



Overview and Scrutiny **Annual Report**

2011-2012



Bromsgrove
District Council
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OVERVIEW AND SCRUTINY ANNUAL REPORT 2011-12

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FOREWORD BY THE CHAIRMAN

Welcome to Bromsgrove District Council's 2011/12 Overview and Scrutiny Board Annual Report.

This last year has again proved to be very busy with a number of important strategic reports being presented to the members of the Board as well as it having to manage an ever increasing work programme.

A number of key areas of the Council's business has been scrutinised including how changes in legislation and service delivery will affect the people of Bromsgrove.

The depth of scrutiny and quality of investigations is a testimony to the Council's commitment to support the role of the Board as a 'critical friend' and in its drive towards effective, robust scrutiny to improve frontline services for the people of Bromsgrove.

The Board has also reviewed its work programme and improved the quarterly scrutiny of performance indicators. I believe that this will help demonstrate the huge steps that this Council is making in improving the service offered to its customers as well as giving the opportunity for the members to ensure performance continues to improve.

I am also pleased to report that the function of the Board has been embraced by members, portfolio holders and officers, with excellent attendance and good quality reports and presentations.

I would like to thank all Board Members for their keen questioning and striving to make the strategic contribution of Board valued by the Executive Team and the Council. My sincere thanks are extended to the Committee Services Officers for their continued hard work and contribution to the success of the Board in 2011/12.

**Councillor Steve Colella
Chairman, Overview and Scrutiny Board**

INTRODUCTION

We are pleased to present the Overview and Scrutiny Annual Report which outlines our work during 2011-12 and provides general information on the overview and scrutiny processes at Bromsgrove District Council.

Overview and Scrutiny is a key part of the democratic decision making process in local councils, where elected councillors outside of the Cabinet can contribute to shaping council policy, community well being and accountability. This is done by reviewing council services and policies, community issues and key decisions and making recommendations for improvement.

The four key principles of Overview and Scrutiny are:

- Provides a 'critical friend' challenge to executive policy makers and decision-makers.
- Enables the voice and concerns of the public to be heard.
- Is carried out by 'independent minded members' who lead and own the scrutiny role.
- Drives improvement in public services

The Members of the Board consider these principles when selecting topics to investigate whether it is holding the executive to account, reviewing policies, policy development or scrutiny of external bodies.

MEMBERSHIP (The Board is made up of 13 Members)



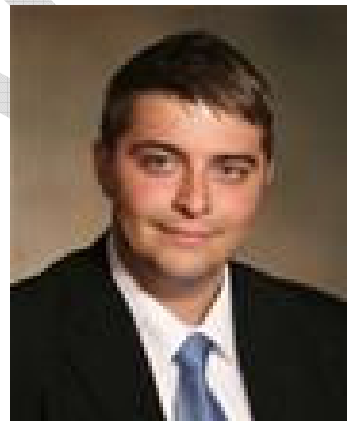
**Cllr. Steve Colella
(Chairman)**



**Cllr. Peter Lammas
(Vice-Chairman)**



Cllr. Chris Bloore



Cllr. James Brogan



Cllr. Dr. Brian Cooper



Cllr. Mrs. Rita Dent



Cllr. Keith Grant-Pearce



Cllr. Mrs. June Griffiths



Cllr. Rod Laight



Cllr. Peter McDonald



Cllr. Sean Shannon



Cllr. Mrs. Caroline Spencer



Cllr. Les Turner

THE ROLE OF THE OVERVIEW AND SCRUTINY BOARD

Overview and Scrutiny is a key part of the Council's political structure and it plays a vital role in improving the services that people of the District use, whether a resident, employed here or just visiting. It does not just look at the way the Council does things, it can look at anything which affects the lives of people within the District and it allows citizens to have a greater say in Council matters.

Overview and Scrutiny allows Councillors to review and scrutinise decisions, look at existing practices and make recommendations to help ensure the residents of Bromsgrove District receive excellent services. The aim is to ensure overview and scrutiny adds value to the Council's decision-making process and makes a positive contribution towards policy development.

The terms of reference of the Overview and Scrutiny Board also include the following:

- Overall responsibility for monitoring performance improvement.
- Identifying unsatisfactory progress or performance and making recommendations on remedial action to the Cabinet.
- Overall responsibility for monitoring the Council Plan and the Sustainable Community Strategy and making recommendations to the Cabinet.

The detailed terms of reference and procedure rules for the Overview and Scrutiny Board can be found at Part 3 (Part C) and Part 8 of the Council Constitution. The Council Constitution can be accessed by using the following link.

<http://www.bromsgrove.gov.uk/cms/council-and-democracy/councillors-and-committees/decision-making/council-constitution.aspx>

Number of Meetings

The Overview and Scrutiny Board met on a monthly basis during 2011-12 and there were a total of 12 meetings throughout the year. The meeting arranged for 19th December 2011 was cancelled due to lack of business.

THE OVERVIEW AND SCRUTINY PROCESS

Overview and Scrutiny Work Planning

It was not necessary to hold a Work Planning Workshop in 2011-12 as many of the topics carried over from the previous year's work programme continued to be relevant in the new municipal year and the Board agreed at its first meeting on 13th June 2011 that these should remain on the Work Programme for 2011-12. Several new topic proposals were also put forward and agreed by Members, which were incorporated within the Work Programmes for 2011-12.

