

Agenda Item No:	12	
Committee:	Council	
Date:	21 June 2016	
Report Title:	Overview and Scrutiny Annual Report	

1 Purpose / Summary

The Overview and Scrutiny Annual Report reflects what has been undertaken and achieved by the Overview and Scrutiny Committee during 2015/16 and takes a forward look at the programme of work and challenges for the Overview and Scrutiny in 2016/2017.

2 Key issues

- The Local Government Act 2000 sets out the requirements of a modernised democratic structure for local authorities. The Act includes the establishment of an Overview and Scrutiny Panel or Committee.
- Article 6 (3.4) of the Council's Constitution sets out the Overview and Scrutiny Panel's terms of reference. There is a stated requirement for the work and working methods of the Overview and Scrutiny Committee to be reported annually to the Council.

3 Recommendations

That full Council acknowledges the broad scope of work undertaken by the Overview and Scrutiny Panel during 2015/16.

Wards Affected	All
Forward Plan Reference	-
Portfolio Holder(s)	Councillor Fred Yeulett Chairman - Overview and Scrutiny Councillor Anne Hay Vice Chairman - Overview and Scrutiny
Report Originator(s)	Councillor Fred Yeulett Chairman - Overview and Scrutiny Councillor Anne Hay Vice Chairman - Overview and Scrutiny

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Background Paper(s)	Overview and Scrutiny reports, Agendas and Minutes 2015/16

OVERVIEW AND SCRUTINY

ANNUAL REPORT 2015-2016

1 CHAIRMAN'S FOREWORD

It gives me great pleasure to present to you the annual report in relation to the Overview and Scrutiny Committee. The report focuses on the work undertaken by the committee during the past twelve months as well as providing a forward look to 2016/17.

These are exciting times for Fenland, but the depth and pace of change across public services, much of it underpinned by financial pressures, also presents real challenges for the district.

The need for strong scrutiny has never been more important. That is why we have positioned scrutiny to focus attention on the Council's corporate priorities and therefore concentrate on matters affecting local residents the most.

It has been an extremely busy year for the committee with all members of the panel, both past and present, taking an active and enthusiastic role in the Overview and scrutiny process. All committee members have contributed to the work plan of the panel ensuring a diverse range of subjects have been considered and explored. The Committee have contributed positively to the overview of emerging policies and will continue to do so into 2016/17. Scrutinising performance and overviewing new policies enables the panel to be both pro-active and reactive in our approach to holding decision makers to account.

I would like to thank all Members and officers for their ongoing support and co-operation with the Overview and Scrutiny function this year. I would also like to thank the many representatives of partner organisations that have taken the time to contribute so positively to our work.

Councillor Fred Yeulett
Chairman of Overview and Scrutiny

2 THE OVERVIEW AND SCRUTINY COMMITTEE 2015-2016

Councillor Fred Yeulett - Chairman

Councillor Anne Hay - Vice Chairman

Councillor Mrs Virginia Bucknor

Councillor Mark Buckton

Councillor Steve Count

Councillor Maureen Davis

Councillor Steve Garratt

Councillor Michael Humphrey

Councillor Dee Laws

Councillor David Mason

Councillor Mrs Kay Mayor

3 INTRODUCTION

What is Overview and Scrutiny?

- 3.2 The Local Government Act 2000 requires Councils to have a committee with the power to review or scrutinise decisions or actions affecting the authority's area or residents. Scrutiny is an essential part of ensuring that local government remains effective and accountable. Scrutiny ensures that executives are held accountable for their decisions, that their decision-making process is clear and accessible to the public and that there are opportunities for the public and their representatives to influence and improve Council policies.
- 3.3 The power to scrutinise was further expanded by the Police and Justice Act 2006, which provided powers to scrutinise the work of Crime and Disorder Reduction Partnerships, known locally as the Safer Fenland Partnership.

The Local Government and Public Involvement in Health Act 2007 provides more powers to local government to scrutinise other partner organisations. It also brings in other provisions that affect how scrutiny committees work, including powers over the creation of joint committees.

