

OVERVIEW AND SCRUTINY BOARD

A meeting of **Overview and Scrutiny Board** will be held on

Wednesday, 14 December 2011

commencing at **5.30 pm**

The meeting will be held in the Meadfoot Room, Town Hall, Castle Circus,
Torquay, TQ1 3DR

Members of the Committee

Councillor Thomas (J) (Chairman)

Councillor Barnby
Councillor Butt
Councillor Darling (Vice-Chair)
Councillor Kingscote

Councillor Parrott
Councillor Pentney
Councillor Pountney

Co-opted Members of the Board

Penny Burnside, Diocese of Exeter

Our vision is working for a healthy, prosperous and happy Bay

For information relating to this meeting or to request a copy in another format or language please contact:

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01803 207035

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OVERVIEW AND SCRUTINY BOARD AGENDA

1. Apologies

To receive apologies for absence, including notifications of any changes to the membership of the Committee.

2. Minutes

To confirm as a correct record the minutes of the meeting of the Board held on 16 November 2011.

(Pages 1 - 4)

3. Declarations of Interest

(a) To receive declarations of personal interests in respect of items on this agenda.

For reference: Having declared their personal interest members and officers may remain in the meeting and speak (and, in the case of Members, vote on the matter in question). If the Member's interest only arises because they have been appointed to an outside body by the Council (or if the interest is as a member of another public body) then the interest need only be declared if the Member wishes to speak and/or vote on the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

(b) To receive declarations of personal prejudicial interests in respect of items on this agenda.

For reference: A Member with a personal interest also has a prejudicial interest in that matter if a member of the public (with knowledge of the relevant facts) would reasonably regard the interest as so significant that it is likely to influence their judgement of the public interest. Where a Member has a personal prejudicial interest he/she must leave the meeting during consideration of the item. However, the Member may remain in the meeting to make representations, answer questions or give evidence if the public have a right to do so, but having done so the Member must then immediately leave the meeting, may not vote and must not improperly seek to influence the outcome of the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

(Please Note: If Members and Officers wish to seek advice on any potential interests they may have, they should contact Democratic Services or Legal Services prior to the meeting.)

4. Urgent Items

To consider any other items that the Chairman decides are urgent.

5. Police Blueprint

To consider information relating to the Police Blueprint (the police change programme and the resulting model of services in Torbay).

(To Follow)

6. **Budget Consultation Report** (Pages 5 - 8)
To consider the Budget Consultation Report
7. **Update on Overview and Scrutiny Review Panels**
To receive updates from Scrutiny Review chairs.
8. **Exclusion of press and public**
To consider passing a resolution to exclude the press and public from the meeting prior to consideration of the following item on the agenda on the grounds that exempt information (as defined in Schedule 12A of the Local Government Act 1972 (as amended)) is likely to be disclosed.
9. **ADHD and Ritalin** (To Follow)
To consider the ADHD and Ritalin report

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Minutes of the Overview and Scrutiny Board

Wednesday, 16 November 2011

-: Present :-

Councillor Thomas (J) (Chairman)

Councillors Barnby, Bent, Butt, Darling (Vice-Chair), Kingscote, Parrott, Pentney and Pountney

(Also in attendance: Councillors Cowell, Davies, Lewis, Scouler, Thomas (D) and Tyerman, plus Mayor Gordon Oliver)

370 Minutes

The minutes of the meeting of the Board held on 26 October 2011 were confirmed as a correct record and signed by the Chairman.

371 Performance Overview and Monitoring: Quarter 2 2011/2012

The Board considered reports which summarised the performance of the performance indicators and projects in the Council's strategic scorecard, the Council's approved capital programme for the second quarter of 2011/12, and the Council's revenue budget for the same period.

With reference to personal knowledge of projects informing the performance indicators, members questioned the accuracy of some performance information presented in the report. With reference to indicators on the strategic scorecard, Board members questioned the apparent dip in performance since Quarter One, 2011/12.

In response to questions, the Deputy Mayor and Executive Lead Member for Strategic Planning, Housing, and Energy indicated that recycling rates in the Bay would achieve the 2020 target by the end of 2012. In reply to questions, the Deputy Mayor and Executive Lead Member for Strategic Planning, Housing, and Energy advised the meeting of the Mayor's strategic priorities.

With reference to adults safeguarding, Board members questioned the timeliness of social care assessments and why Devon Partnership NHS Trust was performing below target. A representative of Devon Partnership NHS Trust addressed the meeting and explained the mental health pathways and referral points. He indicated that the Trust's priority was to ensure the most urgent cases received treatment in a timely manner and that the current target could be improved. The Chief Executive Officer, Torbay Care Trust, indicated agreement that the performance measurement should be re-examined prior to agreement of next year's Annual Strategic Agreement between the Care Trust and Torbay Council.

