

Meeting: COUNCIL

**Council Agenda
Item:**

12

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ANNUAL SCRUTINY REPORT 2014/2015

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1. PURPOSE

- 1.1 To report on the work undertaken by the Overview & Scrutiny Committee and the Select Committees during the 2014/15 Municipal Year.

2. RECOMMENDATIONS

- 2.1 That the work undertaken by Overview & Scrutiny Committee and the Select Committees during 2014/15 be noted.

3. BACKGROUND

- 3.1 Under the provisions of the Local Government Act 2000 Overview and Scrutiny's role is to operate as an independent function of the Councils decision making process, by having overview of the Council's decision making, holding the Executive to account, having the power to "call in" decisions for reconsideration and undertake internal and external scrutiny reviews.
- 3.2 The Council's Constitution requires that there be an annual report to Council on the scrutiny activity over the past Municipal Year (see Article 6.3 of the Constitution).
- 3.3 This report is a retrospective look at the scrutiny review work undertaken by the Overview & Scrutiny Committee and the two Select Committees during the 2014-15 Municipal Year.
- 3.4 In addition to the Scrutiny studies the Committees have worked with their relevant Executive Portfolio Holders developing policies and considering reports before their submission to the Executive. This report, however, focuses on the Committees' Scrutiny role.
- 3.5 In accordance with the Constitution the Overview and Scrutiny Committee was also charged with scrutinising the Executive's proposals on Budget & Policy Framework items that go before Council for decision. The Committees also considered updates on Scrutiny studies that had been undertaken previously, examining the progress of recommendations and where appropriate following up on matters raised. On occasions individual

Committees had also been asked to comment on formal consultations such as the new HRA Business Plan.

4. SUMMARY OF SELECT COMMITTEE REVIEWS FOR 2014/2015

4.1 Each Select Committee review made formal recommendations to the relevant Executive Member, officers and external partners. This process has been fully reported to each of the Select Committees and recorded in its agenda papers and Minutes. The following is a summary of the outcomes of each scrutiny review.

4.2 Community Select Committee – Review of Local Private Rented Sector

4.2.1 In conducting this review the Scrutiny Select Committee Members received written and oral evidence from the following people:

- Strategic Director, Community, Matt Partridge
- Head of Leisure, Environmental Health and Children's Services, Aidan Sanderson
- Senior Environmental Health Manager, Jim Archibald
- Strategic Housing Solutions Manager, Sue Waller
- Housing Options Officer, Private Sector Liaison, Emma Williams
- Head of Regions, National Landlords Association, Ken Staunton

4.2.2 The review considered the following issues:

- Property conditions
- Unregistered landlords
- Using local data on absent landlords
- Houses of Multiple Occupancy
- Redress scheme
- Landlord forum
- Landlord Accreditation scheme
- Social lettings scheme
- Homelessness cases as a result of evictions in the Private Rented Sector
- Resident Involvement Groups
- Private Rented Sector Tenants Training – How to rent guides
- Promoting the advice the Council can give re problems in Private Rented Sector
- Local Rent Levels
- How Equalities & Diversity issues are addressed by the PRS

4.2.3 The recommendations of this review were as follows:

4.2.4 That Resident Involvement Groups undertake a fresh awareness campaign, promoting a generic logo and recognisable branding for the groups as well as promoting its purpose amongst local residents (of any tenure), this could be via a news article in the Chronicle, the Council's Residents magazine.

- 4.2.5 That SBC endorse the work of National Landlords' Association and consider the possibility of promoting and hosting training sessions to encourage local landlords who are not associates to take up the advice and best practices regarding relationships with tenants, with the caveat that officers provide some more background information to Members on the NLA before embarking on any formal promotion or training with that group.
- 4.2.6 That subject to the delivery of some satisfactory training sessions with the National Landlords' Association that officers investigate the possibility of a local Accreditation Scheme and report back to Members on the feasibility of this proposal at a future meeting of the Community Select Committee in 2015.
- 4.2.7 That Housing Officers consider providing some awareness training to tenants on their expectations when renting a property, to educate them and avoid possible pitfalls.
- 4.2.8 That Officers consider undertaking an awareness campaign regarding the advice that Council Housing Officers provide to Stevenage residents for both private and social rented sector.
- 4.2.9 That Members support the introduction of a Landlord Forum for Stevenage as detailed by the Strategic Housing Solutions Manager and would like to receive an update on the progress of this initiative at a future meeting of the Community Select Committee in 2015.
- 4.2.10 That the Committee welcome the Strategic Housing Solutions Manager offer of a feasibility study being undertaken into the local suitability of a social lettings agency and await with interest its findings, which Members would like reported to a future meeting of the Community Select Committee in 2015.
- 4.2.11 The Community Select Committee considered the response from the Executive Portfolio Holder to the review recommendations at a meeting on 29 June 2015. Members were pleased to see that because of the review and recommendations they had made it had helped to be a catalyst for a closer working relationship with the Private Rented Sector which was now being developed by officers with regards to the Commercialisation agenda, including working towards a social lettings agency and a property maintenance service.

