

Strategic Overview and Scrutiny Panel

Grand Jury Room, Town Hall
13 October 2009 at 6.00pm

Strategic Overview and Scrutiny Panel deals with reviewing corporate strategies within the Council's Strategic Plan, the Council's budgetary guidelines for the forthcoming year, scrutinising the Forward Plan, the performance of Portfolio Holders and scrutiny of Cabinet decisions or Cabinet Member decisions (with delegated power) which have been called in.

Information for Members of the Public

Access to information and meetings

You have the right to attend all meetings of the Council, its Committees and Cabinet. You also have the right to see the agenda, which is usually published 5 working days before the meeting, and minutes once they are published. Dates of the meetings are available at www.colchester.gov.uk or from Democratic Services.

Have Your Say!

The Council values contributions from members of the public. Under the Council's Have Your Say! policy you can ask questions or express a view to meetings, with the exception of Standards Committee meetings. If you wish to speak at a meeting or wish to find out more, please pick up the leaflet called "Have Your Say" at Council offices and at www.colchester.gov.uk

Private Sessions

Occasionally meetings will need to discuss issues in private. This can only happen on a limited range of issues, which are set by law. When a committee does so, you will be asked to leave the meeting.

Mobile phones, pagers, cameras, audio recorders

Please ensure that all mobile phones and pagers are turned off before the meeting begins and note that photography or audio recording is not permitted.

Access

There is wheelchair access to the Town Hall from St Runwald Street. There is an induction loop in all the meeting rooms. If you need help with reading or understanding this document please take it to Angel Court Council offices, High Street, Colchester or telephone (01206) 282222 or textphone 18001 followed by the full number that you wish to call and we will try to provide a reading service, translation or other formats you may need.

Facilities

Toilets with lift access, if required, are located on each floor of the Town Hall. A vending machine selling hot and cold drinks is located on the first floor and ground floor.

Evacuation Procedures

Evacuate the building using the nearest available exit. Make your way to the assembly area in the car park in St Runwald Street behind the Town Hall. Do not re-enter the building until the Town Hall staff advise you that it is safe to do so.

Colchester Borough Council, Angel Court, High Street, Colchester
telephone (01206) 282222 or textphone 18001 followed by the full number you wish
to call

e-mail: democratic.services@colchester.gov.uk

www.colchester.gov.uk

Terms of Reference

Strategic Overview and Scrutiny Panel

- To review corporate strategies.
- To ensure the actions of the Cabinet accord with the policies and budget of the Council.
- To monitor and scrutinise the financial performance of the Council, and make recommendations to the Cabinet particularly in relation to annual revenue and capital guidelines, bids and submissions.
- To link the Council's spending proposals to the policy priorities and review progress towards achieving those priorities against the Strategic / Action Plans.
- To scrutinise executive decisions made by Cabinet, the East Essex Area Waste Management Joint Committee, the Colchester and Ipswich Joint Museums Committee and Cabinet Member decisions (with delegated authority taking a corporate / strategic decision) which have been made but not implemented, and referred to the Panel through call-in.
- To monitor the Council's operational performance in relation to the Strategic Plan, Local Area Agreement targets and National Indicators.
- To scrutinise the Cabinet's performance in relation to the Forward Plan and to scrutinise the performance of Portfolio Holders.
- At the request of the Cabinet, make decisions about the priority of referrals made in the event of the volume of reports to the Cabinet or creating difficulty for the running of Cabinet business or jeopardising the efficient running of Council business.
- The panel will be the appropriate route for any member to refer a 'local government matter' in the context of Councillor Call for Action.

Process for Councillor Call for Action

- Councillors have the ability to call for debate and discussion a topic of neighbourhood concern, limited to issues affecting a single ward, in an attempt to bring about specific solutions for local problems. This enables members to get things done without going through the Council's executive decision making process.
- Members may bring an action on any issue they choose, with exceptions, for example, if the issue is vexatious or deals with an individual complaint. Local Government matters specifically excluded from the regime are namely matters relating to a planning decision, a licensing decision or where a right of recourse to a review or right of appeal is already provided for in law.
- Poor service performance or increased anti-social behaviour are examples of where a member will bring an action to the panel's attention.
- The scrutiny panel may reject a request as not within the guidance, or the usual channels have not been exhausted, or accept that an investigation is the appropriate action.
- The panel may conduct an investigation in the usual scrutiny manner, seeking information from the Council and/or partners and inviting them to attend meetings.
- A report with recommendations will be compiled and brought to the Council and/or partners attention, with the Council and/or partners having a duty to respond.
- The panel will consider and publish the responses to their recommendations and feed back this information to the Councillor calling for the action.

