



Overview and Scrutiny Committee Agenda

Wyre Borough Council
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**Overview and Scrutiny Committee meeting on Monday, 5 February 2018
at 6.00 pm in the Council Chamber, Civic Centre, Poulton-le-Fylde**

1. Apologies for absence

2. Declarations of interest

Members will disclose any pecuniary and any other significant interests they may have in relation to the matters to be considered at this meeting.

3. Confirmation of minutes

(Pages 1 - 4)

To confirm as a correct record the minutes of the meeting of the Overview and Scrutiny Committee held on 8 January 2018.

4. Digital Transformation Task Group - draft report

(Pages 5 - 22)

The Chairman of the Digital Transformation task group, Councillor Howard Ballard, will present the group's draft report and recommendations to the committee, inviting questions and comments from other members.

With the committee's endorsement the report will be forwarded to the Cabinet for their consideration.

5. Select Committee Report

(Pages 23 - 32)

During 2017 the Communities and Local Government Select Committee carried out an inquiry into the effectiveness of local government Overview and Scrutiny. The Committee is invited to discuss a briefing by the Local Government Information Unit about the Select Committee's report and agree any actions that should be taken in the light of the recommendations.

6. Overview and Scrutiny Work Programme 2017-18

(Pages 33 - 38)

Peter Foulsham, Scrutiny Officer, will provide an update for the committee about the delivery of the Overview and Scrutiny Work Programme 2017/18 and will invite councillors to begin to identify topics for possible inclusion in the Overview and Scrutiny Work Programme 2018/19.

In particular, the committee will be invited to consider

- (i) A draft scoping document for a task group on flooding, and
- (ii) The Draft Business Plan 2015 – 2019 (2018 update).

7. Date and time of next meeting

Monday 12 March 2018 at 6pm.



Overview and Scrutiny Committee Minutes

The minutes of the Overview and Scrutiny Committee meeting of Wyre Borough Council held on Monday, 8 January 2018 at the Council Chamber, Civic Centre, Poulton-le-Fylde.

Overview and Scrutiny Committee members present:

Councillors Ian Amos, Rita Amos, Emma Anderton, Howard Ballard, Emma Ellison, John Ibison, Kerry Jones, Patsy Ormrod and Julie Robinson

Other councillors present:

Councillor Henderson, Leader of the Council (for agenda item 5, Business Plan 2018/19).

Officers present:

Marianne Hesketh, Service Director Performance and Innovation
Peter Foulsham, Scrutiny Officer

42 Election of Chairman

Councillor John Ibison was elected Chairman of the committee for the remainder of the 2017/18 municipal year.

43 Apologies for absence

Apologies for absence were received from Councillors C Birch, Hodgkinson, Smith and Matthew Vincent.

44 Declarations of interest

None.

45 Confirmation of minutes

RESOLVED that the minutes of the meeting of the committee held on 6 November 2017 be confirmed as a correct record.

46 Business Plan 2018/19

Councillor David Henderson, the Leader of the Council, and Marianne Hesketh, Service Director Performance and Innovation attended for this item.

Marianne Hesketh explained that the Council's Business Plan for 2015 – 2019 had been updated, with a number of new programmes and projects now featuring in the plan for 2018/19. Two new projects were to be delivered on economic growth and prosperity and a beach management scheme would be developed, related to the new sea defences at Rossall. Other new projects would focus on environmental crime, applying for Heritage Action Zone status for Fleetwood conservation area and ensuring that the council meets its requirements of the new General Data Protection Regulations. Marianne Hesketh confirmed that performance measures for the new projects would be available on BRIAN once agreed.

In response to questions from councillors Marianne Hesketh said that a target figure would be added to the quarterly report on Business Plan monitoring, but benchmarking information would not be added as different local authorities did not record information like for like.

Members of the committee raised the issue of the Overview and Scrutiny Work Programme with Councillor Henderson. He agreed that it would be helpful if a scrutiny task group was to be set up on car parking, following the completion of the recent consultation, the report for which would be available soon. The Committee asked that the report be placed on their agenda as soon as possible.

RESOLVED that

- (i) Councillor Henderson and Marianne Hesketh be thanked for their report, and
- (ii) The report of the car parking consultation be placed on the agenda for consideration by the committee at the earliest opportunity.

47 Performance - The Council's Business Plan 2015-19 (2017 update)

Marianne Hesketh, Service Director Performance and Innovation, submitted a report, the 2nd Quarter Performance Statement 2017/18, July – September 2017.

Marianne Hesketh confirmed that the Local Plan still had not been submitted, as there had been over 1200 responses to the recent consultation, which had to be dealt with first. The Plan would now be submitted by the end of January.

In response to questions from the committee, Ms Hesketh confirmed that the vacancy left by the departure of the Policy and Engagement Manager would be advertised in the near future, with some amendments to the role and responsibilities. She added that the project 'Digital Wyre' was experiencing some minor issues, and was subject to a review before agreeing a way forward. The Digital Hub at Fleetwood market was proving successful. A further comment was made that it would be helpful for a target to be included in the measure on the number of affordable dwellings built.

RESOLVED that

- (i) the Service Director Performance and Innovation be thanked for her attendance at the meeting, and
- (ii) the report be noted.

48 **Planned maintenance and investment schedule 2018/19**

Marianne Hesketh, Service Director Performance and Innovation, presented the planned maintenance and investment schedule 2018/19. She added that the Asset Management Plan would be submitted to the March meeting of the committee.

In response to questions from members, Ms Hesketh informed the committee that works were still being carried out on the Garstang and Poulton Leisure Centres, the additional money not having been included in the original figures for renovation. There was still work outstanding and this would be completed, little by little, as and when funding became available. She added that the council was aiming to further reduce the subsidies on Leisure Centres.

RESOLVED that

- (i) Ms Hesketh be thanked for her report, and
- (ii) The Asset Management Plan be considered by the committee on 12 March 2018.

49 **Overview and Scrutiny Work Programme 2017-18**

Peter Foulsham, Scrutiny Officer, summarised the current position of the two scrutiny task groups. The draft report of the Digital Transformation task group would be presented to the committee on 5 February.

The committee agreed to consider setting up a scrutiny task group review on the role of councillors in flooding events in Wyre. A draft scoping document would be considered at the next meeting.

