

Cherwell

DISTRICT COUNCIL
NORTH OXFORDSHIRE

Overview and Scrutiny Annual Report 2010/11



Foreword

*TO BE COMPLETED BY CLLRS SAMES
AND MAWER ON BEHALF OF THE
COMMITTEES*

DRAFT

**Councillor Daniel Sames
Chairman,
Overview and Scrutiny Committee**

**Councillor Nick Mawer
Chairman,
Resources and Performance Scrutiny Board**

Overview & Scrutiny Committee

Membership

Councillor Dan Sames (Ch)
Councillor Ann Bonner
Councillor John Donaldson
Councillor Alastair Milne Home
Councillor Chris Smithson
Councillor Keith Strangwood

Councillor Lynda Thirzie Smart (V Ch)
Councillor Nick Cotter
Councillor Andrew Fulljames
Councillor Les Sibley
Councillor Trevor Stevens
Councillor Lawrie Stratford

Kidlington Pedestrianisation

The Kidlington Pedestrianisation capital bid (value £25,000) had been referred to scrutiny for further consideration by Council in February 2010. The Committee learnt that traffic control in the village was a long-standing problem and that the expansion of the pedestrianised area was an aspiration of the Kidlington Village Centre Management Board and that it was also a Cherwell District Council service plan objective to deliver such a scheme. Having heard arguments for and against the scheme and taking into account the views of parish councillors the Committee resolved to support the bid. This recommendation was subsequently accepted by the Portfolio Holder and the scheme is expected to be in place by mid-2011.



Built Environment Conservation Policy

Although the Committee did not undertake a full scrutiny review of this topic, the members did discuss it with the Portfolio Holder and officers and they analysed a wealth of background information on the Council's approach to conservation. In particular they looked at enforcement and prosecution, Article 4 Direction Orders, the opportunities to work with partner organisations and the use of environmental improvement grants. The Committee strongly supports the work which the council does to seek to protect conservation areas and properly control development within them. They noted that the ability to issue fines and recover actual costs associated with planning enforcement cases would require a change to primary legislation. They agreed that this was an issue that should be raised at the visit to the Council by John Howell, Member of Parliament for Henley and a principal author of the government's proposals for reform of the planning system.

Banbury Brighter Futures

In July 2010 the Committee requested a briefing on the Banbury Brighter Futures Project as they were eager to support this initiative and were prepared to undertake a complementary scrutiny review if it was needed. The Committee learnt that this was a complex multi-agency project focusing on breaking the cycle of deprivation in three wards in Banbury and that the project had some very long lead times before there would be tangible results. The Committee revisited the Banbury Brighter Futures Project in early 2011 and were pleased to note significant progress and some early achievements.

Youth Services



In March 2011 representatives from the Children, Young People and Families Directorate of Oxfordshire County Council met with the Committee to discuss the proposals for restructuring services to children, young people and families. The Committee learnt that the focus would be on early intervention and partnership working with community groups and other service providers like Connexions and the probation service. Youth services would centre on local delivery from “hubs” across the county, including two in Cherwell (Banbury and Bicester). The Committee noted that the Council’s own value for money review of youth services had been deferred until the outcome of the county council consultation was known and that the Cherwell District Council youth budget had not been cut in 2011/12.

Joint Meeting of Overview & Scrutiny Committee and Resources & Performance Scrutiny Board

Business Case for a Joint Management Team between Cherwell District Council (CDC) and South Northamptonshire Council (SNC)



In July 2010, Cherwell District Council’s Executive and South Northamptonshire Council’s Cabinet both resolved to establish a Joint Working Group to oversee the development and delivery of a detailed business case for the creation of a single management team for both authorities. Scrutiny Committees at both CDC and SNC were given the opportunity to consider the draft business case. The Overview and Scrutiny Committee and the Resources and Performance Scrutiny Board held a joint meeting in October 2010 which was attended by the Portfolio Holder Resources and Communication (Vice-Chairman of the Joint Working Group), the Leader of the Council and the Portfolio Holder Performance Management, Improvement and Organisational Change (members of the Joint Working Group), the Chief Executive, Head of Finance and HR Manager who had supported the Joint Working Group.

