

OVERVIEW AND SCRUTINY COMMISSION
16 JULY 2009
7.30 - 9.20 PM



Present:

Councillors Edger (Chairman), Finnie, Harrison, Leake, Mrs Shillcock, Turrell, Virgo, Ms Whitbread and Worrall
Mr G S Anderson

Apologies for absence were received from:

Councillors McLean, Mrs Birch and Mrs McCracken
Dr P Josephs-Franks

In Attendance:

Alison Sanders, Director of Corporate Services
Victor Nicholls, Assistant Chief Executive
Richard Beaumont, Head of Overview and Scrutiny
Sue Hills, Democratic Services Officer

17. Minutes and Matters Arising

RESOLVED that the minutes of the meeting of the Commission held on 11 June 2009 be approved as a correct record and signed by the Chairman.

Matters arising –

Minute 7, Review of the Crime and Disorder Reduction Theme Partnership (CDRP) – the Chairman and Head of Overview and Scrutiny had met the Community Safety Manager to discuss how the Commission could effectively scrutinise the CDRP.

Minute 9, Executive Forward Plan – a further training session on finance scrutiny had been scheduled on Monday 2 November. The Borough Treasurer's response to the request for more detail on the financial impact of each decision had been forwarded to members. This matter would be discussed at Corporate Management Team.

Minute 12, Council's Older People's Strategy, Bracknell Train Station – the Head of Overview and Scrutiny had written about the delays and costs of the lifts at the rail station but had not to date received a reply. He would follow up and send a Freedom of Information request if necessary.

Minute 13, Waste and Recycling Working Group – the report had been sent to the Executive Member for Environment.

Minute 16, Update re Joint East Berkshire Health O&S Committee – the question of £800,000 income from the Heatherwood and Wexham Park Hospital NHS Trust car parks was raised at a meeting of the Joint Committee but a satisfactory response was not received. The matter was being pursued by Councillors Leake and Virgo and, if a satisfactory response was not received, Bracknell Forest's Health O&S Panel may wish to investigate.

The Head of Overview and Scrutiny appraised the Commission of delays in the administrative support to the Joint Committee, a function now sitting with Slough Council.

18. Declarations of Interest and Party Whip

There were no declarations of interest relating to any agenda items or indications that members would be participating whilst under the party whip.

19. Executive Response to the Review of the Council's Older People's Strategy

The Commission noted the response of the Executive to the review of the Council's Older People's Strategy. There had been a wide and thorough consultation in respect of the Strategy and many of the issues raised by the O&S Working Group responding to the Strategy had been agreed and incorporated into the Strategy which would be monitored by the Director Designate of Adult Social Care.

The Assistant Chief Executive responded to questions about the consultation.

20. Executive Response to the Review of Children's Centres and Extended Schools Services

The Commission noted the response of the Executive to the review of the Children's Centres and Extended Services in and around schools in Bracknell Forest which would be considered by the Children's Services and Learning O&S Panel in September.

Councillor Leake commented that the emphasis of the Working Group had been to identify weak points and ensure outcomes were properly monitored. Realistic targets and outputs were to be agreed and followed through.

The Chairman referred to funding concerns raised in paragraphs 5.7 and 5.11. The Executive response had been that Area Steering Groups' budgets (ASG) budgets had been sufficient in recent years to fund local aspirations but Councillor Leake's view was that aspirations had been limited to fit the funding available. Councillor Mrs Shillcock commented that the two groups with which she was involved were limited by staff time not funding issues.

The Commission noted that Councillors Dr Barnard and Kendall had been asked to attend the Scrutiny Panel in September. The Commission agreed that the Panel be asked to refer this issue to them and to seek an update on the current position of extended schools with particular regard to paragraph 5.12 concerning the number of schools yet to achieve fully extended status and the latest budgetary position including how ASGs were prioritising matters.

The Commission referred to the need to continue a dialogue with ASGs, to keep appraised of what they were doing and to ascertain their needs.

21. Executive Forward Plan

The Commission noted the Executive Forward Plan and that the decision date for the Bracknell Town Centre Regeneration Strategy was likely to be deferred until 2010.

The Chairman indicated that the Commission would like to see the strategy and be involved in any consultation process.

22. Corporate Performance Overview Report

The Assistant Chief Executive reported the highlights of the Corporate Performance Overview Report for the fourth quarter 2008/09, making particular reference to –

- The introduction of the National Indicator Set was being gradually completed.
- The new corporate performance management IT system was being rolled out.
- 6 indicators out of 80 had a red status, meaning the outturn was at least 5% adrift of target. Those areas were –
 - NI 117 not in education, employment or training (NEET)
 - NI 020 assault with criminal injury
 - NI 123 stopping smoking
 - NI 056 obesity in primary school children
 - NI 112 under 18 conception rate
 - NI 120 mortality rate in males

It was acknowledged that these would be difficult to improve as they were issues around people's behaviour.

- Of 294 detailed actions in support of the ten medium term objectives 90.8% had been achieved or were on target to be completed by their due date and 16, mostly relating to the Town Centre, were in need of some remedial action.

