

OVERVIEW AND PERFORMANCE SCRUTINY FORUM MEETING

Thursday, 28th November, 2013

Present:-

Councillor Innes (Chair)

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| Councillors | Lang | Lang |
| | Bagley | Low |
| | Borrell | Tom Murphy |
| | Flood | Slack |
| | Gibson | Paul Stone |
| | Hawksworth | |

Councillor Sharon Blank, Executive Member for Customers and Communities +
 Mark Evans, Head of Business Transformation++
 Fran Rodway, Customer Centric Services Manager+++
 Darran West, Head of Environmental Services++++
 Anita Cunningham, Scrutiny Officer
 Mary Stead, Democratic Services Officer

+ Attended for Minute No. 42

++ Attended for Minute No. 41

+++ Attended for Minute No. 39

++++ Attended for Minute No. 40

37 DECLARATIONS OF MEMBERS' AND OFFICERS INTERESTS RELATING TO ITEMS ON THE AGENDA

No declarations were received.

38 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bradford, Callan and Diouf.

39 LEADER AND EXECUTIVE MEMBER FOR REGENERATION - PROGRESS REPORT ON THE LOCAL COUNCIL TAX SUPPORT SCHEME

Fran Rodway, Customer Centric Services Manager, provided a summary of the Local Council Tax Support Scheme, and the impact of Welfare Reform on the collection rates.

The net collectable debit had increased from £39,281,000 to £40,751,000. The number of customers on 100% benefit had reduced from 7,635 in 2012 to 3,077 in 2013. 8,354 charge payers were receiving Council Tax Support in the current financial year and still had something to pay. 1,152 had yet to pay anything. 15% of cases had negotiated a payment arrangement with the Borough Council.

The overall Council Tax collection rate was 66.6% which was only 0.5% less than in October 2012. The collection rate from those who had previously received 100% Council Tax Benefit was 42.5%. Slightly more money had been collected because there was a larger amount to collect, as a result of reduced Council Tax Benefit, and the total collected by the end of October 2013 was £27,157,689, an increase of £789,468 on the previous year.

Unpaid Council Tax was being reclaimed through earnings attachments and benefit attachments. Referrals to the bailiff had increased although no-one with Council Tax to pay for the first time had yet been referred to the bailiff. Referral to a bailiff was only done when all other options had failed, and could be a worthwhile way of engaging with an individual or their care-worker.

At Cabinet Minute No. 0095 (6) it had been resolved that the Local Council Tax Support Scheme should be uprated in line with changes that the Government would make with regard to pensioners and the Housing Benefit scheme.

Subject to the results of consultation with preceptors, Cabinet would be asked to consider reducing the 'taper' from 25% to 20% in order to assist working age claimants, with the cost of offering more discount shared amongst the major preceptors. The 'taper' reduces eligibility for support as income increases, and mainly affects people on low or irregular incomes. The Borough Council was the only council in Derbyshire to implement a 'taper'.

Members of Council had been offered training on this issue, and there were training materials available on the 'P' drive in a shared folder.

There was discussion of the definition of 'empty' when applied to properties classified as empty for the purposes of Council Tax payment. The exemption for 'unoccupied' properties was for the first six months, but this period could be reduced to 3 months in future. There had been increased interaction with property owners, including visits to ascertain the situation.

The Customer Centric Services Manager was thanked for providing the progress report.

RESOLVED –

That the update on the Local Council Tax Support Scheme be noted.

40 EXECUTIVE MEMBER FOR ENVIRONMENT - PROGRESS REPORT ON BLUE BINS REFUSE CONTRACT

The Head of Environment Services provided a verbal update on progress made since the change in the recycling collection process. Glass could now be put into the insert at the top of the blue bins, and paper, card, plastic and cans could be put into the main part of the bin.

There had been few complaints about the change in procedure.

Nineteen complaints had been received in 2012, and there had been 21 complaints in 2013. Most of these complaints were about broken glass.

Contrary to expectations, the amount of recyclable materials collected had only increase by seven tonnes. This reflected decreasing national recycling rates, possible as a result of the economic situation, as well as efforts by manufacturers to reduce unnecessary packaging, and customers communicating electronically, rather than by using or buying paper products.

Although at first there had been complaints about the light lids to the bins, despite compliance with European standards, complaints had been reduced by offering more advice on what to put into the bins. The company responsible had put stickers on the bins, at its own expense, to provide information for customers.