The committee further agreed to discuss the Council's Draft Business Plan 2015 – 2019 again at the next meeting with a view to identifying topics that could be considered for inclusion in the Committee's Work Programme for 2018/19.

The committee discussed the way in which scrutiny was understood and promoted within the council. Members agreed that the committee in particular, and the wider council membership, would benefit from some training and development opportunities that would help to enhance their role in scrutiny. The Chairman and the Vice Chairman would liaise with the Scrutiny Officer to take this proposal forward, and bring suggestions back to the committee for their consideration.

RESOLVED that

- (i) A draft scoping document for a possible task group on flooding be submitted to the meeting on 5 February 2018, and
- (ii) The training and development needs of committee members and other councillors be considered by the committee before the start of the 2018/19 Municipal Year.

50 Date and time of next meeting

RESOLVED that the next meeting of the committee be held at 6pm on Monday 5 February 2018 at the Civic Centre, Poulton-le-Fylde.

The meeting started at 6.00 pm and finished at 7.02 pm.

Item 4



**Digital Transformation
Task Group**

- Draft Report -

Chairman:

Councillor Howard Ballard

Task Group Members:

Councillor Ian Amos
Councillor Rita Amos
Councillor Emma Ellison
Councillor Rob Fail
Councillor John Hodgkinson
Councillor John Ibison
Councillor Lees
Councillor Orme
Councillor Patsy Ormrod
Councillor Shaun Turner
Councillor Lynn Walmsley

**Overview & Scrutiny Committee
Chairman: Councillor John Ibison**

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Aims of the Review

1. To consider the progress that the council has already made around digital transformation
2. To consider the costs and benefits of paper-free meetings
3. To consider whether some or all of the council's meetings could become paper-free
4. To review steps in digital transformation that have been successfully taken by other local authorities
5. To identify relevant training and development requirements for councillors and officers
6. To identify and quantify potential cost savings to contribute to the council's efficiency programme

(See scoping document, Appendix 1)

Recommendations

The task group is aware that the decision has already been taken to purchase the Modern.Gov Committee Minutes system, the decision by the Resources Portfolio Holder having been published on Thursday 21 December 2017. Consequently, the task group's recommendations focus on how the system should be implemented, with particular reference to paperless meetings, to maximise the benefits to councillors and the council.

Councillors have observed two different committee management systems, including Modern.Gov, being used 'live' in committee meetings in three different local authorities and have spoken in depth with councillors who have already seen the implementation of new systems in their authorities. It is on this basis that the task group makes the following recommendations regarding the implementation of a new committee management system in Wyre:

1. Implementation should begin with one of the 14-Member committees.
2. The roll out should be to one committee at a time.
3. A programme for the roll-out of paperless meetings should be planned and delivered, with all meetings (Committee meetings, task group meetings, working group meetings and other meetings) being paperless by May 2019 at the latest
4. Every councillor should be offered one-to-one or small group training at a level that is appropriate for them.
5. The implementation of a new committee system and the move to paperless meetings should include all councillors unless there are specific medical conditions that prohibit that.
6. Regular, on-going support must be provided for councillors, perhaps to include regular iPad clinics before Full Council meetings.
7. Democratic Services Officers will play a key role in implementation and on-going support for councillors
8. All councillors should be issued with a device that is appropriate to the individual's needs – an iPad with 9.7 inch screen is a minimum requirement.
9. Individual devices should be easily identifiable.
10. Devices to be used for agendas, committee papers, email, calendar, invitations, etc. – in fact, as much as possible, with appropriate guidance.
11. The policy for the retention of files and documents needs to recognise that councillors might need to access historical documents in meetings on occasions.

12. Confidential 'green paper' documents must be easy to access.
13. Full consideration should be given, at a later stage in the implementation process, to the provision of data for devices.
14. The wi-fi system in the council's committee rooms will need to be fit for purpose.
15. Charging points and chargers should be made available to members, but not in the committee rooms.

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Summary of evidence provided by Marianne Hesketh, Service Director Performance and Innovation

Introduction

Marianne Hesketh, Service Director Performance and Innovation, referred to a report on digital transformation that had previously been considered by the Overview and Scrutiny Committee on 31 July 2017.

A new committee minutes system was being considered at the time that Ms Hesketh gave evidence to the task group; we now know that the Resources Portfolio Holder, on 21 December 2017, published his decision to purchase the Modern.gov system.

Marianne Hesketh's evidence was as follows:

The council has already made good progress in many aspects of digital transformation. The council's website has been improved significantly, for which it had achieved external recognition. The Citizen Access Portal is also being developed.

A new committee minutes system will streamline the committee agenda and minutes compilation and publication processes, leading to savings in printing, postage and staff time. A number of other local authorities in Lancashire and nationally have already implemented a committee minutes system, some of them many years ago.

Ms Hesketh suggested that the task group might be able to make some proposals about how the council's website could be further improved but councillors agreed not to widen the scope of the review. The topic of website improvement could be the subject of a separate scrutiny review in the future.

Councillors made a number of points that they suggested could to be considered during the course of the review, including:

- It was important to purchase appropriate devices as the experience from Lancashire County Council was that their smartphones were not always reliable.
- The IT department should contribute their expert advice about appropriate devices.
- Adequate wi-fi capacity must be made available.
- Any recommendations from the task group will have to comply with data protection legislation.
- The task group needs to look at how other local authorities have implemented similar committee management systems; post implementation reports should be considered by the task group, if available.
- Members of the task group should speak with colleagues from other councils to get their opinions about the process of implementation.

Summary of evidence provided by Roy Saunders, Democratic Services and Scrutiny Manager

It is timely to introduce a new system as there is a legal requirement to publish committee agendas, which is done via the council's website, and the system currently used is proving increasingly unreliable. The status quo is not acceptable.

A new system will be very helpful in the preparation of meeting agendas and reports; it will be more efficient, making savings in time and money, and provide some additional functionality which will facilitate a move to paperless meetings.

Many other local authorities have already implemented similar systems and Wyre will benefit from the experience of others. As a member of the Lancashire Democratic Services Managers Forum and the Association of Democratic Services Officers, Mr Saunders consulted with many colleagues across Lancashire and beyond, and this information helped to develop the business case for Wyre to purchase an appropriate system. He also researched information provided by a number of other councils and visited Burnley and Blackpool Councils to see their systems being used at a committee meeting. Relevant assessments and comparisons have been completed.

