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**Our reference:**  
**Your reference:**  
**Date:** 19 September 2012

To all Members of the Council

Dear Councillor

A meeting of the RUSHCLIFFE BOROUGH COUNCIL will be held on Thursday 27 September 2012 at 7.00 pm in the Council Chamber, Civic Centre, Pavilion Road, West Bridgford to consider the following items of business.

Yours sincerely

Head of Corporate Services

### **AGENDA**

Opening Prayer

1. Apologies for absence.
2. Declarations of Interest.
3. Minutes

To receive as a correct record the minutes of the Meeting of the Council held on Thursday 21 June 2012 (pages 1 - 10).

4. Mayor's Announcements.
5. Leader's Announcements
6. Chief Executive's Announcements
7. Approval of the Council's 2011/12 Accounts

The report of the Director of Finance will follow.

8. Independent Person and Standards Committee Appointments

The report of the Head of Corporate Services and Monitoring Officer is attached (pages 11 - 12).

9. Police and Crime Panel Arrangements

The report of the Head of Corporate Services is attached (pages 13 - 18).

10. Annual Review of Scrutiny 2011/12

The report of the Head of Corporate Services is attached (pages 19 - 42).

11. To answer questions under Standing Order 11(2).

12. Local Government Act 1972

It is RECOMMENDED that the public be excluded from the meeting for consideration of the following items of business pursuant to section 100A (4) of the above Act on the grounds that it is likely that exempt information may be disclosed as defined in paragraphs 1 & 2 of Part 1 of Schedule 12A of the Act.

13. Management Restructure

The report of Chief Executive will follow.

<b>Meeting Room Guidance</b>
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**Fire Alarm Evacuation:** in the event of an alarm sounding please evacuate the building using the nearest fire exit, normally through the Council Chamber. You should assemble in the Nottingham Forest car park adjacent to the main gates.

**Toilets** are located opposite Committee Room 2.

**Mobile Phones:** For the benefit of others please ensure that your mobile phone is switched off whilst you are in the meeting.

**Microphones:** When you are invited to speak please press the button on your microphone, a red light will appear on the stem. Please ensure that you switch this off after you have spoken.



**MINUTES  
OF THE MEETING OF THE  
COUNCIL  
THURSDAY 21 JUNE 2012**

Held at 7.00 pm in the Council Chamber, Civic Centre, Pavilion Road, West Bridgford

I I Korn - Mayor  
B R Buschman - Deputy Mayor

**PRESENT:**

Councillors L J Abbey, Mrs S P Bailey, J R Bannister, D G Bell, Mrs D M Boote, S J Boote, N A Brown, R L Butler, H A Chewings, J N Clarke, T Combellack, L B Cooper, J A Cranswick, B G Dale, G Davidson, A M Dickinson, J E Fearon, J E Greenwood, M G Hemsley, R Hetherington, R M Jones, K A Khan, N C Lawrence, E J Lungley, A MacInnes, Mrs M M Males, G R Mallender, S E Mallender, Mrs J M Marshall, F J Mason, G S Moore, B A Nicholls, F A Purdue-Horan, D V Smith, Mrs J A Smith, P Smith, J A Stockwood, Mrs M Stockwood, B Tansley, H Tipton, T Vennett Smith and D G Wheeler

**ALSO IN ATTENDANCE:**

1 Member of the Public

**OFFICERS PRESENT:**

D Banks	Head of Environment & Waste Management
C Bullett	Deputy Chief Executive (CB)
A Graham	Chief Executive
P Randle	Deputy Chief Executive (PR)
P Steed	Director of Finance
L Reid Jones	Democratic Services Manager
D Swaine	Head of Corporate Services

**APOLOGIES FOR ABSENCE:**

Councillors R A Adair, N K Boughton-Smith, J E Cottee, D J Mason, E A Plant and S J Robinson

**OPENING PRAYER**

The Meeting was led in prayer by the Mayor's Chaplain

9. **Declarations of Interest**

There were none declared.

10. **Minutes**

The minutes of the meeting held on Thursday 24 May 2012 were received as a correct record and signed by the Mayor.

## 11. **Mayor's Announcements**

The Mayor informed Council that he had attended 12 functions in his first month as Mayor, of which nine had been in villages or churches. He had also visited the cement works. The highlights for the Mayor had been the Test Match at Trent Bridge, the Royal Garden Party at Buckingham Palace and the visit of Her Majesty the Queen to Nottingham, at which he and the Mayoress had shaken hands with the Queen.

Finally the Mayor had great honour in presenting a gift to Councillor Basil Nicholls who had served the residents of Rushcliffe for over 25 years.

Councillor Nicholls thanked the Mayor and said he had enjoyed serving Rushcliffe as a Councillor.

## 12. **Leader's Announcements**

Councillor Clarke stated that he was delighted to inform Members that the Council was one of two councils who had been achieved the LGA's Future Challenges Transformation Team status for its work on a Streetwise social franchising model. He added that the related funding would assist the Council in pushing boundaries for change and innovation.

## 13. **Chief Executive's Announcements**

The Chief Executive drew Members' attention to the safe passage of the Olympic Torch through Rushcliffe on 28 June 2012. He added that considerable work had been undertaken by staff working in partnership with other agencies, to ensure it was a celebratory and safe event. He reminded Members that the Civic Centre balcony was being opened for Members and their partners and staff to watch the torch passing by.

## 14. **New Standards Arrangements**

Councillor Clarke presented a report setting out the recommendations of the Standards Committee outlining proposed revised arrangements following changes to the Standards regime resulting from the Localism Act 2011. The report informed Members that a Sub-Committee of the Standards Committee had been established and had met on two occasions to consider revised arrangements. The recommendations of the Sub-Committee had then been considered by the Standards Committee who had subsequently made recommendations to Council as set out in the report.

By further reference to the report Councillor Clarke informed Council that it was recommended that a new Standards Committee be established to deal with any conduct issues which may arise in future. He added that proposed terms of reference for this new committee were set out in the report.

Commenting further Councillor Clarke stated that he supported the presence of independent and parish members on this new Standards Committee but recognised that as co-optees they would not have a vote. He added that as a standing committee of the Council its Councillor membership would have to be consistent with the principles of political balance, but could be reviewed at an

appropriate stage in the future if this was considered necessary. However, due to the quasi-judicial role of the committee when dealing with ethical standards issues, he hoped that it would not be a political committee, and its Borough Council members would act in a fair, rational and reasonable manner.

Councillor Clarke moved an amendment to the recommendations, seconded by Councillor Cranswick as follows

Delete existing recommendations b. and c. and replace with:

- b. agrees that the political groups make their respective nominations directly to the Monitoring Officer based on the allocation of positions as set out in paragraph 6 of the report
- c. requests that the composition and role of the new Standards Committee be reviewed prior to the conclusion of the municipal year 2012/13 and reports the findings of this review to Council.

Councillor Davidson stated that it was very important for the public to have confidence in Councillor behaviour and consequently he welcomed the proposal to retain some form of Standards Committee to monitor standards and compliance with the code of conduct. He was pleased that the composition of the Committee was not being set in stone, as he was of the view that it was better from the public's perception that one political group did not have overall control of the committee. In relation to recommendation (f) he stated that the Independent Person was not actually a member of the committee but was a requirement of the new legislation and part of the new process for dealing with Councillor complaints. Commenting further Councillor Davidson stated that whilst he recognised that the new regime did not have within it formal sanctions set out in law, he anticipated Councillors would continue to behave properly and where necessary accept any sanctions legitimately imposed. However, he believed it was regrettable that it appeared that stringent obligations regarding behavioural standards were getting tighter elsewhere but not in the public sector.

Councillor MacInnes stated that the limited powers of the new Standards Committee to sanction Members who broke the code was of concern. However he welcomed the new regime and the establishment of a new Committee, and a robust and effective code of conduct. He said that without a Standards Committee the responsibility for investigating Member conduct could fall to an officer, and in the interest of fairness, justice and transparency this was not right. He thought that the previous system had worked well, although it was cumbersome, and that its success could be replicated. Although the independent and parish representatives of the new committees could not vote, he stated that their membership was important as they brought an independent perspective to proceedings.

Councillor S Mallender supported the recommendations and commented that any parish council representatives should not be representative of a political party.

Councillor Khan stated that he had been a member of the Standards Sub-Committee and supported the report's recommendations. In his view it was

very important to uphold fairness so that the public had confidence in elected Councillors. He continued that in the current climate ethical arrangements were important in order to maintain and improve public trust. He drew comparisons with the prescribed standards of conduct and ethics in other industries, including the pharmaceutical industry. He stated that sanctions could be enforced by the courts, and ultimately at the ballot box. He added that the officers had produced excellent work enabling the Sub-Committee and the Standards Committee to make the recommendations now before Council. He added that in his view it was very important to ensure measures were in place to enhance political and public trust and for Councillors to do all they could to achieve this.

In supporting the recommendations Councillor S Boote stated that changes to the standards regime had arisen from the Localism Act, which had given more powers to councils to run their own affairs. However he believed there was a danger that the standards regime could become too diluted and ineffective. He thought that there had been significant bad press and as such local and national politicians were treated with contempt and suspicion by the public, some of whom thought they were in it for personal gain. He said it was essential that there was a fair, strict and transparent regime in the Council and there should be effective provision for enforcement of the code, and the delivery of actions to safeguard the interests of the public.

