

OVERVIEW AND SCRUTINY BOARD
22/07/2020 at 6.00 pm



Present: Councillor McLaren (Chair)
Councillors Taylor, Toor, Jacques, Curley, Price, Surjan and
Williamson

Also in Attendance:

Lori Hughes	Constitutional Services
Emma Barton	Director of Economy
Liz Drogan	Head of Democratic Services
Caroline Lee	Head of Revenues, Benefits and Business Support
Anne Ryans	Director of Finance

1 **ELECTION OF VICE CHAIR**

RESOLVED that Councillor Price be elected as Vice-Chair for
the 2020/2021 Municipal Year.

2 **APOLOGIES FOR ABSENCE**

There were no apologies for absence received.

3 **DECLARATIONS OF INTEREST**

There were no declarations of interest received.

4 **URGENT BUSINESS**

There were no items of urgent business received.

5 **PUBLIC QUESTION TIME**

There were no public questions received.

6 **MINUTES OF PREVIOUS MEETING**

RESOLVED that the minutes of the Overview and Scrutiny
Board held on 16th June 2020 be approved as a correct record.

7 **GMCA HOUSING, PLANNING AND ENVIRONMENT
OVERVIEW AND SCRUTINY COMMITTEE**

RESOLVED that the minutes of the GMCA Housing, Planning
and Environment Overview and Scrutiny Committee meetings
held on 13th February 2020 and 11th June 2020 be noted.

8 **GMCA ECONOMY, BUSINESS GROWTH AND SKILLS
OVERVIEW AND SCRUTINY COMMITTEE**

RESOLVED that the minutes of the GMCA Economy, Business
Growth and Skills Overview and Scrutiny Committee held on
12th June 2020 be noted.

9 **GMCA CORPORATE ISSUES AND REFORM OVERVIEW
AND SCRUTINY COMMITTEE**

RESOLVED that the minutes of the GMCA Corporate Issues
and Reform Overview and Scrutiny Committee held on 16th June
2020 were noted.

10 **STATEMENT OF COMMUNITY INVOLVEMENT**

Consideration was given to a report which provided an update on the Statement of Community Involvement (SCI).



The Planning and Compulsory Purchase Act 2004 required planning authorities to prepare a Statement of Community Involvement. Oldham Council adopted its first SCT in 2007. The SCI identified how the Council would involve the community in the preparation and revision of the Local Plan and the consideration of planning applications. The SCI was reviewed in 2010, 2016 and 2019 to take account of changes to national planning guidance and legislation. The SCI also set out policies for giving advice or assistance on neighbourhood planning.

In addition, the ten Greater Manchester authorities agreed to produce Greater Manchester's Plan for Homes, Jobs and the Environment – the Greater Manchester Spatial Framework (GMSF). The GMSF will provide the overarching framework to strategically manage sustainable growth and development across the conurbation over the next twenty years or so. The SCI set out how the community and other stakeholders would be involved in the preparation of the GMSF.

Since the SCI was reviewed and adopted in 2019, the planning department had been considering service improvement to work towards a more efficient service related to determining planning applications. It was considered necessary to update the SCI for the introduction of proposals which included:

- make clear that statutory consultees, councillors and Oldham Partnership received an email or letter with details of strategic planning consultations rather than an electronic copy of the documents;
- publicise planning applications by site notices and/or neighbour notification letters, removing the requirement to do both, where it is not deemed necessary;
- removing copies of planning applications being available in paper files. Planning applications would be available online. This reduced time spent by officers creating paper files;
- make submitting representations on planning applications to online only. This was to reduce the time spent by officers scanning and saving representations to ensure that planning applications could be handled efficiently; and
- reduce the number of planning officer reports written in relation to recommendations made on minor planning applications. The draft SCI removed reference to officer reports. Planning Officer reports would not be written for every planning application, particularly where they were minor in nature. This was to ensure that planning officers could issue decisions as efficiently as possible. There would be notes on file that would clearly show that the officer had taken account of relevant material.

