

# **Overview & Scrutiny Annual Review**

**2004-05**



**The work of the Community Safety and Well-Being;  
Sustainable Communities; and Service Improvement  
Overview and Scrutiny Committees from July 2004 –  
May 2005**

**June, 2005**

## INTRODUCTION

This Annual Review report details the work of Hyndburn Borough Council's Overview and Scrutiny function during the 2004/2005 Municipal Year.

(There have been a number of changes during the past 12 months, in particular, in respect of the dedicated Officer support to Overview and Scrutiny. Helen Linsley, the Council's Overview and Scrutiny Officer, left the Council in June, 2004 to take up an external appointment in Lancaster. Helen was instrumental in the initial development and implementation of the Overview and Scrutiny function at Hyndburn and we wish her well in her future career. She was succeeded in post in October, 2004 by Paul Preston, who joined Hyndburn from Selby District Council, North Yorkshire. During the interim period between June and October, 2004, Graham Pinfield, Chief Corporate Services Officer; Pam Plant, Head of Information Technology; and Steve Watson, Area Council Team Leader jointly administered the Overview and Scrutiny function and their contributions in this respect are greatly appreciated. Thanks are also extended to the Member Services section for their continued support throughout the year).

At the Council Annual General Meeting on 1<sup>st</sup> July, 2004, under its Constitution, the Council increased the number of its Overview and Scrutiny Committees from two to three for 2004/2005. This Annual Review summarises the work of Hyndburn Borough Council's three Overview & Scrutiny Committees during the 2004/2005 Municipal Year.

The purpose of the report is to describe:

- the approach to Overview & Scrutiny adopted at Hyndburn;
- Joint work undertaken by the three Committees on major Policy and Budget issues;
- the work of the Community Safety and Well-Being Overview and Scrutiny Committee during the year;
- the work of the Sustainable Communities Overview and Scrutiny Committee during the year;
- the work of the Service Improvement Overview and Scrutiny Committee during the year;
- Progress on the Overview & Scrutiny Improvement Plan
- and suggestions for 2005-06

### **Overview & Scrutiny: Summary of meetings 2004-05**

Total Committee Meetings: 19  
Community Safety & Well-Being Overview & Scrutiny Committee meetings: 6  
Sustainable Communities Overview & Scrutiny Committee meetings: 6  
Service Improvement Overview & Scrutiny Committee meetings: 4  
Joint meetings of the Overview and Scrutiny Committees: 3  
Overview & Scrutiny Panels: 0  
Total topics examined (excluding standing items): 51

Overview & Scrutiny was also represented at meetings of the Lancashire County Council Health Equalities Overview & Scrutiny Committee during the year.

## **APPROACH TO OVERVIEW & SCRUTINY**

### **Work Programme**

Overview & Scrutiny Committee Members developed their Work Programme at a Joint Workshop in August 2004. This set out items the three Committees wished to focus on during the year.

The Work Programmes were developed using a set of 9 key questions to help with the selection of topics. These questions were used by the Chair and Vice-Chair of each Committee to prioritise work programme items.

Hyndburn's approach was highlighted by the Centre for Public Scrutiny in its publication *'Overview and Scrutiny Guidance for District Councils'* in April, 2004.

Overview & Scrutiny items during the year have been selected from Cabinet Agenda and Minutes, the Forward Plan, and issues raised by Members or by the Public.

### **Criteria for Selecting Work Programme Items**

1. Is this topic a key priority for the Council? (e.g. as identified in the Community Strategy and Corporate Plan)
2. Is this topic important to the public? (e.g. are Members aware of public concern, has the issue been raised at Area Councils, has it been raised via public consultation?)
3. Is there evidence of poor performance which Overview & Scrutiny should investigate? (e.g. from performance information)
4. Does the Council spend a significant proportion of its budget on this issue?
5. Is this issue important to Members?
6. Is anyone else already looking at this issue? (i.e. is it really necessary for Overview & Scrutiny to spend time on this?)
7. Is this the right time to look at this issue? (e.g. is it about to change anyway?)
8. Will the time spent on this item be worthwhile? (e.g. can Overview & Scrutiny really make a contribution to this issue?)
9. Is there scope to involve the public, voluntary groups or other organisations in this topic?

## **Working Methods**

In examining Work Programme topics, the Overview & Scrutiny Committees have adopted a flexible approach which varies depending on the nature of the issue being considered. Some topics have been considered as a 'one-off' investigation, whilst others have been considered over several meetings.

Some of the approaches which have been used over the year include:

- inviting Portfolio Holders to be questioned by the Committee on specific topics
- inviting external organisations to give presentations to the Committee
- obtaining evidence from expert witnesses, such as the Police and Lancashire Crown Prosecution Service on dealing with Anti-Social Behaviour and the issuing of Anti-Social Behaviour Orders (ASBO's).

The three Committees have sought to adopt a fair and constructive approach in running Overview & Scrutiny Committee meetings. This has involved, for example, providing attendees at meetings with a list of proposed questions in advance.

Overview and Scrutiny Committee Members also agree to adhere to the following principles when questioning individuals. Cabinet Members and other invitees are being asked for their feedback on how far these principles were adhered to during 2004-05.

### **Overview and Scrutiny Principles**

The Committee will exercise the following principles when conducting its business:

1. At all times adhere to the Code of Conduct for Members and the protocol for Member/Officer relations
2. To treat people fairly and with respect and be constructive, especially when challenging people
3. To seek consensus on the best solutions irrespective of party politics
4. To be open and transparent
5. To look for continuous improvement rather than blame
6. To be inclusive and democratic
7. To communicate well and constantly
8. To make best use of available resources
9. To ensure equality of opportunity
10. To allow Portfolio holders when present to deal with questions and facilitate officer input when under scrutiny

## **JOINT WORK – MAJOR POLICY AND BUDGET PROPOSALS**

The Overview & Scrutiny Chairs decided at the beginning of the year to hold Joint Meetings on occasions where major Policy or Budget issues were being considered, which were of significant importance to the three Committees.

