

Overview & Scrutiny Annual Review

2003-04



**The work of the Service Improvement
and Community Wellbeing Committees
from May 2003 – June 2004**

INTRODUCTION

This short annual review summarises the work of Hyndburn Borough Council's two Overview & Scrutiny Committees during the Municipal Year 2003-04.

The purpose of the report is to describe:

- the approach to Overview & Scrutiny adopted at Hyndburn
- Joint work undertaken by the two Committees on major policy and budget issues
- the work of the Service Improvement Committee during the year
- the work of the Community Wellbeing Committee during the year
- Progress on the Overview & Scrutiny Improvement Plan
- and suggestions for 2004-05

Overview & Scrutiny: Summary of 2003-04

Total Committee Meetings: 17
Service Improvement Committee meetings: 8
Community Wellbeing Committee meetings: 6
Joint meetings: 3
Overview & Scrutiny Panels: 1
Total topics examined: 45

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 Members developed their work programme at a joint workshop in July 2003. This set out which items the two Committees wished to focus on during the year.

In January and February, 2004, both Committees reviewed their work programmes and decided to develop 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 the remaining 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 a presentation to the Committee
- carrying out an in-depth investigation by examining written evidence and questioning a range of witnesses
- appointing a 'lead Member' to monitor progress on a topic and report back to the Committee
- commissioning additional work to inform an investigation (for example, the Committee carried out its own survey of Service Managers to inform budget scrutiny)

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

Scrutiny Members also agree to adhere to the following principles when questioning individuals. For the first time, Cabinet Members are being asked this year for their feedback on how far these principles were adhered to during 2003-04.

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 both Committees.

Three joint meetings were held during the year, in July 2003, September, 2003 and February, 2004. Some of the items considered at these joint meetings were as follows:

CPA draft self-assessments

Overview & Scrutiny Members received presentations on the CPA draft self-assessments and made comments which were incorporated into these documents before they were submitted to the Audit Commission.

Local Government Review

Overview & Scrutiny Members questioned the Leader of the Council in September, 2003 on the process by which the submission to the Boundary Committee on the Council's preferred options had been made. Following a detailed discussion, the Committee made 4 recommendations to Cabinet, focusing on: the need for greater public consultation and involvement in the process, the need for Overview & Scrutiny involvement in future work on Local Government review and the need to seek consensus with neighbouring authorities. The Overview & Scrutiny Chairs also wrote to the Boundary Committee to express their concern at the short timescale for the Council's submission.

Council budget 2004-05

Overview & Scrutiny questioned the Leader in detail on the Cabinet's budget proposals in February 2004. The Committee also considered additional evidence from Area Councils consultation and from its own survey of Service Managers. Following the meeting, the Chair drafted a summary of the main comments made at the meeting and this was submitted to Council alongside Cabinet's budget proposals.



SERVICE IMPROVEMENT OVERVIEW & SCRUTINY COMMITTEE

The Service Improvement Committee's main remit over the year was to consider all issues relating to Council policies or services. The Committee was made up of Councillors Mason (Chair), Parkinson (Vice-Chair), D. Hayes, Roberts and Ormerod. Cllr Ormerod was replaced in January 2004 by Cllr Jones.

The Committee's terms of reference were as follows:

Service Improvement 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;

and To monitor the performance of Council services to make suggestions for service improvements

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 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 Best Value Reviews and to monitor implementation of Service Improvement Plans

- To monitor and oversee the Comprehensive Performance Assessment and Implementation Plan
- 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.

In-depth review: Early Retirement and Voluntary Redundancy Policies

The Service Improvement Committee carried out an in-depth review during March and April 2004 on the Council's early retirement and voluntary redundancy policies.

The Panel was made up of Councillors Mason, Mrs. Butler, Jones, Paul Barton and Mrs. Shorrock and met over 2 full days to hear evidence and for an additional half day to agree on its recommendations. The Panel heard verbal evidence from 13 people in total, as well as considering detailed written evidence, including comparison with other Councils in the region.



