

OVERVIEW AND SCRUTINY ANNUAL REPORT 2003/2004



Councillor Brownlee - Chair Overview and Scrutiny Committee
Councillor Mrs S Walsh - Chair Customer Overview and Scrutiny Panel
Councillor Fenn - Chair Environment Overview and Scrutiny Panel
Councillor McGowan - Chair Community Overview and Scrutiny Panel



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1. Introduction

By Councillor Lesley Brownlee - Chair of Overview and Scrutiny Committee.

“Welcome to the first Annual Report of Overview and Scrutiny in Chorley. After the restructuring of Overview and Scrutiny in May 2003 Members and Officers responded with enthusiasm, working hard throughout the year to make the process work much better than before.

Our successes include: introduction of the toolkit; the completion of two major investigations into matters of public interest with a third well on the way; and leading innovation in engaging with the public. However, there is still plenty of room for improvement and enhanced officer support will help members develop the process further. In particular, key tasks for the coming year will be: following up on our recommendations to make sure they are addressed; focusing more on holding the Executive to account; finding a better way of scrutinising the Budget and involving more members of the public.

Finally, I would like to send my best wishes to the incoming Chair of Overview and Scrutiny for what promises to be an interesting year ahead.”

2. What is Scrutiny?

Overview and Scrutiny is still a comparatively new function for local authorities. It has been introduced as part of the modernisation agenda for local government and the Local Government Act 2000 requires Councils to have at least one overview and scrutiny committee.

The main role of Overview and Scrutiny is to help improve the Council's performance through monitoring and review, to look at decisions taken by the Executive Cabinet, to help develop and monitor the Council's policies and strategies. The Overview and Scrutiny is based upon the model of Select Committees at Westminster. It is an effective method by which Councillors who are not on the Executive Cabinet can challenge and influence those making decisions.

There is no single definition of overview and scrutiny. It therefore should be viewed as an umbrella term covering a wide range of possible roles.¹ However, the four key legislative roles are:

- holding the Executive to account
- policy development and review
- best value reviews
- external scrutiny

This suggests an emphasis toward:

- acting as a watchdog for Executive decision making
- checking on whether existing policies are effective and helping to share new ones
- contributing towards the continuous improvement of Council services
- reviewing or investigating matters of particular concern either within the Council or within the community

The scrutiny role also provides new opportunities for public involvement and debate. This can support elected members in taking a community-orientated approach and bring new ideas and experience to scrutiny.²

¹ See for example, Chapter 2. The Development of overview and scrutiny in Local Government, ODPM, Sept 2002

² Developing the scrutiny role, LGIU April 2003

3. **Overview and Scrutiny in Chorley - A Background**

The Council first established and appointed Overview and Scrutiny Committees in September 1999 as part of the proposals for the introduction of a new system of Executive Leader and Cabinet style of local governance. Chorley was one of the first authorities to introduce its new political management arrangements.

The Council initially appointed two Overview and Scrutiny Committees to discharge the functions covering the whole of the Council's services (one Committee overseeing the Service Group A and the other overseeing Service Group B) comprising 17 members, excluding those members who have Executive responsibilities and serve on the Executive Cabinet.

The Council has recognised the key role Overview and Scrutiny has to play within its new modernised structure. This role is emphasised in the overarching objectives for the Council's overview and scrutiny functions.

In May 2003, the Council established and appointed an Overview and Scrutiny Committee and three standing Overview and Scrutiny Panels. The three standing panels are the Community Overview and Scrutiny Panel, the Environment Overview and Scrutiny Panel and the Customer Overview and Scrutiny Panel. The purpose of the Committee is to discharge the functions conferred by Section 21 of the Local Government Act 2000 and any Regulations made by the Secretary of State under Section 32 of the Local Government Act 2000. The Committee and the panels are intended to play an important role in ensuring that all the services of the Council are efficient and effective and meet the needs of the local community. See Appendix 1 for the membership of the Overview and Scrutiny Committee and the three Panels.

The Overview and Scrutiny Committee will normally refer a matter which falls within the cross-cutting theme of any of the Panels to the appropriate Panel for investigation and reference back to the Committee with recommendations. As well as the Standing Panels, the Overview and Scrutiny Committee may appoint additional ad hoc Overview and Scrutiny Panels to assist it in carrying out its functions should the need arise.

