

Minutes of a meeting of the Scrutiny Commission held at County Hall, Glenfield on Wednesday, 6 June 2018.

PRESENT

Mr. S. J. Galton CC (in the Chair)

Mr. D. C. Bill MBE CC
Mr. M. H. Charlesworth CC
Dr. T. Eynon CC
Dr. R. K. A. Feltham CC
Mrs. H. J. Fryer CC
Mr. J. Morgan CC

Mrs. R. Page CC
Mr. A. E. Pearson CC
Mr. T. J. Pendleton CC
Mr. T. J. Richardson CC
Mrs B. Seaton CC
Mr. M. B. Wyatt CC

In attendance.

Mr J T Orson CC, Chairman of the Police and Crime Panel (minute 10 refers)

1. Appointment of Chairman.

RESOLVED:

That it be noted that Mr. S. J. Galton CC has been appointed Chairman of the Scrutiny Commission for the period ending with the Annual Meeting of the County Council in 2019 in accordance with Article 6.05 of the Constitution.

2. Election of Vice-Chairman.

RESOLVED:

That Mrs. R. Page CC be elected Deputy Chairman of the Scrutiny Commission for the period ending with the date of the Annual Meeting of the County Council in 2019.

3. Minutes.

The minutes of the meeting held on 7 March 2018 were taken as read, confirmed and signed.

4. Question Time.

The Chief Executive reported that no questions had been received under Standing Order 35.

5. Questions asked by members under Standing Order 7(3) and 7(5).

The Chief Executive reported that no questions had been received under Standing Order 7(3) and 7(5).

6. Urgent Items.

There were no urgent items for consideration.

7. Declarations of interest.

The Chairman invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting.

Members of the Commission who were also District Councillors declared a personal interest in all matters which affected district councils.

Mr M B Wyatt CC declared a disclosable pecuniary interest in the report on Market Towns (minute 12 refers) as he owned two local businesses in the town of Coalville. Mr Wyatt undertook to leave the room during consideration of that item, subject to him being permitted to make representations first as members of the public were also allowed to attend the meeting for the same purpose.

Dr T Eynon CC declared a personal interest in the report on Market Towns (minute 12 refers) as she was a volunteer at Hermitage FM Radio which was situated in Coalville town centre.

8. Declarations of the Party Whip in accordance with Overview and Scrutiny Procedure Rule 16.

There were no declarations of the party whip.

9. Presentation of Petitions under Standing Order 36.

The Chief Executive reported that no petitions had been received under Standing Order 36.

10. Update on Police and Crime Panel Activity.

The Commission considered a presentation from the Chairman of the Police and Crime Panel which provided details of the activity undertaken by the Panel since the previous report to the Scrutiny Commission. A copy of the presentation marked 'Agenda Item 10' is filed with these minutes.

In introducing his presentation, Mr Orson advised the Commission that the Police and Crime Panel (PCP) continued to mature. He felt that it had become less confrontational and had a good relationship with the Police and Crime Commissioner (PCC).

Arising from discussion the following points were raised:-

- (i) The PCP's role was to support and challenge the PCC. In terms of ensuring that the police force received adequate funding, the PCP had written a letter for the PCC to use as part of his campaign for fairer funding. No formal response had been received. The PCP continued to press this issue and used its scrutiny of the performance report to encourage the PCC to find efficiencies.
- (ii) The PCP's role in the appointment of a new Chief Constable was to hold a confirmation hearing, where it had the power of veto. However, this power could

only be used once and the second candidate chosen by the PCC would have to be accepted.