Councillor Cranswick commented that he did not think standards had become relaxed in the public sector and that the expectation was for the highest standards of behaviour across all Councillors. He shared concerns about the implementation of sanctions under the new regime, however he believed it was important that Councillors accepted any judgement made on them and modified their behaviour accordingly.

In summarising Councillor Clarke stated that Councillors should act in the spirit within which the Act was intended. He added that if a parish councillor was invited on to the committee it would be more effective if they were only a parish councillor and not a "dual-hatted" member, that way it would ensure against the perception of the Committee being made up of solely Borough Councillors. Given the comments made he believed that Council recognised that a Committee should be established and it was in the public interest to do so.

**RESOLVED that Council:**

- a. agrees the establishment of a new Standards Committee in accordance with the terms of reference set out at **appendix 1** of the report and that this committee comprise of six Borough Councillors, two parish members and one independent member
- b. agrees that the political groups make their respective nominations directly to the Monitoring Officer based on the allocation of positions as set out in paragraph 6 of the report
- c. requests that the composition and role of the new Standards Committee be reviewed prior to the conclusion of the municipal year 2012/13 and reports the findings of this review to Council

- d. agrees that a Sub-Committee of the new Standards Committee, comprising of at least 3 Borough Councillors, hear cases where an investigation into alleged misconduct finds a case to answer, with more significant or serious cases being referred to the full Standards Committee based on the criteria as set out at **appendix 2** of the report,
- e. authorises the Chief Executive and Monitoring Officer to make the necessary arrangements to recruit to the two parish and one independent member positions; and agrees that existing allowances under the Members' Allowances Scheme continue to apply to these members of the Committee;
- f. authorises the Chief Executive and Monitoring Officer to make the necessary arrangements for Council to appoint the Independent Person as required by section 28 of the Localism Act and that the Independent Person be paid an annual fee equivalent to that of an independent member of the Standards Committee.
- g. requests that the Monitoring Officer report a proposed revised Councillor Complaints Procedure reflective of the new arrangements to a future meeting of Council for agreement.

#### 15. **New Code of Conduct**

Councillor Clarke presented a report setting out a proposed new code of conduct which was recommended to Council by the Standards Committee following changes to the Standards regime resulting from the Localism Act 2011. The Standards Committee had considered the 'illustrative text' for a code of conduct provided by the Department for Communities and Local Government, and the Local Government Association's template code of conduct. The report informed Members that the Standards Committee had agreed a hybrid of these, including provisions from the existing Code relating to advice of the statutory officers, confidentiality and equality. Councillor Clarke proposed that an additional recommendation be included to reflect that all Members would have to re-register their interests under the new provisions, otherwise they would be in breach of the code of conduct.

Councillor Davidson supported the recommendations and commented on the issue of the mandatory requirements relating to disclosable pecuniary interests.

Councillor MacInnes accepted that the code required simplifying and felt that the Standards Committee had arrived at such a position.

Councillor S Mallender supported the recommendations, stating that a much clearer code in plain English was welcomed.

Councillor Jones sought clarification regarding registering and declaring non-pecuniary interests and if the new code replaced the previous provisions regarding personal and prejudicial interests. He asked if the proposal in the report suspended the Council's Constitution as he was not clear if this was the case. In response the Monitoring Officer stated that the schedule contained in

the report set out specifically the pecuniary interests which had to be registered. He added that the Localism Act enabled the Council to include provisions in the code that it considered appropriate in respect of the registration and disclosure of interests. Furthermore the schedule had been put together taking into account the regulations that had only recently been published by the Government in relation to disclosable pecuniary interests. For the purposes of clarity the Monitoring Officer explained that the proposed new code as recommended by the Standards Committee would replace the existing one, however, it was intended to review the code and the provisions in it in relation to both pecuniary and non-pecuniary interests during the municipal year. If necessary this would be reported to Council once the new Standards Committee had considered the reviews findings.

**RESOLVED that Council:**

- a. agrees the draft Code of Conduct set out at **appendix 1** and accepts this as the code governing Borough Councillor behaviour,
- b. requests that the Monitoring Officer makes the necessary arrangements for training to be provided to Borough Councillors to aid understanding of the new code and the provisions within it,
- c. authorises the Monitoring Officer to make minor and consequential amendments to the Council's Guidance on Planning Applications Procedures as contained with Part 5, Codes and Protocols of the Council's Constitution,
- d. requests that the new Standards Committee reviews the Code of Conduct and its provisions in relation to the register of interest prior to the conclusion of the municipal year 2012/13, and reports the findings of this review to Full Council.

**16. Revision of Policy Regarding the Relevance of Previous Convictions**

Councillor Fearon introduced a report seeking endorsement of the revised policy regarding the relevance of previous convictions which were considered in relation to persons applying for a hackney carriage, private hire driver's licence and private hire operator's licence. He informed Council that the report had been considered by Cabinet in June 2012 and the revised policy was now being adopted by all Nottinghamshire councils. He explained that the revised policy contained changes in legislation since it had been last adopted in 2001. He informed Members that Cabinet had raised questions about previous convictions which had been included in paragraph 10 of the report. He stated that the enhanced CRB check would include a list of convictions going back to childhood.

Councillor S Boote pointed out that at Cabinet Councillors had asked whether a licence would be refused if the applicant had been convicted of murder 10 years previously. He drew attention to the Minutes of Cabinet (12 June 2012) which stated that it 'would be judged whether they were a fit and proper person', which Councillor S Boote felt was correct. However, he stated that the Council should allow the rehabilitation of any offender. He added that in relation to sex offenders, they stayed on the Sex Offenders Register after their



conviction was spent, however Cabinet had been informed that the position would be clarified prior to Council. Councillor S Boote stated that the policy had not been changed and the document was the same as the one presented to Cabinet. In view of this he asked that the recommendation be amended to read:

'That the revised policy be referred to Council on 27 September 2012 in order that the relevance of the Sex Offenders Register be clarified'.

Councillor Mrs Smith confirmed that she had raised the issue of sex offenders at Cabinet. She now understood that they would be debarred from being taxi drivers as they could not be in the close proximity of children as they would be on licence for the rest of their life.

Councillor Cranswick stated that the committee had to be satisfied that the person was fit and proper person to have a taxi licence and that the committee would have all the relevant information before them, including the enhanced CRB check. He added that it would be for the committee to decide whether the person had outridden all of their convictions. He stated that he could not see the difficulty in moving forward with this rather than deferring it to the September Council.

Councillor Bannister stated that Councillor Mrs Smith was correct regarding the Sex Offenders Register in relation to the conditions of the offender's status.

Councillor S Boote withdrew his amendment in view of the comments made by Members.

Councillor Bannister continued by stating that he welcomed anything regarding the rehabilitation of offenders and stated that employment was a good way of doing this. He said it was important that each application was considered on its own merits. In relation to the safety of the public he stated that it would be some time after a custodial sentence before an ex-offender could be in a position to apply for such a licence.

Councillor G R Mallender welcomed the report and concurred that it was important to deal with each application on its own merit.

In relation to the financial and crime and disorder comments on the report Councillor Jones stated that it would have been useful to have the views of the Police and the Nottinghamshire Safeguarding Adult's and Children's Boards included.

Councillor Clarke stated that the Cabinet had raised questions at the meeting, when it had considered the policy and these had been addressed. He added that these questions and comments had not been included in the report as Cabinet Members were satisfied with the comments made by officers.

In conclusion Councillor Fearon reiterated that the enhanced CRB check brought all the factors into play, but there was still a balance to be sought in relation to being able to re-employ the ex-offender. Furthermore it was

important that all factors were considered for each application when determining if an applicant was a fit and proper person to hold a licence.

**RESOLVED that** Council approve the revised policy regarding the relevance of previous convictions.

## 17. **Armed Forces Covenant**

Councillor Clarke introduced a report setting out proposals for the Council to pledge its support to the Armed Forces Community Covenant which aimed to foster a sense of community spirit between a civilian community and the local armed forces community. He stated that the Council should show its support for the armed forces. He reminded Council that whilst there was no base in the Borough, the impact of the armed forces was felt by relatives and friends of serving soldiers. He said it was right and proper for the Council to sign the Covenant to pledge support for them.

Councillor Cranswick recognised that the armed forces were some of the few people in public life who put themselves on the line, and it was important that this be recognised.

Councillor Davidson supported the Covenant.

Councillor MacInnes recognised the unique sacrifice people made, including the families of the armed forces, and veterans. He added that it was important that ex armed forces were given fair treatment to address the disadvantages they faced, such as relocation, deployment at short notice, high risk attachments. Furthermore it was sometimes difficult for ex-servicemen to get jobs or accommodation.

In supporting the Covenant Councillor S Mallender said that it was important that there was an understanding between all the communities of Rushcliffe, as armed forces personnel have particular needs. She added that support was needed when they returned to family life.

Councillor Vennett-Smith stated that it was the duty of the community to support the armed forces and that it was good that the Council were seen to be supportive.

Councillor Lawrence stated that he was delighted that the armed forces were getting the recognition they deserved, as there were serving members in the Borough.

