

# DRAFT

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## OVERVIEW AND SCRUTINY MANAGEMENT COMMISSION

### MINUTES OF THE MEETING HELD ON TUESDAY, 26 FEBRUARY 2013

**Councillors Present:** Brian Bedwell (Chairman), Dominic Boeck, Jeff Brooks (Vice-Chairman), Marcus Franks, Dave Goff, David Holtby, Mike Johnston, David Rendel, Tony Vickers, Virginia von Celsing, Quentin Webb and Emma Webster

**Also Present:** Mel Brain (Service Manager - Housing Strategy and Operations), Nick Carter (Chief Executive), June Graves (Head of Care Commissioning, Housing & Safeguarding), Jason Teal (Performance, Research & Consultation Manager), Councillor Roger Croft (Strategy, Performance, Council Plan, Housing, ICT, Corporate Services, Strategic Support, Legal), David Lowe (Scrutiny & Partnerships Manager) and Elaine Walker (Principal Policy Officer)

#### PART I

##### 88. Minutes

The Minutes of the meeting held on 11 December 2012 were approved as a true and correct record and signed by the Chairman, subject to the inclusion of the following amendment:

- Councillor Emma Webster asked that her apologies be recorded for the meeting.

The Minutes of the meeting held on 4 February 2013 were approved as a true and correct record and signed by the Chairman.

##### 89. Declarations of Interest

Councillors Emma Webster, Jeff Brooks and David Holtby declared an interest in Agenda Item 12, but reported that, as their interest was personal and not prejudicial, they determined to remain to take part in the debate and vote on the matter.

Councillor Marcus Franks declared an interest in Agenda Items 11 and 13, but reported that, as his interest was personal and not prejudicial, he determined to remain to take part in the debate and vote on the matter.

Councillor David Rendel declared an interest in Agenda Item 15, but reported that, as his interest was personal and not prejudicial, he determined to remain to take part in the debate and vote on the matter.

##### 90. Actions from previous Minutes

The Commission received an update on actions from previous meetings and raised the following comment:

Paragraph 2.6: Councillor Brooks requested confirmation that Management Board had been presented with the recommendation from the meeting on the 4 February 2013 through the circulation of the relevant meeting minute.

**RESOLVED that** David Lowe circulate the relevant minute to confirm that the recommendation from the Commission's meeting on the 4 February 2013 had been received.

**91. West Berkshire Forward Plan March to June 2013**

The Commission considered the West Berkshire Forward Plan for the period covering March to June 2013.

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

**92. Overview and Scrutiny Management Commission Work Programme**

The Commission considered its work programme and that of the Health Scrutiny Panel and Resource Management Working Group. The following comments were received:

- Councillor Brooks requested that item OSMC/11/129 – Housing Allocations Policy - be updated to reflect a more accurate completion date;
- Councillor Brooks requested that item OSMC/12/140 – Schools Performance – be brought to the next meeting of the Commission;
- Councillor Tony Vickers observed that examination of the Council's Risk Register had been included on the work plan twice and requested that the second of these (item OSMC/12/145) be removed as this would be the responsibility of the Governance and Audit Committee.

**Resolved that:**

- Item OSMC/11/129 – Housing Allocations Policy – be updated to reflect a more accurate completion date;
- Item OSMC/12/140 – Schools Performance – be brought to the next meeting of the Commission;
- Item OSMC/12/145 – Risk Register – be removed.

**93. Items Called-in following the Executive on 14 February 2013**

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

**94. Councillor Call for Action**

There were no Councillor Calls for Action.

**95. Petitions**

There were no petitions received at the meeting.

**96. Key Accountable Measures and Activities 2012/13: Quarter Two Results**

The Commission considered the Council's performance report for quarter two 2012/13. Jason Teal introduced the report, stating that a new format had been adopted for 2012/13 in order to provide greater context to the information presented.

Councillor Quentin Webb asked where the information relating to house prices had been sourced from. Jason Teal confirmed that the information had come from the Land Registry.

The Chairman asked why the number of adult learners had dropped by 28%. Jason Teal responded that the figure represented a point in time and was dependent on a number of factors, including the courses available at that time. He continued that over the full year, he expected to report an increase in the number of adult learners.

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Councillor Vickers asked whether the 9% increase in the number of children subject to a child protection plan was an indication of the start of an upward trend. Jason Teal replied that he did not believe so as the numbers reported for current and previous periods were consistent at between approximately 80 and 90 children.

Councillor Dominic Boeck acknowledged that the low numbers of people killed or seriously injured on West Berkshire roads was extremely positive, but questioned the value of recording this information when there were other, potentially greater, threats to life in the district. Nick Carter stated that this measure had been agreed as it was an area over which the Council had a direct influence.

