

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE OVERVIEW AND SCRUTINY BOARD

16TH MARCH 2015 AT 6.00 P.M.

PRESENT: Councillors L. C. R. Mallett (Chairman), R. J. Laight (Vice-Chairman), C. J. Bloore, J. S. Brogan, R. A. Clarke, S. R. Colella, B. T. Cooper, P. Lammas, C. R. Scurrall, R. J. Shannon, S. P. Shannon and H. J. Jones (Substitute)

Observers: Councillor D. W. P. Booth, Councillor M. A. Sherrey, Councillor C. B. Taylor and Councillor M. J. A. Webb

Officers: Ms. J. Pickering, Mrs. R. Bamford, Ms. D. Poole, Mr. M. Hanwell, Ms. B. Houghton, Mr. I. Roberts, Ms. A. Scarce and Ms. J. Bayley

120/14 **APOLOGIES FOR ABSENCE AND NAMED SUBSTITUTES**

Apologies for absence were received on behalf of Councillors C. J. Spencer and C. J. Tidmarsh. It was confirmed that Councillor H. Jones was attending as a substitute for Councillor Tidmarsh.

The Board noted that Councillor Tidmarsh was unfortunately in poor health. The Chairman requested that the Board's best wishes be passed on to Councillor Tidmarsh and his family.

121/14 **DECLARATIONS OF INTEREST AND WHIPPING ARRANGEMENTS**

There were no declarations of interest or whipping arrangements.

122/14 **MINUTES**

The minutes of the meeting of the Overview and Scrutiny Board held on Monday 16th February 2015 were submitted.

RESOLVED that the minutes of the meeting of the Overview and Scrutiny Board held on 16th February 2015 be approved as a correct record.

**SCRUTINY OF CRIME AND DISORDER PARTNERSHIPS -
UPDATE NORTH WORCESTERSHIRE COMMUNITY SAFETY
PARTNERSHIP**

The Chairman explained that there was a legal requirement for the Overview and Scrutiny Board to scrutinise the work of the local Crime and Disorder Reduction Partnership (CDRP) at least once a year. Under the terms of the legislation the focus of the Board had to be on the work of the partnership as a whole rather than on the work of individual partner organisations.

The Community Safety Manager proceeded to present a report concerning the work of the local CDRP, the North Worcestershire Community Safety Partnership (NWCSP), during the year. Whilst delivering this presentation the following matters were highlighted for Members' consideration:

- The NWCSP was the first merged community safety partnership to be approved by the West Mercia Police and Crime Commissioner (PCC).
- The Safer Bromsgrove Group, a sub group of the NWCSP, had a particular focus on crime and disorder matters relevant to Bromsgrove and had delivered a range of projects in the district.
- The NWCSP and the South Worcestershire Community Safety Partnership were due to be reviewed in 2015 to assess the extent to which both partnerships were fit for purpose.
- There was a statutory requirement for a 3 year rolling plan to be produced in a Strategic Assessment report for the partnership.
- The CWCSPP had 5 key priorities; anti-social behaviour, burglary and home security, business and rural crime, reducing reoffending and violence and abuse.
- The CWCSPP applied for funding from the PCC and in 2014/15 had received funding based on the previous year's allocation.
- In future years the PCC had indicated that he would be making 2 year funding settlements.
- Funding had been received to support the delivery of the West Mercia Police Business and Rural Crime strategies.

Following the presentation of the report Members discussed a number of additional points in further detail:

- The involvement of HMP Hewell in the work of the CWCSPP. Officers confirmed that the prison had been involved in some local partnership activities, though it was not a statutory partner.
- The process for monitoring the impact of projects that received funding from the PCC.
- The potential for the outcomes of the review of the NWCSP to be shared with Members of the Overview and Scrutiny Board.
- The value of data provided on a ward basis and the potential for confusion to arise if this data was not analysed in context.
- The role of the West Mercia Police Force's Independent Advisory Groups (IAGs) which provide advice on particular subjects. Members were

advised there were three IAGs; race and religion, disability and lesbian, gay bisexual and transgender (LGBT).