A procurement process is currently underway. Modern.Gov is the market leader, with approximately 280 other local authorities and similar organisations nationwide using it, including seven of the other eleven councils in Lancashire. The procurement process would be completed in December with a purchase scheduled to take place in January 2018.

An intensive period of preparation and training will be required, with Democratic Services Officers taking a leading role. It is intended that paperless meetings will be piloted from May 2018, possibly by the Overview and Scrutiny Committee and/or the Audit Committee. All being well, paperless meetings will be the norm in all council meetings from May 2019.

The experience of councillors at Burnley is that they are very comfortable using the new system, despite some understandable initial anxieties.

It is acknowledged that any new system would have to provide for visually impaired councillors and this requirement will be included in the supplier's specification.

Summary of evidence provided by Claire Dubelbeis, Transformation Officer

Claire Dubelbeis gave a practical demonstration of the Modern.Gov system. Within the demonstration she made the following points:

- Councillors will be provided with full functionality.
- Access to green paper documents will also be available.
- It has not been decided yet whether the devices to be purchased would be iPads or similar devices.
- Every councillor will have their own device.
- Cash savings will help to offset the cost of the devices.
- Further discussion will be needed about the devices being used for personal use, but it appeared to be a sensible option.
- Lots of the practical details are still to be worked out.

In answer to questions from councillors, Claire Dubelbeis added the following:

- It will be possible to bookmark pages that have been individually highlighted, enabling the user to flick from note to note as required.
- The wi-fi infrastructure will be reviewed but it is anticipated that councillors will have already downloaded any relevant documents to their device in advance of a meeting in order to read them; the drain on local wi-fi will therefore not be excessive.
- Documents will normally be kept on the device for three months. It will be possible to save documents to the device for the longer-term. In the light of comments from councillors this issue needs to be reviewed further.
- Facilitating ready access to archived documents needs to be costed. If it is not possible to do, a system similar to the current one whereby councillors make a request to a Democratic Services Officer for a specific archived document will need to be adopted.
- A stylus can be used for ease of use.
- Access to film or video, as used sometimes by the Planning Committee, requires further investigation.

Task group members commented that, from the presentation given, the proposed system appears to be very easy to use, and is likely to make for much more effective meetings.

Visit to Chorley Council

Councillors Ballard, Ibson and Orme attended the meeting of the Executive Cabinet at Chorley Council on Thursday 16 November 2017. Chorley Council uses the Modern.gov committee minutes system, as it has done for many years.

Key points in relation to the implementation and use of Modern.Gov by councillors at Chorley Council:

- Councillors were not forced to use Modern.Gov, they were encouraged; they were introduced to it in groups of about ten at a time
- Identify some key people
- Political Group Champions were identified and each committee had an identified Super-User for advice and support
- There was lots of training from the start – councillors were “spoon-fed”
- Every councillor received one-to-one training at a level that reflected personal requirements
- Democratic Services, alongside IT, play a major role in training and ongoing support
- A manual was written in ‘Idiot’s Guide’ style
- Devices are for council business, not party business
- iPad clinics are run before meetings of the Full Council
- Devices are efficient for the running of meetings – they are not intended to store all historical documents which must be made available elsewhere
- Several different devices were trialed but iPads were preferred
- Some devices have separate key-pads – matter of personal preference
- Need to identify individual devices easily – different coloured covers being used
- Devices are all the same and can be managed remotely
- Individual retention policies can be set up
- Agenda papers were withdrawn only after members had had their iPads for two months
- Most have used it very easily, a few have had more problems
- Frequent changes to passwords have been frustrating, though essential for security reasons
- Finger-print recognition is desirable
- Different passwords for different things – could they be coordinated?
- The iPad is used for everything needed by councillors, including Twitter, Facebook, calendar, presentations, notifications, crime maps by ward and e-learning (currently being developed)
- The Outlook calendar is used widely and frequently
- The iPad cannot be used for personal matters, including emails
- It has proven difficult for Chairs of meetings to do without a paper copy of the agenda so they still receive one (not posted out)
- Some councillors still use pen and paper in a minimal way - it is not banned
- Two councillors still receive paper copies for medical reasons, but they are not posted out (2 out of 47 is seen as a good percentage)

- Plenty of chargers are available, but not in the committee rooms
- Councillors need to be well organised to ensure their devices are sufficiently charged at meetings
- Data needs to be available for councillors without broadband at home
- Wi-fi at the Town Hall is provided by Cisco Meraki, a cloud-based solution
- Wi-fi infrastructure needs to be adequate
- A fortnightly electronic magazine is sent out to councillors and includes any information that councillors need to be updated about regarding Modern.Gov or the iPads
- Most iPads being used are now five years old. Only problems with them have been caused by being dropped.
- Discussion about the replacement of devices is currently under way. The devices still work perfectly but functionality improves year on year
- The implementation and use of the system has clearly been cost-effective

The final comment made by Councillor Jean Molyneaux, who was the Chair of the Member Support Working Group when iPads were rolled out in Chorley, and participated in the initial trial, was “Get it sooner rather than later. Get on with it. Do it. With hindsight we took too long talking about it”.

Visit to Blackpool Council

Councillors Fail, Ibison and Lees attended the meeting of the Planning Committee at Blackpool Council on Tuesday 21 November 2017. Blackpool Council uses the Modern.gov committee minutes system.

Key points in relation to the implementation and use of Modern.gov by individual councillors at Blackpool Council, including many personal comments:

Q1 How do you find the system and how easy have you found it to use?

- Good. Easy to use. Convenient.
- Saves time and paper.
- Easy to read through and follow.
- Works well.
- Great for on the move. Great for agendas. Cannot live without!

Q2 Pitfalls we should be looking out for?

- Some technical blips, not specific to modern.gov. No other problems.
- IT here to help.
- Updating of password - needs specific attention.
- Ongoing training and briefings with updates.

Q3 How much training offered during implementation?

- Basic training provided, then on-going learning though use.
- Lots of on-going advice has been provided.
- Someone present before each Full Council meeting to help.
- Need one-to-one.

Q4 Problems encountered particularly regarding paperless meetings?

