



West Lancashire Borough Council

Overview and Scrutiny Annual Report 2021/22



INTRODUCTION

Welcome to the annual report on Overview and Scrutiny in West Lancashire, which gives a retrospective insight into the important work undertaken by each of the Council's Overview and Scrutiny Committees that has made a real difference to the work of the authority and information on some of the subjects our Committees will be scrutinising during 2022/23.

In 2021/22 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 2021/22. Particular thanks goes to those external to the Council who gave up their time to attend various forms of 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 have been invaluable in assisting the approach to overview and scrutiny at West Lancashire Borough Council.

Chris Twomey

Corporate Director of Transformation, Housing and Resources
October 2022

SCRUTINY IN WEST LANCASHIRE

In 2021/22 Overview and Scrutiny operated through two committees – The Executive Overview and Scrutiny Committee and the Corporate and Environmental Overview and Scrutiny Committee.

1. 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 2021/22 under the Chairmanship of Councillor Adrian Owens, the business of the Executive Overview and Scrutiny Committee included the following:

‘Call In’

Call-in provides a mechanism for councillors to intervene when they feel that a decision being made by the Cabinet needs to be revisited (or possibly changed). It provides a key check and balance in the leader/cabinet system of governance. It should, however, be regarded as a measure that is only needed in exceptional circumstances, rather than day-to-day. It sits in the context of a range of other tools at scrutiny’s disposal to influence decision making.

There were no ‘call-in’ requests received during 2021/22.

Following a review of governance arrangements, a change to allow any 5 Members of the Council to call in an item was introduced, when previously this was 5 Members of the Executive Overview & Scrutiny Committee.

‘Post Hoc Scrutiny’

All minutes of Cabinet meetings were referred to the Committee for post hoc scrutiny. As part of this process the Committee can hold Cabinet to account for the decisions they had taken and the Committee can raise detailed questions and observations.

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

Cabinet or Council are able to refer items directly to Scrutiny, however it is usual that reports are headed up for both Executive Overview and Scrutiny Committee as well as Cabinet and, on occasion Council, when appropriate.

Making proposals to Cabinet or Council

The Overview and Scrutiny Committee has the power to make recommendations to the Cabinet or Council (pre-decision scrutiny).

The Forward Plan is published 28 days prior to Cabinet and circulated to all Members. Members can request for an item included on the Forward Plan to be included on the next meeting of the Executive Overview & Scrutiny Committee.

Details of those items considered prior to Cabinet, the recommendations from Executive Overview & Scrutiny and whether those recommendations were taken into consideration and actioned, can be found in the attached appendix 1.

Conducting policy and budget development linked to the Cabinet Cycle

Policy and Budget Development is also a key role for scrutiny. Following a review of Overview & Scrutiny, all policy and strategy documents are reported to Executive Overview & Scrutiny prior to consideration by Cabinet, which provides for cross party debate on key documents and provides an opportunity for scrutiny Members to take a more strategic role. The Committee was consulted on the following during the year:

- (i) Revised Tenancy Policy – June 2021
- (ii) Mobile Home fit & Proper Person Policy 2021 – September 2021
- (iii) Customer Feedback Policy – November 2021
- (iv) Data Quality Policy – November 2021
- (v) Tenancy Strategy 2022-2025 – November 2021
- (vi) Minimum Energy Efficiency Standard Enforcement Policy – November 2021
- (vii) Private Rented Sector Electrical Safety Policy 2021 – November 2021
- (viii) Housing Revenue Account - Revenue and Capital Mid-Year Review – November 2021
- (ix) Capital Programme Mid Year Review – November 2021
- (x) Draft Revenue & Capital Programme Budget – January 2022
- (xi) Housing Account – Revenue and Capital Programme Budget Setting – January 2022
- (xii) Equality, Diversity & Inclusion Strategy and Equality Objectives 2022-2026 – March 2022

Details of specific recommendations to Cabinet, from the Committee are set out in Appendix 1.

