

Overview & Scrutiny Committee – Meeting held on Thursday, 15th January, 2009.

Present:- Councillors Grewal (Chair), Basharat, Coad, Davis, Dodds, Haines (until 6.40 p.m.), Matloob, Munkley and Walsh.

Also present under Rule 30:- Councillors Parmar, Stokes and Swindlehurst.

PART I

55. Declarations of Interest.

The Chair, Councillor Grewal, declared a personal and prejudicial interest in agenda item 3 (Castlevue Scrutiny) and stated that he would vacate the chair for that item and leave the meeting.

Councillor Munkley sought clarification from Officers as to whether he would again need to declare a prejudicial interest in the same item as he had when the matter was previously discussed at the meeting on 4th November, 2008. He was advised that circumstances were identical to those at the November meeting and that he should declare a prejudicial interest and leave the meeting whilst the item was discussed. He accordingly did so. He did however request that his objection to his having to leave be placed on record for the reasons previously indicated.

Councillor Haines similarly declared a prejudicial interest and requested that his objection to the requirement under the Code of Conduct for him to leave the meeting be placed on record.

56. Minutes

The minutes of the meetings of the Committee held on 4th and 24th November, 2008 were approved as a correct record and signed by the Chair.

57. Scrutiny of 'Castlevue' Issue - Further Consideration

Councillor Grewal vacated the chair and left the meeting. Councillor Basharat took the chair for this item. Councillors Haines and Munkley also left the meeting prior to the commencement of this item.

The Deputy Borough Solicitor reminded the Committee that it had not been possible for Officers to fully respond to some of the questions submitted by Councillor Stokes on this matter due to the loss of two files on the Castlevue site by the Council's consultants, Drivers Jonas. However, the files had been located on 12th January, 2009 and passed back to the Council later that day. Given the large amount of information within those files and the fact that the Officer responsible for preparing responses was involved in a sustainability audit this week, it had not been possible to prepare replies in time for this meeting. Accordingly, Officers were recommending that the item be deferred

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until a later meeting to enable full responses to be prepared from the information contained within the recovered files.

It was moved by Councillor Basharat and seconded by Councillor Matloob that further consideration of this matter be deferred until the meeting of the Committee taking place on 26th February, 2009 so as to give Officers sufficient time to prepare responses to the relevant questions submitted by Councillor Stokes. This proposal was put to the vote with three Members voting in favour and three against. The Chair used his casting vote in favour of the motion.

Councillor Stokes was given the opportunity to address the Committee and expressed concern at the loss of the files and suggested that the way in which Council files were handed over to other parties should be examined. The Strategic Director of Resources stated that the consultants had fully accepted that they were in possession of the files and that they had mislaid them. Councillor Stokes advised that he may not be able to attend the meeting on 26th February.

Councillor Coad requested that her objection to the Committee's decision to defer this matter be placed on record as she would be unable to attend the meeting on 26th February and given that three Members were debarred by having declared a prejudicial interest, she did not believe that proper scrutiny of this matter would take place.

Resolved - That this matter be deferred until the meeting taking place on Thursday, 26th February, 2009 to enable Officers to prepare further responses to previously asked questions, based upon information contained within the recovered files, and that the Committee decide at that meeting whether any further scrutiny of this matter is required.

(Councillors Grewal and Munkley rejoined the meeting.)

58. Performance and Financial Reporting for 2008/09

The Strategic Director of Resources introduced his report highlighting the Council's overall performance from delivery of service to financial management. The report focused on performance management, the revenue and capital monitoring position and central debt management.

The Director drew particular attention to the findings of the Annual Performance Assessment (APA) process for Adult Social Care Services which had received a three star "excellent" rating in respect of both the delivery of outcomes and the capacity for improvement. This was the fourth year that the Council had achieved three stars for this service but it was the first year that a judgment of "excellent" had been achieved in both delivering outcomes and capacity to improve, reflecting an improvement on the previous year. This was the highest rating that could be achieved. It was noted that the star rating and performance judgments contributed to the Council's Comprehensive

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Performance Assessment (CPA) rating and would continue to do so under the new Comprehensive Area Assessment (CAA) performance framework. However, from 2009 onwards, the Adult Social Care “capacity to improve” judgment would only be reflected in the Council’s CAA rating and not the APA rating.

