

## **OVERVIEW AND PERFORMANCE SCRUTINY FORUM**

**Tuesday, 12th January, 2016**

Present:-

Councillor P Gilby (Chair)

|             |            |             |          |
|-------------|------------|-------------|----------|
| Councillors | J Barr     | Councillors | Ludlow++ |
|             | Borrell    |             | Miles    |
|             | Catt       |             | Perkins  |
|             | V Diouf    |             | Sarvent  |
|             | Derbyshire |             | Simmons  |
|             |            |             | Slack    |

Anita Cunningham, Policy and Scrutiny Officer  
 Barry Dawson Chief Finance Officer+++  
 Martin Elliott, Committee and Scrutiny Co-ordinator  
 John Fern, Communications and Marketing Manager++++  
 Rachel Lenthall, Committee and Scrutiny Co-ordinator  
 Esther Thelwell, Senior Environmental Health Officer++

+ Attended for Minutes Nos. 46 and 47

++ Attended for Minute No. 48

+++ Attended for Minute No. 46

++++ Attended for Minute No. 47

### **44 DECLARATIONS OF MEMBERS' AND OFFICERS' INTERESTS RELATING TO ITEMS ON THE AGENDA**

No declarations were received.

### **45 APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Dyke and Callan.

### **46 LEADER AND CABINET MEMBER FOR REGENERATION - BUDGET PREPARATION PROGRESS REPORT (VERBAL)**

The Leader and Cabinet Member for Regeneration and the Chief Finance Officer attended to provide members with a progress report on the Council's latest budget situation.

The Chief Finance Officer reported that the current position was behind where the Council would normally be in the budget setting process. The provisional local government finance settlement was announced in December 2015 which included the grant settlement for the Council for 2016/17 of £4.9m, £265k better than predicted. However, the Chief Finance Officer advised that there would be a funding cut of 36% between 2015/16 and 2020/21 and outlined proposals to achieve the savings needed. There would be no tax freeze on Council Tax for 2016/17 however it was noted that Local Authorities in the lowest quartile could increase Council Tax by £5 a year; Chesterfield is currently one place outside of the lower quartile group so does not qualify this time, but could qualify in future years if government offered it again. In addition, the New Homes Bonus was not set to change in 2016/17 and should bring in £902K. However there was uncertainty over the future income from the New Homes Bonus as it was planned to reduce the period of entitlement from 6 years to 4 years which would result in the loss of £300k; it was not clear how quickly it would be brought in but a staged introduction was preferable.

The Chief Finance Officer reported that there would be a relaxation of the conditions on Capital receipts that allowed them to be used on revenue expenditure to make revenue savings, for example they could be used to fund the Great Place: Great Service programme.

Members asked if using money from Capital reserves was dangerous particularly if it forced the Council to sell off assets. The Chief Finance Officer responded that part of the incentive was to sell off assets and use the money to fund programmes that made revenue savings. The Leader added that the Council needed to be responsible and identify the assets least useful to the Council and sell those first.

The Chief Finance Officer confirmed that there would be 100% Business Rates retention for authorities by 2020, but again there would be conditions attached, and that as the Treasury wanted the change to be fiscally neutral it was not yet clear how this change would affect local authority finances. The Chief Finance Officer also provided information to members on the latest situation regarding Business Rates appeals and the consequent uncertainty that this created with regard to budget setting and planning.

Members asked if the retention of business rates was good news for the Council. The Chief Finance Officer advised that the retention of business rates would work well for the Council, however backdated appeals created a significant risk. The deferral of updating the Rating List by two years meant that an appeal could impact over 7 years rather than the usual 5 years of a register.

The Chief Finance Officer advised that £150k savings still needed to be made by the end of this financial year. Around £300k savings had been made by service managers over the last few weeks and there was hope that more savings could be made and the deficit should be covered by the end of the year. However, the Chief Finance Officer advised that the next year, 2016/17, could be worse and was worried about what the deficit in future years could be, particularly if backdated payments for business rate reliefs and landfill sites were made. For 2016/17 a deficit of £1.5-£2m was predicted but a political cabinet and workshop day is to take place to produce more precise figures and generate savings proposals.

Members asked questions about how the Council's budget would be affected by having a unitary authority. The Leader responded that though there would be a financial advantage there would also be disadvantages. He suggested that there was a risk that a unitary authority could be created without the Council's consent and advised members that it would be beneficial for the Council to look to create a unitary authority rather than have it imposed, if that were to happen. At the current time the Leader had no desire to form a unitary authority.

Members thanked the Leader and Chief Finance Officer for presenting the progress report and answering their questions.

## **RESOLVED –**

That the progress report on the Budget for 2015/16 be noted.

## **47 LEADER AND CABINET MEMBER FOR REGENERATION - INTERNAL AND EXTERNAL COMMUNICATIONS PROGRESS REPORT**

The Leader and Cabinet Member for Regeneration and the Communications and Marketing Manager presented a progress report on delivering the external and internal communications strategies.

