



West Lancashire Borough Council

Overview and Scrutiny Annual Report 2017/18



INTRODUCTION

Welcome to the fifteenth annual report on Overview and Scrutiny in West Lancashire, which gives a retrospective insight into the work undertaken by each of the Council's Overview and Scrutiny Committees and information on some of the subjects our Committees will be scrutinising during 2018/19.

In 2017/18 Overview and Scrutiny at West Lancashire operated through two Committees, the Executive Overview and Scrutiny Committee and the Corporate and Environmental Overview and Scrutiny Committee. The work undertaken has been wide-ranging and the report notes key scrutiny activity handled over the last year. Members in examining the issues presented to them have considered best practice and taken evidence from interested parties, highlighting the reasons that informed the recommendations resulting from their work.

Recognising the extensive and in depth nature of the work undertaken by the two Committees, I would like to thank, past and current Members who were involved in the scrutiny activities during 2017-18. Particular thanks goes to those external to the Council who gave up their time to attend meetings and contribute to the work of the Committees.

The Council continues to recognise the importance of the independent challenge of overview and scrutiny and the diversity of the contributions that has been invaluable in assisting the approach to overview and scrutiny at West Lancashire Borough Council.

Terry Broderick
Borough Solicitor
September 2018

SCRUTINY IN WEST LANCASHIRE

In 2017/18 Overview and Scrutiny operated through two committees – The Executive Overview and Scrutiny Committee and the Corporate and Environmental Overview and Scrutiny Committee.

Executive Overview and Scrutiny Committee

The Executive Overview and Scrutiny Committee continues to provide a cross-cutting forum to consider matters as follows:

- 'Call In' – scrutinising decisions made by Cabinet prior to implementation
- 'Post Hoc Scrutiny' – examining decisions after they have been made
- Considering matters referred by Cabinet or Council
- Making proposals to Cabinet or Council/reviewing the performance of the Cabinet and the Council's senior officers
- Conducting budget and policy development linked to the Cabinet Cycle

During 2017/18 under the Chairmanship of **Councillor John Bullock**, the business of the Executive Overview and Scrutiny Committee included consideration of the following matters:

'Call In'

One 'call-in' request was received. In respect of this request, following a debate no alternative decision was put forward to Cabinet. Details of the item that was called-in is set down at Appendix 1.

'Post Hoc Scrutiny'

All minutes of Cabinet meetings were referred to the Committee for post hoc scrutiny. As part of this process the Committee raised questions and made observations on the following items:

- Risk Management - Key Risk Register with particular reference to Land Auction (Potential loss of Capital Receipt if sales not secured within timescale of DCLG) - Progress in relation to the Whalleys, Skelmersdale site.
- Draft Community Infrastructure Levy (CIL) Funding Programme 2018/19 – consultation process; filtering process of submitted bids; guidance.
- Garage Strategy 2016/2020– improved visual aspect of the estates; positive feedback of residents; continuing and future delivery / investment for the programme.
- Housing and Planning Act 2016: Civil Penalties & Rent Repayment Orders – impact, if any, for tenants.
- Mart Lane Hall, Burscough – explanation of Cabinet decision.
- Community Infrastructure Levy (CIL) Funding Programme 2018/19, particularly in relation to: The public consultation and Member involvement in the process

Matters referred by Cabinet or Council to Executive Overview and Scrutiny Committee for views and comments

Agendas regularly include items that are referred to both Executive Overview and Scrutiny Committee and Cabinet.

In 2017/18, the following items were referred by Cabinet to the Committee.

- Draft Housing Allocations and Pet Policy
- Health and Wellbeing Strategy and Delivery Plan for West Lancashire

Making proposals to Cabinet or Council

The Overview and Scrutiny Committee has the power to make recommendations to the Cabinet or Council in respect of any issue.

