



## **Overview and Scrutiny Committee Agenda**

**Wyre Borough Council**  
**Date of Publication: 12 July 2019**  
**Please ask for : Peter Foulsham**  
**Scrutiny Officer**  
**Tel: 01253 887606**

**Overview and Scrutiny Committee meeting on Monday, 22 July 2019 at 6.00 pm in committee room 2 Civic Centre, Poulton-le-Fylde**

**1. Apologies for absence**

**2. Declarations of interest**

To receive any declarations of interest from any councillor on any item on this agenda.

**3. Confirmation of minutes**

(Pages 1 - 6)

To confirm as a correct record the minutes of the meeting of the Overview and Scrutiny Committee held on 3 June 2019.

**4. Update on health and care developments on the Fylde Coast**

Dr Amanda Doyle, Chief Clinical Officer, Fylde and Wyre and Blackpool Clinical Commissioning Groups will make a presentation. There will be an opportunity for committee members to comment and ask questions.

**5. Lancashire County Council Health Scrutiny Committee**

(Pages 7 - 10)

Councillor Julie Robinson, Wyre Council's representative on Lancashire County Council's Health Scrutiny Committee, will present a report about the business undertaken by the committee over the past twelve months.

**6. Planned Maintenance and Investment Projects Schedule - 2019/20**

(Pages 11 - 12)

The Service Director Performance and Innovation, Marianne Hesketh, has submitted the Planned Maintenance and Investment Projects Schedule - 2019/20. The committee will have the opportunity to comment and ask questions.

**7. Budget consultation**

(Pages 13 - 16)

Head of Finance, Clare James, has submitted two draft budget consultation documents, which she will explain and update at the meeting.

**8. Statutory Guidance on Overview and Scrutiny in Local Authorities and Combined Authorities** (Pages 17 - 26)

Peter Foulsham, Scrutiny Officer, has submitted a briefing from Local Government Information Unit on the recently published statutory guidance on scrutiny.

**9. O&S Work Programme 2019/20 - update.** (Pages 27 - 32)

The Service Director Performance and Innovation has submitted a report, updating councillors about the Overview and Scrutiny Work Programme 2019/20.



## Overview and Scrutiny Committee Minutes

The minutes of the Overview and Scrutiny Committee meeting of Wyre Borough Council held on Monday, 3 June 2019 in committee room 2 Civic Centre, Poulton-le-Fylde.

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**Overview and Scrutiny Committee members present:**

Councillors Ibison, Matthew Vincent, I Amos, R Amos, Ballard, Collinson, Cropper, E Ellison, Fail, Leech, Longton, Minto and O'Neill

**Apologies for absence:**

None.

**Other councillors present:**

Councillors Lynne Bowen, Lady Dulcie Atkins and Sir Robert Atkins

**Officers present:**

Clare James, Head of Finance  
Julia Robinson, Commercial Manager  
Peter Foulsham, Scrutiny Officer  
Emma Keany, Governance Trainee

No members of the public or press attended the meeting.

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**1 Election of Chairman for 2019/20**

Councillor Ibison was elected as Chairman of the committee for the 2019/20 municipal year.

**2 Election of Vice Chairman for 2019/20**

Councillor Matthew Vincent was elected as Vice Chairman of the committee for the 2019/20 municipal year.

**3 Declarations of interest**

Councillor Leach declared a personal interest in Item 6 (Wyre Theatres – update report) as he hired the Thornton Little Theatre each week.

**4 Confirmation of minutes**

**It was agreed** that the minutes of the meeting of the committee held on 18 March 2019 be confirmed as a correct record.

## 5

### Wyre theatres - update report

The Service Director Performance and Innovation, Marianne Hesketh submitted a report, which was introduced by the Leisure, Health and Community Engagement Portfolio Holder, Councillor Lynne Bowen and the Commercial Manager, Julia Robinson.

Councillor Bowen confirmed that both theatres, the Marine Hall and Thornton Little Theatre, were operating to a very high standard. The subsidy had been reduced by nearly £100,000 in the past twelve months and it was anticipated that income would increase this year. Two key posts had been filled in recently months, which had had a very positive impact on the customer experience.

Councillors made comments and asked a number of questions, in response to which Councillor Bowen and Julia Robinson made the following observations:

- Options for a seafood restaurant at the Marine Hall were being explored, although discussions were at an early stage. Siting the restaurant on the top of the parapet, which would provide panoramic views, was one option that could be considered.
- There was some potential in opening up the seaward side of the Marine Hall.
- Any such projects would need to be costed and visual projections produced before ideas could be advanced.
- The number of weddings held at the Marine Hall was increasing; providing more service points at such events, staggering demand and providing a pop-up 'gin and fizz' bar had improved the customer experience.
- The Marine Hall was working much more closely with community events including, for example, the Fleetwood Christmas Lights Switch-On.
- A different approach to building the programme of events had been taken, with less tribute acts and more nationally recognised performers being booked. More box-office splits had been negotiated with promoters, which had been financially advantageous as well as ensuring that promoters had an interest in increasing ticket sales.
- It was important to take steps that would maintain and improve the venues' reputations.

Julia Robinson confirmed that her three immediate aims were to

- (i) control expenditure and bring the subsidy down below £200,000,
- (ii) boost income, and
- (iii) develop a long-term vision, subject to funding and investment.

Councillor Bowen stated that, in her opinion, it was too early for the committee to consider setting up a task group on any aspect of the venues' performance.

**It was agreed** that a further update report on Wyre's theatres be requested in

twelve months' time (June 2020).

The Chairman thanked Councillor Bowen and Julia Robinson for their positive contribution to the meeting.

## **6 Budget consultation**

The Head of Finance, Clare James, made a proposal regarding the possibility of councillor involvement in a consultation about budget priorities. She spoke of the statutory requirement to hold consultations and the benefits they brought to both the public and the council.

Clare James highlighted the results of a question on the Life in Wyre survey 2018 in which there had been a slight decrease in the percentage of individuals agreeing that "53p a day for the services carried out by Wyre Council was value for money". In the 2018 survey 51% of people agreed with the question, whereas in 2016 55% agreed.

Clare James also spoke to the committee regarding the council's desire to look at alternative ways to hold a consultation about the budget. An example of a recent soft consultation was highlighted. The Head of Finance described how the consultation was carried out on the Council's website and invited residents to comment on the budget proposal for 2019/20. The consultation received four responses from the general public and included one response that referred to the services provided by the County Council. It was emphasised that consultations may be able to be used to better promote the services provided by the council. Examples of how other authorities consult with the public were also presented to the committee.

A decision about any consultation would need to be made by October 2019. The committee questioned the desired outcomes and the cost implications of any consultations. The Head of Finance confirmed that she would like to see an increase in public satisfaction with council services, the best use of available resources and costs kept to a minimum.

