

OVERVIEW AND SCRUTINY

ANNUAL REPORT 2013-2014

It brings me great pleasure to introduce the 2013/14 Overview and Scrutiny Annual Report for Fenland District Council. This annual report shows the effective work that Fenland District Councillors have completed this year to investigate important local topics as well as holding our decision makers to account.

The need for strong scrutiny has never been more important particularly as the financial resources available to the Council reduce. It is vital therefore that Councillors are able to question decisions made, new policies that are developed and changes that are proposed. As this report shows, Overview and Scrutiny provides us with an invaluable mechanism to achieve that

I would like to take this opportunity to emphasise the key achievements of the committee as well as highlighting the focus of the panel during the months to come.

I would like to thank all Members and officers for their ongoing support and co-operation with the Overview and Scrutiny function this year. I would also like to thank the many representatives of partner organisations that have taken the time to contribute so positively to our work.

I commend this report to Council.

Councillor Mrs Jan French
Chairman

THE OVERVIEW AND SCRUTINY COMMITTEE 2013-2014



**Councillor Mrs Jan French
Chairman**



**Councillor Gary Swan
Vice Chairman**



Councillor Mark Archer



Councillor David Broker



Councillor Mrs Virginia Bucknor



Councillor Sam Clark



Councillor Jonathan Farmer



Councillor David Hodgson



Councillor Miss Sam Hoy



**Councillor Robert
Skoulding**



**Councillor Derek
Stebbing**

INTRODUCTION

What is Overview and Scrutiny?

The Local Government Act 2000 requires Councils to have a committee with the power to review or scrutinise decisions or actions affecting the authority's area or residents. Scrutiny is an essential part of ensuring that local government remains effective and accountable. Scrutiny ensures that executives are held accountable for their decisions, that their decision-making process is clear and accessible to the public and that there are opportunities for the public and their representatives to influence and improve Council policies.

The power to scrutinise was further expanded by the Police and Justice Act 2006, which provided powers to scrutinise the work of Crime and Disorder Reduction Partnerships, known locally as the Safer Fenland Partnership.

The Local Government and Public Involvement in Health Act 2007 provides more powers to local government to scrutinise other partner organisations. It also brings in other provisions that affect how scrutiny committees work, including powers over the creation of joint committees.

Recently, the coalition Government's Localism Bill (2010) consolidated the wide range of scrutiny legislation into a single place, largely unamended from previous legislation. This aims to increase local accountability and transparency of public services as well as enhancing the involvement of local service users

Main responsibilities of Overview and Scrutiny

The role of Overview and Scrutiny has five broad functions:

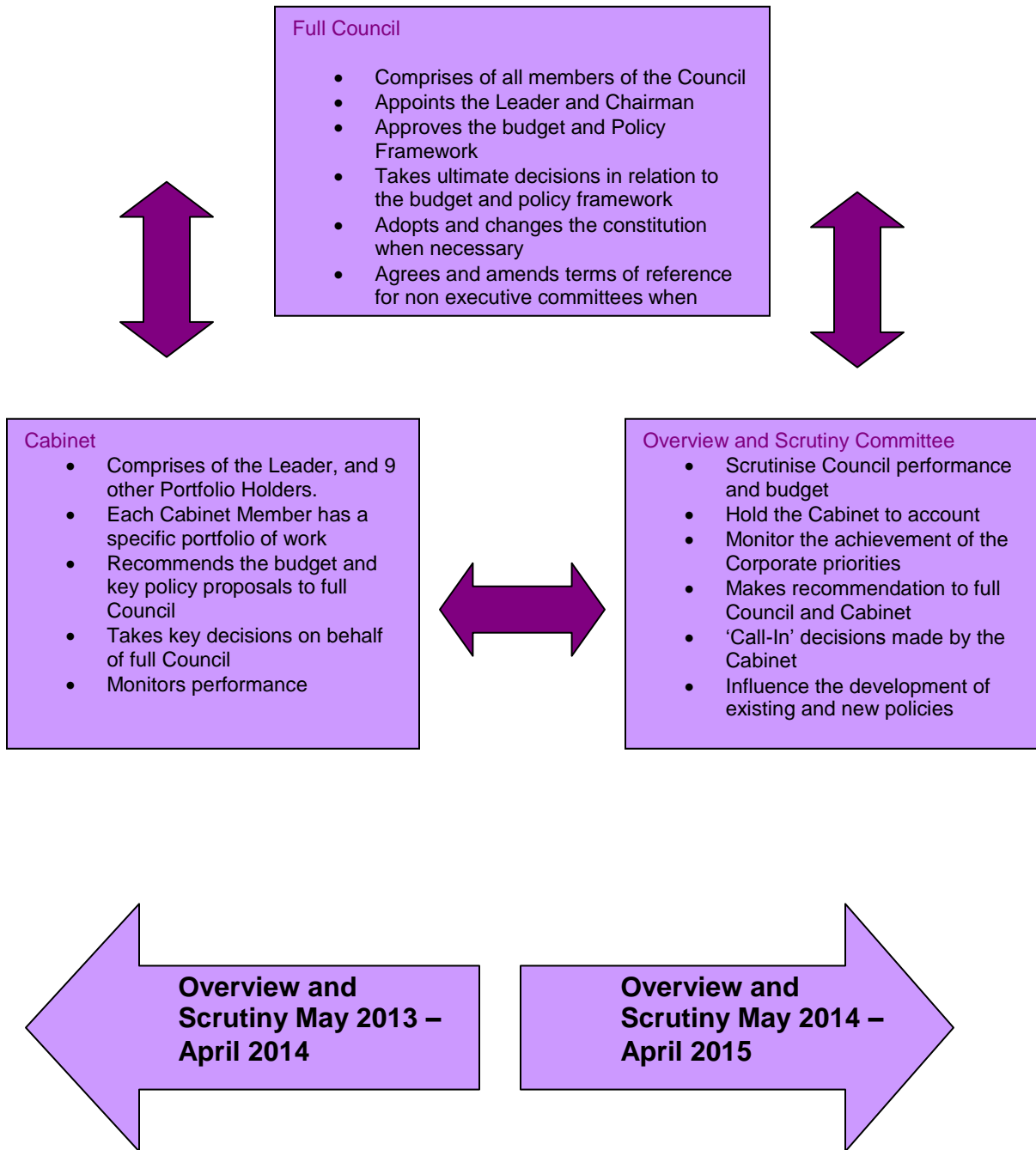
- Holding the Council's Executive and its statutory partners to account in the public interest. This enables more transparent and effective decision making.
- Supporting the development of effective policies and initiatives which have a beneficial impact on the community through policy review and development.
- Contributing to continuous improvement in the delivery of the Council's corporate priorities.
- Having a positive impact on the work and outcomes of external agencies and providers of public services.
- Aiding Councillors in engaging with their communities and undertaking the role of community representatives and leaders.

Overview	Scrutiny
Advising on the development of policies.	Ensuring that the Council's policies have been effectively implemented by the Cabinet.
Recommending how the Council's corporate priorities can be delivered.	Helping to monitor and drive improvements within the Council's corporate priorities.
Bringing a wider perspective to problem solving.	Holding decision makers to account
Examining broader issues affecting local communities.	Ensuring all service providers within a local community are providing 'value for money'

Appointing members onto Overview and Scrutiny

During 2013-2014, following a recommendation by the Leader of the Council, it was the responsibility of the full Council to appoint an Overview and Scrutiny Panel at their annual meeting in May. The Overview and Scrutiny Committee consisted of eleven members drawn from the political groups in the same proportion as they are represented on the Council as a whole.

Relationship between Overview and Scrutiny, Cabinet and Full Council



A BACKWARD LOOK TO 2013 - 2014

What the Overview and Scrutiny Panel achieved in 2013/2014

External advisors/partners

The panel looked at an array of different topic areas; most could be dealt with by drawing on the knowledge and expertise of Fenland District Council Councillors and Officers. However, sometimes there is a need to call in external advisors to help the panel with their knowledge and to provide a different vantage point.

As will be explained later, a greater emphasis has been placed on Local Authority scrutiny, of and with partner agencies. Fenland's Overview and Scrutiny Committee is already undertaking this partnership working in a positive spirit, demonstrating its forward thinking. The table below highlights the external partners the Overview and Scrutiny Committee have already engaged with, when undertaking the scrutiny function during 2013/ 14:

Agenda item	External Advisor/Partner	Organisation
Update on Roddons Housing Association	Christopher Smith	Roddons Housing Association
Safer Fenland partnership (SFP): Annual Scrutiny	Robin Sissons	Cambridgeshire Constabulary
Middle Level Drainage Board	Stephen Whittome and Robert Hill	Middle level Commissioners
Fenland Health and Wellbeing Partnership Update	Val Thomas	CCC Public Health

As well as working with individual partners, the panel have also scrutinised other elements of partnership working through each of the respective corporate priority areas. The panel will build on this further in 2014/2015.

