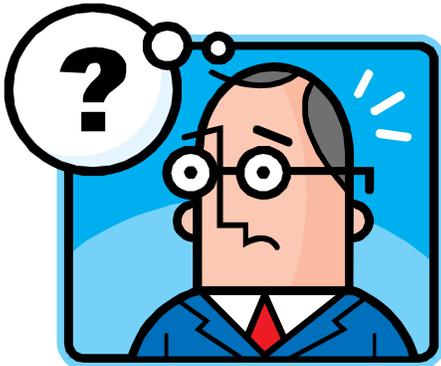
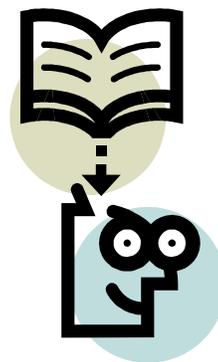


# **Overview & Scrutiny Annual Report 2008/9**



**QUESTION**

**RESEARCH & EVIDENCE**



**EXAMINE**

## Introduction

Scrutiny within Breckland has changed. This year has seen a separation of the Audit function from the Scrutiny function and the establishment of a series of Task and Finish Groups as Breckland responds to the growing need to be more proactive in its use of resources and to utilise skills and knowledge of elected members of the Council.

Some of the changes have arisen as a consequence of the Council responding to directives and initiatives from Central Government but many are as a direct consequence of the members desire to ensure as far as is possible, that the services supplied to the people of Breckland are of the highest standard and provide real value in these challenging times.

Thus we are committed to ensuring that the following areas receive our constructive attention:

- Day to day business of the Council
- Scrutiny of Cabinet decision making
- Reviewing our partner organisations on whom we rely for key services
- Questioning external agencies who provide services to our residents
- Scrutinising decisions taken by other public sector bodies that can influence the quality of life of those who live and work in Breckland.

The proceedings of the Overview and Scrutiny Commission are transparent, open to the public and reported frequently in the press. This is fundamental to our belief that what we discuss is always germane to the electorate and we do not shrink from being critical or giving praise where it is due.

This year we have had Cabinet members present their portfolios to us in open forum, Task and Finish Groups have tackled subjects ranging from BT and public phone box provision, affordable housing, the Local Development Framework to The future of Local Government in the East of England. In the case of the latter item and that of BT, the Task and Finish Group provided Breckland Council's formal response to consultation procedures. More recently the Council signed up to the Nottingham Declaration and has established a Green Agenda Task and Finish Group that met recently.

Looking to the future we shall continue to more of the same but there are some key pieces of work that will exercise us:

- Reviewing the LDF process through the examination in public and beyond
- Examining energy use in the district, not least from our own estate
- Monitoring the impact of the recession in Breckland and reviewing what assistance is available from the Council and its partners
- Maintaining Pressure on BT to ensure that they meet their statutory obligations to the public in Breckland for both Telephone and Broadband provision
- Reviewing the performance of our service partners

- Scrutinising the newly formed Breckland Capita Symonds planning business
- Local Government review

Thus the coming year will see an increase in our workload, more responsibility placed upon the elected members to respond to and where possible provide solutions for residents but most importantly provide the critical eye to ensure that policies, services and the overall performance and governance of Breckland Council reaches the high standards enjoyed at present by our residents.

In conclusion I should like to offer my thanks and gratitude to the officers and members who have made my task as Chairman relatively easy and trouble free over the past year. Whilst we have enjoyed some successes with BT but these are tempered with disappointment at the attitude adopted by that company towards the people of Breckland. We shall not cease to do what we can for and on behalf of the people whom we represent

Finally I would like to thank my deputy chairman, Robin Goreham, for his support throughout the year and to Mark Broughton, Elaine Wilkes and Ian Vargeson for doing their level best to ensure that I did not stray too far from the straight and narrow.



Philip Cowen  
Chairman, Overview & Scrutiny Commission 2008/9

<b>Members of the Overview &amp; Scrutiny Commission 2008/9</b>
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Mr S G Bambridge  
Mr A J Byrne  
Mr J P Cowen  
Mr K S Gilbert  
Mr R F Goreham  
Mr J R Gretton  
Mrs D Irving  
Mr A P Joel

Mr M A Kiddle-Morris  
Mr R G Kybird  
Mr K Martin  
Mrs S M Matthews  
Mr J D Rogers  
Mr B Rose  
Mr A C Stasiak

## **What is Overview & Scrutiny?**

The overview and scrutiny function was introduced to local government originally through the 2000 Local Government Act. Overview and scrutiny is designed to provide a challenge and accountability mechanism to the “executive” style of decision making whereby a Leader and Cabinet are held accountable by the “non executive”. In Breckland there is a Cabinet comprising seven councillors (including the Leader) with a “non executive” comprising of the remaining 47 councillors. Only members of the non executive can belong to scrutiny bodies.