At the end of its review, the Panel put forward 10 recommendations to the Service Improvement Committee for approval. These related to issues such as: the responsibility for decisions on early retirement and voluntary redundancy, the considerations which decision makers must take into account, the benefits offered to Hyndburn employees and the calculation of redundancy payments. The recommendations were aimed at making the process clearer and fairer, and ensuring that the Council adopts more consistent policies in this area.

The recommendations are due to be reported to Cabinet for decision during July, 2004.

One-off Investigations

Bar and Catering Facilities at Accrington Town Hall and Oswaldtwistle Civic Theatre

Members asked the Portfolio Holder for Leisure to report back to the Committee on concerns which had previously been raised by Overview & Scrutiny Members regarding the quality and cost of catering services provided at Accrington Town Hall and Oswaldtwistle Civic Theatre. Members agreed that their concerns had now been addressed but asked for continued monitoring of customer satisfaction with the service.

Leisure in Hyndburn Trust

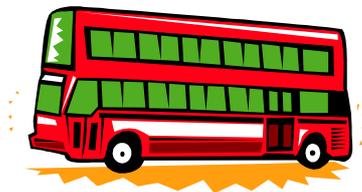
The Portfolio Holder for Leisure and Strategic Director for Community Services were asked to provide a presentation to the Committee on the funding, future plans and performance of the Leisure in Hyndburn Trust. The Committee asked a number of questions on the work of the Trust and asked for a further progress report in 12 months time, with a particular focus on participation figures.

Procurement policies and practices

During 2004, the Committee has commissioned work by Officers on the Council's Procurement policies and practices, aimed at bringing them into line with the good practice set out in the Government's National Strategy on Local Government Procurement.

Although this work was delayed in early 2004, it is anticipated that further work will be carried out under the sponsorship of Overview & Scrutiny during 2004-05.

Accrington Town Centre Transport and Access Issues



Following concerns about perceived delays in the progress of the Accrington Town Centre Regeneration Board, the Portfolio Holder for Transportation was asked to speak to the Committee on transport issues, including the bus station proposals. The Committee noted the ongoing work, but asked for Overview & Scrutiny to be kept informed of any further developments.

Strategy for Managing Unauthorised Camping

The Committee invited the Portfolio Holder for Environmental Services to consult the Committee on the draft Strategy for Managing Unauthorised camping, prior to its consideration by Cabinet.

Following a detailed discussion, the Committee made a number of comments which the Portfolio Holder agreed to take into account in producing the final version of the Strategy.

Monitoring service performance

Best Value Improvement Plans

The Committee invited Portfolio Holders to present monitoring reports to the Committee setting out progress on implementation of the action plans arising from Best Value reviews which fell under the Committee's terms of reference. This process enabled Overview & Scrutiny Members to have an open discussion both about areas of service improvements and areas where progress had not been made.



The Best Value Improvement Plans which were reviewed by the Committee during 2003-04 were: Building Control, I.T Services, Race Relations, Housing Management and Elderly Services, Development Control and Waste Collection and Street Cleansing.

CPA Trial Run Action Plan

The Committee also considered the Action Plan which had been produced by consultants during the Comprehensive Performance Assessment 'trial run' in 2002. This helped Members to assess the Council's preparedness prior to the actual CPA process.

During 2004-05 the Committee will have a key role in monitoring the implementation of the Improvement Plan arising from CPA.

Performance Management Guide to Staff

The Portfolio Holder for Performance Management consulted the Committee on a guide for staff on performance management. The Committee made a number of comments on the layout of the guide, which were incorporated into the final document.

Benefit Fraud Inspectorate's report on the Benefits Service

Cabinet referred this report to Overview & Scrutiny for detailed consideration. The Committee asked a number of questions on the areas for improvement highlighted in the inspection report and asked for an update in 12 months time.

Call-ins

Housing Land Provision

The Committee considered a call-in of the Cabinet's proposed Supplementary Planning Guidance relating to Housing Land Provision. The call-in procedure was activated as a result of concerns over the effect of the new guidance on investment in the Borough.

Following detailed discussions with the Portfolio Holder and Planning Officers, it was agreed to allow the decision to stand but with a request that Cabinet reports back to the Committee on the outcome of the consultation process on the guidance.



The Portfolio Holder reported back to the Committee at a later meeting and Members agreed that the revised guidance now addressed many of the concerns which had prompted the original call-in.

Disabled Person's Parking Bays

A Cabinet decision on approval of disabled person's parking bays was also called-in to the Committee. The call-in focused on the criteria used to make decisions and the lack of an 'appeals' process.

The Committee made a number of recommendations to Cabinet, which resulted in the former Traffic Orders Cabinet Committee being re-established. Committee Members also asked for their concerns to be communicated by Officers during meetings with Lancashire County Council on the current review of the scheme.

The revised scheme currently being developed by the County Council is due to be reported back to the Committee during 2004-05.

Felling and Replanting of Trees



The decision of Cabinet to authorise the felling of diseased trees in Memorial Park was the subject of a call-in to the Committee in October, 2003. The call-in was prompted by concerns over the cost of the proposals and the degree of consultation which had taken place with local residents. Members requested a briefing note from the Council's Trees and Woodlands Officer setting out the background to the Cabinet decision.

Following a detailed discussion, the Committee agreed to allow the Cabinet decision to stand but requested that local residents be kept informed of the works at Memorial Park. The Committee also asked for a review of the consultation process when large scale tree felling is being proposed in future.

Dog Bin Provision

A Cabinet decision on the funding of requests for dog bins was called in for further consideration by the Committee in May, 2004. The Portfolio Holder and Officers were questioned on what funding options had been considered in reaching the decision. The Committee agreed not to challenge the decision further, but expressed its support for further work on enforcement action to prevent dog fouling.

Annual Audit and Inspection Letter

The Cabinet decision to refer the Audit Letter to the Budget Panel for further consideration was called-in on the grounds that Overview & Scrutiny appeared to have had no involvement in the process. The Committee considered a note prepared by the External Auditor which explained the process by which the Audit and Inspection Letter had to be reported to the Council. Members also questioned the Council's Finance Officer on the process.

It was agreed to accept the decision, but request that the process is reconsidered in future to ensure that all Members have the opportunity to ask questions on the Audit Letter. The Committee also agreed that Overview & Scrutiny would seek to develop its own role in scrutinising the way the recommendations in the Audit and Inspection Letter are dealt with by the Executive.

Service Improvement Committee: Summary of 2003-04

Committee Meetings: 8
Total topics examined: 23
In-depth Scrutiny Reviews: 1
One-off Investigations: 6
Monitoring service performance: 11
Call-ins: 5

COMMUNITY WELLBEING OVERVIEW & SCRUTINY COMMITTEE

The Community Wellbeing Committee's main remit over the year was to consider all 'external' issues relating to the wellbeing of Hyndburn residents. It also had a particular focus on partnership working and overseeing the Community Strategy.

The Committee was made up of Councillors Mrs. Butler (Chair), O'Kane (Vice-Chair), Paul Barton, Mrs. Lockwood and Rahman.

The Committee's terms of reference were as follows:

Community Wellbeing Committee - Main Terms Of Reference:

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

To provide an overview of the economic, social and environmental wellbeing of the Borough

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

To monitor the performance of external public service providers, the impact of those services on the wellbeing of the Borough and the contribution of those services to the achievement of Community Strategy objectives.

To conduct investigations and report in respect of issues affecting the wellbeing of the Borough or particular areas of the Borough

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 affecting the wellbeing of the Borough, including the implementation of the Community Strategy
- To liaise with external organisations operating in the Borough, whether national, regional or local, to: ensure that the interests of local people and the wellbeing of the Borough are enhanced by collaborative working and to monitor the effectiveness and impact of the services provided by such organisations
- 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 the implementation of the Community Strategy

One-off investigations

Accrington Cinema and Joint Ventures



The Committee asked for two reports during the year on measures taken to secure the future of Accrington Cinema and other work being carried out by joint venture companies in Hyndburn. Members agreed that Overview & Scrutiny should continue to have a major role in monitoring performance on these important areas of work.

Hyndburn Accredited Landlord Scheme

The Portfolio Holder for Housing met with the Committee in November, 2003 to discuss progress on the Accredited Landlord Scheme, including the Government's plans for further measures to tackle the problems sometimes caused by privately rented accommodation. The Committee agreed to support the good start which had been made by the Scheme and asked to be kept informed of progress on proposals to develop compulsory schemes in the future.

Domestic Violence

The Committee invited the Hyndburn and Ribble Valley Domestic Violence Forum to give a presentation to the Committee on its work in March, 2004.

Drug and Alcohol Issues

The Portfolio Holder for Community Safety was invited to discuss with the Committee the initiatives being facilitated by the Substance Misuse Coordinator and the Community Safety Partnership.

Health Scrutiny

Lancashire 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, the Committee decided to appoint Councillor Paul Barton to represent Hyndburn on the Health Committee.

Lancashire Code of Practice on Health Scrutiny

The County Council's Principal Officer on Health Scrutiny gave a presentation to the Committee at a meeting in October, 2003, to seek support for a proposed Code of Practice on working arrangements between the County and Lancashire districts on Health Scrutiny.



Members discussed the role and work programme of the Health Equalities Overview & Scrutiny Committee and agreed to support the Code of Practice.

Scrutiny of External Organisations

Arts development in Hyndburn

The Committee considered a report from the Portfolio Holder for Leisure Services on the Service Level Agreement between the Council and Mid-Pennine Arts and on the Council's Arts Strategy. The Committee made a number of comments on the arts activity specified in the agreement, including the need to support local artists. It was agreed that a representative from Mid-Pennine Arts would be invited to a future meeting of the Committee.

Post Office Closures

The Committee took a lead role during the year in monitoring the Post Office's review of post office provision within Hyndburn. A representative from Post Watch (the consumer watchdog) met with the Committee in October 2003 to discuss with Members how the Council could respond to any proposed closures. It was agreed at the meeting to appoint Cllr O'Kane as 'Lead Member' on this topic with a remit to monitor progress and report back to the Committee on a regular basis.



Representatives from Post Office Ltd also met with the Committee in June, 2004 once the proposed closures had been announced. It was agreed at the meeting that Committee Members comments would be included in any Council response to the Post Office's proposals.

East Lancashire LIFT

Representatives from East Lancashire LIFT and the local Primary Care Trust met with the Committee in June, 2004 to explain the context to East Lancashire LIFT and to outline the specific projects for health services in Hyndburn. Members asked a number of questions on the proposals and it was agreed that the Committee would continue to monitor progress on the initiative.

Strategies, funding and monitoring reports affecting Community Wellbeing

Community Cohesion

Scrutiny Members invited the Portfolio Holder for Community Cohesion to address the Committee on initiatives within the Borough to promote positive community relations in Hyndburn and within East Lancashire. The Committee made a number of comments on the activities taking place and asked to receive regular reports on progress on achieving the targets in the Community Cohesion action plan.

Anti-Social Behaviour Strategy

The Committee asked the Portfolio Holder for Community Safety to consult it on the draft Anti-Social Behaviour Strategy, before it was approved by Cabinet. Members discussed the role of the Anti-Social Behaviour Coordinator, and considered the Anti-Social Behaviour Action Plan and the implications of new legislation to tackle the problem.

Neighbourhood Renewal Funding

The Committee were invited to endorse the Cabinet's proposals on Neighbourhood Renewal Investment. Members discussed the funding schemes in detail and considered the methods used to measure the success of the projects. It was agreed that Overview & Scrutiny would have a role in future in monitoring progress on NRF Schemes.

Quality of Life in Hyndburn

In September 2003 and April 2004 the Committee considered the development of Quality of Life Indicators to monitor progress on the Community Strategy. Members discussed the purpose of the Indicators and ways in which they could be communicated effectively to local residents.

Voice Box report on Community Safety

The Cabinet referred the Voice Box Survey from May 2003 to Overview & Scrutiny and the Community Safety element was reported to this Committee. Members discussed the results of the survey in detail with the Portfolio Holder and made a number of suggestions aimed at raising the profile of Crime and Disorder issues.

Grants to Voluntary Organisations

The Committee questioned the Portfolio Holder for Community Cohesion and the recently appointed Voluntary Sector Liaison Officer on plans to review and improve the way the Council currently provides grants to voluntary organisations. Members suggested that Overview & Scrutiny could have a role in considering the revised application process and in reviewing applications before they are agreed by Cabinet.

Community Wellbeing Committee: Summary of 2003-04

Committee Meetings: 6
Total topics examined: 15
Special Investigation (on Post Office Closures): 1
One-off Investigations: 8
Strategies, funding and monitoring reports: 6
Call-ins: 0
External organisations contributing to Committee meetings: 5

PROGRESS ON THE OVERVIEW & SCRUTINY IMPROVEMENT PLAN

At the first joint meeting of the Overview & Scrutiny Committees in July 2003 it was agreed to adopt an action plan to improve the work of Scrutiny during the year.

The improvement plan arose 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 recent research on Overview & Scrutiny published by the Office of the Deputy Prime Minister. The plan was developed with the input of the two Chairs of the Overview & Scrutiny Committees.

Some of the main areas of progress on the action plan during 2003-04 were as follows:

Progress on improvements to Overview & Scrutiny during 2003-04

- Each Committee used the Forward Plan at each meeting to identify issues for the work programme. In some cases, this meant that Overview & Scrutiny chose to comment on proposals before a Cabinet decision had been made (for example, on the draft Strategy on Managing Unauthorised Camping)
- The procedure for reporting Overview & Scrutiny recommendations to Cabinet and Council improved during the year. For example, the Committees' comments on the Cabinet's budget proposals were reported to full Council.
- In the majority of cases Overview & Scrutiny Agendas were shorter this year, and only exceeded 4 items on rare occasions.
- A proforma for reports to Overview & Scrutiny was developed at the beginning of the year for use by Officers.
- Both Committees held planning meetings this year. These were held a few days before the main Committee meeting and helped Members to develop their lines of questioning. Following the planning meeting 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.
- One in-depth review was carried out on early retirement and voluntary redundancy policies during 2003-04. This is the first in-depth Scrutiny review carried out at Hyndburn and fulfills a target in the Improvement Plan to carry out at least one in-depth review during the year.
- Overview & Scrutiny began to develop a variety of working methods during the year. For example, Cllr O'Kane was appointed 'lead Member' on Post Office closures by the Community Wellbeing Committee in October, 2003.
- The Community Wellbeing Committee in particular began to involve outside organisations more effectively in the work of Overview & Scrutiny this year. For example, Post Watch were invited to speak to the Committee on post office closures.
- Publicity on Overview & Scrutiny has improved during 2003-04. Hyndburn Borough Council's website now includes dedicated pages on Overview & Scrutiny and press releases are now issued prior to each Committee meeting.
- The Committees developed a training plan for Overview & Scrutiny during the year. This resulted in a training session on Overview & Scrutiny for all Members being held during March, 2004. A further awareness raising session was held for Service Managers in June 2004.

- A survey form was sent out to Cabinet Members to seek feedback on their experience of attending Overview & Scrutiny meetings during 2003-04. A questionnaire has also been sent to Overview & Scrutiny Members to gather their views on the effectiveness of the Committees during the year.

SUGGESTIONS FOR 2004-05

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 July, 2004.

Initial ideas for Improvements to Overview & Scrutiny during 2004-05

- Aim to carry out at least one further in-depth Scrutiny review during 2004-05, building on the lessons learnt from the early retirement/voluntary redundancy review.
- Consider innovative ways to engage the public, 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.
- Review the size of Overview & Scrutiny Committees to ensure the maximum levels of Member participation in Scrutiny work.
- Review the requirement for political proportionality on Overview & Scrutiny Panels, so that more Members are available to participate in in-depth reviews
- Review the operation of current arrangements by which Overview & Scrutiny is consulted by Cabinet on major budget and policy proposals, to ensure Scrutiny has the opportunity to have a meaningful input into decision making where appropriate
- 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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