

Overview and Scrutiny Committee

Tuesday, 22 January 2013

Present: Councillor Steve Holgate (Chair), and Councillors Julia Berry, Matthew Crow, Graham Dunn, Christopher France, Hasina Khan, Marion Lowe and Kim Snape

Also in attendance

Councillors: Councillors Alistair Bradley (Leader of the Council), Terry Brown (Executive Member (Places)), Beverley Murray (Executive Member (People)), Paul Leadbetter and John Walker

Officers: Gary Hall (Chief Executive), Jamie Carson (Director of People and Places), Simon Clark (Head of Health, Environment & Neighbourhoods), Jamie Dixon (Head of Streetscene & Leisure Contracts), Paul Lowe (Merged Crime and Disorder Reduction Manager), Carol Russell (Democratic Services Manager) and Dianne Scambler (Democratic and Member Services Officer)

13.OS.1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Robert Finnamore, Roy Lees, Joyce Snape and Ralph Snape.

13.OS.2 MINUTES

RESOLVED – That the minutes of the Overview and Scrutiny Committee meeting held on 1 October 2012 be confirmed as a correct record for signing by the Chair.

13.OS.3 DECLARATIONS OF ANY INTERESTS

There were no declarations of interest.

13.OS.4 PUBLIC QUESTIONS

Two public questions were submitted in relation Item 5 - Request for a Call In: Chorley Remembers – Astley Coach House Gallery.

1. Pauline Collins – Lodge Artists Society Committee member

Lodge Artists Society has exhibited at Astley Hall and more recently The Coach House Gallery for 34 years so can you tell us just how much interest and commitment has to be shown by an art related organisation in order to be considered relevant enough to be consulted by Councillors prior to important decisions, as to the future of these venues, being made?

Councillor Alistair Bradley – Leader of the Council responded:

It is acknowledged that time to contact affected groups took longer than expected, due to availability over the summer holiday period and the focus on the cenotaph element of the project at the time. We have since met with the Lodge Artists and agreed alternative arrangements together with additional opening hours.

We will continue to work with local groups, including the Lodge Artists, and following consultation we have identified a number of potential alternatives including:

- Adapting the Farmhouse building to provide an additional exhibition space.
- Prioritising exhibition space in the Astley Hall gallery for local groups / artists.
- Extending the opening hours for the Astley Hall gallery for local exhibitions.

- Providing temporary exhibition space in the two other rooms in the Coach House and in the Townley Parker room at the Hall
- Exploring other alternatives such as the use of other Council buildings and sites in the town centre.

2. Maurice Houghton, Vice Chair, Friends of Astley Park

In view of the lack of consultation in the decision making process, which has resulted in one organisation being given exclusive use of the Coach House Gallery to the detriment of all other users, what measures are the Executive Cabinet going to put in place to ensure that all future decisions regarding its use are evidence based and subject to a full and transparent consultation process.

Councillor Alistair Bradley – Leader of the Council responded:

In addition to the comments already made in response to the previous questions it is acknowledged that time to contact affected groups took longer than expected, due to availability over the summer holiday period and the focus on the cenotaph element of the project at the time. The Council has been able to accommodate satisfactory alternatives with all the groups affected and even offer additional opening hours.

From September into November consultation has also taken place with Members of the Astley Advisory Group who were invited to provide feedback and comments about the proposed changes. The gallery use has also been discussed at two meetings with the Astley Advisory Group, a special meeting on September 5th and the Quarterly Astley Advisory Group meeting on November 20th.

Exclusive use of the Coach House Gallery has not been given to one organisation as the Chorley Remembers exhibition has been gifted to Chorley Council and the Council will be responsible for managing the exhibition. Although the gallery would be used for the Chorley Remembers exhibition on a longer term basis this would be subject to review after 2 years.

The Council will continue to monitor all requests for exhibition space with priority given for local artists. To date all requests have been accommodated.

13.OS.5 CONSIDERATION OF CALL-IN REQUEST: CHORLEY REMEMBERS - ASTLEY COACH HOUSE GALLERY

Members were advised of the request submitted by Councillor Paul Leadbetter for the call in of an Executive Member decision on 15 December on Chorley Remembers – Coach House Gallery.

The call in request was made on the following grounds:

- The report does not address whether the Council's proposed exclusive use of the gallery to a sole organisation meets the original Heritage Funding condition requirements of that the gallery is for community users.
- The report does not address users concerns relating to a lack of disabled access in Astley Hall
- The report removes the widely accepted principle that the gallery is for all user groups and no equality assessment impact has been undertaken.