Councillor Bannister said that there were good examples of ex armed forces in the Council who had adapted well to civilian life, however this was not always the case. He added that the number of ex-service personnel was proportionately high amongst offenders. He hoped that the Borough could help with the important facet of stable accommodation and employment to guard against re-offending.

The Mayor informed Council that 'armed forces' was to be the theme for the Civic Dinner in February.

In concluding Councillor Clarke reiterated the comments made and recognised that he thought the armed forces did a great job.

**RESOLVED that** the Council pledges its support to the Armed Forces Community Covenant.

18. **Questions under Standing Order 11(2)**

**a) Question from councillor S Boote to Councillor Bell**

Now that the Council is, regrettably, not required to nominate representatives to the Spirita scrutiny committee or its main board, what is the best way for the Council and individual councillors to influence the policies and performance of Metropolitan Housing?

Councillor Bell replied stating that it was correct that Spirita had been subsumed into Metropolitan Housing but Council scrutiny arrangements were still in place. He said that Councillors still had the opportunity to scrutinise the policies and performance of Metropolitan on an annual basis at the Partnership Delivery Group. He added that Councillors continued to have the opportunity to work directly with Metropolitan on individual cases.

*Supplementary question*

Councillor S Boote asked how effective the Partnership Delivery Group was in getting Spirita and Metropolitan Housing Trust to respond.

In response Councillor Bell stated that it was effective and that all Members who wished topics to be scrutinised could raise these in advance so that officers could come adequately prepared with answers.

**b) Question from Councillor Davidson to Councillor Clarke**

Can the Leader tell us what steps are being taken to halt the rapid deterioration in the condition of the Manor House in Bingham, which the Council has agreed to compulsorily purchase?

Councillor Clarke responded by stating that the premise of the question was incorrect and drew Member's attention to the minutes of Council on 5 March 2009 which stated that the Head of Planning & Place Shaping be authorised to make a compulsory purchase order if necessary. He emphasised the 'if necessary'. He informed Members that the owner of the property had complied with requests and the property had been made wind and watertight at that time. He added that the Council was now trying to secure access into the property to establish the condition of the building and would seek to serve a further repair notice, but had not met with co-operation from the owner. He stated that the situation was not satisfactory however the compulsory purchase order was a different situation.

*Supplementary question*

Councillor Davidson stated that the Manor House was an important listed building in Bingham and asked whether Councillor Clarke had visited it. He

asked if he thought it was a suitable and good representation of how the Council looked after its properties.

Councillor Clarke responded stating that it was for the owners to look after listed buildings, rather than the Council. He continued by saying that if the owner did not keep it good repair then the Council would have to take the necessary steps to make sure improvements were made.

The meeting closed at 8.30 pm.

MAYOR



**COUNCIL**

**27 SEPTEMBER 2012**

**INDEPENDENT PERSON AND STANDARDS  
COMMITTEE APPOINTMENTS**

**8**

## **REPORT OF THE HEAD OF CORPORATE SERVICES AND MONITORING OFFICER**

### **Summary**

This report provides details of the proposed Independent Person in relation to complaints concerning Member conduct under the Localism Act 2012. The report also recommends that certain former independent and parish members of the Standards Committee be appointed to the new Committee as non-voting co-opted members.

### **Recommendation**

It is RECOMMENDED that

- a) Hazel Salisbury be appointed as the Council's Independent Person pursuant to section 28(7) of the Localism Act 2012; and
- b) Kerry White, Graham Norbury and William Wood be appointed to the Standards Committee as non-voting co-opted members, such appointments to continue until the Annual Council meeting in May 2015.

### **Details**

#### **Independent Person**

1. The report to Council in June explained the need to appoint an 'Independent Person' as part of the new standards arrangements under the Localism Act. Council authorised the Chief Executive and the Monitoring Officer to make the necessary arrangements to recruit a suitable person to that position.
2. An advertisement was placed in the Nottingham Evening Post and an item placed on the Council's website in July to seek expressions of interest. Although only a small number of applications were received they were of a very high standard and all candidates were interviewed.
3. The candidate who is considered to have the best credentials for the post is Hazel Salisbury, a resident of the Borough who has a wealth of experience in local government and standards matters through previous employments. Although technical knowledge or experience in standards work is not an essential requirement for this new role, it is considered that a good understanding of local government and an appreciation of the standards

regime would be an advantage.

4. Full details of Mrs Salisbury's relevant experience and qualifications have been provided to the Group Leaders in advance of the meeting.
5. The appointment of the Independent Person must be approved by a majority of the membership of the Authority.

### **Independent and Parish Members of the Standards Committee**

6. Council in June also resolved to authorise the Chief Executive and the Monitoring Officer to make the necessary arrangements to recruit two parish council representatives and one independent member as non-voting co-optees of the new Standards Committee.
7. The position is that only two of the three former parish members asked to be considered for a seat on the new Committee and only one of the three former independent members. In the circumstances it would seem sensible to reappoint those members, at least until the next elections in 2015. This would also enable the Council to benefit from the invaluable experience that they have gained over the past five years. The former members concerned are –

Mrs Kerry White – Independent  
Mr William Wood – Parish (Ruddington)  
Mr Graham Norbury – Parish (Bunny)

8. All of the above, and the Independent Person, will be paid an annual allowance equivalent to the rate previously approved for independent members of the standards committee appointed under the Local Government Act 2000.

#### **Financial Comments**

The only cost will be the fixed allowances referred to in the report or as varied from time to time by the Council following any review by the Independent Remuneration Panel.

#### **Section 17 Crime and Disorder Act**

There are no implications arising from the report.

#### **Diversity**

There are no implications arising from the report.

**Background Papers Available for Inspection: Nil**

## REPORT OF THE HEAD OF CORPORATE SERVICES

### Summary

This report sets out Cabinet's recommendations regarding the arrangements for the establishment of a Police and Crime Panel for the Nottinghamshire Force Area and the proposed Borough Council representative on the Panel.

### Recommendation

It is RECOMMENDED that Council:

- a) agrees the proposed Panel arrangements as set out in **Appendix A**; and
- b) appoints the portfolio holder for Community Protection as the Borough Council's representative on the Panel

### Background

1. The Police Reform and Social Responsibility Act (the Act) makes provision for Police Authorities to be replaced by Police and Crime Commissioners and elections are scheduled on 15 November 2012. Commissioners will be responsible for appointing chief constables and holding them to account, setting police and crime plans and budgets and determining local policing priorities.
2. The Act requires Police and Crime Panels to be established to oversee and scrutinise the work of Commissioners. In the Nottinghamshire Force area this requires the establishment of a Panel incorporating representatives of the County, City, Borough and District Councils. The Panel must be established by the time the Commissioner takes office, but it is recommended that shadow arrangements are put in place as soon as is practical in order to enable the Panel to make necessary arrangements.
3. The Panel will be responsible for scrutinising the Commissioner, promoting openness in police business and supporting the Commissioner in the exercise of their functions. As such it is not a replacement for the Police Authority, the role of which will be undertaken by the Commissioner.
4. The Act requires the functions and procedure rules for the operation of panels to be set out in 'panel arrangements' and 'rules of procedure'. The panel arrangements must be determined by local authorities collectively however the rules of procedure are for the Panel to approve once it has been established.

5. The Nottinghamshire Leaders' Group has developed panel arrangements which are attached to this report at **Appendix A**. These panel arrangements appoint the County Council as host authority; which means it has responsibility for maintaining the Panel and arranging administrative, secretarial and professional support as necessary. At its meeting in September Cabinet considered the panel arrangements and recommended them to Council for approval.
6. The Act stipulates that Police and Crime Panels must represent all parts of the relevant area, be politically balanced, and have a membership that has the necessary skills, knowledge and experience. The Act requires that panels for multi-authority areas with 10 local authorities or less must have 10 elected Councillor members; 1 for each local authority represented and the necessary additional number to reach the figure of 10. Therefore the Nottinghamshire Force area must have 10 elected members on its Panel; 1 for each authority plus 1 additional appointment.
7. As set out at recommendation b) of the report Cabinet also recommended to Council that the portfolio holder for Community Protection be the Borough Council's representative on the Panel.

#### **Financial Comments**

None directly arising from this report

#### **Section 17 Crime and Disorder Act**

As set out in the report the Panel will be responsible for scrutinising the Police Commissioner and supporting them in the exercise of their functions. As the Commissioners will be responsible for setting police and crime plans and determining local policing priorities it is essential that the necessary Panel arrangements are in place and that the Borough Council appoints its representative to the Panel by the time the Commissioner takes office.

#### **Diversity**

None directly arising from this report

#### **Background Papers Available for Inspection:**

The Police Reform and Social Responsibility Act 2011  
(<http://www.legislation.gov.uk/ukpga/2011/13/section/3/enacted>)

The Local Government Association has published guidance on Police and Crime Commissioners and Panels (<http://www.local.gov.uk/pcc>)



## NOTTINGHAMSHIRE POLICE AND CRIME PANEL ARRANGEMENTS

### Background

1. Each local authority and each member of the Police and Crime Panel (the Panel) must comply with the Panel Arrangements.
2. The functions of the Panel must be exercised with a view to supporting the effective exercise of the functions of the Police and Crime Commissioner (the Commissioner) for Nottinghamshire.

