



Please ask for Charlotte Kearsey
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The Chair and Members of Overview
and Performance Scrutiny Forum

7 January 2019

Dear Councillor,

Please attend a meeting of the OVERVIEW AND PERFORMANCE SCRUTINY FORUM to be held on TUESDAY, 15 JANUARY 2019 at 5.00 pm in Committee Room 1, Town Hall, Chesterfield, the agenda for which is set out below.

AGENDA

Part 1(Public Information)

1. Declarations of Members' and Officers Interests relating to items on the Agenda
2. Apologies for Absence
3. Cabinet Member for Governance - Scrutiny (Pages 5 - 12)
5:05pm to 5:20pm
4. Cabinet Member for Business Transformation - Town Hall Refurbishment
5:20pm to 5:40pm
5. Cabinet Member for Business Transformation - Avarto Staff Transition Update
5:40pm to 6:00pm

Chesterfield Borough Council, Town Hall, Rose Hill, Chesterfield S40 1LP

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6. Cabinet Member for Business Transformation - IT Programme Progress Update

6:00pm to 6:20pm

7. Forward Plan

Please follow the link below to view the latest Forward Plan.

[Forward Plan](#)

6:20pm to 6:25pm

8. Scrutiny Monitoring

6:25pm to 6:30pm

9. Work Programme for the Overview and Performance Scrutiny Forum

6:30pm to 6:35pm

10. Joint Overview and Scrutiny

6:35pm to 6:40pm

11. Overview and Scrutiny Developments

6:40pm to 6:45pm

12. Minutes (Pages 13 - 18)

6:45pm to 6:50pm

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Randy', written in a cursive style.

Local Government and Regulatory Law Manager and Monitoring Officer

Review of Overview and Scrutiny and Update on new Government Guidance

Committee: Overview and Performance Scrutiny Forum

Date: 15 January, 2019

Report by: Rachel Appleyard, Senior Democratic and Scrutiny Officer

For publication

1.0 Update on new guidance on overview and scrutiny

- 1.1. The findings from the Select Committee enquiry proposed a series of revisions to the Government guidance on scrutiny committees. As part of the Government's response, they agreed to publish a revised guidance by the end of 2018 however this guidance has not been released yet. Ed Hammond from the Centre for Public Scrutiny (CfPS) attended the East Midlands Scrutiny Network meeting in September 2018 to gain feedback on specific areas and advised that the CfPS were working with the government on the guidance; as a result he was able to provide some information on its aims.
- 1.2. The guidance would set out an enabling framework for local authorities' overview and scrutiny functions which would include different options and ways of working; decisions on how scrutiny operates would remain at local level. The guidance would be statutory and authorities would need to have a legal regard for it; if local authorities deviate they need to be clear why they are deviating.

2.0 Potential impacts and questionnaire results

2.1. The Select Committees' proposals for revisions to the guidance are provided below along with details of how this could affect our overview and scrutiny function along with responses from the questionnaire:

Select Committee Proposal	Current Local Approach
That overview and scrutiny committees should report to an authority's Full Council meeting rather than to the executive, mirroring the relationship between Select Committees and Parliament.	<p>The Overview and Scrutiny committees submit an Annual Report to Council summarising their work over the previous year. In addition, all scrutiny minutes are presented to Council for formal approval and adoption.</p> <p>Currently, scrutiny project group recommendations are reported to Cabinet for approval however any recommendations that are outside the current Budget and Policy Framework would need to go to Full Council.</p> <p>The questionnaire results largely agreed that these methods of reporting were effective.</p> <p>Members could choose to extend this to all reports/recommendations and the Government may include this as a requirement in the new guidance.</p>
That scrutiny committees and the executive must be distinct and that executive councillors should not participate in scrutiny other than as witnesses, even if external partners are being scrutinised.	<p>This is part of our current approach however executive councillors can take part in scrutiny project groups but this is subject to approval by the Scrutiny Chairs taking into consideration the nature of the project group.</p> <p>If the new guidance includes this as a requirement, we will need to reconsider the value and appropriateness of opening scrutiny project groups to executive councillors.</p>
That councillors working on scrutiny committees should have access to financial and performance data held by an authority, and that this access should not be restricted for reasons of commercial sensitivity.	<p>This is part of our current approach and Members can request to access information through the access to information rules in Part 4 of the Constitution.</p>