COLCHESTER BOROUGH COUNCIL STRATEGIC OVERVIEW AND SCRUTINY PANEL 13 October 2009 at 6:00pm

Members

Councillors

Councillor Christopher Arnold (Chairman)
Councillor Dennis Willetts (Deputy Chairman)
Councillor Kim Naish (Labour Group Spokesperson)
Councillor Nick Barlow
Councillor Mark Cory
Councillor Mike Hogg
Councillor Jackie Maclean
Councillor Gaye Pyman
Councillor Laura Sykes
Councillor Nick Taylor
Councillor Julie Young

AGENDA - Part A

(open to the public including the media)

Members of the public may wish to note that agenda items 1 to 5 are normally brief and agenda items 6 to 9 are standard items for which there may be no business to consider.

Pages

1. Welcome and Announcements

- (a) The Chairman to welcome members of the public and Councillors and to remind all speakers of the requirement for microphones to be used at all times.
- (b) At the Chairman's discretion, to announce information on:
- action in the event of an emergency;
 - mobile phones switched off or to silent;
 - location of toilets;
 - introduction of members of the meeting.

2. Substitutions

Members may arrange for a substitute councillor to attend a meeting on their behalf, subject to prior notice being given. The attendance of substitute councillors must be recorded.

3. Urgent Items

To announce any items not on the agenda which the Chairman has agreed to consider because they are urgent and to give reasons for the urgency.

4. Declarations of Interest

The Chairman to invite Councillors to declare individually any personal interests they may have in the items on the agenda.

If the personal interest arises because of a Councillor's membership of or position of control or management on:

- any body to which the Councillor has been appointed or nominated by the Council; or
- another public body

then the interest need only be declared if the Councillor intends to speak on that item.

If a Councillor declares a personal interest they must also consider whether they have a prejudicial interest. If they have a prejudicial interest they must leave the room for that item.

If a Councillor wishes to make representations on an item on which they have a prejudicial interest they may do so if members of the public are allowed to make representations. In such circumstances a Councillor must leave the room immediately once they have finished speaking.

An interest is considered to be prejudicial if a member of the public with knowledge of the relevant facts would reasonably regard it as so significant that it is likely to prejudice the Councillor's judgement of the public interest.

Councillors should consult paragraph 7 of the Meetings General Procedure Rules for further guidance.

5. Minutes

1 - 4

To confirm as a correct record the minutes of the meeting held on

6. Have Your Say!

(a) The Chairman to invite members of the public to indicate if they wish to speak or present a petition at this meeting – either on an item on the agenda or on a general matter not on this agenda. You should indicate your wish to speak at this point if your name has not been noted by Council staff.

(b) The Chairman to invite contributions from members of the public who wish to Have Your Say! on a general matter not on this agenda.

7. Items requested by members of the Panel and other Members

(a) To evaluate requests by members of the Panel for an item relevant to the Panel's functions to be considered.

(b) To evaluate requests by other members of the Council for an item relevant to the Panel's functions to be considered.

Members of the panel may use agenda item 'a' (all other members will use agenda item 'b') as the appropriate route for referring a 'local government matter' in the context of the Councillor Call for Action to the panel. Please refer to the panel's terms of reference for further procedural arrangements.

8. Referred items under the Call in Procedure

To consider any Portfolio Holder decisions, taken under the Call in Procedure.

The panel may a) confirm the decision, which may then be implemented immediately, b) confirm the decision back to the decision taker for further consideration setting out in writing the nature of its concerns, or c) refer the matter to full Council in the event that the panel considers the decision to be contrary to the Policy Framework of the Council or contrary to, or not wholly in accordance with the Budget.

9. Decisions taken under special urgency provisions

To consider any Portfolio Holder decisions taken under the special urgency provisions.

10. Responding to the Economic Downturn

Presentation from Executive Director.

11. Overview of the Environmental and Protective Services Review

Presentation from the Head of Environmental and Protective Services.

12. Work Programme

See report from the Scrutiny Officer.

13. Exclusion of the public

In accordance with Section 100A(4) of the Local Government Act 1972 and in accordance with The Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 (as amended) to exclude the public, including the press, from the meeting so that any items containing exempt information (for example confidential personal, financial or legal advice), in Part B of this agenda (printed on yellow paper) can be decided. (Exempt information is defined in Section 100I and Schedule 12A of the Local Government Act 1972).

