

Subject:	Overview & Scrutiny Annual Report and Work Programme	Status:	For Publication
Report to:	Overview & Scrutiny Committee Full Council	Date:	18 th June 2018 11 th July 2018
Report of:	Overview & Scrutiny	Portfolio Holder:	Regulatory Services
Key Decision:	<input type="checkbox"/> Forward Plan <input type="checkbox"/> No	General Exception <input type="checkbox"/>	Special Urgency <input type="checkbox"/>
Equality Impact Assessment:	Required:	No	Attached: No
Biodiversity Impact Assessment	Required:	No	Attached: No
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1.	RECOMMENDATION(S)
1.1	That the Overview and Scrutiny Annual Report 2017/18 is noted and the Work Programme for 2018/19 is agreed.

2. PURPOSE OF REPORT

- 2.1 To inform members of the Annual Report for 2018/19 and to request approval of the Work Programme 2018/19.

3. CORPORATE PRIORITIES

- 3.1 The matters discussed in this report impact directly on the following corporate priorities:
- **A clean and green Rossendale:** our priority is to keep Rossendale clean and green for all of Rossendale's residents and visitors, and to take available opportunities to recycle and use energy from renewable sources more efficiently.
 - **A connected and successful Rossendale that welcomes sustainable growth:** our priority is to ensure that we are well connected to our residents, key partners and stakeholders. We want to make the most of every pound we spend and we are always looking for new and innovative ways to make the resources we do have, work harder for us.
 - **A proud, healthy and vibrant Rossendale:** our priority is to ensure that we are creating and maintaining a healthy and vibrant place for people to live and visit.

4. RISK ASSESSMENT IMPLICATIONS

- 4.1 There are no specific risk issues for members to consider arising from this report.

5. BACKGROUND AND OPTIONS

- 5.1 Overview and Scrutiny are required to produce an Annual Report and Annual Work Programme. The Annual Report summarises the work carried out by the committee during 2017/18 and the Work Programme sets out the work planned for 2018/19. The Work Programme is designed to be a fluid document that can change as required throughout the year.

5.2 The Annual Report 2017/18 is attached at Appendix 1 and the Work Programme is attached as Appendix 2.

5.3 Annual Report

This summarises the work carried out by O&S during 2017/18, including:-

- Updates from partners and grant recipients including the Leisure Trust, CLAW, CAB, Credit Union and Lancashire Constabulary.
- Task and Finish Group work including the refresh of the Equalities Policy due at July Cabinet and the Excess Winter Deaths Task and Finish Group.
- Establishment of the 'Scrutiny in a Day' method.

5.4 Work Programme 2018/19

The Work Programme for 2018/19 was put together in the same way as previous years and, this year, has had a higher number of councillor suggestions. The document is a plan of the work that the committee intends to carry out during the year, but is not a fixed plan and is designed to change as necessary through the year. One change to 2018/19 is the removal of Rosso from the Work Programme; however Transdev have agreed to attend in March 2019.

5.5 Since the O&S meeting on 18th June 2018 the Calico update will now take place in September 2018.

COMMENTS FROM STATUTORY OFFICERS:

6. SECTION 151 OFFICER

6.1 Where any financial implications do arise, they will be considered by members as part of the annual budget process.

7. MONITORING OFFICER

7.1 Any legal comments are covered in the body of the report.

8. POLICY IMPLICATIONS AND CONSULTATION CARRIED OUT

8.1 The scrutiny process was introduced by the Local Government Act 2000. The purpose of the Overview and Scrutiny Committees is to help improve the way the Council works and to make sure it gets its decisions and policies right. Task and Finish Groups support specific focused pieces of work to produce a report and recommendations.

The four main principles of scrutiny are:-

- Empowering local people working with their local representatives, to challenge the council and other agencies to deal with local concerns
- Ensuring that the views and concerns of local people are heard at the heart of the local authority
- Enabling local councillors, as community champions to take the lead in raising issues for scrutiny
- Reinforcing the scrutiny functions as a way to get things changed and improved so that local communities can see tangible results.

8.2 Consultation has been undertaken with the following in the development of the Overview and Scrutiny Work Programme 2018/19:-

- Internal consultation with Directors, Heads of Service and Managers
- Councillors

- General public via the Council's news website, social media (Facebook and Twitter), and forms in the One Stop Shop

8.3 The Annual Report 2017/18 and the Work Programme 2018/19 was discussed at O&S Committee on 18th June 2018 and recommended for approval at Full Council.

