

**OVERVIEW AND SCRUTINY COMMISSION
19 MARCH 2009
7.30 - 9.50 PM**



Present:

Councillors Edger (Chairman), McLean (Vice-Chairman), Mrs Birch, Brunel-Walker, Burrows, Finnie, Leake, Mrs Shillcock, Thompson, Virgo, Ms Whitbread and Worrall
Dr P. Josephs-Franks

Apologies for absence were received from:

Mr G. Anderson and Mr I. Sharland

In attendance:

Alison Sanders, Director of Corporate Services
Victor Nicholls, Assistant Chief Executive
Sally Hendrick, Head of Audit & Risk Management
Richard Beaumont, Head of Overview & Scrutiny
Priya Patel, Democratic Services Officer
Emma Silverton, Overview & Scrutiny Officer

63. Minutes and Matters Arising

RESOLVED that subject to the addition of Councillor Mrs Birch to the final sentence of Minute 62, the minutes of the meeting of the Commission held on 22 January 2009 be approved as a correct record and signed by the Chairman.

Matters Arising

Minute 58, It was confirmed that the references to the Council's Medium Term Objectives were correct, as the new MTO's would take effect from April 2009.

The Head of Overview and Scrutiny confirmed that all actions required from the last meeting had been completed, with various items of information having been sent to Members.

64. Declarations of Interest and Party Whip

There were no declarations of interest made at the meeting or indications that Members would be participating whilst under the party whip.

65. Urgent Items of Business

Pursuant to Section 100B(4)(b) of the Local Government Act 1972, the Chairman decided that the following item of business was urgent:

- The Government's plans to commence the Overview and Scrutiny provisions in the Police and Justice Act 2006, including an opportunity to comment on the draft Statutory Instrument containing the detailed regulations, by 25 March 09.

The Chairman decided that this item was urgent due to the short timescale in which was available to respond to the Statutory Instrument.

It was reported that the main thrust of the Police and Justice Act and its Explanatory Memorandum was to extend the remit of local authorities to scrutinise the functioning of the local Crime and Disorder Reduction Partnership (CDRP)/Community Safety Partnership (CSP).

The Act required every local authority to have a crime and disorder committee with the power to review and scrutinise, and make reports or recommendations, regarding the functioning of the responsible authorities of the local CDRP/CSP, and required ward Councillors to respond to any 'Community call for Action' from anybody living or working in the area which they represent, on a matter concerning crime and disorder (including anti-social behaviour and behaviour adversely affecting the environment) or substance abuse in that area .

The draft Statutory Instrument covered co-option arrangements, the need for councils to form a 'Crime and Disorder' O&S committee (though this could be part of another committee), a requirement for that committee to meet at least twice each year, powers to require information and attendance of officers in the Council and partner organisations, and the power to issue reports and receive responses to them.

The Head of Overview and Scrutiny reported that he was satisfied that the draft Statutory Instrument was acceptable and did not raise any particular concerns for the Council or its partners.

Members considered whether the scrutiny of the Crime & Disorder Reduction Partnership should fall under the remit of the Commission or whether it would be better placed under the remit of the Environment, Culture & Communities O&S Panel. Members expressed concern about the potential workload this could create for both officers and members.

The Chairman, Vice-Chairman and Councillor Leake agreed to consider further where the responsibility for the scrutiny of crime and disorder should rest and report back to the Commission.

66. Executive Response to the Review of the Implications of English as an Additional Language in Bracknell Forest Schools

The Chairman informed the Commission that he had excused the Executive Member for Education and Libraries from attending the meeting, as the letter he had submitted gave a very full and positive response.

Members asked that their thanks be expressed to the Executive Member for the comprehensive response provided. The Chairman confirmed that the Executive Member would be attending the Social Care and Learning O&S Panel to present his response.

67. Executive Forward Plan

It was reported that the Local Area Agreement Refresh would involve updating all information as necessary and the drafting of an updated document.

Members expressed concern that the definitions for people over 50 were not appropriate. It was reported that these definitions were nationally prescribed and recognised and so could not be amended. It was noted that the Commission's Working Group were in the process of reviewing the draft Older People's Strategy.

68. **Performance Monitoring Reports (PMR)**

The Commission considered the Performance Monitoring Reports for quarter three (October to December) of the 2008/09 financial year for the Chief Executive's Office and the Corporate Services Department.

Chief Executive's Office

It was reported that out of 71 actions, 64 were progressing well, those that were not progressing as well were related mainly to the development of the Town Centre.

In terms of looking ahead, officers were working hard with Thames Valley Police to acquire Automatic Number Plate Recognition cameras. Lots of work around the quality of data for the LAA was being undertaken, as well as an economic assessment of the Borough.

Members queried the increase in acquisitive crime that was presented in the report and it was reported that this mainly related to burglaries, in particular distraction and letterbox burglaries. Research indicated a link to the economic downturn. Crime figures had been discussed with the Police and dedicated Police officers were being allocated to affected areas.