Questions were asked regarding the possibility of a joint consultation with the County Council and a discussion took place about the viability of such a task and the appetite of the County Council for this.

A question about New Homes Bonus and the need to consult with the public, was raised. Clare James stated that there was no statutory requirement to consult regarding the spending of the New Homes Bonus.

**It was agreed** that the Head of Finance would submit a proposal to the next Overview and Scrutiny Committee meeting on the 22<sup>nd</sup> July 2019.

## **7 Business Plan 2018/19 - Quarterly performance statement**

The Service Director Performance and Innovation submitted a report, the 4<sup>th</sup> Quarter Performance Statement 2019/19, January – March 2019.

The committee commented on several issues and noted, in particular, that the pilot project on environmental crime and community pride was something that was impacting on many residents. Councillors expressed interest in receiving a report about the pilot towards the end of its twelve-month duration in order to review performance and have an opportunity to comment about how the lessons learned might be taken forward. The Scrutiny Officer agreed to discuss the matter with the Street Scene Manager to identify a suitable date for a report to be submitted to the committee.

Comment was made that the quarterly performance reports always included commentary about the measures, but for those that are red (“worsening”) there was nothing reported about any corrective action that would be taken, and members would find that helpful.

#### **It was agreed**

- (i) That a report on the environmental crime pilot project be requested, to be scheduled in a timely fashion towards the end of the pilot period;
- (ii) That a request be made of the Service Director Performance and Innovation to include comments about corrective action that was planned regarding ‘red’ measures that were “worsening” in any future quarterly reports;
- (iii) That the report be noted.

### **8 Public conveniences task group - draft report**

The Chairman of the Public Conveniences task group, Councillor Emma Ellison, presented the group’s draft report and recommendations. The Chairman spoke highly of the current provider, DANFO, and praised their enthusiasm and professionalism.

Some concern was expressed about the recommendation to withdraw the use of radar keys (Recommendation 4). Councillor Ellison confirmed that the task group had discussed this with local groups and had concluded that as radar keys were very widely available and had led to the current system to be abused, the solution was simply to withdraw their use.

The committee made the suggestion, which was supported by the task group Chairman, that Recommendation 8 be amended to include the exploration of providing an additional toilet facility between Café Cove at Cleveleys and Rossall Point.

#### **It was agreed**

- (i) That Recommendation 8 be amended to include the exploration of providing an additional toilet facility between Café Cove at Cleveleys and Rossall Point, and
- (ii) That the draft report be endorsed by the committee (by a majority, with

two abstentions) and submitted to the Cabinet.

## **9 Overview and Scrutiny Work Programme 2019/20 - update and planning**

Peter Foulsham, Scrutiny Officer, introduced a report that had been submitted by the Service Director Performance and Innovation.

Following discussion, it was agreed to convene a task group on Transport Connectivity across the Fylde Coast, to develop the work carried out in April by a group that focused for its one meeting on the Poulton to Fleetwood rail link. Membership to the group would be opened up again bearing in mind that eighteen new councillors were elected to the Council on 2 May 2019. Several amendments to the draft scoping document were agreed.

The committee discussed a draft scoping document for a task group review of the Resident Car Parking Permit Scheme. It was agreed that the review would need to be cognisant of the council's wider car parking policy and pricing.

Councillors expressed interest in receiving a report about the environmental enforcement pilot project, run by District Enforcement, which had been previously considered under Item 8 of the agenda, towards the end of its twelve-month duration. The purpose of the report would be to review the pilot project and provide an opportunity for comment about how the lessons learned might be taken forward. The Scrutiny Officer agreed to discuss the matter with the Street Scene Manager to identify a suitable date for a report to be submitted to the committee.

Governance Trainee, Emma Keany, reported on a short research project that she had carried out, about the way in which other local authorities (Districts in particular) identified actions that they could take to reduce the council's carbon footprint. She drew the work of Ryedale Council to the committee's attention and reminded members that climate change had been included in the Business Plan 2019-2023.

Peter Foulsham confirmed that the long-awaited Statutory Guidance on Overview and Scrutiny in Local Authorities and Combined Authorities was published on 7 May 2019. There was an expectation that the Guidance be considered by all councils, although all decisions about implementation were left to local discretion. A summary of the Guidance would be sent to all councillors and would be an agenda item at a future meeting of the committee. It was further noted that the Guidance might have training and development implications for committee members, and possibly other councillors and officers, depending on how it was to be interpreted locally.

The roll-out of tablets to councillors had started. It was intended that members be suitably equipped and trained for the introduction of paper-less meetings by early July. It was noted that one or two teething problems had been identified but these would be sorted out ready for full implementation as soon as possible.

Reference was made to the review of the Council's constitution that was

nearing completion. Councillors discussed whether it would be appropriate for the committee to consider the recommended changes before a report was submitted to Full Council.

**It was agreed**

- (i) That the draft scoping document for a task group on Transport Connectivity across the Fylde Coast be approved, subject to some minor amendments;
- (ii) That a task group be set up on Transport Connectivity across the Fylde Coast;
- (iii) That a task group be set up to review the Resident Car Parking Permit Scheme;
- (iv) That a report on the District Enforcement environmental crime pilot project be requested in a timely fashion towards the end of the pilot period;
- (v) That a task group on climate change be included in the committee's work programme, to be commenced later during 2019/20;
- (vi) That a summary of the Statutory Guidance on Overview and Scrutiny in Local Authorities and Combined Authorities be circulated to all councillors
- (vii) That the committee would request the opportunity to consider and comment on the proposed changes to the Council's constitution, subject to the views of the Corporate Management Team and the Executive.

The meeting started at 6.00 pm and finished at 7.42 pm.

**Date of Publication:** 11 June 2019



Report of:	Meeting	Date	Item No.
Cllr Julie Robinson	Overview and Scrutiny Committee	22 <sup>nd</sup> July 2019	5

<b>Lancashire County Council- Health Scrutiny Committee</b>
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**1. Purpose of report**

- 1.1 To advise the committee about the work of Lancashire County Council's Health Scrutiny Committee.

**2. Outcomes**

- 2.1 Councillors to be better informed about health scrutiny in Lancashire.
- 2.2 Improved provision of health services in Wyre.

**3. Recommendations**

- 3.1 That Wyre's nominated representative on Lancashire County Council's Health Scrutiny Committee, currently Cllr Robinson, continues to feed back to the O&S Committee at least once per year, or more frequently if matters of particular significance for Wyre residents arise.
- 3.2 That the report be noted.

