



OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

MINUTES of a MEETING held at COUNTY HALL, TROWBRIDGE on 8 SEPTEMBER 2006.

PRESENT: Mr JB Osborn (Chairman), Mr BE Dalton, Mr A Deane, Dr JM English, Mrs ME Groom, Brig. RW Hall, Mr RT Rogers, Mrs J Rooke, Mr A Trotman and Mr RS While.

(Nb. Mr Deane chaired the meeting for items 46-48 in the absence of the Chairman)

Also present Mr TR Sturgis, Cabinet Member for Planning and Waste
Miss de Rhe Philipe, Cabinet Member for Environment, Transport and
Economic Development.
Mr M Baker, Cabinet Member for Staffing and Customer Care.

39. **Apologies** Mr A Molland

40. **Minutes of Previous Meeting**

Resolved: *To confirm and sign the minutes of the meeting held on 9 June 2006.*

41. **Chairman's Announcements** The Committee was due to receive a report today on the Reinstatement Coring Programme relating to statutory undertakers works on the highway. However the specification set out in the New Roads and Street Works Act for the reinstatement of excavations in the highway had changed, meaning that further analysis of previous years' core results was required in order that officers may report meaningful trends in the performance of statutory undertakers. This work would be carried out over the next few weeks enabling a report to be presented to the Committee at its next meeting in November.

42. **Public Participation** The Chairman indicated that he would take questions and statements at the start of the relevant item (see minute no. 43 below).

43. **Hay Lane/Croft Road Task Group Final Report** A copy of the final published report was circulated for consideration and endorsement by the Management Committee. This review was undertaken at the request of Mollie Groom and agreed by the Management Committee on 15 March.

Mr G Yates, Chairman of Lydiard Tregoze Parish Council and Mrs C Spickernell, CPRE asked questions in respect of the review process and content of the final report. Jeff Osborn, Chairman of the Management Committee and John Noeken, Chairman of the Task Group replied orally to the questions, and to the supplementary ones asked at the meeting.

John Noeken then introduced the report and its findings/recommendations in which he thanked all those involved for their contributions. He referred to the open approach adopted by the Task Group, including the sharing of the key points, findings and recommendations with the campaign groups prior to publication. Other members of the Task Group spoke in support of the report which included a review of the Environmental Services files. Although supporting the recommendations, Ricky Rogers indicated that he had expressed views about paragraphs 29-32 in an e-mail which he did not feel had been adequately taken on board and, as a consequence, was unable to fully support paragraph 32 as presently worded.

Mollie Groom spoke about the good work done by the Task Group but had concerns over elements of the review process in particular to the weight given to the expert evidence, and generally to the lack of opportunity for public debate in the strategic planning considerations. She therefore felt that the report required correction. John Noeken responded by stating that it was not the intention to provide a detailed report on all aspects. He was satisfied that the report properly reflected the conclusions reached by the members on the Task Group from all the evidence received.

Comment was then made about receipt yesterday of a letter to the Chief Executive from solicitors representing CPRE which had been circulated to members of the Committee, and to the public meeting being arranged regarding Condition 99. The Chairman indicated that the letter was now in the hands of the Head of Legal Services and would be responded to outside of the arena of the Management Committee because of the reference to potential judicial review and the actions of the Council's Executive.

Mollie Groom moved a motion, seconded by Tony Trotman not to endorse the report until the errors highlighted in public questions were corrected. During debate, an amendment from Tony Deane to defer the report until the content of the solicitors letter had been investigated was accepted by the mover and seconder of the motion. During further debate it was agreed by them to amend the motion again in favour of seeking deferment of the report due to the need to review the wording of paragraph 32. On being put to the vote it was

***Resolved:** To defer endorsement of the final report pending a further meeting of the Task Group to review the wording of paragraph 32.*

(Nb. As John Noeken was now an executive Cabinet Member he would no longer serve as a member of the Task Group for this additional meeting.)

44. **Section 106 Agreements** A briefing paper by the Director of Environmental Services and the Director, Department for Children & Education was circulated.

This topic was requested by the Chairman and added to the Committee's work programme following concern as to the impact the processing of these agreements had on the performance targets of the development control function of district councils.

Phil Tilley on behalf of the Director of Environmental Services introduced the report explaining the application of Section 106 agreements and the role of the County Council as Highways and Local Education Authorities. He referred to the guidance given in circular 05/05, the complex and time-consuming nature of some agreements, amount of Planning Delivery Grant received locally, balancing of priorities for planning gain and enforcement responsibilities.

Members asked questions and commented on the implications of the new “roof tax”, the potentially high costs now faced by developers, beneficial gains by some communities and the involvement of local members.

***Resolved:** To thank officers for the briefing paper and to forward it along with this minute to the Planning Officers at the district councils for comment.*

45. **E Government/Customer First Task Group Interim Report 2005/06** The Task Group’s interim report was circulated. Tony Deane, the Group’s Chairman presented the report and its findings/recommendations highlighting where targets had not been met. He commented on the implications for the Customer Care Unit in not being able to fulfil its potential as a consequence of the delays in implementing the outcomes of the Business Process Re-engineering reviews. A renewed commitment from the top of the organisation was required to ensure the revised targets would be met.

Members questioned and commented on the large investment in “Transforming the Customer Experience” objective in relation to the current return, the level of political ownership, and the project’s relationship with other corporate goals.

