

<h1>Report to Council</h1>	<b>Agenda Item:</b>  <b>12</b>
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Meeting Date: 30th April 2013  
 Portfolio: Cross Cutting  
 Key Decision: No  
 Within Policy and Budget Framework  
 Public / Private Public

Title: OVERVIEW AND SCRUTINY ANNUAL REPORT  
 Report of: Scrutiny Chairs Group  
 Report Number: OS 11/13

**Purpose / Summary:**

The Overview and Scrutiny Annual Report 2012/13 is attached. It summarises the work of the scrutiny panels over the last year. The report also looks forward to the next year and makes suggestions how to continue the development of independent Member led scrutiny. There are no specific recommendations within the report that required Council approval.

In accordance with agreed procedure the report was considered by the Community O&S on 28<sup>th</sup> March 2013 and Resources O&S on 4<sup>th</sup> April 2013. The meeting of Environment & Economy on due to be held on 11<sup>th</sup> April 2013 was rescheduled to 8<sup>th</sup> May 2013. The Chair of the Panel agreed that the consultation with those Members would be via email. The Scrutiny Chairs Group formally endorsed the final version of the report via email and copies evidencing this can be provided if requested.

**Recommendations:**

That Council formally accept the report.

**Tracking**

Executive:	
Overview and Scrutiny:	<b>COSP 28<sup>th</sup> March 2013, ROSP 4<sup>th</sup> April 2013, E&amp;E (via mail) Scrutiny Chairs Group (via Email)</b>
Council:	<b>30<sup>th</sup> April 2013</b>

**Contact Officer: Nicola Edwards**

**Ext: 7122**

**Appendices 1. Overview And Scrutiny Annual Report 2012/13  
attached to report:**

**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

**CORPORATE IMPLICATIONS/RISKS:**

**Chief Executive's -**

**Community Engagement –**

**Economic Development –**

**Governance –**

**Local Environment –**

**Resources -**

# Overview and Scrutiny

## ANNUAL REPORT 2012/13



# INTRODUCTION



It is my pleasure to introduce the 2012/13 Overview and Scrutiny Annual Report for Carlisle City Council.

I believe that this has been a good year for scrutiny with a variety of topics examined across the three Panels. Scrutiny continues to be at the heart of the Council's decision making process through pre-scrutiny work and also in its role as a critical friend of the Executive in helping shape and inform the Council's decision making.

I hope that you find this annual report interesting and informative. It highlights the effectiveness of Overview and Scrutiny and provides a snapshot of the work of the three Panels together with details of the various Task and Finish Groups that have undertaken more in depth work throughout the year.

If you would like to find out more, all Scrutiny meetings are open to the public and the Scrutiny Officer will be pleased to supply you with more information. Contact details are listed at the end of this report.

I would like to sincerely thank everyone who has contributed to the scrutiny process during the past year and look forward to the continuance of robust challenge by Scrutiny in 2013/14.

***Cllr Willie Whalen***

***Lead Member, Scrutiny Chairs Group***



## ***Professor Councillor J D Hendry, 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.*

## Community Overview & Scrutiny Panel



### PERSONAL VIEW FROM CLLR OLWYN LUCKLEY, CHAIR

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 Centres. 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.

### ***Support to Community Centres Task and Finish Group***



A small cross party group from the Panel undertook a one day review on the relationship between the City Council and the various Community Centres in the District.

The group planned a day whereby they would meet with a group of Community Centre Managers, representatives from the Federation of Community Centres, Officers from the Council and the Portfolio Holder for Communities and Housing.

The group made several recommendations which they hoped would improve the relationships and give clarity to each party as to what they should expect from the other.

Early indications show that unfortunately the relationship hasn't improved but the Panel will continue to monitor this in 2013/14 and remain positive that progress can be made.

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 are 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 is 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



**Cllr Jessica Riddle,  
Portfolio Holder for  
Communities and  
Housing**

*During my first year as a Portfolio Holder I have really appreciated the robust questioning that I receive from Scrutiny Members. This concentrates my mind very much on the issue being considered*



**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.*

be included will go forward to the Executive.

Our final meeting of this year took us out of the Civic Centre and into the Victory Hall, Dalston where the Panel considered Locality Working and 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.