STRATEGIC OVERVIEW AND SCRUTINY PANEL

29 SEPTEMBER 2009

Present: - Councillors Arnold, Barlow, Cory, Hogg, Maclean, Naish, Pyman, Sykes, Taylor and Willetts
Substitutions: - Councillor Lilley for Councillor J Young

17. Minutes

RESOLVED that the minute of the meeting held on 24 August 2009 was confirmed as a correct record.

18. Have Your Say

Mr. Andy Hamilton attended the meeting and addressed the panel, saying that he had attended the Finance and Audit Scrutiny Panel meeting on the 22 September 2009 to explain how the Council was only allowing the Firstsite group to lease 15 Queen Street. Mr. Hamilton said he had tried without success to contact the Council's Estates Officer on Monday 28 September without success.

Mr. Hamilton said he felt it was shameful that the Council intends to give Firstsite the lease to 15 Queen Street without consideration of more deserving charitable uses. Mr. Hamilton said he was interested to see the Hospice building is used for charitable purposes and would have sought a lease restricted to those activities. With this in mind he believed a similar situation could allow for restricted charitable activities at Firstsite for such organisations as mobility scooters and a local credit union.

Mr. Hamilton was surprised by the Council's unconditional financial support of the Firstsite group, which included a contract for Firstsite that he believed was not in the public's interest, given they did not the finances or skills required to manage what he considered was a disastrous project.

Mr. Hamilton said the Firstsite group refuses to allow the public to attend their meetings, and refuse to answer questions, ignoring the taxpaying public whilst squandering public money.

Given his comments to this time, Mr. Hamilton said he wished the Council to accept this as an initial complaint against a senior Council officer and a Member of the Cabinet. Mr. Hamilton concluded by saying should the Council continue with the provision of a lease to Firstsite for 15 Queen Street, they will have to answer to the Ombudsman and the Disability Commission.

Mr. Pritchard, Chief Executive, in response to the panel, confirmed that Firstsite are currently occupying temporary accommodation.

19. Review of the Colchester2020 Partnership

Dr Paul Zollinger-Read, Chairman of Colcheser2020 and Chief Executive of North East Essex Primary Care Trust and Mr. Adrian Pritchard, Chief Executive, Colchester Borough Council, attended the meeting for this item.

Dr Zollinger-Read gave a resume of the work of the partnership during this year, explaining that there had been changes, culminating in a larger organisation. The partnership believed there was need for a new strategic direction that resulted in a reviewed membership now considered more inclusive, with additional partners such as the Colchester Institute and Citizen's Advice Bureau. The Partnership now focuses on five priority areas (as noted in the covering report) with clear action plans and measurable outcomes, and this is to be monitored through a new performance management programme, with greater focus on the current economic squeeze.

In response to Councillor Arnold, Dr Zollinger-Read understood the feeling that there was not such a green theme running through the new Sustainable Community Strategy, and the partnership was now looking at ways to address this, taking account of other successful models. Mr. Pritchard said it was accepted that the green theme does not come through as clearly or as well as it had done in the original Community Strategy, and Lead Partners are been asked to address the green / sustainable issues within the revised priorities and performance measures.

In response to Councillor Taylor, Dr Zollinger-Read said the Partnership's communications with other large organisations at a regional level was not as developed as well as the partnership would like, but was being addressed in the Partnership's Direction of Travel statement. Mr. Pritchard said the partnership did participate as the Local Strategic Partnership in the Essex Partnership Forum and there are connections at regional and national levels in providing a successful lobbying process. Dr Zollinger-Read added that a local strength was the Partnership's mini assemblies, engaging with small local businesses, a real success. As an example, Mr. Pritchard, as Lead Partner, was for his priority area, looking to establish a small group represented by voluntary agencies, local housing landlords and the Night Shelter Manager, to engage with participants at a second level from the assembly.

Dr Zollinger-Read and Mr. Pritchard confirmed to Councillor Naish that where targets within the Delivery Plan are missing, this was a process matter rather than an outcome matter, and that Local Area Agreement measures are now in place.

In response to Councillor Hogg, Dr Zollinger-Read said that whilst it was clearly set out what the partnership was aiming to achieve, this was not designed to resolve all society problems. The partnership would endeavour to achieve its targets and would be brought to account on delivery at the end of the year.

