

## Executive Scrutiny Committee

A meeting of Executive Scrutiny Committee was held on Tuesday, 2nd August, 2011.

**Present:** Cllr Ken Lupton (Chairman), Cllr Mrs Lynne Apedaile, Cllr Nigel Cooke, Cllr Robert Gibson, Cllr Eileen Johnson, Cllr Jean Kirby, Cllr Paul Kirton, Cllr Terry Laing, Cllr Miss Tina Large, Cllr Maurice Perry, Cllr Mrs Mary Womphrey, Mr Frank (Diocesan Representative).

**Officers:** T.Montague (CESC); Ms S.Daniels (DNS); A.Duffy, Ms J.Grant, N.Hart, P.Mennear, Ms J.Trainer (LD); Ms L.King (R).

**Also in attendance:** Cllr Brown.

**Apologies:** were submitted on behalf of Cllrs Cherrett, Inman, Javed, Mrs O'Donnell, Patterson, Stoker, and Mrs Robson.

### **EXC 8/11 Evacuation Procedure**

The Chairman explained the evacuation procedures for the meeting room and building.

### **EXC 9/11 Declarations of Interest**

Cllr Gibson declared a personal, non-prejudicial interest in respect of the item entitled 'EIT Review of Building Assets' due to his involvement as a Board Member with Know How North East Ltd. Cllr Laing similarly declared a personal, non-prejudicial interest in the same item as a result of his association with community organisations.

Cllr Lupton declared a personal, non-prejudicial interest in respect of the item entitled 'Health & Wellbeing Partnership' as a result of being a member of the North Tees and Hartlepool NHS Foundation Trust Board.

Cllr Cooke declared a personal, non-prejudicial interest in respect of the item entitled 'Chairs Update' as a result of his employment with the Tees, Esk & Wear Valley NHS Trust, who were referred to as part of the update regarding the Health Select Committee.

### **EXC 10/11 Minutes for Signing - 8th March 2011**

Consideration was given to the minutes of the meeting held on 8th March 2011 for signature.

RESOLVED that the minutes be signed as a correct record.

### **EXC 11/11 Draft Minutes-5th July 2011**

Consideration was given to the draft minutes of the meeting held on 5th July 2011 for approval.

RESOLVED that the draft minutes of the meeting held on 5th July 2011 be agreed as a correct record, subject to a correction regarding the Declaration of Interest declared by Cllrs Cooke and Javed to refer to their employment by the Tees, Esk & Wear Valley NHS Trust.

**EXC**      **EIT Review of Legal Services**

**12/11**

Consideration was given to the Scope and Project Plan for the forthcoming EIT review of Legal Services.

The main issues/services that would be covered by the review included:-

- Internal Legal Services
- External Legal Services
- Local Land Charges

It was suggested that the procurement of barrister services should be examined as part of the review; and also the mechanisms used for spatial data capture within the authority given the linkage between the Local Land Charges register, the Council's GIS system, Planning Uniform and the Council's Land Ownership records.

RESOLVED that:-

1. The draft scope and project plan for the review be approved.
2. The further information suggested be included as part of the review considerations.

**EXC**      **EIT Review of Building Assets**

**13/11**

Consideration was given to the content of the Asset Transfer Strategy following its period of consultation, together with an update on progress regarding the EIT review of building assets which included the identification of some assets which were surplus to requirements.

The overall aim of the review was to focus on the Council's building estate to ensure that properties were being utilised efficiently and effectively. This included developing a strategic overview of facilities in the Borough and considering opportunities for rationalisation, re-location and combining of facilities. Members were reminded that the review had a target saving of £1m by 2014/15.

The consultation had resulted in a significant level of feedback with many of the comments re-enforcing the points included in the strategy and recognising that the Council was being proactive in responding to the Localism agenda and that there were potential benefits to all concerned. There were however some concerns and the strategy had been revised to incorporate the points made; the main amendments to which were :

- Document had been restructured with National Framework brought to the beginning.
- Clarification that the Strategy relates to the Voluntary and Community Sector and not other public bodies.
- Clarification that the Strategy includes land as well as buildings. This was added with the caveat that where they are required for Council purposes they would not be available.

- Where a building is currently subject to lease arrangements, including those awaiting renewals:
- No third party could take ownership or transfer the asset without agreement of the current leaseholder
- Given the above, there would be no requirement or benefit of advertising such a property to a wider market for transfer.
- 3 years for a business plan was considered potentially difficult for some VCS organisations and this has been reduced to 2
- The need for any prospective transferring organisation to demonstrate robust consultation with users of the building, organisations involved in the management of the building, the wider local community and ward members.
- Strengthening of governance requirements, e.g. insurance and compliance with the Council's safeguarding policy
- The timescale was considered unachievable and this had been amended.

