

Overview & Scrutiny Committee

Thursday, 16th May, 2013

6.00 - 7.20 pm

Attendees	
Councillors:	Duncan Smith (Chair), Klara Sudbury (Vice-Chair), Nigel Britter, Barbara Driver, Colin Hay, Helena McCloskey, Andrew Wall, Penny Hall (Reserve) and Simon Wheeler (Reserve)
Also in attendance:	Councillor Jon Walklett, Councillor Rowena Hay, Councillor Roger Whyborn, Richard Gibson and Jane Griffiths

Minutes

1. APOLOGIES

Apologies were received from Councillor Bickerton and Councillor Hibbert. Councillor Wheeler was standing in as a replacement for Councillor Bickerton.

2. DECLARATIONS OF INTEREST

Councillor Driver declared a personal but non prejudicial interest in agenda item 8 as a member of the Cheltenham Borough Homes Board. The chair indicated that this would also apply to himself and Councillor C Hay.

3. MINUTES OF THE LAST MEETING

The minutes of the last meeting of 18 March 2013 were approved as a correct record.

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

None received.

5. MATTERS REFERRED TO COMMITTEE

No matters were referred to the committee.

6. FEEDBACK FROM OTHER SCRUTINY MEETINGS ATTENDED

Councillor McCloskey advised that the Police and Crime Panel were due to meet in June. This panel has to be politically balanced so there may need to be some adjustments to the membership as a result of the recent county council elections.

Councillor Sudbury informed the committee that she was now a county council representative on the Gloucestershire Health, Community and Care Overview and Scrutiny Committee (GHOSC so would be standing down as the Cheltenham Borough Council's representative. Rosalind Reeves, Democratic Services Manager, had written to the political party group leaders requesting nominations for her replacement. This should be a Cheltenham Borough Council member who is not on the Cabinet. There is a GHOSC meeting on the

4 June 2013. Councillor Hay said he would be a substitute at the meeting if there wasn't an appointment by this date.

7. UPDATES FROM SCRUTINY TASK GROUPS

The chairman referred members to the summary of scrutiny task groups which had been circulated with the agenda. The following points were noted.

Deprivation- This task group is about to start its work and this begins at its first meeting on the 22 May 2013.

Sex trade in Cheltenham- Cabinet considered the report by O&S on 16 April 2013 but decided to refer the report to the Cheltenham Safeguarding Forum and Positive Lives Partnership. A report to Cabinet is expected in July. Following a recommendation from the task group, this report was sent to the Police and Crime Commissioner (PCC) and a letter has been received back from the commissioner, Mr Martin Surl. The letter stated the PCC's gratitude in investigating this matter and he encouraged members to revisit the matter in further detail. The report has now been taken to the Chief Police Constable in order to discuss this matter further.

Events Submissions task group- Cabinet received the report from O&S and decided they needed more time to consider its findings. A report back to Cabinet on implementing the recommendations is expected in July.

Youth Provision- This was discussed at the O&S chair's briefing. This has become more of a Cabinet working group and so will be closed down as a scrutiny task group. Scrutiny members will continue to be invited to attend the 'Activities and facilities for young people partnership group' and advise the Cabinet member on future funding bids.

Community Governance review- This will be referenced in the report to Council in July on council size and electoral cycle. It was mentioned that it has been difficult to populate this working group and therefore members should be asked again if they want to be on the task group. The chair suggested a paper be brought back to this committee after the Council meeting when the terms of reference should then be refreshed. There should be an aim to restart this process in September. The chair stated that there was clearly a need for fresh ideas.

Budget scrutiny – Councillor Wall gave a brief update on the role of the standing budget scrutiny working group. He mentioned that the committee were not there to look at the minutiae of the budget. It is not an ideas generating working group, but it is instead there to hold the council to account. The numbers at the meetings have been quite small and meetings have been difficult to arrange, but the group has fed back comments on ICT and Leisure and Culture. The task group have had presentations from the county budget scrutiny working group and at the next meeting they will receive a presentation from Andrew North, Chief Executive, and Councillor Jordan as the Leader of the council, on their vision for the council's trajectory. Questions were raised as to whether the council should still shave money off individual budgets and it was stated that there are still big things that impact on the council budget that the working group could examine more closely.

Councillor Sudbury as a member of the budget scrutiny working group said it was a shame that meetings had to be cancelled. The Democratic Services Manager reminded members that all dates for future meetings of this group were fixed in the council diary so members of the working group were encouraged to keep those dates free.

A member questioned where any reports from the budget scrutiny task group should go to. In reply, it was stated that where the task group had examined an issue, their views should be incorporated into the relevant reports to Cabinet or Council. Their responses should be updated at O&S, but the committee don't want to hold things up. The working group should formally report back to O&S in January each year as part of the budget cycle.

8. PERFORMANCE MANAGEMENT

Agenda item 8 was introduced by Richard Gibson, Strategy and Engagement Manager. This corporate performance report relates to delivery of the Council's Corporate Strategy Action Plan 2012-13 agreed by council in March 2012. The aim of the report was to review, challenge and comment on the council's performance over the last year.

