

Public Document Pack



Cherwell

DISTRICT COUNCIL
NORTH OXFORDSHIRE

Committee: Overview and Scrutiny Committee
Date: Tuesday 15 October 2019
Time: 6.30 pm
Venue: Bodicote House, Bodicote, Banbury, OX15 4AA

Membership

Councillor Lucinda Wing (Chairman)	Councillor Tom Wallis (Vice-Chairman)
Councillor Mike Bishop	Councillor Phil Chapman
Councillor Chris Heath	Councillor Shaida Hussain
Councillor Tony Mephram	Councillor Ian Middleton
Councillor Perran Moon	Councillor Sandra Rhodes
Councillor Les Sibley	Councillor Bryn Williams

AGENDA

Overview and Scrutiny Members should not normally be subject to the party whip. Where a member is subject to a party whip they must declare this at the beginning of the meeting and it should be recorded in the minutes.

- 1. Apologies for Absence and Notification of Substitute Members**
- 2. Declarations of Interest**

Members are asked to declare any interest and the nature of that interest which they may have in any of the items under consideration at this meeting.

- 3. Minutes (Pages 1 - 4)**

To confirm as a correct record the minutes of the meeting held on 3 September 2019.

- 4. Chairman's Announcements**

To receive communications from the Chairman.

5. Urgent Business

The Chairman to advise whether they have agreed to any item of urgent business being admitted to the agenda.

6. Waste and Recycling

The Assistant Director Environmental Services will give a presentation on Waste and Recycling in Cherwell District.

7. Grass Verges and Green Spaces

The Assistant Director for Environmental Services and the Street Scene & Landscape Services Manager will give a presentation on Grass Verges and Green Spaces in the Cherwell District.

8. Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities (Pages 5 - 40)

Nick Graham – Director Law & Governance and Monitoring Officer, and Natasha Clark, Governance and Elections Manager.

Revised Scrutiny Guidance for Local Government has been published by the Ministry of Housing, Communities and Local Government, in response to a Communities and Local Government Select Committee investigation that concluded in 2018.

A briefing note is attached which provides an overview of the guidance, and a full copy of the guidance is attached as Appendix 1.

9. Air Quality Update (Pages 41 - 54)

Trevor Dixon, Environmental Protection and Licensing Manager.

An update will be provided on air quality monitoring carried out across the District.

A briefing note is attached with further information, including a copy of the September 2019 Air Quality Action Plan at Appendix 1.

10. Committee Work Programme 2019/2020 (Pages 55 - 62)

Democratic and Elections Officers will give an update on progress regarding subjects raised at previous Committee meetings (appendix 1, attached).

The Committee to consider the work programme (appendix 2, attached).

The Committee will note that Bev Hindle of Oxfordshire County Council is scheduled to attend the December 2019 meeting of the Committee, to give a briefing on the Oxfordshire Growth Board. In order to assist preparations for the December meeting, Committee Members may wish to submit any questions for Bev in advance, to the Democratic and Elections team.

11. Exclusion of the Press and Public

The following report(s) contain exempt information as defined in the following paragraph(s) of Part 1, Schedule 12A of Local Government Act 1972.

3– Information relating to the financial or business affairs of any particular person (including the authority holding that information).

4- Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.

Members are reminded that whilst the following item(s) have been marked as exempt, it is for the meeting to decide whether or not to consider each of them in private or in public. In making the decision, members should balance the interests of individuals or the Council itself in having access to the information. In considering their discretion members should also be mindful of the advice of Council Officers.

Should Members decide not to make a decision in public, they are recommended to resolve as follows:

“That under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following item(s) of business on the grounds that, if the public and press were present, it would be likely that exempt information falling under the provisions of Schedule 12A, Part I, Paragraph 3 and 4 would be disclosed to them, and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.”

12. Castle Quay

The Interim Property and Investment Manager will give an exempt presentation to update the Committee on Castle Quay.

Councillors are requested to collect any post from their pigeon hole in the Members Room at the end of the meeting.

Information about this Meeting

Apologies for Absence

Apologies for absence should be notified to democracy@cherwellandsouthnorthants.gov.uk or 01295 221953 / 01295 221591 prior to the start of the meeting.

Declarations of Interest

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item.

Local Government and Finance Act 1992 – Budget Setting, Contracts & Supplementary Estimates

Members are reminded that any member who is two months in arrears with Council Tax must declare the fact and may speak but not vote on any decision which involves budget setting, extending or agreeing contracts or incurring expenditure not provided for in the agreed budget for a given year and could affect calculations on the level of Council Tax.

Evacuation Procedure

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Access to Meetings

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named below, giving as much notice as possible before the meeting.

Mobile Phones

Please ensure that any device is switched to silent operation or switched off.

Queries Regarding this Agenda

Please contact Emma Faulkner / Lesley Farrell, Democratic and Elections
democracy@cherwellandsouthnorthants.gov.uk, 01295 221953 / 01295 221591

Yvonne Rees
Chief Executive

Published on Monday 7 October 2019

Cherwell District Council

Overview and Scrutiny Committee

Minutes of a meeting of the Overview and Scrutiny Committee held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 3 September 2019 at 6.30 pm

Present: Councillor Lucinda Wing (Chairman)
Councillor Tom Wallis (Vice-Chairman)
Councillor Mike Bishop
Councillor Phil Chapman
Councillor Chris Heath
Councillor Shaida Hussain
Councillor Tony Mephram
Councillor Ian Middleton
Councillor Perran Moon
Councillor Les Sibley
Councillor Bryn Williams

Also Present: Councillor Barry Wood

Apologies for absence: Councillor Sandra Rhodes

Officers: Graeme Kane, Chief Operating Officer
Nicola Riley, Assistant Director: Wellbeing
Hedd Vaughan Evans, Assistant Director Performance and Transformation
Richard Webb, Assistant Director: Regulatory Services and Community Safety
Louise Tustian, Acting Performance and Communications Manager
Natasha Clark, Governance and Elections Manager
Emma Faulkner, Democratic and Elections Officer

15 **Declarations of Interest**

There were no declarations of interest.

16 **Minutes**

The Minutes of the meeting of the Committee held on 9 July 2019 were confirmed as a correct record and signed by the Chairman.

17 **Chairman's Announcements**

There were no Chairman's announcements.

18 **Monthly Performance, Risk and Finance Monitoring Report - June/Quarter 1 2019/20**

The Committee considered a report from the Executive Director Finance (Interim) and Assistant Director – Performance and Transformation, that detailed the Council’s Performance, Risk and Finance monitoring position at the end of June 2019.

In response to questions regarding the use of signs in Bicester encouraging drivers to switch off their car engines when stationary at the level crossing in the town, the Chief Operating Officer advised the Committee that effectiveness of the signage with regard to air quality was being monitored, and if successful they would be used in other areas of the district.

Resolved

- (1) That the monthly Performance, Risk and Finance Monitoring Report be noted.
- (2) That it be noted that the Performance, Risk and Finance Monitoring Report is considered monthly by Executive.
- (3) That, having given due consideration to the performance update for Quarter One, no areas for further consideration by Executive be identified.

19 **Show and Tell - Wellbeing Directorate**

The Assistant Director Wellbeing gave a presentation that provided an overview of the Wellbeing team.

The Assistant Director Wellbeing explained that the team covered four broad areas – Healthy Communities; Community Development; Leisure Facilities; and Sport and Physical Recreation, and provided a brief summary of the activities covered by each of the areas.

In response to queries regarding Assets of Community Value, the Assistant Director Wellbeing agreed to circulate information to the Committee regarding current assets across the district.

With regard to the Cherwell Lottery scheme, that had recently started, the Assistant Director Wellbeing advised that approximately 40 organisations were currently signed up. A further campaign to advertise the scheme and encourage more organisations to sign up would be undertaken later in the month.

In response to the Intergeneration – Generations Working Together briefing note that had been circulated with the agenda, the Committee congratulated the team on the work undertaken on the project.

Resolved

- (1) That the presentation and briefing note be noted.

20 **Banbury Public Spaces Protection Order**

The Committee considered a briefing note from the Assistant Director Regulatory Services and Community Safety regarding the renewal of the Banbury Public Spaces Protection Order (PSPO), ahead of its consideration by Executive in November 2019.

The Assistant Director Regulatory Services and Community Safety explained that the PSPO had taken effect on 1 December 2016 for a period of three years. It was now necessary for the PSPO to be reviewed, and either renewed or allowed to expire.

A public consultation was currently underway on the potential renewal of the PSPO for a further three year period, however it was proposed to remove the prohibition of rough sleeping provision from the order. The Assistant Director Regulatory Services and Community Safety explained to the Committee that separate provision and guidance was available for the prevention of Rough Sleeping, and it was no longer deemed appropriate to use PSPOs for that purpose. It was therefore proposed that if renewed, the PSPO would cover the prohibition of begging and drinking in the designated area.

The Committee was pleased with the proposal to remove rough sleeping from the renewed order.

Resolved

- (1) That the proposed amendments to the Banbury Public Spaces Protection Order be supported.

21 **Committee Work Programme 2019/2020**

The Committee considered the topic sheet and indicative work programme.

With regard to the topics of Kidlington and Bicester Masterplans and Planning Policy for the District, Democratic and Elections Officers advised that discussions had been held with the Assistant Director Growth and Economy, who had committed to attend future meetings of the Committee to discuss progress on the various subjects, at the relevant time.

With regard to mobile phone signal across the district, the Committee requested information concerning signal 'not spots'.

Resolved

- (1) That the topic sheet and work programme be noted.

22 **Urgent Business**

There were no items of urgent business.