9. CONCLUSION

9.1 It is important to provide an Annual Report to Full Council to demonstrate the work carried out by the committee each year. A commitment to the Work Programme will ensure that scrutiny continues to improve its way of working.

Document	Appendix Number
Annual Report 2017/18	Appendix 1
Work Programme 2018/19	Appendix 2

**OVERVIEW & SCRUTINY
COMMITTEE**

ANNUAL REPORT

2017/18

FOREWORD FROM THE CHAIR OF OVERVIEW AND SCRUTINY, COUNCILLOR ADRIAN LYTHGOE



This Overview and Scrutiny Annual Report 2017/18 highlights the activity and work of the committee and the Task and Finish Groups. It is important for scrutiny members to be involved in decisions at an early stage to ensure they influence the decision-making process and play an important role of 'critical friend'.

I am particularly pleased this year by the work done and progress made on performance management. I appreciate and value the hard work and thinking done on this by the senior management team members involved along with members of the task and finish group.

It is a pleasure to work with the task and finish groups as there is such good cooperation and positive input from all members regardless of political persuasion. The Committee and Member Services Officer has introduced the concept of 'scrutiny in a day' and this proved a very successful way of investigating the possible increase in excess winter deaths in Rossendale and has great potential for efficiently dealing with certain issues in the future.

We are grateful for those external to the Council who gave up their time to attend meetings and who have contributed to the work of both the Overview and Scrutiny Committee and the Task and Finish Groups.

As always, I would like to thank all members and officers.

MESSAGE FROM COUNCILLOR CHRISTINE LAMB – PORTFOLIO HOLDER FOR REGULATORY SERVICES



Overview and Scrutiny is a crucial process that ensures we are delivering both Council services and those services of its partners in an appropriate way.

The Council's Overview and Scrutiny Committee continues to support and at the same time, challenge the Cabinet in providing assurance in respect of policy development and review across the Council and its partners, acting as a 'critical friend'.

Both councillors and officers continue to work together in these difficult and challenging times ahead to ensure the best provision of services for the people of Rossendale and I have confidence that the scrutiny process will make sure we do this.

1. Overview and Scrutiny – The Basics

- 1.1 The Overview and Scrutiny process is a way of achieving open and democratic accountability for the provision of public services.
- 1.2 All local authorities operating a Cabinet and Scrutiny model have a Cabinet made up of the Leader of the Council and, in Rossendale, there are five other members who make up the Cabinet.
- 1.3 The Overview and Scrutiny (O&S) role is carried out by non-Cabinet members. In Rossendale we have one politically balanced committee made up of 10 members and one co-opted member.
- 1.4 The Overview and Scrutiny Committee is supported by one officer who works 30 hours per week in Committee and Member Services.
- 1.5 Overview and Scrutiny is not a decision making body, but is a body which monitors and influences those that are, i.e. the Cabinet. Overview and Scrutiny report their work back to Cabinet who then decide whether recommendations will be accepted, and if not, why not.
- 1.6 In Rossendale the Overview and Scrutiny Committee has a role in performance monitoring which enables members to scrutinise detailed performance reports on a quarterly basis.
- 1.7 Scrutiny members/non-Cabinet members undertake reviews which are called Task and Finish Groups (T&F). These are usually made up of 5 members who are asked to look in-depth at particular issues and make recommendations which may suggest a change in policy or service provision. The report would then be submitted to the Overview and Scrutiny Committee prior to submission to Cabinet¹.
- 1.8 Overview and Scrutiny is not a mechanism for the investigation or settling of individual complaints from the public or members. The Council has a separate complaints process and a member enquiry service. Nor can Overview and Scrutiny look at individual planning or licensing decisions.
- 1.9 Overview and Scrutiny welcomes suggestions from councillors and the general public regarding issues that could be investigated. Committee and Member Services consult with the public, councillors and managers each year and their suggestions are considered for the Annual Work Programme.

¹ The T&F reporting process is currently under review.

2. Work carried out in 2017/18

2.1 Quarterly Performance Reports

2017 saw the introduction of a new performance management process and the Performance Management Task and Finish Group have been involved in the process from the beginning. The reports were brought before the December 2017 and March 2018 meetings.