Members received an update with regards to the office accommodation, community building and commercial property strands of the strategy. Reference was made to the imminent vacation of Wrensfield House, which was part of the Council's buildings, and the suggestion that it be considered for transfer for possible community use. Members requested further information in respect of the staffing costs associated with maintaining the portfolio of the Council's commercial properties as it could be seen from the information presented that the net income generated from the rent of Council garages was minimal, and did not include any associated staffing costs. Details of the Council's land bank availability and other assets held, were also requested for circulation to all members.

It was noted that safeguards were necessary for all parties involved in any transfer or disposal of building asset, whether it be by long term lease or freehold transfer, in order to protect against organisations ceasing to exist and assets returning to the responsibility of the Council.

RESOLVED that the report be noted and that the further information requested be circulated to Members of the Committee.

**EXC  
14/11**      **Finance Outturn Report 2010/11**

Members considered a report that outlined the Council's financial position at the end of the 2010/11 financial year in respect of the Council's General Fund, Housing Revenue Account and Capital position

Details of the current Medium Term Financial Plan were noted, along with the difficult financial position facing the Council. Officers continued to carefully consider expenditure in all areas with particular focus on areas where funding was known to be reducing or services which were in the process of an EIT Review.

Details of any movement within each directorate were also provided.

Members noted that there had been an improvement in the general fund balance which meant a further £2.2million was available. The main reasons for the improvement were detailed.

Following the successful transfer of the Council's Housing Stock the Council would be closing the Housing Revenue Account at the end of 2011/12. It was noted that there would be £2million to transfer to the General Fund and would be available for one off expenditure during 2012/13.

Members were provided with details of the Council's capital position for 2010/11.

It was explained that although there were a number of positive indications within this report the Council still faced a potential funding gap of £6.3m by 2014/15. There was also a significant number of uncertainties currently facing the Council which could impact on the Council's position:

- Review of Local Government Finance
- Universal Credits
- Localisation of Council Tax Benefit and funding reduction of 10%
- Changes in Health and in particular transfer of Public Health responsibilities to local Authority
- A range of service specific changes (e.g. Munro Review).
- Uncertainty surrounding Education Capital funding following the James review.

Work was ongoing to reassess the Council's MTFP to develop plans to address the estimated budget gap and this would be constantly reviewed and adapted to reflect decisions on the above areas.

Members noted that the MTFP incorporated a range of savings associated with EIT reviews. The Council had either implemented or was in the process of implementing recommendations for Year 1 and 2 EIT reviews and was embarking on the Year 3 reviews. The position for Years 1 and 2 was extremely positive and all areas had or were on target to achieve savings with the exception of the FACS review and Child Placement review.

It was explained that one off resources of £1.3m (Capital) and £2.2m (surplus balances) were available. A report outlining the results of the consultation process in respect of Stockton Town Centre had been considered by members previously on this Agenda, and there would be a further report outlining the programme and funding plan. In advance of this report and in order to commence infrastructure work in pursuit of the Town Centre prospectus and Masterplan, it was recommended the Council earmarks £2m to this initiative from the one off resources, with any expenditure from this budget delegated to Corporate Director of Development and Neighbourhood Services in consultation with the Cabinet Member for Regeneration. Members requested that this Committee be consulted on the allocation of resources to individual schemes from this allocation.

RESOLVED that:-

1. The updated Medium Term Financial Plan (MTFP) be noted.

2. In order to support the infrastructure work in pursuit of the Town Centre Prospectus and Masterplan, Members note the allocation of £2million of one-off resources (£1.3million capital and £700,000 from corporate balances), and the

authorisation of the Corporate Director of Development & Neighbourhood Services in conjunction with the Cabinet Member for Regeneration, to allocate this to individual schemes.

3. Executive Scrutiny Committee also be consulted on the allocation of resources to individual schemes.

**EXC**      **Year End 2010/2011-Performance Report**  
**15/11**

Member considered a report that outlined progress against service performance for the year end 2010/11. It highlighted achievements, areas for improvement, LAA outturn, consultation activity undertaken, provided a summary of Freedom of Information requests, complaints, commendations and comments and updates relating to RIPA and EIT, as well as details of suggestions from the staff suggestion scheme.

Members noted that despite many changes to the national performance framework over the last 12 months performance had remained strong. There had been a 75% achievement of Council Plan objectives, progress against targets in the corporate basket showed that 56% of measures had achieved targets, an improvement on last year's 53% achievement. The LAA achieved 42% of the stretching targets agreed. The number of Freedom of Information and Data Protection enquires had seen a steady increase over the last 12 months. The staff suggestions scheme which was introduced this year for the first time had been well received with many suggestions coming forward and being approved. The EIT Review programme had accelerated this year (year 2) with many reviews now completed, savings identified and achieved. The Council continued to monitor the Complaints, Comments and Commendations with 736 complaints received this year compared to 782 last year and an increase in compliments, commendations and comments.

