

COUNCIL – 24TH APRIL 2017

Report of the Scrutiny Management Board

ITEM 6.2 ANNUAL SCRUTINY REPORT 2016/17

Purpose of Report

To consider the 2016/17 Annual Scrutiny Report.

Recommendation

That the work of scrutiny during 2016/17, as set out in the Annual Scrutiny Report 2016/17 attached as an Annex to this report, be noted.

Reason

To report annually to Council on the workings of scrutiny bodies and the operation of the scrutiny function generally, in accordance with Scrutiny Committee Procedure 6.3(e) of the Council's Constitution.

Policy Justification and Previous Decisions

At its meeting on 29th March 2017, the Scrutiny Management Board agreed its Annual Scrutiny Report 2016/17 (Scrutiny Management Board Minute 37, 2016/17) for submission to Council.

The report is attached as an Annex.

Financial Implications

None

Risk Management

There are no identified risks associated with this report.

Background Papers: None

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Scrutiny
Annual Report

2016/17

Scrutiny Management Board



Introduction from the Chair of the Scrutiny Management Board

The Scrutiny Management Board's role is central to scrutiny arrangements at Charnwood as it works to:

- i) focus scrutiny by commissioning reviews and investigations;
- ii) monitor the effectiveness of scrutiny work by following up on actions agreed as a result of scrutiny recommendations;
- iii) review Cabinet decisions before they are implemented where councillors have "called-in" such decisions for scrutiny.

During 2016/17, the Board has:

- monitored progress towards establishing a Combined Authority for Leicester and Leicestershire, following a Council decision that the Board do so;
- continued to review the work of the Community Safety Partnership;
- considered the Council's Annual Report for 2015/16, reviewing how effectively the themes set out in the Corporate Plan had been delivered;
- monitored the implementation of the revised Leicestershire County Council grass cutting arrangements agreed in Autumn 2015;
- asked that a member reference group be established to consider the process for procuring the new Housing Capital Programme contract, in particular whether it puts tenants at the heart of the process and ensures that the expectations of the Council are satisfied;
- agreed to consider the Annual Procurement Plan and Quarterly Updates, so that scrutiny of procurement activity can be scheduled as appropriate.

The Board has continued to support the work of scrutiny groups and panels, through considering reports submitted to it and recommending those to the Cabinet, together with monitoring the implementation of Cabinet decisions in those respects. During the year, it has considered the recommendations of the Empty Homes Scrutiny Panel, submitting the Panel's report to the Cabinet, and monitored the implementation of Cabinet decisions in relation to the Decent Homes Contract Scrutiny Panel. In addition, the Board has considered:

- issues raised by the Overview Scrutiny Group following its scrutiny of the Loughborough Business Improvement District, submitting those to the Cabinet, together with an additional observation of the Board on the issues of begging and rough sleeping in Loughborough;
- a report of the Performance Scrutiny Panel on car parking and related matters and, as a result, submitting particular concerns of the Board regarding car parking needs in the Borough to the Cabinet;
- a recommendation of the Policy Scrutiny Group on Equality Impact Assessments, submitting that to the Cabinet;
- the recommendations and observations of the Budget Scrutiny Panel in respect of the 2017/18 draft budget, submitting those to the Cabinet and deciding also that the budget scrutiny process moving forward should include inviting the Leader and the Cabinet Lead Member for Finance and Revenues and Benefits to at least one of the Panel's formal meetings each year.

What is Scrutiny?

Part 1: Rather than making decisions, the role of scrutiny is to improve decision-making by others through reviewing the decisions taken and suggesting improvements that could be made. Scrutiny bodies therefore act in a similar way to select committees in Parliament.

It is important that decisions taken by the Council are monitored in this way to ensure that the services it provides are of high quality and that the decision-making process is transparent. Scrutiny also provides an opportunity for the views of the public, businesses, community groups and others to be considered when reviewing the Council's activities.

*Councillor Jewel Miah,
Chair of the Scrutiny
Management Board*

Policy Scrutiny Group

Policy Scrutiny Group

The Group has a number of roles which support the development and implementation of the Council's policies and strategies. These include:

- i) engaging at the earliest possible stage when the Council reviews existing policies to provide scrutiny input into their development;
- ii) reviewing the processes used to develop policy, including how consultation and stakeholder engagement are undertaken, the format of policy documents and how the successful implementation of policies is measured;
- iii) monitoring the progress and methods of scrutiny panels against the work programme and timetable agreed by the Scrutiny Management Board.

