

**BRECKLAND COUNCIL**

**At a Meeting of the**

**OVERVIEW AND SCRUTINY COMMISSION**

**Held on Thursday, 17 December 2009 at 11.30 am in the  
Anglia Room, The Conference Suite, Elizabeth House, Walpole Loke, Dereham**

**PRESENT**

Mr J.P. Cowen (Chairman)	Mr A.P. Joel
Mr S.G. Bambridge	Mr R.G. Kybird
Mr A.J. Byrne	Mr K. Martin
Mr S.H. Chapman-Allen	Mrs S.M. Matthews
Mr R.F. Goreham (Vice-Chairman)	Mr D.S. Myers
Mr J.R. Gretton	Mr J.D. Rogers
Mrs D.K.R. Irving	Mr B. Rose

**Also Present**

Mrs J. Ball	Mr J.P. Labouchere
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**In Attendance**

Mark Broughton	- Scrutiny Officer
Phil Daines	- Development Services Manager
Michael Horn	- Legal Services Manager
Stephen McGrath	- Member Services Manager
Mark Stokes	- Deputy Chief Executive
Robert Walker	- Director of Community Services
Elaine Wilkes	- Senior Committee Officer

**125/09 MINUTES**

The minutes of the meeting held on 26 November 2009 were confirmed as a correct record and signed by the Chairman.

**126/09 APOLOGIES**

An apology for absence was received from Mr. A.C. Stasiak.

**127/09 URGENT BUSINESS**

There was no urgent business to announce but the Chairman reminded Members that there would be an item to add to the work programme relating to street lighting, as discussed at that morning's meeting of the Council.

**128/09 DECLARATION OF INTEREST**

No declarations were made.

**129/09 NON-MEMBERS WISHING TO ADDRESS THE MEETING**

The following Members were in attendance:

- Mrs. J. Ball
- Mr. J.P. Labouchere

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**130/09 CONTRACT MONITORING - PLANNING & BUILDING CONTROL /  
CAPITA SYMONDS (AGENDA ITEM 7)**

The Deputy Chief Executive presented the report, which was the second performance update since this contract commenced on 29 June 2009.

The following items from the report were highlighted:

- The 'planning on line' system had been implemented and the next phase would be to complete the computerisation of the Land Charges system.
- Other local authorities and the Department for Communities and Local Government had expressed an interest in understanding how the contract works and the potential for future partnering arrangements. In this connection, members and senior officers from Solihull Council had visited Breckland for presentations and briefings on the partnership approach adopted here.

Performance remained consistently high. As requested, the performance statistics had been expanded to include the volumes attached to the percentages and to include a 'comments' column. The details showed that the Development Control service was exceeding its targets.

A question was asked whether there was a benefit to the Council in other partnership working under the contract. The Deputy Chief Executive replied that the contract, in addition to providing for maintenance and improvement to the service, included provision for taking advantage of any other business opportunities, from which the Council would benefit. The business plan was reviewed regularly as part of the performance contract.

Mr. Kybird referred to the work taking place on the evidence base for the Thetford Area Action Plan (TAAP) and was concerned that the Member Champions on the Moving Thetford Forward (MTF) Board were not being actively involved in the TAAP process. He felt that at the least the Member Champions on the MTF Board should be copied in on reports and agendas for the MTF Programme Delivery Group to keep them fully informed on matters being discussed prior to submission of items to the MTF Board.

The Deputy Chief Executive undertook to re-emphasise to the Programme Delivery Group the need to ensure there was feedback to the MTF Member Champions.

Mark  
Stokes

Referring to the comparison between volumes and percentages in the performance report, the Chairman asked how these compared to previous years. If the numbers of applications were reducing, he would expect performance results should be significantly better and that it would help to inform the debate on seeking additional work from elsewhere.

The Development Services Manager confirmed volumes were down on last year. There were some indications that numbers were beginning to increase again but at a more modest level than two or three years ago.

**RESOLVED** that the report be noted and it was agreed that reports in future be made on a quarterly basis.

**Action By**

Phil  
Daines,  
Mark  
Stokes

**131/09 LEGAL SERVICES - REVIEW OF SERVICE DELIVERY ARRANGEMENTS (AGENDA ITEM 6)**

Details of the current arrangements for the delivery of the Council's legal services were presented by the Head of Legal Services.

The Chairman advised that the item had been placed on the agenda as part of the remit of the Commission to scrutinise all service delivery. The fact that the Council was looking at the potential for shared services was relevant and it was important that Members fully understood how legal services were delivered on the Council's behalf.

In regard to the issue of shared services, the Head of Legal Services advised that with a resource of only three legal officers within the department, he did not envisage the department providing services to other bodies but would envisage the potential for shared services.

The Head of Legal Services explained that the service was provided both in-house and procured from outside. The law was a very varied and diverse subject and specialist legal services were therefore procured on an as needed basis. This was a cost-effective solution for the Council.

Details of the department's structure and the roles of the legal officers were given.

The various budget and comparisons of costs that applied to the service were explained. Details of how the total legal budget was made up and allocated generally and to specific projects were explained. This included the requirement for service recharges between departments.

The report was noted.

**132/09 HEALTH SCRUTINY (AGENDA ITEM 8)**

Mr. Labouchere presented feedback from the East of England Regional Health Scrutiny Conference held on 20 November 2009 at Newmarket, which he had attended as the Council's representative on the Norfolk Health Scrutiny Committee.