- (iii) There was a tension between having police officers who were visible in the community and the need for intelligence-led policing to respond to threats such as cyber-crime. It was agreed that the visibility of police officers improved public confidence and could lead to increases in the reporting of incidents like hate crime. The role of Police Community Support Officers in increasing public confidence was welcomed, although it was recognised that, as they had less powers than a uniformed police officer, they had been left vulnerable to service reductions. It was suggested that the PCP should consider a report on rural crime issues in order to assure itself that there was sufficient visibility of police officers in these areas.
- (iv) Mr Orson considered the PCP's most successful meeting to have been when the previous PCC had disagreed with Blaby District Council and the County Council over Section 106 monies. Everyone had performed well at the meeting and the desired outcome had been achieved. Generally, Mr Orson felt that the PCP was most successful through its ability to highlight issues in a public forum and challenge the PCC when necessary.
- (v) Some members disagreed with the current arrangements as they felt that they had reduced the level of elected member involvement with the police. However, the Commission was assured that monthly crime statistics were shared with the Community Safety Partnerships. The next performance report to be considered by the PCP could also be shared with the Commission.
- (vi) Members queried how the PCP assured itself of the effectiveness of work with neighbouring police forces, for example where crime crossed the county border. It was confirmed that relationships were good and that any concerns could be raised with the PCC through the district council representatives on the PCP. Mr Orson also undertook to encourage district council representatives to share information with other elected members on the council on a regular basis.
- (vii) All Community Safety Partnerships had information relating to Project Darwin, a move towards more locality based policing; however this information, including the geographic areas and number of officers involved in each investigation unit, could also be shared with the Scrutiny Commission. One of the areas that would be addressed by Project Darwin was the timeliness of police responses.
- (viii) It was confirmed that the PCP had questioned the PCC regarding the police response to burglaries, where there was anecdotal evidence that some residents were given a crime number but were not visited by the Police. The PCP had also considered satisfaction rates and noted with concern that the satisfaction rate was higher for the first call or visit than for any subsequent activity. This was an area of continued focus for the PCP.
- (ix) As a result of reports from Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services, the PCP had scrutinised the PCC on the accuracy of crime recording by Leicestershire police. The PCP was reassured that the police had taken the matter seriously and had made changes to the way it dealt with crime recording. It was estimated that 5,820 of the 13,171 additional crimes recorded during the last year could be attributed to improvements in crime recording activity.

- (x) In response to a query regarding the high level of reserves held by the PCC, it was confirmed that some reserves had been invested in new technology at the start of the current financial year. The PCP would continue to scrutinise the level of reserves. It was not known whether funding for unfilled posts in the Office of the PCC was reallocated or added to reserves but Mr Orson undertook to find this out and report back to the Commission.
- (xi) The PCC set out his priorities in his Police and Crime Plan 2017-2021. The role of the PCP including scrutinising his progress in addressing these priorities. The 101 non-emergency telephone service was one of the current priorities, actions being taken included training to improve the quality of call handling.

RESOLVED:

- (a) That the Chairman of the Police and Crime Panel be thanked for his presentation and the information now provided;
- (b) That the Chairman of the Police and Crime Panel be invited to provide an update on the Panel's work to the Commission in a year's time;
- (c) That the following information be circulated to all members of the Commission:-
 - (i) The performance report due to be considered by the Police and Crime Panel in July 2018;
 - (ii) Whether funding for unfilled posts in the Office of the Police and Crime Commissioner is reallocated or carried forward;
 - (iii) The geographic areas and number of officers involved in each investigation unit under Project Darwin.
- (d) That the Police and Crime Panel be requested to consider receiving updates on Project Darwin and Rural Crime later in the year;
- (e) That the Chairman of the Police and Crime Panel be requested to remind Panel Members representing District Councils to disseminate information to their colleagues as appropriate.

11. Leicester, Leicestershire and Rutland Resilience Preparedness.

The Commission considered a presentation from the Chief Executive regarding the work of the Leicester, Leicestershire and Rutland (LLR) Resilience Partnership. A copy of the slides forming the presentation is filed with these minutes.

It was confirmed that the arrangements for the LLR Resilience Partnership reflected the best practice highlighted in the report of the Manchester Terror Attack. There was also sufficient strength and depth in the Partnership to provide a 24/7 service in an emergency situation.