Three Joint Meetings were held during the year, one meeting in December 2004 and two meetings in February, 2005 and considered the following issues:-

### **The Stage One Notice to Tenants Regarding Housing Stock Transfer - The “Offer Document” (Considered at meetings held in December 2004 and February 2005).**

At the Joint Meeting held on 1<sup>st</sup> December, 2004, the Deputy Leader of the Council (Regeneration) submitted a report relating to the Stage One Notice to Tenants regarding Housing Stock Transfer – “The Offer Document” and invited comments from the Overview and Scrutiny Committee Members as Consultees on the Draft of the Council’s “Offer Document” to Tenants.



The Joint Committee recommended a number of suggested improvements to the format of the “Offer Document” and issues relating thereto, and endorsed and welcomed the submitted draft of the Council’s “Offer Document” to Tenants, subject to their suggestions and comments for revisions/improvements to the document being considered as part of the Consultation procedure.

A further Joint Meeting was held on 14<sup>th</sup> February, 2005 to consider a further report detailing the Fourth Draft of the “Housing Offer Document” prior to the Document’s submission to Cabinet for approval.

The Tenancy Services Manager gave a presentation on the main changes made to the Document since the December 2004 meeting, following which Members of the Joint Committee offered some further suggestions on additional improvements to the document, including comments on the heating schemes, length and easy reading of document, size of summarized guide, printing of text over photographs and assistance to Tenants on contents of document. Additional improvements were subsequently incorporated into the Housing Offer Document, prior to the Document’s submission to and approval by Cabinet at its meeting held on 21<sup>st</sup> February, 2005.

### **Council Budget 2005-06**

Overview & Scrutiny Committee Members’ questioned the Leader of the Council, the Portfolio Holder for Corporate Governance and the Portfolio Holder for Economy and Employment in detail on the Cabinet’s Budget proposals on 24<sup>th</sup> February 2005. Following the meeting, the recommendations of the Joint meeting were included in the Leader’s speech to Council (Budget) alongside Cabinet’s Budget proposals.



**Joint Meetings of the three Overview and Scrutiny Committees: Summary of Activity 2004-05**

Committee Meetings: 3  
Total topics examined: 2  
Call-ins: 0

**COMMUNITY SAFETY AND WELL-BEING OVERVIEW & SCRUTINY COMMITTEE**

The Community Safety and Well-Being Overview and Scrutiny Committee's remit over the year was to monitor the implementation of Hyndburn's Community Strategy and Community Safety issues. It also had a particular focus on Partnership Working and monitoring the performance of external public service providers and the impact of those services on the Well-Being of the Borough.

The Committee was made up of Councillors D Hayes (Chair), Mrs S Hayes (Vice-Chair), G Jones, D Myles and Mrs J Storey. Mr P Shaw was also appointed as a non-voting Co-Opted Member of the Committee in February, 2005.

The Committee's terms of reference were as follows:

**Community Safety and Well-Being Overview and Scrutiny Committee - Main Terms of Reference**

To scrutinise the work of the Cabinet falling within the Committee's terms of reference.

To monitor the implementation of Hyndburn's Community Strategy and the achievement of Community Strategy targets and objectives.

To monitor the implementation of the Council's policies and strategies in respect of Community Safety and promote Community Safety across Council policies and services.

To monitor the performance of external public sector providers, the impact of those services on the Well-Being of the Borough and the contribution of those services to the achievement of the Community Strategy Objectives.

To conduct investigations and report in respect of issues affecting the Well-Being of the Borough or particular areas of the Borough.

**Some of the Committee's detailed Terms of Reference were:**

- To review and scrutinise the decisions made by, and the performance of, the Cabinet, Committees and Council Officers, both in relation to individual decisions and over time.
- To liaise with external organisations operating in the Borough, whether National, Regional or Local, to:

- ensure that the interests of local people and the Well-Being of the Borough are enhanced by collaborative working;

- monitor the effectiveness and the impact of the services provided by such organisations.

- To conduct research and community and other consultation in respect of issues impacting upon the Well-Being (including in respect of Community Safety) of the Borough or particular area of the Borough.
- To review and scrutinise the performance of other public bodies in Hyndburn and invite reports from them by requesting them to address the Committee about their activities and performance.

### **Community Safety Issues and Audit**

Members received a presentation from the Director, Hyndburn First in September 2004 on Community Safety Issues and the forthcoming Community Safety Audit. Supporting information containing the Hyndburn Anti-Social Behaviour Strategy 2004/2005 and an Anti-Social Behaviour Information Leaflet produced by the Hyndburn Community Safety Partnership were circulated at the meeting. The Committee made a number of recommendations which have since been implemented:-



- The publication of Information relating to the reduction in domestic burglary crimes in the Borough is published annually in the BVPI 126 (Borough-Wide) and can be found in the Council's Corporate and Performance Plan.
- The exercise of crime prevention and Anti-Social Behaviour Orders/Initiatives was highlighted in the Community Safety Audit.
- The Community Safety Manager publicised, as requested, the availability of reporting Centres for the reporting of racist and homophobic incidents and a list of those Centres was made available to all Members of the Council.
- The Leader of the Council wrote to the Home Secretary expressing concern over the lack of funding available to assist in the reduction of alcohol related crime in the Borough.
- The lack of domestic refuges in Hyndburn for both female and male Members of the Community was identified and the possible provision of domestic refuges was considered as part of the Voluntary Sector funding report which was subsequently submitted to Cabinet.

A Subsequent report on the Executive Summary of the Hyndburn Community Safety Audit 2004 and a presentation giving a more detailed breakdown by Ward, of the responses received from the East Lancs Feedback Citizens' Panel in respect of the Hyndburn Community Safety Audit 2004 were given to the Committee at meetings in January and February 2005 respectively.

