

BROMSGROVE DISTRICT COUNCIL
MEETING OF THE OVERVIEW AND SCRUTINY BOARD

MONDAY, 16TH JUNE 2014 AT 6.00 P.M.

PRESENT: Councillors L. C. R. Mallett (Chairman), H. J. Jones (Vice-Chairman), C. J. Bloore, R. A. Clarke, S. R. Colella, B. T. Cooper, R. J. Laight, P. Lammas, S. P. Shannon, C. J. Tidmarsh, K. A. Grant-Pearce, J. M. L. A. Griffiths and P. M. McDonald

Invitees: Councillors D. Booth and M. Webb

Officers: Mrs. S. Hanley, Ms. J. Pickering, Ms. D. Poole, Jones, Ms. J. Bayley and Ms. A. Scarce

1/14 **ELECTION OF CHAIRMAN**

A nomination for Chairman was received in respect of Councillor L. C. R. Mallett.

RESOLVED that Councillor L. C. R. Mallett be elected as Chairman for the ensuing municipal year.

2/14 **ELECTION OF VICE CHAIRMAN**

A nomination for Vice Chairman was received in respect of Councillor H. J. Jones.

RESOLVED that Councillor H. J. Jones be elected as Vice Chairman for the ensuing municipal year.

3/14 **APOLOGIES**

Apologies for absence were received on behalf of Councillors J. S. Brogan, R. J. Shannon and C. J. Spencer.

Councillor K. A. Grant-Pearce confirmed he was attending as a substitute for Councillor Spencer, Councillor J. M. L. A. Griffiths confirmed she was attending as a substitute for Councillor Brogan and Councillor P. MacDonald confirmed he was attending as a substitute for Councillor Shannon.

4/14 **DECLARATIONS OF INTEREST AND WHIPPING ARRANGEMENTS**

Councillor R. A. Clarke declared an other disclosable interest as the District Commissioner for Bromsgrove District Scout Association in respect of Item

No. 14. In particular, this interest related to an item listed on the Cabinet Work Programme for the disposal of Council-owned Land, Aintree Close, Catshill.

Members agreed that a general declaration of an other disclosable interest in respect of Item No. 10 should be made for every member of the Board as it was acknowledged that all Members (or their families) would use the leisure facilities provided by the Council at some point.

5/14 **MINUTES**

The minutes of the meeting of the Overview and Scrutiny Board held on 14th April 2014 were submitted.

RESOLVED that the minutes be approved.

6/14 **SUMMARY OF RESULTS OF STAFF SURVEY**

The Head of Business Transformation and Organisational Development delivered a presentation which summarised the results of the staff survey conducted in August 2013 (Appendix 1).

Following this presentation a number of points were raised by Members:

- The level of responses that had been received from staff, which represented a third of the employees from both Bromsgrove District Council and Redditch Borough Council.
- The potential to design and promote future versions of the survey in ways that would encourage a larger proportion of staff to respond in future years. Officers confirmed that the survey had been made available both electronically and in paper form for staff to complete.
- The value of assessing responses at a departmental level and the challenges this would present to the Staff Survey Working Group due to the fact that staff were not required to indicate which department they worked in when completing the survey.
- Some of the feedback that had been received in completed surveys, particularly the qualitative data, had been treated as confidential. This was because in some cases the comments submitted by staff could have enabled observers to identify the respondent or a specific team.
- The potential for senior Officers to make themselves available for staff to access across numerous working sites. Members were advised that senior Officers would not focus on one action exclusively but rather would seek to engage with staff face-to-face using a range of methods in order to meet the differing needs across both Councils.
- The Working Group's Action Plan, which was in the process of being developed would be utilised to monitor progress in implementing actions taken in response to the feedback, particularly the top ten recommendations.
- The benefits of face to face communications between staff arising from "No Email" days.
- How the feedback that had been received compared to the responses to previous versions of the staff survey. Members suggested that in future a

record should be kept of the responses received in order to ensure that progress with addressing staff concerns could be monitored.