The meeting ended at 8.15 pm

Chairman:

Date:



Overview and Scrutiny Committee Briefing Paper

Subject: Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities

Director: Law and Governance & Monitoring Officer

Officer Responsible: Director Law & Governance & Monitoring Officer, Nick Graham, and Governance and Elections Manager, Natasha Clark

<p>Background and Reason for Briefing Note</p>	<p>To consider the revised Scrutiny Guidance published by the Ministry of Housing, Communities and Local Government. A copy of the guidance is attached.</p>
<p>1.0 Introduction</p> <p>1.1 The Minister for Housing, Communities and Local Government (MHCLG) published revised Scrutiny Guidance in May 2019. This paper provides an overview of the key points raised in the guidance and how the Council currently compares to these.</p> <p>1.2 Overall, the Council has already implemented areas of good practice, however the briefing closes by suggesting options for further enhancing the role of Scrutiny within the organisation.</p> <p>2.0 Background</p> <p>2.1 The revised scrutiny guidance has been produced in response to a Communities and Local Government Select Committee investigation into Local Government Scrutiny in 2018. This briefing provides a short overview of the guidance and identifies where the Council may wish to consider further areas of work to enhance our scrutiny arrangements.</p> <p>3.0 Key Issues</p> <p>3.1 The most important aspect to successful scrutiny is the right organisational culture to set the tone and ambition for scrutiny. This commitment needs to be across senior officers and the political leadership of all parties. Scrutiny should be encouraged to be challenging, uncomfortable and potentially difficult but also accepting that it must focus on areas where it is likely to have impact.</p> <p>3.2 The guidance also recognises that scrutiny can have a valuable role to play in the development of policies and to be effective scrutiny should:</p> <ul style="list-style-type: none"> a. Provide constructive ‘critical friend’ challenge; b. Amplify the voices and concerns of the public; c. Be led by independent people who take responsibility for their role; and d. Drive improvement in public services 	



3.3 The key aspects of the guidance are as follows:

- Role and prioritisation – scrutiny’s role needs to be focused and the scrutiny work programme needs to be carefully prioritised
- Executive and scrutiny relationship – the guidance suggests developing a Executive/Scrutiny protocol with a shared set of principles to underpin how the Executive and Scrutiny will work together, particularly when dealing with difficult situations and to guide scrutiny involvement in policy development
- Selecting committee members – the guidance stresses the importance of selecting the right people to sit on scrutiny committees and providing access to appropriate training to enhance their skills. It does not stipulate that chairmen should come from opposition groups but says that chairman should have key personal attributes such as the ability to facilitate discussion and encouraging committee members to reach a consensus when developing recommendations.
- Access to information – the guidance reiterates that scrutiny committee members have enhanced rights to access information and that committee members should have regular access to key sources of information such as performance, financial and risk
- Gathering evidence and forming recommendations – the chairman has a key role in gathering evidence and insisting that committee members develop focused reports and SMART recommendations
- Resourcing - the guidance does not specify a level of resources but highlights the importance of councillors fully understanding the level of resources available to them in order to prioritise their work accordingly. It also states that resourcing is not simply linked to officer time or budgets but also training requirements of councillors and officers; the need for external expertise; the added-value of effective scrutiny in terms of better public services and the potential costs of call-ins if scrutiny has not been properly engaged in early policy development.

3.4 How Cherwell District Council Compares with the Guidance

Guidance Recommendations	Cherwell District Council	Possible Actions
The authority recognises scrutiny’s legal and democratic legitimacy	The scrutiny process is well respected across the organisation, but its role could go further in terms of policy development. The Overview & Scrutiny Committee (OSC) undertakes all scrutiny apart from budget monitoring and planning, which is reserved to the Budget Planning Committee (BPC). These	N/A



	roles are clearly defined in the respective committee's terms of reference	
Scrutiny has a clear role and focus with work prioritised to ensure it concentrates on delivering work that is of genuine value to the wider authority	The Committee has a work programme which is reviewed in detail at the first meeting of the municipal year and, subsequently at each meeting. This can however result in many potential review items. Democratic and Elections Officers liaise with the Chairman and Senior Managers (the work programme is reviewed monthly by the Extended Leadership Team) between meetings regarding potential work items to ensure the Committee consider matters at the relevant time.	Managing the expectations of OSC members and reminding Councillors about the importance of having focused scopes will ensure that reviews have a focus and produce meaningful recommendations.
Ensuring early and regular engagement between the executive and scrutiny including future work plans	Scrutiny work plans are published on each Committee agenda and the Leader regularly attends OSC meetings and contributes to work planning discussions. There is also a published forward plan of upcoming Executive decisions	Consideration could be given to providing an update on the OSC work programme to Executive Business Planning Meeting. This would also focus Executive members to consider future issues in their portfolio that could benefit from scrutiny involvement.
Managing disagreement could be done via an 'executive-scrutiny protocol' to define the relationship between the two.	A protocol does not currently exist. Reviews are shared with the relevant Lead Member, with an officer briefing and then usually shared with Informal Executive.	Consideration should be given to developing a protocol between the Executive and Scrutiny.
Providing necessary support – whilst it is for each authority to decide on the level of resources, it should consider the purpose of scrutiny and access to	There are good levels of support to Scrutiny within the Authority. Day-to-day scrutiny support and support to reviews is provided by the Democratic and Elections Team. Senior	Ongoing management of the work programme will ensure that there continues to be adequate support for the scrutiny function



information	officer support is provided to reviews, meeting informally and formally with Committee members		
Impartial advice from officers – particularly advice from the monitoring officer, section 151 and head of paid services	Councillors, particularly the Chairman, have access to impartial advice from officers.	N/A	
Communication about scrutiny's role to the wider authority - including taking steps to ensure that all members and officers are aware of the role, the outcomes it can deliver and the powers it has	Scrutiny training is given as part of the Councillor induction. Senior managers have an understanding of the role of scrutiny, but this is not formally disseminated across the organisation	Consideration could be given to ways in which wider communication could take place about scrutiny's role	
Maintaining the interest of full council in the work of scrutiny – authorities should consider whether reports/recommendations should be submitted to full council rather than solely to the executive	An annual report of scrutiny's work is taken to Council, but recommendations are not routinely taken to Council	Consideration could be given to whether value would be added in taking scrutiny recommendations to Council as well as Executive	
Ensuring scrutiny members are supported in having an independent mindset	Scrutiny members generally act in an independent minded way	N/A	

3.5 Further information: <https://www.cfps.org.uk/scrutiny-statutory-guidance-published-today/>

4.0 Next Steps

4.1 The Committee is asked to:

1. Note the publication of a new statutory guidance document about the role of scrutiny.
2. Comment on the proposed options and methods of engagement with Councillors in relation to the new guidance.
3. Consider possible revisions to further enhance our current scrutiny arrangements as a result of the guidance.

Completed by: Natasha Clark, Governance & Elections Manager

Date: 2 October 2019

Presented to: Overview & Scrutiny Committee

Date: 15 October 2019



Ministry of Housing,
Communities &
Local Government

Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities



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Ministerial Foreword

The role that overview and scrutiny can play in holding an authority's decision-makers to account makes it fundamentally important to the successful functioning of local democracy. Effective scrutiny helps secure the efficient delivery of public services and drives improvements within the authority itself. Conversely, poor scrutiny can be indicative of wider governance, leadership and service failure.

It is vital that councils and combined authorities know the purpose of scrutiny, what effective scrutiny looks like, how to conduct it and the benefits it can bring. This guidance aims to increase understanding in all four areas.

In writing this guidance, my department has taken close note of the House of Commons Select Committee report of December 2017, as well as the written and oral evidence supplied to that Committee. We have also consulted individuals and organisations with practical involvement in conducting, researching and supporting scrutiny.

It is clear from speaking to these practitioners that local and combined authorities with effective overview and scrutiny arrangements in place share certain key traits, the most important being a strong organisational culture. Authorities who welcome challenge and recognise the value scrutiny can bring reap the benefits. But this depends on strong commitment from the top - from senior members as well as senior officials.

Crucially, this guidance recognises that authorities have democratic mandates and are ultimately accountable to their electorates, and that authorities themselves are best-placed to know which scrutiny arrangements are most appropriate for their own individual circumstances.

I would, however, strongly urge 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.

A handwritten signature in blue ink, appearing to read 'Rishi Sunak'.

Rishi Sunak MP
Minister for Local Government

About this Guidance

Who the guidance is for

This document is aimed at local authorities and combined authorities in England to help them carry out their overview and scrutiny functions effectively. In particular, it provides advice for senior leaders, members of overview and scrutiny committees, and support officers.

Aim of the guidance

This guidance seeks to ensure local authorities and combined authorities are aware of the purpose of overview and scrutiny, what effective scrutiny looks like, how to conduct it effectively and the benefits it can bring.

As such, it includes a number of policies and practices authorities should adopt or should consider adopting when deciding how to carry out their overview and scrutiny functions.

The guidance recognises that authorities approach scrutiny in different ways and have different processes and procedures in place, and that what might work well for one authority might not work well in another.

The hypothetical scenarios contained in the annexes to this guidance have been included for illustrative purposes, and are intended to provoke thought and discussion rather than serve as a 'best' way to approach the relevant issues.

While the guidance sets out some of the key legal requirements, it does not seek to replicate legislation.

Status of the guidance

This is statutory guidance from the Ministry of Housing, Communities and Local Government. Local authorities and combined authorities must have regard to it when exercising their functions. The phrase 'must have regard', when used in this context, does not mean that the sections of statutory guidance have to be followed in every detail, but that they should be followed unless there is a good reason not to in a particular case.

Not every authority is required to appoint a scrutiny committee. This guidance applies to those authorities who have such a committee in place, whether they are required to or not.

This guidance has been issued under section 9Q of the Local Government Act 2000 and under paragraph 2(9) of Schedule 5A to the Local Democracy, Economic Development and Construction Act 2009, which requires authorities to have regard to this guidance. In addition, authorities may have regard to other material they might choose to consider, including that issued by the Centre for Public Scrutiny, when exercising their overview and scrutiny functions.

Terminology

Unless 'overview' is specifically mentioned, the term 'scrutiny' refers to both overview and scrutiny.¹

Where the term 'authority' is used, it refers to both local authorities and combined authorities.

Where the term 'scrutiny committee' is used, it refers to an overview and scrutiny committee and any of its sub-committees. As the legislation refers throughout to powers conferred on scrutiny committees, that is the wording used in this guidance. However, the guidance should be seen as applying equally to work undertaken in informal task and finish groups, commissioned by formal committees.

Where the term 'executive' is used, it refers to executive members.

For combined authorities, references to the 'executive' or 'cabinet' should be interpreted as relating to the mayor (where applicable) and all the authority members.

For authorities operating committee rather than executive arrangements, references to the executive or Cabinet should be interpreted as relating to councillors in leadership positions.

Expiry or review date

This guidance will be kept under review and updated as necessary.

¹ A distinction is often drawn between 'overview' which focuses on the development of policy, and 'scrutiny' which looks at decisions that have been made or are about to be made to ensure they are fit for purpose.

1. Introduction and Context

1. Overview and scrutiny committees were introduced in 2000 as part of new executive governance arrangements to ensure that members of an authority who were not part of the executive could hold the executive to account for the decisions and actions that affect their communities.
2. Overview and scrutiny committees have statutory powers² to scrutinise decisions the executive is planning to take, those it plans to implement, and those that have already been taken/implemented. Recommendations following scrutiny enable improvements to be made to policies and how they are implemented. Overview and scrutiny committees can also play a valuable role in developing policy.