Topic Proposals

Any Councillor, member of the public or officer can submit an overview and scrutiny proposal. The Board will then make a decision whether or not the suggested topic will be included on the work programme. In making that decision, the Board considers points such as:

- Reasons given and supporting evidence as to why the subject needs to be considered
- Links to Council priorities
- Possible key outcomes that the proposer anticipates could be achieved.

Other relevant points that are taken into account are whether it is of key interest to the public, if it is a poorly performing service, contributes to the Council Plan, an area of concern identified by internal or external audit, a review that could render significant savings or value for money or identified as a key issue in the Sustainable Community Strategy.

Approach to Investigations

Overview and Scrutiny investigations can take a variety of different approaches. The Board can decide to undertake a "short, sharp inquiry" through meetings of the Board or by setting up a Task Group, which meets outside of the formal committee process and which may involve other non-Executive Members of the Council.

Task Groups can be more flexible in their timing and approach to an investigation and can take a longer or shorter time, depending on the issue. Task Groups are often able to consider an issue in more detail and take the investigation outside of the formal committee process to look at what is happening on the ground, by undertake research and interviewing key stakeholders in a more informal setting.

Receiving Evidence

Overview and Scrutiny investigations receive evidence from which their conclusions and recommendations may be drawn. Evidence may be received during a formal Board meeting, in writing to Members of the Board or during a Task Group investigation. Evidence may include written reports from Council officers, written testimonials from interested parties, background papers, oral evidence from witnesses and site visits to look at particular places and events on the ground.

Overview and Scrutiny Inquiries and Recommendations

At the end of an investigation, conclusions are drawn up and recommendations made to the Cabinet and any other relevant local decision makers. The conclusions and recommendations, together with the relevant evidence, may be presented in a report or sometimes just recorded in the minutes of the Board meeting. Reports and recommendations are agreed by the Board before referral to Cabinet for consideration.

Recommendations may also be made to the full Council (policy and budgetary decisions) or to external agencies where the council does not have the power to act.

Executive Response

Overview and Scrutiny reports and recommendations are referred to Cabinet to make executive decisions in respect of each Overview and Scrutiny recommendation and to provide an Executive Response to the Board. The Cabinet is asked to agree, reject or amend each recommendation and to provide an indicative implementation date by which time the agreed recommendations are to be carried out.

The relevant Portfolio Holder is expected to attend the Board Meeting to present the Cabinet Response and answer any questions. If a recommendation is made to any other agency they may also be asked to provide an executive decision and response.

Tracking the Outcomes of Recommendations

Ultimately Overview and Scrutiny is about making a difference. The Overview and Scrutiny Board tracks all recommendations made to and agreed by Cabinet through Quarterly Recommendation Tracker reports. In depth investigations and Task Groups are usually reviewed 12 months after their report has been considered by the Cabinet. The purpose of this is to check if the agreed recommendations have been implemented and to see what outcomes have been achieved.

Short, Sharp Inquiries

A “short sharp inquiry” is carried out through a mix of both formal Overview and Scrutiny Board meetings and informal meetings involving all Members of the Board and chaired by the Overview and Scrutiny Board Chairman. This type of inquiry can be used for the investigation of a topic already on the Board’s work programme or a topic on the Forward Plan which the Board felt warranted a more in depth investigation being carried out. However, it can also be used to consider matters of local concern, that have not been scheduled on either the work programme or Forward Plan but which Members feel would merit inclusion and further investigation.

Task Groups

If it is felt that a more in depth and detailed inquiry is required, the Overview and Scrutiny Board can appoint Task Groups which are separate from the Board and can include Members who are not Members of the Board (Members of the Cabinet cannot join a task group) to consider issues outside of the formal committee process or to allow an in depth overview and scrutiny investigation. It is best practice for the Chairman of a Task Group to be a member of the Overview and Scrutiny Board. Task Groups carry out investigations and report back to the Board with their findings and recommendations. Task Groups can use a variety of methods to gather evidence and can invite relevant officers, representatives from external organisations and members of the public who have an interest and would like to put their views forward to act as witnesses.

BOARD INVESTIGATIONS COMPLETED 2011-12

In addition to the regular standing items on the Board's agenda (detailed under the section Current and Future Work of the Overview and Scrutiny Board), it also requested and received reports and commented on the following areas and made in total **8 recommendations** to Cabinet, all of which were agreed:

➤ **Scrutiny of Crime and Disorder**

At the meeting of the Board held on 11th July 2011 Members received a presentation and report from the Senior Community Safety Project Officer which provided an overview of the 2011/12 Bromsgrove Community Safety Partnership Plan (CSPP). The report outlined the main local priorities and highlighted some of the key challenges in tackling those priorities.

Members were informed that the Police and Crime Act 2010, which had been implemented in April 2011, reviewed part of the Crime and Disorder Act 1998 and updated several of the requirements in the original Act, one of which was that a 3 year plan was no longer required, and that a rolling refreshed annual plan could be produced. The Community Safety Partnership (CSP) had chosen to produce an annual plan due to the forthcoming challenges it would face, including the potential removal of the Police Authority and the introduction of a Police and Crime Commissioner. The CSP was also aware of a further 40% reduction in funding of the Community Safety Funding at County Council level, which was in addition to the 20% reduction already received that year.