The Portfolio Holder Resources and Communication gave a detailed presentation on the business case stressing that the proposal was for two sovereign councils to share a management team. Following the presentation scrutiny councillors had the opportunity to comment on the business case and ask questions of the Joint Working Group councillors.

The meeting also considered and noted the feedback that had been received on the draft business case consultation which had taken place between 21 September and 4 October 2010. Formal responses had been received from both the Councils’ UNISON branches, 8 Cherwell staff and 20 South Northamptonshire staff.

The Joint meeting of the Overview and Scrutiny Committee and the Resources and Performance Scrutiny Board resolved:

- (1) That the draft business case for a shared management team between South Northamptonshire Council and Cherwell District Council be noted and endorsed.

- (2) That the Executive be advised to take into account the following comments and observations in its consideration of the draft business case:
- a) Structure
 - i. Need to create opportunities to maximise the efficiency of business processes.
 - ii. Need to ensure that the challenges of cross county working are addressed and that the opportunities are maximised.
 - iii. Need to ensure that the staff and public are given explanations regarding concerns about the capacity demands of the shared officer posts.
 - b) Costs and Savings
 - i. Need to ensure that the costs are simply not displaced and transferred lower down the organisational structure.
 - ii. Noted that this business case represents the best opportunity for Cherwell District Council to make savings.
 - c) Pace of change
 - i. Acknowledged that due time and consideration had been given to the development of the business case.
 - ii. Endorsed the proposed timescale for implementation.
 - iii. Proposed that these points needed to be explained and presented to staff and the public to address any concerns.
 - d) Section 113 Agreement
 - i. Noted that the Agreement included the option for either Council to withdraw from the arrangement but emphasized that further consideration was needed with regard to ensuring that neither council would be disadvantaged in terms of key staff or projects.
 - ii. Proposed that the Agreement should have adequate procedures in place for the resolution of disputes and for the monitoring of the arrangement.
 - e) Recruitment Process
 - i. Applauded the decision to use external recruitment consultants to ensure that the appointment process would be fair and transparent.
 - ii. Emphasized the importance of all appointments being merit based, in particular, the need for competition at tier one
 - iii. Proposed that further consideration should be given to the arrangements for the appointment of the Chief Executive amid concerns about a 'field of one'.

Resources & Performance Scrutiny Board

Membership

Councillor Nick Mawer (Ch)
Councillor Alyas Ahmed
Councillor Maurice Billington
Councillor Tim Emptage
Councillor Carol Steward
Councillor Doug Webb

Councillor David Hughes (V Ch)
Councillor Rick Atkinson
Councillor Margaret Cullip
Councillor Neil Prestidge
Councillor Pat Tompson
Councillor Martin Weir

2011/12 Budget scrutiny



As part of the 2011/12 budget process, the Board undertook a review of the staff and Member training expenditure, fees and charges in Environmental Services, Finance and Safer Communities, Urban and Rural Services and reviewed the capital bids received as part of the 2011/12 process. Relevant Portfolio Holders, Heads of Service and officers attended each meeting to answer Members' questions.

The Board considered report of the Head of Finance on Budget Scrutiny Planning, which provided an overview of the budget position, at their meeting in September 2010. Three informal working group meetings were held to review the budget proposals in detail.

Meeting one focussed on the Learning and Development Budget and the Member Training Budget.

Meeting two focussed on Environmental Services fees and charges including pest control, bulky waste collection, bin charges, trade recycling and trade waste and MOTs, Urban and Rural Services fees and charges including parking charges, licensing charges and public path order charges, Finance fees and charges including charging for credit card payments and increasing debt recovery costs and the Joint Use Agreements with North Oxfordshire Academy and Cooper School.

Meeting three focussed on capital bids and considered some of the fees and charges proposals in more detail, including pest control and car parking.

The Board met formally on 30 November to consider the draft recommendations, conclusions and comments that had evolved from the budget scrutiny working group meetings. The Board agreed to submit 8 recommendations to the Executive, three relating to capital bids, two relating to training and three relating to fees and charges. The Board also submitted two comments relating to parking charges for blue badge holders and a Concessions Policy for the council.

All of the Board's recommendations and observations were welcomed and accepted by the Executive and Council as part of the 2010/11 Budget. A number of the recommendations relating to parking charges were called in and these are detail on page 7 of this report.