In depth Scrutiny and policy development was also carried out by informal cross party Member Working Groups, which have been established for key topics, under the following headings:

- Political Governance Arrangements Working Group
- Community Wealth Building Cabinet Working Group
- Estates Regeneration Cabinet Working Group
- Flooding & Drainage Cabinet Working Group
- Landlord Services Committee (Cabinet Working Group)
- Local Plan Cabinet Working Group
- West Lancashire Leisure Cabinet Working Group
- Grant to Voluntary Bodies Cabinet Working Group

Budget Scrutiny

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

In 2022 a Budget/Council Plan Committee was established, with Members of Scrutiny and Cabinet, with the aim to scrutinise and focus on budget issues and set priorities, prior to formal consideration by Executive Overview & Scrutiny, Cabinet and Council.

Member Development Commission

The overview and development of Members is undertaken by the Member Development Commission, which in 2021/22 was Chaired by Councillor Cynthia Dereli, and identifies appropriate training to support Members in their role. All Members can request training needs directly to Member Services or via their political group representative on the Commission. An item for feedback from those group representatives is included on each agenda.

Members are kept abreast of courses, conferences, and other training opportunities throughout the year by Member Services. New Councillors are provided with an Identification of Training Needs (ITNs) form in their 'New Members Induction Pack' when elected. A list of training etc. can be found in Appendix 2.

In the previous calendar year the Commission was tasked with identifying a way forward to give effect to the greater role that was envisaged for Councillors in setting the strategy and direction of the organisation under the refreshed operating arrangements. As part of this review the Commission reviewed the Council's Overview & Scrutiny function and came up with several recommendations to improve scrutiny, which were implemented during the year, these included:

(i) Pre-Decision Scrutiny at Executive Overview & Scrutiny Committee

The Council at its meeting held on 24 February 2021, approved the timetable of meetings for 2021/22, to allow for Executive Overview & Scrutiny Committee to be held prior to Cabinet, to accommodate pre-scrutiny, with a Special 'Call In' Meeting of Executive Overview & Scrutiny Committee being scheduled following Cabinet, to meet as and when required.

The new ways of working have added significant value to the decision-making process, allowing more cross party working prior to decisions being taken at Cabinet, with greater contribution and involvement from scrutiny members.

(ii) Submission of Questions in advance of meetings

Members of Overview & Scrutiny Committees are being asked to submit questions in advance of Overview & Scrutiny meetings. This has proved very effective in the preparation of meetings for both Members and Officers and has enabled officers to be better prepared to address any issues at the meeting, which may have previously required a reply following the meeting.

(iii) Training

In-house 'Overview & Scrutiny at West Lancashire' training sessions will be held each year following a local election with a further session on 'Best Practice Scrutiny' being arranged with an external trainer in the year that there are no local elections.

(iv) Topic Selection and Scoring

Topics for in depth reviews/policy development are sought by:

- Inviting all Members, Parish Councils and CMT to submit topics.
- Inviting members of the public to submit topics via a press release and the
- inclusion of an article on the Council's web site. And if felt appropriate, a workshop session could be held inviting all Members, Key Stakeholders, the Press and members of the public, if determined by the Lead Officer, in consultation with the Chairman, Vice Chairman and Opposition Spokespersons.

All potential topics received are then published on the Council website.

Scoring of submitted in-depth scrutiny topics are scored by a Panel consisting of the Chairman, Vice-Chairman and Opposition Spokespersons of the Corporate & Environmental Overview & Scrutiny Committee, with the person submitting the topic being asked if they wish to present their reasons for submitting the topic in person/virtually.

The results of the scoring exercise are considered by the main Committee to select one topic for review. Consideration at that meeting is also given to how the other items submitted will be dealt with, eg. Referred to the relevant Head of Service and/or Portfolio Holder, referred to another authority, a report included on a future agenda (one-hit item).

Following the criteria, the topic selected should meet at least one of the following:

- Improvements for local people likely.
- Community/Corporate priority area.
- Key issue for the public.
- Poor performing service.
- High level of dissatisfaction.

