

# **OVERVIEW AND SCRUTINY MANAGEMENT COMMISSION**

## **MINUTES OF THE MEETING HELD ON TUESDAY, 31 MARCH 2015**

**Councillors Present:** Brian Bedwell (Chairman), Jeff Brooks (Vice-Chairman), Paul Bryant (Substitute) (In place of Virginia von Celsing), Dave Goff, Roger Hunneman, Mike Johnston, Quentin Webb, Emma Webster and Laszlo Zverko

**Also Present:** Catalin Bogos (Performance Research Consultation Manager), Nick Carter (Chief Executive), Mark Edwards (Head of Highways and Transport) and Rachael Wardell (Corporate Director - Communities), Councillor Tony Linden, David Lowe (Scrutiny & Partnerships Manager) and Charlene Myers (Democratic Services Officer)

**Apologies for inability to attend the meeting:** Councillor Dominic Boeck, Councillor Sheila Ellison, Councillor Alan Macro and Councillor Virginia von Celsing

### **PART I**

#### **87. Minutes**

The Minutes of the meeting held on 24 February 2015 were approved as a true and correct record and signed by the Chairman.

#### **88. Declarations of Interest**

Councillor Mike Johnston declared an interest in Agenda Item(s) 6, but reported that, as his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.

#### **89. Actions from previous Minutes**

Members considered the responses contained within the report.

**Resolved that:**

- The report was noted.

#### **90. West Berkshire Forward Plan 18 March to 30 June 2015**

The Commission considered the West Berkshire Forward Plan (Agenda Item 5) for the period covering 18 March to 30 June 2015.

**Resolved that:**

- The Forward Plan was noted.

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

*(Councillor Mike Johnston declared a personal and prejudicial interest in Agenda item 6 (Urgent Item – A339 Corridor – DfT Challenge Fund Bid) by virtue of the fact that he was working on a contract basis for the DfT, however his role was with rail and as such not a conflict with the DfT challenge fund. As his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.)*

Councillor Brian Bedwell drew Members' attention to item OSMC 12/149 (Newbury Town Centre Parking). He stated that the topic found support from Members following

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consideration at a previous meeting. Councillor Bedwell proposed that Officers would draft a scoping document if Members deemed a review as beneficial. Members agreed that a review should take place and that it should be scheduled for further discussion following consideration of the proposed scoping document.

Councillor Bedwell introduced an Urgent Item to the Commission (A339 Corridor – DfT Challenge Fund Bid) and invited Mark Edwards to provide further information to the Commission. Mark Edwards advised that the item needed to be considered at the next Executive meeting, scheduled for 23<sup>rd</sup> April. As the 28 day requirement for reports to the Executive had not have been met, in order for it to be considered as an urgent item. He was required to give notice to the Commission of the item, its purpose and why it needed to be considered urgently. Members would then have the opportunity to consider whether the item required scrutiny, although this would need to take place before the Executive meeting.

Members heard that the Highways and Transport service had been successful in securing £5.6m of funding to improve the A339 corridor from J13 to the Hampshire boundary (to include resurfacing, bridge maintenance and junction improvements). Confirmation was received from the DfT on 24 March 2015 and the report, which would be considered by the Executive, sought approval for the addition of £5.6m to the Highways and Transport Capital Programme.

David Lowe reminded Members that the item was not on the Forward Plan and that they were requested to consider the need to conduct scrutiny ahead of the Executive meeting.

Councillor Emma Webster suggested that the Commission should not impede the item's progress as there was no apparent need to conduct scrutiny ahead of the Executive meeting. Members supported the item and collectively congratulated the service for their success in securing the additional funding. Councillor Brain Bedwell endorsed Members' comments.

Councillor Roger Hunneman introduced the Suggested Topic for Scrutiny which he had submitted – *whether the Council was properly discharging its responsibilities to those receiving 'Supported Living' with Mental Health Services*. He explained that there had been recent reports in the press of apparent neglect of clients in receipt of 'supported living' services provided by Creative Support on behalf of the Council. He asked that an investigation took place into whether the Support Tasks described in Appendix 1 of the Service Specification for Supported Living Mental Health Services were being carried out by the Council's contractor.

Councillor Hunneman explained that there appeared to be areas of concern associated with the assessed level of an individual's capability and the level of service allocated to support them. Councillor Hunneman confirmed that the suggested topic for Scrutiny submitted by Councillor Julian Swift- Hook sought to review the same area of concern. Therefore, both items could be considered in conjunction with one another. Members concluded that the topic would be added to the work programme.

