

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE OVERVIEW AND SCRUTINY BOARD

MONDAY, 25TH FEBRUARY 2013 AT 6.00 P.M.

PRESENT: Councillors P. Lammas (Vice-Chairman, in the Chair), C. J. Bloore, J. S. Brogan, Dr. B. T. Cooper, Mrs. R. L. Dent, K. A. Grant-Pearce, Mrs. J. M. L. A. Griffiths, R. J. Laight, P. M. McDonald, S. P. Shannon, Mrs. C. J. Spencer and L. J. Turner

Officers: Ms. J. Pickering, Ms. B. Houghton, Ms. S. Horrobin, Ms. L. Jones, Ms. R. McAndrews and Ms. A. Scarce

83/12 **APOLOGIES**

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

84/12 **DECLARATIONS OF INTEREST AND WHIPPING ARRANGEMENTS**

There were no declarations of interest or whipping arrangements.

85/12 **MINUTES**

The Minutes of the Overview and Scrutiny Board held on 17th December 2012 were submitted.

RESOLVED that the minutes be approved as a correct record.

86/12 **CCTV SHARED SERVICE - CODE OF PRACTICE**

The Chairman reminded Members that this item followed an initial presentation from the CCTV and Lifeline Manager at the meeting held in December 2012, when Members had asked for sight of the CCTV Code of Practice.

The CCTV and Lifeline Manager informed Members that the Code of Practice contained the overriding principals as to how the CCTV scheme was operated in Bromsgrove. The Code of Practice was due to be refreshed following new legislation, the Protection of Freedoms Act 2012 and the appointment of a Surveillance Camera Commissioner. The Council would also need to be accredited to British Standards for CCTV, the CCTV and Lifeline Manager was confident that this could be achieved. The legislation would also require a review of the camera scheme, to ensure that they were in the correct position and did not infringe on peoples right to privacy. A review of this kind had not been carried out since the inception of the CCTV scheme.

The CCTV and Lifeline Manager informed the Board that following the last meeting, when Members had discussed public relations and positive feedback from the Police, she had made enquiries and been provided with details of an incident in Bromsgrove, which had led to the use of CCTV footage providing evidence in order to secure convictions. The Community Safety Analyst had also been contacted and was currently working on providing data which would show the positive use of CCTV.

Members discussed the following areas in detail:

- The effect on and cost to Bromsgrove Police by moving the CCTV centre to Redditch.
- The cost effectiveness of moving the CCTV Centre to Redditch (the Executive Director, Finance and Corporate Resources to provide details for Members).
- Any financial contribution to the CCTV scheme from the Police.
- The cameras at Bromsgrove Railway Station and any changes that would be made following the upgrade of the Station.
- Number plate recognition cameras – the CCTV and Lifeline Manager confirmed that although the Police used our “poles” for these cameras and some of the cables, the CCTV Team had no involvement with the use of these particular cameras.

RESOLVED that, when available, a report on the revised Code of Practice be presented to the Board for consideration and comment.

87/12 **QUARTERLY SUMMARY OF ENVIRONMENTAL ENFORCEMENT ACTION TAKEN (1ST OCTOBER TO 30TH DECEMBER 2012)**

The Community Safety Manager presented the Enforcement Outcome Monitoring Report for 1st October to 31st December 2012 and informed Members that where enforcement action had been taken it was usually due to either public reports of offences or there was intelligence available which provided an opportunity to take further action if the perpetrator had been identified. The Community Safety Manager provided details of the different types of environmental crimes committed and informed Members that enforcement could be carried out at any level at the officers’ discretion and that it was not an incremental process.

Members discussed the following areas in detail:

- The particular circumstances of the 2 duty of care cases which had been investigated and fixed penalty notices which had been issued.
- Graffiti – Members complimented officers on the speed at which this was removed in many cases. Officers provided detailed information on the circumstances when this was more difficult, for example when the graffiti was on private land and the work of the cleansing team.
- The role and powers of the Community Safety Officers
- Car parking and a recent issue in respect of a private car park within the district.

