

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE OVERVIEW AND SCRUTINY BOARD

14TH DECEMBER 2015 AT 6.00 P.M.

PRESENT: Councillors L. C. R. Mallett (Chairman), K.J. May (Vice-Chairman), C. Allen-Jones, S. J. Baxter, C. J. Bloore, B. T. Cooper, M. Glass, R. D. Smith, P.L. Thomas and R. J. Deeming

Observers: Councillors G. Denaro, R. Laight, S. Shannon, C. Taylor, M. Thompson, L. Turner, S. Webb and P. Whittaker

Officers: Ms. J. Pickering, Mr. J. Godwin, Ms. A. Scarce and Ms. J. Bayley

81/15 **APOLOGIES FOR ABSENCE AND NAMED SUBSTITUTES**

An apology for absence was received from Councillor S. R. Colella.

The Chairman announced that following the last meeting Councillor J. M. L. A Griffiths had resigned from the Board. He thanked Councillor Griffith's for her hard work as a member of the Board and wished her well in her future endeavours. The Chairman also welcomed Councillor R. J. Deeming who had been appointed as a member of the Board for the remainder of the municipal year.

82/15 **DECLARATIONS OF INTEREST AND WHIPPING ARRANGEMENTS**

There were no declarations of interest nor of any whipping arrangements.

83/15 **MINUTES**

The minutes of the meeting of the Overview and Scrutiny Board held on 23rd November 2015 were submitted.

RESOLVED that the minutes of the Overview and Scrutiny Board meeting held on 23rd November 2015 be approved as a correct record.

84/15 **DOLPHIN CENTRE UPDATE**

At the start of this item the Chairman advised Members that the subject of the Dolphin Centre had been raised at a recent meeting of the Audit, Standards and Governance Committee. As Chairman of the Committee Councillor R. D. Smith was invited to comment on these discussions and he explained that the Committee had discussed whether the Dolphin Centre was a suitable topic for audit and had concluded that the matter was more appropriate for the consideration of Overview and Scrutiny.

The Head of Leisure and Cultural Services proceeded to deliver a presentation providing an update on the Council's position in respect of the development of the new Dolphin Centre and the ongoing negotiations with BAM in respect of the use of their Sports Hall (Appendix 1). During this presentation he highlighted the following matters for Members' consideration:

- The Blackmore House site would be free from contamination and there would be no risk on site from adverse conditions.
- Soft market testing had been carried out involving consultation with 12 leading market providers. The majority had submitted favourable responses and had not identified risks to the Council.
- The first stage of the procurement process had been completed and the Council was working with the preferred supplier.
- A decision from Sport England regarding the Council's application for support was due the following day.
- The climbing wall selected for the centre would be a play-based feature, rather than the traditional style of climbing wall.
- The decision had been made to hold the 2 week maintenance period during the summer months as this was when demand for services tended to be quieter than usual.
- Floodlighting was not available as yet at the school, though discussions were being held regarding the potential for floodlighting to be installed.
- Stage 2 of the procurement process was fairly advanced.
- As the project would be delivered in phases it would not be possible to open the car park until December 2017. Part of the current leisure centre site was located on a third of the area designated for the new centre's car park.

Following the delivery of this presentation the Board discussed a number of matters in further detail:

- The lack of access to the sports hall facilities at the school mid-week during the day.
- Existing demand for use of the Dolphin Centre during the day, which Officers advised stood at 50 per cent.
- The potential for further negotiations to take place to enable access to the facilities in the day during school holidays. Officers confirmed that this had not been discussed.
- Demand for facilities at the new Dolphin Centre during the evening and the potential levels of competition.
- The updates that had been made to the business case for the Dolphin Centre in response to the soft market testing which had taken place since the Cabinet had made an initial decision on this matter.
- The prudential borrowing rules that applied to Councils when borrowing to fund developments such as the new centre.
- The funding from Sport England and requirements in terms of match funding.

- The recent decision that had been made by the Planning Committee concerning the new leisure centre and legal restrictions in respect of scrutiny Members analysing planning matters.
- The recent consultation with the public regarding leisure services and the extent to which the feedback provided in this consultation process would inform developments with the new centre.
- The potential for the Council to secure additional funding in future and whether this could be used to invest in a sports hall on the site.
- The option to work with other schools in the district to provide residents and clubs with access to sports hall facilities.

