

OVERVIEW SELECT COMMITTEE

28 July 2015 at 6.00 p.m.

Present: - Councillors Dingemans (Chairman), English (Vice-Chairman), Ballard, Mrs Bence, Blampied, Brooks (Substituting for Councillor Mrs Daniells), Mrs Harrison-Horn, Hitchens, Hughes, Mrs Oakley, Oliver-Redgate, Mrs Rapnik, Dr Walsh and Warren.

Councillors L Brown, Mrs Brown, Bower, Clayden, Elkins, Wensley and Wotherspoon were also present for either all or part of the meeting.

147. WELCOME

The Chairman welcomed Members and officers to the meeting.

148. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Mrs Daniells and Edwards and also from the Cabinet Member for Environmental Services, Councillor Chapman.

149. DECLARATIONS OF INTEREST

The Monitoring Officer has advised Members of interim arrangements to follow when making declarations of interest. They have been advised that for the reasons explained below, they should make their declarations on the same basis as the former Code of Conduct using the descriptions of Personal and Prejudicial Interests.

Reasons

- The Council has adopted the Government’s example for a new local code of conduct, but new policies and procedures relating to the new local code are yet to be considered and adopted.
- Members have not yet been trained on the provisions on the new local code of conduct.
- The definition of Pecuniary Interests is narrower than the definition of Prejudicial Interests, so by declaring a matter as a Prejudicial Interest, that will cover the requirement to declare a Pecuniary Interest in the same matter.

Where a member declares a “Prejudicial Interest”, this will, in the interests of clarity for the public, be recorded in the minutes as a Prejudicial and Pecuniary Interest.

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There were no Declarations of Interest made.

150. MINUTES

The Chairman made a statement with respect to Minute 48 (Review of Call-in Procedure). The Chairman explained that he had withdrawn the Committee’s recommendations for consideration at Full Council on 15 July 2015. This was so that the Committee could re-consider any proposed re-wording of Paragraph 14.8 – the criteria for a Call-In.

It was stated that the Head of Legal Administration had confirmed that a modified version of the wording of the principles of decision making from Article 13.2 could not be used. It was advised that this should either be included in full or alternative wording used to comply with the law. The Chairman informed the Committee that he had asked the Head of Democratic Services to review the criteria further against local authority practices so that it could be decided whether to stick with the current wording at Paragraph 14.8 or look at something completely different.

Members were informed that as this deferral affected the second part of the recommendation relating to who determines whether a call-in is valid or not, whilst work was underway, the Head of Democratic Services would consult with the Chairman and Vice-Chairman of the Overview Select Committee should a call-in occur. The Chairman hoped that this would reassure the Committee that their comments on this part of the Constitution had been taken on board.

The Chairman advised that the Review of the Call-In Procedure had been added to the Committee’s Work Programme for an update at its September 2015 meeting.

The Minutes of the meeting of the Committee held on 16 June 2015 were then approved by the Committee as a correct record and were signed by the Chairman.

151. CHANGE TO THE ORDER OF THE AGENDA

The Chairman requested a change to the order of the agenda and the Committee agreed to receive the report from the meeting of the West Sussex County Council’s Health and Adult Social Care Committee held on 11 June 2015.

152. UPDATE FROM THE MEETING OF WEST SUSSEX COUNTY COUNCIL’S HEALTH AND ADULT SOCIAL CARE COMMITTEE (HASC) HELD ON 11 JUNE 2015

The Committee received and noted a feedback report which had been provided by Councillor Dr Walsh following his attendance at a meeting of the County Council’s Health and Adult Social Care Committee held on 11 June 2015.

Councillor Dr Walsh reported that HASC’s main agenda item had been Access to Primary Care and the Committee had been moderately pleased with progress on this issue. HASC had been pleased to note a report from the West Sussex Public Health Research that found 80% of patients had a very good or fairly good GP experience. Following receipt of a comprehensive report from Healthwatch West Sussex, which covered areas such as appointment availability, phone consultations, reception gatekeepers, waiting times in surgery and referral to hospital services, HASC had requested continuing feedback on any progress.

