

ADULT, COMMUNITY AND HOUSING SCRUTINY COMMITTEE

WEDNESDAY 12TH JUNE 2013

**AT 6.00 pm
IN COMMITTEE ROOM 3
THE COUNCIL HOUSE
DUDLEY**

If you (or anyone you know) is attending the meeting and requires assistance to access the venue and/or its facilities, could you please contact Democratic Services in advance and we will do our best to help you

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**You can view information about Dudley MBC on
www.dudley.gov.uk**

IMPORTANT NOTICE

MEETINGS IN DUDLEY COUNCIL HOUSE

Welcome to Dudley Council House

In the event of the alarm sounding, please leave the building by the nearest exit. There are Officers who will assist you in the event of this happening, please follow their instructions.

There is to be no smoking on the premises in line with national legislation. It is an offence to smoke in or on these premises.

Please turn off your mobile phones and mobile communication devices during the meeting.

Thank you for your co-operation.

Your ref:

Our ref:

Please ask for:
Mr J. Jablonski

Telephone No.
(01384) 815243

5th June, 2013

REVISED AGENDA

Dear Councillor

Adult, Community and Housing Scrutiny Committee
Wednesday, 12th June, 2013 – 6.00PM

You are requested to attend a meeting of the Adult, Community and Housing Scrutiny Committee to be held on Wednesday, 12th June, 2013 at 6.00pm in Committee Room 3 at the Council House, Dudley to consider the business set out in the agenda below.

Please note that it is proposed that an informal development session be held at the conclusion of the formal business.

The agenda and public reports are available on the Council's Website www.dudley.gov.uk and follow the links to 'Councillors in Dudley' and the Committee Management Information System.

Yours sincerely



Director of Corporate Resources

A G E N D A

1. APOLOGIES FOR ABSENCE

To receive apologies for absence from the meeting.

2. APPOINTMENT OF SUBSTITUTE MEMBERS

To report the appointment of any substitute members serving for this meeting of the Board.

3. DECLARATIONS OF INTEREST

To receive Declarations of Interest in accordance with the Members' Code of Conduct.

4. TERMS OF REFERENCE AND ANNUAL SCRUTINY PROGRAMME 2013/14 (PAGES 1 - 7)

To consider a report of the Lead Officer and the Director of Corporate Resources .

5. FORWARD PLAN OF KEY DECISIONS(PAGES 8 -12)

To consider a report of the Director of Corporate Resources

6. TO ANSWER QUESTIONS UNDER COUNCIL PROCEDURE 11.8 (IF ANY).

To: All Members of the Adult,Community and Housing Scrutiny Committee:

Councillors Body, Evans, Herbert, Islam, James, J. Martin, Miller, Mottram, Vickers and M.Wilson (with 1 vacancy)

Adult, Community and Housing Services Scrutiny Committee – 12th June, 2013

Report of the Lead Officer and the Director of Corporate Resources

Terms of Reference and Annual Scrutiny Programme 2013/14

Purpose of Report

1. To note the terms of reference of the Committee and the items included in the Annual Scrutiny Programme for detailed consideration by this Scrutiny Committee during 2013/14.

Background

2. On 25th April, 2013, the Cabinet considered a report on a review of the Council's overview and scrutiny arrangements. The recommendations from Scrutiny Chairs were endorsed by the Cabinet and formally approved at the annual meeting of the Council on 16th May, 2013.
3. The principles of the new structure are to strengthen the Council's overview and scrutiny arrangements; to ensure proper democratic accountability and to promote confidence in the conduct of the Council's business. The new scrutiny arrangements are also set in the context of significant financial pressures faced by the Council and the need to focus limited resources in the most effective way.
4. The review was also based on the following principles, as agreed by Scrutiny Chairs:-
 - That the former informal "Chairs of Scrutiny Committees" meeting be formalised into an "Overview and Scrutiny Management Board".
 - That a revised structure of Overview and Scrutiny Committees be adopted, including Scrutiny Committees to carry out detailed scrutiny reviews and a separate Scrutiny Committee with a remit for Corporate Performance Management, Efficiency and Effectiveness.
 - That the role of Scrutiny Committees be developed further to comprise:-
 - The adoption of the "Parliamentary Select Committee" model by undertaking single item in-depth scrutiny investigations/inquiries with reports from the Scrutiny Chair being presented to the Cabinet/Council.

