

BOROUGH OF BARROW-IN-FURNESS

OVERVIEW AND SCRUTINY COMMITTEE

Meeting:- 28th September, 2011
at 2.00 p.m. (Committee Room No. 4)

A G E N D A

PART ONE

1. To note any items which the Chairman considers to be of an urgent nature.
2. To receive notice from Members who may wish to move any delegated matter non-delegated and which will be decided by a majority of Members present and voting at the meeting.
3. Admission of Public and Press

To consider whether the public and press should be excluded from the meeting during consideration on any of the items on the agenda.

4. Disclosures of Interests and any declarations under Paragraph 16: Overview and Scrutiny Procedure Rules (Party Whip).

A Member with a personal interest in a matter to be considered at this meeting must either before the matter is discussed or when the interest becomes apparent disclose

1. ***The existence of that interest to the meeting.***
2. ***The nature of the interest.***
3. ***Decide whether they have a prejudicial interest.***

A note on declaring interests at meetings, which incorporates certain other aspects of the Code of Conduct and a pro-forma for completion where interests are disclosed will be available at the meeting.

5. Apologies for Absence/Attendance of Substitutes.
6. Confirmation of Minutes of the meeting held on 27th July, 2011 (copy attached).
- (D) 7. Street Cleansing.

- (D) 8. Allotments.
- (D) 9. Scrutiny Plan.

NOTE (D) – Delegated
(R) – Referred

Membership of Committee

Councillors Roberts (Chairman)
Doughty (Vice-Chairman)
Biggins
Derbyshire
Hamilton
Husband
Johnston
R. McClure
Opie
Preston
C. Thomson
M. A. Thomson

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BOROUGH OF BARROW IN FURNESS

OVERVIEW AND SCRUTINY COMMITTEE

Meeting, Wednesday, 27th July, 2011
at 2.00 p.m.

PRESENT:- Councillors Doughty (Vice-Chairman), Biggins, Derbyshire, Hamilton, Husband, Opie, Preston, C. Thomson and M. A. Thomson.

7 – Apology for Absence

An apology for absence was received from Councillor Johnston.

8 – Minutes

The Minutes of the Overview and Scrutiny Committee held on 8th June, 2011 were taken as read and confirmed.

9 – Appointments on Outside Bodies, Panels, Working Groups etc

At the Executive Committee meeting on 25th May, 2011 Councillor Garnett was appointed to serve as the Council's representative and Councillors Graham and Sweeney as substitute Members on the Cumbria Health and Well-being Scrutiny Committee and Cross Party Working Group.

The Executive Committee was informed at its meeting on 6th July, 2011 that Cumbria County Council rules state that representatives:

Must be currently on District Scrutiny Committees and cannot be on the Executive Committee.

The Executive Committee agreed to refer the appointment of the Council's representative and two substitute Members on Cumbria Health and Well-being Scrutiny Committee and Cross Party Working Group to this Committee.

RESOLVED:- To agree that Councillor C. Thomson be appointed as the representative on the Cumbria Health and Well-being Scrutiny Committee and Cross Party Working Group. Councillor Biggins would be a substitute on the Cumbria Health and Well-being Scrutiny and Cross Party Working Group and the second substitute place would remain vacant.

10 – Local Government Ombudsman Annual Letter 2010/2011

The Policy Review Officer informed the Committee that the Ombudsman had issued an annual letter to Councils reviewing complaints against the Authority.

During 2010/2011, a total of eighteen enquiries and complaints had been made against the Council, ten of which were complaints which the Ombudsman's office considered and another five were referred to the Council as premature complaints. He stated that in any one year, there can be a difference in the number of complaints received by the Ombudsman and the number of decisions made. That was because some decisions would have been made on complaints received in the previous year and not all of the complaints received by the Ombudsman in 2010/11 would have been decided by 31st March, 2011.