The Strategy and Engagement Manager talked through the structuring of the report mentioning that there were some amber milestones that hadn't been reached.

The chair referred to the red milestones, such as the Joint Core Strategy and the review of Parish Council boundaries. He also mentioned that there is already a cabinet member group that is reviewing the approach to household waste management and that there had been an O&S review of Ubico.

Another councillor commented on the amount of good information the report had revealed, although he said that it was difficult to link the activity milestones with the performance indicators and the achievement of outcomes. He mentioned that the linkage between milestones and outcomes can be lost. The Strategy and Engagement manager said that the linkages are there, but that they could do with being better defined in the 2014/15 corporate strategy.

The chair referred to the report's assessment of the council's carbon emissions and suggested there be a scrutiny task group on this. Jane Griffiths, Director of Commissioning, responded that there is already a Cabinet Member task group on carbon emissions, the members of which had built up a good deal of expertise and they could report back to O&S if there was a specific issue that the committee wanted to cover. If there was a Scrutiny task group on this matter, then the task group may end up duplicating the work of the Cabinet Member task group. The chair felt that an O&S review would focus on the council's performance and approach to climate change and carbon reduction as opposed to policy and operational delivery so there should not be any duplication.

A member commented that the Review and Outcomes section of the report highlights a lot of possible subjects that O&S could look into.

The member went on to say that Cheltenham Borough Homes is delivering excellent services to council tenants but that their performance is not replicated by other housing providers leading to the possibility that tenants are receiving very different levels of service across the town with those in the private sector who may be at greatest risk. .

Finally the member referred to the People and Healthy Lifestyle stream of the report. She suggested that Scrutiny should start looking into youth provision and highlighted the good example of the local charity, CCP, which provides a youth café - open to youngsters four nights a week.

Another member highlighted that the Boots corner closure was omitted from the report and that a lot of her constituents wanted to know what was happening. This, the Strategy and Engagement responded, was because funding was secured from the local sustainable transport fund and the activity should take place in the current year.

The chair talked about supporting neighbourhood management. He suggested that the Community Governance task group could look at the effectiveness of the neighbourhood management structures.

The Strategy and Engagement Manager said that he was bringing together the chairs of the various neighbourhood management groups in early June to begin a review of structures and he stated that it would be good if Scrutiny could support this work. The chair responded that he would have a discussion with colleagues and discuss this at the next meeting.

9. REVIEW OF CURRENT SCRUTINY ARRANGEMENTS

The Democratic Services Manager opened this topic up for discussion stating that Democratic Services wanted feedback on how the new scrutiny arrangements were working since their introduction in May 2012.

A member stated that he had seen a change in the scrutiny arrangements and said that the call in process should also be looked into.

Another member discussed how Scrutiny task groups relate to Cabinet working groups and asked for the relationship between them to be defined. The member said that she did not think this relationship was working well. She considered that scrutiny should be the 'power house' and be holding Cabinet to account. In reality, Cabinet have delayed making decisions on the recommendations of some task groups. She called for a proper protocol to be drawn up regarding the involvement of Cabinet Members in reviews and suggested that they should be invited to the final meetings of the task group so they could express any concerns they may have on the report and recommendations.

Another member said that the council is being scrutinised, but the scrutiny groups aren't themselves being measured. They aren't necessarily being held to account. The member asked, 'have we made a difference?' and what were the success measures for overview and scrutiny? The chair suggested the Annual Report to Council will set out the achievements of overview and scrutiny and there should be a regular progress report. It was also important to track the

implementation of any scrutiny recommendations agreed by Cabinet.

A member suggested that it would be useful if Cabinet working groups knew what Scrutiny had been doing and visa-versa. The chair asked the members whether they thought it would be useful to hear from the Cabinet working groups through the provision of a written report. The Democratic Services Manager agreed to progress this. The chair suggested that the relevant Cabinet Member could then be invited to attend this committee to answer questions on their working group.

There was a suggestion from a member that the Cabinet Member working groups tended to be involved in policy development leaving scrutiny to the task groups. The chair reminded members that 'overview' was part of overview and scrutiny's remit. The Cabinet Member could also commission policy development work from Overview and Scrutiny and they would be free to accept the recommendations or not. If the Cabinet Members working groups were to report back to this committee, that might start to redress this balance.

It was suggested that work should not be duplicated but it was acknowledged that here was some confusion. As an example, a member had suggested the garden bag scheme should be looked into as a scrutiny topic, but was advised that a Cabinet working group were also looking into this.

The chair stated that O&S should be about visibility, accountability and transparency. However, he stated that the Cabinet working groups worked behind closed doors. With regard to the Events task group, policy had been developed but was then stalled when it got to Cabinet. The Cabinet member had then set up a further working group to recreate the recommendations from the task group. This approach had duplicated work and the process was dysfunctional..

The chair asked the committee if they were happy with the questionnaire provided by Democratic Services. He wanted to encourage a 100% return on the questionnaire and said that some members may prefer to be contacted over the telephone to fill it in. The intention was the results would help with understanding why some members were still not engaging in the scrutiny process.

