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

OVERVIEW AND SCRUTINY MANAGEMENT COMMISSION

MINUTES OF THE MEETING HELD ON TUESDAY, 3 AUGUST 2010

Councillors Present: Brian Bedwell (Chairman), Jeff Brooks (Vice-Chairman), Geoff Findlay, Carol Jackson-Doerge (Substitute) (In place of Emma Webster), Irene Neill, David Rendel, Quentin Webb

Also Present: Councillor Barbara Alexander, Councillor Hilary Cole, Councillor Anthony Stansfeld, Councillor Tony Vickers, Councillor Keith Woodhams, Sean Anderson (Head of Customer Services), Malcolm Berry (Parent & Student Advice Centre Manager), Derek Carnegie (Team Leader - Development Control), Nick Carter (Chief Executive), Jason Teal (Performance, Research & Consultation Manager), Stephen Chard (Policy Officer), David Lowe (Scrutiny and Partnerships Manager)

Apologies for inability to attend the meeting: Councillor Emma Webster

PART I

47. Minutes

The Minutes of the meeting held on 29 June 2010 were approved as a true and correct record and signed by the Chairman.

48. Declarations of Interest

Councillor Tony Vickers declared an interest in Agenda Item 6, but reported that, as his interest was personal and not prejudicial, he determined to remain to take part in the debate.

Councillor David Rendel declared an interest in Agenda Items 6, 12 and 18, but reported that, as his interest was personal and not prejudicial, he determined to remain to take part in the debates and vote on the matters.

Councillor Carol Jackson-Doerge declared an interest in Agenda Items 12 and 18, but reported that, as her interest was personal and not prejudicial, she determined to remain to take part in the debates and vote on the matters.

49. Actions from previous Minutes

The Commission received an update on actions following the previous meeting (Agenda Item 4).

The proposal for the Commission to receive reports after they had been considered by Management Board but before they reached the Executive had not been approved by the Executive. However, a review into the Council's Performance Management framework was proposed and would be considered under Agenda Item 10.

All 16 Section 106 accounts which dated back to Berkshire County Council had been fully spent. It was agreed that a table would be provided to illustrate this together with some supporting text.

RESOLVED that Stephen Chard would obtain the information requested in relation to Section 106 accounts which dated back to Berkshire County Council and circulate this to the Commission.

50. Items Called-in following the Executive on 22 July 2010

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

51. Item Called-In following an Individual Decision: Home to School Transport Policy 2011/12

(Councillor David Rendel declared a personal interest in Agenda item 6 by virtue of the fact that he was a member of a local cycling group (Spokes). As his interest was personal and not prejudicial he was permitted to take part in the debate and vote on the matter).

(Councillor Tony Vickers declared a personal interest in Agenda item 6 by virtue of the fact that he was a member of a local cycling group (Spokes). As his interest was personal and not prejudicial he was permitted to take part in the debate).

The Commission considered the call-in of the Individual Decision relating to the Home to School Transport Policy 2011/12 (Agenda Item 6).

Councillor Barbara Alexander opened the item by making the following points:

- Local Authorities were required to determine a Home to School Transport Policy on an annual basis as part of parents' guides to admissions.
- The Children and Young People Policy Development Commission formed a task group to consider the Policy in detail in 2009 and their findings were endorsed by the Executive. The Policy for the 2010/11 academic year reflected the findings of this work. As the effect of these changes had yet to be felt, the decision was taken to not change the Policy for 2011/12 other than to apply an inflation factor of approximately 1.9% to the charges made for the fare paying scheme.

In addressing the reasons given for the call-in, Councillor Alexander advised that:

- A number of people were consulted as part of the production of the Policy. This initially included all Members and appropriate Officers. There was also a five day period prior to the Individual Decision being taken to allow for further responses. This opportunity was taken up a year ago by the Shadow Portfolio Holder and a change was made as a result. This had not occurred this year. Comments were welcome, but it was disappointing that they were not made until this late stage.
- In relation to cycling, it was not felt that this technical document was the appropriate place to promote cycling and an alternative mechanism needed to be used for doing so. This document was more concerned with legal requirements. The benefits of promoting cycling were acknowledged and much work was done through the Sustainable Modes of Transport Strategy (SMOTs) to do this.