➤ **Detection of Crime (Burglary and Vehicle Crime)**

At the Board meeting held on 11th July 2011 a Topic Proposal Form had been put forward in respect of the Detection of Crime in Hagley and in particular domestic burglary. The Board were informed that although under the Police and Justice Act 2006 scrutiny committees were given powers to scrutinise Community Safety Partnerships (CSPs) those powers were to look at the work of the partnership as a whole rather than a power to scrutinise individual partners. The proposal as it stood was not appropriate for consideration as a scrutiny exercise and after discussion it was agreed that a more general report on this topic would be received by the Board.

A report on burglary and vehicle crime in Bromsgrove district was received by the Board at its meeting held on 24th October 2011. Officers informed Members that it was difficult to accurately compare crime figures in Bromsgrove against that of other areas, as the District's close proximity to motorway networks made it more easily accessible. Members also discussed detection rates, the possibility of any reduction in the number of frontline

police officers and the variance in the number of burglaries on a monthly basis. Members agreed to receive a further update in six months time to investigate any further variance in the figures.

A further report was therefore received by the Board at its meeting held on 23rd April 2012 when Members were informed that, from the information and statistics provided by West Mercia Police, a decrease of 25.5% in the number burglary offences had occurred in 2011/12 compared to 2010/11. The Board's attention was once again drawn to the legal implications and reminded that it's role under the Police and Justice Act 2006 was to scrutinise the Community Safety Partnership, not individual partners. The Board therefore noted the report and agreed that no further information was necessary on this topic.

➤ **The Council's Ethical Policy**

At the Board meeting held on 13th June 2011 Members discussed the Council's Ethical Policy, which related to advertising on for example traffic islands and within Council literature such as Together Bromsgrove. A verbal update was received at the meeting held on 11th July 2011 when Members were informed that although the Council did not have an over arching ethical policy, individual agreements for such things as sponsorship and procurement had strict guidelines which should be adhered to. A report on the possible introduction of an ethical policy for the Council was received at the meeting held on 27th September 2011 when it was resolved that the Board was satisfied that the current organisational requirements were being met and there was no need for a specific ethical policy to be developed.

➤ **Medium Term Financial Plan 2012/13**

Overview and Scrutiny committees have a role in helping the Council achieve value for money services by scrutinising the Council Budget. This can be through consideration of particular topics throughout the year, examining how the resources are being spent and through scrutiny of the Council's draft Medium Term Financial Plan.

The Overview and Scrutiny Board received a presentation on the Draft Medium Term Financial Plan for 2012/13 together with details of the Revenue and Capital bids, at its meeting held on 3rd January 2012. Members had the opportunity to seek further information about any of the bids and about how these bids had been prioritised by senior officers. Following this presentation the Board made recommendations to the Cabinet in respect of the reprioritisation of several Revenue and Capital Bids.

➤ **Town Centre Capital Budget Bid and Progress Update**

Following a presentation from the Executive Director, Finance and Corporate Resources, the Board requested an update on the work of the Town Centre Steering Group and progress on the Town Centre improvement and regeneration programme. The Board received a presentation from the Town

Centre Regeneration Programme Manager and the Portfolio Holder for Business Transformation which covered the following areas:

- Timescales for the development of the town centre
- Details of the membership and role of the Partnership Steering Group
- Funding and creation of jobs
- Upgrade of the bus station
- A risk assessment of the project and any alternative arrangements made should elements of the project not come to fruition.

The presentation provided the Board with a clear view in respect of the background work which had been carried out in order for the improvements to the Town Centre to be a success and although the work had been slow to start, it was now gathering momentum with more visible changes taking place.

➤ **Joint Environmental Enforcement Strategy**

At the final meeting of the Board for the 2010/11 municipal year, Members had the opportunity to pre-scrutinise the Enforcement and Fixed Penalty Notices for Environmental Services and the proposed Joint Environmental Enforcement Strategy and at the meeting held on 5th April 2011 received a briefing paper and presentation which outlined the use of enforcement action to tackle environmental problems such as fly-tipping and dog fouling together with the opportunities for continued improvement to street cleaning performance and improved environmental enforcement within the Council. The Portfolio Holder for Community Services provided the Board with details of what was classed as 'environmental crime' and the 5 stage approach for dealing with offences, together with details of the level of Fixed Penalty Notices for various environmental crimes.

It was agreed that the Board would receive a progress report on the implementation of the strategy in 12 months time. Members therefore received a further report at the meeting held on 23rd April 2012. Members were reminded that the Strategy included a staged approach where the Enforcement Officer would use their discretion in taking the appropriate enforcement action and that the work was accompanied by a publicity and campaign programme to raise awareness. The service commenced following the Council's adoption of the strategy and publicity programme in October 2011 and was delivered by the Community Safety Team. The Board was provided with a summary of Environmental Enforcement Action Taken and following discussion it was agreed that it would receive this on a quarterly basis in order to monitor progress of the new service.