- Knowing how to print from iPad.
- Updating and changing password
- One councillor was visually impaired and had problems reading the iPad.

Q5 How many times have you had problems when everyone else's seem to be working?

- Councillors had different experiences – most rarely had problems.

Q6 How good has battery usage been?

- Charging is available in group rooms.
- Battery will probably last all day.
- Very good. Charger supplied.

Q7 How much ongoing support offered?

- Have support from IT and Democratic Services.
- A lot, either by phone or by arranging an appointment.
- Good support team (IT) need to know 1 to 1 support is there if needed.
- Drop in sessions or by request and phone help.

Q8 Use device for anything else?

- Virtually everything required is on iPad.
- Great for emails, diary. Couldn't manage without it.
- Calendar very useful. Great for receiving invitations. Emails. Everything you would do on a PC.

Q9 Other things we should be aware of if we implement similar system?

- Essential to set up a comprehensive training programme and to pilot the system with smaller, specific group[s] of councillors.
- Helpline and make sure people feel comfortable when asking for help not feel stupid. Have lots of ongoing support available as people become more competent and adventurous on their devices.

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Visit to Fylde Council

Councillors Ballard, Fail, Orme and Walmsley attended the meeting of the Member Development Steering Group at Fylde Council on Friday 1 December 2017. Fylde Council uses the CMIS committee minutes system.

Key points in relation to the implementation and use of CMIS by councillors at Fylde Council:

- Councillors have, on the whole, found CMIS very easy to use with very little initial training.
- It was estimated that councillors only received 15-20 minutes training to begin with.
- A consultant was used for the initial training but not for the implementation.
- CMIS was rolled out one committee at a time.
- The Member Development Steering Group played a key role in implementation.
- Democratic Services Officers have undertaken a training and support role which has been crucial to successful implementation.
- Monthly CMIS update/briefing sessions are held.
- Some members had entrenched views about technology but many have been very easily converted.
- Some senior members are still using paper, but that was not a problem.
- Approximately 52% currently use devices.
- Councillors have helped each other, with some encouraging and influencing others.
- A 'buddy' system was worth considering.
- It was very easy to navigate from page to page and item to item on an agenda.
- There were some initial problems with implementation in the Planning Committee because of the complexity of agendas, but this has now been overcome.
- Councillors had a choice of opting in to get £300 towards their own device. Those who chose not to opt in still receive paper agendas.
- Members could choose their own device, with no consistency. With experience, Fylde members would now recommend a more consistent approach.
- A larger iPad (or similar device) is essential.
- Charging points are available but some members do still forget to come to meetings with devices properly charged.
- Councillors have their own (wide variety of) chargers.
- CMIS will allow councillors to select which committees they subscribe to.
- Older minutes and reports are not available directly on devices but can be downloaded. CMIS stores agendas for six months on a rolling programme.
- Confidential items are sent separately in pdf format.
- Separate systems are used for email and calendars, outside CMIS.
- Devices are limited to reading agenda papers and the resource library.
- Wi-fi provision needs to be adequate.

- It is intended that Fylde's security will be strengthened significantly by 2019 when elections take place.
- Devices cannot be disabled remotely if lost.

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Councillors' attendances

There were four meetings of the task group and three visits to other Local Authorities.

Name	Meetings attended (maximum 4)	Visits attended (maximum 3)
Councillor I Amos	3	
Councillor R Amos	4	
Councillor Ballard	3	2
Councillor Ellison	3	
Councillor Fail	4	2
Councillor Hodgkinson	4	
Councillor Ibison	2	2
Councillor Lees	1	1
Councillor Orme	4	2
Councillor Ormrod	4	
Councillor S Turner	1	
Councillor Walmsley	3	1

List of Appendices

APPENDIX 1 Digital Transformation Task Group – Scoping Document

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8 January 2018

Digital Transformation Task Group**Scoping Document**

Review Topic	Digital transformation
Chairman	Councillor Howard Ballard
Group Membership	Councillors Ian Amos, Rita Amos, Emma Ellison, Rob Fail, John Hodgkinson, John Ibison, Terry Lees, Phil Orme, Patsy Ormrod, S Turner (Vice Chairman) and Walmsley
Officer Support	Peter Foulsham, Scrutiny Officer
Purpose of the Review	To consider the options for the council to move to more digital processes and towards a paper-free organisation
Role of Overview and Scrutiny in this Review (mark all that apply)	<p>Holding Executive to account – decisions <input type="checkbox"/></p> <p>Existing budget and policy framework <input type="checkbox"/></p> <p>Contribution to policy development <input checked="" type="checkbox"/></p> <p>Holding Executive to account – performance <input type="checkbox"/></p> <p>Community champion <input type="checkbox"/></p> <p>Statutory duties / compliance with codes of practice <input checked="" type="checkbox"/></p>
Aims of Review	<ul style="list-style-type: none"> ○ To consider the progress that the council has already made around digital transformation ○ To consider the costs and benefits of paper-free meetings ○ To consider whether some or all of the council's meetings could become paper-free ○ To review steps in digital transformation that have been successfully taken by other local authorities ○ To identify relevant training and development requirements for councillors and officers ○ To identify and quantify potential cost savings to contribute to the council's efficiency programme <p>Throughout the review the task group should continue to be aware of other progress that the council makes and the relevant data protection requirements.</p>

Methodology	Inviting witnesses to task group meetings Internet research Visit to a council that has already implemented paper-free meetings
Scope of Review	All types of council meetings.
Potential Witnesses	Resources Portfolio Holder Service Director Performance and Innovation IT Systems/Software Manager Head of Contact Centre Democratic Services and Scrutiny Manager Transformation Officer Chairman of the Councillor Development Group
Documents to be considered	Digital Transformation Strategy - #DigitalWyre
Risks	None identified
Level of Publicity	Low
Indicators of a Successful Review	
Intended Outcomes	Reduced paper and printing costs More efficient ways of working
Approximate Timeframe	Two months
Projected Start Date	20 September 2017

arm/o&s/cr/18/0502pf1

CLG select committee report on the effectiveness of local authority overview and scrutiny committees

Summary

This briefing summarises the findings of the CLG select committee inquiry into [local authority overview and scrutiny committees. \(PDF document\)](#)

The inquiry heard evidence of considerable failings in current scrutiny arrangements, including:

- a lack of resources
- the low status accorded to scrutiny
- potential conflicts of interest arising from the same officers working with scrutiny and with the executive
- a lack of real challenge from members
- an over-reliance on officer reports rather than a range of evidence
- political pressures limiting the effectiveness of scrutiny.

