Leicester
City Council

Minutes of the Meeting of the
OVERVIEW AND SCRUTINY MANAGEMENT BOARD

Held: WEDNESDAY, 18 JUNE 2008 at 5.30pm

P R E S E N T :

Councillor Mugglestone – Chair
Councillor Blower – Vice Chair

Councillor Follett	Councillor Hall
Councillor Joshi	Councillor Naylor
Councillor Russell	Councillor Suleman

Co-opted Members

Mr Mohammed Allaudin Al-Azad – Parent Governor

Also in Attendance

Councillor Dempster –Cabinet Lead Member for Children and Schools.

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181. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor J. Blackmore, Councillor Corrall and Edward Hayes.

182. DECLARATIONS OF INTEREST

Members are asked to declare any interests they may have in the business on the agenda, and/or indicate that Section 106 of the Local Government Finance Act 1992 applies to them.

Councillor Russell declared a personal, non-prejudicial interest in item 11, Review of the Management of Children's Centres.

183. MEMBERSHIP OF THE COMMITTEE

The Board noted the membership for the municipal year 2008/09, as set out below: -

Councillor Mugglestone– Chair
Councillor Blower – Vice-Chair

Councillors J. Balckmore, Corrall, Hall, Follett, Joshi, Naylor, Russell and Suleman.

Co-opted Members – Mr Edward Hayes, Canon Peter Taylor and Mr Mohammed Alauddin Al-Azad. One Co-opted vacancy.

184. TERMS OF REFERENCE

The Board noted the Terms of Reference for the 2008/09 municipal year as set out on the agenda.

185. MINUTES OF PREVIOUS MEETING

RESOLVED:

that the minutes of the Overview and Scrutiny Management Board held on 8 May 2008, having been circulated to Board Members, be confirmed as a correct record.

186. QUESTIONS/ REPRESENTATIONS/ STATEMENTS OF CASE

The Town Clerk reported that there were no questions, representations or statements of case.

187. DATES OF MEETINGS 2008/09

The Board agreed the following dates for meetings:-

6 August 2008
18 September 2008
6 November 2008
4 December 2008
22 January 2009
12 February 2009
5 March 2009
19 March 2009
16 April 2009
7 May 2009

All meetings will start at 5.30pm.

188. TRACKING OF PETITIONS - MONITORING REPORT

The Service Director, Democratic Services submitted a report that updated Members on the monitoring of outstanding petitions.

One Member of the Board enquired about three petitions submitted via the Spinney Hills and Stoneygate Area Committee where an outcome was not detailed within the report. The Service Director, Democratic Services explained that information did not get entered into the document until all of the facts were apparent, and would endeavour to obtain this information and pass it to the Member concerned.

Members also discussed whether the tracking of outstanding petitions should also be undertaken for a further two years (ie those petitions submitted between 3 and 5 years ago). Members were of the view that any issues of concern outstanding for that period of time would have been raised again and that the required resource would realise any significant benefit.

RESOLVED:

(1) That the current outstanding petitions be noted.

(2) That the monitoring of petitions submitted continue, but that such monitoring remain at a 3 year period for past petitions.

189. INSPECTION BY OFSTED OF LEICESTER CITY COUNCIL

The Corporate Director of Children and Young People's Services submitted a report that advised on the outcome of the Ofsted inspection of the Leicester City Council Fostering Service.

The Service Director, Access, Inclusion and Participation introduced the report and stated that the outcome of the inspection was extremely positive, and had been assessed as outstanding in each of the five Every Child Matters outcomes. It was also mentioned that it was an unusually remarkable achievement for any authority to be ranked so highly. Furthermore, due to this performance, the Board heard that Ofsted would not undertake another investigation until 2010.

Members congratulated all officers, foster carers and the young people involved in securing the achievement. Councillor Dempster, Cabinet Lead Member for Children, Schools and Young People was in attendance and stated that the result of the inspection further confirmed the authority's Beacon Status within this area. She also encouraged wider Member participation of the Corporate Parenting Forum and urged Members to at least regularly read the minutes from meetings of the Forum.