- The importance of 1:2:1 meetings for staff and the need for these to be held regularly. However, it was noted that there needed to be some flexibility across the organisation regarding the frequency of these meetings due to the varying work patterns and demands on staff employed in different services.
- The fact that some staff struggled with change and the challenges this presented at a corporate level during the course of service transformation.
- The failure of some ICT systems and the financial implications that this presented for the Council.

Concerns were expressed in respect of the 14.75% of respondents who had indicated that they had been subject to bullying and harassment while at work. Officers confirmed that there was a policy for managing reports relating to bullying and harassment and this was applied by managers when cases were reported directly by members of staff. Improved training of managers would further enable them to respond to reports of bullying and harassment in a sensitive manner. There were also support groups, such as Phone a Friend, which could provide advice to staff. Members concurred that it was important to demonstrate to all staff that the Council would not tolerate bullying and harassment and it was suggested that this could be highlighted within the top ten recommendations.

The Board also discussed the proposal for the staff finder and phone lists to be updated in order to improve internal communications. Members noted that unfortunately they were not able to access the intranet, where the staff finder facility was located, using their Council IT equipment. However, the Board recognised that it was important to provide all elected Members with access to staff contact details as this could help Members to manage issues raised at both Committee meetings and by residents in a constructive manner.

RECOMMENDED that

1. a statement should be added to the top ten recommendations arising from the staff survey which demonstrates that the Council has a zero tolerance approach to bullying and harassment among staff;
2. the contact details for staff, as detailed in the staff finder on the Council's intranet, should be made available for the consideration of elected Members; and

RESOLVED that the report be noted.

7/14

MAKING EXPERIENCES COUNT QUARTER 4 REPORT

The Customer Services Manager presented the Making Experiences Count report covering the fourth quarter of 2013/14. During the presentation of this report the following matters were highlighted for Members' consideration:

- There had been 12 complaints during the period which had been resolved within 15 working days or less. There had also been 15 compliments received during this period.
- The reduction in complaints had occurred following changes to services. In particular, the reduction in complaints about Environmental Services had followed the introduction of a bespoke contact service for the department.
- Changes to the Council's system for reporting complaints and compliments had been trialled during the period. This trial had been successful and had therefore been implemented across the authority, though would continue to be monitored.
- Problems had been experienced with both the payments system and the staff finder facility which had been resolved by the beginning of the new financial year.
- There had been an increase in the number of face to face customer enquiries regarding planning matters that had been received during the period which had occurred following a one day planning event.

Following presentation of the report a number of issues were raised by Members for discussion:

- The current presentation of the front cover to the report and potential stylistic changes that could be made to future versions.
- The differences between customer queries and complaints.
- The focus on telephone conversations rather than written correspondence as a means for managers to respond to complaints received from customers.
- The potential for secret shoppers to be used to assess the services that were being provided to the customer.

Members expressed some concerns about the increase in the number of complaints that had been received during the period in respect of planning matters. In particular, there were concerns about the delays to resolving planning applications that appeared to be causing these complaints and the reasons for these delays. To assess this issue further it was agreed that Officers should be invited to present further information on the subject at the following meeting of the Board.

RESOLVED that

- (a) the Head of Planning and Regeneration and the relevant Portfolio Holder be invited to attend the following meeting to explain the reasons for the recent increase in complaints about the Council's planning process; and
- (b) the report be noted.

8/14

WRITE OFF OF DEBTS QUARTER 4 REPORT

The Executive Director of Finance and Corporate Resources presented the Write off of Debts report for the fourth quarter of 2013/14.

