



Scrutiny Panel

Item
12

16 July 2019

Report of	Assistant Director of Policy and Corporate	Author	Owen Howell Tel. 282518
Title	Annual Scrutiny Report		
Wards affected	None		

This is a report setting out the work of the Scrutiny Panel during 2018/19

1. Executive Summary

- 1.1 This report sets out the work of the Scrutiny Panel during 2018/19 and requests that the Panel recommend the report to Council for approval on 17 July 2019.

2. Action Required

- 2.1 The Panel is asked to consider and comment on the draft Annual Scrutiny Report.
- 2.2 The Panel is asked to recommend this report to Council for approval on 17 July 2019.

3. Background Information

- 3.1 The Constitution states the Scrutiny Panel shall report annually to the full Council on its work and make recommendations for future work programmes and amended working methods if appropriate.
- 3.2 The purpose of the report is to inform the Council of the work undertaken by the Scrutiny Panel, and for the Council to form an opinion of the effectiveness of the scrutiny function. The final report will be submitted to full Council for consideration and approval following endorsement by scrutiny panel members.
- 3.3 This Scrutiny Report is a descriptive record of the scrutiny reviews undertaken by the Scrutiny Panel 2018/19.

4. Standard and Strategic Plan References

- 4.1 Scrutiny and challenge is integral to the delivery of the Strategic Plan 2018-2021 priorities and direction for the Borough as set out under the four themes of growth, responsibility, opportunity and wellbeing.
- 4.2 The Council recognises that effective local government relies on establishing and maintaining the public's confidence, and that setting high standards of self-governance provides a clear and demonstrable lead. Effective governance underpins the implementation and application of all aspects of the Council's work.

Scrutiny Panel Annual Report 2018-19

This Annual Report demonstrates the contribution made by the Scrutiny Panel at Colchester Borough Council.

Scrutiny Panel Role

The role of the Scrutiny Panel is to examine the policies and strategies from a borough-wide perspective and ensure the actions of the Cabinet accord with the Council's policies and budget. The Panel also reviews corporate strategies that form the Council's Strategic Plan, Council partnerships and the Council's budgetary guidelines, and scrutinises Cabinet or Portfolio Holder decisions which have been called in.

The Scrutiny Panel in 2018/19

The function of the Scrutiny Panel continues to be important, given the challenge of providing services with limited resources. This requires the Council to innovate and look for different ways to deliver the same level of service.

The success of Scrutiny Panel reviews depended on the involvement of Councillors, Council officers, expert witnesses and members of the public, and the Chairman of the Scrutiny Panel would like to thank everyone for their contribution to the work of the Scrutiny Panel in 2018/19.

The low level of call-ins and matters of urgency on Scrutiny Panel agendas suggest that the governance arrangements within the Council are working effectively.

Portfolio Holders have continued to regularly attend to answer questions on items on the Scrutiny Panel's agendas that fall within their remit to take a lead on major reviews and to discuss policy, spending and performance.

During 2018/19 Scrutiny Panel members have considered and requested training in areas to help assist their scrutiny and overview work. Such training areas include on Treasury Management, which is to be scheduled in the 2019/20 municipal year.

Members are asked to consider whether the scrutiny and review process is a function that remains effective, ensuring the critical friend challenge to the executive policy and decision making that drives improvement in public services.

Prominent Reviews at Colchester Borough Council

The Scrutiny Panel held a number of reviews during 2018/19.

At its August 2018 meeting, and following a request from the Panel's Chair, the Scrutiny Panel reviewed the operation of Locality Budgets and the spending carried out on items from them. Analysis of how these Budgets were spent by elected members was reviewed alongside control processes and restrictions in place to ensure that items of spending were appropriate and in line with the Council's guidelines regarding Locality Budgets. As a result of this review, the Panel resolved that Locality Budget guidelines be circulated to all councillors, and an all-member briefing be arranged to cover the rights and responsibilities

of councillors with regard to spending from these Budgets. Furthermore, the Panel resolved that research be carried out to assess the most effective way in which to monitor Locality Budget spending.