- Being more strategic and selective in selecting topics for scrutiny with Scrutiny Committees focussing on in-depth investigations. The Overview and Scrutiny Management Board will have a role in overseeing and co-ordinating the annual scrutiny programme.

- Enhancement of the role of Scrutiny Committees in policy development by carrying out the in-depth scrutiny reviews as referred to above.

- All scrutiny "Call-ins" to be determined by the Management Board (with provision for inviting statutory co-opted members in the case of Education matters).

- Cabinet Members/Chief Officers and others to attend scrutiny meetings to give evidence/reports if required by the Scrutiny Committee (given advance notice).

- The retention of statutory co-opted members on the Scrutiny Committee that considers "Education" matters (ie: Children's Services).

- The Chair of the Overview and Scrutiny Management Board to submit an annual report to the Council on corporate scrutiny activity.

- The Minutes of the Overview and Scrutiny Management Board and individual Scrutiny Committees to be submitted to Council.

5. The approved terms of reference of the Scrutiny Committee are set out in Appendix 1. The terms of reference of the Committee also gives a clear indication of the Cabinet portfolios and Directorate functions within the remit of the Scrutiny Committee.
6. Scrutiny Committees have discretion to set their own programme of meetings to carry out the reviews that are allocated to them. Meetings of the five Scrutiny Committees have also been scheduled in November, 2013 to undertake detailed scrutiny of the Council's revenue budget proposals.
7. In April, 2013, Scrutiny Chairs considered the development of a draft Annual Scrutiny Programme for the 2013/14 municipal year taking account of the views of Cabinet Members and Directors as part of their business planning cycle. The Overview and Scrutiny Management Board formally endorsed the Annual Scrutiny Plan at its meeting on 29th May, 2013. The items for detailed consideration by the Adult, Community and Housing Services Scrutiny Committee during 2013/14 are:
 - The Impacts and Outcomes of the Making it Real Agenda – What Does Personalisation Mean for the People in Dudley
 - Welfare Reforms and Housing – The Dudley Response

8. Appendix 2 gives more detailed information on the topics set out in the Annual Scrutiny Programme for 2013/14 as referred to in paragraph 7 above.
9. Immediately following this first formal meeting of the new Scrutiny Committee, an informal development session will be held for members and officers to discuss the scope of the topics to be scrutinised; the process of gathering information (including the 'witnesses' to be invited to attend) and the timescales for carrying out the reviews (with timescales for both informal and formal meetings).
10. Under the Scrutiny Committee Procedure Rules, as contained in the Constitution, all Scrutiny Committees previously had the discretion to include a standard item entitled 'Public Forum' on the agenda to facilitate members of the public asking questions on any matter falling within the terms of reference of the Committee. This discretion remains under the revised Scrutiny arrangements and the Committee is invited to express views on whether such an item should be included on future agendas.
11. The revised scrutiny arrangements will be subject to ongoing review and further consideration by the Overview and Scrutiny Management Board during the municipal year.

Finance

12. The costs of operating the revised scrutiny arrangements will be contained within existing budgetary allocations.

Law

13. Scrutiny Committees are established in accordance with the provisions of the Local Government Act 1972 and the requirements of the Council's Constitution, which was adopted under the Local Government Act 2000, subsequent legislation and associated Regulations and Guidance.

Equality Impact

14. Provision exists within the recommended scrutiny arrangements for overview and scrutiny to be undertaken of the Council's policies on equality and diversity.

Recommendations

15. That the terms of reference of the Committee, as set out in Appendix 1, be noted.
16. That the issues contained in the Annual Scrutiny Programme for 2013/14, as referred to in paragraph 7 and Appendix 2, be noted.

