

MINUTES of the meeting of General Overview & Scrutiny Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Monday 4 March 2013 at 10.00 am

Present: Councillor A Seldon (Chairman)
Councillor EPJ Harvey (Vice Chairman)

Councillors: EMK Chave, BA Durkin, TM James, Brig P Jones CBE, Mayo, AJW Powers, R Preece, GR Swinford and DB Wilcox

In attendance: Councillors WLS Bowen (for agenda item 7) and PD Price (Cabinet Member – Corporate Services)

Officers: Mrs N Bridges, Sustainable Communities Manager, Mr B Proctor, Head of Communications and Engagement (Interim); Mrs J Lewis, Assistant Director People, Policy and Partnership; Mr G Hardy Governance Services Manager; Miss G Dean, Scrutiny Officer; Mr p James, Democratic Services Officer.

45. APOLOGIES FOR ABSENCE

Apologies were received from Councillors: EPJ Harvey; JW Hope; RC Hunt; Miss E Lowenstein, and Mr P Sell.

46. NAMED SUBSTITUTES

Councillor JW Powers substituted for Councillor EPJ Harvey.

47. DECLARATIONS OF INTEREST

There were no declarations of interest.

48. MINUTES

RESOLVED: that

1. the minutes of the meeting held 1 February 2013 were confirmed as a correct record and signed by the Chairman; and
2. subject to substituting the word 'barring' for the word 'baring' in Minute No 43 in the top line of agenda page 9, the minutes of the meeting held 11 February 2013 were confirmed as a correct record and signed by the Chairman.

49. SUGGESTIONS FROM MEMBERS OF THE PUBLIC ON ISSUES FOR FUTURE SCRUTINY

No suggestions for scrutiny had been received.

50. QUESTIONS FROM THE PUBLIC

Two sets of questions had been received. The first set were from Mr Packman and had been submitted in connection with agenda item 7 – Herefordshire Community Safety Partnership. The second set had been received from Mrs Morawiecka and had been submitted in connection with agenda item 9 – Freedom of Information and Arm's Length Companies. The questions, together with written response, were circulated at the meeting. A copy has been placed in the minutes book and on line.

The Chairman reminded the public that questions need to directly relate to an item on the agenda.

RESOLVED: that the questions together with the written responses be noted.

51. HEREFORDSHIRE COMMUNITY SAFETY PARTNERSHIP REPORT

The Committee received an update on the current priorities and issues for the Herefordshire Community Safety Partnership (HCSP).

Public questions had been received from Mr Packman. See Minute No 50.

The Chairman welcomed Superintendent I Powell (West Mercia Police) and Mrs Liz Smith, Chief Officer (Herefordshire) West Mercia Probation Trust, both members of the Herefordshire Partnership Executive Group. The Committee noted that Councillor WLS Bowen and Councillor DB Wilcox, also in attendance, were the Council's representatives on the Police and Crime Panel (PCP).

The Sustainable Communities Manager presented the report and highlighted that the County was a low crime area; this was the third year of a three year strategy; the strategy was refreshed annually and results from community engagement had been incorporated into this strategy. The strategy provided a framework for how partners will work together and target resources to where they are needed in the most efficient and effective way. The four priorities for 2013- 2014 are: Integrated Offender Management (IOM); Alcohol Harm Reduction; Empowered Localities, and Domestic Violence and Abuse. Two cross-cutting themes had also been identified namely: Education and Substance Misuse.

Councillor Wilcox, Councillor Bowen and the Sustainable Communities Manager briefly outlined some of the role; relationship and budget responsibility between the new Police and Crime Commissioner (PCC), the Police and Crime Panel (PCP) and the Herefordshire Community Safety Partnership (HCSP).

During the course of debate the following principal points were noted:

- While discussing various aspects of domestic violence and abuse it was acknowledged that abuse also occurred to a wide range of the population e.g. men; the elderly; teenage children to parents, who also needed access to services and this aspect was being addressed by the multi-agency working group.
- Previously work on Integrated Offender Management had focussed on the top 20% of offenders with each professional service concentrating on its own area of responsibility. The focus was now being widened, professional services were being brought together and information was being shared between services to ensure efficiencies in intelligence gathering and to provide targeted help or advice to offenders including housing and job advice.
- Responding to whether sensible driving and reducing speeding vehicles, which wasn't just caused by the young or drunk, was seen as a high priority the Committee were informed that it was a high priority and, together with the Safer Roads Partnership, funding had been secured to obtain a number of speed detection devices.
- Questioned on the visibility of police officers and how to contact the local police team the Committee were informed that the current structure of policing was being reviewed and the PCC had announced a number of police station closures. The police website would be updated to ensure that all contact details were up-to-date. Comments concerning the public visiting police stations out of hours and

being asked via the intercom to HQ which police station they were at would be looked into.