### Functions of the Police and Crime Panel

The terms of reference of the Panel are as follows: -

3. To review and submit a report or recommendation on the draft police and crime plan, or draft variation, given to the Panel by the Police and Crime Commissioner.
4. To review the annual report and put questions regarding the report to the Police and Crime Commissioner at a public meeting, and submit a report or recommendation as necessary.
5. To hold a confirmation hearing and review, submit a report, and recommendation as necessary in respect of proposed senior appointments made by the Police and Crime Commissioner (Chief Constable, Chief Executive, Chief Finance Officer and Deputy Police and Crime Commissioner).
6. To review and submit a report and recommendation as necessary on the proposed precept.
7. To review or scrutinise decisions made or other action taken by the Police and Crime Commissioner in connection with the discharge of the Commissioner's functions.
8. To submit reports or recommendations to the Police and Crime Commissioner with respect to the discharge of the Commissioner's functions.
9. To support the effective exercise of the functions of the Police and Crime Commissioner.
10. To fulfil functions in relation to complaints in accordance with the Panel's responsibilities under the Police Reform and Social Responsibility Act 2011 (the Act).
11. To appoint an Acting Police and Crime Commissioner if necessary.
12. To suspend the Police and Crime Commissioner if it appears to the Panel that the Commissioner has been charged with a relevant offence.

13. To exercise any other functions delegated to police and crime panels under the Police Reform and Social Responsibility Act 2011 as required.

### **Operating Arrangements**

14. The Panel is a joint committee of the county, city, borough and district councils in Nottinghamshire.
15. Nottinghamshire County Council will be the Host Authority in establishing and maintaining the Panel and will arrange the administrative, secretarial and professional support necessary to enable the Panel to fulfil its functions.
16. The Panel will be comprised of 10 councillors and a minimum of two co-opted independent members. Councillor membership can be increased by co-opting additional members with the unanimous agreement of the Panel, and any proposal for an increase in membership would be subject to the approval of the Secretary of State.
17. All Members of the Panel may vote in proceedings.
18. The local authorities will co-operate to provide the Panel with additional officer support for research, training and development, or where particular expertise would be of assistance.
19. The local authorities will co-operate to ensure that the role of the Panel is promoted internally and externally and that members and officers involved in the work of the Panel are given support and guidance in relation to the Panel's functions.
20. The Panel must have regard to the Policing Protocol issued by the Home Secretary in carrying out its functions.

### **Financial Arrangements**

21. The funding provided by the Home Office to support the work of the Panel will be received by the County Council as Host Authority. The Panel will seek to operate within the limit of the Home Office funding.
22. The Home Office funding includes a specified sum per member per annum to cover their expenses. Each local authority will be allocated the appropriate sum and will pay the expenses of its own representatives.
23. Each authority has discretion to pay its representatives an allowance including any special responsibility allowance if they are appointed Chairman or Vice Chairman.

### **Membership – Appointed Members**

24. Appointment of elected members to the Panel will be made by each local authority at its annual meeting or as soon as possible afterwards, in accordance with its procedures. Appointments will be made with a view to ensuring that the “balanced appointment objective” is met so far as is reasonably practicable, i.e. to:-

- a. represent all parts of the police area;
  - b. represent the political make-up of the relevant authorities and the Police Force area overall
  - c. have the skills, knowledge and experience necessary for the Panel to discharge its functions effectively
25. The Panel's membership will be one councillor appointed by each authority plus one additional councillor appointed by Nottingham City Council.
  26. It is for each council to decide whether to appoint executive or non executive members (if applicable), however where there is an executive mayor they must be nominated as an authority's representative (although they are not under a duty to accept the nomination).
  27. The Panel will review at its annual meeting whether or not the balanced appointment objective is being met and if it concludes that it is not, the Panel will determine what action is needed to meet the objective.

### **Membership – Co-opted Members**

28. The Panel will co-opt two independent members in accordance with the eligibility criteria set out in the Act.
29. The Panel will invite nominations and will make arrangements for appointment.
30. Independent members will be appointed for a term of 2 years. There will be no restriction on the overall time period that an independent member can serve on the Panel.

### **Conduct of Panel Members**

31. Members appointed by authorities will be subject to their own authority's code of conduct. Independent co-optees will be subject to the Host Local Authority's code of conduct.

### **Vacancies**

32. Each council will fill vacancies for elected members in accordance with the arrangements in its constitution. Vacancies for independent members will be filled in accordance with the selection process agreed by the Panel.

### **Resignation of Members**

33. Members of the Panel who wish to resign should do so in writing to their appointing council (as applicable) who will in turn notify the Host Local Authority as soon as possible

### **Removal of Appointed Members**

34. Each local authority will have the right to change its appointed member at any time but must give notice to the Host Local Authority and ensure that replacement does not affect the political balance requirement.

## **Removal of Independent Members**

35. An independent member may only be removed from office if an appointed member has given notice to the Host Local Authority at least 10 working days prior to a meeting of the Panel, of their intention to propose a motion that an independent member's co-option be terminated. At the subsequent meeting, termination will only be confirmed if at least two-thirds of the persons who are members of the Panel at the time when the decision is made vote in favour of termination.

## REPORT OF THE HEAD OF CORPORATE SERVICES

The Scrutiny annual report provides a review of the work undertaken by the Council's four scrutiny groups during 2011/12. Over the year, the following subjects have been scrutinised and monitored

### Community Development Group

- Leisure facilities strategy
- Choice based lettings progress
- Review of service level agreements with RCAN and RCVS
- Preventing homelessness
- Countywide waste core strategy
- Call-in on new homes bonus funding
- Introduction to flexible tenancies and affordable rents
- Green waste scheme
- Rural broadband
- Localism Act

### Corporate Governance Group

- Statement of Accounts:
  - To examine the outturn and statement of accounts, making comments and recommendations to Council.
- Report on the Annual Governance Statement
- Annual Treasury Management Activity
- Fraud and Irregularities
- Capital and Revenue budget monitoring
- Periodic reports on the findings of Internal Audit/due diligence/controls over the key risk areas
- Certification of Claims and Returns – Annual Report
- Joint Working Protocol – Financial Statements Audit
- Audit Plan

### Partnership Delivery Group

- The wide range of partnerships
- Annual review of partnership with Spirita
- Review of the Rushcliffe Community Contact Centre
- Annual review of South Nottinghamshire Community Safety Partnership
- Update on the partnership with Nottinghamshire County Cricket Club

### Performance Management Board

- Civil Parking Enforcement Contract Update
- Nottinghamshire Local Area Agreement

- Performance Management Framework 2011/12
- Review of Customer Feedback 2010/11
- Ombudsman's Annual Letter 2010/11
- Edwalton Golf Courses Annual Report
- Leisure Centres Annual Report
- East Leake Leisure Centre Annual Report
- Corporate Basket of Indicators

### **Recommendation**

It is RECOMMENDED that Council endorses the work undertaken by the four scrutiny groups.

#### **Financial Comments**

There are no direct financial implications arising from the matters in this report

#### **Section 17 Crime and Disorder Act**

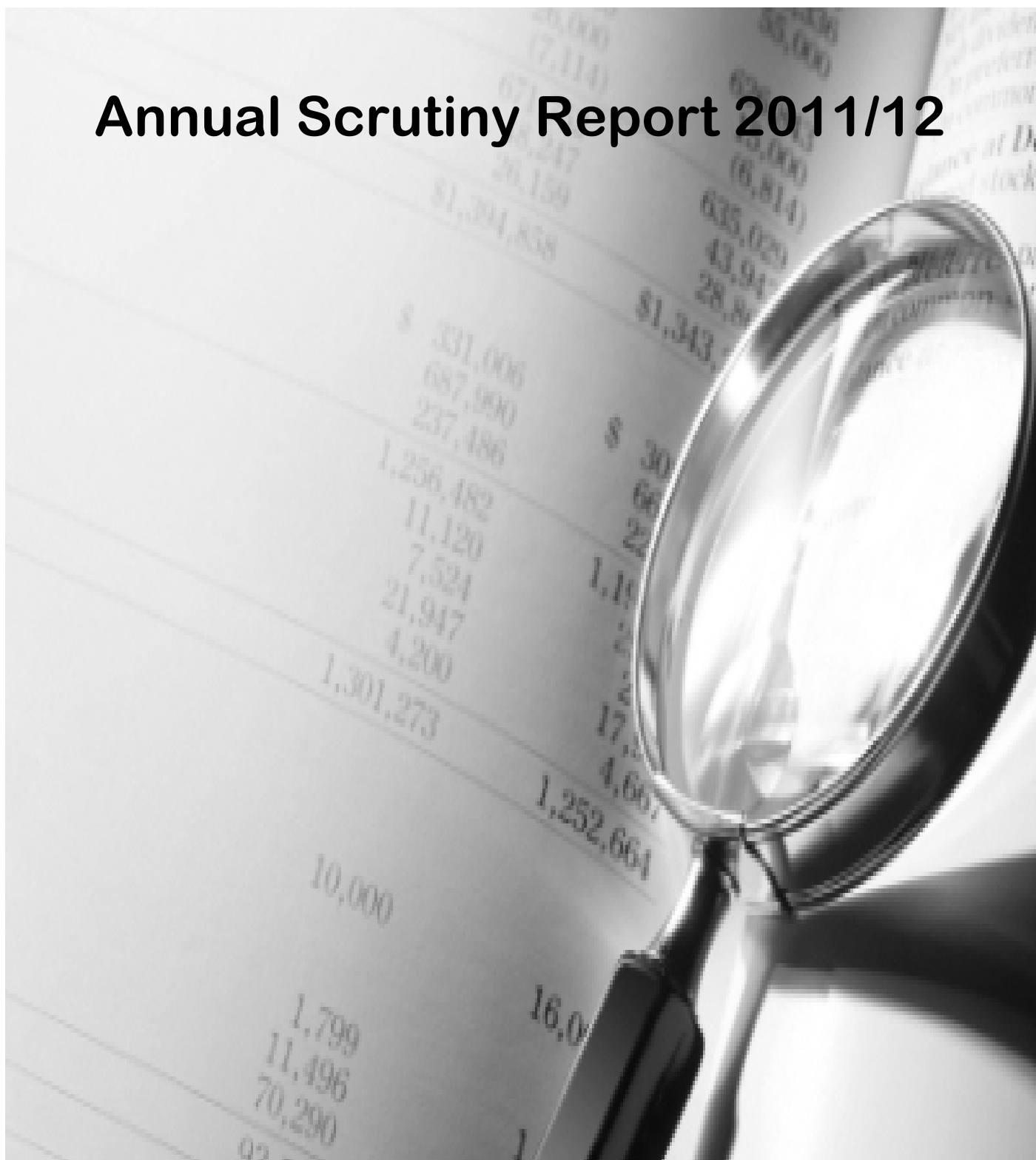
There are no direct Section 17 implications arising from the matters in this report