Dr Zollinger-Read and Mr. Pritchard agreed with Councillor Hogg that a quarterly update communiqué from the Partnership would help members and the like, in discussions with local residents on such matters.

In response to Councillor Willetts, Dr Zollinger-Read and Mr. Pritchard spoke about the consultation process that led to the methodology for the new strategy. Whilst the formal methodology came from the partnership assembly meeting, a very well attended meeting, where the agreed priorities were broadly in line with the previous priorities, it was stressed that these had been underpinned by substantial qualitative and quantitative consultation by the Council and local Primary Care Trust. Dr Zollinger-Read reaffirmed his belief that the priority areas are the right areas to be addressed. Councillor Naish later commented that when in

conversation with residents in his ward, the priorities within the Delivery Plan are the priorities mentioned by local people.

In response to Councillor Arnold, Dr Zollinger-Read and Mr. Pritchard agreed that action 4.3.2 “to provide support to residents and businesses to reduce their carbon emissions” did not fit with the key action of 4.3 “to improve the sustainability and reduce the carbon emissions of our housing”, and would take away and address through discussions with all Lead Partners.

It was stated that the financial restraints on the partnership targets would become more apparent over the coming three years, generating challenging discussions between all the Assembly partners to find new innovative ways of collectively delivering on, and achieving the desired outcomes.

Dr Zollinger-Read said he would respond to members of the panel in regards to Councillor Arnold’s request for greater clarity in respect of the targets to “work to change the perception of our ‘heritage’ to include natural and green spaces”.

Councillor Arnold thanked Dr Zollinger-Read and Mr. Pritchard for attending the meeting.

RESOLVED that the panel considered and noted the work of Colchester2020, the Local Strategic Partnership, and the progress made towards the partnership’s revised priorities.

20. Public Service Partnership

Ms. Ann Wain, Executive Director and Mr. Adrian Pritchard, Chief Executive, attended the meeting for this item, and Ms. Wain presented the report, Local Area Agreement – Performance Management.

In response to Councillor Barlow, Ms. Wain said she appreciated the difficulty with understanding the scale within the graphs for each priority, but this was being addressed for future reports. Ms. Wain also said that we were still awaiting data for some indicators, and where this was the case, the achievement indicator did show red.

Mr. Pritchard, in response to Councillor Taylor said that whilst the Comprehensive Area Assessment involves the assessment of the prospects for the future achievement of shared priorities by the Council and other local partners, the Government deal directly with the Counties not the Local Strategic Partnerships, so Essex County Council would have put their signature to the targets through agreement with the Government.

Ms. Wain, in response to Councillor Arnold said the main principle behind the Public Service Partnership (PSP) was partnership working, where more can be achieved collectively than individually, with the Council helping to co-ordinate the help and support required. Ms. Wain confirmed that indicators 4 and 5, about how local people feel they can influence local decisions and their general satisfaction with the local area are measured by the National Place Survey, which replaced the Best Value Survey. Mr. Pritchard added that as was the case with the basis for the methodology of the new Community Strategy, collective consultation does amount to a significant volume of consultation responses, whilst acknowledging that the response from hard to reach groups was overall smaller. Ms. Wain said the National Place Survey was statistically valid, and had been agreed with confidence levels, accepting more qualitative surveys were needed to get to those ‘hard to reach’ groups.

In response to Councillor Naish, Ms. Wain said there are a lot of statutory education targets, and whilst it has been a struggle to get the necessary data, we are now making some good

progress, and the PSP are to review these indicators at their next meeting.

Councillor Tina Dopson, Portfolio Holder for Performance and Partnerships addressed the panel, explaining the difficulty with gathering statistical information on children, though it had been proven nationally that children who are cared for by someone other than their parents have the poorest outcomes in terms of health and youth offending. Councillor Dopson said the Probation Service was looking at schemes for light sentence offenders to work on meaningful projects within their communities, and members were invited to contribute to suggesting projects for these people.

In response to Councillor Arnold, Ms. Wain said the £700,000 Performance Reward Grant for projects to help deliver the Local Area Agreement (LAA) was funded by the Essex Partnership. Local partners and organisations are invited to offer up potential local grant projects for grant financing. The projects are judged against an agreed set of criteria, those being 1) the project can deliver on at least one LAA target, 2) it is about partnership working, 3) it is new sustainable work, given the grant is for two years, 4) it is able to attract funding from other external organisations. The bids are assessed and fed back to the Essex Partnership, who undertakes rigorous checks before approval.

