

Bromsgrove District Council **Legal, Equalities & Democratic Services**



Overview and Scrutiny **Annual Report**

2012-2013



Bromsgrove
District Council
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OVERVIEW AND SCRUTINY ANNUAL REPORT 2012-13

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FOREWORD FROM THE CHAIRMAN

Welcome to Bromsgrove District Council's Overview and Scrutiny Board's annual report for 2012/13.

The past year has been both busy and productive with numerous activities and services associated with the council being examined. Board Members are ever mindful of their responsibility and commitment to residents whom they serve in scrutinising, impartially, those services which can impact enormously on their lives.

High among the topics looked at has been the Government's new welfare reforms and their effect on residents when devolved down to local level and how the district council planned to implement them causing the least hardship to those in receipt of help.

Homelessness in Bromsgrove and across the county and the strategy to alleviate its effects, and the grant aid available was examined.

Affordable housing at the new Longbridge development, crime and disorder in the district and CCTV also featured in the Board's deliberations as did a new policy on fly posting.

Car parking and a Blue Badge consultation exercise was also discussed.

The board also received regular updates on the work of the county council's Health Overview and Scrutiny Committee.

During the year a number of task groups were also launched. Air Quality and Youth provision in the district are the latest to come under the spotlight and reports on the subsequent findings are expected later this year.

Finally, on a personal note, as new Chairman, I wish to thank Board Members for their help and support as well as Committee Services Officers for their continued hard work and endeavours.

**Councillor Peter Lammas
Chairman**

INTRODUCTION

We are pleased to present the Overview and Scrutiny Annual Report which outlines our work during 2012-13 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 18th June 2012 to 25th March 2013)



Cllr. Peter Lammas
(Chairman 26th March 2013 onwards)



Cllr. Roy Clarke (Vice Chairman
26th March 2013 onwards)



Cllr. Chris Bloore



Cllr. James Brogan



Cllr. Brian Cooper



Cllr. Rita Dent



Cllr. Keith Grant-Pearce



Cllr. June Griffiths



Cllr. Rod Laight



Cllr. Peter McDonald



Cllr. Sean Shannon



Cllr. 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 2012-13 and there were a total of 9 meetings throughout the year. The meeting arranged for 16th January 2013 was cancelled due to adverse weather conditions.

THE OVERVIEW AND SCRUTINY PROCESS

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 2012-13

In addition to the regular standing items on the Board's agenda (detailed under the section Future Work of the Overview and Scrutiny Board), it also requested and received reports and commented on the following areas:

➤ **Scrutiny of Crime and Disorder Partnerships – Introduction to the Work of the North Worcestershire Community Safety Partnership**

Following the merge of Redditch Borough Council, Wyre Forest District Council and Bromsgrove District Council's Community Safety Partnership to form the North Worcestershire Community Safety Partnership the Board were provided with background information and a progress report at the meeting held on 10th September 2012, which included the purpose of the partnership, its structure, financial arrangements, local delivery and representation. The Board requested further updates on progress made in formally establishing the new Partnership.

➤ **New Fly Posting Policy and Procedures**

At the meeting held on 18th June 2012 the Board received a presentation on the draft Fly Posting Policy from the Senior Community Safety Project Officer and the Environmental Services Manager. The aim was to give the Board an insight into some of the content of the new policy and to allow its comments to be fed into the final report which was to be presented to Cabinet in September 2012. Following detailed discussion and clarification of a number of points, the Board recommended to Cabinet that the policy be amended to ensure the inclusion of a "revocation" clause within the hire contracts for businesses which hired the Council's facilities and advertised such events without permissions.

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

The Board received a presentation from the Head of Community Services in respect of the Longbridge Statement of Principles regarding affordable housing provision, which included the proportion of new residential development to be affordable housing, the preferred type, size and tenure of affordable housing to be sought together with the targeted standard of construction and the distribution within the development. It was stressed to Members that this would not apply to any other development within the District. The statement of principles had been drawn up in order to provide both Planning and Strategic Housing Officers with a set of agreed guidelines to assist them in negotiating affordable housing provision at Longbridge.

- **Car Parking – Decline in Usage and Blue Badge Holder Consultation**

At the meeting held on 16th July 2012 Members expressed concerns about the declining use of car parks in the town centre and asked for further information on the implications of that decline. A full and detailed response to Members' concerns was received at the meeting held on 10th September and the Board discussed how the Council could be more pro-active in addressing the decrease in usage, including the possible reduction in the car parking charges. Car Parking was in the process of become part of a shared service arrangement with Wychavon District Council and once this had stabilised a full parking review would be undertaken followed by a marketing campaign. This would be carried out following any changes which may arise following the results of the survey/consultation for Blue Badge Holders - the Board received a presentation in respect of the findings of a working group which had been set up to investigate the needs of Blue Badge Holders in order to better understand the needs and views of local disabled residents. Members were also informed that the introduction of civil parking enforcement (in April 2013) would also be a consideration when undertaking a full review of car parking.