➤ **Dealing with Fly Posting Report**

At the Board meeting held on 27th September 2011 the Board discussed Fly Posting. A task group had investigated this issue in 2005 which had highlighted the policy and procedures the Council had in place. However,

Members were aware that there had been several recent incidents of fly posting and Members were concerned that the policy and procedures were not being followed, the Board therefore requested that Officers be formally requested to address the issue and for the item to be placed on the Board's quarterly recommendation tracker in order to be monitored.

At the meeting held on 27th February 2012 Members received an update report which provided background information on the current policy which had been in place since 2004, which did not reflect the complexity of tackling fly-posting. The Board were informed of the legislation which was used to tackle fly-posting and were advised that work was currently being undertaken to identify the most effective options that could be used at a local level to successfully implement that legislation and in order to produce an updated policy and procedure. It was agreed that the new policy and procedure documents would be provided for the Board for comment at the meeting to be held on 18th June 2012.

➤ **Homelessness Grant 2012/13**

At the Board meeting on 23rd January 2012 Members noted that the Forward Plan contained an item on the Homelessness Grant for 2012/13. Although, it was too late to pre-scrutinise the report, it was agreed that it would be useful for Members to be provided with background information on funding for 2011/12 and 2012/13 together with a progress on schemes in place for 2011/12 and the methodology used in allocating the funds for 2012/13.

Members took the opportunity to ask the Strategic Housing Officer for detailed information on several of the schemes currently in place and received information on the new Government Welfare Reforms, it was expected that the legislation would come into force with effect from April 2013. The Board asked for an update report to be presented to the meeting to be held in September 2012 in order to ensure that the Council was receiving value for money from the schemes being funded.

➤ **Pre-scrutiny Longbridge Statement of Principles regarding Affordable Housing Provision Report**

This item was picked up from the Forward Plan at the Board meeting held on 27th February 2012, Members asked for a report to be brought to the next meeting as they raised concerns in respect of any implications it could have on the Council's current policy for the provision of affordable housing.

A report was received at the meeting held on 26th March 2012 which provided background information on the Statement of Principles and gave detail on the way in which the properties would be allocated under nomination arrangements. Whilst the Board recognised the need for such a Statement it was concerned that insufficient time and information had been provided to enable it to contribute to the decision making process, it therefore recommended that Cabinet delay the approval of the Statement pending a

more detailed report being received to enable a detailed pre-scrutiny exercise to be carried out.

➤ **Worcestershire County Council Health Overview and Scrutiny Committee (HOSC)**

During the 2011/12 Municipal Year the Board has, for the first time, received regular updates from the Council's representative (who must be a member of the Overview and Scrutiny Board) on the above Committee. Since the February 2012 meeting of the Board the agenda and previous meeting's minutes has become a standing item on the agenda and the representative feeds back to Members at each meeting any areas of interest and responds to questions. This allows the views of the Board to be feedback into the HOSC where appropriate. Areas discussed to date are detailed below:

- The strategic service review of the Acute Services in Worcestershire
- Clinical Commissioning Groups
- Worcestershire Health and Wellbeing Board
- Worcestershire Emergency Ophthalmology Service

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OVERVIEW AND SCRUTINY TASK GROUPS COMPLETED IN 2011-12

Recreation Road South Car Park Task Group

Background

An Overview and Scrutiny Topic Proposal Form relating to Recreation Road Car Park South was submitted to the Overview and Scrutiny Board meeting held on 11th July 2011, by Councillor S. P. Shannon. At that meeting it was agreed that a Task Group would be established and Councillor Shannon was appointed as Chairman.

There were a total of four Task Group meetings and the following areas of investigations were covered:

- A comparison of usage, income and penalty charges on Recreation Road South Car Park for 2008/09 and 2010/11.
- The role of the Civil Enforcement Officers and the guidelines they adhered to.
- The penalty charges appeals process and the standard letter templates used.



Terms of Reference

That a review of the civil enforcement officers' guidelines, standard letter templates (for all 3 stages of the appeal system) and a review of the signage at the Recreation Road South Car Park be undertaken to assist in the improvement of the Council's perception by residents and visitors to Bromsgrove.

Key Findings and Recommendations

Having considered the evidence provided by officers, Members had gained a good understanding of the operation of the car park and the role of the Civil Enforcement Officers. The Task Group acknowledged that:

- The car park was of good quality (well illuminated and covered by CCTV).
- Signage was clear and well placed (Members had visited the site).
- The Pay on Foot system had reduced the number of penalty charges issued (2008/09 2,273 and in 2010/11 462).

- The customer satisfaction rate for the car park was high (approximately 91% following a recent survey conducted by the Car Parks Manager. The survey also showed that almost 99% of those asked preferred a pay on foot system).
- Appeals made in respect of penalty charges were dealt with sympathetically (with approximately 42% being overturned).

The Task Group Members were unanimous in the conclusion that the Pay on Foot system at Recreation Road South Car Park was beneficial to car park users as it reduced the number of penalty charges issued, enabled users to only pay for the amount of time they spent in the car park and had clear signage to assist them.

Task Group Members conceded that they had begun the Task Group with a preconceived view of Recreation Road South Car Park and car parking facilities generally provided by the Council. However, after hearing and looking at the evidence provided by Officers it was agreed that the negative view was incorrect and that appropriate work needed to be carried out to change the perception of residents and visitors to the area in order to increase use of the car parks.