<p>That scrutiny committees should be supported by officers that are able to operate with independence and offer impartial advice to committees. There should be a greater parity of esteem between scrutiny and the executive, and committees should have the same access to the expertise and time of senior officers and the chief executive as their cabinet counterparts.</p>	<p>From the results of the survey, scrutiny is well attended by officers and most councillors agreed that officers understood and valued the role and work of scrutiny.</p> <p>Members should consider if they are satisfied that they have the same access to the expertise and time of senior officers as their Cabinet counterparts.</p>
<p>That members of the public and service users have a fundamental role in the scrutiny process and that their participation should be encouraged and facilitated by councils.</p>	<p>Members of the public have been involved in scrutiny work from time-to-time over the past few years, mostly by providing evidence and opinions to inform scrutiny project work. Members are also encouraged to bring local issues forward to scrutiny for consideration as part of the work programming.</p> <p>The survey highlighted that members of the public don't have a good understanding of the role and work of scrutiny, and the overview and scrutiny function hadn't been wholly effective in enabling greater community involvement.</p> <p>The new guidance may include requirements to ensure there is a greater involvement of the public in scrutiny work. Members should consider if they are satisfied with the current arrangements and if new ways to engage with the public could be introduced such as meetings in the community or social media activity.</p>

2.2. Though the questionnaire returned mostly positive outcomes, the following results require consideration to understand if actions are needed to improve the overall effectiveness of the scrutiny function, the full results from the survey can be found at Appendix A:

- only half of the responses agreed that sensitive political issues were dealt with effectively;
- most responses neither agreed or disagreed that scrutiny members had been involved in influencing major decisions;

- only half of the responses agreed that scrutiny had a tangible impact on improving council service performance;
- most responses neither agreed or disagreed that backbench/non-scrutiny councillors and members of the public understood and valued scrutiny;
- most responses felt that annual refresher training on effective scrutiny questioning would benefit scrutiny councillors.

3.0 Options

- 3.1. Some of these issues, such as dealing with sensitive political issues and effective scrutiny questioning, can be resolved through the introduction of a regular training programme. There is a dedicated scrutiny budget which can be used to fund extra training and development for scrutiny members.
- 3.2. Changes to the way we carry out scrutiny work programming could help to engage more members of the public and non-scrutiny councillors, for example by using social media or public meetings to request input into choosing topics or project group work.
- 3.3. In terms of being involved in influencing major decisions, scrutiny continues to review the Forward Plan at each meeting, and the Scrutiny Chairs are informed of any urgent items before they are added to the Forward Plan. Scrutiny can use the Forward Plan to become more proactive in monitoring and requesting information on upcoming decisions; work programmes are currently designed to allow gaps for new items to be added throughout the year.

4.0 Conclusions

- 4.1. That Members note the update and consider actions for improving the Overview and Scrutiny function following the outcomes from the questionnaire.
- 4.2. That the revised guidance be circulated to all Members when released by the Government.

Report Author	Rachel Appleyard 01246 345277
Appendices	Appendix A – Results of the scrutiny questionnaire
Background documents	
Local authority overview and scrutiny: government response to select committee report: https://www.gov.uk/government/publications/local-authority-overview-and-scrutiny-government-response-to-select-committee-report	

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Perception and effectiveness of overview and scrutiny