Effective overview and scrutiny should:

- Provide constructive 'critical friend' challenge;
- Amplify the voices and concerns of the public;
- Be led by independent people who take responsibility for their role; and
- Drive improvement in public services.

3. The requirement for local authorities in England to establish overview and scrutiny committees is set out in sections 9F to 9FI of the Local Government Act 2000 as amended by the Localism Act 2011.
4. The Localism Act 2011 amended the Local Government Act 2000 to allow councils to revert to a non-executive form of governance - the 'committee system'. Councils who adopt the committee system are not required to have overview and scrutiny but may do so if they wish. The legislation has been strengthened and updated since 2000, most recently to reflect new governance arrangements with combined authorities. Requirements for combined authorities are set out in Schedule 5A to the Local Democracy, Economic Development and Construction Act 2009.
5. Current overview and scrutiny legislation recognises that authorities are democratically-elected bodies who are best-placed to determine which overview and scrutiny arrangements best suit their own individual needs, and so gives them a great degree of flexibility to decide which arrangements to adopt.
6. In producing this guidance, the Government fully recognises both authorities' democratic mandate and that the nature of local government has changed in recent years, with, for example, the creation of combined authorities, and councils increasingly delivering key services in partnership with other organisations or outsourcing them entirely.

² Section 9F of the Local Government Act 2000; paragraph 1 of Schedule 5A to the Local Democracy, Economic Development and Construction Act 2009.

2. Culture

7. The prevailing organisational culture, behaviours and attitudes of an authority will largely determine whether its scrutiny function succeeds or fails.
8. While everyone in an authority can play a role in creating an environment conducive to effective scrutiny, it is important that this is led and owned by members, given their role in setting and maintaining the culture of an authority.
9. Creating a strong organisational culture supports scrutiny work that can add real value by, for example, improving policy-making and the efficient delivery of public services. In contrast, low levels of support for and engagement with the scrutiny function often lead to poor quality and ill-focused work that serves to reinforce the perception that it is of little worth or relevance.
10. Members and senior officers should note that the performance of the scrutiny function is not just of interest to the authority itself. Its effectiveness, or lack thereof, is often considered by external bodies such as regulators and inspectors, and highlighted in public reports, including best value inspection reports. Failures in scrutiny can therefore help to create a negative public image of the work of an authority as a whole.

How to establish a strong organisational culture

11. Authorities can establish a strong organisational culture by:

- a) **Recognising scrutiny's legal and democratic legitimacy** – all members and officers should recognise and appreciate the importance and legitimacy the scrutiny function is afforded by the law. It was created to act as a check and balance on the executive and is a statutory requirement for all authorities operating executive arrangements and for combined authorities.

Councillors have a unique legitimacy derived from their being democratically elected. The insights that they can bring by having this close connection to local people are part of what gives scrutiny its value.

- b) **Identifying a clear role and focus** – authorities should take steps to ensure scrutiny has a clear role and focus within the organisation, i.e. a niche within which it can clearly demonstrate it adds value. Therefore, prioritisation is necessary to ensure the scrutiny function concentrates on delivering work that is of genuine value and relevance to the work of the wider authority – this is one of the most challenging parts of scrutiny, and a critical element to get right if it is to be recognised as a strategic function of the authority (see chapter 6).

Authorities should ensure a clear division of responsibilities between the scrutiny function and the audit function. While it is appropriate for scrutiny to pay due regard to the authority's financial position, this will need to happen in the context of the formal audit role. The authority's section 151 officer should advise scrutiny on how to manage this dynamic.

While scrutiny has no role in the investigation or oversight of the authority's whistleblowing arrangements, the findings of independent whistleblowing investigations might be of interest to scrutiny committees as they consider their wider implications. Members should always follow the authority's constitution and associated Monitoring Officer directions on the matter. Further guidance on whistleblowing can be found at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/415175/bis-15-200-whistleblowing-guidance-for-employers-and-code-of-practice.pdf.

- c) **Ensuring early and regular engagement between the executive and scrutiny** – authorities should ensure early and regular discussion takes place between scrutiny and the executive, especially regarding the latter's future work programme. Authorities should, though, be mindful of their distinct roles:

In particular:

- The executive should not try to exercise control over the work of the scrutiny committee. This could be direct, e.g. by purporting to 'order' scrutiny to look at, or not look at, certain issues, or indirect, e.g. through the use of the whip or as a tool of political patronage, and the committee itself should remember its statutory purpose when carrying out its work. All members and officers should consider the role the scrutiny committee plays to be that of a 'critical friend' not a de facto 'opposition'. Scrutiny chairs have a particular role to play in establishing the profile and nature of their committee (see chapter 4); and
- The chair of the scrutiny committee should determine the nature and extent of an executive member's participation in a scrutiny committee meeting, and in any informal scrutiny task group meeting.

- d) **Managing disagreement** – effective scrutiny involves looking at issues that can be politically contentious. It is therefore inevitable that, at times, an executive will disagree with the findings or recommendations of a scrutiny committee.

It is the job of both the executive and scrutiny to work together to reduce the risk of this happening, and authorities should take steps to predict, identify and act on disagreement.

One way in which this can be done is via an 'executive-scrutiny protocol' (see annex 1) which can help define the relationship between the two and mitigate any differences of opinion before they manifest themselves in unhelpful and unproductive ways. The benefit of this approach is that it provides a framework for disagreement and debate, and a way to manage it when it happens. Often,

the value of such a protocol lies in the dialogue that underpins its preparation. It is important that these protocols are reviewed on a regular basis.

Scrutiny committees do have the power to 'call in' decisions, i.e. ask the executive to reconsider them before they are implemented, but should not view it as a substitute for early involvement in the decision-making process or as a party-political tool.

- e) **Providing the necessary support** – while the level of resource allocated to scrutiny is for each authority to decide for itself, when determining resources an authority should consider the purpose of scrutiny as set out in legislation and the specific role and remit of the authority's own scrutiny committee(s), and the scrutiny function as a whole.

Support should also be given by members and senior officers to scrutiny committees and their support staff to access information held by the authority and facilitate discussions with representatives of external bodies (see chapter 5).

- f) **Ensuring impartial advice from officers** – authorities, particularly senior officers, should ensure all officers are free to provide impartial advice to scrutiny committees. This is fundamental to effective scrutiny. Of particular importance is the role played by 'statutory officers' – the monitoring officer, the section 151 officer and the head of paid service, and where relevant the statutory scrutiny officer. These individuals have a particular role in ensuring that timely, relevant and high-quality advice is provided to scrutiny.
- g) **Communicating scrutiny's role and purpose to the wider authority** – the scrutiny function can often lack support and recognition within an authority because there is a lack of awareness among both members and officers about the specific role it plays, which individuals are involved and its relevance to the authority's wider work. Authorities should, therefore, take steps to ensure all members and officers are made aware of the role the scrutiny committee plays in the organisation, its value and the outcomes it can deliver, the powers it has, its membership and, if appropriate, the identity of those providing officer support.
- h) **Maintaining the interest of full Council in the work of the scrutiny committee** – part of communicating scrutiny's role and purpose to the wider authority should happen through the formal, public role of full Council – particularly given that scrutiny will undertake valuable work to highlight challenging issues that an authority will be facing and subjects that will be a focus of full Council's work. Authorities should therefore take steps to ensure full Council is informed of the work the scrutiny committee is doing.

One way in which this can be done is by reports and recommendations being submitted to full Council rather than solely to the executive. Scrutiny should decide when it would be appropriate to submit reports for wider debate in this way, taking into account the relevance of reports to full Council business, as well as full Council's capacity to consider and respond in a timely manner. Such

reports would supplement the annual report to full Council on scrutiny's activities and raise awareness of ongoing work.

In order to maintain awareness of scrutiny at the Combined Authority and provoke dialogue and discussion of its impact, the business of scrutiny should be reported to the Combined Authority board or to the chairs of the relevant scrutiny committees of constituent and non-constituent authorities, or both. At those chairs' discretion, particular Combined Authority scrutiny outcomes, and what they might mean for each individual area, could be either discussed by scrutiny in committee or referred to full Council of the constituent authorities.

- i) **Communicating scrutiny's role to the public** – authorities should ensure scrutiny has a profile in the wider community. Consideration should be given to how and when to engage the authority's communications officers, and any other relevant channels, to understand how to get that message across. This will usually require engagement early on in the work programming process (see chapter 6).
- j) **Ensuring scrutiny members are supported in having an independent mindset** – formal committee meetings provide a vital opportunity for scrutiny members to question the executive and officers.

Inevitably, some committee members will come from the same political party as a member they are scrutinising and might well have a long-standing personal, or familial, relationship with them (see paragraph 25).

Scrutiny members should bear in mind, however, that adopting an independent mind-set is fundamental to carrying out their work effectively. In practice, this is likely to require scrutiny chairs working proactively to identify any potentially contentious issues and plan how to manage them.

Directly-elected mayoral systems

12. A strong organisational culture that supports scrutiny work is particularly important in authorities with a directly-elected mayor to ensure there are the checks and balances to maintain a robust democratic system. Mayoral systems offer the opportunity for greater public accountability and stronger governance, but there have also been incidents that highlight the importance of creating and maintaining a culture that puts scrutiny at the heart of its operations.
13. Authorities with a directly-elected mayor should ensure that scrutiny committees are well-resourced, are able to recruit high-calibre members and that their scrutiny functions pay particular attention to issues surrounding:
 - rights of access to documents by the press, public and councillors;
 - transparent and fully recorded decision-making processes, especially avoiding decisions by 'unofficial' committees or working groups;
 - delegated decisions by the Mayor;
 - whistleblowing protections for both staff and councillors; and
 - powers of Full Council, where applicable, to question and review.

14. Authorities with a directly-elected mayor should note that mayors are required by law to attend overview and scrutiny committee sessions when asked to do so (see paragraph 44).

3. Resourcing

15. The resource an authority allocates to the scrutiny function plays a pivotal role in determining how successful that function is and therefore the value it can add to the work of the authority.
16. Ultimately it is up to each authority to decide on the resource it provides, but every authority should recognise that creating and sustaining an effective scrutiny function requires them to allocate resources to it.
17. Authorities should also recognise that support for scrutiny committees, task groups and other activities is not solely about budgets and provision of officer time, although these are clearly extremely important elements. Effective support is also about the ways in which the wider authority engages with those who carry out the scrutiny function (both members and officers).