See Appendix 2 for the Council's Overview and Scrutiny Structure, Functions and Responsibilities.

4. The Achievements and Activities

(a) Overview and Scrutiny Committee

Training and Development

At the start of the year the Committee received the initial plans for training and development for Members involved in the overview and scrutiny process. It highlighted the need for Members to have training in order to develop their existing skills and equip them to carry out their scrutiny roles in a robust and effective manner.

The training sessions carried out by representatives from North West Employers Organisation over several months formed a distinct and important part of Member Development and Training Programme for 2003/2004 and covered the following areas.

- Introduction to Overview and Scrutiny
- Making Overview and Scrutiny Effective - Interviewing Skills
- Budget and Financial Awareness

Overview and Scrutiny Toolkit

The Overview and Scrutiny Committee also commenced the year with a draft of the Overview and Scrutiny Toolkit which is aimed to give clear guidance on the Council's overview and scrutiny functions and provide advice to all those who take part in the scrutiny process.

The document is aimed to provide an overall framework within which overview and scrutiny in Chorley could improve and develop and add value to the Council's activities by helping to achieve the Council's strategic objectives and meet the aspirations of the Borough's citizens. The guide is based on good practice and has been designed as a convenient reference to key information and consideration; specifically tailored for overview and scrutiny work in Chorley.

The toolkit was later formally adopted and elements incorporated in the Council's Constitution.

Best Value Performance Plan

The start of the Municipal Year also saw the approval of the Best Value Performance Plan for 2003/2004 - 2004/2005 which sets out the Authority's performance and achievements over the immediate past years and to outline the measures the Council proposes to adopt in order to achieve its strategic effectiveness and in particular its targets for the three year period of 2003/2004 - 2005/2006.

Comprehensive Performance Assessment Draft Self Assessment

At the end of June 2004 we received for comments a draft of the Council's self assessment as part of the Council's Comprehensive Performance Assessment (CPA) of the authority. This was part of the consultation process.

Later on in the year all non-Executive members were invited to respond to the Council's Comprehensive Performance Assessment (CPA) within the themes of community engagement and public participation emanating from the meeting and these along with other issues would go forward into an Improvement Action Plan to be considered by the Committee early in the Municipal Year.

Electronic/Postal Voting Pilot Scheme

During September 2003 the Overview and Scrutiny Committee spent several meetings carrying out an inquiry into the processes and operation of the electronic/postal voting pilot scheme following the occasion of the Borough and Parish Council election on 1 May 2003.

The inquiry aimed to identify any problems experienced in the operation of the pilot schemes; reviewed the cost effectiveness of the various voting methods; and identified any measures by which the voting and counting systems could be improved in order to monitor and hopefully, increase the electoral turnout. In addition the inquiry hoped to support and assist any bid by the Authority to undertake a further electoral pilot scheme in 2004.

Licensing and Safety Committee Inquiry

The Committee has also commenced an inquiry into the effect of the Licensing Act 2003 in respect of the responsibilities and workload of the Licensing and Safety Committee. This is currently ongoing and will identify officer support and likely budget requirement.

Housing Maintenance Section - Repairs and Maintenance Budget

The Committee invited the Executive Member for Effective Service Delivery and Procurement and the Executive Member for Housing Renewal to explain the reasons for the identified overspends in the Housing Maintenance Section's budget and to give an assurance that measures be put in place to address the situation effectively.

Sickness Absence

Throughout the year we received monitoring reports on the Council's sickness absence outlining the major factors of future action plans aimed at maintaining a reducing trend in sickness absence levels and improving the health and well being of the employees.

Draft General Fund Revenue Budget 2004/05

Throughout November 2003 the Committee and Panels met to seek Members' views on the Council's spending priorities for 2004/05 and to assist the Executive Cabinet when it considered the budget.

The Council has adopted a more rigorous corporate planning process than previous years to focus on the priorities to support the development of its budget.

The scrutiny process was done in two stages. The first stage considered looking at how effectively the budget reflects the corporate priorities and sought to identify weaknesses in the match between allocation and priorities. The second stage considered by the Committee in January 2004 detailed the budget proposals prior to their consideration by the Executive Cabinet.