- 3.4 More recently, The Localism Act 2011 consolidated the wide range of scrutiny legislation into a single place, largely unamended from previous legislation. This aims to increase local accountability and transparency of public services as well as enhancing the involvement of local service users

Main responsibilities of Overview and Scrutiny

- 3.5 The role of Overview and Scrutiny has five broad functions:

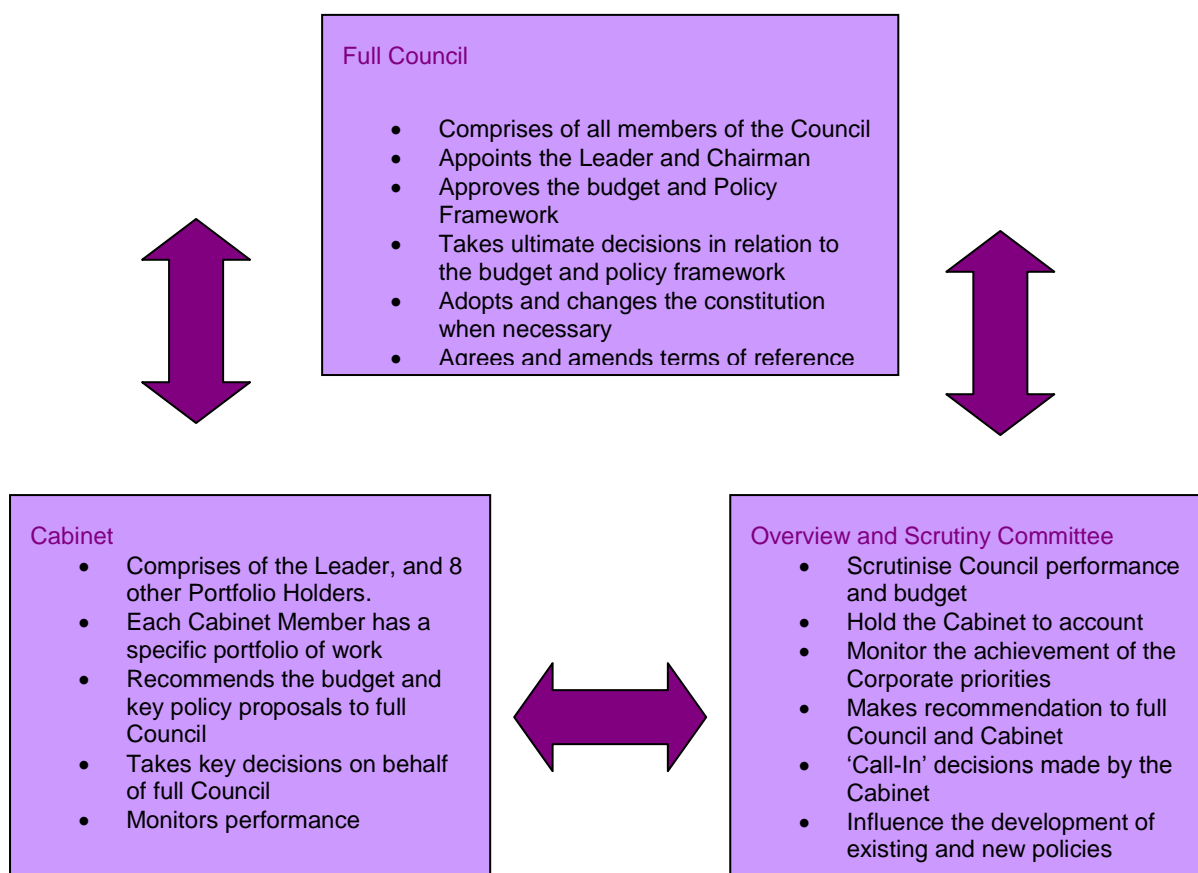
- Holding the Council’s Executive and its statutory partners to account in the public interest. This enables more transparent and effective decision making.
- Supporting the development of effective policies and initiatives which have a beneficial impact on the community through policy overview and development.
- Contributing to continuous improvement in the delivery of the Council’s corporate priorities.
- Having a positive impact on the work and outcomes of external agencies and providers of public services.
- Aiding Councillors in engaging with their communities and undertaking the role of community representatives and leaders.