## **Anti-Social Behaviour / Anti Social Behaviour Orders (ASBO's) and Related Issues**

The Committee received a joint presentation from the Community Safety Manager, Sergeant Mark Porter of Lancashire Constabulary and Ms. Sue Crabb of Lancashire Crown Prosecution Service. Members received a briefing paper on Anti-Social Behaviour Issues in Hyndburn in 2004, whilst Sergeant Porter outlined the role of Partnership Working; legislation criteria for the receipt of an ASBO; agency agreement to actions taken; the custodial process and drinking on streets. Ms Crabb outlined the work of the Crime Prevention Agency; and reported on ASBO's; victims of crime/nuisance; criminal proceedings; circumstantial evidence and a Home Office training video on Anti-Social Behaviour entitled "Taking a Stand".



The Community Safety Manager, at the request of the Committee, subsequently forwarded the Committee's comments, concerns and suggestions to the Community Safety Partnership (CSP) on how Hyndburn Borough Council could assist them in reducing Anti-Social Behaviour/ASBO's and related issues in Hyndburn as a contribution towards the development of the Community Safety Strategy 2005/2008. A copy of the Home Office training video on Anti-Social Behaviour entitled "Taking a Stand" was also obtained by the Community Safety Manager and will be used for training purposes by Human Resources as part of the Member Development Programme.

## **Emergency Planning Issues and Responsibilities in Hyndburn**

The Committee, at its meeting in September 2004, was invited to comment on the key issues proposed in the Civil Contingencies Bill and the possible consequences resulting for the delivery of the emergency planning service for Hyndburn. The Civil Contingencies Bill proposed a complete overhaul of the role of Local Authorities in emergency planning and for the first time, whereby District Councils' would have a statutory duty to plan for emergency incidents. Arising from consideration of the item, Cabinet was requested to pursue the possibility of a Service Level Agreement (SLA) between Hyndburn Borough Council and the Lancashire County Council in order to enable Hyndburn to discharge its duty to engage in emergency planning and liaise with other East Lancashire Authorities in that context; and to revisit the Council's security measures and refresh procedures for opening of Officer and Councillors mail. Both these matters are now being progressed by the Council's new Emergency Planning Officer.

## **Proposals for a New Policy for Funding External Organisations**

The Committee, at its meeting in November 2004, considered and made a number of recommendations on proposals for a New Policy for funding External Organisations.



The Committee's recommendations were reported to the Cabinet, although not all the recommendations were accepted. A new Policy was agreed by Cabinet at its meeting held on 21<sup>st</sup> February, 2005, whereby the renaming of the Judicial Sub-Committee (Community Chest Applications) to the Judicial Sub-Committee (External Funding Applications) was approved, with the following terms of reference:-

1. To determine applications for grant assistance from the Council's single funding budget for grants to external organisations made by voluntary and community groups active in the Borough; and
2. To make delegations to officers within its terms of reference.

### **Proposed Strategy to Address a Reduction in Funding for Neighbourhood Wardens**

Following concerns about the reduction in funding for the Neighbourhood Wardens, the Committee received evidence from and questioned the two Deputy Leaders of the Council and the Regeneration Manager on the proposed Strategy the Council was undertaking to address this matter.

Following consideration, the Committee recommended to Cabinet that the Council vigorously pursues to seek out all funding possibilities and for the Leader of the Council to report back on progress made to a future meeting of the Community Safety and Well-Being Overview and Scrutiny Committee. The Committee also recommended that the Budget Implications as set down in the Council's Forward Plan and Medium Term Budget Strategy should include reference to any Policy Decisions, i.e. Neighbourhood Wardens; and for Cabinet to look urgently at the feasibility of resolving the mainstream funding issue through the use of Neighbourhood Management funding.

In March, 2005, the Regeneration Manager reported on the outcome of efforts to secure additional funding for Neighbourhood Wardens to replace Office of the Deputy Prime Minister funding at the end of March 2005. The Committee was informed that although all avenues for potential funding for retaining the full complement of Neighbourhood Wardens had been exhausted, financial support had been secured to retain two Wardens through a combination of funding from the Neighbourhood Renewal Fund, Eaves Brook and St Vincent's Housing Associations and from the Council's Area Council Budget.

Arising from the meeting, the Committee requested a further report from the Regeneration Manager on a full evaluation and comprehensive analysis of the Wardens Service and the benefits they bring.

### **Hyndburn Voluntary and Community Resource Centre, St. James Old School, Cannon Street, Accrington**

In November 2004, the Committee considered a report and was invited to make comments on the refurbishment, financial arrangements and use of the Hyndburn Voluntary and Community Resource Centre, St James' Old School, Cannon Street, Accrington.

In order to assist the Committee in their deliberations, the Overview and Scrutiny meeting was held at the Hyndburn Voluntary and Community Resource Centre. The Committee was also given a guided tour of the building by the Project's Development Officer prior to the meeting.

The Committee was informed how the refurbishment of the St James' Church School into the Hyndburn Voluntary and Community Resource Centre had been achieved; the grants that had been obtained in order to facilitate the refurbishment; the purpose of the Centre and the means by which the Centre would be managed. The refurbishment of the St James' School into the Hyndburn Voluntary and Community Resource Centre fulfilled a key objective of the Council's Best Value Review of external organisations, namely to improve voluntary sector accommodation and contain associated costs.

### **Community Cohesion Action Plan**

The Committee considered a report on the progress made in developing a Community Cohesion Action Plan for Hyndburn as part of the Local Strategic Partnership's Community Strategy. Members considered the work done to date to promote and co-ordinate Community Cohesion outcomes and planning and delivery activities. The Committee particularly welcomed the production of a "Where are we now?" study and discussed and contributed to the final draft of the study at its meeting held in May, 2005.



### **Open Spaces and the Well-Being of the Borough**

At its March, 2005 meeting, the Committee considered a report from the Parks and Open Spaces Manager on the level of open space provision for recreation and leisure activities in the Borough. Although the Local Plan stated that Hyndburn had an adequate provision of open space for recreation and leisure activities in the Borough, the Committee recognised that the existing parks and green spaces in the Borough required investment to bring the facilities up to recommended standards.