The Task Group's final report, which included **5 recommendations**, was presented to Cabinet on 7th September 2011 and their response was received at the Overview and Scrutiny Board held on 27th September 2011. The Cabinet response accepted 2 of the 5 recommendations and gave positive feedback on the content of the report. The Board were informed that the operation of the car parking service would be reviewed as part of the Shared Services and Transformation programme. The Board acknowledged that 2 of the 3 recommendations not accepted had significant financial implications and would be taken into consideration when moving forward with the Town Centre regeneration project.

Reduction in Bus Services Task Group

Background

An Overview and Scrutiny Topic Proposal Form relating to the Reduction in Bus Services was submitted to the Overview and Scrutiny Board meeting held on 11th July 2011, by Councillor C. J. Bloore. At that meeting it was agreed that a Task Group would be established and Councillor Bloore was appointed as Chairman.

There were a total of five Task Group meetings and it was agreed at the first meeting that the Task Group would concentrate on particular bus routes within the District:

- 140/141 (The Stokes to Bromsgrove/Droitwich)
- 144 (Worcester to Birmingham)
- 178 (replaced with X50 and S7 Wythall)
- 202/204 (Cofton Hackett)
- 318 Stourbridge

Terms of Reference

To achieve the successful maintaining of key bus routes throughout the District, in order to allow residents to go about their daily lives.

Key Findings and Recommendations

Whilst the Task Group was completing its investigation Worcestershire County Council announced that, after consideration, some of the vital services, which had been discussed at Task Group meetings, would not now be withdrawn or the changes would not be as significant as originally anticipated. This related in particular to the evening bus service between Worcester and Birmingham. The new bus timetables would come into effect from 4 September 2011.

The Task Group was concerned that there was little or no written evidence to substantiate any response from the Council or individual councillors to the WCC consultation and it was keen to ensure that this should not happen again with any future consultations. A clear audit trail should be available in future to ensure the Council is open, transparent and inclusive (for example through a task group being set up, an informal meeting being held for all Members, through Cabinet setting up an informal group or at a meeting of the full Council) in dealing with issues that may have a significant impact on residents within the Bromsgrove District.

From the evidence provided, the Task Group concluded that the role in consulting with residents was taken by parish councils rather than the District Council. The Task Group Members agreed that by not providing a “united” response to the consultation, opportunities had been missed to influence the form in which the bus services to the District were provided.

Whilst acknowledging that the issue was a County Council decision, the Task Group concluded that a key lesson learned was that a more proactive/co-coordinated response which was inclusive and transparent from the Council at an earlier stage, would not only have helped to influence changes, but also acknowledged to residents that the Council was acting collectively on the issue.

The Task Group was of the view that the reduction in bus services did not only impact on residents, but could have a detrimental effect on the following areas:

- Environmental (air quality due to increased traffic)
- Town Centre Regeneration (for example visitors to the town centre)
- Local Development Framework (issues around housing developments due to lack of transport infrastructure)

The Task Group's final report, which included **2 recommendations**, was presented to Cabinet on 5th October 2011 and its response was received at the Overview and Scrutiny Board held on 24th October 2011. Cabinet had approved the recommendations subject to a revision of the wording for Recommendation 1 in respect of Corporate Delegations within the Constitution.

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Planning Policy Task Group

Background

An Overview and Scrutiny Topic Proposal Form into the planning process was submitted to the Board meeting held on 13th June 2011 with the request that it be included within the Work Programme of the Board for the coming year. After discussion it was agreed that it would be necessary to break the process down into specific areas of planning and to concentrate on the areas of most concern to both Members and residents in the first instance. It was further agreed that initially, a Board Investigation would be carried out in to Planning Enforcement. An initial, informal meeting of the Board took place in July 2011 to discuss this area.

At a subsequent meeting of the Overview and Scrutiny Board held on 27th September 2011 and following a request from full Council, it was agreed that a Task Group would be established to scrutinise matters relating to planning policy issues. As there was significant interest from Members on this particular topic it was agreed that a special meeting of the Overview and Scrutiny Board would be held on 12th October 2011 in order to appoint a Chairman of the Task Group and to agree membership.

Following discussions at the Board meeting held on 21st November 2011 it was further agreed that the work of the Board Investigation in to Planning Enforcement would be amalgamated within the scope of the Planning Policy Task Group.

There were a total of ten Task Group meetings, with the following areas of investigation being agreed at the first meeting:

- The planning process and the setting of specific conditions for planning applications and the role of the Planning Committee.
- Gaining and understanding of why conditions are set.
- The effectiveness of conditions and how the Council enforces such conditions.
- How the process could be improved.

Terms of Reference

To review the Council's planning process, in particular the setting and enforcement of conditions, in order to identify strengths and weaknesses and to make recommendations for improvement where deemed necessary.

Key Findings and Recommendations

The Task Group began its investigations with a presentation from the Head of Planning and Regeneration which gave Members an understanding of the planning process and the setting and enforcement of planning conditions. Members used a particular application, the Former Landfill Site, Alvechurch Highway, Lydiate Ash

(more commonly known as Marlbrook Tip) as a case study and the evidence gathered from this proved invaluable in every area of the investigation. The investigation was broken down into 4 areas and this led to 12 recommendations being put forward covering planning applications and the committee process, the planning enforcement process, the Internal Audit Ad Hoc Investigation into Marlbrook Tip and the Customer Feedback Complaints process.