**4. Background**

- 4.1 Lancashire County Council's Health Scrutiny Committee is a statutory committee which has the following stated purpose:
- To scrutinise matters relating to health and adult social care delivered by the authority, the National Health Service and other relevant partners.
  - In reviewing any matter relating to the planning, provision and operation of the health service in the area, to invite interested parties to comment on the matter and take account of relevant information available, particularly that provided by the Local Healthwatch.
  - In the case of contested NHS proposals for substantial service changes, to take steps to reach agreement with the NHS body.

- In the case of contested NHS proposals for substantial service changes where agreement cannot be reached with the NHS, to refer the matter to the relevant Secretary of State.
- To refer to the relevant Secretary of State any NHS proposal which the Committee feels has been the subject of inadequate consultation.
- To scrutinise the social care services provided or commissioned by NHS bodies exercising local authority functions under the Health and Social Care Act 2012.
- To request that the Internal Scrutiny Committee establish as necessary joint working arrangements with district councils and other neighbouring authorities.
- To draw up a forward programme of health scrutiny in consultation with other local authorities, NHS partners, the Local Healthwatch and other key stakeholders.
- To acknowledge within 20 working days to referrals on relevant matters from the Local Healthwatch or Local Healthwatch contractor, and to keep the referrer informed of any action taken in relation to the matter.
- To require the Chief Executives of local NHS bodies to attend before the Committee to answer questions, and to invite the chairs and non-executive directors of local NHS bodies to appear before the Committee to give evidence.
- To invite any officer of any NHS body to attend before the Committee to answer questions or give evidence.
- To recommend the Full Council to co-opt on to the Committee persons with appropriate expertise in relevant health matters, without voting rights.
- To establish and make arrangements for a Health Steering Group the main purpose of which to be to manage the workload of the full Committee more effectively in the light of the increasing number of changes to health services.

**4.2** Councillor Julie Robinson is Wyre Council's nominated co-opted representative on this committee.

## **5. Key issues and proposals**

**5.1** There were seven meetings of the Health Scrutiny Committee during the 2018/19 municipal year.

The substantive issues discussed were:

- An update on the Sustainability and Transformation Partnership (STP)- 17/04/2018
- Insight into the Lancashire Dementia Strategy – Dementia Friendly Lancashire 2018-2023- 03/07/2018
- Our Health Our Care Programme – An update on the future of acute services in central Lancashire- 25/09/2018

- Whyndyke Garden Village Healthy New Town- 02/04/2019
- Update of Lancashire and South Cumbria Transforming Care Partnership- 11/12/2018
- Stroke Programme Update- 05/02/2019

**5.2** Cllr Robinson’s membership of the Health Scrutiny Committee provides an opportunity for Wyre Council to be directly represented in the scrutiny of health services in Lancashire. It also provides a channel for feedback to the council on any wider health issues that will have a particular impact on Wyre’s residents.

**Other risks/implications: checklist**

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.

<b>risks/implications</b>	<b>✓ / x</b>
community safety	X
equality and diversity	X
sustainability	X
health and safety	X

<b>risks/implications</b>	<b>✓ / x</b>
asset management	X
climate change	X
ICT	X
data protection	X

**Processing Personal Data**

In addition to considering data protection along with the other risks/ implications, the report author will need to decide if a ‘privacy impact assessment (PIA)’ is also required. If the decision(s) recommended in this report will result in the collection and processing of personal data for the first time (i.e. purchase of a new system, a new working arrangement with a third party) a PIA will need to have been completed and signed off by Data Protection Officer before the decision is taken in compliance with the Data Protection Act 2018.

<b>Report Author</b>	<b>Telephone No.</b>	<b>Email</b>	<b>Date</b>
Emma Keany, Governance Trainee	01253 887476	Emma.keany@wyre.gov.uk	01 July 2019

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## Planned Maintenance and Investment Projects Schedule – 2019/20

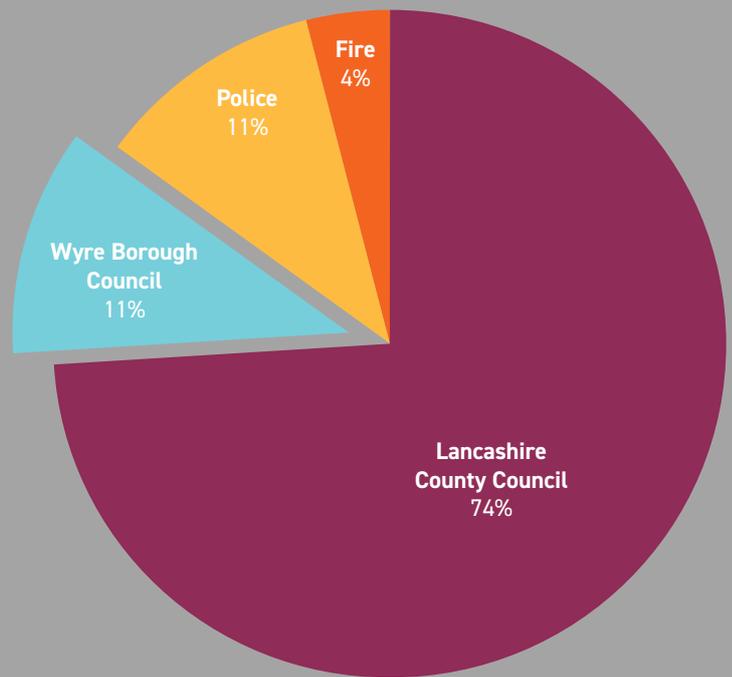
Property	Planned/Programmed Maintenance Improvements	Area	2019/20 £ (Estimates)
Marine Hall	Carry out refurbishment and redecoration works to main hall	Main Hall	12,000
Marine Hall	Render repairs and pointing work. Waterproofing work to dome concrete spines.	External	100,000
Marine Hall	Replacement of distribution boards	Internal	50,000
Copse Road Depot	Overcoat existing flat roof covering with liquid applied system	Vehicle Maintenance Unit	20,000
Chatsworth Depot	Repair/replace corroded metal soffits, barge boards, fascias and guttering		25,000
Fleetwood Leisure Centre	Replacement of boilers		100,000
Civic Centre	Overcoat existing flat roofs covering with liquid applied system	Various areas	95,000
Civic Centre	Replace distribution boards	All areas	50,000
Garstang Pool	Refurbish reception area and entrance doors	Reception	35,000
Fleetwood Market	Replacement of skylights or removal	Main Hall	100,000
Fleetwood Market	Carry out re pointing to external brickwork approx. 300m2	West Elevation	15,000
Fleetwood Market	Carry out repairs to stonework to walls and roofs	All areas	70,000
Fleetwood Market	Replace 6-12 pairs of automatic/manual entrance doors and block up some exits	All Areas	75,000
St Chads Wall, Poulton	Rebuild/repair retaining wall between Chapel Street Court and St Chads cemetery	High wall	30,000
	<b>GRAND TOTAL</b>		<b>777,000</b>

