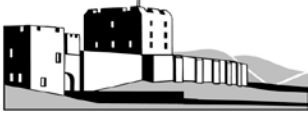


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# **ALL 3 OVERVIEW AND SCRUTINY PANELS**

## ***Panel Report***

**Public**

**24<sup>th</sup> March 2011, 31<sup>st</sup> March 2011, 7<sup>th</sup> April 2011**

**Date of Meeting:**

**Title: DRAFT SCRUTINY ANNUAL REPORT**

**Report of: Overview and Scrutiny Officer**

**Report reference: OS 07/11**

### **Summary:**

This report is a draft of the Scrutiny Annual Report. It aims to summarise the work carried out this Civic Year and also to discuss issues for the future. Comments made by the three O&S Panels will be used to amend this draft before it goes to the Scrutiny Chairs Group for its agreement before going to Council.

### **Questions for / input required from Scrutiny:**

Comments on the report are invited. Where Members views are required to complete the report, shaded text boxes have been used to pose questions.

### **Recommendations:**

The Panel contribute to the report to ensure that it is an accurate account of scrutiny activity this year.

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**Ext:** 7122

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers: None

## SCRUTINY ANNUAL REPORT 2010/11

### INTRODUCTION

This annual report provides an overview of the work of the scrutiny function during the 2010/11 civic year.

The first part of the report provides brief details of the work of the individual panels. In addition, there is some scrutiny work which is being carried out jointly in Cumbria and this too is detailed.

The second part of the report considers the implementation of changes to scrutiny practices this year and looks to the future, considering areas where further development could be considered.

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## **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 Nicola Clarke, Chair of Community O&S Panel**

It has been a real privilege for me, to be asked once again to Chair the Community Scrutiny Panel. The scrutiny department, like many others within the local authority this year, has been affected by Transformation of Service. In the beginning that seemed to be a rather daunting prospect, however, the change for me has had a very positive effect, allowing me as Chair, the opportunity to work closely with an exceptional Scrutiny Officer and also exclusively with a member of the Senior Management Team. Through Transformation and the need to work in a different way, the additional presence of a member from SMT has brought 'weight' to the scrutiny meetings which they had previously lacked. I would like to warmly thank them both for their input and fantastic support not only for myself but for the panel. I would also like to thank the Portfolio Holders and other officers for their contributions and regular attendance to all the scheduled meetings.

The panel continued on with its core themes of the previous year, CDRP, Housing, Health, and Equality, but made some important additions namely the 'Together We Can Pilots' for Harraby and Longtown and the work involving the release of Tullie House to a Trust. The CDRP now has three representatives in attendance from the Community Scrutiny Panel and the output from the CDRP meetings will continue to be closely monitored by the Chair and a senior officer, to ensure that Carlisle benefits from this collaboration.

In October 2010 the District Council finally reached its goal by attaining the 'Achieving Level' of the Equality Scheme through peer assessment funded by CIEP and supported by the County Council. All six District authorities were being assessed and Carlisle had the additional pressure of being 'first in line'. This was a key milestone for the authority and it created a large amount of additional work for officers within Policy and Performance, who, without their determination and dedication, this outcome would not have been achieved so confidently.

Tullie House Museum, one of Carlisle's main attractions, was transferred over to a Charitable Trust earlier in the year. The subject was the centre for persistent scrutiny and debate at regular intervals throughout this year and provided the panel the opportunity to investigate how the Trust would operate.

The vulnerability of those with housing needs, what ever the age group, has and will remain a top priority for the Panel. This year a decision was made with regard to the new site for the Women's & Families Accommodation. Previously, the panel had scrutinised various information, had engaged in informal meetings with officers, police and service users, in order to obtain a better understanding of the provision of service, but more importantly, to gain a sharper observation of what it means and the courage it takes, for a family to use this service, the impact on a family of being without a home, and the realisation that not everyone has a network of family and friends to provide hope, kindness love and security to Mothers, Fathers and Children who are without a place to live. With this new development, together with other projects such as Carlisle Youth Zone, the development of the Foyer Programme for young people, and the refurbishment of the Hostel Service at John Street, there will always be ways in which the panel must raise the profiles of the work which the District Authority is currently involved or on the horizon, for those particular groups who are most at risk.

