

POLICY OVERVIEW AND SCRUTINY COMMITTEE

Date of Meeting: 26th November 2012

Present: Councillor J Oakes (Chair)
Councillors Ashworth (substituting for Creaser), Gill (substituting for Bleakley), Hughes, Kenyon, Milling and Pilling

K Pilkington, co-opted Member

In Attendance: Helen Lockwood, Chief Executive
Phil Seddon, Head of Finance and Property Services
Sarah Doherty, Assistant Solicitor
Brian Taylor, Enforcement Officer
Councillor Barnes, Leader of the Council
Councillor MacNae, Portfolio Holder for Regeneration, Tourism and Leisure
Councillor Marriott, Portfolio Holder for Finance and Resources
Councillor Serridge, Portfolio Holder for Customers, Legal and Licensing
Councillor Morris
Pat Couch, Scrutiny Support Officer

6 Members of the public

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Creaser and Bleakley and Fiona Meechan, Director of Customer and Communities.

2. MINUTES OF THE LAST MEETING

Resolved:

That the Minutes of the last meeting held on 15th October 2012 be agreed as a correct record and signed by the Chair.

3. DECLARATIONS OF INTEREST

Keith Pilkington declared an interest as he was on the Board of Rossendale Leisure Trust.

4. URGENT ITEMS OF BUSINESS

There were no urgent items of business.

5. PUBLIC QUESTION TIME

The Chair agreed to deviate from the Procedure for Public Speaking and allow members of the public to ask questions as the reports were discussed.

6. CHAIR'S UPDATE

The Chair informed Members that following a request at the last meeting for a list of the Council's surplus buildings, these had now been emailed to Members.

The Chair asked for agreement of the Committee to re-arrange the agenda and this was accepted.

7. FLYPOSTING POLICY

The Assistant Solicitor presented a report on the Council's updated Flyposting Policy which had been reviewed and updated by the Council's Communities, Planning and Legal departments.

The Policy was adopted in 2006 and there was now a need to review and update the policy to ensure that the different approaches required based on land ownership were taken into account and that the Council's policy and procedures were up to date and effective.

There were a number of pieces of legislation which could be used to tackle flyposting including Town and Country Planning Act 1990, the Clean Neighbourhoods and Environment Act 2005 and the highway authority has powers under the Highways Act 1980. Officers from Communities, Planning and Enforcement had been working with colleagues from Lancashire County Council to identify the most effective options that could be used in Rossendale.

The amendments to the policy set out the Council's position on dealing with flyposting and covers the following:

- Flyposting was a priority for the Communities team
- Designated Council Officers for reporting flyposting
- Procedure for responding to complaints
- The issue of fixed penalty notices
- Procedure for advertising on Council land
- Council notice boards

The report was welcomed by Members as a very positive move forward.

Resolved:

1. That the Policy Scrutiny Committee recommend to full Council the adoption of the updated Flyposting Policy
2. That the Policy Scrutiny Committee recommend to full Council that any future minor amendments to the Policy be delegated to the Director of Business in consultation with the Portfolio Holder for Customers, Legal and Licensing.

8. REVIEW OF STATEMENT OF PRINCIPLES – GAMBLING POLICY ACT 2005

The Enforcement Officer presented the above report and asked the Committee to accept the amendments to the Statement of Principles required under the Gambling Act 2005, made in accordance with section 349 of the Act.

The current Statement of Principles expires on 30th January 2013 and the revised Statement of Principles was for the period 31st January 2013 to 30th January 2016.

A summary of the proposed changes were as follows:

- New population details from the 2011 census
- Change from Rossendale Borough Council Licensing Unit to Rossendale Borough Council Licensing and Enforcement Unit
- Clarification of where information registers, Licenced Operators and individuals who hold a personal licence were kept and available for public inspection
- Change of Government department from better Regulation Executive to department for Business, Innovation and Skills
- Clarification of Licence holder's responsibility at premises with gaming machines
- Change of delegation when fee setting from Officers to Licensing Sub Committee

RESOLVED:

That Policy Scrutiny Committee recommends to Council the adoption of the Statement of Principles relating to the Gambling Act 2005 for the period 31st January 2013 to 30th January 2016.