The Scrutiny Panel requested to review progress made in tackling homelessness and rough sleeping in the Borough, through the Colchester Homelessness Strategy 2014-19. This took place in October and gave Panel Members the opportunity to be briefed on work by Colchester Borough Homes and the Council to carry out their statutory duties under the Homelessness Reduction Act and to achieve homelessness prevention. The Panel was also briefed on the main drivers behind current homelessness.

During 2018/19 the Panel continued its review into bus service provision within the Borough. This involved further questions being sent to the stakeholders who had participated in the initial information-gathering session (Essex County Council, commercial bus service providers and Community360 (as a local not-for-profit provider of community transport)). This review is expected to conclude in 2019/20.

Pre-Decision Scrutiny

Pre-scrutiny enables the Scrutiny Panel to examine an issue in depth and make proposals to the Cabinet or portfolio holder in advance of that decision being taken.

The Scrutiny Panel each year undertakes pre-decision scrutiny of the budget, which was put to the Scrutiny Panel on 29 January 2019, and the six-monthly and year-end Performance Report and Strategic Plan Action Plan, which went to the Panel on 21 August 2018 and 11 December 2018.

In July 2018, the Panel reviewed the Environment and Communities Futures Business Case, consisting of proposals for service changes and financial savings, following a review of these directorates' service areas. The Panel resolved that it was satisfied with the proposed changes.

In January 2019 The Panel reviewed proposals for service changes within the Waste and Zones teams. These changes were designed to make savings and increase income, whilst preserving front-line services. They also took account of changes in demand and the market for recyclable materials. The Panel provided feedback and discussed the likely effects of growth in the Borough. Although concern was raised regarding the proposal to no-longer collect certain single-use plastics, although this was explained as being due to there being no current demand for these and no way for the Council to get rid of them. The Panel resolved not to make any recommendations relating to these proposals

Partnership arrangements

A review of Colchester Borough Homes (CBH) Performance 2018/19 took place at the meeting on 16 October 2018. The Chief Executive and Chair of Colchester Borough Homes attended with the Portfolio Holder with responsibility for housing. The Panel received a presentation on the performance of Colchester Borough Homes as well as information on the Homelessness Reduction Act and successful applications by the Council and CBH for government funding to cover the cost of carrying out statutory duties. An update was also provided to inform the Panel of progress in the substantial

fire risk assessment programme. Risk was relatively low, but further mitigating actions had been identified.

As part of the Crime and Disorder Committee, the Safer Colchester Partnership was reviewed on 11 September 2018, and at an additional meeting on 26 February 2019. This additional meeting had been scheduled by the Committee to reflect the increase in crime and anti-social behaviour matters and enforcement work for the Committee to consider. The review provided information on the work of the Safer Colchester Partnership during 2018-19, progress on the Town Centre Action Plan, the work of the Community Safety Team and provided updates from Police officers covering their work over the year. The introduction of additional Police Community Support Officers (through extra funding provided by Colchester Borough Council) was also covered. The Panel thanked the representatives for attending the meetings and responding to members questions and noted the work of the Partnership.

Call-in

One valid call-in was received during the 2018/19 municipal year, considered by the Scrutiny Panel on 22 February 2019. The call-in came from Councillor Lewis Barber, supported by four fellow councillors. It requested that Scrutiny Panel scrutinise the decision taken by Cabinet, on 30 January 2019, to adopt a new strapline. The Cabinet decision approved a new strapline which not consistent with a recommendation made by the Heritage and Tourism Task and Finish Group. The grounds given for this call in were:

- Failure to consider all options available
- Failure to have regard to due consultation
- Lack of clarity of aims and desired outcomes
- Lack of presumption for openness
- Proper procedures were not followed

The Panel considered the request submitted, representations made by councillors, members of the public and the MP for Colchester, and answers provided by Councillor T. Young, Portfolio Holder for Business and Culture.