When deciding on the level of resource to allocate to the scrutiny function, the factors an authority should consider include:

- Scrutiny's legal powers and responsibilities;
- The particular role and remit scrutiny will play in the authority;
- The training requirements of scrutiny members and support officers, particularly the support needed to ask effective questions of the executive and other key partners, and make effective recommendations;
- The need for ad hoc external support where expertise does not exist in the council;
- Effectively-resourced scrutiny has been shown to add value to the work of authorities, improving their ability to meet the needs of local people; and
- Effectively-resourced scrutiny can help policy formulation and so minimise the need for call-in of executive decisions.

Statutory scrutiny officers

18. Combined authorities, upper and single tier authorities are required to designate a statutory scrutiny officer,³ someone whose role is to:
 - promote the role of the authority's scrutiny committee;
 - provide support to the scrutiny committee and its members; and
 - provide support and guidance to members and officers relating to the functions of the scrutiny committee.

³ Section 9FB of the Local Government Act 2000; article 9 of the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017

19. Authorities not required by law to appoint such an officer should consider whether doing so would be appropriate for their specific local needs.

Officer resource models

20. Authorities are free to decide for themselves which wider officer support model best suits their individual circumstances, though generally they adopt one or a mix of the following:

- Committee – officers are drawn from specific policy or service areas;
- Integrated – officers are drawn from the corporate centre and also service the executive; and
- Specialist – officers are dedicated to scrutiny.

21. Each model has its merits – the committee model provides service-specific expertise; the integrated model facilitates closer and earlier scrutiny involvement in policy formation and alignment of corporate work programmes; and the specialist model is structurally independent from those areas it scrutinises.

22. Authorities should ensure that, whatever model they employ, officers tasked with providing scrutiny support are able to provide impartial advice. This might require consideration of the need to build safeguards into the way that support is provided. The nature of these safeguards will differ according to the specific role scrutiny plays in the organisation.

4. Selecting Committee Members

23. Selecting the right members to serve on scrutiny committees is essential if those committees are to function effectively. Where a committee is made up of members who have the necessary skills and commitment, it is far more likely to be taken seriously by the wider authority.
24. While there are proportionality requirements that must be met,⁴ the selection of the chair and other committee members is for each authority to decide for itself. Guidance for combined authorities on this issue has been produced by the Centre for Public Scrutiny⁵.

Members invariably have different skill-sets. What an authority must consider when forming a committee is that, as a group, it possesses the requisite expertise, commitment and ability to act impartially to fulfil its functions.

25. Authorities are reminded that members of the executive cannot be members of a scrutiny committee.⁶ Authorities should take care to ensure that, as a minimum, members holding less formal executive positions, e.g. as Cabinet assistants, do not sit on scrutinising committees looking at portfolios to which those roles relate. Authorities should articulate in their constitutions how conflicts of interest, including familial links (see also paragraph 31), between executive and scrutiny responsibilities should be managed, including where members stand down from the executive and move to a scrutiny role, and vice-versa.
26. Members or substitute members of a combined authority must not be members of its overview and scrutiny committee.⁷ This includes the Mayor in Mayoral Combined Authorities. It is advised that Deputy Mayors for Policing and Crime are also not members of the combined authority's overview and scrutiny committee.

Selecting individual committee members

27. When selecting individual members to serve on scrutiny committees, an authority should consider a member's experience, expertise, interests, ability to act impartially, ability to work as part of a group, and capacity to serve.

⁴ See, for example, regulation 11 of the Local Authorities (Committee System) (England) Regulations 2012 (S.I. 2012/1020) and article 4 of the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017 (S.I. 2017/68).

⁵ See pages 15-18 of 'Overview and scrutiny in combined authorities: a plain English guide': <https://www.cfps.org.uk/wp-content/uploads/Overview-and-scrutiny-in-combined-authorities-a-plain-english-guide.pdf>

⁶ Section 9FA(3) of the Local Government Act 2000.

⁷ 2(3) of Schedule 5A to the Local Democracy, Economic Development and Construction Act 2009

28. Authorities should not take into account a member's perceived level of support for or opposition to a particular political party (notwithstanding the wider legal requirement for proportionality referred to in paragraph 24).

Selecting a chair

29. The Chair plays a leadership role on a scrutiny committee as they are largely responsible for establishing its profile, influence and ways of working.

30. The attributes authorities should and should not take into account when selecting individual committee members (see paragraphs 27 and 28) also apply to the selection of the Chair, but the Chair should also possess the ability to lead and build a sense of teamwork and consensus among committee members.

Chairs should pay special attention to the need to guard the committee's independence. Importantly, however, they should take care to avoid the committee being, and being viewed as, a de facto opposition to the executive.

31. Given their pre-eminent role on the scrutiny committee, it is strongly recommended that the Chair not preside over scrutiny of their relatives⁸. Combined authorities should note the legal requirements that apply to them where the Chair is an independent person⁹.

32. The method for selecting a Chair is for each authority to decide for itself, however every authority should consider taking a vote by secret ballot. Combined Authorities should be aware of the legal requirements regarding the party affiliation of their scrutiny committee Chair¹⁰.

Training for committee members

33. Authorities should ensure committee members are offered induction when they take up their role and ongoing training so they can carry out their responsibilities effectively. Authorities should pay attention to the need to ensure committee members are aware of their legal powers, and how to prepare for and ask relevant questions at scrutiny sessions.

34. When deciding on training requirements for committee members, authorities should consider taking advantage of opportunities offered by external providers in the sector.

Co-option and technical advice

35. While members and their support officers will often have significant local insight and an understanding of local people and their needs, the provision of outside expertise can be invaluable.

⁸ A definition of 'relative' can be found at section 28(10) of the Localism Act 2011.

⁹ See article 5(2) of the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017 (S.I. 2017/68).

¹⁰ Article 5(6) of the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017.

36. There are two principal ways to procure this:

- Co-option – formal co-option is provided for in legislation¹¹. Authorities must establish a co-option scheme to determine how individuals will be co-opted onto committees; and
- Technical advisers – depending on the subject matter, independent local experts might exist who can provide advice and assistance in evaluating evidence (see annex 2).

¹¹ Section 9FA(4) Local Government Act 2000

5. Power to Access Information

37. A scrutiny committee needs access to relevant information the authority holds, and to receive it in good time, if it is to do its job effectively.
38. This need is recognised in law, with members of scrutiny committees enjoying powers to access information¹². In particular, regulations give enhanced powers to a scrutiny member to access exempt or confidential information. This is in addition to existing rights for councillors to have access to information to perform their duties, including common law rights to request information and rights to request information under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.
39. When considering what information scrutiny needs in order to carry out its work, scrutiny members and the executive should consider scrutiny's role and the legal rights that committees and their individual members have, as well as their need to receive timely and accurate information to carry out their duties effectively.
40. Scrutiny members should have access to a regularly available source of key information about the management of the authority – particularly on performance, management and risk. Where this information exists, and scrutiny members are given support to understand it, the potential for what officers might consider unfocused and unproductive requests is reduced as members will be able to frame their requests from a more informed position.
41. Officers should speak to scrutiny members to ensure they understand the reasons why information is needed, thereby making the authority better able to provide information that is relevant and timely, as well as ensuring that the authority complies with legal requirements.

While each request for information should be judged on its individual merits, authorities should adopt a default position of sharing the information they hold, on request, with scrutiny committee members.

42. The law recognises that there might be instances where it is legitimate for an authority to withhold information and places a requirement on the executive to provide the scrutiny committee with a written statement setting out its reasons for that decision¹³. However, members of the executive and senior officers should take particular care to avoid refusing requests, or limiting the information they provide, for reasons of party political or reputational expediency.

¹² Regulation 17 - Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012; article 10 Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017.

¹³ Regulation 17(4) – Local Government (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012; article 10(4) Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017.

Before an authority takes a decision not to share information it holds, it should give serious consideration to whether that information could be shared in closed session.

43. Regulations already stipulate a timeframe for executives to comply with requests from a scrutiny member¹⁴. When agreeing to such requests, authorities should:

- consider whether seeking clarification from the information requester could help better target the request; and
- Ensure the information is supplied in a format appropriate to the recipient's needs.

44. Committees should be aware of their legal power to require members of the executive and officers to attend before them to answer questions¹⁵. It is the duty of members and officers to comply with such requests.¹⁶

Seeking information from external organisations

45. Scrutiny members should also consider the need to supplement any authority-held information they receive with information and intelligence that might be available from other sources, and should note in particular their statutory powers to access information from certain external organisations.

46. When asking an external organisation to provide documentation or appear before it, and where that organisation is not legally obliged to do either (see annex 3), scrutiny committees should consider the following:

- a) **The need to explain the purpose of scrutiny** – the organisation being approached might have little or no awareness of the committee's work, or of an authority's scrutiny function more generally, and so might be reluctant to comply with any request;
- b) **The benefits of an informal approach** – individuals from external organisations can have fixed perceptions of what an evidence session entails and may be unwilling to subject themselves to detailed public scrutiny if they believe it could reflect badly on them or their employer. Making an informal approach can help reassure an organisation of the aims of the committee, the type of information being sought and the manner in which the evidence session would be conducted;

¹⁴ Regulation 17(2) – Local Government (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012; article 10(2) Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017.

¹⁵ Section 9FA(8) of the Local Government Act 2000; paragraph 2(6) of Schedule 5A to the Local Democracy, Economic Development and Construction Act 2009.

¹⁶ Section 9FA(9) of the Local Government Act 2000; paragraph 2(7) of Schedule 5A to the Local Democracy, Economic Development and Construction Act 2009.

- c) **How to encourage compliance with the request** – scrutiny committees will want to frame their approach on a case by case basis. For contentious issues, committees might want to emphasise the opportunity their request gives the organisation to ‘set the record straight’ in a public setting; and
- d) **Who to approach** – a committee might instinctively want to ask the Chief Executive or Managing Director of an organisation to appear at an evidence session, however it could be more beneficial to engage front-line staff when seeking operational-level detail rather than senior executives who might only be able to talk in more general terms. When making a request to a specific individual, the committee should consider the type of information it is seeking, the nature of the organisation in question and the authority’s pre-existing relationship with it.

Following ‘the Council Pound’

Scrutiny committees will often have a keen interest in ‘following the council pound’, i.e. scrutinising organisations that receive public funding to deliver goods and services.