It did also hear evidence of cases where scrutiny was working well; invariably, these were from authorities where the leadership had a positive attitude towards scrutiny.

The report makes various recommendations, which are in bold type in the body of this briefing. Notably, the report calls upon the government to:

- issue updated guidance for local authorities on the role of scrutiny
- develop a pilot scheme to test the merits of electing scrutiny chairs by secret ballot
- make it clear that information deemed commercially sensitive should not be withheld from scrutiny members
- extend the requirement of a statutory scrutiny officer to all councils, with the seniority of this role on a par with the corporate management team
- give scrutiny committees the power to require attendance by external service providers and LEPs
- monitor the impact of the scrutiny-related funding it makes available to the LGA
- emphasise the role of scrutiny and provide adequate funding for it in future

devolution deals.

It calls upon local authorities to:

- arrange for scrutiny committees to report to full council rather than the executive
- make greater use of expert witnesses
- ensure that members of the executive do not participate in scrutiny except as witnesses
- consider how to raise the profile of scrutiny to promote public engagement, including digital engagement.

This briefing will be of interest to councillors and officers with a scrutiny role in all councils. However, as scrutiny is a cross-cutting function which is closely connected with the culture of the organisation, it should be useful to other councillors and senior officers as well.

Briefing in full

The inquiry into local authority overview and scrutiny committees was launched because of concerns that scrutiny in local authorities is not as effective as it should be. In particular, a number of councils which adopted the leader and cabinet model have since reverted to the committee system, citing (among other factors) the limited effectiveness of scrutiny. The inquiry is the first comprehensive assessment of how scrutiny committees operate.

Oral evidence sessions were supplemented by a workshop for councillors and officers held in October 2017. A large number of written submissions were also received.

The role of scrutiny

The report begins by considering the role of scrutiny. It notes that while good scrutiny can be hard to define, the consequences of inadequate scrutiny can be severe and very apparent. For example, both the Francis Report into the Mid Staffs NHS Trust in 2013 and the Casey Report into Rotherham Council in 2015 highlighted a lack of challenge on the part of scrutiny members.

The inquiry found that scrutiny varies widely across the country. Beyond the statutory requirement for councils with a leader and cabinet model to have at least one overview and scrutiny committee, consisting of non-executive members, and a few additional requirements such as health scrutiny committees, scrutiny arrangements are a matter of local discretion. While some councils have a number of scrutiny committees covering different departmental functions, others have only one committee but make use of task and

finish groups.

The report endorses the [Centre for Public Scrutiny](#)'s (CfPS) four principles, which state that good scrutiny:

- Provides a constructive “critical friend” challenge;
- Amplifies the voices and concerns of the public;
- Is led by independent people who take responsibility for their role;
- Drives improvement in public services.

The report highlights that scrutiny can help to develop policy as well as responding to executive decisions. For example, in Birmingham, a scrutiny review of the council's work on child sexual exploitation resulted in extra resources being allocated to the team working on the issue as well as changes to the council's licensing statement.

Another aspect of scrutiny's role is to scrutinise proposals before decisions are made. The extra time spent examining a proposal can lead to a deeper understanding of the issues, and recommendations which can inform the cabinet's decision.

The report notes that the latest government guidance on scrutiny dates back to 2006, while several legislative changes have occurred since this date and local government has changed considerably. **The report recommends that this guidance be updated to take into account the evolving role of scrutiny.** It also calls on the Local Government Association to look at ways to enable the sharing of scrutiny best practice among local authorities.

Organisational culture

The culture of an organisation is a much more important factor in the success of scrutiny than the particular model adopted. Jacqui McKinlay of CfPS emphasises the importance of buy-in from the executive and senior officers: this usually means scrutiny is well-resourced, whereas “[i]f your leadership is closed to that sort of challenge, it does not just affect scrutiny; it affects a lot of how the organisation is run”. The report agrees, observing that “[a]ll of the examples of effective scrutiny that we have heard about have in common an organisational culture whereby the inherent value of the scrutiny process is recognised and supported.”

One of the barriers identified in the report was the lack of parity of esteem between the executive and scrutiny, with scrutiny often being perceived as an add-on rather than an integral part of the council's work. Part of the challenge is the difficulty of quantifying scrutiny's impact, since scarce resources are more likely to be allocated to areas where the

impact is obvious.

The responsibility for a positive culture around scrutiny lies with opposition groups as well as the executive. Where the opposition treats the executive with respect and challenges it where necessary, rather than for the sake of challenge, scrutiny is likely to be better regarded.

Another problem with the status of scrutiny is its position in relation to the full council. The report draws a contrast with parliamentary select committees, which must report to parliament, whereas there is no guidance on which body scrutiny committees should report back to. In practice, the majority report to the executive, which again suggests a hierarchy.

The [Institute of Local Government Studies](#) at the University of Birmingham notes that when scrutiny committees present reports to full council, it provides “the opportunity to create a relevant and interesting debate on a matter of local concern which has been investigated in depth by a group of councillors.” The report agrees with its recommendation that **reports from scrutiny should be on full council agendas.**

The role of party politics is identified as another barrier to effective scrutiny. While executive members cannot sit on scrutiny committees, the report expresses concern that there have been some moves towards this in practice, with meetings scrutinising the NHS being essentially chaired by executive members. It cautions against any such move, warning that it risks further politicisation of meetings and dilution of the role of scrutiny members. It **calls upon the Department for Communities and Local Government to strengthen its guidance on the separation of scrutiny and the executive.**

In considering the appointment of scrutiny chairs, the report notes that processes vary: while many councils state that chairs must be from opposition parties, others routinely appoint members of the majority party to all chairships. The report cautiously avoids advocating any particular process for selecting chairs, but expresses concern that appointments made by the executive can be used to minimise trouble for the leadership and thereby weaken the legitimacy of scrutiny.

The report notes that the government has prescribed that chairs of combined authority scrutiny committees must be from a different party to the executive mayor, and cites evidence from Newcastle City Council, where chairs are always from opposition parties, that this system encourages effective challenge.

