

Report from Overview and Scrutiny

Lead Members: Cllrs P Connolly, Mrs Y R T Clarkson, J Kane,
Mrs W Metherell

Lead Officer: T Capper

August to September 2007

Since Overview and Scrutiny last reported:

1. Energy Review Sub Group

The Energy Review Sub Group that was set up by the Safer and Stronger Communities Overview and Scrutiny Committee at its meeting on 13 June 2007 has now completed its work.

It has heard evidence from:

Alex McKenzie, Cumbria County Council's Sustainability Manager, on the scientific case for climate change and what plans the County Council had for dealing with this issue.

Keith Parker, Head of Leisure and Environmental Services, on the council's fleet procurement contract.

John Hughes, Regeneration Strategy Manager, on the Council's planning policies that dealt with renewable energy and energy conservation and travel to work plans.

Suzanne Burgess, Carlisle and County Energy Efficiency Advice Centre, on the work that it does and could do in Copeland to improve energy efficiency.

Chris Lloyd, Business Development Manager on energy usage in the council own buildings.

Brian Durham, Copeland Homes on its energy efficiency and renewable energy projects.

David Davies, Head of Sustainability and Nuclear Policy on the council's sustainability policies.

The Sub Group also visited St Gregory's and St Patrick's Catholic Infant School in Whitehaven and Eskdale Green Biomass Project to look at their use of renewable energy.

The Sub Group's recommendations will be considered by the Safer and Stronger Communities Overview and Scrutiny Committee at its meeting on 10 October 2007. The Overview and Scrutiny Committee will then make its recommendations on to the Executive.

2. Urgent Actions

The Overview and Scrutiny Management Committee met as a task and finish group on 10 August 2007 to consider the council's urgent actions procedure.

It heard evidence from:

Tim Capper, Democratic Services Manager
Councillor Elaine Woodburn, Leader of the Council
Sue Bamforth, Head of Finance and Business Development

The recommendations of the Management Committee were that:

(A) the Executive be requested to:

- (1) ask Corporate Team to advise all officers that there have been too many urgent actions used over the last two years,
 - (2) ensure that the guidance notes appended to this report be used as the Council's procedure for urgent action,
 - (3) ensure that officers are informed that part A of the guidance note requiring that the reasons for urgency are adequate be more stringently applied,
 - (4) ensure that the report back to the Executive on the urgent action should include the results of the action that has been taken,
 - (5) ensure that a list of urgent actions detailing the current position of the actions covering the financial position particularly the effect on contingencies be made available to all members of the council,
 - (6) ensure that when an urgent action has been signed by all the relevant signatories a copy of the completed form be sent to all those signatories,
 - (7) review the financial limit that can be used as delegated authority by Executive Portfolio Holders, and
- (B) that the use of urgent actions be monitored and a report be submitted to the Overview and Scrutiny Management Committee in six months time on progress made.

These recommendations were considered by the Executive at its meeting on 4 September 2007.

3. Concessionary Fares Scheme

The Children, Young People and Healthy Communities Overview and Scrutiny Committee at meeting on 2 August 2007 considered a report on the council's concessionary travel scheme.

The Committee considered the recommendations in the report in detail. It noted that the council had two local discretionary schemes and the take up of those schemes so far during the year.

The Committee agreed that these schemes provided a useful alternative to the statutory bus pass option particularly in those areas of the borough where there was a limited local bus service. However it was unclear at this stage how far the changes to the national bus pass scheme would have on these local schemes or the level of funding that the Council might receive from the government for the national scheme.

In light of this the Committee agreed that subject to monitoring and budgetary constraints the local discretionary concessionary fares schemes be extended for the 2008/2009 financial year.

The Committee considered that as the bus passes would be eligible for off peak travel whether there was a peak time operating in Copeland. Officers agreed to take this matter back to the County Group who were looking at the scheme across Cumbria and come back to the Committee with the group's view.

The Committee further considered that, as more information on the funding of the national scheme was expected shortly, a report be submitted to its next meeting on this. An update on the usage of the concessionary travel scheme would also be useful as part of that report.

The Committee agreed that:

- (A) the information on the new national free off-peak local bus travel scheme detailed in the report to the Children, Young People and Healthy Communities Overview and Scrutiny Committee on 2 August 2007 be noted, and
- (B) subject to monitoring and budgetary constraints the council's local discretionary concessionary fares schemes be extended for the 2008/2009 financial year.

These recommendations will be considered by the Executive at its meeting on 2 October 2007.

4. Mental Health

The Children, Young People and Healthy Communities Overview and Scrutiny Committee were reminded that it had requested that a scoping exercise into the decision to close mental health wards in Whitehaven by the North Cumbria NHS Trust.