It was noted that the Coastal Clinical Commissioning Group (CCG) planned to undertake a major public engagement exercise with patients to ascertain their wishes.

Councillor Dr Walsh highlighted an issue with the Meals on Wheels contract following the withdrawal of the Royal Volunteer Service (RVS) as the main operator. It was hoped that a new contract would be in place by Autumn 2015.

The Committee discussed the report and concern was expressed that progress with Access to Primary care, particularly in the Littlehampton Area, had been severely reduced. It was also felt that the measures that the CCG were taking to improve the situation had been frustratingly slow despite continued pressure from Arun District Council over the past six months. Councillor Dr Walsh confirmed that HASC was determined to receive progress from the CCG within the next two months.

The Chairman thanked Councillor Dr Walsh for his feedback.

153. CABINET MEMBER QUESTIONS AND UPDATES

(i) The Committee received a presentation from The Leader of the Council and Cabinet Member for Council Strategy, Councillor Mrs Brown, which provided an overview of the key issues linked to her Portfolio.

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A briefing report had been circulated separately to the agenda and a presentation was also circulated and displayed at the meeting providing some additional facts.

The presentation outlined the recent activity of the Leader of the Council with respect of national work on the Local Government Association (LGA) and District Council’s Network (DCN), Economic Regeneration and the Council’s performance between 1 April 2014 and 31 March 2015.

Looking back over 2014/15 the Leader of the Council highlighted the many economic regeneration projects that had been progressed and completed including:

- Hotham Park Café – Council funded. Opened in June 2015 which created a new attraction and new jobs.
- Enterprise Bognor Regis had its first occupant, Rolls Royce Motorcars
- Works on the new Public Realm improvements for London Road and Bognor Regis had been completed.
- The Coastal Communities fund had provided the Council with a £1.6m grant to deliver Public Realm improvements to Bognor Regis Town Centre
- Coast to Capital Local Enterprise Partnership – Strategic Economic Plan had been granted £13m to support improvements to the Bognor Regis A29 realignment
- Successful bid for Coastal Communities Fund Grant of £573K for enhancements to the new Public Realm on East Bank, Littlehampton
- Beach on the Beach project which aimed to help provide more activities for children on the promenade and encourage more people to use the seafront was successfully implemented on Bognor Regis Seafront
- Worked with Southern Rail with respect to the refurbishment of Bognor Regis Town Station which was noted as likely to commence within the year.

Looking forward, the Leader of the Council outlined the objectives for the forthcoming year 2015/16 and a Strategic Investment Programme over the next ten years. The projects achieved in 2014/15 would continue to be supported as well as undertaking a review of the Council’s economic strategy to reflect priorities and to continue to deliver further regeneration projects. The need to encourage business growth, investment, increase employment and tackle economic disadvantage in Arun was emphasised.

Following the presentation Members of the Committee asked questions which were responded to at the meeting. The following key points were made:

- Concern was expressed with respect to the delays that had affected the building work of the Bognor Regis relief road. It was explained that building work had mostly been slowed by bad weather and works had since continued to progress
- Members were pleased with the decision to remain with weekly bin collections. The Leader of the Council clarified that the Council had agreed that weekly bin collections would continue in the Arun District and a decision was now being made with respect to costings.
- Members of the Committee agreed with the opinion that Arun District Council should be fully involved in any discussions relating to the development of a combined authority.
- It was suggested that more resources should be allocated to staff working in Economic Regeneration to aid the wider plans that would improve tourism and economic growth.
- It was reported that progress on the seafront strategy at Bognor Regis would be put to the Bognor Regis Regeneration Sub-Committee at its next meeting on 24 August 2015. All Members would be welcome to attend.
- Opinion was expressed that there were too many food concessions operating on Bognor Regis Seafront. It was noted that the type of concessions allowed would be investigated.
- Members felt that it was a shame that development of Littlehampton’s East Bank had not included a road closure and the creation of a pedestrianised area outside the shops along the promenade. It was reported that traders, situated on this stretch of road, had been against this idea.