Once the report had been presented the following issues were discussed:

- The figures that had been provided in the breakdown of unrecoverable debt which had been written off during 2013/14 and the need to ensure that the calculations included in the report were accurate.
- The level of funds due from sundry debtors.
- Legal restrictions limiting the potential to provide further information about individuals indebted to the Council.
- Council Tax and Non Domestic Rates arrears owing since 1999/2000. Officers confirmed that the Council continued to collect outstanding arrears for each of the years following and including 1999/2000.
- The need for payment to be made in order for customers to receive a green waste collection service. Officers confirmed that there was minimal risk for customers to receive this service without payment as a central database, which was updated regularly, was used to monitor whether customers should receive this service.

RESOLVED that the report be noted.

9/14

OVERVIEW & SCRUTINY BOARD ANNUAL REPORT 2013/14

The content of the Overview and Scrutiny Board's Annual Report 2013/14 was considered. Officers explained that the report would be presented for the consideration of Council at its July meeting.

On behalf of the Board the Chairman thanked Councillor P. Lammas for his hard work when chairing the board the previous year.

RESOLVED that the report be noted.

10/14

LEISURE PROVISION TASK GROUP

The Board considered a written report that had been prepared by the Chairman of the Leisure Provision Task Group, Councillor C. J. Spencer, for Members' consideration in her absence. This report outlined the group's findings during a recent meeting when they had pre-scrutinised the business case report for the Dolphin Centre.

The following matters were highlighted during the Board's consideration of this report:

- Members had invited the Task Group to pre-scrutinise the business case on behalf of the Overview and Scrutiny Board at their previous meeting in April 2014.
- In the business case Officers were suggesting that the new centre would operate at a surplus compared to the current deficit at the Dolphin Centre.
- It was anticipated that membership of the gym would increase from 1,050 to 1,700 which would be commensurate with membership figures at other Council run leisure centres.
- Changes would be made to the swimming pool facilities. Whilst the size of the main pool would remain 25m x 6m the smaller children's pool would

have a moveable floor and the seating around the main pool for gala events would be reduced.

- The Task Group had felt strongly that there needed to be sufficient provision of services and facilities to meet the needs of customers with various disabilities. This included suitable parking provision to enable customers with disabilities and, in some cases, their carers, to alight from their vehicles safely.
- Parking provision at the venue had been discussed and it had been acknowledged that there would be a need to charge for parking at the site. Members had been keen to ensure that sufficient space was provided for minibuses and coaches in the car park.

The Task Group had had some concerns that if a Sports Hall was not included in the plans there would be limited choice of such facilities available for local leisure groups to use in the district. In addition, concerns were raised that following an increase in hire charges for use of the Sports Hall at the Ryland Centre many sports groups would be deterred from meeting in the district in future if a sports hall was not included in the plans for the new leisure centre. Members were advised that Sports England had concluded that there was sufficient Sports Hall provision in the area and that this did not therefore need to form part of the council's plans. Whilst a decision remained to be taken on the final range of facilities that would be available at the centre the Board was informed that there was also an option available for the Council to refer customers to an adjoining facility and the ability to "purchase" block bookings at this sports hall by the Council and sub let that space.

The prudential borrowing arrangements proposed for the centre had caused Members of the Task Group some concern as it was being suggested this be set at the maximum figure permitted of £9.5 million. The questions that had been raised by some Councillors at Council meetings regarding the capital project costs had also been considered. For these reasons the group felt that the Audit Board should investigate the figures further and the process that had been followed to ensure that the budget proposals were appropriate.

The process that had been followed to identify local leisure needs was briefly discussed. The Board was advised that a significant part of this assessment had been based on feedback received from customers to a leisure provision survey that had been distributed around the district in 2010. This survey had found that many people only visited Bromsgrove when they attended the Dolphin Centre. In most cases customers were only prepared to travel 5 – 10 miles to access leisure facilities and for this reason some residents living in some parts of the district might be more inclined to use leisure facilities managed by a neighbouring local authority.