The Committee heard further representations from both Councillor Paul Leadbetter and a member of the public who was speaking on behalf of a number of voluntary organisations who had made use of the gallery in the recent past.

Both representations wished to make it clear that their objections did not imply any criticism of 'Chorley Remembers', it was directed entirely at the actions of the Council, in particular what they felt was a lack of a proper, inclusive consultative process from

the outset, a failure to consider alternative options and failure to canvass the opinion of users of the Coach House Gallery.

Councillor Alistair Bradley – Leader of the Council responded as follows:

Exclusive use of the Coach House Gallery has not been given to one organisation as the Chorley Remembers exhibition has been gifted to Chorley Council and the Council will be responsible for managing the exhibition.

The HLF funding for the Coach House includes use as a museum / exhibition space. The HLF have visited the Coach House and are supportive of the proposed changes.

At Executive Cabinet on June 21st approval was given to use part of the Coach House to accommodate the Chorley Remembers project. This decision was based in part upon the accessibility of the Coach House that would enhance the overall offer to visitors as it provides disabled access.

There is no disabled access in Astley Hall, but the two alternative rooms in the Coach House have disabled access. The proposed changes to the Farmhouse to provide additional exhibition space would also include disabled access.

Although no separate equality impact assessment as such has been undertaken for the changes to the gallery, it has been given consideration and the proposed changes will mean there is improved access for visitors to the Chorley Remembers exhibition and for the alternative exhibition space for use by local artists in the Coach House and Farmhouse.

The Chair of the Committee thought that a key factor was to establish the timeline of consultation that had taken place before the decision had been made by the Leader and asked for an officer of the Council to clarify this for the Committee.

The Members of the Committee asked further questions of the Leader and the Executive Member (People) around the consultation processes that had taken place and who had been consulted and why. Members expressed some concerns about the consultation that had been undertaken and felt that lessons could be learnt for the future.

RESOLVED – That whilst it is acknowledged that there could have been some improvement on the consulting process, the request to call in the decision of the Executive Leader on Chorley Remembers – Coach House Gallery be refused.

13.OS.6 BUDGET AND MEDIUM TERM FINANCIAL STRATEGY

The Committee received a report of the Chief Executive that had been presented to Executive Cabinet on 17 January 2013 setting out the budget position for 2013/14 and forecast for the following two years to 2015/16. The report also presented relevant proposals in respect of potential investment in the Council's Corporate Strategy priorities in 2013/14, increasing budget resilience in the longer term and budget Consultation.

The information provided on the budget consultation was more detailed than in previous years. The proposals aimed to provide a budget that was more sustainable and took a longer term view to take into account the uncertainty facing local government finance settlements. The proposals also delivered projects to achieve the priorities of the administration, in the Town Centre, within neighbourhoods and relating to jobs and investment.

The Medium Term Financial Strategy (MTFS) had been updated as there had been a number of significant changes locally and also within the public sector nationally

during 2012/13. The main changes had been the election of a new administration in May 2012 and the first updated Local Government Finance Settlement since the Comprehensive Spending Review 2010 which published confirmation of actual core funding levels for 2013/14 and 2014/15. In addition there had been wide ranging changes to fundamental public finance funding regimes, namely Council Tax Support and Business Rates Retention.

The recent Local Government Finance Settlement reductions had resulted in an anticipated increased budget deficit over the next three years (summarised in the report) despite the fact that early preparation for further funding reduction had realised budgetary savings totalling £0.816m during this year. The latest budget position was based on key assumptions set out within the report.

It was clarified that the future years New Homes Bonus had not been included in the base budget. This income was dependant on the number of houses built each year and it was not possible to forecast this. It was also not known how long the New Homes Bonus would remain as a funding stream. The New Homes Bonus was a one off payment per property but resulted in year on year service delivery financial implications for the Council.

The Executive Leader stressed the importance of generating funding streams independently of grants from the Government, given the uncertainty regarding the future of local government finance. Other local authorities had become reliant on funding streams and were now struggling as the Government had withdrawn these streams. It was also important to create job opportunities for people and enable them to be financially independent and contribute to the local economy.

Members asked for more transparency around the savings that were being achieved so they could fully understand and explain to residents the impact of tough budget decisions. The Leader understood these concerns and commented that they were targeting training for members that was more specific to help understand the Councils Medium Term Financial Strategy.

