

NORTH HERTFORDSHIRE DISTRICT COUNCIL



OVERVIEW AND SCRUTINY
COMMITTEE
ANNUAL REPORT
2016 - 2017

Foreword from the Chair

As I come to the end of my second year as the Chair of the Overview and Scrutiny Committee it is a good time to reflect on the tasks we have completed and the progress we have achieved.

We have successfully balanced our overview function with our scrutiny function and brought a solid culture of support and challenge to the Executive of the Council. We have moulded a committee of inexperienced Members to become an established group of thoughtful and insightful commentators on the Council's approach to its duties and future.

We hold ourselves and our own approach to account and continually test and review our impact to develop new ways of working to ensure the Committee's work adds value to the decision making process of the Executive Members and the senior officers, and not an extra burden.

We pride ourselves on a non-partisan approach which brings with it a diverse and deeper understanding, of the impact of the decisions being made, on the residents of North Hertfordshire.

We have been successful in making recommendations to Cabinet that by and large have been accepted and implemented. However, if we are to ensure that North Hertfordshire District Council continues to be relevant, effective, and efficient then we must admit that we haven't gone far enough.

The now established Committee members must move into next year with the intention to be much more challenging to the Executive and much bolder in the recommendations we make for the future of the organisation.

Likewise the Executive and senior leaders must welcome the thoughts and challenges of the Overview and Scrutiny Committee throughout their work, so that emerging ideas and emerging policy can be interrogated vigorously to ensure the strategic vision of the Council remains at the heart of the decisions being made.

This will be the Committee's focus in the next Civic Year.

Finally I would like to give my thanks to each Executive Member and officer who attended our committee over the last year to share their experiences and answer our questions. We look forward to working with them again this coming year.

I would like to thank every member of the public who participated in helping us to better understand the impact of our work and we encourage them to continue to do so.

I would like to thank each member of the committee for their enthusiasm, their efforts and their impact.

I would like to give special thanks to my Vice-Chair Cllr Steve Hemingway, my lead officer Brendan Sullivan and my clerk Hilary Dineen, who between them have kept me focused and organised throughout the year.

Cllr Cathryn Henry
Chairman

1. Overview and Scrutiny in North Hertfordshire District Council

1.1 The depth and breadth of the Council's work means that the Overview and Scrutiny Committee has to use its resources efficiently in order to scrutinise as many topics as possible in the time available. It does so by:

- considering a number of issues during its Committee meetings and making recommendations to Cabinet;
- appointing dedicated task and finish groups which can examine issues in depth and make recommendations to improve services;

1.2 This year, the Committee has put more emphasis on its overview function while still continuing its scrutiny role. Its Committee meetings sought to take a more strategic view of the Council's work while still examining the Executive's major decisions.

2. Meetings of the Overview and Scrutiny Committee

2.1 There were six scheduled meetings this year at which the Committee considered a range of topics including scrutinising key decisions going to Cabinet, checking whether the Council has met its performance indicators as well as reviewing other issues which the Committee has decided would benefit from closer scrutiny.

2.2 The Committee can scrutinise issues in a number of ways:

- by considering reports from, and questioning officers about different aspects of the Council's business;
- by submitting written questions which require a written answer, and which members can follow up by asking supplementary questions in Committee;
- by interviewing and questioning Cabinet members about their portfolios;
- by calling in decisions which are of great concern to members or to the public;
- by inviting representatives from outside bodies to talk about topics of interest to the public in North Hertfordshire.

2.3 The call in process allows the Chair of the Committee, or five members of the Council, to call in a decision of the Executive which has been made but not implemented. The Committee can ask the Executive to reconsider it or can refer it to Council. This year the Committee called in Cabinet's decision to change its Green Space Management Strategy. The Committee discussed the decision at a meeting on 15 February 2017 and decided not to refer the issue back to Cabinet.