#### **Diversity**

There are no direct diversity implications arising from the matters in this report

**Background Papers Available for Inspection: Nil**

# Annual Scrutiny Report 2011/12



## Scrutiny Annual Report 2011/12

The main role of Rushcliffe's scrutiny groups are to:

- Develop a work programme which scrutinises the Council's priority outcomes
- Ensure the Group's work helps implement the Council's plans and policies
- Review, challenge and question how the policy, plans and services are implemented and recommend to Cabinet and Council improvements to services and their performance
- Ensure the work contributes towards value for money, continuous improvement and best practice.

This annual report summaries the main work of the Council Scrutiny Groups which were led by the following Chairmen and Vice Chairmen

### Partnership Delivery Group



Councillor  
R Hetherington  
**Chairman**



Councillor  
F A Purdue-Horan  
**Vice Chairman**

### Performance Management Board



Councillor  
D G Wheeler  
**Chairman**



Councillor  
R M Jones  
**Vice Chairman**

### Community Development Group

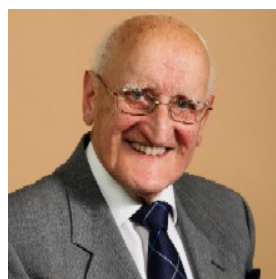


Councillor  
N C Lawrence  
**Chairman**

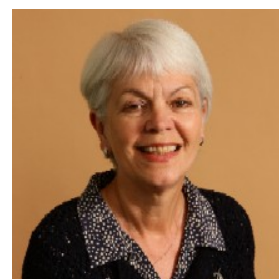


Councillor  
T Combella  
**Vice Chairman**

### Corporate Governance Group



Councillor  
B A Nicholls  
**Chairman**



Councillor  
E A Plant  
**Vice Chairman**



## Community Development Group

### What are we responsible for?

The main role of Rushcliffe's scrutiny groups is to:

- Develop a work programme which scrutinises the Council's priorities
- Ensure the Group's work helps implement Council plans and policies
- Review and challenge how the policy, plans and services are implemented and make recommendations to Cabinet and Council on any improvements to services and their performance
- Ensure the work contributes towards value for money, continuous improvement and best practice.

The Community Development Scrutiny Group's remit is to scrutinise:

- Community priorities and proposed solutions
- Engaging and identifying needs of key groups
- Building relationships to ensure that policies empower communities
- Reputation management gained via communications and promotion
- Town and Parish Councils shared working (identifying opportunities whilst establishing priorities)

A major element of the Group's role is to understand the key issues for residents, and encourage them to give their views about matters of importance. The Group also ensures the Council maintains its excellent reputation via effective communications.

Our work this year

During this year the Group considered many service areas and issues within its scrutiny role, particularly:

- Leisure facilities strategy
- Choice based lettings progress
- Review of service level agreements with RCAN and RCVS
- Preventing homelessness
- Countywide waste core strategy
- Call-in on new homes bonus funding
- Introduction to flexible tenancies and affordable rents
- Green waste scheme
- Rural broadband
- Localism Act

At the Group's first meeting in July, Members learned more about RCAN and Rushcliffe CVS's work in the Borough. The review of service level agreements was undertaken to ensure both organisations supported the Council's priorities. After hearing about the funding provided by the Borough Council to support both organisations, Members were appraised of the work of both organisations, for example, learning more about the voluntary transport scheme, work promoting community cohesion, helping groups access funding and helping with parish planning. Members felt, after hearing the report, that there were still issues which needed addressing before a recommendation could be made to Cabinet.

Members learnt that the Member Panel had completed its investigatory work on the leisure facilities strategy and now had to develop it to guide future leisure provision. Since many decisions would now be made by Cabinet, Members decided that a Cabinet-led Member Group would be the best way forward and that the Member Panel should be thanked for their good work, but should now be closed down.

At the July meeting, Members also received an update on the new choice based lettings scheme - how it operated and successes to date – at this stage it was just three months into operation. This joint project with Gedling and Broxtowe was going well and positive feedback had been received from focus groups, partners and via the website. Members were informed that an annual report would be presented to the March 2012 meeting.

At the September meeting, Members received further information on service level agreements for RCVS and RCAN to enable them to make a more informed decision. They heard about the staff employed, work undertaken and discussed how nationally many voluntary groups were merging to ensure resilience. The possibility of the two groups merging was discussed. Members were supportive of the work of RCAN and RCVS, but felt that it would be beneficial if the two organisations could dovetail their operations to provide savings without affecting the services provided. Members requested that a 12-month review should be included in the Group's work programme.

Members received information about the results of the healthcheck assessment of the homelessness and housing options service undertaken by the Department of Local Government (DCLG) in December 2010. The Council had invited the DCLG to undertake the assessment from a customer's viewpoint and to make recommendations where any improvements were necessary. Members were told of the high level of staff training and close partnership working which resulted in maximising resources. Members were also advised that the Council's temporary accommodation had been accredited as good. Some actions were discussed including considering outsourcing the service as part of the Council's four-year plan and taking part in the annual Homeless Watch survey to inform the number of rough sleepers. Members welcomed the fact that the service had commissioned the healthcheck and noted that there had been significant progress on reducing the amount of temporary accommodation used and the number of homeless people.

At the September meeting, Members were told that Nottinghamshire County and Nottingham City Councils were developing a joint waste core strategy to manage waste over the next 20 years. After discussion regarding the many options in the 'preferred approach' document ranging from recycling rates to green waste and food waste, Members endorsed the comments made on the consultation paper by officers to help inform the Council's response to the consultation.

At October's meeting Members discussed the Cabinet Call-In on the New Homes Bonus – a Government initiative to encourage councils to provide new homes. On hearing both the pros and cons of using the money to dual the A453, the Group decided to uphold the Cabinet decision to spend the money on improving this important artery into the Borough.

At November's meeting Members received an update on the phenomenal success of the green waste charging scheme in terms of numbers signed up and the income this had generated. Members were also informed about possible future developments

including growing the scheme, seeking sponsorship to cover operational costs, future marketing and offering competitive rates on composting alternatives. Members endorsed the successful launch and encouraged development to maximise participation, reduce costs, meet customer expectations and investigate sponsorship.

At November's meeting, Members received an early report on new powers surrounding flexible tenancies, affordable rents and new duties under the Localism Act. Members agreed this was a complex issue and were referred to the plain English version of the new Act.

At the meeting in January 2012, Members received a presentation outlining the Government's desire to introduce superfast broadband to rural areas with Nottinghamshire County Council leading an estimated £17m project. Members were informed that a pilot project would begin in spring 2012 with anticipated completion in 2015. In Rushcliffe it was estimated that about 13,000 homes and over 400 businesses would receive access to faster broadband. Members asked many questions and endorsed the work of the County Council in securing better rural broadband.

At the January meeting, Members received an explanation of key parts of the new Localism Act which received assent in November 2011. The main thrust of the Act was to give greater freedom to the public. Members were given information on the need to carry out statutory functions, the possibility now of transferring some functions, the governance arrangements, standards, pay policy, repeals and other areas of the Act. Members agreed that items considered as potential areas for further scrutiny should be referred back at the appropriate time.

There was a request that one of the scrutiny groups should scrutinise the Council's notification process for planning applications. Following discussion, it was agreed that notification procedures should be included on the Group's work programme.

The Group at its final meeting of the municipal year scrutinised two items. The first item looked at the draft Tenancy Strategy and Affordable Rents and the implications of the Localism Act on social housing.

The Group noted that officers had worked with registered providers to produce the draft Tenancy Strategy, which needs to be in place by January 2013.

