

# **Scrutiny at Eden**

## **Scrutiny Annual Report 2019-2020**

**Date: March 2020**



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## **1 Introduction**

- 1.1 Welcome to the Scrutiny Annual Report for 2019-2020. This report summarises Scrutiny's highlights and achievements over the past Council year.
- 1.2 Over this year, we have had 15 public meetings, considered 32 reports or presentations and have undertaken three reviews. Each Scrutiny Board or Committee has received updates from and asked questions of Members of the Executive.
- 1.3 Following the Local Government Elections in May, the Centre of Public Scrutiny delivered a training session which sought to increase all Members awareness of the role of Scrutiny.
- 1.4 Quarterly Corporate Performance reports have been introduced to replace the previous Portfolio Holder plans/updates, with a view to highlighting areas of underperformance. The reports have been developed to correspond to priorities detailed in the Corporate Plan in order to help fulfil Scrutiny's role in holding the Executive to account.
- 1.5 Following changes to the governance arrangements in respect of Heart of Cumbria, the Board have confirmed that they will report to Scrutiny on a regular basis.
- 1.6 The Covid-19 pandemic affected Scrutiny along with every other Council meeting. March's meetings of the Scrutiny Committees had to be cancelled with their work being picked up by the new Overview and Scrutiny Committee when it meets for the first time in June.

## **2 Scrutiny Reviews**

- 2.1 Scrutiny Reviews are short, time limited projects that are set up so that non-Executive Members can investigate certain issues in detail and then make recommendations to the Executive for changes.

### **Budget Scrutiny Review (Scrutiny Co-ordinating Board)**

- 2.2 The Interim Chief Financial Officer/s151 Officer and the Strategic Advisor Corporate Finance joined the Council in November 2019 on an interim basis. They immediately began work on budget setting, and the Budget Scrutiny Review Group commenced in January 2020.
- 2.3 Initially, three Members volunteered to sit on the Review Group, this rose to five. The group had varying levels of experience of scrutinising the budget. The members were:
  - R Orchard (Chairman of the Group);
  - P Baker;
  - W Patterson;
  - S Lancaster; and
  - N McCall.

- 2.4 The first meeting of the Review Group was held on 14 November 2019 at which Councillor Orchard was elected Chairman. At this meeting the group agreed its Terms of Reference.
- 2.5 The Terms of Reference for the review were to:
- a. consider whether the Executive has produced an effective budget that would meet the Council's corporate priorities and strategic actions in the Council Plan;
  - b. review the significant movements in the base budget, progress with savings proposals to meet the budget gap and any growth items, across all portfolios; and
  - c. ensure that the recommendations from last year's Budget Scrutiny Review have been implemented.
- 2.6 At its second meeting the Review Group heard from the Interim Chief Finance Officer/s151 and the Strategic Advisor Corporate Finance. They informed Members of the challenges facing the Council moving forward, the work that they had been brought in to do and their previous experience.
- 2.7 The General Election impacted on the timing of the budget in relation to the settlement figures.
- 2.8 The Review Group considered the pressures on the Council budget at its third meeting which was held on 8 January 2020. The group agreed to focus on a strategic view of the budget rather than interrogating individual Portfolio Holders. Establishing a Budget Scrutiny Committee was discussed.
- 2.9 At the fourth meeting of the group on 4 February 2020, the Review Group considered the impact of raising the Council Tax on the Council Budget.
- 2.10 The final meeting took place on 12 February 2020, where Members agreed the recommendations.
- 2.11 The review group made final recommendations that:
1. Scrutiny Co-ordinating Board endorse the proposed increase in Council Tax, as set out in the Budget papers to Council on 27 February 2020;
  2. Scrutiny Co-ordinating Board be recommended to support the budget proposal for 2020/2021;
  3. Scrutiny Co-ordinating Board be recommended to endorse the acquisition of Voreda House as part of the One Eden Single Site project; and
  4. a Budget Planning Committee be set up from May 2020 onwards in order to have a more strategic oversight of the Budget throughout the year.
- 2.12 The final report was discussed at the Scrutiny Co-ordinating Board on 20 February and the recommendations were referred to the Executive.
- 2.13 The final report was considered and approved by the Executive on 25 February 2020.
- 2.14 At the Council meeting on 27 February 2020, full Council approved the establishment of the Budget Planning Committee from May 2020 onwards.

