



Committee: OVERVIEW AND SCRUTINY COMMITTEE

Date: WEDNESDAY, 21ST SEPTEMBER 2016

Venue: MORECAMBE 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. Minutes

Minutes of the Meeting held on Wednesday, 8th June, 2016 (previously circulated).

3. Items of Urgent Business authorised by the Chairman

4. Declarations of Interest

To receive declarations by Members of interests in respect of items on this Agenda.

Members are reminded that, in accordance with the Localism Act 2011, they are required to declare any disclosable pecuniary interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting).

Whilst not a legal requirement, in accordance with Council Procedure Rule 9 and in the interests of clarity and transparency, Members should declare any disclosable pecuniary interests which they have already declared in the Register, at this point in the meeting.

In accordance with Part B Section 2 of the Code Of Conduct, Members are required to declare the existence and nature of any other interests as defined in paragraphs 8(1) or 9(2) of the Code of Conduct.

5. Work Programme Report (Pages 1 - 12)

Report of the Chief Executive.

6. Update on Task Groups

An update will be provided.

7. **Consideration of any requests for Councillor Call for Action (in accordance with the process)**
8. **Consideration of any Petitions (in accordance with the process)**
9. **Locality Working**

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

Councillors June Ashworth (Chairman), Caroline Jackson (Vice-Chairman), Alan Biddulph, Tracy Brown, Brett Cooper, Rob Devey, John Reynolds, David Whitaker and Phillippa Williamson

(ii) Substitute Membership

Councillors Lucy Atkinson, Nigel Goodrich, Janet Hall, Geoff Knight, Roger Mace, Abi Mills and Nicholas Wilkinson

(iii) Queries regarding this Agenda

Please contact Jenny Kay, Democratic Services - telephone (01524) 582065 or email jkay@lancaster.gov.uk.

(iv) Changes to Membership, substitutions or apologies

Please contact Democratic Support, telephone 582170, or alternatively email democraticsupport@lancaster.gov.uk.

SUSAN PARSONAGE,
CHIEF EXECUTIVE,
TOWN HALL,
DALTON SQUARE,
LANCASTER, LA1 1PJ

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OVERVIEW AND SCRUTINY COMMITTEE
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Work Programme Report

21st September 2016

Report of Chief Executive

PURPOSE OF REPORT

To provide Members with an update of the Committee's Work Programme.
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This report is public.

RECOMMENDATIONS

- (1) **That Members consider the content of the Work Programme for the 2016/17 Municipal Year, as detailed in the Appendices to the report having regard to the suggested topics and other issues set out in this report.**

1. Introduction

At the beginning of each Municipal Year suggestions are invited from members of the public, City Councillors and officers on ideas for this year's Work Programme(s).

2. Suggested Topics

Management Team has reviewed the topics that could be referred to the Committee. From the list attached Management Team recommends the Committee to consider scrutinising the following issues: -

- Heysham Gateway (submitted by Councillor Hartley and Management Team).
- Skills and Information (submitted by Councillor Caroline Jackson);
- Fly Grazing (submitted by Councillor Brayshaw);
- Voluntary, Community and Faith Sector Commissioning (submitted by Management Team).

Further details on each of these issues will be provided to the Committee, including an explanation of those issues that have been recommended not to be taken forward. Additional topics with timescales are in Appendix A (Work Programme).

Members are reminded that there are 9 scheduled meetings of the Committee each municipal year. 2 of these meetings are required to consider specific issues, these are Community Safety and Older People's Issues. The Community Safety meeting is required by statute, the annual Older People's Issues was designated by the Committee.

Over the past municipal year the following topics have been considered: -

- Update on Better Care Together – Review of Local Health Services *
- Royal Lancaster Infirmary – Care Quality Commission Report
- Update on the Dementia Friendly Pilot
- Draft Energy Strategy *

- Five Year Housing Supply
- Community Safety *
- Update on the Portas Project
- Child Bus Fares
- CCTV *
- LGA Peer Review – Action Plan *
- Impacts of Storms Desmond and Eva *

* Indicates the topics that are included either on the Committee's Work Programme or are being considered by a Task Group.

