



West Lancashire Borough Council

Overview and Scrutiny Annual Report 2018/19



INTRODUCTION

Welcome to the sixteenth 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 2019/20.

In the 2018/19 Council year 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 2018/19. 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 2019

SCRUTINY IN WEST LANCASHIRE

In 2018/19 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 2018/19 under the Chairmanship of Councillor John Bullock, the business of the Executive Overview and Scrutiny Committee included consideration of the following matters:

‘Call In’

Two ‘call-in’ requests were received. In respect of these requests, following debates an alternative decision and recommendations were put forward to Cabinet. Details of these items that were 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:

- Forming a Development Company (governance and management arrangements – in particular Member representation on the Board either in a voting or non-voting capacity and any associated risks, equity investment to be made by the Council, loan funding arrangements (financing), acquisition of Council owned sites by the Company by way of purchase or licence and the types of properties to be built.
- Burscough Parish Neighbourhood Plan Submission Version (commencement of the next stage of 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 and, on occasion Council. These included:

- Housing Allocations and Pet Policies - Consultation Feedback

- Local Plan Review – Proposed Local Plan Preferred Options Consultation (A member of the public attended to speak in relation to this item)
- Commercial Property Investments – Update
- Review of grounds maintenance and street cleansing update
- Response Maintenance and Voids Contract Delivery Model
- Forming a Development Company
- Proposed Strategy for the Community Asset Transfer of Banks Leisure Centre

In 2018/19 no items were referred to the Committee by either Cabinet or Council by a specific (non-recommended) decision of those bodies.

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 2019/20 – 2020/2021
- Corporate Performance Management 2019/20

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

- Local Plan
- West Lancashire Leisure Partnership
- Landlord Services Committee
- Funding of Voluntary & Other Organisations
- Sustainable Organisation Review
- Estates Revival

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:

- HRA Revenue & Capital Mid-Year Review 2018/19
- General Revenue Account Mid-Year Review 2018/19
- Draft Revenue Budget 2019/20
- Draft Medium Term Capital Programme
- Housing Account – Revenue and Capital Programme

- HRA Revenue & Capital Monitoring

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 Services, 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 2018/19 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 2018/19 the Committee considered:

- Quarterly Performance Indicators ended 31 March 2018 with particular reference to:
 - WL90 '% of Contact Centre calls answered' – Concern around response time for emails to contact centre.
 - WL19bii 'Direct dial calls answered within 10 seconds'
 - NI192 'Percentage of household waste sent for, reuse, recycling and composting'
- Quarterly Performance Indicators ended 30 June 2018, with particular reference to:
 - NI192 'Residual Household Waste Per Household (Kg)

- R1 '% of Council Tax Collected'
 - WL18 'Use of Leisure and Cultural Facilities (swims and visits)'
 - WL121 'Working Days Lost Due to Sickness Absence'
 - HS13 '% LA Properties with Landlord Gas Safety Record Outstanding'
- Quarterly Performance Indicators ended 30 September 2018 with particular reference to:
 - WL18 – Use of leisure and cultural facilities (swims and visits)
 - R1 - % of Council Tax collected
 - WL90 - % of Contact Centre calls answered
 - NI192 – Percentage of household waste sent for reuse, recycling and composting
 - Quarterly Performance Indicators ended 31 December 2018 with particular reference to:
 - ICT2 'Minor Business Disruption (P3) – 99.0% (the same figure since Q2 2017/18) – The Partnership & Performance Officer gave an undertaking to provide the Committee with a breakdown of figures in respect of the ICT indicators
 - WL19bii 'Direct dial calls answered within 10 seconds' – the implications arising from the transition to Skype
 - WL90 '% of Contact Centre calls answered' – resource issues
 - WL18 'Use of leisure and cultural facilities (swims and visits) – Collection of data in respect of Chapel Gallery available for 2019
 - R1 '% of Council Tax Collected'
 - WL121 'Working Days Lost Due to Sickness Absence' – Training for Managers

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 2018/19 the Directors of ICT and Revenues & Benefits of BT Lancashire Services, attended a meeting (12 July 2018) 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 2018/19

representatives of WLCL, attended a meeting (11 October 2018) to present the annual report of that body and responded to questions on the presentation.

- **Support to Voluntary/Community Groups**

The Committee received a presentation from the Chief Officer of the West Lancashire Council for Voluntary Service on the support his organisation provides to voluntary/community groups undertaking the community transfer process.

- **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. A presentation was made to the Committee on behalf of the West Lancashire Community Safety Partnership outlining the vision of the Partnership.

In-depth review/policy development

Community Involvement in Service Delivery

The Committee concluded its work on this review in 2018/19. The final report and recommendations were approved and submitted to Cabinet on 15 January 2019.

Progress on the in-depth study's recommendations was considered by the Committee at its meeting on 11 July 2019.

Litter Bin Policy

In 2018/19 the Committee commenced its work to carry out a review in order to provide a consistent approach to litter bin provision and collection across the Borough.

The Committee received a presentation from a representative of Egbert Taylor, a company providing BigBelly (a smart, solar-powered, sensor-equipped waste and recycling station).

Briefings were also provided by Officers from Leisure and Environment (Street Scene) to assist in the exploration of the issues.