The Committee also examined the main findings of the "Playing Pitch Strategy" for the Borough, and made a number of recommendations to Cabinet, which were accepted, including for high priority to be given to supporting all applications for external sources of funding/attracting external funding to improve the existing facilities which had been identified as generally in a poor state of repair and in need of investment; and examining ways to further increase the provision and usage of facilities for Young Peoples' Sports in the Borough. The Head of Legal and Democratic Services has also been asked to undertake a review of the existing Covenants of the nine major Parks bequeathed to the People of Hyndburn which are held in Trust by the Council and to submit a report to a future meeting of the Committee on this matter.

### **Project Initiation Document (PID) for the delivery of Neighbourhood Management in Hyndburn**

As part of the Committee's Policy Development role, Members considered and commented on a report and draft PID which outlined the establishment of a structured project and performance management framework, which clearly defined the responsibilities, objectives and scope of Neighbourhood management in Hyndburn. The PID was subsequently approved by Cabinet and will ensure that the Eaves Brook Housing Association effectively delivers Neighbourhood Management in Hyndburn.

### **Community Safety and Well-Being Overview and Scrutiny Committee: Summary of Activity 2004-05**

Committee Meetings: 6  
Total topics examined: 18  
In-depth Scrutiny Reviews: 0  
Call-ins: 0

### **SUSTAINABLE COMMUNITIES OVERVIEW & SCRUTINY COMMITTEE**

The Sustainable Communities Overview and Scrutiny Committee main remit over the year was to consider all matters relating to the Health Service in Hyndburn and to contribute to the work of the Lancashire County Council Health Equalities Overview and Scrutiny Committee. It also monitored progress in respect of the development of Sustainable Communities including Neighbourhood Management and Housing Market Renewal. The Committee also has responsibility to monitor the quality, cleanliness and vitality of the environment.

The Committee was made up of Councillors Mrs. M Haworth (Chair from January, 2005), I Ormerod (Vice-Chair (and Acting Chair July 2004 to December 2004)), Paul Barton (replaced the late Councillor Mrs J. Butler from January 2005), B Dawson and Mrs J. Lockwood.

The Committee's terms of reference were as follows:

#### **Sustainable Communities Overview and Scrutiny Committee - Main Terms Of Reference:**

To scrutinise the work of the Cabinet falling within the Committee's terms of reference

To review and scrutinise and to make reports and recommendations on matters relating to the health service in Hyndburn and to contribute to the work of the Lancashire County Council Health Equalities Overview and Scrutiny Committee.

To monitor progress in respect of the development of Sustainable Communities including Neighbourhood Management and Housing Market Renewal.

To monitor the quality, cleanliness and vitality of the local environment.

#### **Some of the Committee's detailed terms of reference were:**

- To question members of the Cabinet, Committees and Officers at service head level or above about their views on issues and proposals which fall within the remit of this Committee.
- To conduct research, and community and other consultation, in respect of issues impacting upon the Well-Being of the Borough or particular area of the Borough.

- To review and scrutinise the performance of other public bodies in Hyndburn and invite reports from them by requesting them to address the committee about their activities and performance.
- Monitor the Council's contribution to implementation of Strategies which fall within the remit of this Committee.

### **Housing Market Renewal Programme**

In September 2004, the Committee considered a report on the progress in the delivery of the 2004/2005 Housing Market Renewal Programme and was informed of Elevate East Lancashire's proposed framework for preparing and agreeing the 2005/2006 Programme. Following Committee concerns about a Sunday Times newspaper article concerning Housing Problems in East Lancashire, the Leader of the Council, at the request of the Committee and with the agreement of Full Council, wrote to the editor of the newspaper expressing concern over the article.

### **Proposed Housing Market Renewal Neighbourhood Action Plans**

The Leader of the Council met with the Committee in September 2004 to discuss emerging Neighbourhood Action Plans for the Barnfield / Peel; Oswaldtwistle and Scaitcliffe / Spring Hill Neighbourhoods. Following examination of the proposals, Cabinet was informed of the Committee's comments in relation to the mature approach being taken by the Council on Housing Renewal Issues, the expectations of residents and difficulties in the management of manufacturing use and location.

### **Housing Market in Hyndburn**

The Committee was consulted on the draft Housing Strategy 2004-2007. Arising from consideration of the Strategy, the relevant Portfolio Holders were informed of the Committee's comments / concerns in relation to planning gain and consideration of any opportunities in that area; VAT implications of new build; and realistic take-up of sustainability and commercial pressures on local facilities. The draft Housing Strategy 2004-2007 was subsequently submitted to and approved by Cabinet.

### **Accrington Town Centre and the role of the Accrington Town Centre Regeneration Board**

In November, 2004, the Committee examined plans on display relating to the preferred option of the Accrington Town Centre Regeneration Board for proposed improvements to Broadway, Accrington. The Committee noted the fact that working in Partnership meant that Elected Members no longer played the primary role in making decisions in this matter. The Committee's comments were subsequently reported to the Cabinet meeting on 8<sup>th</sup> December, 2004 and all Councillors were given the opportunity to comment on the Plans for Broadway. The Plans will be displayed in the reception area at the Scaitcliffe House Council Offices and a series of bulletins will be issued throughout the Summer of 2005 to keep Councillors / other Stakeholders informed of progress.

## **Neighbourhood Management in West Accrington, Church and Clayton-Le-Moors (Call-In)**

The Committee considered a Call-In in relation to a Cabinet Decision and Council Policy in relation to Neighbourhood Management in West Accrington, Church and Clayton-Le-Moors. At the meeting, responses were given to the issues raised by the Call-In on the timescale and procurement method; the Council's relationship with Eaves Brook Housing Association; Neighbourhood Management in Hyndburn; Neighbourhood Management Nationally and the status of the Eaves Brook Partnership.



Following consideration of the responses, the Committee agreed to release the Cabinet decision. However, in doing so, and given the value and nature of the Contract, the Committee made it clear that the Council's Procurement Strategy and Contract Procedure Rules must in future be followed and that a proper procurement process should have been followed to identify an option to take forward Neighbourhood Management in West Accrington, Church and Clayton-le-Moors.