2.2 The reporting process is new and is evolving. O&S committee will continue to be at the forefront of performance management.

2.3 Other Reports

The committee received a variety of reports during 2017/18 with some of them being part of the annual work programme and some being brought to O&S for a specific reason and discussion:-

- Annual Equality Report
- Empty Homes Update (Calico)
- Capita Performance Update
- Local Government Ombudsman Annual Letter and Council Feedback (Complaints) Update.
- Environmental Health and Housing Policies
- Equalities Strategy

3. External Scrutiny

3.1 The committee received a number of presentations from external organisations as follows, which are summarised below.

Lancashire Constabulary – Crime Figures

3.2 O&S monitors crime and disorder issues and under the Police and Justice Act and related statutory guidance from the Home Office on the scrutiny of crime and disorder, Lancashire Police are invited to the committee each year to give a presentation on performance and progress against crime indicators. Inspector Clarke attended in January 2018 and presented an analysis of the crime figures. The update was discussed by members and suggestions were made for items to be included in future reports.

Rossendale Leisure Trust (RLT) Update

Rossendale Leisure Trust presented their annual update in January 2018 via a YouTube video which was accompanied by a short summary document. The video was very well received and informed members of the Trust's key achievements during the year.

Community Leisure Association Whitworth (CLAW)

CLAW provided the committee with an update in January 2018 and the report highlighted their key achievements in 2017/18. The financial report was circulated to O&S members following the meeting.

3.5 Members noted that it was very important that the Council continued to support leisure in the community.

3.6 Rossendale Transport (ROSSO)

The Managing Director of ROSSO provided the committee with an update at the March 2018 meeting on the achievements of the company over the past year. This was the final update following the sale to Transdev.

3.7 Updates were also received from:-

- Community Specialist Paramedic
- 101 Service
- Calico
- The Whitaker
- Rossendale Ski Slope
- Young Addaction
- Citizens Advice
- Credit Union

4. Task and Finish Group work in 2017/18

4.1 Task and Finish Groups are established by the O&S Committee to conduct an in-depth review of any service, policy or issues that affects the Borough. Usually there are five politically balanced members (non-Cabinet Members) and at the first meeting a Chair and Terms of Reference are agreed. Only two groups are able to be open at the same time, therefore, 2017/18's work concentrated on completing and closing down existing Task and Finish Groups.

4.2 The work of these Task and Finish Groups is summarised below:-

4.3 Performance Management

The Performance Management Task and Finish Group was established to look at the performance management process within the council. This tied in with the new Corporate Plan and revision of the reporting process. The Group input into this new process and were consulted on the new Corporate Plan. The Chair also met with the Head of HR regularly to discuss progress and format of the quarterly reports. If service areas were failing to meet their targets then the Performance Management Task and Finish Group will reconvene to investigate this.

4.4 Communications

This long-running Group was established to look at communications within the Council. The Group had a wide remit to begin with and a list of actions which members felt would improve matters was sent to Management Team for consideration. This group is now complete following the launch of the new website.

4.5 Equalities

This was a small group which arose out of a meeting to discuss equalities with the co-opted member. It was agreed that the Council should refresh its Equalities Strategy, which was presented to O&S Committee in March 2018. The revised Equalities Strategy is scheduled for Cabinet in July 2018.

4.6 Excess Winter Deaths

This Group was established following publication of the 2015/16 winter death figures. The Group took a new approach to investigation and tried a 'Scrutiny in a Day' approach. Following the Scrutiny Day, the report was circulated to the T&F Group members, Management Team and will be put before O&S Committee in June 2018.

5. Issues for 2018/19

5.1 Members should consider topics for Task and Finish Groups and also the format of the groups. The 'Scrutiny in a Day' approach was successful for the Excess Winter Deaths Task and Finish Group and the approach should be considered for other investigations. It should be noted that 'Scrutiny in a Day' may not be the best format for all task and Finish Groups.

5.2 Work is underway to streamline the Task and Finish Group process to prevent delays between the report being produced and the response being provided. This will be updated on during 2018/19.

6. 2018/19 Meetings and Work Programme

6.1 The O&S Committee meetings for 2018/19 are confirmed and listed in the Committee Schedule and take place at 6.30pm in the Council Chamber.

6.2 At the suggestion of the Committee and Member Services Officer, the September meeting has been moved to mid-month to allow additional report preparation time following the summer period.

