

# SCRUTINY

## Rossendale Borough Council's Overview and Scrutiny Committees

Annual Report 2008/09

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## **INTRODUCTION FROM THE CHAIR**



### **Welcome to Rossendale Borough Council's Overview and Scrutiny Annual Report 2008/09**

The last 12 months have yet again seen the non-political function of overview and scrutiny working well within the Council and with the new Local Government and Public Involvement Act 2007. We will continue to develop in its role.

This year has been another busy year for Overview and Scrutiny and again we have made a difference. We have listened to the people in the Borough by sending out questionnaires seeking the views of the public on public conveniences, who told us that they would like a Community Toilet Scheme. We are doing this as a pilot scheme in Bacup and if successful it could be extended throughout the Borough. More information on this is included later in the Annual Report.

As Chair of Overview and Scrutiny I have attended numerous Forums and Network events to ensure I keep up to date on the forthcoming changes to Overview and Scrutiny as the Local Government and Public Involvement Act 2007 strengthens the role of Scrutiny.

I can see now that the changes will ensure that all Overview and Scrutiny Members will be very busy during the next twelve months.

I myself am looking forward to the year ahead, as it will mean that Overview and Scrutiny's new powers will provide a framework for enhancing both the democratic accountability of public services at a local level and the crucial leadership role for councillors as champions of the community.

### **Thanks**

As always I would like to thank all members of the Overview & Scrutiny Committees for the contributions they have made, together with support from the co-opted members.

I would like to thank Pat Couch, Scrutiny Support Officer and Heather Moore, Committee and Member

Services Manager, together with all members of the Democratic Services Team who have provided tremendous support to all Members over the last 12 months.

My thanks are also extended to Portfolio Holders and the 'critical friend' relationship that has developed and will continue to do so over the next year.

***Councillor Gladys Sandiford***  
**(Chair of the Performance Overview  
and Scrutiny Committee)**

## Membership of the Committees

### PERFORMANCE OVERVIEW AND SCRUTINY COMMITTEE

#### Membership

**Councillor Gladys Sandiford (Chair)**  
**Councillor Lynda Barnes (Vice-chair)**  
**Councillor Colin Crawforth**  
**Councillor Christine Lamb**  
**Councillor Alan Neal**  
**Councillor Joyce Thorne**  
**Councillor David Stansfield**  
**Mr Bernard Divine (Co-opted Member)**

The Committee received Performance reports on the Council's Best Value Performance Indicators as well as National Indicators, with targets included for Local Area Agreements.

At the first meeting of the new municipal year in June 2008, the Portfolio Holder presented a detailed report which had evolved because of the need for Overview and Scrutiny to receive more information on every aspect of the Council's performance.

Following the report, the Portfolio Holder, together with the Head of Service for any underachieving service area were invited to meet with the Committee to provide an explanation for their under-achieving targets and to seek information on how they intended to improve their service.

The Performance Scrutiny Committee received reports on the following.

- Equalities
- Sickness Absence
- Green Vale Homes
- Housing Benefit and Council Tax Services – Capita Targets
- Environment Health Annual Report
- Ombudsman Annual Letter
- Update on Corporate Health Indicators
- New IT Systems in Planning
- Polling District Review
- Local Area Agreement National Indicator Set
- Benchmarking Data 2006/07
- Performance of Development Control
- S106 Agreements
- Retrospective Planning Applications
- Pre-application Advice

Even though Overview and Scrutiny is a 'critical friend', when service areas achieve or are above target levels they are always sent a letter of recognition of their hard work.

This is important as scrutiny does not want to be seen as being there just to challenge when things don't seem to be going right, but to offer encouragement and praise when a particular area is working well.

A number of letters of congratulations have been sent to a variety of service areas for achieving targets and showing improvements within their areas.

In the new Municipal year the focus of our work will be changing. Over the last few years the priority has been to focus on improving Customer Services. Having achieved improved standards in Customer Services the intention is for us to now focus on value for money.

