

Meeting of: Overview and Scrutiny Committee

Time: 6.30pm **Date:** 20th October 2021

Venue: Council Chamber, The Business Centre, Futures Park, Bacup. OL13 0BB

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Supported by: Carolyn Sharples, Committee and Member Services Manager, Tel: 01706 252422 or email carolynsharples@rossendalebc.gov.uk

*This meeting will be accessible in the Council Chamber for essential attendees (elected councillors, supporting officers and members of the public with a registered question). All other access will be by remote observation as detailed below.

To observe the meeting, please use the Zoom link below (please allow time for set up if accessing for the first time):

https://zoom.us/j/99136301779?pwd=TIAyUHhhMGdWUUdZYWZYZWJSZG0vZz09

Meeting ID: 991 3630 1779

Passcode: 818436

A waiting room will be in place and observers will be admitted to the meeting at approx. 6.30pm.

ITEM		Lead Member/Contact Officer
A.	BUSINESS MATTERS	
A1.	Apologies for Absence	
A2.	To approve and sign as a correct record the Minutes of the Overview and Scrutiny Meeting held on 13 th September 2021.	
A3.	Declarations of Interest Members are advised to contact the Monitoring Officer in advance of the meeting to seek advice on interest issues if necessary. Members are requested to indicate at this stage, any items on the agenda in which they intend to declare an interest. Members are reminded that, in accordance with the Local Government Act 2000 and the Council's Code of Conduct, they must declare the nature of any personal interest and, if the interest is prejudicial, withdraw from the meeting during consideration of the item.	Carolyn Sharples, Committee and Member Services Manager Tel: 01706 252422 Email: carolynsharples@rossendalebc.gov.uk
A4.	Urgent Items of Business To note any items which the Chair has agreed to add to the Agenda on the grounds of urgency.	

The agenda and reports are also available for inspection on the Council's website https://www.rossendale.gov.uk/. Other formats are available on request. Tel 01706 217777 or contact Rossendale Borough Council, Futures Park, Bacup, OL13 0BB



B.	COMMUNITY ENGAGEMENT	
B1.	Question Time Members of the public and councillors wanting to participate in the meeting must register to speak in advance of the meeting to be able to attend and participate.	Carolyn Sharples, Committee and Member Services Manager Tel: 01706 252422 Email: carolynsharples@rossendalebc.gov.uk
C.	CHAIR'S UPDATE	
C1.	To receive any communications from the chair.	Councillor Janice Johnson
D.	ORDINARY BUSINESS	
D1.	Highways Update – item withdrawn	John Davies, Head of Service for Highways and Ridwan Musa, Highways Service Manager - LCC
D2.	Digital Strategy First Year Delivery Plan - presentation	Adam Allen, Director of Communities adamallen@rossendalebc.gov.uk
D3.	The Forward Plan	Carolyn Sharples, Committee and Member Services Manager carolynsharples@rossendalebc.gov.uk

Neil Shaw Chief Executive

Date published: 12th October 2021 Revised 20th October 2021

OVERVIEW AND SCRUTINY COMMITTEE

Date of Meeting: 13th September 2021

Present: Councillor Johnson (Chair)

Councillors L.Barnes, Janet Eaton, Gill, Kempson, Kenyon,

Morris, Procter, Rooke and Thompson.

In attendance: Clare Birtwistle, Head of Legal Services/Monitoring Officer

Ian Walker, Service Assurance Team Manager Carol Walker, Fraud and Compliance Officer

Clare Law, Head of People and Policy

Carolyn Sharples, Committee and Member Services Manager

Also Present: Councillor Hughes

By remote access – Councillors Ashworth and Walmsley

2 members of the public

1. APOLOGIES FOR ABSENCE & SUBSTITUTIONS

1.1 There were no apologies for absence.

2. MINUTES OF THE LAST MEETING

Resolved:

That the minutes of the meeting held on 12th July 2021 be approved as a correct record.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. URGENT ITEMS OF BUSINESS

4.1 The Chair confirmed that there were no urgent items of business.

5. QUESTION TIME

5.1 The Chair noted that she would allow questions to be asked on each item as it was discussed.

6. CHAIR'S UPDATE

- 6.1 The Chair noted that since the last meeting the Corporate Plan had been approved by Full Council.
- 6.2 Lancashire Highways had agreed to come to the meeting on the 20th October to update members on road maintenance as well as preparations in advance of the winter season. Advance questions had been requested from members.