How the work of Overview and Scrutiny is linked to the Council's corporate priorities

Fenland District Council's Corporate Plan clearly sets out a series of priorities that will be the focus of the organisation over a 3 year period. To ensure these priorities are correct, deliver on targets and achieve outcomes, the Overview and Scrutiny work programme reflects the Council's priorities to ensure robust scrutiny can be delivered.

The table below illustrates how agenda items link in with Fenland’s priorities:

- C** – Communities
- Env** – Environment
- E** – Economy
- QO** – Quality Organisation

Topic/Issue	C	Env	E	QO
Progress against corporate priority: Streets Ahead				
Progress against corporate priority: Open for Business				
CCC Health and Well Being Scrutiny Committee				
Safer Fenland partnership (SFP) /Crime Disorder and Reduction partnership				
Fenland Tourism Board Update				
Annual meeting with the Leader, Deputy Leader and Chief Executive				
Progress against corporate priority: Quality Organisation				
Draft Corporate Plan and Budget				
Progress against corporate priority: Localism				
Council Tax Scheme				
Fees and Charges including Leisure				
Outside Bodies				
Fenland’s Infrastructure Investment				
Wisbech 2020 Vision Update				

Links to other Overview and Scrutiny Committees

Cambridgeshire County Council’s Adult Wellbeing and Health Overview and Scrutiny Committee consists of twelve County Councillors in addition to five District Council co-optees. The role of the committee is to co-ordinate the scrutiny of adult social care services, health services and other services related to health and wellbeing, and to make reports and recommendations to local NHS bodies, local authorities and other agencies.

The role of the District Council member is to; take a full part in the work of the committee, including committee meetings, reviews, working groups and visits. During 2013 – 2014 the Adult Wellbeing and Health Fenland District Council representative has contributed to the overview of the Clinical Commissioning Groups future plan and fostered links with the Clinical Commissioning Group Board in addition to Local Commissioning groups. The implementation of the Clinical Commissioning groups, represented a significant change in delivery of health services and as such it is crucial the organisation kept up to speed with the pace of the changes and potential implications for Fenland residents. The Adult Wellbeing and Health Overview and Scrutiny Committee was disbanded in April 2014 and has been replaced by the newly formed Health Committee, the

rationale for the change is to reflect the structure changes in relation to the provision of health services.

Specific reviews undertaken in 2013- 2014

Outside Bodies Review

The Overview and Scrutiny Committee considered a wide range of issues in relation to Outside Organisations requiring representation from the District Council, as a result the review highlighted the following key issues;

The list of Outside Bodies requiring elected member representation are varied and diverse in their nature, ranging from Internal Drainage boards, Community groups and National Associations.

The existing approach for assessing whether outside bodies require elected member representation is informal, with no specific criteria against which to assess or prioritise requests or appointments. As a result the list of outside bodies has grown significantly over recent years. There are currently no specific links between outside organisations and the established corporate priorities, or an assessment linked to funding received by external groups.

Appointments to Outside Body organisations are agreed through an informal process. Limited information is shared with members prior to the appointment offer to help inform their decision making regarding whether they wish to represent the Council within the outside organisation, or if they have sufficient time to devote to the appointment.

The current reporting framework has not been prescribed to members and therefore communication to and from outside organisations tends to be informal dialogue. Concerns have been raised by members of the Overview and Scrutiny Panel that the current informal arrangements may not be sufficiently robust.

As a direct result of the review the Overview and Scrutiny Committee made 5 recommendations to Cabinet in relation to Outside Bodies

- The introduction of a specific criteria against which to assess the requests for representation on outside bodies,
- Cabinet to oversee the outside bodies process on an annual basis including appointments, member representation and number of members required,
- Outside Bodies which should not be considered for representation when assessed against the new representation criteria,
- The nomination and review process,
- The feedback mechanism.

External Visits

Members of the Overview and Scrutiny Committee attended a visit to the recently developed St German's Pumping Station in November 2013. The visit was arranged to inform scrutiny of the external organisation, the Middle Level Commissioners, which took place in February 2014. The pumping station represents a major capital investment of public money and was developed in order to protect Fenland District and wider surrounding area from flooding. Members found the visit extremely informative and provided a useful insight prior to representatives from the Middle Level Commissioners attending the Overview and Scrutiny Committee. Members endorse this approach in relation to the future scrutiny of external partners.





Overview and Scrutiny Call – In

The Overview and Scrutiny Committees have the opportunity to scrutinise Executive decisions that have been made, but not implemented through the ‘call-in’ mechanism.