2. Older People's Issues

Members will recall at the June meeting of the Committee, it was agreed to approach the Cabinet Member with Responsibility for Older People to ascertain what topic would be appropriate for the Committee to consider at its annual meeting for Older Peoples issues.

The Cabinet Member has been consulted and has suggested that isolation and loneliness are still a major issue for people as they grow older. If the Committee wishes to consider these issues County Councillors representing this District and County Council Officers could be asked to attend and report on these issues.

Management Team has suggested that, with the limited number of meetings available, the Committee consider whether they might wish to make the meeting for Older Peoples issues an extra meeting, additional to the 9 scheduled meetings. It should also be noted that, at the time when the Committee made the decision to devote one of its meetings to Older Peoples issues every year, the Council did not have Cabinet Member with special responsibility for Older People. Now that the Council has a Cabinet member with the portfolio for older people, the Committee may wish to dispense with the special meeting approach and raise Older Peoples issues, such as isolation and loneliness, when the Cabinet Member for Older People attends Overview and Scrutiny to discuss her portfolio.

3. Updates on other Work Programme Items

Property Strategy

The Strategy has been delayed to date due to limitations on resources to undertake this work. However, the Committee may wish to receive a discussion report on the factors which the Council would consider important when making decisions about property and a strategic review of assets. This discussion paper will help inform the formulation of the Property Strategy.

Leader of the Council

As agreed at the last Committee meeting, the Leader of the Council was invited to attend the September meeting. Unfortunately, the Leader has another commitment that evening but has offered to attend the October meeting.

Crime and Disorder Meeting

As Members will be aware each year the Committee is required to meet to discuss and consider crime and disorder issues. At its meeting held on 8th June the Committee agreed that an overview of the work of the Community Safety Partnership be provided at the November 2016 Community Safety meeting.

Since that meeting the City Council has been contacted by Lancashire Police. The Police have asked if the newly appointed Chief Inspector could attend the meeting. As well as attending the meeting this will assist with creating a relationship with members.

The Committee may feel it appropriate to also invite the Cabinet member with the portfolio for community safety and disorder, together with all other members of Council.

Peer Review

Management Team has requested that the update be provided at the February meeting of the Committee.

Informal Task Groups

An item has been placed on the Agenda so that updates can be provided.

The Committee's Work Programme is appended to this report, at Appendix A.

4. Referral from Council: Review of Measures taken to counter Racism, Xenophobia, and Hate Crime

At the Council meeting on 13th July, a Motion relating to a diverse and tolerant society was considered and the Council made the following decisions. Resolution (3), in bold type, is for this committee to consider:-

- (1) We are proud to live in a diverse and tolerant society. Racism, xenophobia and hate crimes of any description have no place in our country. We at Lancaster City Council condemn racism, xenophobia and hate crimes unequivocally. We will not allow such behaviour to become acceptable. We will work with other bodies, Community Safety Partnership, Communities together, Lancashire county council, Town and Parish councils to challenge such behaviour and prevent such crimes. Lancaster City council wishes to assure all of the Districts residents and visitors that they are valued members of our society.
- (2) That the statement above is displayed on the city council website, that it also directs residents to www.istreetwatch.co.uk for anonymous reporting of hate crime and that a press release is issued to publicise the motion.
- (3) That Council recommends the Overview and Scrutiny Committee review the current local and city council measures taken to counter racism, xenophobia, and hate crime and report back to Full Council as soon as practicable.**
- (4) That all councillors consider increasing their involvement with, and support for, those organisations which strengthen communities and increase tolerance and respect between peoples from different countries, cultures and faiths.

The officer briefing note provided for Full Council with the motion is attached at Appendix B for the Committee's information.

5. Lancashire County Council's Pre-Scrutiny Process

Appended to this report (Appendix C) are details of the County Council's Pre-Scrutiny processes. The Committee is asked to consider the information and advise if and how Members wish to proceed with this matter.

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has been consulted and has no further comments.

MONITORING OFFICER'S COMMENTS

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

BACKGROUND PAPERS

None.