6.3 A GP Appointments task and finish group would be starting shortly and committee members would be kept updated regarding this work.

ORDINARY BUSINESS

7. SANCTION AND PROSECUTION POLICY [COUNCIL TAX AND COUNCIL TAX SUPPORT]

- 7.1 The Fraud and Compliance Officer outlined the revised policy and the Service Assurance Team Manager noted that at 3.5 the covering report mentioned signposting to Citizens Advice or similar debt advice agencies in line with relevant debt recovery protocols. This wording was also being added to the policy prior to Cabinet approval.
- 7.2 In response to members' questions and comments the following clarification was given:
 - If funding support to Citizens Advice or similar debt advice agencies changed, then the policy wording would need to be revisited. Any decision around financial support would be taken by members at budget setting.
 - Claiming benefits can provide evidence that someone is ill, as detailed at section 4 of the prosecution section.
 - Terminology would be changed relating to pregnancy, hearing impairment and damage to employability.
 - Each case was considered on its own merits.
 - Fraud only occurred in a minority of cases and genuine mistakes were picked up early in the process. Relevant checks and balances were in place.

Resolved:

That the Overview and Scrutiny Committee recommend Cabinet to approve the updated Sanction and Prosecution Policy in respect of Council Tax and Council Tax Support with the amendments to the terminology and inclusion of the information detailed at 3.5.

8. RIPA (REGULATION OF INVESTIGATORY POWERS ACT 2000)

- 8.1 The Head of Legal Services outlined the revised policy.
- 8.2 In response to members' questions the following clarification was given:
 - RIPA had not been used since the criteria had changed. It could only be used for serious crime where there would be a minimum of 6 months imprisonment and the majority of the Council's work would not carry such a penalty e.g. littering and dog fouling.
 - Previously RIPA had been used for benefit fraud, but prosecutions now fell under the Department for Work and Pensions.
 - If RIPA was used it has to meet the serious crime threshold, be for the detection of crime, and also be reasonable and proportionate.
 - There was a RIPA course available for staff and it would be reviewed to see if it would also be useful for councillors.
 - RIPA was not required for CCTV or in taxi cabs, RIPA was only for covert surveillance.
 - Further clarification would be provided to members regarding section 7.3 on page 11 regarding under 16 and under 18 juvenile sources.

References to his/him would be replaced with "they/them."

Resolved:

That the Overview and Scrutiny Committee recommend Cabinet to approve the updated RIPA policy with the amended terminology.

9. QUARTER 1 PERFORMANCE MANAGEMENT (APRIL, MAY & JUNE) 2021-2022

- 9.1 The Head of People and Policy introduced the report which outlined the Council's performance during quarter 1 (April-June 2021).
- 9.2 In response to members' questions the following clarification was given:
 - The Director of Communities had been providing weekly updates to members on the collection of refuse.
 - Corporate Support were working with Operations to provide clear messages to members of the public regarding late bin collection.
 - Four existing members of staff were being trained for their Large Goods Vehicle licence to assist with the bin collections.
 - There were plans to look into litter bins in public spaces.
 - Staff had now come back into the office and were working within the requirements of the flexible working policy. Phones were diverted home whilst homeworking and Corporate Support staff had calls transferred to their laptops.
 - Some services had a backlog of work which was currently being cleared including Disabled Facilities Grants and Building Control.
 - A customer service review was taking place which included a mystery shopper exercise as well as process mapping the customer experience.
 - The best way to resolve an issue was to get it logged with Corporate Support who were triaging calls on the general phone number 217777 and logging work for the relevant teams.
 - If a member had ongoing issues they should escalate it to a relevant member of the Corporate Management Team.
 - Compliments were regularly reported to management team and disseminated to staff via their team meetings, and also through the staff briefing sessions which took place 2-3 times a year. Nominations could also be made for the staff recognition/award scheme which would be run bi-annually.

