

**MINUTES of the meeting of Strategic Monitoring Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Monday, 15th January, 2007 at 10.00 a.m.**

**Present:** Councillor T.M. James (Chairman)

**Councillors:** A.C.R. Chappell, J.H.R. Goodwin, Mrs. M.D. Lloyd-Hayes, J.P. Thomas and W.J.S. Thomas

**In attendance:** Councillors P.J. Edwards, R.J. Phillips and R.M. Wilson

**43. APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Mrs P.A. Andrews, B.F. Ashton, W.L.S. Bowen and H. Bramer. Councillor Mrs J.P. French (Cabinet Member (Corporate and Customer Services and Human Resources)) also sent her apologies.

**44. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**45. MINUTES**

**RESOLVED:** That the Minutes of the meeting held on 22nd December, 2006 be confirmed as a correct record and signed by the Chairman.

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

There were no suggestions from members of the public.

**47. AUDIT OF LOCAL AREA AGREEMENT**

The Committee considered the outcome of the recent audit of the Herefordshire Local Area Agreement (LAA) undertaken by the Audit Commission.

The Audit had focused on three main areas of the LAA: governance arrangements, financial management arrangements and performance management systems. The report set out progress being made by the Council and its partners in addressing the issues raised by the audit. It was noted that the Auditor had found no serious weaknesses or gaps in the arrangements being developed, and clear enthusiasm among partners to make the LAA process work. There were, however, a number of specific points where the Auditor felt that more work could be undertaken and these recommendations were listed in the report. It was noted that one of these was that the Council should clarify and publicise the role and purpose of the Council's overview and scrutiny function in scrutinising performance against the full range of LAA targets.

The Director of Corporate and Customer Services added that the six month review and annual refresh of the LAA by the Commission which looked at overall progress

and the direction of travel, whilst still subject to moderation, gave the Council two "green lights" indicating that, whilst there was no room for complacency, progress was on track.

It was noted that discussions had taken place with the Commission and the Government Office West Midlands to ensure that the audit complemented and did not duplicate the 6-month review of the Local Area Agreement. The importance of the Voluntary Sector's contribution to the Agreement was noted and concern expressed about the extent to which its ability to participate might be reduced by the demands of an onerous audit regime. The Director reported that the Council would continue to work with the GOWM, the Commission and the Voluntary Sector to achieve a solution.

**RESOLVED: That the report on the audit of the Local Area Agreement be noted.**

#### **48. MANAGING PERFORMANCE MANAGEMENT**

The Committee was informed of the Audit Commission's re-examination in September 2006 of the Council's performance management processes, systems and procedures and the extent to which these were now embedded in the culture of the Council, as a follow up to the Comprehensive Performance Assessment and Joint Area Review in 2005.

The audit's main conclusion had been that the Council was making steady progress in strengthening its performance management arrangements and in embedding a performance culture. However, the audit report also made it clear that the Council still had a long way to go and needed to move even faster in future if it was to bridge the gap between itself and what the Commission has identified as best practice local authorities.

An action plan addressing the fourteen recommendations in the audit report was presented to the Committee.

The Head of Policy and Performance drew attention to the continued scrutiny of the Council's performance management arrangements by the Audit Commission and other inspectorates over the next 12 months adding that the completion of the action plan would be an important aspect of any future work.

He commented on the recommendations in the plan, highlighting the strategic importance of recommendation 5, on the extent to which the Council decided that it would integrate its won service planning, priorities and performance management arrangements with key partners and recommendation 1, on the development of a model to identify how the Council intended to assess and measure its level of performance and rate of improvement. He also drew particular attention to recommendations 4 and 11 of the action plan which related specifically to the role of Members in the Council's performance management arrangements.

The implications of recommendation 5, the replacement of the Comprehensive Performance Assessment regime by the Comprehensive Area Assessment and its emphasis on Partnership working were discussed. The Committee noted that improvement in the Council's own performance needed to proceed rapidly in parallel with developing these longer-term arrangements with partners.

The Committee agreed to give further consideration to how it would monitor progress against the action plan addressing the fourteen recommendations in the audit report. As part of this it would also look at whether there were any recommendations from

the Commission to which it would wish particular consideration to be given as part of the overall scrutiny work programme.