The Director of Corporate Services and the Assistant Chief Executive responded to members' questions on childhood obesity, the Town Centre redevelopment, NEET, education maintenance allowance (EMA), Grow Our Own initiative, unavailable Primary Care Trust data and the measurability of targets. Members questioned why the unsuccessful bid to the Big Lottery Fund to commission new youth facilities (action 6.5.1) had achieved a positive performance indicator and the Commission agreed that the matter would be taken up with the Social Care and Learning Department.

The Commission was pleased to note

- the 60% reduction of households in bed and breakfast
- the achievement of the target for adults with disabilities in employment
- the £380k saving in landfill tax

Arising from the questions, the Commission agreed that the Social Care and Learning Department be asked to advise on possible solutions to the delays in receiving EMA and that checks be made to ensure that the saving in landfill tax and other achievements had been publicised.

The Assistant Chief Executive was asked to include 'good news items' in future reports.

23. **Home Office Guidance on Scrutiny of Crime and Disorder Matters**

The Head of Overview and Scrutiny drew attention to the fact that for this agenda item the Commission was meeting as the Council's Crime and Disorder Committee. The report presented the new statutory guidance issued by the Home Office.

The Crime and Disorder Committee noted the new statutory guidance issued by the Home Office in May 2009 on the scrutiny of crime and disorder matters. The Committee felt that the guidance did not recognise pre-existing situations nor acknowledge the work of the Neighbourhood Action Groups. Advice on 'public meetings' was unclear – this Committee already met in public.

Gordon Anderson appraised the Committee of his personal view, both as a magistrate and Chairman of the Magistrates' Association in Berkshire, of Home Office encouragement to the police to make significant use of 'Out of Court Disposals' as punishment for offenders. These meant offenders were given cautions or were fined for significant numbers of crimes, some serious, rather than being taken to court. Figures available showed that there were thousands being used in the Thames Valley area. A recent development was a Community Justice Programme being piloted in Slough, again to reduce the number of cases being taken to court. It was the view of the Magistrates' Association that this was not proper justice nor would it materially prevent or reduce re-offending. The Committee expressed some concern at this information and thanked Mr Anderson for bringing it to their attention. The Committee was concerned that fines and cautions for serious crimes would not be reported in the crime statistics. However, presumably figures were obtainable on the offences being punished by the police.

In relation to specific proposals in the guidance, set out in paragraph 3.4 of the report, the Crime and Disorder Committee agreed

- (i) to co-operate with other Crime and Disorder Committees in the Thames Valley Police area by providing the published papers and minutes of Bracknell Forest's Crime and Disorder Committee to those other Councils, for information;
- (ii) to defer co-opting community representatives onto the Committee and holding public meetings;
- (iii) to determine not to initiate a protocol which would lay down the mutual expectations of scrutiny and community safety partners; and
- (iv) to involve the Thames Valley Police Authority in work undertaken by the Crime and Disorder Committee by co-opting a Police Authority member onto the Committee when policing matters were being considered.

24. **Housing Benefit and Council Tax Benefit Improvement Plan**

The Commission noted the previously agreed report of the review of the Implementation of the Housing and Council Tax Benefit Improvement Plan undertaken by a working group of the Environment, Culture and Communities O&S Panel. The report was sent formally to the Executive Member on 3 July and would be considered at Executive on 15 September.

25. **Overview and Scrutiny Work Programme for 2009/10**

The Overview and Scrutiny Work Programme 2009/10 was presented for approval. The earlier indicative programme had been amended to take account of the O&S Panels' consideration of their parts of the programme.

The Commission agreed to –

- (i) adopt the 2009/10 work programme attached to the report as appendix 1;
- (ii) consult the Corporate Management Team and the Executive on the work programme; and
- (iii) commence the working group on sustaining economic prosperity.

26. **Overview and Scrutiny - Centre for Public Scrutiny Self Evaluation**

The self evaluation framework for local authorities was circulated with the agenda papers. It was a mechanism to demonstrate the effectiveness of overview and scrutiny and to identify areas for improvement.

The Commission noted that the Chairman would undertake this self assessment, with the help of the officers, to produce a self evaluation for the information of members of the Commission.

27. **Updates from Panel Chairmen**

Adult Social Care – Councillor Turrell reported that the Panel had not met since the last Commission meeting. Work was in progress on a programme of visits to Adult Social Care services and centres and initial Transforming Social Care review work would be pursued through all-Panel workshops.

Environment, Culture and Communities – Councillor Finnie reported that

- most of the recommendations contained within the Strategic Housing report had been accepted by the Executive.
- the Highway Maintenance Working Group would soon commence work and would involve representatives of the Town and Parish Councils.

Childrens' Services and Learning – Councillor Ms Whitbread had nothing to report.

Health – Councillor Leake reported that

- the Working Group on Preparedness for Public Health Emergencies was up and running.
- the Working Group on the Healthspace for Bracknell had met three times and had identified a number of issues which would be taken forward. It was hoped to produce an interim report in September/October 2009 and a final report in Spring 2010.
- When one of the above working groups had concluded steps would be taken to look at monitoring the implementation of the borough's health and well-being strategy.

28. **Date of Next Meeting**

Thursday 24 September 2009

CHAIRMAN