Conducting policy and budget development linked to the Cabinet Cycle

Policy and Budget Development is also a key role for scrutiny and the Committee was involved in the following during the year:

- Council Plan 2018-19 – 2020/2021
- Corporate Performance Management 2018/19

Scrutiny members were also members of the following Cabinet Working Groups:

- Local Plan
- Funding of Voluntary Bodies and Other Organisations
- Landlord Services Committee

Budget Scrutiny

The Committee has continued to be involved in budget scrutiny. Directors/Heads of Service and various officers across the Council have attended meetings to provide information and answer questions.

The Committee has been involved with the following budget monitoring during the year:

- Capital Programme Outturn 2016-17
- Capital Programme Monitoring 2017-18
- Revised Capital Programme and Mid-Year Review 2017-2018
- Housing Revenue Account (HRA) and Capital Monitoring
- General Revenue Account Budget 2017-18
- Medium Term GRA Capital Programme
- Housing Account – Revenue and Capital Programme

Corporate and Environmental Overview and Scrutiny Committee

The remit of the Corporate and Environmental Overview and Scrutiny Committee is to:

- Undertake Performance Management.
- Conduct in-depth reviews/policy development within each Service, including related external matters as set out in its Work Programme for the relevant year.
- Routinely review recommendations from previous reviews.
- Consider Members' items (including Councillor Call for Action).

- Consider Items referred to it from the Members' Update at the request of a Member.
- Act as the Council's Crime and Disorder Committee.

Under the Chairmanship of **Councillor Nikki Hennessy** the business of the Corporate and Environmental Overview and Scrutiny Committee in 2017/18 included consideration of the following matters:

Performance Management

The Committee plays a key role in performance management by:

- Monitoring and commenting on Council performance by considering regular performance management reports.
- Requesting additional performance information to scrutinise specific service quality.
- Holding the Cabinet and Officers to account if specified outcomes are not being met, ensuring questions are asked both about value for money and the performance of staff.
- Ensuring that effective performance systems are in place and working well.
- Conducting strategic reviews that include service performance in line with strategic objectives.
- Raising individual agenda items on aspects of poor performance.

During 2017/18 the Committee considered:

- Quarterly Performance Indicators ended 31 March 2017 with particular reference to:
 - PI TS13 (% LA properties with Landlord Gas Safety Record (LGSR))
- Quarterly Performance Indicators ended 30 June 2017, with particular reference to:
 - WL108 (Average answered waiting time for callers to the contact centre)
 - WL90% of Contact Centre calls answered
- Quarterly Performance Indicators ended 30 September 2017 and 31 December 2016, with particular reference to:
 - NI157a 'Processing of planning applications' R3 '% of Non-domestic Rates Collected'
 - HS1 '% Housing repairs completed in timescale'
 - WL90 '% of Contact Centre calls answered'
 - WL19bii 'Direct dial calls answered within 10 seconds'
 - WL08a 'Number of Crime Incidents'
 - WL01 'No. residual bins missed per 100,000 collections'

Relevant officers attended the meetings and provided additional information and responded to questions.

Other items considered:

At the request of Cabinet, the Corporate Overview and Scrutiny Committee receive annually, in the form of a presentation to Members, a report on the work undertaken in the previous twelve months on the:

- **BT Lancashire Shared Services**

An update of the work undertaken in the previous twelve months, as part of the shared service arrangements, is considered by the Committee. In 2016/17 the Directors of ICT and Revenues & Benefits of BT Lancashire Services, attended a meeting (13 July 2016) to present the annual report of that body and responded to questions on their presentations.

- **Leisure Trust**

An update on the work undertaken in the previous twelve months was presented on behalf of West Lancashire Community Leisure (WLCL)/SERCO. In 2017/18 the Contracts Manager, along with the Chairman of WLCL, attended a meeting (12 October 2017) to present the annual report of that body and responded to questions on the presentation.

- **Flooding in the Borough**

The Committee received a presentation in relation to flooding and the wastewater network operations and services in the Borough.

- **Crime and Disorder Scrutiny**

Members reviewed and consider the work being undertake around crime and disorder, projects being delivered in the borough to combat and improve resident's lives and how it was funded.

