

CORPORATE OVERVIEW AND SCRUTINY COMMITTEE HELD: 1 MARCH 2012

Start: 7.30pm

Finish: 9.50pm

PRESENT:

Councillors: Kay (Chairman)
Mee (Vice Chairman)

Aldridge	Hodson
Mrs Atherley	Mrs Houlgrave
Bailey	S Jones
Cheetham	Mrs Kean
Coyle	Mrs Pollock
Fillis	Pratt
Griffiths	Savage

Officers: Assistant Director Community Services (Mr D Tilleray)
Borough Solicitor (Mr T P Broderick)
Partnership and Performance Manager (Ms C McNamara)
Community Safety Officer (Mr C Owens)
Assistant Solicitor (Mr M Hynes)
Assistant Solicitor (Mrs T Sparrow)
Principal Overview and Scrutiny Officer (Mrs C A Jackson)

In attendance: Executive Secretary, Lancashire Association of Local Councils (LALC) (Mrs M Gelder)

52. APOLOGIES

Apologies for absence were submitted by Councillor Mawdsley and on behalf of Mr K Cleary, Chairman of LALC and Vice Chairman of the National Association of Local Councils (NALC).

53. MEMBERSHIP OF THE COMMITTEE

There were no changes to the membership of the Committee.

54. URGENT BUSINESS

There were no items of urgent business.

55. DECLARATIONS OF INTEREST

1. Councillors Mrs Atherley, Bailey, Cheetham, Mrs Houlgrave, Hodson, Kay, Mee, Mrs Pollock and Pratt and declared personal interests in item no. 7 (The Role of the Parish and Town Councils and the Impact of the Localism Bill Review) as members of Parish Councils.
2. Councillor Hodson also declared a personal interest in item no. 7 as a member of the Executive of the Local Association of Local Councils (LALC) and as a member of the Council of the National Association (NALC).

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3. Councillor Aldridge declared a personal interest in item 10 (Housing Improvement Plan) as he and members of his family are tenants of rented Council accommodation.

56. DECLARATIONS OF PARTY WHIP

There were no declarations of a Party Whip.

57. MINUTES

RESOLVED: That the minutes of the meeting held on 24 November 2011 be approved as correct record and signed by the Chairman.

58. THE ROLE OF THE PARISH AND TOWN COUNCILS AND THE IMPACT OF THE LOCALISM BILL REVIEW

The following two items were considered.

59. LOCALISM ACT - INFORMATION FROM THE LOCAL AND NATIONAL ASSOCIATION OF LOCAL COUNCILS

The Chairman welcomed Mrs Marion Gelder, Executive Secretary of the Lancashire Association of Local Councils (LALC).

Members received an update on the role of the Association, its structure and an overview on what was starting to emerge in relation to the Localism Act ("the Act") which had received Royal Assent in November 2011. It was understood that the Government would be issuing regular updates on the start dates of different parts of "the Act."

In her address the Executive Secretary explained that the aim of the Association was to provide training and support for Parish and Town Councils. She gave details of the structure of LALC and its accountability and further explained the involvement with Lancashire County Council (LCC) through the recently formed '3-tier Forum'.

In relation to the Parishes responsibilities in respect of the Localism Act she explained that it was very early days for the legislation and that no fine detail had yet emerged. Talks were taking place with the National Association from which information would be disseminated in due course. Although no specific detail was available, there was an awareness of changes affecting:

- Membership of Standards Committees
- The Code of Conduct
- General Power of Competence
- Community Rights to Buy
- Audit responsibilities
- Council Tax Referendums
- Neighbourhood Planning and the devolvement of services
- Funding for Projects

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The update was concluded with details of the Association's role in training and general support for its members and in relation to the Localism Act particularly, the future need to update and republish many of the booklets and legal topic notes that are produced. Reference was also made to financial implications which, as yet, were not known.

The Chairman invited Councillor Hodson, in his LALC and NALC role, to provide any additional information. Councillor Hodson went on to explain the developments within "the Act" that would allow "parishing" of the whole of England and the trend to encourage more areas that are too large to be led locally to be organised on a "neighbourhood" basis. The key element being "flexibility" to respond to what people want in their areas.

Members discussed, raised questions and made comments in respect of:

- The implications of the Localism Act for "non-parished" areas.
- The changes in legislation associated with establishing a new "Parish", including procedures and time scales linked to adoption.
- Ratio of representatives to Elected Members at "parish" level.
- Arrangement of "neighbourhood groupings".
- The additional financial burden on residents as a result of new "parishes" and the devolvement of services.
- Powers related to the devolvement of services, for example, grass-cutting, responsibilities for play areas, community facilities etc.
- Implications for communities, particularly very small communities, where there may be a reluctance for services to be devolved downwards.
- Existing perceptions related to value for money associated with precepts.
- Historical views still held within communities linked to community assets.
- Encouraging representation on the "new" neighbourhood/parish bodies, if established.
- Expectation within the communities to do more as services are cut back.
- Overlapping of the role of Parish Councils into other areas of responsibility.
- Local audit responsibilities.

The Borough Solicitor who was in attendance gave a perspective of the challenges ahead in relation to disseminating "the Act" which, he stated, had 240 sections and 25 schedules, plus guidance.

It was concluded that it was still early days for "the Act" and that until the position had been clarified and everything had emerged relating to the implementation of its provisions it was difficult to assess its impact, particularly as it related to Parish Council responsibilities under "the Act", further.

RESOLVED: That the presentation be noted and Mrs Gelder, Executive Secretary of LALC, be thanked for her contribution to the review.