The progress report on the external communications strategy included results from the bi-annual survey of residents which measured progress towards reaching the targets set in the strategy by 2017. Two targets had been met ahead of schedule and a further three had shown progress in line with expectations. However, three results were slightly down on the 2013 residents' survey results and there was no indication from comments received of particular problems or areas of concern. Work had started on the 2016/17 team and service plans and the opportunity would be taken to see what actions could be taken to improve the scores.

Members asked why the 2017 target for the percentage of neutral or positive media stories about the council remained lower than the December 2015 results. The Communications and Marketing Manager advised that the target was set as part of the strategy. The aim would be to maintain the current figure but the nature of council business and the potential for negative stories meant that it would be a challenge to set the target any higher. It was also noted that the impact of cuts had started to appear through the residents' survey. Members also raised concerns about the lack of comments from residents, particularly on the results that had decreased. The Communications and Marketing Manager advised that the data needed to be looked at as a whole and the lack of comments suggested that there were no major problems.

The Communications and Marketing Manager gave members a tour of the new Council website which would be launched in March 2016 and would be fully accessible for smart phones and tablets. It was also noted that videos are published regularly on social media with some videos receiving around 3500 views. Members enquired about how the local press contributed to the sharing of the Council's videos by social media. The Communications and Marketing Manager advised that the local press (e.g. Derbyshire Times) and Destination Chesterfield have shared some of the Council's videos on their social media accounts and these were the ones that got the higher number of views.

The Communications and Marketing Manager informed that the progress on measures in the internal communications strategy would include the results of the employee survey and would be provided at the forum's meeting in June 2016. The Communications and Marketing Manager provided members with a tour of the new Intranet page scheduled to go live in February 2016. Users would have access to the Intranet through personal devices and the content would be based on user needs and include an updated, user friendly phone directory. It was noted that due to

the content of the Intranet, users would need a username and password to log on. However, it was noted that the new Intranet would be a key factor in improving internal communications and allow for file sharing between teams to improve cross-team working.

The Communications and Marketing Manager advised members that the Council's two Executive Directors had carried out Back to the Floor style visits to different teams within the Council to consult with staff in order to improve two way communications between staff and managers. In addition, the visits allowed senior managers to experience the reality of working in different roles and they received feedback from staff on what had worked well and what could be improved.

The Leader and Cabinet Member for Regeneration noted that the launch of the new Intranet and Internet sites would bring the Council into the professional arena. The Leader explained that the Council needed to keep up with the moving internet market and learn to use the internet presence in a professional way. The Leader noted the benefits of having a professional part of the organisation for communications which included the ability to inform the public directly rather than relying on other publications.

Members thanked the Leader and the Communications and Marketing Manager for providing the progress report and answering their questions.

## **RESOLVED**

1. That the progress report be noted.
2. That a progress report on the implementation of the internal and external strategies be requested for the June 2016 meeting of the Overview and Performance Scrutiny Forum.

## **48 CABINET MEMBER FOR HEALTH AND WELLBEING - PUBLIC SPACE PROTECTION ORDERS PROGRESS REPORT**

The Cabinet Member for Health and Wellbeing and the Senior Environmental Health Officer presented a progress report on the review of Dog Control Orders and provided information on Public Space Protection Order (PSPO's).

The Senior Environmental Health Officer informed members that PSPO's were a new power under the Anti-Social Behaviour, Crime and Policing Act 2014 (The Act). PSPO's are intended to deal with a particular nuisance or problem in a particular geographical area by imposing conditions on the use of that area which apply to everyone. The PSPO differs from a Dog Control Order as they could be made on any public space and have restrictions and requirements that could be targeted against particular behaviours by particular groups at specific times with more than one restriction being included within the PSPO. The PSPO would deal with a wider range of behaviours than the orders and by-laws it would replace. In addition, the breach of a PSPO is a criminal offence and enforcement officers could issue Fixed Penalty Notices. PSPO's could be in place for a maximum of three years, though they could be renewed, and are designed to be flexible and responsive to need.

Members raised concerns about the lack of wording on the current signage. The Senior Environmental Health Officer advised that new posters had been designed, in conjunction with the Communications and Marketing Manager and the Scrutiny Project Group on Dog Fouling, and were ready for printing. The new signage would be re-usable and removable and would also be available on the Council's website for the public to download and use. Members also asked if the current signs were checked regularly and how frequently patrols took place as members had concerns that re-occurring issues were being missed. The Senior Environmental Health Officer advised that when the signs were initially put up the locations were not recorded however a member of the enforcement team has begun looking for out of date signs. She added that there are 3 officers that patrol during the daytime and if a member of the public noticed an issue they could contact the enforcement team with the details.

Members commented that they had received positive feedback from park users following the introduction of the Dog Control Order on Eastwood Park, Hasland. Members asked if the Council had provided feedback to the lady who submitted the petition for Eastwood Park. The Committee and Scrutiny Co-ordinator advised that as part of the petition process a formal response would have been sent to the lady on receipt of the petition. It was also noted that Environmental Services had communicated with the lady on other occasions but it was not clear of her views on the outcome.

