


Agenda Item No:	10	
Committee:	Overview and Scrutiny	
Date:	July 2020	
Report Title:	Draft 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 2019/20 and takes a forward look at the programme of work and challenges for the Overview and Scrutiny in 2020/2021.

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

- 3.1 For the Overview and Scrutiny Panel to approve the annual report for forwarding to Council.

Wards Affected	All
Forward Plan Reference	-
Portfolio Holder(s)	Councillor Alex Miscandlon Chairman - Overview and Scrutiny Councillor Anne Hay, Vice Chairman - Overview and Scrutiny
Report Originator(s)	Councillor Alex Miscandlon - Overview and Scrutiny Chairman Councillor Anne Hay, - Overview and Scrutiny Vice Chairman
Contact Officer(s)	Peter Catchpole – Corporate Director 01354 622201 PeterCatchpole@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 2019/20

OVERVIEW AND SCRUTINY

ANNUAL REPORT 2019 - 2020

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 2020/21.

2019/20 was a busy year for the Overview and Scrutiny Committee as the District Council continues to have significant ambition to transform how services are delivered in order to secure sound outcomes for local residents whilst also being an effective, efficient Council that is fit for the future. The onset of the COVID 19 pandemic has been unprecedented in its nature and has already resulted in operational and financial challenges, which will require strong purposeful and effective Overview and Scrutiny both now and throughout the coming municipal year. 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 focussed in our objective to achieve tangible benefits as a direct result of Overview and Scrutiny. As such the Committee remains motivated and ambitious in supporting the District Council to deliver the very best outcomes for local residents in what is likely to be a challenging national financial position in the wake of the pandemic.

As ever 2019/20 has seen the delivery of a comprehensive work programme for the Overview and Scrutiny Committee, which has moved its focus during recent meetings to gain a better understanding of the response and support the Council has provided to local residents and businesses as a result of the global COVID 19 pandemic in addition to considering the recovery actions taken and planned post the national lock down period. I have been privileged to be able to work with a committee of elected members both past and present, who have all taken an active and enthusiastic role 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 also like to thank the many representatives of partner organisations that have taken the time to contribute so positively to our work.

Councillor Alex Miscandlon
Chairman of Overview and Scrutiny

2 THE OVERVIEW AND SCRUTINY COMMITTEE 2019-2020

Councillor Alex Miscandlon - Chairman

Councillor Anne Hay - Vice Chairman

Councillor Gavin Booth

Councillor Mike Cornwell

Councillor Michael Humphrey

Councillor David Mason

Councillor Mark Purser

Councillor Robert Skoulding

Councillor David Topgood

Councillor Bob Wicks

Councillor Fred Yeulett

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.