- The role of the North Worcestershire Hate Incident Partnership and the need for the IAGs to be organised so as not to duplicate the work of the partnership.
- Requirements for securing funding from the PCC. Officers explained that projects needed to meet community needs and to be based on sound intelligence.
- The potential to spend funding on staffing costs. Members were advised that PCC funding had to be spent on community safety projects and could not be reallocated to fund Police Officer posts.
- The £15,000 allocated to tackling unlawful incursions on business and rural land. For this project Officers would work with private landlords to help them protect their land.
- The need to ensure that those bidding for funding from the Community Safety team had properly audited accounts and were in need of financial support.
- The loan shark awareness event and the need for future events to be promoted in a sensitive manner and to take place at an appropriate location.
- The Worcestershire Safe Places Scheme - this scheme would be implemented in Bromsgrove in spring/summer 2015 and local businesses would be invited to become safe places.
- The impact of various budget cuts agreed by Worcestershire County Council on support for victims of domestic abuse in the county and the continuing focus of partners on early intervention.
- The investment of additional funding in upgrading the CCTV system in the district.
- Local safeguarding roles for both Council Officers and Councillors. Members were advised that a briefing note on the subject of child sexual exploitation had recently been circulated among partners and the partnership had links at a strategic level to the Safeguarding Children Board.
- The role of the Worcestershire Safer Communities Board in a 2 tier authority area, comprising senior representatives of the responsible authorities.

RESOLVED that the update report be noted.

124/14

SUMMARY OF ENVIRONMENTAL ENFORCEMENT

The Community Safety Manager presented the Summary of Environmental Enforcement Outcomes Monitoring Report for the period 1st April 2014 to 31st January 2015. During the delivery of this report the following matters were raised for Members' consideration:

- The Community Safety team undertook environmental enforcement duties on behalf of Environmental Services.

- There were six stages to the enforcement process. The enforcement Officers could use their discretion to determine which stage in the process should be followed in a particular case.
- Whilst there had been an increase in the number of fly tipping and fly posting cases investigated when compared to the previous year there had been a decline in the number of dog fouling cases.
- In cases where no further action had been recorded there may have been a lack of evidence or no crime had been detected when Officers were called to the scene.
- The Council had a statutory duty to investigate cases of abandoned vehicles.
- In total 2 fixed penalty notices (FPNs) had been issued for fly tipping during the period and these had both been paid.
- A further 2 FPNs had been issued for waste carrier licences which had not been paid. One of these cases had been referred to the Council's Legal Services team for further consideration.

Following the presentation of the report Members discussed a number of issues in further detail:

- The extent to which written warnings would deter offenders from fly tipping in future.
- The use of written warnings to advise residents that they should not leave bags of rubbish alongside full bins on refuse collection days.
- The legal definition of fly tipping and the value of providing a breakdown of the types of fly tipping cases that had occurred in future reports.
- The need for Officers to have enough evidence to justify issuing an FPN as this evidence could be used in court if the case reached that stage.
- The potential to trace perpetrators guilty of fly posting from the contact details provided on posters.
- The reduction in cases of dog fouling reported to the Council and the suggestion that these figures did not reflect the full scale of the problem in the district.
- The need for witnesses to be prepared to identify a particular dog and owner when dog fouling occurred and the reluctance of many people to act as witnesses in an legal proceedings.
- The potential for Officers in the place teams to act as official witnesses in cases of dog fouling and the likelihood that this would lead to an increase in the number of cases reported because the team operated in the community.
- Restrictions on covert surveillance of repeat offenders. Members suggested that the CCTV team could identify hotspots and direct the Enforcement Officers to those locations.
- The value of displaying notices that could advise potential offenders of the fines they might be required to pay if they persistently failed to collect their dog's faeces or left bags containing excrement in the community.
- The potential to tackle the behaviour of drivers who threw litter onto the highways and the role of the place teams in providing a litter picking service.

- The role of the dog warden services provided by WRS compared to the service provided by enforcement teams at other authorities..

RESOLVED that the report be noted.

125/14 **ACTION LIST**

Members were advised that a significant amount of information had been provided in relation to the staff survey following the previous meeting of the Board. To ensure that Members could review this information in a constructive manner it was agreed that the Overview and Scrutiny Board consider this information in further detail at a meeting in the new municipal year.

RESOLVED that the Overview and Scrutiny Board in 2015/16 be asked to consider further information about the staff survey at a future meeting.