RESOLVED:

(1) That the 2008 Ofsted Inspection Report into the Leicester City Council Fostering Service be noted

(2) That congratulations be extended to all those who helped to achieve the outstanding performance of the Fostering Service

190. TRANSFORMING LEICESTER'S LEARNING PLAN (TLL) - FINANCE

The Corporate Director of Children and Young People's Services submitted a report that presented the current forecast additional costs of the Transforming Leicester's Learning Plan (TLL) and the proposed sources of funding for the period from Autumn 2007 to July/August 2009.

The Head of Finance and efficiency introduced the paper to Members. He explained that the strategy was overall designed to raise the achievement in schools and to offer direct support to pupils.

The Board were informed that the latest cost estimate for the themes, project management and leadership and additional School Improvement Advisers until Summer 2009 was £6.7m, with an additional £1.5m anticipated for School Improvement work at "hard to shift" and other relevant schools.

The Head of Finance and Efficiency explained to Members how each of the themes were to be financed. He stated that the Authority's General Fund could be used in addition to the Schools Block Budget for financing the strategy, but pointed out that the Schools Block Budget legally could not contribute to the funding of LEA costs. It was therefore seen preferable to put as many of the resources as possible together into one funding package for the TLL in its entirety. He further explained that a way round potential funding difficulties was for an additional £2.8m of Equal Pay Compensation costs to be funded form the Schools Block Reserves, so that the Council's planned General Fund contribution to the Equal Pay Compensation could be applied to funding the TLL. The Board heard that this proposal had been agreed by the Schools Forum.

Councillor Dempster, Cabinet Lead Member for Children, Schools and Young People was in attendance and stated that it was important to increase short and medium term capacity in order to effectively transform education in Leicester. In response to a question from a Member of the Board with regard to the role of consultants, Councillor Dempster stated that it was anticipated for consultants to work alongside existing staff, and once a higher level of expertise became embedded there would be less of a need for increased capacity. Furthermore, in relation to the monitoring process of TLL, Councillor Dempster confirmed that the whole programme was project managed, which included representatives from schools and governor associations, and that this would lead to rigorous monitoring.

In response to a number of comments regarding the funding mechanism of TLL, the Head of Finance and Efficiency stated that it was not proposed to use all of the department's under spend, and that careful monitoring would take place to ensure that any difficult financial situations were avoided.

A Member of the Board commented that the 2008/09 forecasted costs were significantly higher than those predicted for 2009/10, and asked whether those activities funded during year one would continue. The Head of Finance and

Efficiency reported that it was planned to increase the amount of reserves invested into TLL at the end of the 2009 term, and that the process of allocating resources would need considering as a separate piece of work. He added that it was intended to sustain the expenditure of 2008/09 annually in order to continue to make improvements.

In response to a query from a member of the Board, it was agreed that a more detailed risk matrix would be inserted into the report for it's submission to Cabinet, and that the Board would be presented with a report specifically in relation to the risk management of the strategy at a future meeting.

In general, Members supported the transforming agenda, and it was suggested that the TLL be placed as a standing item on future meetings of the Board. Members supported the proposal.

RESOLVED:

(1) That the report be noted and supported.

(2) That the Transforming Leicester's Learning Plan (TLL) be placed as a standing item on future Overview and Scrutiny Management Board agendas.

(3) That a report providing specific detail on the risk management of the strategy be brought to a future meeting of the Overview and Scrutiny Management Board.

191. ROAD SAFETY PETITION - AL AQSA PRIMARY SCHOOL

The Service Director, Regeneration, Highways and Transportation submitted a report in response to a petition presented to full Council, on January 24th, 2008 by Mr Yahya Birt on behalf of the School requesting that parents of pupils at Al-Aqsa Primary School and neighbors of the school, had particular concerns about road safety at the complex junction of Clumber Road, The Littleway, The Wayne Way and the Langhill in Leicester at school start and finish times. They requested the installation of traffic calming measures at this junction to slow traffic down.

An officer from the Regeneration and Culture Department introduced the report and stated that he had visited the site and recommended that no further action be taken to implement a traffic-calming scheme in the area at this time. Members heard that the area had experienced very few traffic incidents in recent years and was currently 31st on the city priority list for introducing a traffic-calming scheme, and that with limited funds, such a scheme could not be implemented in the foreseeable future. In light of this explanation, Members requested that a report be brought to a future meeting of the Board that comprehensively illustrated the local factors that could be used for determining whether an area should be placed towards the top of the traffic-calming priority list.