Contact Officer: Jenny Kay
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OVERVIEW AND SCRUTINY WORK PROGRAMME 2016/17

<u>Matter for Consideration</u>	<u>Detail</u>	<u>Comments/Expected Date of Meeting</u>	<u>Officer Responsible /External</u>
Lancashire County Council's Pre-Scrutiny process.	That Officers investigate and report back to the Committee on Lancashire County Council's Pre-Scrutiny process (Min 72 refers - 6th April 2016).	September 2016. Note: Please see details contained on the Work Programme report.	Chief Executive.
Update on Policies and Procedures in place for dealing with Major Flooding Incidents.	-That any major flooding works be reported to the Overview and Scrutiny Committee. -That an update be provided for the Committee in 6 months' time. (Min 84 refers - 20 th April 2016). Note: All Members of Council to be invited to attend.	October 2016.	Chief Officers (Heath & Housing), (Environment) and (Regeneration & Planning). Relevant Cabinet Members and Agencies.
Property Strategy – Update.	A review of the Council's Corporate Property Strategy has been underway for some time, focusing on disposal aspects amongst others. Given some of the issues that arose during the call-in on St. Leonard's House, Officers suggested that this topic may be suitable for some pre-decision scrutiny from the Committee. (Min 4 refers - 8 th June 2016).	TBA. Note: The Strategy has been delayed due to limitations on resources to undertake the work. Note: Also that it is hoped that a Member briefing on property will be arranged in November (covering the County Council's review too) and this may generate ideas or issues to consider around the Council's own future property strategy.	Chief Officer (Resources).

<p>Update on the Council's Energy Strategy.</p>	<p>That any Cabinet reports regarding the Energy Strategy and Action Plan would be considered by the Overview and Scrutiny Committee.</p> <p>That an update be provided at the March 2016 meeting of the Committee.</p> <p>(Min 56 - 25th February 2015 & Min 21 - 9th September 2015 refers).</p>	<p>November 2016.</p>	<p>Chief Officer (Environment).</p>
<p>Community Safety Partnership.</p>	<p>Annual meeting to consider Community Safety issues.</p> <p>Note: The Committee undertakes the functions of the Council's crime and disorder committee for the purposes of Section 19 of the Police and Justice Act 2006, including CCfA relating to crime and disorder matters.</p>	<p>November 2016.</p>	<p>Chief Officer (Environment).</p>
<p>Update on the Peer Review.</p>	<p>That an update be provided in 6 months' times and that this be added to the Committee's Work Programme.</p> <p>(Note: Action from the LGA Peer Review Action Plan - Min 72 refers - 6th April 2016).</p>	<p>February 2017.</p>	<p>Chief Executive.</p>
<p>Annual consideration of Older People's Issues (inviting Age UK and other relevant agencies).</p>	<p>That Overview and Scrutiny Committee be requested to include Older People's issues in their Work Programme on an annual basis.</p>	<p>TBA.</p>	<p>External organisations.</p> <p>Invite Cabinet Member with Responsibility.</p>

	<p>(Note: Action from the Older Peoples' Task Group - Min 36 refers – 5th October 2011. Agenda for this meeting should not be restricted to Older Peoples issues and that other business be dealt with at the meeting - Min 54 refers – 9th December 2015).</p>		
<p>Saving Options to be Explored.</p>	<p>That the items contained in the 'Saving Options to be Explored' circulated at Council on 2nd March 2016 including Service Reviews, be included in the Committee's future Work Programme ensuring that there was no duplication with the Work Programme of the Budget and Performance Panel.</p> <p>(Min 72 refers - 6th April 2016).</p>	<p>This issue is within the Terms of Reference of the Budget & Performance Panel and would create duplication.</p> <p>Refer to the Panel to consider.</p>	<p>Chief Officer (Resources).</p>
<p>Constitutional issues regarding Overview and Scrutiny Members viewing draft reports, as part of the pre-decision scrutiny process.</p>	<p>That Officers be requested to provide the Committee with details of decisions that are to be taken in the forthcoming year where scrutiny could review and options be investigated prior to the decision being made.</p> <p>That the constitutional issues regarding Overview and Scrutiny Members viewing draft reports, as part of the pre-decision scrutiny process, be reported back to the meeting.</p> <p>(Min 72 refers - 6th April 2016).</p>	<p>November/December 2016.</p>	<p>Chief Executive.</p>

