

# Scrutiny Annual Report 2012- 2013



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## **1. Foreword**

Councillor Duncan Smith  
Chair of the Overview and Scrutiny Committee



As Chairman of the Overview and Scrutiny Committee, I am pleased to present the annual report for 2012/2013, the first year of our new scrutiny arrangements.

We have changed the way that the council approaches scrutiny and I hope that the result is something more transparent, more effective and more reflective of the concerns of local people.

Scrutiny should fulfil the role of the "critical friend" to the decision makers within the council. So far we have focussed on the scrutiny and review of decisions taken and the operational delivery of those decisions.

We have two key challenges in the coming year:

- to engage with the Cabinet & develop the Overview and Scrutiny Committee role in strategic policy development
- to encourage elected Members to bring forward scrutiny topics that address issues in their local communities

We would welcome suggestions and involvement from the wider community to make sure that our work remains current and relevant to the local residents that we serve.

What we have achieved in our first year is a great step forward and I would like to thank those councillors who have worked so hard to bring clear and meaningful recommendations before Council and Cabinet.

## **2. My experience of scrutiny in the first year of the new arrangements**

Andrew North  
Chief Executive



Effective Overview and Scrutiny is a vital part of local democracy as it plays a key role in holding the Cabinet, officers and the wider council to account. It is important therefore to reflect on how well it has done this, as well as what difference it has made to the community at large. I personally welcomed the opportunity to be the lead officer for Overview and Scrutiny for the first few months in its new format and believe that our new arrangements offer great potential for further improving the quality of what we do and thereby making even more of a positive difference to Cheltenham people.

Overview and Scrutiny has brought together cross party working groups on a range of different topics from the Sex trade in Cheltenham to allotments and ICT. These groups have each met over a series of months with a lead officer and facilitating officer supporting them at every stage. We have seen very positive comments from members of working groups on the level of officer support they have received. The different task groups have engaged a number of people who have a close understanding of what is happening in our local community. The groups have compiled evidence from these witnesses, collected statistics, looked into reports prepared by other councils and deliberated over options for improvement. They have been able to scope out the problems and come up with suggested solutions to the issues which face our communities to create a comprehensive report to Cabinet.

Some recommendations have been taken forward – for example the task groups on Grass Cutting and Allotments respectively made recommendations which Cabinet agreed in full. For other task groups the Cabinet has forwarded a report to outside bodies or has initiated further consideration internally. It may be that the timeliness and thoroughness of consideration of the recommendations by Cabinet (and subsequent follow up) could benefit from further improvement. There must be a well defined process so that expectations are clearly understood by all parties.