## **Scrutiny Structure Review (Scrutiny Co-ordinating Board)**

- 2.15 At the Scrutiny Co-ordinating Board meeting held on 30 May 2019 Members agreed that a task and finish group should be established to consider a revised Member structure for Scrutiny, having regard to the findings of the Centre for Public Scrutiny review, with a view to implementation for the 2020/2021 municipal year.
- 2.16 Terms of Reference for an Increasing Participations Task and Finish Group were agreed at the Scrutiny Co-ordinating Board meeting held on 18 July 2019.
- 2.17 The Terms of Reference were to:
- a) consider the recommendations of the Review of Scrutiny Report produced by the Centre for Public Scrutiny produced in March 2019;
  - b) compare current practices with comparable Councils; and
  - c) make recommendations to increase the impact scrutiny has in supporting Council performance.
- 2.18 Scrutiny Co-ordinating Board appointed five Scrutiny Members to the Task and Finish working group. The group comprised:
- Councillor D Banks - Lazonby (Chairman)
  - Councillor D Holden – Penrith North
  - Councillor M Hanley – Alston Moor
  - Councillor D Lawson – Penrith Carleton
  - Councillor J Owen – Shap (until October 2019)
- 2.19 In August 2019 the group began a review of scrutiny arrangements within the District Council and compared these with arrangements in comparable Councils.
- 2.20 Members considered the final report from the Centre of Public Scrutiny which had been prepared following their review of Scrutiny at Eden District Council undertaken in February 2019.
- 2.21 Members also considered legislation and Best Practice Guidance, together with cost and governance implications associated with altering the existing structure.
- 2.22 The working group made final recommendations that with effect from the commencement of the municipal year for 2020/2021:
- a) the current three scrutiny committees be replaced with one ‘Overview and Scrutiny Select Committee’, comprising 12 Members, meeting no less than six times per year;
  - b) the ‘Overview and Scrutiny Committee’ be given authority to convene task and finish groups to supplement their work; and
  - c) consideration be given to the re-introduction of a Forward Plan of work of the Executive.
- 2.22 The Scrutiny Co-ordinating Board considered the group’s final ‘Scrutiny Structure Review’ report on 14 November 2019 and recommended that the Accounts and Governance Committee and Council approve the recommendations.
- 2.23 The Accounts and Governance Committee met on 18 December 2019 and endorsed the recommendations contained within the ‘Scrutiny Structure Review’

final report to Council. Members sought assurance from Council that any Task and Finish Groups convened by the Overview and Scrutiny Committee would be open to and actively encourage participation from Non-Executive Members.

2.24 Council approved the recommendations on 9 January 2020.

2.25 Updates to the Constitution fall under the auspices of the Accounts and Governance Committee, with the Assistant Director Governance having delegated authority to make changes to the constitution in relation to a decision at Council.

### **Outside Bodies Review (Scrutiny Co-ordinating Board)**

2.26 At the Scrutiny Co-ordinating Board meeting of the 16 January 2020, the Board agreed the Terms of Reference for a review into the Council's Membership on Outside Bodies, and ways to improve the mechanism for reporting back from Outside Bodies meetings. This came about as a result of a recommendation from a Human Resources and Appeals Sub-Committee meeting into a complaint which had been received.

2.27 Five members volunteered to be on this Panel. They were:

- Councillor J Raine - Crosby Ravensworth (Chairman)
- Councillor D Banks - Langwathby
- Councillor M Hanley - Alston Moor
- Councillor R Orchard - Hartside
- Councillor J Thompson - Penrith West

2.28 The Terms of Reference were to:

- a) To consider all outside bodies which have members appointed to them.
- b) To compare current practices with comparable Councils.
- c) To establish a set method for members to report back from outside bodies.