Each topic is scored for Importance (how well a topic fits with the Council's key aims and priorities) and impact (likely potential impact of outcomes from a scrutiny investigation of the topic in terms of community benefit).

The MDC wished to continue with the current arrangement for scoring topics as they felt it was a very fair and thorough process to choose topics. They also recognised this process helped to ensure that topics would add to the work already being undertaken by the Council and would strengthen and improve services offered to residents.

The Commission agreed that future in depth reviews be undertaken by Task & Finish Groups, rather than by the main Committee, which was later approved by full Council. Members felt that task and finish groups provided good cross party working and could produce excellent reports due to smaller size groups being more focussed on the specific issue. Four Task & Finish Groups have been established in 2022 on the following topics:

- Litter Clearance In West Lancashire, Including 'Fly-Tipping' and 'Grot Spots'
- Community Environmental Improvements, Including Community Orchards
- Shop Front Improvements
- Ormskirk Market

(v) Attendance by others

That the leaders of the political groups on the Council be allowed to attend each Overview and Scrutiny Committee and to speak but not vote on any issue under consideration, with the consent of the Chairman.

(vi) Requests for Items from the Forward Plan

As the Forward Plan is published 4 weeks prior to decisions taken by Cabinet a process has been put in place to allow Members to request items from the Forward Plan to be included on the agenda for Executive Overview & Scrutiny. Holding meetings of Executive Overview & Scrutiny 2 weeks prior to Cabinet has enabled this process to be adopted.

The Executive Overview & Scrutiny Committee is kept up to date with the work of the Commission through the minutes of its meetings or when specific recommendations have been submitted.

2. 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 Donna West the business of the Corporate and Environmental Overview and Scrutiny Committee in 2021/22 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.

Relevant officers attended the meetings and provided additional information and responded to questions. Where required actions plans were developed to evidence how underperformance was being effectively addressed, these actions plans are shared with the Committee.

During 2021/22 the Committee scrutinised the following reports and raised detailed questions in respect of the following:

(i) Corporate Performance Indicators (Q4 2020/21)

A question was raised in respect of WL85a Website: no. visits, as to how this performance indicator is measured. The Partnership and Performance Officer explained that this is measured by each separate visit to the website.

(ii) Quarterly Council Plan Performance Delivery Plan – Q2 2021/22

- 44,811 Service Now Accounts – Could they be utilised for contact / promotions subject to GDPR guidance – (It was noted that this would be a great idea, although Members were informed that the Council have previously sought advice in respect of this and are not legally permitted to do so without consent)
- WL108 Average answered waiting time for callers to the Contact Centre
- NI192 Percentage of kerbside household waste sent for reuse, recycling, and composting – Discussion took place in respect of the nature of the formulations of this Performance Indicator and how promotion/ education of buying/using less plastic will reduce the amount to be recycled. It was suggested that the Council's Waste & Recycling Promotions Officer could promote and drive information in respect of this behavioural change. (It was noted that the Council follow and report on National measures)
- Estates and Valuation Manager Post currently vacant – Specialist role
- Information in respect of recycling – Providing details of what goes into which colour bin? - Possibility of visually displaying information on the roundabouts in the Borough and to also provide information to Schools. It was suggested that this information would be particularly useful to new residents/tenants. (The Partnership and Performance Officer made an undertaking to provide details of this suggestion to the Service)

(iii) Council Plan Delivery Plan Q3 2021/22

A Comment was raised by a Member in respect of the following:

- 'Support businesses to adapt and prosper' and 'Become a Greener West Lancashire' KPI's - how these interrelate and can have a 'knock on' effect.
- Support for businesses in respect of electric vehicles and solar panels.

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 of the Leisure Trust

An update of the work undertaken in the previous twelve months was presented on behalf of West Lancashire Community Leisure (WLCL). In 2021/2 representatives of WLCL, attended a meeting (16 September 2021) to present the annual report of that body and responded to detailed questions on the presentation.

In-depth review/policy development

Action on Climate Emergency combined with 'Create/Designate Hedgehog and Wildlife areas in public parks/gardens across the Borough.