Councillor Keith Woodhams, as one of the call-in Members, made the following points:

- The report stated there were no environmental implications to consider as a result of the Policy. This statement was not concurred with.
- There were many areas of positive work being undertaken to encourage sustainable transport, this included through school travel plans, materials provided to schools and incentives offered to pupils to encourage their participation. This was a key role undertaken by the School Travel Plan Advisor. The recent announcement that this post would be lost due to the cessation of Government funding was a huge concern, as the good work undertaken could not continue and this could have a major environmental impact with more children being transported to school by car. This decision did not support the Council's 'Greener' policies and the benefits to children could be lost. The view of the call-in Members was that

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alternative funding should be found so that the invaluable work of this post could continue and an offer was made to the Executive to discuss the evaluation of this post to assess whether it should continue and, if so, alternative means of funding it. It was further suggested that the Executive should be asked to consider a savings analysis between the longer term cost savings that could be achieved by this work in keeping more cars off the road, as opposed to the immediate savings found by deleting the post. This would help to illustrate whether there was the potential to retain the post.

Councillor Alexander gave her view that in an ideal world the post would be retained, however if there was agreement to identify alternative funding then a separate activity would have to cease or be reduced.

Councillor Tony Vickers, another of the call-in Members, added the following points:

- He felt there was a lack of joined up policy making across the Council in relation to transport. This had a particular impact in rural areas.
- He did raise his concerns at an earlier stage as part of Member training in relation to home to school transport, but this had not been addressed in the Policy.
- The need for robust mechanisms (the Policy) to perform statutory duties was acknowledged, but there was a need to encourage parents and their children to use healthier, safer and sustainable modes of transport to school. This was felt to be important by all the call-in Members, particularly in the urban wards they represented. There was too much concentration in the policy on bus travel.
- It was felt that significant efforts were already being made to encourage walking to school within a reasonable distance. An area which needed more work was to encourage pupils who lived closer than the distance at which public transport could be provided but at too far a distance to walk. It was most likely that cars would be used in these instances. Increased numbers cycling would provide a number of benefits including environmental, health and to the road network. The current percentage of Newbury/Thatcham pupils cycling of 6% and across the District of 4% showed that there was willingness to cycle, which could be increased with additional cycle routes and appropriate training.
- A reasonable uptake in cycling would help meet the costs of investing in cycle schemes, when considering potential savings to, for example, highway schemes by reduced car usage.
- The introductory text of the Policy stated that future documents would have cognisance of the overall aims and objectives of the Local Transport Plan and it was questioned why this was not already the case.
- Parents could only be encouraged to send their children to school by bike and it was queried whether a voluntary scheme could be established for the 2011/12 academic year, whereby parents received a small financial allowance as an incentive. There was already free Bikeability training for year 6 pupils and increased cycle parking within schools to support this. Such a scheme would reduce the costs of administering the policy and would reduce the cost to the tax payer for public transport to schools. It was therefore requested that the Policy be redrafted to allow for this provision.

A view was given that the reasons provided for the call-in were adequately covered within the Policy and the addition suggested should form part of the work on the next version of the document. The cost benefits of this should also be considered as part of this. A

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proposal was then made by Councillor Quentin Webb to accept the Individual Decision to approve the document. The proposal was not seconded.

Councillor David Rendel then made a proposal that the Policy should be referred back to the Portfolio Holder for further consideration on including incentives to encourage more cycling to schools, such as that described earlier in the meeting. This was seconded by Councillor Jeff Brooks.

Councillor Alexander advised that she would be willing to consider the proposal. However, she voiced concern that if this proposal was accepted it would cause an unacceptable delay to the publishing of the Policy, as it needed to be available for parents in the coming academic year.

