

Agenda Item No. 12

Title:	Annual Report of the Scrutiny Committee and Work Plan
Reporting Member:	Cllr Osborn – Chairman of the Scrutiny Committee
Reporting Officers:	Paul Mountford – Policy and Performance Service Manager Diana Jones – Policy Officer

Purpose

The purpose of this report is to provide details of the work undertaken by the Scrutiny Committee during the year May 2007 to April 2008, and to set out the Committee's plans for future agenda items in 2008-09.

Background

The Scrutiny Committee, established in May 2005, has responsibility for the overview of policy and scrutiny of decisions, reviewing future proposals and any other matters of importance referred to it. It has the ability to 'call-in' decisions made but not yet implemented by Cabinet, and has the power to establish task and finish groups, allowing issues to be investigated in greater depth where necessary.

Since November, the Scrutiny Committee has received reports on progress being made by the four district councils and county council towards establishing overview and scrutiny arrangements for the new unitary council, which will be formed in May 2009. Each month the Committee reviews and updates its forward work plan; in developing this, the Chairman of the committee regularly reviews the Cabinet forward work plan.

Seventeen Members belong to the Committee, which met on 10 occasions during the year. On average, each Member attended two-thirds of the meetings held. The Scrutiny performance monitoring group met four times during the year. A task and finish group was set up, which reported after three months.

The Scrutiny Committee would like to thank members of the task and finish and performance monitoring groups, the portfolio holders, and all others who have contributed their time and effort to the Committee.

Topics considered by the Scrutiny Committee

Over the year, Scrutiny Committee has considered a wide range of topics. In order to tackle some problems, the Committee asked for update reports to check what progress was being made. In many cases, recommendations were made to Cabinet, all of which have been accepted, though sometimes in a modified form.

The topics considered in 2007/8 are grouped as follows:

- **Improving Scrutiny function**
 - Improvement & Development Agency peer review
 - Scrutiny training
 - 'Councillor call for action' report

- **Updates from Portfolio Holders on Issues and Challenges affecting Service Areas**
 - Leisure
 - Housing
 - Change and Integration – Update on Local Government Re-organisation
 - Community - Partnership Working & Neighbourhood Policing Teams
 - Finance
 - Development Control
 - Environment
 - Policy and Communications
 - Economy
 - Planning Policy

- **External agencies, consultations and representations**
 - Proposed Post Office closures
 - Presentation on 'Reforming Community Services in Wiltshire' by Wiltshire Primary Care Trust – including implementation of NHS agendas 'Pathways for Change' and 'Mainstreaming Mental Health'
 - Impact of Housing Green Paper

- **Specific issues (arising from Portfolio reports, performance monitoring and other sources)**
 - Suggested remedies arising from a Local Government Ombudsman finding of maladministration
 - 'Call-in' of Cabinet decision on affordable housing in rural areas – Committee decided not to proceed with this
 - Vanguard monitoring
 - Staffing issues in Development Control and Housing Renewal
 - Customer Services and the new telephone system
 - Implementation of Civil Parking Enforcement
 - Graffiti on private property

- **Partnership Working**
 - Current and Future arrangements for Partnerships falling within the remit of the Community portfolio holder (Stronger Communities and Community Safety)
 - Neighbourhood Policing Teams
 - Task and Finish Group on 'Partnership Working in tackling Anti-Social Behaviour' - Recommendations were made to Cabinet, Wiltshire Police, and Safer Wiltshire Executive Board

- **Member Support**
 - E-mail issues
 - Staff directory & response times to Member queries

- **Transitional scrutiny**
 - Presentation on Local Government Re-organisation - Transition to One Council
 - Monthly reports from Joint Overview and Transition Scrutiny Board (JOSTB) – from November 2007
 - Appointment of representatives to sit on five JOSTB task groups

- **Financial monitoring**
 - Service and Resource Planning 2008/9
 - Quarterly financial reporting

- **Performance Monitoring**
 - Quarterly reports covering the Council's performance on 29 key national and local indicators, highlighting problem areas and the need for action.

- **Forward Work Plan**
 - Reviewed and amended monthly, bearing in mind Cabinet Forward Work Plan

In addition, questions on other issues of concern have been raised by Members during Scrutiny meetings. On the request of the Chairman, officers prepared written answers to these questions, which were tabled at the next meeting. These covered topics ranging from clarifying Council policy on 'side

waste' left alongside wheelie bins, to an update on the plans for a regional Choice-Based Lettings Scheme.

Key Issues

'Call-in' request for decision on affordable housing in rural areas

On 19 September, the Committee considered a request to 'call in' a Cabinet decision not to seek a commuted sum towards the provision of affordable housing where developments of one dwelling within villages were proposed. The Committee considered the issue carefully but, after hearing the background to the decision and the legal issues involved in two pending planning appeal cases, decided not to ask Cabinet to reconsider the decision.