Authorities should recognise the legitimacy of this interest and, where relevant, consider the need to provide assistance to scrutiny members and their support staff to obtain information from organisations the council has contracted to deliver services. In particular, when agreeing contracts with these bodies, authorities should consider whether it would be appropriate to include a *requirement* for them to supply information to or appear before scrutiny committees.

6. Planning Work

47. Effective scrutiny should have a defined impact on the ground, with the committee making recommendations that will make a tangible difference to the work of the authority. To have this kind of impact, scrutiny committees need to plan their work programme, i.e. draw up a long-term agenda and consider making it flexible enough to accommodate any urgent, short-term issues that might arise during the year.
48. Authorities with multiple scrutiny committees sometimes have a separate work programme for each committee. Where this happens, consideration should be given to how to co-ordinate the various committees' work to make best use of the total resources available.

Being clear about scrutiny's role

49. Scrutiny works best when it has a clear role and function. This provides focus and direction. While scrutiny has the power to look at anything which affects 'the area, or the area's inhabitants', authorities will often find it difficult to support a scrutiny function that carries out generalised oversight across the wide range of issues experienced by local people, particularly in the context of partnership working. Prioritisation is necessary, which means that there might be things that, despite being important, scrutiny will not be able to look at.
50. Different overall roles could include having a focus on risk, the authority's finances, or on the way the authority works with its partners.
51. Applying this focus does not mean that certain subjects are 'off limits'. It is more about looking at topics and deciding whether their relative importance justifies the positive impact scrutiny's further involvement could bring.
52. When thinking about scrutiny's focus, members should be supported by key senior officers. The statutory scrutiny officer, if an authority has one, will need to take a leading role in supporting members to clarify the role and function of scrutiny, and championing that role once agreed.

Who to speak to

53. Evidence will need to be gathered to inform the work programming process. This will ensure that it looks at the right topics, in the right way and at the right time. Gathering evidence requires conversations with:
 - *The public* – it is likely that formal 'consultation' with the public on the scrutiny work programme will be ineffective. Asking individual scrutiny members to have conversations with individuals and groups in their own local areas can work better. Insights gained from the public through individual pieces of scrutiny work can be fed back into the work programming process. Listening to and participating in conversations in places where local people come together, including in online forums, can help authorities engage people on their own terms and yield more positive results.

Authorities should consider how their communications officers can help scrutiny engage with the public, and how wider internal expertise and local knowledge from both members and officers might make a contribution.

- *The authority's partners* – relationships with other partners should not be limited to evidence-gathering to support individual reviews or agenda items. A range of partners are likely to have insights that will prove useful:
 - Public sector partners (like the NHS and community safety partners, over which scrutiny has specific legal powers);
 - Voluntary sector partners;
 - Contractors and commissioning partners (including partners in joint ventures and authority-owned companies);
 - In parished areas, town, community and parish councils;
 - Neighbouring principal councils (both in two-tier and unitary areas);
 - Cross-authority bodies and organisations, such as Local Enterprise Partnerships¹⁷; and
 - Others with a stake and interest in the local area – large local employers, for example.
- *The executive* – a principal partner in discussions on the work programme should be the executive (and senior officers). The executive should not direct scrutiny's work (see chapter 2), but conversations will help scrutiny members better understand how their work can be designed to align with the best opportunities to influence the authority's wider work.

Information sources

54. Scrutiny will need access to relevant information to inform its work programme. The type of information will depend on the specific role and function scrutiny plays within the authority, but might include:

- Performance information from across the authority and its partners;
- Finance and risk information from across the authority and its partners;
- Corporate complaints information, and aggregated information from political groups about the subject matter of members' surgeries;
- Business cases and options appraisals (and other planning information) for forthcoming major decisions. This information will be of particular use for pre-decision scrutiny; and
- Reports and recommendations issued by relevant ombudsmen, especially the Local Government and Social Care Ombudsman.

¹⁷ Authorities should ensure they have appropriate arrangements in place to ensure the effective democratic scrutiny of Local Enterprise Partnerships' investment decisions.

As committees can meet in closed session, commercial confidentiality should not preclude the sharing of information. Authorities should note, however, that the default for meetings should be that they are held in public (see 2014 guidance on '*Open and accountable local government*':

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/343182/140812_Openness_Guide.pdf).

55. Scrutiny members should consider keeping this information under regular review. It is likely to be easier to do this outside committee, rather than bringing such information to committee 'to note', or to provide an update, as a matter of course.

Shortlisting topics

Approaches to shortlisting topics should reflect scrutiny's overall role in the authority. This will require the development of bespoke, local solutions, however when considering whether an item should be included in the work programme, the kind of questions a scrutiny committee should consider might include:

- 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?

56. Some authorities use scoring systems to evaluate and rank work programme proposals. If these are used to provoke discussion and debate, based on evidence, about what priorities should be, they can be a useful tool. Others take a looser approach. Whichever method is adopted, a committee should be able to justify how and why a decision has been taken to include certain issues and not others.

57. Scrutiny members should accept that shortlisting can be difficult; scrutiny committees have finite resources and deciding how these are best allocated is tough. They should understand that, if work programming is robust and effective, there might well be issues that they want to look at that nonetheless are not selected.

Carrying out work

58. Selected topics can be scrutinised in several ways, including:

- a) **As a single item on a committee agenda** – this often presents a limited opportunity for effective scrutiny, but may be appropriate for some issues or where the committee wants to maintain a formal watching brief over a given issue;
- b) **At a single meeting** – which could be a committee meeting or something less formal. This can provide an opportunity to have a single public meeting about a

given subject, or to have a meeting at which evidence is taken from a number of witnesses;

- c) **At a task and finish review of two or three meetings** – short, sharp scrutiny reviews are likely to be most effective even for complex topics. Properly focused, they ensure members can swiftly reach conclusions and make recommendations, perhaps over the course of a couple of months or less;
- d) **Via a longer-term task and finish review** – the ‘traditional’ task and finish model – with perhaps six or seven meetings spread over a number of months – is still appropriate when scrutiny needs to dig into a complex topic in significant detail. However, the resource implications of such work, and its length, can make it unattractive for all but the most complex matters; and
- e) **By establishing a ‘standing panel’** – this falls short of establishing a whole new committee but may reflect a necessity to keep a watching brief over a critical local issue, especially where members feel they need to convene regularly to carry out that oversight. Again, the resource implications of this approach means that it will be rarely used.

7. Evidence Sessions

59. Evidence sessions are a key way in which scrutiny committees inform their work. They might happen at formal committee, in less formal 'task and finish' groups or at standalone sessions.

Good preparation is a vital part of conducting effective evidence sessions. Members should have a clear idea of what the committee hopes to get out of each session and appreciate that success will depend on their ability to work together on the day.

How to plan

60. Effective planning does not necessarily involve a large number of pre-meetings, the development of complex scopes or the drafting of questioning plans. It is more often about setting overall objectives and then considering what type of questions (and the way in which they are asked) can best elicit the information the committee is seeking. This applies as much to individual agenda items as it does for longer evidence sessions – there should always be consideration in advance of what scrutiny is trying to get out of a particular evidence session.

Chairs play a vital role in leading discussions on objective-setting and ensuring all members are aware of the specific role each will play during the evidence session.

61. As far as possible there should be consensus among scrutiny members about the objective of an evidence session before it starts. It is important to recognise that members have different perspectives on certain issues, and so might not share the objectives for a session that are ultimately adopted. Where this happens, the Chair will need to be aware of this divergence of views and bear it in mind when planning the evidence session.
62. Effective planning should mean that at the end of a session it is relatively straightforward for the chair to draw together themes and highlight the key findings. It is unlikely that the committee will be able to develop and agree recommendations immediately, but, unless the session is part of a wider inquiry, enough evidence should have been gathered to allow the chair to set a clear direction.
63. After an evidence session, the committee might wish to hold a short 'wash-up' meeting to review whether their objectives were met and lessons could be learned for future sessions.

Developing recommendations

64. The development and agreement of recommendations is often an iterative process. It will usually be appropriate for this to be done only by members, assisted by co-optees where relevant. When deciding on recommendations, however, members should have due regard to advice received from officers, particularly the Monitoring Officer.

65. The drafting of reports is usually, but not always, carried out by officers, directed by members.

66. Authorities draft reports and recommendations in a number of ways, but there are normally three stages:

- i. the development of a 'heads of report' – a document setting out general findings that members can then discuss as they consider the overall structure and focus of the report and its recommendations;
- ii. the development of those findings, which will set out some areas on which recommendations might be made; and
- iii. the drafting of the full report.

67. Recommendations should be evidence-based and SMART, i.e. specific, measurable, achievable, relevant and timed. Where appropriate, committees may wish to consider sharing them in draft with interested parties.

68. Committees should bear in mind that often six to eight recommendations are sufficient to enable the authority to focus its response, although there may be specific circumstances in which more might be appropriate.

Sharing draft recommendations with executive members should not provide an opportunity for them to revise or block recommendations before they are made. It should, however, provide an opportunity for errors to be identified and corrected, and for a more general sense-check.

Annex 1: Illustrative Scenario – Creating an Executive-Scrutiny Protocol

An executive-scrutiny protocol can deal with the practical expectations of scrutiny committee members and the executive, as well as the cultural dynamics.

Workshops with scrutiny members, senior officers and Cabinet can be helpful to inform the drafting of a protocol. An external facilitator can help bring an independent perspective.

Councils should consider how to adopt a protocol, e.g. formal agreement at scrutiny committee and Cabinet, then formal integration into the Council's constitution at the next Annual General Meeting.

The protocol, as agreed, may contain sections on:

- The way scrutiny will go about developing its work programme (including the ways in which senior officers and Cabinet members will be kept informed);
- The way in which senior officers and Cabinet will keep scrutiny informed of the outlines of major decisions as they are developed, to allow for discussion of scrutiny's potential involvement in policy development. This involves the building in of safeguards to mitigate risks around the sharing of sensitive information with scrutiny members;
- A strengthening and expansion of existing parts of the code of conduct that relate to behaviour in formal meetings, and in informal meetings;
- Specification of the nature and form of responses that scrutiny can expect when it makes recommendations to the executive, when it makes requests to the executive for information, and when it makes requests that Cabinet members or senior officers attend meetings; and
- Confirmation of the role of the statutory scrutiny officer, and Monitoring Officer, in overseeing compliance with the protocol, and ensuring that it is used to support the wider aim of supporting and promoting a culture of scrutiny, with matters relating to the protocol's success being reported to full Council through the scrutiny Annual Report.