## **What is the OSC and what does it do?**

The Overview & Scrutiny Commission (or OSC for short) is a committee comprised of 16 councillors which is able to undertake and reflect the four principles of good scrutiny. These are

- Providing “critical friend” challenge to executive policy makers and decision makers
- Enabling the voice and concerns of the public
- Carrying out work by “independent minded governors” who lead and own the scrutiny role
- Driving improvement in public services

The OSC develops its own programme of work, taking account of the above four principles and in recognition of the four key roles of overview and scrutiny. These key roles are

- Holding the executive to account
- Policy Review
- Policy Development
- External Scrutiny (Community Wellbeing)

The Commission meets ordinarily on a six weekly cycle and as part of the strategy of striving to achieve community based scrutiny has resolved to rotate its meetings throughout the district rather than only meeting in the Council’s headquarters in Dereham as occurred previously. As a result of a review of the Council’s constitution in late 2008, a dedicated Audit Committee has been established, which has to a degree impinged on the natural role of the OSC. Other constitutional changes saw the abolition of the three former Policy Development & Review Panels which sat beneath the OSC and in effect were generic sub committees. Instead, task and finish groups have been established to address specific issues who then report back formally to the OSC with their recommendations.



## **Work Undertaken in 2008/9**

Following the constitutional changes relating to overview and scrutiny, the OSC has sought to re-balance its work programme accordingly. There is greater emphasis placed in a number of areas, including inviting executive members (decision makers) to attend Commission meetings on a rota basis to explain recent decisions within their purview and to be questioned on anticipated future developments. This satisfies the requirement to hold decision makers to account.

The Commission also recognises the importance of scrutinising partnerships and other external bodies which impact on the community wellbeing of Breckland. A partnership questionnaire has been adopted as a standard approach in seeking information on partners prior to their attendance at Commission meetings. Examples of partnership scrutiny undertaken so far include the Council's partnership with neighbouring authorities Forest Heath and East Cambridgeshire DC's in providing benefits and revenues through the Anglia Revenues Partnership, the Wayland Partnership and Diss & Thetford Citizens Advice Bureau. This partnership approach will be extended and bolstered further in the coming year.

The OSC takes its contract monitoring role seriously and to this end has sought to continue overseeing the performance of several ongoing council contracts to ensure that service standards are being met or, if not, why not. These relate to the Environment and Security Services contract and the PFI Leisure contract.

Other ad hoc work undertaken during the year can be summarised thus

- Regulatory & Investigatory Powers Act (RIPA)
- Complaints
- Post Office Network Change Programme
- Disability Equality Scheme – Year 1 review
- Watton Horse Fair
- Member Development and Training Policy
- Local Government Ombudsman annual letter
- Breckland Community Car Scheme
- Street Naming & Numbering Policy
- CCTV Review
- Choice Based Lettings Scheme
- Revised Breckland Council Constitution
- Regional Spatial Strategy



## Scrutiny Reviews

During the year the OSC set up a task and finish group to examine in depth proposals from BT to remove some 70 payphones from across the district. This review considered all relevant factors and took particular note of the guidelines issued by the telecoms regulator OFCOM. Taking an evidence based approach the task and finish group argued for the retention of 19 facilities “at risk” and issued a full report setting out the issues and reasons for their recommendations. BT subsequently agreed to retain the 19 kiosks.



A minor task and finish group also deliberated and provided a response to the DCLG White Paper, “Communities in Control”.

A number of other task and finish groups have been set up and are currently in process or will shortly be commencing their work. These will form reviews covering a new Affordable Housing Policy, Off Street Car Parking, Flooding and Sewerage, and the Sickness Absence Policy and Procedures.

## Member Development & Training

A number of training sessions were held for non executive members on scrutiny related subjects in February and March 2009. These were broadened out to include members of other local councils in a fraternal approach to training and development provision. Reflecting the desire to move out of the “town hall” environment, these sessions were held in Thetford and Watton and proved very successful judging from the feedback.