- It was suggested that the targets, set out on agenda page 26, were under ambitious. In response the Committee were informed that half of the targets had an alcohol related element which highlighted the need for an effective alcohol service in the county.
- The priorities listed on agenda page 28 were of equally high importance.
- In 2013-14 the number of Community Support Officers was likely to be reduced by approx. 50 across the area.
- Government funding (£50k) for CCTV had been withdrawn and therefore there would be an area wide strategic review of how CCTV systems were funded.
- West Mercia Police were aware of the current disparity between their 11 Neighbourhood Team areas and the Council's Locality Areas.
- The West Mercia Police had done a great deal of financial modelling around the reduced budget and the service it needed to provide.
- Following changes in the government data collection method no data was available for 'Reduce Prolific and Priority Offender re-offending (agenda page 26), however, data was now being captured for future use.
- Approximately 1% of alcohol incidents related to non-domestic alcohol offences and occurred on Friday or Saturday 'nights out' and therefore unlikely to be perpetrated by repeat offenders.
- A Member expressed disappointment that the Strategy was worded in vague language and suggested it should contain more specific proposals.
- With the introduction of new mobile technology intended to free police officers from returning to the police station, Members questioned how officers were coping with the patchy mobile signal in the County. Superintendent Powell responded that testing of new technology was on-going with good feedback being received so far. Managing a patchy signal should be part of the officer's local knowledge.
- Further information on a number of on-going Community Safety projects would be made available in the near future.

The Chairman thanked Superintendent Powell; Mrs Smith and the Council's representatives on the PCP for attending.

RESOLVED: That the report and the refreshed Herefordshire Community Safety Strategy 2011-14 be noted.

52. WEB-BASED TECHNOLOGIES (DIGITAL CHANNELS)

The Committee received a presentation on web-based technologies (digital channels) and;

- Were updated on the progress of the digital channels work.
- Considered the approach being considered to future web development projects; and
- Received an update on the options being considered around the wider role of technology in communications, engagement and service delivery.

The Head of Communications and Engagement (Interim) gave a presentation on web-based technologies, a copy of the hand-out for which has been placed in the Committee minute book. The presentation summarised the work undertaken on the digital channels project; what had been achieved; what was still to be achieved and outlined the approach for the next phase of the digital channels work.

In the course of the presentation the following principal points were noted:

- The project was part of a programme of work to improve customer services to enable services to be transacted online alongside improved phone and face to face contact.
- A large number of services were to be migrated to one site by the end of 2012.
- Technology in use at the start of the project was expensive and therefore new platforms would be put in place to realise significant savings.
- Risks had been identified that the project had a large number of dependencies to other work across public services in Herefordshire. Constraints on resources impinged on the ability to deliver the project.
- The initial project had been an 18 month time limited project expiring March 2013. The proposal would be a rolling piece of work for which resources still needed to be identified.
- A new corporate web site was being developed in parallel with maintaining the current web site.
- The proposal was to move to a constant development with constant improvements to the content, structure, design and functionality of the site. This would mean a move from the Council having a web site to the Council being the web site provided for the citizens.
- The government term 'digital by default' intended to ensure that digital services would be excellent and therefore the first port of call for information or contact.
- 'Open data' would mean making all useful data available to citizens. This would mean a fundamental shift in corporate thinking.
- Work will need to be prioritised and resourced. However, as more contact was undertaken on-line this should lead to a reduction in the level of off-line (backroom) resources.

The Cabinet Member, Corporate Services, commented in respect of: the Council's web site when compared to others; that problems had been encountered in resourcing the project and that the authority would have to consider how to attract high calibre IT staff to drive the project further, thereby producing the expected efficiencies and savings.

A request was made that the new website be 'Apple' operating system compliant.

It was suggested that in view of the technical nature of the subject a Task & Finish Group be formed to undertake a review of the subject.