Making a Difference

By scrutinising policies and strategies during the consultation stage of the process the Group has been able to influence, clarify and add content to the Council's Customer Services Strategy, Customer Engagement Strategy for Landlord Services, Equalities Strategy, Member Development Strategy, People Strategy and Supplementary Planning Document (SPD) on Housing.

As part of its scrutiny of the Equalities Strategy, the Group made a recommendation that Equality Impact Assessments should be included as appendices to Cabinet reports rather than background papers. This recommendation was intended to ensure that appropriate consideration and scrutiny was given to those documents and was accepted by the Cabinet.

The Group has continued to take a keen interest in the development of the Council's planning policies. It scrutinised the development of the Housing SPD and sought to ensure that wherever possible new development included a suitable housing mix to meet the needs of the Borough. In order to confirm that this was happening the Group recommended that monitoring of delivery against the target housing mix for new housing was scrutinised once a method for doing so was developed. The Group also raised the issue of spare capacity of student accommodation and in particular the under occupancy of purpose built student accommodation in Loughborough town centre as one that should be investigated further during the development of the Single Local Plan.

The Group has scrutinised the important issue of homelessness throughout the year and will continue to do so as the Council's new Homelessness Strategy is developed. The Group noted that although there had been a rise in homelessness across the country this was not the case in Charnwood and that was to be welcomed.

Following the significant change brought about by the introduction of Individual Electoral Registration (IER), the Group examined what the impact of this had been. The Group welcomed the work that had been undertaken to maximise the number of people registered to vote and the fact that the impact of IER had been less in Charnwood than elsewhere in the country.

The Group looked at the process for producing scrutiny panel reports and recommended that two additional steps be included to improve the process:

- Inviting relevant officers to comment on a panel's recommendations before finalising them
- Making it explicit to the Cabinet whether recommendations are about establishing the principle regarding a matter or set out a more detailed proposal.

The Group has also sought to identify when other scrutiny bodies could look in more detail at issues it had considered. As a result of its review of how councillors could be more involved in major procurement projects, the Group recommended that the Scrutiny Management Board receives the annual procurement plan and quarterly update reports. That would enable the Board to decide whether councillors should be involved in scrutinising particular procurement projects.

Councillor Brenda Seaton, Chair of the Policy Scrutiny Group

Overview Scrutiny Group

The Overview Scrutiny Group has two roles:

- i) Considering issues on which the Cabinet will be taking decisions prior to those decisions being made, in order to make recommendations to Cabinet (pre-decision scrutiny);
- ii) Scrutinising external public service providers and partners, outside bodies and services shared with other local authorities.

Pre-decision Scrutiny

The Group's role in considering the issues on which the Cabinet will be taking decisions is a valuable one, enabling consideration of those important decisions by a wider range of councillors acting as a 'critical friend' to the Cabinet. The Group works to understand the reasoning behind the recommendations being made to the Cabinet and to ask questions or put forward suggestions to help ensure that decisions, when taken, are appropriate and right for residents of Charnwood.

During the year, the Group undertook pre-decision scrutiny of 21 items, supporting the recommendations being made to the Cabinet and putting forward suggestions on particular matters as it considered appropriate, with these including:

- Disabled Facilities Grants Funding Arrangements - the Group considered that Leicestershire County Council's request to divert the Disabled Facilities Grants funding allocated to the Borough Council by the Government for 2016/17 into pooled budgets within the Better Care Fund for wider projects across Leicestershire should not be agreed to, as advice from Government departments was clear that the County Council was required to pay that funding over in its entirety to the Borough Council.
- Future Use of Messenger Close, Loughborough – the Group highlighted the importance of appropriate measures being in place to ensure capital expenditure was kept under control and of flexibility being maintained such that the Council could build additional units should the market demand it.
- Disposal of Freehold Plot at Derby Meadow Industrial Estate - the Group asked that the Cabinet look into the value of the plot further before taking a decision on the matter, to ensure maximum value to the Council. While accepting that the disposal value recommended by the District Valuer may be a fair valuation, the Group was concerned that there may be a much greater value to the land once the freehold had been sold to the leaseholder and that this should be taken into account so far as was possible before agreeing the disposal.
- Introduction of Car Parking Charges at the Outwoods - the Group considered it to be important that any parking on highway verges near to the Outwoods which resulted from the new charges was effectively monitored and that the car parking charge remained affordable in the future.
- Treasury Management Strategy Statement, Annual Investment Strategy and Minimum Revenue Provision Strategy – the Group wished to commend the comprehensive treasury management controls the Council had in place.