## *Environment and Economy Overview & Scrutiny Panel*



### **PERSONAL VIEW FROM CLLR STEPHEN LAYDEN, CHAIR**

Many and varied are the challenges facing the scrutiny panels. One of them is to find the balance between holding the Executive to account and acting in a constructive, non-partisan and proactive way to move policies and initiatives forward.

In my five years in Scrutiny, I have seen a progression from a reactive to a proactive role; this year not only closely examining decisions, but also positively discussing and influencing the direction of travel.

In the current austere climate, the economic issues are always a prime concern. I am pleased, however, that my panel has attempted to consider many issues of environmental importance; issues which can be highlighted as needing whatever action is possible within the current restraints, but which could improve significantly as the economic outlook improves.

One such topic this year has been the Botchergate Conservation Area Appraisal. A sub-group of the panel considered public views from the Botchergate consultation and made a valuable input into the short term improvements, whilst appreciating more wide reaching initiatives that could be implemented in the future.

The panel was able to scrutinise and support the Cleaning up Carlisle project, which aims to develop a balance between cleaning, education and enforcement.

### ***Carlisle Tourist Information Centre Task and Finish Group***



The Carlisle TIC sits within the Old Town Hall in the City Centre. As major capital works were planned for the building a small cross party group of Councillors were commissioned to look at what the TIC should aspire to in the future in order to provide a modern service.

As part of their work, Members of the Task Group visited Skipton and Leeds TIC to see contemporary examples of how the service can be provided.

Members of the group made several recommendations which should improve the service in the short and long term and the group will continue to monitor the scheme over the next year.

A full copy of the Task Group report and pilot evaluation can be obtained by contacting the Overview and Scrutiny Officer (contact details on p.11)

Sometimes the panel is invited to make recommendations which are ultimately overruled by the executive or even the full council. One such issue was that of the stewardship of Rickerby Park, where the panel felt that the Park's interests would be better served outside the stewardship scheme, a view that was ultimately rejected in full council.

### ***Talkin Tarn Task and Finish Group***



A Task and Finish Group has been commissioned by the Panel to carry out a piece of work on Talkin Tarn. In particular the Panel wish to understand the budget of the Tarn and how much running of the Country Park costs the Council.

The Task Group report is currently being drafted and will report to the Panel on 8<sup>th</sup> May 2013.

A copy of the report will be available after that date from the Scrutiny Officer.

Nonetheless, the involvement of the panel in the valid democratic process was to be commended.

Another important issue was the upgrading of the Kingmoor Nature reserve which the panel carefully considered and supported with recommendations viz a viz monitoring and management.

On the economic front, in depth discussions on the Business Initiative Development explored the reasons for its failure, considered what could be learnt and urged the executive to support all efforts to establish a BID.

The Business link up with the University of Cumbria and the Carlisle Economic Partnership were also deeply considered

Other positive discussions took place on Claimed Rights and the Strategic Waste Management Partnership, which, I believe, showed Scrutiny at its best – examining and tabling constructive considerations.

The Panel revisited the question of the Enterprise Centre, including making a site visit. Although a previous report and analysis of costs surrounding the centre has been acted upon, both the vice chairman and myself had concerns about the lack of administrative

presence at the centre and the underuse and under-promotion of its facilities.

Task and Finish groups have successfully looked at the Tourist Information Centre and Talkin Tarn to inform, in a positive manner, the way forward.

In conclusion, a wide range of topics impacting on the future economic and environmental direction of the council have been fully considered and scrutinised. I pay tribute to the panel members, the officers and the portfolio holders in facilitating this; working together in a genuine attempt to move forward the interests of the Carlisle City Council and its constituents.



**Cllr Colin Glover, Portfolio Holder for Economy & Enterprise**

*Having been a member of various scrutiny panels for a number of years, I always welcomed the opportunity to participate and make a contribution to the work of the council from a backbench member perspective. Scrutiny plays an important role, whether it is providing input to future plans, holding the Executive to account on decisions made or monitoring the performance of the Council.*

*As I have moved into a portfolio holder role during the past year, I have valued the input of scrutiny members across the political spectrum. I have tried to ensure that the Scrutiny Panel has had the opportunity to discuss the key issues before decisions are made and the views expressed on a wide range of subjects have been welcomed and carefully considered. Work by members of Task & Finish groups has been much appreciated and the resulting reports demonstrate how detailed scrutiny of key subjects can be important drivers for future service planning and decision making. Economic growth and confidence in Carlisle will continue to be vital to the city in the coming months and years and I look forward to the contribution that Scrutiny will continue to make to that important work.*



**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 Overview & Scrutiny Panel



### **PERSONAL VIEW FROM CLLR REG WATSON, CHAIR**

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 including:

- Sickness absence
- Corporate risk register
- Tullie House
- Carlisle Leisure Ltd
- Capital and Revenue Budget
- Asset review and disposal programme
- Performance monitoring reports
- Asset management business
- Medium term financial plan
- Member and officer training

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 have just completed a pilot which was successful and have recommended that Members who wish should become “paperless”.