2.4 As part of the Committee's overview function, the Committee continued its rolling programme of inviting Executive Members to speak to their portfolios. The Committee is grateful to this year's attendees who were:

- Cllr Bernard Lovewell - Housing and Environmental Health
- Cllr Terry Hone – Deputy Leader, Finance and IT
- Cllr Tony Hunter – Community Engagement and Rural Affairs;
- Cllr Julian Cunningham – Policy, Transport and Green Issues;
- Cllr Jane Gray – Leisure;
- Cllr Lynda Needham – Leader of the Council.

2.5 The Committee is also the Crime and Disorder Scrutiny Committee for North Hertfordshire which is required to meet at least once a year. The Committee was grateful to the Police and Crime Commissioner for Hertfordshire David Lloyd and Chief Inspector Julie Wheatley of Hertfordshire Constabulary who attended the Committee in

December to talk about Hertfordshire's Policing Plan and the work of the police in the district.

2.6 The Committee continued to take a close interest in safeguarding matters and received its annual update on the Council's safeguarding performance in July 2016.

2.7 In total, the Committee has considered 58 items in its meetings this year. It has made 27 recommendations on 14 topics to Cabinet. 21 of these were supported and 6 were rejected.

2.8 No written questions were asked by members during the year.

3. Task and Finish Groups in 2016/17

3.1 Task and finish groups (TFGs) are an opportunity for members to scrutinise a topic in much more depth than is possible in a single Committee meeting. They recommend improvements to the Council's performance which are then considered by Cabinet.

3.2 Two task and finish groups took place in 2016/17 which is fewer than was hoped. This was due in part to one TFG having a relatively large scope and which required five meetings to conclude its business. There were difficulties too in arranging meetings due to member and officer unavailability. In future, task and finish groups will start on a fixed date to minimise problems with diary clashes.

3.3 Performance Indicators TFG

3.3.1 This TFG was conducted urgently at the request of the Executive Member for Policy, Transport and Green Issues. It took place immediately before the Committee's meeting on July 19 2016 with the whole Committee invited so that proportionality was maintained. Its final membership was Cllrs Ian Albert (Chair), Steve Hemingway, Cathryn Henry and Steve Jarvis.

3.3.2 The TFG noted that most PIs are concerned either with the day to day work of the Council which is already closely monitored by officers; or with matters which are outside the Council's control. It would be better for the Committee to concentrate on areas it can influence and areas of concern.

3.3.3 The TFG decided to receive exception reports only on performance indicators, that is when an indicator's status is at red. It can then ask the responsible officer to attend the Committee and provide an explanation.

3.3.4 On projects, TFG considered the Committee should also receive exception reports and updates on projects a month before each Committee meeting. It would be helpful if the reports were more quantitative, focussing on whether the project is on time or on budget.

3.3.5 The TFG decided there was no need to hold a Member Workshop to set targets. Executive Members are the right people to do this in discussion with Senior Officers.

3.3.6 When Executive Members attend the Committee, this should include a list of performance indicators in their area and a report on whether they have been met. This will be the time for the Committee to review and challenge the indicators which have been set.

- 3.3.7 The TFG's recommendations to the Committee on its own handling of PIs were:
- The Committee should receive only Exception Reports on PIs; and these should be available a month before Committee meetings.
 - Project updates should be received in the same timescale.
 - The Chair of OSC and Group Leaders should review reports and ask officers to attend on particular issues.
- 3.3.8 Its recommendations to Cabinet, which were accepted, were:
- The Member workshop to set PIs should be discontinued.
 - Executive members should set targets with senior officers.
 - The Committee should review PIs for each Executive Member Annually.

3.4 The Council's Management of Larger Projects

3.4.1 This TFG's remit was to review the effectiveness of the Council's management of its larger projects.

3.4.2 It considered a range of projects between September 2016 and February 2017 and will report to the Committee and Cabinet in June 2017.

