

**OVERVIEW AND SCRUTINY COMMITTEE
(PERFORMANCE AND CORPORATE SERVICES)**



**MEETING HELD AT THE TOWN HALL, SOUTHPORT
ON TUESDAY 16TH FEBRUARY, 2010**

PRESENT: Councillor D Hardy (in the Chair);
Councillor Byrom (Vice-Chair);
Councillors Byrne, Fenton, McGinnity, Papworth,
Storey and Weavers.

55. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bigley, Howe and Platt (Substitute Member).

56. DECLARATIONS OF INTEREST

No declarations of interest were received.

57. MINUTES

RESOLVED:

That the Minutes of the meeting held on 19 January 2010 be confirmed as a correct record.

58. WORKING GROUPS - ATTENDANCE BY NON-MEMBERS

The Committee considered the report of the Assistant Chief Executive on a draft protocol to be followed in the event of non-Working Group Members attending meetings of Overview and Scrutiny Working Groups.

RESOLVED:

That the draft protocol regarding the operation of Overview and Scrutiny Working Groups, be approved and circulated to all Members of the Council, for information.

**59. REVENUE BUDGET AND MEDIUM TERM FINANCIAL PLAN
2010/11 TO 2012/13**

Further to Minute No. 273 of the meeting of the Cabinet held on 4 February 2010, the Committee considered the report of the Chief Executive which provided an update on the Medium Term Financial Plan 2010/11 to 2012/13 and set out the remaining options for consideration in relation to the Strategic Budget Review.

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The report indicated that the Council was required to set a budget and Council Tax for 2010/11 by 10 March 2010; and that under legislation, the Cabinet's recommended budget was required to be scrutinised independently, prior to approval by full Council.

The report further indicated that whilst there was uncertainty around external revenue support from Government beyond 2010/11, it was important not to underestimate the budget issues for future years; and that the aim was to provide a fuller picture across the period of the Medium Term Financial Plan, rather than just for 2010/11.

The Committee considered a supplementary report which had been considered by Cabinet and which provided an update on the budget position following consideration by the Leaders Group, and Minute No. 273 of the Cabinet held on 4 February 2010, which had resolved that:

- “(1) the latest position for the 2010/11 - 2012/13 Medium Term Financial Plan following the Council Meeting on 14 January 2010 be noted;
- (2) the final Revenue Settlement position be noted;
- (3) that the application of £2.3m of Area Based Grant resources to the 2010/11 budget be confirmed;
- (4) the Council be recommended to approve the total savings of £400,000 from the Technical Service Environment and Routine Maintenance budgets and the removal of the inflation provision for Private and Voluntary Sector Community Care Providers set out in Annex 1 of the supplementary report;
- (5) the budget scenario set out in Annex 2 of the supplementary report be submitted to the Overview and Scrutiny Committee (Performance and Corporate Services) for consideration and it be requested to note that the illustrative Council Tax increases under the scenario would be

Sefton Council Services	2.5%
Levies	0.4%
Fire and Police	<u>0.3%</u>
Total	3.2%
- (6) officers be requested to continue to review all savings options and assumptions in order to achieve a total Council Tax increase of less than 3% inclusive of levies and precepts;
- (7) the latest schedule of Levies and Parish precepts set out in Annex 3 of the supplementary report be noted;

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- (8) officers be requested to consider the implications of making a substantial allocation of one-off resources to invest in highways maintenance following the recent bad weather and submit a report to the next Cabinet meeting on 4 March 2010;
- (9) it be noted that the Chief Executive will report on the robustness of the estimates and the adequacy of financial reserves for the budget proposals to the Overview and Scrutiny Committee (Performance and Corporate Services) and Full Council;
- (10) the Strategic Budget Review (SBR) options detailed in Table 1 of Appendix B to the report be deferred for consideration at the Cabinet meeting on 4 March 2010;
- (11) the Action Points identified for each SBR option in Table 2 of Appendix B to the report be recommended to the Council for implementation;
- (12) the progress being made in the Terms and Conditions negotiations with the Trade Unions be welcomed and the consideration of the remaining "amber/red" SBR options, detailed in Tables 3 and 4 of Appendix B to the report be concluded at the Cabinet Meeting on 4 March 2010; and
- (13) it be noted that the comments of the Overview and Scrutiny Committee (Performance and Corporate Services) on the budget proposal will be referred back to the Cabinet meeting on 4 March 2010 for consideration."