Resolved:

The report and performance levels were noted.

10. EQUALITY REPORT AND WORKFORCE PROFILE

- 10.1 The Head of People and Policy introduced the Equality Report and Workforce Profile for 2020-21.
- 10.2 In response to members' questions the following clarification was given:
 - Work had started on the action plan and the Head of People and Policy had been communicating with the Member Champion for Equalities and they would be meeting to progress this work further.
 - The Portfolio Holder for Communities and Co-opted member would also be invited to the meeting.

- Actions would include encouraging people to apply for jobs from underrepresented groups.
- Completion of the equalities form was optional and the wording of the questions was being reviewed.

Resolved:

That the Overview and Scrutiny Committee note the report and continue to monitor the Council's progress on equality and sufficient publication of equality information in line with current legislative and best practice requirements to ensure that the Council is operating fairly and equitably.

11. ANNUAL COUNCIL FEEDBACK REVIEW AND LOCAL GOVERNMENT OMBUDSMAN (LGO) ENQUIRIES

11.1 The Committee and Member Services Manager introduced the Annual Council Feedback Review for 2020-21.

Resolved:

That the Overview and Scrutiny Committee note the Annual Council Feedback report.

12. THE FORWARD PLAN

12.1 Members were updated on the Forward Plan.

Resolved:

The update was noted.

Signed:	Date:

The meeting started at 6.30pm and finished at 8.00pm



ROSSENDALE BOROUGH COUNCIL FORWARD PLAN

The Forward Plan sets out the details of the key decisions which the Cabinet or Officers expect to take. The Plan is updated 28 days prior to each Cabinet meeting and is available on the website. All items will be for publication, unless otherwise stated.

Publication dates for 2021/22 Municipal Year are as follows:

- 18th May 2021
- 14th September 2021
- 12th October 2021
- 21st December 2021
- 11th January 2022

Definition of a Key Decision

- 1. A Key Decision means an executive decision which is likely:
 - a) to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the budget for the service or function to which the decision relates, or
 - b) to be significant in terms of its effects on communities living or working in an area comprising of two or more Wards in the Borough.
- 2. For the avoidance of doubt, the Council would regard any of the following as 'significant':
 - Any decision by the Cabinet in the course of developing proposals to the full Council to amend the policy framework.
 - Any single item of in-budget expenditure or savings in excess of £100,000.
 - Any decision which is likely to have a permanent or long term (more than 5 years) effect on the Council and the Borough.

Cabinet Membership

- Councillor Alyson Barnes Leader of the Council and Portfolio Holder Economic Development
- Councillor Sean Serridge Deputy Leader and Portfolio Holder for Corporate Services

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- Councillor Steve Hughes Portfolio Holder for Communities
- Councillor Adrian Lythgoe Portfolio Holder for Environment
- Councillor Barbara Ashworth –Portfolio Holder for Health and Leisure
- Councillor Andrew Walmsley Portfolio Holder for Resources

Chief Executive Directorate managed by the Chief Executive – Neil Shaw

- Executive Office
- Oversees the services listed below.