4. Task and Finish Groups from 2015/16

4.1 Cabinet's final response to two task and finish groups was not reported to Council in the last Annual Report.

4.2 Commercialisation of Council Services

4.2.1 The remit of this review was to examine the feasibility and desirability of commercialising some of the Council's services or undertaking new commercial services. Its recommendations are below.

Recommendation 1: The Council should appoint a senior commercial manager to lead and coordinate its commercial activities; and to identify and develop new commercial opportunities.

Recommendation 2: The Council should appoint a high level commercial board comprised of councillors, officers and others with commercial experience. The board can advise the Cabinet about the feasibility of commercial opportunities and review the performance of existing ones.

Recommendation 3: The Council should pursue income generation opportunities where it has the skills, experience and resources to do so. These should be compatible with the Council's strategic objectives, and at a level of risk which would not threaten the Council's core services in the event of an enterprise's failure.

Recommendation 4: The Council should explore the possibilities of property investment as a means of generating revenue.

Recommendation 5: The Council should use the expertise of its strategic partners to help manage its property portfolio.

Recommendation 6: The Council should review its assets register to understand whether any of them could be used for property development or other commercial purposes.

Recommendation 7: Commercial activities should bear the true cost - but no more than that – of any support they receive from the Council.

Recommendation 8: The Council should review its training programmes for senior and other key staff to include more commercial training, networking and mentoring activities.

Recommendation 9: The Council should have a scheme that recognises officers who make useful commercialisation proposals or make significant contributions to their success.

4.2.2 Cabinet considered its recommendations in November 2015 and decided to:

- accept recommendations 3 and 6; and
- establish a Project Board to advise Cabinet on these and the other recommendations and report back to Cabinet in June 2016.

4.2.3 Cabinet has not yet responded to all of the recommendations of the Task and Finish Group. Cabinet received a progress report on the work of the Project Board on 28 March 2017. At that meeting Cabinet:

- endorsed the establishment of a housing company and the progression of proposals to create a new North Hertfordshire Crematorium;
- endorsed the establishment of a Cabinet sub-committee to deal with share holder functions relating to both of these as well as commercial activities related to its Building Control, CCTV and North Hertfordshire Homes. This change was subsequently agreed by Council in April; and
- supported the development of commercial activities where they contribute to the financial sustainability of the Authority and provided services to the residents of North Hertfordshire.

4.3 The Quality of Council Reports

4.3.1 The aim of this review was to improve the quality of the Council's reports by making them shorter, clearer, jargon-free and more focussed on key areas. Its recommendations were:

Recommendation 1: The Council should review its report template and consider adopting the features of the alternative report template in Annex 1.

Recommendation 2: Reports should clearly state their purpose.

Recommendation 3: Reports should include timelines showing financial and timetable changes for projects.

Recommendation 4: The Council should be mindful of the burden of producing reports and consider doing so only when decisions are required. Reports should not be used to brief members unless there is a compelling reason for it.

Recommendation 5: The Council should introduce a document management system to enable proper tracking, management and storage of documents.

Recommendation 6: There is a need for training to encourage both plainer English and for officers to better understand the purpose of reports.

Recommendation 7: The Council should trial the introduction of paperless reports with a view to introducing paperless reports for all 49 councillors.

4.3.2 Cabinet considered the report at its meeting in June 2016 and:

- accepted recommendations 2, 3, 5 and 6;
- accepted recommendation 1 to review the Council's report template but did not undertake to adopt the features of the template annexed to the TFG report;
- accepted recommendation 4 with the caveat that there are circumstances, such as when it is a legal requirement, when it is appropriate to use Council reports to brief members;
- accepted recommendation 7 with the caveat that Members still retain an option to receive paper copies of reports.

4.3.3 The Council's report template and accompanying guide have since been reviewed and amended. The revised report template will be introduced from the start of the new civic year 2017/18.

4.4 Future Task and Finish Groups

4.4.1 The Committee has prioritised the following topics for 2017/18:

- Consultation;
- Impact of the Grants Policy Review;
- Section 106 Funding.