Rachael Wardell advised that Children's Services had been subject to a recent Ofsted inspection and, although the final report was not due for publication until May 2015, Inspectors' initial feedback suggested that the Commission should look to increase the scrutiny of Children's Services. Rachael Wardell suggested that the Commission

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considered its future work programme and increased the number of examinations of Children's Services functions.

Councillor Bedwell supported Rachael Wardell's comments but suggested that the Commission would benefit from reading the Inspectors' report before considering future scrutiny topics. David Lowe suggested that the Commission could monitor the action plan which would be created by the service in response to the points raised within the Inspectors' report – it could potentially highlight areas for further review. Members agreed that topics would be considered following a review of the Ofsted report.

### **Resolved that**

- The Newbury Town Centre Parking (OSMC 12/149) would be scheduled for discussion following consideration of the scoping document.
- Urgent Item to the Commission (A339 Corridor – DfT Challenge Fund Bid) would not require further scrutiny ahead of the Executive meeting on 23<sup>rd</sup> April 2015.
- The report outlining the response to the Ofsted review of Children's Services would be added to the Commission's work programme.

### **92. Items Called-in following the Executive on 19 March 2015.**

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

### **93. Councillor Call for Action**

Councillor Emma Webster introduced the topic to Members and referred to her letter dated 24 February 2015 which mentioned the issues regarding a privately owned car park along Hildrens Drive, Tilehurst.

She advised that the land appeared neglected which had led to numerous concerns being raised by local residents and business for many years. The car park was a notorious dumping ground for abandoned goods and unwanted waste. The site had been cleared on numerous occasions by Council contractors following concerns being raised with the Environmental Health Team. Councillor Webster advised that every effort had been made to reclaim the cost of clearing the site but this was resource intensive or delayed due to difficulties communicating with the landowner.

Every effort had been made to address the concerns over the past decade: letters had been sent from the Tilehurst Parish Council and local Members; issues had been raised with the Kennet and Thames Vision meeting; meetings had taken place with local shop owners; and residents and discussions had taken place with Council Officers.

Councillor Webster suggested that, if the item was approved for further investigation, the Commission would benefit from meeting with three key groups in order to fully appreciate the issues surrounding the site and conduct a fully comprehensive review. These were:

- The Parish Council, due to their historic involvement and efforts taken to address the issues;
- Neighbourhood Wardens due to their frequent attendance at the site and knowledge of the problems experienced in the locality;
- A representative from the businesses adjacent to the site.

Members heard that the Councillor Call for Action could help resolve the issue by reviewing the options available to ensure the problems did not continue.

In response to questions asked by the Commission, Councillor Webster advised that it was not certain whether the car spaces were allocated to the nearby shops but it was believed to be the case – records could not be located to clarify at this stage.

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Nick Carter explained that a similar situation occurred at Underwood Road, Calcot and, through the support of the Councillor Call for Action, the situation was addressed and fully resolved. He suggested that Officers considered the options available and provided the Commission with a proposed plan.

Councillor Bedwell endorsed the proposal which found full support from the Commission.

### **Resolved that:**

- Officers would consider the options available to the Council to address the issues experienced at Hilden's Drive and present a draft plan to the Commission for consideration.

## **94. Petitions**

There were no petitions to be received at the meeting.

## **95. Performance Report for Level One Indicators**

*(Councillor Jeff Brooks joined the meeting at 19:10)*

Catalin Bogos introduced the report to the Commission concerning Quarter 3 Performance Reporting. The report appraised progress against a basket of 52 key accountable measures and activities aligned to the objectives set out in the Council Strategy. Of the 52 reported measures, outturns were available for 45 at the time of publication.

- 36 were reported as 'green' – or were on track to be delivered / achieved by year end.
- 7 were reported as 'amber' – or behind schedule, or still anticipated being delivered / achieved by year end.
- 2 were reported as 'red'.

The 7 measures reported as amber were:

### *Children and young people*

- Child Protection cases which were reviewed within required timescales

### *Older people and vulnerable adults*

- Proportion of repeat safeguarding referrals through the monitoring and review of protection plans
- Level of delayed transfers of care from hospital and those attributable to social care from acute and non-acute settings
- % of people accessing a housing related support service who have been assessed as needing support who go on to achieve economic wellbeing by improving debt management skills

### *Infrastructure*

- Bring 80 empty homes back into use for by 31/03/15 using the Council's framework for engaging with identified empty home owners

### *Community Safety*

- Work with the Environment Agency and other partners to deliver flood alleviation scheme in Eastbury

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### *Working with schools*

- The number of schools judged good or better by Ofsted under the new Framework

The 2 measures reported as red were:

### *Community safety*

- Work with the Environment Agency and other partners to deliver flood alleviation scheme in Purley (*Already reported at Q2*)

### *Working with schools*

- KS1-2: Proportion pupils making 2+ levels of progress in Writing

Members were advised that, overall, a higher proportion of measures and activities were reported as green (expected to achieve the end of year targets) compared to performance levels reported for quarter 2, fewer measures were reported amber and only one additional measure was reported as red (exception report included).