RESOLVED:

That the report be received and no comments be made at present to the Cabinet regarding its recommendations for the 2010/2011 Budget and Council Tax.

60. CABINET MEMBER REPORTS

The Committee considered the report of the Assistant Chief Executive, indicating that, In order to keep Overview and Scrutiny Committee Members informed, the Overview and Scrutiny Management Board had agreed that relevant Cabinet Member Reports should be submitted to future meetings of Overview and Scrutiny Committees.

Accordingly, the Committee received the latest reports from the Cabinet Members for Communities, Corporate Services and Performance and Governance.

RESOLVED:

That the Cabinet Member reports be received.

**61. WORK PROGRAMME KEY DECISION FORWARD PLAN - 1
FEBRUARY 2010 TO 31 MAY 2010**

The Committee considered the report of the Assistant Chief Executive attaching the latest Key Decision Forward Plan that contained all the Key Decisions that the Executive was anticipated to take during the above period. The Committee was advised of its right to pre-scrutinise any Key Decision which fell under its remit.

Equalities Working Group

The Chair indicated that the Equalities Working Group had concluded its scrutiny of the Council's Equalities Impact Assessments. It was noted that the Government had published the new Equality Framework for Local Government that was a marked step change from the old Equality Standard and focused upon impact and risk assessments and the achievement of outcomes. The Equality Bill was expected to be published in spring 2010 and from this, new duties and responsibilities would be introduced for Local Authorities. In addition to this, as part of the Transformation Programme, a work programme on equality and diversity had been agreed which formed part of the Council's developing new approach around knowing and understanding communities, research and intelligence and performance improvement. As such, work on equality and diversity was to be mainstreamed back into a corporate approach within the Council and a new performance process, linked to the new Equality Framework, was to be developed. As a consequence of these changes it was proposed that the Equalities Working Group should conclude its scrutiny of this area, with a view to examining future areas of work once the transformation had bedded down. The Working Group had also undertaken work on guidance for sole traders or organizations with less than 5 employees, tendering for work with the Council, and the requirement for compliance with equality and diversity requirements. In consultation with the Sefton Equalities Partnership, a simplified questionnaire had been produced for incorporation into the Council's procurement procedures.

The report of the Equalities Working Group would be submitted to the next meeting of this Committee.

Perceptions of Crime Working Group

It was indicated that as part of the Transformation Programme a work programme on engagement and consultation had been agreed as part of the Performance Improvement work stream; and the Council was planning to introduce a new corporate approach on knowing and understanding local communities, research and intelligence and performance

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improvement. As a consequence of this, work on engagement and consultation currently being delivered across departments and some outwith of the Council would be mainstreamed back into a corporate approach and would be linked closely to the changes in relation to the Sefton Borough Partnership and the developing approaches around Neighbourhood Management. As a consequence of these changes, it was proposed to end this Working Group at this time and examine future areas of work once the transformation had bedded down.

Health Inequalities and Scrutiny

The report informed Members that the Overview & Scrutiny Management Board had recently established a cross-cutting Working Group, to scrutinise health inequalities within the Borough, membership comprised of the four O&S Chairs, and developments would be reported back to the Committee in due course.

Members were also informed that, prior to Christmas 2009, the Centre for Public Scrutiny had invited local authorities to bid for Scrutiny Development Area status. The intention being to raise the profile of overview & scrutiny as a tool to promote community well-being and assist councils and their partners in addressing health inequalities within their local community.

Sefton Council had submitted a bid that had been successful. Funding for successful bids would attract a maximum of £5,000 for costs incurred over and above the usual scrutiny support that the local authority provides. In addition an expert advisor would also be placed with each of the successful pilots to help develop the review. Developments would be reported back to the Committee in due course.