9. ROSSENDALE LEISURE TRUST – EFFICIENCIES UPDATE

The Portfolio Holder for Regeneration, Tourism and Leisure presented the Rossendale Leisure Trust Efficiencies Update and indicated that the Council were looking for efficiencies from the Leisure budget of between £100k to £200k per annum.

Work had been completed in relation to the review of information technology and agreement had been reached with the Leisure Trust in relation to the delivery of payroll and financial transactions. Initial savings had been identified as £15k.

Of the three facilities operated by the Leisure Trust, the area which remains of significant concern and which requires very significant revenue and capital investment was Haslingden Swimming Pool.

A pool panel had been established comprising representatives from the swimming forums across the borough, the Council, Rossendale Leisure Trust and Members.

The pool panel is not a decision making body but have been given the time to understand the possible options surrounding the pool and would form part of the consultation process.

Seven key stages in terms of option appraisal for the pool were as follows

- Stage 1 - determine options available in relation to the pool - completed
- Stage 2 - confirm criteria for assessing options - completed
- Stage 3 - develop equality impact assessments for each option - on going
- Stage 4 - assess options (first stage assessment) - completed
- Stage 5 - consult on options which meet the criteria
- Stage 6 - assess consultation feedback (second stage assessment)
- Stage 7 - report to enable preferred option to be confirmed

Stage 1 - The options identified to date in relation to Haslingden Pool are:

- 1) For the pool to continue as is
- 2) Reduce costs, increase revenue and identify capital programme (it was recognised by the pool panel that this option needs to be expanded to demonstrate different variables)
- 3) Build an alternative pool
- 4) To close the pool and consider site disposal options
- 5) Transfer responsibility for the pool to another organisation
- 6) Other options identified as part of the consultation process

All these were assessed against agreed criteria. The Council wanted to identify options that were deliverable.

An assessment group, which was separate from the pool panel, has met comprising Rossendale Leisure Trust Officers, Board member, Rossendale Council Officers and Members, to identify which options were viable and able to go forward for public consultation. The assessment panel used the evidence which has been reviewed and considered by the pool panel. Equality impact assessments were also undertaken at this stage of the process.

Each option had been assessed and the criteria for assessing each included:

- Fit with Council's Priorities (support a healthy and successful Rossendale and supports the Medium Term Financial Strategy and equality consideration)
- Risk Assessment assessing against
 - Timescales
 - Deliverability
 - Market
 - Sustainability
 - Funding

The assessment group considered each option and in doing so considered all background information for each option which has previously been shared with the pool panel and reviewed the equality impact assessment information. The pool panel also asked for the following additional information to also be considered as

part of option 2, closing boilers down at night and to consider price increases. Both areas were reviewed and were assessed as part of option 2.

The results from the assessment group concluded that Options 4 and 5 should go forward for Cabinet approval for a 12 week consultation period.

A number of questions were raised by Members as follows, which the Portfolio Holder for Regeneration Tourism and Leisure, the Chief Executive and General Manager responded.

- Transfer to a third party and confirmation that the consultant's report would be shared with any interested third party
- How do you get to these scores, as it is a subjective way of doing things and the decision on the back of this is huge?
- We need an 'independent perspective on this
- There was a specific process used to assess the viability of the pool, would the same assessment process be used for other decisions
- Was it a political decision to take the money for the Valley Centre
- The 'weighting' process

The Portfolio Holder indicated that they would be open and transparent and any interested parties would have full knowledge of the pool.

The Portfolio Holder indicated that the objective was to identify options deliverable and looking at risk factors and work done before the assessment was vital.