Councillor Mike Johnston highlighted the Purley Alleviation Scheme performance measure and stated that the RAG status was misleading. He acknowledged that the scheme did not meet the target due date but stressed that the scheme was completed nonetheless. Councillor Johnston challenged the appropriateness of measuring single projects in the current format.

Nick Carter explained that the target was set to enable a reflection of progress to date. However, discussions would take place to consider alternative reporting formats for individual schemes going forward. He stressed that flood alleviation schemes were a key focus for the Council following the effects of adverse weather 2013/14 and individual project measurements provided testimony to the Council's ongoing priority. Members were reminded that the vast majority of KPIs were measured over the course of the year but on occasion it was deemed appropriate to measure single projects with specific deadlines.

Councillor Roger Hunneman asked whether the KPIs could include national statistics for the purpose of benchmarking. Catalin Bogos advised that, where possible, national benchmarking was available for comparison. However, in some cases, measurements were not consistent across Local Authorities so national comparisons were not possible.

Councillor Paul Bryant was concerned to read that West Berkshire had a higher than average number of smokers in the area, when compared to the national average. Catalin Bogos advised that the outcome from surveys depended significantly on the data source and location chosen at that time. Therefore, the table showed a range within which West Berkshire fell.

Councillor Brain Bedwell asked why the number of agency workers within Children's Services continued to increase and he was concerned about the associated expense. He asked whether the service had a target to decrease the number of agency workers going forward. Rachael Wardell advised that the aspiration for the service was to replace all agency staff with permanent Social Workers. However, she stressed that there were numerous reasons why retaining permanent staff in a highly stressful and challenging service area was difficult. Rachael Wardell advised Members that there were significant advantages associated with permanent staff being in place – not least because it enabled Social Workers to build relationships with clients which maximised safeguarding. She reminded Members that the service had recently introduced the Recruitment and Retention Scheme which aimed to increase the number of permanent Social Workers,

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provide local training to existing staff (grow local talent) and retain qualified staff through the commitment of ongoing training and competitive pay. As a result, the service had secured new recruits who were scheduled to join the Council imminently.

Councillor Jeff Brooks suggested that it would be beneficial to see more data regarding the costs associated with using agency staff. He highlighted that the Council would not be required to pay towards an employee pension, annual leave or other costs associated with maintaining permanent staff. Similarly, more information was required to understand the profile of the new recruits so the Commission could understand the capacity of Children's Services over the course of the next three months. Rachael Wardell confirmed that she would ask for such data to be created for the Commission

Councillor Paul Bryant asked how the Council defined a Freedom of Information (FOI) request. David Lowe advised that the Council managed general queries on a daily basis - these were considered 'business as usual'. FOI requests dealt with 'non-routine' requests for information of which the Council already have data collected. David Lowe explained that, of the 291 requests reported, it was possible that sub-questions existed which were not recorded. Members heard that irrespective of who asked for the data (media, members of the public or organisations) the request would be logged, acknowledged and dealt with in the same manner.

Resolved that:

- Rachael Wardell would provide comparative data regarding the costs associated with using agency staff and permanent staff within Children's services.

**96. Next meeting**

Councillor Brain Bedwell proposed that the next meeting was postponed due to its proximity to the Elections. The proposal was supported by the Commission.

Member's acknowledged and thanked Councillor Bedwell for his ongoing support and loyalty during the course of his period as Chairman. Councillor Jeff Brooks conveyed his deep appreciation for the manner in which Councillor Bedwell conducted the Commission, ensuring that fairness and service to local residents remained the key focus throughout.

Councillor Bedwell gracefully received the comments of appreciation and stated that he had thoroughly enjoyed his role as Chairman and he believed the Commission contributed positively towards Council functions. Councillor Bedwell conveyed his appreciation for the ongoing support received from Members, Officers and specifically David Lowe.

*(The meeting commenced at 6.30 pm and closed at 7.30 pm)*

**CHAIRMAN** .....

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