The Group also welcomed the opportunity to consider the process followed in progressing the Thurcaston and Cropston Neighbourhood Plan through to being "made" part of the statutory development plan for Charnwood, that being the first such plan in Charnwood and noting that arrangements were in place by which parish and town councils could share experience gained from that.

Scrutiny of External Bodies

In October 2016, the Group undertook scrutiny of Living Without Abuse (LWA) and United Against Violence and Abuse (UAVA), exploring how the organisations provided Domestic Abuse services to residents of Charnwood, through investigating their work and goals, their structures of accountability and measures of success, their funding and their relationship with the Council.

Community Shop – Monitoring Progress

Following the Group's earlier pre-decision scrutiny of the matter and in accordance with a decision of the Scrutiny Management Board, the Group has monitored progress with the Community Shop initiative, receiving updates on four occasions during the year.

Councillor Margaret Smidowicz, Chair of the Overview Scrutiny Group

Budget Scrutiny Panel

Established by the Scrutiny Management Board in 2012, the Budget Scrutiny Panel has now completed its fifth year of scrutinising the Council's draft budget. In 2016/17, it held meetings between October and January alongside the Council's process for setting its 2017/18 budget.

Considering the Council's draft budget in a Panel setting enables detailed and effective scrutiny, with a structured approach and the opportunity for discussion of specific issues with appropriate councillors and senior officers.

The Panel reported its conclusions in respect of the Council's 2017/18 draft budget to the Scrutiny Management Board in January 2017, with the Board resolving to submit the Panel's conclusions to the Cabinet when it considered the Council's 2017/18 final budget in February 2017.

The Panel made the following recommendations to the Cabinet, all of which were accepted:

- funding for the Voluntary and Community Sector Development Officer post should be made permanent as the achievements of the post had met or exceeded expectations
- funding of an additional £20,000 for Loughborough Community Grants should be included in the budget for 2017/18 as the additional funding provided valuable support to the community and voluntary sector in Loughborough at a time when applications exceeded the funding available
- funding should be made available for Heritage and Conservation work in Loughborough and a contribution to a Charnwood Forest Canal Heritage Plaque.

The Panel also made recommendations about the process for developing and scrutinising the Medium Term Financial Strategy and the budget. The Panel wished to see these processes beginning earlier and to include consideration of:

- what drove priorities other than the Corporate Plan and how different priorities were weighted
- what alternative scenarios had been explored before they had been prepared and what the rationale behind those scenarios was
- what the appetite for risk was in investing where this could produce positive benefits and/or generate income
- how the cost benefit analysis of such potential activities was undertaken.

These recommendations will be considered by the Scrutiny Management Board.

With local government finances under extreme pressure, it is important that value for money is gained in every decision the Council makes and the Budget Scrutiny Panel plays a leading role in ensuring that this is done. As part of this role the Panel identified the following concerns

- reserves could only be used once and that the Council would still have to make savings in years 2 and 3 of the period covered by the Medium Term Financial Strategy, and
- the Efficiency Plan that had been agreed needed to be used and monitored actively to ensure that appropriate savings are made at the earliest opportunity.

Councillor Jewel Miah, Chair of the Budget Scrutiny Panel



Performance Scrutiny Panel

What is Scrutiny?

Part 2: One of the key jobs that scrutiny does is to hold decision-makers (especially the Council's Cabinet) to account for their decisions. Scrutiny bodies have the power to require Cabinet members to attend their meetings and explain the decisions they have taken, the Council's policies and performance. Having heard from decision-makers and gathered other evidence, for example from good practice elsewhere, scrutiny bodies are able to make recommendations on how things could be improved.

Where the Cabinet take a decision, councillors are able to ask the Scrutiny Management Board to review that decision before it is implemented in case there are concerns that a better decision could be taken. This is known as a call-in.

The Performance Scrutiny Panel reviews Council Services with the aim of seeking improvements in Council performance and monitoring whether performance targets are being met. The Panel takes a significant role in ensuring that all Cabinet initiatives are rigorously scrutinised to ensure that objectives are being achieved and policies are operating efficiently. The Panel welcomes careful consideration of its recommendations to ensure that scrutiny adds value to Council Services, and asks that Cabinet ensures this is always the case.

The Panel receives performance reports on a quarterly basis to monitor progress against agreed targets. The Panel also receives Revenue Monitoring and Capital Plan reports to scrutinise the Council's financial performance, revenue position and to consider amendments to the Capital Plan agreed by the Cabinet.

