

Minutes of: PERFORMANCE OVERVIEW AND SCRUTINY COMMITTEE

Date of Meeting: 24th October 2011

PRESENT: Councillor McInnes (In the Chair)
Councillors Aldred, Essex (substituting for L Barnes), Gill (substituting for Roberts), Morris, Robertson and Stansfield

Irene Divine (co-opted Member)

IN ATTENDANCE: Sarah Blackwell, Assistant Solicitor
Michael Riley, Communities Manager
Gemma Rooke, Community Engagement Officer
Brendan O'Reilly, Rossendale Transport Ltd
Matthew Parkes, Rossendale Transport Ltd
Alistair Nuttall, Rossendale Transport Ltd
Phil Seddon, Head of Finance and Property Services
Pat Couch, Scrutiny Support Officer
Councillor A Barnes, Leader of the Council
Councillor Serridge (Portfolio Holder for Customer Services)
Councillor Marriott (Portfolio Holder for Finance and Resources)
Councillor Cheetham

1 Member of the public

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors L Barnes, P Roberts and Councillor Jackson (Portfolio Holder for Communities and Partnership).

2. MINUTES OF THE LAST MEETING

Resolved:

That the minute of the meeting held on 26th July 2011, be approved and signed by the Chair as a correct record.

3. URGENT ITEMS

There were no urgent items for discussion.

4. DECLARATIONS OF INTEREST

Councillor Essex declared a personal interest as he was on the Board of Rossendale Transport and also a Member of the Grants Advisory Group.

Councillor Robertson declared a personal interest as she was on the Board of Rossendale Transport.

Councillor Morris declared a personal interest as he was a Member of the Grants Advisory Group.

5. PUBLIC QUESTION TIME

The Member of public asked for clarification on the future of Rossendale Transport and Councillor Cheetham as Chair of the Board of the Transport company confirmed that at the recent Board meeting they are informed that the company is increasing the volume of services it provides and are also trying to obtain new routes.

6. CHAIR'S UPDATE

The Chair reminded Members of a visit to the Birthing Centre, which had been arranged for 15th November, with two places still available.

Members discussed the usage of the Health Centre and asked for clarification from the PCT on the number of clinics. The Chair agreed to discuss this with Sue Warburton when she meets on 27th October.

7. REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA)

The Assistant Solicitor presented Members with the second quarterly report on the Council's use of powers under the Regulation of Investigatory Powers Act 2000.

Following guidance from the Home Office and following a meeting of full Council on 23rd March 2011, it was agreed that Performance Overview and Scrutiny would receive quarterly reports on the Council's use of RIPA, to ensure that it was being used consistently with the Council's Policy.

For the period from 1st July to 30th September 2011, the council had authorised directed surveillance on nil occasions. No requests had been refused.

The two authorisations granted last quarter had now been closed. One of the authorisations confirmed that an abatement notice had been complied with. The other resulted in evidence of various health and safety and licensing offences and prosecution proceedings were being prepared.

Members were informed that the Council received an inspection from the Office of Surveillance Commissioners on 26th May 2011 on its use of RIPA. As a result of the inspection, the Director of Business had amended the Council's RIPA Policy in consultation with the Portfolio Holder, to reduce the number of authorising officers to two; the Head of Legal and the Head of Health, Housing and Regeneration.

The Assistant Solicitor provided an update on issues raised by the Committee following the first quarter report presented to them in July which was as follows:

- Travellers and the use of RIPA/Surveillance. It was confirmed that this could be used on a case by case basis.
- Under age test purchasing – Information/statistics were included in the quarterly report presented to the Licensing Committee

Resolved:

That the information be noted.

8. EVALUATION OF THE REFRESH OF THE GRANTS TO OUTSIDE BODIES GRANT FUNDING

The Communities Manager gave a brief overview of the purpose of the evaluation report, which transpired following a meeting of Policy Overview and Scrutiny in March when they reviewed the Council's Grants to Outside Bodies Funding Policy, Procedure and Terms of Reference. It was agreed by the Policy Scrutiny Committee that an evaluation report be presented to Performance Overview and Scrutiny after 6 months, outlining 'What Worked Well and What Didn't Work So Well'.