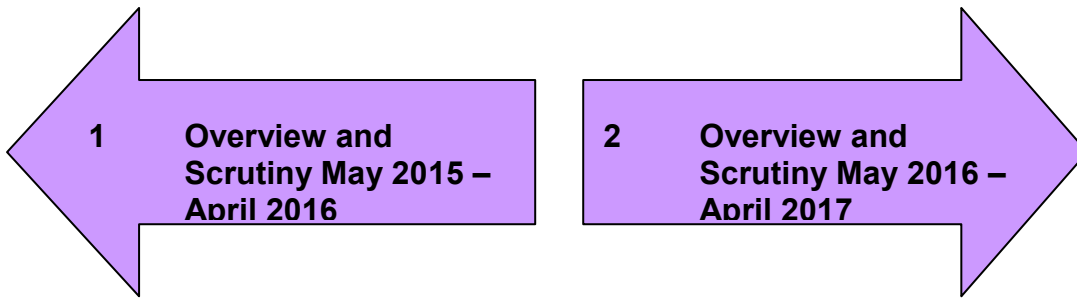
Overview	Scrutiny
Advising on the development of policies.	Ensuring that the Council’s policies have been effectively implemented by the Cabinet.
Recommending how the Council’s corporate priorities can be delivered.	Helping to monitor and drive improvements within the Council’s corporate priorities.
Bringing a wider perspective to problem solving.	Holding decision makers to account
Examining broader issues affecting local communities.	Ensuring all service providers within a local community are providing ‘value for money’

Appointing Members onto Overview and Scrutiny

- 3.6 During 2015-2016, following a recommendation by the Leader of the Council, it was the responsibility of the full Council to appoint an Overview and Scrutiny Panel at their annual meeting in May. The Overview and Scrutiny Committee consisted of eleven members drawn from the political groups in the same proportion as they are represented on the Council as a whole.

Relationship between Overview and Scrutiny, Cabinet and Full Council





4 A BACKWARD LOOK TO 2015 - 2016

What the Overview and Scrutiny Panel achieved in 2015/2016

External advisors/partners

- 4.2 The panel looked at an array of different topic areas; most could be dealt with by drawing on the knowledge and expertise of Fenland District Council Councillors and Officers. However, sometimes there is a need to call in external advisors to help the panel with their knowledge and to provide a different vantage point.
- 4.3 As will be explained later, a greater emphasis has been placed on Local Authority scrutiny, of and with partner agencies. Fenland's Overview and Scrutiny Committee is already undertaking this partnership working in a positive spirit, demonstrating its forward thinking. The table below highlights the external partners the Overview and Scrutiny Committee have already engaged with, when undertaking the scrutiny function during 2015/ 16:

Agenda item	External Advisor/Partner	Organisation
Update on Anglian Revenue Partnership (ARP)	Paul Corney, Adrian Mills, Stuart Philpot	Anglian Revenues Partnership
Update on Roddons Housing Association	Jerry Harkness, Jodie Cunnington- Brock	Roddons Housing Association
Safer Fenland partnership (SFP): Annual Scrutiny	Alan Boughen	Cambridgeshire Constabulary

- 4.4 As well as working with individual partners, the panel have also scrutinised other elements of partnership working through each of the respective corporate priority areas. The panel will build on this further in 2016/2017.

Recommendations resulting from the Overview and Scrutiny in 2015/2016

- 4.5 In order that the work of Overview and Scrutiny is increasingly transparent and that any resulting recommendations are monitored, the panel are articulating recommendations and monitoring their success in relation to their endorsement and adoption by the final decision makers.
- 4.6 The table below highlights the key recommendations resulting from Overview and Scrutiny during 2015/2016.

Meeting Date	Key Recommendation	Progress
01/06/15	That the Fenland Community Safety plan for the forthcoming year contains measurable actions and specific delivery timescales to enable success to be identified/scrutinised	The Fenland Community Safety Partnership (FCSP) action plan has been modified to monitor project delivery against agreed milestones and timescales. The modified plan also demonstrates clear actions for each project area to allow clear direction to meet project objectives, how this is intended to be delivered, to allow full scrutiny and performance management.
13/07/2017	Recommend to Cabinet that the Council agrees to join a Shared Planning Service with Peterborough City Council and deliver an estimated annual saving of £137k for Fenland District Council	Council decided at its meeting on 23/7/15 that the Shared Service be approved.

07/09/15	Recommend to Cabinet that all Members to commit to going paperless, using their existing Tablets/Laptops, and that where requested the council provide loans to Members which could be repaid over the remaining term in office by deduction from Members allowance to enable them to purchase suitable devices (to a maximum of £500, upon submission of a receipt)	Council approved this recommendation as part of the Members' Allowances report approved at the 5/11/15 meeting.
12/10/15	Recommend to Cabinet that Overview and Scrutiny members are to be consulted and updated on the next stages of the Comprehensive Spending Review, including the impact cuts will have;	It was agreed that further reports will be brought to Overview and Scrutiny at the appropriate times so that it is able to take an overview of, and scrutinise proposals as appropriate. Major decisions are also reported to Cabinet or Council for final approval.

