

SOCIAL AND COMMUNITY OVERVIEW AND SCRUTINY COMMITTEE
09 JANUARY 2008

MINUTES
(18.00 – 19.55)

PRESENT Councillor John Webster (in the Chair), Councillors Peter Allen, Chris Coleman
Tina Franklin and Sandra Holliday

Hazel Kitchin and Jackie Sallis

CABINET MEMBERS IN ATTENDANCE Cabinet Member Finance

APOLOGIES Cabinet Members (Stronger and Safer Communities) and (Arts and Culture)

1. DECLARATIONS OF INTEREST

None

2. MINUTES (Agenda item 3)

The minutes of the meetings held on 21st and 29th November and 4th December 2007 were considered consecutively by the Committee.

Councillor Franklin referred to the minutes of 29th November 2007, item 9. She pointed out that it was herself and Councillor Allen who had raised concerns in respect of the lack of Cabinet Member attendance at the meeting and the Chairman had concurred. She felt it was therefore the Committee's view and not just that of the Chairman as stated in the minutes.

RESOLVED that the minutes of the meeting held on 21st November 2007 be approved by the Committee and signed by Councillor Allen (Vice Chairman) who had chaired that meeting, as a correct record.

RESOLVED that the minutes of the meetings held on 29th November 2007 be approved by the Committee and signed by the Chairman as a correct record, subject to the above amendment.

RESOLVED that the minutes of the meeting held on 4th December 2007 be approved by the Committee and signed by the Chairman as a correct record.

3. PUBLIC QUESTIONS

None

4. MATTERS REFERRED TO THE COMMITTEE

(a) By Council – None

(b) By Cabinet - None

(c) Other Committees – None

5. BRIEFING FROM CABINET MEMBERS

The Chairman indicated that the Cabinet Members (Stronger and Safer Communities) and (Arts and Culture) had sent their apologies. Councillor Franklin indicated her disappointment that again there was no Cabinet Member attendance.

Copies of St Paul's Moving Forward Newsletter had been provided by the Cabinet Member Quality of Life and were circulated to Members of the Committee for information.

6. INQUIRY INTO EVENTS SURROUNDING THE DECISION BY THE CABINET TO ADOPT A SINGLE BENEFITS AND HOUSING ADVICE CONTRACT (Agenda item 7)

The Chairman introduced this report which had been circulated separately from the agenda. He explained that following the inquiry held by the Committee on 21st November 2007, he had undertaken to produce the report as Chairman. He indicated that his conclusion based on the evidence presented was that because the officers had misunderstood the legal advice they excluded outlining the partnership option based on the status quo as recommended by this Committee in its report accepted on 2nd April, and therefore failed, to implement the Cabinet resolution passed on 17th April which requested that 'officers work with the voluntary organisations to develop proposals as to how the benefits of closer partnership working can deliver improved advisory services for the town'. As the partnership approach recommended by this Committee could only be constructed around grants rather than a contract, it was not pursued.

The Chairman referred the Committee to the recommendations he had made in the report and indicated that as the contract had been signed that very afternoon recommendation 1.3.1 was no longer a feasible option. Following legal advice which had been circulated separately from the report, it would also be necessary to refer the report back to Cabinet and not full Council as detailed in recommendation 1.3.2. In respect of recommendation 1.3.3, he indicated that in view of this legal advice he would be proposing a motion on notice at the next meeting of full Council on 8th February, the contents of which would be discussed following the conclusion of the meeting for those members interested in seconding the motion.

Councillor Franklin referred to para 2 of the legal advice and indicated that it would be necessary to wait until the conclusion of the debate to decide whether the comments and statements contained within the documents were the personal opinions of Councillor Webster or those of the Committee.

RESOLVED that the Committee accepts the contents of the Inquiry report produced by the Chairman and agrees:-

- i) to refer it back to the Cabinet requesting that consideration be given as part of the budget process to increasing the resources available for proper scrutiny, possibly by working with other Councils to achieve this.