- **CCTV Shared Service – the role of the CCTV Team**

Following the completion of a topic proposal, earlier in the year by the then Chairman, the Board received a presentation at its meeting on 17th December 2012 and discussed the topic further at a subsequent meeting. Members had initially been concerned about the effectiveness of CCTV both as a deterrent to criminals and as evidence to prosecuting criminals. The Board discussed the CCTV Scheme's objectives and code of practice (which was due to be reviewed) and the benefits of this being a shared service. Members were informed that following new legislation, the Protection of Freedoms Act 2012 and the appointment of a Surveillance Camera Commissioner the review of the code of practice being delayed, but would also involve a review of the camera scheme to ensure that these were in the correct position and did not infringe on people's right to privacy. The Board requested that it received a report on the revised code of practice in due course in order for its comments to be fed into the final document.

- **The Work of Worcestershire Regulatory Services**

A proposal to carry out a countywide joint scrutiny exercise into the work of Worcestershire Regulatory Services (WRS) was received and accepted by the Overview and Scrutiny Board at its meeting held on 26th March 2013. As Bromsgrove District Council (BDC) is the host authority for this service, under the joint protocol set up and agreed by all authorities, it would fall to BDC to host the joint scrutiny exercise. With this in mind the Board agreed that it would be helpful to receive a presentation from the Head of WRS on the work carried out and background information as to how the shared service came about. A detailed presentation was received by the Board at its meeting held on 22nd April 2013 in preparation for the commencement of the joint scrutiny exercise in July 2013.

➤ **The Transformation Process**

At the meeting held on 22nd April 2013 the Board received a presentation from the Head of Business Transformation and the Transformation Manager on the subject of Systems Thinking. This covered recent examples of service transformation and how it made use of the expertise of offices involved in delivering services and the involvement of staff at all levels in the process, including how proposed changes were trialled to ensure different process would work effectively and the positive impact on customer satisfaction feedback received to date. Members requested that they receive updates and seminars which focused on the transformation of particular services in the future.

During the course of 2012/13 the Overview and Scrutiny Board has shown a particular interest in the effects of both the current economic climate and the forthcoming welfare reforms on the residents of the District and the work that is being carried out by the Council to mitigate the problems that these issues could cause. This has led Members to consider the following areas in detail:

➤ **Countywide Homelessness Strategy 2012-17**

At the Board meeting held on 16th July 2012 Members received a presentation in respect of the Worcestershire Joint Homeless Strategy. This highlighted both national and local issues which could have an effect on homelessness, including the Comprehensive Spending Review, the impact of the Localism Act, the increase in rough sleeping across the County and links to childhood life experiences such as domestic abuse and relationship breakdown. Members' attention was also drawn to the strategic goals of the strategy and the work which would be carried out in order for those goals to be met.

➤ **Government Welfare Reforms**

At the meeting held on 10th September 2012 the Board received a presentation on the impact of Welfare and Housing Benefit Reforms on residents in Bromsgrove. This updated Members on the impact to the Council on the benefit changes that had been made since the Board considered an earlier report (at the meeting held on 23rd April 2012). The presentation detailed the Local Housing Allowance (LHA) and how this had been reduced, the number of households in Bromsgrove affected by the benefit cap and how social housing tenants in under-occupied properties would no longer receive LHA. Members were concerned that this would have on the Housing Options Service and lead to an increase in homelessness, but were provided with details of work that was already being carried out in order to raise awareness of the welfare reforms and encouraging residents who may be affected by the changes to discuss with the Council the options available.

➤ **Homelessness Grants**

The Overview and Scrutiny Board had originally received a report on the Homelessness Grants 2012/13 in February 2012 and at that meeting had requested that an update be provided in 12 months' time. At its meeting on 25th February 2013 Members were informed that the Council had a significant number of schemes in place in order to mitigate homelessness in the District and that a significant part of this work continued to be preventative and included support from the voluntary sector. Members' main concerns were around the ring fencing of funds for grants and how the welfare reforms which would come into effect from April 2013, would impact on residents.

➤ **Hardship Fund Payments and Criteria**

At the meeting held on 17th December 2012 Members requested information on the "Hardship Fund" and in particular how payments would be made and the criteria which had to be met to receive a payment. At the meeting held on 26th March 2013 Members were advised that the Essential Living Fund had replaced community care grants and crisis loans and that the fund had been allocated by the Government to the County Council in two-tier authority areas such as Worcestershire. This was due to come into effect from 1st April 2013 and delivery of the process within the District has been delegated to the Council, allowing local knowledge and accessibility to underpin the management of the fund. As part of this process Officers would be taking into account applicants' eligibility to apply for other local grants and benefits when determining whether to provide support to an individual using the Essential Living Fund.

