

Report to: Annual Overview and Scrutiny Meeting

Date of Meeting: 11 July 2019

Report Title: Update on 2018-19 Work Programme and Overview and Scrutiny proposed Work Programme for the 2019-20 municipal year

Report By: Mark Horan, Continuous Improvement and Democratic Services
Manager on behalf of Cllr Davies and Cllr Levane (Chair/Vice Chair of Overview and Scrutiny)

Purpose of Report

1. To update on the status of the 2018/19 Scrutiny work programme.
2. To summarise ideas received for the 2019/20 Scrutiny work programme and to propose next steps for progressing these.

Recommendation(s)

1. That the Annual Meeting reach agreement on their key lines of inquiry for the Scrutiny work programme for the 2019/20 municipal year.

Reasons for Recommendations

It is the responsibility of Members serving on Overview and Scrutiny to set their own work programme for each municipal year at the Annual Meeting, whilst taking into account the advice of officers present.

Introduction

1. A range of ideas for the 2019/20 Scrutiny work programme have been considered by Overview and Scrutiny committee members at their Scrutiny Steering Group (SSG) meetings on the 5th and 20th of June 2019.
2. Scrutiny members are keen to build on and extend work areas and themes considered in the 2018/19 programme and previous years.
3. Thinking and discussion this year has been informed by Scrutiny members reflecting on what they felt had worked well and less well in their 2018/19 work programme and by [recent statutory scrutiny guidance](#) (2019). The Chair has extracted and modified the following four key words, from the statutory guidance, to inform the work programme 2019/20:

Challenging – O&S is a critical, constructive and, when necessary, collaborative scrutineer of the executive and partner organisations/other government agencies

Amplifying – O&S is sensitive to and able to represent the concerns of all communities

Independent – O&S is a check and balance on the executive and is by necessity political neutral and bi-partisan

Improving – O&S is always guided by the requirement to improve services for and the life chances of every citizen of the Borough.

4. This report begins by outlining the key features of this guidance and the familiar financial circumstances that inform thinking on the proposed Scrutiny work programme for the year ahead.
5. It then sets out progress made against the 2018/19 programme, before considering proposed work areas and direction of travel for the 2019/2020 work programme.
6. Overview and Scrutiny will need to agree their work programme mindful of their own and officer capacity, as well as officer advice where appropriate.

Background and context

7. Following a [review](#) in late 2015, the Council's Overview and Scrutiny function moved from two to one committee, in part, to remain fit for purpose against a backdrop of then unprecedented financial challenges facing local authorities.
8. These financial challenges very much remain, and nearly four years on from this move, the chair and vice chair are keen to review how Scrutiny has fared and what room there might be for enhancing the Scrutiny function further, mindful of and supporting the challenges the Council faces.
9. This intention resonates with the recommendations in the recent guidance encouraging (page 4):

'...all councils to cast a critical eye over their existing arrangements and, above all, ensure they embed a culture that allows overview and scrutiny to flourish.'

10. The Scrutiny members have identified the potential challenge posed by a 'democratic deficit' permeating the culture of British politics on the reputation of Hastings Borough Council. The work programme will endeavour to address this within our local context.
11. A central theme of the statutory guidance is the importance of organisational culture and commitment to scrutiny across an authority, not just among those members and officers with a scrutiny role.
12. The chair and vice chair are keen to pick up on these points as part of the work programme for the year ahead.
13. They are also keen that the shortlisting and working up of ideas for the programme considers the following questions flagged in paragraph 55 of the recent statutory guidance:
 - *Do we understand the benefits scrutiny would bring to this issue?*
 - *How could we best carry out work on this subject?*
 - *What would be the best outcome of this work?*
 - *How would this work engage with the activity of the executive and other decision-makers, including partners?*