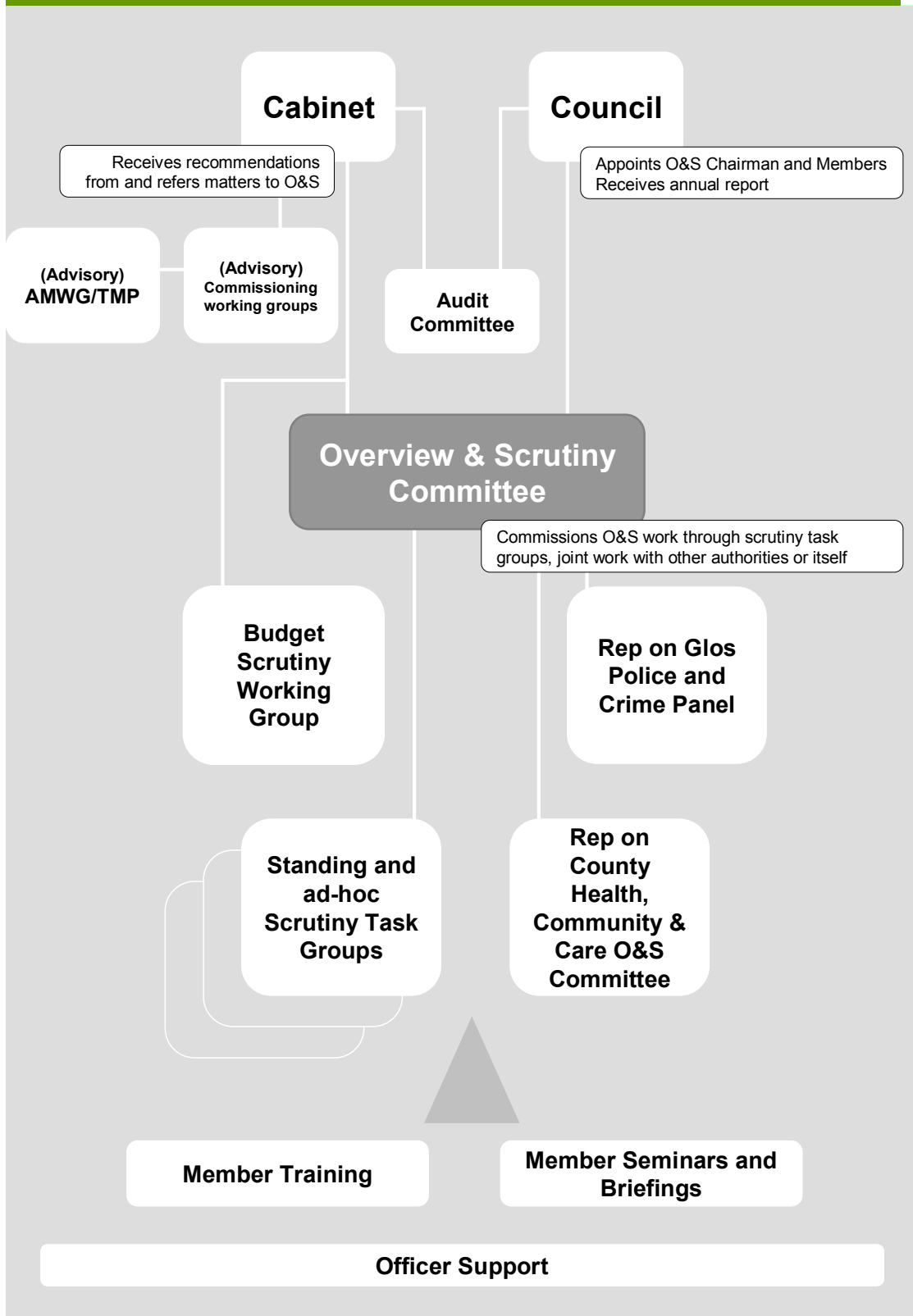
The replacement of three Overview and Scrutiny Committees with one is still a relatively recent development. The arrangements have undoubtedly had their problems and the challenge is to improve satisfaction with the new structure amongst councillors and council officers. However, I believe that with wholehearted commitment, Overview and Scrutiny will become a highly valued process in the work of the council.

We might consider the potential to increase the scope of Overview and Scrutiny by asking the public what topics they think should be considered. This is a suggestion which has been widely proposed in a recent survey. This could significantly improve the council's accountability to the public.

I hope you will agree with me that Overview and Scrutiny at Cheltenham Borough Council has made some strong steps following its recent changes and I hope that it can build upon the strengths to make the council even more effective, transparent and accountable.

A handwritten signature in black ink, appearing to be 'Alan Duff', written in a cursive style.

### 3. Overview and Scrutiny Structure



## 4. Overview and Scrutiny Committee

Chairman: Councillor Duncan Smith



### Committee membership:

Councillors Ian Bickerton, Nigel Britter, Barbara Driver, Colin Hay, Diane Hibbert, Helena McCloskey, Chris Ryder and Klara Sudbury (Vice-Chair).

The committee is responsible for managing and coordinating the overview and scrutiny activity within the Council. It commissions scrutiny task groups to carry out the detailed work ensuring that they have clear terms of reference. It is also responsible for receiving and determining how any call-ins of Cabinet decisions should be dealt with.