Disabled Facilities Grants (DFGs)

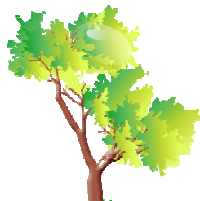
During the budget scrutiny 2010/11 process, officers had reported that a Disabled Facilities Grants policy would be developed during 2010/11 to address prioritisation and allocation of resources and the development of practices and procedures to improve the efficiency and value for money for the DFG service. The Board requested that they be involved in the development of this policy and invited officers to their meeting in June 2010. The Board learnt that DFGs were mandatory and as the housing authority, Cherwell District Council has to meet its statutory duty to respond. In addition, the delivery of DFGs was enshrined in the Council's priorities. Members noted the DFG budget was made up a government grant and capital programme funding and that the process involved working closely with Oxfordshire County Council and the Housing Association. The Board commended the Housing Services staff for their hard work on the delivery of DFGs which supported and assisted vulnerable members of the community. The Board nominated three Members to work with officers during the development of the policy, which was approved by the Executive in December 2010.

Contract Management Procedures, Policies and Strategies

The remit of the Resources and Performance Scrutiny Board includes performance monitoring and review of the council's contractual arrangements. At the Boards July meeting the Head of Finance and Strategic Procurement Manager provided Members with an overview of the contract management procedures in place across the Council and presented the Council's contracts register which included all contracts with a value greater than £10k. The Board learnt that the Corporate Procurement Team was formed in 2008 and a key role of the Team was to work with services to ensure value for money procurement practice and to support them to promote best practice in line with the Corporate Procurement Procedure Rules. The Board agreed that they would focus on two contract tenders during 2010/11: Old Bodicote House Refurbishment and Landscape Maintenance.



Contract Scrutiny: Landscape Management



Following on from the overview of the Council's contract management procedures, policies and strategies, in January 2011 the Board received a briefing from the Portfolio Holder Safer Communities, Urban and Rural and officers on the council's landscape maintenance contract. The Board was advised that in 2005 the council had entered into a six year contract with Continental Landscape with an option to extend for a further three years. The Board noted that performance monitoring was reported annually and that the contractor had consistently performed to a high standard. Officers reported that landscape services had been thoroughly reviewed as part of the Value for Money Review of Safer Communities, Urban and Rural Services which had found that the cost of the contract and the service provided was very competitive compared to neighbouring authorities but still identified opportunities for cost reduction. The Board agreed to nominate two Members to work with officers during the contract review process

Partnership Scrutiny: Cherwell Safer Communities Partnership (CSCP)

In September 2010 the Chairman of the CSCP, the Cherwell Local Police Area Commander, the Portfolio Holder Community Safety, Urban and Rural, the Head of Safer Communities and the Community and Corporate Planning Manager attended the meeting to discuss the CSCP, the work of the partnership and relationship between Cherwell District Council and the CSCP. The Board had learnt that the Crime and Disorder Act



1998 had established the formation of statutory Crime and Disorder Reduction Partnerships to bring together local agencies to tackle crime reduction. The Board had noted that there was a strong working relationship between the Council and the Cherwell Safer Communities Partnership which supported the delivery of the Council's corporate priorities and strategies. This was underpinned by a formal structure to manage and measure the effectiveness of the partnership. As a result, the partnership was delivering practical benefits to residents in the district. The Board agreed that would like to receive an update in summer 2011 once the proposals in the Government's policing reform programme consultation have been published and the budget position of the partnership is clearer.

Engagement of External Consultants by Cherwell District Council

A member of the Resources and Performance Scrutiny Board requested that this item be added to the work programme as a potential topic for scrutiny. The Head of Finance, Corporate Strategic Procurement Manager and the Community and Corporate Planning Manager attended the Board's March meeting to provide an overview of the engagement of external consultants. The Board was advised that the same procurement principles were applied to the procurement of consultants as to any procurement process the council undertakes. Whilst any service area could potentially use consultants, they must be procured in the correct manner and a budget must be available to meet the cost. Expenditure on consultants had decreased by around two-thirds between 2008/09 and 2010/11 and the 2011/12 budget forecast a further reduction. The Board agreed that the Finance Scrutiny Working Group should continue to monitor consultancy costs.