- The Regulations in respect of un-adopted roads.
- Officers encouraged Members to report any incidents or “hot spot areas” in order that action could be taken quickly.

Members discussed the issue of dog fouling in detail and were concerned that this was a huge problem in certain areas throughout the district. Officers provided a full explanation in respect of the difficulty in taking action unless the incident had actually been witnessed and the importance of Members reporting such issues to officers. This problem was being tackled from an education point of view and there had recently been a specific campaign “mucky pup” aimed at dog fouling. Members requested information on whether the success of this campaign could be equated against the costs. The Environmental Services Manager confirmed that this would be difficult as the aim of the campaign was to change people’s behaviours, however consideration would be given to how this could be done and further information provide if available.

88/12 **OVERVIEW & SCRUTINY TOPIC PROPOSAL - COMMUNITY SAFETY TEAM**

Members were reminded that this item had first been considered at the meeting of the Board held on 17th December 2012 when further information had been requested before a decision was to be made as to what action, if any, the Board would take with regard to the topic proposal.

The Community Safety Manager informed Members that the Community Safety Team had been in contact with both the garage which Mr. Rowbottom referred to and with Mr. Rowbottom to clarify the position and to try and resolve the problem through mediation. The Community Safety Manager provided Members with detailed information about the footpath and the area of concern and advised that this was an intermittent problem and that there had been no other complaints from members of the public. The Legal Team had been consulted and assessed the proportionality of taking legal action.

RESOLVED that the Board take no further action in respect of the Overview and Scrutiny Topic Proposal Form.

89/12 **MAKING EXPERIENCES COUNT QUARTER 3 REPORT**

The Customer Service Manager introduced the report and highlighted the salient points, which included:

- 47 complaints received with 5 cases still open (it was confirmed that since the report had been produced these had been resolved to the customers satisfaction).
- Review of the process in dealing with complaints using systems thinking principles.
- The new procedure in place to inform all departments of the death of a resident.
- The number of compliments received.
- There had been no complaints to the Ombudsman.

Following presentation of the report the Board discussed the following areas in more detail:

- The customer complaint in respect of the closure of a car park early and a resident's car being locked in that car park. (The Head of Environmental Services to be asked to provide a full explanation into how this happened.)
- The circumstances in respect of the complaint from BDHT and notification of a planning application. (The Head of Planning to provide a full explanation.)
- Enforcement complaints and staffing issues within that team.
- The inclusion of complaints which were previously classed as service issues, for example car parking appeals. (This was following a recommendation from the Planning Policy Task Group Report).
- The closure of the Bracken Close, Catshill play area. (The Head of Leisure and Cultural Services to provide information on any future plans for the use of the land.)
- The new process put in place to ensure that the details in respect of the death of a resident were passed to all relevant departments within the Council.
- The decrease in customer enquiries handled by the Customer Service team and the transfer of customer contact to experts within the services.

Following further discussion it was

RESOLVED that the Making Experiences Count – Quarterly Complaints Report be noted.

90/12 **HOMELESSNESS GRANTS 2012/13 - UPDATE REPORT**

The Chairman reminded Members that following receipt of a report at the meeting held on 27th February 2012 an update on the Homelessness Grant scheme position had been requested.

The Executive Director, Finance and Corporate Resources informed the Board that the Council had a significant number of schemes in place in order to mitigate homelessness in the district as much as possible, although in view of the current economic climate it was unlikely that this situation would improve in the foreseeable future. A significant part of the work was around prevention where ever possible and included supporting the voluntary sector.

Members discussed the following areas in more detail:

- The welfare reforms which would come into place in April and the transfer of emergency care loans from the Department of Work and Pensions to the Council.
- The ring fencing of funds towards grants.

- The cost to the Council to provide emergency accommodation to an individual.
- Funding from earmarked reserves towards the “bedroom” tax and how the Council would be dealing with this issue. Officers to provide a comparison of estimated costs for 2013/14 and 2014/15.

