

Sustainable Communities Scrutiny Committee

Agenda

Date: Tuesday, 18th January, 2011
Time: 10.30 am
Venue: Committee Suite 1,2 & 3, Westfields, Middlewich Road,
Sandbach CW11 1HZ

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. **Apologies for Absence**

2. **Minutes of Previous Meeting**

To approve the minutes of the meeting held on 6 January 2011.

Minutes to follow.

3. **Declarations of Interest/Whipping Declarations**

To provide an opportunity for Members and Officers to declare any personal and /or prejudicial interests in any item on the agenda.

4. **Public Speaking Time/Open**

A total period of 15 minutes is allocated for members of the public to make a statement(s) on any matter that falls within the remit of the Committee.

Individual members of the public may speak for up to 5 minutes, but the Chairman will decide how the period of time allocated for public speaking will be apportioned, where there are a number of speakers

For any apologies or requests for further information, or for a member of the public to make a statement:

Contact: Mark Grimshaw
Tel: 01270 686465
E-Mail: mark.grimshaw@cheshireeast.gov.uk

5. **Restorative Justice from the Perspective of Cheshire Constabulary**

To receive a presentation and watch a DVD on Restorative Justice.

6. **Safer Cheshire East Partnership Response to NI47 - Road Safety**

To receive an update from A Waller (Cheshire Fire and Rescue Service) representative of the Safer Cheshire East Partnership.

7. **Funding for the Community and Voluntary Sector in Cheshire East**

To receive a verbal update from Juliet Blackburn, Partnerships' Business Manager.

8. **Forward Plan - extracts** (Pages 1 - 2)

To give consideration to the extracts of the forward plan which fall within the remit of the Committee.

9. **Work Programme Update** (Pages 3 - 10)

To give consideration to the work programme.

Forward Plan 1 January 2011 to 30 April 2011

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	Relevant Scrutiny Committee	How to make representation to the decision made
CE10/11-62 Transfer and Devolution of Services and Functions to Town and Parish Councils	To receive an update on the project and to approve any points of negotiation reached.	Cabinet	6 Jun 2011	With Town and Parish Councils, local ward members, staff and unions.	Sustainable Communities	Ceri Harrison, Head of Corporate Improvement

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CHESHIRE EAST COUNCIL

REPORT TO: SUSTAINABLE COMMUNITIES SCRUTINY COMMITTEE

Date of Meeting:	18 January 2011
Report of:	Borough Solicitor
Subject/Title:	Work Programme update

1.0 Report Summary

- 1.1 To review items in the 2011 Work Programme and to determine whether or not any additional items need to be included.

2.0 Recommendations

- 2.1 That the Committee note the work programme.

3.0 Reasons for Recommendations

- 3.1 It is good practice to agree and review the Work Programme to enable effective management of the Committee's business.

4.0 Wards Affected

- 4.1 All

5.0 Local Ward Members

- 5.1 Not applicable.

6.0 Policy Implications

- 6.1 Not known at this stage.

7.0 Financial Implications 2010/11

- 7.1 Not known at this stage.

8.0 Legal Implications

- 8.1 None.

9.0 Risk Management

- 9.1 There are no identifiable risks.

10.0 Background and Options

- 10.2 The monitoring Officer has issued advice to Overview and Scrutiny Committees on the Membership of Task and Finish Groups for those occasions when Members do not wish to set up a task and finish Group on a proportional basis as follows:
- 10.3 The constitution currently requires that Task and Finish are organised on a proportional basis, but this has proved difficult with such small numbers (they usually consist of 5 or 6 Members).
- 10.4 If the constitutional requirement for proportionality were removed, there is still a statutory requirement. By virtue of the Local Government and Housing Act 1989, Schedule 1, advisory committees are subject to the proportionality rules contained in the act. Unlike the constitutional requirement, however, the Act permits proportionality to be dispensed with, provided that the scrutiny committee so decides on a 'nem con' vote. Removing the requirement in the constitution would therefore provide greater flexibility.
- 10.5 In effect this means that if members are mindful to set up a Task and Finish group on a non proportionate basis, this can only be done by a 'nem con' vote ie a vote without objection, otherwise the Task and Finish Group must be set up on a proportional basis
- 10.6 In reviewing the work programme, Members must pay close attention to the Corporate Plan and Sustainable Communities Strategy.
- 10.7 Members must also have regard to the general criteria which should be applied to all potential items when considering whether any Scrutiny activity is appropriate. Matters should be assessed against the following criteria:
- Does the issue fall within a corporate priority
 - Is the issue of key interest to the public
 - Does the matter relate to a poor or declining performing service for which there is no obvious explanation
 - Is there a pattern of budgetary overspends
 - Is it a matter raised by external audit management letters and or audit reports?
 - Is there a high level of dissatisfaction with the service
- If during the assessment process any of the following emerge, then the topic should be rejected:
- The topic is already being addressed elsewhere
 - The matter is subjudice
 - Scrutiny cannot add value or is unlikely to be able to conclude an investigation within the specified timescale

11 *Access to Information*

The background papers relating to this report can be inspected by contacting the report writer:

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Issue	Description/Comments	Suggested by	Portfolio Holder	Corporate Priority	Current Position	Date
Restorative Justice from the Police	At its meeting held on 15 July 2010, Members received a presentation on the Youth Offending Service, arising from this it was agreed that the Committee would receive further information on Restorative Justice.	Committee	Bailey	Safer communities	On track	18 January (Police) Possible Task and Finish Group
Response to NI47	This issue is a major concern for the Committee and an on going issue. The Committee have requested A Waller to meet with the portfolio holders and report back to the Committee	Committee	Bailey/ Menlove	To enhance the Cheshire East Environment	On track	18 January 2011
Funding for the Community and Voluntary Sector in Cheshire East	Further to the meeting held on 7 October 2010, Members agreed to receive an update on the detail and principals for awarding funding	Committee	Brown	Being an excellent Council and working with our partners	On track	18 January 2011
Report of the Community Safety Warden Task and Finish Group	At the meeting held on 6 January 2011, it was decided that further work was needed before the recommendations could be	Committee	Bailey	Safer Communities	deferred	3 March 2011

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	accepted. Suggested that a report be carried out by Tony Potts and be brought back to Committee for consideration.					
Deployment of the Borough funded PCSO's/ update on the SLA	At the meeting held on 6 January, the Committee heard an update on the funding situation of PCSOs. It was explained that no decision had yet been made on how the recently de ring-fenced budget would be allocated. The Committee wished to be kept abreast as to the outcome of this decision and be consulted on further decisions.	Committee	Bailey	Safer Communities	deferred	3 March 2011
Community Payback/Probation Service	To receive an update on the status of community payback in Cheshire East	Committee	Bailey	Safer Communities	On track	3 March 2011
Review of the LAP's	To receive an update on how the LAPs are working	Committee	Bailey	Being an excellent Council and working with our partners	On track	July 2011

Possible Items to Monitor or consider at future Meetings

- Probation Service – Response to NI018
- Performance Management – update January

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- Process and Policy for Anti Social Neighbours in private and let accommodation.
- Budget

Dates of Future Meetings

3 February 2011, 3 March 2011, 7 April 2011

Dates of Future Cabinet Meetings

14 Feb 2011, 14 March 2011, 11 April 2011.

Dates of Future Council Meetings

24 February 2011, 21 April 2011, 18 May 2011

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