17. That an informal development session be held for members and officers, at the conclusion of the formal business of this meeting, to discuss how they wish to progress the items for detailed consideration by the Committee during 2013/14.
18. That the Committee consider the possible inclusion of a "Public Forum" session as a standing item of business on the agenda for future meetings.



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Philip Tart
Director of Corporate Resources



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Mike Williams
Lead Officer

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List of Background Papers

Reports and minutes of the Cabinet dated 25th April, 2013
Reports and minutes of the Council dated 16th May, 2013
Reports and minutes of the Overview and Scrutiny Management Board dated 29th May, 2013

Terms of Reference

Adult, Community and Housing Services Scrutiny Committee

In accordance with any relevant statutory requirements and the Annual Scrutiny Programme approved by the Overview and Scrutiny Management Board:-

- (a) To undertake in-depth scrutiny investigations/inquiries in accordance with the Annual Scrutiny Programme;
- (b) To contribute to policy development by carrying out the scrutiny of matters falling within the functions of the Directorate of Adult, Community and Housing Services and the portfolios of the Cabinet Members for Adult and Community Services and Housing and Community Safety (with the exception of the scrutiny of matters relating to the strategic Crime and Disorder Reduction Partnership – Safe and Sound).

To submit reports and recommendations to the Cabinet and/or the Council on the outcomes of scrutiny investigations, inquiries and reviews.

To make recommendations to the Overview and Scrutiny Management Board on any proposed amendments to the Annual Scrutiny Programme.

Adult, Community and Housing Services Scrutiny Committee		
Portfolio	Cabinet Member for Adult and Community Services	
Area for Scrutiny	The Impacts and Outcomes of the Making It Real Agenda - What Does Personalisation Mean For People In Dudley?	
Council Priorities	Council Plan:	Ensuring that people who use care and support services are able to live independently within their community. The proportion of people who use services and carers who find it easy to find information about services
Context		<ul style="list-style-type: none"> For the last few years all councils in England and Wales have been working with partner agencies, users of services and carers to transform how adult social care support is delivered. The guidelines for this come from an initiative called Think Local, Act Personal. (http://thinklocalactpersonal.org.uk/) The first stage of this was called Transforming Adult Social Care and if you follow these links you can find out more about the principles and how we set about things in Dudley. (http://www.dudley.gov.uk/resident/care-health/adult-health-social-care/getting-involved/making-it-real-in-dudley/transforming-social-care/) The next stage of Think Local, Act Personal is called Making it Real. Making it Real is a set of standards or markers which directly relate to the experiences of those who use our services or who care for people who do. These markers will be used to support all those working towards personalisation. This will help organisations check their progress and decide what they need to do to keep moving forward to deliver real change and positive outcomes with people. You can find out more about Making it Real and the Dudley Action Plan at the following link: http://www.dudley.gov.uk/resident/care-health/adult-health-social-care/getting-involved/making-it-real-in-dudley/
Rationale		<p>Making It Real has six key objectives:</p> <ol style="list-style-type: none"> 1) Having the information I need; when I need it. 2) Active and supporting communities, keeping friends family and place 3) Flexible integrated care and support: my support, my own way 4) Workforce: my support staff 5) Risk enablement: feeling in control and safe. 6) Personal budgets and self-funding: my money. <p>Our action plan sets out practical activity to deliver improvement in each area.</p>
What are we asking from the Scrutiny Committee?		To consider and challenge progress with the delivery of the Making it Real action plan. Identify areas of positive progress and areas for improvement and identify what difference it is making to people's lives.