The exploration of the 'Together We Can Projects', known locally as the 'Harraby and Longtown Pilots' has resulted in one of the most interesting pieces of work for Community Scrutiny. The panel held one of its meetings at the Harraby Community Centre, to hear first hand from the residents, of both Longtown and Harraby, the experiences and highs and lows of progressing and caring for their own communities through empowerment and cohesion. To support this a Task & Finish Group around locality working was established between both the Community and Environment Panels to look at **current working practices** and how agencies work in partnership, **working together** whether this is ad-hoc, reactive or well planned, **working with communities** looking at how all the neighbourhoods communicate with each other in the District and **improved working relationships**, which will investigate the barriers to successful neighbourhood and partnership working.

Overall, this has been a very positive year for the panel, their contribution at meetings, joint committees and T&F group work has been admirable and has had a significant impact on all of the subject matter discussed. They have done exactly as stated in my previous annual report by driving forward both the CDRP and Equality programmes. They have certainly influenced and promoted issues for debate and discussion around housing and vulnerable groups and without a doubt have helped to secure the site for homeless accommodation with their unanimous support for the project. I would like to sincerely thank the panel members, substitutes and the vice chair for their continued interest in the vital role of Scrutiny and for making the meetings so successful.

## **Environment and Economy Panel**

### **Personal View from Cllr Carole Rutherford, Chair of Environment & Economy O&S Panel**

This year has seen changes both in the membership of the panel, officer support and the work undertaken by the panel. There had been concern across all the panels about the reduction in dedicated officer support to O&S and how the proposed input at a more strategic level would work in practice. As with all things new it takes some time for relationships to be established and practices to bed in. What has been refreshing in this panel is having an officer on board new to this authority who has been able to give a fresh perspective to the O&S role in the council and its relationship with both the executive and other officers.

The interaction between these three groups has often been problematical and even a cause of friction on occasion. For scrutiny to work effectively both in the scrutiny of and development of policy and services we have to resolve the time tabling of reports between O&S and the Executive on the forward plan. Also there seems to be a reluctance amongst some officers to let O&S have sight of reports if they have not been to the Executive first. This has even occurred when the Panel has been involved in a particular piece of work and have asked that a report scheduled on the forward plan be brought directly to O&S. Even if the reports are still only in a draft stage they can be a useful indication of how a service/policy can be developed and improved and it can be an opportunity for the panel to have an input at a very early stage.

This year saw the development of the role of lead members on certain issues. It had been tried last year by assigning areas of work to individuals but had been unsuccessful. This year two members who felt strongly about an issue raised at the development session volunteered to work with the relevant officer(s) and report back to the panel. Cllr Bainbridge undertook an investigation into seagulls and Cllr. Bowditch into fly tipping. This has proved successful at a number of levels. It is easier for two individuals to agree a time when they are both available, both members were interested in the subject matter and it is a good way to involve officers who may not normally have much contact with O&S or even members.

Task and finish work continues to be a popular area of work. Members feel there is some purpose and direction to their involvement and there is an end result. The Parking Task and Finish Group continued its work and made some initial recommendations to the executive. Whilst many were accepted these have been put on hold pending the outcome on the joint working of the city and county on Parking Connect.

A joint task and finish group on Neighbourhood Working was set up with Community panel. This had initially been proposed by this panel and the intended remit had been to look at area maintenance work only. In view of the need to work in partnership with other organisations and the need to include the community and community groups in particular the remit was expanded and a joint group established. The work has been very interesting and the session with partners particularly heartening. There is a wealth of support both from public and private organisations and volunteer groups that can be built upon to ensure that even in these financially constrained times recommendations are acted upon and progress made.