Economic Development Directorate managed by the Director of Economic Development – Vacant

- Planning and Building Control
- Economic Development
- Business Development
- Tourism
- Property Services/Surveying (Estates)
- Strategic Housing
- Private Sector Housing

Communities Directorate managed by the Director of Communities - Adam Allen

- Housing, Health & Communities
- Public Protection Unit
- ICT, SAT & Customer Services
- Housing Options
- Operations
- Rossendale Leisure Trust

Legal Services managed by the Head of Legal (Monitoring Officer), Clare Birtwistle

- Legal Services
- Committee and Member Services
- Elections
- Land Charges

Head of Finance (Section 151 Officer), Karen Spencer

- Finance & Audit
- · Revenues and Benefits
- Risk Management & Procurement

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- Asset Register
- Rossendale Leisure Trust (Accounting and Project Appraisals)

HR managed by the Head of People & Policy, Clare Law

- People and Policy
- Corporate Support
- Communications
- Safeguarding
- Emergency Planning/Health and Safety
- Facilities Management

Anyone wishing to make representations about any of the matters listed in the Forward Plan, or obtain copies of the documents listed (subject to disclosure restrictions), may do so by contacting the relevant officer listed against each key decision.

Under the Access to Information Procedure rules set out in the Council's Constitution, a key decision may not be taken, unless:

- It is published in the Forward Plan
- 28 clear days have lapsed since the publication of the Forward Plan; and
- if the decision is to be taken at a meeting of the Cabinet, 5 clear days' notice of the meeting has been given

The law and the Council's Constitution provide an exception that allows urgent key decisions to be made, even though they have not been included in the Forward Plan. This is provided for in Rule 15 (General Exception) and Rule 16 (Special Urgency) of the Access to Information Procedure Rules.

The Forward Plan also contains details of significant decisions which will be considered by the Cabinet with recommendations to Full Council.

Copies of the following documents may be inspected at the Rossendale Borough Council Offices or accessed from the Council's website https://www.rossendale.gov.uk/info/210159/about_the_council/10526/how_decisions_are_made

- The Council's Constitution
- The Forward Plan
- Reports on the key decisions to be taken
- The minutes or decision notice for each key decision, which will normally be published 4 working days after having been made.

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Members of the public are welcome to attend meetings of the Cabinet and the dates and times of the meetings are published on the Council's website www.rossendale.gov.uk/meetings or you may contact the Committee and Member Services Section on telephone number 01706 252422 or email democracy@rossendalebc.gov.uk for further details.

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Details of the decision to be taken	Decision to be taken by	Expected Date of Decision	Relevant Portfolio Holder	Documents to be considered by the decision taker	Representations may be made to the following officer
Prosecution Policy	Overview & Scrutiny Cabinet	13 th September 2021 13 th October 2021	Communities	Report	Carol Walker, Fraud and Compliance Officer 01706 252582 carolwalker@rossendalebc.gov.uk
Economic Development Strategy Update	Cabinet	13 th October 2021	Leader of the Council & Portfolio Holder for Economic Development	Report	Guy Darragh, Head of Regeneration 01706 252568 guydarragh@rossendalebc.gov.uk
Rossendale Works update	Cabinet	13 th October 2021	Leader of the Council & Portfolio Holder for Economic Development	Report	Guy Darragh, Head of Regeneration 01706 252568 guydarragh@rossendalebc.gov.uk
Environmental Crime Enforcement	Cabinet	13 th October 2021	Environment	Report	Phil Morton, Public Protection Manager 01706 252442 philmorton@rossendalebc.gov.uk
Station Road Covenant Release	Cabinet	13 th October 2021	Resources	Report	Lucie Greenwood, Senior Property Officer 01706 252521 luciegreenwood@rossendalebc.gov.uk
RIPA Policy	O&S Cabinet	13 th September 2021 13 th October 2021	Corporate Services	Report	Clare Birtwistle, Head of Legal Services 01706 252438 clarebirtwistle@rossendalebc.gov.uk