### Key achievements

- Set up and maintained a scrutiny workplan
- Dealt with a call-in of the rickshaw decision made by Cabinet in December 2012
- Set up an ongoing group for scrutiny of the budget
- Scrutiny task groups- final reports with recommendations were published for:
  - ICT
  - Events
  - Grass verge cutting
  - Allotments
  - Sex Trade in Cheltenham
  - Ubico
  - JCS and Planning and Liaison
  - Community Governance Review
- Initiated a review of the new scrutiny arrangements starting with a questionnaire sent to councillors and officers and reported the results to Council in July.

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## 5.0 Budget Scrutiny Working Group

Chair : Councillor Andrew Wall (2012) and Councillor Rob Garnham from June 2013



### **Task group members:**

Councillors Chris Coleman, Tim Harman, Dianne Hibbert, Paul Massey and Klara Sudbury.

**Officer support** : Mark Sheldon and Rosalind Reeves

The budget scrutiny working group formed a permanent part of the new scrutiny arrangements set up by Council in May 2012. The idea behind setting it up as a standing group was that the budget was such a complex area that it could no longer be scrutinised effectively as a one-off exercise. Members needed to be build up their expertise and understanding of financial matters so that they could review the budget strategy, the bridging the gap programme and be in a position to respond to the budget proposals as well as scrutinising the business cases of major projects within the commissioning framework.

### **Key Findings and recommendations:**

During the year the budget scrutiny working group scrutinised the following:

- The annual budget setting report (including Section 151 Officer report) and financial outturn report and made recommendations on simplifying the format to more appropriately meet members needs for future years
- Review of the strategy for the New Homes Bonus
- The business case for the ICT commissioning review
- The financial aspects of the leisure and culture commissioning review
- In January they reviewed the interim budget proposals for 2013/14 but did not choose to make any recommendations to Cabinet

### **Has it made a difference?**

The working group are now in a much better position to be able to contribute to budget scrutiny going forward. They have recognised there are some substantial savings identified in the Medium Term Financial Strategy where they can scrutinise the relevant business cases delivering those savings.

As the new chair of the group, Councillor Rob Garnham said recently;  
"The focus of the budget scrutiny working group should be to scrutinise what the council had said they were going to do and not what we would like them to do in terms of the budget and at the same time ensure financial risks are being appropriately managed."



## 5.1 Sex Trade in Cheltenham Scrutiny Task Group

Chair : Councillor Barbara Driver



### **Task group members:**

Councillors Andrew Chard, Paul Massey, Anne Regan and Diggory Seacome

**Officer support:** Andrew North; Rosalind Reeves and Sidgoree Nelson (County Council)

The task group was set up by the Council following concerns raised in the media that Cheltenham might be a potential "hotspot" of activity for the illegal trade of sexually exploited young or vulnerable people. It was felt that stories like this could damage the reputation of the town.

"What I want to do is either put the whole thing to bed and find that Cheltenham doesn't have a problem or, if there is a problem, discover what we can do about it," said Councillor Barbara Driver in proposing the review.

### **Key Findings and recommendations:**

After talking to senior police officers and representatives from a range of agencies, the task group were pleased to establish that sex trafficking was not a significant issue for the town and the level of sexual exploitation of vulnerable children and adults was no more prevalent than in other similar towns. However all agencies were aware that "the stone remains unturned" and there were no room for complacency.

When Cabinet received the task group report on the 16 April 2013, they felt that the issue needed a multi agency approach and referred all the recommendations to the Positive Lives Partnership with a request that they report back to Cabinet.

### **Has it made a difference?**

The Cabinet Member Councillor Peter Jeffries reports that the multi agency Positive Lives Partnership is following up all the recommendations and will be reporting back to Cabinet in September 2013. In the meantime scrutiny members have received a briefing note updating them on some very positive actions already underway prompted by the scrutiny task group recommendations. These include:

- A task group has been set up to scope the need for emergency housing provision for the vulnerable in Cheltenham

- A series of safeguarding events and awareness raising sessions are being planned with one prior to race week
- Partnerships are working with the police to understand the issue of safeguarding children at risk of abuse through child exploitation in Cheltenham and Gloucestershire

The Police and Crime Commissioner also received a copy of their report. He had found it very helpful and said he would discuss the report with the Chief Constable and ask her to consider how best to address this important issue. He also encouraged O&S to revisit the subject in due course.