The Committee also requested a progress report and review of Eaves Brook Housing Association in relation to Neighbourhood Management in May 2005. Accordingly, the Committee received evidence at its May, 2005 meeting from two Clayton-Le-Moors / Enfield and one West Accrington / Church Neighbourhood Management (Resident) Board Members; the Regional Regeneration Manager and Neighbourhood Manager of Eaves Brook Housing Association; the Council's Project Sponsor; and the Deputy Leader of the Council and Portfolio Holder for Housing Market Renewal. Arising from the Scrutiny, the Committee, whilst welcoming the progress to date, noted the future initiatives planned and work still to be undertaken, and agreed to review progress again in March 2006.

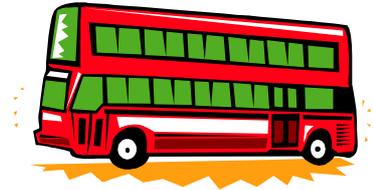
## **Local Development Frameworks / Local Development Schemes**

The Portfolio Holder for Corporate Governance submitted a report which informed Members' of the proposed Local Development Scheme for Hyndburn and sought the Committee's views on the final document prior to its consideration by Cabinet and submission to the Secretary of State, represented by the Government Office North West (GONW).

The Committee, whilst endorsing the Local Development Scheme, made a number of recommendations to Cabinet, particular the need to ensure the provision of additional resources to achieve the Government's expectations for the new Development Plan regime. The continuing opportunities for review and stakeholder involvement in the new Development Plan regime were also welcomed. It was agreed that the Committee would be given the opportunity to comment on the First Local Development Scheme (LDS) Annual Monitoring report to check how well the Council had performed in delivering the Local Development Framework and to have the opportunity to recommend any amendments to reflect changing circumstances.

## **Accrington Bus Station Proposals and other Transport an Access Issues**

The Committee questioned the Chief Planning and Transportation Officer on the current situation in relation to the proposals for Accrington Bus Station, particularly on the Local Transport Plan and a request to the Lancashire County Council to look as widely as possible at options available.



Issues discussed included problems associated with current bus station location and bus stops; Major Bus Facilities - 2006/2010 phase of Local Transport Plan; Hyndburn Bus Forum/Consultation/Views; Other Consultees/Views; Options Available; provision for "Out of Service" Vehicles; Town Centre Strategy; use of Little Blackburn Road and Hospital Bus Services. The Committee asked to be further consulted when further information on the proposals for Accrington Bus Station and other Transport and Access Issues became available.

## **Local Public Service Agreement (LPSA)**

The Portfolio Holder for Corporate Governance was questioned in relation to progress made in relation to the Local Public Service Agreement (LPSA) and the Partnership between Lancashire County Council, Central Government, the 12 District Councils and other Key Partners, particularly in relation to Hyndburn Borough Council. Following the meeting, the Committee was supplied, as had been requested, with comparable performance figures from Blackburn with Darwen Council. The Community Strategy Manager was also asked to arrange for the Teenage Pregnancy Co-Ordinator to give a detailed report and presentation to a future meeting of the Committee on the work being undertaken to reduce the Under 18 Conception Rate in Hyndburn.

## **Monitoring Report on Neighbourhood Renewal Fund Schemes**

The Portfolio Holder for Economy and Employment was questioned on the delivery and achievements of the Neighbourhood Renewal Fund Programme in 2004/2006 and the process for managing potential underspend across the Programme in the current financial year. Following the meeting, the Committee was provided with financial information relating to the Local Strategic Partnership (LSP) support posts identified on the 56 schemes, together with a copy of the Lancashire County Council Neighbourhood Renewal Evaluation Document. Cabinet also accepted the Committee's recommendation that it would be prudent to audit Hyndburn Borough Council's responsibilities with regard to Neighbourhood Renewal Funding being terminated.

## **Scrutiny of External Organisations**

### **Presentations on the Progress of the East Lancashire Local Improvement Finance Trust (LIFT) and Annual Presentation by the Hyndburn and Ribble Valley Primary Care Trust (PCT).**

At the Committee's meeting held on 22<sup>nd</sup> March, 2005, consideration was given to two external Scrutiny matters. The Chairman and the Chief Executive of the Hyndburn and Ribble Valley PCT attended the meeting and gave a presentation on the work of the PCT over the last 12 months and outlined their future plans.

The Chief Executive, LIFT and the Primary Care Trust LIFT Project Leader also attended the meeting and gave a presentation on the progress of the proposed Paradise Street Health Centre. The Committee was asked to comment on the Consultation document and report their findings to Cabinet. The Chairman and the Chief Executive of the Hyndburn and Ribble Valley Primary Care Trust contributed to the presentation and the discussion arising thereon. The Committee's findings were received and accepted by Cabinet and were subsequently submitted as the Council's formal response to the consultation.

#### **Sustainable Communities Overview and Scrutiny Committee: Summary of Activities 2004-05**

Committee Meetings: 6  
Total topics examined: 12  
Call-ins: 1  
In-depth Scrutiny Reviews: 0

### **Health Scrutiny**

#### **Lancashire County Council's Health Equalities Overview & Scrutiny Committee**

From January 2003 Unitary, County and Metropolitan authorities have had a specific power to scrutinise health services and health issues within their area.

In Lancashire, this obligation is discharged by Lancashire County Council through its Health Equalities Overview & Scrutiny Committee, which includes one representative from each district. At the beginning of the year, Councillor Paul Barton was appointed to represent Hyndburn on the Health Equalities Overview and Scrutiny Committee.

The Lancashire County Council's Health Equalities Overview and Scrutiny Committee met on eight occasions during the 2004/2005 Municipal Year. Matters of Local, Regional and/or National concern were considered by the Committee during the past 12 months, including:-

- A presentation on NHS Dentistry in East Lancashire;
- Responses to a Central Government consultation paper "Choosing Health", examining what could be done to encourage people to improve health, such as being physically active; giving up smoking; or eating more healthily;
- Public consultation on applications for Foundation Hospital Status;
- A presentation on the work of Lancashire Ambulance Service NHS Trust;
- The NHS Improvement Plan "Putting People at the heart of Public Service";
- East Lancashire Hospitals NHS Trust – Clinical Services Review;
- Community Matrons in Lancashire;
- Assessment for Improvement: Healthcare Commission consultation;
- East Lancashire Hospitals NHS Trust Recovery Plan Update;
- Paradise Street Health Centre Development, Accrington.