Veolia responded to complaints about broken glass and other waste around bins by cleaning up after the bins had been emptied.

Veolia collected 45,000 bins on alternate weeks, so the complaints were a very small percentage of the bins emptied.

There had been an increase in requests for bags to enable residents to put additional materials for recycling next to their blue bin for collection. The Head of Environment Services would check whether there was financial assistance from Derbyshire County Council towards the cost of supplying the bags.

Veolia was taking the waste to Gill Moss near Liverpool.

Collection rounds had been changed.. It was intended that new software would enable the sweeper rounds to be co-ordinated with the bin collection dates.

The Head of Environment Services was thanked for his update.

RESOLVED –

That the report be noted.

41 DEPUTY LEADER AND EXECUTIVE MEMBER FOR PLANNING - REPORT ON 'GREAT PLACE, GREAT SERVICE'

The Head of Business Transformation submitted a report on the 'Great Place, Great Service' programme.

The intention of the programme was to use 'Invest to Save' funding to make better use of Council assets, including the Town Hall, and to focus on improved ways of working.

As far as possible, costs should be reduced and services maintained and improved, in order to bring in more revenue. Under-used assets would be sold or rented, or used more effectively by the Borough Council.

The programme would be overseen by an Executive Board, including Members of Council, officers and trade union representatives. Working groups would be established, to do the work needed to implement the programme

It was suggested that residents would benefit from better access to customer services. It was hoped that costs would be reduced by reducing staffing, by natural wastage if possible, without reducing the level of service provided.

Proposals were made for changes in the way staff used Council buildings, with more emphasis on working from home, changes in flexible working, and performance being assessed increasingly by outcomes rather than by hours worked. Greater use of ICT would result in increased output and reduced costs.

Concern was expressed about the risk of reducing services, the impact of this on the Councillors' representative role, and losing staff as a result of the 'Great Place, Great Service' transformation programme.

It was agreed that members of the Scrutiny Forum would draw up a list of questions for the Business Transformation Manager, to be answered before the next meeting of the Forum, and that regular reports would be requested at subsequent meetings.

There was concern regarding the potential for inaccurate public perception. The Scrutiny Forum was concerned that the changes should be well-publicised and fully explained, so that public perception would be of an improved service as a result of well-timed and targeted investment.

RESOLVED –

- (1) That it be recommended to Cabinet that communication of the reasons for introducing the 'Great Place, Great Service' programme be prioritised, so that the strategy could be clearly understood by the public.
- (2) That the 'Great Place, Great Service' programme become a Standing Item on the agenda for the Overview and Performance Scrutiny Forum.
- (3) That the Deputy Leader and Executive Member for Planning be invited to the next meeting of the Overview and Performance Scrutiny Forum.

42 EXECUTIVE MEMBER FOR CUSTOMERS AND COMMUNITIES - PROGRESS REPORT ON ANTI-SOCIAL BEHAVIOUR POLICY

Councillor Blank, Executive Member for Customers and Communities, provided an overview of the Borough Council's Anti-Social Behaviour Policy.

There had been recent changes in police tasking procedures, the use of E-CINS (Empowering Communities Inclusion and Neighbourhood Management system), in the operation of Housing's Review Board, and in procedures used in Community Safety, the Legal Service and Environment Services.

Benchmarking work was being done with other local authorities, to find out more about their policies.

Community Safety was the joint responsibility of the Community Safety Partnership, which included the Police, Derbyshire County Council and the Borough Council.

There were five policy options under consideration:

- to do nothing
- to utilise the frozen post to appoint staff specialising in anti-social behaviour issues
- to take on 3 full-time anti-social behaviour officers
- to change the role of the Community Safety Officer and Anti-Social Behaviour Co-ordinator
- to explore the wardening option.

The Steering Board favoured the second option, but no recommendation had yet been made, to allow time to explore all the options fully.

If the report were not to go to Cabinet at the end of December 2013, it might be possible for it to be considered by the Overview and Performance Scrutiny Forum at its meeting on 30th January, 2013.

It was provisionally agreed that a Special Meeting be held on 12th December, 2013, to consider this matter by discussing the draft Cabinet report.

The Community Safety Officer would be invited to attend.

Other information to be considered included the headline results from the 'Are you being served?' community consultation survey

If possible, more information would be required on the use of E-CINS by Housing staff, and the training given to staff in using this database, which was designed to provide more support for vulnerable people by encouraging information-sharing between agencies dealing with them.