Members expressed a keen interest in the needs of community groups and sports clubs that frequently used the existing Dolphin Centre facilities during the day. Officers advised that the Council would provide groups in this position with support. There was general consensus that it would be useful for the Board to monitor this so that Members could be assured that clubs were able to learn about and access alternative facilities where required.

Concerns were expressed by some Members regarding the extent to which contingency plans were in place if the negotiations with BAM were unsuccessful. However, there was recognition that these negotiations had not yet been completed. Members also noted that the Cabinet had previously agreed in December 2014, in response to recommendations from the Leisure Provision Task Group, that if the negotiations with BAM were unsuccessful, the Cabinet would reconsider options for the facility to include a sports hall.

RECOMMENDED that the Cabinet remain observant of its decision in December 2014 to reconsider options for the leisure centre to include a sports hall if the negotiations with BAM are unsuccessful as detailed in the Cabinet response to the Leisure Provision Task Group Report; and

RESOLVED that regular updates be provided by the Head of Leisure and Cultural Services in respect of sports clubs and community groups displaced by the lack of an available sports hall during the day, to include information about the support provided to enable these groups to find alternative accommodation.

85/15

PERFORMANCE MEASURES DASHBOARD

The Policy Manager provided a demonstration of the Council's Performance Measures Dashboard. During this demonstration she highlighted the following for Members' consideration:

- The dashboard had taken time to develop. The aim of the dashboard was to present performance data in a new and meaningful way in line with the Council's systems thinking approach to service delivery.
- Officers could upload data onto the dashboard and use the facility to monitor performance and the impact of any changes to services.
- Members would have access to the dashboard via their iPads and access would also be available via a sunray computer in the Members' Room.

- In 2016 Officers were aiming to make sections of the dashboard available to the public on the Council's website.
- The main page of the dashboard listed the Council's strategic purposes. The strategic measures data underpinning each of these strategic purposes was also accessible.
- Many of the strategic measures were supported by capability charts which enabled viewers to monitor performance trends. There was often additional, written information for each measure which provided context.
- Contact details would be provided for the lead Officers for each measure to enable Members to direct any enquiries to the relevant person.
- Some of the measures could not suitably be monitored in a capability chart. In these cases other visual images had been used, such as maps, though sometimes no images were appropriate.
- Some strategic measures were underpinned by supporting measures. By viewing these measures collectively it was possible to obtain a more nuanced understanding of the performance of services in particular areas.
- There were a number of operational measures on the dashboard which were accessible by team. Many of these would primarily be available to officers to use for day-to-day service delivery purposes and not all would be accessible to Members.
- A number of the operational measures reflected joint service performance statistics for Bromsgrove District and Redditch Borough Councils.
- The dashboard was continually evolving. Officers suggested that they would be happy to meet with elected Members to discuss the dashboard and methods for interpreting data contained within it.
- Officers confirmed that there was limited financial information on the dashboard at present. It was anticipated that this data would be added in due course.
- Visitors to the dashboard could develop a "My Dashboard" facility. This could be used to monitor the measures that were of interest to the individual.

Following the demonstration a number of issues were discussed in further detail:

- The source of the data and how it was measured.
- The potential for questions from Councillors to help Officers to ensure that appropriate contextual information was provided in respect of each measure.
- The breadth of data available to view on the dashboard and the need to be selective in order to make use of the facility in a constructive manner.
- The potential for colour coding to be used on the dashboard to make it easier for Members to ascertain whether performance was good, poor or satisfactory. Officers explained that a decision had been made to use annotations rather than colour coding.
- The number of measures on the dashboard.
- The potential for members of the Corporate Management Team (CMT) to monitor performance in relation to a number of key measures.

- The approach adopted by other Councils towards monitoring service performance. Members were advised that as the majority of Councils continued to produce more traditional quarterly performance monitoring reports.
- The safeguards in place to ensure that Officers did not opt to focus on areas where they knew performance was good.
- The type of issues monitored in HR operational measures. Members were keen to ensure that the number of employees who received Performance Development Reviews (PDRs) was monitored within this data set.
- The potential to link staff appraisals to performance in respect of the measures.
- Members requested further clarification as to whether they would be required to enter a separate password on their iPads in order to access the dashboard.