In accordance with the Council’s constitution, decisions of the Executive or a Portfolio Holder decision are published within 3 working days. There is then a further 5 working day period prior to the implementation of the decision in which Members are able to call in the decision. If the necessary number of Members, either the Chairman or Vice Chairman of any panel, or any 3 members of the Overview and Scrutiny Committee or any 10 Members of the Council, ask for a decision to be called in for scrutiny, the Overview and Scrutiny Committee has to meet within 15 working days to consider the issue. Whilst this process takes its course, the decision taking process is suspended. If no call-in occurs, the decision is adopted.

If, having considered the decision, the Committee remains concerned about it, then it may refer it back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns or, in exceptional circumstances, refer the matter to full Council. If referred back, the decision maker shall then reconsider the matter within a further 10 working days and amend the decision or not, before adopting a final decision. If however the Committee decides not to refer the matter back, no further action is taken and the decision can take effect.

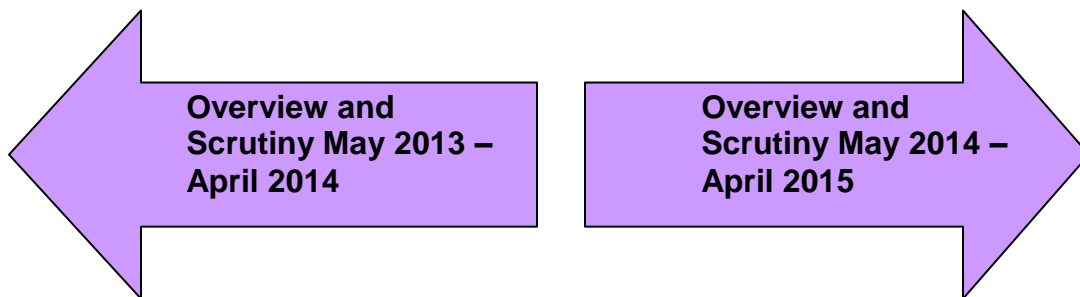
The call-in procedure does not apply where the decision being made by the Executive is deemed to be urgent i.e. where any delay likely to be caused by the

call-in process would seriously prejudice the Council's or the public's interests. This should be clearly stated in the record of the decision.

Because of the nature of the call-in procedure, it is generally recognised as a mechanism of last resort. Indeed Government guidance states that it would clearly be detrimental to efficient decision making if every individual decision of the Executive were called in for overview and scrutiny as a matter of course.

The call-in procedure is therefore utilised when other means of influencing decision making have failed. Nationally, Councils have on average 2 call-ins per year and approximately 25% result in an amended decision.

Fenland District Council utilised the call in procedure on one occasion during 2013/14. That call in was in relation to an exempt item – The freehold disposal of the former Gas Works site (Lot 3) At the Nene Waterfront Regeneration Area, Wisbech. Following the detailed discussions regarding the original decision taken, Members were minded to accept the original Cabinet decision regarding the land disposal decision.



A FORWARD LOOK TO 2014/2015

Policies and measures affecting scope of Overview and Scrutiny

The profile of scrutiny is changing nationally and as a result much is expected of us in response to the Localism agenda. This could include community involvement, scrutiny of and with partners, scrutiny of crime and disorder issues and supporting the scrutiny of health services.

Overview and Scrutiny amending its role

The Overview and Scrutiny Committee remains committed to achieving value for money and ensuring the Council is efficient and cost effective in the delivery of its corporate priorities.

Fenland's Priorities

In Fenland's Corporate Plan 2014-2017, the Council's corporate priorities are:

1. **Communities**
2. **Economy**
3. **Environment**
4. **Quality Organisation**

It is important that the work of Overview and Scrutiny complements these priorities to ensure services are being delivered to highest quality and any scrutiny work adds value.

What the Overview and Scrutiny Panel will achieve in 2014-2015

Strategic Priorities

We will work to raise the profile of the Council's Overview and Scrutiny work by better communicating our successes.

Work Programme

The Overview and Scrutiny work programme is a detailed programme that indicates the topics that the Overview and Scrutiny Committee will scrutinise. The work programme will be developed early in the new Council year setting out what the key areas of focus will be. Topics already identified for inclusion include:

- Crime Disorder and Reduction Partnership
- Council Tax Scheme
- Draft Corporate Plan and Budget
- Progress of Corporate Priorities: Economy, Environment, Communities and Quality Organisation

CONTACTS

Work of the Overview and Scrutiny Committee is enhanced by the involvement of Fenland residents, service users, our partners and local businesses as they bring an alternative perspective whilst also providing external challenge. If, therefore, you would like further details about any of the work mentioned in this report, or on how residents and partner organisations can contribute to the work of Overview and Scrutiny within Fenland, please contact:

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