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# Budget Consultation 2020/21

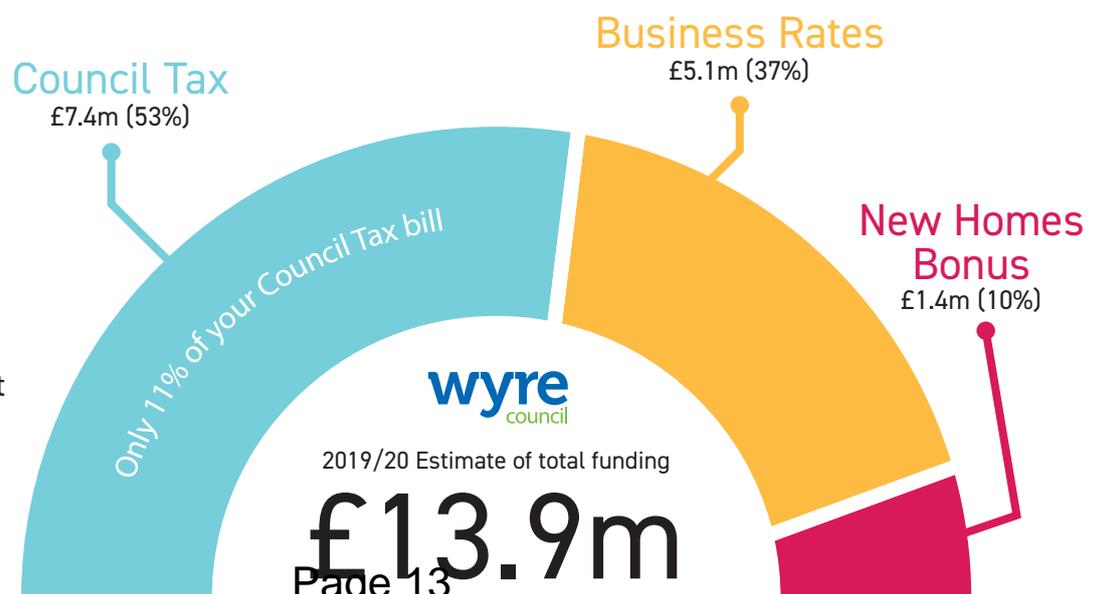
Wyre Council collects Council Tax on behalf of itself, Lancashire County Council, the Police and Fire Authorities. The money collected is split in the following way:

As Wyre Council only receive 11% of your Council Tax we only have the power to set this part of your bill.

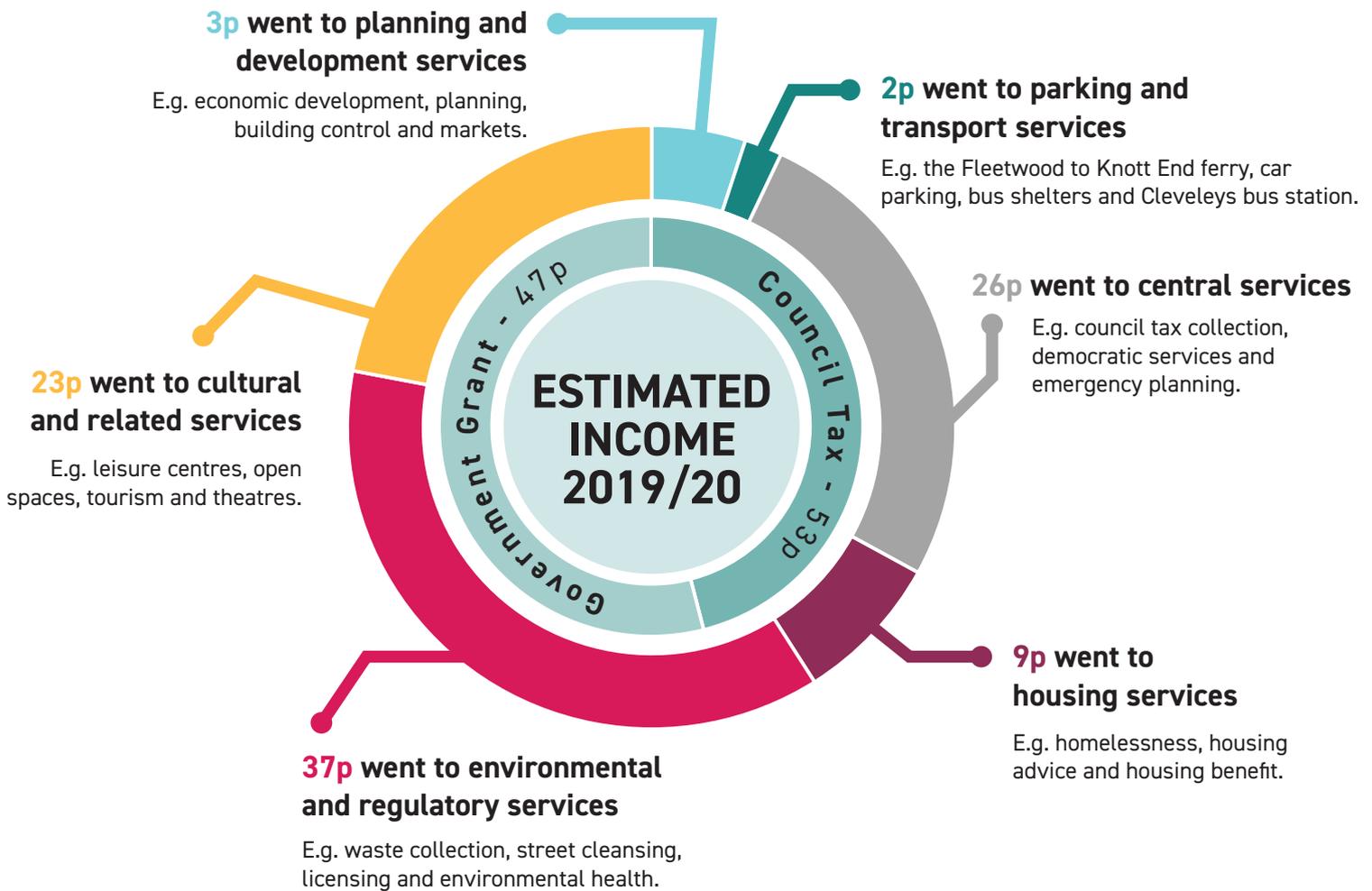


## Where our funding comes from...

Council Tax is forecast to account for 53% of Wyre Council's funding in 2019/20 and is a significant factor in ensuring the continued delivery of our services. The remaining 47% is provided by Central Government.

