



West Lancashire Borough Council

Overview and Scrutiny Annual Report 2022/23



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 2023/24.

In 2022/23 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 2022/23. 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 2023

SCRUTINY IN WEST LANCASHIRE

In 2022/23 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 2022/23 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.

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. Special meetings of Executive Overview & Scrutiny are scheduled into the Committee timetable, should a request for call in be received.

There were no 'call-in' requests received during 2022/23.

'Post Hoc Scrutiny'

All minutes of Cabinet meetings are referred to the Committee for post hoc scrutiny. As part of this process the Committee can hold Cabinet to account for the decisions they have taken and the Committee can raise detailed questions and observations. Specific questions were raised in respect of the following:

- (i) Corporate Performance Reporting 2022/23 'Average waiting time for callers to the contact Centre' and 'Staff Turnover/Vacancy levels' (May 2022)
- (ii) Council Tax and NNDR Discretionary Funding Schemes (Sept 2022)
- (iii) Risk management Framework & Key Risk report (Nov 2022)
- (iv) Corporate Peer Challenge (Nov 2022)
- (v) A Corporate Strategy for the Management of General Revenue Account Property Assets (Feb 2023)

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 are detailed in Appendix 1:

The specific 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) Leasehold Housing Management Policy 2022 (May 2022)
- (ii) Medium Term Financial Strategy Update 2022/23-2024/25 (Sept 2022)
- (iii) Housing Strategy
- (iv) Draft HRA Budget report 2023-24 (Jan 2023)
- (v) Climate Change Strategy and Action Plan 2030: Progress Update, Achievements and 2023/24 Priorities (Jan 2023)
- (vi) Draft Decant Policy (Jan 2023)
- (vii) Draft Garage Allocations & Management Policy (Jan 2023)
- (viii) Draft Housing Allocations Policy (Jan 2023)
- (ix) A Corporate Strategy for the Management of General Revenue Account (GRA) Property Assets (Jan 2023)
- (x) Affordable Home Ownership Products (Feb 2023)

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. The Committee considered the following items:

- (i) 2022-23 Quarter 1 Revenue Monitoring GRA (Sept 2022)
- (ii) 2022-23 Quarter 1 Capital Monitoring GRA (Sept 2022)
- (iii) 2022-23 Quarter 1 Revenue and Capital Monitoring HRA (Sept 2022)
- (iv) 2022-23 Quarter 1 Treasury Management & Prudential Indicators Monitoring (Sept 2022)
- (v) 2022-23 Quarter 2 Revenue Monitoring GRA (Nov 2022)
- (vi) 2022-23 Quarter 2 Capital Monitoring GRA (Nov 2022)
- (vii) 2022-23 Quarter 2 Revenue and Capital Monitoring HRA (Nov 2022)
- (viii) 2022-23 Quarter 2 Treasury Management & Prudential Indicators Monitoring (Nov 2022)

In September 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 2022/23 was Chaired by Councillor Vicki Cummins, and identifies appropriate training to support Members in their role. All Members can request training needs directly to Member Services or via their pollical 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.

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 2022/23 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 2022/23 the Committee scrutinised the following reports and raised detailed questions in respect of the following:

(i) Corporate Performance Indicators (Q4 2021/22) (June 2022)

The Committee scrutinised the performance monitoring data for the quarter ended 31 March 2022. The Performance Improvement Lead Officer provided an overview of where action was required for improvement and progress on previous action plans.

(ii) West Lancashire Community Leisure Annual Report (Sept 2022)

An overview of the existing arrangements was provided to the Committee Members and the Leisure Procurement Project Co-Ordinator gave a presentation, supported by a series of slides, the aim of which was to provide the Committee with details of the role and function of the Leisure Trust and the current financial position of the four leisure facilities in the borough.

In discussion Members raised comments and questions in respect of a third of repairs costs being spent on Beacon Park and the reasons for this being vandalism and stolen equipment, amongst other causes.

The Leisure Procurement Project Co-Ordinator Informed Members of several initiatives in place offering reduced rates to youths in order to try and reduce nuisance behaviour, reduced rates to include food vouchers to spend in partner cafes in the borough and reduced rates being offered to asylum seekers.

(iii) Quarterly Council Plan Performance Delivery Plan – Q1 2022/23

The Committee scrutinised the performance monitoring data for the quarter ended 30 June 2022 and the Performance Improvement Lead provided an overview on the report performance, with specific focus on matters with a red or amber status.

(iv) Council Performance Delivery Plan Q3 2022/23

The Committee scrutinised the performance monitoring data for the quarter ended 30 September 2022 and the Performance Improvement Lead provided an overview on the report performance, with specific focus on matters with a red or amber status. It was agreed that future monitoring reports be submitted to the Budget/Council Plan Committee.