## **SERVICE IMPROVEMENT OVERVIEW & SCRUTINY COMMITTEE**

The Service Improvement Overview and Scrutiny Committee main remit over the year was to consider all issues relating to Council Policies or Services.

The Committee was made up of Councillors D Mason (Chair), T O'Kane (Vice-Chair), Paul Barton, Mrs J Battle and Miss W Frankland.

The Committee's terms of reference were as follows:

### **Service Improvement Overview and Scrutiny Committee - Main Terms Of Reference:**

To scrutinise the work of the Cabinet falling within the Committee's terms of reference

To assist with the development and review of Council Policies and Services, including those delivered in Partnership.

To monitor the performance of the Council Services to make suggestions for Service Improvements.

### **Some of the Committee's detailed terms of reference were:**

- To question Members of the Cabinet, Committees and Officers at Service Head level or above about their decisions and performance, whether generally in comparison with service plans and targets over a period of time or in relation to particular decisions, initiatives or projects.
- To assist the Council and the Cabinet in the development of the Council's Budget and Policy Framework by in-depth analysis of Policy issues.
- To review and scrutinise the performance of the Council in relation to its Policy objectives, performance targets and/or particular service areas.
- To monitor and oversee the Comprehensive Performance Assessment and Implementation Plan.

## **Corporate and Performance Plan 2004-2008**

The Committee was consulted on the draft Corporate and Performance Plan 2004-2008 and invited to review the document and make comments and suggestions thereon. Members of the Community Safety and Well-Being and Sustainable Communities Overview and Scrutiny Committees were also invited to the meeting to participate in the consideration and review of the Plan.

The Leader of the Council responded to Members' questions on the draft Plan and the Chief Corporate Services Officer gave a slide presentation on the salient points relating thereto. Comments and suggestions from the consultation exercise were incorporated in the Plan, which was subsequently endorsed by Cabinet in October 2004 and approved by Council in December 2004.

Arising from the Scrutiny, the presentation slides document were included in the Plan and used as a summary document for public information. The Community Safety and Well-Being Overview and Scrutiny Committee was also requested to look in detail at the low level of educational attainment and lack of 'A' Level Education Facilities in the Borough and the lack of University Facilities in East Lancashire.

### **Lancashire County Council's Disabled Persons' Parking Bay Policy**

The Committee considered Hyndburn Borough Council's responses, as a consultee, to the Lancashire County Council's review of its Disabled Persons' Parking Bay Policy.



The Committee considered the final draft of the recommended revisions to the Policy, following which the Leader of the Council was requested to raise the concerns expressed by the Committee with the Leader of the Lancashire County Council in relation to the delay in undertaking the review; rights of appeal; refusals due to objections from a neighbour; length of bays and differing frontage width of properties. Advice was also sought on the legality of Hyndburn Borough Council dealing with appeals against refusal of applications for disabled person's parking bays; information relating to the list of applications waiting to be processed be made available to all Councillors; and for information relating to the costs associated with the provision and removal of disabled person's parking bays to be provided to Councillors.

The Cabinet was also requested to consider the remit of the Traffic Orders Regulation Cabinet Committee being extended to include meetings with applicants for disabled person's parking bays with a view to supporting applications where relevant; and to consider the provision of information on reasons for the refusal of applications to relevant Ward Councillors.

### **Licensing – Preparedness for New Responsibilities for new Licensing Policies**

The Leader of the Council submitted a report which invited the Committee to consider the actions already taken and the proposed actions to fulfil the Council's responsibilities for the issue of all Licences under the Licensing Act 2003.

Arising from the Scrutiny, at the Committee's request, the Leader of the Council wrote to Central Government regarding the costs associated with the new licensing responsibilities and the affect on areas with low property values such as Hyndburn, should the fees for a premises licence be linked to the non-domestic rateable value of the property.

### **Monitoring of the Benefits Service – Improvements Identified Following the Benefit Fraud Inspectorate's Report**

The Portfolio Holder for Corporate Governance submitted a report relating to the Monitoring of the Benefits Service and invited comments on the actions taken and further improvements still required following the Benefit Fraud Inspectorate's (BFI) Report of September 2003. The Portfolio Holder and the Acting Head of Benefits and

Customer Services responded to the Committee's questions, comments and concerns about the Service at the meeting.

Arising from the Scrutiny, the Committee, whilst expressing their appreciation of the work undertaken and improvements made by all staff in the Benefits and Customer Services Section to date in response to the Benefit Fraud Inspectorate's report, recognised that further improvements were still required.

Cabinet also accepted a recommendation that it would consult the Committee when the contract review process of the contract with CAPITA, (Contract review date – November 2005) for the provision of a telephone service to the Benefits Service was undertaken.

### **Performance of the Leisure Trust in Hyndburn**

The Chief Executive and Company Secretary of the Leisure in Hyndburn – Sports and Leisure Trust submitted that Company's 2003/2004 Annual Report and reported on progress made in relation to the performance of the Trust.

Arising from the Scrutiny, the Committee noted the Sports and Leisure Trust's current financial position and the discussions that had been held with the Council on the funding arrangements that were due for review in April 2005. Cabinet was requested to investigate the potential benefits of becoming an investor in the Trust, as an alternative to providing part of the Grant Support, as part of the discussions being held with the Trust on funding arrangements.

### **Elections**

The Head of Legal and Democratic Services submitted a report relating to the recent all postal voting pilot and Members' views were sought on the issues surrounding the advantages and disadvantages of a "traditional" election compared to an "all postal" election.



