

# Scrutiny at Eden

## Scrutiny Annual Report 2017-2018

Date: April 2018

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## **1 Introduction**

- 1.1 Welcome to the Scrutiny Annual Report for 2017-2018. This report summarises Scrutiny's highlights and achievements over this past Council year.
- 1.2 Over this year, we have had 17 public meetings, have considered 29 reports or presentations and have completed one review this year. Each Scrutiny Board or Committee has also received updates from and asked questions of each Member of the Executive at least twice this year (with the exception of the new Portfolio, Eden Development which has only reported once) in order to help fulfil Scrutiny's role in holding the Executive to account.
- 1.3 It has been a challenging year for a number of reasons. The Council has been undertaking a full Community Governance Review of its Town and Parish Councils commencing in September 2017. This review has been demanding in terms of the staff resources required to take the review through its various stages. Two experienced Member Services officers also moved on to roles at other local authorities albeit it is pleasing to note that a successful recruitment exercise has resulted in Member Services being back to full strength as of 30 April 2018.
- 1.4 A public consultation is currently being undertaken, seeking ideas for the Scrutiny Review work programme for the next Council year.

## **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 Scrutiny of the 2018-2019 budget began in November 2017. As in previous years the budget review process was conducted by scrutinising the portfolio holders' budget meetings.
- 2.3 Five members were nominated to a Review Group. The group had varying levels of experience of scrutinising the budget. The members were Councillor I Chambers, Councillor K Greenwood, Councillor D Holden, Councillor V Taylor and Councillor J Thompson.
- 2.4 During November 2017 the members of the Review Group attended the Portfolio Holders' meetings to scrutinise their budget setting process as follows:

Leader: Councillor Thompson. (Arrangements had been made for Councillor Taylor to also. In the event only Councillor Thompson was able to attend because the meeting had to be re-arranged due to unforeseen circumstances,)

Resources: Councillor Holden.

Services: Councillor Greenwood

Commercial Services: Councillor Greenwood and Councillor Thompson

Housing and Health: Councillor Taylor and Councillor Thompson

Communities: Councillor Greenwood

## Eden Development: Councillor Chambers and Councillor Holden

- 2.5 The first meeting of the Review Group was held on 7 November 2017 at which Councillor Thompson was elected Chairman. At this meeting the group agreed that the remit of the review was not to comment on the figures in the budget. It was agreed that the remit was in fact to make sure that the final budgets were clear and accessible, with the aim of ensuring that the budget setting process had been followed in line with the Council's rules and procedures as set out in the Constitution.
- 2.6 The terms of reference for the review were to:
- a) consider whether the Executive had produced an effective budget that would meet the Council's corporate priorities and strategic actions in the corporate plan;
  - b) review each Portfolio Holder's budget to ensure that it is sufficiently detailed to convey a clear picture of each area's proposed spending;
  - c) ensure that the correct budget setting process has been followed in line with the Council's rules and procedure as set out in the Constitution; and
  - d) ensure that the recommendations from last year's 'Budget Scrutiny' Review have been implemented.
- 2.7 The group held its second meeting on 28 November 2017. The budget process that had been described at the meetings they had attended and initial recommendations were discussed. A final meeting was held on 12 December 2017 at which the group reviewed the final report and confirmed its recommendations.
- 2.8 The review group made final recommendations that:
1. in the event that a portfolio budget meeting has to re-arranged that the date be organised, where practical, so that the Budget Scrutiny Review Group members are able to attend. Also considering the pressures on members' diaries, that it is preferable to move meetings to a later date;
  2. while it is preferable for a Portfolio Holder to attend their portfolio budget meeting if, for whatever reason, they are unable to attend then a suitable deputy should attend in their place. This should be another Member of the Executive, preferably the Leader;
  3. in addition to the notes of all portfolio budget meetings, that the agenda papers also be electronically circulated to all members of the Budget Scrutiny Review Group;
  4. any variance to Portfolio Holder budgets, following the budget scrutiny process, of £50,000 or more be reported to the Review Group.
- 2.9 The final report of the review group was discussed at the Scrutiny Co-ordinating Board on the 4 January 2018 and the recommendations were referred to the Executive. The group's final report was considered by the Executive at its meeting of 23 January 2018 and the recommendations of the Scrutiny Co-ordinating Board were approved.