## 5.2 ICT Scrutiny Task Group

Chair : Councillor Colin Hay



### **Task group members:**

Councillors Andrew Chard, Simon Wheeler and Andy Wall (although he was not able to attend any of the meetings)

**Officer support:** Mark Sheldon, Matt Thomas and Rosalind Reeves

The task group was set up in July 2012 to assess whether the current ICT service was resilient and fit for purpose and to help define the outcomes for the ICT commissioning exercise which was about to start.

In November they reconvened to review the aftermath of the ICT virus and satisfy themselves that all the necessary actions had been put in place.

### **Key Findings and recommendations:**

The group supported many of the findings of the ICT review carried out in 2011 but through their recommendations highlighted a number of areas which needed to be addressed. These included:

- difficulties with resources and staff morale and the task group recommended that the Senior Leadership Team (SLT) ensure the necessary strategic lead is given to the service and its staff
- disaster recovery must be reviewed to ensure the best long-term option is adopted
- councillors ICT facilities must be addressed as part of the ICT review

All the recommendations of the task group were accepted by Cabinet and input into the outcomes of the ICT commissioning review.

**Has it made a difference?**

ICT Services are now shared with Forest of Dean where there is a shared ICT manager. The director of resources, Mark Sheldon, is the client officer for the service so can report directly to SLT and raise any issues with the service provider.

The rollout of remote working facilities for members was accelerated and all councillors now have the option of Citrix remote working. An action plan has been produced for improving councillors ICT facilities and the importance of this is now more widely acknowledged.

There are still ongoing issues with the ICT service but the task group raised members understanding and awareness of the issues through the scrutiny review.

## 5.3 Allotments Scrutiny Task Group

Chair : Councillor Anne Regan



### **Task group members:**

Councillors Nigel Britter, Colin Hay, Helena McCloskey, Charlie Stewart and Duncan Smith

**Officer support:** Beverly Thomas, Emma Burton and Adam Reynolds

The task group was set up in July 2012 following a petition submitted to Council against a preliminary proposal for the development of an allotment site on part of Weavers Field in the borough. This petition had raised various issues, not least the process for identifying the need for allotment sites in Cheltenham. In addition the council had received a number of queries from the public on unattended allotments and it was agreed that the council's allotment strategy needed to be reviewed.

### **Key Findings and recommendations:**

Having spoken to the allotments officer and green space manager, the Cheltenham and District allotments association, transition town Cheltenham and the Cabinet Member responsible for allotments and having visited two allotment sites managed by the council and a potential new allotment site, the task group came up with 11 recommendations to Cabinet.

These included:

- Maintaining dialogues with parish councils in terms of their responsibilities for addressing allotment waiting lists
- reviewing the enforcement of uncultivated plots to alleviate pressure on waiting lists
- pursuing the development of council owned land at Priors Farm in the north of the borough into allotments
- reviewing current lines of communication with allotment stakeholders and council officers
- ensuring consideration is given to allotment provision in the emerging Cheltenham Local Plan
- investigating opportunities to work in partnership with organisations such as Cheltenham Borough Homes, Gloucestershire Association for Voluntary and Community Action and Cheltenham Community Projects, to facilitate a scheme to distribute surplus produce to those in most need in the town.

Chair of the task group, Councillor Anne Regan said "We hope these recommendations will lead to a more effective and enhanced service within the borough council".

Upon receipt of the task group's report the Cabinet Member Sustainability Roger Whyborn welcomed its "constructive recommendations". The majority of recommendations of the task group were accepted by Cabinet subject to feasibility and resources.

### **Has it made a difference?**

As far as progress to date on these recommendations is concerned, communications are becoming well established with the parish councils both at officer level and Cabinet Member level. Consultation with regard to developing land into allotments at Priors Farm will take place by the Autumn. Local feeling will be an important element in the decision making process and it is hoped that the results can feed into a formal decision later this year.

