

# Scrutiny Committee

## Chairman's Annual Report - 2009

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## Introduction



*Introduction by Councillor Phillip Stearn*

*Chairman of East Northamptonshire Council's  
Scrutiny Committee*



I am pleased to present the Scrutiny Committee's eighth annual report, which identifies the work of the Committee in the last year.

I would like to thank all members of the Committee for their committed and enthusiastic contribution to its work. Many people have contributed to the success of Scrutiny in East Northamptonshire, including external organisations and Council Officers; my thanks go to all of them.

The Committee looks forward to the continuing progress of our scrutiny arrangements in the year to come. ”

A handwritten signature in black ink, appearing to be 'P Stearn', written on a light-colored rectangular background.

## How the Committee Operates

The Scrutiny Committee is a standing committee of the Council and its role is to undertake, manage and co-ordinate the overview and scrutiny process - a responsibility created by the Local Government Act 2000.

The Scrutiny Committee's Terms of Reference are set out in Article 7 of the Council's Constitution<sup>1</sup>, Part 4.4 of which empowers the Committee to operate in its own right and/or set up time limited working parties to review or scrutinise decisions and to support the work of the Council and its policy committees.

East Northamptonshire Council continues to operate Committee arrangements and, although the scrutiny process is arguably more relevant in a Council operating under Executive arrangements, where decisions are taken by a small group of Councillors forming a 'Cabinet', it still fulfils a valuable role.

This is because the Council's Scrutiny Committee has the necessary time, resources and freedom from routine committee business to undertake in-depth investigations and can report and make recommendations to the Council as a result. Scrutiny Committee Members have a significant role in developing new policy through their in depth investigations and the recommendations arising from them. The Committee also has power to "call-in" a decision that has been made by a policy committee. The Scrutiny Committee cannot reverse a policy committee's decision but can recommend that the committee reconsiders the decision or that the matter be referred to the full Council. The Committee can also act in a

confirming or supportive way – when it agrees with a particular approach.

The Local Government Act 2000 makes a clear distinction between those Councillors who make policy decisions and others whose role is to challenge and scrutinise those decisions. For this to be effective, Members of the Scrutiny Committee must retain their independence and need to develop an effective questioning approach. To provide this separation of roles, none of the Members of the Scrutiny Committee serves on the Council's primary policy committee, the Policy and Resources Committee.

The Committee takes this opportunity to draw to Councillors' attention, the potential for a conflict of interests where Scrutiny Committee Members also represent the Council on external bodies and decisions made by, or Council activities involving these external bodies may be 'called-in' for scrutiny purposes.

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<sup>1</sup> [www.east-northamptonshire.gov.uk/Constitution](http://www.east-northamptonshire.gov.uk/Constitution)

## Membership

### At 1 January 2009

David Bateman	Gill Mercer (Vice-Chairman)
Peter Bedford	Brian Northall
Tony Boto	Ron Pinnock
Richard Gell	<b>Phillip Stearn (Chairman)</b>
Glenvil Greenwood Smith	Pam Whiting
Marian Hollomon	Clive Wood
Sue Homer	Colin Wright
Barbara Jenney	

### From 11 May 2009

David Bateman	Gill Mercer
Peter Bedford	Brian Northall
Tony Boto	Ron Pinnock
Richard Gell	Duncan Reid
Glenvil Greenwood- Smith (V-Chairman)	<b>Phillip Stearn (Chairman)</b>
Marian Hollomon	Pam Whiting
Sue Homer	Clive Wood
Barbara Jenney	

## Scrutiny Meetings

We held five full meetings during the year and a summary of the issues we considered and our resolutions are set out below.

### Reviews of Service Plans

This year, we have continued the important process of gaining a better understanding and appreciation of the work of the Council's Service teams.

At the February meeting we received a presentation from the Head of Customer Services. The presentation covered the development of the service, the work of the Customer Service team at the three locations (Thrapston, Oundle and Rushden),

how information about customers was gathered and utilised, and the efforts to increase ease of access to services for customers. Members also "walked through" a presentation that had been used to raise staff awareness about the types of customers East Northamptonshire Council has, what services they might want, and how they prefer to receive them, based on customer insight work by Experian.

At the April meeting the Head of Revenues and Benefits gave a presentation on the work of his service area and the work being done to help the community during the economic downturn. The presentation covered the work of the Revenues and Benefits teams on the collection of Council Tax and business rates, the administration of Housing and Council tax benefit and the Concessionary Fares scheme, running the Corporate Post Room, and in Benefits Counter Fraud. He then

explained the problems faced by the Revenues and Benefits service in each area and the increasing workload as a result of the economic downturn and the solutions being implemented or considered to deal with these problems.

