

## Overview & Scrutiny Committee

Monday, 18th February, 2013

6.00 - 7.17 pm

<b>Attendees</b>	
<b>Councillors:</b>	Duncan Smith (Chair), Nigel Britter, Barbara Driver, Colin Hay, Helena McCloskey, Ian Bickerton, Andrew Wall, Jo Teakle and Wendy Flynn (Reserve)
<b>Also in attendance:</b>	Rosalind Reeves, Andrew North, Councillor Jon Walklett, Councillor Steve Jordan, Councillor Peter Jeffries, Councillor Roger Whyborn, Pat Pratley, Richard Gibson, Jane Griffiths and Councillor Andrew Chard

### Minutes

**1. APOLOGIES**

Apologies were received from Councillor Hibbert and Councillor Sudbury, Councillor Flynn was attending as her substitute.

**2. DECLARATIONS OF INTEREST**

None declared.

**3. MINUTES OF THE LAST MEETING**

The minutes of the last meeting of 23 January 2013 were approved as a correct record.

**4. PUBLIC QUESTIONS, CALLS FOR ACTIONS AND PETITIONS**

None received.

**5. MATTERS REFERRED TO COMMITTEE**

There were no matters referred to committee.

**6. FEEDBACK FROM OTHER SCRUTINY MEETINGS ATTENDED**

Councillor McCloskey updated members on a meeting of the Gloucestershire Police and Crime Panel she had attended on 6 February 2013. At the meeting, members of the panel had agreed the police budget recommended by the new Police and Crime Commissioner. The panel would consider the Commissioner's plan at the next meeting on 12 March. The panel acknowledged that this sequence was not ideal but accepted that this year there had been no alternative in order to agree the budget in time for council tax precepts to be set. In future years they would expect the results of the consultation on the budget and the Commissioner's plans to be available to them before they agreed the budget. Asked by a member whether there had been a vote on the budget, she advised that there had been no proposals from any member of the panel for an alternative budget and following a chairman's casting vote the budget was agreed seven votes to six against.

In the absence of Councillor Sudbury, the chair advised that she had wished to inform members that the Gloucestershire Health, Community and Care O&S Committee at its meeting on 8 February had agreed by a majority vote that the NHS should carry out a formal consultation on the proposals for the new A&E arrangements rather than be the subject of an engagement. He considered this was a win for democracy.

## **7. DRAFT CORPORATE STRATEGY 2013/14**

The Strategy and Engagement Manager introduced his report which set out the council's draft corporate strategy for 2013/14 together with a detailed action plan. The strategy set out in a public document what the Cabinet/Council was planning to achieve in 2013/14 and as such could provide a basis for future performance management by Overview and Scrutiny. This year directors had been more intensely involved in producing the action plans which were now underpinned by detailed resource plans. Resources were going to be challenged but it was also important to allow for ad hoc events that may occur during the year. This was an opportunity for the committee to identify any gaps in the strategy before it went to Council and highlight any areas they may wish to scrutinise in more depth and add to their scrutiny workplan.

The chair expressed concern that there were a number of gaps in the targets set out in the action plan and felt it was unrealistic for O&S to comment on the appropriateness of the targets without this information. He felt this had been flagged before in previous years and so should have been addressed in the document presented to members.

A member wanted to know more about the other projects highlighted in paragraph 3.1 and questioned why the plans to commemorate the First World War Centenary and the war memorial enhancement would have a significant impact on resources. In response, the Strategy and Engagement Manager did not have any more details at this stage but following the experience of the Jubilee it was considered that members would want to be marking this important occasion in some way.

There was some discussion about whether it was appropriate for this committee to receive the strategy and action plan after it had scrutinised the budget as if O&S identified any significant gaps it may be too late to allocate the necessary funds to fill them. However an alternative view was acknowledged that it was unrealistic to build up expectations of what could be delivered in the corporate strategy until members knew how much money the council had to spend. In response the Leader advised that informal Cabinet did review a first draft of the action plan before finalising their budget proposals. It would be possible for O&S to review this early draft but there would be many gaps and there was a question for O&S as to how many times they wish to be involved in the process. The chair requested that O&S should be able to review the priorities for the plan in December and identify any missings at that early stage. The detail regarding individual targets could come later and it would be useful if this could be sent out to all members.

A member asked for more information regarding the proposed feasibility study on the Prince of Wales Stadium. In response the Executive Director advised that this was one of two feasibility studies commissioned during the initial stages of the Leisure and Culture Commissioning review. The results would be

coming back in parallel to the commissioning work and would require a decision at some point on the way forward.

A member asked whether it be possible for CBH to have more input into the JCS in order to help address the need for more affordable housing.

A member commented that the action plan to support the arts and culture strategy seemed to be very town centre focused and they hoped the Leisure and Culture review would address this and give the plans more substance.