Staffing levels in Housing Renewals and Development Control

In September 2007, Scrutiny Committee identified Housing Renewals and Development Control as services where low staffing levels were adversely affecting performance. As a result the Cabinet was alerted to the problem, and housing and planning portfolio holders were asked to report to December's Scrutiny meeting on staffing levels and their proposals to fill vacancies. A further update on staffing levels in Housing Renewals was provided in February 2008.

Section 106 Agreements – monitoring obligations

In December 2007, Scrutiny asked Development Control to produce a report detailing all current and outstanding Section 106 Agreement obligations. These Agreements involve developers carrying out works or paying a sum of money to offset community infrastructure costs, that are reasonably related to the development. This report is due in June 2008.

Proposed Post Office Closures

Post Office Ltd announced plans to close five Post Offices and downgrade three to Outreach services in December 2007. Reflecting strong local opposition to these plans, Scrutiny Committee responded by producing a comprehensive corporate objection, which was approved by Cabinet. Council Members were informed about how to object to closures and downgradings, and the relevant grounds for doing so.

Partnership Working in tackling Anti-Social Behaviour

A Task and Finish Group was set up to look at Partnership Working in the field of tackling Anti-Social Behaviour. The group met four times and consulted a number of partners. Recommendations included the need for a single telephone number for the public to report Anti-Social Behaviour, and for a single database to co-ordinate partners' efforts in tackling the problem. A series of recommendations was made to this Council, Wiltshire Police and Safer Wiltshire Safety Executive.

Local Council Ombudsman's decision concerning gasworks site, Frome Rd, Bradford-on-Avon

In June 2007, Scrutiny Committee recommended a number of remedies for the finding of maladministration in the case of a terrace of five houses erected at Frome Road, Bradford-on-Avon. These included a full apology and a

£2,000 payment to the town's Preservation Trust for a project benefiting the Conservation Area; both were actioned.

However, enforcement of landscaping and other planning issues affecting the site has proved more difficult, as the developers responsible are in financial administration and the companies involved are registered overseas. Planning committee decided the Council should proceed cautiously, recognising it as unfortunate that the occupiers of the houses were caught up in a matter which was primarily the responsibility of the developer. A further report is expected.

Towards One Council – Transitional Scrutiny Arrangements

In November 2007 the County Overview and Scrutiny Management Committee, after discussions and consultation with the district councils, agreed a model of operation for the joint scrutiny function during the transition to unitary status. This consists of a Joint Overview and Scrutiny Transition Board (JOSTB), comprising of one Member from each of the four District Councils and five Members from Wiltshire County Council. The West Wiltshire representative is Councillor Keith Humphries.

The JOSTB met informally on three occasions between December 2007 and February 2008. The statutory implementation and commencement order for Wiltshire was given parliamentary approval on 26 February 2008, enabling the JOSTB to meet formally for the first time on 28 March 2008. At this meeting Cllr Tony Molland was elected as Chairman and the terms of reference and protocols for both the Board and its task groups were formally adopted.

The JOSTB has so far considered a number of issues, including:

- member engagement and involvement in the transition to one council
- Towards One Council progress reports
- transition costs and savings
- organization and structure of the new council
- risk management, human resources and ICT arrangements during transition.

Members also discussed and agreed five task groups to be set up, each with a membership consisting of one Councillor from each of the Wiltshire Councils. Details of the areas to be reviewed, together with the officer lead and West Wiltshire Membership are set out below.

Task Group	Lead authority	Supporting authority	West Wiltshire District Council member
Development Control	West Wiltshire	Salisbury	Bill Parks
Housing	Salisbury	Kennet	Pip Ridout
Waste and recycling	Wiltshire CC	Kennet	Graham Hedley
Community areas	Wiltshire CC	Salisbury	Carolyn Walker
Customer access	North Wiltshire	West Wiltshire	Geoffrey Carr

Each review is scheduled to take approximately 3 months.

A report will be brought back to each meeting of the Scrutiny Committee to update on the work of the JOSTB and its task groups.

Performance monitoring

The Scrutiny Committee received regular performance updates from the Performance Monitoring Group chaired by Councillor Pip Ridout. This included:

- exception reporting of 'red' indicators
- specific issues relating to targets and performance
- annual Direction of Travel self-assessment to the Audit Commission
- National Indicator (NI) set due to replace Best Value Performance Indicators (BVPIs) from 1 April 2008

The work of the group has been very useful in raising matters of concerns to the Scrutiny Committee and Cabinet, such as staffing levels in some service areas.