Resources & Performance Scrutiny Board ~ Working Groups

The members of the Board have divided into two informal working groups that each meet about four times per year to undertake more detailed assessments of the Board's areas of responsibility, in particular, review of the management of resources and scrutiny of the financial management, treasury management, property and asset acquisition and disposal, capital programme and monitoring of year-on-year performance indicators.

Finance Scrutiny Working Group

Membership: Cllr Mawer (Chairman), Cllrs Atkinson, Emptage, Hughes, Tompson, Webb, Weir.

The Group's role is to carry out detailed consideration of the Council's finances and budgets. At every meeting the Group reviews the Council's performance against a range of financial indicators covering income, debt, investment, creditors and risk. In 2010/11 the Group considered a detailed sports centre modernisation end of project appraisal and reviewed the project brief for planning fees and charges.

Performance Scrutiny Working Group

Membership: Cllr Hughes (Chairman), Cllrs Ahmed, Billington, Cullip, Mawer, Prestidge, Steward.

The Group carries out detailed scrutiny of corporate and service performance, considers performance where targets are not being met or over performance, considers targets, their relevance and future targets considers performance based on what it means to the public. At every meeting the Group reviews the Council's performance, using the Performance Management Framework data as its baseline evidence. During 2010/11 the Group looked at the Council's performance across a number of areas including: draft Value for Money review of Development Control and Major Developments, implementation and roll-out of food waste processing in the district and absenteeism/sickness management.

Task and Finish Groups

Houses in Multiple Occupation

Membership: Councillors Bonner, Clarke, Smithson & L Stratford

This Task & Finish Group was convened in May 2010 to identify possible guidance criteria for the planning control of Houses in Multiple Occupation (HMOs) within the district, which could eventually be included in the Local Development Framework. The Task & Finish Group understood and appreciated that HMOs were a necessary tool in meeting the demand for housing across the district but that the concern was with the Council's ability to control the density and concentration of such properties in particular areas. The Task & Finish Group concluded that only the issues relating to the general amenity provision, such as traffic, parking and litter and refuse, were those that Council could realistically address through the planning process. They had been pleased to note the work by the Design and Conservation team to produce an informal planning guidance document which would be a valuable tool for Planning Officers to build up an evidence base to demonstrate its use in determining HMO applications.

Call-in: Car Parking, 5 January 2011

There was one Call-in during the municipal year 2010/11. The Call-in was held on 5 January 2011 and related to the Executive decision to make a number of changes to the council's car parking arrangements.

The Call-in stated:

We the named Councillors and non-executive members of Cherwell District Council hereby give notice that we wish to call in for further scrutiny the Executive decision's of Monday 6 December 2010 regarding the proposals to increase Car Parking Fees, the extension of car parking hours, the introduction of parking fees for Blue Badge Holders and the decision to begin negotiations with regards to Watts Way, Kidlington.

The Portfolio Holder for Safer Communities, Urban and Rural Services and the Leader of the Council responded to the Call-in signatories. They outlined the process to date and the Leader explained that the car parking fee proposals were part of a the budget setting process that included a review of all fees and charges to ensure the Council reached a balanced budget whilst maintaining a high level of service provision.

The Committee discussed each of the elements of the call-in. Members of the Committee queried whether the income generated through the introduction of charges for blue badge holders and evening charges would represent value for money given the potential implementation and enforcement costs. They were also concerned that the additional charges would deter people from visiting Banbury, Bicester and Kidlington or car drivers would park in private streets rather than pay the additional charges.

At the discretion of the Chairman, representatives from Bicester & District Chamber of Commerce addressed the meeting. They expressed concerns about the timing of the proposals, the impact on Bicester of the proposals to increase car park fees and to introduce evening charges and charges for blue badge holders.