A new tenancy agreement, set to be in place by 1 January 2014 for all allotment holders, should assist in tackling uncultivated plots as too will the leaflet jointly written by the Allotment Officer and the Allotment Association regarding the level of commitment involved in having an allotment. The Allotment Officer is now being more proactive in visiting sites and is adopting new technology to assist her greatly in the administration surrounding allotments. Twice yearly meetings have now been established between the council and the Allotment Association and quarterly site warden meetings continue.

With regard to partnership working to distribute surplus produce to the most needy in the town, conversations have taken place but there are some issues regarding logistics and the collection of produce.

The Overview and Scrutiny Committee is scheduled to undertake a review early 2014 to ascertain what action has been taken on its recommendations but it would appear already that positive steps are being taken.



## 5.4 Grass verge cutting Scrutiny Task Group

Chair : Councillor Penny Hall



### **Task group members:**

Councillors Nigel Britter and Jacky Fletcher

**Officer support** : Jane Griffiths, John Rees, Tony McNamara and Chris Riley (County Council)

This scrutiny task group was one of the first to be set up under the new arrangements following some dissatisfaction with the way some grass verges in the town had been maintained during the summer months. Their terms of reference asked them to look at the policies and service level agreements between the council and Gloucester County Council who carried out the work. They also wanted to understand how customer service issues are handled and make any recommendations for improvement.

Over four meetings they spoke to a range of people and examined a variety of evidence.

### **Findings and Recommendations**

At the conclusion of the review, the task group recognised that the weather was a big factor with the summer of 2012 being one of the wettest on record. They came up with 10 wide ranging recommendations which included:

- continuing to cut grass in wet weather whenever feasible
- regular contract management meetings
- the current frequency of cutting should continue but officers from CBC/Ubico and Gloucestershire County Council should meet to consider the biodiversity opportunities for verges within the town
- including grass verges in the green space strategy
- encourage the county council to take action on illegal parking on verges
- the website should be updated as a matter of urgency to ensure that service standards are specified and that the website is updated daily during service disruption
- quality audits

The task group report was considered by Cabinet in December 2012. The Cabinet Member Sustainability, Councillor Roger Whyborn welcomed the report and said "that the review had been thorough and he recommended that Cabinet accept all the recommendations. He looked forward to increased liaison with Gloucestershire Highways and Ubico via monthly meetings".

### **Has it made a difference?**

O&S are due to have a formal follow-up of the recommendations in September 2013. In the meantime regular officer meetings are being held with the county council and consideration is being given to biodiversity issues. GCC have confirmed that the new on street parking contract, which commenced on 1 April, specifies that enforcement can take place and tickets issued where the verges are adjacent to roads with restricted double yellow line parking and will be happy to deal with any hot spot areas if brought to their attention. The website now has details of what the public can expect in relation to the grass cutting of verges and quality audits are undertaken. The green space strategy is still under review but officers recognise that verges form a significant part in the development of green corridors across the town which help wildlife and biodiversity. Officers who attend the regular monthly meetings with the county council have said that the meetings are beneficial as it enables everyone to share plans and issues and have a better understanding of what is happening in the area and therefore they are really worthwhile.



## 5.5 JCS and Planning and Liaison Scrutiny Task Group

Chair : Councillor Tim Harman



### **Task group members:**

Councillors Ian Bickerton, Les Godwin, Helena McCloskey and Andrew Wall with co-optees Councillor Derek Davies (TBC) and Councillor Chris Chatterton (Glos City)

**Officer support** : Pat Pratley, Jennie Williams, Rosalind Reeves, David Halkyard and Mike Redman.

The task group was set up in July 2012 to engage with elected members on the joint core strategy and other strategic development issues in light of the changes to the planning framework.

In October they were set a very specific task by Council to evaluate the alternative methods of assessing household formation rates over the period of the JCS plan and feedback their conclusions and recommendations to the JCS Member Steering Group on 31 January 2013. They worked to a very tight timescale in order not to delay the progress on the Joint Core Strategy work across the three councils and had six meetings over two months. They were supported by the Planning Advisory Service and the technical work was carried out by the Cambridge Centre for Housing and Planning Research who produced a very detailed report for the working group.

