

Title of Report:	Actions from previous meetings
Report to be considered by:	Overview and Scrutiny Management Commission
Date of Meeting:	11 December 2012

Purpose of Report: To advise the Commission of the actions arising from previous meetings

Recommended Action: To note the report

Overview and Scrutiny Management Commission Chairman	
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Executive Report

1. Introduction

- 1.1 This report provides the Overview and Scrutiny Management Commission with an update on the actions arising from its previous meeting.

2. Resolutions

- 2.1 **Resolution:** Project Management guidance be amended to highlight more robust measures be taken when considering the risk of projects being delayed or failing.

Action / response: Kevin Griffin will amend the guidance at its next revision.

- 2.2 **Resolution:** The criteria for scrutiny acceptance, Criterion two, be amended to read 'There is evidence of poor performance within this Service Area, or weakness in the Council's performance or practices (i.e. through performance indicator data, experience of Members, internal or external auditor findings, etc)'.

Action / response: This action is complete.

- 2.3 **Resolution:** The potential criterion for rejecting scrutiny topics, criteria three, be amended to read 'Where the Chairman and Vice Chairman agree that there is restricted scope to influence or change the current practices (e.g. budgetary constraints, control over external agencies, etc)'.

Action / response: This action is complete.

- 2.4 **Resolution:** The work programme be updated to reflect the completion of the scrutiny review into Domestic Abuse.

Action / response: This action is complete.

- 2.5 **Resolution:** Ian Pearson be invited to a future meeting in early 2013 to discuss progress in school performance. In addition the Portfolio Holder and one or two Headteachers be invited to take part in the discussion.

Action / response: This item has been added to the work programme and a date is to be agreed for early 2013.

- 2.6 **Resolution:** The Head of Planning and Countryside to provide a break down of the number of upheld planning appeals decided by a Planning Committee and those not;

Action / response: Between 1 April 2012 and 30 September 2012 (Q1 + Q2):

- Applications determined = 1,317
- Delegated to Officers = 1,274 (96.7%)
- Determined at Committee = 43
- Number of Appeals = 37 (equivalent to 2.8% of applications determined)

- Number of appeals allowed = 13.5 (36%). The 0.5 refers to a split decision.
- Appeals against delegated officer decision = 33 of which 10.5 (32%) were allowed.
- Appeals against Committee decision = 4 of which 3 (75%) were allowed. The 3 allowed had office recommendation for approval.

The above is considered by Officers to be consistent with the normal operating workload and performance and raises no cause for concern.

- 2.7 **Resolution:** Jason Teal to circulate the written response to an Executive question posed by Councillor Rendel regarding the activity being undertaken to address amber indicators, to all members of the Commission;

Action / response: This action is complete. The response was circulated by email on 9 November 2012.

- 2.8 **Resolution:** Clarification to be provided of the supporting commentary for the activity 'To reduce the proportion of children becoming the subject of a child protection plan for a second or subsequent time', and in particular the phrase '..when it is clearly in their best interests.';

Action / response: Mark Evans has advised:

This is a complex performance indicator designed to identify cases where poor quality assessments lead to children being made subject to multiple child protection plans.

Typically a child protection plan is kept in place for 6-12 months and ends when parents have either made the changes required to address the professional concerns or other action is taken to protect the child/ren (e.g legal intervention). If a plan ends and it becomes necessary to implement a subsequent plan within 12-24 months it strongly suggests the decision to end the previous plan was premature and the assessment flawed.

However there are some circumstances where it is entirely appropriate to make a child subject more to than one CP plan. The performance indicator has no time limitation, so a child who was made subject to a plan as an unborn baby or young infant could entirely appropriately become subject to a 2nd plan much later in their childhood for an entirely new and unforeseeable reasons. For this reason 'good performance in relation to this indicator does not represent 0%, this is recognition that for some children it is appropriate to be subject to more than one CP plan.

- 2.9 **Resolution:** Jason Teal to clarify why the Performance Monitoring Task Group had not been reconvened following its initial meeting;

Action / response: A response to this question was included in the response to the Executive question circulated to the Commission on 9 November 2012.

- 2.10 **Resolution:** The Head of Planning and Countryside to inform the Commission of the number of empty home owners that had been identified;

Action / response: From the Council Tax records, the number of empty dwellings at 1st April 2012 classed as long term empties (i.e. empty for six months or more) was 371. This figure differs on a daily basis due to changes in occupation of properties.

- 2.11 **Resolution:** The Head of Planning and Countryside to inform the Commission of how many planning applications were rejected as invalid within a short time of the decision date;

Action / response: Between 1 April 2012 and 30 September 2012 (Q1 + Q2):

- Applications received = 1,481
- Applications initially accepted as valid and then found to be invalid within 7 days of the target determination date (8 weeks for Minors, Others and 13 weeks for Majors) = 9 (0.61%)

All the applications found to be invalid close to the target determination date were submitted by applicants or their agents and contained either inaccurate or incorrect data relating to land ownership. The applicant's errors were identified following consultation or as part of the preparation of legal agreements which are prepared at the end of the process.

- 2.12 **Resolution:** The Head of Planning and Countryside to inform the Commission of whether the NPPF could be used in appeal retrospectively and to provide a breakdown of appeal figures to illustrate this.

Action / response: The answer is yes. The National Planning Policy Framework (NPPF) came into force on 27 March 2012. Since then the NPPF has been a material consideration and every appeal determined has had to have regard to its provisions and requirements.

- 2.13 **Resolution:** The final report from the Domestic Abuse Task Group be approved for submission to the Executive subject to the following amendments:

- (1) Paragraph 49: Provision of data to support the statements made;
- (2) Recommendation 5 to read 'In the event that the desired outcome at recommendation (4) cannot be achieved, the Council would need to review the implications of this decision.';
- (3) Recommendation 24 to remove the requirement for training for all staff, but instead to require awareness raising for all staff, with training for those in identified posts;
- (4) The inclusion of the list of witnesses, and a list of the background papers referred to;

Action / response: This action is complete

- 2.14 **Resolution:** Elaine Walker to circulate the minutes from the task group meetings to members of the Commission;

Action / response: This action is complete.

2.15 **Resolution:** Elaine Walker to correct typographical errors identified in the final report.

Action / response: This action is complete

2.16 **Resolution:** South East Region of the National Housing Federation be invited to contribute to the review;

Action / response: This action is complete.

2.17 **Resolution:** Elaine Walker to circulate the mystery shopper report prior to the review into homelessness;

Action / response: This action was not completed as the review report was still being considered by officers.

2.18 **Resolution:** Invitation to the review into homelessness be extended to people who had experienced homelessness and had been through the process, either with the Council, or other agencies;

Action / response: This action is complete. Three service users were invited to take part in the review.

2.19 **Resolution:** Those invited to the review into homelessness be asked to provide a summary of how they saw their role.

Action / response: This action is complete.

Appendices

There are no appendices to this report.