### **3 Highlights from Meetings:**

#### **Scrutiny Co-ordinating Board**

- 3.1 The Scrutiny Co-ordinating Board has continued to scrutinise the work of the Leader and Resources Portfolio Holder throughout the year. It has additionally added the work of the new Eden Development Portfolio, to its remit. The Board has had the ability to ask questions about the Council's budget, the work of the Heart of Cumbria, the upgrade to the A66 and the ongoing devolution process.
- 3.2 Throughout the course of the year, the Board has continued to receive regular updates about the Council's treasury management transactions, revenue and capital expenditure outturn and budget monitoring reports.
- 3.3 Following a constitutional change, the Scrutiny Co-ordinating Board must be not chaired by a member of the majority political group, Councillor Douglas Banks was appointed Chairman. The Vice-Chairman was Councillor Sheila Orchard until she sadly passed away with Councillor Joan Raine being elected to the position in January 2018.

#### **Scrutiny Structure Review**

- 3.4 On 15 December 2017 a meeting took place attended by the Deputy Chief Executive, Member Services Team Leader, Chairman and Vice Chairman of the three Scrutiny Committees and Group Leaders or their representatives. The purpose of the meeting was to seek Members' views on the means by which improved engagement on a pro-active basis by Scrutiny could be achieved as from the start of the new municipal year for 2018 - 2019.
- 3.5 It was felt that the process of scrutiny currently has an emphasis more on scrutinising issues after the event. Consideration was given as to whether it may be possible to have one of the Scrutiny Committees aligned with and in advance of the scheduled meetings of the Executive. This would enable officers to present their reports to Scrutiny prior to a decision by the Executive. The Working Group members agreed that such a schedule would be beneficial in enabling scrutiny to have some input in advance of an Executive Decision.
- 3.6 The Working Group also gave consideration to re-working the current structure of Scrutiny to a structure comprising three new committees; A Strategic Leadership and Resources Committee to replace the Scrutiny Co-ordinating Board, which would provide overall strategic direction for scrutiny and more closely mirror the work of the Executive; a Housing, Health and Communities Committee to replace the Housing and Communities Scrutiny Committee, which would also act as the Council's Crime and Disorder Panel; and an Eden Development and Services Committee to replace the Environment and Economy Scrutiny Committee. These Committees would more closely follow the current structure of Executive Portfolios.
- 3.7 The possibility of doing a series of rolling service reviews was also discussed, giving Scrutiny a far greater opportunity to understand the work of departments of the Council and to ensure that contracts with external suppliers such as Amey were scrutinised appropriately.
- 3.8 Consideration was also given to the reintroduction of a Forward Plan of Key Decisions, in order to give Members and the public advance notice of upcoming decisions and to facilitate pre-decision scrutiny.

- 3.9 In February 2018, the Board hosted a special meeting in order to consider a potential change to the Scrutiny Structure of the Council, inviting all non-Executive members to attend. The Board considered the proposals regarding the Scrutiny Structure, and unanimously supported them.
- 3.10 A final report was taken to full Council at their meeting on 8 March 2018. At that meeting a number of questions were raised with regard to Constitutional changes, financial implications and operational implications. It was agreed at that meeting to defer the matter back to the Working Group for more consideration to be taken.
- 3.11 The Working Group met once more on 27 March 2018, and after deliberation it was decided to recommend to Council that any changes to the Scrutiny Structure should be postponed to allow the work on the Community Governance Review to be completed with the Working Group to reconvene in October 2018, with a view to a new Scrutiny Structure being implemented for the next electoral cycle, beginning in May 2019. This recommendation was considered and approved by Council at its meeting of 19 April 2018.

## **4 Environment and Economy Scrutiny**

- 4.1 The Environment and Economy Scrutiny Committee met quarterly throughout 2017-2019. It leads on monitoring the Council's corporate policy of 'Strong Economy, Rich Environment'. It also holds the Services and Commercial Services Portfolio Holders to account. Within its remit the Environment and Economy Scrutiny Committee can consider items such as transport, environmental health, public toilets, waste and recycling, economic development and tourism.
- 4.2 Throughout 2017-2018 the Environment and Economy Scrutiny Committee was chaired by Councillor Ian Chambers. Councillor Deb Holden was Vice-Chairman of the Committee until February 2018, when she came off the Committee, and Councillor John Thompson replaced her at the meeting of 8 February 2018. 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 Holders. Throughout 2017-2018 the Committee undertook a variety of work on the following areas:

### **Footway Lighting Capital Programme**

- 4.3 The Environment and Economy Scrutiny Committee received a report from the Deputy Director Technical Services in December 2017 regarding the devolution of footway lighting services to Parish Councils. The report was delivered to the Committee prior to being presented at full Council to enable the Committee to provide its input before being presented to all Members.
- 4.4 Members received an update on the progress so far of the devolution of footway lighting services to Town and Parish Councils. A number of Town and Parish Councils had either expressed an interest or had confirmed to the Council that they wish to take on footway lighting. It was explained that Council on 20 February 2014 agreed the criteria for the retention of footway lights throughout the district together with a capital sum reviewed annually, of £100,000 per year up to a total of £1m. With the potential of devolution of footway lighting being proposed, a report was being prepared to look at increasing the capital funding so that lights which were in Parishes who had agreed to take over could be replaced and repaired as soon as possible rather than spreading the work out over a number of years.