Members raised a number of issues on the report:-

- Members welcomed the achievement of the Adult Social Care Service in receiving such an excellent judgment and the Director explained the work that had taken place both corporately and within the Department to achieve improvements over the result in the previous year.
- In respect of debt recovery, several Members asked for clarification of the Council’s attitude to individuals in debt because of the current financial situation and sought assurances that the Council took a sympathetic approach where families were in real hardship through loss of employment etc. The Strategic Director explained that where payments were missed, the first letter was sent within 14 days with a further two letters following. Before any formal legal action was taken, arrangements were made for Officers to meet informally with the individuals involved to talk through any problems they may be having and, where possible, put arrangements in place for debt counselling, access to advice services and arrangements for the repayment of the debt over a longer period. However, the authority had a duty to collect all outstanding debts although, where it was deemed to be appropriate, a sympathetic approach was taken.
- A Member asked whether there were a number of persistent non-payers of Council Tax. The Director responded that there were a small number that fell into this category and these debts were pursued, if necessary, over a number of years. However, in overall terms, the Officers were striving to improve in- year Council Tax collection rates given that Council Tax made up 45% of the authority’s income. He explained that, in the current year, the Council had achieved the highest ever in-year collection of Council Tax and this was all the more significant given the fact that Slough’s population was extremely fluid as compared to some other authorities. A number of measures had been put in place to improve collection including paperless direct debit, a review of the letters sent out to individuals so that they were easier to understand, and the introduction of informal meetings with debtors before formal Court action was taken. However, there was still work to be done to improve the collection rate even further.
- Members sought further information on the year on year position in respect of the collection of debt and the Director undertook to provide a more detailed report to the next meeting. He did however comment that the provision for bad debts made within the budget was quite low.
- Information was sought as to whether some businesses within the town were struggling to pay business rates on empty properties and what attitude the Council took in such circumstances. The Director commented

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that Officers were speaking to a number of business ratepayers who were in financial difficulties but, at the end of the day, business rates were collected on behalf of central government and if the authority did not collect them, it fell back on the ordinary Council Tax payers to meet any shortfall. However, where appropriate, discussions took place with businesses having cash flow difficulties to attempt to assist them.

Resolved - That the report be noted.

59. CPA to CAA – Implications for Overview and Scrutiny

The Interim Assistant Director (Policy, Performance and Scrutiny) and the Scrutiny Officer made a presentation to the Committee outlining the current Comprehensive Performance Assessment (CPA) framework introduced by the Audit Commission in 2002, explaining that it measured how well the Borough Council delivered services to local people and its community. However, from April 2009 onwards, the CPA would be replaced by the Comprehensive Area Assessment (CAA) which would look at the local area in totality, focusing on local issues, partnership working and the challenges faced by an area such as crime, community cohesion and sustainability. The aim of the CAA was to create a more joined-up approach so that service delivery was more relevant to local people. The key principles of the CAA were:-

- Relevance to the quality of life so that local targets and priorities sat alongside national ones.
- Area and outcome focus so that outcomes in an area were assessed as opposed to just the processes.
- Constructive and forward looking so that there was an overall assessment of risk and not just a reliance on past performance.
- Joint participation by all key sector representatives to draw on the views of local people and not just how the Borough Council was performing in its own right.

Officers explained the way in which the CAA would be assessed and commented that whilst the government had consulted on its proposals, its final framework had not been published and it was therefore as yet unclear exactly how the CAA would operate in practice. However, it was clear that one of the key evidence bases would be in respect of Scrutiny and, in particular, how Scrutiny worked within the area and the resulting Scrutiny reports. Ultimately, the more robust the approach to Scrutiny and the better the practice, the better this would contribute to the CAA rating. The first CAA results would be published in November, 2009 but it was yet unknown as to when Slough's assessment would take place.