The panel as a whole have continued to try to monitor the Transformation process. This is not always easy as often there does not seem to be anything concrete to focus on. The most helpful session was when the relevant directors brought details of the previous structure that could be compared with the new ones and the changes highlighted and discussed. The panel has continued to follow the progress of the Tourism Partnership. This has been particularly successful over its short lifetime and the panel have been impressed by the enthusiasm and dedication of its staff. Although funding is becoming a problem it is now proposed that it merge with the City Centre Partnership to form a not for profit company and ultimately a BID (Business Investment District). This could be an opportunity for both partnerships to prosper and move forward. The panel were supportive of the move but disappointed that they had not been involved earlier. The panel on a number of occasions have raised the question of the appropriateness of introducing a BID in Carlisle. It was therefore felt that when the initiative was made by the City Centre Partnership a year ago it could have been brought then to the panel. This was especially relevant when the panel had been reviewing the work of the tourism partnership which had pointed out identical issues of signage, parking, opening hours, communications etc. that the city centre partnership have now also raised.

Finally the panel has continued its role in scrutinising planning documents. A number of supplementary planning documents have been on the agenda with those on energy efficiency and housing design attracting much debate. The panel will be closely involved with the development of the Core Strategy and to this end a useful workshop was held which members found helpful when scrutinising the Issues paper prior to it going out for consultation.

Last but not least I would like to thank all the members new and old who have contributed to the work of the panel, to the portfolio holders for their regular attendance and input and a special thank you to the support officer without whose support I could not have continued.

## **Resources Panel**

### **A Personal View from Cllr Trevor Allison, Chair of Resources O&S**

This year the work of the Resources Overview and Scrutiny Panel has been focused on Transformation and Budgets. Given the state of local authority finances and the front loaded cuts which are driving the Transformation agenda, scrutiny of the budget has a higher profile than it has under more benign circumstances.

In June 2010 I urged that we aim to have more effective scrutiny of the budget with a panel focused on that subject. Although the budget presentations were good, as Chair of the lead Panel on this topic, I am still not sure that we were as searching as we could have been.

The Panel has undertaken Task and Finish Group in Use of Consultants and the Capital Projects Scheme and as a panel we have been monitoring the implementation of the recommendations made by the Lease Car Task Group from the year earlier. The Task Group looking at the Capital Projects Schemes. is the first to be set up under the new scrutiny support arrangements. I am a strong advocate of Task and Finish and have an open mind as to see if they continue to be as productive under these arrangements.

This is the first year under the new arrangements where Scrutiny Support has been reduced to just one officer, compensated by support from the officer team at Director level. In the 2007 review of the Carlisle Scrutiny Function there is a reference from Dr Snape of Warwick University. I recall that one of her conclusions was that our Council were officer led, so it is difficult to reconcile this conclusion with the new structure. On the other hand, if the role of Scrutiny is to hold the Executive, to account as a "critical friend" perhaps we are better equipped to do that when officers at senior level are an integral part of the scrutiny process. Has member engagement been affected by the new arrangements? An analysis of the use of substitutes or vacant seats at the meetings might serve as an indicator here.

The workshop to review our Policy Framework was an excellent exercise in common sense and cross party co-operation, with a very positive outcome and I would welcome this way of working for other appropriate topics

Another positive initiative was the scrutiny of the Property Portfolio Options Business Plan. Members of the Resources Panel were given the opportunity to scrutinise the confidential Consultant's report prior to being considered by the Executive. Although this was tempered by a glitch in timing, the impact on the members was manifestly positive. This approach is certainly something that we should pursue.

With the onset of the Asset Review and continuation of the Transformation programme fundamental decisions will have to be made. We need a clear understanding of the involvement of Scrutiny in this important programme.

In this context, I would like to see the Scrutiny Chairs Group having a more proactive role in promoting T&F Groups, Workshops and Working Groups to provide wider member involvement on specific subjects.

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## **Chairs Group**

The Chairs Group comprises the Chairs and Vice-Chairs of the three panels and is intended to provide strategic oversight for scrutiny issues. The meetings are held on an ad hoc basis and the group has had an active and effective year. The involvement of SMT Members in the Group has proved useful in resolving areas of concern, for example, Members were concerned that scrutiny was not receiving sufficient information regarding Transformation of the Authority and a suitable way forward was agreed by the Group.

The Group have been monitoring the Scrutiny support arrangements and will continue to do so next year. The Group have been keen to hold a meeting with the Executive Members to enhance relationships and renew the protocol which was produced in 2008. Unfortunately at the time of writing this meeting has not been held. Once agreed, the revised protocol should be monitored by this Group in 2011/12.