The Ombudsman had made decisions on seven complaints in 2010/11. In four cases the Ombudsman had exercised her power to discontinue the investigations, in two cases, no evidence of maladministration was found and one case was outside jurisdiction. During 2010/11, the Council had dealt with two enquires made upon complaints in an average of 28 calendar days, which was an improvement on last year. The Ombudsman set a target period of 28 days and was achieved by 65% of all district Councils like Barrow.

RESOLVED:- To note the Ombudsman's Annual Letter 2010/2011.

11 – Annual Report

The Policy Review Officer provided Members with an amended Annual Report to reflect the decision to allow more time to develop the work programme for 2011/12 and had been submitted to Council.

In October 2010 it was agreed that the Corporate Services Committee and the Regeneration and Community Services Committee would merge and operate as a joint committee for the remainder of the year.

In 2011/12 only one Committee was appointed called the Overview and Scrutiny Committee. The responsibility for monitoring the Council's risk management and performance management arrangements had been transferred to the Audit Committee in line with recognised good practice.

In 2010/11 the Corporate Services Committee had focused on equalities performance and monitoring of progress on the recommendations of the Legionella Sub-Committee.

Equalities Performance

Monitoring of the Council's work towards the Achieving Level of the Equalities Framework for Local Government was carried out by the Committee.

In December 2010 the Council was assessed as achieving against the equalities framework.

A number of Equality Impact Assessments (EIAs) had been completed throughout the Council and an equalities action plan was being prepared based on the EIAs. It was recommended that the Overview and Scrutiny committee monitors progress against this action plan.

Health and Safety Progress

The Committee continued to monitor progress of the 22 recommendations made by the Legionella Sub-Committee.

The Committee therefore agreed to receive reports on an exception basis which was in line with the Council's approach to monitoring performance.

In 2010/11 the Regeneration and Community Services Committee identified two items to be scrutinised:

The provision of Council allotments

This review had not yet been completed.

Car parking facilities on Roa Island

This review was delayed.

In addition following a request from the Executive Committee this committee reviewed off road car parking charges and made recommendations which were implemented by the Executive Committee.

This Committee agreed to accept reports and undertake scrutiny activities relating to the Police and Justice Act; no actions were required in 2010/11.

Future work

The following topics were recommended for the work programme for 2011/12:-

1. It was recommended that this Committee continued the review into the provision of Council allotments.
2. Members of the Scrutiny Committee had requested more time to develop a work plan and it was anticipated that this would be completed by the end of August.

Members also discussed including Street Cleaning and Streetcare in the work programme for 2011/12.

RESOLVED:- (i) To agree to note the Annual Report 2011/12;

(ii) To agree to continue the review into the provision of Council allotments.

(iii) To agree Street Cleaning and Streetcare be included into the work programme for 2011/2012;

(iv) To agree to establish a Street Cleaning and Streetcare Working Group inviting Councillors Derbyshire, Doughty, Hamilton, Husband and M. A. Thomson to participate.

12 – Allotments

The Policy Review Officer provided Members with an update of the scrutiny review into allotments.

The Allotments work group had met with the Community Services Manager, the Parks and Playgrounds Manager and the Park and Amenities Officer on 23rd June, 2011. Members reiterated that they were looking to move to a full cost recovery position for the provision of allotments by 2015.

Members considered a number of areas where there was currently a cost to the Council including the rental of land and the provision of water to allotment sites. The Parks and Playgrounds Manager informed Members that many of the current water supplies may need replacing in the next ten years and it was agreed that the Council should explore alternative options for the provision of water.

The Park and Amenities Officer updated the work group on the current position regarding allotments. There were currently 770 allotment plots on 17 different sites and there were 11 vacant allotments. There were 625 people on the waiting list for allotments but it was not clear whether all of these people still desired allotments. The Park and Amenities Officer was in the process of updating this list.

Members thought the current allotment policy needed to be updated and were currently collecting data regarding some potential changes, including:-

1. Review cost of land rental for provision of allotments;
2. Explore sites for potential self management;
3. Change policy on livestock for new tenants, bees to be exempt; and
4. Consider splitting allotments when they become vacant.

