



Committee: OVERVIEW AND SCRUTINY COMMITTEE

Date: WEDNESDAY, 25 JUNE 2008

Venue: LANCASTER TOWN HALL

Time: 6.00 P.M.

Councillors are reminded that as Members of overview and scrutiny they may not be subjected to the Party Whip, which is prohibited under the Lancaster City Council Constitution.

A G E N D A

1. **Apologies for Absence.**
2. **Declarations of Interest**
3. **Request to Call-in Cabinet Decision - Community Cohesion - Minute 12 (Pages 1 - 11)**

The Cabinet decision on Community Cohesion (Minute 12) taken by Cabinet on 3rd June 2008 has been requested to be called in by Councillors Bray, Langhorn, Brown and Towers (Overview and Scrutiny) and Councillor Rogerson. This request was subsequently agreed by the Chief Executive. The decision has been called-in in accordance with Part 4, Section 5, Sub-section 16 of the Council's constitution.

Councillor Roger Mace (Leader of the Council and Cabinet Member with responsibility for ensuring the development and implementation of a Community Cohesion Strategy) and Councillor John Gilbert (Cabinet Member with responsibility for ensuring an improvement in the score against the Equality Standard for Local Government) have been invited to attend to outline the basis on which the decision was made. Mark Cullinan (Chief Executive) will attend the meeting as the author of the report to Cabinet.

- Call-in Procedure
- Call-in Notice
- Reports to Cabinet
- Cabinet Minute Extract

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

Councillors Stuart Langhorn (Chairman), Susan Bray, Ken Brown, Rebekah Gerrard, Mike Greenall, Emily Heath, Karen Leytham, Roger Plumb and Jude Towers

(ii) Substitute Membership

Councillors Tina Clifford, John Day, Jean Dent, Andrew Kay, Bob Roe, Sylvia Rogerson, Rob Smith, Morgwn Trolinger and Peter Williamson

(iii) Queries regarding this Agenda

Please contact Liz Bateson, Democratic Services - telephone (01524) 582047 or email ebateson@lancaster.gov.uk.

(iv) Changes to Membership, substitutions or apologies

Please contact Members' Secretary, telephone 582170, or alternatively email memberservices@lancaster.gov.uk.

MARK CULLINAN,
CHIEF EXECUTIVE,
TOWN HALL,
DALTON SQUARE,
LANCASTER LA1 1PJ

Published on 16th June 2008

EXTRACT FROM THE CONSTITUTION

**Part 4 – Rules of Procedure,
Section 5 – Overview and Scrutiny Procedure rules,
Sub-section 18 – Call-in Procedure.**

Call-in Procedure

In considering a Call-in decision the following procedure will be followed:

- The Councillors who have made the Call-in request (who shall be seated together) will outline the reasons for the Call-in;
- The relevant decision-maker(s), with support from the appropriate officer(s) (who shall be seated together), will outline the reasons for their decision and the issues that they took into account;
- Councillors who are signatories to the Call-in request will have the opportunity to question the decision-maker;
- Other Members of the Overview and Scrutiny Committee will have the opportunity to question the decision-maker;
- At the discretion of the Chairman, other Members present may have the opportunity to question the decision-maker;
- The meeting then moves to forming a decision in accordance with the Council Procedure Rules.

REQUEST FOR CALL-IN

ITEM TO BE CALLED IN: COMMUNITY COHESION	
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DATE DECISION TAKEN: <u>3.6.08</u>	
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DECISION TAKEN BY:	Tick
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Cabinet	√
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Individual Member of Cabinet (please state) Councillor _____	
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Committee of Cabinet (please state) _____	
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Key Decision by Officer with delegated authority (please state) _____	
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Joint Arrangements (please state) _____	
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REASONS FOR CALL-IN:	Tick
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(please indicate at least one reason why the decision in question has not been made in accordance with the principles set out in Article 13 of Constitution)	
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(a) Proportionality (i.e. the action must be proportionate to the desired outcome)	
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(b) Due consultation and the taking of professional advice from Officers	√
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(c) Respect for human rights	
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(d) A presumption in favour of openness	
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(e) Aims and desired outcomes will be clearly expressed	√
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(f) Options that were considered and the reasons for arriving at the decision will be explained	√
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In making this request for Call-in, the signatories are requesting clarity on the following issues:

Is the Cabinet aware of the City Council's current position in terms of community cohesion?

Is the Cabinet clear about what the community cohesion officer will be doing?

Clarification as to whether the Personnel Committee should have been consulted with regard to this new position.

An explanation of how the Cabinet came to this decision.

An explanation of financial implications with particular regard to funding.

