

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE OVERVIEW AND SCRUTINY BOARD

THURSDAY, 25TH AUGUST 2011 AT 5.30 P.M.

PRESENT: Councillors P. J. Whittaker (Chairman), P. Lammas (Vice-Chairman),
C. J. Bloore, Dr. B. T. Cooper, R. J. Laight, P. M. McDonald,
S. P. Shannon, Mrs. C. J. Spencer and L. J. Turner

Observers: Councillor Mrs. M. A. Sherrey JP and Councillor M. A.
Bullivant

Officers: Mrs. C. Felton and Ms. A. Scarce

26/11 **APOLOGIES**

Apologies for absence were received from Councillors J. S. Brogan, Mrs. R. L. Dent, K. A. Grant-Pearce and Mrs. J. M. L. A. Griffiths.

27/11 **DECLARATIONS OF INTEREST AND WHIPPING ARRANGEMENTS**

There were no declarations of interest or whipping arrangements.

28/11 **REVIEW OF RECREATION ROAD SOUTH CAR PARK TASK GROUP REPORT (CHAIRMAN: COUNCILLOR SEAN SHANNON)**

The Chairman invited Councillor S. P. Shannon, as Chairman of the Task Group to introduce the report.

The Chairman of the Task Group gave background information on why the Task Group had been set up and the evidence and witnesses that the Task Group had received during its investigation. It was explained that all Members of the Task Group had originally had a very negative perception in respect of the operation of the car parks throughout the district. Particular issues were in respect of the fixed penalty notices and how appeals against these were handled. The Chairman explained that the Task Group had received evidence on the following areas:

- The role of the Civil Enforcement Officers
- Income from parking charges on Recreation Road South Car Park
- Total income from parking compared with excess charge revenue on Recreation Road South Car Park.

From the evidence received the Task Group Members conceded that they had begun the Task Group with a preconceived view of the Recreation Road South Car Park and car parking facilities generally provided by the Council.

However, after hearing and looking at the evidence provided by Officers, Task Group Members had agreed that the negative view was incorrect. This had led to the formulation of the 5 recommendations contained within the report which it was considered would help to dispel the negative views and perception of residents and visitors with regard to the district's car parking operation.

The Board discussed the following areas in more detail:

- The downturn in the use of the car parks and the national trend.
- The pay on foot system.
- Methodology used and evidence provided. Including the availability of comparative financial information.
- The financial implications of the recommendations (the Task Group had questioned these as they felt in some instances they were excessive estimates).

After further discussion it was

RESOLVED:

- (a) that the report and recommendations attached at Appendix 1 be approved; and
- (b) that the report and recommendations be submitted to Cabinet for approval.

29/11

THE REDUCTION IN BUS SERVICES TASK GROUP REPORT
(CHAIRMAN: COUNCILLOR CHRIS BLOORE)

The Chairman invited Councillor C. J. Bloore, as Chairman of the Task Group, to introduce the report.

The Chairman of the Task Group thanked the Committee Services Officer for her support in completing two task group reports in a very short period of time. The Board was provided with background information on why the Task Group had been set up and the concerns that had been raised by residents in respect of the forthcoming changes to bus services. The information provided by Worcestershire County Council (WCC) since completion of the consultation had been limited and this lack of knowledge had added to residents' worries. The following issues were discussed in more detail:

- The responses from residents and coverage in the local newspapers.
- The bus services that were of most concern to residents.
- The response from the Parish Councils, Hansons Coaches and First Midland Buses.
- The distinction between County and District Council issues.
- WCC's Impact Assessment.
- Any official response to the consultation by the Council and the role of the Portfolio Holder and Ward Members.

In respect of Recommendation 1(a) the Head of Legal, Equalities and Democratic Services informed the Board that currently the process for responding to consultations was detailed in the Constitution at page 5, Part 3 (Part D) of the Corporate Delegations. This was a delegation which had been made by full Council to the Chief Executive, the Deputy Chief Executive and Heads of Service in consultation with Members in such manner as the Chief Executive considered to be appropriate for the purpose of responding on behalf of the Council to consultations documents. There was therefore a formal process already in place for managing such consultations.

The Head of Legal, Equalities and Democratic Services explained that consultations were dealt with on an individual basis as Members could, on some occasions, have conflicting views on a consultation. Those Members whom the Chief Executive felt were appropriate for the subject matter of a particular consultation document were consulted and then a collective response was sent on behalf of the Council. However, on this occasion Members had been asked to respond directly. The Head of Legal, Equalities and Democratic Services advised the Board that she had asked the Democratic Services Manager to email all Members advising them that Worcestershire County Council were making proposals to change the bus services and had asked specifically for Members to be consulted. From the wording of the email it was clear that Members were asked to respond individually to the consultation.

It was apparent that, due to a change of Portfolio Holder, the current Portfolio Holder, who had given evidence to the Task Group, had not been briefed on how the Council had responded to this consultation. After further discussion and in the light of this additional information being provided it was

RESOLVED that a further meeting of the Task Group be arranged and a revised report be received by the Overview and Scrutiny Board meeting to be held on 19th September 2011.

30/11 **PROVISION OF YOUTH SERVICES - OVERVIEW AND SCRUTINY TOPIC PROPOSAL REPORT**

The Chairman invited Councillor P. M. McDonald to introduce the item as he had put forward the Overview and Scrutiny Topic Proposal.

Councillor McDonald gave background information as to why he felt Youth Provision should be scrutinised by the Board, the need for these services to be retained and the consequences if the cutbacks were to go ahead. Members were also provided with details of when the consultation from Worcestershire County Council (WCC) was expected to be completed. The Board discussed the following in detail:

- The role of County versus District Council and the proposals by WCC.
- The response from the Council – Officers advised Members that a response had already been sent by the relevant Head of Service. The LSP members would also be responding and the Children and Young

People's Theme Group would also be meeting with the relevant Portfolio Holder at WCC.

- Any further action that should be taken to investigate this matter.
- Members concern over the future provision of these services.

After further discussion it was

RESOLVED that no further action be taken.

31/11 **ANY OTHER BUSINESS**

The Chairman agreed that this matter be raised as an urgent item at the meeting as a decision on this matter could not wait until the next meeting of the Board.

The Head of Legal, Equalities and Democratic Services informed the Board that at the full Council meeting held on 20th July 2011, under the Leader's announcements, he had indicated that he wished the Overview and Scrutiny Board to undertake a scrutiny exercise into the issues that have arisen at the Marlbrook Tip. The Head of Legal, Equalities and Democratic Services provided background information on the and advised the Board that from a Monitoring Officer's point of view, this was a regulatory issue and would not come under the legislation which covered the role of the Overview and Scrutiny Board. However, she indicated that Members might wish to consider whether it would be more appropriate for the Chief Executive to ask the internal audit team to carry out a formal investigation of the matter before making the findings of that enquiry public. The Board discussed the following areas in more detail:

- Areas which the Overview and Scrutiny Board could investigate once an internal investigation had been carried out, on the basis that it would be possible for the Board to consider any matters in relation to planning policy that may emerge as an investigation finding.
- The circumstances surrounding the issues at Marlbrook Tip and the current regulatory status.

RECOMMENDED that the matter be referred back to the Leader requesting that he speak to the Chief Executive to make arrangements for a full investigation into the Marlbrook Tip to be carried out by the appropriate audit/investigation team and that the results of that investigation be made public.

The meeting closed at 6.55 p.m.

Chairman