From 2011/12 Civic Year, the meetings of this group are to be diarised on a quarterly basis in the Civic Calendar due to the continued difficulty in identifying suitable dates which both Members and Senior Officers are available. Meetings can still however be called should any Member have an issue that they wish to refer to the Scrutiny Chairs Group.

## **Joint Cumbria Scrutiny**

The Cumbria Joint Scrutiny Committee is nearing the end of its two-year trial period. A lot has happened over that time, including a raft of national change over the last year that has had an impact on the original purpose and remit of the Committee.

Established in 2009 and comprising representatives from the 6 District Authorities, the County Council, Cumbria Association of Local Councils and the Lake District National Park Authority, the Committee's remit was to monitor the performance of Cumbria's Local Area Agreement and the progress against the priorities in the Community Strategy. It was intended that regular, quarterly performance information - and the annual outcomes of the Comprehensive Area Assessment - would provide the Committee with topics that could be examined under scrutiny review.

However, the Committee's Work Programme has been informed primarily by referrals made from member authorities and partner bodies, on issues that have a countywide resonance, rather than through the process of performance monitoring. Since last year's annual report, the Committee have had two reviews finalised and submitted to the Safer and Stronger Thematic Partnership for approval, on Funding for Crime and Disorder Reduction Partnerships and the Future of CCTV in Cumbria, with a review on Affordable Housing to be completed before the end of the financial year. The CCTV review has led to follow-up work being undertaken by the Thematic Partnership to examine the possibilities for taking the recommendations forward to provide a service with greater value for money across Cumbria.

Apart from regular performance reporting, the Committee has considered issues including Shared Services in Cumbria, Winter Maintenance, Enhanced Partnership Working of the Cumbria Strategic Waste Partnership and changes to crewing levels in the Fire and Rescue Service. Seminar activities have included Performance Management, Community Engagement, Cumbria's Single Community Strategy and the Future of Joint Scrutiny.

Established national systems of accountability and assessment for local government have recently been subject to significant change by the coalition government. The abolition of the Comprehensive Area Assessment and the end of the requirement for Local Area Agreements means that the Joint Scrutiny Committee's remit is no longer pertinent. However, the loss of these nationally prescribed performance structures have meant that local authority areas are in the process of assessing how they may fulfill their public accountability role in future.

The Committee have had the opportunity to consider the future possibilities for joint scrutiny in Cumbria, and the role this could play in the future governance of the county's performance framework. Members' ideas will help inform further discussions at a

countywide level through the Chief Executive's Group and the Leadership Group for the Cumbria Strategic Partnership.

For the future, there remain live issues in which all Cumbrian authorities have an interest, including Waste Disposal, Carbon Reduction, Housing and partnership working. With plans to initiate topic-led joint scrutiny in future, the issue of charging for on-street parking has been suggested as a possible topic for future review.

In the current financial climate, with so many areas of change proposed by the current government in the way that public services are commissioned and delivered in future, the need to demonstrate value for money and an unprecedented level of involvement by social enterprise, private and third sector in delivering those services, the established ethos for joint working in Cumbria is here to stay. Ensuring that all non-executive members have an opportunity to consider key strategic issues affecting the county, will be an integral part of the continuation of joint scrutiny. How and when this engagement will happen in future is something that Cumbria's partner authorities will need to determine.

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## **Part 2: Development of Scrutiny & Summary of Progress**

A comprehensive review of the scrutiny process in the Authority was undertaken in 2009. It is still relevant to monitor the implementation of the recommendations which arose from the review as this has been an ongoing process and this is contained at page ..... Firstly the 2009/10 Annual Report was agreed by Council in May 2010 and the following summarises the recommendations made in the report along with some indication of the progress made.

**(1)** That the Scrutiny Chairs Group, the Executive along with the Chief-Executive and the two Directors meet informally to discuss how to improve the working relationship between the Executive and Scrutiny and develop positive, efficient practices for policy development work and dealing with Forward Plan items[Scrutiny Chairs Group and Executive];

Meeting due to be held 16<sup>th</sup> March 2011 was postponed and arrangements are currently being made to secure an alternative date.