The topic was chosen by the Committee following a consultation and scoring exercise. Members felt that both the topics, 'Action on Climate Emergency' and 'Create/designate Hedgehog and wildlife areas in public parks/gardens across the Borough' could be combined for selection on to the Committee's 2021/22 Work Programme. The Committee received briefings and presentations from the Environmental Strategy Officer and Head Ranger. An on-line consultation took place to enable feedback from citizens, businesses and interested groups. The results were detailed at the meeting held in June 2021 and the outcomes and actions were presented to the Committee at the meeting in September 2021.

The draft final report was considered at the Committee on 9 December 2021 to agree the final recommendations of the review for submission to Cabinet on 25 January 2022 who approved all the recommendations of the Committee.

A full review of the recommendations will be undertaken by the Committee in December 2022

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 / Councillor Call for Action in accordance with the provisions in the Local Government and Public Involvement in Health Act 2007 (as amended). The Councillor is then able to attend the meeting and present that item to the Committee and the members of the Committee will decide what further action to take. The Protocol can be found at Constitution 18.3.

A Members item was submitted in respect of 'Performance in Council Tax Department'. A written response to this matter was provided and circulated to Members of the Committee.

Members Update Articles

General Information Items (not including planning and licensing matters) are circulated via the Corporate & Environmental O & S Members Update. This includes items in relation to delegated decisions, performance monitoring, LCC Health Scrutiny and Police & Crime Panel meetings. Any Councillor can request these items to be included on the Corporate O&S Committee agenda for scrutiny. The Protocol can be found at Constitution 9.2.

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.

Members scrutinised the work being undertaken 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 10 March 2022 on behalf of the West Lancashire Community Safety Partnership outlining the vision of the Partnership. The committee were reassured by the work being undertaken by the partnership and recognised the positive impact this is having on the communities of West Lancashire.

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 Corporate Director Transformation, Housing and Resources is responsible for the Council's overview and scrutiny function.

Overview and Scrutiny Committees are administered by Member Services, led by the Democratic 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, Corporate 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 Corporate Director of Transformation, Housing and Resources 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 Environmental Services and Planning & Regulatory Services have supported development relating to crime and disorder scrutiny.

CORPORATE PEER CHALLENGE FEEDBACK

The Council took part in an LGA led Corporate Peer Challenge in March 2021, the inspection team considered the Council's approach to governance and scrutiny recognising the areas of good practice. The team noted the changes that have been implemented following the Member Development Commissions review and how they have 'added significant value to the decision-making process, allowing more cross party working prior to decisions being taken'.

OVERVIEW AND SCRUTINY NETWORKS/TRAINING

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 Centre for Governance & Scrutiny (CfGS) 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 2021/22 West Lancashire's representative was Councillor S Gregson.

Members receive regular Members' Updates on the work being undertaken by the Committee in order to provide an opportunity to feedback any comments via the Council's representative or request items to be included on the next appropriate Committee agenda for more detailed scrutiny.

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

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.

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.
- Performance Management including the annual review of the work undertaken through 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 2021/22 and most importantly how the role of scrutiny has made a tangible difference to the work of the authority. 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.

OVERVIEW AND SCRUTINY 2022/23

In 2022/23 overview and scrutiny will operate through two Committees:

Overview and Scrutiny Chairmen

Executive Overview and Scrutiny Committee – Councillor Adrian Owens
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Corporate and Environmental Overview and Scrutiny Committee – Councillor Donna West
01695 729350 – cllr.west@westlancs.gov.uk

Member Development Commission – Councillor Vikki Cummins
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Overview and Scrutiny Lead Officers

Corporate and Environmental Overview and Scrutiny Committee – Chris Twomey, Corporate Director Transformation, Housing and Resources
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Executive Overview and Scrutiny Committee – Heidi McDougall, Corporate Director Place and Community
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Corporate & Environmental Overview and Scrutiny Committee / Development and Support – Kirsty Breakell, Democratic Services Officer 01695 583312 – Kirsty.Breakell@westlancs.gov.uk

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