6.3 The Work Programme is a separate document and sets out the basic work to be carried out by O&S Committee during 2018/19. This will include the usual updates from partners, quarterly performance reports, task and finish items and any other policies or items as they arise. This will be taken to Full Council, along with this report in July 2018.

OVERVIEW AND SCRUTINY WORK PROGRAMME 2018/19

1. INTRODUCTION

- 1.1 The Overview and Scrutiny Committee is required to produce and agree an Annual Work Programme.
- 1.2 As always, to develop the work programme, a local consultation process was undertaken with Managers, Councillors and members of the public, who were asked to contribute to the Work Programme. Contributions could be made via social media, the council's news website, via the democracy email address or a hard copy form within the One Stop Shop.
- 1.3 There is a scrutiny form on the website and people are welcome to submit ideas through the year.
- 1.4 This programme outlines the work of the Overview and Scrutiny Committee and the proposed work to be undertaken by Task and Finish Groups. Due to officer resources, there should be no more than two Task and Finish Groups running at one time.

2. CABINET INVOLVEMENT

- 2.1 In November 2016 the Cabinet resolved that the two main recipients of council grants, being the Citizens Advice and the Credit Union would update the Council on its work and that this would be done via Overview and Scrutiny. Citizens Advice attended in February 2018 and the Credit Union attended in March 2018. They will be invited back on an annual basis and both credit unions in Rossendale will be invited for 2018/19.
- 2.2 Portfolio Holders continue to attend Overview and Scrutiny on a regular basis to observe from the public seating area and provide feedback on Task and Finish Group reports.

3. HEALTH SCRUTINY

- 3.1 The Portfolio Holder for Health, Housing Communities and Customers represents Rossendale Council on the Rossendale Strategic Health Partnership which is attended by GPs, the CCG and other health professionals who work in Rossendale. She also represents Rossendale on the East Lancs Health and Wellbeing Partnership and LCC Health Scrutiny Committee.
- 3.2 The Portfolio Holder chairs the Rossendale Health and Wellbeing Partnership, which is attended by the CCG Locality Manager and is open to any elected member to attend.
- 3.3 Issues of concern can be raised via the Portfolio Holder at any of these meetings.

4. STANDING AGENDA ITEMS

4.1 The Council's Constitution outlines the items which Overview and Scrutiny looks at on a regular basis and in addition, Overview and Scrutiny can look at other non-key decision/updates as required or requested. The items outlined in the Constitution are detailed below:-

4.1.1 Routine Monitoring of the performance of the Council

To review on a quarterly basis the Performance Report and invite officers of the Council to attend a future meeting if their service area is under-achieving on its target. Alternatively, if a service area is falling behind on their targets, the Performance Management Task and Finish Group may be re-convened to look into the matter.

4.1.2 Policy Development

- a) To deal with emerging policy and assist the Council in reviewing and developing policy as detailed in the Forward Plan.
- b) Review and scrutinise decisions taken internally by the Cabinet, individual Cabinet members or officers of the Council.

4.1.3 Scrutiny of the Council's Budget

To be consulted and make recommendations on the Council's annual budget setting and to review the Medium Term Financial Strategy for 2019/20 in February 2019.

4.1.4 Complaints/Compliments

- a) To monitor formal complaints received by the Council
- b) To receive information on the number of compliments received for each service area
- c) To monitor Local Government Ombudsman Complaints.

4.1.5 Councillor Call for Action (CCfA)

To deal with any relevant Councillor Call for Action requests and determine the appropriate course of action.

4.1.6 Call-In

To scrutinise decisions referred under the Council's Call-In Procedure.

5. WORK PROGRAMME CONSULTATION FEEDBACK

5.1 As noted in Section 1 of this report, consultation took place via Councillors, Managers, the news website, Twitter, Facebook and hard copy forms in the One Stop. No responses were received via social media, however more Councillors responded than in previous years and two members of the public responded via email:-

Item	Notes
Potholes/roads	This is a Lancashire County Council (LCC) function. RBC will struggle to effectively scrutinise this to or