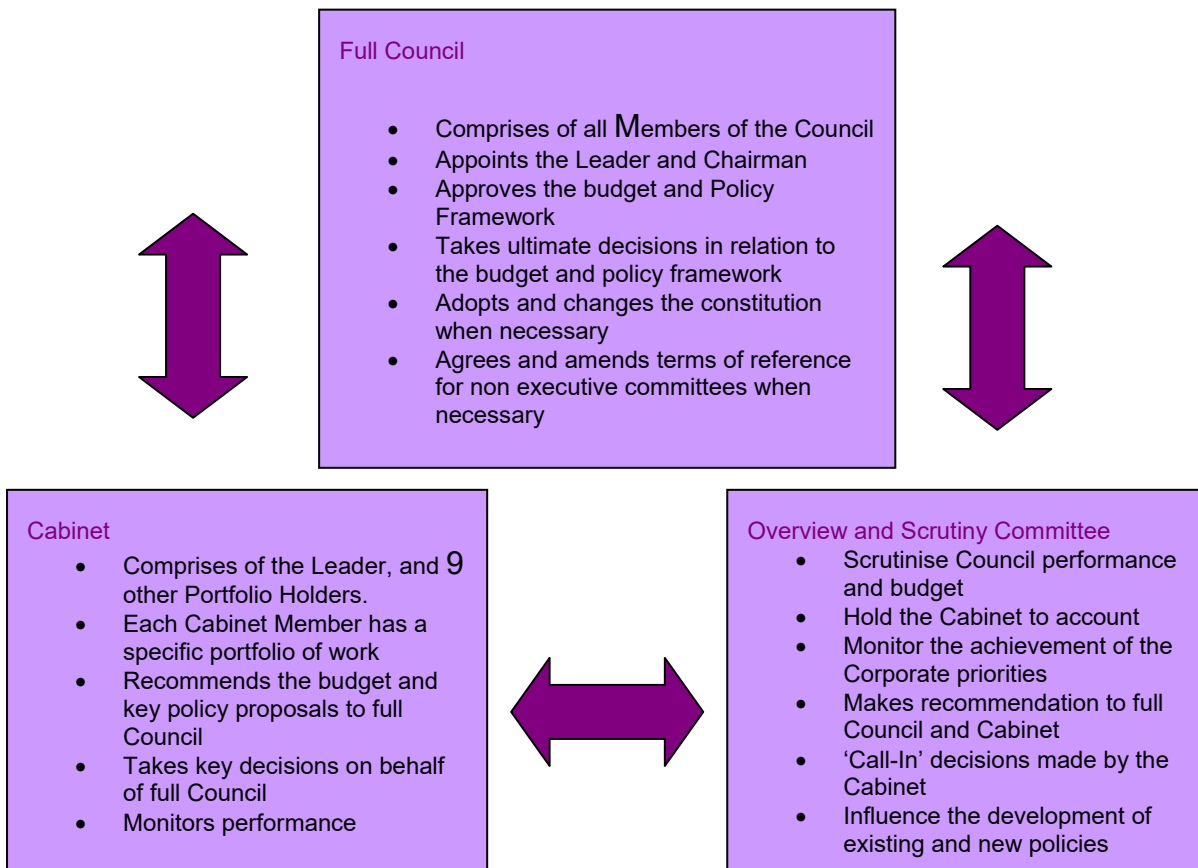
- Contributing to continuous improvement in the delivery of the Council's corporate priorities.
- Having a positive impact on the work and outcomes of external agencies and providers of public services.
- Aiding Councillors in engaging with their communities and undertaking the role of community representatives and leaders.

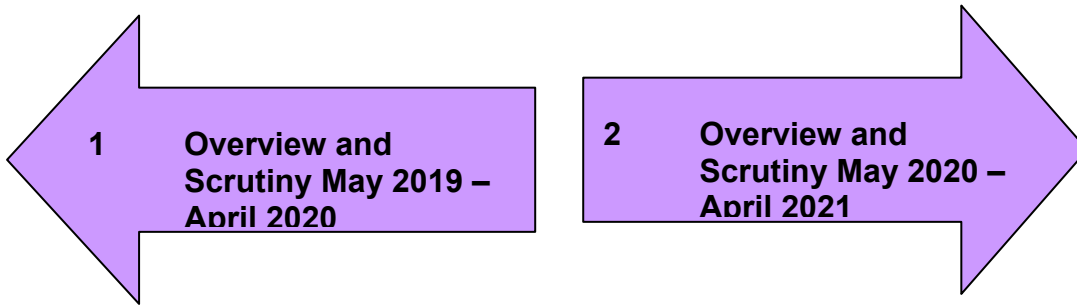
Overview	Scrutiny
Advising on the development of policies.	Ensuring that the Council's policies have been effectively implemented by the Cabinet.
Recommending how the Council's corporate priorities can be delivered.	Helping to monitor and drive improvements within the Council's corporate priorities.
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 2019-2020, 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 2019 - 2020

What the Overview and Scrutiny Panel achieved in 2019/2020

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 2019/ 20:

Agenda item	External Advisor/Partner	Organisation
Planning Shared Service Annual Review	Cllr Hiller	Peterborough City Council
Wisbech Rail Project Update	Katie Beirne	CPCA Transport Programme Manager
Freedom Leisure	Matt Hunt Dan Palframan	Freedom Operations Director Freedom Area Manager
Safer Fenland partnership (SFP): Annual Scrutiny	Inspector Ian Lombardo	Cambridgeshire Constabulary

Anglia Revenues Partnership - Annual Review	Paul Corney Jo Andrews Adrian Mills	Anglia Revenues Partnership
Fenlands Health and Wellbeing Strategy	Liz Robin	Director of Public Health

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 2020/2021.