4.3 **Environment & Economy Select Committee – Scrutiny Review of Maintenance of Trees, Hedges, Shrub Beds**

- 4.3.1 In conducting this review the Scrutiny Members received written and oral evidence from the following people:
- Executive Portfolio Holder for Environment, Cllr John Gardner
 - SBC Head of Environmental Services, Lee Myers
 - SBC Services Manager Street Scene and Amenities, Paul Seaby
 - SBC Environmental Performance & Development Manager, Julia Hill
 - SBC Arboriculture & Conservation Manager, Christian Pinta

- SBC Tenancy & Income Manager, Audley Philips
- Welwyn Hatfield Borough Council Tree Officer, Oliver Waring as the reviews “critical friend”
- 4 SBC Green Spaces Volunteers

4.3.2 The review considered the following issues:

- Differences between HRA & General Funded Maintenance programmes
- Grassing over sparsely covered shrub beds
- Help for residents who can’t manage gardens
- Play areas in parks
- Tree stock numbers & species selection
- Shrub bed species
- Green Space Volunteers
- Promotion of Biodiversity via external funding opportunities
- Equalities & Diversity issues regarding access to green spaces
- Licences to Cultivate and Occupy
- The expert opinion of a senior Environment Officer from another authority acting as a “Critical Friend” to the review
- The views of the Portfolio Holder
- Members view of the overall service

4.3.3 The recommendations of this review were:

4.3.4 That Officers from Environmental Services and Housing reconsider the current service level agreements between the two services (that were drawn up for the former ALMO, Stevenage Homes), whilst still complying with the rules governing separate funding arrangements for the Housing Revenue Account, in order that a one Council, uniform service, approach to the maintenance of trees, hedges and shrub beds on Council land in the town can be achieved;

4.3.5 That Officers undertake a full survey of the shrub beds on Council land to provide a cost benefit analysis to see which sites would be suitable and cost effective to be grassed over;

4.3.6 That Officers consider ways that the service could further promote gardening services to those residents who are unable to maintain their own gardens, be this through directing residents who require help with maintaining their gardens to a list of trustworthy and affordable local Gardeners, to promoting Groundwork Hertfordshire’s “Green Aiders” scheme or North Herts CVS “Time Bank” volunteer garden service;

4.3.7 Regarding Volunteering: (i) That Officers negotiate with the Council’s insurers, ensuring that sufficient safeguards are in place, so that suitable volunteers can be trained to lead future volunteer activity, which would extend the opportunities currently available to volunteers; (ii) That the Campaigns Officer work on linking up with a local secondary school to become an Eco School so that in time the Officer could promote the opportunity of become involved in

volunteering for those interested in working in Environment based jobs which they could use in their CVs; and (iii) That Officers should take every opportunity to publicise the great work that the Green Space Volunteers are doing;

- 4.3.8 That Officers look to access any external funding linked to biodiversity work that the Green Space Volunteers are undertaking;
- 4.3.9 That when designing new planting schemes or developments to the town's green spaces that Officers give consideration to and make adequate provision for making these spaces accessible to all; and
- 4.3.10 That notwithstanding the complications of entering into Licences to Cultivate and Licences Occupy, Members are keen to promote these as an option for residents but the current system appears to have a number of disincentives including entering into a legal agreements with the Council (for licences to cultivate) and the fee (for HCC licences to occupy). Members suggested that perhaps with better publicity using the Council's resident magazine, Chronicle, it might encourage more residents to take on areas adjacent to their property to smarten its appearance. Also Members requested Officers to consider the current issuing of licences to see if it is possible to simplify the process in any way and take away some of the perceived bureaucracy that may put off potential take up from residents.
- 4.3.11 The Environment & Economy Select Committee considered the response from the Executive Portfolio Holder to the review recommendations at a meeting on 24 June 2015. Members who undertook the review and received the response from the Executive Portfolio Holder commented that the officer had provided a very comprehensive response, and would invite the Head of Environmental Services to a meeting of the Committee in June 2016 for a final time to sign off the actions from the recommendations that have been delivered. As a direct response to the review funding had been made available from the 2015/16 New Homes Bonus funding process following a bid to renew, remove and replace shrub beds.