The SCI had also been updated to reflect the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local

Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 to allow Local Plan consultations and development management decisions to continue to progress during the Coronavirus pandemic.



Members sought and received clarification on minor decisions.

Members sought clarification on the contact number for those people who were not proficient on electronic access and where it was directed. Members were informed that the contact number would be for the Planning Section and usually to the relevant case officer. Members also sought clarification on the Equality Impact Assessment which was referred to as EIA and EQIA in the document. Members were informed that this would be clarified in the document.

Members asked if face-to-face access would still be available and informed that there was still access via teams on email. Whilst the pandemic was still live face-to-face was not possible.

Members asked if the new ways of working would reduce the amount of time taken for a decision. The guidance was within a set timeframe but it was hoped the new way of working would provide a quicker service.

Members asked with the transition from paper to online, how much of a lapse there would be in uploading decisions and clarification on appeals. Members were informed that timelines would not change. Decisions would be issued via email or through the portal and was part of the standard processes and procedures. Decisions had to be published in line with legislation and there was a due process to follow for appeals within legislative timelines.

Members expressed concern about accessibility to the portal and online services for residents did not have electronic access via a mobile or other means. Members were informed that lessons had been learned about access whilst in lockdown and working remotely. The number of applications received had gone up. Officers were available to provide pre-application advice on how to make applications. People were to be encouraged to get in contact so they could be guided through the process. When libraries reopened, access to technology would become easier.

Members asked at what point did an application become major. It was clarified that this was defined in legislation with examples of number of dwellings or size of the commercial venture. The explanation of a major application would be provided to members separately.

Members asked about pre-application advice and were advised that this was now a paid service. The costs were determined in categories with different thresholds depending on the time and support needed.

Members asked about the capacity to store the information online and back-up plans if the system went down. Members were informed that work on the system was progressing, however, this had been slowed down due to the pandemic. It was hoped that the system would be live later this year, there would be a period of transition and there was back up support.

Members commented that the document contained a significant amount of information and how this would be presented to members of the public which could be a challenge and asked if this could be broken down into separate policy areas to be readily accessible. Members were informed that terminology and jargon used would be clarified, and the various documents within the consultation accessible for this document as well as other planning documentation.

Members made reference to the Oldham Partnership. Members were informed that Oldham Partnership was a set membership. However, they did receive public questions.

Members made reference to the move to Place Based Integration and if the SCI would work effectively in the hubs. Members were informed that the SCI had not evolved that far yet. Assets would be utilised for focus groups in terms of collective representation.

Members referred to the number of queries that they, as elected members, received with regard to planning applications and sometimes acting as advocates for residents and/or organisations. Some members were not familiar with online processes. Members were informed that they would be kept updated as part of service improvements with regular briefings for all members and that one would be arranged.

RESOLVED that the proposed policy and the comments made by the Overview and Scrutiny Board members be noted.

11

UNREASONABLE BEHAVIOUR POLICY

Consideration was given a report which detailed a proposed new Unreasonable Behaviour Policy and revised Corporate Complaints Policy before final approval was sought. The new Unreasonable Behaviour Policy aimed to support employees and members to manage unreasonable behaviour from customers.

The Council did not currently have a policy for the management of Unreasonable Customer Behaviour and this new policy would be submitted for approval. The Council wanted to engage with customers in ways that were open, fair and proportionate. A considered, policy-led approach would help employees and members to understand clearly what was expected of them, what options for action were available and who could authorise those actions. The policy was intended to be published online on the Council's website and shared with customers and complainants if they started to behave unreasonably and action

taken. This would help manage both customer and complainant expectations and behaviour, as far as possible, when dealing with the Council.



The Council's existing Corporate Complaints Policy referred to the management of unreasonable behaviour, but the options and processes were not set out in detail. The Council also operated a Single Point of Contact Procedure (SPOC) and this set out the process to be used when contact was to be restricted to one contact route. The corporate SPOC was normally used in more complex cases covering multiple service areas.