Members were concerned that access to the Night Assessment Centre, for those people sleeping rough, appeared to be only during the winter months (November to March) as it could also be very cold during other times of the year. Officers agreed to seek clarification on this and provide Members with a further update, together with details of the location and contact details of the Night Assessment Centre.

91/12 **QUARTER 3 SICKNESS ABSENCE PERFORMANCE AND HEALTH REPORT**

The Executive Director, Finance and Corporate Resources informed Members that there was a slight increase in the average number of day’s absence for this quarter from 1.98 days to 2.16 days, which was not unusual for the time of year. The increased figure would give a predicated outturn for the year of 7.7 days, which was a slight reduction to last year’s outturn of 8.2 days.

The Executive Director, Finance and Resources highlighted the following areas:

- The pilot scheme which was being carried out at the Depot to manage sickness, which included involvement from the trade unions, Head of Services and Human Resources and the possible “roll out” of the scheme to all areas of the Council.
- Details of the long term sickness problems at Worcestershire Regulatory Services and how these were being addressed.
- The take up of the staff support network – Employment Assistance, which was able to provide support in all areas of a member of staff’s life, including personal problems as well as any work related issues.

Following presentation of the report, Members discussed the following points in more detail:

- The recording of sickness absence – Members agreed it would be more helpful if the number of days for each department could be equated against the number of staff within that department. (Officers to make necessary amendments for the next quarterly report.)
- The recording of absences for such things as T.A. service and Jury service. (Officers to explore whether this could be included in future reports.)
- The role of the Wellbeing Officer

After further discussion it was

RESOLVED that the Sickness Absence Performance and Health Report for the period ended 30th December 2012 be noted.

92/12 **BUDGET 2013/14**

The Executive Director, Finance and Corporate Resources informed Members that the budget had been agreed at the Council meeting held on 20th February 2013. The Board had been provided with written responses on 30th January to the queries that had been raised. Members had also been given the opportunity to pass any comments to the Executive Director, Finance and Corporate Resources for inclusion in the Cabinet meeting held on 6th February 2013 if they so wished.

93/12 **YOUTH PROVISION TASK GROUP**

The Chairman of the Youth Provision Task Group provided an update on the work of the Task Group to date and informed Members that it had held eight meetings since the last Overview and Scrutiny Board meeting.

The Task Group had a very informative meeting with Andy Woods, the Artistic Director of the Artrix and was meeting with the Education & Outreach Co-ordinator from the Artrix as a consequence of that visit, on 27th February.

The Group had visited the Ryland Centre and received a tour, followed by an interview with the Chief Executive and the Operations Manager from Sandwell Leisure Trust who had recently taken over the running of the Centre.

A further meeting with the Head of Leisure and Cultural Services had also taken place, together with the Sports Development Manager and the Operations Manager, Youth Services, Worcestershire County Council.

The Task Group had also held 3 very useful site visits to the Trunk, the Lounge in Alvechurch and Woodrush Youth Centre. The Woodrush visit was of particular interest as representatives from the Youth Management Team and Youth Committee were present and spoke at length to Members about the work of the youth centre. A further 4 visits had been arranged, which included further site visits.

As a response to the press release the task group have been contacted by a group of sixth form students from Haybridge High School and they would be attending a meeting in March to give a presentation on a review they had carried out into students' views on youth facilities.

All Councillors had been asked to provide the Task Group with details of activities for young people that they were aware of within their Wards – to date the information from 5 wards remained outstanding. This information would be considered at the group's meeting on 27th February.

The Chairman of the Task Group informed Members that following discussions with the Democratic Services Manager it was agreed that the final report of the Task Group should be deferred until the first meeting of the Board in the new municipal year.

94/12 **AIR QUALITY TASK GROUP**

The Chairman of the Task Group informed Members that two meetings had been held since the last update to the Overview and Scrutiny Board. The first meeting on 9th January had been an update on the Air Quality Report from December 2007 presented by Mark Cox – Senior Practitioner, Pollution Team Worcestershire Regulatory Services (WRS) and David Balme –Transport Planning Department, Worcestershire County Council (WCC). The information provided by these witnesses had actually concentrated on the work that both WRS and WCC were currently carrying out in respect of Air Quality in the District and had not unfortunately cover all the recommendations which had been raised in the initial report.