With regard to the Hinckley Road fire in Leicester, members were advised that a Recovery Co-ordination Group had been set up the morning after the fire and a public meeting had been held early on in order to dispel any myths that might be circulating. This had been positively received. London Fire and Rescue Service had also undertaken a real time peer review during the fire which had reported that Leicestershire was responding well and had a good grip on the situation.

In terms of education and prevention for the public, the LLR Resilience Partnership worked with district councils, produced newsletters and information packs for residents and attended community events. An LLR-Prepared week took place annually in October to ensure people were ready for winter and the Partnership also supported young people working towards the Duke of Cornwall Community Safety Award.

RESOLVED:

- (a) That the resilience arrangements across Leicester, Leicestershire and Rutland be noted;
- (b) That officers be requested to provide an update on resilience preparedness to the Commission in a year's time, including details of any lessons learnt from the public report into the Grenfell Tower disaster.

12. Market Towns.

Mr M B Wyatt CC declared a disclosable pecuniary interest in this item but, under the County Council's Code of Conduct, was permitted to make representations as members of the public were also allowed to attend the meeting for the same purpose. Mr Wyatt requested that consideration be given to a bypass for Bardon Road in Coalville, given the amount of building work and new businesses moving into the area. It was confirmed that the County Council was currently working with the Leicester and Leicestershire Enterprise Partnership (LLEP) to identify priorities for investment and with the City Council transport team to model the transport requirements for growth. Alleviating traffic in Coalville would form part of these considerations. Mr Wyatt then left the room until the conclusion of discussion on this item.

The Commission considered a report of the Chief Executive which advised of County Council activity which was supporting the development and economic prosperity of Leicestershire towns. A copy of the report marked 'Agenda Item 12' is filed with these minutes.

Arising from discussion the following points were raised:-

- (i) It was noted that the Strategic Growth Plan was still in draft form and that therefore the growth areas identified in that Plan had yet to be confirmed. However, there would definitely be housing growth in Leicestershire in the future and it would be important to start planning the infrastructure, including health, schools and other services, required to deliver it at an early stage and to have conversations with the Government about funding and support. The Council's response to the National Planning Policy Framework Consultation had raised the need for the implementation of a wide range of infrastructure to be supported at a national level.
- (ii) The County Council's property portfolio was managed in order to maximise revenue whilst also contributing towards the Council's strategic outcomes. It was recognised that the Council's property developments should have regard to place and where feasible, the Council should work with the public and private sector to promote tourism in an area. The Economic Growth Team worked closely with Strategic Property to manage the tension between maximising revenue return and delivering outcomes for communities and businesses

- (iii) The County Council had recently become a signatory to the UK100 campaign, committing to using 100 per cent clean energy by 2050. Clean growth was one of the challenges in the National Industrial Strategy which would need to be reflected locally.
- (iv) The free Wi-Fi through the Digital High Street project was popular; Hinckley town centre had 7000 registered users. It had enabled the Council to collect data such as age and gender profiles on people using town centres. This was compliant with General Data Protection Regulations (GDPR) and helped in developing a more targeted offer. Towns that did not have free Wi-Fi had decided that they could not collectively meet the cost of installation and ongoing maintenance.
- (v) The Government had recently produced a retail and leisure trends report which highlighted issues such as the decline in the evening economy and closure of shops. This would be considered by the Market Town Steering Group and consideration would be given to how the approach to town centres could be adapted, for example to improve the overall leisure experience and reduce the focus on retail.
- (vi) The business community decided whether to establish a Business Improvement District (BID) in a town. This would result in an additional levy on business rates, but the benefits of the BID, such as free commercial waste schemes and joint promotion and branding of the town centre, usually outweighed this. The County Council and district council, along with local businesses, would have a vote and pay a levy if they owned premises in the BID area.
- (vii) Concern was expressed that not all local members were represented on BID boards and that those local members who were not represented were not kept informed of developments. The Commission was advised that consideration would be given to ways of improving communication with local members.