**(2)** That all Portfolio Holders ensure that they attend all the relevant formal Overview and Scrutiny meetings and present major reports. This would replace the current system of Panels inviting Portfolio Holders to particular meetings for specific items [Executive].

Generally Portfolio Holders have attended the relevant Overview and Scrutiny Panels. However Senior Officers continue to present major reports and respond to the questions of Panel Members.

**(3)** The piloting of Lead Members in the Panels should be explored carefully at the Development Session for each Panel. The discussions should make clear the role of the designated Lead Members and how they would be supported [All 3 O&S Panels, monitored by Scrutiny Chairs Group].

Lead Members have been appointed on an ad hoc basis this year, and has proved particularly useful to the E&E Panel. This has tended to work better than appointing a Member at the beginning of the year to champion a topic.

**(4)** That the wish of the Panels to expand Task and Finish Group working be fulfilled next year, making use of the new support arrangements [All 3 O&S Panels, monitored by Scrutiny Chairs Group]

All Panels have undertaken some Task and Finish work this year. Some Members continue to be wary of the support provided and better ways of working need to be developed next year.

**(5)** That the Panels aim to renew the focus on greater involvement of non-scrutiny Members, the public and service users in scrutiny panel meetings and Task and Finish Group work [All 3 O&S Panels, monitored by Scrutiny Chairs Group].

Non-scrutiny Members have been invited to join Task and Finish Groups this year, and one Member had taken up this invite. An excellent example of involvement of the public and service users can be seen at the special meeting of Community O&S Panel which was held in Harraby Community Centre in October 2011. This meeting was held to consider the Together We Can Pilots which were being run in Harraby and Longtown. The Panel agreed that they would hold a meeting in a rural community in the future.

**(6)** Scrutiny Members remain concerned about the new support arrangements for Scrutiny and ask to be provided with a detailed list of the respective responsibilities of the senior officers and the scrutiny officer as they relate to the various elements of work required to support the panels [Senior Officers]

The support arrangements for Scrutiny have been discussed within the Scrutiny Chairs Group with the designated SMT Members and the Scrutiny Support Officer. The support this year has tended to be on an ad hoc basis to support targeted pieces of work. Due to the continuity in the appointment of Chairs and Vice Chairs to Panels this has tended not to cause too many problems, however should the Membership change in the 2011/12 Civic Year more formal arrangements may need to be agreed.

**(7)** The Scrutiny Chairs Group are asked to monitor the new arrangements next year, particularly to ensure that the Panels are fully supported and that the respective responsibilities of the scrutiny officer and senior managers are proving to be clear and unambiguous.

To eliminate any early teething troubles, the Scrutiny Chairs Group should carry out an assessment of how the new arrangements are working half-way through the 2010/11 civic year [Scrutiny Chairs Group].

See (6) above. Scrutiny support arrangements were discussed by the Scrutiny Chairs Group at their meeting on 8<sup>th</sup> December 2010. Concerns were raised about the ability of the Scrutiny Officer to support the Chairs outside of the formal panels and it was agreed that this would continue to be monitored.

**(8)** The Scrutiny Chairs Group should commission a piece of Task and Finish Group work (with at least 2 Members from each of the 3 O&S Panels) to examine whether the number of Panels remains appropriate and the pros and cons of changing the number of panels. The review will draw on experiences in other local authorities and will consider the make-up

with different numbers of scrutiny panels and different ways of working. In carrying out this work, there should be no presumption that there needs to be a change to the current number of panels [Scrutiny Chairs Group].

The Scrutiny Chairs Group decided at their meeting on 5<sup>th</sup> July 2010 that this review would be postponed due to the impending Localism Bill (which was later published in December 2010). It was expected that this Bill would give Local Authorities the option of returning to a Committee System and it was therefore agreed that a review would be undertaken at a future date when it was clear which option of Governance the Authority would choose.

Do Members agree that this is a fair reflection of the implementations of the recommendations from 2009/10 Annual Report?

Do Members wish to make any further recommendations with regard to the development of Scrutiny to be included in the 2010/11 Annual Report?

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The table below details the recommendation made in the 2009 Review of Scrutiny and an update on relevant developments.

