

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



Overview and Scrutiny **Annual Report**

2013 - 2014



Bromsgrove
District Council

www.bromsgrove.gov.uk

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OVERVIEW AND SCRUTINY ANNUAL REPORT 2013-14

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FOREWORD FROM THE CHAIRMAN

Many claim the work of the Overview and Scrutiny Board is one of the District Council's most important functions. Its role is that of a "critical friend" and its decisions can have a vital impact on the safety, prosperity and well being of the whole Bromsgrove community. Holding the Council's decision makers to account is also one of its prime functions.

The last 12 months have seen the Board examining a wide range of activities – car parking, flooding, CCTV and air quality are some of the topics scrutinised.

In November the newly formed North Worcestershire Community Safety Partnership outlined its terms of reference to members and the likely impact of budget cuts might have on its work.

Bromsgrove's ambitious regeneration and improvement scheme is a major undertaking at a time when many high streets are declining. In September the Board were updated on the work's progress and a call for a review of car parking was put on hold until the work is completed.

A report in February by the North Worcestershire Water Management team was topical and interesting and it agreed to invite the representative back next year for a further update on the work being undertaken.

Air Quality in the District was the subject of a Task Group as was Youth Provision (which extended to 18 meetings). Both were felt to have been worthwhile and produced some interesting data.

A look at the work of Worcestershire Regulatory Services was hosted by Bromsgrove and included representatives from all authorities in the County. Its report will be published in the new municipal year.

Finally, my thanks go to fellow Board Members for their help and support as well as to Democratic Services Officers for their advice and hard work throughout the year.

**Councillor Peter Lammas
Chairman**

INTRODUCTION

We are pleased to present the Overview and Scrutiny Annual Report which outlines our work during 2013-14 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. Peter Lammas - Chairman



Cllr. Rod Laight (Vice Chairman)



Cllr. Chris Bloore



**Cllr Brian Cooper
(17th June 2013 to 4th April 2014)**



Cllr Rita Dent



Cllr. Keith Grant- Pearce



Cllr. June Griffiths



Cllr. Helen Jones



Cllr. Luke Mallett



Cllr Rory Shannon
(from 4th April 2014)



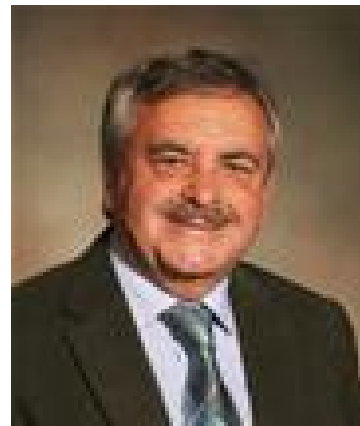
Cllr. Sean Shannon



Cllr. Caroline Spencer



Cllr. John Tidmarsh



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 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 2013-14 and there were a total of 9 meetings throughout the year. The meeting arranged for 17th June 2013 was cancelled.

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 strategic purposes
- 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, an area of concern identified by internal or external audit, a review that could render significant savings or value for money.

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 2013-14

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 the Redditch Borough, Wyre Forest District and Bromsgrove District Council's Community Safety Partnership to form the North Worcestershire Community Safety Partnership and as part of its statutory role, the Board received an update at its meeting on 18th November 2013 which included details of the terms of reference and operating protocols. The main areas of discussion at that meeting were around anticipated reductions in budgets and the impact of those on community safety projects.
- **Town Centre Regeneration and Public Realm Improvements**
At the meeting held on 15th July under the Cabinet Work Programme item Members requested an update of the current position in respect of this. A presentation was subsequently received at the meeting held on 16th September which covered the strategic framework, which had multiple projects each contributing to at least one of the four key strategic aims; a revitalised and attractive town centre, a thriving and diverse economy, new multi-agency public service facilities and an improved transport infrastructure. Further regular updates were requested following this presentation.
- **Car Parking Review**
Car Parking has been a topic which the Board has considered in some detail over recent years and at the September 2013 meeting a topic proposal in respect of Car Parking Charges was considered following its submission by Mr Charles Bateman on behalf of the Older Peoples' Forum. Members were informed that a review of car parking was in fact being carried out and it was agreed that the topic proposal would not be considered until the outcome of that review had been received by the Board. At the December meeting the Board had the opportunity to consider that report in conjunction with a presentation from the Environmental Services Manager. The Board concluded that due to the on-going redevelopment of the Town Centre, on which they had recently received a detailed presentation, it was too early to make any decisions in respect of car parking charges and therefore agreed to take no further action at the present time in respect of the topic proposal.

➤ **Budget Scrutiny**

The Board received an informal budget briefing on 2nd December (to which all Councillors were invited) followed by a formal discussion and presentation at its meeting held on 20th January. The areas covered at that meeting included further savings which needed to be made, the impact of budgetary savings on the delivery of frontline services and borrowing costs in respect of the move to Parkside. A further report was received at the meeting on 24th February in respect of the Medium Term Financial Plan 2014/15 – 2016/17. Further detailed discussions took place and concerns were raised that the Board had not been provided with sufficient time throughout the year to scrutinise the Council's budget effectively. It was confirmed that the budget setting process had been re-assessed at a corporate level and that budgetary matters would be addressed at an much earlier date in future.