The Task Group acknowledged that the Council had made mistakes over the years in respect of the Marlbrook Tip site and this was reflected in several of the recommendations that were made. The Task Group was also concerned at the inconsistency of the recording of service requests and complaints within the Enforcement area and was pleased to be informed that steps had already been taken to rectify this area. It was envisaged that together with the recommendations this would ensure that similar errors would not occur again in the future. The Task Group supported the recommendations within the Internal Audit Ad Hoc Investigation report and recommended that these be picked up within the Overview and Scrutiny Board's quarterly recommendation tracker to ensure they were carried through.

The Task Group's final report, which included **12 recommendations**, was presented to Cabinet on 4th April 2012 and Cabinet provided an interim response which was received at the Overview and Scrutiny Board meeting held on 23rd April 2012. Cabinet had agreed 8 of the recommendations but had asked that the Overview and Scrutiny Board look again at elements of the remaining 4 recommendations and provided Cabinet with a response before giving them further consideration. It was therefore agreed at that Board meeting that the Task Group would reconvene and hold a further meeting to discuss the issues raised by Cabinet and report back to the Overview and Scrutiny Board meeting to be held on 18th June 2012.

REVIEWS OF PREVIOUS OVERVIEW AND SCRUTINY INVESTIGATIONS AND TASK GROUP

Improving Residents Satisfaction Task Group

Background

The aim of this Task Group was to identify ways in which the Council could achieve higher levels of satisfaction amongst local residents. Residents' should be the main Council priority and there was a need to investigate the underlying reasons why some residents appears to be "dissatisfied" and recommend ways in which the Council could improve both residents' perception of council services and their satisfaction levels.

There were a total of five Task Group meetings, with the following areas of investigations being agreed at the first meeting:

- Place Survey Analysis (to include a literature search and comparative analysis with other councils)
- Theory and Best Practice on Satisfaction (including a review and comparison of communication strategies and theory on marketing)
- Local Practice and Local Issues

The Task Group's final report, which included **7 recommendations**, was presented to Cabinet on 30th June 2010 and there response was received at the Overview and Scrutiny Board held on 13th July 2010. Cabinet accepted all the recommendations and its response included implementation dates for completion of them.

Terms of Reference

To gain an understanding of the statistics behind the current levels of satisfaction and of good practice in delivery and high levels of satisfaction. To understand the causes of dissatisfaction for particular customer segments and to identify solutions based on research undertaken.

Position 12 months On

At the Overview and Scrutiny Board meeting held on 13th June 2011 Members received a 12 month review report on progress of the implementation of those recommendations. The majority of the recommendations had been completed and those which had not, continued to be included within the Board's quarterly recommendation tracker.

It was noted that the Council continued to have a good track record on community engagement; good examples of this were the high number of responses received to the Core Strategy consultation and the continued success of the Budget Jury, which had recently been featured on a regional television programme.

The Board was also informed that the Customer Experience Strategy was launched in 2011 along with a 3 year action plan to develop customer service provision in Bromsgrove, building on the work of the Customer First Programme. This new Strategy covered Customer Experience, Transformation, Customer Feedback and Staff and focuses on improving the customer experience.

The Impact of Hot Food Takeaways on Communities and the Environment - Board Investigation

Background

The aim of the Board Investigation was to investigate the impact of takeaway hot food stores on communities and the environment. Members explored this subject and heard evidence over a series of meetings of the then Scrutiny Board. In addition Members were assisted by colleagues from the London Borough of Waltham Forest who passed on their experiences of issues regarding hot food outlets through a fact finding visit by members of the Board to Waltham Forest. Based on the evidence presented, the main themes which emerged were categorised as follows:

- Perceptions – impact of hot food takeaways within the District
- Crime and disorder/policing issues
- Town centre/use of retail outlets
- Litter and street cleanliness
- Regulatory enforcement by Planning and Licensing
- Health issues - the link to poor diet and obesity

Members debated the issues and received information on the policies and consultation exercises of other authorities with reference to hot food takeaways, together with information from licensing on imposing conditions on premises licences.

The Board Investigation report, which included **3 recommendations**, was presented to Cabinet on 2nd December 2009 and their response was received at the Scrutiny Board held on 26th January 2010. Cabinet accepted all the recommendations and its response included implementation dates for completion of them.



Terms of Reference

The investigation sought to find out more about the following aspects of hot food takeaways:

- The approach other local authorities have taken to the regulation of hot food outlets
- The nutritional content and selection of food offered and the contribution to healthy eating
- The effect of hot food takeaway stores on commercial activity

Position 12 months On

At the Overview and Scrutiny Board meeting held on 13th June 2011 Members received a 12 month review report on progress of the implementation of those recommendations.

The initial response from the Strategic Planning Department to Recommendations 1 and 2 in respect of a Hot Food Takeaway Supplementary Planning document was that this could not be progressed. However, the Draft Core Strategy made reference under section C9 23 Health and Wellbeing to the option of the provision of a Supplementary Planning Document at a later date. In respect of Recommendation 3, although a bid for funding by the Bromsgrove Partnership to the Health Improvement Fund was not successful, Members were informed that Worcestershire Regulatory Services (WRS) were working in partnership with Worcestershire PCT Public Health Team to develop the Worcestershire Food Choices Project – improving healthy options in food outlets across the County. This contributes to WRS's priority to protect public health (tackling smoking, obesity and alcohol abuse).

