

SCRUTINY COMMITTEE

Date: 14 April 2010

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30 pm

Present: Councillors: - **Phil Stearn (Chairman)**
Glennil Greenwood-Smith (Vice-Chairman)

David Bateman
Tony Boto
Richard Gell
Barbara Jenney

Brian Northall
Ron Pinnock
Duncan Reid
Pam Whiting

442. MINUTES

The minutes of the meeting held on 24 February 2010 were approved and signed by the Chairman.

443. APOLOGIES FOR ABSENCE

Councillors Marian Hollomon, Sue Homer, Gill Mercer and Clive Wood sent apologies.

444. DECLARATIONS OF INTEREST

There were no declarations of interest under Section 50 of the Local Government Act 2000.

445. PERFORMANCE PANEL

The minutes of the meeting of the Performance Panel held on 25 February 2010 were received. The Committee was pleased to note the number of young people using the Youth Community Transport Scheme (indicator ENPCD11) had increased. The minutes appear at pages 816 to 818 and form part of this minute.

446. CONSTITUTIONAL AND PROCEDURAL CHANGES

The Monitoring Officer presented a report on proposed changes to the Constitution that would be considered by the Policy and Resources Committee at its meeting on 19 April and then recommended for approval to the full Council for implementation from the Annual Meeting. The proposals included changes to:

- Procedure Rules (Part 4.1 of the Constitution)
- Articles (Part 2)

- Financial Regulations (Part 4.5)
- Terms of Reference of Committees
- Media Protocol
- Members Allowances Scheme (Part 6)

Members' attention was drawn to the Update Sheet which had been circulated prior to the meeting which proposed some additional amendments. The Committee noted that the alterations to Development Control Committee public speaking criteria had also been withdrawn to allow the Constitution Review Group to consider Northamptonshire County Council's (NCC) public speaking protocol. The Committee also noted that further changes needed to be made to Part 4.5 (Finance Procedure Rules) pursuant to the amendments proposed.

The Committee considered the proposed changes page by page and made the following comments:

- Speaking at Development Control (withdrawn):
 - NCC's Development Control Committee dealt with large technical applications (often relating to waste and mineral extraction) which meant the provision for asking questions of public speakers and those connected to the application (the architect, landowner, engineers) was necessary; this was not applicable for the District Council
 - There was no need for a provision for asking questions of public speakers as most would have made representation already and officers would incorporate their comments into their reports
 - The extension of public speaking time to three minutes was supported
- Section 9.3 (Public Speaking) of Part 4.1 (Procedure Rules) should not be applicable to the Development Control Committee
- Section 26.1 (Committee Agenda) of Part 4.1 (Procedure Rules) should be altered – Scrutiny Committee agenda should be 'approved by' the Chairman not 'issued in consultation with'; other Chairmen may have a similar view
- Outside Body reports should be made to the Scrutiny Committee in line with the proposals for Champions reports (Article 2, Part 4.4 (Scrutiny Procedure Rules) and the Scrutiny Committee Terms of Reference)
- Section 4.7 (Preparation of the capital programme) of Part 4.5 (Finance Procedure Rules) – the Policy Framework required the Capital Programme to still be approved by the Full Council
- Area Plan Working Parties Terms of Reference (p. 19) – the Planning Policy Committee should review the proposed alterations before Council approval.
- Section 14 (Call-In Procedure) of Part 4.4 (Scrutiny Procedure Rules) (withdrawn):
 - It should not be made too difficult for decisions to be called in but at the same time the Committee recognised the need to have some process to avoid all decisions being called in.
 - Could the current procedure wording be modified to bar vexatious or frivolous call-in requests?

447. UPDATE ON WORK PROGRAMME FOR 2010/11

Members considered the scope of a 'Community Leadership' review that had been drawn up by a small group of Scrutiny Committee Members. The Committee agreed to progress with the review. Councillors David Bateman, Barbara Jenney, Marian Hollomon, Richard Gell and Gill

Mercer were nominated to form the review team, with Councillor Mercer as Chairman. In addition, the Chairman and Vice-Chairman of the Scrutiny Committee would attend alternate meetings of the review team.

448. CUSTOMER SERVICE REVIEWS

The Committee discussed a report which outlined two forthcoming Customer Service reviews on 'Customer Focus' and 'Customer and Community Insight' and nominated Members to act as consultees and scrutiny leads for these reviews as they would form a link with planned Scrutiny Committee reviews. Councillors David Bateman and Phillip Stearn agreed to join the 'Customer Focus' review, and Councillors Glenvil Greenwood-Smith and Barbara Jenney agreed to join the 'Customer and Community Insight' review.

Chairman

Performance Panel

Minutes of a meeting held on 25 February 2010 at 7.30 pm, Members' Room, East Northamptonshire House, Thrapston

Present:

Councillors:

Glenvil Greenwood Smith (Chairman)
Barbara Jenney

Duncan Reid
Phillip Stearn

Officers:

Emma Gadsby (EG) – Policy and Performance Manager
Sacha Drew (SD) – Performance Officer
Peter Cooper (PC) - Democratic Services (Minutes)

Action

1.0 APOLOGIES

1.1 Councillor Gill Mercer sent her apologies.

2.0 DECLARATIONS OF INTEREST

2.1 No interests were declared.

3.0 MINUTES

3.1 The minutes of the meeting held on 19 November 2009 were received and approved, subject to Councillor Jenney being added to the list of apologies, and the Panel noted the following:

PC

3.2 Minute 4.4 – NI192 Percentage of Household Waste sent for Reuse, Recycling and Composting – SD confirmed that a breakdown of recycling figures had been emailed to all members of the Panel. The Panel noted that an article had been published in the Nene Valley News to explain the recycling figures and the reasons why the Council had the lowest 'throw away' waste levels in the County.