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

4.5 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.

4.6 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				
Freedom Leisure				
Wisbech Rail Project Update				
Kingdom				
Annual meeting with the Leader, Deputy Leader and Chief Executive				
Draft Business Plan and Budget				

Council Tax Support Scheme				
Fees and Charges				
Review of the Planning Shared Service				
Review of Anglia Revenues Partnership				
Draft Medium Term Financial Strategy				

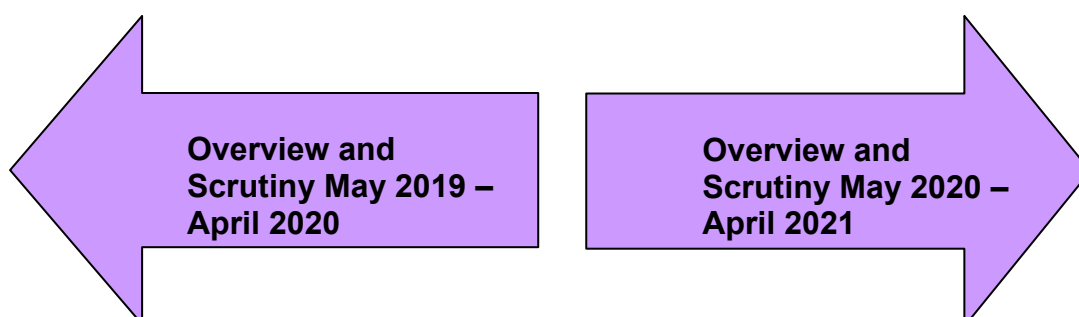
5 Specific reviews undertaken in 2019- 2020

- 5.1 Members had raised questions regarding the performance of the Anglian Revenues Partnership at a meeting of Full Council. In addition The Overview and Scrutiny considered the Annual Report in respect of Anglia Revenues Partnership (ARP) during their February 2020 meeting. During those discussions Members of the Overview and Scrutiny Committee agreed that as the partnership had been in existence for the past 6 years without a formal review it would be timely to conduct a Member Led Review of the Service to ensure the partnership continued to achieve value for money for Fenland in comparison with the other member Councils.
- 5.2 The aims of the review were as follows
- To examine the current Anglian Revenues Partnership including its structure, performance and governance arrangements.
 - To consider each constituent councils audit plan where relevant to the ARP including their respective findings and recommendations in relation to ARP.
 - To consider the current vision and aims of the partnership to ensure relevant and up to date.
 - To consider feedback from key internal and external stakeholders received in relation to the Anglian Revenues Partnership.
 - To consider the current and future direction of the partnership to ensure aligned to Fenland priorities.
 - To consider wider issues that might impact the performance of the partnership including the wider rollout of Universal Credit.
- 5.3 The Member led Review Group had two review meetings during which they received detailed performance metrics and feedback from audit reviews undertaken by other constituent Council members. Unfortunately the review commenced immediately in advance of the COVID 19 pandemic which adversely impacted the timescales for the formal completion of the review. Discussions will take place with the Committee to ascertain the future direction of the review.

6 Overview and Scrutiny Call – In

- 6.1 The Overview and Scrutiny Committee 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 only utilised the call in procedure on one occasion during 2019/20.
- 6.7 The Call in was to consider the Cabinet decision in relation to the Creation of the Investment Board and Delegation of Functions. Ultimately the Overview and Scrutiny Committee accepted the original Cabinet decision in relation to this matter and therefore the decision took effect.



7 A FORWARD LOOK TO 2020/2021

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, more so now in the wake of the global COVID 19 pandemic. 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 Combined Authority.

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 2020-2021 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 2020-2021

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
- Transformation Council for the Future projects

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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