It was noted that Art Gene had received consultation funding for a project regarding self management of allotments. Members requested Art Gene be invited to attend the next Allotment Work Group meeting.

RESOLVED:- (i) To agree to continue with the allotment review in 2011/12;

(ii) To agree to invite Art Gene to the next Work Group meeting.

13 – Performance Management

The Policy Review Officer informed the Committee that Members of the Audit Committee had requested this Committee considered the proposed Key Priorities for 2011-2015 before they were submitted to the Executive Committee. The proposed priorities for 2011-2015 and the end of year performance report for 2010/11 was attached to the report for information.

Thirty three priority actions were due to be completed by the end of 2010/11 of which, twenty three had been completed, eight had been partially achieved or were subject to delays and were expected to be completed in 2011. Two had not been completed because of funding issues.

The current status of the actions and the action plan was attached as an appendix to the report.

KP1: Safer, cleaner greener

Achieved

- The Council changed its waste collection contractor in April and anticipated an increase in complaints about the waste collection service as changes in working practices were introduced. An action was to reduce these complaints to the 2009/10 baseline level by the end of Q1. This had been achieved and were currently receiving less than twenty complaints per week.
- The action to implement the new grounds maintenance contract had been achieved.
- There was an action to implement grass cutting for Bigger Bank and this had been implemented.
- The action to provide cosmetic enhancement of vacant town centre units had been achieved.
- Delivery of “shop front” grants had been successful and would continue whilst external funding was available.

Partially achieved

- There was an action to improve recycling and although there was significant improvement to 36.2% the target level of 40% was not achieved. The reduced value of the recycling reward scheme had been incorporated into the 2011/12 budget.

KP 2: Meeting the housing needs of the Borough

Achieved

- The development of the frail and elderly scheme in Holker Street had been completed.

- The development of additional affordable housing had been successful.
- The Council continued to have >99% of Council dwellings that met the decent home standard.
- The choice based letting programme had been launched.
- The Housing Market Renewal programme had been progressed.

Partially achieved

- The Council had continued to target private sector grants to reduce fuel poverty but had been unable to measure the outcomes. The outcomes were to be compared to the LAA target which had now been deleted, it required undertaking a survey and the cost of the survey was disproportionate to the information that would be gained from it.

KP 3: Providing easier access to services

Achieved

- The Council had improved the effectiveness of on-line transactions resulting in an increase in the number of payments (81 to 82%) and other transactions (5% to 10%) completed on-line. The total number of cleansing calls to CRM had decreased by 32% from 40,647 in 2009/10 to 27,496 in 2010/11.
- The improved website service had also contributed to a reduction in the number of avoidable contacts.
- The Council had been assessed at the Achieving level of the Equalities Framework for Local Government.

KP 4: Support economic regeneration

Achieved

- The Town Centre link road had been completed and was open.
- The refurbishment of 104 Abbey Road was subject to delays but would be completed in the 2nd quarter of 2011/12.
- The refurbishment of the Mall was complete.
- The refurbishment of Furness House was complete.
- Phases 2&3 of the Dalton Rd Public Realm Improvement Programme were complete.

Partially achieved

- The acquisition programme was continuing but was subject to funding.

Not achieved

- The action to commence Phase 2 of Waterside House development had been cancelled. The new access road to Waterside House had been completed and was now open.
- The action to secure headline funding for Waterfront Barrow had not been completed. A submission was made for Regional Growth Funding (RGF) but this was unsuccessful. The Compulsory Purchase Order to acquire land for

Waterfront Barrow would not go ahead; however, the Council would still try to acquire land on a voluntary basis.

KP 5: Improve the effectiveness and efficiency of our Council

- Implementation of the Cumbria Climate Change Action Plan was continuing. The Council were unable to measure progress in terms of CO2 emissions because of issues with the calculation spreadsheet that had not yet been resolved. As a result it was uncertain whether the 10% reduction in CO2 emissions had been achieved.
- The procurement policy had been completed but had been superseded by the Purchasing Guide.
- Cashable savings were delivered through changes to the ground maintenance and cleansing contracts.
- Processing of benefit claims had improved significantly and performance was in the top 25% of authorities.