60. PROJECT PLAN

Members reviewed the Project Plan.

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It was agreed that the Committee should now keep a watching brief in relation to implementation of the provisions of “the Act” and that as more information became available this be circulated through the update mechanisms already in place and that the draft final report come to the July meeting of the Corporate and Environmental Overview and Scrutiny Committee for consideration. Further, that the Committee review progress on the implementation of the Act as it relates to the review topic when it reviews its recommendations from the review in March 2013.

- RESOLVED:
- A. That the draft final report of the review ‘The Role of the Parish and Town Councils and the Impact of the Localism Bill’ be brought to the next meeting of the Corporate and Environmental Overview and Scrutiny Committee for consideration.
 - B. That the Committee maintains a “watching brief” through the overview and scrutiny Members’ Update mechanism and that progress is reviewed on implementation of aspects of “the Act” as it relates to the review topic in March 2013.
 - C. That the review of the Project Plan be noted.

62. QUARTERLY PERFORMANCE INDICATORS (QPIS)

Consideration was given to the reports of the Transformation Manager as contained on pages 397 to 418 and also on pages 425 to 440 of the Book of Reports, covering the period 1 July 2011 to 31 December 2011 which advised members of the performance monitoring data for that period.

In discussion Members raised questions and comments in respect of the following performance indicator:

- BVPI 12 - Sickness Absence, especially the various factors for absence associated with that target.

It was agreed that in order to assist the understanding of the monitoring data presented in respect of BVPI 12 further detailed information would be useful, including the separation of long and short term sickness figures and the locations within the Council affected.

Members were reminded of responsibilities related to the Data Protection Act which could have a bearing on the detail of the information presented.

- RESOLVED:
- A. That the Lead HR business partner be requested, subject to Data Protection principles, to consider presenting a more detailed breakdown of the information relating to BVPI 12 – Sickness Absence.
 - B. That the Council’s performance against the indicator set for the quarters ended 30 September and 31 December 2011 respectively be noted.

61. COMMUNITY SAFETY

A presentation was received from the Community Safety Officer on behalf of the West Lancashire Community Safety Partnership (CSP). The presentation was supported by a series of slides as contained on pages 441 to 450 of the Book of Reports.

In his introduction the Community Safety Officer referred to the six responsible authorities represented on the partnership and the further 10 agencies and voluntary groups that are also involved with the CSP. He went on to explain the vision of the partnership; the partnership plan and how it is delivered; its funding stream and how the amount funding that is received. He gave an breakdown of where the funding is allocated and highlighted two examples of successful initiatives that had been co-ordinated and funded through the Local Priorities Group namely Community Beatsweeps and Brightspax. He then went on to detail the achievements of those initiatives.

In relation to performance the following reductions were noted:

- Criminal Damage down by 22%
- All Violent Crime down by 10%
- Alcohol Violence down by 22%
- Deliberate Fires down by 32%

CSP performance also indicated that in relation to Domestic Violence the 70% detection figure was on track. He further explained that although Serious Acquisitive Crime was up by 14% this had been compared against a historically low figure in 2010/11. .

The Community Safety Officer then went on to explain the plans for the CSP for 2012/13 highlighting the impending introduction of the Police and Crime Commissioner. The commitment of the CSP to work in partnership through established delivery structures was emphasised as was the recognition by partners to continue to strengthen the partnership and work collaboratively to resolve local issues.

He concluded his presentation by outlining the priorities for 2012/13 which including the themes General Anti-Social Behaviour (ASB); Reducing Re-offending; Child Sexual Exploitation; Fatal/Seriously Injured incidents through road traffic accidents and Domestic Abuse and highlighted the key 'cross cutting theme' related to the impact of the misuse of alcohol and drugs on both perpetrators and victims of crime.

Finally, it was stated that 2012/13 will see a 60% reduction in Area Based Grant (ABG) funding and it would be the responsibility of the Safer Lancashire Board to decide how this funding will be allocated. There were no guarantees of ABG funding for the CSP.

During the ensuing discussion Members raised questions/comments in relation to:-

- Incidents of deliberate fires, including those in wheelie bins.
- In relation to the Community Beatsweeps – keeping Ward Councillors informed.
- Domestic Violence – detection and evidence gathering.
- Changes affecting NHS Central Lancashire and implications of representation on the CSP.

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- Aspects to be covered under the Child Sexual Exploitation priority.
- Serious crime and cross-border crime.
- Priorities associated with crime in the rural communities and resourcing crime detection initiatives in the rural areas.
- Statistics associated with crime and how these are presented and recorded.
- Publication of Crime Initiatives and Operations.
- Selection process for the CSP work programme.
- The benefits and successes associated with the Beat Sweep operations.

The Community Safety Officer responded to Member's questions.

RESOLVED: That the presentation be noted and the Community Safety Officer be thanked for his attendance.

63. HOUSING IMPROVEMENT PLAN

Consideration was given to the report of the Assistant Director Housing and Regeneration which explained the arrangements for the scrutinising and monitoring of the Housing Improvement Plan.

The Committee was advised that the TSA were happy with the proposals which were agreed by Cabinet and as a result Housing Services has now been released from their voluntary undertaking.

RESOLVED: That the report and decision of Cabinet be noted.

64. ITEMS AT THE REQUEST OF A MEMBER/COUNCILLOR CALL FOR ACTION

There were no items under this heading.

65. ITEMS REFERRED FROM THE MEMBERS UPDATE

There were no items under this heading.

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Chairman