


Agenda Item No:	8	
Committee:	Council	
Date:	19 July 2018	
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 2017/18 and takes a forward look at the programme of work and challenges for the Overview and Scrutiny in 2018/2019.

## 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 2017/18.

Wards Affected	All
Forward Plan Reference	-
Portfolio Holder(s)	Councillor Chris Boden - Chairman - Overview and Scrutiny Councillor Michael Humphrey Vice Chairman - Overview and Scrutiny
Report Originator(s)	Councillor Chris Boden - Chairman - Overview and Scrutiny Councillor Michael Humphrey Vice Chairman - Overview and Scrutiny

Contact Officer(s)	Carol Pilson – Corporate Director 01354 622360 cpilson@fenland.gov.uk Anna Goodall – Head of Legal and Governance 01354 622357 agoodall@fenland.gov.uk
Background Paper(s)	Overview and Scrutiny reports, Agendas and Minutes 2017/18

# OVERVIEW AND SCRUTINY

## ANNUAL REPORT 2017-2018

### **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 2018/19.

These continue to be exciting times for Fenland as well as Cambridgeshire and Peterborough as a whole following the implementation of the Combined Authority and elected Mayor. Public services need to be flexible in order to adapt to change which continues to affect the sector at a significant pace. Efficiency also continues to be the focus at the forefront of everyone's minds to ensure the Council can deliver quality services to our residents in conjunction with our partners, which are both cost effective and sustainable. The need for strong purposeful and effective Overview and Scrutiny has never been more important. Fenland District Council Overview and Scrutiny Committee is committed to adding value to the decision making process whilst holding our decision makers to account. We remain resolute in our objective to achieve tangible benefits as a direct result of Overview and Scrutiny. As such the Committee, which itself has been subject to a number of membership changes remains motivated and ambitious in supporting the District Council to deliver the very best outcomes for local residents.

2017/18 has seen the delivery of a comprehensive work programme for the Overview and Scrutiny 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 are keen to consider important matters which are relevant to the whole district and as such the Committee are considering options to maximise public engagement in the Overview and Scrutiny process.

I would like to take this opportunity to thank all Members and officers for their ongoing support and co-operation with the Overview and Scrutiny function this year. I would like to express particular thanks to Councillor Fred Yeulett the previous Chairman for his significant contribution to the past success of the committee. 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 Chris Boden

Chairman of Overview and Scrutiny

## **2 THE OVERVIEW AND SCRUTINY COMMITTEE 2017-2018**

Councillor Chris Boden - Chairman

Councillor Michael Humphrey - Vice Chairman

Councillor Gavin Booth

Councillor Sam Clark

Councillor Steve Count

Councillor David Hodgson

Councillor Mrs Kay Mayor

Councillor Kit Owen

## **3 INTRODUCTION**

### **What is Overview and Scrutiny?**

- 3.1 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.
- 3.2 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.

- 3.3 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

- 3.4 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.

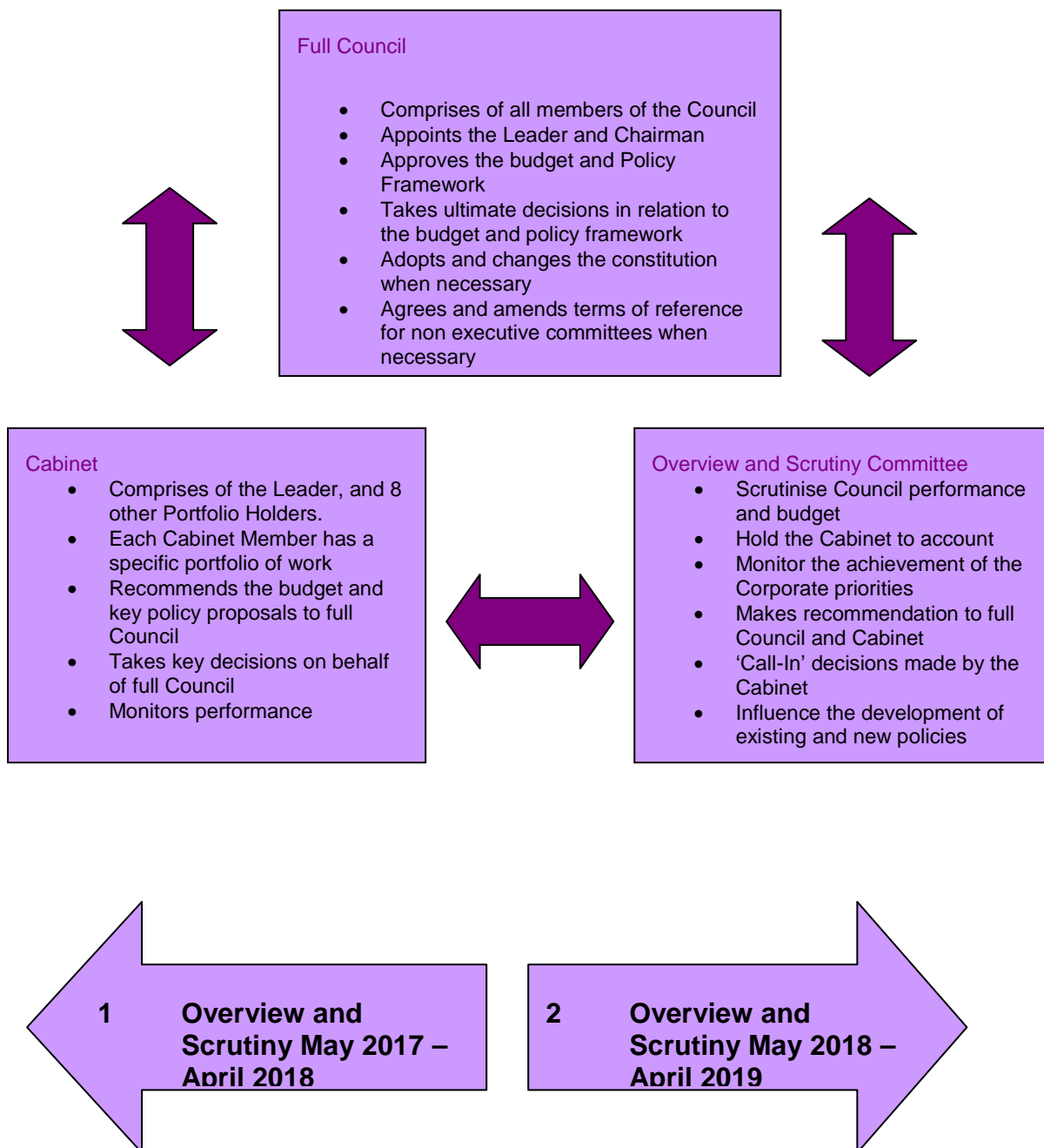
- Having a positive impact on the work and outcomes of external agencies and providers of public services.
- Aiding Councillors in engaging with their communities and undertaking the role of community representatives and leaders.