Following discussions and questioning, the Panel agreed that concerns remained regarding the ground raised that 'proper procedures were not followed' in regard to the lack of reasoning given for not following the recommendation of the Heritage and Tourism Task and Finish Group. The Panel referred the decision back to Cabinet in order for an explanation to be given as to its decision not to follow the recommendation made to it. Cabinet considered this recommendation on 13 March 2019 and provided an explanation covering this decision.

Councillor Call for Action (CCfA)

There were no CCfA issues brought to the attention of Scrutiny Panel during 2018/19.

Decisions taken as a matter of urgency

There was one decision taken as a matter of urgency during 2018/19. This involved a Portfolio Holder decision taken under Special Urgency Provisions to approve a financial settlement with a contractor on the Axial Way Pumping Station. This decision was made by Councillor Nick Barlow, Portfolio Holder for Commercial Services, and was noted by the Panel.

Task and Finish Group

There were no Task and Finish Groups commissioned by the Scrutiny Panel 2018/19.

Appendix

Appendix A – Schedule of Meetings and Reviews for 2018/19.

Schedule of meetings and reviews

Scrutiny Panel 2018/19

Councillor Davies (Chairman), Councillor Bentley (Deputy Chairman), Councillor Coleman, Councillor Hayter, Councillor Luxford Vaughan, Councillor Scordis, Councillor Wood.

12 June 2018	<ul style="list-style-type: none"> • Financial Monitoring Report – End of Year 2017/18 • Capital Expenditure Monitor 2017/18
17 July 2018	<ul style="list-style-type: none"> • Environment and Communities Futures Business Case. • Implementation Plan to introduce Plastic Recycling Collections to Flats. • 2019/29 Budget Strategy, Medium Term Financial Forecast and Budget Timetable • Treasury Management - Annual Review 2017/18 • Annual Scrutiny Report
21 August 2018	<ul style="list-style-type: none"> • Year End 2017-18 Performance Report including progress on Strategic Plan Action Plan • Locality Budgets – analysis of spend • Strategic Plan Spending Priorities • Bus Review Letter – Further
11 September 2018 (Crime and Disorder Committee)	<ul style="list-style-type: none"> • Safer Colchester Partnership (Crime and Disorder Committee)
16 October 2018	<ul style="list-style-type: none"> • Decision taken under Special Urgency Provision: Axial Way Pumping Station. • Review of Colchester Borough Homes Performance 2017/18. • Homelessness and Rough Sleeping. • Local Council Tax Support 2019-2020
27 November 2018	<ul style="list-style-type: none"> • Strategic Plan Spending Priorities • Financial Monitoring Report – April to September 2018 • Capital Expenditure Monitor – April to September 2018
11 December 2018	<ul style="list-style-type: none"> • Central Support Futures Review • Half-year 2018/19 Performance Report including progress on 2018-21 Strategic Plan Action Plan

29 January 2019	<ul style="list-style-type: none"> • 2019/20 General Fund Revenue Budget, Capital Programme and Medium-Term Financial Forecast, Housing Revenue Accounts Estimate and Housing Investment Programme • Treasury Management Strategy 2019/20 • Waste and Zones Futures Business Case • Corporate Key Performance Indicator Targets for 2019/20
22 February 2019 (Additional Meeting)	<ul style="list-style-type: none"> • Call in of Cabinet Decision on the Recommendation of the Heritage and Tourism Task and Finish Group
26 February 2019 (Crime and Disorder Committee - Additional Meeting)	<ul style="list-style-type: none"> • Safer Colchester Partnership
19 March 2019	<ul style="list-style-type: none"> • Review of Colchester Borough Council's Partnership Arrangements with the Mercury Theatre. Colchester Arts Centre and Firstsite • North Essex Garden Communities Project (NB This item was postponed until 11 June 2019).