One member suggested that it would be useful to invite the Leader to a session with the chair and vice chair of this committee in order to understand their views on O&S.

The Democratic Services Manager confirmed that a report on the results of the review would be brought back to this committee.

10. OVERVIEW AND SCRUTINY WORKPLAN

The following subjects were suggested as possible future topics for the future scrutiny workplan:

- Events working group outcomes
- Review of new scrutiny arrangements
- Dog fouling

- Pubs and licensing
- Use of 106 money's
- External partnerships – how are they being scrutinised and held to account

A member suggested that the recommendations from the ICT scrutiny task group should be followed up. This could be a paper exercise by officers reporting back to O&S rather than a reconvening of the task group.

Another member raised the subject of partnerships and suggested there could be a potential for joint scrutiny. An example of this is a group of tenants working as a scrutiny group with Cheltenham Borough Homes. There may also be potential for joint scrutiny groups with the county council.

The vice-chair of this committee suggested that one or two Cabinet Members should be invited to each future meeting of the committee to give a briefing and answer questions on their portfolio. The chair questioned whether this was within their remit as a managing and co-ordinating committee. This would be reviewed as part of the review of the new scrutiny arrangements.

Councillor Penny Hall was asked to speak about her proposal for a Scrutiny working group to look into dog fouling. She said she had received complaints about dog faeces in her ward, particularly after she had become involved in Charlton Kings Parish Council. Councillor Hall was asked if she thought the issue was related to the council's corporate objectives – she said she thought it was.

The chair asked if everyone was happy with the terms of reference. One member said that the dog fouling problem was not just about the provision of dog bins, but the management of them as well. He went on to suggest that mixed bin usage might be an idea. Another member suggested that the problem had been getting worse and Councillor Driver said that there was a real problem in her ward along the Honeybourne line.

The chair asked who would like to sit on the working group – Councillors Hall, McCloskey, Britter and Driver said they would like to sit on the scrutiny task group. The chair suggested that the task group should be opened up to other members before firm decisions are made on the membership. .

Resolved that a scrutiny task group be set up to review dog fouling with the terms of reference as circulated at the meeting. The chair be Councillor Penny Hall and membership to be determined once all non Executive members had been invited to participate.

11. DATE OF NEXT MEETING

The date of the next meeting was agreed for 11 July 2013 at 6pm.

Duncan Smith

Chairman

This page is intentionally left blank



Our ref: B0304-13

8 May 2013

Mr A North
Chief Executive
Cheltenham Borough Council
Municipal Offices
Promenade
Cheltenham
Glos GL50 9SA

Cheltenham Borough Council Chief Executive and Leaders Office			
PASSED TO CC			
REC'D		16 MAY 2013	
Date of Response		Type of Response	
Initials of Responder		File Ref.	

Dear Andrew

Scrutiny Review of the sex trade in Cheltenham

Thank you very much for the Scrutiny Task Group report and the opportunity to comment on it. Please pass on my thanks and commendation for looking into this difficult subject to the Task Group Members and support staff.

Overall, I found the report helpful in pulling together what is currently known by the various responsible bodies.

I would encourage you to revisit the subject in due course. It might be instructive to look into the informed public's perspective of the sex trade in Cheltenham. I am thinking more of voluntary and other organisations who provide support to people in the trade or at risk of exploitation, not the general public. A Council Scrutiny Group has a different relationship with the public than a police enquiry.

In the meantime, I will discuss this report with the Chief Constable and ask her to consider how best to address this important issue.

Yours sincerely

Martin Surl
Police and Crime Commissioner

This page is intentionally left blank
Page 10

Budget SWG

The general thrust of the approach from the Committee is:

- get involved at the start of the budget cycle and not half-way through
- understand the Council's vision and how that underpinned the budget
- look at larger areas that have come forward (eg Leisure@) rather than low-level budget papers analysis and challenge the value obtained
- see what options have been considered on these bigger pieces of work and why a selected approach has been chosen
- not necessarily an ideas generation group

My personal view is that I want the WG to understand and challenge the key financial drivers CBC are adopting, its approach for balancing the finances and how this will impact on the way we provide services - the route taken and value obtained. I do not want the WG to get bogged down in budget minutiae and usurping the detailed work that John and the Finance team will be doing. It is important that a cohesive vision is outlined for the Council so we can see that context.

Meetings have addressed several key topics:

- Presentation from the County Council on their budget scrutiny arrangements and what CBC could learn for their budget scrutiny
- Budget strategy and process for 2013-14 and how the BSWG can get involved
- New homes bonus and the impact on base budget
- Leisure and culture commissioning review
- ICT business case

Two of these items are big, chunky pieces of work that the Committee have provided challenge on.

Three scheduled meetings have been cancelled due to more work required on the ICT business case (November), number of apologies at a meeting (April) and a clash with a JCS meeting due to consultant availability (May).

Our next meetings (provisional dates June and July) will cover the Leader and Chief Exec vision for the Council and the significant areas in the budget going forward, the accommodation strategy, capital strategy, and leisure and culture.

This page is intentionally left blank
Page 12