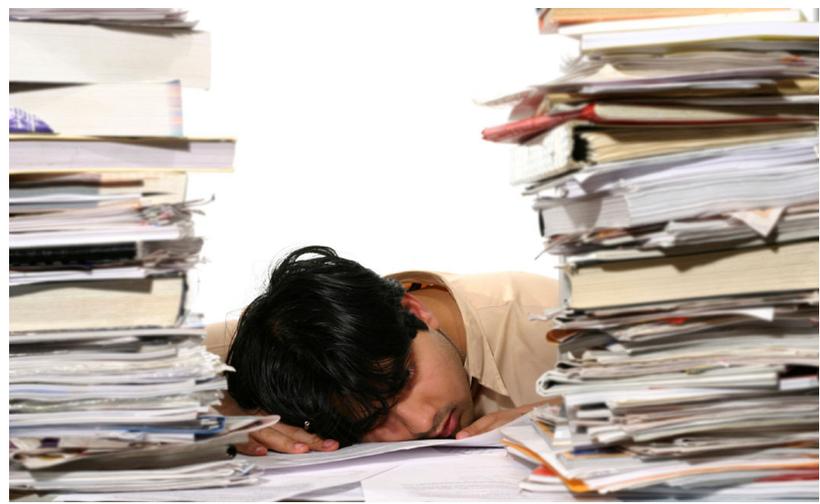
**New & Future Impacts on Overview & Scrutiny**

The Local Government and Public Involvement in Health Act 2007 was finally enacted earlier this year. Included within the legislation is a new mechanism called Councillor Call for Action (or CCfA). A CCfA mechanism was adopted through the OSC and Council in April 2009 and provides a route for the resolution of outstanding issues. This has now been included as a standing item on OSC agenda.

Looking to the near future, other legislation is in the pipeline which will impact on the overview and scrutiny function. The Local Democracy, Economic Development and Construction Bill is expected to receive royal ascent shortly. The effect of the Act would be to require all authorities to appoint a dedicated scrutiny officer, enable any two authorities in an area to establish a joint committee, require an authority to provide e-petitioning facilities and enable O&S committees to review the adequacy of an Executive's response to petitions and require senior officers to attend O&S committees.

**Forward Work Programme**

The work programme of the Commission evolves and shifts in order to be responsive and flexible. There needs to be prioritisation but also a realisation that resource allocation is an issue and thus if the scrutiny function is to add value in terms of holding to account and to maximise service delivery it is important to focus on those issues which have a significant impact on the residents of Breckland.



There will be a continued emphasis on partnership scrutiny, to ascertain what our partners and other agencies at the heart of community wellbeing are doing and contributing to local service delivery. Likewise, Portfolio holders will continue to be invited to the OSC on a rota basis to be held to account for their decisions and to explain future policies and developments in their respective portfolios. Hopefully there will also be developments in the region

of joint scrutiny approaches to dealing with common problems, in terms of the new CAA as well as in crime reduction and possibly other allied areas of the OSC's work. Contract monitoring will also continue, and be expanded to include the new contract with Capita Symonds covering the delivery of planning and building control services. The likelihood is that task and finish groups will further the in-depth investigative work which is the cornerstone of scrutiny and these will report in to the Commission throughout the year ahead.

### **Scrutiny – New Challenges**

Overview and scrutiny is changing and adapting as best practice and new relationships are formed that demonstrate what may have been cutting edge five years ago is now obsolete. The change from Comprehensive Performance Assessment (CPA) which focussed on individual local authority has been replaced by Comprehensive Area Assessment (CAA) which instead looks at performance in an area by a range of partners using a joined up approach to ensure optimum service delivery. Already in Norfolk, 2009 has seen the establishment of a Joint LSP Scrutiny Board to oversee the activities of the Norfolk Local Strategic Partnership. Ensuring effective scrutiny of performance is a Holy Grail of the scrutiny function and new arrangements will need to be put in place in order to be successful and effective.

### **Contact & Information**

For more information about overview and scrutiny at Breckland Council and to view committee papers please visit the Council's website  
[www.breckland.gov.uk/scrutiny](http://www.breckland.gov.uk/scrutiny)

If you have any issues you wish to raise under scrutiny please contact your local councillor or Mark Broughton, Member Development & Scrutiny Officer:

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