3.3 Minute 4.5 – ENPCD32/50 Amount of External Funding Received – SD stated that Su Davies had been sent the Panel's congratulations as requested.

3.4 Minute 4.7 – ENPCD07 Percentage of Young People participating in ENC Leisure and Cultural Activities – SD reported that the figures for this Indicator had been recalculated to give a more accurate reflection of participation. Members noted that the Children and Young People's Services Co-ordinator post had been deleted in September 2009 and it was expected that the figures for the fourth quarter would decline as a result of the loss of a dedicated support.

4.0 THIRD QUARTER PERFORMANCE 2009/10

4.1 SD reported on the Council's performance under the statutory national and local performance indicators for the period from 1 April to 31 December 2009.

4.2 The Chairman mentioned that overall the Council's performance had improved and on behalf of the Panel he thanked EG and SD for their work in obtaining a high percentage of information on the Indicators from officers. The Chairman also mentioned that the time difference between Panel meetings and Scrutiny Committee meetings sometimes meant that, as in this quarter, the Panel had its meeting on 25 February, the day after the Scrutiny Committee on 24 February. He hoped that this matter could be resolved.

4.3 The under and over performance, missing target and value indicators for the period were submitted for consideration and Members made comments on the indicators as follows:

(a) Over Performing Indicators

4.4 The Panel noted and welcomed the progress being made with the Indicators reported under this sub-heading.

4.5 NI 156 Number of Households Living in Temporary Accommodation and ENPL01 Number of People Declaring Themselves Homeless – SD reported that these Indicators were performing better than anticipated, taking account of the effects of the recession. It was also acknowledged that the Council's Choice Based Letting system had been successful in keeping the figures relatively low.

4.6 ENENV15 Number of Hate Crimes Reported to the Local Authority – the Panel noted that the campaign to promote ways of reporting this issue had raised awareness of this problem and had contributed to the increase in reporting these crimes.

4.7 ENENV25 Number of Complaints Relating to Licensed Premises/Activities – it was **agreed** that the Licensing Enforcement Officer be thanked for his work in reducing the number of complaints received.

EG

4.8 ENPCD11 Number of Young People using the Youth Community Transport Scheme – it was **agreed** that the organisations promoting this service be notified and congratulated about the increase in the use of the service.

EG

(b) Under Performing Indicators

4.9 Members noted the reasons and explanations why the Indicators reported under this sub-heading were not performing according to their targets.

4.10 ENENV14 Number of Complaints about Dog Fouling – the Panel noted the increase in the number of complaints and that there was no apparent explanation for the increase.

4.11 ENPL29 Number of Unauthorised Encampments – it was **agreed** that Environmental Services be asked to confirm the number of authorised encampments in East Northamptonshire; the people using them; what the shortfall in pitches was and the approach taken with unauthorised encampments.

EG

4.12 ENPCD33/51B Percentage of External Funding Bids Made which were Successful – the Panel considered that this Indicator should include more detailed financial information, including the value of bids which were successful. EG suggested that this was incorporated into the comments made

EG

Action

by the External Funding Manager.

- 4.13 ENPL44/45d Number of Planning Appeal Decisions/Planning Applications and Enforcements – the Panel noted that the success rate on appeal decisions had improved but asked whether the target should be revised upwards to reflect the ease with which applicants can appeal. **EG**
- 4.14 ENPL16/98 Tree Preservation Order Applications Determined in 8 Weeks and ENPL17/97 Percentage of Conservation Area Tree Work Requests Responded to Within 6 Weeks – Members noted the time taken to deal with tree matters under these two Indicators and the risk that trees could be destroyed by the time the applications had been determined. Members requested that EG liaise with Planning Services and see whether Officers had enough delegation to deal with these applications. **EG**
- 4.15 ENPL19/122 Percentage of Building Control Applications Notified of Defects/Amendments Required Within Three Weeks – the Panel noted the performance under this Indicator and it was **agreed** to monitor the performance of this measure. **EG**
- 4.16 ENPCD22d Percentage of all Performance Indicators Improving – Members noted that this Indicator would be changed to show the percentage of Indicators which were on or above target, to reflect the Service Plan. Given the nature of this and similar measures (ENPCD22a-c), it was **agreed** that these would not be reported to Performance Panel in future. **EG**
- 4.17 ENRES08 Payment of Local Suppliers Within 10 Days – the Panel noted that this Indicator had been recalculated to only include trade suppliers (the previous calculations had included all local creditors including grant requests). Although the measure was still underperforming against the target of 100%, performance had improved.

(c) Missing Target and Values

- 4.18 The Panel received and noted the missing targets and missing values for the third quarter.
- 4.19 ENENV74 Percentage of Refuse Out Too Early Complaints Resolved Without Issuing a Fixed Penalty Notice (FPN) – Members noted that no information was available for this Indicator because no FPNs had been issued to date in 2009/10.
- 4.20 ENPCD53 Percentage of Young People Participating in Positive Activities and ENICT22 Percentage of Transactions Completed Online for which an Online Service is available – the Panel were informed that the services were no longer able to collect this data and that they would be removed from future service plans. **EG**

5.0 Date Of Next Meeting

- 5.1 It was noted that the next meeting would be held on Thursday 27 May 2010 in the Members' Room at 7.30pm. **ALL**