In-depth review/policy development

(i) **Review of Public Conveniences (Sept 2022)**

The Sustainable Organisation Review Project (SORP) identified that a review was required of the Public Conveniences in the Borough. The report recommended:

"that a review is undertaken to assess a preferred course of action for each of the facilities, considering the following options:

- Leave as-is
- Close the facility and implement a community toilet scheme
- Rebuild/renew
- Implement a charge
- Incorporate into other redevelopment plans (e.g. leisure partnerships, bus station redevelopment)

Council resolved "That a separate in-depth review take place on option IG12 Public Conveniences"

The Committee considered the item referred to it for in-depth review and resolved "That further audit information in respect of Topic 13 'Review of Public Conveniences' be circulated to Members."

Following a request from a Member the topic was resubmitted and the Committee resolved: "That the topic 'Review of Public Conveniences' be selected as a 'one-hit' Item on a future agenda of the Committee."

The Committee received a report in September 2022, which provided members with an update of the Council's public conveniences and the Environmental Works Officer provided an update on the five public conveniences within the Borough and the associated costs of maintenance.

A further report was requested to provide a full appraisal of the following four options, to seek views from members on their preferred option:

1. Retain all existing facilities and seek tenders to undertake the remedial work as detailed in the review

2. Demolition
3. Investigate the establishment of a community toilet schemes
4. Investigate alternative uses of the sites / disposal

The report is on the Work Programme for the Committee in 2023/24.

- (ii) Update of Actions taken on topics not selected for a full review (Sept 2022)

The Committee sought 'Topic Suggestions' for in depth review, via a Task and Finish Group, during 2022-23. Ten Topics were received from the variety of sources, which underwent the approved scoring process. Of the topics not selected for review, a number of actions were identified and reported to the Committee in September 2022. Details of the outcomes of the actions are contained in Appendix 2.

- (iii) Task & Finish Group – Community Environmental Improvements Including Community Orchards

Further information to be added

- (iv) Task & Finish Group – Litter Clearance in West Lancashire, Including 'Fly Tipping' and 'Grot Spots'

Further information to be added

- (v) 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 was 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 'Allocation of Clean & Green Services and the Cleaning Schedules Across the Borough'. A report was called for and considered at the meeting of the Committee in December 2022.

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. The following item was included on the agenda at the request of a Member:

- Local Government Ombudsman Annual Report 2021-22

The Committee scrutinised the Council's performance in respect of the Local Government Ombudsman statistics 2021/2022. The Admin and Electoral Services Manager gave Members an overview of the report, detailing the number of complaints received by the Ombudsman and advised that a build up of complaints occurred due to the Ombudsman being closed for a period of time due to the Covid pandemic.

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 9 March 2023 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.

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 2022/23 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 2022/23

- The Annual Report will 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.

The Council at its meeting held in October 2022, made the decision to change its governance arrangements to a Committee style model from May 2024. Scrutiny will be undertaken in cross party Committees along with the decision making previously undertaken by the single party Cabinet.

CONCLUSION

This report has highlighted the main activities undertaken by overview and scrutiny during 2022/23 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:

Jacky Denning, Democratic Services Manager, 52 Derby Street, Ormskirk, West Lancashire L39 2DF, Phone 01695 585384, E-mail: jacky.denning@westlancs.gov.uk

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 2023/24

In 2023/24 overview and scrutiny will operate through two Committees:

Overview and Scrutiny Chairmen

Executive Overview and Scrutiny Committee – Councillor John Fillis
07811388153 – cllr.fillis@westlancs.gov.uk

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

Member Development Commission – Councillor Vikki Cummins
07720315322 – cllr.cummins@westlancs.gov.uk

Overview and Scrutiny Lead Officers

Executive Overview and Scrutiny Committee – Chris Twomey, Corporate Director Transformation, Housing and Resources
01695 585262 – chris.twomey@westlancs.gov.uk

Corporate & Environmental Overview and Scrutiny Committee – Lisa Windle
01695 585205 – lisa.windle@westlancs.gov.uk

Member Development Commission –Jacky Denning, Democratic Services Manager
01695 585384 – jacky.denning@westlancs.gov.uk

Overview and Scrutiny Function and Support Officers

Overview & Scrutiny Development – Jacky Denning, Democratic Services Manager
01695 585384 – jacky.denning@westlancs.gov.uk

Executive Overview and Scrutiny Committee / Development and Support – Julia Brown, Democratic Services Officer 01695 585065 – Julia.brown@westlancs.gov.uk

Corporate & Environmental Overview and Scrutiny Committee / Development and Support – Kirsty Breakell, Democratic Services Officer 01695 583312 – Kirsty.Breakell@westlancs.gov.uk

Member Development Commission Support – Duncan Jowitt, Member Services Officer 01695 583495 – Duncan.Jowitt@westlancs.gov.uk

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