two occasions. There had been capacity pressures in the Chief Executive's Office and a decision had been made to seek external resources. Councillor McLean asked for further details on this contract.

60. The Council's Budget Consultation

The Commission were asked to comment on the proposed fees and charges as set out in Appendix A of the agenda papers and endorse the Executive recommending to Council that they be approved. In addition, the Commission were asked to endorse the Executive recommending to Council that the Free Swimming Scheme as outlined in paragraph 5.8 of the agenda papers be implemented from 1 April 2009.

The Executive Member informed the Commission that council tax contributed 63% towards the total net budget, 30% was from business rates and the remaining 7% was from the Government, which for Bracknell Forest totalled around £4million. Only £22 million of the £50 million collected in Non-Domestic rates was returned to the Council by Government.

It was noted that the Family Tree Nursery was currently operating at a loss, it was operating at below full occupancy and charges were below market rates. A 10% increase in fees was proposed in the report. It was noted that nursery places were subsidised and would continue to be subsidised. The Executive Member reported that the aim was to get the nursery operating successfully with full occupancy and that an increase of 10% in fees should achieve this.

Members' expressed concern that a 10% increase in the cost of charges at the crematorium was proposed. The Chief Officer: Financial Services reported that the proposed charges would bring Bracknell Forest into line with comparable charges being made by other local authorities. The Executive Member reported that the charges for the service needed to reflect the cost of the service and a 10% increase, which applied to discretionary items rather than the main cost of cremation, would achieve this.

The Chief Officer Financial Services reported that the final Local Government Financial Settlement reflected the provisional settlement. It was noted that the grant increase from a national perspective would be 1.75% in 2009/10 and 1.5% in 2010/11.

It was noted that the overall position was that there was a £4m gap in the summary of proposals for expenditure which the Executive would need to tackle.

Members expressed concerns that having been assured that the Job Evaluation Scheme was robust, it was now proposed to spend £50,000 more on improving it. The Director of Corporate Services reported that other local authorities had faced major losses over the last 2-3 years over unequal pay claims. Unions were becoming very active in this area and were putting pressure on local authorities concerning equal pay claims. The Commission decided to refer further consideration of this issue to the Employment Committee.

It was reported that the £50,000 would allow a pilot to be carried out as well as an assessment of risk to the authority, e.g. the opportunities for equal pay claims. The findings of this process would be important for the Employment Committee to assess the risks and strengths of the existing scheme and to propose amendments to the Scheme to the Executive.

Councillor McLean asked for further information on bus contract virements outlined on page 297 of the agenda papers.

It was noted that the overall request for funding for the Capital Programme 2009/10 would be in excess of £9.65million.

It was **RESOLVED** that the Commission:

- i) Endorse the Executive's recommendation to Council that the fees and charged as set out in Appendix A of the agenda papers be approved and that Council note the comments raised by the Commission as above.
- ii) Endorse the Executive's recommendation to Council that the Free Swimming Scheme as outlined in paragraph 5.8 of the report be implemented from 1 April 2009.
- iii) Endorse the Executive's recommendations to Council concerning the General Fund revenue budget and capital programme for 2009/10 to 2011/12.

61. **Updates from Panel Chairmen**

Social Care & Modernisation

The Commission noted that the Social Care Modernisation Agenda Working Group met recently and a report would be available for the next meeting in March.

Extended Schools

The draft report for Extended Schools would be available soon.

Patient Focus

This Working Group needed to be restarted to continue the work started some time ago.

Joint East Berkshire Health Overview & Scrutiny Committee

This Committee was working on hospital discharge proposals, but work had not progressed. The Vice-Chairman stated he would discuss further with the Committee how this work should proceed.

Health Overview & Scrutiny Panel

It was reported that there were two or three items in the work programme that working groups could progress and that this would be discussed at the next meeting of the Panel.

It was reported that the two new working groups; the 14-19 Strategy Working Group and the Transport Working Group had not yet been set up.

62. Overview and Scrutiny Quarterly Progress Report

The Head of Overview and Scrutiny reported that this report was submitted to the Corporate Management Team once a quarter and that this information was then fed back to each Panel and the Commission.

It was reported that the Assistant Chief Executive had requested an Overview & Scrutiny input to the draft Older Peoples' Strategy. The Chairman agreed to participate in this group and stated that he would call on one or two other members of the Commission for assistance. Councillors Thompson and Mrs Birch indicated that they would be willing to assist.

CHAIRMAN