Councillor Brooks asked how the Highways Service measured how much of the road network was in need of repair. Jason Teal replied that a survey of the entire road network was undertaken annually and this was used to identify areas in need of repair, and calculate the proportion in need of repair for the purposes of monitoring. The Chairman asked that the report from this survey be brought to the Commission when available.

Councillor Brooks requested clarification of the measure of the number of carers receiving a service. June Graves confirmed that carers were identified through the assessment of individuals in receipt of care services from the Council. Individuals were asked about family members who provided care to them. However carers might become known through other methods, for example if they presented themselves to local charity organisations. Councillor Brooks asked how many carers the Council were aware of. June Graves agreed to circulate this information.

*(18:45 – Councillor Virginia von Celsing joined the meeting).*

Councillor Vickers acknowledged that the increase in the use of Children's Centres was a positive step, but asked whether work had been undertaken to establish whether the increase represented those people who were in need of the service. Jason Teal advised the Commission that this was an concern that the Service Area was aware of and were currently working to establish who was being reached by the service.

Councillor Franks asked why more historical data had not been provided for the 'Measures of Volume' on page 37, as it had been for the 'State of the District Measures'. Jason Teal responded that the information included in the report was agreed prior to the start of each year. Historical information was available, but had not been requested to be included in reporting for 2012/13.

Councillor Holtby observed that figures for footfall in Hungerford had not increased in line with those for Newbury and Thatcham and asked if any further information could be provided as to why. Jason Teal replied that the Parkway development had been a factor in the increase in footfall in Newbury, but the figures were also dependent on when the count took place which meant that the weather might also be a factor. Jason Teal advised the Commission that a more meaningful indicator of whether footfall had increased would be to compare figures over a number of years.

Councillor Brooks commented that the draft Council Strategy currently under consideration, indicated that visits to West Berkshire libraries and the Council's website had fallen. Councillor Brooks asked Jason Teal to investigate this.

Councillor Vickers commented on the number of empty homes brought back into use, and expressed his belief that the target of 30 was not sufficiently challenging. Councillor Vickers speculated on the effect that the changes to Council Tax benefit might have on empty home owners' willingness to release their homes to the rental market. Councillor Vickers suggested that this would be a suitable topic for scrutiny. Councillor Rendel suggested it would be useful to see the net figure of empty homes. Councillor Brooks suggested that good practice be considered from other areas to improve the situation, as he was aware of a mobile application that allowed photographs to be taken of houses

that appeared empty, which would be forwarded to the local council for investigation. The Chairman agreed that further information would be provided by the Housing Service.

Councillor Rendel asked why the quarter two performance information was being presented in February when only one month remained in which to instigate challenges to service areas or address concerns. Councillor Vickers suggested investigating how information was made available in other councils.

Councillor Rendel further asked whether there was an intention to reconvene the working group that had been established some time ago to consider target setting for the coming year, commenting that he believed that the Commission had not had an opportunity to provide an input into the process. The Chairman requested that a report be brought to the next meeting setting out how Members could be involved in the target setting process.

Councillor Vickers commented on the amount of litter that appeared on land belonging to the Highways Authority or Network Rail, and also a location on the A339 where fly tipping was an issue. Nick Carter responded that the A339 was the responsibility of the Council and the litter was routinely cleared, but this caused disruption through the necessary closure of the carriageway. The Chairman commented on the excellent work of litter pickers in West Berkshire.

### **RESOLVED that:**

- The Head of Highways provide the report from the road network survey to the Commission;
- The Head of Care Commissioning, Housing and Safeguarding provide the number of carers currently known to the Council;
- Jason Teal to investigate the reported fall in visits to West Berkshire libraries and the Council's website, and report back to the Commission;
- The Head of Housing to provide further information in relation to the number of empty homes brought back into use;
- David Lowe to investigate how other councils make performance information available for scrutiny;
- Jason Teal to provide a report indicating how Members could be involved in the target setting process.

## **97. Homelessness Mystery Shopper Report**

*(Councillor Franks declared a personal interest in Agenda item 11 by virtue of the fact that he was employed by Sovereign Housing Association. As his interest was personal and not prejudicial he determined to take part in the debate and vote on the matter).*

The Commission received a report relating to a mystery shopper exercise conducted by Shelter in 2012.

The Chairman advised the Commission that the purpose of bringing the report to the Commission was for comments to be raised that might assist the development of the Homelessness Strategy, and would therefore form a part of the consultation on this strategy.