Board members questioned the increase in employee total costs in all Commissioning areas across the council apart from Adults and Operations

Commissioning. The Board was advised that seasonal variations could be a factor and an explanation would be provided.

With reference to a recent Serious Case Review, Board members asked for clarification concerning the improvements to children's safeguarding. The Executive Lead Member for Children, Schools and Families and the Acting Director of Children's Services indicated that initial assessments suggested safeguarding was improving.

Board members questioned whether the impact on performance of in-year cuts and savings was discernible. In response, the Board was advised that any impact from cuts would be within performance data for Quarters Three and Four of 2011/12 rather than Quarter Two. Board members requested details of the in-year savings proposals and were advised by the Executive Head of Finance that the relevant document would be provided.

With reference to the Council's strategic scorecard, Board members questioned the number of entities without data or targets and requested a written explanation.

Board members questioned the Empty Homes Scheme, particularly the need to borrow £0.5 million. In response the Board was advised of the anticipated benefits.

With reference to the identification of the contingency fund for the capital programme as a significant risk, the Board questioned the amount allocated. In reply, the Board was advised that each project within the programme had a contingency fund in addition to the fund for the programme as a whole.

Members questioned the identification of the New Homes Bonus as uncommitted income and were advised the intention was to use other monies to meet the projected overspend and the use of the New Homes Bonus was illustrative of uncommitted monies.

In response to questions, the Executive Lead Member for Children, Schools and Families suggested that slippage in capital projects was due to the need to consult. Members suggested that consultation should be viewed as integral to project planning.

Members suggested that the Capital Budget Monitoring report submitted to Council in December 2011 should include a fuller explanation and detail, particularly of the invest to save scheme to bring empty homes back into use from funding from the New Homes Grant. The Chief Accountant, Financial Services, indicated that more detail concerning the invest to save schemes would be added to the report presented to Council.

Members questioned the use of reserves prior to the three year period for which their use was planned. In reply the Executive Lead Member for Finance and Audit indicated that the reserves had been used for activities to benefit the Bay.

With reference to the revenue budget, Board members queried the use £0.5 million from revenue rather than capital. In response, the Board was advised that an estimated £0.5 million had arose from the redesign of the Office Accommodation Review. The Board requested a detailed breakdown of the costs and an explanation why the amount had not been identified in previous updates about the Office Accommodation Review.

Members asked if there was a correlation between vacancies being unfilled and failing performance. The Executive Head of Finance indicated that such an association was possible but he could not comment on specific areas.

Replying to questions, the Executive Lead Member for Children, Schools and Families advised that Children's Services spending for 2011/12 would be over-budget. The Executive Lead Member for Adult Social Care and Older People stated that adult social care costs would be over budget for 2011/12.

With reference to community safety, Members asked for details of the impact of underspends on services and were advised that such information could be provided by the Executive Head for Community Safety. Members requested clarification of all underspends.

The Executive Lead Member for Finance and Audit indicated that he was not aware of any officers saying they were under undue pressure to make savings.

In reply to questions, the Chief Executive Officer, Torbay Care Trust, indicated that he would provide further information concerning Dunboyne Court, Torquay. He indicated that the outcomes of recent judicial reviews would not affect the budget for 2011/12 but might do so for 2012/13.

A member of the public raised a question concerning the amount spent by TOR2 in agency fees. The Board was advised that a response had been requested from TOR2.

Resolved: that the Overview and Scrutiny Board notes the latest position on performance and the latest position on the capital programme and the revenue budget, and makes the following recommendations to the Mayor:

- that Council be provided with an explanation of the use of reserves prior to the three year period for which their use was planned;
- that Council be provided with further detail behind invest to save schemes;
- that Council be provided with a full breakdown of £0.5m costs arising from the Office Accommodation Review;
- that Council be provided with an explanation of the increase in employee total costs in all Commissioning areas across the Council apart from Adults and Operation Commissioning;

- that Council be provided with clarification of the identification of the use of the New Homes Budget as uncommitted income;
- that Council be provided with an explanation of the continuing slippage in capital projects; and
- that the Mayor confirm that underspends are not adversely affecting service delivery.

(Note: Prior to consideration of the item in Minute 371, Councillor Kingscote declared a personal interest due to his work for Devon Partnership NHS Trust community mental health team Torbay.)