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**

- 3.5 During 2017-2018 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.

#### 4 Relationship between Overview and Scrutiny, Cabinet and Full Council



#### 5 A BACKWARD LOOK TO 2017 - 2018

What the Overview and Scrutiny Panel achieved in 2017/2018

## External advisors/partners

- 5.1 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.
- 5.2 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 2017/ 18:

Agenda item	External Advisor/Partner	Organisation
The Greater Cambridgeshire Greater Peterborough Local Enterprise Partnership	Mark Reeve Karl Gardiner	The Greater Cambridgeshire Greater Peterborough Local Enterprise Partnership
Concerns with New Heating Contract for Clarion Housing	Marek Witco Richard Ward David Chisnall Shane Greaves Richard Brown	Clarion Housing Association  Morgan Sindall Morgan Sindall
Safer Fenland partnership (SFP): Annual Scrutiny	Ian Lombardo Police Inspector	Cambridgeshire Constabulary
Wisbech 2020 Vision Update	Ross Ingham	Ingham Pinnock Associates
Fenlands Health and Wellbeing Strategy	Val Thomas	Consultant in Public Health

- 5.3 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 2018/2019.

## Recommendations resulting from the Overview and Scrutiny in 2017/2018

- 5.4 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.

5.5 The table below highlights the key recommendations resulting from Overview and Scrutiny during 2017/2018.

Meeting Date	Key Recommendation	Progress
17/05/2017	Members of the Overview and Scrutiny Panel recommend that Officers from FDC and the LEP should work more closely to identify sources of funding to enable FDC to match bids to the available funding pots to increase funding opportunities in the area.	As of 01/04/18 The Greater Cambridgeshire Greater Peterborough Local Enterprise Partnership ceased to operate and a new Local Enterprise Partnership (LEP) known as the Business Board has been created. A shadow Board led by the Deputy Mayor of the Combined Authority is now in place and will manage the transition towards a fully formed board later this year.
17/05/2017	Members are keen for the LEP to share the outcome of unsuccessful bids to help FDC develop a more robust approach to bids moving forward	See progress note as above
17/05/2017	Members are keen for the LEP to share successful bids to enable FDC to learn lessons and share best practice in order to maximise funding opportunities in our area.	As above
17/05/2017	Members have requested that the LEP liaises with Cambs Acre and Agri Tech Businesses to enable greater transparency and accessibility to FDC's intelligence about businesses in our area.	As above



05/06/2017	The Paperless Review confirmed that £11,816 savings had been achieved as a result of no longer printing committee reports. Members recommended that the successes of the review be publicised.	A press article in relation to the Paperless Review was published in the local press in July 2017.
04/09/2017	Members recommended that Town and Parish Councils are specifically captured within the Consultation strategy as they are an intrinsic aspect of successful consultation	Town and Parish Councils are proactively notified in relation to any consultation activities undertaken by the District Council in order that they can proactively participate.
04/09/2017	Members recommended that the District Council share press releases with Town and Parish Councils to enable them to be shared on the parish website thus reaching more residents	As of September 2017 all press releases are now shared proactively with all the Parish and Town Councils
15/01/2018	Members recommended that the Business Plan contains more contextual information to facilitate more transparency regarding outcomes/ achievements	The Chief Executive has met with Officers regarding the formulation of next years' business plan to ensure Members have greater visibility regarding achievements and outcomes. Processes have been amended accordingly
02/05/2018	Members recommended that the Key Performance Indicators (KPI's) relating to the work of teams involved in the Economy Priority should be reviewed	The Portfolio Holder for Economy agreed to review the Economy KPI's and to keep the Overview and Scrutiny Committee updated accordingly.