Councillor Webster raised concern at the approach of Shelter in using a scenario that instigated a number of processes outside of the Housing Service and caused some distress when Officers were unable to trace missing people, June Graves agreed. Councillor Dominic Boeck asked what lessons could be learnt for similar activities in the future to avoid wasting resources. June Graves responded that she believed it had been

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an unintentional consequence of the process. Councillor Dave Goff asked whether the Council could have insisted on a formal closure to the exercise. Nick Carter explained that mystery shopper exercises were not undertaken routinely, and might only be considered where there was an ongoing problem or a spate of complaints. Shelter had been considered to be credible, but Nick Carter agreed that the choice of scenarios might have been better considered and that it might be appropriate to write and raise these concerns with them.

Councillor Brooks expressed concern that the interview facilities at West Street House were not private and that discussions therefore took place in an environment open to other customers. June Graves responded that the reception desk was open to all customers and basic information would be taken there from people presenting in order to assess the requirements of the customer. If the individual was referred to a Housing Options Officer, this meeting would take place in private. Nick Carter acknowledged that the layout of the reception area in West Street House was not ideal due to its size, however a 'pod' had been installed to provide greater privacy. June Graves added that a Housing Officer was available at Market Street every week day where private office space was available. The Chairman asked whether the Housing Service were satisfied that suitable facilities were available. Mel Brain responded that a private space would always be found and no individual would be expected to discuss private issues in a public space.

Councillor Vickers expressed his disappointment at the timing of the release of the mystery shopper report, commenting that it was not made public until after the consultation had concluded and had not been part of the special Overview and Scrutiny Management Commission meeting to scrutinise the local approach to homelessness. Nick Carter advised the Commission that he had commissioned the report following a suggestion by Councillor Vickers as he had felt there would be merit in the exercise. The Housing Service had not been informed, however the Corporate Director had been. The exercise took place over the summer of 2012 and a report from Shelter was duly received and considered by the Housing Service. Nick Carter stressed that the exercise had not been undertaken in relation to the scrutiny review and the timetable had therefore not been set to tie in with this.

Councillor Vickers commented that it was unfortunate that the exercise had taken place at a time of transition for the service area, when a number of new staff had been in post, and asked whether any lessons had been learned about the appropriateness of new staff being placed in front line positions. June Graves responded that it was necessary to place new people in front line situations as part of their training and progression. June Graves added that it was not possible for new staff to learn how to deal with all eventualities through scenarios alone.

Councillor Webb asked whether it would be possible to prepare a set of standard responses to basic questions for use on email, or to direct people to the Council's, or other appropriate agencies', websites for further information. Mel Brain responded that standard responses would not be considered suitable as all responses were tailored to the individual's need, and personal contact with the individual was considered essential to ensure all appropriate avenues were explored. However it was desirable that individuals utilised web resources to obtain further information.

Councillor Vickers requested an indication of the cost of transferring parts of the service to an online system, commenting that if this resulted in a reduction in personal contact, there might be an overall saving. Mel Brain explained that the costs were being explored at present. Nick Carter added that there were known cost savings for many service areas, but this varied from service to service and he would discuss the subject with Mel Brain outside of the meeting.

Councillor Webb asked about the electronic system for logging the details of enquiries and any actions resulting from initial contact with the Council. Mel Brain explained that the system was designed to be able to enter case information for individuals and not as a call handling system. Detailed information was able to be captured, but the system was not able to provide a summary of activities due to be undertaken, across multiple cases. However Mel Brain assured the Commission that required activity, such as a telephone call to an individual, was directed to the appropriate Officer who would then manage their workload.

The Chairman thanked Officers for their cooperation and indicated his expectation that the Commission would receive the final strategy in due course.

**RESOLVED that:**

- The Chief Executive to write to Shelter to share the concerns raised by the Commission about how the mystery shopper exercise was handled.

**98. Proposed review - Fire Service Response Times**

*(Councillors Webster, Brooks and Holtby declared a personal interest in Agenda item 12 by virtue of the fact that they were appointed to the Fire Authority by the Council. As their interest was personal and not prejudicial they determined to take part in the debate and vote on the matter).*

The Commission received a report proposing a review of the Fire Service following local news reports that 40% of fires were not being attended within target times but that measures had been put in place to address this.

Councillor Brooks advised the Commission that he had been involved with the Fire Authority and Fire Service since 1994, and stated that targets were being met in 75% of cases. Councillor Brooks suggested that the scope of the review be widened to include consideration of where fire stations were situated, particularly in light of current discussions regarding a new fire station at Theale. Councillor Brooks suggested that a more appropriate line of questioning would be to ask the Fire Service how they intended to ensure cover for West Berkshire. Councillor Brooks further suggested that the Commission should not develop recommendations for the Fire Service as this implied a level of knowledge that might be lacking, instead, constructive comment should result from the review.