The Committee received the results of the budget priorities carried out by the three Scrutiny Panels when they met in November 2003. The exercise was intended to provide the Executive Cabinet with a broad analysis of Members' views on where spending priorities should lie in order to deliver the three corporate priorities.

This was the first attempt at widening the input of Scrutiny into the budget process and was therefore very much a learning exercise for both the Members and officers. The learning gained will inform future work in relation to early scrutiny of the budget.

Service Plans - Updates

The Committee received updates on each of the Council's Service Units Service Plans for the two-year period 2003/04 - 2005/06 in accordance with the Council's performance management framework.

The Service Plans update reports highlighted:

- areas where problems were being experienced in achieving service improvements
- identified budget variations
- performance monitoring information for all Best Value Performance Indicators and other local indicators

The Committee was requested to examine how the performance monitoring report might be enhanced and how the Authority might make better and more effective use of the data in improving service provisions after taking account of practices adopted by other Authorities.

Protocol for Executive/Scrutiny Relations

We approve a protocol for Executive/Scrutiny relations which is consistent with the Council's priority to invest in capacity to deliver and is aimed at developing and maintaining working relations between the Executive observed by the Executive and Scrutiny members in their formal meetings with each other when undertaking the respective roles and was intended to complement the Overview and Scrutiny Member Conduct Protocol.

4(b) **Customer Overview and Scrutiny Panel**

The areas of responsibilities of the Customer Overview and Scrutiny Panel relate to:

- customer service
- housing management
- service standards
- customer charter
- e-government
- health matters

The panel has met 12 times during the 2003/04 Municipal Year. Throughout the year the Panel has been carrying out an inquiry into the Housing Maintenance Appointments System which the Overview and Scrutiny Committee had asked the Panel to conduct.

Some Members of the Panel visited Leicester City Council to see how their system operated in comparison. Although Leicester was a much larger authority, elements of their good practice could be adopted for Chorley.

Interviews were conducted with staff and customers as well as the Executive Member for Housing and Urban Renewal to assess the process, limitations and improvements that could be made. The Tenants Forum was also consulted as part of the evidence gathering process.

The final report was received by the Panel in March 2004 and submitted to the Executive Cabinet in May 2004.

Other issues the Panel dealt with were the Lancashire County Council's arrangements for the scrutiny of health functions.

The Panel's other inquiry referred to it from the Overview and Scrutiny Committee was Chorley Markets. This is a currently ongoing inquiry and is expected to report in the Summer.

4(c) **Environment Overview and Scrutiny Panel**

The areas of responsibility of the Environment Overview and Scrutiny Panel relate to:

- planning
- highways and transportation
- environment
- public space and sustainability

The Environment Overview and Scrutiny Panel has met ten times during the 2003/2004 Municipal Year.

The Panel's main inquiry this year has been on the issue of flooding, flood prevention and contingency plans/preparation. The inquiry related to the types of flooding the Chorley area experiences and the plans of action for dealing with such events. There is not a serious issue of flooding in Chorley but there is localised flooding which raises concern of householders.

Consultation took place with Parish Councils which identified specific problem areas and their perception of the causes of the flooding and interviews took place with United Utilities and the Environment Agency as part of the evidence gathering exercise.

The final report was received by the Panel in March 2004 and submitted to the Executive Cabinet in May 2004.

The other inquiry for the Panel is undertaking is on the leisure side of cycling and dual use of areas which had been referred to the Panel from the Overview and Scrutiny Committee. This is currently an ongoing inquiry and is expected to submit its final report in the Autumn.

The Panel was consulted at its meeting in October 2003 on the Street Scene Strategy and Street Scene Charter. These documents will go some way to satisfying one of the key conclusions that had emerged from the Best Value Review of the Street Scene. They will provide the framework within which to achieve the Council's priorities to provide a greener, cleaner, safer Chorley.