As a result the proposal was adapted to accept the Policy for 2011/12 to avoid a delay, with a request that incentives to encourage more cycling to schools be considered for inclusion as part of the consultation for the 2012/13 Policy.

This proposal was then put to the vote and was accepted by the Commission.

RESOLVED that the Individual Decision to approve the Policy for 2011/12 be accepted by the Commission in order to avoid a delay, with a request that incentives to encourage more cycling to schools be considered for inclusion as part of the consultation for the 2012/13 Policy.

52. Councillor Call for Action

No new Councillor Call for Action (CCfA) items were raised for discussion.

53. Upheld Planning Appeals

The Commission considered a report (Agenda Item 8) providing the information previously requested on the upheld planning appeals performance indicator.

Derek Carnegie referred Members to the additional information contained in the report on split planning appeal decisions. No national guidance was set on how this should be reported, so a decision was made locally to report any split decision as an allowed appeal in favour of the developer. This did not take into account any partial success for the Council within the appeal decision. However, there were very few instances of this and the nationally accepted performance level of 35% had been achieved. Derek Carnegie offered to provide the Government guidance on the performance level.

Eight allowed planning appeals were as a result of Members deciding against an Officer recommendation. This would have improved performance to 29%. Although it was also pointed out that there were two cases where the Inspector agreed that Members were right in overturning Officers recommendation.

RESOLVED that Derek Carnegie would provide the Commission with the Government guidance on the performance level of 35%.

54. Customer Service Performance

(Councillor Carol Jackson-Doerge joined the meeting at 6.40pm).

The Commission considered a report (Agenda Item 9) providing the information previously requested on performance within Customer Services.

Sean Anderson circulated a slightly amended report which provided information on the average call duration and made the following points:

- The length of time a caller waited for a response and the average call duration was noted as being highest for the Council Tax/Business Rates Service and for

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the Housing/Council Tax Benefits Service. This was because of the nature of calls received to these services. The length of wait was recorded from the first ring.

- Performance since the previous report to the Commission had improved and much of this was owing to the newly installed telephony software. This enabled incoming calls to be shared between a higher number of appropriately trained staff.
- An automatic call back system had also been installed and was offered to callers who were lower than fifth place in a call queue. Callers were guaranteed a call back before the end of the day. There was however little uptake of this service as people were willing to wait as they were seeking assurance.
- Calls to the switchboard were not included in the performance reported. Although 92% of the calls received by the switchboard were answered within 15 seconds.
- Customers had the opportunity to provide feedback via the website and post face to face interviews. A telephone survey was also being formed.
- The number/percentage of abandoned calls was recorded and the target of no more than 4% of calls being abandoned had been achieved over recent years. There had however been a recent issue with reporting this performance following a system update and this was being resolved with the provider. The length of time a caller was waiting before they abandoned the call could not currently be recorded on the system.

Some Members were of the view that the statistics were incomplete without this data and it was requested that the potential to incorporate this information be explored with the software provider.

It was pointed out that no complaints had been received in this regard either by the service or corporately. Sean Anderson went on to say that a high quality service was provided by well trained staff who had to deal with sometimes difficult callers. An average of nearly 48,000 calls were answered in a matter of seconds.

Sean Anderson agreed to explore with the software provider, Siemens, the potential for recording the length of time callers waited before they abandoned calls. He did however point out that the most up to date software was already in use.

The service provided was complimented by Members and particular mention was made that performance levels were maintained during the period of severe winter weather when an increased number of calls was received. Sean Anderson agreed to pass on this praise to staff.

RESOLVED that Sean Anderson would explore the potential for recording the length of time callers waited before they abandoned calls.

55. **Review into the Council's Performance Management framework**

The Commission considered a report (Agenda Item 10) proposing Terms of Reference and scope for a review into the Council's Performance Management framework.