### **Key Findings and recommendations:**

The group concluded that the JCS should continue to plan on the basis of the projected household formation rates that had been proposed but with the need for ongoing review as more information became available. Their recommendations were reported directly to the Joint Core Strategy member steering group via the O&S Committee.

### **Has it made a difference?**

The speedy conclusion of the working group enabled the JCS to continue with its planned timetable. It also provided Cheltenham Councillors with a greater understanding of household formation rates and some reassurance about the figures being used in the JCS going forward.

The working group have now returned to their original terms of reference. Supported by Tracey Crews and Judith Baker, they are now playing an important role as a sounding board, feeding members views into the programme moving forward.



## 5.6 Events Scrutiny Task Group

Chair : Councillor Penny Hall



### **Task group members:**

Councillors Anne Regan, Nigel Britter, Dianne Hibbert, Diggory Seacome and Klara Sudbury.

**Officer support :** Saira Malin, Rosalind Reeves, Louis Krog and Sarah Clark.

How do councillors and the public find out about and have their say on major events being planned in the town which could have a potential impact on communities or the town's reputation if not managed correctly?

That was the question posed to the Events scrutiny task group which was set up last year. They wanted to understand the current requirements for events organisers and how the whole process could be improved.

The task group were supported by a range of officers across the council representing community protection, licensing, parks and gardens, environmental health, transport and legal.

### **Key Findings and recommendations:**

Many other councils had established some form of multi-agency Safety Advisory Group as a tool in planning the safety of community and other public events and they were recognised nationally as good practice. The working group were very keen that councillors should be involved and have their say on proposed events and therefore they went one step further and recommended the establishment of an Events Consultative Group (ECG).

The Cabinet received the report of the task group in February 2013 but did not feel able to support the recommendations until further work had been done by officers to assess the full implications of implementing them. A report was taken to Cabinet in July 2013 recommending that the Events Consultative Groups should be set up together with a Cheltenham Safety Advisory Group. A good result for Overview and Scrutiny.

### **Has it made a difference?**

Since the publication of the task group report, despite the recommendations not being formally agreed, Events Consultative Groups have been happening and have considered events such as The Half Marathon in September and Cheltenham Motor Sports Expo

2013 in September. Licensing Officers have advised that up to 3rd July, 67 event applications had been received this year and processed with one in four leading to an ECG.

Councillor Penny Hall has been involved in one of these pilot groups and has discussed the ECG's with other councillors who had taken part said, "this time last year there was no process by which councillors would even be informed that these events were proposed let alone take part in consultation discussions with the proposed Event Organisers"

## 5.7 Ubico Scrutiny Task Group

Chair : Councillor Andrew Chard



**Task group members:**

Councillors Tim Harman, Jacky Fletcher, Charlie Stewart, Pat Thornton and Suzanne Williams

**Officer support:** Jane Griffiths and Saira Malin

The newly commissioned waste service from Ubico came into operation on 1 April 2012 and six months on the task group was set up to review the service level agreements and whether the benefits were being realised. They also wanted to examine the service from the customer's point of view and understand how the service was being monitored.

They held Q and A sessions with a range of officers (from both Ubico and the council) and met with the councillor who holds an observer position on the Ubico board. The working group visited the depots in both Cheltenham and Cotswold to gain an understanding of the scale of the operations and talked to a number of the operatives. In addition they examined performance and complaints data and they sent out a questionnaire in relation to the trade waste service. The working group were also keen to consider the service disruption due to the snow in January 2013 and held a special meeting where they questioned officers and the Cabinet Member.



### **Key Findings and recommendations:**

Given the importance to the public of the service disruption the working group reported their finding on this matter to the O&S committee in February and members thanked the working group for their report. They concluded that no councillors would feel comfortable about the events that had taken place and therefore it was important for the Cabinet Member Working group on Waste and Recycling to be given time to carry out a full review and put in place the necessary improvements.