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Bacup Heritage Action Zone Funding Uplift Application	Cabinet	13 th October 2021	Leader of the Council & Portfolio Holder for Economic Development	Report	Guy Darragh, Head of Regeneration 01706 252568 guydarragh@rossendalebc.gov.uk
City Valley Link Update	Cabinet	10 th November 2021	Leader of the Council & Portfolio Holder for Economic Development	Report	Neil Shaw, Chief Executive 01706 252447 neilshaw@rossendalebc.gov.uk
Annual Air Quality Report 2021	Cabinet	10 th November 2021	Communities	Report	Phil Morton, Public Protection Manager 01706 252442 philmorton@rossendalebc.gov.uk
Medium Term Financial Strategy Update	Cabinet	10 th November 2021	Resources	Report	Karen Spencer, Head of Finance 01706 252465 karenspencer@rossendalebc.gov.uk,
Council Tax, Non-Domestic Rate & Housing Benefit Overpayment Write-offs	Cabinet	10 th November 2021	Communities	Report	Ian Walker, Service Assurance Team Leader 01706 252592 ianwalker@rossendalebc.gov.uk
Supported Accommodation	Cabinet	10 th November 2021	Communities	Report	Ged Gallagher, Housing Manager 01706 252507 gedgallagher@rossendalebc.gov.uk

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Reactive Building Repairs Framework Tender	Cabinet	10 th November 2021	Resources	Report	Lee Childs, Facilities Management Officer 01706 252527 leechilds@rossendalebc.gov.uk
Delivering the Haslingden Vision – confidential	Council	15 th December 2021	Leader of the Council and Portfolio Holder Economic Development	Report	Guy Darragh, Head of Regeneration 01706 252568 guydarragh@rossendalebc.gov.uk
Local Council Tax Support Scheme	O&S Council	22 nd November 2021 15 th December 2021	Communities	Report	Ian Walker, Service Assurance Team Leader 01706 252592 ianwalker@rossendalebc.gov.uk
Adoption of Rossendale's Local Plan	Council	15 th December 2021	Environment	Reports	Anne Storah, Principal Planning Officer (Forward Plan) 01706 252418 annestorah@rossendalebc.gov.uk
Public Space Protection Orders	Council	15 th December 2021	Communities	Report	Phil Morton, Public Protection Manager 01706 252442 philmorton@rossendalebc.gov.uk
Constitution Review	Council	15 th December 2021 To be taken to each meeting unless no changes identified.	Corporate Services	Report	Carolyn Sharples, Committee and Member Services Manager 01706 252422 carolynsharples@rossendalebc.gov.uk

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Outdoor Rossendale Projects	Council	15 th December 2021	Leader of the Council & Portfolio Holder for Economic Development	Report	Guy Darragh, Head of Regeneration 01706 252568 guydarragh@rossendalebc.gov.uk
Play Strategy	O&S Council	22 nd November 2021 15 th December 2021	Environment	Report	Adam Allen, Director of Communities 01706 252428 adamallen@rossendalebc.gov.uk
Health and Wellbeing Plan	O&S Council	20 th October 2021 15 th December 2021	Communities	Report	Adam Allen, Director of Communities 01706 252428 adamallen@rossendalebc.gov.uk
Corporate Priorities, Budget, Council Tax and the Medium Term Financial Strategy 2022/23	Overview & Scrutiny Cabinet Council	1 st February 2022 9 th February 2022 23 rd February 2022	Resources	Report	Karen Spencer, Head of Finance 01706 252465 karenspencer@rossendalebc.gov.uk
Capital Strategy 2022/23 to 2024/25 and Capital Programme 2022/23	Overview & Scrutiny Cabinet Council	1 st February 2022 9 th February 2022 23 rd February 2022	Resources	Report	Karen Spencer, Head of Finance 01706 252465 <u>karenspencer@rossendalebc.gov.uk</u> ,
Treasury Management Strategy & Treasury Management Practices (updates for 2022/23)	Cabinet Council	9 th February 2022 23 rd February 2022	Resources	Report	Karen Spencer, Head of Finance 01706 252465 karenspencer@rossendalebc.gov.uk,

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Pay Policy Statement	Council	23 rd February 2022	Corporate Services	Report	Clare Law, HR Manager 01706 252457 clarelaw@rossendalebc.gov.uk

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