- 4.5 The recommendation to the Environment and Scrutiny Committee was, amongst other matters, that the capital fund for this project be in the sum of £700,000. The Committee recommended that the budget should include an additional £50,000 to cover the increase in cost from supplying hinged columns. This was reflected in the recommendations within the report which went to full Council in January 2018.

### **Tourism update**

- 4.6 The Environment and Economy Scrutiny Committee received a presentation from the Assistant Director Commercial Services and the Eden Tourism Managers on Growing the Economy of Eden.
- 4.7 Members were updated on the work of the Council's Tourism Team to promote Eden as a destination for visitors. A number of topics were discussed, such as the granting of World Heritage Status to the Lake District National Park, and the impact that opening the Carlisle Lake District Airport could have on tourism in the area.

## **5 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. Both Portfolio Holders attended meetings of the Committee and presented their Portfolio Plans and answered questions from Members.
- 5.2 During the 2017-2018 municipal year the Committee has been chaired by Councillor Joan Raine with Councillor Richard Sealby acting as Vice-Chairman. The Committee is also responsible for appointing the Council's representative to the Cumbria Health Scrutiny Committee, with Councillor Virginia Taylor being appointed for the 2017-2018 municipal year with Councillor Raine acting as deputy.
- 5.3 The Committee has been active in seeking information regarding a number of issues and has received presentations from Council Officers to help it gain a greater understanding of how they can affect the residents of Eden.
- 5.4 In addition to this the Committee also sits as the Council's statutory Crime and Disorder Panel.

### **Local Plan Update**

- 5.5 The Housing and Health Scrutiny Committee received a briefing in June 2017 from the Principal Planning Officer (Policy) on what progress had been made in relation to the Eden Local Plan.
- 5.6 The Principal Planning Officer informed them that the Council was due to begin the 'Major Modifications' consultation which was the final stage of consultation prior to adoption.
- 5.7 He explained that five consultation meetings would be held throughout the district to hear from interested residents and town/parish council representatives. He explained that details of the meetings would be published in the local media, on the Council's website and Town/Parish councils would be informed.
- 5.8 He stated that he was anticipated that the Plan would be adopted in October 2017, however it should be noted that at the time of writing this report, the Local Plan has still not been adopted.

## **Affordable Housing and Housing Types Briefing**

- 5.9 The Housing and Health Scrutiny Committee received a presentation from the Housing and Health Services Manager with support from the Deputy Director Environmental Services and the Planning Services Development Manager.
- 5.10 Members were updated of a change in law in May 2016 which removed the requirement to provide affordable housing when the development is for 10 units or less. This is contrary to Eden District Council's affordable housing target which is set at 30% of houses on qualifying developments.
- 5.11 The Committee received an explanation that where there is a development of more than 10 units, the Council will ask that 30% of the houses on the development are affordable, however the developer may seek to provide independent evidence that this could make the development financially unviable. This may mean that the affordable housing requirement can either be varied or a financial contribution could be sought in order to provide affordable housing elsewhere in the district.
- 5.12 Members were updated of the fact that there had been a change in size requirements for affordable housing types. The Greater London Authority agreed a new housing design standard in March 2015 which has since been cited as a national guideline and has become an accepted material planning consideration. Local Authorities may choose to vary this design standard through the development of a Supplementary Planning Document . The Council will not be in a position to produce an updated Supplementary Planning Document until the Council's Local Plan has been adopted. Members of the Committee expressed a desire to be involved in developing a future Supplementary Planning Document once the Local Plan had been adopted.

## **6 Conclusion and Next Steps**

- 6.1 Scrutiny has had a relatively quiet year but has still managed to contribute to scrutinising the work of the Council.
- 6.2 Scrutiny operated a revised process for undertaking its annual scrutiny review consultation exercise after taking on board feedback from members. The consultation period now ran from March-April, with the Scrutiny Co-ordinating Board selecting its final topics to take forward in May. Suggestions have been invited from members of the public, Town and Parish Councils, Council staff and Councillors.
- 6.3 The Scrutiny Review Work Programme Seminar will be held on Thursday 24 May 2018, prior to the first Scrutiny Co-ordinating Board meeting of 2018-2019. This seminar will consider all the responses that have been received during the consultation process. Non-Executive Members will be asked to prioritise which suggestions should be taken forward as either reviews or as future Committee agenda items.
- 6.4 The Working Group will also recommence its deliberations of the Scrutiny Structures in October 2018, with a view to having any new structure in place by May 2019.

Councillor D Banks

Chairman, Scrutiny Co-ordinating Board 2017-2018