2.29 The Group met in February 2020, and began with a comparison of how other comparable Councils approached Outside Bodies, and their methods of reporting back.

2.30 Members also drew up a survey which went to all Members appointed to traditionally non-Executive Outside Body appointments, with a number of questions about how Members perceived the Outside Bodies, their worth, and if they wished to report back from them on a more regular basis.

2.31 The Members of the Task and Finish Group took everything on board, and have made their recommendations, and this report was taken to the Overview and Scrutiny meeting on 24 June 2020. This garnered a great deal of discussion, and a further recommendation added for when the report is put before Council in July 2020.

2.32 The recommendations to be presented to Council are as follows:

1. that with effect from the commencement of the municipal year 2021/22, Eden District Council no longer send any representatives to Omega Proteins Liaison Board; and that the number of representatives on Greenwich Leisure Limited Eden Board be reduced to one;

2. that Members who are elected to a position representing Eden District Council on an Outside Body should fill in a summary note after each meeting they attend, to be published on the Eden District Council website;
3. that a working group be set up to monitor Eden District Council representation on outside bodies, both to look at current representation on Outside Bodies, and if there is any other groups which may require Eden District Council representation, to begin meeting during the 2021/22 municipal year, and thereafter on a bi-annual basis;
4. that any representatives on the Lake District National Park Authority, Lake District National Park Partnership, Yorkshire Dales National Park Authority, North Pennines Area of Outstanding Natural Beauty and MASCG should be through preference a member from an appropriate ward; and
5. A statement is produced showing the synergies and the purpose of representation between the EDC corporate plan and outside body activities is developed for each approved outside body.

### **Waste and Recycling (Environment & Economy)**

- 2.33 In December 2019, the Assistant Director Commissioning and Technical Services approached Scrutiny with a view for setting up a Task and Finish Group to look at a report which had been recently commissioned and which looked into options for the future of the Council's Waste Management Services.
- 2.34 At the Scrutiny Co-ordinating Board meeting of the 16 January 2020 the Terms of Reference for the Group were accepted. They are as follows:
  - Councillor M Eyles, Penrith East (Chairman)
  - Councillor A Ross, Penrith North (Vice-Chairman)
  - Councillor P Baker, Penrith Pategill
  - Councillor D Holden, Penrith North
  - Councillor S Lancaster, Kirkby Stephen
  - Councillor J Lynch, Penrith East
  - Councillor J Raine, Crosby Ravensworth
  - Councillor D Ryland, Hesketh
  - Councillor J Thompson, Penrith West
  - Councillor A Todd, Orton with Tebay
  - Councillor D Wicks, Greystoke
- 2.35 The Group began to meeting in January 2020. They quickly realised that the time frame they had initial begun working to was not achievable, and requested extra time to consider this matter.
- 2.36 Members began by reading and understanding the contents of the report, and questioning the Assistant Director Commissioning and Technical Services. From this initial questioning and the reading of the report, the Group drew up a list of a number of people that they wished to talk to.
- 2.37 These included the authors of the report, representatives of neighbouring authorities who had different delivery models, and with Les Clark, Eden District

Council's Director of People and Place who has had experience of different models within three other authorities he had previously worked at. Members invited officers from Carlisle City Council, who run a fortnightly collection service to talk about their experiences of going from weekly to fortnightly collection, and requested to talk to Allerdale Borough Council about their recent very public experiences with Waste Collection.

- 2.38 The meetings took place over the next few weeks, with evening sessions being held regularly to ensure the matter could be dealt with quickly but with the depth the Group felt was necessary to gain all the information they could to make informed recommendations.
- 2.39 The Group have made very careful consideration of the various waste delivery models, but they have also considered collection models for the whole of Eden moving forward, taking into account legislation which will be introduced by Central Government in relation to food waste moving forward. Their recommendations regarding the collection models will be in their final report, even though the report which will be presented to Council in July will only consider the delivery models.
- 2.40 The Group have made their final recommendations, and they will form part of the final report on the Waste and Recycling for Council, however as this report will not be in the public domain, the recommendations that were made cannot be put within this report.