The recommendations from 17th March 2011 Cabinet was the adoption of a robust grant allocation process based on its grants policy followed by opening it up to applicants to apply for funding on 21st March 2011.

There were three tiers of application forms; each with 9 themed questions, so the more money groups requested the more detailed information was expected from their answers. A group requesting £900 was asked to provide an equality and diversity statement, whilst those asking for £5000 or more were asked to provide a statement linked to the Council's main equality statements.

The Council received 53 applications ranging from request for £500 to £75,000. To ensure that the Policy was applied in a consistent way, the Grants Advisory Group attended briefing sessions on 23rd May 2011 and 31st May 2011. The advisory group independently scored the 53 applications and their scores were added together and divided by the number of members to give an average score. Funding was then

allocated in numerical order from the top score downwards until all of the available funding was allocated.

To help shape the final grants criteria, a peer review was carried out by Help Direct and Burnley Borough Council, with Help Direct offering feedback around the use of plain English. Burnley Borough Council commented on making the system as fair as possible whilst ensuring the Council received enough information to make an informed decision.

The Communities Manager and Community Engagement Officer explained the process of the final stage of signing of the Funding Agreement Form and also indicated that all successful applicants were required to complete a 6 and 12 months monitoring report.

A number of questions were raised which both the Communities Manager and Community Engagement Officer responded.

Concern was expressed at how time consuming the recommendations would be for both Officers and Members.

The Committee was then asked to consider the agreement of the following recommendations going forward.

1. Consideration to be given to producing a pre application form so that an initial sift of applications can be made before requesting a more detailed application.
2. That any future development of the Rossendale Council grants process reflects the principle that the grant lower limit will be no less than £1000.
3. Introduce into the process a training programme for the Grants Advisory Panel and including adequate time within the process to conduct a full and comprehensive review of the applications.
4. Once the Grants Advisory Panel have made their recommendations introduce within the process a stage where a working group looks in more detail at the group's finances to ensure rigorous business planning is in place.
5. In allocating grants there should be a requirement as part of the decision making process and taking account of the Council's legal duty to promote Equalities, the Council should:
 - Compare the positive impact the whole grant allocation has on different equality groups
 - Assess, through the questions obtained in the application form the potential impact of being granted less funding than had been requested so the Council can assess what action is

required to mitigate the impact of not allocating the full amount requested

- Consult with relevant equality groups and the grant funding applicant to ensure the impact of the findings of the above point is understood. Including the findings of any Equality Impact Assessment
 - That all stakeholders need to be involved in the development of any impact assessment
6. That the Council works with third sector organisations and new start ups to develop a commissioning model that delivers funding partnerships and assist in identifying sources of income that a) commissions services aligned to the delivery of statutory duties and b) provides grant funding to kick start / support a community initiative or supports the delivery of a project.

Resolved:

1. That the Performance Overview and Scrutiny Committee support the evaluation of the Council's Grants process.
2. That the Performance Overview and Scrutiny Committee agree to the six recommendations outlined above.

9. EXCLUSION OF THE PUBLIC AND PRESS

That the public and press be excluded from the meeting during consideration of the following item of business on the grounds that it involves the disclosure of exempt information relating to the financial or business affairs of any particular person (including the authority holding that information) under Part 1 Paragraph 3 of Schedule 12A to the Local Government Act 1972 and information which is subject to any obligation of confidentiality as defined in Part 1 Paragraph 3 of Schedule 12A to the Local Government Act 1972.

NB: Alistair Nuttall, Matthew Parkes and Brendan O'Reilly from Rossendale Transport joined the meeting for the following item.

10. ROSSENDALE TRANSPORT LIMITED

Alastair Nuttall, Managing Director of Rossendale Transport presented an update on some of the changes planned over the coming months.

Brendan O'Reilly gave Members an overview of passenger numbers in relation to the 464 evening service.

Matthew Parkes, Finance Director presented information on their budget.

Members raised questions to which the Directors of Rossendale Transport present responded.

Resolved:

That the Committee noted the information presented by Directors of Rossendale Transport.

The meeting commenced at 6.30pm at finished at 8.30pm

Signed:
(Chair)

Date: