



COMMUNITY OVERVIEW AND SCRUTINY PANEL

Panel Report

Public

Date of Meeting: 28th March 2013

Title: Overview Report and Work Programme

Report of: Overview and Scrutiny Officer

Report reference: OS 07/13

Summary:

This report provides an overview of matters related to the Community O&S Panel's work. It also includes the latest version of the work programme.

Recommendations:

Members are asked to:

- Decide whether the items on the Notice of Key Executive Decisions should be included in the Panel's Work Programme for consideration.
- Comment on the content of the draft 2012/13 Scrutiny Annual Report
- Note and/or amend the Panel's work programme
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Contact Officer: Nicola Edwards

Ext: 7122

1. Notice of Key Executive Decisions

The most recent Notice of Key Executive Decisions was published on 8 March 2013. The following issues fall into the remit of this Panel and full details are attached at **Appendix 1**:

KD.045/12 Parish Charter – *to be considered at this meeting of the Panel.*

KD.04/13 Food Law Enforcement Service Plan - *The Executive will be asked to decide the Environmental Health Section's inspection and educational priorities for improving food safety in Carlisle during 2013/14. This report will be available for the Panel to consider at their meeting on 30th May 2013.*

KD.041/12 Regulatory Reform Order - Empty Property Policy Amendments – *This will be considered at a future meeting of the Panel*

2. References from the Executive

There are no references from the Executive.

3. Scrutiny Annual Report

The Scrutiny Annual Report has been drafted and is attached at **Appendix 2**. Panel Members are asked to comment on the draft which is being considered by all three O&S Panels. The report will then be formally approved by the Scrutiny Chairs Group at their meeting on 18th April 2013.

4. A hand up or a hand out? Welfare reform and implications for local communities

Cllrs Luckley and Prest attended a session on the community implications of welfare reform which run by North West Employers on 26th February 2013 at St Helens.

5. Work Programme

The Panel's current work programme is attached at **Appendix 3** for comment/amendment. As this is the last meeting of the 2012/13 Civic Year Members are asked to give consideration to any issues or topics that they would like the Panel to consider in 2013/14.

Items relevant to the Community Overview and Scrutiny Panel:

Notice of Key Decisions to be taken by the Executive

The following key decision is to be made on behalf of Carlisle City Council:

Key Decision Reference:	KD.04/13
Decision Title:	Food Law Enforcement Service Plan
Decision to be taken:	The Executive will be asked to decide the Environmental Health Section's inspection and educational priorities for improving food safety in Carlisle during 2013/14
Date Decision to be considered:	7 May 2013 consultation period to include Overview and Scrutiny as appropriate
Date Decision to be taken:	1 July 2013
Is the Decision Public or Private?:	The decision will be taken in public
Documents submitted for consideration in relation to the Decision:	The report of the Director of Local Environment will be available five working days before the meeting
Contact Officer for this Decision:	Director of Local Environment, Carlisle City Council, Civic Centre, Carlisle, CA3 8QG
Relevant Portfolio Area:	Environment and Transport (Councillor Mrs Martlew)
Relevant or Lead Overview and Scrutiny Panel:	Community Overview and Scrutiny Panel

All public reports can be viewed in the Customer Contact centre of the Civic Centre, Carlisle, the Public Library and on the Council's website www.carlisle.gov.uk.

Other documents relevant to the matter may be submitted to the decision maker. These, if available, may be obtained by contacting the named contact officer.

Items relevant to the Community Overview and Scrutiny Panel:

Notice of Key Decisions to be taken by the Executive

The following key decision is to be made on behalf of Carlisle City Council:

Key Decision Reference:	KD.037/12
Decision Title:	Carlisle Plan 2013-16
Decision to be taken:	The Executive is requested to: 1. Consider and comment upon the presentation and content of the Plan with a view to seeking continuous improvement in the way the Council delivers services to its local communities. 2. Consider the comments of the Overview and Scrutiny Panels on the draft Plan. 3. Refer the Plan to full Council for approval.
Date Decision to be considered:	11 February 2013 consultation period to include Overview and Scrutiny as appropriate (EX.10/13)
Date Decision to be taken:	8 April 2013
Is the Decision Public or Private?:	The decision will be taken in public.
Documents submitted for consideration in relation to the Decision:	Report PC.01/13 - Draft Carlisle Plan 2013-2016 on 11 February 2013
Contact Officer for this Decision:	Town Clerk and Chief Executive, Carlisle City Council, Civic Centre, Carlisle, CA3 8QG
Relevant Portfolio Area:	Finance, Governance and Resources (Councillor Dr Tickner)
Relevant or Lead Overview and Scrutiny Panel:	Cross cutting

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Other documents relevant to the matter may be submitted to the decision maker. These, if available, may be obtained by contacting the named contact officer.

Items relevant to the Community Overview and Scrutiny Panel:

Notice of Key Decisions to be taken by the Executive

The following key decision is to be made on behalf of Carlisle City Council:

Key Decision Reference:	KD.041/12
Decision Title:	Regulatory Reform Order - Empty Property Policy Amendments
Decision to be taken:	The Executive will be asked to amend the Regulatory Reform Order in place to enable the Council to provide grants to the owners of empty property to enable them to be brought back in use under the Empty Property project.
Date Decision to be considered:	11 March 2013 consultation period to include Overview and Scrutiny as appropriate
Date Decision to be taken:	8 April 2013
Is the Decision Public or Private?:	The decision will be taken in public
Documents submitted for consideration in relation to the Decision:	The report of the Director of Community Engagement will be available five working days before the meeting
Contact Officer for this Decision:	Director of Community Engagement, Carlisle City Council, Civic Centre, Carlisle, CA3 8QG
Relevant Portfolio Area:	Communities and Housing (Councillor Mrs Riddle)
Relevant or Lead Overview and Scrutiny Panel:	Community Overview and Scrutiny Panel

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Other documents relevant to the matter may be submitted to the decision maker. These, if available, may be obtained by contacting the named contact officer.

Items relevant to the Community Overview and Scrutiny Panel:

Notice of Key Decisions to be taken by the Executive

The following key decision is to be made on behalf of Carlisle City Council:

Key Decision Reference:	KD.045/12
Decision Title:	Parish Charter
Decision to be taken:	The Executive will be asked to discuss and approve the sign off of the Parish Charter and the underlying agreements concerning the partnership working of the City Council and the Parishes.
Date Decision to be considered:	11 March 2013 consultation period to include Overview and Scrutiny as appropriate
Date Decision to be taken:	8 April 2013
Is the Decision Public or Private?:	The decision will be taken in public
Documents submitted for consideration in relation to the Decision:	The report of the Director of Community Engagement will be available five working days before the meeting
Contact Officer for this Decision:	Director of Community Engagement, Carlisle City Council, Civic Centre, Carlisle, CA3 8QG
Relevant Portfolio Area:	Communities and Housing (Councillor Mrs Riddle)
Relevant or Lead Overview and Scrutiny Panel:	Community Overview and Scrutiny Panel

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Other documents relevant to the matter may be submitted to the decision maker. These, if available, may be obtained by contacting the named contact officer.

Introduction

Scrutiny is considered to be the main balance to the power of the Executive and involves many of the Councillors who are not on the Executive. Individual councillors are selected by their political parties to sit on the scrutiny panels.

The key roles of scrutiny are:

- ensuring that the Council and the Executive is accountable. This means questioning members of the Executive and senior officers about decisions that have been made or are about to be made. It also involves looking at how well the Council is doing against its policy objectives and targets for achievement.
- reviewing and developing policies. In this role, scrutiny can help the Council to develop its policy and budgetary framework. This might involve research and consultation with the community and other agencies on policy issues, good practice and looking at alternative ways of doing things.
- ensuring the continuous improvement of Council services. Scrutiny can make suggestions to the Executive for service reviews. Members of scrutiny panels are often involved in individual reviews where a particular service or function of the Council is thoroughly examined

In Carlisle, scrutiny operates through three panels - Community Overview and Scrutiny Panel, Resources Overview and Scrutiny and Environment and Economy Overview and Scrutiny. The Scrutiny Chairs Group (Chairs and Vice Chairs of the three Scrutiny Panels) meets on an ad hoc basis to deal with any overarching scrutiny issues.

There are eight non-Executive members on each panel and each panel is politically balanced (ie the proportions of each political party on the panel are the same as on the Council as a whole).

This annual report provides an overview of the work of the scrutiny function during the 2012/13 civic year. The first part of the report provides brief details of the work of the individual panels and gives details of examples of Task Group work. The second part of the report considers current scrutiny practices and issues this year and looks to the future, considering areas where further development could be considered.

Does Cllr Whalen want to add anything here as lead Member of Scrutiny Chairs Group?

Contribution by Leader of the Council

When the new administration took over the running of the City Council after the May 2012 elections, the new Executive took a very specific decision that policy items placed before the new Executive would, prior to any final decision by the Executive be referred to the appropriate O&S Panels of the Council. To research, gather evidence, scrutinise effectively and make positive recommendations back to the Executive. I have to say that this process has worked very well, and in my judgement makes for better local government.

I have consistently asked for all partners in the Council to work together for the good of the city and its future prosperity. I see the O&S function as a very helpful vehicle in taking this forward.

Professor Councillor J D Hendry - Leader of the Council

DRAFT

Part 1: Work of the Individual Panels

The sections below give a personal commentary from the Chairs of the Panels on their view of their particular Panel's work over the last year.

Community Panel

Personal View from Cllr Olwyn Luckley, Chair of Community O&S Panel

There was some concern expressed at last year's Scrutiny Chairs Meeting about the growing length of agendas. Several Panel meetings had run from 10am well into the afternoon, making for difficulties in regard to attendance for Officers and Portfolio Holders.

This year this has been addressed by the Community Panel. Firstly, by improving the focus given to items by members of the Panel. By readjustments of agendas in which some reports were deemed for information only and decisions made on whether scrutiny would add value to certain reports or presentations. This has led to more efficient use of members and officers time and sharper scrutiny of the Panel's core remit.

Sharp and productive scrutiny is often provided by the Task and Finish Groups and enable members to gain a greater knowledge of the Council's services and to take part in improving those services with the resultant recommendations. In 2011/12 the Community Panel's Task and Finish Groups on the Disabled Facilities Grant (DFG) Scheme and on the Homelessness Service concluded with a number of recommendations which the Council's Executive accepted.

In January 2013, the Panel received reports outlining the many positive actions that had taken place in regards to the DFG Scheme and the Homelessness Service as a result of the Panel's recommendations. This can only be a satisfactory conclusion to the work carried out by the Task and Finish Groups.

This municipal year, it was decided to carry out a Task and Finish Group scrutiny on how the Council supports the Community Centre's. This has been an issue that has been raised by Members (not just Panel Members) on a number of occasions. The Group brought forward a number of recommendations, which have been accepted by the Council's Executive. The Group plans to visit the Centre's in April to evaluate the results of their recommendations.

A second Task and Finish Group which comprise Members from the Panel and the Environment and Economy Panel examined proposals for the future management of the Council's Allotments. It was recommended that the Allotment Associations should be given the opportunity to self manage their sites and some have done so already.

The development of Shaddongate Resource Centre has been a subject of importance for the community and the Council. From its opening earlier last year, to its development of service and accommodation provision, the Panel has scrutinised its activities. Vulnerable citizens, the old and the young, have been the primary focus of the services provided. The Panel area pleased to see that its provision has been utilized not just by the Council, but by many other agencies dealing with the health and wellbeing of the community in Carlisle. Future updates on this work, managed on behalf of the Council by the YMCA, I expect will be required of the Panel.

Housing and subjects allied to it, it an important part of the Panel's core work. The half yearly examination of the Council's partnership agreement with Riverside Carlisle Housing Association, the Localisation Support of Council Tax and the Council's Tenants Strategy document all gave the opportunity for questions relating to the new under occupancy rules which are coming in in April this year, the resources in-house to prevent homelessness and the Councils plan for LSCT to be examined.

The role of the new Home Improvement Agency for which the City Council is the Authority responsible was examined and will return to the Panel for further scrutiny as will a report on the processing of Benefit Claims, about which the Panel have concerns in regard to the time taken to process the claims. That time is improving but with the changes that will be happening in the months to come, the Panel are anxious that processing time will be adequate.

The Panel recognizes that with all the challenging changes which will face housing supply needs in our area in the coming year, together with Welfare Reform and Universal Credit, a joint meeting or workshop with all three Panels on these subjects should be considered at the appropriate time in the next municipal year.

The Chair of the Tullie House Trust and the Director of Tullie House Museum and Art Gallery presented the 2013/14 – 2014/15 Business Plan to the Panel in November. The first 18 months of the new Trust had clearly been very challenging but in many ways there were satisfying outcomes - with new successful exhibitions, a Business Award for Tourism and Hospitality, funding for three years from the Arts Council which would focus on young people and other successful funding bids.

The Performance Monitoring Reports continue to be presented to the Panel on a quarterly basis and still produces questioning due to difficulty in not always being immediately clear to members what is being reported. However, the Policy and Performance Offices are always very helpful.

The draft Carlisle Plan was presented to the Panel. Of concern to members was the lack of specific mention of Health as a subject of responsibility for the Council and the recommendation for this to be included will go forward to the Executive.

Our final meeting of this year will take place in Dalston. Subjects for the agenda already decided are the new Parish Charter

I'd like to thank members of the Panel for their work, the Portfolio Holders, the Director of Community Engagement and all other officers who have attended the Panel's meetings or been involved in supporting the various Task and Finish Groups. The Panel has been ably assisted by the Scrutiny Officer and I thank her for her contribution.

Support to Community Centres Task and Finish Group – box to be inserted with details of Task Group

Cllr Anne Quilter, Portfolio Holder for Culture, Health, Leisure and Young People

I believe the role of the Scrutiny Panels and the Task and Finish groups are important to the decision making process of the Executive and will continue to listen to the comments forwarded to me regarding my Portfolio. I think that we can make informed decisions together by working in partnership to benefit our communities.

Environment and Economy Panel

Personal View from Cllr Stephen Layden, Chair of Environment & Economy O&S Panel

Submission to follow

Carlisle Tourist Information Centre Task and Finish Group –box to be inserted with details of Task Group

Talkin Tarn Task and Finish Group - box to be inserted with details of Task Group

Small Scale Members projects – information to be inserted

Cllr Elsie Martlew, Portfolio Holder for Environment & Transport

My previous local government experience with Carlisle City Council was during the time when a committee structure was in operation; this time around, with the Executive and Overview and Scrutiny concept, I initially felt it to be a somewhat alien concept!

However, that feeling was short-lived. I quickly realised the advantages and potential of the Scrutiny panels and, as an Executive member, I have tried to ensure that issues are fully discussed at O&S prior to any recommendation being formulated by the Executive.

The robust questioning of Executive members and senior officers by members of O&S can lead to improved policies, which must be beneficial to the democratic process.

I also appreciate the detailed work undertaken by Task and Finish groups. They are able to investigate, in great detail, issues of concern.

There are, however, drawbacks to the current system as the O&S panels do not accurately reflect the responsibility of Portfolio Holders which can lead to duplication or omission and perhaps needs to be reviewed in the future.

Resources Panel

Personal View from Cllr Reg Watson, Chair of Resources O&S Panel

Scrutiny is an important part of our local government system that aids the democratic structure of the Council and for the past year the Resources Panel has taken a close look at a number of areas. Routine monitoring and overview of the Council's Budget, Risk Register, Partnerships and Performance gives Members of the Panel an opportunity to identify areas of concern which require further scrutiny.

This good practice can be demonstrated in the scrutiny of sickness absence and the Panel's tenacity in receiving necessary information from Carlisle Leisure Ltd in order to support their responsibility to scrutinise the monitoring of significant partnerships. This is an issue that Members intend to continue to monitor closely over the year ahead.

The Panel also set up a Task and Finish Group to look at paper reduction and the use of new technology for Councillors and Officers using the small computers now available. As a result we are now planning a trial to be completed by the end of this Civic year.

In the next two years the pressure on the Council's budget will be the biggest this Council has ever faced and scrutiny must continue to challenge Members of the Executive. The Resources O&S Panel will continue to look for assurance that our staff are being supported through difficult times through continuing scrutiny of sickness absence, organisational development and employee surveys.

A big thank you to the Chief Officers, members of the Executive and all who added to our deliberations. Our questions were not all daft!

Thank you to our Scrutiny Support Officer for the clear advice and support and thank you to members of the Panel who never failed to get to the heart of the matter before us.

We hope we have added value to the Councils deliberations.

Saving Paper Task and Finish Group – box to be inserted giving details of work

Part 2: Development of Scrutiny & Summary of Progress

Relationship with the Executive

The Council's Administration changed in May 2012 and the relationship thus far between Scrutiny and the Executive has been positive. There has been little requirement for formal Tripartite meetings which were planned to be held on a quarterly basis as dialogue between the two has been open and continuous throughout the year.

It is hoped that this relationship continues to develop positively throughout the next Civic Year.

Notice of Key Decisions, Pre-Decision Scrutiny and Call-in

On 10 September 2012 new regulations came into force (The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012). The new regulations removed the requirement for the publication of a Forward Plan covering a three month period. The regulations replaced the Plan with a requirement for the Council to publish a Notice 28 days in advance of any key decisions being made.

As the notice only requires 28 days notice it has been inevitable that the Scrutiny Panels have not always been able to undertake pre-decision scrutiny. Scrutiny does not have to look at every decision made by the Executive and some Members still continue to have concerns that the Executive are making decisions which have not been subject to scrutiny. It should be acknowledged that there are times where the Executive should be left to make their decision, this is their responsibility. Should there be concern about the decision made then Scrutiny should request a Call-in. A Call-in should not be seen as an adversarial, political tool but an opportunity to ensure that the Council adheres to the principles of good decision-making.

There have been excellent examples throughout the current year where Executive Members have requested pre-decision Scrutiny, for example on Claimed Rights, which have given checks and balance to options and recommendations. These meetings have been particularly successful due to the openness and willingness of both parties to look for the best solution for the Authority and the people of the District.

Agendas and Chairing of meetings - training

The length of agendas for a number of panel meetings was identified as a concern last year and several meetings run well into the afternoon. This has greatly improved in 2012/13 with only 2 meetings running over 1:00pm (from a 10am start). Indeed both of these meetings concluded at 1:10pm.

A training session for Scrutiny Chairs and Vice Chairs was arranged on Purposeful Meetings early in the Civic Year. In order to recoup some of the cost and also to widen the discussion, 6 places were offered to other Councils within Cumbria. The feedback on the training was particularly positive and Chairs should be applauded for actively taking on board the suggested changes which were identified at the session which has, for the majority of the time made for more focused discussions. However it is still true to say that at times Chairs of Panels have found it difficult to focus some Members to the topic at hand and this can cause some frustration to other participants. **Chairs should try to develop their skills further in 2013/14 so that they are confident to curtail unproductive discussion or long-winded speeches and bring the focus back to positive scrutiny.**

Although on the whole meetings have concluded well before 1:00pm it has been helpful this year that the timings of Joint Management Team and Executive Briefings have been changed so they are no longer held earlier in the afternoon following on from Scrutiny meetings. Both Executive Members and Senior Managers have not been rushed from one meeting to another and are not having to make a decision as to which is more important to attend.

Attendance at Meetings

Concern regarding attendance at Scrutiny Panels was raised in the last Annual Report. Group Leaders were requested to consider the availability of Members to attend scrutiny when allocating Membership of the Overview and Scrutiny Panels.

Attendance has improved in the current year with attendance at 94.6% for Community, 89% for Economy & Environment and 98% for Resources O&S Panels, compared with 93%, 87% and 84% respectively in 2011/12, however **Group Leaders are again requested to bear this in mind when allocating Members in 2013/14.**

Concern was raised part way through the year by the Scrutiny Chairs Group that some Members were leaving the meeting very early which at times left a small number of Scrutiny Members to consider later agenda items. Members were reminded that they are expected to stay to consider all of the agenda in order to ensure proper scrutiny of all items placed before them. This has improved towards the end of the year but **Scrutiny Chairs should continue to monitor attendance in 2013/14.**

Do Scrutiny Members agree that this is an accurate reflection of the work undertaken this year and address concerns raised appropriately?

Are there any other issues which Members would like included within the report?

Are there any particular topics that Members would like to be considered for review in 2013/14?