In 2016/17 the following issues have been scrutinised, and where appropriate, further information was requested to support its scrutiny:

- Housing Repairs Complaints
- Housing Rent Arrears – internal mechanisms
- Car Parking Impact Assessment Study
- Online Customer Service
- Impact of Anti-Social Behaviour on Council Tenants
- Delivery of Climate Local Plan
- Vacant Posts and the use of Agency Staff – Planning Service
- Supporting Leicestershire Families
- Progress Report on the Delivery of the Children and Young People's Strategy and Action Plan;
- Utilising Section 106 Funds;
- Tenancy Support



In respect of the Car Parking Impact Assessment Study, the Panel recommended to the Scrutiny Management Board that the study recommendations should be further considered to resolve issues raised by the Car Parking Scrutiny Panel and to ensure future car parking requirements in the Borough over the next few years are met.

Councillor Jenny Bokor, Chair of the Performance Scrutiny Panel

Scrutiny Panels

“Task and Finish” panels have an essential role in enabling councillors to engage in thorough investigation of specific issues of importance to the Council and its customers.

Empty Homes Scrutiny Panel



During the year the Empty Homes Panel’s report has been considered by the Scrutiny Management Board and, subsequently, the Cabinet. Outcomes have included a Council decision to introduce an Empty Homes Premium and to discontinue the one month Council Tax discount for empty properties, together with a decision that the work of the Council’s Empty Homes Officer should include developing an Empty Homes Strategy based on the format recommended by the Panel. The Strategy would set out the Council’s proactive approach to bringing empty properties back into use and raise standards in the private housing sector.

Decent Homes Contract Scrutiny Panel

Implementation of Cabinet decisions relating to the Decent Homes Scrutiny Panel has been monitored by the Scrutiny Management Board during the year, with the Board resolving that implementation was complete, with the exception of the decisions which required action in the future, which the Board will monitor in October 2017.

The Chair of the Scrutiny Management Board made particular comment that the work of the Panel had been timely and effective, resulting in a positive outcome for all parties. Outcomes have included asking and working with the contractor to implement a range of changes to its practices and procedures aimed at improving customer experience and standards of work. After submission of its report, the Panel continued to meet to monitor improvements, holding its last meeting in October 2016. Resulting from those further meetings is the Scrutiny Management Board’s requested that a member reference group be established to consider the process for procuring the new Housing Capital Programme contract, in particular whether it puts tenants at the heart of the process and ensures that the expectations of the Council are satisfied.

Scrutiny continues to consider whether issues require scrutiny via the “task and finish” approach of a panel and will establish such panels moving forward where it is considered value can be added by such an approach.

What is Scrutiny?

Part 3: In addition to reviewing decisions and performance, scrutiny can look at particular topics in more detail. The use of panels set up for a specific purpose can be a powerful tool for gathering evidence on that topic and developing detailed and well argued recommendations. This approach is particularly useful for scrutinising possible new ways of working, for example how to respond to new legislation.

By focusing on a particular topic, scrutiny panels are able to gather evidence from a number of sources, including customers and other people directly affected by the issue, as well as experts from outside the Council. This provides the opportunity for the public to influence the policy-making process.

Membership of the Scrutiny Management Board



Cllr Jewel Miah

Chair of the Scrutiny Management Board



Cllr Margaret Smidowicz

Chair of the Overview Scrutiny Group



Cllr Brenda Seaton

Chair of the Policy Scrutiny Group



Cllr Jenny Bokor

Chair of the Performance Scrutiny Panel



Cllr Richard Shepherd

Vice-chair of the Scrutiny Management Board



Cllr Bill Bebbington

Vice-chair of the Overview Scrutiny Group



Cllr Robert Sharp

Vice-chair of the Policy Scrutiny Group



Cllr Ron Jukes

Vice-chair of the Performance Scrutiny Panel

Looking Ahead

The Scrutiny Management Board is always seeking ways in which scrutiny can be improved so that it continues to develop its ability to make real and demonstrable improvements to the Council's services and decision-making.

The Board will trial a light touch review of a suitable topic. This new approach will enable the topic to be scrutinised quickly and efficiently and provide an opportunity for greater councillor leadership of scrutiny.

Councillors will also continue to be provided with training on how to use scrutiny effectively and how it can be focussed on the most appropriate and important topics.

The Board responded to the Parliamentary Select Committee that is looking into how scrutiny is working nationally and it will be interested to hear the results of the review.

More Information?

If you would like to suggest a topic for scrutiny to look into or would like more information about scrutiny, please contact:

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