Members of the Board had received correspondence from Councillor Draycott, whose ward covered Al-Aqsa Primary School. The correspondence stated that the petitioners were disappointed by the officers' recommendation not to introduce a traffic-calming scheme in the area. Councillor Draycott asked the Board to consider an extra recommendation for further work to take place to address problematic issues with the Coleman Lodge community mobile car park, which were said to be further contributing to the congestion problems. The board agreed to support the suggestions made by Councillor Draycott.

Furthermore, Members requested that once a report that illustrated the local factors used for determining whether an area should be considered as a high priority for traffic-calming, that the Children and Young People's Task Group conduct an investigation that looked at the role of education both children and parents in road safety issues outside schools.

RESOLVED:

a) That the petitioners concerns be noted.

b) That officers, in consultation with Councillor Draycott, be asked to explore carrying out further work to take place to address the problematic issues with the Coleman Lodge community mobile car park.

c) That support be provided by officers to the petitioners by helping the school to produce a school travel plan to counteract the congestion problems mentioned in the petition.

d) That officers visit the school to carry out road safety education and training.

e) That officers investigate the provision of suitable school warning signs in the area around the school.

f) That the petitioners be informed accordingly and of the decisions of this meeting.

g) That a report be brought to a future meeting that comprehensively illustrates the local factors that can be used for determining whether an area should be placed towards the top of the traffic-calming priority list.

h) that the Children and Young People's Task Group and Regeneration and Transport Task Group be asked to conduct a joint investigation that looked at the role of education both children and parents in road safety issues outside schools once the further report outlined in recommendation (g) had been considered by the Board.

192. ROAD SAFETY PETITION - SPEEDING VEHICLES HIGHFIELDS AREA

The Service Director, Regeneration, Highways and Transportation submitted a report in response to a petition presented to Full Council on November 22 2007 by Councillor Dawood on behalf of residents requesting "that speed limit signs be erected 20mph or less on the top of Beaumont Road and all Highfields Area as cars are racing by - this year has been the worst".

Members of the Board felt that a greater amount of liaison between the City Council and the Police was required to deal with issues such as this one. The Corporate Director of Regeneration and Culture advised that liaison was needed with the Constabulary's Joint Action Groups (JAGs) when petitions similar to this one were received.

A Member of the Board felt that efforts were required to raise awareness of the 20mph speed limit. The Member recommended that a display be brought to the informal session of Ward Community Meetings that explained 20mph zones and promoted the awareness of them. This was supported by the Board.

Furthermore, a Member of the Board recommended that the Chief Executive Officer wrote to the three Leicester City Members of Parliament and the Government Office for the East Midlands (GOEM) to investigate the issue and to ask why repeater signs were not permitted with 20mph zones. The recommendation was supported by members of the Board.

RESOLVED:

(1) that the petitioners concerns be noted.

(2) that a display stand be taken to Ward Community Meetings to raise awareness of 20mph zones.

(3) that the Chief Executive Officer be asked to write to the three Leicester City Members of Parliament and the Government Office for the East Midlands (GOEM) to ask them to investigate the issue and to ask why repeater signs were not permitted with 20mph zones.

193. PETITION - BUS SHELTER REQUEST - STURDEE ROAD

The Service Director, Regeneration, Highways and Transportation submitted a report that asked the Board to consider the decision of the Service Director to a petition asking for a bus shelter in Sturdee Road.

It was agreed that further consultation, including a short patch-walk would take place with residents of Sturdee Road around the precise location of where the shelter would be installed, and that a decision be taken by the Service Director, in consultation with the Ward Councillors following the consultation.

RESOLVED:

That a decision on the precise location of the bus shelter be taken by the Service Director in consultation with the Ward Councillors following consultation with local residents.

194. TAKING FORWARD OVERVIEW AND SCRUTINY

The Corporate Director of Resources submitted a report that reviewed the operation of the scrutiny arrangements introduced in May 2007 and made a series of proposals aimed at further enhancing their effectiveness.