## **POLICY OVERVIEW AND SCRUTINY COMMITTEE**

### **Comments from the Chair of the Policy Overview and Scrutiny Committee, Councillor Hazel Steen**



“This is the second opportunity I have had at being Chair of the Policy Overview and Scrutiny Committee and I feel that this Committee has progressed and is more challenging in its role, with Members growing in confidence. Officers are working alongside Members and developing new policies with a ‘critical friend’ approach. “

## **Membership**

**Councillor Hazel Steen (Chair)**  
**Councillor Granville Morris (Vice-chair)**  
**Councillor Peter Evans**  
**Councillor Nicola May**  
**Councillor Catherine Pilling**  
**Councillor June Forshaw**  
**Councillor Dorothy Farrington**  
**Mr Philip Ham (Co-opted Member)**

The Committee has given its views on many documents over the last 12 months including:

- City Development Company
- Health & Wellbeing Policy
- Member Training and Development Strategy
- Pennine Lancashire Multi Area Agreement
- Housing and Regeneration Bill
- Proposal Map Development Plan Document
- Organisational Development
- Domestic Abuse Policy
- Neighbourhood Management
- Freedom of Information New Model Publication Scheme
- Core Strategy Update – Nov 08 and March 09
- Pennine Lancashire Housing Strategy
- Draft Enforcement Strategy
- Empty Homes Pilot Scheme
- Road Safety Strategy
- Revitalising Rossendale Markets – Market Strategy

Having had sight of these documents, Members put forward a number of additional recommendations and amendments which were agreed and included in the final versions before they were presented to Cabinet.

It is our intention this year to ask to receive updates on those strategies identified above, as well as some agreed the previous year so we can measure outcomes. We will be challenging Officers with the 'so what' factor, to ensure that decisions taken, have been or are to be implemented.

**Comments from the Portfolio Holder for Finance and Resource, Councillor Brian Essex**



**“Successful Scrutiny Must Make A Difference”**

“As Portfolio Holder, I can hardly believe a year has passed since I last asked to write a short piece in the Overview and Scrutiny’s Annual Report 2008/09.

This year has seen the large formal Management Committee disbanded and an informal arrangement set up in its place.

There have been two principal Overview and Scrutiny Committees to focus the work programme on –

Performance and Policy, each with its own priorities.

The Task and Finish Groups, concentrating on single issues relevant to improving services for residents in Rossendale have continued and are widely supported for their success.

The last year had been a year of change and 2009/10 will be no different but Rossendale’s Overview and Scrutiny is now part and parcel of the Council’s work.

Scrutiny in Rossendale is making a difference and our good practice is spreading across Lancashire. People sit up and take note when Overview and Scrutiny speak!”.

**RESPONDING TO CONSULTATIONS**

Over the last 12 months innovative response groups have been set up to look at specific consultation documents as follows.

- Congestion Charges
- Councillor Call for Action (CCfA)
- Local Involvement Networks (LINKs)
- Rossendale Health Services
- Transfer of Accident and Emergency Services from Burnley General Hospital to Royal Blackburn Hospital

Groups of three or four members looked at the consultation and a final response was signed off by the Chief Executive.

Councillor Sandiford in her capacity as Member of Lancashire County Council's Adult Social Care and Health Overview and Scrutiny Committee was a member of a response group which was set up to consider the proposed NHS Constitution prepared by the Department of Health. The Constitution would draw together a number of principles already guiding the NHS and move it forward to providing a service which helps to keep people well rather than just make them better when they are sick.

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## **TASK AND FINISH GROUPS**

Task and Finish Groups are groups that undertake a specific piece of work for a short period of time, produce a report and then end.

All Members have been very busy taking part in various Task and Finish Groups over the last twelve months, with some very positive outcomes.

## **Public Conveniences Task and Finish Group**

Although the work of this Task and Finish Group was completed in March 2008 and was highlighted in the last annual report, the recommendations were waiting to go to the Cabinet in the new municipal year.

Cabinet accepted the report and agreed that a number of recommendations would be deferred and considered as part of a future budget process.

A questionnaire was distributed by Councillors and was also available in local libraries seeking the views of the public on what they feel is needed throughout the Borough. One question was in relation to the Community Toilet Scheme. Over 200 people responded and 134 people – 68% indicated that they would prefer to use private facilities in private businesses.