How the work of Overview and Scrutiny is linked to the Council's corporate priorities

4.7 Fenland District Council's Corporate Plan clearly sets out a series of priorities that will be the focus of the organisation over a 3 year period. To ensure these priorities are correct, deliver on targets and achieve outcomes, the Overview and Scrutiny work programme reflects the Council's priorities to ensure robust scrutiny can be delivered.

4.8 The table below illustrates how agenda items link in with Fenland's priorities:

C – Communities

Env – Environment

E – Economy

QO – Quality Organisation

Topic/Issue	C	Env	E	QO
Progress against corporate priority: Environment				
Progress against corporate priority: Economy				
Progress against corporate priority: Communities				
Safer Fenland partnership (SFP) /Crime Disorder and Reduction partnership				
Fenland Tourism Board Update				
Annual meeting with the Leader, Deputy Leader and Chief Executive				
Progress against corporate priority: Quality Organisation				
Draft Business Plan and Budget				
Council Tax Scheme				
Fees and Charges				
Selective Licensing Scheme for Wisbech				
Draft Medium Term Financial Strategy				
Pre-application charging				
Members' ICT provision				

5 Specific reviews undertaken in 2015- 2016

5.1 Members' ICT Provision

- 5.2 Cabinet requested that Overview and Scrutiny set up a working group to review the paperless Cabinet pilot in order to consider the potential options for further extending the scheme. Cabinet also requested that the Overview and Scrutiny panel make recommendations regarding the way forward for Members' IT equipment and feed in their recommendations to the Members Allowances' Review.
- 5.3 A key driver for the review was the opportunity to maximise the successes resulting from the Cabinet paperless pilot whilst also recognising the potential opportunity to reduce the expenditure on producing hard copy reports for all committee meetings
- 5.4 The working group undertook some research to ascertain the approach to the provision of ICT equipment for Members' in neighbouring authorities. The outcomes of which revealed a mixed approach to the provision of IT equipment as well as diverse methods in relation to sharing committee information and the provision of hard copy committee reports. In addition all 39 elected members were sent an electronic Members ICT survey to understand their views. 26 Members completed the survey, which confirmed that of all the members surveyed only 2 did not already utilise a tablet or laptop.

- 5.5 As a result of the research the Overview and Scrutiny Committee considered 5 options in relation to the provision of Members' ICT.
- Council owned/ maintained ICT
 - Council bought/ Members' maintained
 - Managed but Member owned
 - Members provide/ standalone maintenance
 - Loan laptops available

5.6 The Overview and Scrutiny Panel agreed the recommendations to Cabinet as follows:

- That all Members to commit to going paperless, using their existing Tablets/Laptops, and that where requested the council provide loans to Members which could be repaid over the remaining term in office by deduction from Members allowance to enable them to purchase suitable devices (to a maximum of £500, upon submission of a receipt);
- That a small number of laptops be made available on loan for use in committee meetings for those who do not wish to provide their own. Members would return these devices to Member Services after each use;
- That training is arranged for all members to facilitate this change and that Members requiring paper copies after 1 April 2016 do so at their own cost;
- That a secure, confidential mechanism be created for sharing confidential agenda items with Members;
- That the agenda be displayed on a screen at Committee meetings;
- That only six paper copies of each meeting agenda be provided for members of the public attending meetings;
- Laptops and printers currently supplied by the Council to Members should be returned as soon as possible with no further printer consumables being supplied;

5.7 All of the review recommendations were subsequently endorsed by Cabinet.

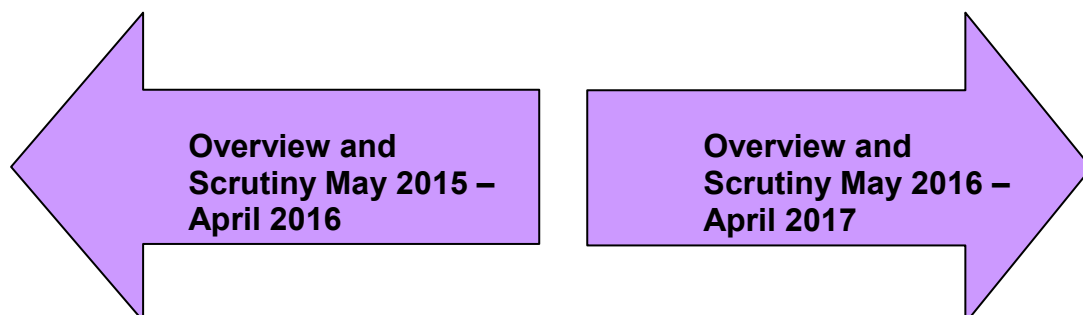
6 Overview and Scrutiny Call – In

6.1 The Overview and Scrutiny Committees have the opportunity to scrutinise Executive decisions that have been made, but not implemented through the 'call-in' mechanism.