RESOLVED

- (1) To receive the next Planning Application Backlog Data report in February 2016 in the same format as usual; and
- (2) That the demonstration be noted.

86/15

BUDGET UPDATE REPORT

The Executive Director, Finance and Corporate Resources presented a report containing the latest update to the Medium Term Financial Plan 2016/17 to 2018/19. She explained that the report compared the actual budget for services in accordance with the strategic purposes for 2014/15 with the proposed budget 2016/17. This comparison had been made as 2014/15 was the last year for which final figures were available and it provided an opportunity to review any underspends and to ascertain whether this should influence the level at which the budget was set for particular services in the future. Heads of Service had also considered the underspends in that year and this had informed their budget proposals for 2016/17.

Members noted that the manner in which the data had been presented was a little confusing. There was general consensus that it would be more useful for the Board to receive the figures reflecting actual expenditure in 2014/15, projected figures for 2015/16 and the proposed budget for 2016/17 for comparative purposes. Members also suggested that it would be useful to have information about any savings that had been achieved within the report.

Some concerns were raised in respect of it being difficult for the Board to make a constructive contribution to consideration of the budget due to the date by which information was available and the manner in which it was being presented. The Chairman noted that there would be greater opportunity for the Board to make a contribution to the budget setting process in January and February 2016, though the time available to consider any proposals before the Council's budget was set would be tight. Following discussion, Members agreed that further improvements in the process should be made for the 2016/17 budget consideration.

RESOLVED that, subject to the comments detailed in the preamble above, the report be noted.

87/15

COMPREHENSIVE SPENDING REVIEW

The Executive Director, Finance and Corporate Resources delivered a presentation on the outcomes of the Comprehensive Spending Review. In so doing she highlighted the following points for Members' consideration:

- There was significant reliance on economic growth and this could have implications at the local level for Council finances.
- The decision not to cut tax credits meant that savings would need to be achieved elsewhere in the budget.
- Whilst budgets for the police had been protected there were pressures in real terms on finances for Police forces.
- Councils that delivered social care services could increase Council Tax by 2 per cent. However, district Councils would still be advised to restrict Council Tax increases to 1.9 per cent or less.
- The revenue support grant would cease to be provided to local authorities by 2020 though Councils would be able to keep all business rates.
- No information had been provided to clarify arrangements for any future pools for business rates.
- Local authorities were being encouraged to sell off any assets and capital receipts could be used on revenue expenditure, though only for transformation work.
- The main concern for Officers was in respect of the New Homes Bonus (NHB). The Local Government Association (LGA) had reported that there would be no changes to the NHB in 2016/17, though this announcement only covered 1 year.
- The Council would need to consider whether to continue to allocate a proportion of the NHB to community projects in 2016/17.
- There was the possibility that in future the government would require local authorities to allocate all of the NHB to community projects.
- The Government had announced savings of £800 million from the NHB. This was not fully covered in the reduction of the period for payments from 6 to 4 years so further announcements on this subject in the future were considered likely.
- The revenue support grant settlement from the Government to the Council would cover a 1 year period only.
- Some of the Council's balances had been allocated to funding the new leisure centre.
- The Council's reserves were in the process of being reviewed and Heads of Service were being challenged as to whether particular reserves needed to be retained.
- There remained the potential for Members to submit capital bids at any time of the year and a number of capital bids had already been submitted.

- The Board noted that one of the bids listed in the presentation, a bid to fund a new scout hut in Hagley, had already had an application for grant funding from the NHB Community Grants Scheme rejected.

RESOLVED that the report be noted.

88/15

FINANCE MONITORING QUARTER 2 REPORT

The Executive Director of Finance and Corporate Resources presented the Finance Monitoring Quarter 2 Report. Members noted that this report had already been presented for the consideration of the Cabinet. This made it difficult for the Board to make any meaningful contribution in terms of consideration of this item.

