



OVERVIEW AND SCRUTINY

ANNUAL REPORT

2003/04

April 2004

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Introduction

The principles underlying the overview and scrutiny functions of Charnwood Borough Council are embodied in the Council's Constitution. Article 6 of the Constitution sets out the terms of reference of the five scrutiny committees and the Scrutiny Commission, as well as their specific functions. One of those is the production of an Annual Report on the workings of the scrutiny system and any proposals to change it. The Constitution also lays down "Overview and Scrutiny Procedure Rules" to guide and regulate the conduct of scrutiny activities.

The Annual Report for 2002/03 highlighted the potential of scrutiny to be effective in contributing to the Council's activities and rewarding for the councillors involved in it. One factor which had influenced the operation of the function that year had been the absence of a single group having overall political control of the Council. The fact that the Cabinet had had to proceed on the basis of consensus on most matters appeared to have had a "knock-on effect" in terms of scrutiny's role in holding the Executive to account. For example, the fact that there had been only two "call-ins" that year was regarded as a reflection of that.

The position changed in May 2003, after the local elections, with the Labour and Liberal Democrat Groups combining to form a joint administration, with the largest of the three groups, the Conservative Group, forming the opposition. This review of the year, therefore, needs to take account of that and to examine whether that has changed the operation of the scrutiny function. The fact that about half of the scrutiny committee members were new to scrutiny in the wake of significant change of Council membership last May, is also a factor to be taken into account.

The Scrutiny Structure and Work Programme

Each scrutiny committee has been able to maintain a full work programme throughout the year, with just the Housing Scrutiny Committee exhibiting a particularly challenging agenda.

A summary of the main issues reviewed by the scrutiny committees over the last 12 months is included as an Appendix to this report. In addition to those specific issues, each Committee had made serious input into the development of the Corporate Plan as well as scrutinising budgets, service plans and revenue out-turn reports. Committees have endeavoured to strike a balance between holding the Executive to account, policy development issues, external scrutiny and the scrutiny of individual services. This balance will need to be the subject of review.

The Housing Scrutiny Committee has again gone "on the road", this year to Mountsorrel and held a lively session with tenants of some of the Council's houses in the area. The Environment Scrutiny Committee has also been repeating the "select committee" approach to certain issues in the latter half of the year. Working Parties have been used to some extent by committees, on a task and finish basis. There has also been joint committee working involving the Community Development and Environment Scrutiny Committees in relation to Charnwood Wildlife.

There has been some reduction in the level of external scrutiny this year, although that is expected to be a short-term change only. In part, that reflects the fact that there are many new councillors for whom the initial priority has been Council services but there has also been evidence of some external parties being reluctant to be involved in the Council's scrutiny work. These are issues that will be addressed early in the new Council Year.

The Scrutiny Commission continues to take an overview of the activities of all the scrutiny committees to try to avoid duplication and to identify opportunities for joint working where appropriate.

As the year under review draws to a close, the Council is set to review various aspects of the Constitution including potential changes to the scrutiny structure. The effect of any new ways of working will be reported upon in the 2004/05 Annual Report if changes are agreed and implemented.

Liaison with the Cabinet and Chief Executive's Team

Shortly after the start of the year under review, arrangements were agreed for half – yearly meetings between members of the Scrutiny Commission and the Cabinet to ensure effective liaison and understanding of respective roles. Also, with the Chief Executive after his appointment, agreement that a member of the Chief Executive's Team will attend most scrutiny committee meetings.

Operation of the Overview and Scrutiny Procedure Rules

The Scrutiny Commission has reviewed the operation of the rules and is satisfied that, although complex in some respects, they have worked and/or have been made to work, quite effectively in 2003/04. It is satisfied that there has been full compliance with the procedures laid down and that, in the main, the referral of business between the Scrutiny and Executive functions has been effective and timely.

The procedure to call-in Cabinet decisions has been used on five occasions in the last year. This is an increase from two in 2002/03. The Scrutiny Commission is satisfied that each "call-in" was justified and the call-in procedure is not being over-used. The number and frequency of "call-ins" will be kept under review.

The Scrutiny Commission is satisfied that there has been no use of the Party Whip in operating the scrutiny function, contrary to Procedure Rule 16, during the last 12 months. During the year, clarification has been given by the Monitoring Officer over the position of party group meetings prior to scrutiny committee meetings.

Scrutiny Review and Training

The Member Development Programme has continued to include modules of value to scrutiny committee members. The focus this year has been to ensure that "new" councillors elected in May 2003 were able to get an understanding of the potential approaches to scrutiny, the remits of the individual committees and an overview of the

services provided. An external facilitator has run one review session with councillors this year and the requirements for 2004/05 will be assessed early in that year.