RESOLVED that the panel commented on and noted the information contained in the Local Area Agreement Performance Management document.

21. 2009/10 Work Programme

RESOLVED that the panel;

- i) Considered and noted the 2009-10 Work Programme.
- ii) Approved the extra meeting to be held on 13 October 2009.



Strategic Overview and Scrutiny Panel

Item
12

13 October 2009

Report of	Scrutiny Officer	Author	Robert Judd Tel. 282274
Title	Work Programme		
Wards affected	Not applicable		

This report sets out the current work programme for 2009/10

1. Action Required

1.1 The Panel is asked to consider and note the 2009/10 work programme.

2. Reason for Action

2.1 This function forms part of the Panel's Terms of Reference in the Constitution therefore there are no alternative options.

3. Amendments / Additions to the work programme

3.1 The item on Comprehensive Area Assessment outcomes has been added to the meeting on the 5 January 2010.

4. The role of the Strategic Overview and Scrutiny Panel

4.1 Overview and scrutiny needs to be member-led with member engagement that will include undertaking research when considering issues prior to panel meetings and preparing questions for witnesses being called. Likewise, senior officers will play their full part in supporting the scrutiny function in a positive and participative manner. By doing this a culture of positive and meaningful challenge can be created.

5. Standard References

5.1 There are no policy plan references or financial, human rights, community safety or health and safety implications in this matter.

5.2 The work of the Strategic Overview and Scrutiny Panel is a key function to ensure items within the programme are subject to full appraisal and in line with the aims of the strategic plan, and helps to check that risks are identified and challenged.

WORK PROGRAMME 2009/10

TBC - Colchester's future development and the Regional Plan Review (Executive Director I.Vipond)

16 June 2009

1. Pre Cabinet scrutiny of the Strategic Plan Action Plan + Nis and LAA targets
2. Urgency – Comment form for Nominated New Nuclear Power Station Sites (13-May-09)

14 July 2009 (Ian Vipond Lead Director)

1. Review of the Budget Strategy and Timetable (Head of Resource Management)
2. Clarification report on Affordable Housing – Head of Strategic Policy (SOSP minute6, 16 June)
3. Review of the Portfolio Holder for Communications, Customers and Leisure (last review 10-feb-09)

24 August 2009

1. Review of the Colchester2020 Partnership – item deferred until September.
2. Strategic review of CDRP (Head of Life Opportunities) (Crime and Disorder Committee)
3. Life Opportunities (Executive Director) (SOSP min.6 16June)
4. New build nuclear power station at Bradwell

29 September 2009

1. Review of the Colchester2020 Partnership – Chairman of Colchester2020 / CEO CBC to attend.
2. Public Service Partnership (Executive Director A. Wain)(Chair PSP unable to attend)

13 October 2009 additional meeting

1. Responding to the economic Downturn - presentation from Executive Director P. Donnelly.
2. Overview of Planning Service Review - Head of Service, Beverley Jones to attend.

3 November 2009

1. Street Care Strategy / Graffiti protocol (Head of Street Services)
2. Review of the Portfolio Holder for Street and Waste Services (last review 10-feb-09)
3. Climate Change and Carbon Management (update from review of 16-dec-08)
4. Overview of Housing Services Review – Head of Strategic Policy and Regeneration / Head of Life Opportunities (SOSP minute6, 16June)

9 December 2009

1. Review of the Budget – Strategic update (Head of Resource Management)
2. Half yearly report on Strategic Plan Action Plan + NIs and LAA targets
3. Review of the work of the Leader of the Council, Portfolio Holder for Strategy (last review 7-04-09)

5 January 2010

1. Greenways Care Home progress (ref. SOSP 10-Feb-09)
2. Review of the Portfolio Holder for Performance and Partnerships (last review 17-mar-09)
3. Strategic review of CYPSP (Head of Life Opportunities)
4. Comprehensive Area Assessment (CAA) outcomes and results (provisional)

9 February 2010

1. Review of the Portfolio Holder for Neighbourhoods (last review 7-apr-09)
2. Review of the Portfolio Holder for Planning, Regeneration and Sustainability (last review 5-may-09)
3. Review of Colchester Community Stadium Company - Chief Executive, Chair David Murthwaite & Dir. Clive Gilham to attend (Part of Annual Governance Statement Action Plan)

30 March 2010

1. Review of the Portfolio Holder for Resources and Business (first year)
2. Review of the Portfolio Holder for Culture and Diversity (first year)