<p>Promoting the Local Economy.</p>	<p>Raised as a Cllr suggestion, consideration of report prior to Cabinet (Min 15 refers - 8th July 2015).</p> <p>That Morecambe BID be invited to attend a future meeting to discuss promoting the Local Economy. (Min 4 refers - 8th June 2016).</p>	<p>TBA.</p>	<p>Chief Officer (Regeneration and Planning) and Morecambe BID.</p>
<p>Licensing Scheme for Private Sector Rented Properties.</p>	<p>Raised as a Cllr suggestion, the Committee to consider report prior to Cabinet.</p> <p>(Min 15 refers – 8th July 2015).</p>	<p>TBA.</p>	<p>Chief Officer (Health and Housing).</p>
<p>Update report on Health Scrutiny.</p>	<p>That a further update be provided to the Committee in due course (on “Better Care Together”). (Min 9 refers – 8th July 2015).</p> <p>Note: OSC given permission by CBC to undertake preparatory work in response to the consultation, with the final response to be considered by CBC, in line with the standard procedure, if and when appropriate to do so. (CBC Min 8 – 27th June 2013 refers).</p>	<p>TBA when appropriate.</p>	<p>Clinical Commissioning Group.</p> <p>Invite all City Council’s incl. representative on the County Council’s Health Scrutiny Committee.</p>

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Briefing Notes

<u>Matter for Consideration</u>	<u>Comments & Date Requested</u>	<u>Officer Responsible</u>	<u>Date Circulated</u>
Implications of 2015/16 Housing and Planning Bill on Enforcement for Private Sector Landlords.	Min 63 refers - 27 th January 2016.	Chief Officer (Health and Housing).	4 th July 2016.
Fly Tipping – Increase since the introduction of charges at Recycling Centres.	Min 54 refers - 9 th December 2015.	Chief Officers (Environment)/(Health and Housing).	
<p>Derelict and Unsightly Buildings.</p> <p>To include:</p> <ul style="list-style-type: none"> • Regent Road/Yorkshire Street, Morecambe burnt down property • Bailrigg Lane, Lancaster • Megazone, Morecambe • Shop on the corner of Peddar Street & Morecambe Promenade • Land opposite Pizza Hut, Lancaster. 	<p>Action from Work Programme report - requested by a Cllr. To consider the issue of derelict and unsightly buildings, in particular, whether Members would want to do some work and try and work out a satisfactory outcome for residents who are negatively impacted by this problem.</p> <p>- A Briefing Note on the issue of derelict and unsightly buildings - Min 63 refers - 27th January 2016.</p>	Chief Officer (Regeneration & Planning).	
Influencing Educators to develop skills for the district for the future.	Action from LGA Peer Review Action Plan - That more information be provided for the Committee on this issue - Min 72 refers - 6 th April 2016.	Chief Officer (Regeneration & Planning).	
Timescale for Risk Management.	Action from LGA Peer Review Action Plan – That a timescale on this piece of work be provided for the Committee - Min 72 refers - 6 th April 2016.	Chief Officer (Resources).	

<p>The Council's approach to digitalisation - Council's plans, obstacles and how the Council would ensure it took place.</p>	<p>Action from LGA Peer Review Action Plan – That the Council's approach to digitalisation be requested to include the Council's plans regarding digitalisation, what the obstacles are and how the Council ensures this takes place - Min 72 refers - 6th April 2016.</p>	<p>Chief Officer (Resources).</p>	
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Task Groups

<u>Task Group Topic</u>	<u>Date</u>	<u>Progress</u>
<p>Late Night Economy in the Lancaster District Informal Task Group.</p>	<p>December 2015. (Min 54 refers).</p>	<p>As of the end of May 2016, the Task Group has met 4 times with another 2 meetings scheduled. Note: Update to be provided.</p>
<p>Resilience Commission Informal Task Group.</p>	<p>April 2016. (Min 84 refers).</p>	<p>The first meeting was held on 20th June 2016. A further meeting was held on 1st September 2016. Note: Update to be provided.</p>

COUNCIL 13 JULY 2016

MOTION ON NOTICE – DIVERSE AND TOLERANT SOCIETY

To consider the following motion submitted by Councillors David Smith, Karen Leytham and Sam Armstrong:-

“We are proud to live in a diverse and tolerant society. Racism, xenophobia and hate crimes of any description have no place in our country.

