

# DRAFT

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

## OVERVIEW AND SCRUTINY MANAGEMENT COMMISSION

### MINUTES OF THE MEETING HELD ON TUESDAY, 29 OCTOBER 2013

**Councillors Present:** Pamela Bale, Jeff Beck, Brian Bedwell (Chairman), Jeff Brooks (Vice-Chairman), Marcus Franks, Dave Goff, Mike Johnston, Alan Macro, Tim Metcalfe, Andrew Rowles, Garth Simpson, Tony Vickers, Virginia von Celsing, Quentin Webb and Laszlo Zverko

**Also Present:** Martyn Baker (Parking Manager), Nick Carter (Chief Executive), Rachael Wardell (Corporate Director - Communities), Dr Abid Irfan (Newbury and District GP Commissioning Group), David Lowe (Scrutiny & Partnerships Manager) and Charlene Myers (Democratic Services Officer).

**Apologies for inability to attend the meeting:** Councillor Emma Webster

#### PART I

#### 37. Minutes

The Minutes of the meeting held on 17th September 2013 were approved as a true and correct record and signed by the Chairman.

#### 38. Declarations of Interest

*(Councillor Tony Vickers declared a personal interest in Agenda item 10 by virtue of the fact that his wife was a member of Health Watch. As his interest was personal and not prejudicial he determined to take part in the debate).*

#### 39. Actions from previous minutes

The Commission received an update on actions from the previous meeting and raised the following comments:

**Item 2.1:** The request was acknowledged by RBFRS and a response would be recorded at the next meeting.

**Item 2.3:** Rachael Wardell would send a written response to the Commission following the meeting.

**Item 2.5:** Few recommendations offered by the Commission were included in the revised strategy. It was agreed that an examination of the reasons why West Berkshire appeared to have a disproportionate amount of young families facing homelessness, would be added to the work programme.

Recommendation five suggested that Parish Councils received the option to hear the content of the Homelessness Strategy at a future District Parish Conference (DPC). Councillor Jeff Brooks stressed that the recommendation identified the need for the topic to be offered in order that Parish Councils could consider it for discussion. It was agreed that the topic would be offered as an item prior to the next DPC.

Councillor Alan Macro reported that he was disappointed with the response provided to recommendation three, Delivery of Universal Benefits Locally and questioned who was

## OVERVIEW AND SCRUTINY MANAGEMENT COMMISSION - 29 OCTOBER 2013 - MINUTES

responsible for the delivery of recommendation ten, Provision of lockers. Councillor Tony Vickers stated that the Town Council had contacted the Council to advise that they would not be able to provide lockers. David Lowe would revisit correspondence received by Newbury Town Council in order to confirm their position.

**Item 2.6:** Councillor Alan Macro queried the rationale behind Network Rail agreeing to fund the work conducted to the north side footpath only, whilst the Council would cover the cost of works conducted to the south side footpath.

### **Resolutions:**

- It was agreed that the Homelessness Strategy would be offered as an item at the next DPC.
- David Lowe would revisit the correspondence received from the Newbury Town Council in connection to the recommendation to provide lockers for the homeless.
- Examination of the reasons why West Berkshire appeared to have a disproportionate amount of young families facing homelessness would be added to the work programme.
- The Highways Services Team would be asked to provide a response in respect of the work conducted at the Aldermaston Wharf.

### **40. West Berkshire Forward Plan 01 November 2013 to 28 February 2014**

The Commission considered the West Berkshire Forward Plan (Agenda Item 5) for the period covering 01 November 2013 to 28 February 2014.

**Resolved that** the Forward Plan be noted.

### **41. Overview and Scrutiny Management Commission Work Programme**

The Commission considered its work programme of 2013/2014.

Councillor Jeff Brooks presented the Homes to School Transport Policy as a suggested topic for future scrutiny, on behalf of Councillor David Allen. Members agreed that the item would be added to the work programme. Therefore, Councillor Bedwell, Councillor Brooks, Councillor Allan and David Lowe would prepare the scoping document for future consideration.

Councillor Brian Bedwell reminded the Commission that item OSMC 13/149 ( Closure of the Magistrates Court) originated from a motion carried at the full Council Meeting held on 19th September 2013:

*The Clerk to the Court be invited to attend a future OSMC meeting to consider this issue in greater detail.*

Councillor Bedwell advised the Commission that an invitation had been issued but that the Justices' Clerk for Thames Valley was unable to attend the meeting. David Lowe advised the Commission that Her Majesty's Court and Tribunal Service would be the key contributor to any scrutiny about the use of Newbury Magistrates' Court. Members understood that without attendance from an appropriate representative, the process of scrutiny would be one sided and thus ineffective. The Commission heard that the Courts' accountability to Ministers presented an issue with regards to meeting the OSMC in public and as such they had agreed to meet with officers away from the public domain.