The Leader of the Council was thanked for her comprehensive and informative presentation.

- (ii) The Committee had no questions for Cabinet Members.
- (iii) No updates were provided by Cabinet Members to the meeting.

154. CORPORATE PLAN – PERFORMANCE OUTTURN REPORT FOR THE PERIOD 1 APRIL 2014 TO 31 MARCH 2015

The Committee received a report, from the Head of Policy & Partnerships, on behalf of the Chief Executive, which had been submitted to the meeting of Cabinet held on 15 June 2015.

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This report set out the end of year 2014/15 performance outturn for the Corporate Plan indicators which were measured quarterly, six monthly or annually. It was reported that overall performance against the Council’s 2013/2017 Corporate Plan targets showed that 63% had been met or had been exceeded which was lower than the last year at 68%.

Comment was made in respect of:

CSB001 – Time taken to process Housing Benefit/Council Tax Benefit new claims and charge events – the Committee felt the Council was performing well against target at 5.40 days.

ESC001 - % of household waste sent for re-use, recycling and composting - disappointment was expressed that the performance was behind target. It was suggested that education was the only way to improve performance.

PER0025 Total rateable value for the Arun District, **PER004 & PER005** Occupied retail units in Bognor Regis and Littlehampton – it was noted that all three indicators had performed less well than the previous year. Cabinet Members stated that they had not been overly concerned as targets had only been slightly missed and in each case for good reason.

The Committee then noted the report.

155. SERVICE DELIVERY PLAN (SDP) – PERFORMANCE OUTTURN YEAR-END REPORT FOR THE PERIOD 1 APRIL 2014 TO 31 MARCH 2015

The Committee received a report, from the Head of Policy & Partnerships, on behalf of the Chief Executive, which had been submitted to the meeting of Cabinet held on 15 June 2015.

This report set out the end of year 2014/15 performance outturn for the Service Delivery Plan indicators which were measured quarterly, six monthly or annually. At the end of March 2015 66% of SDP indicators had met or exceeded their target, a higher achievement rate than at the end of 2013/14.

Comment was made in respect of:

CSH121 Vacant private sector dwellings returned to occupation - the excellent progress that had been made bringing empty homes back into use was noted. A question was raised with

respect to how many vacant private sector dwellings were in the District. The Director for Customer Services stated that he would forward this figure to the Committee.

DCN008 Satisfaction with Arun District Council’s Anti-Social Behaviour Team Service – this was seen as a key issue and the Committee was keen that performance should improve. It was noted that a number of actions had been and would be taken to improve customer satisfaction with the service. This included the recruitment of a staff member to occupy a previously vacant post.

CSB020 Number of Benefit Fraud Sanctions – it was confirmed that Benefit Fraud responsibility would transfer to the Department of Work and Pensions DWP from December 2015. After this date this performance indicator would be withdrawn from the Service Delivery Plan.

ESC031 Number of inspections undertaken to ensure businesses complying with waste removal duty of care – the Vice-Chairman suggested that the target level was too low and should be revised. It was agreed that the Head of Policy & Partnerships would bring this to the attention of the Director of Environmental Services.

ESG051 Number of trees planted – the Committee was pleased to note the amount of trees that had been planted in the District and congratulated Environmental Services on this achievement.

Comment was made that it was not always possible to directly compare figures from 2013/14 to 2014/15 due to changes in data collection, type and source and it was suggested that graphical information should attempt, as far as possible, direct comparison which would be easier to analyse. The Committee then noted the report.

156. UPDATE FROM MEETING OF THE SUSSEX POLICE & CRIME PANEL HELD ON 3 JULY 2015

The Committee received and noted a feedback report from Councillor L Brown following his attendance at meeting of the Sussex Police & Crime Panel held on 3 July 2015.