RESOLVED –

- (1) That a Special Meeting on Anti-Social Behaviour be held on Thursday 12th December, 2013.
- (2) That the Executive Member for Customers and Communities be requested to ensure that Social Housing landlords are signed up to using E-CINS and that the Council's Housing Service are also using the system.

43 **FORWARD PLAN**

The Governance Restructure in the Forward Plan was raised, and further information on the decision-making process requested, this having already been raised at a Council meeting.

The issues could have been raised at a Scrutiny Business Meeting, to clarify what information was needed before the Scrutiny Forum, but the Member concerned had been unable to attend on that occasion.

It was explained that if the concern was with access to Exempt Items on agendas, this could be partly answered by inviting Heads of Service to discuss the issues with the Overview and Performance Scrutiny Forum. This had been done recently, when the Head of Governance attended the Forum to provide more information on the Governance Review, which was to be considered by Joint Cabinet and Employment Committee on 3rd December, 2013.

Exempt items could be made available to Scrutiny committee members, but by raising them at the Scrutiny Committee Pre-Agenda Meeting or Scrutiny Business Meeting first, such items could be better planned for, before being put on the meeting agenda. It was agreed that the Governance Review be considered at the next meeting of the Overview and Performance Scrutiny Committee, with the focus on the decision-making process.

It was asked why the Persistent and Vexatious Complaints Policy had not been on the Forward Plan very long. A similar issue had arisen with the Taxi Review, which had not been on the Forward Plan, but in that case Scrutiny had established a review group to look into the matter. As a regulatory issue, it was being considered by the appropriate committee.

It was agreed that it was necessary to investigate why certain issues did not appear on the Forward Plan, and a further report would be made to a future meeting of the Overview and Performance Scrutiny Forum.

RESOLVED –

- (1) That the Governance Review be considered at the next meeting, with a focus on the decision-making process.
- (2) That regarding the Persistent and Vexatious Complaints Policy, further information be obtained on the criteria for including items in the Forward Plan, and the statutory time-scales for providing notice of decisions.

44 **CHAIR'S UPDATE ON TENANT-LED SELF REGULATION**

The Chair reported that there was nothing to report because the planned meeting with the Tenants' Challenge Panel representatives had been cancelled, but there was still a commitment to introducing these new tenants' representatives to Scrutiny Members

It was suggested that an informal setting would be better than using the Town Hall for such a meeting, to build a relationship between tenants and Members of Council. This meeting would be held in January 2014, at a suitable venue. After further consideration, an alternative venue was agreed to be the most appropriate, to encourage Housing scrutiny representatives to engage positively with elected Scrutiny members.

RESOLVED –

That a meeting be held with Tenants Challenge Panel, to increase understanding of the role of Scrutiny in relation to Housing issues.

45 OVERVIEW AND SCRUTINY ARRANGEMENTS - ACTION PLAN PROGRESS REPORT

The Scrutiny Officer provided a progress report on the implementation of the recommendations made in the report on the Review of Revised Overview and Scrutiny Arrangements, presented to Cabinet on 9th July, 2013 and to Council on 24th July, 2013.

These recommendations had been used to draw up a list of actions, and targets. Some of these targets had now been achieved, including:

- Consultation with Scrutiny Link Officer Group to identify and agree further improvements to the Link Officer role, and to begin process of promoting the Link Officer concept.
- Increased administrative support for Scrutiny, pending conclusion of restructures in Governance and Business Transformation.
- Consultation with Scrutiny and Executive Members on informal meetings expectations, and drawing up of Terms of Reference.
- Consultation with Members and Senior and Service Managers on further learning and development needs, to draw up and agree a learning and development plan.
- Promotion of Overview and Scrutiny through team meetings and the Borough Bulletin.

Other aspects of the Action Plan remained to be achieved, including consultation on:

- Further development and improvement of the pre-agenda meetings.
- Further development and improvement of the Scrutiny Project Group initiation and scoping process.

- Further development and improvement of Scrutiny Procedure Rules and informal protocols.
- Evaluation after 12 months of operation of the new system.

It was agreed that relationships between Scrutiny members, Executive Members and officers had improved as a result of implementing these recommendations.

It was agreed that greater understanding and acceptance of the role of Scrutiny had resulted from these improvements.