**49. BENEFIT INSPECTION BY THE BENEFIT FRAUD INSPECTORATE AND CHANGE TO BENEFIT INTERVENTION**

The Committee considered a report on two recent inspections of the Council's Benefit service by the Benefit Fraud Inspectorate.

The first inspection in July 2006 had related to interventions work - the review of housing and council tax benefit claims that are in payment. The other inspection had been the 2006 Comprehensive Performance Assessment (CPA) of the Service, the results of which had been published in November, 2006.

The report set out action taken in response to the recommendations of the first inspection. It then explained why the Council's rating for the Benefit Service under the CPA inspection had been reduced from 'Good' to 'Fair'. The Committee was advised that based on the current performance the Benefit service was well on target to return to the 'Good' categorisation in 2007 and to meet the aim of achieving the 'Excellent' rating by 2008.

The report also described changes to the way benefit entitlement was to be reviewed from April 2007. These involved removing the requirement to complete a set number of interventions each year and instead setting a target for the overall number of benefit changes processed that result in a reduction or termination of benefit.

A Member expressed concern about this new requirement. In reply it was emphasised that this was a national requirement. It was incumbent on the Council to ensure that individuals received the correct benefit.

**RESOLVED: That the 2006 Comprehensive Assessment Score and the planned changes to the way benefit entitlement is reviewed from April 2007 be noted.**

**50. INTEGRATED PERFORMANCE REPORT**

The Committee considered the Integrated Performance Report setting out performance to the end of November 2006 against the Annual Operating Plan 2006-07, together with performance against revenue and capital budgets and corporate risks, and remedial action to address areas of under-performance.

The report also covered the progress being made against the Council's Overall Improvement Programme.

The Corporate Policy and Research Manager drew attention to the section setting out highlights of the report and commented on performance against a number of the indicators referred to in that section. He also informed the Committee of the intention to report on a number of perception indicators (such as fear of crime), at the end of the year rather than in-year. This was because results on these indicators were only available once a year and there was a better way of assessing progress in-year; namely by monitoring and reporting progress in achieving the things, such as the actual levels of crime, likely to improve the public's perception of quality of life and services to which these indicators related.

He also drew attention to the intention to close down the Overall Improvement Plan and associated Board and to take all designated major transformation and improvement programmes forward under the umbrella of the Transformation Board.

The Head of Financial Services reported on the position on the revenue and capital budgets as set out in appendices C and D to the report.

In the ensuing discussion the following principal comments were made:

- The pressure on meeting assessment targets of children in need was noted. Attention was drawn to the success already achieved in recruiting and retaining qualified social workers, and the action in hand to appoint more. This was welcomed.
- The success in reducing numbers of households in bed and breakfast accommodation was welcomed, as was action being taken through preventative action to seek to prevent homelessness occurring. It was emphasised, however, that it was important to ensure that families moved from bed and breakfast accommodation secured appropriate alternative accommodation.
- A question was asked about provision in the capital programme for the Rotherwas Relief Road, noting that the Committee had asked to be kept updated. In reply it was advised that this would be reflected in the next monitoring report on the capital programme.

**RESOLVED: That the report be noted.**

#### **51. UNDERSTANDING AND RESPONDING TO THE PUBLIC**

The Committee agreed to defer consideration of this item to its next meeting.

#### **52. FINANCIAL STRATEGY UPDATE**

The Committee considered an update on the Medium Term Financial Management Strategy.

The Director of Resources presented the report which set out emerging areas of pressure for the 2007/08 budget and remedies to meet these areas of risk, Directorate base budgets for 2007/08, approved Invest to Save and Invest to Mitigate proposals, and capital investment proposals.

Attention was drawn to potential financial “hotspots”, resources to address these and changes made to the Strategy since its approval by Cabinet as a consequence. It was noted that this included an adjustment to reflect a reduction in the estimated Council Tax base for 2007/08 because housing developments had not taken place at the pace expected.

The Committee noted the update on the Medium Term Financial Management Strategy.

#### **53. ANNUAL OPERATING PLAN**

The Committee was presented with a draft of the Council’s Annual Operating Plan 2007-08 and invited to offer comments for Cabinet to consider in finalising the Plan.

The Corporate Policy and Research Manager reported that a number of targets and details still needed to be completed. These included the targets from the Local Area Agreement, which required Ministerial approval. The final Plan would also need to take account of an urgent review being carried out of performance against Best Value Performance Indicators and other indicators that would need to be improved to

raise the Council's Comprehensive Performance Assessment Score and Direction of Travel Assessment.