In-depth review/policy development

West Lancashire Tourism – The Visitor Economy'

The Committee concluded its work on this review in 2017/18. The final report and recommendations were approved and submitted to Cabinet on 11 September 2017 and Council on 18 October 2017.

Progress on the in-depth study's recommendations will be considered by the Committee at its meeting on 11 October 2018.

'Community Involvement in Service Delivery'

In 2017/18 the Committee commenced its work to carry out a review to explore Community Involvement in Service Delivery.

The Committee received presentations and information from a number of external contributors including representatives from Lancashire Association of Local Councils, and West Lancashire Community Leisure Trust

Briefings were also provided by Officers from Economic Regeneration and the Borough Solicitor to assist in the exploration of the issues.

Work on the review will conclude at the Committee's October 2018 Meeting.

Other matters referred to the Corporate and Environmental Overview and Scrutiny Committee for views and comments

In 2017/18 the following items were referred to the Committee:

- Procedure for the Public and Applicants who wish to speak at the Planning Committee on Planning Applications that might affect them – July Committee.
- Sustainability Transformation Plans (STPS) – October Committee.

Member Development Commission

The overview of the development of Members continues through the Commission, the Member Development Group representatives and Portfolio Holders/Shadow Portfolio Holders with special interests. The Commission meets twice a year and Members have been kept abreast of courses, conferences and other training opportunities and Members have attended these in accordance with their particular areas of interest. The Identification of Training Needs (ITNs) for Members continued.

Members have also attended events organised for them in-house including sessions on new member induction; GDPR; RIPA; licensing; planning; Universal Credit, CIL Briefing, Local Plan, women in Government; I-Trent; ICT; code of conduct and standards.

The Committee is kept up-to-date with the work of the Commission through the minutes of its meetings.

Member items/Councillor Call for Action

Any Member can ensure that any matter relevant to the remit of the Committee can be placed on the agenda and discussed at a meeting in accordance with the protocol for submitting Members Items and Councillor Call for Action in accordance with the provisions in the Local Government and Public Involvement in Health Act 2007 (as amended).

There were 3 items requested under this arrangement in 2017/18;

- Need for Clarity on how Planning Committee considers precedence and comparability
- Poor response from LCC on Drainage complaint
- Hurston Brook Flood Risk Study

Crime and Disorder Committee

Section 19 of the Police and Justice Act 2006 requires every local authority to have a crime and disorder committee with the power to review or scrutinise decisions made or other action taken in connection with the discharge by responsible authorities of their

crime and disorder functions. The Crime and Disorder (Overview and Scrutiny) Regulations 2009 complement the provisions under section 19.

The Corporate and Environmental Overview and Scrutiny Committee has been designated as the committee responsible for undertaking this function, enabling that committee to scrutinise the work of the West Lancashire Community Safety Partnership and the partners who comprise it, insofar as their activities relate to the partnership itself. The legislation gives powers to scrutinise the Community Safety Partnership (CSP) rather than the partners to encourage Members to focus on policy issues rather than individual organisations. The Council has a duty to carry out crime and disorder scrutiny at least once a year in order to fulfill its statutory responsibility.

At the meeting of the Corporate and Environmental Overview and Scrutiny Committee held on 2nd March 2018 Members received a presentation on the role and the work of the CSP that had been undertaken during 2017/18. It detailed the Partnership's initiatives in and with the community during the preceding 12 months and the multi-agency approach to manage key local priorities. The Environmental Protection and Community Safety Manager attended the meeting to provide information and respond to questions.

OFFICER SUPPORT

The Council ensures that officers effectively support the overview and scrutiny function to encourage a healthy culture of open debate and reporting. It has developed an integrated approach with officer support from a variety of sources: Member Services, Partnership/Performance and officers from Services across the Council. This integrated approach means that a full range of professional skills can be used when undertaking any particular scrutiny exercise.

The Borough Solicitor is responsible for the Council's overview and scrutiny function.

Overview and Scrutiny Committees are administered by Member Services, led by the Assistant Member Services Manager, to bring a supported and corporate approach to the scrutiny process, whilst maintaining its independence within the democratic function.