In the next two years the pressure on the Council’s budget will be the biggest this Council has ever faced.

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.



### ***Cllr Dr Les Tickner, Portfolio Holder for Finance, Governance & Resources***

The role of scrutiny is a vital one to challenge and debate the work of the Executive. I have found my first year extremely interesting. The scrutiny members show a good understanding of the subjects under debate. I believe the task and finish groups to be the most useful exercise. A good example of this was the saving paper group. The officers that serve the O&S committees are extremely capable and professional in their approach

### ***Saving Paper Task and Finish Group***



A cross party Task Group embarked upon a review on the options for saving paper within the democratic process. The Group considered the costs of paper, printing and posting of Committee reports and the effect this has on the environment. The Group looked at the possibilities of moving to paperless Committees by utilising available technology and recommended that a pilot be undertaken whereby a group of 10 Councillors would receive Committee reports electronically and use tablets in Committee meetings.

The two month pilot has recently ended and has been a success. The Members involved are very enthusiastic about the benefits of using tablets and it is recommend that paperless working for Councillors is rolled out to other Members of the Council, initially on a voluntary basis.

The change of working will reap financial and environmental savings to the Authority.

A full copy of the Task Group report and pilot evaluation can be obtained by contacting the Overview and Scrutiny Officer (contact details on p.12)

## ***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.

## **REMITTS OF PANEL RESPONSIBILITY**

The areas of responsibility for each Panel are currently dictated by the Constitution which details the policy and operational areas of responsibility under the Terms of Reference for each Panel (Section 3). There have been occasions over the last year when confusion has arisen between the remit of Panels and the responsibilities of Portfolio Holders. For example issues that the Portfolio Holder for Environment and Transport has responsibility fall under the Community Overview and Scrutiny Panel (eg Allotments and Environmental Health). However there is an argument for the issue to be scrutinised by Environment and Economy O&S Panel (which the Portfolio Holder will routinely attend).

It is therefore suggested that the **Director of Governance gives consideration to recommend to Council that the constitution is amended to ensure that the Terms of Reference for each Overview and Scrutiny Panel is not prescriptive.** The Scrutiny Chairs Group could then give consideration to the Leaders Scheme of Delegation when produced and agree the operational areas of remit for each Panel. It is not expected that there will be many areas of contention; however by reaching an agreement early in the year will ensure that the Panels are kept informed by the relevant Portfolio Holder of upcoming issues within their remit and there will be no confusion as to where responsibility and scrutiny lie.

## **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 ran 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.**

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## **CONCLUSIONS**

It has been once again a busy year for Scrutiny and there has been some successful work undertaken. Members have particularly enjoyed Task Group working and through the monitoring of recommendations are able to see how their work influences the policy and performance of the Authority.

Members and Officers are now confident in employing different ways to undertake scrutiny. From formal scrutiny within the Panel arena, workshop sessions for partners, site visits to consult with service users and look at new projects through to the use of Lead Members to undertake a piece of work and report back to the Panel and cross party Task and Finish Group working. The flexible approach that scrutiny enjoys has enabled Members to become involved in subjects in a non-traditional way.

Part two of this report suggests further ways in which scrutiny can be developed throughout 2013/14 and addresses concerns raised by some scrutiny members. These will be progressed throughout the year and will be monitored by the Scrutiny Chairs Group.

**CARLISLE CITY COUNCIL  
GOVERNANCE DIRECTORATE  
SCRUTINY  
CIVIC CENTRE  
RICKERGATE  
CARLISLE  
CA3 8AG**

** 01228 817122**

** [SCRUTINY@CARLISLE.GOV.UK](mailto:SCRUTINY@CARLISLE.GOV.UK)**