Forward work plan for 2008/9

The Scrutiny Committee's draft forward work plan is attached at Appendix A. Changes may need to be made during the year, in response to emerging issues, requests and changing priorities.

Over the coming year, the work programme for this Council will slowly decrease, and there will be a corresponding increase in the work of the Joint Overview and Scrutiny Transition Board.

Effect on strategies and codes

The work of the Scrutiny Committee may well have an impact on strategies and codes. Recommendations to Cabinet could result in the review or amendment of policies and strategies, both service-specific and Council-wide.

Finance and performance implications

There is no specific budget for the Scrutiny Committee. There exists a democratic representation budget for training and conference expenses that the Committee can access. The budget is to cover all general functions and costs generated by the democratic process.

The performance implications of the Scrutiny Committee are wide-ranging and have been detailed in this report.

Risk management implications

There are no specific risk management implications arising from this report. There is a risk that if the Scrutiny Committee does not have enough capacity to fulfil its functions, this could have an impact on its ability to scrutinise and inform policy.

Legal and human rights implications

There are no legal and human rights implications arising from this report.

Next Steps

The Scrutiny Committee's annual report will be considered at Council on 14 May 2008.

Recommendation:

Scrutiny Committee is asked to endorse the annual report for 2007/08 and approve the annual work programme for 2008/09, and submit these to full Council.

Background papers

Reports and minutes of the Scrutiny Committee 2007/08

Appendix

Appendix A – Scrutiny Committee forward work plan 2008/09

Scrutiny Committee forward work plan 2008/09

The Committee dates and items listed are provisional and subject to change. The forward work plan will be reviewed and updated at each Scrutiny Committee meeting.

Scrutiny meeting dates

21 May 2008

- Leisure Portfolio Holder update on issues and challenges, including update on progress of transition to One Council
- Change and Integration Portfolio Holder update on Local Government Re-organisation, including staffing issues and costs.
- Update on Joint Overview and Scrutiny Transition Board
- County Health Scrutiny update
- Further update on improvements to the telephone system
- Regular performance monitoring report, year end performance for 2007-8
- Regular budget and financial monitoring report
- Proposed removal by BT of some public call boxes

11 June 2008

- Leader and Portfolio Holder update on issues and challenges for 2008-09
- Report from Development Control Services Manager on the position regarding all current and outstanding Section 106 Agreement obligations
- Report on financial out-turn for 2007/8
- Update on Joint Overview and Scrutiny Transition Board
- County Health Scrutiny update

16 July 2008

- Housing Portfolio Holder update on issues and challenges, including update on Private Finance Initiative

- Update on Joint Overview and Scrutiny Transition Board
- Update on Transforming Trowbridge
- Update on review of call-handling by Customer Service Unit of waste bin enquiries
- County Health Scrutiny update

17 September 2008

- Community Portfolio Holder update on issues and challenges, including update on Local Strategic Partnership
- Local update on Migrant Workers
- Review of 'Partnership Working – Anti-Social Behaviour' Task and Finish Group recommendations
- Update on Joint Overview and Scrutiny Transition Board
- Performance Group Report – including April-June 2008 Quarter 1 performance.
- Financial monitoring – April-June 2008, Quarter 1
- County Health Scrutiny update

15 October 2008

- Environment Portfolio Holder update on issues and challenges
- Transition from Housing Benefit to Local Housing Allowance - Review of the first 6 months of operation, including performance data, and identify issues and challenges.
- Update on Joint Overview and Scrutiny Transition Board
- County Health Scrutiny update

19 November 2008

- Finance Portfolio Holder update on finance and resources issues and challenges
- Update on Joint Overview and Scrutiny Transition Board

- Performance Group Report – including July-September 2008 Quarter 2 performance.
- Financial monitoring – July-September 2008 Quarter 2
- County Health Scrutiny update

17 December 2008

- Planning Portfolio Holder update on development control issues and challenges
- Update on Joint Overview and Scrutiny Transition Board
- County Health Scrutiny update

14 January 2009

- Economy Portfolio Holder update on issues and challenges
- Planning Portfolio Holder update on planning policy issues and challenges
- Update on Joint Overview and Scrutiny Transition Board
- County Health Scrutiny update

11 February 2009

- Policy and Communications Portfolio Holder update on issues and challenges
- Update on Joint Overview and Scrutiny Transition Board
- Performance Group Report – including October-December 2008 Quarter 3 performance.
- Financial monitoring – October-December 2008, Quarter 3
- County Health Scrutiny update

18 March 2009

- Update on Joint Overview and Scrutiny Transition Board
- County Health Scrutiny update
- Scrutiny Committee annual report 2008/09