At the June meeting the Head of Resources gave a presentation on the work of his service area and the changes that had taken place since the internal restructure. The presentation covered key changes, performance targets, risks and challenges for the Amenities, Finance, Corporate Administration, Democratic Services and Internal Audit teams that jointly form the Resources service area.

At the September meeting the Head of Policy and Community Development and the managers within her team gave a presentation on the work of their service area. The presentation covered key changes, performance targets and challenges for the Community Development, Policy and Performance, Communications, External Funding and Information Management teams that jointly form the Policy and Community Development service area. Members discussed with the officers issues including Freedom of Information requests, community sport, publicising the role of Members, the success of InHouse (the internal newsletter), and the difficulties facing voluntary sector funding in the current economic climate.

### **Development Control Service Improvement Plan**

The Committee received updates throughout the year on progress with the Development Control Improvement Plan. We considered the internal and external factors which had impacted negatively on the performance of

Development Control, such as the high volume of applications early in 2008, publication deadlines, site visits, the rise in appeals, and, in particular, staff shortages which had led to an excessive backlog, increased delays and an increased number of complaints.

In September the Committee received the final update on the progress of the Development Control Improvement Plan. We were pleased to note many improvements within the service, such as improved public access and increased liaison with Town and Parish Councils. 94% of Members and 87% of customers, when surveyed, were satisfied with the development control process. Performance had also improved in relation to major applications and pre-application queries. A number of procedures had also been improved and a full complement of staff had been reached. We noted the marked improvement in performance over the two year implementation period of the Improvement Plan and thanked the Development Control officers for their work in putting improvements in place

### **Members' Use of ICT**

The Committee received an update on progress made since the Members' Use of ICT to Access Information event had been held on 26 March. The issue of Members' use of ICT had been raised in December 2008 and the Committee had requested that an information evening be held for all Councillors. We received details about the four areas that were discussed at the session – EUNICE (intranet), the website, remote access, and training. We were pleased to note that officers had taken action to address as many of the issues raised and many others would be addressed when the Council's new website and intranet go

live (scheduled for February 2010 and December 2010 respectively). Members commented that EUNICE and the website had improved since the issue of Members' use of ICT had been raised by the Committee.

### **Monitoring of Section 106 Agreements**

The Committee reviewed the current position in relation to the handling of Section 106 agreements, the improvements made since the Scrutiny Committee review in 2004, and the opportunities for changes to the approach in the future. We noted that 19 of the original 21 recommended actions of the review team had been completed by February 2006 and had resulted in considerable improvement to processes and procedures, including more robust accounting arrangements. The creation of a dedicated monitoring post and the enforcement compliance post within Development Control in 2007 had led to much greater resilience in respect of the monitoring and enforcement of agreement timescales. Further improvements included the development of much more effective working relationships with Town and Parish Councils; a diary system for outstanding Section 106 agreements so trigger and payment points were monitored and action taken accordingly; regular updating of finance spreadsheets; and bi-annual meetings with Northamptonshire County Council in respect of Education obligations.

### **Care and Repair**

In June the Committee reviewed the progress of the Care and Repair Officers Working Group. We noted that

since the Scrutiny Committee review many of the recommendations had been addressed. Members were informed that the Council had a good working relationship with Spire Homes Care and Repair and Officers were committed to working with them to further develop the service. The Officers were commended on their successful bid for £126,000 from the Department of Communities and Local Government to fund the introduction of a handyman scheme across the East Northamptonshire Council and Borough Council of Wellingborough areas.

The Committee recognised there was a need to build on the existing relationship with Spire Homes and noted that a robust service level agreement would give Care and Repair stability and help the Council to establish the level of service it wished to provide. Our recommendation that the Council enter into a Service Level Agreement with Spire Homes Care and Repair for three years was approved by the Council.

### **Constitutional Changes**

At our December meeting we discussed a number of changes to the Constitution proposed by the Constitution Review Group which covered the following issues:

- Member access to confidential papers;
- Ability for Members not serving on particular Committees to remain in meetings after the exclusion of the press and public;
- Determination of Licensing matters (non liquor and gambling) and conservation area adoption and reviews;
- Involving Members in pre-application discussions.

We also considered a draft Development Control Charter, Enforcement Policy, Major Application Protocol and Member Involvement in Pre-application Discussions Protocol, which had been endorsed by the Development Control Committee.

All of the proposed changes to the Constitution were endorsed by the Committee and later adopted by the Council.

We look forward to considering further changes to the Constitution in 2010 as a result of the ongoing review.

## Performance Panel

### Membership

**From 7 May 2008**

**Glenvil Greenwood-Smith  
(Chairman)**

Barbara Jenney

Gill Mercer

Phillip Stearn

Pam Whiting to May 2009  
Duncan Reid from May 2009

### Work undertaken by the Panel

All the Council's performance data is collected and monitored using the software Performance Plus. In 2009, a new Policy and Performance Team joined East Northamptonshire Council and they report performance measures to SMT each month and Performance Panel quarterly, or more often if appropriate.