Adult, Community and Housing Services Scrutiny Committee		
Portfolio	Cabinet Member for Housing and Community Safety	
Area for Scrutiny	Welfare Reforms and Housing – The Dudley Response and How We Will / Are Supporting People	
Council Priorities	Council Plan:	Prioritising front line services to ensure protection to the most vulnerable people in Dudley.
Context		<ul style="list-style-type: none"> • The planned tax and benefit reforms between January 2011 and April 2014 in the UK, will have differential impacts notably by income and family type. • While these reforms are having the greatest impact on poorer households and on families with children, pensioners' income has been protected in relative terms, with an average decline in income across all income bands of less than half the average. • Dudley MBC has a retained housing stock and together with Registered Social Landlords provides social housing. It is likely that the overall impact of the changes and some specific changes will impact on social housing tenants and those needing to access the service. • These specifics are Loss of bedroom subsidy – known as 'bedroom tax' Discretionally housing payments (DHP) Welfare assistance fund; Fuel Poverty; Child poverty
Rationale		<ul style="list-style-type: none"> • Even accepting the government ideology that the changes are intended to make 'work pay' and end a benefit culture, this Council will want to protect its citizens whilst at the same time maximising training and employment opportunities within the Borough. • Housing is a fundamental right and plays a major part in the stability of families and communities and their well being. As such the potential consequences of these changes are cross cutting and call for Directorates, agencies and voluntary organisations to have a shared vision. • Housing is, however, a social business and it needs to be recognised that its source of revenue is mainly through its rents. • Issues arising for housing will include, <ul style="list-style-type: none"> • Affordability – can't pay won't pay. • Effective use of DHP to protect vulnerable people • Effective housing strategy to address the competing housing needs • An effective revenue collection strategy • Increased homelessness • Possible increase in fraud.
What are we asking from the Scrutiny Committee?		<ul style="list-style-type: none"> • Government has completed an EIA, and EIAs have been completed according to specific issues/service provision. • To consider the impact of Housing reforms • The 'real' impact of these changes over the '11 – '14 timeframe will need to be monitored and scrutinised. This will influence the policy decisions of this Council and the lobbying that is needed at all levels of government. • How prepared are we to deal with these issues from a Housing perspective and what is the local impact. How are we responding and how effective is our response?

Adult, Community and Housing Services Scrutiny Committee – 12th June, 2013

Report of the Director of Corporate Resources

Forward Plan of Key Decisions

Purpose of Report

1. To consider the Forward Plan of Key Decisions for the four-month period commencing 1st June, 2013, and make any recommendations as to items to be scrutinized to the Overview and Scrutiny Management Board.

Background

2. The Access to Information Procedure Rules set out in Part 4 of the Constitution include a requirement for a Forward Plan to be prepared by the Leader covering a period of four months.
3. Attached as an Appendix is the Forward Plan covering the four-month period from 1st June, 2013. The Forward Plan sets out information on key decisions that are likely to be taken by the Council, Cabinet, a Cabinet Member or Chief Officers in the period covered by the Plan.
4. The Forward Plan is available on the Internet via the Committee Management Information System (CMIS).
5. The Forward Plan is reported to all ordinary meetings of the Cabinet and will also be reported to the Overview and Scrutiny Management Board in future. Increasing accessibility to the Forward Plan will assist the process of overview and scrutiny of key decisions.
6. The Overview and Scrutiny Management Board at its meeting held on 29th May, 2013 considered the Forward Plan and agreed that it be referred to the Council's five Scrutiny Committees with a request that they inform the Board of any items that they would wish to scrutinise so that further consideration can be given to this matter by the Board at a future meeting.

Finance

7. The financial implications associated with individual key decisions will be included in reports submitted on each individual item.
8. A key decision is defined as an executive decision which is likely:-

- (a) to result in the Council incurring expenditure, or the making of savings, which are £250,000 or more (revenue or capital); or
- (b) to be significant in terms of its effects on communities living or working in one or more wards in the Borough.

Law

9 The requirement to produce a forward plan is set out under the Access to Information Procedure Rules in Part 4 of the Constitution.

10. The Constitution is adopted by the Council pursuant to the requirements of the Local Government Act 2000.

Equality Impact

11. The equality impact of specific key decisions will be referred to in individual reports on the items concerned.

Recommendation

12. That consideration be given to the Forward Plan of Key Decisions with a view to making any recommendations to the Overview and Scrutiny Management Board as to items to be scrutinised.