The appropriate content of the report was considered. Members noted that they had previously requested that only details about areas where there had been 10 per cent or more in terms of variances be provided. This would be addressed in the next edition of the report. Officers had also given consideration to the different ways in which other Councils presented this report and had noted that colour coding could be used in future.

89/15

WORCESTERSHIRE HEALTH OVERVIEW AND SCRUTINY COMMITTEE - UPDATE

Councillor B. T. Cooper, the Council's representative on the Worcestershire Health Overview and Scrutiny Committee (HOSC), explained that the latest meeting of HOSC had been relatively lengthy and involved detailed discussions. The following items had been considered during this meeting:

a) Adult Mental Health Transformation

The HOSC had discussed action that was being taken to save £200,000 in adult mental health services. Members had been critical of the plans as they had considered these to be vague. Revisions would be made and the plan was due to be presented again for consideration at a later meeting of the Committee.

b) Quality of Acute Hospital Services

The HOSC had discussed the Care Quality Commission's (CQC) inspection findings of Worcestershire Acute Hospital NHS Trust's services, following the announcement that these services would be placed in special measures. The new interim Chief Executive had delivered a presentation to the HOSC which had revealed that only 2 areas were classified as inadequate in the inspection but this was enough to place the trust in special measures.

A number of actions would be taken in relation to the special measures classification:

- Links would be provided to a "buddy" Trust.

- A support Director had been appointed to the Trust's Board.
- Access would be provided to specific funds to help target improvements.

During the HOSC meeting 3 representatives from Redditch had advised Members about the vote that had been taken at Redditch Borough Council following a Notice of Motion on the subject of the trust and the inspection findings. In this vote Members had called for the trust to be broken up. Other members of the HOSC had not been happy with this proposal as there were concerns about the potential impact on health services within the county.

The Chairman noted that in recent press coverage it had been suggested that Bromsgrove District Council was in support of Redditch Borough Council's position. However, the Council had taken no vote on this subject and there was the potential that this could create a misleading impression of the wider position of Bromsgrove Members. To address this issue Members agreed that it would be useful to request further clarification from the Leader concerning the Council's position in respect of this matter. Members also requested that a copy of the Motion that had been submitted in Redditch be circulated for the Board's information.

RECOMMENDED that clarification be provided by the Leader with regard to the Council's position in respect of the future of Worcestershire Acute Hospital's NHS Trust and the recent vote taken by Redditch Borough Council calling for the trust to be broken up.

90/15

INCREASING PHYSICAL ACTIVITY JOINT SCRUTINY TASK GROUP - UPDATE

The Chairman explained that following the resignation of Councillor J. M. L. A. Griffiths from the Overview and Scrutiny Board Worcestershire County Council had been contacted in respect of this Joint Scrutiny Task Group as she could no longer remain the Board's representative on the review. The County Council had advised Officers that the review was nearing an end and therefore it would not be appropriate to appoint a new representative from the Council at this stage. However, Councillor Griffiths would be remaining on the group as a County Councillor. Under these circumstances Members agreed to approach Councillor Griffiths to ask her to provide brief written updates to the Board on the progress of the review until it had been completed.

Members noted that appropriate arrangements would need to be put in place for the presentation of the group's final report. It was suggested these arrangements could be based on the process for the presentation of the final report produced by the Joint Worcestershire Regulatory Services (WRS) Task Group, whereby the Chairman and a Democratic Services Officer had presented the report at each of the participating authorities' Scrutiny Committee meetings. The Board agreed that Worcestershire County Council should be approached regarding the feasibility of the Chairman of the Task Group attending a future meeting of the Board to present this report.

91/15 **EVENING AND WEEKEND CAR PARKING TASK GROUP - UPDATE**

Councillor K. J. May, Chairman of the Evening and Weekend Car Parking Task Group, provided an update on the latest work of the Task Group. The group had interviewed Councillor G. Denaro as well as a representative of the High Street Improvements Forum, a local residents' group, since the last meeting of the Board. The group had been impressed to learn that the Forum had received 469 responses to a survey they had issued on the subject of retail outlets and car parking in the town and had agreed to share the findings which would help inform the group's final recommendations.