4.5 **Statutory Crime and Disorder Committee – Community Select Committee – Review of the Community Safety Action Plan**

- 4.5.1 In undertaking this review the Scrutiny Members received written and oral evidence from the following people:
- SBC Community Safety Officer, Debbie Barker
 - Portfolio Holder for Safer and Stronger Communities, Cllr Richard Henry
 - Chair of Responsible Authority Group and (SBC Chief Executive), Nick Parry
 - Chief Inspector Richard Harbon, Stevenage Safer Neighbourhood Team, Herts Constabulary
- 4.5.2 The Community Select Committee scrutinised the Stevenage Community Safety Partnership's, Community Safety outcomes for 2014/15 and the emerging Community Safety priorities for 2015/16.

- 4.5.3 The findings from the Community Select Committee sitting as the Council's Crime and Disorder Committee were:
- 4.5.4 The Portfolio Holder for Safer Communities, Older People and Health, highlighted the various strategies employed by the agencies in the partnership in addressing issues around the local priorities for SoSafe, the Community Safety Partnership.
- 4.5.5 The Executive Portfolio Holder for Safer Communities updated Members on the progress of the agreed priorities and the various initiatives employed. The priorities discussed included domestic abuse, violent crimes, alcohol and drug abuse, anti-social behaviour, criminal damage, deliberate fires, acquisitive crime, hate crime and reassurance.
- 4.5.6 With regards to the recent increase in the reporting of the domestic abuse incidents by victims and members of the public, the Executive Portfolio Holder for Safer Communities attributed this to the high profile given by both the Council and its partners. Work was being undertaken by various organisations and initiatives such as NSPCC DART Programme, Evolve, Stefanou Foundation and Operation Acorn to address this issue.
- 4.5.7 On the issue of acquisitive crime, Members welcomed the various roles played by Shop Watch; Street meets; Neighbourhood Watch; Operation Scorpion; Operation Scrod and the use of CCTV in ensuring that incidents of burglary had fallen in the town.
- 4.5.8 With regards to the increase in violent crimes, alcohol and drug abuse especially among young people, various initiatives to address this issue such as the use of taxi marshals to manage the crowd outside pubs in the high street, the participation of licensees with the pub watch scheme and mapping hot spot areas were being undertaken.
- 4.5.9 Regarding parental responsibility, anti-social behaviour and the cycle of troubled families, officers advised that these issues were likely to be addressed by the Police using measures in Anti-social Behaviour, Crime and Policing Act 2014.
- 4.5.10 Members were informed that as a result of intelligence gathering by Police and the various authorities working in conjunction with pub licensee holders, taxi drivers and trained night club door supervisors, incidence of drug and alcohol abuse was very low in town generally.
- 4.5.11 Members noted the top community safety priorities for 2015/16 which were – (i) Children and young people; (ii) reassurance; (iii) domestic abuse; and (iv) health and mental health.
- 4.6 **Overview & Scrutiny Committee sitting as a Select Committee – Section 106 Legal Agreements**

4.6.1 In undertaking this meeting the Scrutiny Members received written and oral evidence from the following people:

- Head of Planning, Regeneration & Transport, Paul Pinkney
- Assistant Director Finance, Clare Fletcher

4.6.2 The review considered the following issues:

- Provide assurance that the Council has good governance with regard to its decision making processes with Section 106 Agreements
- Provide challenge around the on-going costs of schemes that are funded from Sec 106 Agreements, is the Council building in adequate revenue funding via commuted sums to maintain facilities?
- Clarify what the Council's position is re any external groups looking to secure Sec 106 monies for related activities such as Sports Clubs equipment/facilities etc
- Look at how decisions are currently published
- Establish how decisions are made regarding the spending of Sec 106 monies? Who decides? The decision making process regarding the spending of s106 monies, with particular regard to the input provided by Members, Community Groups and the public. Members wish to establish a mechanism to raise their interest in potential Sec 106 as they emerge – potentially via notice of forthcoming Sec 106 on Planning & Development agendas
- Establish how effectively Officers communicate with each other re the priorities for the Council across the departments i.e. the Officer negotiating the Section 106 Agreement wording is aware of all of the local needs/priorities. Members were keen to establish whether it is possible to future proof the legal agreements?
- Look at instances where agreed s106 projects had been renegotiated at a later stage

4.6.3 The recommendations of this review were:

4.6.4 That officers investigate an improvement on the current arrangements for alerting Members to planning applications that may involve a Section 106 Agreement. Members would like officers to consider a mechanism to highlight such applications with ward Members, allowing a fixed timeframe for responding to officers, so as not to delay any applications, but to invite Member input on possible enhancements to an area.

