

**OVERVIEW AND SCRUTINY MANAGEMENT BOARD
2nd August, 2017**

Present:- Councillor Steele (in the Chair); Councillors Brookes, Clark, Cowles, Cusworth, Evans, Mallinder, Napper, Sheppard, Short, Walsh and Wyatt.

Apologies for absence:- Apologies were received from Councillors .

22. MINUTES OF THE PREVIOUS MEETINGS HELD ON 21 JUNE AND 5 JULY 2017

Resolved:-

That the minutes of the meetings held on 21 June and 5 July 2017 be approved as true and correct records of the proceedings.

23. DECLARATIONS OF INTEREST

There were no declarations of interest by Members or officers in respect of any item on the agenda.

24. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

There were no questions from the public or press.

25. CORPORATE PLAN 2016/17 QUARTER 4 PERFORMANCE REPORT

Consideration was given to a report detailing performance against the targets and priorities within the Corporate Plan 2016-17 for the final quarter of the year from January to March 2017.

The Performance Report and Performance Scorecard, set out in Appendices A and B to the report, provided an analysis of the Council's current performance against 14 key delivery outcomes and 103 measures. The report was based on the current position of available data, along with an overview of progress on key projects and activities which also contributed towards the delivery of the Corporate Plan.

It was noted that, at the end of the final quarter (January – March 2017), 33 measures had either met or had exceeded the target set in the Corporate Plan. Although this represented only 31.4% of the total number of measures in the Plan, it equated to 49.3% of the total number of indicators where data was available or where targets had been set. A total of 27 (40.3% of those measured in the quarter) performance measures had not hit their target for the year (25.7% overall).

Consideration was also given to the Asset Management Plan Improvement Report (AMIP) and associated scorecard which set out the progress on delivering the AMIP.

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Members took the opportunity to review the performance report, narrative and data and identified a number of areas for questioning, which included:-

- Was it justifiable to disband the Step-Down Panel? In response, it was explained that the Panel was being used as part of process and decision making responsibility lay with Team Managers working with Early Help. It was confirmed that the re-referral rate at the end of June 2017 was 15%
- Many measures marked as red (not on target) had a downward direction of travel and did that reflect more effort being put into keeping measures on target rather than getting others on target. In response, it was confirmed that the large workloads in Children and Young People's Services and Adult Social Care had determined where efforts were to be focused, rather than attempting to maintain performance.
- Was the rapid increase in the number of victims/survivors accessing post-abuse support services a sign of improvement? In response, it was confirmed that this was a good thing and with the number of prosecutions expected to increase, it was important to ensure that the right services were in the right place.
- What had been put in place to reduce rates of persistent absenteeism? In response, it was confirmed that this had been a significant focus through Early Help and Family Support Workers.
- What explanation was there for the decline in performance in respect of successful completion of drug treatment? It was explained that trends in respect of smoking were heading in the right direction, but there were concerns regarding suicide rates and weight management, with the latter continuing to be an acute issue for Rotherham.
- Concerns were expressed that performance data in respect of adults with learning disabilities in employment was on a downward trend. It was explained that, whilst on a downtrend, performance was still good when compared to statistical neighbours.
- Clarification was sought in respect of the problems with discharges from hospital. It was explained that the Indicator was always going to be a challenging one to meet, and whilst social worker delayed discharges were okay, there were issues with hospital delayed discharges. It was confirmed that two specialists had undertaken a delayed discharges review and made recommendations to the A&E Delivery Board with a new discharges plan.
- Concerns were expressed in respect of the decline in performance for undertaking carers assessments. It was explained that there had been some systems issues and it was recognised that there was a need to get better at carer assessments and improve the experience of carers. This would involve looking at respite, welfare and technology too.
- Reference was made to the increase in waiting times for Child and Adolescent Mental Health Services and assurances were sought

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that targets were achievable. In response, it was confirmed that the target was achievable and a lot of work had been done with colleagues at RDaSH to get accurate information. It was noted that the CCG and Council were working closely together to get the situation improved.