The Committee decided to defer consideration of this report noting that its next meeting would take place before Cabinet considered the Plan, allowing the Committee to submit comments in sufficient time alongside its consideration and comments on the proposed Budget.

#### **54. PAY AND WORKFORCE DEVELOPMENT STRATEGY**

The Committee considered progress against the Strategy including key achievements to date and future challenges.

The Human Resources Manager (Organisation Development and Workforce Planning) presented the report commenting on progress against each of the Strategy's key themes.

The Committee discussed reasons for staff leaving, youth work recruitment and the role of the voluntary sector, the development of multi-agency Adult Services and Children's Services workforce strategies.

**RESOLVED: That progress in implementing the Pay and Workforce Development Strategy be noted.**

#### **55. CORPORATE ICT STRATEGY**

The Committee agreed to defer consideration of this item to its next meeting.

#### **56. COMPLAINTS TO THE OMBUDSMAN**

The Committee considered the number and type of complaints to the Local Government Ombudsman on the Council's Planning Service in 2005/06.

The breakdown of the informal and formal complaints received across services as a whole in 2005/06 had also been circulated to the Committee, having been omitted from the report on complaints and compliments made to the Committee in October 2006.

The report to the Committee in October had included the Local Government Ombudsman's Annual Letter. This had identified a significant increase in the number of complaints about planning in Herefordshire, and suggested that the Council may wish to consider whether special factors had caused this increase. In response the Committee had requested an analysis of the complaints about planning.

The analysis was presented to the Committee. The report noted that no findings of maladministration had been found against the Council. In addition there were no obvious areas of consistency in the various complaints either by type of application or by type of complaint. To this extent there were no obvious areas which if improved or modified, would be reasonably expected to reduce such complaints in future years.

The Committee was assured that the situation was being monitored and that consideration was being given to whether clarifying some aspects of the guidance to people wishing to object to proposals might help to reduce complaints.

The Committee discussed the analysis. It was acknowledged that planning was an area with a clear potential to generate complaints. It was therefore particularly important that the complaints procedure was well publicised. The importance of planning applications being clear and accurate and work by the Planning Service on this aspect was also discussed.

It was noted that whilst complaints about enforcement in the planning context were significant nationally there were very few complaints on this aspect locally. The Head of Planning Services considered the approach to enforcement in Herefordshire to be working well.

**RESOLVED: That the report be noted.**

**57. IMPLEMENTATION AND INTERPRETATION OF PLANNING (DEVELOPMENT CONTROL) POLICIES**

The Committee considered a report on the implementation and interpretation of planning policies.

Members had expressed an interest in pursuing the scope for local discretion in Planning (Development Control) policies following consideration of a number of possible themes for the scrutiny work programme as endorsed by the Committee in June 2006.

The report set out the background to the planning system and commented on the role of Members in policy formulation and decisions on individual applications. It was noted that the planning system encouraged balanced decisions which were soundly based in policy and which respected local character and distinctiveness.

The Head of Planning Services advised that the Unitary Development Plan was robust and contained policies which reflected local aspirations. The forthcoming Local Development Framework should afford greater flexibility to reflect local aims.

In the course of discussion the following principal points were made:

- In response to a question the Head of Planning Services confirmed that the planning framework would continue to provide for affordable housing in larger villages to meet genuine need.
- Asked about maximising the level of contributions which could be obtained from developers the Head of Planning Services reported that a policy was in preparation which would contain clear protocols and standards providing a firm basis for negotiations with developers.
- That it was important to recognise that there were occasions when one policy had to be weighed against another and a balanced decision reached.

**RESOLVED: That the report be noted.**

**58. SCRUTINY ACTIVITY REPORT**

The Committee noted the work being undertaken by the Scrutiny Committees.

**59. WORK PROGRAMMES**

The Committee considered the Scrutiny Committees' current work programmes.

**RESOLVED:** That the current Work Programmes be noted.

**60. SCRUTINY IMPROVEMENT PLAN**

The Committee was invited to note progress on the Scrutiny Improvement Plan.

**RESOLVED:** That progress against the Scrutiny Improvement Plan be noted.

The meeting ended at 12.24 p.m.

**CHAIRMAN**