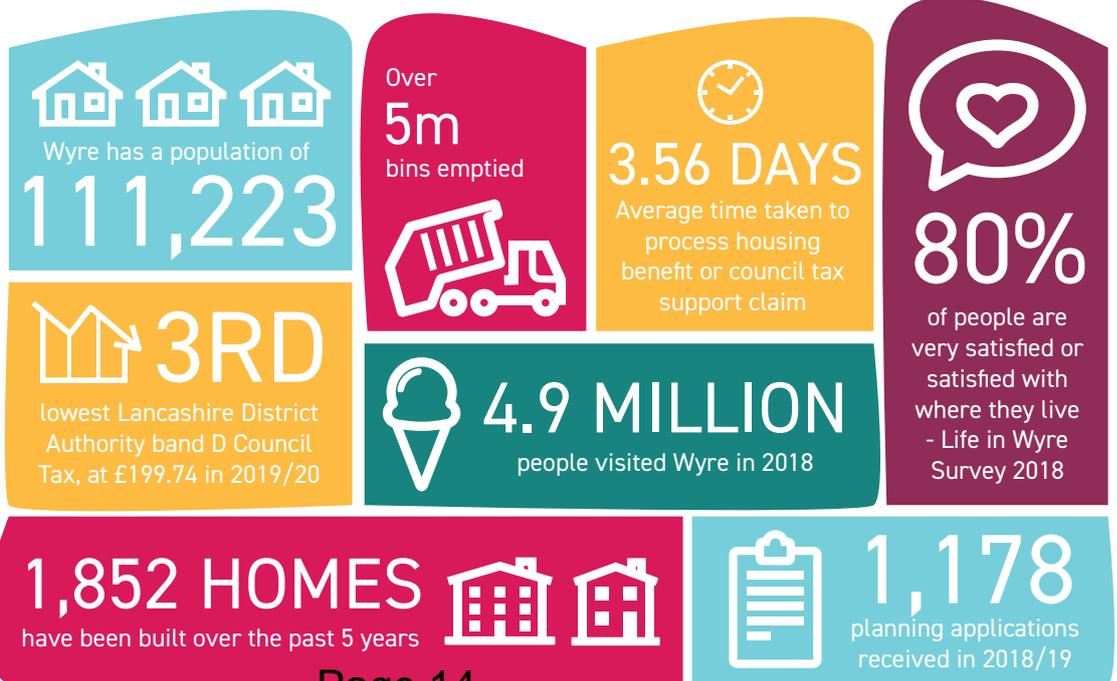


# How we spend every £1....



## We're proud to say we deliver a wide range of services to a large number of residents across Wyre...

We will continue to invest in the borough by developing new ways of generating income, bidding for external funding, sharing services with partners and driving efficiencies.



# Budget Consultation 2020/21

We are seeking the opinions of residents and businesses on the proposed budget for 2020/21. Please answer the following questions. The answers you provide will be shared with the Cabinet to inform the final setting of the budget for 2020/21. We ask that if you take part in this survey that you are a resident and/or business owner in Wyre.

**Please provide your postcode:**

**Resident of Wyre:** YES / NO

**Business owner in Wyre:** YES / NO

Our Medium Term Financial Forecast on which our Budget proposal will be based assumes that Wyre Council will increase Council Tax by the current statutory maximum (without triggering a referendum) of 2.99%.

This proposed increase will mean an 11.5p increase per week on a Band D (average) property in 2020/21 which will help to safeguard services.

**Do you support a 2.99% increase on Council Tax (11p per week on a Band D property)?**

YES / NO

**If no, at what level do you think Council Tax should be set in 2020/21 from the following options:**

- Freeze Council Tax (*this will require the council to make cuts in services*)
- Cut Council Tax (*this will require the council to make additional cuts in services*)
- Raise Council Tax but by less than 2.99% (*this may require the council to make cuts in services*)
- Raise Council Tax but by more than 2.99% (*if the statutory maximum is raised*)
- No preference

**If you selected freeze, cut or raise by less than 2.99%, which services would you make cuts to? Tick as many as apply.**

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Planning and development services | <input type="checkbox"/> Parking and transport services        | <input type="checkbox"/> Central services |
| <input type="checkbox"/> Cultural and related services     | <input type="checkbox"/> Environmental and regulatory services | <input type="checkbox"/> Housing services |

**Any other comments:** \_\_\_\_\_

**If you have any other suggestions for how the council can save money or generate income please describe these below:**

\_\_\_\_\_  
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## LGiU Briefing

# Creating a challenge culture? New statutory guidance on overview and scrutiny

**Author:** Kerry Ferguson, LGiU Associate

**Date:** Monday June 10, 2019

## Summary

Overview and scrutiny committees were introduced under the Local Government Act 2000 as part of new executive governance arrangements. Their purpose is to scrutinise decisions of the executive and make recommendations on policy development and implementation. However, a select committee inquiry in 2016-17 found that, in many authorities, scrutiny was less than effective and it called on the Government to issue revised statutory guidance. [New guidance on overview and scrutiny in local and combined authorities](#) has now been published by the Ministry of Housing, Communities and Local Government (MHCLG). It reminds authorities of the powers available to scrutiny committees; highlights the benefits of effective scrutiny; and provides practical advice and proposals for improving the function. It focuses on culture, resourcing, selection of committee members, powers to access information, planning of work programmes and evidence sessions.

A central theme of the statutory guidance is the importance of organisational culture and a commitment to scrutiny across an authority, not just amongst those members and officer with a scrutiny role.

This briefing provides a summary of the guidance, section by section. It also comments on the key themes and issues, and highlights some of the differences from the previous guidance. It will be of interest to councillors and officers with a scrutiny role in councils and

combined authorities. However, as scrutiny is potentially relevant to most council services, other councillors and officers may benefit from reading it too.

## Briefing in full

The MHCLG has published new [statutory guidance on overview and scrutiny in local and combined authorities](#). It replaces the guidance on new council constitutional arrangements published in 2006, and responds to a key recommendation made by the (then) Communities and Local Government select committee following its 2016-17 [inquiry into the effectiveness of overview and scrutiny](#) (the subject of a previous [LGIU briefing](#)).

Local government and the scrutiny role have changed enormously since 2006; the updated guidance takes into account changes such as the establishment of combined authorities and the increase in commissioned services. It aims to ensure that the purpose of overview and scrutiny is better understood, and provides advice on what effective scrutiny looks like, how it can be achieved and the value this can bring to policy development and decision making. The guidance covers the following issues: culture; resourcing; selection of committee members; powers to access information; planning of work programmes; and evidence sessions.