As part of the scrutiny the Group:

- found out about the different types of tenancy agreements now available
- noted that demand far outweighed supply
- established that existing tenants would not be affected and that any new tenants would be fully informed and assistance would be available if required
- noted that officers had been working with the private sector landlords to help breakdown the stereotypes associated with people receiving benefits
- asked for a refreshed definition of affordable housing to reflect the changes in this area

Overall the Group recognised that the philosophy of social housing was changing and that it was no longer a house for life but only for the time of need and potential impact of these changes on the role of the local councillor.

The second item considered scrutinised the proposed single service level agreement between the Borough Council and the Rushcliffe Community Voluntary Service and Rural Community Action Nottinghamshire. The Group had previously considered the development of this agreement and it had now been referred back in order that some measurable outcomes could be developed. The Group considered and supported the five proposed outcomes, along with the proposed governance arrangement and recommended that the revised document be referred to Cabinet for approval.

### **The year ahead**

The Group will continue to help shape policy and ensure improvements are implemented in the coming year. This will be done by developing a challenging work programme linked to the Council's four-year plan for delivering an economic and effective budget by 2015.

## Corporate Governance Group

### What are we responsible for?

In general, the main role for Rushcliffe's four Scrutiny Groups is to:

- Develop a work programme along with the Members of the Group which provides focused scrutiny on important issues for the community;
- Ensure that the work of the Group contributes to the implementation of Council plans, commitments and agreed policy;
- Review, challenge and question the implementation and delivery of agreed policy and services, and make recommendations to the Cabinet and Council to improve performance and service delivery;
- Ensure the work of the Board contributes to the delivery of best value, continuous improvement in services, and implementation of best practice.

### The Corporate Governance Group's Remit

The Corporate Governance Group is a scrutiny committee constituted under section 21 of the Local Government Act 2000 and shall exercise the following powers pursuant to section (2) (b) thereof.

- **Statement of Accounts:**  
To examine the outturn and statement of accounts making comments and recommendations to Council.
- **Report on the Annual Governance Statement**  
To consider the annual report on the application of the Council's system of internal control and make recommendations to Cabinet on improvements/changes in practice and the acceptance of a draft Statement.
- **Annual Treasury Management Activity report:**  
To consider the annual report on Treasury Management activity and ensure that practice has complied with the approved Treasury Management Strategy, making comments to Cabinet as appropriate.
- **Fraud and Irregularities:**  
To consider the annual report on fraud and irregularities in order to make an informed judgement on the corporate governance and internal control statements, making recommendations to Cabinet on improvements.  
  
To consider any matters arising as a result of irregularity referred to it by Cabinet.
- **Capital and Revenue budget monitoring:**  
To consider regular reports on progress against the revenue and capital budget, making recommendations to Cabinet on matters requiring its approval and where progress is considered to be unsatisfactory.

- **Periodic reports on the findings of Internal Audit/due diligence/controls over the key risk areas:**

To consider periodic reports on the more significant findings of internal audit in order to make an informed judgement in respect of the corporate governance and internal control statements, making recommendation to Cabinet on improvements.

To consider periodic reports on controls over key risk areas as identified in the risk register in support of making an informed judgement on the corporate governance and internal control statements, making recommendations to Cabinet on improvements.

## **Our work this year**

### **Monitoring financial performance, contributing to internal controls and consultation prior to Cabinet**

During the municipal year 2011/12 the Group considered the following items and made recommendations to Cabinet and Council, where appropriate;

<b>Regular Items</b>	<b>One Off Items</b>
Risk Management	External Audit Reports
Internal Audit Progress	- Audit Plan 2010/11
Treasury Management	- Joint Working Protocol 2010/11
Revenue Budget Monitoring	- Certification of Claims & Returns - Annual Report 2009/10
Capital Budget Monitoring	- Audit Fees Letter
Financial Services Updates	- Annual Governance Statement 2010/11
	Health & Safety - Annual Report 2010/11.
	Internal Audit Reports
	- Annual Report 2010/11
	- Audit Strategy & Plan 2011/12
	Fraud & Irregularities - Annual Report 2010/11
	Annual Governance Statement 2010/11
	International Financial Reporting Standards
	Provisional Outturn Report 2010/11
	Budget Process 2012/13
	Review of the Constitution - Scheme of Delegation

**External Audit Reports**

During the year the group received a number of reports from the Audit Commission the Council’s external auditor.

At the start of the year the group received the Certification of Claims & Returns Annual Report 2009/10, which reported no qualification issues. The Audit Plan, Audit Fees Letter and Joint Working Protocol 2010/11 set out the auditors intended programme of works and fee scales for the Financial Statements audit.

The Annual Governance Statement 2010/11 was considered at a Joint Scrutiny Committee chaired by Councillor Nicholls. The auditors outlined the following that:

- They intended to issue an unqualified opinion on the 2010/11 accounts;
- They had found no material weaknesses in internal controls;
- The authority had proper arrangements in place to secure Value for Money;
- The Annual Governance Statement approved in June requires some further work to reflect more up to date performance and any significant governance issues;
- Three misstatements needed to be brought to the attention of members before they re-approved the Statement of Accounts

Due to the timing of its publication the Annual Audit Letter was circulated to all members in December for scrutiny and comment. This approach was agreed by the external auditor but it is expected that in future the letter will be considered by this group.

**Internal Audit Reports**

The group received an Annual Report 2010/11 summarising the work of the Council’s Internal Auditor RSMTenon. The following Internal Audit Assurance Statement was received.

We are satisfied that sufficient internal audit work has been undertaken to allow us to draw a reasonable conclusion on the adequacy and effectiveness of Rushcliffe Borough Council’s arrangements.

For the 12 months ended 31 March 2011, based on the work we have undertaken, our opinion regarding the adequacy and effectiveness of Rushcliffe Borough Council’s arrangements for governance, risk management and control is as follows:

	Red	Amber	Green
<b>Governance</b>			
<b>Risk Management</b>			
<b>Control</b>			

The group also received the Internal Audit Plan for 2011/12 and then regular progress reports from RSMTenon. The progress reports detail significant recommendations made to officers in relation to the controls around the processes

that have been audited. RSMTenon have attended CGG meetings to answer Members questions.

### **Revenue & Capital Budget Monitoring**

The group received regular reports from November, which adopted a new methodology for reporting revenue and capital monitoring. The new reporting was introduced to simplify the numbers and help Members focus on major areas of variation.

The new reports were generally well received and the debate continued to focus on economic issues such as pressure on income streams (Planning, Building Control and Land Charges). Members also recognised the success of the four year plan in delivering significant savings early, which would be extremely important for delivering future years budgets on target. Schemes including Green Waste, Environment and Waste Management and Revenues and Benefits service reviews were recognised as particular successes.

### **Fraud and Irregularities**

The Group considered the annual report detailing the level of fraud and irregularities detected by the Authority. The report outlined that no special investigations had been held in the year, and also detailed the level of housing benefit fraud and the actions taken to recover debts.

### **Annual Governance**

The annual governance statement details the internal control procedures in place throughout the year. This forms an important part of the Statement of Accounts and highlights any recommendations that need to be made to Cabinet on improvements and changes in practice.

### **Treasury Management**

The group have received regular updates on Treasury Management activities during the year. This has helped ensure that the cash is invested wisely, within the prescribed parameters but still earning interest at a level higher than the budget and the 7-day LIBID rate, which acts as a useful comparator.

In addition the group received an excellent presentation in January from Phiroza Katrak, a representative from Arlingclose Limited, the Council's Treasury Management advisors. Phiroza set out the current and projected national and international economic position in the financial markets, the impact this had on the Council and the difficulty of making decisions in the current period of extreme uncertainty.



## **Risk Management**

The group have considered the work undertaken by the Risk Management Group throughout the year. The priority of the officer group has been to update the risk register and the group were presented with a summary of the more significant risks at its November meeting. The scrutiny group has also heard how the business continuity plan has been tested by officers and that it has been updated and reissued during the year.

## **Health and Safety**

The Health and Safety Annual Report 2010/11 was received by members in May plus a half yearly progress report for 2011/12 in November.

The group considered the training programme for officers, changes in health and safety policies and the progress the Authority has made towards its health and safety goals. The group were also presented with accident statistics and ensured officers work to minimising the number of accidents.

## **Financial Services Update**

In September the group received a report from the Interim Head of Financial Services, which outlined problems that had arisen with the implementation of a new Financial Management System. The issues resulted in delays in closing the Council's accounts and completing the audit and the effectiveness of the system in the current year.

A further report was received by the group in November, which outlined the progress made in Financial Services. It set out that the accounts had been closed and audited without qualification, a new budget monitoring system introduced, green waste charging issues resolved and that the budget was on target to be completed in statutory timescales, which was indeed achieved.

## **Financial Outturn and Statement of Accounts**

As part of the remit of the Corporate Governance Group, the financial outturn position and statement of accounts are considered. These are scrutinised to ensure that the financial position is accurately reported prior to consideration by full Council.

In 2010/11 there were significant changes in the content and layout of the accounts due to the introduction of International Financial Reporting Standards (IFRS). To aid members understanding of the changes a report was brought in June along with the Annual Governance Report 2010/11 for approval

In September members scrutinised the Provisional Outturn Report and Statement of Accounts 2010/11 before the latter was approved at Council.