The work of Scrutiny Project Groups had been facilitated by the provision of increased administrative support. It was further explained that completed reviews were being analysed, with the review group members given the opportunity for a debrief, so that a learning opportunity could be provided for future Scrutiny Project Groups.

RESOLVED –

That the progress report on the Overview and Scrutiny Arrangements Action Plan be noted.

46 OVERVIEW AND SCRUTINY DEVELOPMENTS

The Scrutiny Officer reported that there would be a training session for Scrutiny members, with a focus on chairing skills for Scrutiny Project Groups. This would be held before the next meeting of the Overview and Performance Scrutiny Forum, scheduled for 30th January, 2014.

47 SCRUTINY MONITORING

Consideration was given to the Monitoring Form for the implementation of Scrutiny Committee recommendations.

It was agreed that items to be removed from the Monitoring Form, were the Refuse Contract/Blue Bins, and the Council Tax Support Scheme, as progress reports had been received.

Other work still ongoing, included Anti-Social Behaviour policy, the review of Water Rates Payment Policy, and Statutory Crime and Disorder Scrutiny Committee.

RESOLVED –

That the report be noted and agreed items be removed.

48 SCRUTINY PROJECT GROUP PROGRESS UPDATES

It was stressed that Scrutiny Project Groups should not now start work until their scoping document had been agreed, at a Scrutiny Business Meeting.

It was acknowledged that in some cases it was difficult to complete the scoping document without speaking with the Executive Member and Council officers, or making initial visits.

It was advisable to put the scoping document to the Business Meeting as early as possible, to obtain the approval and advice of experienced Scrutiny Members. The scoping document could be updated as the work of each Scrutiny Project Group developed, so that the Business Meeting was kept fully informed of progress.

It was requested that training be given to any Members who were new to Scrutiny work, to assist them in their task, because the Scrutiny process was difficult for new Members to understand, until they had received training. Specific learning was requested around scrutiny's policy development role.

It was also suggested that training should be ongoing, because Scrutiny Members needed to develop a range of skills to achieve their aims in Project Groups. If more backbenchers were to become involved in Scrutiny work they too would need training about the Scrutiny process.

The Scrutiny Officer requested that all Members respond to the survey with their learning and development needs, so that appropriate training could be arranged for them.

It was agreed that two Scrutiny Project Groups be removed from the work programme - the Financial Savings and Corporate Fees Policy, and the Capital Strategy. The topics could be reinstated into the Work Programme later, if necessary.

The reviews of Welfare Reform and the External Communications Strategy would be retained, since work was continuing. The scoping document for the External Communications Strategy Scrutiny Project Group was tabled for approval.

Although the Scrutiny Project Groups were small, they could still do effective work. If more Members wished to join they would be welcomed. Political balance did not apply to Scrutiny Project Groups.

RESOLVED –

- (1) That Scrutiny Project Group work does not commence until scoping document had been agreed at a weekly Scrutiny Business Meeting.
- (2) That the Financial Savings and Corporate Fees Policy, and Capital Strategy review group be removed from the work programme, pending reinstatement at a future date if necessary.
- (3) That the scoping document for the External Communications Strategy Scrutiny Project Group be approved.

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

The Work Programme would be updated to take into account the decisions about completed reviews and items that were being dealt with satisfactorily by other means.

Information had been provided for Members on the Corporate Asset Management Plan.

It was noted that a Special Meeting on Anti-social Behaviour would be arranged for 12th December, 2013.

Items to be considered at the next meeting of the Overview and Performance Scrutiny Forum included:

- the Council's budget situation
- 'Great Place, Great Service' progress
- the ICT Strategy progress
- Chesterfield Procurement Service.

A further matter for inclusion was raised by a Member, who had received complaints about the difficulty accessing Planning documents, despite the statutory requirement to make these accessible to the public.

It was suggested that individual complaints be passed on to IT staff, but that this issue could be raised at the next meeting, under the ICT item.

Reference was also made to the need to monitor compliance with Control of Asbestos legislation in Council buildings, and it was suggested that this be added to the Work Programme at the appropriate time for Scrutiny to have some input into the granting of a contract concerning asbestos.

The Council's Corporate Plan was also considered a priority for the next meeting of the Overview and Performance Scrutiny Forum.

RESOLVED –

That the Work Programme be updated.

50 **MINUTES**

The Minutes of the meeting of the Overview and Performance Scrutiny Forum held on 26th September, 2013 and 17th October, 2013 were presented.

RESOLVED –

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