

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, 30 JUNE 2015

Councillors Present: James Fredrickson, Dave Goff, Mike Johnston (Vice-Chairman), Rick Jones, Alan Macro, Ian Morrin, Richard Somner, Virginia von Celsing, Emma Webster (Chairman) and Laszlo Zverko

Also Present: Mark Cole (Traffic Services Manager), Andy Day (Head of Strategic Support), Andy Walker (Head of Finance), Rachael Wardell (Corporate Director - Communities), David Lowe (Scrutiny & Partnerships Manager) and Charlene Myers (Democratic Services Officer)

Apologies for inability to attend the meeting: Nick Carter, Councillor Anthony Chadley and Councillor Clive Hooker

PART I

3. Minutes

The Minutes of the meeting held on 31 March and 19 May 2015 were approved as a true and correct record and signed by the Chairman.

4. Declarations of Interest

Councillor Richard Somner declared an interest in Agenda Item 6 (Delayed Transfer of Care), and reported that, as his interest was personal and prejudicial and a disclosable pecuniary interest, he would leave the meeting during the course of consideration of the matter.

5. Actions from previous Minutes

Members considered the response contained within the report.

Item 2.4: Rachael Wardell advised that there was a 58% differentiation in the costs associated with the use of agency social workers and the onset costs of employing permanent staff. The breakdown costs were not available at the meeting but Rachael Wardell advised that these could be provided if requested.

Resolved: The report was noted.

6. West Berkshire Forward Plan 17 June 2015 to 30 September 2015

The Commission considered the West Berkshire Forward Plan (Agenda Item 5) for the period covering 17 June 2015 to 30 September 2015.

Resolved that the Forward Plan be noted.

7. Overview and Scrutiny Management Commission Work Programme

(Councillor Richard Somner declared a personal and prejudicial interest by virtue of the fact that he was an employee of The Royal Berkshire Hospital (RBH). As his interest was personal and prejudicial he advised that he would leave the meeting and not take part in the debate if the topic specifically included points regarding RBH).

The Commission considered its work programme 2015/16.

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Councillor Alan Macro asked whether a task group had been established to agree the Key Performance Indicators (KPIs) for 2015/16. David Lowe advised that the group usually met in April to review targets for the forthcoming year. However, the measures had not been finalised yet and as a result the task group meeting had been postponed. Members were requested to inform David Lowe if they would like to take part in the KPI review task group.

Newer Members of the Commission requested an overview of OSMC 15/163 (Hildens Drive) as it was notably the first Councillor Call for Action presented to the Commission for a considerable time. Councillor Emma Webster stated that Hildens Drive was an area which attracted anti-social behaviour and was susceptible to fly tipping. Members heard that the area was neglected and subsequently it attracted a significant amount of time and resources from agencies to address ongoing issues. Councillor Webster had presented the Councillor Call for Action at the last meeting to request a review of the options available to the Council in order to eradicate the longstanding problems.

Councillor Webster informed Members that the layout of the work programme had been amended to include a 6 monthly review of previously concluded topics. It was suggested that a regular progress review could help ensure that the recommendations presented by the Commission were followed through by service areas to a satisfactory level and within reasonable timescales.

Members considered the suggested topic for scrutiny: Delayed Transfers of Care. The topic had been accepted during previous meetings however, it was agreed that the scope would be reconsidered before the item was progressed. Councillor James Fredrickson asked why Officers were not confident that the statistics surrounding the reasons for DTOC reflected the reality – as had been suggested on page 23 of the agenda. Rachael Wardell advised that the statistics produced by the Hospital, in terms of who a case of DTOC had been attributed to, differed to those produced by the Local Authority.

Rachael Wardell advised that West Berkshire had been listed in the bottom ten performing Local Authorities in a report submitted in 2011/12. However, this was in part due to the government's decision to focus on a measure of delays which was outside the Adult Social Care Outcome Framework and therefore not a measure that we had been monitoring closely. Subsequent to this the Council had been subjected to a significant amount of pressure from the Government to improve the Social Care response to delayed transfers of care. It was noted that West Berkshire Council was last reported in the 2nd quartile of Local Authorities nationally. Rachael Wardell advised that the local statistics were available for 2014/15 and these could be shared with the Commission for its consideration of current performance levels. The Commission heard that the validated national statistics would not be available until later in the year.

Members were encouraged to hear that the situation had improved significantly since the 2011/12 report but they acknowledged that any case of DTOC could have a detrimental impact on an individual's health. Rachael Wardell suggested that the Commission could consider the reasons for delays and explore the options available to improve the situation. It was agreed that the focal point had been to review the rationale behind each case of DTOC and to consider who they had been attributed to. Rachael Wardell advised that there had previously been tensions between the Council and acute trusts regarding the reasons for delays.

Members considered that, whilst there was room for further improvement, the situation appeared to be no longer dire. It was agreed that the Commission should review the 2014/15 statistics in order to fully understand the current situation. It was also considered that a comparison could be made between the 2011/12 and 2014/15 report – including a review of the lessons learnt and the processes implemented to support improvements.

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The Commission concluded that before a review would take place that the Head of Adult Social Services would be invited to present a report at the next meeting.

The Commission considered the second suggested topic for scrutiny: Newbury Town Centre Parking. Councillor Mike Johnston advised that it was evident, through the course of the Election campaign, that local parking matters were an area of interest to residents. He acknowledged that some degree of work had been undertaken to review Newbury parking but he considered that the information could be scrutinised as part of a holistic review.

