

OVERVIEW AND SCRUTINY COMMITTEE

TUESDAY, 9TH OCTOBER, 2007

PRESENT: Councillor P Grahame in the Chair
Councillors B Anderson, S Bentley,
S Golton, T Hanley, A Harrison, W Hyde,
E Minkin and R Pryke

APOLOGIES Councillor B Gettings

39 Declaration of Interests

The following Member declarations of interest were made:

Agenda Item 9 (Minute No. 43 refers) – Planning Performance – Councillors Golton and Minkin – personal interests in their capacity as Members of Plans Panels.

(NB: See also later Minute Nos 44 and 45)

40 Minutes - 11th September 2007 and Matters Arising

The draft minutes of the meeting held on 11th September 2007 were submitted for confirmation.

- (a) Debt Rescheduling (Minute No 29 refers)
Councillor Hanley requested that OSC Members be supplied as soon as possible with the additional information requested at the last meeting regarding an explanation of the dates that loans were taken out, paid off or rescheduled, and how this had led to accumulated savings of some £21.8m. The Head of Scrutiny and Member Development undertook to pursue this.
- (b) Work Programme and Draft Terms of Reference for Proposed Inquiries (Minute No 37 refers)
The Head of Scrutiny and Member Development confirmed that further names had been received to join the working group, the purpose of which would be to consider terms of reference for an Inquiry into ALMOs. The working group now comprised the Chair and Councillors Anderson, Bentley, Hanley, Harrison and Pryke.

It was agreed that the Head of Scrutiny and Member Development would arrange for information supplied by the Chief Democratic Services Officer to Councillor Hanley when he was Labour Whip, relating to the operating costs of the Group Offices, to be circulated to all OSC Members.

RESOLVED – That the minutes of the meeting held on 11th September 2007 be confirmed as a correct record.

41 Minutes - Executive Board, 11th September 2007

RESOLVED – That the minutes of the Executive Board meeting held on 11th September 2007 be received and noted.

42 Leeds Strategic Plan

Further to Minute No 33, 11th September 2007, the Committee considered a report submitted by the Assistant Chief Executive (Planning, Policy and Improvement) relating to the draft strategic outcomes and proposed improvement priorities outlined in the Leeds Strategic Plan 2008-2011. The Committee also received a presentation on this subject.

Steve Clough, Head of Policy, Performance and Improvement, and Dylan Griffiths, Chief Executive's Department, attended the meeting and responded to Members' queries and comments. In brief summary, the main issues raised were:-

- The need to link the budget process and the allocation of resources to the priorities and outcomes identified in the Plan and how this might be achieved;
- The importance of 'selling' the plan to the public, not just the Council and its partner agencies, and how the public could get involved and feel part of the process;
- The importance of the City's transport infrastructure seemed to be downplayed. The need for greater influence at national level was remarked upon, but also the scope for doing relatively small initiatives locally, which cumulatively would make an impact;
- A lack of reference to several issues which Members regarded as vital components of such a Strategic Plan was commented upon – pedestrians, children (too adult orientated?), tackling obesity and the link to diabetes, heart disease and strokes, substance abuse, the impact of refugees and asylum seekers on Council services;
- The role of Members in the process – not merely as so-called 'Community Champions' but as leaders of change in terms of, for instance, planning matters and the design and quality of the built environment
- Housing – the vast, unmet demand for social housing was commented upon. The view was expressed that this would not be addressed by proposals to build 450 so-called 'affordable' homes per annum.

RESOLVED –

- (a) That subject to the above broad comments and concerns expressed today, the report on the draft strategic outcomes and proposed improvement priorities for inclusion in the Leeds Strategic Plan 2008-2011 be received and noted.

- (b) That the matter be referred back to OSC at its November meeting for further comment, following consideration of the Plan by all other Scrutiny Boards in the October cycle of meetings.
- (c) That a further report on the proposed targets and performance indicators to support the improvement priorities contained in the Plan be submitted to the January OSC meeting.

43 Planning Performance

Further to the Committee's Inquiry into this area carried out during the 2006/07 municipal year, culminating in the approval of a final report and recommendations at its meeting on 5th March 2007 (Minute No 87 refers), the Chief Planning Officer submitted a report updating the Committee on progress in implementing those recommendations.

Phil Crabtree, Chief Planning Officer, and Helen Cerrotti, City Development Department, attended the meeting and responded to Members' queries and comments. In brief summary, the main issues discussed were:-

- The Chief Planning Officer was congratulated on the content of the report and the progress which was being made to improve planning performance;
- The Action Plan appended to the report and the make-up of the proposed cross-party Members' and officers Working Group to oversee the process and the implementation of the Action Plan. The need for the involvement of the Party Whips in establishing this Working Group was emphasised, as was the need for OSC to still be involved in the monitoring process;
- The need for greater consultation with Ward Members regarding what was regarded as a 'significant' matter which warranted referral to a Plans Panel – small, but sensitive, applications could still be regarded as significant at local level;
- The importance of developing a digital model of the City in order that the likely impact of planning proposals could be more easily understood by Members and the public;
- The greater emphasis on pre-application presentations, and the development of a protocol in this regard, were welcomed;
- The employment of 'community planning officers' at Area Committee level, such as in the North West Area, was regarded as a good investment in terms of advising local Members, developers and the public;
- The Government's perception of Leeds as a Planning Authority, and whether or not this was influencing the outcome of appeals against planning decisions;
- Whether the current balance of items referred to Plans Panels and those delegated to officers was in need of review?
- The need to improve the administration of Plans Panel meetings in terms of the timing of items, venues, monitoring Members' comings and goings and customer advice and information;

RESOLVED –

- (a) That the report and Action Plan, together with the Committee's comments, be referred to the Plans Panel Members for discussion and comment
- (b) That subject to the submission of regular update reports to OSC, the proposal to establish a joint cross-party Member and officer working group to monitor the Action Plan be endorsed
- (c) That OSC receive a further report in 6 months time.