The chair thanked members for their input and asked these points to be noted by Cabinet when finalising the draft strategy for presentation to Council on 25 March 2013.

**8. DRAFT REPORT TO CABINET ON RICKSHAW CALL IN**

The chair referred members to his draft report on the rickshaw call-in which had been circulated to members at the start of the meeting. He requested that members refer any comments to the Democratic Services Manager by close of play on Thursday in order for the report to be finalised for forwarding to Cabinet.

**9. FINAL REPORT OF THE SCRUTINY TASK GROUP ON SEX TRADE IN CHELTENHAM**

The chair of the scrutiny task group, Councillor Barbara Driver, introduced the report. She reminded members that the starting point for the review had been media coverage which had suggested that Cheltenham may have a significant problem regarding the illegal trade of sexual exploitation. Following a comprehensive review, the task group recognized that there was a problem but this was no more significant in Cheltenham than any other similar town. Unlike Gloucester, the sex trade in Cheltenham was mostly behind closed doors rather than being on the street. It was essential that the borough council worked in partnership with other agencies to address the issue of the illegal sex trade however small. During the review, the task group had heard from a young lady who had been trafficked and they understood how difficult it was for women to get out of their situation particularly as they may not even speak English. The police had suggested that the borough council may be able to help by ensuring there was a safe house in Cheltenham where they could take these vulnerable people whilst they were giving evidence to the police.

At the end of the review the task group felt able to reassure the public that it was not a big problem in Cheltenham, however everybody should be aware of the danger signs and the council should continue to work with the other agencies to ensure that young and vulnerable people are safe. She added the task group had not been concerned with prostitution; their concern was with people who had not chosen it as their career but had been forced into it. They hoped that by raising awareness of this issue, this would encourage people to feel confident about reporting any suspicions to the appropriate authority. She concluded by thanking all the members of the task group and Rosalind Reeves from Democratic Services and Sidgoree Nelson from the County Council who had supported the review.

The chair asked members to consider whether the task group had met their terms of reference.

A member said the report contained some really useful information but felt there needed to be more clarity on some of the recommendations. For example in order to consider the request for a safe house there needed to be more information on how many people it would need to accommodate and how often. There may be issues about the security of the people running the safe house as well as those residing in it and he questioned whether CBH was necessarily the best provider. He also had some problems with the timings of the report, as if this committee were to conclude that the report needed amendment or the task group needed to do further work, the report had already been published with the council agenda.

Another member felt it was a good report and set out what the council could do, however a multi agency approach was needed. They were concerned by the potential number of agencies involved set out in appendix 2 of the report and suggested that there were a lot of potential gaps between agencies where the approach could fall down. How could a joined up approach be ensured?

Another member welcomed the report and was shocked by some of the statistics it contained. She welcomed the recommendations and thought it would be good if Cheltenham could be seen as a leading light in addressing this important issue. However she suggested more clarity was needed on recommendations iii) and v) to make it clear what was the council's role.

Councillor Chard, as a member of the working group, said the issue of a safe house was a difficult one but emphasised that it had been specifically requested by the police when they attended the scrutiny meeting. It was not intended as a long-term stay but purely for a short period of time from 28 to 48 hours to allow the police time to interview the people concerned. The vulnerable people could then be moved out of the county to other national facilities.

The Chief Executive, who had supported the review as the lead officer, wished to highlight a process point. The role of this committee was to ensure that the working group had met their terms of reference and could endorse the report and forward it to Council. It was not envisaged under the new arrangements that this committee would change the detail of the report and it may be that Council decides that they need some work to be done on working up the recommendations. He advised that during the course of the review he had had discussions with CBH and they had made it clear that they would require a business case in order to set up a safe house. This business case was not currently available but if council were to support this recommendation in principle then the council would need to work with other agencies to work up the necessary business case.

The chair thanked the task group for their report. He felt it was important to make Councillors and officers more aware of the issue and encourage the public to raise their suspicions. He suggested there may be an action for the council to take some positive steps to make communities more aware of the issue so they could be more self policing in this matter.

**Resolved that the scrutiny task group report be endorsed and forwarded to Council on 22 February 2013.**

## **10. UPDATES FROM SCRUTINY TASK GROUPS**

The chair referred members to the summary of the scrutiny task groups which had been circulated with the papers and there were no further questions.

Members were asked to comment on the update from the scrutiny task group looking at the provision of services for young people. The report provided an update for members on the progress made by this task group and asked them to consider whether they wanted the group to continue meeting or whether they were happy that scrutiny members could continue to attend the wider meetings and to fulfil their scrutiny role in that way.

