

OVERVIEW COMMITTEE

26th February 2007

**PRESENT:-**

**Labour Group**

Councillor Bell (Chair) and Councillors Bambrick and Lane.

**Conservative Group**

Councillor Atkin.

**APOLOGY**

An apology for absence from the Meeting was received from Councillor Bladen (Vice-Chair) (Conservative Group).

OV/25. **MINUTES**

The Open and Exempt Minutes of the Meeting held on 18th December 2006 were taken as read, approved as a true record and signed by the Chair.

OV/26. **SCRUTINY - NEW LEGISLATION AND CHALLENGES**

The Policy Officer presented a report informing Members of the new challenges for scrutiny, in particular the implications of the Police and Justices Act 2006 and the 'Strong and Prosperous Communities' White Paper.

It was confirmed that the Local Government White Paper 'Strong and Prosperous Communities', published in October 2006, proposed a further extended role for council scrutiny in England. This included a Community Call for Action (CCfA) and a requirement for public agencies involved in the Local Area Agreement to provide information to council scrutiny committees, and have regard to its recommendations. This would require new legislation; the Local Government and Public Involvement in Health Bill, which had its first reading in December 2006.

In addition, the Police and Justices Act 2006 brought new powers to scrutinise Crime and Disorder Reduction Partnerships (CDRPs). New statutory roles for scrutiny committees to look at crime and disorder issues were also being introduced. A request had been made at the Council Meeting held on the 25th January 2007 that the Overview Committee consider the inclusion of the new scrutiny powers on police issues within its work programme.

The Bill also introduced what it described as a 'Community Call for Action'. Members of the public or community groups could raise persistent problems of anti-social behaviour with their Ward Councillor (and if there was no action taken, with the Council). The Ward Councillor would be able to decide if any action was required, with the option that if it could not be resolved, it could be referred to a Scrutiny Committee. The Scrutiny Committee would be

able to investigate, report and require a response from the agencies concerned.

It was confirmed that the White Paper proposed two major extensions of scrutiny power and a duty was placed on a list of named public agencies to co-operate with the development of Local Area Agreements (LAAs). The intention was to improve focus on issues specific to locality, especially where these required a multi-agency response. Effective implementation of the LAA would be a particular focus.

The Police and Justices Act was now law, and regulations and guidance would be provided in 2007, with the commencement of scrutiny powers being likely in 2008. The Local Government and Public Health Bill had recently had its second reading, and the likely timetable for legislation, regulations, guidance and implementation was through 2007 to 2009.

### Implications for Scrutiny

The Local Government Information Unit had produced an information paper for English Councils on the new challenges for scrutiny and implications of the 'Strong and Prosperous Communities' White Paper. The information paper provided some information on developing the scrutiny role, which included:-

- Neighbourhood scrutiny
- Scrutiny and community engagement
- Scrutiny of the LAA
- Sustainable Community Strategies
- Other ideas for scrutiny reviews

The Policy Officer then handed over to Councillor Atkin who had recently attended an awareness seminar on the implications of the White Paper.

Councillor Atkin distributed an information pack which included the material he had received at a recent course. He then proceeded to highlight the main points of various presentations.

### Getting Closer to Communities Through Effective Scrutiny

Councillor Atkin advised the Meeting that this presentation had confirmed that new changes for scrutiny would come into effect during 2008 and the White Paper Bill was at present in draft form with the ideas and changes needed for the next few years. It pointed out that community engagement structures were often weak and frustrated at the inability to control the agenda.

It was reported that it was good practice to send a completed scrutiny report and its recommendations to any partners involved to allow them to make any amendments before being ratified by any Scrutiny and Policy Committee.

The White Paper suggested the idea of empowering Ward Councillors to become more effective community leaders, and to strengthen the role of communities in the scrutiny network. It also recommended that external and partnership scrutiny was widened to enhance the policy development role. In

addition external and partnership scrutiny would have a shaping role to play in considering particular actions of key public bodies.