Item	Notes
	make any recommendations that will be taken forward. LCC does have its own scrutiny function.
AAAW/empty homes	Police investigation ongoing and therefore inappropriate to get involved at this moment in time. In the meantime, O&S will continue to invite Calico to update on their services if members feel this is appropriate.
Homelessness	The Homelessness Strategy is scheduled for the October 2018 meeting.
Homes for the disabled	Specialist housing is covered in the Local Plan.
Transport in the community	Scope out with the Cabinet member what the issues are.
Planning and Enforcement	Planning - Why so many retrospectives are allowed and why enforcement don't always enforce when conditions are not met. Officer has contacted planning to clarify figures.
Environmental Health	The Public Protection Manager is happy to clarify inspection procedures with the member and can be contacted directly.
Traffic Enforcement by Police or County Council – Cllr Morris	LCC and Police matter.
Residential Parking Permits	LCC matter.
Fly Tipping removal time and internal systems	Scope out with the Director and Portfolio Holder what the issues are. Is this something that will be resolved when the new Head of Operations is appointed?
Rossendale's recycling rates and policy	There is not currently a Recycling Policy. Is this something that will be resolved when the new Head of Operations is appointed?
Rossendale's Waste – what we need to do in the future Re: disposal	Scope out with Director and Portfolio Holder regarding O&S's potential role here.
Transdev	CMS Officer has already put this on the work plan and they have confirmed attendance in March 2019.

6. 2018/19 WORK PROGRAMME AND PROPOSED AGENDAS

6.1 The Work Programme below is based on previous agendas, required updates from Task and Finish Groups and the standing items outlined in Section 4.

6.2 Although the Work Programme is formally agreed, it may be amended by Overview and Scrutiny Committee as required. The Work Programme and proposed agendas are outlined below. The table sets out the basic agendas and a rough idea of which reports should go to each committee. It is important to ensure that there is room for Task and Finish Group reports, and for any other items which might occur during the year.

6.3 The Forward Plan is tabled at each meeting to allow O&S members to request items or policies to come to the O&S Committee.

Meeting	Items
18 th June 2018	<ul style="list-style-type: none"> - Quarter 4 Performance Report - O&S Annual Report 2017/18 - O&S Work Programme 2018/19 - Annual Light Refresh of the Corporate Strategy – 2017-2021 - Task and Finish Group Reporting Process - Excess Winter Deaths Task and Finish Group Report - The Forward Plan
16 th July 2018	<ul style="list-style-type: none"> - RBC Enforced Sales Policy and Procedure - Disabled Facilities Grant Policy 2018 - Economic Development Strategy - Regeneration Performance Update - The Forward Plan
17 th September 2018	<ul style="list-style-type: none"> - Calico - Quarter 1 Performance Report - Annual Equality Report - Excess Winter Deaths – Health and Wellbeing Action Plan Update (if ready) - Corporate Strategy Update - The Forward Plan
15 th October 2018	<ul style="list-style-type: none"> - 101 Service Update - Update from Community Specialist Paramedic - The Prevention of Homelessness Strategy and Review 2018-23 - Planning Performance Update - The Local Government Ombudsman’s Annual Letter and the Council’s Annual Complaints Report - Excess winter deaths – Cabinet response - The Forward Plan
12 th November 2018	<ul style="list-style-type: none"> - Quarter 2 Performance Report - Customer Services and Capita Performance Update - Council Tax Support Scheme 2019/20 (only if major changes) - The Forward Plan
3 rd December 2018	<ul style="list-style-type: none"> - Bacup Credit Union - First Choice Credit Union - Operations Performance Update - The Forward Plan
21 st January 2019	<ul style="list-style-type: none"> - Rossendale Leisure Trust Annual Update - Community Leisure Association Whitworth (CLAW) Annual Update - Annual Update from Lancashire Police - The Forward Plan
4 th February 2019	<ul style="list-style-type: none"> - Citizens Advice - Legal and Democratic Services Performance Update - Quarter 3 Integrated Performance Report

Meeting	Items
	<ul style="list-style-type: none"> - 2019/20 Budget Report - The Forward Plan
11 th March 2019	<ul style="list-style-type: none"> - Transdev - The Forward Plan

7. CONCLUSION

- 7.1 There have been more responses to the Work Programme Consultation than in previous years which is encouraging. It is, however, important to understand what O&S can effectively scrutinise and concentrate the committee's efforts on those items.
- 7.2 Consultation responses notwithstanding, the programme outlined above provides members with a clear plan of work and engages with our partners and grant recipients. There is also room available for additional items to be added throughout the year and for items to be moved as necessary.