KP6: Expand facilities and activities for young people

- The Multi Use Games Area in Dalton was subject to some delays but had now been completed and was open to the public.
- Usage of the youth gym at the Park had increased by more than 8%.
- There had been increased participation in organised sports activities. In 2010/11 there was a 19% increase in the number of participants and a 13% increase in the number of attendances.
- The Lakes alive spectacular had taken place although the estimated attendance was 6,000 against a target of 8,000.
- The action to deliver the Zircus plus event had been completed.

Partially achieved

- The construction of the all weather facility at The Park had been delayed but would be completed in 2011.

Performance Indicators

There were a number of national indicators and local indicators where it was appropriate to report data on a quarterly basis. The end of year figures for the local indicators are in table 1 and the end of year figures for the national indicators are in table 2.

- Collection of Council Tax and National Non Domestic Tax were marginally lower than in 2009/10.
- The average number of day's sickness absence per member of staff worse than for the same period in 2009/10.
- There had been a decrease in the number of violent crimes.

- There had been an increase in the number of acquisitive crimes including household burglaries and robberies. The robbery figure was based on small numbers 5 in 2009/10 and 17 in 2010/11.
- There had been a decrease in the number incidences of racial violence and the number of hate crimes reported.
- There had been a marginal reduction in the amount of waste generated and recycling had improved.

Table 1: Local indicator for 2010/11

Indicator	Description	2009/10	2010/11	Change
9	Percentage of Council tax collected	96.6	96.55	
10	Percentage of NNDR collected	98.7	98.25	
12	Average number of days sick per member of staff	9.14	10.59	
126	Number of burglaries per 1000 households	4.01	4.57	
127a	Violent offences per 1000 population	18.06	16.40	
127b	Robberies per 1000 population	0.06	0.23	
128	Vehicle crimes per 1000 population	3.87	3.65	
218a	Percentage of abandoned vehicles removed within 24 hours	100	75	
	Number of incidences of racial violence	38	32	
	Number of incidences of racial Damage	2	2	
	Number of hate crimes	55	48	

Table 2: National Indicator for 2010/11

Indicator	Description	2009/10	2010/11	Change
NI 191	Residual waste per household	864	856	
N1192	% of waste recycled, composted	34.2	36.0	
NI 195a	% of streets that don't meet the cleanliness standard: litter	1	1	
NI 195b	% of streets that don't meet the cleanliness standard: detritus	2	2	

NI 195c	% of streets that don't meet the cleanliness standard: graffiti	0	0	
NI 195d	% of streets that don't meet the cleanliness standard: fly posting	0	0	

Key Priorities 2011-15

The Council's existing Key Priorities had served it well in providing a structured management and direction of its efforts and resources. However, in the new economic reality, faced with massive withdrawal of central government grant, the Council must reorganise itself into a leaner organisation unable to offer the same level of support and subsidy to its residents, partners and customers and concentrating on fewer and only the most significant strategic issues.

The Council's overall strategic driver in the coming 4 years would be retrenchment, that was the need to become smaller and withdraw from services and functions which it decided were less important and relevant given the resources available.

However, it was important that the Council continued to have a strategic view of what was important and to guide members and officers in identifying those issues where any spare capacity would be directed.

Clearly the Council's main objective was to achieve a balanced budget and the overall priority must be to establish an effective and responsible deficit reduction strategy.

Revising the Key Priorities must give recognition to this, but it must also give scope to direct any surplus capacity, including capital resources which remain relatively strong, to the most urgent and important issues in the Borough. To this end the Council have identified the key issues as:-

- Efficiency
- Housing
- The built environment
- The local economy

The scale of resources the Council could bring directly to some of these issues may be reducing, but there was still much the Council could achieve through partnership and influence. That said the Council must be realistic as to the scale of intervention and positive action it can implement and the key objectives must be realistic.