(NB: Councillor Anderson left the meeting at 12 noon, towards the end of this item)

44 Direct Payments

Further to Minute No 9, 4th June 2007 and Minute No 32, 11th September 2007, the Committee received a briefing on direct payments from Mike Evans, Chief Officer - Adult Services, to assist the Committee in reaching a decision regarding whether or not to conduct an Inquiry into this issue.

In brief summary, the main issues discussed were:

- An explanation of how the current system of direct benefit payments to the public worked, which services the money could be used to purchase and why take-up in Leeds was currently low;
- Police CRB checks in relation to carers employed by recipients of direct benefit payments and the monitoring arrangements for private firms providing these kind of services;
- The current Improvement Plan introduced in April 2007 and a recent Internal Audit report on the service – OSC to receive this report and the Department's Action Plan in response to the report;
- The need for the Council to perhaps provide greater support and assistance for people wishing to claim direct payments, and the work carried out by the Armley Centre for Integrated Living to assist direct payment claimants;
- Whether the payments could be used to pay for adaptations? It was stated that more usually the payments were used to purchase pieces of equipment, rather than adaptations.

RESOLVED – That the Committee consider the Internal Auditor's recent report, and the Department's response, before deciding whether any further action is required and, if so, whether OSC or the Scrutiny Board (Health and Adult Social Care) should carry out an Inquiry.

(NB: 1 Councillors Hanley and Pryke declared personal interests in this item in their capacity as members of Bramley Elderly Action and Leeds Care and Repair respectively;

- 2 Councillor Harrison left the meeting at 12.30 pm at the conclusion of this item)

45 Scrutiny of the Budget - Financial Health Monitoring 2007/08 - Quarter 1 Report

The Committee considered the 2007/08 Quarter 1 Financial Monitoring report of the Director of Resources, submitted to the Executive Board on 22nd August 2007. The purpose of this was to ascertain whether any areas required further scrutiny.

Doug Meeson, Chief Officer – Financial Management, was present at the meeting and responded to Members' queries and comments. In brief summary, the main issues discussed were:

- The net projected shortfall of £6m at this early stage of the financial year, and the projected savings to offset this;
- The on-going efforts to ensure that OSC's recommendations regarding the budget being linked to achieving the Council's objectives and priorities are realised;
- Disappointment was expressed at the need for the invocation of penalty clauses to the amount of £300,000 in respect of the PFI street lighting contract, due to non-compliance with agreed implementation timescales, so soon into this important project;
- The Housing Revenue Account situation, incentive payments to ALMOs in relation to the quick reletting of void properties and the redistribution to ALMOs of savings generated through a reduction in disrepair claims and bad debt costs in 2006/07. The former, void levels, had been the subject of a previous Board Inquiry, and this should be reviewed to ensure that ALMOs were reaching agreed targets. It was suggested that perhaps both these issues could be picked up as part of OSC's proposed Inquiry into ALMO related areas;
- The performance in respect of the prompt repayment of undisputed invoices. Councillor Hanley requested details of the number of disputed invoices be circulated to OSC Members – prompt payment was vital to many small local businesses;
- The Local Authority Business Growth Incentive scheme, which allowed local authorities to benefit to a degree from business expansion in their area. The current scheme was due to end in December;
- In terms of the write-off of bad debts, Mr Meeson accepted the need to produce future evidence of a downward trend in this area;
- The Council's contingency plans for meeting its commitments under the equal pay claims currently being processed, and the Government's agreement to allow local authorities to capitalise the costs and pay it back over 25 years.

RESOLVED – That subject to the above comments, the report of the Director of Resources be received and noted.

(NB: 1 Councillor Grahame declared a personal interest in respect of the discussion of PFI related issues in her capacity as a member of the Swardale Swarcliffe Eastwood Residents Association;

- 2 Councillor W Hyde left the meeting at 13.10 at the conclusion of this item)

46 Recommendation Tracking

The Head of Scrutiny and Member Development submitted a report providing the Committee with an overview regarding the implementation of the recommendations of previous Inquiries carried out by Scrutiny Boards and highlighting any possible areas of concern (none on this occasion).

A discussion ensued regarding the need to ensure that reports detailing progress on implementing Scrutiny Inquiry recommendations, whether by internal Departments or partner public sector organisations, gave clear and meaningful information. It was acknowledged that for their part, Scrutiny Boards should be ensuring that their recommendations were specific, measurable, achievable, realistic and time-bound.

RESOLVED – That the report be noted.

47 Work Programme

The Head of Scrutiny and Member Development submitted a copy of the Committee's work programme, updated to reflect decisions taken at previous meetings, together with a relevant extract from the Council's Forward Plan of Key Decisions for the period 1st October 2007 to 31st January 2008.

In response to Members' queries on the Forward Plan, the Head of Scrutiny and Member Development undertook to circulate to OSC Members further details relating to a future decision regarding lamppost advertising and further information on the proposed formation of the Garforth Schools Trust.

RESOLVED – That subject to the above, and any other changes necessary as a result of today's meeting, the Committee's work programme be approved.

48 Dates and Times of Future Meetings

Tuesday 6th November 2007
Tuesday 11th December 2007
Tuesday 8th January 2008
Tuesday 5th February 2008
Tuesday 11th March 2008
Tuesday 8th April 2008

All at 10.00 am (Pre-meetings at 9.30 am)