Performance Panel met five times in 2009 to consider the statutory national (NI) indicators and local performance (EN) measures. They also scrutinised the results of the 2008/09 Place Survey.

The Panel primarily considers quarterly performance against targets, focussing on those measures over-performing and under-performing in Quarter 1 and 3. In addition, they focused on the measures that were within tolerance in Quarter 2 and 4. This is to ensure that there is sufficient advance warning of any declining or over performance, both of which have potential customer satisfaction, national and local financial implications.

At the end of 2009 (December), 78.5% of all Statutory and Local measures were

within the target tolerance or over-performing.

During the year measures that have been identified as giving cause for concern were referred to Scrutiny and Heads of Service. In certain cases Heads of Service have made presentations to, and held discussions with, Performance Panel. Development Control and ICT are examples. Development Control Team Managers attended monthly meetings with two members of Performance Panel and SMT to monitor the improvements instigated by DC themselves. Performance of these measures has improved throughout 2009. ICT Head of Service attend Performance Panel in 2009 to explain the operation of certain measures, the methods of calculation and how they intend to enhance performance. Performance Panel also requested further background analysis of some measures in 2009 to quantify the worth of compliance and the value of the data. Special attention was given and recognition sent to the teams whose measures have consistently performed well through out the year.



## Other Aspects of Scrutiny

### Fourth Option Special Interest Group (FOSIG)

I currently represent the Council on the Local Government Association's Fourth Option Special Interest Group. This group gives a voice to local authorities, like East Northamptonshire Council, which have chosen to make "alternative arrangements" by retaining their committee structures, rather than adopt a Cabinet or Executive management structure.

### Northamptonshire Overview and Scrutiny Board

In April the Committee considered proposals to set up county-wide scrutiny arrangements to undertake the overview and scrutiny function in respect of the Northamptonshire Public Service Board. All Local Authorities in Northamptonshire had been invited to nominate two non-executive Members, along with representatives from the Police Authority and the Primary Care Trust, to form the Board. Assurances had been given that the Board would not seek to dictate the local Scrutiny Committee's work programme. The intention was that the county Scrutiny Board would review issues that affected the county as a whole, or recommendations made by the Public Service Board. There would be no compulsion to participate if any chosen topic had no relevance locally and no recommendations made would be binding on this Committee or on the Council. The Terms of Reference of the Board were adopted and the Chairman and Vice-Chairman of the Scrutiny Committee were appointed as

the Council's representatives on the Board.

We look to the Board to not only look at issues put forward by the Public Service Board and the work of the Public Service Board itself, but to work together with the other districts and boroughs on scrutinising common issues, such as highways.

### Requests for "Call-In" under Scrutiny Procedure Rule 14.3

No decisions were "called in" by members of the Scrutiny Committee during the year.

### The Role of Scrutiny in the Committee System

Members believe that Scrutiny Committee activity can make a significant impact on service improvement and policy development locally and will continue to do so as the current Committee grows in experience and confidence.

The Committee has the necessary time and resources to carry out in-depth inquiries. We encourage the policy Committees to make use of scrutiny investigations to look at issues of concern.

We believe that all Members of the Council need to be aware of the way in which the "call-in" procedure operates and it is important that this continues to form part of induction training for all newly elected Members.

Members are satisfied with the independence of the Committee and the support provided to us by Officers to date.

## Work programme for 2010

During 2010, the difficult economic situation means there will be increased pressure on limited resources and the Council has an even greater need to demonstrate value for money in the future. We will seek to structure our work programme in a way that ensures priority is given to reviewing the progress we have made towards achieving the Priority Outcomes set out in the Corporate Plan. The work programme will therefore focus around areas such as: crime and anti-social behaviour; the customer experience; strong communities and reduced deprivation; and market towns. We look to the Performance Panel to enable us to become more involved in the scrutiny of services where performance is less than satisfactory.

The Committee considered and researched a number of topics for

reviews throughout the year, including, climate change, community safety, access to NHS dentistry, services for young people, and licensing. We intend to start the year by agreeing a detailed future work programme.

We look forward to considering matters of concern to local communities, looking in depth at more of the Council's services and receiving regular reports from the Performance Panel.

We will continue to monitor our training needs and set target dates for follow-up reports from Officers on earlier studies, where that's appropriate.

This year we propose to publish the work programme for 2010 with the Annual Report.

## Conclusion

The eighth year of operation for the Scrutiny Committee has been a period of consolidation and continued learning. Whilst there have not been any significant reviews this year, we believe that, during the year, the Committee has continued to make a significant contribution to the work of East Northamptonshire Council and we look forward to building on this during the year ahead.

**Councillor Phillip Stearn**  
*Chairman*  
*On behalf of the Scrutiny Committee*

February 2010