The Portfolio Holder commented that the Council is accountable for decisions being made and it is correct to have an open and rigorous process.

In relation to Option 2, the General Manager of the Leisure Trust indicated that from a Trust point of view they were running the pool as 'lean' as they could at the present time, by reducing energy, heating etc and would not identify any significant savings/cuts which would support this option.

There were complex options about the state of the pool, which is still open and running at the present time and if someone could take on the challenge then the Council would be happy to work with them.

The Chief Executive explained that the transparency of the process was important and that the Council are consulting. No decisions would be made until the process was complete.

A member indicated that looking at the options, option 5 was best. The Portfolio Holder explained the 2 stage process which would have to be undertaken should a transfer of responsibility of ownership be an option.

Members of the public indicated that they had no knowledge of the figures until the report was published and they had never been discussed with the pool panel. The Chief Executive replied that the criteria had been shared with the pool panel in September and October and the final assessment was discussed with the pool

panel in November. Therefore, a very open and transparent process had been followed with ample opportunity for the pool panel to question, amend or challenge the process being followed.

Another member of the pool panel indicated that he had not been asked if he wanted to be on the assessment panel and Councillor MacNae responded by indicating his understanding was that the pool panel had indicated they did not want to be part of decision making process.

A question was asked as to whether the consultation was going to be wider and that specific focus groups were going to be consulted.

The Chief Executive explained that the consultation would cover equality groups and would be open to wider public comments using a variety of mechanisms.

RESOLVED:

1. That the Policy Scrutiny Committee note the progress made to date on work to identify savings and efficiencies in relation to Rossendale Leisure Trust.
2. That the Policy Scrutiny Committee recommends that Cabinet agree a formal 12 week consultation period commence in relation to the options identified in the report and that a report be presented to Cabinet and Full Council in due course.

10. FINANCIAL CUTS – CONSULTATION AND ENGAGEMENT

The Head of Finance and Property Services presented an update report on the range of consultation and engagement on financial cuts which had been carried out to date and feedback so far.

Following a report to Cabinet in June 2012 which had set out the Medium Term Financial Strategy challenges, Cabinet approved the commencement of consultation on a range of proposed service changes. A comprehensive plan was developed and the report provided a summary of the work carried out and responses received to date.

A Making Ends Meet Citizens Panel in Rossendale comprising of 768 residents indicated they were happy for the Council to contact them to seek their views on a range of issues. The composition of the panel was representative of the demographic make-up of the Borough and their addresses were spread across all wards in Rossendale.

As well as the 768 residents detailed above, a further 580 community groups and contacts via the database held by Rossendale Enterprise Anchor Ltd (REAL) were also sent the survey. Questionnaires were also sent to clients by CAB and were also available on the STAN bus and Council's website. Posters which promoted the survey were put up in a number of locations around the Borough, ie health centre, libraries and Council notice boards.

The following service areas were consulted by different methods as follows:

- Clinical Waste – letters to 195 properties which currently had a specialist waste collection service
- One Stop Shop Usage Survey – questionnaire for people who attended/visited the One Stop Shop in September and October 2012
- Localisation of Council Tax Support – information and questionnaire were sent directly to 4,140 people who currently claimed and 2,869 were sent to a random sample of residents who were not currently claiming CTB
- Community Grants and Commissioning – contacts were made to the 11 groups who had been successful in securing a Council Grant in June 2011, with a view to arranging face to face meetings
- Discretionary Business Rate Relief – Officer wrote to 54 individual organisations currently in receipt of NNDR discretionary rate relief
- Leisure – in addition to a questionnaire, a Pool User Group had been established and had been collectively supporting the Leisure review
- Museum – in addition to the Citizen's Panel questionnaire, Officers had met with Friends of Whitaker Park Museum to begin discussions about potential areas for cost savings.
- Street Cleansing – A scrutiny Task and Finish Group met between August and October to consider a review of street cleansing. Their recommendations would be considered alongside the work to review the refuse and recycling services.