6.2 In accordance with the Council's constitution, decisions of the Executive or a Portfolio Holder decision are published within 3 working days. There is then a further 5 working

day period prior to the implementation of the decision in which Members are able to call in the decision. If the necessary number of Members, either the Chairman or Vice Chairman of any panel, or any 3 members of the Overview and Scrutiny Committee or any 10 Members of the Council, ask for a decision to be called in for scrutiny, the Overview and Scrutiny Committee has to meet within 15 working days to consider the issue. Whilst this process takes its course, the decision taking process is suspended. If no call-in occurs, the decision is adopted.

- 6.3 If, having considered the decision, the Committee remains concerned about it, then it may refer it back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns or, in exceptional circumstances, refer the matter to full Council. If referred back, the decision maker shall then reconsider the matter within a further 10 working days and amend the decision or not, before adopting a final decision. If however the Committee decides not to refer the matter back, no further action is taken and the decision can take effect.
- 6.4 The call-in procedure does not apply where the decision being made by the Executive is deemed to be urgent i.e. where any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests. This should be clearly stated in the record of the decision.
- 6.5 Because of the nature of the call-in procedure, it is generally recognised as a mechanism of last resort. Indeed Government guidance states that it would clearly be detrimental to efficient decision making if every individual decision of the Executive were called in for overview and scrutiny as a matter of course.
- 6.6 The call-in procedure is therefore utilised when other means of influencing decision making have failed. Nationally, Councils have on average 2 call-ins per year and approximately 25% result in an amended decision.
- 6.7 Fenland District Council did not utilise the call in procedure during 2015/16.



7 A FORWARD LOOK TO 2016/2017

Policies and measures affecting scope of Overview and Scrutiny

- 7.2 The profile of scrutiny is changing nationally and as a result much is expected of us in response to the Localism agenda. This could include community involvement, scrutiny of

and with partners, scrutiny of crime and disorder issues and supporting the scrutiny of health services.

Overview and Scrutiny amending its role

- 7.3 The Overview and Scrutiny Committee remains committed to achieving value for money and ensuring the Council is efficient and cost effective in the delivery of its corporate priorities. The Overview and Scrutiny Committee are also keen to focus on areas where they are able to add the greatest value being forward focused therefore making recommendations to Cabinet whilst also having a positive impact on the future direction and future focus of the Council and its policies.

Fenland's Priorities

- 7.4 In Fenland's Business Plan 2016-2019 the Council's corporate priorities are:
- Communities
 - Economy
 - Environment
 - Quality Organisation
- 7.5 It is important that the work of Overview and Scrutiny complements these priorities to ensure services are being delivered to highest quality and any scrutiny work adds value.

What the Overview and Scrutiny Panel will achieve in 2016-2017

Strategic Priorities

- 7.6 We will aim to raise the profile of the Council's Overview and Scrutiny work by better communicating our successes. The Overview and Scrutiny Panel will continue to articulate recommendations associated with the work plan and monitor how effectively the recommendations have been received and endorsed by the associated decision making bodies.

Work Programme

- 7.7 The Overview and Scrutiny work programme is a detailed programme that indicates the topics that the Overview and Scrutiny Committee will scrutinise. The work programme will be developed early in the new Council year setting out what the key areas of focus will be. Topics already identified for inclusion include:
- Crime Disorder and Reduction Partnership
 - Council Tax Scheme
 - Draft Corporate Plan and Budget
 - Progress of Corporate Priorities: Economy, Environment, Communities and Quality Organisation
 - Comprehensive Spending Review - including Garden Waste Overview

8 CONTACTS

- 8.1 Work of the Overview and Scrutiny Committee is enhanced by the involvement of Fenland residents, service users, our partners and local businesses as they bring an alternative perspective whilst also providing external challenge. If, therefore, you would like further details about any of the work mentioned in this report, or on how residents and partner organisations can contribute to the work of Overview and Scrutiny within Fenland, please contact:

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