- ii) that advice relating to the authorship of Cabinet reports be reviewed by the Chief Executive and the Monitoring Officer, and consulted on with Overview and Scrutiny Committees before going to Cabinet for approval

7. CALL IN OF CABINET DECISION 72/2007 – SINGLE ADVICE CONTRACT: TENDER EVALUATION (Agenda item 10)

The Chairman introduced this item which had been circulated with the agenda. He explained that he had documented the findings of the Call in meeting and had made a number of conclusions. He asked the Committee to accept the document formally so that he could present it to the Cabinet for consideration.

Councillor Allen suggested that the names of the organisations be put in full as they had been abbreviated throughout the document.

RESOLVED that the Committee endorses the document for presentation to Cabinet by the Chairman.

8. OUR FUTURE, OUR CHOICE, CHELTENHAM'S SUSTAINABLE COMMUNITY STRATEGY (agenda item 9)

The Corporate Policy Manager introduced this report which had been circulated with the agenda. He explained that whilst the bi-annual report will not be prepared until May/June 2008, this introductory report provided a broad overview of the strategy in order that the Committee can identify the elements which will be of most interest in future reviews. The Corporate Policy Manager provided an overview of the sustainable community strategy which sets out a long-term, sustainable vision for Cheltenham backed up by cross-cutting principles and ambitions. He also explained about the new structure of the Cheltenham Strategic Partnership (CSP) which will ensure it is in the best possible position to deliver the new community strategy and add value to existing work to enable better and smarter working within and between organisations.

The Corporate Policy Manager provided the following responses to Members questions and comments:-

- Cheltenham's Sustainable Community Strategy provides a broad framework for partnership working which can also be applied to other projects such as 'Civic Pride' and the ambitions set out will be borne in mind as the project is taken forward.
- Disabled issues were picked up under the principle of tackling inequalities and promoting cohesion. The CSP will be using an agreed assessment process to ensure that policies and projects align with the three principles identified to deliver the vision. Additionally, one of the Thematic Partnership actions is promoting improved accessibility across the borough for disabled people.
- The Built Environment and Transport Partnership is not currently a delivery partner within the recognised CSP structure, however its work supported the delivery of the community strategy along with the LDF project board and the Cultural Partnership. However, it was recognised that transport is a key issue and the structure and delivery of the strategy will be monitored and the situation reviewed if necessary.

Councillor Allen commented that now transport is controlled by Gloucestershire County Council it was important that representations from Cheltenham Borough Council were co-ordinated, this also applied to issues relating to waste management and pollution.

The Chairman commented that the strategy was an excellent document. He felt that the Cultural Partnership should be more closely involved as it was linked to health and well-being. He acknowledged that this partnership had not developed as envisaged but hoped that it would start to deliver in the near future and this was something he was keen for the Committee to monitor as part of its work plan in future, together with the impact of climate change. The Chairman pointed out that the strategy suggested a focus on children and young people, however the Cabinet's interim budget proposals included a saving of £25,000 in this service resulting in the loss of dedicated support resource for MAD youth council. He indicated that he would take this issue up with Cabinet Member Finance during the budget item which was next on the agenda. The provisional action plan also included the principle of tackling inequalities and promoting cohesion, however it was also proposed in the interim budget that the annual funding support of £25,000 (COG agreement) be withdrawn from to support the Regeneration Partnership – Cheltenham (now known as the Stronger Communities Partnership). In response the Corporate Policy Manager indicated that direct funding had been withdrawn but the six delivery partnerships including the SCP will be supported by three partnership officers.

RESOLVED that the Committee notes the Sustainable Community Strategy.