This Council has a supportive senior officer culture for Overview and Scrutiny. As well as attending meetings, Directors/Heads of Service and other senior officers play a proactive role in supporting the function by:

- Assisting in identifying the work programme (ensuring it is focused on the Council's corporate priorities, thereby adding value), being mindful of big issues "on the horizon", scheduling in reports from the inspectorate regimes etc.
- Briefing Members on current issues.
- Assisting in identifying officer support when required.
- Overseeing the quality and value of reports to Committees.

Deputy Director of Housing and Inclusion Services leads the performance management agenda on behalf of the Council through:

- Provision of performance information, production of corporate performance plan, establishing the Council's high-level priorities, target and action.
- Corporate inspection regimes.

- Establishment of the Council's Performance Management Framework including the incorporation of service plans.

Officers from Leisure and Wellbeing Services and West Lancashire Community Safety Partnership have supported development relating to crime and disorder scrutiny.

OVERVIEW AND SCRUTINY NETWORKS/TRAINING

Overview and Scrutiny Network – North West Scrutiny Support Officers' Network (NWSSON)

The network was established in order to look at the following:

- Benchmarking – to introduce a scrutiny benchmark, which would measure impacts and outputs;
- Share good practice;
- Establish a professional network and possibly arrange joint training on scrutiny matters;
- To reinforce the member network, organised by the North West Employers Organisation;
- To establish a channel for information and good practice.

During 2017/18 we have continued to support the Network by ad hoc attendance at organised meetings to hear from presenters, including representatives from numerous Council's, Centre for Public Scrutiny (CfPS); Care Quality Commission (CQC) and receive information on emerging issues. These have included: Combined Authorities and Devolution, NHS Sustainability Transformation Plans (STPs); Engagement with Scrutiny (CQC) and Brexit.

North West Strategic Scrutiny Network (NWSSN) – North West Employers' Organisation

This councillor led network is for scrutiny chairmen, vice chairmen and experienced scrutineers. The role of the group is to support councillors in their development of their scrutiny function role, share good practice and advice and highlight local and national drivers.

The network is open to both Councillors and officers in organisations who hold membership with North West Employers.

The NWSSN aims are:

- To increase collaboration between authorities to ensure greater efficiencies and explore value for money approaches.
- To support the value of overview and scrutiny.
- To share intelligence, knowledge, resources and generate ideas to improve scrutiny function.
- To disseminate information on national and regional initiatives to ensure equal opportunity.
- To share strategic and practical contributions and recognise the value of listening to experiences.

The NWSSON, Centre for Public Scrutiny (CfPS) and NWE also provide sign-posts to guidance and information through Bulletins and Newsletters.

HEALTH SCRUTINY

Health Scrutiny functions are conferred on Councils with social services responsibilities as a result of The Local Authority (Public Health, Health and Well-Being Boards and Health Scrutiny) 2013 Regulations.

The Health Scrutiny Committee at LCC exercises the statutory functions of a health overview and scrutiny Committee. The purpose of the Committee is to review and scrutinise issues around public health and health inequalities. Membership includes 12 non-voting co-opted district Council Members. In 2017/18 West Lancashire's representative was Councillor G Hodson.

Members receive regular Members' Updates on the work being undertaken by the Committee in order to provide an opportunity to feed back any comments via the Council's representative or request items to be included on the next appropriate Committee agenda for more detailed scrutiny as referred to above in relation to the Lancashire and South Cumbria Sustainability Transformation Plan (STP).

The North West Ambulance Service also provide information through Bulletins to its stakeholders.

PUBLICITY

Press releases are regularly sent out to the local press in the area. Independent articles related to work undertaken through the reviews have also been reported on in newspapers circulating in the Borough.

WORK PROGRAMMES

The process for establishing the work programmes is well established.