Mark Cole introduced a background report to the Commission and advised that an independent review had taken place to consider the availability of parking in Newbury and that the situation would continue to be monitored. In addition, the service planned to conduct further reviews to oversee the current parking needs of local residents. Councillor James Fredrickson stated that he was surprised to read that some areas of Newbury parking were underutilised. He suspected that there could be 'pinch points' within certain areas of parking.

Councillor Webster stated that various groups had been established to review parking in various forums and asked the Commission whether they would be minded to consider a review which incorporated the entire District.

Members concluded that it would be beneficial to review the longer term availability of parking across West Berkshire with consideration given to findings of those reviews already underway/ planned.

Resolved that:

- Members would inform David Lowe if they wished to take part in the KPI review task group.
- The Head of Adult Social Services would be invited to present a report regarding DTOC.
- The Commission would schedule a review of long term parking provisions across the district.

8. Items Called-in following the Executive on 18 June 2015.

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

9. Consideration of Urgent Items

There were no Urgent Items to be considered.

10. Councillor Call for Action

There were no Councillor Calls for Action.

11. Petitions

There were no petitions to be received at the meeting.

12. Scrutiny Support Groups

Councillor Emma Webster advised that the item would be postponed until further notice due to the status of the introductory report.

Resolved that: The item would be rescheduled.

13. Election review

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The Commission considered a report (Agenda Item 12) concerning the Election Review. Councillor Emma Webster introduced the report to Members and advised that a request had been made during the Council meeting on 19 May 2015 for a review into the conduct of the 2015 general, district and parish elections.

Councillor Lazlo Zverko requested that, in respect of points 3.1 and 3.2, the report should include the review of the ballot paper verification process and evidence how the Returning Officer collates the feedback back for the review.

David Lowe advised that Nick Carter, the Returning Officer, would work with the Electoral Services Team to review the plans and how they were executed in the lead up to and on the day of the Elections.

In summary, the following points were raised for inclusion:

- The level of understanding and operation of the postal vote process
- The impact of the requirement for Individual Electoral Registration
- Accessibility of polling stations (for both staff and the public)
- How the count was conducted
- How ballot paper verification was carried out
- How the numbers of votes cast tallied with the number of papers issued - for both in-person and postal votes
- Whether there are guidelines to assess the reasonableness of the result.

Participation of Members and staff during the evidence gathering stages would be critical. Councillor Emma Webster encouraged all Members to provide their comments/observations to the Electoral Services team so that they could be considered.

Resolved that:

- The report would be amended according to the above points raised by the Commission.
- The report was noted.

14. Revenue and capital budget reports

The Commission considered a report (Agenda Item 13) concerning the Provisional Financial Outturn Report 2014/15. Andy Walker advised Members that figures could change as a result of closedown and the External Audit.

The report stated that the total revenue expenditure in 2014/15 was £121 million with a provisional year end overspend of £30k or 0.02% of net budget – which lead to a reduction in the general fund of £30k. Andy Walker highlighted that Children's Services report an overspend of £946k as a result of a higher than budgeted placement expenditure and agency usage, with 34 additional children receiving care packages funded from the placement budget at 31.3.2015 compared with the same time last year.

Councillor Mike Johnston was pleased to read the provisional year end overspend was on £30k. However, he challenged whether the expenditure had been re-profiled into 2015/16 which could exert budgetary pressures further down the line. Andy Walker advised that spending was controlled, and in some cases slowed down (e.g. within the Environment Directorate - point 4.9), in order to assist the Council's overall budget position.

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Councillor Alan Macro highlighted the reported under spend within the Resources Directorate, as stated within point 1.7 of the report. He asked whether there were plans to review the budget allocation to the service in light of the provisional figures. Andy Day advised that a large portion of the under spend had been generated through the increased income from land charges. The service was actively promoting the Council's services which had resulted in an increased volume of enquiries. In addition, recent support to the Local Fire Authority provided further income.

Members discussed the longer term impacts associated with the reduced investment within early intervention and support services in Children's Services. Councillor Macro queried whether the decision would result pressures longer term. Rachael Wardell advised that placements had been a financial pressure point for the service over the past three financial years as numbers of children entering the care system dramatically increased. Members heard that it was difficult to demonstrate the direct link between the failings of a prevention service and a child entering the care system. Therefore, the service could not evidence that reduced investment in early prevention measures would exert pressure elsewhere. However, the service could evidence provisions in place for planned and unplanned use of care services.

Rachael Wardell was confident that the projectory spend for Children's Services was decreasing and stated that it might be helpful if Members could see the report.

In response to points raised by the Commission the following was discussed:

- Underspend in respect of Capital Expenditure would be carried forward to meet ongoing capital commitments. These commitments referred to ongoing projects where further work would be required during 2015/16.
- The expenditure associated with the parliamentary Elections was funded by Government. The budget for District Elections was accrued year on year and funded by the Council.
- It would be useful if Members received an awareness session in respect of budget setting and capital projects. Andy Walker agreed that a session could be provided.

Councillor Rick Jones asked whether budgets would be reviewed following finalisation of the outturn report. He was conscious of the time lapsed already and was curious to know whether changes could be made within the financial year. Andy Walker advised that the budgets were set in March 2015 but each area was closely monitored. He stated that there were no significant areas of concern at this stage.

Resolved that:

- Members would receive finance awareness training.
- The report was noted.

15. Scrutiny Annual Report

The Commission considered a report (Agenda Item 14) concerning the Scrutiny Annual Report.

Resolved that: The report was noted.

(The meeting commenced at 6.30 pm and closed at 7.50 pm)

CHAIRMAN

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Date of Signature