9. GENERAL FUND REVISED BUDGET 2007/08 AND INTERIM BUDGET PROPOSALS 2008/09 FOR CONSULTATION (agenda item 12)

The Cabinet Member Finance presented this report which had been circulated with the Cabinet papers for 18th December 2007. He indicated that the interim budget had been particularly difficult and complex due to the following factors:-

- Impact of the Government's comprehensive spending review CSR07
- Concessionary Fares
- Pensions
- Pay awards
- Single Status
- Size of budget gap estimated at £1 million

The Cabinet Member Finance explained that in 2008/09 costs to the council are predicted to increase by inflation or above but the money coming back from the Government is less than the rate of inflation. Therefore there is a gap between income and expenditure which is not of the Council's making and unless the local tax payers are prepared to make up the deficit, the council will be unable to maintain the same level of services in 2008/09.

The Cabinet Member Finance indicated that there were a number of cuts in services that the Cabinet could have proposed such as cleansing, sport and leisure or arts and culture but it did not wish to impact negatively on the objectives of the Council's Business Plan or some of Cheltenham's unique selling points. Instead the focus is reduction in the following areas:- administration in the core, Corporate Governance, some front line services, reorganisation of some of the discretionary services the council supports, along with some increases in fees and charges in Environment.

The Cabinet Member Finance indicated that savings totalling approximately £1 million, together with a risk assessment were listed in Appendix C, and there was some limited

growth contained in Appendix B. He indicated that the proposed Council Tax, for the services provided by Cheltenham Borough Council for Band D equivalent is £177.24 per year. The Cabinet Member Finance invited suggestions, feedback and questions from the Committee and encouraged completion of the consultation questionnaire on the budget proposals by all interested parties.

The following questions and comments were raised by the Committee:-

General

- Concessionary Fares – why were the bus companies not contributing to the cost. In response the group accountant explained that the underlying principle of the concessionary fares legislation is that the bus operators shall be ‘no better off or worse off’ than if there were no concessionary fares scheme at all. Therefore, the agreed reimbursement rate to bus operators is designed to reflect this position. The Cabinet Member Finance added that it was anticipated that the outcome of the exercise would be cost neutral in the long term.
- Police precept – was the proposed increase known? The Cabinet Member indicated that as far as he was aware the increase was at the maximum permitted by the Government. He agreed to discuss this increase with his Cabinet colleagues and make representations to the police authority. He encouraged everyone to take the opportunity to respond to the police authority consultation document.
- Planned maintenance programme – the report of 18th December indicated that the programme was to be re-visited, was there anything further to report on this? The group accountant was not aware of the outcome but indicated that it had been reviewed by the Asset Management Working Party at its meeting on 7th January. However, the intention was for the most essential work to be pulled out and the asset portfolio rationalised where possible.

In response to a question from the Chairman the Cabinet Member Finance described the budget as a ‘reluctant budget’ because the Cabinet had not wanted to make cuts to any services but in view of the financial constraints facing the council now and over the next 5 years, to do nothing was not an option.

Appendix C – Savings/Additional income

- Children and Young Peoples Services – further details were requested before the budget debate to be held at Council on 8th February regarding the re-organisation of healthy living and childrens divisions particularly relating to support for MAD Youth Council following the proposed loss of dedicated support resource. The Committee was particularly concerned at this proposal as MAD were willing and enthusiastic and had achieved some excellent results for the young people of Cheltenham. It was pointed out that conversely, the Cabinet had supported growth for the Brizen recreation ground – pod. Whilst one was a revenue cost and the other a capital scheme the public would not look at it like this.
- Christmas in Cheltenham – in response to a question, the Assistant Director Entertainment and Tourism indicated that despite various forms of encouragement in past years the shops and retailers contributed virtually nothing to the Christmas Lights. The majority of funding is through sponsorship events and contribution from the two shopping arcades. The Christmas Market has to date been very successful and income had therefore been identified for feature replacement if necessary in 2008/09.
- Town Hall - In response to a question, the Assistant Director Entertainment and Tourism confirmed that concessionary rates had been re-instated in 2007/08.
- A-Boards income – in response to comments it was confirmed that officers were confident of securing this new income source.