### **3 Highlights from Meetings: Scrutiny Co-ordinating Board**

- 3.1 Throughout 2019-2020 the Scrutiny Co-ordinating Board was chaired by Councillor Douglas Banks. Councillor Deb Holden was Vice-Chairman.
- 3.2 The Scrutiny Co-ordinating Board has continued to scrutinise the work of the Executive throughout the year through regular Corporate Performance Management reports. The leader was due to attend the Committee meeting on 26 March 2020 to report on progress against the Corporate Plan and answer questions from Members, but this meeting was unfortunately cancelled due to the Covid-19 pandemic.
- 3.3 The Scrutiny Co-ordinating Board has had the ability to ask questions about the Council's budget and the work of the Heart of Cumbria.
- 3.4 The Scrutiny Co-ordinating Board has initiated two Scrutiny Reviews as detailed above.
- 3.5 The Scrutiny Co-ordinating Board considered have not considered any Call-ins in during the municipal year.

### **4 Highlights from Meetings: Environment and Economy Scrutiny**

- 4.1 The Environment and Economy Scrutiny Committee is responsible for scrutinising the work of the Services and Commercial Services Portfolio.
- 4.2 Throughout 2019 – 2020 the Environment and Economy Scrutiny Committee was chaired by Councillor Doug Lawson. Councillor Deb Holden was Vice-Chairman.
- 4.3 During the municipal year the Environment and Economy Scrutiny Committee received regular updates on the work being conducted by the Services and Commercial Services Portfolio Holder. The Assistant Director Commissioning and

Technical Services and the Commercial Services Portfolio Holder answered questions from Members.

- 4.4 The Committee initiated one Scrutiny Review as detailed above.

## **5 Highlights from Meetings: Housing and Community Scrutiny Committee**

- 5.1 The Housing and Community Scrutiny Committee is responsible for scrutinising the Housing and Health Portfolio and the Communities Portfolio.
- 5.2 During the 2019-2020 municipal year the Housing and Community Scrutiny Committee has been chaired by Councillor Michael Hanley with Councillor Ross acting as Vice-Chairman until January 2020. Councillor Ross stepped down from the Committee due to the re-allocation of seats following a by-election. Councillor Margaret Clark was appointed as Vice-Chairman in January 2020.
- 5.3 The Housing and Community Scrutiny Committee received regular updates from Councillor Hanley who was the Health Scrutiny Committee and Health and Wellbeing Committee representative during the municipal year.
- 5.4 The Housing and Community Scrutiny Committee sits as the Council's statutory Crime and Disorder Panel. In November the Committee received a verbal update from Cumbria Constabulary in respect of antisocial behaviour and drug related issues within Eden.
- 5.5 During the municipal year Housing and Community Scrutiny Committee received regular updates on the work being conducted by the Housing and Health Portfolio and the Communities Portfolio Holders. Both Portfolio Holders attended meetings of the Committee and answered questions from Members.
- 5.6 The Committee has been active in seeking information regarding a number of issues and has received presentations from Portfolio Holders and Council Officers in respect of the: Housing Supplementary Planning Document; District Wide Housing Needs Survey; Leisure Contract Review, progress against the Corporate Plan; Affordable Warmth work; Disabled Facilities Grants and Air Quality Surveys.

## **6 Conclusion and Next Steps**

- 6.1 Scrutiny has moved away from reviewing Portfolio Plans and has started reviewing progress made against the Corporate Plan.
- 6.2 The Annual Scrutiny Review consultation exercise ran from March 2019–April 2019 and was limited to receiving suggestions from Town and Parish Councils. It was decided not to run this consultation process during Spring 2020, as it was felt that it had limited value.
- 6.3 The Scrutiny Structure Review has led to the amalgamation of the existing committees into one Overview and Scrutiny Committee, which will meet no less than six times per year.
- 6.4 The Budget Scrutiny review has led to the formation of a new Budget Planning committee, which will meet quarterly.

Councillor D Banks

Chairman, Scrutiny Co-ordinating Board 2019-2020