It was confirmed that petitions were one of the most popular forms of civic engagement, and all local authorities should consider how they dealt with these as part of their wider engagement policy.

In response to this item, the Chair pointed out that this still posed a number of questions, such as how the District Council could successfully consult with the wider community. He added that South Derbyshire District Council did engage in this, although the response was often limited. It was difficult to understand how a scrutiny review could help with anti-social behaviour issues. Councillor Lane felt that scrutiny within the District Council was developing, but pointed out that much of this new information was aimed at scrutiny working within a cabinet system, rather than a fourth option Council. He added that scrutiny had started to develop a public forum role but he believed that the new legislation seemed to over-complicate the issue. The Chair summarised that he felt comfortable with existing arrangements, although he accepted that the District Council may need to undertake additional public consultation.

#### Strong and Prosperous Communities – an Overview and Implication for Scrutiny

Councillor Atkin reported that developing democratic engagement was about the role of elected Members and the development of the local constitution to encourage public engagement with a view to offering choice in service delivery. He felt that there was a need to consider developing engagement at a neighbourhood or parish level as well as reviewing the role of all the Members and addressing community cohesion.

Councillor Atkin believed that the Council should be seen as a strategic leader for encouraging community leadership and partnership. Confirmation was given that scrutiny would receive new powers at a strategic level, such as considering external services, partnerships and the Local Area Agreements. At parish level, the Community Call for Action would be exercised.

The Chair asked if planning issues had been taken into account as this caused much concern in the local community. Councillor Atkin responded that there was a separate seminar which may address this issue.

#### Neighbourhood Arrangements and the Future of the Frontline Councillor

This presentation provided further information on the Community Call for Action item.

#### LSPs, LAAs and Performance Management

This presentation, in a partnership context was about moving from discussion to delivering recommendations. It was agreed that LAAs and Local Public Service Agreements would be driving the focus on performance and the key issues were:-

- Accountability
- Partnership complexity

- Systems
- Resources

New performance systems were to be provided for 2008, following the CPA success in 2002.

#### Lessons from Health Scrutiny

It was confirmed that Local Government and public involvement in the Health Bill was not yet law and new powers would come into effect from 2008 for the scrutiny network.

The named public services would be given a duty to co-operate with the setting and achieving of LAA targets and also to take part in the scrutiny of the issues to deal with these targets. The services would have to “have regard to” scrutiny recommendations concerning these targets.

It was felt that this presentation was aimed at advanced health scrutiny committees. Councillor Bambrick confirmed that this was a function already performed by the County Council.

#### Police and Justices Act

This presentation highlighted that the new scrutiny provision would be implemented from 2008 and would require a separate scrutiny function.

The Chair thanked Councillor Atkin for his efforts and for bringing the information back to the Committee.

***It was agreed that the Head of Policy and Regeneration consider the Implementation Plan for the Local Government White Paper and highlight any key dates and issues in a report to be submitted to the Overview Committee at the commencement of the new municipal year.***

### OV/27. REPORT OF COMMUNITY SCRUTINY COMMITTEE

Councillor Lane gave an update on the current actions of the Community Scrutiny Committee, as follows:-

#### Delivery of Council Services via the Post Office Network

Councillor Lane confirmed that a Working Group had met, and a report would be sent to Parish Councils, Postmasters and the National Federation of Sub-Postmasters shortly. He also confirmed that a campaign would be undertaken to promote the Rate Relief Scheme to the National Federation of Sub-Postmasters, in order that Post Offices in the District could maximise their opportunities in making a claim.

An information kiosk was to be installed on a trial basis at Hatton Post Office.

#### Arrangements for Street Scene Review

It was confirmed that a meeting was to be arranged to discuss the progress on the Street Scene Review. The Environmental and Development Services Committee would now action this accordingly.