➤ **Shared Services Savings**

Following the informal budget briefing on 2nd December Members requested a report in respect of the savings which had been made from the sharing of services with neighbouring local authorities. Members raised a number of points following this presentation including some services which had not yet been shared (below senior manager level) and the opportunity for the Council to explore the sharing of these with other local authorities, which could lead to additional one off costs at a later date. Service transformation, although not included within the report, was also discussed including the costs of some of this work and the savings achieved.

➤ **North Worcestershire Water Management**

At its October meeting, Members were given an opportunity to put forward any suitable topics for future consideration by the Board. It was suggested that an update on the preventative work carried out in respect of flooding in the District would be pertinent in view of the approach of the winter months. A detailed presentation was received at the February meeting which included information on specific projects within the District and the role that North Worcestershire Water Management played in other areas for example providing advice in respect of planning applications and details of the external partners who they worked closely with. Following the presentation Members requested a further update in approximately 12 months time in order to receive a progress report in respect of the implementation of the next round of planned works in the District.

➤ **CCTV Code of Practice and Impact of County Council Cuts**

Back in December 2012 and following the completion of a topic proposal, the Board received a presentation in respect of the CCTV Shared Service and the role of the CCTV Team. Members were informed at that meeting that the Code of Practice would be revised following new legislation and it was requested that the Board be given an opportunity for its comments on this to be fed into the final document. The Board received this document at its April

meeting together with a briefing note in respect of the impact of Worcestershire County Council (WCC) budget cuts on the service. Members raised a number of points in respect of the Code of Practice which would be given consideration in the final document. Members were provided with an over view of the Council's Lifeline service and the Future Lives Scheme and of the removal of funding by WCC and how this was being addressed. Concerns were raised in respect of those vulnerable residents who would potentially no longer receive this important and vital service. The Board were informed that the CCTV and Lifeline team were working closely with Bromsgrove District Housing Trust to ensure that all tenants who needed to were still able to access the service.

➤ **Results of the Staff Survey**

At its October meeting, Members were given an opportunity to put forward any suitable topics for future consideration by the Board. It was suggested that as a staff survey had recently been completed a summary of the feedback from this would be useful. A presentation was received at the April meeting which whilst provided some of the background information around the results together with actions which would be put in place to resolve some issues that had arisen from the survey. Members discussed this in detail and concluded that whilst the presentation was useful it did not provide the detail which they felt was needed to understand how staff were feeling and the problems which they faced. It was therefore agreed that a further more detailed presentation/report would be received early in the new municipal year.

OVERVIEW AND SCRUTINY TASK GROUPS 2013-14

Air Quality Task Group

Membership: Councillors Sean Shannon (Chairman), James Brogan, Margaret Buxton, Steve Colella, Brian Cooper, Pete Lammas, Peter McDonald, Luke Mallett, Chris Scurrall and Les Turner.

Deadline: The review was completed in September 2013.

The Board received a presentation on the work of the Local Strategic Partnership at its meeting held on 22nd October 2012. Following that presentation the Board agreed at its following meeting to set up a Task Group which would investigate the air quality issues in the District, including revisiting the Air Quality Scrutiny Report which was prepared in December 2007.

The key objectives of the Task Group were to promote the understanding of air quality issues within the District, highlight progress being made by the Council and others to address the issue of poor air quality within the district and to make recommendations that would assist in making improvements to the environment and lives of residents.

The Task Group held a total of 13 meetings and interviewed numerous internal and external witnesses. It also considered written evidence from a number of sources and considered information provided by Parish Councils and residents. A total of **12 recommendations** were approved at the Board meeting held on 16th September and went on to be considered by the Cabinet at its meeting on 2nd October 2013. A written response was received by the Board at its meeting on 18th November when Members expressed their disappointment at this response and it was agreed that the Task Group Members, who had the expertise required to assess the subject matter, reconvene and consider the Cabinet response in more detail. A further response was prepared by the Task Group and given consideration by the Cabinet at its meeting on 2nd April 2014.

Following this Cabinet finally approved 6 of the 12 recommendations and some elements of one other. These will now be implemented and monitored through the Overview and Scrutiny Board, with the task group report as a whole being reviewed in 12 months time.

Youth Provision Task Group

Membership: Councillors June Griffiths (Chairman), Sue Baxter, James Brogan, Rod Laight, Pete Lammas and Caroline Spencer

Deadline: The review was completed in July 2013.



The Board received a presentation on the work of the Local Strategic Partnership at its meeting held on 22nd October 2012. Following that presentation the Board agreed at its following 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 to identify any gaps within the services provided. Members believed that as young people were a significant proportion of the local population an effective review of the subject would potentially enable them to address the needs of young people living in the District and in the long term have a positive impact on their future prospects.

The Task Group held a total of 18 meetings, which included 6 site visits and interviews with numerous internal and external witnesses. The Task Group also considered written evidence from a number of sources and considered information provided by Ward Councillors and Parish Councils. A total of **10 recommendations** were approved by the Board at its meeting held on 15th July, which were later considered by Cabinet at its meeting on 4th September. A written response from Cabinet was considered at the Board meeting on 14th October when Members were informed that all recommendations had been approved by them.