On completion of the presentation, Members raised the following issues in the subsequent debate:-

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- A Member commented that it would be essential for Scrutiny to engage further with the public in Slough and asked how this would be achieved. Officers responded that it would be up to the Committee and Panels to take the opportunity to become more involved in community issues and a number of initiatives were already under way to heighten the profile of Scrutiny in the town including articles in the Slough Citizen and the establishment of a Scrutiny e-mail address for resident participation and special scrutiny engagement meetings. Further ways were being examined of heightening Scrutiny's profile.
- The current star rating system would not be retained although it was understood that there would in the future continue to be a grading of between 1 and 4.
- Members expressed concern that, as the CAA provided an overall assessment of the town rather than simply the Council's performance, there was a danger that poor performance by one or more partners would bring down the overall score and there may be little the authority could do to rectify this. Accordingly, unlike with the CPA, the outcome of the CAA would not be entirely within the Borough Council's own hands and some of the individual indicators would relate specifically to other agencies. The comment was made that there would be a strong reliance on the Local Strategic Partnership (LSP), Slough Focus, to lead the various partners in ensuring that, through the Local Area Agreement, all partner agencies were working towards a common goal to ensure that the CAA indicators were as positive as possible.
- A Member asked whether the IT that had been put in place by the government in respect of the new CAA was working satisfactorily. Officers commented that they understood that there were some current concerns in respect of loading data. In addition, the Borough Council was having to look at its own performance management systems to ensure that they were ready for the new assessment regime.
- In response to a question, it was confirmed that a number of discussions had already taken place with partner agencies in the town to ensure that they were fully aware of the new requirements and had taken them into account in respect of their own performance management systems.
- It was also noted that monthly update meetings were taking place between the LSP and the Government Office for the South-East who were actively involved in the preparation for the CAA.
- A Member asked whether the government was providing briefings and workshops for local authorities on the CAA and whether any funding was being provided for training of Officers and Members. It was noted that a number of events were being organised for Officers who would then be expected to brief their Members but that no additional funding was being provided.

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- Concern was expressed by Members at the way in which the new arrangements would work in practice, given the strong focus on collaborative working across a number of agencies. Officers commented that it would presumably be one of the roles of the LSP to provide the local lead in this area although further clarification would hopefully be forthcoming when the government published the final framework documentation.
- A Member present under Procedure Rule 30 expressed very serious concern at the validity of the inspection regime generally, particularly in view of the recent 'Baby P' case where the agencies involved in his care had all received excellent inspection reports. He expressed the view that the current inspection regime was largely a paper-based exercise and failed to give a true reflection of the situation on the ground and that the results could be too easily manipulated by authorities. It was to be hoped that the CAA would be a more robust procedure.
- Members referred to the situation with the CPA whereby one poor score in a key area could bring down the overall score and asked whether this anomaly would be rectified under the CAA. Officers responded that a great deal of lobbying on this issue had taken place but it was yet to be seen whether this would be successful.

Resolved - That the presentation and the current position be noted and that a further update on the CAA be presented to the Committee at its meeting on 16th April, 2009.

60. Forward Agenda Plan

The Committee noted its agenda plan for future meetings.

Given the recent announcement by the government that it given the go ahead for a third runway and sixth terminal at Heathrow Airport, the Chair sought the views of the Committee as to whether it wished to undertake any scrutiny of this given the huge implications for Slough. He suggested that a representative of the British Airports Authority be invited to the Committee to answer questions on the proposals. Other Members present suggested that, given the large measure of opposition to the proposals, a more balanced scrutiny exercise should be undertaken with representation from opposition groups also invited to attend. Following debate, it was suggested that a representative of BAA be invited to attend one meeting with representation from the 3M Group and the Strategic Aviation Special Interest Group (SASIG) invited to the following meeting so that a balanced view could be taken, focusing on the implications for Slough and measures that could be taken by the authority to mitigate the effects of the proposals.

Resolved - That the forward agenda plan be noted and that an item be included therein in respect of the implications for Slough of a third runway and sixth terminal at Heathrow Airport with

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representatives from BAA, the 3M Group and SASIG invited to future meetings.

61. Annual Report of Scrutiny

The Scrutiny Officer circulated a suggested timetable for the production of the Annual Report of Scrutiny for 2008/09 and this was agreed.

62. Committee Pre-Meetings

Several Members referred to the pre-meeting held immediately prior to the Committee meeting for the purpose of discussing agenda item timings, etc. and expressed the view that they were not in favour of them.

Chair

(Note: The Meeting opened at 6.30 p.m. and closed at 8.20 p.m.)