4.6.5 That officers make sure that the individual officer negotiating a Section 106 Agreement is aware of the local needs and priorities of the area where the planning permission is being sought, by in part undertaking consultation with the local Members and that the case officer adequately communicates with other colleagues internally and with the County Council in order that the best provision is negotiated for that area.

4.6.6 That although cases are rare, officers investigate ways of avoiding situations where the infrastructure projects that are delivered are not subsequently criticised for being either the wrong provision or in the wrong location.

- 4.6.7 That SBC officers approach Hertfordshire County Council asking how they make their decisions regarding issues like the siting and provision of sustainable transport to help Members better understand their reasoning.
- 4.7.8 That officers provide Members with confidence that sufficient ongoing revenue funding is being provided to maintain capital infrastructure schemes funded by Section 106 Agreement monies.

4.7 Monitoring outcomes from previous reviews

- 4.7.1 As well as undertaking their own specific reviews the Select Committees were invited to revisit previous Scrutiny reviews that fall into their area of interest, this included the following issues:
- Review into Stevenage Museum Scrutiny Review Recommendations, 9 December 2014
 - Review into Homelessness Scrutiny Review Recommendations, 12 January 2015
 - Update on the Green Travel Plan, 22 September 2014
 - Update on the Review into Training & Employment Opportunities for Young People, 15 December 2014
 - Update on the Review into Inward Investment & Business Support, 3 February 2015
 - Update briefing on the Cleansing of Children's Play Areas, 7 January 2015

4.8 One off meetings to consider strategic issues

- 4.8.1 The two Select Committees held one off meetings to consider matters that were of strategic importance to their areas, these included:

Community Select Committee –

- HRA Business Plan, 10 September 2014
- Public Health Discussion with HCC Director of Public Health, Jim McManus, 2 March 2015

5. OTHER ISSUES

5.1 Training

- 5.1.1 The Chair and Vice-Chairs of the Select Committees and the Overview and Scrutiny Committee attended a training session on Chairing Skills delivered by South East Employers Training in February 2014 and a more general training session on 'Scrutiny realising its potential' was held for all Scrutiny Members in July 2014. A training session introducing new Members to Scrutiny was held in July 2014 and this was repeated with the new intake of Members in June 2015.

5.1.2 A training programme of for Scrutiny Members has not yet been arranged for the 2015-16 Municipal Year, but the Scrutiny Officer is liaising with the Chairs and Vice-Chairs and the Learning and Development Manager and will provide Scrutiny Members with details of the training that is to be provided.

5.2 **2015/2016 Scrutiny Work Programmes**

5.2.1 The Committees have agreed their Scrutiny work programmes for the 2015/16 Municipal Year:

- Community Select Committee –Review of Local Community Budgets & SoSafe RAG Community Safety Priorities/Action Plan.
- Environment and Economy Select Committee – Review of the Business Technology Centre
- Overview & Scrutiny Committee – Media and Communications

5.2.2 A schedule of meetings for the two Select Committees has been arranged for the 2015-16 Municipal Year. These meetings will incorporate the scoping of the review where Members will identify the areas they wish to cover during the review, who to interview, what evidence/background information is required and which Members will lead the questioning on a specific area, as well as undertaking site visits, where appropriate. Meetings will also be arranged to revisit previous reviews to monitor actions.

5.2.3 The Overview & Scrutiny Committee will continue to meet within 5 working days of the Executive to review decisions taken In addition to undertaking all scrutiny of Budget & Policy Framework items.

5.2.4 Policy Development work will be undertaken as and when requested by Executive Portfolio Holders in consultation with Strategic Directors and Heads of Service.

5.3 **Monitoring of Previous Scrutiny Reviews**

5.3.1 Some Scrutiny Members commented on their annual scrutiny survey that they were concerned about the current arrangements for monitoring review recommendations and associated actions from previous reviews. This issue has also been raised at Scrutiny Committee meetings. To address this, the response has been to include a review timeline section in the scoping document for all new Scrutiny reviews. The scoping document will now incorporate a deadline for the final report, as well as a two month Executive response deadline date and lastly a year review final revisit date to sign off the review.

6. **IMPLICATIONS**

6.1 **Financial Implications**

There is a budget of £2,500 to support study activities, site visits and specialist advice and training where necessary.

6.2 Legal Implications

Any legislative changes during the 2015-16 Municipal Year, will be reported to the Overview and Scrutiny Committee and the relevant Select Committee(s).

6.3 Equalities and Diversity Implications

Equalities and Diversity issues are considered at the scoping stage of each Scrutiny review with regards to questioning of witnesses and the collection of oral and written evidence. Also E&D issues are addressed in the final report for each review.

APPENDICES

None