More detail would be available about the specific projects within the report to be submitted to the Council on 28 February, although some projects had already started. This included the purchase of key Town Centre sites. The aim of this project was to have influence over the nature of the business to widen the variety of shops on offer. This would also be an opportunity for the Council to generate revenue income.

Part of the consultation would include a demonstration of how services could be improved for a small cost. Consultation would invite responses from residents, partners, parish groups and other stakeholders through a variety of different methods including a short survey (available both in hard copy and online) and events in the community such as the Flat Iron market. Feedback received from the consultation would inform the budget proposals put forward to Council in February.

RESOLVED – That the report be noted.

13.OS.7 EXECUTIVE CABINET MINUTES

There were no issues raised by any member of the Committee for the Executive Cabinet meetings held on 18 October, 22 November, 13 December 2012 and 17 January 2013.

13.OS.8 OVERVIEW AND SCRUTINY PERFORMANCE PANEL MINUTES

RESOLVED – That the minutes of the Overview and Scrutiny Performance Panel meeting held on 17 December 2012 be noted.

13.OS.9 CALL-IN PANEL MINUTES

RESOLVED – That the minutes of the Overview and Scrutiny Call-In Panel meeting held on 17 December 2012 be noted.

13.OS.10 COMMUNITY SAFETY PERFORMANCE REPORT

The Committee received a report of the Chair of the Safer Chorley and South Ribble Partnership that gave an update on performance for the Community Safety Partnership for quarter 3 and year to date 2012/13 at the request of the Overview and Scrutiny Performance Panel.

The report focused on the main crime categories of All Crime, Serious Acquisitive Crime, Violent Crime (including domestic abuse), Criminal Damage (including Arson) and Anti-Social Behaviour.

Whilst the CSP had recorded an increase in the All Crime category, upon review of the IQuanta data which made comparisons against other Partnerships, Chorley's All Crime figure is lower than the comparative group mean average with the Chorley and South Ribble partnership being 7th out of the cohort of 15.

These were the first increases experienced over a three year period. All crime and Serious Acquisitive Crime had both seen cumulative reduction since 2009/10. Violence had shown an increase over this period which was largely accounted for by a significant increase in the reporting of Domestic Violence, welcomed by the Partnership.

Whilst the Partnership had experience unwelcomed increase across several crime categories it was important to consider what percentage of these crimes had been detected. Detection of crimes are important as they can limit further offences being committed by an individual and also provide reassurance to our communities that criminals are being caught.

Chorley Community Safety Partnership is structured to ensure that statutory agencies and wider partners are able to respond as effectively as possible to the strategic and often dynamic priorities. However 2012/13 had so far been a challenging year for the Partnership as in addition to recurrent seasonal threats to crime and disorder there had been a number of one off events such as the Olympics, Euro 2012 and the Queens Jubilee which had present unique challenges.

In addition to the core activity of the Partnership which included enforcement/prevention and the delivery of the Community Safety action plan. A number of multi-agency operations and initiatives had been conducted throughout the year which had contributed to the effective tackling of crime and anti-social behaviour across the borough:

RESOLVED – That the report be noted.

13.OS.11 PCSO ROLE, DUTIES AND PRODUCTIVITY

The Committee received a report of the Chair of the Safer Chorley and South Ribble Partnership informing them of the role, duties and the productivity of Police Community Support Officers (CSO's) deployed in the Chorley Borough area and part funded by the Council.

Day to day Lancashire Constabulary PCSO's carry out a number of varied duties which aim to reduce crime, disorder and ASB along with helping to reduce reoffending, and work to improve community confidence and reassurance.

The Committee were informed that the roll and function of the PCSO's supported a number of Council, Community Safety Partnership and wider policing issues. They contributed to the priorities of the Community Safety Strategy including domestic

Abuse, child sexual exploitation, night time economy, crime and anti-social behaviour. They also carry out a number of other functions that are integral to the delivery of the wider community and neighbourhood policing issues.

Members were encouraged by the number of Fixed Penalty Notices now being issued by the PCSO's compared to previous years as they felt that this was a good deterrent measure to others.

It was asked if more could be done around managing traffic related issues in the Town Centre. Presently the PCSO's did not have these powers, but some Partnerships had recently applied to the Police and Crime Commissioner's to have their powers widened to include road related issues. Members requested that the Chair of the Partnership pursue this initiative.