	Strongly Disagree	Disagree	Neither	Agree	Strongly Agree
Question 1					
The overview and scrutiny function has been effective in:					
Holding decision-makers to account			25%	75%	
Reviewing service outcomes				100%	
Influencing council policy			50%	50%	
Involving external stakeholders in their deliberations				100%	
Ensuring local views are taken into account				100%	
Investigating non-local authority service providers			25%	75%	
Providing clear lines of accountability			50%	50%	
Enabling greater community involvement in governance			50%	50%	
Exploring innovative forms of service delivery			25%	75%	
Dealing effectively with sensitive political issues		25%	25%	50%	
Question 2					
The overview and scrutiny members have been involved in:					
Influencing major decisions			75%	25%	
Considering and evaluating service performance				75%	25%
Considering and evaluating finance and risk information				75%	25%
Question 3					
Overview and scrutiny overall has a tangible impact on improving council service performance.					
		25%	25%	50%	
Question 4					
Overview and scrutiny creates tangible improvements for local					
			50%	50%	
Question 5					
The recommendations of scrutiny project groups are given appropriate consideration by the Executive.					
		25%	25%	50%	
Question 6					
Different people/groups/organisations with a role in holding decision-makers to account work together effectively					
				75%	
Question 7					
The role and work of scrutiny is valued and understood by:					
Cabinet Members				100%	
Senior Officers		25%		75%	
Non-scrutiny/non-executive members		25%	75%		
Other council officers		25%	50%	25%	
Members of the public		50%	50%		
Overview and scrutiny in practice					
Question 8					
What do you think is the most effective way for scrutiny to receive information? (1 is the least effective, 5 is most effective)					
Powerpoint presentations with visual representations of data (graphs, tables, pictures)	1	2	3	4	5
	25%			75%	
Formal written reports		25%		75%	
Circulated updates via email			50%	25%	25%
Verbal updates			25%	75%	
Question 9					
The training provided during the induction enabled you to carry out your role effectively.					
				75%	25%
Question 10					
Scrutiny councillors would benefit from an annual refresher session on effective scrutiny questioning.					
			25%	75%	
Question 11					
The current reporting procedures for overview and scrutiny work are effective:					
Annual scrutiny report to Full Council			25%	75%	

25% no response

Scrutiny project group recommendations to Cabinet		25%	75%	
Question 12				
Scrutiny meetings are well attended by:				
Council officers			100%	
Cabinet members	50%		50%	
Scrutiny members	25%		50%	25%
Question 13				
It is important to have members with relevant skills or knowledge on scrutiny committees.			75%	25%

OVERVIEW AND PERFORMANCE SCRUTINY FORUM

Tuesday, 13th November, 2018

Present:-

Councillor Sarvent (Chair)

Councillors J Barr Callan Caulfield L Collins	Councillors Dyke Falconer Flood P Innes
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Councillor Tricia Gilby, Leader of the Council +++
 Kevin Hanlon, Director of Finance and Resources ++
 Charlotte Kearsey, Democratic and Scrutiny Officer
 Donna Reddish, Assistant Director – Policy and Communication +

+ Attended for Minute No. 26
 ++ Attended for Minute No. 27
 +++ Attended for Minute No. 26, 27 and 29

24 DECLARATIONS OF MEMBERS' AND OFFICERS INTERESTS RELATING TO ITEMS ON THE AGENDA

No declarations of interest were received.

25 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Borrell and Perkins.

26 DEPUTY LEADER - COUNCIL PLAN AND CORPORATE PERFORMANCE PROGRESS UPDATE

The Leader and Assistant Director – Policy and Communications attended to provide a progress report on the Council Plan for Year 4, 2018/19.

The Assistant Director advised that of the 32 key activities for 2018/19 four had been completed and a further 22 remained on target. This was a significant improvement from the quarter 1 position. The Corporate

Management Team had re-prioritised and challenged performance to bring the majority of activities back on track.

The Committee was advised that 91% of priorities for a thriving borough remained on target compared to 73% in quarter 1. Furthermore, 71% of priorities for improving quality of life and 73% of targets for value for money remained on target.

Due to the financial challenges facing local authorities there had been significant focus on the value for money strand of the Council Plan and day to day financial management.

There were five activities which were rated amber and one rated as red. It was explained that these were of significant size and complexity, such as, the Staveley and Rother Valley Corridor which involved a number of key stakeholders and a complex mix of activities required to start delivery. Officers would continue to work and negotiate with partners to bring this site, and others, forward.

Despite challenging circumstances, performance had been improved or maintained on several key economic indicators and customer focused activity, these included:

- 100% of local labour clauses had been maintained but the percentage of jobs secured for local people had increased from 42% to 72%;
- There had been a reduction in the number of young people not in education, employment or training;
- Town Centre occupancy and market stall occupancy remained on track;
- The number of complaints in key service areas had reduced but customer contact times via the call centre had been maintained;
- Chesterfield Borough Council's social media presence had continued to grow.