- Art Gallery and Museum – in response to questions the Assistant Director Health and Wellbeing explained some of the detail behind the re-organisation of the Front of House/Admin/Retail restructuring and confirmed that proposals for opening on a Sunday will be subject to the results of the visitor survey.
- Municipal Year Book – in response to a question, it was confirmed that this was an annual hardback publication produced externally and now that the information was available on the website, no longer necessary.

Appendix B - Growth

- Apprentice Scheme – in response to a question, the group accountant indicated that at the Cabinet meeting on 18th December, the Cabinet Member Environment had advised that further work was required on the revenue costs associated with this item. The group accountant advised that training costs will be re-imbursed by the government.
- Planning fees base budget – in response to a question, the group accountant indicated that officers were confident that £75,000 was sufficient to protect the environment and potential additional fees in respect of garden developments.

The Cabinet Member Finance, thanked the Committee for their comments and agreed to feed them into the budget consultation process.

The Chairman thanked the Cabinet Member Finance for his presentation.

10. HOUSING REVENUE ACCOUNT (HRA) REVISED BUDGET 2007/08 AND INTERIM BUDGET PROPOSALS FOR CONSULTATION (agenda item 13)

The Assistant Chief Executive (CBH) presented this report which had been circulated with the Cabinet papers for 18th December 2007. He explained that the HRA budget was not funded from Council Tax like the General Fund but by council house rents and subsidy. He went through the report in detail, indicating that the government subsidy settlement had been seen as disappointing at a national level and included a significant redistribution of resources from London and the South West to Yorkshire and the North East. He advised that its meeting on 18th December 2007 the Cabinet had agreed to submit a consultation response to DCLG requesting proposed redistribution of HRA subsidy in 2008/09 be restricted by applying a damping factor to changes in maintenance and major repair allowances.

The Chairman referred to the rent restructure plan (Appendix C) and explained that the national formula has an inflation factor added into the calculation so although the figures may look reasonable now, they could be subject to increases depending on inflation rates in future. In response to a question from the Chairman, the Assistant Chief Executive (CBH) explained that now that the decent homes work was coming to an end, CBH was working closely with officers and members to discuss the future options for the Arms Length Management Organisation (Cheltenham Borough Homes).

The Chairman thanked the Assistant Chief Executive (CBH) for his presentation.

11. COMMITTEE FEEDBACK SESSION

Councillor Coleman referred to previous comments made by Councillor Franklin regarding the lack of Cabinet Member attendance and indicated that his concerns were much stronger. He felt that the Cabinet Members should have been in attendance to respond directly to budget matters relating to their respective portfolios and he hoped that this was not a vein for the future. The Chairman indicated that Cabinet Member attendance at the Economy and Business Improvement Overview and Scrutiny Committee had also fallen recently and asked the Deputy Chief Executive to convey this message back to the Board of Directors.

The Chairman thanked the Committee for attending the meeting out in the community at the Springbank Resource Centre. He commented that it was an excellent resource and a good example of partnership working between the council, other agencies and volunteers for the benefit of the local community.

12. DATE OF NEXT MEETING – Monday 18th February 2008

13. LOCAL GOVERNMENT ACT 1972 - EXEMPT BUSINESS

The Committee approved the following resolution:

“That in accordance with Section 100 A(3) of the Local Government Act 1972 the public be excluded from the meeting for the remaining items of business as it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public are present there will be disclosed to them exempt information as defined in paragraph 4 of Part 1 of Schedule 12A (as amended) of the Local Government Act 1972 namely:

**Paragraph 3:
Information relating to the financial or business affairs of any particular persons (including the authority holding that information).**

14. EXEMPT MINUTES

RESOLVED that the exempt minutes of the meetings held on 21st November and 4th December be approved by the Committee and signed by the Chairman as a correct record.

Councillor J Webster
Chair