Some of the areas where performance had went well, across all themes, during 2010/11 included:

- All targets associated with determining planning applications had been achieved
- Business start ups assisted by the Council had significantly exceeded its target
- In over 4 million collections only 9 bins were missed.
- Visits to local authority funded museums and galleries had exceeded its target
- The overall quality of settings inspected by Ofsted was very positive with the proportion judged good or outstanding comparing well against benchmark groups
- The end of year position for NEETs (Not in Education, Employment or Training) was extremely positive. The year end performance of 8.8% was well ahead of the target of 11% and reflected the successful work of Connexions and the wider 14 – 19 Partnership in supporting young people through transitions and into positive outcomes.
- Stop smoking – number of 'quitters' had exceeded targets
- Timeliness of provision of care packages had seen positive progress with 85% at the year end exceeding the 82% target
- Sickness absence – 5.21 days had been achieved per full time equivalent whereas the target had been 8.57

- Work on the Stockton multi service centre was expected to be completed on target, by the end of September.

Reference was made to the proposed streamlining and rationalisation of reporting arrangements and volume of paperwork following concerns expressed previously by members. It was proposed that performance be reported to this Committee half yearly with performance issues being picked up on a quarterly basis through departmental briefings with relevant portfolio holders. Members suggested that it would assist Select Committees in the monitoring of their own thematic areas if any areas of concern identified to, or by, the Cabinet Member during these quarterly briefings (insofar as they applied to their own remit) could be reported to each Select Committee.

Regards complaints received within each diversity strand, it was questioned whether the complaints received from people with a disability were directly related to their disability, or unrelated.

RESOLVED that:-

1. The levels of performance and proposed actions be noted.
2. As part of the new proposed reporting arrangements for performance, any areas of concern identified to, or by, the Cabinet Member during their quarterly briefings (insofar as they applied to their own remit) be reported to each Select Committee as they arise, with overall performance reports being submitted to this Committee half yearly.

**EXC**      **Health and Wellbeing Partnership**  
**16/11**

Consideration was given to an update on the development of the Health and Wellbeing Board and the revised Health and Wellbeing Partnership; along with an invitation for this Committee to nominate four representatives to the Partnership.

Members were advised that the proposed NHS reforms and the increased roles and responsibilities for local government, were currently still before Parliament; however a main element of the reforms was for statutory Health and Wellbeing Boards (HWBs) to be established by local authorities in order to lead and co-ordinate local health and public health provision. Boards would have a minimum statutory membership consisting of directors of social care and public health, elected Members, GP commissioners, local HealthWatch, and the NHS Commissioning Board.

The proposed arrangements for the operation of the Health and Wellbeing Board in Stockton-on-Tees were agreed by Council at its meeting of 29 June 2011 and in addition to the Board, it was agreed to develop a revised Health and Wellbeing Partnership in order to engage with a wider range of stakeholders and to support the work of the Board. The arrangements were to be subject to any significant changes emanating from the parliamentary process and it was proposed to undertake an evaluation of the local arrangements in 9-12 months time.

With regard to the proposed representation of scrutiny members on the Health and Wellbeing Partnership, it was proposed that the following members be appointed:-

- Chair of Health Select Committee
- Chair of Corporate, Adult Services, and Social Inclusion Select Committee
- Chair of Children and Young People Select Committee
- Chair of Executive Scrutiny Committee

RESOLVED that the following members be appointed to the Health and Wellbeing Partnership:-

- Chair of Health Select Committee
- Chair of Corporate, Adult Services, and Social Inclusion Select Committee
- Chair of Children and Young People Select Committee
- Chair of Executive Scrutiny Committee.

**EXC  
17/11**      **Chairs Updates**

Members were provided with an update from each of the Select Committees.

A revised update was submitted by the Vice Chair regarding the progress of the Housing & Community Safety Select Committee review. It was noted that since its last meeting, discussions had been held at the tripartite regarding two of the Committee's proposals within its EIT Review of Community Protection and Security Services to postpone the review until the Government Spending Review impact on the Police Force was known, and to not delete the current vacant posts, but instead, where possible, fill them. The tripartite discussions concluded that notwithstanding the Committee's concerns, the review should continue so as not to affect other EIT reviews which would need to reduce service costs further to compensate for no savings being made in this area; to continue with discussions with trade unions regarding the possibility of deleting the vacant posts, thereby achieving 77% of the required minimum saving; and to not fill any vacant posts thus reducing the possibility of future redundancy payments should the outcome of the Spending Review having been found to be effectively managed.

Concern was expressed by some members about the decision reached at the tripartite meeting to continue with the review as planned. It was noted that the outcome of the tripartite discussion would be reported to the next Housing and Community Safety Select Committee for consideration.

As part of the update on the Regeneration and Transport Committee, it was suggested that the EIT Review of Regeneration and Economic Development should include an assessment of consultation feedback from social enterprises.

RESOLVED that the Chairs updates be noted.

**EXC  
18/11**      **Forward Plan**

Members were provided with the Statutory Forward Plan for 1 August 2011 to

30 November 2011.

RESOLVED that the Forward Plan be noted.