Points highlighted included:

- The economic position means that the NHS has to change to deliver high quality services more cost effectively. The pace of change had to increase. This would be the subject of further debate in January.
- PCTs were reviewing the commissioning of services to manage competing demands, seeking to improve quality and efficiency,

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<p>within existing funding.</p> <ul style="list-style-type: none"><li>▪ The Norfolk Health Scrutiny Committee would be considering in January how it wished to prioritise scrutiny of issues in the face of the changes expected in the NHS.</li></ul>	
<p>Mr. Labouchere informed Members that he had recently attended a visit to the Norfolk and Norwich University Hospital. The hospital had experienced a 20% increase in demand compared to the same period last year and there was a strain on the availability of beds. A significant number of these beds were occupied by elderly patients who could be discharged but had nowhere to go. Another significant fact noted was that almost a quarter of all weekend bed occupancy at the hospital was drink-related.</p>	
<p>Mr. Rogers referred to the case of a nursing home in the Watton area which currently had 30 empty beds and could accommodate dementia patients or people requiring respite care. However, it appeared that the NHS did not use the home as it would have to pay the costs.</p>	
<p>Mr. Labouchere undertook to raise the matter with the Chairman of the Norfolk Health Scrutiny Committee.</p>	JLabouchere
<p>Mr. Kybird advised that he had written to the Chairman of the Norfolk PCT, Sheila Childerhouse, on the issue of engaging with elected members. The Norfolk PCT's preferred route for this was through the Local Strategic Partnership. It was also understood the PCT was assigning non-executive Directors to act as links with each local authority. The Chairman undertook to follow this up through the Norfolk LSP Joint Scrutiny Committee.</p>	PCowen
<p>Mrs. Irving informed members that the Adult Social Services Overview and Scrutiny Committee, of which she was Chairman, was due to consider a report on a new dementia strategy at a future meeting.</p>	
<p>The report was noted and it was agreed that future updates on health scrutiny would be given three times a year.</p>	JLabouchere
<p><b><u>133/09 JOINT SCRUTINY ARRANGEMENTS - ANGLIA REVENUES PARTNERSHIP (AGENDA ITEM 9)</u></b></p>	
<p>The Scrutiny Officer presented the report and agreement and nominations were sought for appointment to a joint Task and Finish Group with representatives from Forest Heath District Council to carry out a scrutiny review of the Anglia Revenues Partnership (ARP).</p>	
<p><b><u>RESOLVED</u></b> that</p>	Mark Broughton
<p>(1) a joint ARP Task and Finish Group be established to enable joint scrutiny with Forest Heath District Council and adopting an agreed terms of reference;</p>	
<p>(2) Mr. R.G. Kybird be appointed to the Group, together with two other members and one substitute to be drawn from the wider Council membership, reflecting broad political balance where possible and appointed on the basis of their relevant</p>	

knowledge and interest to sit on the joint Task and Finish Group; and

- (3) the joint Task and Finish Group to meet on four occasions in Theford between January and July 2010 and submit its findings in a final report, including recommendations, to the Overview and Scrutiny Commission in September 2010.

**134/09 GREEN AGENDA DEVELOPMENT PANEL (AGENDA ITEM 10)**

The minutes of the Panel's meeting held on 30 November 2009 were unready for submission to this meeting and were accordingly deferred to the next meeting.

The Chairman of the Panel, Mr. Kybird, advised that he was concerned at the lack of progress regarding the Council's wind turbine project. There was a need to get the site monitoring process in place.

Mr. Cowen was hopeful that the fact that the Green Agenda Development Panel was to be reconstituted as a sub-Committee of the Cabinet would add impetus to this work and scrutiny of policies.

Mr. Kybird added that there was a need for this work to link in to the Norfolk Climate Change agenda.

The position was noted.

**135/09 SCRUTINY CALL-INS (STANDING ITEM)**

No items had been referred.

**136/09 COUNCILLOR CALL FOR ACTION (STANDING ITEM)**

No matters had been referred.

**137/09 WORK PROGRAMME (AGENDA ITEM 12)**

The Chairman referred to the timetable for the Council's shared services project with South Norfolk District Council. A feasibility study was expected to be submitted by 19 February, followed by submission of a business case by 30 April 2010. There would be two opportunities for scrutiny at each stage of the process. Provisional dates for that purpose were as follows:

- 20 January 2010 – Informal briefing
- 1 March 2010 – To consider feasibility study findings
- 5 May 2010 – To consider draft business case

The Chairman added that the process would require joint scrutiny arrangements with South Norfolk District Council, for which an agreed protocol and representatives would be needed.

The position was noted.

Other additions to the work programme were agreed as follows:

- Norfolk County Council – Street Lighting

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- Investors in People: Results of diagnostic (for meeting on 4 February 2010)
- Budget recharges – to understand how service recharges are calculated and applied

**Action By**

**138/09 NEXT MEETING**

The arrangements for the next meeting on 4 February 2010 were confirmed.

**139/09 EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED** that under Section 100(A)(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following item of business on the grounds that it includes the disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act.

**140/09 LEGAL SERVICES - REVIEW OF SERVICE DELIVERY ARRANGEMENTS (AGENDA ITEM 16)**

The report was noted. (See also minute 131/09 above.)

The meeting closed at 2.05 pm

CHAIRMAN