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Discussion centred on the Committee's concerns with respect to the new Local Policing Model and what this would deliver in terms of numbers of Police Officers and Police Community Support Officers. It was confirmed that there would be a Seminar on this subject during October 2015 and the Council would be updated on what the future might hold following this Seminar.

157. WORK PROGRAMME UPDATE

The Head of Policy & Partnerships presented the proposed work programme for the Committee for 2015/16 on behalf of the Head of Democratic Services and reminded Members that the Council's Constitution required the Overview Select Committee to make a report annually on its future work programme and submit this to Full Council for approval. The Committee was then requested to consider the proposed work programme before recommendations were made.

In discussing the work programme it was pointed out that the Chairman of the Overview Select Committee had met with the Chairman of the Audit and Governance Committee to ensure that there would be no overlap in responsibilities on Governance issues. Members were informed that it had been recognised that, on occasion, it may become necessary to hold a joint meeting of these Committees.

The Committee then

RECOMMENDED TO FULL COUNCIL - that

- (1) the Overview Select Committee Work Programme 2015/16 be approved; and
- (2) the Chairman and Vice-Chairman continue to monitor any changes needed to the work programme and report these to the Committee as required.

158. CONSTITUTIONAL AMENDMENTS - TERMS OF REFERENCE AND SCRUTINY PROCEDURE RULES

The Committee received a report that sought its views on whether the current Terms of Reference for the Committee and sections of the Scrutiny Procedure Rules at Paragraphs 1.0 to 7.0 in the Council's Constitution should be updated to reflect current practices.

Following a brief discussion on call-in procedures the Committee agreed the report’s recommendations and resolved that these recommendations should be sent directly to Full Council.

The Committee

RECOMMENDED TO FULL COUNCIL-

(1) the following amendments to Part 3 – Responsibility for Functions of the Council’s Constitution be approved. [Deletions are shown crossed through and additions in bold]:

4.5.1 Assist in the development of Council policies and overview of policies, plans and strategies of the Council (and partners or partnerships as appropriate). ~~including the Community Strategy for the district.~~

4.5.4 Scrutiny of the adequacy and effectiveness of the Council’s corporate governance arrangements covering Democratic and Community Engagement; Service Delivery Arrangements; its Values, Structures and processes. ~~including arrangements for securing Value for Money; and risk management and internal control.~~

4.5.5.1 ~~Undertaking best value reviews.~~

4.5.7 make reports and/or recommendations to the Full Council and/or the Cabinet ~~and/or any Area Committee or Joint Area Committee~~ in connection with the discharge of any functions,

4.5.9 review **the annual preparation of the Budget against the Council’s Priorities**, ~~and/or scrutinise and assist the Council and the Cabinet in the development of its Budget and Policy Framework by in-depth analysis of policies in accordance with the Council’s Priorities~~

4.5.10 ~~Conduct research, community and other consultation in the analysis of policy issues and possible options,~~

4.5.11 ~~consider and implement mechanisms to encourage and enhance community participation in the development of policy options,~~

undertake in-depth reviews of completed projects to assess their delivery against targets; cost analysis

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against budget; and measure of success against the Council's Priorities,

~~4.5.13 participate in Best Value reviews.~~

4.5.14 exercise the right to call-in, for reconsideration of decisions made but not yet implemented by the Cabinet and/or any policy or Area Committees, where this is necessary and having regard to the call-in procedure in Part 6 and any protocol which may be agreed to deal with this,

4.5.15 review and scrutinise the decisions made or about to be made by and the performance of:

- the Cabinet,
- Individual Cabinet Members. Each Cabinet Member will be invited to attend the Overview Select Committee at least once in every year to answer questions about their portfolio from the Overview Select Committee and more frequently should an issue arise that leads the Overview Select Committee to have questions it wishes to ask of the portfolio holder,
- Committees,
- Council Officers, and
- the Council's major contractors. The performance and outcomes of each major contractor to be scrutinised at least once every two years and preferably once every year
~~both in relation to individual decisions and over time,~~