As statutory guidance, local authorities and combined authorities 'must have regard to it when exercising their functions'. The guidance does not have to be implemented in every detail but should be followed unless there is good reason not to. The Government states that it is not trying to prescribe but to offer a framework for authorities to reflect on their own practice and find solutions that fit their circumstances. Whilst the guidance responds to some of the recommendations of the CLG committee's inquiry, the Government rejected some of the committee's more prescriptive recommendations – about resources and monitoring systems, for instance – preferring to let councils decide which arrangements are best for them.

The Government commissioned the Centre for Public Scrutiny (CfPS) to help with the drafting, and the guidance contains some practical suggestions and case studies for local authorities to consider.

### **Introduction and context**

Overview and scrutiny committees were introduced under the Local Government Act 2000 as part of new executive governance arrangements. Combined authorities are also required to have overview and scrutiny committees. The legislation provides powers for the scrutiny of executive decisions and for making recommendations on policy development

and implementation. This guidance adopts the CfPS's four principles of effective scrutiny:

- Providing constructive challenge – a critical friend role
- Amplifying public voices and concerns
- Independence and responsibility in the role
- Driving improvement in public services

## **Culture**

Organisational culture is identified as a critical factor in effective scrutiny. If scrutiny is embedded in the organisation it is more likely to be valued and improve policy making and service delivery. If it is not well understood or side-lined the committee's work is likely to be of lesser quality and/or lack focus.

Whilst it is everyone's responsibility to create a culture in which scrutiny and challenge are seen as important, the guidance suggests that the role of members is key.

A strong organisational culture can be fostered by:

- Recognising the importance and legitimacy of scrutiny, and its status as a statutory requirement. Furthermore, councillors' democratic legitimacy and role in the community is very valuable for scrutiny
- Clarifying role and focus within the organisation; the scrutiny function should focus on what matters most and where it can add most value. The dynamic between scrutiny and audit functions has to be clearly defined and managed
- Ensuring early and regular interaction between the executive and scrutiny, particularly over the scrutiny work programme. The executive should not try to control overview and scrutiny work e.g. through steering it away from certain topics or using the whip or political patronage
- Managing disagreements and disputes, especially between the committee and the executive over findings and recommendations that may be politically controversial. The guidance offers an 'executive-scrutiny protocol' as one way to manage relationships and conflict, and provides a template example. Scrutiny committees have the power to 'call in' executive decisions – this is by its nature adversarial but can often be avoided through early involvement of scrutiny in the decision-making process
- Providing support to the scrutiny function, including resources, access to information and brokerage of discussions with external bodies
- Ensuring impartial, timely and good quality advice from officers. The statutory officers – the monitoring officer, section 151 officer, head of paid service and

statutory scrutiny officer (where relevant) – have an important role here

- Communicating overview and scrutiny's role to the wider authority: all councillors and officers should be made aware of the purpose of scrutiny, its powers and the value it can add (lack of awareness has been an ongoing barrier to effective scrutiny)
- Maintaining links between overview and scrutiny and full council, as they may be focusing on similar issues and challenges. It may be appropriate to submit some reports from overview and scrutiny to full council rather than solely to the executive. In combined authorities, scrutiny output should be reported to either to the combined authority board, or the chairs of the scrutiny committees in the participating local authorities, or both
- Communicating the role of scrutiny to the wider community through communications functions and a range of relevant channels
- Ensuring committee members have an independent mindset and that possible tensions caused by political affiliation and personal or family relationships are proactively managed by the chair
- Creating a strong scrutiny culture in authorities with directly elected mayors, paying particular attention to access to documents; transparency of decision making; delegated decisions by the mayor; whistleblowing procedures; and the powers of full council to question and review

## **Resourcing**

An effective scrutiny function inevitably requires resources. This is not just about budgets and officer time but the way the wider authority engages with the scrutiny function (members and officers). While the guidance leaves it up to each authority to decide on the resources it allocates, it proposes several issues that should be taken into account when making those decisions: the training requirements of councillors and officers; any need for external expertise; the added-value of effective scrutiny in terms of better public services; and the potential costs of call-ins if scrutiny is not properly involved early in the policy development process.

The guidance offers three alternative officer resource models:

- Committee – officers are drawn from specific policy or service areas
- Integrated – officers are from the corporate centre and also serve the executive
- Specialist – officers are dedicated to scrutiny

Whether these or other models are used, the impartiality of advice to the overview and

scrutiny committee must be protected, which may require safeguards to be put in place.

## **Selecting committee members**

Having the right members on scrutiny committees is vital to their success. It is up to authorities to decide how to select the chair and membership, subject to proportionality requirements. The committee as a whole needs to have the necessary expertise, commitment and ability to fulfil its function effectively. Different councillors will bring different skills, interests and abilities. Political considerations should not determine who is selected.

The guidance reminds councils that executive members cannot be members of scrutiny committees, and care should be taken that those with informal executive positions like executive assistants are not be involved in scrutinising their own portfolios. In combined authorities, members and their substitutes cannot sit on the relevant overview and scrutiny committee, nor can mayors in mayoral combined authorities.

The chair's leadership role can determine the credibility and influence of a committee. The chair should be capable of fostering teamwork and consensus among committee members; they will set the tone of the committee. Although not mandatory, authorities are encouraged to consider electing the chair by secret ballot.

Committee members should be offered an induction on taking up their role and ongoing training and development to help them carry out their role successfully: this may include training on legal powers, on preparing for scrutiny sessions and on asking effective questions.

Overview and scrutiny committees may sometimes require external specialist expertise: outside advisors can be formally co-opted onto the committee or act as technical advisors (a case study of the latter is provided as an annex to the guidance).

## **Power to access information**

Overview and scrutiny committees have legal powers to access information, including enhanced rights to exempt or confidential information. The guidance states that authorities should provide information with scrutiny committee members as the 'default' position.

There may be some instances where information can lawfully be withheld, in which case the executive must provide written reasons. Before a decision to refuse to share information, the option of holding a closed session should be considered. Requests should not be refused for party political or reputational reasons.

Scrutiny committees should have access to regular data on performance, management

and risk – and support to understand and interpret it. This should help avert unfocused and unproductive requests for information.

Councillors also have the common-law right to request information under the Freedom of Information (FOI) Act 2000 and Environmental Information Regulations 2004. The CLG committee heard evidence that in some authorities, scrutiny committees were forced to resort to using FOI due to the reluctance of their authorities to share information.

Committees have the legal power to require executive members and officers to attend before them to answer questions. Scrutiny members may also want to receive information from external organisations. They have the right to access information from certain bodies; however the guidance also provides advice on how to request information or invite representatives to an evidence session, where the organisation is not legally obliged to comply. It suggests that requests are more likely to be fruitful if the purpose of scrutiny is clearly explained. Making an informal approach before a formal one may be helpful, as could framing the request in a way that offers the organisation a chance to put their position on public record. A case study illustrating these tactics is provided as an annex to the guidance.