- **Members of the Council** submit topics (to ensure Member involvement)
- **Members of the Corporate Management Team** submit topics (to ensure a strategic input into the process)
- **Members of the public** submit topics via a press release and the inclusion of an article on the Council's web site (to encourage public participation)

The Work Programme for each Committee is included on the Council's web site, which includes a facility to submit potential topics. Comments in relation to overview and scrutiny in general may also be sent.

The Council uses well-established Selection/Rejection Criteria for scoring topics to ensure a structured approach to the selection of topics to be included in the Work Programme.

Other area of supportive related scrutiny work undertaken during 2017/18 has included the completion of the Annual CfPS Survey.

THE PLAN FOR THE DEVELOPMENT OF OVERVIEW AND SCRUTINY

- The Annual Report will routinely be submitted to Council.
- The Overview and Scrutiny web page will continue to be updated.
- Support will continue for innovative reviews.
- Work in relation to joint scrutiny with the County Council, will continue to be developed, within existing resources.
- Performance Management including the annual review of the work undertaken through BT Lancashire Services and West Lancashire Leisure Trust.
- Operation of the overview and scrutiny agenda through two Committees.
- Participation in the Scrutiny Networks, where appropriate.
- Further training will be provided for officers and members, within existing resources.

CONCLUSION

This report has highlighted the main activities undertaken by overview and scrutiny during 2017/18. The Overview and Scrutiny Committees have considered a range of issues that impact on the Council and the Borough as a whole. Overview and Scrutiny will continue to ensure policies and practices are developed and meet objectives.

CONTACTS

For further information about this annual report or any aspect of scrutiny work in West Lancashire please contact:

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All overview and scrutiny reports are available to the public: on our website and by request.

We are always happy to talk to you about what is happening in overview and scrutiny. If you have any comments or topics for future scrutiny work, then please do get in touch. You can also visit our website at www.westlancs.gov.uk

Please bear in mind that overview and scrutiny is not a complaints system.

We can provide this document, upon request, on audiotape, in large print, in Braille and in other languages.

OVERVIEW AND SCRUTINY 2018/19

In 2018/19 overview and scrutiny will operate through two Committees:

Overview and Scrutiny Chairmen

Corporate and Environmental Overview and Scrutiny Committee – Councillor Nikki Hennessy
01695 423872 – cllr.hennessy@westlancs.gov.uk

Executive Overview and Scrutiny Committee – Councillor John Bullock
07764929131 – cllr.bullock@westlancs.gov.uk

Member Development Commission – Councillor Cynthia Dereli
01704 895247 – cllr.dereli@westlancs.gov.uk

Overview and Scrutiny Lead Officers

Corporate and Environmental Overview and Scrutiny Committee – Heidi McDougall, Director
Leisure and Environment
01695 585191 – heidi.mcdougall@westlancs.gov.uk

Executive Overview and Scrutiny Committee – Jacqui Sinnott-Lacey, Director Housing and
Inclusion
01695 585200 – Jacqui.sinnott-Lacey@westlancs.gov.uk

Member Development Commission – Julia Brown, Member Services/Civic Support Officer
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Overview and Scrutiny Function and Support Officers

Lead Officer – Terry Broderick, Borough Solicitor
01695 585001 – terry.broderick@westlancs.gov.uk

Overview and Development – Jacky Denning, Assistant Member Services Manager
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Overview and Scrutiny Committees / Development and Support – John Addison, Principal
Overview & Scrutiny Officer
01695 585016 – john.addison@westlancs.gov.uk

Member Development Commission Support - Julia Brown, Member Services/Civic Support
Officer 01695 585065 – Julia.brown@westlancs.gov.uk

E-mail any of the team at member.services@westlancs.gov.uk

'CALLED IN' ITEM

During 2017/18 the following 'call in' request was considered:

DATE OF O&S MEETING	ITEM	DECISION OF EXECUTIVE OVERVIEW & SCRUTINY COMMITTEE	ACTION
21 st March 2018	Forming a development company – options appraisal.	It was determined that the Committee did not wish to ask for a different decision to the one agreed by an Extraordinary Cabinet on 28 February 2018.	There was no action as an outcome of this meeting.