~~4.5.16 review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas,~~

4.5.17 question members of:

- the Cabinet,
- Committees and
- Directors/Heads of Services about their views on issues and proposals affecting the District and their decisions and performance, whether generally in comparison with **the Corporate Plan and Service Delivery Plans** and targets over a period of time, or in relation to particular decisions, initiatives or projects,

~~4.5.18 make recommendations to the Cabinet and/or appropriate Committees and/or the Council arising from the outcome of the scrutiny process;~~

4.5.19 review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the **Overview Select Committee** Scrutiny Committees and local people about their activities and performance, and

4.5.23 Officers - work in close liaison with officers employed to support its work under the direction of the Resources Director/Head of Democratic Services.

(2) the following amendments to Section 2 [Scrutiny] of Part 6 – Procedure Rules (Other) of the Council's Constitution be approved, with any deletions shown using ~~strikethrough~~ with additions shown in **bold**;

1.0 WHO MAY SIT ON THE OVERVIEW SELECT COMMITTEE?

1.1 The Committee has 15 Members and is to be apportioned in accordance with the political balance of the Council but no Members of the Cabinet will be included. The Chairman and Vice-Chairman will be appointed by Full Council on an annual basis. ~~Members of the Cabinet are not eligible for appointment as Members of the Overview Select Committee or any of its Working Groups. The Overview Select Committee will consist of 15 Members comprising a Chairman and Vice Chairman, and one Member appointed at Full Council taking into account the requirement for political balance on the Committee, and the Chairman and Vice-Chairman of each of the Committee's Working Groups, as set out in Part 3, and the Chairman and Vice Chairman of the Audit and Governance Committee.~~

~~1.3 The Overview Select Committee must reflect the political balance of the Council, in accordance with Sections 15 to 17 and Schedule 1 to the Local Government and Housing Act 1989.~~

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3.0 MEETINGS OF THE OVERVIEW SELECT COMMITTEE

3.1 There will normally be six ordinary meetings of the Overview Select Committee in each year. In addition, extraordinary meetings may be called from time to time as and when appropriate. ~~Overview Select Committee~~ Meetings may be called by the Chairman or Vice-Chairman of the Committee, by any five Members of the Committee or by the Head of Democratic Services if he/she considers it necessary or appropriate.

3.2 Where a Member of the Council wishes the Overview Select Committee to investigate a matter affecting his or her ward but there is no Councillor for that ward on the ~~Overview Select Committee~~, then such a Member may act as one of the five Members referred to in Rule 3.1 for the purposes of calling a meeting. The Member may speak but not vote at any subsequent Overview Select Committee meeting called to deal with the issue.

5.0 WHO CHAIRS THE OVERVIEW SELECT COMMITTEE MEETINGS

~~5.1 The Chairman of the Overview Select Committee will be appointed annually by the Council.~~

7.0 AGENDA ITEMS

7.1 Any Member of the Overview Select Committee shall be entitled to give notice to the **Head of Democratic Services Resources Director and Deputy Chief Executive** that he/she wishes an item relevant to the functions of the Committee to be included on the Agenda for the next available meeting of the Committee. On receipt of such a request the Head of Democratic Services will ensure that it is included on the next available Agenda.

(3) the Head of Legal and Administration be authorised to make any consequential changes with respect to amendments therein.

159. REVIEW OF POLICY FRAMEWORK

The Head of Policy & Partnerships informed the Committee that the Council’s plans and strategies would be reviewed, identifying current lists, authors and the time frame for their update. It was expected that a report would be submitted to the next meeting of the Audit and Governance Committee and then forwarded to the Overview Select Committee.

The Committee noted the contents of the verbal update provided.

(The meeting Concluded at 7.50 pm)