COMMUNITY OVERVIEW AND SCRUTINY PANEL WORK PROGRAMME 2012/13

Date last revised: 18 March 2013

Appendix 3

Issue	Type of Scrutiny						Comments/status	Meeting Dates							
	Performance Management	Key Decisions Item/Referred from Executive	Policy Review/Development	Scrutiny of Partnership/ External Agency	Monitoring	Budget		07 Jun 12	19 Jul 12	06 Sep 12	11 Oct 12	22 Nov 12	10 Jan 13	14 Feb 13	28 Mar 13
CURRENT MEETING - 28 th March 2013															
Crime and Disorder Reduction Partnership	✓		✓				To receive update on activities of CDRP	✓	✓						✓
Regulatory Reform Order – Empty Property Policy Amendments		✓					Consideration of Executive Report								✓
Scrutiny Annual Report			✓		✓		Draft report for comment before Chairs Group								✓
Locality Working							Report from Ronnie Auld								✓
Parish Charter		✓					Scrutiny of Parish Charter prior to Executive signing it off								✓
TASK AND FINISH GROUPS															
Community Centres				✓			To monitor actions in March/April 2013			✓	✓	✓			✓

COMMUNITY OVERVIEW AND SCRUTINY PANEL WORK PROGRAMME 2012/13

Date last revised: 18 March 2013

Issue	Type of Scrutiny						Comments/status	Meeting Dates							
	Performance Management	Key Decisions Item/Referred from Executive	Policy Review/Development Scrutiny of Partnership/ External Agency	Monitoring	Budget	07 Jun 12		19 Jul 12	06 Sep 12	11 Oct 12	22 Nov 12	10 Jan 13	14 Feb 13	28 Mar 13	
Disabled Facilities Grants			✓		✓		To monitor action plan		✓				✓		
Homelessness			✓				Monitor implementation of recommendations	✓					✓		
FUTURE MEETINGS															
COMPLETED ITEMS															
Sports provision in the District							Panel to be involved in study and to consider final report			✓			✗		June 13
Transformation					✓	✓	Update of savings proposals and Directorate Restructure						✓	✓	
Carlisle Plan		✓					To consider draft Plan							✓	
Performance Monitoring Reports	✓						Reporting of performance relevant to remit of Panel	✗	✓	✓		✓		✓	

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	Performance Management	Key Decisions Item/Referred from Executive	Policy Review/Development	Scrutiny of Partnership/ External Agency	Monitoring	Budget		07 Jun 12	19 Jul 12	06 Sep 12	11 Oct 12	22 Nov 12	10 Jan 13	14 Feb 13	28 Mar 13
Riverside Carlisle				✓			Monitoring progress and developments of joint working		✓					✓	
Home Improvement Agency		✓					Executive report 11/2/13 to approve the establishment of a Home Improvement Agency and its work programme.							✓	
Working with Young People			✓		✓		To receive report on the services to young people including those NEET and the LSP C&YP Group						✓		
CCTV		✓				✓	To consider proposals to reduce CCTV provision						✓		

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	Performance Management	Key Decisions Item/Referred from Executive	Policy Review/Development	Scrutiny of Partnership/ External Agency	Monitoring	Budget		07 Jun 12	19 Jul 12	06 Sep 12	11 Oct 12	22 Nov 12	10 Jan 13	14 Feb 13	28 Mar 13
Localisation of Council Tax		✓					Draft scheme how Council will administer Council Tax Benefit discount from 1 /4/12				✓				
Executives Saving Proposals						✓	Proposals for 2013/14 for areas within the remit of the Panel				✓				
Tenants Strategy		✓	✓				To comment on draft strategy				✓				
Proposals of Implementation of Council Tax Technical Reforms		✓					Consideration of Executive Report					✓			
Annual Equality Report	✓						Monitoring role								
Tullie House Trust							Business Plan 2012/13 – 2015/16					✓			

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	Performance Management	Key Decisions Item/Referred from Executive	Policy Review/Development	Scrutiny of Partnership/ External Agency	Monitoring	Budget		07 Jun 12	19 Jul 12	06 Sep 12	11 Oct 12	22 Nov 12	10 Jan 13	14 Feb 13	28 Mar 13
Budget 13/14 - 17/18		✓	✓				Consideration of service implications					✓			
Choice Based Lettings		✓					To scrutinise review of CBL					✓			
Shaddongate Resource Centre					✓		Update on provision, services and financial plan				✓				
Neighbourhood Working			✓				Monitor implementation of recommendations	✓							
INFORMATION ONLY ITEMS															
Details									Date Circulated						
Food Law Enforcement Service Plan									24 th May 2012						