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

In 2018/19 the following items were referred to the Committee:

- Chapel Gallery Update
- Weeds in West Lancashire

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 was 1 item requested under this arrangement in 2018/19;

- Request for a Meeting with Officers to discuss planning issues

Items referred from the Members' Update at the request of a Member

Any Member can place an item on the Committee agenda in connection with any article include in the Corporate & Environment O&S Members Update. No items were called onto the agenda in 2018/19, however articles were provided in respect of the following:

- Minutes Of One West Lancashire Board - Thematic Groups
- Minutes Of Lancashire County Council's Health Scrutiny Committee
- Community Chest Grants
- Exemption From Contract Procedure Rules - Empty Homes Review Service
- Exemption From Contract Procedure Rules - Business Rates Review Service
- Annual Vat Report 2017/2018
- Corporate Delivery Plan 2017/18 Progress Report
- Minutes Of The Lancashire Police And Crime Panel
- Update On World War One Centenary Commemorations
- Food Safety Service Plan 2018/19
- Local Government Ombudsmen - Statistics 2017/18
- Exemption From Contract Procedure Rules - SOCITM
- Exemption To Contract Procedure Rules - Low Carbon & Renewable Energy Study Required For The Local Plan Review
- Exemption To Contract Procedure Rules - Citizen Space Software
- Corporate Delivery Plan 2018/19: Progress Report

- Monitoring of Formal Complaints 2017-2018
- Exemption From Contract Procedure Rules - Practical Law And Westlaw Services

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 7 March 2019 Members received a presentation which provided the Committee with an understanding of the Community Safety Partnership Vision and an overview of crime figures. The Environmental Protection and Community Safety Manager and the Community Safety Officer 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 Member & Executive 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.

The 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 2018/19 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 relating to health and adult social care delivered by LCC, the National Health Service and other relevant partners. Membership includes 12 non-voting co-opted district Council Members. In 2018/19 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 setting 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 2018/19 has included the completion of the Annual CfPS Survey.

THE PLAN FOR THE DEVELOPMENT OF OVERVIEW AND SCRUTINY

- The Annual Report to Council in October.
- The Overview and Scrutiny web page will continue to be updated.
- Support will continue for innovative reviews.
- Performance Management will continue, including the annual review of the work undertaken through BT Lancashire Services and West Lancashire Leisure Trust.
- A review of members' roles in terms of providing a more strategic input and in delivering scrutiny which is to be considered by the Member Development Commission, Including a Workshop / Training Session for Scrutiny and Cabinet Members, to review the role of Overview & Scrutiny in 'West Lancashire'.
- Participation in the Scrutiny Networks, where appropriate.
- Further training will be provided for officers and members, within existing resources.
- Development of an Executive (Cabinet) / Scrutiny Protocol

CONCLUSION

This report has highlighted the main activities undertaken by overview and scrutiny during 2018/19. 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 2019/20

In 2019/20 overview and scrutiny will operate through two Committees:

Overview and Scrutiny Chairmen

Corporate and Environmental Overview and Scrutiny Committee – Councillor Vicki Cummins
07720315322 – cllr.cummins@westlancs.gov.uk

Executive Overview and Scrutiny Committee – Councillor Donna West
01695 729350 – cllr.west@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, Member & Executive Services Manager
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Overview and Scrutiny Committees / Development and Support – Julia Brown, Member
Services/Civic Officer 01695 585065 – Julia.brown@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 2018/19 the following ‘call in’ requests were considered:

DATE OF O&S MEETING	ITEM	DECISION OF EXECUTIVE OVERVIEW & SCRUTINY COMMITTEE	ACTION
28 March 2019	Leasehold Properties and the Planning Process	<p>That the decision set out in Minute No. 100 'Leasehold Properties and the Planning Process', of the Cabinet meeting held on 12 March 2019, be referred back to Cabinet (as the decision making body) for reconsideration, asking it to make a different decision, as follows:</p> <p>"That Cabinet asks the Chief Executive, in consultation with the Leader, to examine potential for any further measures that might be invoked, within existing legislation, which might reduce the onerous terms of the kind of leaseholds which are of concern to members."</p>	<p>Resolution of Special Cabinet Meeting on 10 April 2019. "That the Borough Solicitor, in consultation with the Leader, be requested to examine potential for any further measures that might be invoked, within existing legislation, which might reduce the onerous terms of the kind of leaseholds which are of concern to members and in this regard the Borough Solicitor be authorised to seek external advice to assist consideration with the costs to be met from within existing budgets."</p>
28 March 2019	Local Plan	<p>That the Committee does not wish to ask for a different decision, however the following agreed comments be referred back to Cabinet:</p> <ul style="list-style-type: none"> • That the Executive Overview & Scrutiny Committee oppose the development of a 30 year local plan. • That Cabinet considers the inclusion of safeguarded sites going forward. • That the existing West Lancashire Local Plan 2012-2027 remains in place. • That Plan B sites should continue to be protected until 2027. <p>(A member of the public attended the meeting and spoke on this item.)</p>	<p>Resolution of Cabinet on 11 June 2019 "That the comments from the Executive Overview and Scrutiny Committee be noted and these matters be addressed as the drafting of the next version of the Local Plan progresses."</p>