

Title:	Scrutiny Committee Annual Report
Reporting Member:	Councillor Ernie Clark – Chairman of the Scrutiny Committee
Reporting Officers:	Paul Mountford – Policy and Communications Services Manager

Purpose

The purpose of this report is to provide an overview of the work undertaken by the Scrutiny Committee during the final year of West Wiltshire District Council, from May 2008 to the end of March 2009.

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.

During the year the Scrutiny Committee has continued to receive reports from the Joint Overview and Scrutiny Transition Board (JOSTB) and its task groups, which have been planning services for the new unitary council, which will be formed in April 2009.

Each month the committee reviewed and updated its forward work plan. In developing this, the Chairman of the committee regularly reviewed the Cabinet forward work plan.

Seventeen Members belong to the committee, which met on 9 occasions during the year. On average, each meeting was attended by 12 of the 17 Members of the Committee. The Scrutiny performance monitoring group met three times during the year.

The Chairman of the Scrutiny Committee would like to thank all scrutiny members, the performance monitoring group, portfolio holders, and all others who have contributed their time and effort to the work of the committee.

Topics considered by the Scrutiny Committee

Over the year, the 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, which were generally accepted, though sometimes in a modified form.

The topics considered in 2008/9 are grouped as follows:

- **Updates from Portfolio Holders on Issues and Challenges affecting Service Areas**
 - Leisure, Councillor Richard Wiltshire
 - Housing, Councillor Virginia Fortescue
 - Community, Councillor Chris March
 - Environment, Councillor Linda Conley
 - Economic Development and Planning, Councillor Michael Mounde

- **External agencies, consultations and representations**
 - Statutory consultation on BT's proposed phone box removals
 - Proposed change to Post Office outreach service in Longbridge Deverill

- **County health scrutiny**
 - Current issues were brought to the Committee's attention each month by its representative, Councillor Brian Mudge

- **Specific issues (arising from Portfolio reports, performance monitoring and other sources)**
 - Effect of 'credit crunch' on availability of Section 106 affordable housing
 - 'Neighbour notification' for planning applications
 - Houses in Multiple Occupation
 - Migrant workers
 - Graffiti on private property
 - Support for planning policy staff
 - Council's telephone system
 - Training of customer service staff

- **Partnership Working**
 - Review of progress achieved on recommendations of Scrutiny Committee's Task and Finish Group on 'Partnership Working in tackling Anti-Social Behaviour' which were made to Wiltshire Police, Safer Wiltshire Executive Board and West Wiltshire District Council Cabinet

- **Transitional scrutiny**
 - Monthly reports from JOSTB and its five task groups. The committee was represented on JOSTB by Councillor Keith Humphries.
 - Items raised on request of West Wiltshire District Council Scrutiny Committee including, grants for voluntary groups, migrant workers and Houses in Multiple Occupation and leisure centres.

- **Financial monitoring**
 - Quarterly financial reports
- **Performance Monitoring**
 - Quarterly reports covering the Council's performance on 25 key national and local indicators, highlighting problem areas and the need for action. Presented by Councillor Pip Ridout, chair of Performance Monitoring Group, and in her absence Councillor Geoffrey Car.
 - Year-end data will be collected in April 2009 by the new authority
- **Forward Work Plan**
 - Reviewed and amended monthly, bearing in mind the 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 the future of the Air Ambulance Service to the contract management fees for swimming pools in the District.

Key Issues

Statutory consultation on phone box removals

Scrutiny Committee oversaw the statutory consultation on BT's plans to remove 36 phone boxes from West Wiltshire, successfully negotiating for the consultation period to be extended to fit in with our committee cycle. This involved two rounds of consultation with the parish and town councils and Community Area Partnerships, provisional and final decisions on whether to support the proposals (confirmed by the Portfolio Holder for Communications in the latter case), notification of the Secretary of State, and publication of these recommendations. This Council objected to 18 of the proposed removals. As a result, BT cannot remove these phone boxes without agreement from the Competition Appeals Tribunal.

Meanwhile BT offered the option to local councils that wished to keep their phone boxes, to sponsor or adopt them. The Scrutiny Officer circulated these details to all affected councils in the District.

Scrutiny Committee successfully objected to BT's plan to remove a phone box in Coulston without consultation. BT accepted it had made an error, thanked the Council for pointing this out and withdrew their plan to remove the box.