During the early part of 2012/13 the Worcestershire NHS Joint Service Review was at the forefront of discussions and the updates received from the Board's representative on HOSC played an important part in keeping Members updated on developments:

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

During the 2012/13 Municipal Year the Board has, again, received regular updates from the Council's representative (who must be a member of the Overview and Scrutiny Board) on the above Committee. The agenda and previous meeting's minutes of HOSC continue to be 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. Early on in 2012/13 the information provided by the Board's representative on the HOSC led Members to request a meeting with representatives of the Joint Service Review. A presentation and detailed question and answer session took place at the Overview and Scrutiny Board meeting on 16th July 2012 and are detailed below:

➤ **Joint Service Review – the future configuration of Acute Services in Worcestershire**

The Board received a presentation in respect of the Worcestershire NHS Joint Service Review, Worcestershire hospitals – fit for tomorrow, from representatives of Worcestershire Acute Health Trust (WAHT). The presentation was an overview of the case for change of the Joint Services Review and provided information on the models of care which were being development together with details of the project's planned timetable and any associated governance issues in relation to it.

OVERVIEW AND SCRUTINY TASK GROUPS 2012-13

Planning Policy Task Group

Although the majority of the work carried out by the Planning Policy Task Group took place in 2011/12 the recommendations continued to be considered by Cabinet into 2012/13.

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.

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 lead 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 looked again at elements of the remaining 4 recommendations and provided Cabinet with a response before giving them further consideration at its meeting on 4th July 2012. Cabinet's final response was received at the Board meeting held on 10th September 2012, with all recommendations being accepted.

The Overview and Scrutiny Board is due to review the progress on implementation of the recommendations at its September 2013 meeting.

Air Quality Task Group

Background

Following a presentation on the work of the Local Strategic Partnership at the meeting held on 22nd October 2012, the Board agreed at its November meeting to set up a Task Group which would revisit the Air Quality Scrutiny Report prepared in December 2007, to investigate whether the recommendations had been implemented successfully and the effect of poor air quality on residents, together with progress made in improving air quality and any future plans within the District to address this issue. The Task Group anticipate that the possible key outcomes would be to promote the understanding of air quality issues within the District, highlight any progress made by the Council and others in addressing air quality issues and make further recommendations which would assist in raising awareness and improving air quality.

Key Findings and Recommendations

The Task Group have held seven meetings to date, it became apparent at an early stage that the work was both complex and detailed and that it was unlikely that the Task Group would be able to complete its work within the timescale initially set. It was therefore agreed at the Overview and Scrutiny Board meeting held on 22nd April 2013 that the Task Group's final report and recommendations would be presented to the Board at the meeting to be held on 16th September 2013.

Youth Provision Task Group

Background

Again, following a presentation on the work of the Local Strategic Partnership at the meeting held on 22nd October 2012, the Board agreed at its November meeting to set up a Task Group which would investigate the youth provision within the District. The key objectives of the Task Group were to consider current arrangements for providing services for young people, to analyse opportunities to participate in youth activities, to scrutinise accessibility of current services provided by the Council and identify any gaps within the services provided. Young People are a significant proportion of the local population and an effective review of this subject could potentially enable members to address the needs of young people living in the District and in the long term have a positive impact on their future prospects.

Key Findings and Recommendations

The Task Group have carried out numerous site visits and interviews with expert witnesses, including receiving a presentation from pupils at a local high school. The final report and recommendations will be presented to the Overview and Scrutiny Board at its meeting to be held on 15th July 2013.

JOINT OVERVIEW AND SCRUTINY INVESTIGATIONS

No joint scrutiny exercises have been carried out in 2012/13.

However, an approach has recently been made by Wychavon District Council to all Councils within the County in respect of a joint scrutiny exercise to look at Worcestershire Regulatory Services. As Bromsgrove District Council (BDC) is the host authority for this service, under the joint protocol set up and agreed by all authorities, it would fall to BDC to host the joint scrutiny exercise. The terms of reference have been agreed by the participating authorities and it is anticipated that the joint scrutiny exercise will commence in July 2013.

FUTURE WORK OF THE OVERVIEW AND SCRUTINY BOARD

Topics already included on the Board's work programme for 2013-14 are as follows:

- 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 2013-14:

- Cabinet Leader's Work Programme
- Quarterly Finance Monitoring Report
- Write Off of Debts Report
- Making Experiences Count Quarterly Report (*this was following a recommendation from the Planning Policy Task Group*)
- Sickness and Absence Health Monitoring Report
- Quarterly Summary of Environmental Enforcement Action Taken (*this is a new quarterly report which the Board now receives following scrutiny of the Joint Environmental Enforcement Strategy in February 2012*)
- 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.*)

The following standard items are prepared by the supporting officer and considered by the Board regularly:

- Work Programme
- Action List
- Recommendation Tracker
- Task Groups (*the Board reviews Task Groups 12 months after the recommendations have been considered by the Cabinet*)

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

**Overview and Scrutiny
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**Bromsgrove
District Council**

www.bromsgrove.gov.uk



**EQUALITY
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FOR LOCAL
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ACHIEVING**

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