The group was increasingly coming to the conclusion that the Council needed a clear strategy for car parking. An interim report would be published in January 2016 containing a summary of the group's findings to date, though it was unlikely that there would be any recommendations proposed at this stage. A final report was scheduled to be published in March 2016.

92/15 **ACTION LIST**

The content of the Board's Action List was considered and the following points raised:

a) Planning Application Backlog Data

As agreed at the previous meeting of the Board Members discussed appropriate arrangements for the future presentation of Planning Application Backlog data following receipt of further information about the measures dashboard. Due to the complexity of the dashboard and the need for Members to spend time familiarising themselves with this facility it was agreed that they would receive the next quarterly update on Planning Application Backlog data in the standard style.

b) Quarterly Recommendation Tracker – CALC

Members were advised that CALC had welcomed the suggested presentation that had been referred to in the Youth Provision Task Group's final report. It was intended that this presentation should take place in March 2016 and that Councillor J. M. L. A. Griffiths, as the former Chairman of the Task Group, should be invited to deliver the presentation.

93/15 **CABINET WORK PROGRAMME 1ST JANUARY TO 30TH APRIL 2016**

Members were advised that a number of items scheduled for pre-scrutiny had been postponed, though would still be considered by the Board in due course. This included:

- Capital budget consideration.
- Burcot Lodge Hostel.
- High Street Refurbishment Phase II.

RESOLVED that the Cabinet Work Programme be noted.

94/15

OVERVIEW AND SCRUTINY BOARD WORK PROGRAMME

Members considered the Board's Work Programme and discussed the following:

- The January 2016 meeting of the Board had a lengthy agenda. For this reason Members agreed to postpone consideration of the quarterly recommendation tracker until a later meeting.
- Councillor Cooper advised that as the next meeting of HOSC would take place after the January meeting of the Board there would be no update available about health scrutiny.
- The Board needed to scrutinise the work of the North Worcestershire Community Safety Partnership before the end of the municipal year. It was agreed that this should take place in March 2016.
- Members agreed that the staff survey and an update on the work of Worcestershire HealthWatch should take place at the meetings of the Board in March and April 2016.
- The Chairman explained that there was capacity for another Task Group to be launched. Members were asked to consider potential topic ideas for a Task Group and to raise these at the following meeting.

RESOLVED that the Overview and Scrutiny Board's Work Programme be noted.

The meeting closed at 8.19 p.m.

Chairman

Bromsgrove Sport & Leisure Centre

John Godwin – Head of Leisure & Cultural Services



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BSLC Project Update – Current Position

- Blackmore House site purchased, demolished, remediated, grading completed and enabling works package nearing completion.
- RIBA Stage 3 design completed and Stage 4 commenced including FFE list.
- Revenue Business Model & Design Concepts reviewed and soft market tested.
- Planning Permission Granted.
- Procurement of Main Contractor completed (Stage 1) and Stage 2 commenced today.
- Sport England application submitted and decision due tomorrow.
- BAM negotiations continuing, HoT agreed with final review on Thursday (more to follow).
- Comms plan in place to promote the Councils investment.
- Climbing offer selected and specified within the cost plan.

BSLC Project Update – BAM Agreement

(subject to contract)

- Project and concept endorsed by WCC, BAM, School and Sports England.
- Agreement runs for the life of the PFI contract (21 years).
- 50 week a year agreement with 2 week maintenance during the summer period.
- 35 hrs per week based on Mon to Thurs 3 hrs per night, Friday 4hrs per night and 9.5hrs per day at weekend.
- No stop in service at exam times.
- Agreement to work with and support school two way access.
- Access to Sports Hall, Gymnasium and Ancillary facilities.
- Potential to use outdoor courts and develop this offer and others.
- Access can be extend if demand is there.

BSLC Project Update – Next Steps

- Committee Report in January ref Sport England Application and project overview.
- Complete Stage 2 Procurement and finalise employer requirements.
- Finalise access Agreement with BAM and sign contracts.
- Commence operator procurement.

BSLC Project Update – Indicative Dates

- Build/Construction Contract Signed – April 2015
- Commence on site – May 2015
- New Centre Completed – August 2017
- New Centre Opened - September 2017
- Current Site Demolition – October/November 2017
- Car Park Opens – December 2017

BSLC Project Update

Questions?