We at Lancaster City Council condemn racism, xenophobia and hate crimes unequivocally. We will not allow such behaviour to become acceptable. We will work with other bodies, Community Safety Partnership, Communities together, Lancashire county council, Town and Parish councils to challenge such behaviour and prevent such crimes.

Lancaster City council wish to assure all of the Districts residents and visitors that they are valued members of our society.”

Officer briefing note:-

Community Leadership is one of the four priorities in the Council’s Corporate Plan. The Council is committed to bringing communities together and addressing the major issues affecting the district through working in partnership. The role of the council is summarised in the Corporate Plan and includes maintaining a cohesive community.

As a point of information for Members, Lancaster District Community Safety Partnership (CSP) is a collective of public, voluntary, community and private organisations who come together to do all that they can to make the district's communities safer. The CSP provides a co-ordinated response to community safety issues, drawing together organisations and people that can make a difference. Lancaster district CSP’s membership comprises:

- Lancaster City Council
- Lancashire Constabulary
- Lancashire County Council
- Lancashire Fire & Rescue Services
- Office of the Police and Crime Commissioner
- Cumbria and Lancashire Community Rehabilitation Company (Probation)
- Youth Offending Team
- North Lancashire CCG

Whilst hate crime isn’t one of the CSP’s current priorities, the Partnership receives information from the Constabulary on crime spikes and trends so it can review its priorities accordingly.

The Communities Together group has representation from many diverse religious and ethnic groups in the district as well as the community and voluntary sector, Lancashire County Council, Lancaster City Council, Lancaster University, University of Cumbria and Lancashire Constabulary.

Section 151 Officer’s comments:-

The Section 151 Officer has been consulted and has no further comments.

Monitoring Officer’s comments:-

The Monitoring Officer has prepared this briefing note in her role as Democratic Services Manager.

Lancashire County Council's Pre-Scrutiny process

The County Council established an Executive Scrutiny Committee (ESC) in 2013. This is a formal Committee, politically balanced and chaired by an opposition member which meets two days before Cabinet and considers all reports which are to be considered by Cabinet. In addition, the ESC considers all Key Decisions which will be made by individual Cabinet Members in the coming month.

The Committee has been established with 13 Members. In addition to the Committee, all Cabinet Members and the County Council's Officer Management Team attend to present reports and answer questions. The specialist officer responsible for the service in the report will also attend as well for each item. If a special meeting of Cabinet is required a meeting of the ESC will also be arranged as well, even if this means holding them both on the same day.

The ESC has no power to stop a decision being made. Like any scrutiny committee the ESC can only make recommendations. There is an item at the beginning of every Cabinet Agenda for the Chairman of the ESC to report the Committee's views or decisions. There have not been many times when the ESC has not accepted the main recommendations of reports going to Cabinet or Cabinet Members, but there have been quite a number of times where there have been supplementary recommendations suggested, or requests that the Cabinet/Cabinet Member defer a decision or part of it.

The meetings are webcast on the County Council's website. Link below:-

<http://council.lancashire.gov.uk/ieListMeetings.aspx?CommitteeId=878>

The Terms of Reference of the ESC are:

Terms of Reference

1. To review and scrutinise reports and decisions due for consideration by the Cabinet collectively, and to make recommendations to Cabinet on those reports and decisions.
2. To review and scrutinise Key Decisions, other than the making of Traffic Regulation Orders of all kinds including Speed Limit Orders, due for consideration by individual Cabinet Members and to make recommendations to Cabinet Members on those decisions.
3. To review and scrutinise Key Decisions due for consideration by Cabinet Committees, and to make recommendations to the relevant Cabinet Committee on those decisions.
4. The committee may invite to any meeting of the Committee and permit to participate in discussion and debate, but not to vote, any person not a County Councillor whom the Committee considers would assist it in carrying out its functions.
5. To require any Councillor, an Executive Director or a senior officer nominated by him/her to attend any meeting of the Committee to answer questions and discuss issues in relation to the reports and decisions before it for consideration.
6. To appoint a Budgetary Scrutiny Working Group and receive recommendations from it in order to make recommendations to Cabinet on its budget proposals to Full Council.