The Service Director, Democratic Services introduced the paper to the Board and turned Members attention to the areas of proposed improvement. He stated that in addition to those set out in the paper, an additional suggestion be proposed that the first and final meetings of all Task Groups be conducted as formal meetings, open to the public and conforming to Access to Information provisions. which would offer transparency to members of the public and enable Task Groups, as part of their scoping process, to determine their strategy for public engagement and consultation, including with key stakeholders. The extra suggestion was supported by the Board.

Whilst introducing the report, the Service Director, Democratic Services reminded Members that the legislative provisions for scrutiny allowed members to conduct greater scrutiny of external organisations. The potential for strong links with community meetings was also emphasised. Furthermore, it was noted that the proposals incorporate a change in the style of minutes which would become more action-orientated, and as appropriate, be more in the style of a rapporteur.

A Member of the Board asked whether an open invitation to the Scrutiny Forum could be extended to all non-executive Members. The Service Director, Democratic Services confirmed that the Forum could become open to all non-executive Members, and described the Forum as a key tool in enabling all non-executive Members to further their knowledge of the scrutiny role. He also agreed with Members that a programme of training of the scrutiny arrangements and functions for Members could be established.

A Member of the Board expressed a view that there should be provision for the co-option of youth representatives as non-voting Members onto OSMB. This was supported by members of the Board.

Members also expressed a view that, OSMB also being the body designated to address the statutory requirements associated with Education matters, that there should be appropriate training on this matter as soon as possible for all Members of OSMB.

Following a suggestion by a Member of the Board, it was agreed that the term ‘fixed membership’ would change to ‘standing membership’.

A Board Member asked whether it was possible to instruct Members to sign-up to Task Groups so that the membership of a particular review did not dramatically decrease or alter at the end of a municipal year. Failure to have such a policy or protocol could well have a detrimental effect on the effective conclusion of Task Group investigations. The Service Director, Democratic Services explained that officers could encourage but not force members to remain working with a Task Group review until it was completed, and reminded members that the political group whips could have a role in this regard.

One Member of the Board felt that it was crucial for the annual report of scrutiny as described in the paper to be submitted to the Board for its comments prior to being considered by Full Council. As part of the annual report, a suggestion was made that the views of all departments in respect of the performance and function of scrutiny should be included within it. In response to the first comment, the Service Director, Democratic Services stated that it was imperative for the Overview and Scrutiny Management Board to consider and comment on the annual report. He replied to the latter comment by agreeing that departments would welcome and wish to be involved in the process of evaluating scrutiny. Members also commented that there was still a need to improve Member and officer understanding of the scrutiny process, both with attendance by all Members at a scrutiny meeting at least once per year, and for there to be appropriate facilitated training.

In response to a comment made by a Member of the Board, the Service Director stated that officers would be working on ways of improving the use of the corporate calendar of meetings, and hoped that it could be successfully operated as a live document.

A Member of the Board suggested that the chasing-up of outstanding actions from scrutiny should be placed on each agenda as a standing item. The Corporate Director of Regeneration and Culture stated that an action sheet from each meeting should accompany and be distributed with the minutes.

A Member of the Board suggested that meetings of the Board could be tape-recorded to act as a form of back-up for the minutes. The Service Director, Democratic Services explained that arrangements were currently being finalised to web cast meetings of Full Council and, as a possible next step, Planning and Development Control Committee, and that this record could similarly act as a back-up for minutes. He suggested that the matter be also discussed at the Scrutiny Forum.

Whilst recognising the practical difficulties, Members also asked officers to try and reduce or, if possible eradicate clashes of meeting dates and welcome further work on an easily accessible and updated corporate calendar of meetings.

Members generally felt that the first year of the new scrutiny arrangements had been fairly mixed and that not all expectations of Members had been met, but hoped that the changes outlined to them and discussed would improve the role and performance of scrutiny. It was accepted though that some extremely useful work had taken place. Moreover, it was acknowledged that the previous year was a transitional period for scrutiny and that most other authorities were operating similarly.

RESOLVED:

(1) That the proposals for improvement set out in section 3.3 of the report be noted.

(2) That the first and last meetings of Task Groups be held as formal meetings ie confirming to Access to Information provisions;

(3) That provision be made for young people's representation on OSMB;

(4) That training of OSMB members be arranged as soon as possible in Education matters within the remit of OSMB; and

(5) That officers investigate further ways of minimising clashes of meeting dates including through the availability of a more easily accessible corporate calendar of meetings.