Some concerns were voiced that a repeated answer for the lack of Speed Indicator Devices (SPID's) was that PCSO's were not trained. As the Council were looking to train our Neighbourhood Officers to carry out this process, the Committee felt that this was also a duty that the PCSO's should be undertaking and asked for the training issue to be addressed.

RESOLVED –

- 1. That the report be noted.**
- 2. That the Chair of the Partnership write to the Police and Crime Commissioner – Lancashire regarding the widening of PCSO powers to include road/traffic related issues.**
- 3. That the training of PCSO's in the installation of SPID's be recommended.**

13.OS.12 INDEPENDENT DOMESTIC VIOLENCE ADVOCACY (IDVA) SERVICE FUNDING UPDATE

The Chair of Safer Chorley and South Ribble Partnership presented an update report of the funding arrangements sought for the Independent Domestic Violence Advocate (IDVA) service in 2013/14 and beyond.

The required funding provision for 2013/14 and beyond for the Chorley and South Ribble IDVA service will have to be completely sourced from its constituent partner agencies. As a number of these agencies cover the wider Lancashire footprint, as with the previous 2012 consultation, discussions at county level are underway to ensure these agencies make the necessary budget provision on a countywide scale to include the portion necessary for the Chorley and South Ribble service to continue.

Chorley Council's contribution would be £9,000 pa (subject to cost increases in line with inflation and any service level increases based on service demand). This requested contribution is £5,000 below the Council agreed maximum recurrent growth budget for IDVA support.

The Director of People reported that officers had recently met with victims of domestic violence to talk through their journey and identify what improvements could be made to the service, particularly around suitable interventions and preventive measures.

There were some concerns that some agencies would not contribute, in particular the Chorley and South Ribble Clinical Commissioning Group had not yet made a commitment. It was extremely important to the success of the service that all the partner agencies contributed their allocated amounts as the Safer Lancashire Board would not be able to fill the gap in budget provision going forwards.

RESOLVED – That the report be noted.

13.OS.13 MONITORING OF RECEIPT AND USE OF S106 CONTRIBUTIONS

The Committee received a report of the Chief Executive that gave an update on the progress made in implementing the projects included in the revenue budget and capital programme that are to be funded with developers Section 106 contributions from 2011/12 onwards.

The report confirmed the actual receipt and use of contributions in 2011/12 and budget receipt and use from 2012/13 to 2015/16 with the largest scheme to be funded in this period being the Buckshaw Parkway railway station for £3.325m in total.

A new officer Task Group had now been established that would continue to meet quarterly to monitor the receipt and use of contributions and it was made aware that changes to existing planning obligations could arise as a result of the Growth and infrastructure Bill 2012/13 and that proposed regulations that would require renegotiation of planning obligations agreed up to 6 April 2010, This could have an impact on the Buckshaw Group 1 and Group 4 North agreements.

RESOLVED – That the report be noted.

13.OS.14 OVERVIEW AND SCRUTINY WORK PROGRAMME 2012/13

The Committee received the Overview and Scrutiny Work Programme for 2012/13 for information.

A list of potential review topics was discussed by the Committee and it was agreed that the second Task Group would review the Consultation processes used by the Council.

RESOLVED – That the Overview and Scrutiny Committee undertake a review of the Consultative processes of the Council to be Chaired by Councillor Graham Dunn, with the membership to be sought through intheknow.

13.OS.15 COUNCILS NOTICE OF KEY DECISIONS

The Committee received the current notice of 'key' decisions for information.

13.OS.16 REPORTS FROM THE TASK AND FINISH GROUPS

The Chair of the Overview and Scrutiny Task Group – Adoption of Estates, Councillor Matthew Crow updated the work that had taken place to date on the review.

The Group had now held seven meetings, three of which had been consultative, with Members interviewing members of the public, developers and relevant authority officers. Their views would all be taken into account when the group pulled together its recommendations at its next meeting in February before producing the review Final Report.

The Chair commented that the work of the review had been both interesting and informative for the Members on the task group and it was envisaged that some improvements could be made on the processes surrounding adoption.

RESOLVED – That the report be noted.

13.OS.17 FREQUENCY OF MEETINGS IN 2013/14

The Committee was advised that it was proposed to hold four main, Overview and Scrutiny Committee's and four Overview and Scrutiny Performance Panels on an alternative basis in line with the Council's quarterly monitoring reports for 2013/14.

This was considered appropriate now that the Performance Panel was embedded into the Work Programme.

RESOLVED – That the Overview and Scrutiny Committee note the proposal.

Chair