126/14 **IPADS (BACKGROUND INFORMATION AND CURRENT POSITION)**

The ICT Transformation Manager delivered a presentation on the subject of the provision of Ipads to elected Members. At the end of the presentation Members discussed the following points which had been covered in within it:

- The limited functionality of the Ipads using the Good software and how this compared to some Councillors' personal Ipads.
- Restrictions that the Ipads placed on Members' ability to add attachments to emails. Members noted that Word documents and photographs could not be viewed on their Council emails using the Ipads.
- The restrictions placed on accessing a Councillor's personal email using their Council Ipad and the extent to which having multiple devices for work, personal use and Council responsibilities could be time consuming and confusing.
- The restrictions placed by the Government on Councillors' email use through the need to comply with PSN rules.
- The different approaches adopted by Councils to comply with PSN requirements. Members who were also County Councillors noted that they could access their Council emails through personal IT equipment and this was considered to be compliant.
- The lack of action that had been taken in response to issues that had previously been raised by Members with both the external training providers and with the ICT team.
- The need for further and more regular meetings of the Member Development Steering Group to take place.
- The difficulties that Members experienced when attempting to print documentation for Council business and the inconvenience that this caused.
- The difficulties involved in obtaining support from the ICT team through the IT helpdesk and the financial costs to Councillors when doing so from outside the Council.

- The problems for Councillors involved in visiting the ICT team to deliver equipment, particularly for Councillors who had work responsibilities.
- Future training plans for Councillors and the need for this to be arranged effectively for new Councillors elected in May 2015.
- The 10 remaining Ipads which had not been returned by some elected Members for the latest software to be installed.
- The extent to which the financial costs listed in the presentation took into account the additional costs of Officer time involved in supporting Councillors, particularly in the Democratic Services team.
- Limitations placed by the Good software on the potential to create folders and the need for the ICT team to perform this function for Councillors on a regular basis.
- The potential for Ipads to be a useful communications tool for elected Members if the problems were resolved.
- The Council's phone contract and the role of the procurement team in monitoring the extent to which this remained value for money.

The Board was informed that the ICT team would appreciate a list of areas that Members felt required further investigation and the following matters were subsequently highlighted for Officers' consideration.

- The need for Councillors to attach photographs to emails for Ward work. This function was not currently available on the Ipads.
- The need for a wireless printer facility to be made available from which Members could print information from their Ipads.
- The value that would arise if Councillors' meeting appointments could be viewed alongside personal and work commitments to enable Councillors to manage their diaries effectively.
- The potential for Councillors to access their personal emails via their Ipads.
- The reasons why other local authorities, like Worcestershire County Council, were able to operate a different system whilst remaining PSN compliant.
- The Ipad trial that had been undertaken did not reflect the final arrangement that had been implemented. In the trial Councillors had been permitted to access the Good software through their own Ipads.
- The need to identify the Committee that had approved investment in provision of the Ipads.
- The potential for Microsoft Office to be installed on Members' Ipads.

RESOLVED that the Overview and Scrutiny Board in 2015/16 consider receiving a further update on progress with this matter at a meeting of the Board in the summer of 2015.

127/14

PLANNING APPLICATIONS - BACKLOG DATA

The Head of Planning and Regeneration explained that she had provided a written response to a number of questions that had previously been raised by the Board on the subject of the planning service. Whilst presenting her responses she highlighted the following matters for Members' consideration:

- Prior to service transformation staff were allocated numerous planning applications each day regardless of their existing workloads. At times staff could potentially have a workload of up to 45 applications at any one time.
- Under service transformation applications were left in a box until the case officers had the capacity to deal with them.
- The backlog represented customer demand.
- A number of Councils that were undertaking service transformation applied a similar system and had managed at times to reduce the size of the backlog.
- The backlog was approximately 60 by the date of the meeting.
- It was likely that the backlog would remain at this level until the new financial year as the majority of Planning Officers' leave years ended in March and many would seek to use up their leave that month.

Following the presentation of the responses Members discussed a number of key issues in further details:

- The potential for a Planning Officer to challenge experts consulted about a planning application when that advice appeared to be contradicted by the local context.
- The need for technical evidence to be available to challenge the views expressed by experts consulted in the planning process.
- The impact of large number of objections to a planning application on the workload of Planning Officers and the potential for patterns to emerge where residents had similar complaints.
- Current staffing arrangements in the Planning Department. Members were advised that the Development Control team was up to capacity, though there were two vacancies in the Planning Policy team and one member of staff on maternity leave.
- The potential for staff from both Redditch Borough Council and Bromsgrove District Council to work on the backlog and how tasks might be allocated across the 2 authorities.
- Difficulties arising from the fact that Planning Officers in Bromsgrove and Redditch were employed at different grades. These difficulties were compounded by the fact that Planning Officers were employed at a different level to Planning Policy Officers.
- The rights of staff to appeal any decisions about staffing grades reached through the job evaluation process.
- The possible future structure of a shared Planning service. Members were advised that it was likely a business case would be brought forward in the following 6 months.
- The greater volume of planning applications received by Bromsgrove District Council compared to Redditch Borough Council. Members were advised that Bromsgrove received a third as many applications.
- The fact that applications received by Bromsgrove District Council tended to be more complex and therefore required more time to assess.
- The similarities in the systems used at both Councils by the Planning Officers.
- Arrangements for notifying customers that there might be a delay in consideration of their planning application.