In 2010, following recommendations from the [Reform of the House of Commons Committee's report 'Rebuilding the House'](#), elections by secret ballot of all MPs were introduced to elect chairs of select committees.

In 2015, the Institute for Government published [an assessment of parliamentary select committees and their impact in the 2010–15 Parliament](#). The report found that electing chairs had increased the legitimacy and effectiveness of select committees, since chairs knew they were in the role as a result of support from their peers rather than as a matter of political patronage.

The report stops short of endorsing this approach for scrutiny committee chairs, notably due to a concern from the Minister for Local Government, Marcus Jones, that this could actually increase party-political pressures. However, it does **call for the DCLG to work with the LGA and CfPS to develop a pilot scheme where willing local authorities can trial a system of elected scrutiny chairs.**

Accessing information

The inquiry revealed significant difficulties for scrutiny committees in accessing the information they need, including instances of committees submitting Freedom of Information requests to their own authority.

The report also raises the widespread issue of information being withheld for reasons of commercial sensitivity. Some submissions to the inquiry argued that a tighter definition is needed of what information can be kept confidential on these grounds. The report acknowledges that it may not always be in the public interest to make such information publicly available, but argues that there is no justification for withholding it from councillors, who already have access to restricted information and who require it in order to do their job.

Regulations from 2012 grant additional access to information for scrutiny members when they can demonstrate a 'need to know'. The report argues that this access should be automatic, i.e. that **membership of a scrutiny committee should constitute a sufficient 'need to know', since restricting scrutiny members' access to information limits their ability to identify issues for further investigation.**

The inquiry also found that councils made very limited use of external advisors, in part for reasons of budget. The report expresses concern that many scrutiny committees are too reliant upon officer reports and do not seek alternative perspectives, meaning that meetings often feel like one-off events rather than part of a process of investigation. It can sometimes also be a problem when the same officers are providing support to the executive and to scrutiny, chiefly because resources are likely to be concentrated on the executive due to lack of parity of esteem. The report **calls on councils to make greater use of external expert witnesses, in particular from the academic world.**

Finally, this section of the report also looks at how the perspectives of service users and the wider public can inform scrutiny. It cites an example of good practice from Brighton & Hove, where a panel on equality for the transgender community worked with partners including a local charity. Significant time was devoted to the consultation process and engagement strategy, which helped to build up trust and resulted in the recommendations being well received by the transgender community as well as adopted by Cabinet. The report **calls on councils to consider how the views and experiences of service users can be used to complement information from officers.**

Resources

The average staff time devoted to scrutiny is now below one full-time equivalent post, with many councils having no dedicated scrutiny support at all. In general, the number of scrutiny committees within a council has reduced in line with the reduction in resources.

Increasingly, officers responsible for scrutiny have to combine this role with democratic services functions or policy and strategy work. This creates a risk that non-scrutiny functions will take precedence, and can also create a conflict of interest, or the perception of one. There is also a danger that committee clerks with no policy background, for instance, may not have the right skillset to work on scrutiny. When there is little resource for scrutiny, reports tend to come straight from the relevant service department, which can result in an overly optimistic picture being painted.

The report expresses concern that under-resourcing of scrutiny can be a deliberate ploy by executives which do not want to be scrutinised. Scrutiny is a soft target for budget cuts. The report **recommends that the government include in updated guidance the requirement that scrutiny committees “must be supported by officers that can operate with independence and provide impartial advice to scrutiny councillors.” It also recommends that councils be required to publish a summary of resources allocated to scrutiny, with expenditure on executive support as a comparator.**

Upper tier authorities are currently required to have a designated scrutiny officer, though this need not be their only role. Workshop participants and the Institute for Local Government Studies expressed the view that these officers are rarely senior enough to be seen as on a par with other statutory roles such as the Section 151 Officer or Monitoring Office, and that the role should have similar status to these.

The report **recommends that the requirement for a designated scrutiny officer be extended to all councils, and that the post-holder should have “a seniority and profile of equivalence to the council’s corporate management team”.** It also

recommends that this officer make regular reports to full council.

Member training and skills

Unlike members of planning and licensing committees, scrutiny members are not required to undergo any training. Members often lack the necessary listening and questioning skills for good scrutiny, with the result that questions at meetings are often merely requests for more information. The report underlines that training should be tailored to the needs of members, which will be different from those of officers – it is more about questioning skills than specific knowledge. One councillor argued that training should be more focused on self-reflection: “What is your role? Are you really going to hold to account?”

The report expresses concern that, according to answers from the Minister, DCLG gives the LGA £21 million a year to support good governance, but does not monitor the impact of this. It **calls upon DCLG to introduce monitoring so it can assess whether this funding represents value for money.**

The role of the public

The report cites various case studies where scrutiny was effective in amplifying the voices of the public, including Exeter’s ‘Dementia Friendly Council’ task and finish group, which invited members of the Torbay Dementia Leadership Group to comment on how the council’s customer service centre could be improved.

The role of digital engagement also needs to be considered, as public meetings tend to be poorly attended and modes of engagement are changing.

The report **calls on the government to promote the role of the public in scrutiny in revised guidance to local authorities. It recommends that councils should consider how raising the profile of scrutiny can encourage more public involvement.**

Scrutinising external bodies

Scrutiny committees are increasingly scrutinising external providers of council services. Here, however, the barriers to accessing information are even greater. The CfPS states that commercial bodies often “do not recognise they are contracting with a democratic organisation that has democratic governance processes.” There can be particular difficulties where the organisation’s management structures are not local. This differs from bodies in the health sector, where the duty to engage with scrutiny is well established.

While health service providers and bodies delivering crime and disorder strategies can be required to attend scrutiny meetings, in all other cases, participation is up to the invited party. The report argues that councils and contractors should build in democratic oversight

from the start of a contract, including making clear the role of scrutiny. A task and finish group at Suffolk County Council has recommended that any organisation which signs a contract with the council should be made aware that it might be called upon to answer to the scrutiny committee at some stage. The report endorses a CfPS proposal that committees should be able to follow the ‘council pound’ – that is, have the power to oversee all services funded by the authority.