Mr D C Bill CC asked for his concerns that not all local members were represented on BID boards to be placed on record, along with his concerns that the Hinckley zone 4 town centre improvements seemed to be focused on attracting staff to the Horiba MIRA Technology Park Enterprise Zone and that the implementation of zones 1 to 3 had not improved traffic conditions in Hinckley.

RESOLVED:

- (a) That the County Council activity which is supporting the development and economic prosperity of Leicestershire towns be noted;
- (b) That officers be requested to meet with the Scrutiny Commissioners to discuss the sharing of information with local members on developments affecting market towns.

The meeting adjourned at 1.15pm and reconvened at 2.00pm.

13. Change to the Order of Business.

The Chairman sought and obtained the consent of the Commission to vary the order of business from that set out on the agenda.

14. 2017/18 Provisional Revenue and Capital Outturn.

The Commission considered a report of the Director of Corporate Resources which set out the provisional revenue and capital outturn for 2017/18. A copy of the report marked 'Agenda Item 14' is filed with these minutes.

In his introduction to the report, the Director of Corporate Resources advised that the Council's financial position was likely to remain challenging. An announcement of a multi-year settlement of between three and four per cent for the NHS was expected; this would limit the amount of funding available for the rest of the public sector.

Arising from discussion the following points were raised:-

- (i) The current Medium Term Financial Strategy (MTFS) contained higher growth estimates for children and family services than had previously been the case. It was expected that this would address the overspend that had been reported during the last couple of years and reduce the likelihood of an overspend being reported this year.
- (ii) The underspend on the transportation budget had partially been redirected to support overspends in social care and special educational needs transport. It was confirmed that the £0.4 million saving on bus services in the current MTFS was still required, despite the underspend during 2017/18. Indeed, all future savings needed to be seen in the overall context for the County Council, which was that £50 million savings needed to be found over the next four years.
- (iii) The underspend on residential and nursing care was caused by the average level of need not being as high as anticipated, not by a reduction in service. The County Council had a policy of managing demand where appropriate but this did not prevent the service from meeting people's needs. It was difficult to forecast demand accurately; there had previously been years where the adult social care budget had been overspent and additional needs had been made available. This would continue to be the case if there were overspends in the future.
- (iv) It was queried whether delayed transfers of care were caused by a reluctance from patients to choose residential and nursing care; however it was confirmed that this issue had recently been scrutinised by the Adults and Communities Overview and Scrutiny Committee, which was satisfied with current performance. Residential and nursing care fees were reviewed annually and had increased to reflect the national living wage.
- (v) The County Council currently received £25 million from the NHS to support adult social care. The expected multi-year settlement for the NHS should restate this commitment and give some long term stability to this funding stream. It was not known whether the NHS settlement would include any additional funding for adult social care.
- (vi) The additional business rates income, caused by a higher return than had originally been forecasted, would be added to the reserve used to fund future developments. Forecasting the level of business rates could be very complicated although the County Council would discuss with district councils whether improvements could be made to the accuracy of forecasting.

- (vii) It was confirmed that there was a central maintenance fund for all County Council facilities, including the Century Theatre. Where commercial services required investment this would be addressed on a case by case basis, with a business case being required.

RESOLVED:

That the provisional revenue and capital outturn for 2017/18 be noted.

15. Outline Commercial Strategy and Workplan 2018-2022.

The Commission considered a report of the Director of Corporate Resources which sought its views on the Outline Commercial Strategy and Workplan 2018-2022 as part of the consultation prior to the Strategy being considered by the Cabinet on 6 July 2018. A copy of the report marked 'Agenda Item 15' is filed with these minutes.

The Scrutiny Commission gave its strong support to the Commercial Strategy, recognising that traded services provided an income which protected frontline services. It was hoped that the Council would continue to identify new commercial opportunities.

It was pleasing to note the change in the County Council's financial policy. From 2010, the focus had been on paying off debt, identifying efficiencies and service reductions. The focus was now on generating income and efficiencies. Although there were some risks involved, it was important to maximise opportunities for income.

