

MINUTES of the meeting of Overview and Scrutiny Committee held at Council Chamber - Brockington on Friday 8 June 2012 at 10.30 am

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

Councillors: AM Atkinson, WLS Bowen, MJK Cooper, PGH Cutter, EPJ Harvey, MAF Hubbard, RC Hunt, TM James, Brig P Jones CBE, JLV Kenyon, JW Millar, R Preece, SJ Robertson and PJ Watts

In attendance: Councillors NP Nenadich

Officers: D Taylor (Deputy Chief Executive and Director of Corporate Services), K O'Mahony (Assistant Director – Children and Young People Provider Services); T McGrath (Head of Provider Services (Locality Services), and T Brown (Governance Services).

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillors PL Bettington, TM James and P Rone. Apologies were also received from Councillor PM Morgan (Cabinet Member – Health and Wellbeing).

2. NAMED SUBSTITUTES (IF ANY)

Councillor JW Hope had been appointed to substitute for Councillor PL Bettington but circumstances prevented him from doing so.

3. DECLARATIONS OF INTEREST

7. THE YOUTH SERVICE REVIEW.

Councillor AM Atkinson, Personal, A trustee of Home Support the Hereford YouthCharity.

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Councillor EPJ Harvey, Personal, Chairman of Youth International (Herefordshire).

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Councillor MAF Hubbard, Personal, A member of the Friends of Castle Green Community Group.

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Councillor NP Nenadich, Personal, A trustee of the Close House youth project..

4. MINUTES

RESOLVED: That the Minutes of the meeting held on 18 June 2012 be confirmed as a correct record and signed by the Chairman.

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

The following suggestions were received:

- That the Committee carry out a full review of the Local Transport Plan (LTP) at its earliest opportunity and sustain its focus on the Plan by including it within the Committee's work plan.
- That the Committee should examine how the plans for development of the Enterprise Action Zone at Rotherwas could proceed without links to the LTP and LDF in place.

It was noted that the LTP was already included in the work programme but the timetable for both the LTP and the Local Development Framework was under review and it was not clear at this stage when it would be timely for the Committee to consider the Plans. The Committee was advised that a report was scheduled to be made to Cabinet on the timetable for both Plans on 12 July and that a report would be made to the Committee before Cabinet.

In view of the weight of Council business to be considered in July it was proposed that the Committee should request that an additional meeting of Council should be scheduled towards the end of September, noting that the possibility of making such an arrangement had been discussed by Group Leaders.

RESOLVED: That it be requested that an additional meeting of Council be scheduled towards the end of September 2012.

6. QUESTIONS FROM THE PUBLIC

There were none.

7. THE YOUTH SERVICE REVIEW

(Councillor AM Atkinson, EPJ Harvey, MAF Hubbard and NP Nenadich declared personal interests.)

The Committee was invited to consider whether it wished to make any comments to Cabinet on the outcome of the public consultation regarding the Youth Review and the recommendations to Cabinet on a preferred model for the future delivery of youth service functions in Herefordshire.

The Assistant Director – Children and Young People Provider Services (AD) informed the Committee that changes had been made to the draft report included with the agenda papers, prior to the publication of the report for consideration by Cabinet on 14 June. That Cabinet report had been circulated to Members of the Committee and the Assistant Director drew attention to the changes to the figures on the consultation responses in the published report, noting that some further adjustment was needed to those figures.

In discussion the following principal points were made:

- Some Members stressed the principle that youth provision should be youth led rather than an education driven programme.
- The AD referred to Cabinet's expectation that services should cover their costs. The report contained the proposal that should outdoor education services, (the sailing centre at Bodenham Lakes and the Canoe Centre at Castle Green, Hereford) not prove commercially viable and no suitable provider be found it be recommended that the Council should make arrangements to close the provision by April 2013. The AD outlined the proposal to work with the National Youth Agency (NYA) to plan the next

steps for developing a community engagement model for the universal youth services and to consider options for outdoor education.

Some Members expressed support for the benefits the outdoor education services provided and it was suggested that there was scope to generate increased usage from schools and outside the County to improve the viability of the services.

The Cabinet Support Member commented that the Council's financial situation meant that changes had to be made to service delivery as a whole. The outdoor education services were complex and quite expensive to provide and had relatively modest use. Other organisations offered these services, with more attractive facilities, and the question had to be asked as to where the limited resources available to the Council could be deployed to best effect. The geography of the County meant that the resources in Bodenham and Hereford could not readily be used by schools during the school day.

Some Members commented on the need for a full assessment of the value for money of the outdoor education services before any recommendation for closure could be considered. The AD confirmed that the proposals included market testing of the provision.

It was requested that in undertaking the market testing exercise weight should be given to the need to retain services in the County that were key to its core identity, for example those relating to use of the river and the environment.

- The report to Cabinet recommended that should no suitable provider be found, the Director for People's Services be authorised to make arrangements to close the outdoor education provision. It was proposed that should the Director be minded to close the outdoor education provision at the sailing centre and canoe centre a report be submitted to the Overview and Scrutiny Committee for its consideration prior to any such decision being taken.
- The AD confirmed that a sum was being set aside from existing budgets to fund youth initiatives in localities. Community Groups and Town and Parish Councils would be eligible to bid for funding from this budget. There would be mechanisms to ensure that funding was shared across localities and not simply devoured by larger organisations with the resources to tap funding streams. The proposed market testing exercise would assist in developing the commissioning strategy. This would include the detail of how funding would be distributed and managed within localities.