Members expressed concern that some of the omitted data in the report was due to be provided by Government agencies. It was reported that Government Office for the South East had been alerted to this and that the Corporate Area Assessment Lead from the Audit Commission had also been informed.

The Assistant Chief Executive undertook to provide members with a comment on performance indicator NI 152.

Corporate Services

The Director of Corporate Services gave a presentation on the performance of Corporate Services during quarter 3. It was reported that all actions were progressing well, aside from those related to the Town Centre.

The Director of Corporate Services agreed to provide members with a copy of the results of the Neighbourhood Survey once they were available.

Members expressed concern that the 'avoidable contact' national indicator could lead to unnecessary added time to processes and red tape. It was reported that staff had used this indicator to reconsider how processes were completed and looked at how they could make them more efficient. Overall it had been a positive exercise.

The Chairman asked for further information on judicial reviews as outlined on page 4 of the report.

69. Local Area Agreement Performance Progress Report

The Commission considered the performance progress report for the Local Area Agreement for quarter three (October to December) of the 2008/09 financial year. It was reported that there were currently three red indicators as outlined on page 22 of the agenda papers.

Members felt that the report gave them too much information which was not very meaningful in places as some data was not yet available. It was agreed that in future the Commission could receive a quarterly summary report, with specifics highlighted from the data section. In addition, annually the Commission could receive the complete report with all data and a summary included.

Members noted that NI47 (Road traffic casualties) presented a good example of where the input of an O&S working group had led to a significantly improved outcome.

It was confirmed that the revenue expenditure implications of landfill had been taken into account in the budget-setting process.

The Chairman asked for more information as to why the Probation Service was not communicating with officers.

70. Corporate Performance Overview Report

The Commission noted the performance report and noted that most of the 'red' service plan objectives related to the economic downturn.

71. Risk Management Update

The Commission received an update on the Council's strategic risk management from the Head of Audit and Risk Management. It was reported that a revised risk management toolkit had been developed and that the strategic risk register had been updated.

It was reported that Appendix B of the report outlined action plans that had been developed with Directors. It was reported that most actions were progressing well but that a few actions were not on track and these were highlighted in the report. In particular, Government Connect as detailed on page 162, was now back on track.

In terms of Revenue Optimisation as detailed on page 171, this had been considered by both the Corporate Management Team and the relevant Departmental Management Teams to consider if there were any other areas where income could be further generated.

In terms of Demand Led Services as detailed on page 147, members asked that the impact on staff morale be added to the report.

The Chairman commended officers for the progress being made on risk management.

72. Overview and Scrutiny Quarterly Progress Report

The Commission considered a report that set out Overview and Scrutiny (O&S) activity for the period November 2008 to January 2009, noted the significant national developments in O&S and endorsed the indicative work programme for O&S in 2009/10.

It was reported that the indicative work programme for O&S had been endorsed by both the Health and Environment, Culture & Communities O&S panels and would be submitted at the Social Care & Learning Panel in the coming week.

Members noted that some reviews had been omitted from page 195 of the report and asked that the list be refreshed.

73. **Annual Report of Overview and Scrutiny**

Members thanked officers for a good report that was well put together.

Members asked that the list of reports detailed on page 233 be refreshed to include the report on Carers and on the Local Area Agreement as well as ensure there were no other omissions. In addition, the working group established to look at Care Homes needed to be deleted.

The Chairman asked that members agree the additional paragraphs concerning managing the workload of O&S that were to be inserted into the Annual Report that had been circulated to members both prior to the meeting by e-mail and at the meeting.

Members expressed concern about the significantly increased workload likely to be taken on by the Overview and Scrutiny team and felt strongly that extra resources for this team would be required to take this work forward. The Chairman stated that he would make this point clearly when he presented this report to the Council.

The Commission agreed:

- i) to adopt the annual report of Overview and Scrutiny for 2008/09, with the insertion of the extra wording circulated to members and including the indicative work programme for 2009/10.
- ii) to delegate to the Chairman, any changes to the report arising from observations from the Corporate Management Team and the Council's Executive. The Chairman stated that if substantial amendments were proposed that he would circulate them to Commission members for agreement.

74. **Updates from Panel Chairmen**

Social Care & Learning O&S Panel

It was reported that the Learning Disabilities Working Group was now complete. On the 14-19 Education Working Group, the Lead Member had been pleased with the scoping exercise, the main priorities were around the Not in Education, Employment or Training (NEET) group.

Health O&S Panel

It was reported that two new working groups were already in the work programme and that last year's work was now complete.

Environment, Culture & Communities O&S Panel

It was reported that the report on Waste and Recycling had now been approved. Housing and Council Tax work was progressing well. The Community Arts Strategy work had now also concluded.

CHAIRMAN