Jason Teal explained that this proposal was brought to the Commission to look broadly at how the Council defined, managed and monitored strategic performance which would be fed into the strategic planning round for 2011/12.

This was considered to be timely due to the changes being made to the national performance framework, including the abolition of the Comprehensive Area Assessment (CAA). There was no firm guidance on how performance would be assessed in future. Although there had been some indication that consideration needed to be given on how

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to report performance to local communities, in support of the government's localism and transparency agendas.

There was support among Members to conduct this work and it was felt that the opportunity should be taken to reduce the number of measures where appropriate.

A request was made that reference to being in a time of austerity be removed from the terms of reference, as services still needed to be provided regardless of this.

Greater clarity was then sought on the areas to be specifically covered within the review and these were confirmed as:

- (1) What should be measured, including the number of indicators, and the most appropriate mechanism for monitoring performance.
- (2) The Commission's role in monitoring progress.
- (3) How to present performance reports so they made sense to people in the community.

A request was made that the timeliness of reporting needed to be included as part of the review, so that recommendations could be made by the Commission to the Executive to help improve performance. There was however agreement that the subject needed to be scrutinised more broadly before timeliness of reporting could be considered further.

RESOLVED that subject to minor amendments the Terms of Reference for the task group review would be approved. This would be formed by two Conservative Members and one Liberal Democrat Member. Councillor Quentin Webb volunteered to participate and two further Members would be sought. Membership of the task group was not limited to Members of the Commission.

56. Greener Select Committee

The Commission considered a report (Agenda Item 11) on the work of the Greener Select Committee.

RESOLVED that the report be noted.

57. Healthier Select Committee

(Councillor David Rendel declared a personal interest in Agenda item 12 by virtue of the fact that his wife was a GP in West Berkshire. As his interest was personal and not prejudicial he was permitted to take part in the debate and vote on the matter).

(Councillor Carol Jackson-Doerge declared a personal interest in Agenda item 12 by virtue of the fact that she worked for NHS Berkshire West. As her interest was personal and not prejudicial she was permitted to take part in the debate and vote on the matter).

The Commission considered a report (Agenda Item 12) on the work of the Healthier Select Committee.

Councillor Geoff Findlay referred to work undertaken with other South Central Health Scrutiny Committees. This covered trauma management and children's cardiac and neurological services. A report was recently provided to this group by the Strategic Health Authority (SHA) on changes to the way in which services were commissioned, as set down by Government.

The financial pressures felt in Berkshire West were replicated across the south central area. While funding had not been cut, there were increasing pressures on services causing a huge financial burden. This was particularly due to the growing elderly population.

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A special meeting of the Select Committee was to be arranged with, among others, NHS Berkshire West as a result of the potential change to GP service provision at Underwood Road in Calcot. There were plans to redevelop the GP surgery, but NHS Berkshire West had indicated that they were not planning to continue to offer services from that site. This had led to a public consultation and the Select Committee meeting was to be called as part of that process.

Reference was then made to the recently published White Paper 'Equity and Excellence: Liberating the NHS' which was out for consultation. It was queried whether the potentially enormous implications this would bring was to be discussed by the Select Committee, the Portfolio Holder etc with GPs. This included local authorities taking on the responsibility for public health and it was further queried whether consideration would be given to commissioning services more widely than West Berkshire and Berkshire West.

Councillor Findlay reported that the advice of the SHA pointed to the possible creation of larger GP surgeries to replace PCTs. However, no decisions had been taken and meetings with GPs had not been arranged by the Select Committee as this was still at a very early stage.

Nick Carter advised that Officer discussions had commenced in this regard at the Berkshire West Health and Wellbeing Partnership Board. Local authorities were taking a lead on this work that also included PCTs and other key parties including GPs and the Director of Health. It was likely that commissioning of services would extend beyond West Berkshire.

This work was at an early stage and PCTs were to remain for a further 2.5 years, but consideration was being given to having a GP Consortium for each Local Authority. These were already in existence in some areas.