Update on the 2018/19 Work Programme

14. The 2018/19 Programme outlined at appendix A has been largely completed to time, cost and specification.
15. Two main review pieces from this programme sought a Cabinet/Management response, namely the review into Single Use Plastics (SUP) and the review of the Council's Regeneration Funding.
16. Scrutiny members are pleased with the [management response](#) to the SUP review, whereby there is a clear plan of action and allocated resources to respond to the SUP report recommendations.
17. Furthermore they are supportive of the subsequent appointment of a Climate Change lead Member on Cabinet (the previous review chair) and look forward to the firming up of the wider plan (of which SUP's are a part) in response to the climate change commitments made in the motion to Cabinet in February, so that this can be subsequently monitored by Scrutiny.
18. Scrutiny members are also due to receive a Cabinet/management response on their review of Regeneration Funding in due course.
19. It is anticipated that this response will shape the trajectory of further associated work, and Scrutiny are mindful to build capacity into their programme to allow for this work.

Prospective 2019/20 programme

20. Appendix B outlines potential areas of work for the year ahead across the quarters, subject to the approval of the overview and scrutiny committee.
21. It must be noted that the Annual Overview and Scrutiny meeting where this report is considered is scheduled in quarter two.
22. The committee therefore has less than three quarters to complete its annual work programme if it is to do so before the new financial year when all committee membership (including Scrutiny) is liable to change at the Annual Council meeting.

Education

23. The chair has recommended that the important work of the Scrutiny Education review team that has engaged with education partners on a ranges of issues to date, merge in line with the recent guidance into a 'standing panel' (page 24).
24. The role of this standing panel would, in the first instance before the end of quarter 2, be to review work to date, consider those questions in paragraph 12 and report back to the SSG on associated lines of inquiry and or next steps for the year ahead.

Enhancing Scrutiny

25. It has already been suggested that the chair and vice chair wish to review the Scrutiny function to date informed by the recent statutory guidance and views of their colleagues on what has worked well and less well in terms of Scrutiny.
26. They are keen to critically consider within Scrutiny and throughout the council more broadly, whether and how effective checks and balances are in place to shape council activities as they develop, prior to them arriving at Scrutiny for performance monitoring.
27. In particular, there has been a long standing feeling among Scrutiny members that non Cabinet councillors have little or no awareness or involvement in the development or delivery of council activities until 'after the horse has bolted.'
28. While it could be argued that such awareness and involvement is primarily the domain of the executive and perhaps Cabinet members in the first instance, the scope that the council's constitution allows for Scrutiny to be involved in 'policy development' and more specifically checking, testing and inputting into council work areas as they develop requires review.
29. As part of such a review, the chair and vice chair are keen to better understand how council work activities develop, what checks and balances are in place and what criteria and processes are followed to ensure due diligence, quality assurance and strategic fit, particularly at a time when council resources are much challenged?
30. Improved understanding of this is intended to help Scrutiny members better do their job in the confidence or knowledge of how this is being done whether members are directly involved or not.

31. Furthermore, the chair and vice chair consider that such quality assurance is central to the role of the Scrutiny and Audit committees, and feel that both of these committees (with some shared membership) have an interest in better understanding the extent to which quality assurance happens and is embedded in the development, delivery and review of all council activity?
32. It is felt that this proposed work is a substantive area of focus for the year ahead and coincides with some of the questions raised in the [Regeneration Funding](#) Scrutiny report in terms of how council activities are prioritised, the process for doing so and subsequent performance management arrangements.
33. It is also intended to make use of the council's project toolkit to refine and focus lines of inquiry for this area of work before quarter two, with a view to reporting findings to Cabinet thereafter.

Corporate plan development

34. Since the approval of the 2019/20 corporate plan and budget, Scrutiny have expressed a desire to be involved in the corporate plan and budget setting process much earlier.
35. This intention was expressed at Scrutiny's annual budget meeting at the beginning of the calendar year and now Scrutiny's 2018/19 work programme is complete and with new committee members, there is renewed emphasis and commitment to this intention.
36. Less clear is how this is best done, combined with uncertainty as to the development process for both the corporate plan and budget.
37. Views of the executive are now sought on how this might best be achieved and the draft work programme proposes a provisional meeting with the executive to explore this.