Annex 2: Illustrative Scenario – Engaging Independent Technical Advisers

This example demonstrates how one Council's executive and scrutiny committee worked together to scope a role and then appoint an independent adviser on transforming social care commissioning. Their considerations and process may be helpful and applicable in other similar scenarios.

Major care contracts were coming to an end and the Council took the opportunity to review whether to continue with its existing strategic commissioning framework, or take a different approach – potentially insourcing certain elements.

The relevant Director was concerned about the Council's reliance on a very small number of large providers. The Director therefore approached the Scrutiny and Governance Manager to talk through the potential role scrutiny could play as the Council considered these changes.

The Scrutiny Chair wanted to look at this issue in some depth, but recognised its complexity could make it difficult for her committee to engage – she was concerned it would not be able to do the issue justice. The Director offered support from his own officer team, but the Chair considered this approach to be beset by risks around the independence of the process.

She talked to the Director about securing independent advice. He was worried that an independent adviser could come with preconceived ideas and would not understand the Council's context and objectives. The Scrutiny Chair was concerned that independent advice could end up leading to scrutiny members being passive, relying on an adviser to do their thinking for them. They agreed that some form of independent assistance would be valuable, but that how it was provided and managed should be carefully thought out.

With the assistance of the Governance and Scrutiny Manager, the Scrutiny Chair approached local universities and Further Education institutions to identify an appropriate individual. The approach was clear – it set out the precise role expected of the adviser, and explained the scrutiny process itself. Because members wanted to focus on the risks of market failure, and felt more confident on substantive social care matters, the approach was directed at those with a specialism in economics and business administration. The Council's search was proactive – the assistance of the service department was drawn on to make direct approaches to particular individuals who could carry out this role.

It was agreed to make a small budget available to act as a 'per diem' to support an adviser; academics were approached in the first instance as the Council felt able to make a case that an educational institution would provide this support for free as part of its commitment to Corporate Social Responsibility.

Three individuals were identified from the Council's proactive search. The Chair and Vice-Chair of the committee had an informal discussion with each – not so much to establish their skills and expertise (which had already been assessed) but to give a sense about

their 'fit' with scrutiny's objectives and their political nous in understanding the environment in which they would operate, and to satisfy themselves that they will apply themselves even-handedly to the task. The Director sat in on this process but played no part in who was ultimately selected.

The independent advice provided by the selected individual gave the Scrutiny Committee a more comprehensive understanding of the issue and meant it was able to offer informed advice on the merits of putting in place a new strategic commissioning framework.

Annex 3: Illustrative Scenario – Approaching an External Organisation to Appear before a Committee

This example shows how one council ensured a productive scrutiny meeting, involving a private company and the public. Lessons may be drawn and apply to other similar scenarios.

Concerns had been expressed by user groups, and the public at large, about the reliability of the local bus service. The Scrutiny Chair wanted to question the bus company in a public evidence session but knew that she had no power to compel it to attend. Previous attempts to engage it had been unsuccessful; the company was not hostile, but said it had its own ways of engaging the public.

The Monitoring Officer approached the company's regional PR manager, but he expressed concern that the session would end in a 'bunfight'. He also explained the company had put their improvement plan in the public domain, and felt a big council meeting would exacerbate tensions.

Other councillors had strong views about the company – one thought the committee should tell the company it would be empty-chaired if it refused to attend. The Scrutiny Chair was sympathetic to this, but thought such an approach would not lead to any improvements.

The Scrutiny Chair was keen to make progress, but it was difficult to find the right person to speak to at the company, so she asked council officers and local transport advocacy groups for advice. Speaking to those people also gave her a better sense of what scrutiny's role might be.

When she finally spoke to the company's network manager, she explained the situation and suggested they work together to consider how the meeting could be productive for the Council, the company and local people. In particular, this provided her with an opportunity to explain scrutiny and its role. The network manager remained sceptical but was reassured that they could work together to ensure that the meeting would not be an 'ambush'. He agreed in principle to attend and also provide information to support the Committee's work beforehand.

Discussions continued in the four weeks leading up to the Committee meeting. The Scrutiny Chair was conscious that while she had to work with the company to ensure that the meeting was constructive – and secure their attendance – it could not be a whitewash, and other members and the public would demand a hard edge to the discussions.

The scrutiny committee agreed that the meeting would provide a space for the company to provide context to the problems local people are experiencing, but that this would be preceded by a space on the agenda for the Chair, Vice-chair, and representatives from two local transport advocacy groups to set out their concerns. The company were sent in

advance a summary of the general areas on which members were likely to ask questions, to ensure that those questions could be addressed at the meeting.

Finally, provision was made for public questions and debate. Those attending the meeting were invited to discuss with each other the principal issues they wanted the meeting to cover. A short, facilitated discussion in the room led by the Chair highlighted the key issues, and the Chair then put those points to the company representatives.

At the end of the meeting, the public asked questions of the bus company representative in a 20-minute plenary item.

The meeting was fractious, but the planning carried out to prepare for this – by channelling issues through discussion and using the Chair to mediate the questioning – made things easier. Some attendees were initially frustrated by this structure, but the company representative was more open and less defensive than might otherwise have been the case.

The meeting also motivated the company to revise its communications plan to become more responsive to this kind of challenge, part of which involved a commitment to feed back to the scrutiny committee on the recommendations it made on the night.

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Overview and Scrutiny Committee Briefing Paper

Subject: Air Quality Update

Director: Graeme Kane, Chief Operating Officer

Officer Responsible: Trevor Dixon Environmental Protection and Licensing Manager

Background and Reason for Briefing Note	To provide updates on the air quality monitoring carried out across the District in 2018 and the review of the Air Quality Action Plan for Banbury, Bicester and Kidlington. The September 2019 Air Quality Action Plan is attached for information.
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1.0 Introduction

- 1.1. Part IV of the Environment Act 1995 established the legislative framework for local air quality management. Under the Act, the Council has a statutory duty to review and assess air quality in the District against national air quality objectives and co-ordinate actions to improve air quality where exceedances are identified.
- 1.2. Where an air quality objective is unlikely to be, or is not being met an Air Quality Management Area (AQMA) must be declared. Once an AQMA has been declared the Council is required to develop an Air Quality Action Plan (AQAP) outlining the measures required to improve air quality in that area.
- 1.3. Four AQMAs have been declared because air quality does not meet the annual mean air quality objective for Nitrogen dioxide. The AQMAs are at:
 - AQMA No.1 - Hennef Way, Banbury
 - AQMA No.2 - Horsefair/North Bar, Banbury
 - AQMA No.3 - Bicester Road, Kidlington
 - AQMA No.4 - Kings End/Queens Avenue, Bicester
- 1.4. Nitrogen dioxide from road transport sources has been identified as the pollutant of concern in Cherwell.

2.0 Monitoring

- 2.1 Nitrogen dioxide levels are measured using diffusion tubes. The tubes are changed monthly and returned to a laboratory for analysis. The monthly results are used to calculate the annual mean for each site. The annual mean air quality objective for Nitrogen dioxide against which the data is assessed is 40µg/m³. In 2018 monitoring was undertaken using diffusion tubes at 42 locations across the District.
- 2.2 In AQMA No.1 (Hennef Way, Banbury) there was a decrease in concentrations to levels lower than those measured in the previous three years, which had all previously shown year on year increases. The measured level in 2018 was 75 µg/m³ compared to 85 in 2017 µg/m³.
- 2.3 In AQMA No.2 (Horsefair/North Bar, Banbury) there were also reduced concentrations across most of the monitoring locations. Only the Oxford Road /South Bar monitoring location showed an increase in concentrations (33 µg/m³ to 36 µg/m³) when compared to the previous year. In 2017 the monitoring location at Horsefair had exceeded (42 µg/m³) the



annual mean objective for nitrogen dioxide; however in 2018 the objective was not exceeded at any of the locations in this AQMA.

- 2.4 In AQMA No.3 (Bicester Road, Kidlington) there was a decrease in nitrogen dioxide concentrations, taking the level at the nearest receptor to ten percent ($36 \mu\text{g}/\text{m}^3$) below the objective level for the first time in five years. If this trend continues over the next 2 years the AQMA could be revoked.
- 2.5 In AQMA No.4 (Bicester) the Nitrogen dioxide concentration at King's End South remains stable but above ($42 \mu\text{g}/\text{m}^3$) the annual mean objective level. All other monitoring locations in this AQMA remain below the objective level.
- 2.6 Overall the general trend in nitrogen dioxide concentrations across the District was downwards but the monitoring supports the retention of the AQMAs.
- 2.7 The full monitoring data for 2018 can be found in the 2019 Air Quality Annual Status Report on the air quality management page of the Council's website at <https://www.cherwell.gov.uk/downloads/download/1069/air-quality-management> Councils are required to submit the Annual Status Reports to DEFRA each year for their review and assessment.

3.0 Air Quality Action Plan

- 3.1 The AQAP was agreed by the Executive on 6 March 2017.
- 3.2 A review of the agreed actions has been undertaken in consultation with the following:
- Oxfordshire County Council
 - The Bicester Delivery Team
 - The Council's Environmental Services
- 3.3 An updated AQAP is attached at Appendix 1 that includes comments on the progress to date, new initiatives, and actual or estimated completion dates where known.
- 3.4 The AQAP is reviewed annually to check progress on the agreed actions but also to consider any additional measures that could be included.
- 3.5 The key issues over the past year and proposed changes are as follows:
- OCC will be consulting on Local Transport Policy 5 (LTP5) this autumn and transport measures to reduce air quality issues will be a key part of area transport strategies within LTP5 (measure G.5).
 - Both CDC and OCC have started replacing their fleet vehicles with electric vehicles (measures G.8, G.9 and G.11).
 - Proposals for an additional junction on the M40 north of junction 11 with north facing slips should improve air quality in the Hennef Way AQMA (measure 1.4).