In February, scrutiny committee members participated in a workshop arranged by the Scrutiny Commission to consider the Council's draft self-assessment as part of the preparations for the Comprehensive Performance Assessment to be conducted in May 2004.

Changing Roles of Scrutiny

There has been an increased emphasis on the monitoring of performance in the last 12 months particularly in terms of expenditure, key performance indicators, outline service plans and budgets by each of the scrutiny committees.

The Scrutiny Commission has taken on the additional task of monitoring the Council's performance against the Leicestershire Public Service Agreement and the Resources Scrutiny Committee now has the additional and potentially extensive extra role as the Council's "Audit Committee".

In the final quarter of the year under review, the Scrutiny Commission has considered the comments of the IDeA Peer Challenge Review Team on its impressions of scrutiny at Charnwood. It had concluded that scrutiny activities could be better co-ordinated, that there was a lack of evidence that the scrutiny committees owned the Council's priorities and that there appeared to be insufficient focus on holding Cabinet to account against those priorities.

The Scrutiny Commission has accepted these comments in the spirit that they were made and proposes to recommend topics for scrutiny, taking account of the Corporate Plan, the Risk Register and other key corporate documents

Conclusions

There are no specific issues which the Scrutiny Commission wishes to bring to the attention of Council at this stage for action. This report is, therefore, commended to Council for acceptance.

For all those who have played a part in scrutiny, whether as scrutiny committee members (including Jean Green, nominated by the Association of Charnwood Tenants, as the co-opted member on Housing), Cabinet Lead Members, representatives of public, private and voluntary organisations, officers or any of the many others who have been involved, the Council's thanks for assisting the scrutiny function to operate are placed on record.

APPENDIX

SUMMARY OF ISSUES SCRUTINISED IN 2003/04

Resources Scrutiny Committee

Sickness Absence Rates
Best Value – ICT Services
Asset Management
Best Value Performance Plan
Budget – Prioritisation and Spending
Financial Strategy
Internal Audit Programme
Staff Vacancies/Managed Vacancies
Contact Centre Pilot
Personal Development Reviews
Harassment & Bullying and Disciplinary Procedures
Redundancies
*Website Redevelopment
Chief Executive's Team – Restructuring
Audit Letter
Prudential Code for Capital Finance
Treasury Management
Severance Policy
Criteria for Use of Reserves
*Disposal of Land at Maxwell Drive, Loughborough

Community Development Scrutiny Committee

Best Value Review – Cultural and Leisure Services
Employment Land Monitoring
*Review of Electoral Registration Process
Charnwood Community Strategy
Local Elections 2003
Election Pilots 2003
Play Facilities/Open Space Provision
Burder Street Regeneration
Public Art Programme
Parks, Open Spaces & Wildlife Strategy – Roles of Council Teams
Operation of the Mayoralty
Leisure Facilities – Pricing Policy
Community Cohesion Pathfinder
Loughborough November Fair
Electoral Registration – Rolling Registration
Allsops Lane Amenity Area
Role of Media Officer
Town Centre Management

Environment Scrutiny Committee

Planning Services - Performance Improvement Measures
Charnwood Local Plan – Further Modifications
Revised Regional Planning Guidance
Development Control Performance
Best Value Review – Planning Services
Street Naming Procedure
Transportation Review
Planning Green Paper – Definition of Types of Dwelling
Environmental Improvements Programme
Planning Obligations – S.106 agreements
Planning Enforcement
Great Central Railway – Listing of Railway Stations
Buildings on the “At Risk” Register
*Parks, Open Spaces and Wildlife – Council Teams
Car Parking Charges

Health and Public Protection Scrutiny Committee

*Review of Refuse Collection & Recycling Service
East Midlands Airport
Emergency Planning
Street Cleansing
Security at Queens Park
Neighbourhood Wardens
Anti-Social Behaviour
Ambulance Provision within Charnwood
Environmental Health Out of Hours Service
Review of CCTV Systems
Supporting People Initiative
Flood Alleviation Schemes Programme

Housing Scrutiny Committee

Gray’s Court, Barrow-upon-Soar – Remodelling Scheme
Domestic Abuse Services
Race and Housing Policy
Housing Capital/MRA Programme 2003-06
Recovery of Housing Benefit Overpayments
Voids Performance
Anti-Social Behaviour
Housing Repairs and Maintenance
PRC Houses
Housing Service Restructure
Housing Stock Options Appraisal/Decent Homes
Land at Greedon Rise, Sileby
Housing Strategy
Homelessness
Rent Arrears

Best Value Review – Housing Services
Voids/Letable Standard for Charnwood Borough Council
Appointments System – Council tenants
Housing Allocations Policy
Wardens Service Restructuring
Replacement Multi-Trade Contract

Note: * indicates an issue that has been subject to “call-in”.