195. ANY OTHER URGENT BUSINESS

The Chair agreed to accept one item of business requested by Councillor Russell.

Councillor Russell, as Leader of the Regeneration and Transport Task Group explained that as part of a review that had looked at barriers to cycling in Leicester, a questionnaire survey had been conducted that gained the views of over one-thousand respondents. She explained that the findings of the survey had been gathered but that the way the data had been presented allowed for no form of analysis. Consequently, Councillor Russell sought advice in respect of how the issue could be progressed to allow for appropriate analysis to take place. The Corporate Director of Regeneration and Culture sympathised with this situation and stated that an analysis of the survey should be undertaken as a matter of urgency. The Service Director, Democratic Services agreed to ensure that the data would be presented in such a manner that data analysis could be carried out, and following a request from Members, agreed that if this issue was symptomatic of a fundamental problem in the Council's capacity to both extract and analyse such data a report that illustrated how the authority carried out data analysis be brought to a future meeting of the Board.

196. PRIVATE SESSION

RESOLVED:

That the press and public be excluded during consideration of the following report in accordance with the provisions of Section 100A(4) of the Local Government Act 1972, as amended, because it involves the likely disclosure of 'exempt' information, as defined in the Paragraph detailed below of Part 1 of Schedule 12A of the Act and taking all the circumstances into account, it is considered that the public interest in maintaining the information as exempt outweighs the public interest in disclosing the information.

Paragraph 3
Information relating to the financial or business affairs of any particular person (including the authority holding the information).

197. REVIEW OF THE MANAGEMENT OF CHILDREN'S CENTRES

The Interim Corporate Director of Children and Young People's Services submitted a report that informed the Board of the progress made in developing Children's Centres, of the approach that the department had adopted for the management of the centres and of the procurement process in place to secure the external management of nine out of the twenty-three centres.

The Service Director, Access, Inclusion and Participation introduced the report. She explained that the children's centres programme was well established and the children centres strategy made a key contribution to achieving the vision set out in the Government's 'Every Child Matters' Change Programme and Leicester's Children and Young Peoples' Plan and the Transforming Leicester's Learning Plan, working with a range of partner organizations and communities.

The Board heard that services were to be delivered to the most disadvantaged areas of the city.

It was reported that Leicester currently had a mixed arrangement of both local authority and voluntary sector management for its children's centers, and that these contacts were to cease at the end of September 2008. In terms of the future, the department had agreed to adopt a mixed model of management between the local authority and external bodies through an open tendering process. Nine centres would be tendered in three blocks of three, and the remaining 14 centres would be managed by the Local Authority.

In relation to the revenue strategy, the primary funding for the core centres was to be provided to the authority through the Sure Start grant for the years 2008-2011 which was in line with the contract period.

One Member of the Board asked whether performance expectations would be the same for centres delivered both internally and externally. The Service Director, Access, Inclusion and Participation confirmed that there was one performance management framework for all centres and it was particularly robust. She agreed to provide a copy of the framework to members of the Board.

A Member of the Board asked how officers could guarantee that a mixed approach of management would add value by supporting and challenging the local authority provision. The Service Director, Access, Inclusion and Participation responded by stating that it had been proven at other authorities that a mixed approach allowed the authority to learn how to achieve reaching those groups who were harder to reach.

In response to a Member of the Board who expressed disappointment that the authority had to initiate a competitive tender for many of the centres, it was explained that the authority could not continue with the current contracts, and that all providers were made aware of the process at the earliest stage.

One Member of the Board expressed concern with regard to the other implications matrix detailed under paragraph 6 of the report and felt that it was incomplete. The Service Director, Access, Inclusion and Participation agreed to ensure that this was completed for when the report was submitted to Cabinet. The Corporate Director of Regeneration and Culture agreed to raise this issue on a corporate level.

RESOLVED:

(1) that the report be noted; and

(2) that the Service Director, Access, Inclusion and Participation, circulates a copy of the performance management framework for the children's centres to the Members of the Board.

(3) that the Corporate Director of Regeneration and Culture be asked to raise at a Corporate level the issue of incomplete other implication matrixes.

198. CLOSE OF MEETING

The meeting closed at 8:25pm.