Members are asked to comment to in order to complete the 2010/11 update

Change	Description	Update 2009/10	Update 2010/11
<b>Forward Plan Changes</b>	Amend the way that items are listed on the Forward Plan and enable the scrutiny committees to choose which items to consider	This has largely been successful in that the Panels (or in cases where time is limited, the Chair) can select items from the Forward Plan to come to future scrutiny meetings	
<b>Selection of Chairs</b>	Ask that Scrutiny Chairs are shared across all political parties by agreement between leaders of political groups	The sharing of the Chairs across the political parties has tended to reinforce the co-operative ways of working in the scrutiny panels.	
<b>Rename Scrutiny Committees</b>	Rename the Scrutiny bodies as 'panels' and simplify names	Change made but some Members prefer old names	
<b>Questioning Portfolio Holders</b>	Briefing meetings to start at 9.15 to enable question planning and seating arrangements to be changed to ensure that Portfolio Holders are more prominent	Briefing meetings do now start at 9.15 - however this extra time has not always been used for the purpose that it was introduced. This is an area that could be developed further.	
<b>Quality of Resolutions and Responses from the Executive</b>	Scrutiny resolutions to be clearer, better responses from Executive insisted on. Also, improved monitoring of scrutiny outcomes.	Overall impression is that the quality of resolutions has improved although this is not always consistent. Some Members have expressed continuing dissatisfaction with the Executive responses.	
<b>Informal meetings between Chair and Portfolio Holders</b>	Meetings expanded to include Directors	These informal meetings have not been pursued this year, partly because of the ongoing Transformation process but also because the Development Sessions have, to some extent, substituted for them.	

Change	Description	Update 2009/10	Update 2010/11
<b>Task and Finish Group Working</b>	Successful way of working – to be expanded	Although there has been the opportunity for more Task and Finish Group work this year, the diminished scrutiny resource available meant it was not possible to expand this type of working.	
<b>Improving Budget Scrutiny</b>	Widespread Member dissatisfaction with budget scrutiny – Task and Finish group will consider how to improve	The Task and Finish Group reported, proposing earlier and more extensive involvement of Members in the Budget process along with more clearly written documents. The Executive has responded positively to the report.	
<b>More involvement and Co-option of Public and Other Representatives</b>	Explore ways of co-opting Members who are not on scrutiny and also members of the public or representatives of service users onto Task and Finish Groups	No meaningful progress this year – need to refocus on this in the next year.	
<b>More working individually or in pairs/Lead Members</b>	Rather than always working as a whole Panel, more work to be done individually by Members or in pairs. Also, a small number of ‘Lead Members’ to be designated to develop knowledge and expertise in particular areas.	Lead Members have been designated on all three panels	
<b>Development Sessions</b>	Hold sessions outside of the formal Panel meetings to ensure that all Panel Members have input to the development of the work programme.	These were held for all three Panels and were generally considered very successful.	
<b>‘Wash Up’ Sessions</b>	Brief informal session to be held at the end of each Panel Meeting to review how it went and make any changes for future meetings.	Not always done but, when they have been, seem to have reinforced the cohesion of the Panel.	



Change	Description	Update 2009/10	Update 2010/11
<b>Member Training</b>	Members generally felt adequately trained to carry out scrutiny but additional needs will be passed on to the Members' Development Group	A 'training day' was held during which separate sessions were held for the scrutiny chairs and all scrutiny Members.	

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## **Conclusions**

It has been once again a busy year for Scrutiny and there has been some successful work undertaken. From the thorough scrutiny of the Tullie House Business Case by both Community and Resources Overview and Scrutiny Panels to the submission of a report to the Executive on the Use of Consultants through to involvement in the Parking Connect project.

This has been a difficult year for scrutiny to keep abreast of developments, particularly with regard to Transformation. However towards the end of the Civic Year all three scrutiny panels were receiving regular updates on the Transformation process and how the services within their remit would be affected.

In order for scrutiny to be an effective critical friend to the Authority, Members of scrutiny need to believe that their work is acknowledged and considered by the Executive. Over the next year with the changes to the Policy Framework, the role of scrutiny is more important than ever to provide an independent challenge to the Executive function.