- Concerns were expressed at the drop in footfall in the town centre and assurances were sought as to whether there were any plans in place to protect town centre businesses and put on more events. In response, Members were referred to the impending publication of the Town Centre Masterplan which aimed to address the issue of reduced footfall. It was noted that it had been a concern for a while and with the proposed introduction of a Public Space Protection Order for the town centre to address anti-social behaviour issues.
- Concerns were expressed in respect of funding of voluntary sector groups and providers and whether the Council and the Safer Rotherham Partnership would consider increasing funding. In response, it was explained that a lot of work had been done locally, especially in respect of the reporting of incidences of domestic abuse, which had been the priority area for the Partnership.
- Clarification was sought in respect of the criteria applied for repairing potholes on roads across the Borough. In response, it was explained that the target in plan was in respect of road repairs (repairs and re-surfacing) where additional investment had been targeted.
- Concern was expressed that targets had been missed in respect of the number of new homes delivered in the Borough and what impact this had had on income through Council Tax and New Homes Bonus. In response, it was confirmed that the Council was looking for more innovative ways to deliver housing, including the conversion of derelict buildings, office space and empty homes and whether that would enable the draw down of funds from the Empty Homes Bonus.
- What lessons had been learned from the recent report on Adult Learning and how could the Council ensure that the issues cited were not repeated? In response, it was confirmed that the Authority was delivering an expensive service that did not meet the needs of the local economy or service users. The challenge now was to identify the right provider within the Borough and commission the right courses, with the right costs, that delivered for local people and local businesses.
- Clarification was sought in respect of the length of time given to landlords to comply with the requirements of the Selective Licensing Scheme to bring properties back up to standard. In response, it was confirmed that this would depend upon the category of hazards found.
- Assurances were sought in respect of how effectively the Council dealt with complaints. In response, it was confirmed that a review of the approach to customer services across the Council would be required, but it was important to note that the number of compliments being received was on the increase.

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- Concerns were expressed regarding the level of spend on agency staff in the Authority and Members asked for information on what was being done to reduce the spend incurred in this area. In response, the work being undertaken by Scrutiny Members was referenced as being important in challenging the organisation. It was recognised that there would continue to be some need for agency staff and reference was made specifically to likely increases in Adult Social Care to address vacancies due to senior management absences.

In summary the Chair concluded that the Board had thoroughly scrutinised the performance data and had found that there was a mixed picture of performance across the Authority.

Resolved:-

1. That the Corporate Plan Performance Report for Quarter 4 of 2016-17 be noted.
2. That Improving Lives Select Commission undertake scrutiny in respect of Adult Learning.
3. That Cabinet Members be invited to attend Select Commission meetings where performance information is to be scrutinised.

26. SHEFFIELD TO ROTHERHAM TRAM TRAIN PROJECT - UPDATE

Councillor Lelliott, Cabinet Member for Jobs and the Local Economy, and Steve Mullett, Principal Project Manager from South Yorkshire Passenger Transport Executive, attended the meeting to provide an update on the Sheffield to Rotherham Tram Train Project.

The Board had requested an update in light of the report from the National Audit Office which had identified concerns in respect of the rising costs and delays of the project.

It was confirmed that the project was led by the Department for Transport (DfT) and Network Rail and was not the responsibility of SYPTE or Rotherham MBC. It was noted that Network Rail had admitted that the project had not been managed properly initially and it did not have the expertise to oversee the project. The prompt audit had ensured that the right people with expertise were in place, alongside a robust programme to deliver the project.

The view was expressed that Network Rail and the DfT should never have got into that position and that the approach for any engineering project should involve the commissioning of a report to identify the works required and associated costs, rather than stumbling across them whilst in the midst of the works. Whilst it was accepted that this was the responsibility of Network Rail and DfT, it was noted by the Cabinet Member that by

2018 Rotherham would have a tram train which connected the town to Sheffield City Centre.

It was further noted that DfT had recognised the value of learning from the project and it was that learning which had ensured that the project progressed. Other cities were now looking at the technology and approaches adopted.

The Board thanked the Cabinet Member for Jobs and the Local Economy and Steve Mullett for their attendance and requested that a further report be brought back at a later date detailing the outcomes of learning from the project.

Resolved:-

1. That the update be noted.
2. That a further report be submitted to Overview and Scrutiny Management Board detailing the outcomes of learning from the tram train project.

27. PUBLIC SPACES PROTECTION ORDER (PSOP) FOR ROTHERHAM TOWN CENTRE

Consideration was given to a briefing paper submitted on behalf of the Safer Rotherham Partnership in respect of a proposed Public Spaces Protection Order (PSPO) for Rotherham town centre.

It was noted that concerns had been raised by town centre businesses, the public, Ward Members, partners, public forums, the Town Centre Partnerships and others in respect of anti-social behaviour in Rotherham town centre. The identified issues related to persistent street drinking, littering, dogs running free (unleashed), people sleeping rough, rowdy and inconsiderate behaviour and drug related issues.

Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 enabled local authorities to address issues of anti-social behaviour in public spaces by the use of a PSPO. It was noted that the proposal for the town centre served to target individuals and groups that had consistently behaved badly. In order to introduce the PSPO, two conditions would need to be met:-

- that activity within a public place within the Council's area had had a detrimental effect on the quality of life of those in the locality, or it was likely that activities would be carried on in a public place within that area and that they would have such an effect; and
- that the effect, or likely effect, of the activities is, or was likely to be, of a persistent or continuing nature, is, or was likely to be, such as to make the activities unreasonable, and justified the restrictions imposed by the notice.

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Consultation would take place on the proposed Order containing the following proposed prohibitions:-

- behaving in such a way or using language that causes, or is likely to cause, harassment, alarm or distress to another person
- drinking alcohol other than in a licensed premises or event
- spitting saliva or any other product from the mouth
- face to face fundraising and marketing carried out by organisations without prior written permission of the Council
- failing to keep a dog on a leash and under control
- using or carrying controlled drugs otherwise than in accordance with a valid prescription
- littering
- using a vehicle to cause a nuisance by gathering in groups, playing loud music or otherwise impacting the quality of life in the locality
- urinating or defecating in a public place

Members queried why a proposal for a PSPO had not been brought forward for consideration at an earlier point. In response, the Cabinet Member for Waste, Roads and Community Safety indicated that she had pushed for a proposal to be brought forward as quickly as possible. Following on, the Strategic Director of Regeneration and Environment also indicated that it had been brought forward as the earliest opportunity and apologised if Members felt that this was not sufficiently early.

The Chair indicated that Members expected such a proposal to be subject to a minimum period of six weeks' consultation and for a wider body of interested individuals and groups to be targeted in the consultation exercise. The Cabinet Member for Waste, Roads and Community Safety indicated that she wanted to hear what people had to say and was also aware of a lot of the commentary that had been provided and public dialogue on town centre issues.

There was a broad level of support amongst Members for the introduction of a PSPO, although some concern was expressed in respect of the inclusion of Clifton Park in the Order, specifically with regard to the consumption of alcohol which may prevent families from enjoying a bottle of wine when having a picnic in the park. Officers welcomed such feedback from Members and explained that the final Order may not apply to both the town centre and Clifton Park, as it was important to understand such issues before instituting the PSPO. Following on from this point, Members highlighted the importance of distinguishing drinking alcohol from drunkenness.

Members sought clarification as to whether the proposed PSPO would assist in restricting demonstrations in the town centre. It was explained that the Order was not about controlling protests, but about controlling behaviours. The PSPO would apply 24 hours a day and seven days a week, so anyone attending a protest would have to comply with the provisions of the Orders.

Resolved:-

1. That the briefing on the Public Spaces Protection Order for Rotherham Town Centre be noted.
2. That the final proposal for Cabinet in respect of the Public Spaces Protection Order be subject to pre-decision scrutiny.
3. That, following implementation of the Public Spaces Protection Order for the town centre, monitoring of the effectiveness of the Order be undertaken by Improving Places Select Commission.

28. YOUTH CABINET/YOUNG PEOPLE'S ISSUES

The Chair indicated that there were no issues requiring report to Members at the meeting.

29. WORK IN PROGRESS

The Chair invited the Chairs of the Select Commissions to provide reports on their activities and future plans.

Councillor Cusworth, Vice-Chair of Improving Lives Select Commission, reported that there had been two meetings in July 2017 where Members had reviewed a report on domestic abuse and made a number of recommendations to secure progress in this area of work. She further reported that she was leading a review on Safeguarding and Corporate Parenting, which would include the annual reports of both Local Safeguarding Boards. In addition to this, the Improving Lives Select Commission would be looking at the Medium Term Financial Strategy in respect of Children and Young People's Services, work being undertaken in respect of children missing from home and Home to School transport.

Councillor Mallinder, Chair of Improving Places Select Commission, reported on the meeting that had taken place in July 2017 where they had reviewed fire safety in the context of the Grenfell Tower tragedy. In addition to this, the Commission had reviewed the Town Centre Masterplan proposals and work supporting the future cultural offer for the borough.

Councillor Evans, Chair of Health Select Commission, reported on the meeting that had taken place on 28th June 2017 where Members had reviewed the Place Plan and the Adult Social Care Performance Plan.

Resolved:-

That the updates on the activities of the Select Commissions be noted.

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30. TO DETERMINE ANY ITEM WHICH THE CHAIRMAN IS OF THE OPINION SHOULD BE CONSIDERED AS A MATTER OF URGENCY.

The Chair reported that there were no items of business requiring urgent consideration at the meeting.

31. DATE AND TIME OF NEXT MEETING

The Chair confirmed that the next meeting of the Overview and Scrutiny Management Board would take place on Wednesday, 6th September, 2017 at 11.00am.