Scrutiny of Local Enterprise Partnerships (LEPs) is another area of concern. The report praises the approach adopted in London, where members of the LEP board have appeared in front of the London Assembly’s Economy Committee. However, it highlights the lack of a standard approach across the country, quoting the [DCLG review of LEP governance arrangements from October 2017](#), which found that conflict of interest policies and attitudes to scrutiny varied considerably. In his evidence to the committee, the Minister indicated that he sees no problem with the current arrangements for LEP scrutiny.

The report **calls on the government to clarify how LEPs will be subject to democratic oversight. It recommends that upper-tier and combined authorities be given the power to scrutinise LEPs through their scrutiny committees.**

Scrutiny in combined authorities

The inquiry heard evidence of a limited and secondary role for scrutiny in the new mayoral combined authorities. Whereas the Mayor of London is held to account by the directly elected London Assembly, which has no executive power but has its own officers and budget for scrutiny, the new combined authorities have no equivalent body. Instead, scrutiny is performed by members of the constituent councils, with the combined authority having a scrutiny officer (in some cases ‘lent’ by one of the constituent councils).

The report notes that combined authorities are required to have minimal overheads, as they were set up to be “capital rich but revenue poor”. However, as mayors now have powers previously held by Secretaries of State, who are subject to much more scrutiny, it concludes that **a stronger role for scrutiny is desirable, and that this should be funded and made clear in the terms of any future devolution deals.**

Comment

This inquiry provides a welcome assessment of the effectiveness of current scrutiny arrangements. Although the report is measured in tone, it must be acknowledged that its findings are damning. With some notable exceptions, submissions to the inquiry paint a picture of a limping scrutiny function: undervalued, underresourced, underskilled, and often

largely ineffective. The revelation that some committees are resorting to FoI requests to their own council sums up the problem – there is a tendency for many councils to see scrutiny as a threat to be neutralised, rather than a resource to be harnessed.

The reluctance of some leaders to welcome challenge is perhaps a product of the UK's extremely adversarial political system, in which it often seems that point-scoring and the apportioning of blame are more important than improving services. A positive culture around scrutiny requires opposition members to relinquish these tendencies too; however, the power lies at the top, and that is where the importance of scrutiny must be recognised. A higher public profile for scrutiny could lead to it being taken more seriously by leadership teams, as its activities would be visible and its role better understood.

A previous LGiU briefing on questions arising for councils from the Grenfell fire raised the issue of how to ensure proper scrutiny of housing arms-length organisations (and other similar organisations). There have been positive examples of effective scrutiny in these situations. Manchester, for example, established a TMO Liaison Committee with an officer from strategic housing regularly attending board meetings, and they set up a reporting mechanism for performance monitoring but it is clearly a difficult area. A council's overview and scrutiny committee should have an important role in monitoring the performance of arms length bodies. The scrutiny committee or panel could have a direct, continuing role in contract monitoring and review, or could have a role in monitoring whether other interested groups and stakeholders are being kept sufficiently involved by the arms length body. Ongoing, detailed review and assessment of operational partnerships or arms length arrangements can sometimes be weak or non-existent, but scrutiny committees do have a valuable role to play here.

The select committee's report's recommendations seem logical and achievable. In particular, the ability to require attendance from external service providers would give scrutiny considerably more strength and relevance, especially if committees were also empowered to make recommendations directly to those external bodies and to require a response. This would also help underline scrutiny's position as parallel to the executive, not subordinate to it.

Whether implementing the report's recommendations will be seen by the government as a priority is another matter. The responses from the (then) Minister for Local Government suggested that, while he is more than happy for local authorities to carry out internal scrutiny, stronger scrutiny of LEPs and elected mayors is not favoured by the government. Embedding scrutiny at the heart of these new bodies is vital for democratic accountability, but may continue to be an uphill struggle.

Related briefing: [Grenfell fire: questions for local government](#)

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OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME 2017/18

Committee Meetings

(All meetings are held on Mondays starting at 6pm in committee room 2)

Date	Planned Committee agenda items
2017	
19 June	<ul style="list-style-type: none"> i. Election of Chairman ii. Election of Vice Chairman iii. Business Plan – Quarterly Performance Statement iv. Local Plan update report v. O&S Work Programme 2017/18 - planning
31 July	<ul style="list-style-type: none"> i. Wyre Campaigns Plan – Marianne Hesketh attending. ii. Children and young people – Mark Broadhurst attending. iii. Digital transformation – Marianne Hesketh attending.
11 September	<ul style="list-style-type: none"> i. Business Plan – Quarterly Performance Statement ii. Clinical Commissioning Groups – update - Dr Tony Naughton and Mark Britton attending. iii. Also to include reference to the implementation of the Clinical Commissioning Groups task group. Cllr Taylor and Mark Broadhurst invited. iv. Waste and recycling collection services task group – draft report. Chairman, Cllr Paul Moon attending. v. Draft scoping document – Engaging with children and young people
9 October	<ul style="list-style-type: none"> i. Dementia in Wyre – Michele Scott attending.
6 November	<ul style="list-style-type: none"> i. Proposed fees and charges 2018/19 report – Clare James. ii. Cost profiles: benchmarking results 2017/18 – Clare James. iii. Life in Wyre task group – draft report
11 December	Meeting cancelled
2018	
8 January	<ul style="list-style-type: none"> i. Business Plan 2018/19 – Leader of the Council and Chief Executive have been invited. ii. Business Plan – Quarterly Performance Statement (from Dec meeting)

Date	Planned Committee agenda items
	iii. Maximising the return from our assets – Marianne Hesketh attending.
5 February	<ul style="list-style-type: none"> i. Digital Transformation task group report ii. Draft scoping document – Flooding task group iii. Select Committee report – findings and implications iv. Review of draft Business Plan 2015 - 2019 (2018 update) – initial planning of Overview and Scrutiny Work Programme 2017/18
12 March	<ul style="list-style-type: none"> i. Business Plan – Quarterly Performance Statement ii. Wyre Community Safety Partnership – annual scrutiny review iii. Update on Asset Management Plan. Head of Built Environment, Maria Blundy, will attend (Marianne Hesketh, 8 January 2018). iv. Digital Transformation Plan – progress update v. Car parking consultation report
16 April	<ul style="list-style-type: none"> i. Review of task group recommendations – Food hygiene ii. Review of task group recommendations – Domestic abuse iii. Maximising the return from our assets – scoping of review (tbc) iv. Overview and Scrutiny Work Programme 2018/19

Scrutiny task group reviews

Date	Format	Topic
March – July 2017	Task group – completed.	Waste and recycling collection services
May – Sept 2017	Task group - completed	Life in Wyre resident survey
Sept 2017 – Jan 2018	Task group - completed	Digital transformation
Started on Tuesday 10 October 2017	Task group - ongoing	Engaging with children and young people
To start in March/April 2018	Proposed task group	Maximising the return from our assets
To start Feb/March 2018	Proposed task group	Flooding – the role of councillors.