The scrutiny task group presented their final report and recommendations to Cabinet on 16 April 2013. Although some of the recommendations related to Ubico, many of their findings related to the way in which the council was managing the service contract. They made a number of practical recommendations regarding customer service, communications strategy, waste and recycling literature and they also challenged the decision not to nominate any borough councillors as voting members of the Ubico Board. They identified lessons to be learnt from the service disruption in January, highlighting the needs for clear accountability and responsibility in a commissioner/provider environment and effective communication with the public and members.

### **Has it made a difference?**

This was the first time a commissioned service had been subject to scrutiny so it was a learning vehicle for everybody setting a model for future scrutiny. One of the issues the council needs to be mindful of in similar reviews in future relates to the communications and media messages. Many of the recommendations related to CBC activity but were reported in the media as Ubico issues and we need to ensure that in future we have more clarity in our recommendations as to where responsibility lies to take action.

In response to the review the Cabinet Member Sustainability thanked the scrutiny task group for its in-depth work. In terms of the service disruption the Cabinet Member acknowledged that what was most important for the future was for the council to have robust continuity plans in place and that communications to the public are clear. A briefing note setting out how the lessons learnt will be applied was set out at Cabinet in April 2013 and is also being picked up via the Gloucestershire Joint Waste Committee.

Work is ongoing with the other recommendations and a report will be brought back to the O&S Committee later in the year. A joint Systems Thinking review between Ubico and CBC has been undertaken looking at the end to end customer services process and a number of processes are now being redesigned. Work is also ongoing to review trade waste looking at opportunities for the service.

## 5.8 Community Governance Review Scrutiny Task Group

Chair: no Councillor appointed to chair

### **Task group members:**

Councillors Barbara Driver and Klara Sudbury and 3 co-opted parish council members

**Officer support:** Helen Down

The council has the power to carry out a community governance review (CGR) which is a review of the whole or part of the council's area which could result in creating parish councils, changing existing boundaries or abolishing them. A review was requested by three of Cheltenham's parish councils and the scrutiny task group was set up in June 2012 to set out terms of reference for such a review for Council approval. Council requested that these terms of reference should specify the areas under review and how the review would be carried out including plans for consultation.

Parish council input was considered essential so the task group invited all parish councillors to be represented on the task group which resulted in three members from Leckhampton with Warden Hill, Charlton Kings and Up Hatherley Parish Council being co-opted to the task group.

The group met on several occasions but did not adopt the normal procedure for task groups in electing a member to chair the task group. Consequently although the task group was very well supported by officers and the parish councils, it lacked the strong member leadership necessary for successful scrutiny.

### **Findings and recommendations**

The task group's proposals would extend the parish council boundaries for Leckhampton with Warden Hill, Charlton Kings and Up Hatherley Parish Council and they proposed that public consultation would be carried out in these expanded areas excluding the residents already within the existing parish council boundaries. Their report included an estimated cost of £3600, a proposal for how the results would be analysed and a proposed 12 month timescale competing in May 2014.

When the task group brought its report to O&S in November 2012, it took the form of a series of questions to the scrutiny committee on its suggested approach rather than specific recommendations. This was a difficult challenge for O&S as the normal role for the committee is to satisfy themselves that the task group has met their terms of reference and the task group report is of satisfactory quality before forwarding the recommendations, in this case to Council. O&S did not feel they were in a position to endorse the recommendations and Council subsequently deferred the review, asking for it to be completed in time for the next parish council elections, at that time planned for 2018.

## 6. Contacts

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## SCRUTINY TOPIC REGISTRATION



Do YOU have a topic that you think Cheltenham Borough Council should scrutinise? Please fill out the following form and return to Democratic Services.

<b>Date:</b>	
<b>Name of person proposing topic:</b>	
<b>Contact details: email and telephone no:</b>	
<b>Suggested title of topic:</b>	
<b>What is the issue that scrutiny needs to address?</b>	
<b>What do you feel could be achieved by a scrutiny review (outcomes)</b>	
<b>If there a strict time constraint?</b>	
<b>Is the topic important to the people of Cheltenham?</b>	
<b>Does the topic involve a poorly performing service or high public dissatisfaction with a service?</b>	
<b>Is it related to the Council's corporate objectives?</b>	
<b>Any other comments:</b>	