Nick Carter advised that the Safer Communities and Partnership Team had been asked to consider a local model for the continuing delivery of services if the decision was made to close Newbury Magistrates Court. It was stressed that the Government position on the closure of Newbury Magistrates Court was unknown, but that concerns regarding its

## OVERVIEW AND SCRUTINY MANAGEMENT COMMISSION - 29 OCTOBER 2013 - MINUTES

potential closure had prompted the review of an alternative delivery model in the local area. It was suggested that further information would be available by February 2014.

It was therefore agreed that the special meeting scheduled to hear the item on 13<sup>th</sup> November 2013 would be cancelled and that the Commission had fulfilled the action assigned by Council.

Councillor Brian Bedwell requested that Members considered the prioritisation of items within the work programme.

### **Resolved that:**

- The Chairman of the Council would be asked to share the response letter from Her Majesty's Court and Tribunal Service.
- The topic of Home to School Transport would be added to the work programme.
- The changes to the work programme be noted.

### **42. Items Called-in following the Executive on 5 September 2013**

No items were called-in following the last Executive meeting.

### **43. Councillor Call for Action**

There were no Councillor Calls for Action.

### **44. Petitions**

There were no petitions received at the meeting.

### **45. Update on the Health Service in West Berkshire and the PCT quality Handover**

*(Councillor Tony Vickers declared a personal interest in Agenda item 10 by virtue of the fact that his wife was a member of Health Watch. As his interest was personal and not prejudicial he determined to take part in the debate).*

Doctor Abid Irfan, Clinical lead for the Newbury and District Clinical Commissioning Group (CCG), presented the Commission with a verbal update in respect of agenda item 10.

The Newbury and District Clinical Commissioning Group (CCG) was made up of 11 local GP practices and served a total registered population of approximately 113,000 people, which was relatively small in comparison to other CCG's. The CCG had established a Governing Body which included membership from GPs, a nurse director, a chief finance officer, a chief officer and lay members. The CCG is a membership organisation and was supported by the Council of Member Practices. A GP lead from each practice made up the GP Council. The CCG worked in a federation very closely with the other 3 CCGs in Reading and Wokingham to bring economies of scale, financial stability and significant negotiating influence when commissioning services.

The CCG aimed at working with local GP's to develop review and design patient journeys and address required changes.

Dr Irfan advised the Commission that this year amongst other things the CCGs focused on 3 local priorities:

## OVERVIEW AND SCRUTINY MANAGEMENT COMMISSION - 29 OCTOBER 2013 - MINUTES

- The increased identification of local carers who contribute significantly to our health economy. This would enable them to be invited for healthchecks, flu injections and be listed for priority appointments
- The identification of people at high risk of developing diabetes to deliver proactive, preventative measures.
- Increasing the number of people receiving NHS Healthchecks

The Commission heard that on 14<sup>th</sup> November 2013, the CCG would be holding an evening event inviting the public to provide their views on local priorities identified by the CCG, along with how to maintain a sustainable health system and discuss the “Call to Action” issued by NHS England

Dr Irfan stated that the CCG had a limited budget to establish the sustainable and effective care required in an area with an ageing demographic and people with complex needs.

The CCG used the Berkshire West Quality Committee to track inherited areas of high risk via the review of a monthly scorecard. The scorecard used performance levels from 2012 to offer a comparator and was available for the public to view via the CCG website.

Due to the fact that the CCG was small (compared to the previous PCT population of approximately 500,000), even very small numbers recorded in the scorecard negatively would have an adverse affect on overall ratings. Dr Irfan used the example of cancer waiting times and explained that for some cases where people had reportedly been on the waiting list for a long time, it was found that there were valid reasons for the delay which related to the requirement of complex diagnostics and testing pathways. However, it was noted that at our local trust level (The Royal Berkshire Hospital) they were performing to the all the cancer standards. Dr Irfan explained that after further investigation the statistics were fully understood.

It was agreed that scorecard would be circulated to the Members of the Commission.

Dr Irfan advised the Commission that the Royal Berkshire Hospital had been placed in special measures by The Clinical Quality Commission (CQC). The CCG had invested funds into Accident and Emergency provision to adequately assess the delivery of service. The Trust was under significant pressure to see that the issues were appropriately addressed. The CCG would review reports to ensure that the statistics were a true reflection of the Trust’s performance and conduct quality assurance checks.

Councillor Quentin Webb asked whether Health Watch had been tasked with reviewing the CCG’s performance, as requested by the Health Scrutiny Panel in March 2013. Dr Irfan advised that Health Watch was a member of the West Berkshire Public Health and Wellbeing Board and were aware of the CCG’s activity.

Councillor Tony Vickers suggested that the delivery of care could be assisted with agencies sharing patient information. Dr Irfan was asked to what extent GP’s could share patient information. In response Dr Irfan informed the Commission that the CCG hoped to address the issue of sharing information to avoid duplication, but acknowledged that the issue was complex and required sophisticated systems to ensure that personal data was not compromised.

In response to questions asked by Members, Dr Irfan confirmed the following points:

- All CCG’s submitted monthly performance scorecards to the Federation Quality Committee for scrutiny and review

- Measures to assist patients with diabetes focused on adults only. The Health and Wellbeing Board hoped to deliver a scheme to local schools in response to the agreement that early preventative measures would deliver significant long term benefits.