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Director of Corporate Resources

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List of Background Papers

The Constitution

Forward Plan of Key Decisions

Decisions due to be made during the four month period from 01 Jun 2013

Decision No Directorate	Project Name	Key Decision	Decision Period Meeting Date	Reports, Appendices & Background Papers	Consultation Details	Decision Taker	Contact Name
0506 Corporate Resources	Localism Act 2011	To consider the ongoing implications of the Localism Act 2011 on the governance arrangements adopted by Dudley MBC.	March 2013 - October 2013	Localism Act 2011 and any guidance issued by the Secretary of State	Cabinet Members, The Audit and Standards Committee, other Committees depending on the implications of the Act; any other consultation as may be required by the legislation.	Cabinet; Full Council	Philip Tart Director of Corporate Resources (Phone: 01384 815300)
0546 Urban Environment	Publication of the Community Infrastructure Charging Schedule	To approve the Publication of the Community Infrastructure Charging Schedule for statutory public consultation and subsequent submission to the Secretary of State for Independent Examination.	Cabinet September 2013	Community Infrastructure Charging Schedule	Key internal officers and Cabinet Member for Regeneration. Draft document will be available to view prior to the Cabinet meeting.	Cabinet	Annette Roberts Directorate of the Urban Environment (Phone: 01384 - 814172)
0551 Corporate Resources	Localised Council Tax Rebate Scheme	Adoption of our local scheme to replace the current national council tax benefit scheme alongside a 10% reduction in expenditure.	June 2013	Local Government Finance Bill and any associated secondary legislation; and guidance issued	Key internal stakeholders (elected members, directorates, business units, etc), major preceptors, the public, the voluntary sector, other interested parties.	Cabinet; Full Council	Mike Williams Assistant Director, Corporate Resources (Phone: 4970)
0574 Corporate Resources	Acceptance of Tenders or Quotations	Agreement, in consultation with the Cabinet Member for Finance, to accept Tenders or Quotations for the Supply of Goods, Provision of Services or Works (or the Disposal of Goods) with a value in excess of £250,000 per annum - following a procurement exercise by the Directorate of Corporate Resources (Procurement, Contract Management and Credit Services Division). Decisions will be taken throughout the year in accordance with tendering programme. Items will be considered in private session to avoid the disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 relating to the financial or business affairs of any particular person (including the authority).	April 2013 - March 2014	Summary of Tender Evaluation Report by Head of Procurement; Associated documents and reports prepared by Head of Procurement;	Key stakeholders (directorates, business units, schools etc) participating within the resulting contract are included in the tendering/evaluation processes. Appropriate Legal and Financial advice is also taken. The Director of Corporate Resources is required to consult the Cabinet Member for Finance on proposed contract awards - this occurs through correspondence and discussion as required. Contracts of this value are tendered and awarded in accordance with EU Procurement Directives which	Philip Tart	Philip Tart Director of Corporate Resources (Phone: 01384 815300)