Updated 23 January 2018

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Flooding Task Group – Draft Scoping Document

Review Topic	Flooding – the role of councillors												
Chairman	To be decided.												
Group Membership	To be decided.												
Officer Support	Peter Foulsham, Scrutiny Officer												
Purpose of the Review	To clarify the role of councillors in planning for, reacting to and dealing with flooding events.												
Role of Overview and Scrutiny in this Review (mark all that apply)	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">Holding Executive to account – decisions</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Existing budget and policy framework</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Contribution to policy development</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> <tr> <td>Holding Executive to account – performance</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Community champion</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> <tr> <td>Statutory duties / compliance with codes of practice</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	Holding Executive to account – decisions	<input type="checkbox"/>	Existing budget and policy framework	<input type="checkbox"/>	Contribution to policy development	<input checked="" type="checkbox"/>	Holding Executive to account – performance	<input type="checkbox"/>	Community champion	<input checked="" type="checkbox"/>	Statutory duties / compliance with codes of practice	<input checked="" type="checkbox"/>
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Holding Executive to account – performance	<input type="checkbox"/>												
Community champion	<input checked="" type="checkbox"/>												
Statutory duties / compliance with codes of practice	<input checked="" type="checkbox"/>												
Aims of Review	<ul style="list-style-type: none"> ○ To understand the respective roles of the organisations and individuals involved in planning for, dealing with and the recovery after flooding events in the borough ○ To understand the range of issues and challenges faced by residents during and after a flooding event ○ To review ward councillors’ experiences in terms of the questions asked and demands placed on them in relation to flooding events ○ To clarify the role of ward councillors before, during and after flooding events 												
Methodology	Reviewing relevant reports and guidelines Interviewing witnesses Site visits												
Scope of Review	The review is limited to the role of elected members in flooding management and recovery.												
Potential Witnesses	Neighbourhood Services and Community Safety Portfolio holder Head of Engineering Services Emergency Planning Officer (Depot Manager) Paul Bond, Environment Agency Representative from Lancashire Constabulary												

	Representatives of Flood Action Groups
Documents to be considered	
Risks	
Level of Publicity	Moderate
Indicators of a Successful Review	Councillors better informed to provide advice to residents before, during and after flooding events.
Intended Outcomes	Residents clear about <ul style="list-style-type: none"> (i) the respective roles of the organisations involved in and responsible for dealing with flooding events, and (ii) how and where to access assistance and advice before, during and after a flooding event
Approximate Timeframe	3 months
Projected Start Date	March 2018

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Vision

Together we make a difference

“Our vision is to be a Collaborative Council that works together with local communities and partners to make a difference and improve the lives of those who live in, work in or visit the Borough”

Themes

ENTERPRISING WYRE

HEALTHIER WYRE

ENGAGING WYRE

Priorities

- We will promote economic, housing and employment growth
- We will attract investment to Wyre and support businesses to survive, grow and prosper
- We will maximise commercial opportunities and improve the return from our assets
- We will facilitate new energy generation opportunities

- We will improve the health and wellbeing of our communities
- We will support older people to remain independent
- We will work with our partners (Health, Police, Voluntary Community and Faith Sector, LCC) to support prevention, early help and raise aspirations
- We will promote a cleaner and greener Wyre

- We will work with our partners (including Parish and Town Councils) to facilitate a different relationship with our residents and communities that encourages resilience, capacity and independence
- We will progress the digital transformation of services
- We will invest in our employees to develop a flexible and change-ready workforce
- We will deliver cost effective, quality services

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Key Programmes and Projects

- Facilitate a programme of work to deliver economic growth and prosperity including :-
 - Deliver the implementation plan for Hillhouse International Enterprise Zone
 - Support delivery of priority actions of the Blackpool, Fylde and Wyre Economic Prosperity Board (EPB)
 - Support a sustainable future for the fish processing industry
- Adopt a new Local Plan to manage and deliver development through to 2031
- Develop the Wyre Beach Management Scheme
- Deliver a programme of commercial initiatives as part of the Council’s Commercial Strategy
- Deliver the Asset Management programme of works to maximise the return from our assets

- Deliver a programme of work to promote healthy choices and healthier lifestyles to keep people well through better use of our leisure centres, recreational facilities, parks and open spaces
- Support neighbourhood health initiatives for Garstang and Over Wyre to address social isolation and loneliness
- Explore opportunities offered by the Better Care Fund to better support older people and people with disabilities to stay in their own homes
- Support the delivery of the Wyre Early Action project to include a focus on vulnerable children and young people
- Develop a programme of work to target environmental crime and stimulate community pride

- Facilitate the delivery of community priority projects through the Together We Make a Difference Network
- Progress our programme of efficiency savings and income generation projects to ensure a balanced budget
- Deliver our #DigitalWyre strategy, including a focus on:-
 - Digital Customer Service
 - Digital Community
 - Digital Workforce
 - Digital Collaboration
- Collaborate with our partners to apply for Heritage Action Zone status for Fleetwood conservation area
- Ensure the council meets the requirements of the new General Data Protection Regulations (GDPR)

Measures

- Number of houses built
- Number of affordable dwellings built
- Number of businesses supported
- Number of businesses registered on the Wyred Up database
- Out of work benefit claimant count
- Town Centre vacancy rates

- Adult and Childhood obesity levels
 - % clients enabled to remain living in their own home (Care & Repair)
 - Number of leisure centre customers
 - % of people satisfied with sport and leisure facilities #
 - % of people satisfied with parks and open spaces #
- #Life in Wyre Survey – Bi-annually

- % of people satisfied with where they live #
- % of people satisfied that the Council provides value for money #
- % of residents very or fairly well informed #
- Annual Efficiency Savings Delivered
- % of e-contacts as a % of total contacts

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