A questions were asked as to whether it was possible to have sight of the data from the report as it was important to look at a cross analysis of the different groups.

The Chief Executive responded by indicating that all data would be available as each respective report is produced and that the information would be provided for subsequent discussion. This was one of a number of reports that would be brought to Members to ensure that there had been an overarching approach to consultation, as the Council recognised they had a legal responsibility to consult.

RESOLVED:

That the Policy Overview and Scrutiny Committee note progress on consultation and engagement around financial cuts, and the feedback to date.

11. RELOCATION OF THE ONE STOP SHOP (OSS)

The Head of Finance and Property Services presented a report which asked Members to consider the relocation of the current Rawtenstall based One Stop Shop (OSS) to the Business Centre, Futures Park, Bacup.

The Head of Finance and Property Services explained that relocating of the OSS would support the Medium Term Financial Strategy by providing £50k per annum of revenue savings, on back of an investment of £160,000.

The options for consideration were as follows:

1. Vacate the current OSS and relocate to Futures Park, Bacup
2. Remain in the OSS, this option would mean that key Council Services associated with Planning, Land Charges, Licensing and Building Control would still relocate to Futures Park, others services would continue to be delivered in Rawtenstall.

The report provided information on the service currently provided in the OSS and those partners who deliver their service from the OSS.

Cabinet agreed in June 2012 to undertake a period of consultation with staff, customers, community, voluntary, faith sector and partners in relation to the One Stop Shop.

A scrutiny Task and Finish Group was also established and considered the following:

- A new improved design
- Estimated conversion and transfer costs
- Cost options of retaining in Rawtenstall a fixed presence
- Location and provision, following consultation feedback
- Mixed use and occupancy (Council, Capita, private tenants)

The Task & Finish Group recommendations were as follows:

- That the Accommodation Task and Finish Group recommend to Cabinet the move to Futures Park of the One Stop Shop with additional use of STAN to the West of the Borough.
- That taking into account the long term future of STAN, consideration be given to exploring the possibility of outreach services in Rawtenstall

A member indicated that there was no reference in the recommendations of the report to what services would be provided to the rest of the Borough and a suggestion was made that the recommendations of the Task and Finish Group should be included in the report to Cabinet.

A number of questions were raised which the Head of Finance and Property Services and the Chief Executive responded including

- Could the £160k to reconfigure the OSS not be used for Haslingden Pool, which the Chief Executive explained that the issue with the Pool is the on-going revenue costs which would be a significant challenge
- Will all desks etc be moved to Futures Park – the Head of Finance indicated that use whatever equipment is in Rawtenstall, where possible
- Will the OSS be treated separately or as part of what is already there – there would be a separate entrance for customers

- Large % don't use computers and therefore advertising was not getting out to the public
- Do we charge rent to partners to which the Head of Finance replied that current partners in the OSS are not charged

RESOLVED:

1. That the Policy Scrutiny Committee recommend to Cabinet the capital investment of £160k and the relocation of the One Stop Shop from Rawtenstall to the Business Centre, Futures Park, Bacup, with additional use of STAN to the West of the Borough.
2. That Members agree to the immediate marketing of the One Stop Shop in order to seek and secure a tenant. Should that not be successful, Members agree to the demolition of the current OSS once all services and staff have vacated. Timing details and contract matters being delegated to the Director of Business in consultation with the Portfolio Holder for Finance and Resources.
3. That the Policy Scrutiny Committee recommend that Cabinet present a further report in due course on the long term future of STAN the van and consideration be given to services West of the Borough.

12. LOCALISATION OF COUNCIL TAX SUPPORT

The Head of Finance and Property Services presented a report to update members on the results of the public consultation which ended on 26th October 2012 in relation to a Local Scheme for Council Tax Support. Members were asked to consider the various options and make recommendations to Cabinet with the ultimate decision for Full Council in December 2012.