4(d) **Community Overview and Scrutiny Panel**

The areas of responsibility of the Community Overview and Scrutiny Panel relate to:

- community safety
- social inclusion and community development
- housing strategy and renewal
- economic development and tourism
- culture and leisure

The Community Overview and Scrutiny Panel has met six times. The Panel's main inquiry during the year has been into juvenile nuisance. The inquiry has been looking at the activities perceived as threatening and contribute to the community's feelings of insecurity. The Panel has attempted to define the extent of the problem and obtain the public's perception of 'juvenile nuisance'. The Panel has received reports from the Chief Neighbourhood Warden on the number of complaints and incidents to which they have responded as well as statistical reports from the Council's Community Safety Co-ordinator. A four Member Sub-Group was established to undertake first hand personal inquiries and sought views of Councillors and Parish Councils. Fact finding exercises have taken place with approaches made to the Police; Youth Council; Parish Councils; registered Off-Licences and relevant agencies/bodies represented on the Chorley Safety Partnership principally to seek their perception of juvenile nuisance issues and views on any action which they consider might alleviate the problem.

Responses received during the inquiry identified four key sources of juvenile nuisance:

- youths congregating in large groups
- underage drinking
- noise
- vandalism

A special surgery was arranged in January 2004 as an opportunity for members of the public to relate, in confidence, their experiences of problems caused by juvenile nuisance and views on potential remedies. A number of pertinent issues and problems were highlighted by the residents who attended the surgery.

It is envisaged the Improvement Plan to be available by mid July 2004 which will enable a wider research and consultation exercise to be undertaken with the various agencies on when the success of any action plan will be dependent.

Other topics scrutinised or referred for scrutiny

- **Housing Services Best Value Review**

The Panel has received a progress report on implementing the action plan that had flowed from the review considering the Council's Housing Strategy and Homelessness Strategy.

The Panel were consulted on the draft Improvement Plan which had been compiled to address each of the issues raised during the course of the review.

- **Public Participation**

The Panel's examination of ways to encourage the engagement of the public in overview and scrutiny matters was put on hold until the inspectors who had carried out

the Comprehensive Performance Assessment of the Council before embarking on a full scale inquiry. The CPA Inspectors have raised a number of issues pertaining to public participation and it was hoped the Panel would be given an opportunity to comment on any aspect of the Council's draft Improvement Action Plan that addresses public participation issues before it is finally agreed by the Executive Cabinet.

- **Town Centre Fair**

The Panel was invited by the Overview and Scrutiny Committee to conduct an inquiry into the location of the Town Centre Fair following complaints about the use of Friday Street for the October 2003 Fair. A small sub-group was established to consider the issue in depth and submitted their findings to the Panel.

- **Draft Housing Revenue Account Budget and level of Council House Rents for 2004/05**

The Panel met in January 2004 to enable Members views on the draft Housing Revenue Account (HRA) for 2004/05 and the draft General Fund Revenue budget and Capital Programmes up to 2007. All other non-executive Members were invited to participate in the discussion on the HRA budget. The Panel also received the proposals to increase Council house rents.

5. The Way Forward

As can be seen from this report, the last year has been a busy one for Overview and Scrutiny Committee and the Panels. A number of inquiries have been undertaken and completed as well as smaller reviews or single meeting consultations. If Overview and Scrutiny is to be seen to be worthwhile, it must be seen to be making a difference to the organisation. The ultimate test of effectiveness of overview and scrutiny is not how much work is done but “whether the decisions (or policies or services) which result from its intervention are better than those which would have resulted had that intervention not taken place.” (S Leach, De Montfort University). It is not so much quantity but more important is the quality.

Over the coming year the Overview and Scrutiny Committee and Panels, as well as continuing on the ongoing inquiries must also look at other areas.

The Comprehensive Performance Assessment identified a number of weaknesses in the Overview and Scrutiny process and these need to be addressed.

The following subjects will assist in the development of Overview and Scrutiny.

- Following progress on previous inquiries and monitor recommendations.
- Ensure that there is appropriate induction and training for Overview and Scrutiny Committee members especially to any new members on the Council following the elections.
- Ensure that there is awareness training for Overview and Scrutiny Committee to all Members and relevant officers to promote an understanding of the role and importance of Overview and Scrutiny.
- Consider the issues raised from the Comprehensive Performance Assessment (CPA) and monitor the CPA Improvement Plan.
- To improve the holding of the Executive to account.
- The subject of adequate support for Overview and Scrutiny is currently being addressed with extra posts provided in the establishment. The principal source of support is from the Democratic Services Section where all Overview and Scrutiny members can seek advice and guidance. In addition to the traditional “Committee” functions the officers also provide the research and analysis to Overview and Scrutiny. Once the Section is fully staffed the capacity to support Overview and Scrutiny will be further enhanced.