The guidance recognises that scrutiny committees have a legitimate interest in scrutinising organisations that receive council funding, and it encourages authorities to consider introducing contractual requirements for providers to supply information or appear before scrutiny committees.

## **Planning work**

If scrutiny committees are to have a real impact, they need to draw up a work programme that sets their agenda and clearly prioritise issues of concern based on evidence and judgement about where it can have most impact. Whilst a committee has the power to look at anything which affects 'the area or the areas' inhabitants', time and resource constraints mean that it will be unable to cover all issues of interest to local people.

The guidance advocates a clear process of prioritisation to draw up a shortlist of topics, supported by key senior officers. It should be informed by evidence gathered from the public, partner organisations and the executive. The guidance encourages public involvement in setting the committee's work agenda but doubts that formal consultations will be appropriate: instead, councillors' conversations with local people and groups and tapping into local forums and online forums, may be better routes for gathering views.

The committee should identify possible topics from information gathered on authorities' performance, finances and risk; customer insight, complaints and casework data; business

cases and other information on major upcoming decisions; and reports from relevant inspectors and ombudsmen. Topics can then be assessed against criteria like the potential for overview and scrutiny to impact on the issue, how the work would be carried out and how the work might align with decision makers' activities.

Once topics are selected, the committee should decide how it will approach the scrutiny of each one. Options include:

- As a single item on an agenda (which may be appropriate for some issues but will provide only a limited opportunity for scrutiny)
- At a single meeting of the committee or a public meeting (useful for gathering evidence from multiple witnesses at one time)
- A short task and finish review (useful for issues requiring swift conclusions and recommendations)
- Longer term task and finish review, the traditional model featuring six or so meetings over several months (useful for complex and detailed reviews but with significant resource implications)
- A 'standing panel' to keep a watching brief on an important local issue (this is an alternative to a new committee but resource implications mean this approach is seldom used)

## **Evidence sessions**

Whatever the format of the evidence sessions, good preparation, clear objectives and skilful chairing are key to successful scrutiny. The chair has an important role in leading preparations, including securing agreement on the objectives, the line of questioning and the role of each member in the session.

Following an evidence session, the committee will formulate its recommendations. The guidance suggests that this should be an iterative process undertaken by members, with advice from officers and co-optees where applicable. Reports are usually drafted by officers. Recommendations should be SMART (specific, measurable, achievable, relevant and timed). The guidance proposes that committees aim for six to eight recommendations, and advocates sharing draft recommendations with the executive to identify any errors or misunderstandings and provide a sense-check. However, executive councillors should not seek to revise or block 'unwelcome' recommendations.

## **Comment**

Despite being instigated as long ago as 2000, overview and scrutiny functions are still often

misunderstood, marginalised and viewed as an irritation. Scrutiny's envisioned contribution to policy making and better public accountability is yet to be fully realised. This statutory guidance therefore hopes to raise the profile of scrutiny committees and increase the effectiveness and relevance of their work.

An essential message of the guidance is the importance of organisational culture and a commitment to scrutiny across an authority, not just amongst those members and officer with a scrutiny role. The CfPS states that effective scrutiny will be "challenging, uncomfortable and potentially politically difficult". The guidance is aimed at helping authorities navigate these issues and maximise scrutiny's impact.

Compared to the previous guidance, which concentrated on explaining the legislation, the new document is practically focused and grounded in the experience of scrutiny in local authorities since the 2000 Act. It contains some helpful suggestions around how to manage some of tensions and difficulties that can hinder effective scrutiny; though some of the content is rather absorbed in the minutiae of planning meetings, writing reports and who-does-what etc. That said, the guidance leaves scope for local practice and does not intend to be prescriptive.

This more light-touch guidance feels more relevant and realistic in a local government sector under continued financial strain. It calls on authorities to make sufficient resources available to scrutiny functions, though leaving it up to councils to decide on resource levels and funding. This is, of course, easy to say but difficult to achieve in reality against competing demands and pressures to prioritise visible, frontline services.

There are some other differences from the previous guidance, reflecting the introduction of combined authorities and the growth in commissioned and outsourced service delivery. Whereas the new document offers some useful ideas on scrutiny of external partners and providers, it is less strong on the strategic scrutiny functions of combined authorities. It offers little practical advice specific to elected mayoral models or combined authorities; this is perhaps to be expected, given the relatively small number of authorities with these forms of governance and the comparative infancy of combined authorities, but it is a clear gap that would be useful to fill as practice develops and learning emerges.

## Related briefings

[CLG select committee report on the effectiveness of local authority overview and scrutiny committees](#)

[Local authority scrutiny at a crossroads](#)

## **Further reading**

[Report from CLG Committee on effectiveness of local authority overview and scrutiny committees](#)

[Government response to CLG Committee report on effectiveness of overview and scrutiny](#)

[Centre for Public Scrutiny – comment on the statutory guidance](#)

[Centre for Public Scrutiny – Scrutiny Frontiers 2019](#)

[Centre for Public Scrutiny – Overview and scrutiny in combined authorities: a plain English guide](#)

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Report of:	Meeting	Date
Marianne Hesketh, Service Director Performance and Innovation	Overview and Scrutiny Committee	22 July 2019

<b>Overview and Scrutiny Work Programme 2019/20 – update report</b>
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**1. Purpose of report**

1.1 To update the Overview and Scrutiny Committee about the Overview and Scrutiny Work programme 2019/20.

**2. Recommendations**

2.1 That consideration be given to convening an extra meeting of the Overview and Scrutiny Committee in September 2019 for an item about the Statutory Guidance on Overview and Scrutiny and the implications for the learning and development of the committee.

2.2 That the report be noted.

**3. Current and completed work**

**3.1 Public Conveniences Task Group**

The Public Conveniences Task Group's report and recommendations were considered by the Cabinet on 26 June 2019. All the recommendations, with the exception of the recommendation to withdraw the use of radar keys in Wyre's public conveniences, were supported.

**3.2 Task Group – transport connectivity**

The task group that met initially on 15 April 2019 was reconvened following the elections in May, and met again on 2 July 2019. In addition to the eleven councillors who met on 15 April, a further eight councillors have indicated that they would like to take part, bringing the total to an unprecedented nineteen.

Following discussion, task group members agreed that the name of the review was misleading. It is proposed to be known as the 'Poulton to Fleetwood Link Task Group' from here on.

The task group has requested that, as a next stage, a series of meetings be set up with stakeholders.