The former NEAT teams, now Area Teams, were authorised to negotiate with appropriate Bacup businesses with a view to implementing a pilot Community Toilet Scheme for a 4 month trial period.



The scheme involves local businesses like pubs, cafes and shops allowing the public to use their toilets free of charge, in return for an annual fee from the Council.

The Maden Centre on Rochdale Road, Caroline's Café on St. James' Square and Bacup Market – when open on market days – have signed up to the scheme and will be allowing the public to use their toilets free of charge. The Pilot Scheme ran from October – December 2008.

Participating premises displayed a distinctive sticker in their window to show that they were part of the scheme. Members of the public could use the toilet facilities during the premises' opening hours and without the need to make a purchase.

Although the Pilot Scheme is now complete the Council is now arranging payment for the scheme to run throughout 2009 for the two participants.



Photograph of the Chair of the Task and Finish Group, Councillor Anne Cheetham and Pat Couch, Scrutiny Support Officer, holding up the distinctive sticker outside the Maden Centre

### **Road Safety Task and Finish Group**

This Group first met in February to establish what was happening throughout the Borough in relation to Road Safety and what the long term plans were for Rossendale.

Officers had been invited to present information on a number of areas of work which was being undertaken throughout the Borough, including School Travel Plans and zig-zag lines outside Schools.

The Group were also given information on the process used by Lancashire County Council for prioritising issues, ie traffic calming.

There was discussion in relation to Grane Road, and the Task and Finish Group were aware that work was taking place which included a £300,000

package of work, which had been put together to address the concerns of County Highway Engineers and the Police, as well as concerns expressed by both District and County Councillors and members of the public.

The recommendation of the Task and Finish Group was that the Community Safety Manager as lead Officer, be requested to develop a Road Safety Strategy for Rossendale in consultation with Elected Members and that key partners be invited, as required, to help develop the Strategy

The Road Safety Strategy was presented to the Policy Overview and Scrutiny Committee prior to Cabinet in April.

The Cabinet agreed to adopt the Interim Rossendale Road Safety Strategy and it forms part of the Community Safety Partnership Plan for 2009/10.

### **Grass Cutting Task and Finish Group**

This Group was set up due to being a regular feature for discussion at Neighbourhood Forum meetings.

The concerns expressed by members of the public related to the frequency of

cutting, the quality of work and grass cuttings not being cleared up after the cuts.

The key area related to the current programme of grass cutting carried out by each of the organisations. It was agreed that there was a need to identify actions to resolve these issues.

The Task and Finish Group first met in July, with further meetings in August, September, October and finalising their report in December 2008.

Representatives from each responsible organisation were invited to the August meeting to give an overview of the current grass cutting arrangements and frequency of grass cutting

There were a number of complaints about not just times and amounts of cuts, but also about the quality. The fact that complaints would possibly increase in May, June and July, was due to the natural surge in grass growth during these months.

The Task and Finish Group concluded that there was a need for closer monitoring of cuts in the future and corrective action taken immediately to ensure standards of quality were met.

Although all organisations commented that collecting and disposing of grass cuttings would be extremely expensive, leaving the cuttings on the ground is the most environmentally friendly method, because they mulch down and return nutrients to the soil.

The Task and Finish Group made a number of recommendations which were considered by the Cabinet in April. It was agreed at that meeting that the Portfolio Holder for Environmental Services produce a response to the report and its recommendations which would be presented to the next Cabinet meeting.

#### **Dog Fouling Task and Finish Group**

This was another area that was a regular feature for discussion at Neighbourhood Forum meetings as well as issues for Councillors in their day to day work from liaising with the community.

The Group met with the Dog Warden to gain an understanding of his role. They also spoke to the Town Centre Care Takers who are prominent throughout the Borough.

The Area Manager informed the Task and Finish Group that the Council

would be phasing out dog bins and replacing these with normal litter bins with the "Pride in Rossendale" logo and a "dog fouling waste permitted" message on them.

Arrangements were being made to go into 10 primary schools and 2 High Schools in May-June 2009 to educate pupils on issues such as litter, dog fouling etc.