Progress on 'Partnership Working' recommendations

Wiltshire Police and Wiltshire Community Safety Partnership have responded positively to Scrutiny Committee's Task and Finish Group recommendations on Partnership Working in the field of Anti-Social Behaviour (ASB). To overcome

the problem of different agencies collecting different ASB statistics, the Police planned to run a three-month pilot on data-sharing. They would also report on abstractions from Neighbourhood Policing Teams (NPTs), following Scrutiny's concern that these staff were diverted into other duties when the need arose. Reflecting Scrutiny Committee's continuing concern, a letter was sent to the Chief Constable and chairman of Wiltshire Police Authority in November, asking for details of abstractions from NPTs and whether these had increased over recent months.

Wiltshire Community Safety Partnership welcomed our recommendations on the need for a single, easy-to-remember phone number and email address to report ASB, for positive professional publicity about neighbourhood policing, a regular publication which would provide local feedback to communities, for the need to streamline partnership bodies and to provide training in the skills of partnership working. These were taken into account when the new Wiltshire-wide strategy on ASB was drafted in December.

The recommendations for an on-line calendar for all council and partnership meetings (to reduce clashes) will be taken forward by Wiltshire Council, and the proposal that police NPT boundaries be harmonised with Community Areas and the new Wiltshire Council wards is being actioned.

Re-instatement of neighbour notification on planning issues

Scrutiny successfully requested the re-instatement of neighbour notification to inform the public about planning applications rather than the system of site notices, which was introduced in 2007. Members were concerned that site notices could be taken down by unauthorised people, with the result that neighbours would lose their chance to object to planning applications.

Council telephone system

Concern about public access to the Council by telephone, from Scrutiny Committee and other sources, led to improvement of the automated system. The length of the initial message was shortened, and the arrangements for calls to be transferred to other phones if the intended officer was not available were improved.

Graffiti on private property

Following concerns raised by Scrutiny Committee about graffiti on private property, Cabinet commissioned its own report and agreed six recommendations as the basis of its policy on this issue. It decided the Grounds and Cleansing team should deal with complaints of graffiti on this Council's property, County Council property, and that of the utilities and statutory undertakers. The Community Safety Team should deal with complaints of graffiti on private property. In both cases such complaints could be dealt with as a priority, and a voluntary, co-operative approach should predominate, with legal action only used as a last resort. Meanwhile the County Council would be reminded of their obligations to remove graffiti on their own property.

Towards One Council – Joint Overview and Scrutiny Transition Board

The 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, was set up to perform the joint scrutiny function during the transition to unitary status. The Board is chaired by Councillor Tony Molland, Wiltshire County Council, and West Wiltshire District Council's representative is Councillor Keith Humphries.

The considerations and recommendations of JOSTB are reported to each meeting of the Scrutiny Committee via a report and officer and member representations. The focus of JOSTB is on the transition to One Council and issues considered include Towards One Council progress reports, overall governance arrangements, managing appointments to the new council, benefits realisation and overview and scrutiny arrangements in the interregnum period and beyond. In addition, JOSTB set up a number of task groups to review Development Control, Housing, Waste and Recycling, Area Boards, Customer Access, the Critical Path and Day One Plan, and Change Management including ICT transition.

During its consideration of the issues relating to the work of JOSTB, the Scrutiny Committee has made recommendations or expressed concerns about the following:

- *Grants for voluntary groups*
A recommendation was made to JOSTB to monitor the arrangements made for the provision of grants for voluntary groups in the new Wiltshire Council. This was subsequently the subject to a rapid scrutiny exercise by JOSTB resulting in a recommendation from WCC Cabinet to the IE asking for all existing commitments by the five councils to the Voluntary and Community Sector to be honoured in the financial year 2009/10, pending full implementation of the review from April 2010. The recommendation was adopted by the IE.
- *Migrant Workers and Houses in Multiple Occupation (HMOs)*
A recommendation was made to Cabinet to ensure that the recommendations contained in an officer report on migrant workers and HMOs are taken forward by the new Wiltshire Council. Cabinet resolved to refer the matter to JOSTB who has asked for confirmation from the appropriate IE members and the Corporate Director for Economic Development, Planning and Housing as to how this work will be incorporated and taken forward.
- *Attendance of police and health representatives on Area Boards*
Concern was expressed about the need to ensure police and health attendance at Area Board meetings. Having sought and received the views of the Team Leader of the Area Boards Projects Phase the Committee was satisfied that very strong support is being received from the police, PCT and Fire Service. Additionally, the JOSTB Area Board Task Group is keeping this issue under consideration.