To this end it was recommended that the Council adopts 4 new Key Priorities as follows:-

1. Provide good quality efficient and cost effective services while reducing overall expenditure.

2. Continue to support housing market renewal including an increase in the choice and quality of housing stock and the regeneration of our oldest and poorest housing.
3. Work to mitigate the effects of the recession and cuts in public expenditure and their impact on the local economy and secure a sustainable and long term economic recovery for our community
4. Continue to improve and enhance the built environment and public realm, working with key partners to secure regeneration of derelict and underused land and buildings in the Borough.

Once adopted by Council the 4 Key Priorities would be used as the basis for all future business planning and to direct the activity of any spare capacity and resources.

Although at this time there wasn't a formal action plan there were a number of improvement activities being implemented and these included:-

- Undertake a comprehensive service delivery review
- Transfer management of waste collection, building cleaning and dog warden services to the street care team to reduce management costs.
- Undertake a business improvement review of the Development Control service and develop framework for setting local planning fees
- Introduce self-financing of Council housing services
- Re-let the responsive repair contract
- Review housing support services
- Update Information Technology and introduce Customer Relations Management service in the Housing department.
- Demolish the agreed areas of Marsh Street
- Demolish 100 Abbey Road and carry out external improvements to 102 Abbey Road
- Completion of the all weather soccer centre

An action plan would be developed once the priorities had been adopted.

Members requested a meeting with their political groups to discuss key priorities prior to them being agreed and forwarded to the Executive Committee.

The committee requested that if the Audit Committee had any concerns regarding performance that they forward their concerns to this committee who can then undertake a review.

RESOLVED:- (i) To note the report;

(ii) To agree that proposed Key Priorities for 2011-2015 be forwarded to the Executive Committee with a recommendation that they be accepted;

(iii) To agree to request Audit Committee referred relevant topics for scrutinising to the Overview and Scrutiny Committee.

14 – Sickness Absence Report 2010/11

The Principal Personnel Officer submitted a report informing members that sickness absence was a key performance indicator, not only in relation to the direct health of employees but also to the organisation as a whole. Staff absence was costly to the Council both in terms of lost productivity and opportunity and through the cost of covering the absence.

The management of sickness absence fell into two broad categories; the management of long term and the management of frequent short term absence. Efficient management of long term absence would yield the greatest impact on overall sickness rates whilst the active management of short term absence was often the most responsive and reduced the most disruptive form of absence.

There were a number of methods used within the Council to manage sickness absence including a comprehensive absence policy, a holiday purchase scheme, in-house occupational health provision, return to work interviews, phased return to work facilities and workplace counselling.

Since 2001/02 when absence figures had been analysed in depth, the Council had seen a positive downward trend in the total sickness absence rates and in long-term absence which indicated that the measures used to manage sickness absence were working well. However, 2010/11 showed an increase in the average number of days sickness per employee. On examination, this was largely due to a small number of significant long term sickness absence cases.

Findings for 2010/11 were included in this report in graphical format.

Comparisons had been made by department, full and part time workers, by long and short-term absence and by reasons for sickness absence. All permanent staff had been included in this report.

Absence data had been calculated using Audit Commission definitions: working time lost to the Authority and figures given in average days lost per employee. It should be noted that the Audit Commission's chosen method was particularly sensitive to long term absence in small district Council's like ours, i.e. a small number of long term absences would have a disproportionate effect on the out-turn.

Long-term sickness absence had been calculated using the definition in the Council's Control of Sickness Absence Policy of any absence over 10 working days.

Members expressed concern regarding the percentage of stress related absences and requested information be provided on a quarterly basis for this year.

RESOLVED:- (i) To note the information;

(ii) To agree for the Scrutiny Committee to receive a quarterly report with regard to stress related absences for 2011/12.

The meeting closed 3.00 p.m.