Councillor Webster suggested that it would be informative to invite the Deputy Chief Fire Officer to provide a strategic overview for the Berkshire area, and also link Officers from local fire stations to provide an insight to the West Berkshire area in particular. Councillor Brooks believed this might prove counter productive, but assured the Commission that in their roles as members of the Fire Authority, they would ensure the correct people attended.

Councillor Rendel expressed his view that appliances might not be deployed appropriately in all cases, and this might have an impact on whether response targets could be met.

Councillor Vickers asked whether those members of the Commission who were also members of the Fire Authority might be considered to have a conflict of interest in respect of this review, and asked for clarification.

Councillor Franks requested that sufficient information be made available prior to the review to ensure that lines of questioning were appropriate and focussed, for example mapping information and the number of retained fire fighters.

The Commission agreed that the review be undertaken at a full Overview and Scrutiny Management Commission meeting, and agreed to widen the scope of the review as proposed by Councillor Brooks.

The Commission discussed the merits of holding the review meeting at a fire station, but it was decided not to do so, as this might distract from the purpose of the review.

**RESOLVED that:**

- David Lowe clarify whether members of the Commission who were also members of the Fire Authority might be considered to have a conflict of interest in respect of this review;
- The terms of reference for the review be amended to encompass how the Fire Service intended to ensure cover for West Berkshire.

**99. Housing Allocations Progress Report**

*(Councillor Franks declared a personal interest in Agenda item 13 by virtue of the fact that he was employed by Sovereign Housing Association. As his interest was personal and not prejudicial he determined to take part in the debate and vote on the matter).*

The Commission considered a progress report on the development of the Housing Allocations Policy.

Councillor Boeck explained that following a shift in central government policy in 2012, the Executive had requested a new policy be developed for housing allocations in West Berkshire. A task group was set up and three meetings had been held in May, September and October 2012. A final draft of the policy was in development and it was expected that the Commission would have an opportunity to comment prior to the policy's adoption in 2014.

**RESOLVED that** the report be noted.

**100. Overview and Scrutiny Training**

The Commission considered a report proposing that members of the Commission undertake training to refresh and improve their skills in scrutiny.

The Chairman explained that training was being considered in order to ensure that the Commission was able to undertake fully effective reviews. It would also be beneficial to new members who might be less clear about their role and the expectations placed on them. The Chairman welcomed comments from the Commission as to whether training should be pursued.

The Commission were in agreement that the training would be beneficial.

Councillor Webb referred to previous training sessions and advised that training had been undertaken in 2004 and 2009, and it was therefore timely to suggest refreshing this knowledge.

Councillor Webster asked how much the training would cost and asked whether it could be done as effectively through drawing on free resources. The Chairman asked whether the Commission would like to set an upper limit to the cost. Councillor Brooks suggested £1500 and this was agreed by other members of the Commission.

The Commission discussed the merits of including scrutiny training in the annual Member Development plan.

Councillor Franks asked that the timing of the training be considered as those who worked full time would be unlikely to be able to attend a full day session.

The Chairman proposed that enquiries be made as to the timing and cost of training, and that a further proposal be circulated to the Commission.

**RESOLVED that** enquiries be made as to the timing and cost of training.

**101. Health Scrutiny Panel**

*(Councillor Rendel declared a personal interest in Agenda item 15 by virtue of the fact that his wife was a GP in West Berkshire. As his interest was personal and not prejudicial he determined to take part in the debate and vote on the matter).*

The Commission considered a report providing an update on the work of the Health Scrutiny Panel.

Councillor Webb expanded on the information explaining that a Task Group from the Panel was currently reviewing eligibility criteria for Adult Social Care, and that this was in consultation at present.

Councillor Webb added that in the summer, Councillors from Wokingham had asked to attend and observe how the Panel worked.

**Resolved that** the report be noted.

**102. Resource Management Working Group**

The Commission considered a report providing an update on the work of the Resource Management Working Group.

Councillor Vickers explained that the Working Group retained a number of review subjects for regular review such as finance, employment and sickness absence. The risk register was reviewed annually to identify areas of resource intensity, highlighting areas for future scrutiny.

**Resolved that** the report be noted.

**103. Scrutiny Recommendations Update**

The Commission considered a report updating the progress of scrutiny recommendations.

Councillor Brooks requested further information updating the status of each recommendation and whether it had been implemented.

**RESOLVED that** further information be presented relating to the implementation of each recommendation.

*(The meeting commenced at 6.30 pm and closed at 8.15 pm)*

**CHAIRMAN** .....

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