RESOLVED: That the presentation and information be noted and the Chairman be authorised to discuss with officers the scope for a Task & Finish review and report back to a future meeting.

At 11.56am the Committee adjourned and resumed at approximately 12.10pm

53. FREEDOM OF INFORMATION AND ARM'S LENGTH COMPANIES

The Committee were informed of the position in respect of the extent and application of the Freedom of Information Legislation (FOI) to arm's length companies.

Public questions had been received from Mrs Morawiecka. See Minute No 50.

The Governance Services Manager presented the report and highlighted that: FOI was applicable to Public Authorities which included the Council; other Public Authorities and external organisations may hold information on behalf of the Council in which case a request received by the Council may mean obtaining this information in order to comply with the law; in some cases however, external organisations may hold information arising from their work with the Council but this was outside the scope of FOI; there are some commonly identified factors that may indicate on what basis information was held

by external organisations, and there may be valid exemptions from disclosure that should be applied, which may take into account the adverse impact disclosure could have on the Council, the holder of the information or a third party. He also highlighted that in the case of companies set up by Public Bodies with 100% of the shares owned by that body, those companies are also taken to be Public Authorities for the purposes of the legislation. In the case of Hereford Futures Ltd the Council did not own 100% of the shares.

Responding to comments concerning the increased role Councils now have in 'commissioning' services and the need for public accountability of resources the Governance Services Manager commented that while government had indicated that it may be considering amending the FOI Act to take into account this expanding role, no timetable for change had been issued.

Questions were raised regarding the use of the term 'Arm's Length Company' and the potential for political involvement.

A point was made that even if a service was 'commissioned out' the Council shouldn't lose control over how that service was run and the accountability for it. The rationale for commissioning out the service should be questioned in the first place.

There was general agreement with paragraph 15.3 of the report that there should be a presumption of disclosure under the Act so any 'borderline' decisions should come down in favour of making information public.

Reference was made to a Member question to Council on 23 November 2012 regarding the availability of minutes of Hereford Futures Ltd.

The Committee noted that the FOI Act was a complex area.

RESOLVED: That the report be noted.

54. EXECUTIVE RESPONSE TO THE OVERVIEW & SCRUTINY TASK & FINISH GROUP ON COMMUNITY INFRASTRUCTURE LEVY

The Committee considered the Executive's response and action plan following the Task & Finish review of the Community Infrastructure Levy (CIL).

The Committee commissioned a Task and Finish Group to undertake a review of the Community Infrastructure Levy (CIL). The initial findings of the Group were presented to the Committee on 10 December 2012 and subsequently forwarded to the Executive for consideration. The Cabinet Member Environment, Housing & Planning considered the findings and agreed the Executive response on 17 January 2013. The action plan was contained in the agenda.

The Committee note that the Cabinet Member had accepted the review and that the action plan indicated a predominantly positive response to the recommendations. The Community Infrastructure Levy Task & Finish Group had met to continue its work and would report its further findings in due course.

The Committee further noted that a preliminary draft CIL charging schedule had been submitted to Cabinet on 27 February prior to being put out for initial consultation.

On questioning whether the levy would create a post code lottery for development the Committee were informed that if different levy rates were set then the areas involved would have to be clearly indicated on an Ordinance Survey map.

Referring to recommendation 6 – locality-based approach to managing infrastructure project – Members of the T&F Group briefly commented upon the various percentages of the levy to be allocated to different purposes e.g. administration; to the local town or parish and to the Council for strategic projects.

RESOLVED: That

- a) the Executive response to the Task & Finish Review on CIL be noted; and
- b) it was noted that the Task & Finish Group had recommenced its work and would report its findings back to this Committee in due course.

55. COMMITTEE WORK PROGRAMME.

The Committee considered its work programme.

It was suggested that the Committee should have earlier input to budget monitoring.

It was also suggested that the Committee should have greater engagement in scrutinising the Core Strategy/Local Development Framework.

While the Robert Francis QC report into the Mid Staffordshire NHS Foundation Trust principally referred to adult social care and health scrutiny, there were a number of recommendations that effected scrutiny as a whole and therefore Member training was being arrange to update members on various aspects of scrutiny.

RESOLVED: That the committee work programme be noted.

The meeting ended at 12.45 pm

CHAIRMAN