The Overview and Scrutiny Committee resolved

- (1) That the proposals of the Executive to increase Car Parking Fees, the extension of car parking hours, the introduction of parking fees for Blue Badge Holders and the decision to begin negotiations with regards to Watts Way, Kidlington be referred back to the Executive and that in reconsidering the decision the Executive should take note of the concerns expressed at the Overview and Scrutiny Committee meeting and the following 5 points:
 1. Ensure proper consultation on Watts Way, Kidlington
 2. Request the Executive investigate alternative ways to find funds (e.g. £39k to offset the introduction of evening charges)
 3. Investigate the feasibility of barrier parking/pay on exit
 4. Study the economic impact of parking charges
 5. Investigate the number of disabled bays across the district, the ratio of short to long stay spaces and motorcycle parking availability

The Executive noted the Overview and Scrutiny Committee position but the original decision was upheld. The Overview and Scrutiny Committee subsequently decided to include a strategic review of car parking on their work programme for 2011/12.

Training and Development

There were 4 scrutiny related training events for members in 2010/11:

- 1 councillor and 1 independent member attended the Introduction to Overview and Scrutiny training on 1 June 2010 as part of the induction programme.
- 6 councillors attended the Data Analysis and Management briefing on 9 June 2010 which relates to the work of the Resources and Performance Scrutiny Board in monitoring the Council's performance and finance data.
- 8 councillors attended the Budget Priorities briefing on 14 June 2010, which relates to the work of the Resources and Performance Scrutiny Board in undertaking budget scrutiny.
- 8 councillors attended the Performance Management briefing on 18 January 2011, which relates to the work of the Resources and Performance Scrutiny Board in reviewing the council's performance data.
- In addition 1 member and 1 officer attended the Centre for Public Scrutiny Conference (CfPS) in June 2010.

Statistics

Statistic	2006/07	2007/08	2008/09	2009/10	2010/11
Number of scrutiny committee meetings	25	20	20	17	17
% attendance at scrutiny committee meetings	76%	78%	82%	76%	71%
Number of completed reviews	7	6	6	5	9 + Joint case = 10
Number of committee reviews undertaken	1	1	4	6	
Number of Task & Finish Groups established	12	2	2	1	1
Number of Call-ins	0	1	0	0	1
% scrutiny recommendations accepted by Executive or other body	-	90%	97%	100%	100%

Corporate priorities checklist

How does the overview and scrutiny function contribute to the Council's corporate priorities?

	Kidlington Pedestrianisation	Houses of Multiple Occupation	Built Environment Conservation	Youth Services	Banbury Brighter Futures	Business Case for Shared Management Team with SNC	Disabled Facilities Grants	Contract Management Procedures, Policies & Strategies	Cherwell Safer Communities Partnership	Engagement of External Consultants	Landscape Maintenance Contract
Break the Cycle of Deprivation and address inequalities across the District					✓						
Work to support the development of the Northwest Bicester Eco-Town, using the Eco-Town as an opportunity to develop a centre of excellence in terms of sustainable living											
A district of opportunity											
1. Balance employment and housing growth by developing businesses and homes that meet local need within an overall robust planning policy framework.		✓	✓								
2. Provide business land and premises opportunities to support local economic development.											
3. Support business success by fostering innovation and helping businesses to recruit and retain skilled employees											
4. Help and support Cherwell's residents through uncertain times											
5. Make it easier for you to get where you need to go											
6. Secure housing growth that meets Government targets and the needs of the District through an appropriate mix of market and affordable housing.			✓								

7. Give you advice and support to find a home if you are without one.												
8. Improve the standard of housing particularly for vulnerable people.							✓					
9. Develop safe and pleasant urban centre which provide you with good facilities	✓											
10. Improve local services and opportunities in rural areas.												
A safe and healthy Cherwell												
11. Help you feel safe in your home and community, working to reduce further our very low level of crime										✓		
12. Involve you in making your community stronger through Neighbourhood Management										✓		
13. Help to deliver improved healthcare for Bicester and Banbury.											✓	
14. Make it easy for you to lead a healthy and active life through our countryside, leisure facilities and tourist attractions												
15. Make big improvements to our sports centres												
16. Provide community facilities and activities to meet local need				✓								✓
A cleaner, greener Cherwell												
17. Keep streets and open spaces clean and free from litter, graffiti and abandoned vehicles and well maintained										✓		
18. Help you recycle so we can reduce the amount of landfill waste.												
19. Protect our environment, wildlife habitats and the country side, by working with others.												✓
20. Maximise energy efficiency and minimise carbon emissions in our												