Managing relationships with academies could be challenging, but the risk was reduced because the County Council provided services to academies across a number of areas. Therefore, even if some academies decided to commission some services from elsewhere, there was still sufficient business coming in.

RESOLVED:

(a) That the outline Commercial Strategy and Workplan 2018-2022 be welcomed;

(b) That the Cabinet be advised of the views of this Commission at its meeting on 6 July.

16. Corporate Complaints and Compliments Annual Report 2017-18.

The Commission considered a report of the Director of Corporate Resources which presented the Corporate Complaints and Compliments Annual Report covering the period 1 April 2017 to 31 March 2018. A copy of the report marked 'Agenda Item 16' is filed with these minutes.

Arising from discussion the following points were raised:-

- (i) In the context of efficiency savings and reductions to service, it was felt that the report told a positive story. The improvements made in terms of the information available to customers online were particularly pleasing. It was noted that drainage was still an area where the quality of information could be improved.
- (ii) Complaints about the sensitivity and empathy of staff referred to the tone and perception of responses, rather than rudeness or a refusal to answer a question.

It was felt that the increase in acknowledgement of fault in these circumstances was positive and reflected a more open and honest style of management.

- (iii) Quality of work was a large category covering a range of issues such as an administrative process going wrong or poor pothole repairs. It was difficult to articulate trends within this category.
- (iv) It was suggested that future reports should include some context regarding the level of demand faced by the system. It would also be helpful if the report could give an indication of the cost of complaints.
- (v) Complaints received by elected members were only recorded corporately if they had been referred into the corporate complaints process, as the County Council had agreed to give members the freedom to deal with complaints as they wished. It was agreed that the Customer Service Centre, which was often the first point of contact for elected members, needed to be more responsive to them. Consideration would be given to ways in which improvements could be made.
- (vi) It was noted that the first call about an issue, such as grass cutting, by a complainant was treated as a request rather than a complaint. It would become a complaint if repeated calls were made or if there were complications such as poor workmanship or undue delay.
- (vii) There were 81 cases relating to on-going correspondence around complaints which had already been considered and responded to. These were caused by a small number of serial complainants who raised a range of points through their correspondence which were then recorded as different cases. Lessons had been learnt from this type of complaint; dealing with matters correctly at the first point of contact was essential to prevent ongoing correspondence.
- (viii) The time taken to respond to complaints was not necessarily the same as the time taken to complete works requested as a result of the complaint. The process usually involved the Council agreeing to undertake some work and the complainant being advised of the timescale and asked to come back if the work was not completed by the scheduled date.
- (ix) Members welcomed the 'report it' app, which was generally felt to be a useful way of reporting highways problems. However, it would be helpful if members could be alerted once the work was completed. There were also issues regarding limits to the size of files that could be uploaded to the app.

RESOLVED:

- (a) That the Corporate Complaints and Compliments Annual Report be noted;
- (b) That officers be requested to consider incorporating context regarding the level of demand going into the system and an indication of the cost associated with complaints in the following year's report;
- (c) That officers be requested to give consideration to the process for members to contact the Customer Service Centre.

17. Draft Overview and Scrutiny Annual Report 2017/18.

The Commission considered the draft Overview and Scrutiny Annual Report which summarised some of the key highlights of scrutiny work during 2017/18. A copy of the report marked 'Agenda Item 13 is filed with these minutes.

Members were supportive of the report and suggested that, in the summary of the Scrutiny Commission's activity, the positive nature of the discussion with Severn Trent Water should be highlighted.

RESOLVED:

That the draft Overview and Scrutiny Annual Report 2017/18 be approved for submission to the County Council on 27 June 2018, subject to it being amended in the light of the comments now made.

18. Date of next meeting.

RESOLVED:

It was noted that the next meeting of the Commission would be held on 12 September at 10.30 am.

10.30 am - 3.48 pm
06 June 2018

CHAIRMAN