The Senior Environmental Health Officer noted that, provided there would be no changes to the list of existing Dog Control Orders, they would automatically transfer to PSPOs within three years. Any amendments to the existing list of Dog Control Orders would require consultation with the Police, other agencies, partners and local communities. The Senior Environmental Health Officer also noted that the legal implications would mean that should any changes be made to the existing list of Dog Control Order's, the implementation of the PSPO could be challenged by any interested person within 6 weeks of the making of the Order. It was also advised that financial costs would be incurred due to providing signage for PSPO control zones. The Senior Environmental Health Officer suggested that as enforcement officers would be allowed to issue Fixed Penalty Notices for breaches of PSPOs, a review should be considered across the whole Council to source which staff have enforcement powers. She also noted that some staff may need refresher training.

The Senior Environmental Health Officer advised members that though the new Orders would be more flexible and wide ranging, the Council would need to be satisfied on reasonable grounds that the need for a PSPO is evidence based and fulfils the legalities.

Members raised concerns about dogs on Country Parks, particularly where dogs are allowed onto football pitches and playgrounds used by children. The Senior Environmental Health Officer advised Members that dog walkers can be looked at under Dog Control Orders. The Cabinet Member for Health and Wellbeing commented that dogs' fouling on football pitches was a countrywide issue and to tackle the problem members of the public needed to contact the Council to report issues. The Cabinet Member for Health and Wellbeing added that Neighbourhood Rangers could be enforcement officers however they can be reluctant to issue fines as they try to build a relationship with the community; however the Cabinet Member noted that there was a greater need for a consistent approach.

Members thanked the Cabinet Member and the Senior Environmental Health Officer for attending and answering their questions.

## **RESOLVED –**

1. That the progress report be noted.

2. That Holmebrook Valley Park be put forward for consideration for a PSPO.
3. That the Overview and Performance Scrutiny Forum recommends the future variation, renewal or introduction of PSPO's be considered as part of the Constitution review, and that delegation to the lowest appropriate decision making level be supported.
4. That the Policy and Scrutiny Officer notes, for the scrutiny work programme planning session, consideration of the need for a holistic review of PSPO's to help facilitate people working together better.
5. That a training session on PSPOs be included on the Member development programme.
6. That the Cabinet Member and Senior Environmental Health Officer note concerns raised about signs and notices at Langer Field.

#### 49 **FORWARD PLAN**

The Committee and Scrutiny Co-ordinator, Martin Elliott, proposed the use of a link to the forward plan rather than including the whole document in the agenda pack, this would allow members to view the most recent version of the plan.

The forward plan was considered by the committee.

#### **RESOLVED -**

1. That the proposed link to the forward plan be accepted and used on subsequent agendas.
2. That the Forward Plan be noted.

#### 50 **SCRUTINY MONITORING**

Consideration was given to the Implementation Monitoring Form for Scrutiny Committee Recommendations.

#### **RESOLVED -**



That the Monitoring Report be accepted.

51 **SCRUTINY PROJECT GROUP PROGRESS UPDATES**

The project group's report on concessions on fees and charges was considered by Cabinet today (12 January, 2016). Cllr J Barr reported back that there had been a good response to the report from Cabinet and a lengthy discussion. Members noted that the work done by the project group had uncovered more areas that needed to be developed and there was a need to re-visit issues that some members had conflicted on. It was proposed to create a working group with representatives from the scrutiny project group to continue the work particularly with a focus on the development of a consistent approach across departments and to look ahead to where the council needed to be going.

The Chair thanked the project group for the work they had done and commented that it provided a benchmark for how scrutiny reports are written.

**RESOLVED -**

1. That the update be noted.
2. That a working group be created to continue looking at concession on fees and charges and to include representatives of the scrutiny project group in the working group.

52 **WORK PROGRAMME FOR THE OVERVIEW AND PERFORMANCE SCRUTINY FORUM**

The Work Programme for the Overview and Performance Scrutiny Forum was considered. The Chair noted that the programme had reduced in content in anticipation of the work programming scheduled for February 2016.

**RESOLVED -**

To approve the Work Programme.

53 **OVERVIEW AND SCRUTINY DEVELOPMENTS**

The scrutiny training session for Members scheduled to take place 07 January, 2016 was cancelled. The Policy and Scrutiny Officer would re-arrange the session and inform Members of the new date.

The Policy and Scrutiny Officer informed the committee that arrangements had begun for the Work Programming 'Away Day' on 16 February, 2016.

**RESOLVED -**

That the updates be noted.

**54 JOINT OVERVIEW AND SCRUTINY**

The minutes of the Joint Scrutiny Panel meeting on 26 October, 2015 were presented to the committee.

**RESOLVED -**

That the Minutes be noted.

**55 MINUTES**

The Minutes of the meeting of the Overview and Performance Scrutiny Forum held on 10 November, 2015 were presented.

**RESOLVED -**

That the Minutes be approved as a correct record and signed by the Chair.