Budget deficit

38. Without reconciling the budget deficit there may be no local borough council to scrutinise and an uncertain future for local democracy.
39. Against this backdrop, the chair and vice chair recognise that reconciling the budget deficit must take precedence so that the council can best meet the needs of the town's residents.
40. Again there is uncertainty as to how this is to be achieved, acknowledging that the corporate plan emphasises that the council will have to meet its statutory commitments first and foremost – 'must dos' then 'choose to dos'.
41. The chair and vice chair are keen to understand what (if there) is the process and criteria for arriving at difficult and unpalatable decisions on what the council will and won't do in the future and in what order, and, what outcomes are forthcoming?
42. With knowledge or overview of such a criteria, the chair and vice chair feel that Scrutiny could then use and apply this to undertake more effective scrutiny and performance management.

43. A proposed way forward is as paragraph 37.

Regeneration Funding Review next steps

44. It is felt that some of the questions and lines of inquiry raised in the scrutiny review of regeneration funding coincide with initial scoping and thinking for Scrutiny work in relation to the corporate plan and budget deficit proposed work areas introduced above.
45. The meeting between Scrutiny and the Executive proposed should help firm up associated direction of travel and encourage ongoing joined working between Scrutiny and the Executive (in line with the statutory guidance).
46. Appendix B therefore proposes three meetings with the executive – ideally one each for the corporate plan and budget deficit and a further provisional meeting to discuss the management response to the review of regeneration funding.

Direct Services Organisation (DSO)

47. The council made a clear decision and investment to bring the town's street cleansing services back in house in the form of a DSO.
48. While Scrutiny acknowledges it is far too soon to know if this is a success, the chair and vice chair are proposing two areas for update during the year ahead.
49. Firstly, Scrutiny are keen to hear what else the council might look to bring in house and what models or ways of working might be entailed in doing so having gone live with the council's first major DSO test case?
50. Secondly and more in line with the thinking in this report so far, what are the lessons learned via the programme management of the DSO through to successful launch?
51. Appendix B proposes Scrutiny receive a 'lessons learned' report from the programme manager for phase 1 (until launch phase) of the DSO in line with the council's project/programme management arrangements.
52. This is proposed because it is understood that this phase of the DSO programme is an exemplar case for project and programme management within the council.
53. Furthermore it is felt that understanding what has worked well and less well via a lessons learned report will assist Scrutiny performance monitor the DSO programme going forward at its quarterly meetings as well as give an overview of what to expect in a lessons learned report for the other 6 key programmes in the 2019/20 corporate plan.

Temporary Accommodation

54. The chair and vice chair are mindful that the council is keen to buy up property and use as temporary accommodation to offset the temporary accommodation bill associated with Bed and Breakfast (B&B) costs.

55. Less clear is the following: How much accommodation do we intend to buy over what time period at what cost to offset such B&B costs with temporary accommodation? How 'temporary' is such 'temporary' accommodation and is there an intention to move people onwards and if so, to where? How do we intend to manage such accommodation and what are actual and projected management costs (internally and externally) to both move people in and potentially out/onwards, and repairs, maintenance etc? If and where in house management arrangements are proposed, will we need new staff? If not, what work will existing staff need to drop off to make provision for this new work?
56. An update on this again perhaps to all councillors would be helpful where the associated business case/plan could be explored. After this, Scrutiny would then determine if further follow up work was required.

Planning Policy

57. It is understood that the council's various intentions for development are bound up in terms of revision to the council's local plan. Of particular interest is the relationship between planning policy, community voice and the decision-making process of the planning committee.
58. The chair and vice chair are keen that Scrutiny receive an update on this work as soon as possible but recognise the recruitment and retention challenges facing the team, in line with the picture around the country.
59. The chair and vice chair are keen to not only hear progress and next steps but also hear the experiences of the staff delivering on this work.
60. In particular: – is there a clear steer on what should be included and excluded in a revised local plan, or does the local plan need to be revised in such a way that leaves open the possibility of multiple development options? How do the council's aspirations in the climate change motion impact on revisions to the plan? How easy or difficult is it to accommodate council aspirations in terms of development or climate change into the revised plan?
61. Should there be Planning Policy staff available to assist with this line of Scrutiny inquiry it is proposed that this is a short one off task and finish session and perhaps an update for all councillors?