## **Budget Process 2012/13**

In September meeting the group were presented with an outline of the budget process for 2012/13 including a timetable of key dates. Members were informed that budget workshops would be held in November and January; the intended content was as follows:

## **November**

- Informing Members of progress in:
  - Cost reduction initiatives
  - Income maximisation
  - Impact of the above on the Council's finances
- Understanding the possible changes to the Local Government Finance regime

## **January**

- Examining potential scenarios arising from potential changes to the finance regime.

## **Review of the Constitution – Scheme of Delegation**

In November the group received a report updating the Council's Scheme of Delegation within the Constitution. The report updated both responsibilities and the officers responsible for a number of functions.

## **Member Panels**

There were no Member Panel reports this year.

## **Looking forward to the year ahead**

The Group is keen to build on the good work undertaken this year and will continue to deliver a work programme focusing on relevant issues so that it influences how services are delivered and how decisions are made. In particular, the Group will look to develop a programme of activities that fits within its area of expertise and helps to add further value to scrutiny's role as a 'critical friend'. It is anticipated that a report on the Group's future work programme will be considered at its first meeting in the new municipal year.

## **Partnership Delivery Group**

The main role for Rushcliffe's four scrutiny groups is to:

- Scrutinise priority outcomes for the community
- Ensure that this work helps the Council to implement its plans and policies.
- Challenge and question existing policies and the way services are delivered and recommend any improvements to Cabinet and Council.
- Ensure that scrutiny helps the Council to improve, implement best practice and provide excellent value for money.

The Partnership Delivery Scrutiny Group's role is to:

- Make sure existing partnerships are effective, grow and develop
- Help ensure partnership working is the norm to deliver synergy, better asset and resource utilisation, better value for money, remove duplication etc
- Forge public sector partnerships to deliver community benefits
- Develop future partnership working with both the public and private sector

## **Our work this year**

The main work was monitoring services, helping develop policy and consultation prior to Cabinet.

During the year the Group considered many services and issues, particularly:

- The wide range of partnerships
- Annual review of partnership with Spirita
- Review of the Rushcliffe Community Contact Centre
- Annual review of South Nottinghamshire Community Safety Partnership
- A review of the Rushcliffe Community Strategy Action Plans

## **Role of the group**

At the first meeting of the year, many new Members provided a good chance for the Group to consider its role including developing partnerships and ensuring the effectiveness of partnership working arrangements. The Group has developed a rolling 2 year work programme which is monitored at each meeting and which can be altered to reflect the Council's changing priorities.

Learning from previous years the Group has structured its programme to ensure that only one external partner is invited to each meeting.

### **Partnerships**

The Group discussed an updated list of Council partnerships – i.e. who the Council worked with, on what projects and the costs involved. The Group concluded that there were a wide range of partnerships which would need close scrutiny given the current uncertain economic position.

## Annual review of partnership with Spirita



The Group reviewed the partnership with Spirita to ensure the relationship remains productive and that residents are getting good value for money.

The Group identified the areas for further exploration which included:

- Emergency action planning
- Complaints
- Kitchen replacement
- Internet access
- Warden services

Metropolitan Housing Partnership (MHP) was split into two regions with Spirita in the north and Members learnt that this new structure would ensure a better financial position and improvements to frontline services. A new single national customer service centre was also planned.

Spirita confirmed that there was a programme of improvements with new kitchens planned every five years. MHP now operated a single annual contract for responsive repairs which had resulted in a 95% customer satisfaction.

MHP was also considering redeveloping garage sites thanks to Homes and Community Agency Funding.

Spirita's performance was scrutinised in relation to voids and Members noted that performance was now starting to improve.

The Group recognised improvement in the increased speed of re-letting properties largely due to the choice based lettings scheme which used a weekly bidding cycle rather than a fortnightly one.

Members discussed the three stage complaints procedure. Complainants were given a named officer with target response times. If a complaint escalated to stage three it was considered by an independent board. As part of the restructure, there would soon be a dedicated complaints team. Complaints relating to staff and sub-contractors were mostly found to be groundless, but all were considered at monthly team meetings.

The Group wanted more information about anti-social behaviour and the length of time taken to deal with issues. The Group were pleased to learn that there was now a specialist team to ensure a consistent approach and that the local lettings plan was working well.

Members discussed the use of the internet and it was explained that as part of the residents' contact with Spirita's Customer Services Centre a tenant profile would be developed. It was acknowledged that some of the elderly did not use computers. However there were many silver surfer groups in other areas of the country and this could be developed in Rushcliffe.

The conclusion was that the partnership continued to provide very good value for money as a means of providing affordable housing.

### **Review of the Rushcliffe Community Contact Centre**

At the November meeting, the Group scrutinised the relatively new partnership between Rushcliffe Borough Council and Nottinghamshire Police who jointly run the Rushcliffe Community Contact Centre which opened in April 2011.

The Group discussed the Police review which was underway. The Police had given advanced notice regarding the closure of the Radcliffe on Trent police station which had prompted the Council to move its remote contact centre into St Mary's Church Hall. The Group was informed that there was a possibility of moving into the Keyworth Health Centre and also with regard to Bingham, although advisors did not deliver Town Council services currently, if the remote site was relocated to the new Health Centre, this could then be investigated.

After only six months of being open, the contact centre had seen a 50% increase in face-to-face contact. Customers were pleased with the more accessible location. 83% of enquiries were now resolved at the first point of contact and, since the Centre had opened, 80% of contact had been by telephone (90,268 enquiries).

Management of the partnership, the Group found out, is the responsibility of a Strategic Board, which meets quarterly, and an Operational Management Team that meets monthly to discuss HR, IT and performance issues. Both were working well.

The Group was pleased to hear that the Centre provided space for other organisations including Age Concern, Rushcliffe CVS, NHS, etc. Also staff were involved in the 'Tell Us Once' initiative where information was shared across the county following birth or bereavement. Overall the Council is looking to expand the partnership and the services offered in future.

The Group concluded that the partnership was working well and due to this success the Police were now hoping to roll this model out across the county.

### **Review of the South Nottinghamshire Community Safety Partnership**

At the January 2012 meeting, the Group scrutinised the South Nottinghamshire Community Safety Partnership.

Members heard about the work being undertaken in Trent Bridge and Cotgrave to cut crime. .

The Group learnt about the Partnership Plus approach which made best use of Police resources in relation to the deprivation of each area, number of offenders and educational standards. Approximately £45,000 of Home



Office funding had been awarded to the Trent Bridge area, thus enabling initiatives to proceed in Cotgrave with other funding.

The Group was reassured that that there would be no change to frontline policing in Rushcliffe in the short term and that there would continue to be a superintendent, chief inspector, inspector and detective chief inspector for Rushcliffe, with a designated response base in West Bridgford.

The Group reviewed the performance of the partnership for the last financial year and found that:

- house burglaries had reduced by 24%.
- robberies and car crime had also reduced.
- overall crime reduction for South Nottinghamshire was 1,192, of which 704 was in Rushcliffe. This equates to 18.6% for Rushcliffe.
- fraud and forgery crimes had increased, mainly through a rise in the number of people filling their cars up with fuel and driving off without paying.
- the number of minor assaults had also increased.
- there had been an increase in domestic violence, but this was seen as positive as there had been so much awareness raising which had resulted in an increase in reporting of incidents.

The performance for crime cutting initiatives in Cotgrave and Trent Bridge was highlighted with Trent Bridge seeing a reduction in crime of 29% against a very ambitious target of 56%. The crimes being committed included car crime and violence with injury. In Cotgrave there had been a reduction of 22.8%. This had been achieved through partners working together and with young people through Positive Futures and by targeting ex-offenders in the area.

The Group welcomed the news that the number of volunteers would increase to 600 and that these volunteers usually staff remote contact points. The force were also considering appointing an extra 30/40 special constables for Rushcliffe.

The Group asked many questions covering the following areas and found that:

- Metal thefts continued to be a problem and a recent operation targeted at scrap dealers had resulted in one dealer having his licence revoked.
- The frequency of Priority Setting Group meetings was set on a quarterly basis to aim for a consistent approach to neighbourhood policing.
- Buses were used by neighbourhood officers in duty time to improve police visibility. There were also officers using a patrol car and bicycles. Emergency responses were still attended in vehicles.
- There had been no impact on 999 response times since the closure of police stations and reduction in staffing and local policing had been maintained at previous levels.
- Partnership data was prepared monthly, whilst police data was live and immediate. Where something had been recorded initially as a burglary this could change to a different category following investigation and therefore the police data and partnership data could differ. It was confirmed that the partnership data was more appropriate for Councillors' use.

Overall the Group acknowledged the improvements in performance made by the South Nottinghamshire Community Safety Partnership over the last year.

## **Progress report on the Rushcliffe Sustainable Community Strategy action plans**

At its final meeting of the municipal year the Group reviewed the Local Strategic Partnership's progress on the six themed action plans within the Rushcliffe Community Strategy.

The Group noted that the implementation of the action plans had been supported by £349,000 which had been received from the Local Area Agreement grant. Members were informed that the Executive Group of the Local Strategic Partnership regularly monitors the performance of the action plans and had identified that not all of the themed groups were progressing as anticipated and this had prompted a review, which may lead to changes in the themed groups.