The range of customers who utilised facilities at the Dolphin Centre were also briefly considered by the Board. The Board was advised that in terms of the customers, the level of usage of the facilities and the age range of members at the Dolphin Centre was one of the busiest leisure venues in the district. One attraction of the Dolphin Centre to potential customers was that the facilities were available to use on a "pay and play" basis and housed both wet and dry activities under one roof. However, Members were concerned that if there

was a reduction in the facilities current available at the old Dolphin Centre, or no additional facilities added as an incentive to visit the new Dolphin Centre, then the new Centre may not be able to maintain the current level of popularity and loose customers to other facilities throughout both Worcestershire and surrounding areas. It was important therefore to ensure that there was scope for additional facilities to be added at a later stage.

The current condition of the Dolphin Centre was discussed by the Board. Members were advised that the building was safe for both staff and customers to use, however, the design of the centre was not ideal. Whilst a refurbishment of the venue had been completed relatively recently the works that had been undertaken had been largely cosmetic. The Centre continued to be inspected on a regular basis. Officers had assessed the potential to further refurbish the Dolphin Centre to improve the leisure service offer in the district for customers. Based on the data available they had concluded that it would be more expensive to undertake these works than to build a new leisure centre.

In the long-term it was anticipated that a café would open in the new leisure centre. However, it was likely that when the venue initially opened this space would be filled with vending machines. Members were advised that an attempt would be made to secure healthy food options and to make the café area an attractive in order that the leisure venue would become both a social and a sporting hub in the local area.

Members noted that consideration of the business case formed part of a wider review of leisure service provision in the district by the Task Group. The group was aiming to visit other leisure venues in order to observe arrangements in place in other parts of the country.

RECOMMENDED that

1. financial concerns around the increased membership that will be needed to ensure good annual revenue should be addressed through an Audit Board investigation of the figures; and
2. the Overview and Scrutiny Board should be involved in scrutinising more detailed plans to ensure that they address the needs of customers with disabilities.
3. Cabinet note the Board's disappointment that the Sports Hall has not been included within the plan for the new Dolphin Centre;
4. Cabinet note the Board's concern that insufficient facilities have been planned for the centre, especially for young people (i.e. no climbing wall as has been installed in other leisure centres).

RESOLVED that a copy of the business case be circulated for the consideration by Members of the Overview and Scrutiny Board and substitute Members present at the meeting.

11/14

JOINT INTEGRATED WASTE SCRUTINY TASK GROUP

Councillor R. J. Laight, the Council's representative on the Joint Integrated Waste Scrutiny Task Group, provided an update on the progress of the review. He explained that the first meeting of the group had not yet taken place as it had proved difficult to identify a suitable date when a majority of Members would be available. This meeting would now take place on 1st July. In the interim period Councillor Laight had developed some concerns about the review which included the following:

- Only one other district Council, Worcester City, had agreed to participate in the review with Worcestershire County Council. Councillor Laight therefore questioned the extent to which the review could legitimately and effectively assess the implications of a joint waste collection and disposal service for district Councils.
- Connected to this were concerns that many of the district Councils might therefore be disinclined to approve any recommendations from the group which could make the value of participating in the exercise questionable.
- The delays to the launch of the review would mean that the deadline would need to be extended which would take up time that could be spent on other scrutiny activities.

On the basis of these concerns Councillor Laight asked it to be noted that he was resigning from the Task Group.

The potential outcomes of the review were debated by the Board. Some concerns were raised in respect of the potential financial and administrative implications of entering into a shared waste collection and disposal service with other Councils in Worcestershire. It was also noted that any recommendations arising from the Task Group would need to be considered by Cabinet and, as with any scrutiny recommendations, there would be no requirement to endorse the group's proposals.

Members discussed the terms of reference for the review. The Board noted that these terms of reference did not include consideration of Worcestershire County Council's current review of their Energy from Waste project. Concerns were raised that it might not be appropriate for the Task Group to consider some of the objectives detailed in the terms of reference, particularly those pertaining to district Councils, in the absence of most authorities. Under these circumstances Members noted that it would be appropriate to inform Worcestershire County Council of Councillor Laight's resignation and to refrain from appointing a replacement to the group until further clarification had been provided as to whether the terms of reference for the review would be amended.