Alvechurch Multi-Use Games Area Inquiry – Board Investigation

Background

Back in June 2010 the Joint Overview and Scrutiny Board received 3 petitions in respect of the Multi-Use Games Area (MUGA) at Swanslength in Alvechurch. The Board agreed to carry out an inquiry into the future of the MUGA facility to investigate the reported crime and disorder issues and the future options for the MUGA and to make recommendations to Cabinet.

The Inquiry considered written and oral evidence from key stakeholders and conducted site visit to the MUGA and surrounding area. At the beginning of the Inquiry, an open invitation was made to people to submit written evidence to contribute to the investigation and Members of the Inquiry received a substantial amount of correspondence and submissions of written evidence from local residents, both for and against the MUGA and all of which were taken into account. The lead petitioners were also allowed up to 5 minutes to introduce their petition and

answered questions put to them by the Board. Key witnesses including the police, District Council community safety officers, ward councillors, local residents' representatives, Bromsgrove District Housing Trust and Worcestershire County Council Youth Support.

The Board Investigation report, which included **11 recommendations**, was presented to Cabinet on 3rd November 2010 and their response was received at the Joint Overview and Scrutiny Board held on 23rd November 2010. Cabinet accepted all the recommendations, subject to slight amendments to the wording of some of the recommendations and its response included implementation dates for completion of these.

Terms of Reference

The aims and objectives of the Inquiry were to investigate the crime and disorder issues highlighted by residents and to consider the future options for the MUGA facility at Swanslength, Alvechurch.



Position 12 months On

At the meeting of the Overview and Scrutiny Board held on 21st November 2011 Members received a comprehensive report giving details of work that had been carried out in respect of all the recommendations detailed in the original Inquiry Report. It was noted that only 2 recommendations had not been completed and this had been a decision made by the Parks and Recreation team, who had suggested that the impact of the implementation of the other recommendations was so successful that it was not necessary or cost effective to carry out Recommendations 9 and 11. Members were concerned that any extra resources put in place at the site to sustain the reduction in anti-social behaviour would not be maintainable in the long term and asked for it to be placed on record that should the circumstances at the MUGA site change, then the implementation of those recommendations should be reconsidered.

JOINT OVERVIEW AND SCRUTINY INVESTIGATIONS

No joint scrutiny exercises have taken place in the year 2011-12.

However at the Board meeting held on 27th September 2011 Members received the Worcestershire Joint Overview and Scrutiny Protocol which had previously been discussed at meetings of both the Worcestershire Chairman and Vice Chairman Network and the Worcestershire Scrutiny Officers Network meetings.

Following a general discussion on the merits of joint scrutiny, the Protocol was noted for information by the Board.

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FUTURE WORK OF THE OVERVIEW AND SCRUTINY BOARD

Topics already included on the Board's work programme for 2012-13 are as follows:

- Homelessness Grants
- Countywide Homelessness Strategy
- Dealing with Fly-Posting
- Possible Joint Scrutiny in Worcestershire
- Continued Scrutiny of Crime and Disorder

The following are standard items which are considered at regular intervals by the Overview and Scrutiny Board and will again be scheduled into the work programme for 2012-13:

- Quarterly Recommendation Tracker
- Forward Plan of Key Decisions
- Quarterly Performance Monitoring Report
- Quarterly Finance Monitoring Report
- Customer Service Update Reports
- Sickness and Absence Health Monitoring Report
- Worcestershire County Council Health Overview and Scrutiny Committee (the Council's representative on this Committee must be a Member of the Overview and Scrutiny Board and provides the Board with regular updates on the work being carried out.)

DEVELOPMENTS DURING 2011-12

Overview and Scrutiny Structure

This is the first full year of work for the Overview and Scrutiny Board following the revisions to the Constitution in January 2011 and the merging of the 3 separate Overview and Scrutiny boards and the incorporation of the Performance Management Board within it. A further amendment was made to the Constitution at the March 2012 full Council meeting which now allows for trained Substitutes to be used at future meetings. It should be noted that a Member of the Board can only use a substitute on two occasions within any one municipal year.

Support Received by the Board

With effect from 1st April 2012 the Overview and Scrutiny Board will be supported by a Shared Democratic Services Team. Three Officers within this service will lead in supporting the Overview and Scrutiny role at both Bromsgrove District and Redditch Borough Councils.

Work continuing

Examples of work which will continue during 2012-13 are:

- After the Cabinet has considered an Overview and Scrutiny Report, the relevant Portfolio Holder attends the next available Overview and Scrutiny Board meeting to present the **Cabinet's Response** and answer any questions to help build the relationship between Cabinet and Overview and Scrutiny.
- The Board has also seen an increase in **Portfolio Holder** attendance for meetings at which reports for a Portfolio Holder's particular area have been received. This has been welcomed and continues to be encouraged in order to further build upon the relationship between Cabinet and Overview and Scrutiny.
- The **Overview and Scrutiny Recommendation Tracker** has been further modified in order to provide more outcome based information and to better enable the Board to monitor the implementation of Cabinet approved recommendations.
- Officer participation within the **Worcestershire Scrutiny Officer Network**. This gives officers across the County the opportunity to work together to discuss good practice and different ways of working to help improve the role of scrutiny.