The Task Group will be reviewed in 12 months time and any outstanding recommendations will be included in the Board's quarterly recommendation tracker to ensure that any outstanding recommendations continue to be monitored.

Artrix Outreach Provision Task Group

Membership: Councillors Sean Shannon (Chairman), Richard Deeming, Stuart Dudley, Peter McDonald, Luke Mallett, Elaine Shannon, Chris Scurrall and Peter Whittaker.

Deadline: The review was completed in April 2014.



A topic proposal which was completed by Councillor Peter McDonald was submitted to the Overview and Scrutiny Board meeting held on 15th July 2013. The proposal was keen to ensure that the Outreach Provision was successful and marketed in such a way as to reach those in the community that needed it most and may be excluded. It was also important to ensure that as the Council made a considerable contribution to the funding of the Artrix that it received value for money. Councillor Sean Shannon was also appointed as Chairman at that meeting. At the Board meeting held on 16th September both the Membership and Terms of Reference were agreed with a timescale of completion of the work within 6 months of the first meeting.

The first meeting took place on 13th November and a further 8 meetings took place with evidence being considered from a number of internal and external witnesses. The Task Group also considered written evidence and was provided with detailed information from the Education and Outreach Co-ordinator at the Artrix Centre. A total of **10 recommendations** were considered by the Board at its meeting on 14th April and will go before the Cabinet meeting to be held on 4th June for final consideration and hopefully approval.

OVERVIEW AND SCRUTINY TASK GROUP 12 MONTH REVIEWS

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. Following a request from full Council, it was later agreed that a Task Group would be established to scrutinise matters relating to planning policy concerns. At the Board meeting held on 21st November it was agreed that Planning Enforcement would be included within the scope of the Planning Policy Task Group

Key Findings and Recommendations

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.

12 Month Review

The Board received an update from the Head of Planning and Regeneration and the Portfolio Holder at the meeting held on 18th November 2013. It was noted that work was on going in respect of 6 recommendations, 5 had been completed and processes put in place to ensure that these continued to happen (in respect of suggested training for example) and 1 recommendation remained outstanding, which would be considered, if necessary when the enforcement process was considered under the transformation programme. The outstanding recommendations continue to be monitored through the Quarterly Recommendation Tracker process.

JOINT OVERVIEW AND SCRUTINY INVESTIGATIONS

Joint Worcestershire Regulatory Services Scrutiny Task Group

Bromsgrove District Council representatives: Councillors Rod Laight (lead) and Pete Lammas (substitute).

Deadline: The review is due to be completed in June 2014.

The Joint WRS Scrutiny Task Group was established in 2013 to review the shared Worcestershire Regulatory Services (WRS). Elected Members from each of the Councils in Worcestershire have been appointed to the review which is being hosted and chaired by the Council as the host authority for the shared service.

The key objectives of the review were for the group: to review the final business case for the shared service; to compare previous service levels at individual local authorities with current service levels in the shared service; to assess the performance of the services compared to previous performance levels; to investigate levels of customer satisfaction; and to review the governance arrangements for the shared service.

The group has gathered a large amount of evidence about WRS since their first meeting in September 2013 including performance data and customer feedback, in the form of compliments and complaints about the service. Members have interviewed a number of expert witnesses including representatives of the WRS Management Board, representatives of the Worcestershire Shared Services Joint Committee, staff employed in WRS including the Head of Regulatory Services and the Chief Executive, Section 151 Officer and Legal Services Manager from the host authority. The group has also visited Wyatt House in Worcester, the base for WRS, and attended meetings of the Joint Committee to observe the decision making process.

During the review Members have become increasingly concerned about the potential implications of the budget cuts proposed by partners for the future of shared regulatory services. It is likely that financial considerations will therefore feature significantly in the group's final report.

Integrated Waste Collection and Disposal Service Joint Scrutiny

An approach has recently been made by Worcestershire County Council to all Councils within the County in respect of a joint scrutiny exercise looking at an Integrated Waste Collection and Disposal Service. Under the joint protocol set up

and agreed by all authorities, it would fall to Worcestershire County Council to host the joint scrutiny exercise. The terms of reference have recently been circulated to all Overview and Scrutiny Committees and a decision is currently awaited to see whether this group will go ahead.

FUTURE WORK OF THE OVERVIEW AND SCRUTINY BOARD

Topics already included on the Board's work programme for 2014-15 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 2014-15:

- 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
- 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 provide 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
Legal, Equalities and Democratic Services
Bromsgrove District Council
The Council House
Burcot Lane
Bromsgrove B60 1AA**

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Bromsgrove
District Council

www.bromsgrove.gov.uk

Legal, Equalities and Democratic Services

Bromsgrove District Council, The Council House, Burcot Lane, Bromsgrove, Worcestershire B60 1AA.

Telephone: (01527) 881288, Fax: (01527) 881414, DX: 17279 Bromsgrove

e-mail: scrutiny@bromsgrove.gov.uk