As from 1st April 2013 the Government would hand over the running of Council Tax Benefit to local councils and would reduce the money Rossendale Borough Council would receive by 10%. This means that central Government would reduce the grant it currently provides to support Council Tax Benefit in Rossendale by approximately £600,000 in the first year alone. Under national legislation, as Pensioners are to be protected, the consequence is for a 20% reduction in resources available to support those current beneficiaries of working age.

Local Authorities must create a Local Scheme for Council Tax Support, which must be agreed by Council by 31st January 2013. Reports in relation to the changes were previously presented to Cabinet in June and September 2012.

The Council went out to public consultation on 6th August with their preferred scheme and other options for consideration. The Council's preferred option was as follows:

Option A

It is proposed that Council Tax Support be calculated as a means tested discount, defined by the terms of the existing Council Tax Benefit Scheme. Under the existing Council Tax Benefit regulations, Rossendale Borough Council doesn't

count income from war pensions. It is proposed to continue with this approach under the Council Tax Support Scheme. The only proposed change to the existing scheme is identified below:

The initial Council Tax Support entitlement is calculated according to existing arrangements and then subject to a 20% reduction in order to calculate the final Council Tax support entitlement. In effect all customers of working age will have to pay at least 20% of their Council Tax Bill (i.e. their maximum entitlement to Council Tax Support will be capped at 80%).

During the consultation the Government announced they would be making £100m available for one year to support local authorities who adopt schemes that comply with criteria set by Government. To apply for the grant, billing authorities must adopt schemes which ensure that:

- Those who would be entitled to 100% support under current council tax arrangements pay between zero and no more than 8.5% of their net council tax liability
- The taper rate does not increase above 25%
- There is no sharp reduction in support for those entering work

Under option A the Council would be passing on £600k cost to those of working age which equates to 20%. If the maximum cost, as indicated by Central Government, which could be passed on to working age people in receipt of benefit was limited to 8.5%, this would equate to £255k ($£600k/20 \times 8.5$)

The funding gap would therefore be £345k ($£600k-£255k$), before Rossendale's share of the £100m funding.

Rossendale Borough Council's share of the £100m Central Government funding would be £143k (this covers RBC, LCC, Police and Fire). The final funding gap is therefore £202k in Rossendale of which 16% (£32k) is RBC and the remainder County and others. Both County and Fire are not supportive of taking this transitional grant.

A further pressure on the Council is that the Medium Term Financial Strategy would assume a 30% non-collection rate but having had discussions the Head of Finance indicated this could be as high as 50%.

Members asked the following questions which the Head of Finance and Property Services and the Chief Executive responded.

- Why was option A the preferred choice? – The Chief Executive indicated that the Fire, Police and LCC all identified option A
- Whilst this is a horrible option it is the best
- Who decides whether someone is accepted for a Discretionary Additional Relief Scheme – The Head of Finance indicated that this would only be used when all other opportunities had been exhausted
- Are we getting the Transitional Grant – The Head of Finance indicated that there were technical issues that needed to be resolved between Council, Police, Fire and LCC

RESOLVED:

1. That the Committee recommend to Cabinet the approval of Option A (the initial Council Tax Support entitlement is calculated according to existing arrangements and then subject to a 20% reduction in order to calculate the final Council Tax support entitlement.
2. That the Committee recommend to Cabinet that further consideration is given to the impact of the Transitional Grant Scheme and that this be clarified in time for Full Council.

13. FORWARD PLAN

The Scrutiny Support Officer informed the Committee that the following reports would be presented to the next meeting on 21st January 2013

- Rosendale Retirement Village
- CCTV Policy
- Planning Charges Policy

A further four reports were due to be presented in February 2013.

The meeting commenced at 6.30pm and closed at 8.25pm

Signed(Chair)

Date