It was intended that reports on this matter would be brought to the Executive at a later stage and Nick Carter agreed to establish how the Select Committee could become involved.

RESOLVED that the update would be noted and Nick Carter would establish how the Select Committee could become involved in the changes that could materialise as a result of the Government White Paper.

58. **Resource Management Select Committee**

The Commission considered a report (Agenda Item 13) on the work of the Resource Management Select Committee.

Councillor Jeff Brooks advised that work commenced at the last meeting on both the Procurement processes in place across the Council and on the impact Timelord was having across Service Areas. These would be continued at the next meeting.

Feedback was awaited on the potential for the Select Committee to receive quarterly budget reports after Management Board but in advance of the Executive to enable recommendations and comments to be fed through.

RESOLVED that the update would be noted.

59. **Safer Select Committee**

The Commission considered a report (Agenda Item 14) on the work of the Safer Select Committee.

Councillor Quentin Webb advised that the Select Committee continued its review into the installation of fire sprinklers into new and refurbished Council buildings including schools.

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Visits were being arranged to sites including St Bartholomew's School and the Kennet Centre to help inform the review. It was the intention to conclude this review at the next meeting and recommendations relating to the need for a specific policy and its suggested content would be considered.

A draft scoping document was presented for the Commission's approval in relation to a review into crime statistics. This would seek to assess whether the activity undertaken as a result of the crime statistics had brought about a reduction in crime.

RESOLVED that the report would be noted and the scoping document for the review into crime statistics would be approved.

60. **Stronger Communities Select Committee**

The Commission considered a report (Agenda Item 15) on the work of the Stronger Communities Select Committee.

Councillor Irene Neill advised that a briefing was received at the last meeting on the positive work being done as part of the Greater Greenham Project.

The audit report into the Housing Register was considered. This covered the systems and procedures in place, but the Select Committee was of the view that further work needed to be conducted to assess the actual work being undertaken within the service. A working group had therefore been formed and this was due to meet in September. It was hoped that a report could then be provided to the next full meeting of the Select Committee in October.

Further agenda items for the October meeting were to review the work of the playbuilder programme, which was under threat due to budget cuts, and to receive a report from the supporting small schools Officer group to assess whether further work was required by the Select Committee.

RESOLVED that the report would be noted.

61. **West Berkshire Forward Plan - August - November 2010**

The Commission considered the West Berkshire Forward Plan (Agenda Item 16) for the period covering August to November 2010.

RESOLVED that the Forward Plan would be noted.

62. **Overview and Scrutiny Management Commission and Select Committee Work Programme**

The Commission considered the work programme of the Commission and Select Committees for 2010/11 (Agenda Item 17).

Councillor Brian Bedwell informed the Commission that the CCfA item relating to the Underwood Road shopping centre in Calcot could be removed from the work programme as good progress was being made. He was shortly due to attend a public display of the plans, this was part of the consultation being undertaken by the developer.

Councillor Bedwell thanked Members of the Commission for their support in helping to resolve this matter.

RESOLVED that the work programme would be noted.

63. **Response to the scrutiny review into Health Partnership Working**

(Councillor David Rendel declared a personal interest in Agenda item 18 by virtue of the fact that his wife was a GP in West Berkshire. As his interest was personal and not prejudicial he was permitted to take part in the debate and vote on the matter).

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(Councillor Carol Jackson-Doerge declared a personal interest in Agenda item 18 by virtue of the fact that she worked for NHS Berkshire West. As her interest was personal and not prejudicial she was permitted to take part in the debate and vote on the matter).

The Commission considered an information report (Agenda Item 18) advising of the response to the Commission's recommendations by the Executive and NHS Berkshire West following the scrutiny review into health partnership working.

Members were pleased to see that the recommendations were fully accepted by the Executive and partially so by NHS Berkshire West.

RESOLVED that the information would be noted.

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

CHAIRMAN

Date of Signature