- The benefits of maintaining open communications with the customer about the progress of an application.
- The leave year arrangements for new staff which started the month that the employee was employed by the Council. It was suggested that in the long-term this would help to reduce the impact of staff leave on the backlog experienced in the spring each year.
- The value of quarterly updates on progress with clearing the backlog and the need to only invite Officers to attend a Board meeting if the size of the backlog increased further.

RESOLVED that Officers provide quarterly updates to the Overview and Scrutiny Board on progress reducing the backlog in the planning process.

128/14 **QUARTER 3 FINANCE MONITORING REPORT**

The Executive Director for Finance and Corporate Resources presented the Finance Monitoring Report for the period 1st April to 31st December 2014. During the presentation of this report the following points were highlighted for Members' consideration:

- A new financial ledger system was now being used by the Council and this system would make it easier to produce monitoring reports in a format requested by Members from 2015/16.
- Officers were anticipating that Council services would achieve a relatively low underspend of £18,000 by the end of 2014/15.
- Further savings up to £301,000 were anticipated from the interest payable relating to costs associated with borrowing to support the capital programme which had not been required due to slippage during the year on a number of capital schemes.
- A decision about the trade waste service had been delayed until 2015/16 and this had impacted on the figures recorded for the Environmental Services department.
- There had been a small underspend on capital projects arising from a delay in procurement of vehicles for Environmental Services.

At the end of the presentation the Board discussed the impact of the lower than anticipated income from civil parking enforcement on the service. Members were advised that there were no plans to reduce the number of Civil Parking Enforcement Officers. However, the efficacy of the service would continue to be reviewed on an annual basis.

RESOLVED that the Council's financial position on Revenue and Capital for the period 1st April to 31st December 2014 be noted.

129/14 **OVERVIEW AND SCRUTINY BOARD WORK PROGRAMME**

The Board received the following updates relating to the content of the Overview and Scrutiny Work Programme:

- a) Overview and Scrutiny Board – 13th April meeting

Officers explained that the Board was due to consider a number of items on 13th April. This would include:

- The quarterly recommendation tracker.
- The Making Experiences Count Update Report.
- The Overview and Scrutiny Board's Annual Report 2014/15.
- A discussion of Overview and Scrutiny training arrangements in the new municipal year.

b) Worcestershire Health Overview and Scrutiny Committee (HOSC)

The Council's representative on the HOSC, Councillor B. T. Cooper, explained that a detailed update on the work of the Committee would be provided at the following meeting of the Board. However, he did provide a brief update on the latest meeting of the HOSC and advised Members that the following matters had been considered:

- Mental health services and support for elderly patients. Further detailed information about these services would be considered at a future meeting.
- An update on the Alexandra Hospital following the resignation of 5 A&E consultants. At the time of the meeting the letter detailing the consultants' reasons for resigning had not been available for public consideration. The Committee had been advised that 3 of the consultants would be leaving in May 2015 and the other 2 would leave later in the summer. The Committee had been advised that no decision had been reached regarding options for the future management of the hospital, though the trust was aiming to keep an A&E department and to recruit consultants to replace the departing staff.

At the next meeting of the HOSC Members would be considering the issues impacting on patients who were registered with a GP practice in a Clinical Commissioning Group located outside Worcestershire.

The Chairman expressed concerns about the future of the Expert Patient Programme in Worcestershire. Worcestershire County Council was no longer investing in this programme. However, whilst it was difficult to measure the impact of the programme there was evidence to suggest that the scheme led to long-term benefits for patients. Members requested that the issue be raised at a future meeting of HOSC.

130/14 **CABINET WORK PROGRAMME 1ST APRIL TO 30TH JULY 2015**

The Board considered the content of the Cabinet Work Programme for the period 1st April to 30th July 2015.

Officers noted that a request had been made to the Cabinet to hold their meeting at a slightly later time to provide the Board with an opportunity to pre-scrutinise the report on the subject of the Hanover Street and George House site. However, the date and time of these meeting remained to be confirmed.

Overview and Scrutiny Board
16th March 2015

The meeting closed at 8.27 p.m.

Chairman