As a member of the working group, Councillor Driver fully supported the work of Cheltenham Community Projects CCP but had not found the task group particularly useful and felt it should not continue. Another member of the working group, Councillor Teakle, felt it had been worthwhile if slightly woolly at times but felt it had an important role in monitoring the the achievements of CCP in providing services for young people.

**Resolved that the next meeting of the scrutiny task group should review whether or not their remit was complete or whether they should continue, and report back to O&S on their conclusions.**

The chair referred members to the update from the UBICO scrutiny task group who had met on the 18 February 2013 to review the suspension of refuse and recycling collections (18 January to 25 January) and invited the chair of the task group to speak to the committee.

Councillor Chard referred to the summary which he felt was very clear. The task group had concluded that there were two major concerns. Firstly whilst they agreed with the decision to stop collections due to the snow, they did not agree with the decision not to restart collections when the snow cleared. There also appeared to be a failure to communicate effectively with residents with an over reliance on the website and local press and failure to involve local radio stations. This had resulted in many residents being very confused as to why their rubbish was not being collected even though their streets were clear of snow. They had carried out the review very quickly and looked forward to a full report being available next month. He warned that another period of heavy snow in March could not be ruled out hence the urgency to take some action.

A member raised a concern that this piece of work was not within the remit set for this task group by the O&S committee. He cited the example of the ICT scrutiny task group who had carried out their initial review and had then been asked by this committee to carry out a further piece of work regarding the virus outbreak. He also understood there had been some criticism by some members of the task group in the way the meeting had been conducted. He understood that the task group had only made suggestions in their report but he felt the timescales were unrealistic. It was necessary to have some contingency plans and smarter communications in place for the next winter season but it was important to allow the Cabinet Member Working group time to have a proper look at the issue and come up with their own recommendations.

The chair reminded the committee that the task group had been set up to look at the effectiveness and performance of UBICO and therefore it was entirely appropriate for it to look at this particular issue. It would have been foolish to

hold up matters by insisting it came back to this committee for authorisation. He confirmed that he had been made aware of the request for this meeting by members and it had been facilitated appropriately by the Democratic Services team. He urged members to raise any complaints about the process being operated in task groups to himself or to the Democratic Services Manager.

Whilst acknowledging that the meeting may have been a knee-jerk reaction to a very topical issue, a member welcomed the information that had been made available in the report particularly the rules set out in appendix C where for the first time he was able to see the decision process that was applied when making decisions about whether to suspend services. As a councillor who had received many complaints from residents, he was concerned that under the new commissioning arrangements he appeared to have no influence over such important decisions and had not been in a position to advise the public when their bins would be collected. Considering UBICO was owned by the Council he questioned why the council seemed to have so little control and this was a general concern he had expressed before about the commissioning process.

Another member agreed that when setting up commission services there needed to be clear controls in place, particularly when commissioning services to a potential private company.

Members had some discussion about residents being prevented from organising their own black bin collections as the depot would not accept what would appear to be commercial waste vehicles. This was noted as a point that the Cabinet Member Working Group could consider.

The chair considered that the report did not highlight sufficiently the reputational damage for the council arising from this issue and the inadequate communication to the public. He had received questions from members of the public who had asked why UBICO was not sending out vehicles when private companies were operating similar vehicles.

Members thanked the working group for their report and concluded that no councillors would feel comfortable about the events that had taken place and therefore it was important for the Cabinet Member Working group be given time to carry out a full review and put in place the necessary improvements.

## **11. REVIEW OF SCRUTINY WORKPLAN**

The Democratic Services Manager referred members to the workplan which had been circulated with the agenda. She highlighted that once a task group had reported to Cabinet or Council, a follow-up review would be automatically scheduled in the workplan for six to nine months time to review progress on implementing the recommendations.

Members discussed the proposed topic for scrutiny regarding hidden deprivation in the town centre. Councillor Driver advised that after suggesting that topic she had met with the Director of Commissioning, the Strategy and Engagement Manager and Democratic Services to discuss how it might be taken forward. Their ideas were set out in the registration form.

The committee welcomed the topic but felt the outcomes needed to be firmed up and more focused. It was suggested that this could be done at the first

meeting. Apart from Councillor Driver, there were no other volunteers for the task group so it was agreed that all non-executive members would be approached.

A member questioned why the boundaries appeared to be very tight and were they necessarily appropriate. Councillor Driver advised that they had agreed that either side of the High Street would be a good starting point. The chair thought it was important to keep to a tight geographical focus but acknowledged that their work may lead them into other areas.

**Resolved that a scrutiny task group looking at hidden deprivation in the town centre be set up and the terms of reference be firmed up at their first meeting and reported back to this committee.**

**12. DATE OF NEXT MEETING**

The date of next meeting was 18 March 2013 at 6 p.m.

Duncan Smith  
**Chairman**