372 Overview and Scrutiny Review Monitoring: Key Stage 2

The Board considered a report providing a position statement on the recommendations and actions arising from the Overview and Scrutiny Key Stage 2 review. The report also included information concerning the Torbay's Schools Improvement Partnership and how education services within the Bay had developed over the previous twelve months.

In reply to questioning, the Board was advised that all partnership schools apart from two primary school academies were using School Improvement Partners.

Members asked for an update on the development of an expert governor role for Key Stage 2 education. In response the Board was advised that officers were investigating methods to identify leading governors.

373 Update on current Overview and Scrutiny Review Panels

Overview and Scrutiny review chairs provided verbal updates on the progress of their respective reviews; namely, Anti-social Behaviour and Private Sector Housing; Youth Employment; and Safeguarding.



Title: Budget Consultation

Is the information in this report available to the public? Yes

Wards Affected: All Wards in Torbay

To: Overview and Scrutiny On: 14th December 2011

Contact Officer: Joanne Beer

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✉ E.mail: Joanne.beer@torbay.gov.uk

1. Key points and Summary

- 1.1 The consultation on the budget has been open since 29th September 2011, allowing members of the public to have their say on their priorities and the proposals which have been put forward to date.
- 1.2 To date approximately 200 residents have given their views through public meetings, caravan events and the online budget simulator.
- 1.3 Preliminary findings from the public meetings show that there is general support for increasing charges to reduce the impact of service cuts.
- 1.4 Views regarding council tax were split, with half supporting the government's incentive of no increase, while half were prepared to see a greater increase in council tax (5%), losing the government's incentive and reducing the impact of service cuts.
- 1.5 While appreciating the need for savings, respondents wanted to see more protection for the budgets for Adult Social Care and Children's Services. However, there was support for the proposals which have been put forward under these areas including:
 - Supporting people to live in their homes and reducing the number of care home placements (73.6% support)
 - Reviewing the delivery of learning disability services through new partnership arrangements (63.1% support)
 - Reviewing criteria for urgent support payments made to parents and improving signposting to enable them to maximise welfare benefit (57.1% support).
- 1.6 Further consultation will need to be carried out with regards to the proposals for Adult Social Care and specifically those client groups who may be affected by the proposals. Business Services are continuing to work with the Care Trust to support this activity.

2. Introduction

- 2.1 Over the past year there has been an increase in the number of cases brought against local authorities with regards to the decisions they are making on their budgets.
- 2.2 Torbay Council needs to ensure it is making 'fair' financial decisions and the lessons learnt from recent legal challenge is an integral part of our planning, both in terms of assessing the impact of the proposals and consultation.
- 2.3 The proposals which have been forward to date have been subject to challenge from Business Services and where further information is required about some proposals this has been requested. Those proposals which have been categorised as 'major decisions' are required to be subject to an impact assessment which determines the potential impact on service users and the level of consultation required.
- 2.4 To date consultation activity has included public meetings in each town, an online budget simulator, caravan events and a libraries specific consultation which has been running alongside the general consultation.
- 2.5 Approximately 200 have had their say on the budget consultation, this includes 130 at public meetings (including a specific meeting with Torbay Voice) and approximately 70 responses so far to the online budget simulator. Each public meeting was attended by representatives of SPOT (Speaking Out Torbay).
- 2.6 Preliminary findings, as outlined above, demonstrate that respondents understand the need to make savings. While respondents are prepared to see savings across each service area, Children's Services and Adults Social Care should take a smaller proportion of savings.
- 2.7 Preliminary feedback from the online budget simulator shows that respondents wanted to see savings made each service area, with the TDA and Support Services taking the bigger proportion of savings with Adults Social Care and Children's Services taking a smaller proportion of the savings required.
- 2.8 A questionnaire has been sent to the ViewPoint panel regarding the overall proposals. A general questionnaire is also available for all residents to complete.
- 2.9 A libraries specific consultation has been carried out alongside the general consultation. Information on how people use their local library as well as their views on how we can deliver the savings for this service have been collected. This consultation is on-going and will close on 23rd December. This consultation to date has received a response in excess of 1,500.
- 2.10 Consultation is on-going and will continue throughout December following the publication of the Mayor's Provisional Spending Targets 2012/13.
- 2.11 Throughout the consultation there have been requests for further information to be published regarding the details of some of the proposals, particularly those relating to Adult Social Care. Business Services are working with the Care Trust to collate

further information and ensure that the services users who may be affected by the proposals are consulted and involved in any changes to service delivery

Mark Bennett
Executive Head Business Services

Appendices

N/A

Documents available in members' rooms

N/A

Background Papers:

N/A

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