- *Leisure centres*
At the request of the Scrutiny Committee JOSTB considered a report on the approach being taken by the Frontline Services workstream to manage the transition for leisure centres. This led to some concern by JOSTB about the longer term aspirations for leisure as a whole and further reports were subsequently requested by JOSTB on this issue.

One member of the Scrutiny Committee sits on each of the above mentioned task groups set up by JOSTB as follows:

- Development Control, Councillor Bill Parks
- Housing, Councillor Pip Ridout
- Waste and Recycling, Councillor Graham Hedley
- Area Boards, Councillor Carolyn Walker
- Customer Access, Councillor Geoffrey Carr
- The Critical Path and Day One Plan, Councillor Bill Parks
- Change Management (including ICT transition), Councillor Keith Humphries

At each meeting the Committee reviews the progress being made by the task groups and receives written and verbal updates from officers and members. Discussions about the housing task group led to the Committee identifying the need for a proactive approach to housing services and a recognition of its importance in the new unitary council. West Wiltshire District Council's representatives on the Implementation Executive were asked to provide their support in raising its profile and status.

The Scrutiny Committee has also contributed to discussions on the shaping of the overview and scrutiny function during the interregnum period and beyond. Individual members have made themselves available for participation in task group reviews and rapid scrutiny exercises.

Towards One Council - Development Control task group

West Wiltshire District Council took the lead on the task group set up by JOSTB to identify and recommend preferred service delivery arrangements for Development Control in the new Wiltshire Council. The task group was asked by the Implementation Executive to undertake a policy development role rather than the more traditional scrutiny role undertaken by the other four task groups.

The task group was chaired by Councillor Fred Westmoreland from Salisbury District Council, and Councillor Bill Parks represented West Wiltshire.

The task group undertook an extensive consultation and evidence gathering exercise. It consulted with the Planning Advisory Service, members county-wide via two seminars, town and parish councils, planning portfolio holders and chairs of planning committees. It carried out benchmarking exercises to identifying areas of best practice, engaged with other new emerging unitary authorities, examined baseline data and key statistics for the five councils in Wiltshire and beyond, and worked closely with senior officers of the planning project group.

Having considered all the evidence, the task group made a total of 28 recommendations which included the five key areas of officer structures, delegation, call-in procedures, committee structures and member involvement. As well as making formal recommendations, the task group identified continuing work required for April 2009 and also aspirations for the service beyond 2009.

JOSTB and the Implementation Executive endorsed all of the task group's recommendations and the task group became involved in a consultative role in the further officer reports requested by the IE.

The task group carried out its review within the three-month time limit specified by JOSTB, providing the basis for a seamless transition of the service on 1 April 2009 as well identifying aspirations for Development Control into the new Wiltshire Council.

Towards One Council - New arrangements for Scrutiny

JOSTB commissioned a consultant to assist with planning the arrangements for overview and scrutiny in the new council. As a result of the work undertaken by both the consultant and officers JOSTB agreed in principle to draft arrangements which it then issued for consultation.

The Scrutiny Committee considered the proposals in February 2009. Although the Committee broadly agreed to the structure, consisting of four select committees with task groups and rapid scrutiny exercises, it did raise some concerns which it forwarded to JOSTB prior to the arrangements being formally agreed. Concerns raised included the need to be able to hold Cabinet/Executive Members directly to account, the number of members required, the need for greater engagement with the community and the public, and the level of resources available.

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 replaced Best Value Performance Indicators (BVPIs) from 1 April 2008

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

Development Control

Members were delighted to hear in January of the great progress made in development control. The backlog of applications has been cut in half, from 154 to 78, and performance improved considerably in the period since November. The Committee officially recorded its thanks, asking that this should be passed onto all staff members in the planning team.

Forward Work Plan for 2009/2010

The Forward Work Plan for the new Overview and Scrutiny Committee will be decided by Wiltshire Council.

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

Certain recommendations to Cabinet may have financial implications, and these are highlighted as appropriate. The performance implications of issues considered are wide-ranging and have been detailed in this report.

Risk management implications

There are no specific risk management implications arising from this report.

Legal and human rights implications

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

Next Steps

The Scrutiny Committee's final annual report will be considered by full Council on 25 March 2009.

Recommendation:

Scrutiny Committee is asked to endorse the annual report for 2008/09 and submit this to full Council.

Background papers

Reports and minutes of the Scrutiny Committee 2008/09

Reports and minutes of JOSTB 2008/09