The process for determining whether to participate in the review was briefly debated. Members noted that the Board had, following the proper democratic process, collectively agreed to participate in this exercise at their previous meeting. To ensure that all subsequent action in relation to this review complied with the democratic process the Board agreed that a 5 minute adjournment should take place to consider the constitution.

Following the completion of this 5 minute adjournment it was

RESOLVED that

- (a) Councillor Laight's resignation from the Joint Integrated Waste Task Group be reported to Worcestershire County Council;
- (b) Further clarification be sought from Worcestershire County Council regarding the final terms of reference for the review.

12/14

JOINT WRS SCRUTINY TASK GROUP

The Chairman of the Joint WRS Scrutiny Task Group, Councillor R. J. Laight, explained that the group had completed its investigations. The group's report had been published and was available on the Council's website to view. During June and July the report would be presented for the consideration of every Overview and Scrutiny Board in the county and subsequently presented for the consideration of the Worcestershire Shared Services Joint Committee in October 2014. Subject to the outcome of the debate by the Joint Committee the report would then be referred back to the Cabinets at each partner authority for consideration.

Councillor Laight explained that the Task Group had completed a thorough review of the subject. On the basis of the evidence that had been gathered during the review the group was proposing 12 recommendations which were designed to improve the shared service. Some of these recommendations would require significant changes to existing processes, particularly in relation to the governance of the partnership.

The Board noted that senior Officers were currently exploring options for the partnership to enter into a strategic partnership with a private sector partner. Members briefly discussed the process that would need to be applied in the event that one or more partners was not inclined to enter into this strategic partnership. Officers explained that there was an opt-out clause available to partners and this would need to be applied if a partner chose not to become part of the strategic partnership.

13/14

WCC HEALTH OVERVIEW & SCRUTINY COMMITTEE

Councillor B. T. Cooper, the Council's representative on the Worcestershire Health Overview and Scrutiny Committee (HOSC) explained that the previous meeting of HOSC had been cancelled. The next meeting would take place on 17th June.

Concerns were raised about recent reports that charges might be introduced for provision of incontinence pads to customers who required them. Councillor Cooper confirmed that he would raise these concerns on behalf of the Board at the following meeting of HOSC.

14/14 **CABINET WORK PROGRAMME 1ST JULY TO 31ST OCTOBER 2014**

The Chairman explained that the format of the Cabinet's Work Programme was due to be refreshed. As part of this process further information would be provided in future in the document about key decisions.

Members were asked to note that when selecting items for pre-decision scrutiny from the Work Programme an element of forward planning was required due to the fact that items listed for the following Cabinet meeting would be considered before the next meeting of the Board.

15/14 **ACTION LIST**

Officers reported that the CCTV Code of Practice had been updated in line with the Board's suggestions at their previous meeting.

Members raised concerns regarding the resilience of CCTV equipment, particularly in cases where certain technical parts used for this type of equipment were becoming difficult to obtain at a national level. The Board requested that this subject be raised with the manager of the service and feedback be provided about the implications for the system in Bromsgrove district.

16/14 **OVERVIEW AND SCRUTINY BOARD WORK PROGRAMME**

The Board noted that the following items had been requested for Members' consideration at the July meeting:

- Information about the reasons for the current delays in the Council's Planning process.
- The WRS Joint Scrutiny Task Group's final report.

Members were also advised that Officers were aiming to provide an initial update on the Council's projected budget position at a meeting of the Board in September 2014.

Officers explained that there was capacity for a further Task Group to be launched to take place alongside the Leisure Provision Task Group. To ensure that membership appointments and other Task Group processes were clarified for the new municipal year Members agreed that the guidelines for Task Group exercises should be revisited and discussed at a future meeting of the Board.

The meeting closed at 8.53 p.m.

Chairman