An area of concern was the reduction in performance across the planning application process. Investigation indicated that increased demand and capacity issues had impacted on service delivery. The Assistant Director

– Economic Growth would be preparing a response to these challenges. Members supported a resolution to the issues within the Planning Service.

In reference to the multi-agency alcohol health improvement activity, Members noted some concerns about identifying those in need because many people drink at home so it was important not to only rely on the Licensing Team.

Members were pleased to see that the activity to produce a Health and Wellbeing Strategy was rated amber in light of the challenging financial environment. The Assistant Director noted that delivery of the strategy would be complex due to the partnership working required.

The Chair thanked the Leader and Assistant Director for providing the update and answering their questions.

RESOLVED –

That an update be brought to the first meeting of the Overview and Performance Scrutiny Forum in 2019/20.

27 DEPUTY LEADER - BUDGET MONITORING AND MEDIUM TERM FINANCIAL FORECAST

The Leader and Director of Finance and Resources attended to provide an overview of the budget over the first half of 2018/19 and updated Members on the budget forecast for the end of 2018/19 and predictions for 2019/20.

The Council was on target to balance the budget for 2018/19 however, significant challenges for 2019/20 and beyond remained.

Details of the savings versus cost pressures for the current and previous two budgets were provided. Chesterfield Borough Council staff had been working hard to find savings but despite saving as much as possible the income had not matched the pressures. It was explained that the challenges would only increase in the coming years.

The financial challenges were explained and included:-

- Business rate income uncertainty due to appeals;

- Declining Pavements and Vicar lane income;
- Fair Funding;
- Economy risks;
- Growth requests across services;
- Capital project budget pressures.

The Housing Revenue Account (HRA) budget 2018/19 was balanced in the long term.

The HRA capital spend for the 2018/19 budget was £20 million. There had been £3.8 million brought forward from future year's to fund external wall insulation and new build schemes and it was estimated that there would be an underspend of around £1.5 million on the current year's schemes. The net impact of these changes would be an increase of capital expenditure of £2.3 million in 2018/19.

The Council's reserves were reviewed and restructured in 2017/18. The current reserve balances were explained to the committee.

Members noted that there had been success made in mitigating known risks but there were many unknown risks which would be challenging.

Members enquired about Business Rates and whether these could be lowered. It was explained that Business Rates were set nationally and CBC had no involvement.

The Chair thanked the Leader and the Director of Finance and Resources for providing the update and answering their questions.

RESOLVED –

That an update be brought to the first meeting of the Overview and Performance Scrutiny Forum in 2019/20.

The Forward Plan was considered.

RESOLVED –

That the Forward Plan be noted.

29 SCRUTINY MONITORING

A monitoring progress update on the Cabinet response to the recommendations of the Town Centre Scrutiny Project Group report was provided.

The Scrutiny Monitoring Schedule was considered.

RESOVLED –

1. That the update on the Cabinet response to the recommendations of the Town Centre Scrutiny Project Group report be noted.
2. That the Cabinet response to the recommendations of the Town Centre Scrutiny Project Group report be approved.
3. That the Scrutiny Monitoring Schedule be approved.

30 SCRUTINY PROJECT GROUP PROGRESS UPDATES

HS2 Scrutiny Project Group

Lead Member of the project, Councillor Flood, advised that the recommendations within the report of the scrutiny project group had been approved by Cabinet.

RESOLVED –

That the update be noted.

31 WORK PROGRAMME FOR THE OVERVIEW AND PERFORMANCE SCRUTINY FORUM

The Work Programme for the Overview and Performance Scrutiny Forum was considered.

RESOLVED –

That the Work Programme be approved.

32 JOINT OVERVIEW AND SCRUTINY

There were no updates.

33 OVERVIEW AND SCRUTINY DEVELOPMENTS

The next East Midlands Scrutiny Network meeting would be held at Rutland County Council.

The Forum was advised that the Scrutiny Network had been invited to Chesterfield Borough Council in March, 2019.

34 MINUTES

The Minutes of the Overview and Performance Scrutiny Forum held on 11 September, 2018 were presented.

RESOLVED –

That the Minutes be approved as a correct record and signed by the Chair.