SIGNED:	Members of Overview & Scrutiny Committee
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Cllr_Susan Bray	Cllr_Stuart Langhorn
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Three Further Councillors

Cllr_Ken Brown_

Cllr_Jude Towers_

Cllr Sylvia Rogerson_

(Note: A valid request for call in must be signed by a total of 5 Members of the Council, including 2 or more Members of the Overview & Scrutiny Committee, and all 5 Councillors must not be from the same political group.)

DATE: <u>13.6.08</u>

THIS REQUEST FOR CALL IN MUST BE SUBMITTED TO THE CHIEF EXECUTIVE (BY POST, FAX OR E-MAIL) WITHIN 5 WORKING DAYS OF THE DATE OF PUBLICATION OF THE DECISION.

CABINET

COMMUNITY COHESION

3rd June 2008

Report of Chief Executive

PURPOSE OF REPORT			
To consider how to take forward community cohesion within Lancaster District in the context of the Area Based Grant.			
Key Decision	X	Non-Key Decision	
			Referral from Cabinet Member
Date Included in Forward Plan	08 May 2008		
This report is public.			

OFFICER RECOMMENDATIONS

- 1 That the Community Cohesion element of the Area Based Grant (ABG) be used to support the establishment of a new post of a Community Cohesion Officer, initially for a period of 3 years, and to commission community cohesion activities as set out in the report.
- 2 That the Revenue Budget be updated accordingly.

1 INTRODUCTION

Lancaster City Council has received an Area Based Grant for Community Cohesion for the three year period from April 2008. Cabinet, at its meeting on 18 March 2008, resolved at Minute 137:

- (1) That for April 2008 Area Based Grant be used to continue existing arrangements for Neighbourhood Management in Poulton and the West End of Morecambe and a report on future options be brought back to Cabinet in April 2008.
- (2) That work on options to develop Neighbourhood Management arrangements for the District be considered and brought back to Cabinet.
- (3) That allocation of the remaining Grant in 2008/09 be subject to a further report to Cabinet.
- (4) That the General Fund Revenue Budget be updated accordingly.

2 BACKGROUND

- 2.1 Community cohesion can mean different things to different people. Within the Lancashire sub-region we have settled on a definition (attached as **Appendix A**).
- 2.2 The City Council has been engaged on equality and diversity work programmes over a number of years, most recently through working on the Equality Standard and in partnership with other organisations on the equality and diversity “building block” of the Lancaster District Local Strategic Partnership (LSP). Lancaster City Council has achieved Equality Standard Level 1. The Corporate Plan for 2007/08 identified Level 2 as a target, but this has been deferred to 2008/09 due to capacity problems and the need to prioritise the Fair Pay programme. Nevertheless, the City Council initiated and has contributed to the development of a local forum with community leaders, has continued to work within the LSP and has been active within the Lancashire sub-region.
- 2.3 There has previously been in place an agreed allocation by way of Service Level Agreement (SLA) to the value of £2,200 per annum with Preston & West Lancs Racial Equality Council for advice and support on equality and diversity matters. However, it had been proposed by Overview & Scrutiny Committee and Resolved, amongst other things, by Cabinet, at its meeting on the 22 January 2008, Minute No 94(1):

“That Officers explore the opportunity to offer a three year SLA for £2,000 per annum with no inflation for the provision of equality and diversity assistance and advice in the district.”

This amount has been included in the 2008/09 Revenue Budget.

The proposals in this report enable the capacity of the Council to be enhanced and for services over and above £2,000 to be procured by one or more SLAs, should that be appropriate.

- 2.4 It is acknowledged that capacity needs to be provided if the Council is to provide leadership to the equalities and diversity/cohesion agenda to ensure that these issues are addressed as set out in the Corporate Plan and a consistent approach is taken in relation to all the Council's business.

3 PROPOSAL DETAILS

Funding

- 3.1 Cabinet, at its meeting on the 18 April, agreed the allocation of Area Based Grant (ABG) in respect of Neighbourhood Management and asked for a further report regarding the allocation of a new element which is paid directly to the Council in respect of Community Cohesion (see below)

Area Based Grant Allocation (£)			
	2008/09	2009/10	2010/11
Revenue - Cohesion	26,000	49,000	75,000

Attached at **Appendix B** is a note of previous arrangements.

Note. Cohesion money is a *new* ABG funding allocation not yet allocated to any specific expenditure heading within the 2008/09 Draft GF Revenue Budget.

Capacity

- 3.5 It is recommended that a new post of Community Cohesion Officer be established to become Lancaster City Council's lead officer in respect of Community Cohesion/Equality and Diversity issues. It is further recommended that the excess ABG over and above that required to cover the salary costs of this proposed new post, be retained as a working budget for the postholder to allow for appropriate commissioning of activities, meeting training needs, positive promotion etc.
- 3.6 It is anticipated that the role of the Community Cohesion officer (and the range of activities commissioned) would be wide ranging and varied in terms of developing policy, co-ordinating activities and representing the Council on District and County Officer Working Groups.