- The Chairman of the Overview and Scrutiny Board and the Democratic Services Officer have also attended meetings of the **West Midlands Regional Scrutiny Network** which held its first meeting in June 2011 and it is planned for 4 meetings to be held each year, with relevant speakers invited to attend to update members on current high priority topics.
- **Improved Call-In Procedure** and Guidance for Members (this is reviewed by the Board annually).
- **Dedicated web pages** to enable Overview and Scrutiny to inform the public about its role and how they can get involved. It also includes work completed and ongoing and is updated on a regular basis. (Go to www.bromsgrove.gov.uk/scrutiny)
- **Dedicated email address** for scrutiny for the public to use: scrutiny@bromsgrove.gov.uk
- **Joint overview and scrutiny working** with other local authorities
- Good **partnership working** with various agencies who have provided evidence and/or attended meetings as witnesses at the Overview and Scrutiny Board.

LOOKING TO THE FUTURE

The Localism Act

The Localism Act altered requirements in relation to governance arrangements at local authorities. Councils have been granted authority to select governance arrangements considered suitable for the local area. This can include retaining the Leader and Cabinet model, introducing thematic committees, and introducing an elected Mayor, though many local authorities have considered introducing a hybrid model comprising a variety of different governance arrangements. At present, Bromsgrove retains and Leader and Cabinet model of governance which is held to account by a single Overview and Scrutiny Board.

The legislation repealed requirements established in the Local Democracy Economic Development and Construction Act 2009 in relation to petitions. However, Redditch Borough Council, like many other local authorities, has retained the petitions scheme that was developed in response to the 2009 legislation.

The Localism Act extended powers to hold external partners to account to district authorities. However, whilst Local Area Agreements are no longer required these powers only extend to partner organisations involved in the Local Area Agreement. The government has indicated that this list of partners may be updated in due course.

Police Reform and Social Responsibility Act 2011

The Police Reform and Social Responsibility Act 2011 will provide new structural arrangements for national policing, strategic police decision-making, neighbourhood policing and policing accountability. Principal among the changes will be the election of police and crime commissioners (PCCs), the first of which will take place in November 2012. Although, this will not have a direct impact on scrutiny at district level it should be noted that the PCCs will have budgetary control for Community Safety Partnerships, which the Overview and Scrutiny Board can scrutinise where appropriate and this should therefore be something the Board closely monitors.

Health and Social Care Act

The Health and Social Care Act 2012 introduced health scrutiny powers. In two tier authority areas, such as Worcestershire, the County Council assumed responsibility for health scrutiny. In Worcestershire the Health Overview and Scrutiny Committee (HOSC) leads health scrutiny. A representative of Bromsgrove District Council is appointed as a district representative to HOSC and reports on the work of the body to the Redditch Overview and Scrutiny Committee.

Final Word

It is important that it is understood that scrutiny is an essential element of good governance and provides an opportunity for non-Cabinet Members to engage in the work of the Council and help improve outcomes for the people we serve.

There are a lot of good procedures which are now in place for overview and scrutiny and these will be reviewed on a regular basis, particularly in light of new legislation. However, we still have much to do to ensure overview and scrutiny is operating effectively at Bromsgrove District Council and both Members and officers are committed to strengthening and improving the overview and scrutiny function much further.

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FURTHER INFORMATION

Overview and Scrutiny Board Meetings

Overview and Scrutiny Board meetings are open to the public. To find out more visit our website at www.bromsgrove.gov.uk/scrutiny or telephone 01527 881288 and ask to speak to the Democratic Services Officer.

Public Involvement

If you would like to have your say on issues being considered by Overview and Scrutiny or to suggest a topic for consideration you can email scrutiny@bromsgrove.gov.uk or complete the form on the Council's website www.bromsgrove.gov.uk/scrutiny

Giving Evidence

Members of the public or organisations with a special interest or knowledge about a particular topic being considered by Overview and Scrutiny can put forward evidence to a committee or appear as a witness to give evidence for an investigation. If you think you or your organisation might be able to participate in an issue currently under review, please contact us.

If you have a personal issue with a council service you may find it more useful to contact your local ward councillor who can help you decide the best way to take it forward.

Contact Overview and Scrutiny

If you would like to find out more about any aspect of the Overview and Scrutiny Board then you can email scrutiny@bromsgrove.gov.uk or telephone 01527 881288 and ask to speak to the Committee Services Officer.

Further information can also be found on the Council's website. Please go to www.bromsgrove.gov.uk/scrutiny

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**This report can be provided in
large print, braille, on audio CD or tape,
or on computer disc.**

"Need help with English?" Contact Worcestershire HUB, Bromsgrove 01527 881288
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Worcestershire HUB, Bromsgrove ile irtibata geçin
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پر رابطہ کریں



**Bromsgrove
District Council**

www.bromsgrove.gov.uk



**EQUALITY
FRAMEWORK
FOR LOCAL
GOVERNMENT
ACHIEVING**

Legal, Equalities and Democratic Services

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