Completed by: Trevor Dixon

Date: 1 October 2019

Presented to: Overview & Scrutiny Committee

Date: 15 October 2019

Appendix 1 Updated Air Quality Action Plan September 2019

Air Quality Action Plan General Measures

Measure No.	Measure	EU Category	EU Classification	Organisations involved and Funding Source	Planning Phase	Implementation Phase	Reduction in Pollutant / Emission from Measure	Progress to Date	Estimated / Actual Completion Date	Comments / Barriers to implementation
G.1	Explore the Local Plan including Low Emission Vehicle uptake measures being incorporated into new developments	Policy Guidance and Development Control	Air Quality Planning and Policy Guidance	CDC	2016/17	2017/18	Medium	Ongoing	Adoption of Local Plan Part 2 is planned for February 2020	Local Plan Part 2 will consider measures to encourage low emission vehicle take-up through development management policy. Refer to Local Development Scheme for timetable: https://www.cherwell.gov.uk/info/33/planning-policy/382/local-development-scheme
G.2	All major developments to include Emission statements and mitigation strategies within an appropriate air quality assessment submitted at the application stage.	Policy Guidance and Development Control	Air Quality Planning and Policy Guidance	CDC	2016/17	2017/18	Medium	Ongoing	Adoption of Local Plan Part 2 is planned for February 2020	Emission statements and mitigation strategies will be required in air quality assessments. To be included in development management policies as part of Local Plan Part 2 development. Refer to Local Development Scheme for timetable: https://www.cherwell.gov.uk/info/33/planning-policy/382/local-development-scheme
G.3	Damage cost calculations to be included in air quality assessments to show the financial impact of developments	Policy Guidance and Development Control	Air Quality Planning and Policy Guidance	CDC	2016/17	2017/18	Low	Ongoing	Adoption of Local Plan Part 2 is planned for February 2020	Damage Cost calculations will be required in air quality assessments. To be included in development management policies as part of Local Plan Part 2 development. Refer to Local Development Scheme for timetable: https://www.cherwell.gov.uk/info/33/planning-policy/382/local-development-scheme

Measure No.	Measure	EU Category	EU Classification	Organisations involved and Funding Source	Planning Phase	Implementation Phase	Reduction in Pollutant / Emission from Measure	Progress to Date	Estimated / Actual Completion Date	Comments / Barriers to implementation
G.4	Travel plans submitted with development proposals will make reference to their contribution to an air quality mitigation strategy. Progress will be reported to OCC post development completion.	Policy Guidance and Development Control	Air Quality Planning and Policy Guidance	OCC	n/a	In place	Low	Ongoing	Ongoing	OCC officers do currently check that travel plans reference air quality action plans for the towns that have an AQMA in place. Most of the actions in a Travel Plan should help to improve air quality.
G.5	Air Quality actions to be included in the Local Transport Plan	Policy Guidance and Development Control	Air Quality Planning and Policy Guidance	OCC	2019	2020	Medium	Ongoing	Ongoing	Transport measures to reduce air quality issues will be a key part of area transport strategies within LTCP5. The topic papers are due to go out for consultation in autumn 2019.
G.6	Air Quality included in the Public health framework Joint Strategic Needs Assessment	Policy Guidance and Development Control	Air Quality Planning and Policy Guidance	OCC	2015	2015	Low	Completed	Completed	The 2019 JSNA includes up to date information on both the health effects of poor air quality and details of pollution levels in all of Oxfordshire's AQMAs
G.7	Low emission vehicles to be included in taxi licensing policy to encourage their take up and use within the district.	Policy Guidance and Development Control	Other Policy	CDC	2017/18	2018	Low	Ongoing	2020	The next Taxi licensing policy review is due at the end of 2020. Measures to encourage Low emission vehicles will be included.

Measure No.	Measure	EU Category	EU Classification	Organisations involved and Funding Source	Planning Phase	Implementation Phase	Reduction in Pollutant / Emission from Measure	Progress to Date	Estimated / Actual Completion Date	Comments / Barriers to implementation
G.8	Low emission plant, vehicle, delivery and fleet requirements to be included in sustainable procurement section of CDC procurement policy.	Policy Guidance and Development Control	Sustainable procurement guidance	CDC	2017	2018	Medium	Ongoing	Ongoing	Five Large Goods Vehicles (4 Refuse Collection Vehicles, 1 smaller 12 tonne recycling vehicle) have been replaced with Euro VI engine vehicles. A Euro VI engine delivers an 80% reduction in NOx emissions and a 50% reduction in particulates compared to a Euro V engine. Electric vehicle charging points installed at Bodicote House and Thorpe Lane Depot. 4 small diesel powered vans replaced with electric powered vans in September 2019.
G.9	Low emission plant, vehicle, delivery and fleet requirements to be included in OCC procurement policy.	Policy Guidance and Development Control	Sustainable procurement guidance	OCC	2019	On-going	Medium	Ongoing	Ongoing	OCC has begun the transition of its fleet to low emission vehicles over the past six months – currently 11 fully electric vans and cars operating, a further 5 on order, and several trials taking place in a number of service areas within the County Council. A programme 'One Fleet' has been agreed to bring all fleet into one centralised management function within the County Council. This will be a key supporting element in delivering County Council's ambition towards low emission fleet

Measure No.	Measure	EU Category	EU Classification	Organisations involved and Funding Source	Planning Phase	Implementation Phase	Reduction in Pollutant / Emission from Measure	Progress to Date	Estimated / Actual Completion Date	Comments / Barriers to implementation
G.10	Air pollution and action measures awareness raising campaign	Public Information	Via other mechanisms	CDC	2017	2017/18	Low	Ongoing	Ongoing	Participated in National Clean Air Day on 20 June 2019, which included sending messages via social media on the actions individuals can take to reduce air pollution. Will continue to participate in awareness raising campaigns as opportunities arise.
G11	Electric Vehicle Charging points	Promoting Low Emission Transport	Procuring alternative Refuelling infrastructure to promote Low Emission Vehicles, EV recharging, Gas fuel recharging	CDC/OCC	2019	ongoing	Low	Ongoing	Ongoing	Charging infrastructure has been installed at 7 OCC sites in 2018/19, with a further 11 sites to be installed later this year. 7kw/22kW dual wall mount or free-standing posts are being installed across OCC sites. The OLEV workplace charge point grant scheme has been used to part fund the installation of these charge points. Electric vehicle charging is being installed at the Eco Business Centre being built by the Council at NW Bicester
G.12	Corporate policy encouraging home working where possible and equipment provision.	Promoting Travel Alternatives	Encourage / Facilitate home-working	CDC	current	current	low	Ongoing	Ongoing	CDC transport policy encourages home working and regularly reviews work travel.

AQMA No.1 Hennef Way Air Quality Action Plan Measures

Measure No.	Measure	EU Category	EU Classification	Organisations involved and Funding Source	Planning Phase	Implementation Phase	Reduction in Pollutant / Emission from Measure	Progress to Date	Estimated / Actual Completion Date	Comments / Barriers to implementation
1.1	Banbury Park and Ride Bus service around M40 junction	Alternatives to private vehicle use	Bus based Park & Ride	OCC	2020	Not agreed yet	Medium	Ongoing	Ongoing	The feasibility of a Park and Ride needs to be part of a project to tackle the severe air quality issues on Hennef Way. This needs to consider sites to both the north and the south of the town.
1.2	Lift share scheme	Alternatives to private vehicle use	Car & lift sharing schemes	OCC	current	current	Low	Ongoing	August 2018	Oxfordshire liftshare.com is operational although OCC are currently looking to see if it can be replaced by something else, such as within the Zipp-to journey planner App
1.3	North facing slips on M40	Promoting Travel Alternatives	UTC, congestion management, traffic reduction	OCC	current	current	Medium	Ongoing	Ongoing	Optioneering study starts in Oct 2019. HS2 and developer funding will also improve the operation of Junction 11 through the installation of the MOVA traffic light operation system.

AQMA No.2 Banbury Air Quality Action Plan Measures

Measure No.	Measure	EU Category	EU Classification	Organisations involved and Funding Source	Planning Phase	Implementation Phase	Reduction in Pollutant / Emission from Measure	Progress to Date	Estimated / Actual Completion Date	Comments / Barriers to implementation
2.1	Banbury Park and Ride Bus service around M40 junction	Alternatives to private vehicle use	Bus based Park & Ride	OCC	2017/18	2018/19	Medium	Ongoing	Ongoing	See above under 1.1 – LTCP5 review is to include provision for this.
2.2	Banbury wide car club	Alternatives to private vehicle use	Car Clubs	Banbury CAG	2017	tbc	low	Ongoing	Ongoing	Banbury CAG progressing this. Funding shortfall currently identified.

AQMA No.3 Kidlington Air Quality Action Plan Measures

Measure No.	Measure	EU Category	EU Classification	Organisations involved and Funding Source	Planning Phase	Implementation Phase	Reduction in Pollutant / Emission from Measure	Progress to Date	Estimated / Actual Completion Date	Comments / Barriers to implementation
3.1	Lift share campaign at Water Eaton Park and ride	Alternatives to private vehicle use	Car & lift sharing schemes	OCC	-	-	Low	-	-	No plans or funding to take this forward.
3.2	Investigate traffic light management to reduce north side queuing.	Traffic Management	UTC, Congestion management, traffic reduction	OCC	2017	2017	Medium	Complete	Complete	OCC officers to discuss with Traffic Signals Team to see if any amendment can be made.
3.3	HGV Weight Restriction on Bicester Road, Kidlington	Traffic Management	UTC, Congestion management, traffic reduction	OCC	2020	2021	Low			<p>This would prevent HGVs from cutting through the centre of Kidlington to avoid congestion on A34.</p> <p>OCC have a policy in place for considering new weight restrictions. The proposal would have to demonstrate that hauliers/ businesses have suitable alternative routes they could use and be fully funded, including any monitoring and enforcement impacts on Trading Standards.</p> <p>'No idling' signs or other signs may not be permissible at this location, but need a clear response from OCC.</p>

AQMA No.4 Bicester Air Quality Action Plan

Measure No.	Measure	EU Category	EU Classification	Organisations involved and Funding Source	Planning Phase	Implementation Phase	Reduction in Pollutant / Emission from Measure	Progress to Date	Estimated / Actual Completion Date	Comments / Barriers to implementation
4.1	Bicester Park and Ride Bus service	Alternatives to private vehicle use	Bus based Park & Ride	OCC	2019	Medium term	Medium	Ongoing	Ongoing	Annual survey shows that bus passenger numbers continue to increase. OCC is also considering an alternative fuel station when the park & ride expands.
4.2	Low emission delivery plans	Freight and Delivery Management	Delivery and Service plans	OCC	2017	tbc	Low	Ongoing	Ongoing	There is already a weight limit restriction on vehicles driving through Kings End/Queens Avenue (part of the AQMA). There are no proposals for low emission delivery plans in the near future, but to enforce the weight limit restrictions. A weight limit survey was carried out this year (results to be confirmed).
4.3	Bicester active travel i.e. walking and cycling campaign	Promoting Travel Alternatives	Intensive active travel campaign & infrastructure	CDC	2016	2017	high	Ongoing	2020	The HNT initiative is funding a community travel planner part time for two years starting 2018. The post will promote active travel with a particular focus on new development, schools and workplaces.
4.4	Wayfinding campaign	Promoting Travel Alternatives	Other	CDC	2016	2018	Low	Complete	Complete	Wayfinding campaign to signpost walking and cycling routes around Bicester.