4 DETAILS OF CONSULTATION

The Council's Corporate Plan was the subject of extensive consultation during its preparation and it has within it a specific outcome - "Work to maintain a cohesive community where respect for all is valued and celebrated" and a specific action - "to develop and implement a Community Cohesion Strategy." Additional capacity will be provided by the establishment of this post to take this work forward.

5 OPTIONS AND OPTIONS ANALYSIS (including risk assessment)

- Option 1 To pull together the existing employee resource allocated to equality and diversity issues within HR, combine with resources from the ABG to create a whole time equivalent officer and a commissioning budget.
- The officer will be located in the most appropriate City Council Service (Corporate Strategy) or the work programme to be procured from another organisation.
- Option 2 That the ABG be used in some other way to be determined by Cabinet. Should Cabinet resolve to use the ABG for different purposes, there will be a resourcing issue in respect of the Corporate Plan action to achieve Levels 2 and 3 of the Equality Standard.

The preferred option is Option 1. The allocation of ABG to the City Council offers a timely opportunity for the Council to address the issues it faces in terms of community cohesion, equality and diversity.

CONCLUSION

Community Cohesion has been moving up the agenda nationally, regionally and locally over the last year or so. The ABG enables the City Council to take further actions in relation to community cohesion and integrate those actions with existing work programmes and plans in relation to equality and diversity.

RELATIONSHIP TO POLICY FRAMEWORK

The Sustainable Community Strategy (currently under development) will have within it a Valuing People theme which will have within it outcomes and targets relating to Community Cohesion.

The Corporate Plan 2008/09 has relevant targets within it:

“Improve score against Equality Standard for Local Government – Level 2 March 2009 and Level 3 March 2011” and “Develop and implement a Community Cohesion Strategy”

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

Such an approach would have a positive impact and support the Council's community leadership role in terms of positive action in respect of equality, celebrating diversity and working to promote safe and cohesive communities.

FINANCIAL IMPLICATIONS

For Option 1 the proposed salary range for the new post is SCP 34-37 currently estimated at £27,594 -£29,728, which will be subject to the outcome of Fair Pay. Assuming a start date of no sooner than 1st September 2008, the maximum costs of £22,150 can be funded by the ABG of £26,000 together with the saving of £10,550 generated by the Senior HRO returning to work on 3 days a week. A balance of £14,400 would be remaining for commissioning work before any recruitment costs have been allowed for, estimated at in the region of £1,600. However if the start date is later then this figure would increase and the budget would need to be updated once the appointment has been made and a start date known.

The maximum staff costs of £39,250 and £40,570 in 2009/10 and 2010/11 could be funded from the indicative ABG of £49,000 and £75,000 respectively with the remainder being allocated to commissioning work, subject to annual review as part of the budget process. However, as funding has so far only been agreed for 3 years, a provision will need to be made in 2010/11 for redundancy costs.

If the work programme is procured from another organisation, the costs cannot yet be identified but would need to be contained within the budget available above.

If Option 2 is preferred Cabinet members may recommend (or decide) other uses of the allocation, but If any amounts of the ABG remained unallocated, initially these would go towards supporting the revenue budget generally, together with any staff savings from the Senior HRO. (If there was an overall underspend at the end of the year this would fall into balances). If this was the case, it may be necessary for HR to fill the remaining two days of the Senior HR Officer post and the saving of £10,550 would, therefore, not be generated.

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has been consulted and has no comments to add.

LEGAL IMPLICATIONS

There are no legal implications directly arising from this report.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS

ABG Guidance

Government's response to the Commission
on Integration and Cohesion

Contact Officer: Mark Cullinan

Telephone: 01524 582011

E-mail: chiefexecutive@lancaster.gov.uk

Ref: MC/JEB/ES/Cttees/Cabinet

APPENDIX A

A definition of Community Cohesion

A cohesive community is one where:

- There is a clearly defined and widely shared sense of the contribution of different individuals and different communities to a future vision for the boroughs, cities and county of Lancashire
- There is a strong sense of an individual's rights and responsibilities when living in a particular place – people know what everyone expects of them, and what they can expect in turn
- Those from different backgrounds have similar life opportunities, access to services and treatment
- There is a strong sense of trust in institutions locally to act fairly in arbitrating between different interests and for their role and justifications to be subject to public scrutiny
- There is a strong sense that people feel they are listened to and that they influence local decisions
- There is a strong recognition of the contribution of both those who have newly arrived and those who already have deep attachments to a particular place, with a focus on what they have in common
- There is shared ownership of community problems and possible outcomes and solutions
- There are strong and positive relationships between people from different backgrounds
- There are visibly strong and positive relationships between the agencies that work in the boroughs, cities and county of Lancashire