The Group scrutinised each of the action plans and raised a number of issues and concluded:

### Community Safety Group

- It had been a very productive year, with continued successes in the Cotgrave and Trent Bridge Wards.
- It could be beneficial for the Fire and Rescue Service to be involved in next year's scrutiny of the partnership rather than the Police.

### Health Issues

- Over 90% of the actions had been completed, with notable success with the MEND project tackling obesity in young children and the Perkin's project which has created two apprenticeships.

### Rushcliffe Business Partnerships

- That it had been a good year for the themed group with all the actions completed.
- The monthly business networking meetings were successful with attendance growing.
- A better understanding of the number and nature of businesses based in Rushcliffe would be beneficial.

### Building Stronger Communities

- That overall this themed group had not been performing well.
- There could be a perceived adverse impact from the proposed changes to this themed group, which should be handled with appropriate care and marketed correctly.

### Children and Young People

- That the take up of initiatives, such as, "Wheels to Work" could be improved by exploring new ways of engaging the target audience.

### Environment

- While 60% of the tasks have been completed it was recognised that the majority of the work has been carried out by Borough Council officers and with other contributors often only interested in a single issue.

- Wider and clearer marketing of the available grant funds could improve take up.

Overall the Group agreed that the performance had been considered and endorsed the work undertaken as part of the review programme.

## **The year ahead**

The Group will continue to scrutinise the Council's work with partners, along with key service areas as outlined in the annual work programme. This work programme will be confirmed at the first meeting of the new financial year.



## **Performance Management Board**

### **What we are responsible for**

The main role of Rushcliffe's scrutiny groups are to:

- Develop a work programme which scrutinises the Council's priority outcomes
- Ensure the Group's work helps implement the Council's plans and policies
- Review, challenge and question how the policy, plans and services are implemented and recommend to Cabinet and Council improvements to services and their performance
- Ensure the work contributes towards value for money, continuous improvement and best practice.

The Performance Management Board's remit is to scrutinise performance, including:–

- Monitoring the Council's overall performance
- Monitoring performance of specific services and ensuring the Council uses resources effectively
- Complaints

### **Our work this year**

#### **Monitoring services, helping develop policy and consultation before Cabinet**

During the year, the Group considered a wide range of service areas and issues within its scrutiny role, particularly:

- Civil Parking Enforcement Contract Update
- Nottinghamshire Local Area Agreement
- Performance Management Framework 2011/12
- Review of Customer Feedback 2010/11
- Ombudsman's Annual Letter 2010/11
- Edwalton Golf Courses Annual Report
- Leisure Centres Annual Report
- East Leake Leisure Centre Annual Report
- Corporate Basket of Indicators

An important aspect of the Board's work is to monitor the Council's performance against its key performance indicators and strategic tasks. As part of the Council's performance management framework, the Board scrutinises performance every quarter. Exceptions and highlights are identified and the Board ensures that appropriate corrective action is taken to bring under-performing tasks and indicators back on track.

Some of the issues arising from performance reports discussed this year include:

- An increase in the duration of stays in temporary accommodation. Officers were requested to look at the impact of the new Choice Based Lettings process. This item was reviewed by the Community Development Scrutiny Group in March 2012.

- The time taken to deal with planning applications. The Head of Planning and Place Shaping explained that officers had been in discussion with developers on several large planning applications which had either been received or were expected to be submitted in the near future.
- A rise in the number of missed bins reported to the recycling2go service during the first half of the year. This was due to the overwhelming success of the new green bin scheme which put additional pressures on the team. The teething problems were resolved promptly and performance was back on target by the end of the year.
- The high number of robberies in the Borough when compared against the target set for this year. Officers explained that this target is set by the Police rather than the Council and was very stretching this year. Officers also outlined awareness raising activities which were being undertaken to help prevent future occurrences.

One particular success noted by Members was the speed of processing new housing benefit and council tax benefit claims identified as an exception in quarter one being a highlight in quarter three following a substantial improvement in performance.

### **Nottinghamshire Local Area Agreement**

The Board was informed that the Local Area Agreement had been formed in 2008 between the County Council and the district councils to contribute to the ten priorities, monitored by 36 national and 3 local indicators. As part of the agreement Rushcliffe contributed towards performance in eleven areas. In relation to the eleven areas that Rushcliffe contributed the only indicators that had not performed well were in relation to fuel poverty. This was due to the steep rise in energy costs which had meant that more properties had moved into the fuel inefficient category. The Board recognised the excellent contribution Rushcliffe has made to the county-wide Local Area Agreement.

### **Performance Management Framework – 2011/12**

Members of the Board agreed an interim set of performance indicators to monitor during 2011/12 following changes to performance management at a national level and in anticipation of a new Corporate Strategy being developed during the coming year.

### **Review of Customer Feedback 2010/11**

The Board was presented with information relating to the Council's Customer Feedback process which includes compliments and complaints. The number of complaints had increased from the previous year whereas the number of compliments had remained broadly the same. Members asked for additional information to be included in subsequent monitoring reports which gave Members information about complaints originating with residents in their wards.

### **Ombudsman's Annual Letter 2010/11**

The Board was presented with the Ombudsman's annual letter to the Council. No cases of maladministration had been identified and the Council was in the top

percentage of authorities for responding in the target time. The Board noted the positive comments of the Ombudsman.

### **Edwalton Golf Courses – Annual Report of Contract by Glendale Golf**

Members of the Board received a presentation from Glendale Golf about the previous year's performance at Edwalton Golf Club. Members were pleased to hear that usage of the Golf Club was up on previous years and satisfaction remained high. The General Manager explained that the online bookings system was working well and that the company had introduced a discounted rate for offpeak times, which was proving popular. In respect of junior golfing, Members were informed that the Courses were being used by many young people, including visits from schools. The General Manager reported the Club provided support for voluntary groups such as the scouts and the boy's brigade to help raise funds and also to give some coaching to the young people followed by a small competition. It was proposed that next year's annual report should include descriptions of some of the community aspect of the Club. Members congratulated Glendale Golf on continuing to deliver a successful contract on behalf of the Council.

### **Leisure Centre Contract – Annual Report by Parkwood Leisure**

Members of the Board received a presentation from Parkwood Leisure regarding the management of six of the Council's Leisure Centres over the previous year. Members were informed that swimming figures were down slightly on the previous year whereas aerobics usage had increased with a larger range of classes now available. The pool and plant at Rushcliffe Leisure Centre have been refurbished including the introduction of a UV disinfection system which had improved the water quality and reduced the number of chemicals used. Members were informed of the various methods used to reduce the company's carbon emissions through smart meters, partnership working with the joint use schools and the installation of inverters on pumps and air handling units. Usage and satisfaction had remained level with previous years and all sites had achieved over 70% Quest accreditation. Members were informed that following the introduction of the Non Profit Distributing Organisation arrangement the Council had made further savings of approximately £92,000 per year. The Board agreed the performance of Parkwood Leisure over the past year to be within acceptable parameters.

### **East Leake Leisure Centre – Annual Report**

Members of the Board were presented with information about performance at East Leake Leisure Centre over the last twelve months. Members were pleased to hear that the number of users had increased over the last year by approximately 10,000 and that income had increased by £27,000. This was mainly due to the hard work of staff, the savings on utility costs and the increase in fitness users due to the refurbishment of the gym facilities. The pool is regularly used by a local triathlon club who trained there every week and also hold two major events every year which attracted between 3-4,000 people. One major attraction for children was the Eliminator, a 15 metre inflatable that was used at weekends and for birthday parties. In respect of customer feedback there was an excellent satisfaction level, however, if any negative feedback was received this was personally followed up by the manager. Members were informed that the Centre was being assessed for Quest accreditation, and that the Council's liability had reduced by approximately £7,500 due to the new energy efficiency measures, better monitoring and a milder winter. The Board thanked the representative from Carillion Leisure for providing Members with

excellent information in a very clear and understandable format and for answering Members' questions.

### **Corporate Basket of Indicators**

The Board considered the basket of Corporate Indicators reflecting on the new Corporate Strategy and removal of the national indicator set. Members questioned if the indicators were providing the information needed to identify if the Council was performing well. Members of the Board were presented with a proposed basket of indicators which measured service delivery and quality, customer satisfaction and strategic outcomes. The Board discussed the need to be able to benchmark with other authorities and the fact that the definition of the information collected needed to be of a similar nature. Members also discussed useful information that was not strictly performance information which could be provided in Members' Monthly or on the new extranet. The Board agreed in principle to the 35 indicators as proposed subject to there being sufficient flexibility built into the performance management framework to allow Members to review them annually.

### **Civil Parking Enforcement Contract Update**

The Civil Parking Enforcement report was considered by Members in April 2012. Following considerable discussion, Members felt that more information was required before the item was closed for this year. A further discussion has been scheduled for August 2012.

### **Member Panels**

The Board did not establish any Member Panels this year.

### **Call-ins**

The Board did not discuss any Call-ins this year.

### **Looking forward to the year ahead**

The Performance Management Board will build on its work over the last year by scrutinising the Council's performance in delivering its priorities for improvement, along with scrutinising key service areas. The new work programme will be outlined at the first meeting of the new year.