4.4.2 The Committee decided that the following topics be kept in reserve:

The Urban/Rural Divide;
The value for money of NHDC's Document Centre;
Balancing cost savings against possible environmental impacts.

4.4.3 The Committee has undertaken to look at the Hitchin Town Hall and Museum project once it has finished.

4.5 Protocol for Task and Finish Groups

4.5.1 Last year the Committee decided to take a more flexible and member led approach to running task and finish groups and updated its protocol to reflect this. The new Protocol begins with eight principles for task and finish groups, followed by the revised Protocol itself. The changes included:

- a more flexible approach to chairing task and finish groups;
- the Chair of the task and finish group finalising the scope;
- the process being led by members rather than by a lead officer;
- always hearing outside evidence where possible;
- more comprehensive pre-briefing of task and finish group members beforehand so they are better informed and meetings are more productive; and
- new arrangements for task and finish group reports' progression to Overview and Scrutiny Committee and Cabinet.

4.5.2 The Committee will review the Protocol's effectiveness during the next civic year.

5. Scrutiny in 2017/18

5.1 Next year the Committees would like to have an earlier and more effective input into policy and other changes. It is difficult for the Committee to influence matters when it considers reports only a week before Cabinet. Furthermore relying mostly on the Forward Plan to set its agenda does not necessarily allow the Committee to scrutinize the full range of the Council's work.

5.2 The Committee held a workshop on 19 April 2017 to discuss how best to proceed. The workshop heard the Council's intention is to produce a Corporate Plan which better reflects the range of the Council's work, with more emphasis on the Council's routine business. This will help the Committee by giving members a clearer idea of the main things the Council plans to do in 2017/18 and give the Committee another tool to monitor the Council's performance.

5.3 Alongside the Corporate Plan, the Committee will look at the Council's individual service plans for 2017/18. This will allow the Committee to make sure these align with the Corporate Plan and to enable members to examine the main items of work coming up in 2017/18.

5.4 This will be an evolving process. At its meeting in June, the Committee will give further consideration as to how it can use other sources of information to identify issues. It will also hold a second workshop in early summer to plan its next steps.

6. Public Participation

6.1 The scrutiny process is open to involvement by local people and the Committee encourages public participation.

6.2 29 members of the public attended the Committee's meetings this year. Members of the public have made presentations to the Committee on community centres, the handling of major projects and on Hitchin Town Hall.

6.3 Four members of the public have attended and contributed to the Task and Finish Group on the Council's Handling of Larger Projects.

6.4 Some of the ways for the public to get involved include suggesting a topic for investigation as a task and finish group; providing evidence to or at a meeting; and being co-opted on to a topic group. The Committee is keen to see more public participation both in its task and finish groups and in its Committee meetings.

6.5 For further details about the work of scrutiny, please contact the Scrutiny Officer using any of the methods below:

- Write to: Scrutiny Officer, NHDC, Town Lodge, Gernon Road, Letchworth Garden City, SG6 3HN
- Tel: 01462 474612
- Email: brendan.sullivan@north-herts.gov.uk

MEMBERSHIP OF THE SCRUTINY COMMITTEE 2016 – 2017

Members of the Committee

Cllr Cathryn Henry (Chair)
Cllr Steve Hemingway (Vice-chair)
Cllr Ian Albert
Cllr Clare Billing
Cllr Bill Davidson
Cllr Steve Deakin-Davies
Cllr Elizabeth Dennis
Cllr Jean Green
Cllr Steve Jarvis
Cllr Ben Lewis
Cllr Paul Marment
Cllr Gerald Morris
Cllr Michael Muir
Cllr Janine Paterson
Cllr Frank Radcliffe
Cllr Valentine Shanley

Substitutes

Cllr John Bishop
Cllr Paul Clark
Cllr Simon Harwood
Cllr Lorna Kercher
Cllr Alan Millard
Cllr Mike Rice
Cllr Adrian Smith
Cllr Michael Weeks