Other Ideas

62. The following ideas (not already considered) have been put forward by senior officers: understanding the energy market and potential future options for investment; organised crime in Hastings; ESCC transport projects implementation; universal credit impact; sea-bathing water quality; Visitor centre build progress at end of the year; Drug Services and support for the elderly and dementia sufferers within the borough.
63. The chair and vice chair are of the view that a number of these are of interest to all councillors and could be initially addressed through briefing sessions to all councillors via the Member Training and Development Group. These include:

- Understanding the energy market and potential future options

- ESCC transport projects implementation update
- Organised Crime update and awareness building on the all Member briefing in April by Sarah Godley (Chief Inspector)
- Drugs and Dementia sufferer service updates

64. The chair and vice chair will discuss these possibilities with the Member Training and Development chair.

65. It is noted that some of these are areas of interest for the LSP and it may make sense to invite councillors along to LSP meetings where associated briefings take place.

66. The appropriate quarterly performance meetings could include written briefings on Universal Credit impact, mindful of Citizen Access implementation and an update on the Visitor Centre.

67. After such written or verbal updates from the appropriate project managers, Scrutiny will where appropriate take a view on whether further work is necessary.

Next Steps

68. That Scrutiny agree the proposed work identified and an in principle agreement to the timetable of activities set out in appendix B.

Resource Implications

69. Scrutiny members are reminded that they need to carefully consider the proposed work to be undertaken in the municipal year, ensuring sufficient capacity to plan, prepare and fulfil associated commitments.

70. Scrutiny also need to be mindful of the dependency on staff and other councillors to support their lines of inquiry and may need to change their programme accordingly.

71. In previous years, Scrutiny has been asked to complete their work programme within the municipal year to ensure recommendations can be progressed and where appropriate included in work plans for the forthcoming year.

Timetable of Next Steps

72. Please include a list of key actions and the scheduled dates for these:

Action	Key milestone	Due date (provisional)	Responsible
Overview and Scrutiny (O and S) to agree prospective work	Approval at the Annual Meeting on the 11 th of July	11 th July	Cllr Davies (Chair)

programme			
O and S to allocate Members to the varied activities in the work programme	Agreed Members on each of the work activities with Chairs for each appropriate area of work agreed.	By end of July	Cllr Davis and Levane (Chair & Vice Chair) – to facilitate and to undertake this role if other Members are not forthcoming.
Meetings to be set up in line with the agreed work programme.	Meeting dates and associated venues set.	By end of July	Democratic Services Officers
Each work area scoped, considering questions outlined in this report (paragraph 13) and applying the council's project management toolkit where appropriate.	Each work area scoped setting direction of travel for associated work.	By end Quarter 2.	Chairs and Democratic Services Officers

Wards Affected

All.

Implications

Relevant project tools applied? **Yes/No**

Have you checked this report for plain English and readability? **Yes/No**

Climate change implications considered? **Yes/No**

Please identify if this report contains any implications for the following:

Equalities and Community Cohesiveness

Crime and Fear of Crime (Section 17)

Risk Management

Environmental Issues

Economic/Financial Implications
Human Rights Act
Organisational Consequences
Local People's Views
Anti-Poverty

Additional Information

Hyperlinks to external documents included in the main body of this report.
Appendix A 2018/19 O and S Work Programme
Appendix B 2019/20 prospective O and S Work Programme

Officer to Contact

Officer Name Mark Horan/Coral Harding
Officer Email Address mhoran@hastings.gov.uk charding@hastings.gov.uk
Officer Telephone Number 01434 451485 01424 451764

Appendix