Members were informed that the Council does not have a separate Dog Fouling Policy, which they feel would be beneficial once more Officers are able to enforce fixed penalty notices to the public. Enforcement training took place in January 2009.

The Task and Finish Group made a number of recommendations which were considered by the Cabinet in April. It was agreed at that meeting that the Portfolio Holder for Environmental Services produce a response to the report and its recommendations which would be presented to the next Cabinet meeting.

Any recommendations that were accepted by the Cabinet following the report of the Portfolio Holder for Environmental Services would be

monitored by the Overview and Scrutiny Committee.

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### **REVIEW OF LEISURE SERVICES IN THE BOROUGH**

In February 2009 the Council considered a number of financial options for the future provision of leisure in the Borough and approved the delivery of Option H as the preferred option. This option asked that the Performance Overview and Scrutiny Committee review the process on leisure to oversee the transition.

The first meeting was held on 21 April when the Committee heard representation from Rossendale Leisure Trust on its future plans.

The Committee asked for additional evidence to be provided for the next meeting in June.

The recommendations of the Performance Scrutiny Committee would be presented to the Cabinet in December 2009.

### **LANCASHIRE SCRUTINY PARTNERS FORUM**

The Chair of Overview and Scrutiny, along with the Scrutiny Support Officer

regularly attend the Lancashire Scrutiny Partners Forum which provides the opportunity to:

- share examples of good practice
- consider issues affecting scrutiny regionally and nationally
- promote the role of scrutiny in the council and beyond.

This year the Forum has concentrated on looking at the new regulations, including Councillor Call for Action and the Comprehensive Area Assessments, together with the monitoring of both Local Area Agreements and Multi Area Agreements.

The Forum is always well attended by both Scrutiny Officers and Councillors involved in scrutiny.

We always come away from those meetings feeling that here at Rossendale we are 'ahead of the game' on some aspects of the new legislation.

### **OVERVIEW & SCRUTINY CHAIRS NETWORK MEETING**

The Chairs of the Scrutiny Committees, along with the Scrutiny Support Officer attend the Chair's Network Meetings on

a quarterly basis supported by North West Employees Organisation.

This is a shared working event which gives everyone an opportunity to network with others and updates everyone on new legislation as well as share ideas of good practice.

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### **NEW LEGISLATION FOR SCRUTINY AND WHAT IT MEANS**

In the last couple of years there have been substantial changes in the way in which local authorities are required to account for their performance. These now include Local Area Agreements (LAAs), which set out a three year programme of local priorities. The Performance Scrutiny Committee already monitor the performance of the LAAs through the quarterly performance reports.

The new and forthcoming scrutiny powers in relation to partners signed up to LAA targets and to the police, will enable Councils to investigate the contribution of other public services in the area. Councillors will be able to use scrutiny to assess how well the LAA is being achieved and have dialogue about this with partner organisations.

Regulations for this are yet to be completed on access to information, two tier arrangements and district council powers. There is no legal definition yet of the information which partner organisations must provide to scrutiny enquiries.

The Councillor Call for Action (CCfA) was also implemented in the new legislation. A Councillor may now formally request a relevant scrutiny committee to consider an issue in their ward for further investigation through a 'Councillor Call for Action'. There are exclusions in statutory guidance for the Councillor Call for Action which include:

- Vexatious or persistent requests
- Requests which could be dealt with by formal complaints or appeals processes.

Before submitting a CCfA request, it would be expected that you will have tried to resolve the issue using existing channels. The intention behind the legislation is that the CCfA should be used as a last resort, where all other avenues have failed.

## Have Your Say!

The Performance and Policy Overview and Scrutiny Committee meetings are held in public and you are welcome to attend.

At each meeting, there will be a public question time, where you are able to ask a question of the committee.

### **Scrutiny can't consider**

- Individual complaints
- Individual issues about members of staff
- An individual's planning or licensing application

There is also a scrutiny form available on the Council's website to complete if you have an issue or concern that you would like scrutiny to investigate.

For further information or assistance, please email

[democracy@rossendalebc.gov.uk](mailto:democracy@rossendalebc.gov.uk)