OVERVIEW AND SCRUTINY COMMITTEE	(D) Agenda Item 7
Date of Meeting: 28th September, 2011	
Reporting Officer: Policy Review Officer	
Title: Street Cleansing	
Summary and Conclusions:	
Provide Members with an update of the scrutiny review into street cleansing.	
Recommendation:	
Members are invited to consider the information and determine how this review should be progressed.	

Report

The Work Group met with the Street Care Manager who explained the current street cleansing arrangements and issues that we are experiencing. Members recognised that street cleansing was a complex service and have asked for a story board to clarify how the operation is carried out this work is on-going and will be presented at the meeting.

Members of the work group have also requested to meet the contract staff and this will be arranged for November.

The street care team have been undertaken observations of heavily contaminated areas and it is clear that presentation of side waste particularly food waste is a major contributor to the lower standard of cleanliness in some areas. The street care team and the waste collection contractor are working to reduce side waste and therefore reduce the burden on the street cleansing teams. It is anticipated that new arrangements will lead to improved standards of cleanliness.

Background Papers

Nil

OVERVIEW AND SCRUTINY COMMITTEE	(D) Agenda Item 8
Date of Meeting: 28th September, 2011	
Reporting Officer: Policy Review Officer	
Title: Allotments Summary and Conclusions: Provide Members with an update of the scrutiny review into allotments. Recommendation: Members are invited to consider the information and determine how this review should be progressed.	

Report

The Allotments Work Group met and agreed that the focus of this review should be to reduce the costs of administering the Council's allotments to ensure that we can continue to provide a viable service.

A review of the allotment budget indicated that the three main costs are:

- Grounds maintenance which includes the removal of rubbish.
- Collection of rent.
- Provision of water.

The work group is schedule to meet on 22nd September and I will provide a verbal update from that meeting.

Background Papers

Nil

OVERVIEW AND SCRUTINY COMMITTEE	(D) Agenda Item 9
Date of Meeting: 28th September, 2011	
Reporting Officer: Policy Review Officer	
<p>Title: Scrutiny Work Plan</p> <p>Summary and Conclusions:</p> <p>To present the Scrutiny work programme for 2011-2015.</p> <p>Recommendations:</p> <p>Members are invited to agree the work programme and determine the priority in chronological order items in the work programme.</p>	

Report

At the meeting of this Committee in June 2011 Members agreed to develop a four year work programme up to March 2015. Members were requested to submit potential items to the Policy Review Officer by the end of August 2011. The items have been identified are in table and chronological prioritisation has been suggested. This Committee recognises that additional urgent items may be identified during the period and they will be considered in an appropriate timeframe.

It is anticipated that we will complete two or three reviews per year depending on the availability of resources.

Item	Topic	Scope of the review
1	Allotments	To review the Council's arrangements for managing tenancies and the waiting list. Ensure the allotment service is financially sustainable
2	Street cleanliness	To review to Council's arrangements for working with the contractor to deliver a higher standard of street cleanliness. To ensure appropriate arrangements are in place to manage external factors the impact on street cleanliness e.g. seagulls and fly tipping.
3	Coastal protection	The implementation of phase four of the Flood and Coastal Erosion Risk Management Strategy has resulted in changes to way in

		which coastal defence projects are funded. The review will focus on our medium term project plan and how it will be funded.
4	Estates and asset management	To review arrangements for maximising income from our assets and the potential for the disposal of redundant assets.
5	Town centres development and supporting local traders	Review arrangements for supporting local traders in the current economic climate.
6	Highways and car parking	Review the provision of highways maintenance by Cumbria County Council. Review street lighting and on-street parking arrangements.
7	Economic Development, planning and development control	Review arrangements for planning and economic development in light of the reduced funding as a result of the Governments deficit reduction programme. Ensure the Council still has appropriate arrangements in place to access development funding
8	Cultural Services	Review the impact of the Council's service review on cultural services. The review will consider events, distribution of funding and service charges.
9	Policy and strategy	Monitor the development of and performance against the council's key priorities.
10	Housing strategy	Review availability of private sector and socially housing and consider partnership arrangements to ensure that the availability of housing in the borough meets demand.

Background Papers

Nil