The Committee commented on the advantages and disadvantages of arrangements for "traditional" elections compared to "all postal" elections and considered evidence in relation to the Postal pilots in Hyndburn in 2003 and 2004; Turnout; Traditional Elections and All Postal elections and Electoral Fraud.

A recommendation that the Elections Officer review the existing provision of polling places in the Hyndburn District as a matter of urgency was agreed following the Scrutiny.

### **Update on Budget Monitoring Arrangements**

The Portfolio Holder for Corporate Governance submitted a report in response to the Committee's request for an update on the improvements made to the Council's Budgetary Monitoring arrangements.

The Committee, whilst welcoming the improvements to date, resolved to be kept informed of progress on the further work still required over coming years to ensure that the Council continues to improve its financial management ability.

## **Local Strategic Partnership – Annual Review by Central Government**

The Portfolio Holder for Economy and Employment submitted a report on the Local Strategic Partnership Annual Review by Central Government and the Committee was invited to scrutinise and comment on the outcome of the Annual Performance Review.

The Community Strategy Manager was informed of the Committee's comments, concerns and suggestions on the outcome of the Local Strategic Partnership Annual Performance Review to 31<sup>st</sup> March, 2004 by Central Government. The Committee scrutinised Central Government's recent consultation as to whether the future allocation of external funding should be based on Partnership Performance, and noted Central Government's current consultation on the new Comprehensive Performance Assessment for 2005 and the likely significant focus on what the Council and its Partners have achieved in relation to Sustainable Communities and Transport; Safer and Stronger Communities; Healthier Communities; Older People; and Children and Young People;

## **The Work of Benefit Fraud Investigation Team at Hyndburn Borough Council**

The Portfolio Holder for Corporate Governance submitted a report on the workings of the Benefit Fraud Investigations Team at Hyndburn. The Head of Audit and Investigations reported in detail on the contents of the report and responded to Members' questions, comments and concerns on issues raised.



The Committee, having considered the evidence presented, including legislative requirements, resolved to send a letter to the Head of Audit and Investigations conveying the Committee's appreciation of the work undertaken by staff in the Benefit Fraud Investigation Team.

## **Hyndburn Homes Repairs Service Health Check**

The Committee considered a report on the progress of the Responsive Repairs Service following the Health Check Report of May, 2004.

The Responsive Repairs Service had made good progress in implementing the recommendations of the independent Health Check carried out in 2004 by Consultants HACAS Chapman Hendy. An Audit report carried out by Internal Audit in February 2005, and the Budget Position as at February 2005 were also submitted as evidence. The Portfolio Holder for Social Housing, the Housing Business Manager and the Finance Manager attended the meeting and responded to the Committee's questions, comments and concerns thereon.



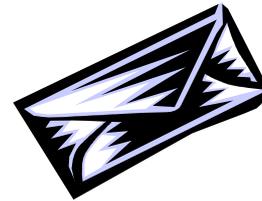
Following consideration of the item, the Committee, whilst proposing some further improvements in relation to minor repairs, welcomed the progress made by the Responsive Repairs Service.

## **Annual Efficiency Statement**

The Committee considered and made a number of recommendations on issues arising from the Council's Annual Efficiency Statement (AES). The Committee resolved to inform the Cabinet that it endorsed the efficiencies put forward and the arrangements for monitoring delivery in the Annual Efficiency Statement 2005/2006 and requested that the Annual Efficiency Statement be submitted to the Committee for consideration and comment on an Annual Basis. The Chief Corporate Services Officer was also requested to submit a copy of the Council's "Backward Looking" Annual Efficiency Statement for comment to the Committee, inviting comment on the statement prior to the 15<sup>th</sup> June, 2005 deadline for the documents submission to the Office of the Deputy Prime Minister.

## **Annual Audit and Inspection Letter**

The Committee reviewed progress and considered issues identified in the Annual Audit and Inspection letter issued by RSM Robson Rhodes.



Arising from the Scrutiny, Cabinet was informed of the Committee's comments in relation to the text contained in the report, particularly with regard to the Constitution and the roles of the Standards Committee and Budget Panel in respect of the Governance framework and responsibilities. It was also recommended that Internal and External Audit Services be informed accordingly.

Additionally, with regard to Comprehensive Performance Assessment, and decisions not to increase resources in the worst performing Service Areas, the Cabinet was informed that it should revisit those worst performing Services as a matter of urgency and examine ways of improving the situation.

## **Joint Venture Operations**

The Committee considered a report on the Council's three Joint Venture Operations with external commercial organisations. The report was Exempt from Publication as it contained information relating to the financial or business affairs of the external organisations. The Economy and Employment Portfolio Holder gave an overview of the three Joint Ventures and the Committee's views were sought on whether these Operations were being effectively managed in the best interests of the Council.

Arising from this Scrutiny, further information was sought from the Chief Finance Officer and Chief Planning and Transportation Officer on issues arising from the discussion at the meeting in respect of the Hyndburn and Barnfield Partnership. The Head of Legal and Democratic Services was also requested to clarify and report back to the Committee on the Constitutional position relating to the accountability / reporting procedures of the Council's three Joint Venture Operations.

### **Service Improvement Overview and Scrutiny Committee: Summary of Activities 2004-05**

Committee Meetings: 4  
Total topics examined: 16  
Call-ins: 3  
In-depth Scrutiny Reviews: 0

### **PROGRESS ON THE OVERVIEW & SCRUTINY IMPROVEMENT PLAN**

At the first Joint Meeting of the Overview & Scrutiny Committees in July 2003, an Action Plan was agreed to improve the work of Scrutiny. This Improvement Plan had arisen from a review of the work of Overview & Scrutiny during 2002-03, the results of a Member Survey at Hyndburn in March/April 2003 and evidence from research on Overview & Scrutiny published by the Office of the Deputy Prime Minister. The Plan was developed with the input of the Chairs of the Overview & Scrutiny Committees. The Overview and Scrutiny Committee Improvement Plan was reviewed and updated during 2003/04 and again in 2004/05.