The Committee noted that Cumbria County Council had advised that its Health and Well-being Scrutiny Committee had been consulted on the NHS strategy for changes to mental health services in late 2003, and asked for some modifications to the original proposals which were agreed to. Since then that Committee has been regularly monitoring implementation. This has included the NHS Trust

responsible for the services (now called the Partnership Trust) reporting to the Committee at 6-monthly intervals

The changes to mental health wards in West Cumbria have been discussed with the Committee in advance of the changes taking place, and (at least to date) the Committee has supported the changes being made. There have however been concerns brought to the Committee's attention over how the changes are being implemented, including concerns about staffing shortages due to vacancies.

Because of these concerns, in January 2007 two members of the Committee visited Yewdale Ward and met nursing staff, and were generally happy with what they saw. One of them was Anne Bradshaw, Copeland's representative on the Committee.

At the Committee meeting in April, the Patient and Public Involvement Forum for mental health brought to the Committee a letter expressing further concerns about Yewdale Ward. In the light of this, the Cumbria Primary Care Trust was working with the Partnership Trust on a written response to the points raised, and there would be a special meeting the Health and Well-being Scrutiny Committee on this issue.

The Committee considered that as this issue was receiving considerable scrutiny from the County Council over some time it would seem unnecessary to duplicate this scrutiny.

It agreed that Copeland Councillors attend the County Council's Special meeting on this matter and the Chairman of that Committee be asked if it would be permissible to ask questions.

The Committee agreed that Councillors Mrs Y R T Clarkson, Mrs A Faichney and C Whiteside as well as the Council's representative Councillor G Garrity attend the Cumbria County Council's special meeting on Mental Health Services.

5. Work Plan

The Children, Young People and Healthy Communities Overview and Scrutiny Committee considered its current work plan.

The Committee felt that the work done by Cumbria's Constabulary Community Police Support Officers in Copeland should be given a higher profile.

The Committee agreed that Gary Armstrong, Cumbria Constabulary Community Police Support Officer be invited to give a presentation to the next meeting of the Committee on the work of the Community Support Officers.

6. Update – Intermediate Level Waste Interim Storage

The Economic Development and Enterprise Committee considered the current status of Intermediate Level Waste (ILW) storage.

The Committee noted that the current approach to interim storage of ILW was to build storage facilities at the sites where it was created. The issue for the UK as a whole was whether it makes sense to rationalize ILW interim storage at a smaller number of storage centres than currently planned, such as Sellafield, Dounreay (for its own waste) and perhaps one of the southern sites.

The Nuclear Decommissioning Authority (NDA) could not take a fully informed decision on the best approach to ILW interim storage until the Government has decided on the long-term management arrangements for ILW (i.e. implementation plans for deep geological disposal) and until the implementation timetable is clear. The NDA were however conducting a national review of waste arisings and storage conditions, which will inform the basis of a 'forward stores' strategy.

The Committee further noted that the Council's concerns about the lack of involvement of local authority stakeholders in the review of ILW storage options have been fed into the NDA review of stakeholder engagement via the Local Government Association's special interest group NuLEAF. The Council also has at every occasion responded to Government, Site License operator and NDA consultations on the interim storage of ILW.

The Committee agreed that (A) the Council continues to lobby the Nuclear Decommissioning Authority for increased stakeholder engagement on the issue of Intermediate Level Waste storage and the decision making process, and

(B) a further report be submitted to the Committee once a consultation timetable for Intermediate Level Waste storage has been established.

7. Planning Appeals Task and Finish Group

The recommendations of the Planning Appeals Task and Finish Group were agreed by the Economic Development and Enterprise Overview and Scrutiny Committee at its meeting on 13 August 2007.

The recommendations were that:

The Planning Panel:

(A) recommend to Council that the:

- (1) amount of planning decisions that are made by delegated authority should be increased,

- (2) procedures for elected members to speak at Planning Panel meetings should be reviewed with the aim of ensuring that members rights to speak at Planning Panel are the same as those for members of the public,
- (3) Panel's procedures should be amended to allow the possibility of a member of the public to speak at more than one meeting on a planning application if the need exists,
- (4) Panel's members should be advised that the use of pre prepared written statements is not good practise and encourage them not to use such statements in future,
- (5) Panel's Members be made aware that a decision to refuse planning permission made on unreasonable grounds could leave the council open to an award of costs against it,
- (6) Chairman of the Planning Panel be involved in the process to ensure that a Planning Panel's reasons for refusal of planning permission are correctly recorded,
- (B) recommend to the Executive that greater priority and resources should be given to ensuring that the publication of the final version of the Copeland Local Plan 2001 – 2016 is achieved in the near future,
- (C) recommend to the Member Training and Development Panel that training sessions on the role of Councillors in Planning take place every year and be for all members of the Council,
- (D) note that the Economic Development and Enterprise Overview and Scrutiny:
 - (1) would like a report to be submitted to that Committee in six months time on the changes that the Panel has made to its procedures as a result of this review and the effect of those changes, and
 - (2) has established a further task and finish group to look into the Council's Planning and Building Control Enforcement.