The Commission thanked Dr Irfan for a comprehensive update.

**Resolution:**

- (1) The report was noted
- (2) That the Scorecard be provided

**46. Medium Term Financial Strategy**

The Commission considered a report (Agenda Item 11) concerning the current Medium Term Financial Strategy (MTFS) 2013-2016.

Members heard that the council needed to identify an expenditure reduction programme that would save £17m over the course of the medium term financial strategy in order to match predicted income levels. The gap would be closed through the mix of income generation, expenditure reductions, efficiency savings and a modest rise in council tax of 2% in 2013/2014.

Melanie Ellis explained that the Council had seen significant reductions to Government Grant levels over the past three years and that it was expected that further reductions would follow in the coming years.

Melanie Ellis drew the Members' attention to graph (1:1) which illustrated the proportion of key funding sources. Members heard that nearly two thirds of the Council's funding was generated directly from the local population in the form of Council Tax. Therefore, decisions around the level of Council Tax charges and the increase in properties on which the Council can charge Council Tax were extremely important.

Members heard that if the Council were to perform exactly the same functions year on year (with no additional demands) then the costs would rise by just over 2% year on year. This was due to a combination of nationally driven pay awards and cost increases on the contracts the Council had with external service providers.

Melanie Ellis advised that from 2013/14, the Government would implement fundamental reforms to Local Government finances. The main change would be the ability for Councils to retain some of the Business Rates they collected.

Members heard that the Council would focus on making efficiency savings first. Melanie Ellis explained that due to the scale of the Capped Expenditure Level (CELs) reductions and the level of savings already identified, further reductions beyond efficiency would be required. The Council would therefore need to look more at income generation, which it had been successful in doing the past, though opportunities to raise fees significantly were constrained.

The Council would need to pursue further options to transform services and disinvest in services. The direction and the policy review framework required to adjust CELs and

influence the process would be developed during Q4 2013/14 to guide directorates and services over the medium term.

In response to questions asked, Melanie Ellis advised that the strategy was subject to a consultation process via the Council's website in terms of assessing service user impacts.

**Resolved that:**

- (1) The report was noted.

**47. Blue Badge Improvement Scheme**

The Commission considered a report (Agenda Item 12) concerning the Blue Badge Improvement Scheme (BBIS).

Martyn Baker introduced the report to the Commission. The item was being considered following the review of the BBIS at the Resource Management Working Group meeting on 12<sup>th</sup> March 2013.

In response to questions asked, Martyn Baker advised that the BBIS provided the process by which blue badges could be issued. The fee charged by the Council to process a Blue Badge request was set at £10.00, which was the maximum fee that the Council could charge. Of the £10.00 fee, £4.60 + vat would be paid to Northgate (who processed the applications) as a result of the sub-agreement with West Berkshire. The overarching agreement had been agreed by the Department of Transport who commissioned Northgate to provide administration services over a 5 year contract.

The Commission discussed the deficit created by the BBIS operating model and questioned whether costs could be recovered. Martyn Baker advised that only successful applications would incur a charge. The £10.00 fee was the maximum value the Council could set and the Northgate fee would be fixed at £4.60 throughout the contract period.

Martyn Baker advised that the process of assessment and administration was demanding. To assist applicants, the staff used a software package designed to guide them through the application process.

Councillor Johnston asked whether BBIS identified fraudulent claims and whether those applicants could be prosecuted. In response, Martyn Baker stated that the service could use enforcement powers if the badge was copied or misused. Civil Enforcement Officers had the power to request sight of the photo on a displayed badge if they believed that the badge was being misused.

Northgate offered the service directly via their website. Applicants could pay Northgate £10.00 in advance of their application being processed, which could be refunded later if the application was unsuccessful.

The Commission discussed the potential saving opportunities if the service delivered an online service. The Council was unable to transfer the entire BBIS to a web based process due to the level of support required by some applicants to complete the complex and lengthy forms. Martyn Baker explained that the renewal process was complex and each application was considered on its own merit, irrespective of previous applications made.

**OVERVIEW AND SCRUTINY MANAGEMENT COMMISSION - 29 OCTOBER 2013 - MINUTES**

The Commission discussed the resource levels in place to support the process. Martyn Baker explained that the service experienced immense pressure to conclude applications. The team processed 1860 applications during 2012/13, each of which was estimated to take nine working days to administer.

The Commission thanked Martyn Baker for the report and extended their gratitude to the team delivering the BBIS.

**Resolved that:**

- (1) The report was noted.

**48. Scrutiny Recommendations Update**

The Commission considered a report (Agenda Item 13) which provided an update on the progress of scrutiny recommendations approved by the Commission.

**Resolved that:**

- (1) The report was noted.

*(The meeting commenced at 6.30 pm and closed at 8.30 pm)*

**CHAIRMAN** .....

**Date of Signature** .....