Membership of Overview and Scrutiny Committee and Panels

Overview and Scrutiny Committee



Customer Overview and Scrutiny Panel



Environment Overview and Scrutiny Panel



Community Overview and Scrutiny Panel



Chair

Lesley Brownlee

Mrs Stella Walsh

Steven Fenn

Thomas McGowan

Members

Eric Bell
Mrs Patricia Case
Michael Davies

Nigel Baxter
Peter Buckley
Mrs Doreen Dickinson
Thomas Gray

David Dickinson
Daniel Gee
Harold Heaton

Thomas Bedford
Andrew Birchall
Francis Culshaw

Peter Goldsworthy

Roy Lees
Peter Malpas

Margaret Iddon

Miss June Molyneaux
Mrs Marie Gray
Mrs Iris Smith

Chris Howard
Steven Fenn (Associate Chair)
Marian Lowe
Thomas McGowan (Associate Chair)

Geoffrey Russell
Edward Smith

Michael Iddon
Roger Livesey

Chris Snow
Mrs Joyce Snape

Alan Whittaker

John Walker

Mark Perks

Mrs Stella Walsh (Associate Chair)

Overview and Scrutiny Structure, Functions and Responsibilities

Overview & Scrutiny Committee

The Committee has an overall responsibility for all scrutiny work including that undertaken by the three standing scrutiny panels.

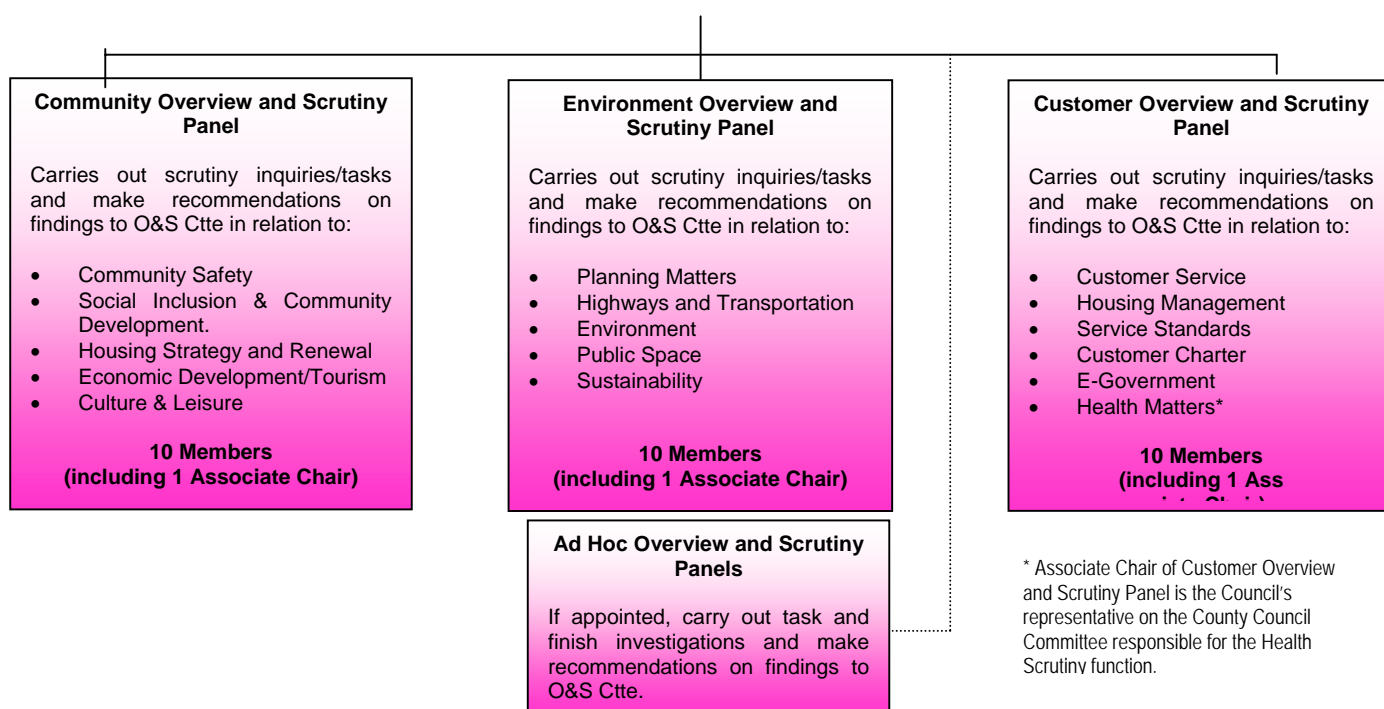
The Committee may exercise the full range of overview and scrutiny powers and functions including the 'call-in' of executive decisions. It may consider any topic appropriate for scrutiny but will normally focus on:

- Holding the Executive to account
- Performance, resources and corporate governance matters
- Consideration of recommendations from the standing scrutiny panels
- Making recommendations to the Executive and/ or the Council flowing from its own work and that of the scrutiny panels
- Setting and monitoring the annual scrutiny work programmes.
- Selection of inquiry topics and approval of project outlines and plans.

Matters falling within the crosscutting themes of the standing scrutiny panels will normally be referred to the relevant panel for full investigation and consideration.

The Committee may appoint ad hoc scrutiny panels to assist it in carrying out its functions should the need arise.

**10 Members
(including Chair + 3 Associate Chairs)**



OVERVIEW AND SCRUTINY WORK PROGRAMME – 2003/04

Function/topic	Assigned to	J	A	S	O	N	D	J	F	M	A	M	J
1. Holding the Executive to Account	OSC												
Annual Budget/Council House Rents								✓					
Annual Budget Consultation						✓		✓					
Service Plans and Performance							✓						
Provisional full year Performance Indicator										✓			
Service Plan Updates													
BVPP (Corporate Plan overall performance)													✓
Monitoring of Sickness Absence (6 monthly update)				✓						✓			
Housing Maintenance Budget							✓						
Corporate Building Maintenance & Repair Service (6 monthly update)					✓						✓		
2. Policy Development and Review													
Other to be identified													
3. Best Value/Continuous Improvement													
Best Value Reviews													
• Support Services	OSC			✓									
• Housing Services BV Review Updates	ComSP				✓					✓			
Best Value Improvement Plan													
• Outdoor Leisure Service Issues	ESP	✓							✓				
4. External Scrutiny/Community Concern Full Scrutiny Inquiry													
Juvenile Nuisance Investigation	ComSP												
Chorley Fair	ComSP												
Public Participation/Communication	ComSP												
Chorley Markets - Occupancy of stalls & Associated Matters (Phase 1)	CustSP												
Chorley Markets – Occupancy of stalls & Associated Matters (Phase 2)	CustSP												
LCC's arrangement for the Scrutiny of health function - Periodic Review	CustSP												

Overview and Scrutiny Topics/Issues to be Programmed

Ref	Topic/Issue Title	Date Included	Priority Score	Source	Brief Description
	<p><u>Full Scrutiny Inquiries</u></p> <p>Priority List</p> <p>One Stop Shop (Consider after 6 months in operation) (Cust SP)</p> <p>IEG Measurement of Council's progress (Cust SP)</p> <p>Reserve List</p> <p>Highways Partnership Agreement with Lancashire County Council (defer for consideration in 12 months time)</p> <p><u>Policy Development/Review</u></p> <p>Priority List</p> <p>Reserve List</p>	<p>26/06/03</p> <p>26/06/03</p> <p>26/06/03</p>	<p>4 and 4</p> <p>4 and 4</p>	<p>Overview and Scrutiny Committee A</p> <p>Overview and Scrutiny Committee A</p> <p>Overview and Scrutiny Committee A</p>	<p>Leisure side of cycling and the dual use of areas to enable all leisure activities to be accommodated as well as safety, transportation and encouragement of a healthy lifestyle.</p>