Forward Plan of Key Decisions

Decisions due to be made during the four month period from 01 Jun 2013

Decision No Directorate	Project Name	Key Decision	Decision Period Meeting Date	Reports, Appendices & Background Papers	Consultation Details	Decision Taker	Contact Name
					require advance publication of proposed contracts and the outcome of the tender exercise following a contract award.		
0575 Corporate Resources	Monitoring and Review of Capital and Revenue Expenditure or Income	To consider issues which have a significant impact upon the Capital or Revenue Expenditure and/or Income of the Council including those issues arising from the monitoring, review and implementation of the approved Revenue Budget and Capital Programme. [This is a standing item at each Cabinet meeting and the Decision Taker will be the Cabinet and then the Council, or individual members/officers in accordance with relevant delegations].	April 2013 - March 2014	Periodic and ad-hoc reports	Consultation appropriate to individual proposals.	Cabinet; Full Council	John Everson Technical Accountant, Corporate Resources (Phone: 01384-814806)
0576 Corporate Resources	Spending Projections 2013/14	To report details of the projected outturn for 2013/14 and to recommend amendments to the revenue budget, funded from General Balances if necessary.	April 2013 - March 2014	Report of the Treasurer	Council Directors	Cabinet; Full Council	Iain Newman Treasurer (Phone: 01384-814802)
0577 Corporate Resources	Waiver of Contract Standing Orders	Waiver of Contract Standing Orders by the Cabinet Member for Finance in appropriate circumstances. Items will be considered in private session to avoid the disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 relating to the financial or business affairs of any particular person (including the authority).	April 2013 - March 2014	Returned tender documents/Council's Standing Orders; Records; maintained by the Chief Executive; Reports/correspondence by the; Director of Corporate Resources	The Scheme of Delegation requires the Cabinet Member for Finance to consult the Treasurer. Where appropriate Stakeholders with an interest in the contract(s) will also be consulted as part of the contract evaluation exercise.	Cllr Peter Lowe	Iain Newman Treasurer (Phone: 01384-814802)
0578 Urban Environment	Dudley Local Enterprise Zone (LEZ)	To approve the management plan for the Dudley LEZ scheme.	Cabinet September 2013	Cabinet Report - Proposed Dudley Local Enterprise Zone - 14th March; 2012; Black Country Local Enterprise Partnership - Submission to DCLG; for a Black Country Enterprise Zone - August 2011	Consultation with property owners will be undertaken in December 2012. Consultation has taken place with the Dudley Business Group on the 19th December, 2012.	Cabinet	Phil Coyne Assistant Director, Economic Regeneration & Transportation (Phone: 4004)

Forward Plan of Key Decisions

Decisions due to be made during the four month period from 01 Jun 2013

Decision No Directorate	Project Name	Key Decision	Decision Period Meeting Date	Reports, Appendices & Background Papers	Consultation Details	Decision Taker	Contact Name
0582 Adult, Comm & Hous.Services	Exceptions to the Council's Housing Allocations Scheme (Special Cases)	Individual decisions may be made in regard to the housing applications of people with exceptional circumstances not catered for within the Council's Housing Allocations Scheme. Items will be considered in private session to avoid the disclosure of exempt information as defined in paragraph 2 of part 1 of schedule 12a to the Local Government Act 1972 relating to information likely to reveal the identity of an individual.	February 2013 - March 2014	Individual reports; Lettings Policy	Individual cases are not consulted upon. The Council Housing Allocations scheme is subject to statutory consultation with registered providers and informal and formal consultation with other stakeholders.	Andrea Pope-Smith	Diane Channings Assistant Director of Housing (Housing Management) (Phone: 01384) 815063)
0586 Corporate Resources	Revenue Budget Strategy 2014/15	To consider the Revenue Budget Strategy for 2014/15 and future years.	June 2013 - February 2014	Report(s) of the Chief Executive,; Treasurer and Director of Corporate Resources	Public consultation - possible use of Citizen's Panel and Internet. Consultation with representatives of the Non-Domestic Ratepayers.	Cabinet	Iain Newman Treasurer (Phone: 01384-814802)
0587 Corporate Resources	Review of Housing Finance	To approve the revised Housing Revenue Account budgets for 2013/14 and updates to the 30 year Housing Revenue Account Business Plan. To approve the amendments to the Public Sector Housing Capital Programme for 2013/14 to 2017/18.	Cabinet June 2013		Corporate Board, Directorate of Adult, Community and Housing Services Senior Management Team. Corporate Resources (Finance).	Cabinet	Catherine Ludwig Housing Finance Manager, Directorate of Finance, ICT etc (Phone: 01384 815075)
0591 Urban Environment	20mph zone priorities	To consider the outcome of consultation into the process and to agree priorities for further investigation.	Cabinet June 2013	Revised draft protocol for the selection of sites for 20mph zones	Detailed schemes would be subject to full public consultation in line with Council protocol for consultation as part of the ongoing programme development.	Cabinet	Martyn Holloway DUE