Some of the main areas of progress on the Improvement Plan during 2004-05 were as follows:

#### **Progress on improvements to Overview & Scrutiny during 2004-05**

- Each Committee used the Forward Plan at each meeting to identify issues for the Work Programme. In some cases, and as an example of Policy Development, the Overview & Scrutiny chose to comment on proposals before a Cabinet decision had been made (for example, on the Local Development Framework / Local Development Schemes)
- The procedure for reporting Overview & Scrutiny recommendations to Cabinet and Council improved during the year. For example, the Joint Committee's comments on the Cabinet's Budget Proposals were reported by the Leader to Full Council in his Budget Speech.
- In the majority of cases Overview & Scrutiny Agendas only exceeded 4 substantive items (excluding Standing items) on rare occasions.
- The appointment of the first non-voting Co-Opted Member (Mr P Shaw of the Hyndburn Community Empowerment Network (HYCEN)) to the Community Safety and Well-Being Overview and Scrutiny Committee.
- All three Overview and Scrutiny Committees held agenda planning meetings this year. These were normally held a few days before the main Committee meeting and helped Members to develop their lines of questioning. Following the planning meetings a list of questions was provided for Portfolio Holders and Officers who had been invited to the Committee. This led to more focused and productive meetings and enabled Portfolio Holders to prepare more effectively for meetings.

- A leaflet promoting the work of the Overview and Scrutiny Committees has been produced. A PDF version of the Leaflet has also been added to the Overview and Scrutiny section on the Council's website.
- Both the Community Safety and Well-Being and the Sustainable Communities Overview and Scrutiny Committees began to involve outside organisations more effectively in the work of Overview & Scrutiny this year. For example, Police and Crown Prosecution Service representatives gave a presentation to the Community Safety and Well-Being Overview and Scrutiny Committee on Anti-Social Behaviour and the processes for the issuing of Anti-Social Behaviour Orders (ASBO's); whilst East Lancashire Local Improvement Finance trust (LIFT) and Primary Care Trust (PCT) representatives gave presentations on their work and on consultation proposals on the proposed Paradise Street Health Development for Accrington to the Sustainable Communities Overview and Scrutiny Committee.
- Publicity on Overview & Scrutiny has improved during 2004-05. Hyndburn Borough Council's Website now includes dedicated pages on Overview & Scrutiny and press releases are issued prior to each Committee meeting.
- a survey form was sent out to Cabinet Members to seek feedback on their experience of attending Overview & Scrutiny meetings during 2004-05. A questionnaire has also been sent to Overview & Scrutiny Members to gather their views on the effectiveness of the Committees during the year.

## **TRAINING EVENTS / OVERVIEW AND SCRUTINY NETWORKS**

### **(a) Training Event – Lancashire County Council**

Arising from a suggestion from last year's Annual Review Report - to aim to visit at least one other Council during each Municipal Year to learn from the operation of Overview and Scrutiny elsewhere, arrangements were made for all Overview and Scrutiny Councillors to attend County Hall, Preston on Tuesday 22<sup>nd</sup> February, 2005 to observe a meeting of the Lancashire County Council's Health Equalities Overview and Scrutiny Committee. Seven Hyndburn Councillors were able to attend and observed the meeting.

### **(b) Training Event – North West Employers' Organisation (NWEO) Overview and Scrutiny Network**

The three Hyndburn Overview and Scrutiny Committee Chairs', along with the Overview and Scrutiny Officer attended a joint Chairs' and Officers' Overview and Scrutiny network training event in Leyland on Wednesday 2<sup>nd</sup> March, 2005. Topics covered included a group discussion on evaluating the impact of Overview and Scrutiny; an update on the Centre for Public Scrutiny's (CfPS) 2004 survey – key messages and trends; and a presentation from the Audit Commission on the Comprehensive Performance Assessment 2005 and the role and expectations of Overview and Scrutiny.

### **(c) Overview and Scrutiny Network – Lancashire Scrutiny Partners Forum (LSPF)**

The LSPF is open to Officers and Elected Members from all twelve District Councils in Lancashire and the County Council. It aims to promote the development of the Overview and Scrutiny function in Lancashire. It provides an opportunity for Lancashire's Scrutiny Officers and Elected Members to meet and discuss Scrutiny matters of common concern and interest and to disseminate information about Scrutiny Work Plans adopted by Lancashire's District and County Council's. The LSPF also enables Officers and Elected Members to participate in discussions about best practice in Overview and Scrutiny and to learn from each other and from other Authorities which have been successful in the Scrutiny process; and address any training needs which representatives may identify.

Hyndburn Borough Council was represented at meetings of the LSPF held in Pendle in December, 2004 and in Rossendale in March, 2005.

### **SUGGESTIONS FOR 2005-06**

The Member Survey currently being carried out will be used to develop ideas to build on the existing improvements to Overview & Scrutiny.

Some initial suggestions for improvements, based on the existing Improvement Plan and feedback received during the year, are put forward below. These will be developed further with the Chairs and Vice-Chairs of Overview & Scrutiny following the Annual General Meeting in May, 2005.

#### **Initial ideas for Improvements to Overview & Scrutiny during 2005-06**

- Aim to carry out at least one in-depth Scrutiny review during 2005-06, building on the lessons learnt from the Early Retirement/Voluntary Redundancy review.
- Consider innovative ways to engage the public, including more targeted Press releases and utilising Area Councils where appropriate.
- Aim to involve a wider range of people in Scrutiny work on a more regular basis - allowing 'expert witnesses', or community or residents groups to comment on items before the Committee.
- Aim to improve communications between Overview and Scrutiny and the Cabinet throughout the year, especially the need to develop the Work Programme in conjunction with the Cabinet.
- Consider a proposal for the appointment of a Cabinet Member (possibly one or both of the Deputy Leaders) with formal responsibility to act as an "Overview and Scrutiny Champion" with the remit to improve communications between the Cabinet and Overview and Scrutiny Committees.

- Continue to raise awareness of Overview & Scrutiny with Members and Officers, for example through training sessions.
- Aim to visit at least one other Council during the year to learn from the operation of Overview & Scrutiny elsewhere.

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