The Climate Change Manager had also been present and provided some information on several recommendations which related to such things as the Council's travel and home working policy. The Climate Change Manager had also discussed with the Task Group the inclusion of CO2 emissions within its terms of reference. After discussion the Task Group Members had agreed that Air Quality was a huge topic to cover in the timescale agreed and that they would not do either topic justice if CO2 emissions continued to be part of those terms of reference.

At the following meeting of the task group, held on 15th January the Task Group had looked at the original Air Quality Report in detail and recognised that there were several areas which had not been covered in the discussions on 9th January. Officers have therefore been asked to set up further meetings and to seek clarification and information from a number of Officers on the original recommendations.

The Chairman informed the Board that a good response has been received to the Press Release and these would be considered at the next meeting of the Task Group to be held on 5th March.

The Chairman of the Task Group informed Members that he had also held discussions with the Democratic Services Manager and had agreed that the final report of the Task Group should be deferred until the first meeting of the Board in the new municipal year.

95/12 **ACTION LIST**

The Board considered the outstanding items on the Action List. Members were informed that a detailed report would be provided in respect of Quarter 2 Finance Monitoring Report, item (b) information in respect of the 'hardship' fund payments and the criteria that needed to be met in order to receive such payments.

RESLOVED that a report from the Benefits Services Manager in respect of the Hardship fund be provided to the meeting to be held on 26th March 2013.

96/12 **WORCESTERSHIRE COUNTY COUNCIL HEALTH OVERVIEW & SCRUTINY COMMITTEE**

The Chairman invited Councillor Dr. B. T. Cooper, as the Council's representative on the Worcestershire Health Overview and Scrutiny Committee (HOSC) to provide the Board with an update following its recent meeting.

Councillor Dr. Cooper informed Members that at the meeting on 24th January 2013 the HOSC had received a presentation on the Joint Commissioning Unit and the minutes from that meeting had been provided through the Board's agenda. There had been extensive discussion around the options available and which would go out to consultation. However, Councillor Dr. Cooper believed it was unlikely that these would be made available until after the County Council elections had taken place on 2nd May 2013.

At the meeting held on 12th February 2013 the HOSC had received a presentation from the NHS Commissioning Board and Area Team and had discussed the roles and relationships with the HOSC. Councillor Dr. Cooper explained to Members the role of monitor, which included the promotion of efficiency in the system, setting prices, promoting competition and was also empowered to promote service continuity from the Trust's perspective.

Officers confirmed that the minutes from the HOSC meeting held on 12th February 2013 would be included in the next Overview and Scrutiny Board agenda.

97/12 **CABINET WORK PROGRAMME 1ST MARCH TO 30TH JUNE 2013**

Members considered the Cabinet Work Programme and discussed the lack of opportunity to pre-scrutinise new policies and strategies for example the Welfare Reforms Policy which was due to be received by Cabinet on 6th March. The Executive Director, Finance and Corporate Resources informed Members that in view of this request a presentation in respect of the Local Authority Mortgage Assistance Scheme would be prepared for the Board's consideration at its next meeting, to be held on 26th March 2013 in order that any comments could then be fed into the final report considered by Cabinet at its meeting to be held on 3rd April 2013.

RESOLVED that a presentation in respect of the Local Authority Mortgage Assistance Scheme be provided at the meeting to be held on 26th March 2013.

98/12 **OVERVIEW AND SCRUTINY BOARD WORK PROGRAMME**

Members considered the Overview and Scrutiny Board Work Programme and were informed by Officers that the Report on the Living Wage which was expected at the March meeting would now be received at the meeting to be held on 22nd April 2013. Officers would also include the additional items discussed throughout this meeting.

RESOLVED that the Work Programme be noted subject to the above amendments.

The meeting closed at 8.10 p.m.

Chairman

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