Members were concerned to ensure that adequate opportunities were provided for young people across the County as a whole and that transition to any new model of service delivery was carefully managed. The number of active community groups and the pattern of community activity varied across the County. It was asked what capacity there was within the community to provide services and what support would be provided to areas with fewer active groups, for example some of the more isolated rural areas. The extent to which funding for community groups would be ongoing following their initial start-up was also discussed.

The AD commented that the proposals aimed to target resources on the most vulnerable young people in the County. This reduced the resource available for universal provision. Services across the County were having to make difficult choices and close some services. It was recognised that youth services could help to prevent young people engaging in detrimental behaviour and the Service would need to monitor the effects of service closure.

There was a need to build capacity within localities. As commissioners of services the Council would develop a relationship with local providers to assess what services were most valued and what support could be provided within the available resources.

The AD added that with the developing localism agenda funding would be available to communities rather than to the Council. Part of the Council's role would therefore be to maximise awareness of funding opportunities.

The Cabinet Support Member acknowledged that the changes to services, whilst necessary, were not being made lightly. Every effort was being made to ensure that the transition to a new model of service delivery would be smooth. The intention was to engage other providers who could provide services more efficiently and effectively than the Council could do.

Noting that the Council's knowledge of potential service providers in the County was far from complete it was proposed that a conference on youth services and facilities in Herefordshire should be convened to facilitate an exchange of information and views on future provision.

- It was questioned why the draft report to Cabinet had been classified as a key decision but the final published report identified it as a non-key decision.

The Director of People's Services replied that Cabinet was to be invited to affirm the decision it had taken to be taken by Cabinet in December 2011 and that the decision was therefore not a key decision.

She added that the view had been taken that to assist the Committee the draft report should be made available to it. This had meant that, as had already been outlined, some changes had been made in the light of new information received in the period between the publication of the draft report and the publication of the Cabinet report. This did raise issues about the timing of reports to the Committee that were then due to be considered by Cabinet to which further consideration would need to be given by officers.

It was proposed that to ensure a consistent approach to the treatment of future reports the Monitoring Officer be requested to submit a report to the Audit and Governance Committee on the basis on which reports are classified as key or non-key decisions and how it is determined that the status of a report can change as it moves through the decision making process, as in the case of the report on the Youth Service Review.

- The discrepancies in the reporting of the responses to the consultation exercise were discussed. The AD reported that there had been a number of late responses and the arrangements for the return of responses had varied. It was proposed that an update be provided to accompany the Cabinet report setting out the figures relating to the consultation exercise together with an explanatory note explaining the reasons for the discrepancies.
- Some concerns were also expressed about the conduct of the consultation process as a whole and the way in which some of the conclusions drawn from the findings had been interpreted. Members were informed that a Member seminar would be arranged on consultation.

- It was suggested that there was an opportunity for the integration of local knowledge allowing communities within the County to share ideas and innovation on youth service provision. It was proposed that the Council should facilitate the use of its website for this purpose.
- That it was essential that local Councillors were involved and kept informed of proposed initiatives, within their wards and across the County so that they could contribute to service development. The AD replied that the vital role of Herefordshire Council Councillors and Town and Parish Councillors in ensuring local ownership of proposals was recognised.
- It was proposed that a scheme be developed for the allocation of an individual budget for each Councillor to support a youth project or projects in their ward.
- The statutory requirements governing access to for “qualifying young persons” to certain services as set out in the section of the report on legal implications were discussed. The AD drew attention to paragraph 34 of the Cabinet report that: *“In general terms it is for the local authority to determine what would amount to reasonable provision of sufficient activities but the judgment of what is ‘sufficient’ should be by reference to the needs of young people in the area.”* The proposals to target services to the most vulnerable young people in the County were in accordance with the Council’s legal responsibilities.
- A concern was expressed that it seemed to be being suggested that the groups on whom services would be targeted were comprised of older Children (eg those not in employment, education or training). The AD stated that there was a joined up approach to targeting services and there was an appropriate focus on early years intervention.
- It was requested that a structure chart of the locality services should be circulated to Members of the Committee.

Resolved:

That (a) Cabinet be recommended:

- i. an update be provided to accompany the Cabinet report setting out the figures relating to the consultation exercise together with an explanatory note explaining the reasons for the discrepancies;
- ii. in undertaking market testing the views of local Members, local community groups and other local authorities with experience of market testing should be sought;
- iii. that as a service to the community the Council should facilitate the use of its website to provide a source of integrated local knowledge about youth service provision and a forum for providers and community groups to share ideas and innovation;
- iv. recommendation c on the Cabinet report should be amended to provide that should the Director of People’s Services be minded to close the outdoor education provision at the sailing centre and canoe centre a report be submitted to the Overview and Scrutiny Committee for its consideration prior to any such decision being taken;

- v. a conference on youth services and facilities in Herefordshire should be convened to facilitate an exchange of information and views on future provision; and
 - vi. that a scheme be developed for the allocation of an individual budget for each Councillor to support a youth project or projects in their ward.
- (b) the Monitoring Officer be requested to submit a report to the Audit and Governance Committee on the basis on which reports are classified as key or non-key decisions and how it is determined that the status of a report can change as it moves through the decision making process, as in the case of the report on the Youth Service Review, with a view to ensuring a consistent approach to the treatment of future reports; and
- (c) a structure chart of the locality services should be circulated to Members of the Committee.

8. WORK PROGRAMME

The Committee considered its work programme.

Members noted the arrangements being made for Members to have the opportunity to contribute to the programme for Root and Branch Reviews, plans to brief Members on the reviews and the intention to report the outcome of the reviews to the Overview and Scrutiny Committee before they were considered by Cabinet.

RESOLVED: That the work programme be noted.

The meeting ended at 12.50 pm

CHAIRMAN