The Local Government and Social Care Ombudsman (LGSC) recommended that Local Authorities had an Unreasonable Behaviour policy to help develop a proportionate approach when responding to unreasonable behaviour and to clearly set out the procedures that could be followed to restrict contact when this behaviour occurred.

An updated Corporate Complaints Policy was also submitted for consideration. The main changes were that the wording of the policy had been reworked to improve the format, temporary references to how complaints were being managed by the Council during COVID-19 had been included and the Unreasonable Behaviour policy had been referenced within the policy.

Members referred to the occasions when meetings had been disrupted and if the policy could include that situation. Members were informed that a body of information would need to be gathered to make a decision in those cases. Members asked if these disruptions were logged. Members were informed that meetings were a different issue and were not addressed as part of this policy. A response could not be provided at the meeting but would be referred to the appropriate officer for a response.

Members referred to occasions where communications were received from unhappy residents and if the policy would cover that aspect. Members were informed that this would be looked at in an evidenced based approach and if the contact had caused stress which could be included in deciding whether further action needed to be taken. These would be looked at on a case-by-case basis with support from within the Council on how to best address the situation.

Members were provided clarification on vexatious behaviour and the single point of contact. Reference was also made regarding to individuals who preferred to contact one person in the authority but should be directed elsewhere so issues could be dealt with appropriately.

Members asked about the number of complaints received and the number of complaints received regarding elected members. Members were informed that the information regarding the number of complaints would be the subject of a different report

and that complaints regarding elected members was subject to the Standards process and dealt with by Legal Services.

Members asked about complaints against staff by other members of staff. It was explained that this would be a Human Resources policy and not part of the Customers Services policy.

Members referred to dealing with individual constituents, some of which could be complicated and where more than one elected member is contacted but other members not aware and asked if the policy would work in terms of member engagement. Members were informed that the policy was from an officer perspective. A number of templates and easy read guide which detailed options and support would be available and assist elected members.

Members explained that face-to-face meetings were held and if there was assistance available. Members were informed that health and safety policies were applicable in the workplace and cross reference would be made in the policy.

Members made reference to the earlier point regarding disruption to meetings and that this was as a result of the complainant not being happy with the response and if there could be a link to the policy regarding disruption to meetings. Members were informed that this would need to be investigated.

RESOLVED that:

1. The Unreasonable Behaviour Policy and updated Corporate Complaints Policy be noted.
2. The comments provided by members be noted.
3. The updated policies be circulated to members.

12

KEY DECISION DOCUMENT

The Board gave consideration to the latest published Key Decision Document.

RESOLVED that the latest published Key Decision Document be noted.

13

GENERAL EXCEPTIONS AND URGENT DECISIONS

The Board gave consideration to a report which advised of decisions related to Strategic Investment and Additional Expenditure in Support of Health and Social Care in response to the COVID-19 Emergency.

RESOLVED that the report and authorisations granted under Rule 13 (General Exception) and Rule 14 (Special Urgency) be noted.

14

OVERVIEW AND SCRUTINY BOARD WORK PROGRAMME

The Board gave consideration to the latest Overview and Scrutiny Board Work Programme.

The Board were provided with updates on upcoming reports. The Board was also provided with updates on the Tackling

Speeding Motion and the Lorry Watch Scheme motion which had been referred to Overview and Scrutiny by Council.



Oldham
Council

RESOLVED that:

1. The Overview and Scrutiny Board Work Programme be noted.
2. The updates on the work programme provided at the meeting be noted.
3. The updates on the motions referred from Council be noted and provided as part of the Council action report.

15

DATE AND TIME OF NEXT MEETING

RESOLVED that the date and time of the next Overview and Scrutiny Board to be held on 8th September 2020 at 6.00 p.m. be noted.

The meeting started at 6.00 pm and ended at 7.11 pm