#### **4. Planned work**

##### **4.1 Resident Parking Permit Scheme Task Group**

On 3 June 2019 the O&S Committee agreed a draft scoping document for a task group to review the Resident Parking Permit Scheme. An initial meeting was provisionally arranged for 16 July, but it has subsequently come to light that some essential financial information will not be available until after that date. The first meeting of this task group is now likely to take place in mid-September.

##### **4.2 District Enforcement Task Group**

The Scrutiny Officer has held meetings with the Street Scene Manager to determine a timetable for bringing a report to the committee and for the subsequent setting up of a task group to review performance. The Scrutiny Officer will provide a verbal update to the committee.

#### **5. Work Programme**

**4.1** The O&S Work Programme for 2019/20 is attached at Appendix 1.

**4.2** Regarding the proposed task group on climate change, the Corporate Management Team is preparing a Climate Change Action Plan and a project team has been set up to look at single use plastics. Once a timescale for that work is agreed, a schedule for scrutiny will also be proposed.

**4.3** At the last meeting on 3 June reference was made to a review of various parts of the Council's constitution which is currently being undertaken by independent consultants. The Committee requested that it be given an opportunity to consider and comment on the proposed changes to the constitution (subject to the views of the Corporate Management Team and the Executive) before a report is submitted to Full Council. The original intention was that the review currently being undertaken by the consultants would be submitted to the July meeting of Council, i.e. at the same time as a report on proposed changes to the Councillors Code of Conduct, (included in Part 5.01 of the Constitution) undertaken separately by the Standards Committee. However, the review by the independent consultants has not yet been completed. It is now intended that a report on that review will be submitted to the full Council later this year. As amendments to the Constitution can only be made by the Council the

intention is that the report will be submitted directly to the full Council to consider and make decisions on the recommendations.

## **5. Other issues**

### **5.1 Modern.gov and paperless meetings**

The roll-out of tablets to councillors has progressed well. As with the implementation of any new system there have been some early teething problems but the indications are that these have been resolved, or will be very shortly. It is intended that all meetings from the beginning of September will be paperless.

### **5.2 Committee development needs**

Effective scrutiny requires a process of continuous learning and development. It is a specialised area in which councillors work independently and objectively; ongoing training is a valuable tool in enabling the scrutiny function to operate to its full potential and to be able to make a difference in the delivery of services.

Taking into account the Statutory Guidance on Overview and Scrutiny, it might be timely for the committee to consider setting aside some dedicated time to discuss the implications of the Guidance and to review its future approach, which might or might not be influenced by the Guidance.

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## **List of appendices**

Appendix 1 Overview and Scrutiny Committee Work Programme 2019/20

## OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME 2019/20

### Committee Meetings

(All meetings are held on Mondays starting at 6pm)

Date	Planned O&S Committee agenda items
<b>2019</b>	
3 June	<ul style="list-style-type: none"> <li>i. Election of Chairman.</li> <li>ii. Election of Vice Chairman.</li> <li>iii. Marine Hall update and task group scoping (see O&amp;SC 22 October 2018, minute 30).</li> <li>iv. Business Plan – Quarterly Performance Statement</li> <li>v. Public Conveniences Task Group – draft report</li> <li>vi. O&amp;S Work Programme 2019/20 – update and planning. To include:               <ul style="list-style-type: none"> <li>(a) Overview and Scrutiny training and development for the committee and newly elected councillors.</li> <li>(b) Scoping document – Resident Permits</li> <li>(c) Scoping Document – transport connectivity across Fylde Coast</li> </ul> </li> </ul>
22 July	<ul style="list-style-type: none"> <li>i. Update on health and care developments on the Fylde Coast – Dr Amanda Doyle</li> <li>ii. Lancashire County Council Health Scrutiny Committee.</li> <li>iii. Annual Schedule of planned investment in assets (Service Director Performance and Innovation)</li> <li>iv. Budget consultation (Clare James)</li> <li>v. Statutory Guidance on Overview and Scrutiny</li> <li>vi. O&amp;S Work Programme 2019/20 – update.</li> </ul>
9 September	<ul style="list-style-type: none"> <li>i. MyHomeChoice - review of first 12 months of implementation of new arrangements (see O&amp;SC 30 July 2018 and Cabinet 5 September 2018).</li> <li>ii. District Enforcement environmental crime pilot feedback (see O&amp;SC 3 June 2019). This report might be taken in October, if not ready in September.</li> <li>iii. Business Plan – Quarterly Performance Statement</li> <li>iv. O&amp;S Work Programme 2019/20 – update.</li> </ul>
21 October	<ul style="list-style-type: none"> <li>i. Neighbourhood policing arrangements – review of first 12 months of implementation of new arrangements (see O&amp;SC 30 July 2018, minute 18).</li> </ul>

Date	Planned O&S Committee agenda items
	<ul style="list-style-type: none"> <li>ii. District Enforcement environmental crime pilot feedback (see O&amp;SC 3 June 2019). This report might be taken in September, if available.</li> <li>iii. O&amp;S Work Programme 2019/20 – update.</li> </ul>
2 December	<ul style="list-style-type: none"> <li>i. Fees and charges.</li> <li>ii. Cost profiles – benchmarking results.</li> <li>iii. Treasury management.</li> <li>iv. Flooding Task Group - review of implementation of recommendations (Cabinet, 28 November 2018).</li> <li>v. Business Plan – Quarterly Performance Statement</li> <li>vi. O&amp;S Work Programme 2019/20 – update.</li> </ul>
<b>2020</b>	
27 January	<ul style="list-style-type: none"> <li>i. Business Plan 2020/21 – Leader and Chief Executive.</li> <li>ii. Annual Schedule of planned investment in assets.</li> <li>iii. O&amp;S Work Programme 2019/20 – update.</li> </ul>
16 March	<ul style="list-style-type: none"> <li>i. Wyre Community Safety Partnership – annual scrutiny review.</li> <li>ii. Business Plan – Quarterly Performance Statement</li> <li>iii. O&amp;S Work Programme 2019/20 – update.</li> </ul>
27 April	<ul style="list-style-type: none"> <li>i. O&amp;S Work Programme 2019/20 – update.</li> </ul>

### **Scrutiny task group reviews**

Date	Format	Topic
Continued on 2 July 2019	Task Group	Poulton to Fleetwood Link (First meeting held on 15 April 2019).
To start September 2019	Task group	Resident Car Parking Permit Scheme
Provisionally September/October 2019	Task group	Environmental crime – enforcement and members' role (see O&SC 21 May 2018, minute 5)
Late 2019	Task group	Climate change (see O&SC 3 June 2019)
	Possible task group - originally proposed for 2018/19	Support a sustainable future for the fish processing industry

Updated 11 July 2019

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