Appendix B

An equal opportunities budget has for some time been held in Human Resources. This dates back to 2003, when the Council employed a Personnel Officer (Equalities and Improvement). Because of difficulties in recruiting to the post, the Personnel Committee on the 20th April 2004 deleted it from the Council's establishment, resulting in a saving of £12,000 in 2004/05. Of that saving, £4000 was used to regrade the then Policy Officer post in Corporate Strategy. The remaining £8000 was transferred to the equal opportunities budget which then stood at £11,000. In March 2005, the Personnel Committee approved the transfer of £10,000 from that budget to fund a restructure of Human Resources, and the balance was merged into the HR Management and Administration Sundry Expenses budget. In 2006/07 an Equality and Diversity Budget of £1000 was created, and this was increased to £4,000 in 2007/08. The 2006/07 sum was unspent and was carried forward into 2007/08. There is likely to be a further carry forward request to 2008/09, but there is nothing in this budget for any future years.

The effect of the Personnel Committee decision in 2005 was that the HR staffing budget includes £10,000 towards equality work.

The Senior Human Resources Officer is due to return from maternity leave in August 2008, and has requested that, on her return, she be permitted to work three days a week rather than full time. This would give a saving of £10,550 in 2008/09. Whilst she has indicated that this would be a permanent arrangement, under council policy she would have the option to revert to full time working, so this saving cannot be guaranteed on a permanent basis. However, the saving could be used for the time being to contribute towards the funding of a Community Cohesion Officer as proposed below. This would consolidate the staffing resource for the wider aspects of equality and diversity in that post, although clearly Human Resources would retain responsibility for equality issues relating to the Council's employees.

CABINET MINUTES EXTRACT – COMMUNITY COHESION – MINUTE 12

The Chief Executive submitted a report that requested Cabinet to consider how to take forward community cohesion within Lancaster District in the context of the Area Based Grant.

The options, options analysis, including risk assessment were set out in the report as follows:

Option 1 To pull together the existing employee resource allocated to equality and diversity issues within HR, combine with resources from the ABG to create a whole time equivalent officer and a commissioning budget.

The officer will be located in the most appropriate City Council Service (Corporate Strategy) or the work programme to be procured from another organisation.

Option 2 That the ABG be used in some other way to be determined by Cabinet. Should Cabinet resolve to use the ABG for different purposes, there will be a resourcing issue in respect of the Corporate Plan action to achieve Levels 2 and 3 of the Equality Standard.

The Officer preferred option was Option 1. The allocation of ABG to the City Council offers a timely opportunity for the Council to address the issues it faces in terms of community cohesion, equality and diversity.

It was moved by Councillor Eileen Blamire and seconded by Councillor Jane Fletcher: -

“That a decision on the recommendations, as set out in the report, be deferred for six months to enable a detailed action plan to be produced and considered.”

By way of amendment it was then moved by Councillor Jon Barry and seconded by Councillor John Gilbert:-

“That option 1, as set out in the report, be approved, subject to the addition of:-

That a detailed implementation report be produced in consultation with the LSP thematic group and forwarded for consideration by Cabinet once an officer has been appointed.”

On considering the above, Councillor Eileen Blamire, with the agreement of her seconder and the meeting withdrew her proposition.

Members then voted as follows.

Resolved

(5 Members (Councillors Eileen Blamire, Abbott Bryning, Jon Barry, John Gilbert and Jane Fletcher) voted for the motion, 3 Members (Councillors Shirley Burns, David Kerr and Roger Mace) voted against and 1 Member (Councillor Evelyn Archer) abstained from voting).

- (1) That the Community Cohesion element of the Area Based Grant (ABG) be used to support the establishment of a new post of a Community Cohesion Officer, initially for a period of 3 years, and to commission community cohesion activities as set out in the report.
- (2) That a detailed implementation report be produced in consultation with the LSP thematic group and forwarded for consideration by Cabinet once an officer has been appointed.
- (3) That the Revenue Budget be updated accordingly.

Officers responsible for effecting the decision:

Chief Executive.
Head of Financial Services.

Reason for making the decision:

The decision for the allocation of ABG to the City Council offers a timely opportunity for the City Council to address the issues it faces in terms of community cohesion, equality and diversity.

Community Cohesion has been moving up the agenda nationally, regionally and locally over the last year or so. The ABG enables the City Council to take further actions in relation to community cohesion and integrate those actions with existing work programmes and plans in relation to equality and diversity.