4.5	Central corridor works in LTP	Traffic Management	Strategic highway improvements, re-prioritising road space away from cars, inc. access management, selective vehicle priority, bus priority, high vehicle occupancy lane	OCC	2019	2021	Low	Ongoing	Ongoing	Plans to install a shared footpath/cycleway were put on hold pending the more comprehensive review of the corridor. In addition funding has been secured by CDC through the HNT programme to carry out landscape improvements which will seek to reduce the impact of vehicle emissions. The timing of these works is aimed to fit with the OCC works.
4.6	Identify school journeys in Bicester to monitor and promote school travel plans	Promoting Travel Alternatives	School Travel Plans	CDC	2017	2018	Medium	Ongoing	2020	Some work has been undertaken with St Edburgs School on understanding travel with a view to developing appropriate measures around active travel.
4.7	Develop Satellite Catapult project	Promoting Travel Alternatives	Other	CDC	2017	2017	Low	Ongoing	Ongoing	A feasibility study was undertaken with the Satellite catapult looking at the potential to use satellite technology to provide air quality monitoring, mapping and information. Further funding opportunities are being explored to be able to progress the work.
4.8	Develop school project using air quality sensors	Public Information	Via other mechanisms	CDC	2017	2017	Low	Complete	2018	Small air quality monitors were used with students at the Studio School in

											Bicester to build a picture of the air quality that students experience when they travel to and from school. The project had some technical challenges with the monitors that limited the data collected. No current plans to revisit this.
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Measures without commitment and / or funding

Measure No.	Measure	EU Category	EU Classification	Organisations involved and Funding Source	Planning Phase	Implementation Phase	Reduction in Pollutant / Emission from Measure	Progress to Date	Estimated / Actual Completion Date	Comments / Barriers to implementation
UF.1	Green Wall Barrier between carriageway and receptor	Transport Planning and Infrastructure	Other	CDC	n/a	n/a	Medium	n/a	n/a	CDC have been exploring costs and benefits associated with green wall barriers against strategic planning.
UF.2	Targeted Banbury - Brackley employee journeys and local industrial estates i.e. Wildmere and Overthorpe workplace travel plan promotion	Promoting Travel Alternatives	Workplace Travel Planning	n/a	n/a	n/a	Low	n/a	n/a	There is consideration at OCC to pick this area of work back up.
UF.3	Priority parking for lift share permit holders in CDC owned car parks	Alternatives to private vehicle use	Car & lift sharing schemes	n/a	n/a	n/a	Low	n/a	n/a	The council has produced a strategy looking at On-street EV charging fund from the EST, surveyed applicable residents and intending to produce an options paper in order to guide the councils actions.
UF.4	Bicester wide car club	Alternatives to private vehicle use	Car Clubs	n/a	n/a	n/a	Low	n/a	n/a	No funding identified
UF.5	Lift share campaign at Water Eaton Park and ride	Alternatives to private vehicle use	Car & lift sharing schemes	OCC	-	-	Low	-	-	No plans or funding to take this forward.

UF.6	Create Clean Air Zones which encompass the AQMA's	Promoting Low Emission Transport	Low Emission Zone (LEZ)	n/a	n/a	n/a	Medium	n/a	n/a	No funding identified
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Topic and suggested by	Update	Status / Proposed action
Raised in 2018/19 Municipal Year and carried forward		
<p>Kidlington and Bicester Town Centre – Progress against master plans</p> <p>Former Councillor Neil Prestidge Councillor Lucinda Wing: Should a strategy to encourage High Street Retailers to town centres be in the Masterplan?</p>	<p>As previously reported, officers from Planning Policy have agreed to attend a future meeting of the Overview and Scrutiny Committee to discuss this subject.</p>	<p>Attendance will be scheduled when appropriate.</p>
2019/20 Municipal Year		
<p>Oxfordshire Growth Board</p> <p>What arrangements are in place for Scrutiny of the Growth Board?</p> <p>Raised by Councillors Ian Middleton, Mike Bishop, Chris Heath and Phil Chapman</p>	<p>All information and documentation relating to the Growth Board can be found on the dedicated website https://www.oxfordshiregrowthboard.org/</p> <p>Bev Hindle from the Growth Board has agreed to come to the 3 December O&S to talk about the Growth Board, with Councillor Barry Wood as the Cherwell District Council representative on the Board.</p>	<p>Committee are asked to submit any questions for Bev in advance of the December meeting.</p> <p>Submissions can be sent to the Democratic and Elections team via email democracy@Cherwellandsouthnorthants.gov.uk</p>
<p>Planning Policy for the District, including the Growth Deal.</p> <p>Raised by Councillors Ian Middleton, Mike Bishop, Chris Heath and Phil Chapman</p>	<p>As previously reported, officers from Planning Policy have agreed to attend a future meeting of the Overview and Scrutiny Committee to discuss this subject.</p>	<p>Attendance will be scheduled when appropriate.</p>
<p>Young and Old – services available to and linking the generations</p>	<p>The Wellbeing Show and Tell at the September meeting included information on Generations Working Together.</p>	<p>Committee to advise what/if any next steps following the Show and Tell at the September meeting.</p>

<p>Raised by Councillors Andy Beere, Shaida Hussain and Tony Mepham</p>		
<p>Culture in the wider sense and different aspects of it, what if any activities are taking place</p> <p>Raised by Councillors Andy Beere, Shaida Hussain and Tony Mepham</p>	<p>The query has been referred to Nicola Riley, Assistant Director - Wellbeing</p>	<p>An update will be provided at the meeting.</p>
<p>Wider awareness of what is happening in the district generally</p> <p>Raised by Councillors Andy Beere, Shaida Hussain and Tony Mepham</p>	<p>The query has been referred to Louise Tustian, Acting Performance and Communications Manager.</p> <p>A Wellbeing map is available via the Council's website, which shows various activities across the district. Event organisers are able to email details of their event to a dedicated email address, and the information appears on the map.</p>	<p>An update will be provided at the meeting.</p>
<p>Telephony Blackspots</p> <p>Raised by Councillors Tom Wallis, Sandra Rhodes and Bryn Williams</p>	<p>The Committee requested information regarding the level of mobile phone signal across the District. Ofcom has launched a mobile coverage checker that lets anyone check what signal they should be receiving from any of the four major UK networks. Below is a link to the checker which shows coverage on a map:</p> <p>https://checker.ofcom.org.uk/mobile-coverage</p>	<p>Committee to advise what/if any next steps it would like to take.</p>
<p>Mental Health – accessing care (who, what, where, when), support, awareness</p> <p>Raised by Councillors Tom Wallis, Sandra Rhodes and Bryn Williams</p>	<p>Information was included in the Wellbeing Show and Tell at the September 2019 meeting.</p>	<p>Committee to advise what/if any next steps following the Show and Tell at the September meeting.</p>

<p>Management companies managing new housing developments – is the use of management companies rather than adoption by the Council on the rise, if so what is the cause of this?</p> <p>Raised by Councillor Lucinda Wing</p>	<p>Details of information received from Jenny Barker – Bicester Delivery Manager, on Management Companies emailed to O & S Committee Members on 23 September.</p>	<p>Committee to advise what/if any next steps it would like to take.</p>
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Overview and Scrutiny Work Programme 2019/20

Item	Description	Contact Officer
3 December 2019		
Oxfordshire Growth Board	To receive a briefing on the Oxfordshire Growth Board	Bev Hindle – Oxfordshire Growth Board Cllr Barry Wood – Leader – Cherwell District Council & the council's representative on the Growth Board
Cherwell Public Art Policy	An opportunity for the committee to consider the updated policy which will fit the planning framework prior to consideration by Executive	Nicola Riley, Assistant Director Wellbeing
DC's support of Veterans	Request from Cllr Corkin for the Committee to add to their workplan.	Nicola Riley, Assistant Director Wellbeing
Annual Safeguarding Section 11 Audit Return, and updated Policy and Protocols	To endorse the annual Section 11 Audit return before submission to Oxfordshire County Council; to consider an updated Safeguarding Policy and associated procedures.	Nicola Riley, Assistant Director Wellbeing
Performance, risk and finance monitoring	Full quarterly Performance report	Hedd Vaughan Evans – Assistant Director Performance and Transformation and Louise Tustian – Acting Performance and Communications Manager
Work Programme	Standing item: Updates on topics suggested for consideration and review of	Emma Faulkner, Democratic and Elections Lesley Farrell, Democratic and Elections

Item	Description	Contact Officer
	work programme	
21 January 2019		
Budget and Business Planning	Review of final Revenue and Capital report prior to consideration by Executive and Full Council	Adele Taylor – Executive Director Finance (Interim) Dominic Oakeshott – Assistant Director: Finance (Interim)
Work Programme Page	Standing item: Updates on topics suggested for consideration and review of work programme	Emma Faulkner, Democratic and Elections Lesley Farrell, Democratic and Elections
17 March 2020		
Housing Strategy - update	Review of progress against the action plan one year after implementation	Gillian Douglas, Assistant Director Social Care Commissioning and Housing
Overview and Scrutiny Committee Annual Report 2019/20	The Constitution requires that the Overview and Scrutiny Committee submit an annual report to Council. This is an opportunity for the Committee to review the draft Annual Report	Emma Faulkner, Democratic and Elections Lesley Farrell, Democratic and Elections
Performance, risk and finance monitoring	Full quarterly Performance report	Hedd Vaughan Evans – Assistant Director Performance and Transformation and Louise Tustian – Acting Performance and Communications Manager

Item	Description	Contact Officer
Work Programme	Standing item: Updates on topics suggested for consideration and review of work programme	Emma Faulkner, Democratic and Elections Lesley Farrell, Democratic and Elections
Items to be allocated		
Support Masterplan update focus on supporting thriving town centres	Information on progress of masterplan implementation and support being offered to town centres to assist regeneration	David Peckford, Assistant Director Planning & Development
Local Plan Update	Following queries raised by the Committee – this will be scheduled at the appropriate time	David Peckford, Assistant Director Planning & Development
Management Companies Managing New Housing Developments	Query raised by the Committee about the use of management companies rather than town/parish councils taking on responsibility for green spaces. Presentation to be scheduled to advise the Committee of the council's policy	David Peckford, Assistant Director Planning & Development Jenny Barker – Bicester Delivery Manager

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