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

- 5.6 Fenland District Council's Business Plan is the vision for the future of Fenland clearly setting out a series of priorities that will be the focus of the organisation for the next twelve month 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.

5.7 The table below illustrates how agenda items link in with Fenland’s priorities:

C – Communities

Env – Environment

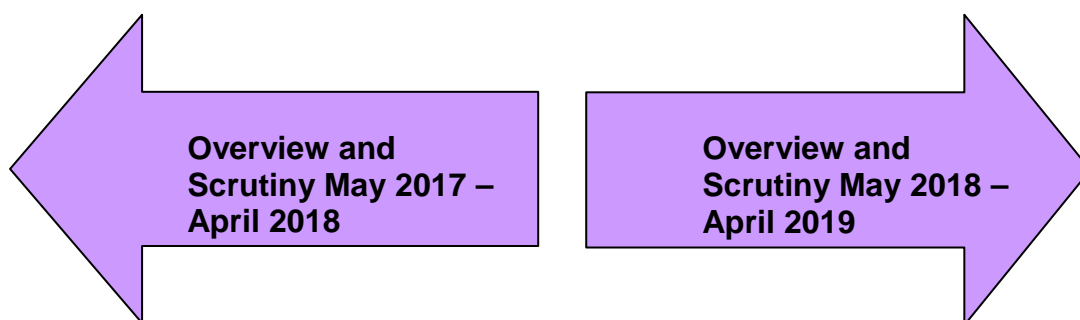
E – Economy

QO – Quality Organisation

Topic/Issue	C	Env	E	QO
Progress against corporate priority: Environment				
Progress against corporate priority: Economy				
Progress against corporate priority: Communities				
Fenland Community Safety Partnership (FSP) /Crime Disorder and Reduction partnership				
Greater Cambridgeshire Greater Peterborough Local Enterprise Partnership				
Paperless Review				
Wisbech 2020 Vision Update				
Fenland Health and Wellbeing Strategy				
Health and Wellbeing Update				
Draft Consultation Strategy				
Annual meeting with the Leader, Deputy Leader and Chief Executive				
Review of Garden Waste Scheme				
Draft Business Plan and Budget				
Council Tax Support Scheme				
Fees and Charges				
Review of Anglia Revenues Partnership				
Draft Medium Term Financial Strategy				
Environmental Enforcement – Pilot with Kingdom				
Concerns with New Heating Contract With Clarion Housing				

## 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. Fenland District Council did not utilise the call in procedure during 2017/18. The fact that the Call In procedure was not utilised during the municipal year is reflective of a reduction in Call-In's nationally.



## 7 A FORWARD LOOK TO 2018/2019

### **Policies and measures affecting scope of Overview and Scrutiny**

- 7.1 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, supporting the scrutiny of health services as well as supporting the scrutiny of the newly formed Combined Authority.

### **Overview and Scrutiny amending its role**

- 7.2 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**

- 7.3 In Fenland's Business Plan 2018-2019 the Council's corporate priorities are:

Communities

Economy

Environment

Quality Organisation

- 7.4 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.

- 7.5 Fenland is also extending its influence on decision makers and scrutiny more widely, we have two District Council representatives on the Overview and Scrutiny Committee for the Combined Authority. The role of the Committee is to hold the Mayor and associated Portfolio Holders to account for decisions which affect the whole Combined Authority area, namely Cambridgeshire and Peterborough. In addition the Fenland Portfolio Holder for Communities also represents Fenland on the Cambridgeshire County Council Adults Scrutiny Committee.

### **What the Overview and Scrutiny Panel will achieve in 2018-2019**

#### **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  
Local Health Partnership update  
Review of Anglia Revenues Partnership  
Planning shared service review  
Council Tax Scheme  
Draft Business Plan and Budget  
Progress of Corporate Priorities: Economy, Environment, Communities and Quality Organisation  
Comprehensive Spending Review

In addition to the topics already identified for inclusion in the Overview and Scrutiny work programme the Committee are keen to engage with the public regarding matters which are of importance and which Fenland residents feel should be subject to Overview and scrutiny. As such the Chairman has commissioned a report to be presented to the committee regarding the options to maximise public engagement, which will help to inform the agreed approach. The report is scheduled to be considered by the Committee during its July meeting.

## **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 we would very much welcome your input, please contact:

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