In reply Mark Baker, Cabinet Member for Staffing and Customer Care accepted that there had been an element of disengagement from service departments but the major difficulty had been the lack of adequate IT infrastructure. He was now confident that the revised targets would be met in the light of the major improvements in the Council’s IT. He also confirmed that Transforming the Customer Experience was integral to the future financial sustainability and improved efficiency of the Council and was very much aligned with the drive towards implementing “New Ways of Working”. The creation of a BPR implementation group and the appointment of a new Director of Resources was evidence of the Executive’s commitment to realising the benefits.

***Resolved:** To thank the Task Group for their interim report and the initial comments of the Cabinet Member, and endorse the recommendations for formal submission to the Cabinet Member (and Leader) for consideration and reply.*

46. **The Future of Day Support Services and Transport for all Client Groups Except Learning Disability** A report by the Interim Director of Adult and Community Services that had been approved by Cabinet on 5 September was circulated. The Management Committee’s interest in this matter stemmed from its review of the contract extension with OSJ for residential care for older people last November – and the fact that day care provision would be the subject of separate negotiations.

Steve Tennison introduced the report on behalf of the Interim Director explaining that OSJ were currently providing a service to around 500 clients with varying degrees of need at a cost of £1m per annum. This represented very good value at £8 per day per client as opposed to the PSSU average of £30. He confirmed that DACS were currently working with OSJ to remodel day care in line with the revised eligibility criteria and the Council’s new vision for sustainable social care. Recent assessment suggested that 150 people currently using day care services for social opportunities would be redirected at an annual saving of £150k. Reinvestment in more specialist centres responding to client need/risk would form part of the remodelled service with an overall objective of building capacity to avoid early residential care.

Members asked questions about effective models elsewhere, the importance of investing in prevention, availability of advice services, the number and location of future day centres, and the financial and business cases supporting the remodelling

proposals. Dr English in particular then made proposals for further information to be received in advance of the final decision.

Resolved:

- (1) *To note that Cabinet on 5 September authorised officers to:*
- (i) engage with OSJ to remodel services aligned to the new eligibility criteria and to enter into appropriate contractual arrangements that are compliant with the Council's contracting regulations (this could include the development of 4 day service centres specifically designed to meet the needs of older people with higher support needs);*
 - (ii) close the service currently managed by the Council in Trowbridge; and,*
 - (iii) contract with an independent organisation who had the ability to carry out the work described in paragraph 15 of the report.*
- (2) *To note that a detailed costing proposal would be submitted to Cabinet in February 2007 once benchmarking and market testing had been carried out but, in the meantime, to request that further information is brought to the Management Committee at its next meeting on 9 November setting out the financial and business case for the changes to day services including:*
- Data supporting the proposals (along with location map of current services)*
 - Options and alternatives including cost comparisons*
 - How the issues raised during consultation (and other problem areas) were being addressed*
 - Views/outcome of any discussion with PCTs on these proposals*
 - Availability of suitably qualified and experienced care workers*
 - Staff training required for the new services*
 - Staff morale as a consequence of proposals (DACs).*

(Nb. Tony Trotman and Brian Dalton declared personal interests in this item on the basis of having relatives using OSJ services.)

47. **Members Allowances – Overview and Scrutiny Responsibilities** A report by the Head of Legal and Democratic Services was circulated informing the Committee about the new budget allocation agreed by Council for overview and scrutiny responsibilities. This amounted to £5k in the first year doubling to £10k thereon and would be distributed by the Chairman of the Management Committee.

The report described the level of scrutiny activity over the past year and offered a possible allowances scheme for the future. During discussion some members were concerned that the suggestion did not adequately meet the aim of the Independent Panel on Members Allowances of providing an incentive for broader engagement by more non-executive members. Brig Hall indicated that he had been doing some research with the officers and would like the opportunity to hold further discussions.

Resolved: *To welcome the decision of Council but defer decision on a final scheme to enable members to discuss further with officers alternatives that may better match the aim envisaged by the Independent Panel.*

48. **Work Programme** A copy of the latest version of the Management Committee's work programme was circulated.

Resolved:

- (1) To note the current work programme and alterations made as a consequence of decisions taken earlier in the meeting.
- (2) To note the following scrutiny activities taking place under the direction of the Management Committee and confirm the appointment of William Moss as a member of the Budget Scrutiny Task Group:

<u>Activity</u>	<u>Topic</u>	<u>Members</u>	<u>Start Date</u>	<u>Next Meeting</u>	<u>End Date</u>
Task Groups	Performance	Mr Newbury (Ch) Mr Osborn Mrs Soden Mrs Taylor Mr While	Nov 02	3 October	Standing
	Budget Process	Mr Molland (Ch) Brig Hall Mr Coleman Mr Rogers Mr Moss + vacancy	Sept 01	12 October	Standing
	E Government/ Customer First	Mr Deane (Ch) Ms Content Mr Dalton Mr A Davis Mr Newbury Mrs Rugg	June 05	25 Sept	Standing
	Corporate Recovery	Mr Moss Brig Hall Mr Coleman Mr Osborn Mrs Rooke Mrs White	June 06	5 October	October (interim)
Procurement Project Boards	Property Services	Mr Henning	Sept 05	-	Nov 06
	Adult Care	Mrs Hill	Jan 06	-	Ongoing

(Duration of Meeting: 10.30 am – 1.45 pm)

The Officer who has produced these minutes is Paul Kelly, Democratic & Members' Services, direct line: (01225) 713049.