### Cleaner Neighbourhoods and Environment Act

It was agreed that the Council's Corporate Management Team be requested to report back to the Community Scrutiny Committee on arrangements made for the exercise of the new powers available under the Cleaner Neighbourhoods and Environment Act 2005. In addition, the Head of Environmental Services had been requested to submit a report to the next meeting of the Committee on the number of Fixed Penalty Notices issued under the Cleaner Neighbourhoods and Environment Act 2005.

### Derbyshire PCT

It was confirmed that a meeting had been held between the Chair of Community Scrutiny Committee, the Council's Chief Executive and the Chief Executive of the Derbyshire PCT. Councillor Lane confirmed that most of the Board was now in place but the remainder of the organisational structure was still under review. He confirmed that there were issues to be raised but the PCT was not yet in a position to respond. Councillor Bambrick pointed out that the Council needed to consider its involvement. Health scrutiny was a function of the County Council, although there was a role to be carried out within the District Council.

### Position Statement

Councillor Lane confirmed that progress was being investigated on the special projects which had been undertaken by the Community Scrutiny Committee. These had all reached the three months stage and were now under review.

### Low Frequency Noise

A report on the issue of low frequency noise was to be submitted to the Meeting of the Community Scrutiny Committee on 26th March 2007.

### e-Training

The Head of Policy and Economic Regeneration confirmed that this had not yet been pursued.

***It was agreed that the Head of Policy and Economic Regeneration prepare further information and this item be considered at the commencement of the new municipal year.***

## OV/28. **REPORT OF CORPORATE SCRUTINY COMMITTEE**

Councillor Bell gave an update on the current actions of the Corporate Scrutiny Committee, as follows:-

### Service Information Project

Councillor Bell confirmed that the Corporate Scrutiny Committee was completing a project on the provision of information within the District Council, as it was felt that there was no overall control of such leaflets. He added that the scope of the project had now been extended to consider a

policy for managing all available information. An additional Special Meeting to discuss this further would be held on 12th March 2007.

#### Budget Consultation and Review of Budget Proposals

The Committee considered a draft report to the Finance and Management Committee in its review of the budget process. The report focussed initially on income and reserves. Further information to complete the report was being sought from Officers about capital expenditure and the Housing Revenue Account. The report indicated that overall, the Council's finances were considered to be 'sound' over the three-year period.

Councillor Bell confirmed that a draft report had been considered, focusing initially on the sections on income and reserves. Some sections of the report were awaiting completion, mainly on capital expenditure and the Housing Revenue Account.

#### Property Services Demonstration of Information Technology Systems

The Corporate Scrutiny Committee had received a presentation on the new asset manager.net software. It was confirmed that this was a comprehensive database which could be used for a range of property management activities.

#### Environmental Management within the Council

The Head of Environmental Services had attended a Meeting of the Corporate Scrutiny Committee to give an update on environmental management within the District Council. He confirmed that it was planned to submit a formal report to the Committee to establish a policy, and pursue the eco-management and audit system. The aim of this was to deliver year on year improvements, whilst ensuring that the Council was compliant with all relevant environmental legislation. It was hoped to prepare a programme of improvements by the end of the current financial year and then to implement these improvements over the next twelve months with accreditation of the EMAS standard being sought thereafter.

#### Corporate Plan 2007/2010

It was noted that there was a fairly tight timetable for production of this year's Corporate Plan. It had been agreed that an update on the Corporate Plan be submitted to the Corporate Scrutiny Committee on 2nd April 2007.

#### Sickness Absence

A review had been completed on the sickness absence policy and with effect from 1st January 2007, a revised policy had been introduced. January 2007 had shown a reduction in sickness absence, although this was still at a level of 9½ days per annum per employee, compared to a target of 8½ days per employee per annum.

### OV/29. **ANNUAL REPORT**

The Policy and Best Value Manager handed out a suggested format for the annual report.

**It was agreed that the production of this report be delegated to the Deputy Chief Executive in consultation with Scrutiny Committee Chairs, to be finalised for submission to the Council Meeting on 19th April 2007.**

R. L. BELL

CHAIR

The Meeting terminated at 5.30 p.m.