RESOLVED: That

- (1) the contents of the Forward Plan for the period 1 February to 31 May 2010, be accepted; and
- (2) the progress and actions of the Equalities and Perceptions of Crime Working Groups to date be accepted.
- (3) the establishment of a cross-cutting Working Group, to scrutinise health inequalities within the Borough, comprised of the four Overview & Scrutiny Chairs, be supported; and
- (4) Sefton's successful bid to become a Scrutiny Development Area, to assist in addressing health inequalities within the local community, be recognised.

62. PROPOSED PERFORMANCE MANAGEMENT FRAMEWORK UPDATE

The Committee considered the report of the Assistant Chief Executive, updating on the development of the new performance management framework.

The framework was being developed in order to try and address the lack of corporate intelligence informing the Council and its partners, and the need for change had been driven by the CAA, the Strategic Budget Review, Risk Management, Legislation and Members and the Performance Culture. In the short term it was intended that the proposed management framework would apply to:-

- Sustainable Community Strategy Outcomes (where Sefton MBC is the contributory partner);
- Corporate Plan Strategic Aims, Objectives and Actions;
- Departmental and Annual Service Plans;
- National and Local Performance Indicators; and
- that in the medium term, once properly embedded, Strategic, Corporate and Service Delivery risks would also be incorporated into the performance framework.

The core groups and composition of the framework would comprise the Performance and Intelligence Group, which would support and inform the other core groups, namely Sefton MBC's Performance Board; Cabinet Members and Service Directors; the Cabinet Member – Performance and Governance and the Overview and Scrutiny Committee.

Consultation with key stakeholders had identified a number of issues which had been incorporated into the proposed framework; such as risk management and the importance of a performance–risk culture across the Council; the incorporation of Area Committees and Area Partnership Agreements for localised performance monitoring and reporting, resource allocations, and reporting to the Cabinet Member Performance and Governance.

The Overview and Scrutiny Management Board held on 12 January 2010 had emphasised the need for greater clarity of the role of Overview and Scrutiny in relation to reviewing and challenging performance – particularly in respect of 'escalated' outcomes/service areas and utilising the duty to regard and co-operate. In this respect, to help more accurately define the role of Overview and Scrutiny Members, an Overview and Scrutiny Away Day event was being planned for April 2010.

The intention was for the performance management framework to be in place by the commencement of the 2010/11 Municipal Year, which required it to be fluid as it was evolving in its on-going development.

Discussion ensued and the following issues were raised:

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- Overview and Scrutiny's role in addressing the most underperforming areas;
- whether the framework could be developed in the timescale and within existing resources;
- whilst recognising the benefits of Overview and Scrutiny and Performance and Intelligence working in close co-operation and sharing information with each other; the independence of the scrutiny function should be paramount;
- the role of the Cabinet Member – Performance and Governance in relation to the performance of the portfolios of other Cabinet Members.

RESOLVED:

That the report on the proposed performance management framework for the Council and its partners be received with a view to further consideration by Members at the forthcoming Overview and Scrutiny Away Day event.

63. GOVERNANCE REVIEW UPDATE

Ms Laura Shepherd, Local Strategic Partnership Manager, provided a verbal update on the progress of the Governance Review indicating that:-

- the changes to the Executive arrangements, based on the new style Leader and Cabinet model, would come into effect in the new Municipal Year 2010/11;
- the proposed structure and membership of the Sefton Borough Partnership and issues relating to the partnership and area management development were to be considered by the Cabinet Member – Performance and Governance on 17 February 2010 and subsequently by the Cabinet and Full Council on 4 March 2010, with a view to implementation in the Municipal Year 2010/11;
- the Sefton Borough Partnership (SBP) would be smaller and have a more defined role in relation to Sefton's unique identity and set of circumstances;
- Area Committees were to take the lead in decision making for area management and would be supported by area focused teams to deliver improvements to their neighbourhoods, with a view to incorporating priority setting; Local Plan development; monitoring of service delivery by areas; influencing service delivery within areas; management of locally based projects; devolution of Council functions where appropriate; involvement of partners and a more explicit link to the Sefton Borough Partnership.

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RESOLVED:

That the verbal update on the Governance Review be received.