These recommendations were considered by the Planning Panel at a special meeting on 5 September 2007.

8. Mystery Shopping

The Safer and Stronger Overview and Scrutiny Committee at meeting on 15 August 2007 considered the results of a mystery shopping exercise by a sub group of members.

The Overview and Scrutiny Committee considered the recommendations from the mystery shopping exercise in detail. It noted the comments from the Council's Waste Services Manager that the items raised by the Overview and Scrutiny

Committee had been resolved. Furthermore the Council's service had recently received a number of compliments.

The Committee further considered that in light of these comments and that the public conveniences were regularly cleaned there was no need for the Council to set a new vision or improvement plan for this service.

The Committee however looked at the overall provision of public conveniences in Whitehaven and felt that there was a need for greater provision than just St James Street particularly in the harbour area. It agreed that the Council should consider all possible external forms of funding and should open negotiations with all relevant bodies to seek the provision of an additional public convenience in Whitehaven.

The Committee agreed that the Council be requested to open negotiations with all relevant bodies to look at the increasing the provision of the public toilets in Whitehaven particularly in the Harbour area.

This recommendation was considered by the Executive at its meeting on 4 September 2007.

9. Enforcement Services Performance Sub Group

The Safer and Stronger Overview and Scrutiny Committee at its last meeting on 15 August 2007 considered the notes from the first meeting of the Enforcement Performance Sub Group.

The Overview and Scrutiny Committee agreed to the recommendations of the Sub Group. These were that:

(A) the Enforcement Performance Sub Group be part of the evaluation process for the market testing of off-street car parking and markets management and administration,

(B) the Executive's attention be drawn to the level of current long term sickness within the unit which and this could result in the ability of the enforcement unit to meet its targets within the financial business model.

(C) Parish Councils be given a list of prices for domestic waste collection so that the Parish councils could publicise these in their area, and

(D) in light of the enforcement work done by the council that there should be greater emphasis given to educating potential offenders before enforcement was undertaken.

Recommendation (B) was considered by the Executive at its meeting on 4 September 2007.

10. Scrutiny of the West Cumbria Strategic Partnership

The Overview and Scrutiny Management Committee considered a report on the scrutiny of the West Cumbria Strategic Partnership at its meeting on 7 September 2007.

The Committee noted that a 'Scrutiny Action Plan' was developed by the West Cumbria Strategic Partnership in response to a report submitted by the Joint Scrutiny Working Group of Allerdale Borough Council, Copeland Borough Council and Cumbria County Council members in 2006-07.

The Committee further noted that The Working Group agreed 11 recommendations focusing on the most part on clarifying roles and responsibilities, and on the constitution and profile of the Partnership.

It was the intention that the joint working group would be monitoring and challenging the action plan to ensure that the recommendations were implemented as agreed. It would also participate in determining the priorities in the new Strategy for Sustainable Communities Strategy and assisting in the development of the implementation plan.

The Committee agreed that (A) the joint working group should continue its scrutiny of the West Cumbria Strategic Partnership by looking at:

1. Firstly, the action plan and the working group's recommendations on the partnership,
2. Secondly, monitoring the implementation of the Sustainable Communities Strategy, and

(B) Reports on the work of the Joint Working Group are brought to the Management Committee.

11. Self Evaluation Framework

The Committee noted that the Council has an action within the Council's Corporate Plan that covers Overview and Scrutiny. This was to ensure that the way the Council manages its Scrutiny function is at least equal to the national standard developed by the Centre for Public Scrutiny by completing the Centre's self evaluation framework and developing an action plan arising from the self evaluation.

The Committee further noted The Centre for Public Scrutiny (CFPS) is a national organisation which was established to promote the value of scrutiny in modern and effective government. The centre aims to do this through a number of measures, including the production of guidance, advice on best practice and promoting information sharing.

The CFPS had produced a “self-evaluation framework” as a mechanism for all local authorities to examine the effectiveness of their overview and scrutiny arrangements and to identify areas for improvement.

The Committee considered that the best way to consider the framework was for an all day workshop for all members of the Overview and Scrutiny Committees to complete the evaluation. The results of the workshop would then be considered by the Overview and Scrutiny Management Committee.

The Committee agreed that (A) an all day workshop for all members of the Overview and Scrutiny Committees should be arranged to consider and complete the self evaluation framework, and

(B) the results of the workshop be considered by the Overview and Scrutiny Management Committee.

12. Work Plan

The Overview and Scrutiny Management Committee considered the work plans of the Council’s Overview and Scrutiny Committees.

The Committee expressed its concern at the effects of the staff shortages on service delivery in the Regeneration Department particularly on planning policy (LDF) and agreed that a report be submitted to its next meeting on this matter.