



OVERVIEW and SCRUTINY ANNUAL REPORT 2008/09

April 2009

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“I wish to record my recognition of the energy, commitment and focus shown by the scrutiny committees, Health Engagement Panel and the various Task & Finish groups throughout the year. They have helped, through their scrutiny, to add value to the recommendations and decisions of the Executive.”

*Councillor Tony Jackson – Leader, East Herts Council
at the meeting of full Council on 25 March 2009.*

INTRODUCTION



Councillor Jim Ranger

Chairman Corporate Business Scrutiny



Councillor Colin Woodward

Chairman Community Scrutiny



Councillor William Quince

Chairman Environment Scrutiny

A total of 37 Members have served on the scrutiny committees, Health Engagement Panel or task and finish groups this year, giving generously of their time, enthusiasm and expertise. This report sets out their many achievements; and our hopes and plans for the coming year.

1. What is Scrutiny?

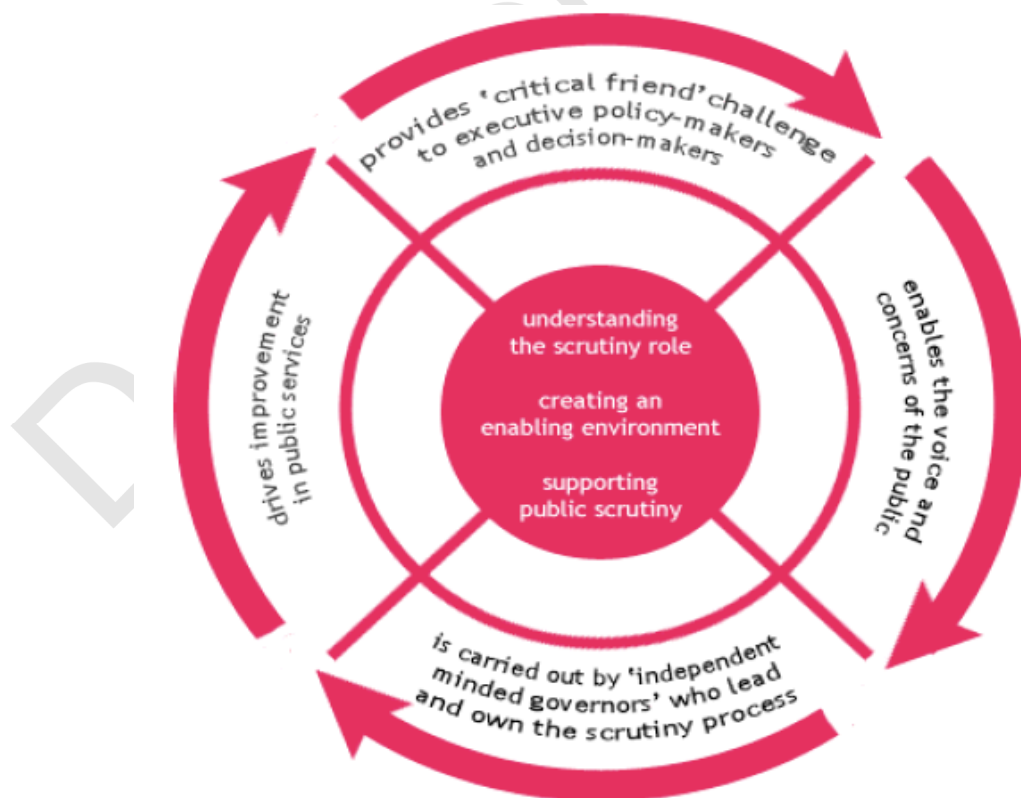
The Local Government Act 2000 says that councils must have at least one committee that has the power to review or scrutinise decisions or actions which affect the authority's area or its residents.

The aim of scrutiny is to provide an open and transparent forum in which to ensure that policies and services are meeting the Council's priorities and the needs of local people.

Scrutiny Members act as a critical friend to the Executive and other local service providers, helping them to monitor performance and develop sound policies. They also have the power to hold the Council's Executive to account by "calling in" decisions before or after they have been taken.

Scrutiny committees cannot make decisions or policies themselves, but they have the power of influence. They make recommendations informed by partner and public opinions, performance information, examples of best practice and expert advice.

The Centre for Public Scrutiny (CfPS) has set out the 'four principles of good scrutiny' which should apply in the scrutiny cycle:



2. Scrutiny at East Herts

2008/09 is the first full year of the new scrutiny arrangements in East Herts. Following a review during 2008, the original two committees which focused separately on policy and performance, were restructured into the three 'service specific' committees given below.

Corporate Business Scrutiny: Scheduled to meet 8 times per year	regular performance monitoring pre-decision scrutiny (selecting from the Forward Plan) budget setting proposals and strategies scrutiny and policy development of the 'business' side of the council including: finance, ICT, facilities, legal & procurement
Community Scrutiny: Scheduled to meet 4 times per year	Community Safety and Protection Community Development, Leisure & Culture Health and Housing
Environment Scrutiny: Scheduled to meet 4 times per year	Planning Policy and Transport Environment and Environmental Quality Conservation and Climate Change

All three committees have responsibility for internal scrutiny, external scrutiny and call-in and will pick up new powers as they are devolved from central government. These evolving powers are explained in more detail in Section 11 of this report.

East Herts Council has a seat on the county-wide Hertfordshire Health Scrutiny Panel. Our representative is the councillor who is Chairman of our own **Health Engagement Panel** which operates as a 'standing panel' under the Community Scrutiny Committee.

In their scrutiny role, the Committees are supported by one full-time officer post. The Scrutiny Officer role is to provide project management support to the Scrutiny Committees and undertake research and information analysis in relation to reviews or 'task and finish groups' set up by the main Committees. Another important strand of the officer's role is to ensure external witnesses, experts, partners and local residents are all appropriately involved in the scrutiny activity within East Herts.

During 2009, it became clear that a few areas of scrutiny responsibility needed to have their descriptions updated and a couple of activities would fit better under an alternative committee.

Consequently, during a council-wide revision of the whole Constitution, the following changes were proposed to full Council on 4 March 2009 and agreed.

Current wording or situation	New wording or change	reason
<i>Add to all 3 committees</i>	To monitor the contributions made by the Local Strategic Partnership (LSP) and partners to the quality of life for residents of East Herts within the remit of this committee	to reflect the growing importance of working positively with external partners
To consider the draft budget which is recommended to the Council by the Executive and scrutinise the budget	To consider the budget setting proposals and strategies of the council	to better represent the early intervention and involvement of scrutiny in the budget setting cycle
CCTV Partnership and Police Liaison (RAG)	Crime and Disorder Reduction	to up-date the terminology
<i>Remove</i> <ul style="list-style-type: none"> • Building Control • Planning Enforcement • Development Control from remit of Community Scrutiny	<i>Add</i> these areas to the remit of Environment Scrutiny to sit alongside <ul style="list-style-type: none"> • Planning Policy • Local Development Framework (LDF) 	To allow closely related/overlapping issues to all be considered under the remit of a single committee and avoid duplication/confusion

3. How do the Committees decide what to scrutinise?

Councillors select issues which are:

- Of local public concern
- Linked to the council's vision and priorities
- Capable of being influenced
- Not being scrutinised by another body

And they can draw ideas for topics from

- National and local performance data
- Results and feedback coming out of residents' survey(s)
- Responses to our Link magazine or ideas direct from residents
- Issues raised regularly in the local press
- Executive and non-Executive Members
- Corporate Management Team
- Topics which the scrutiny committees previously identified but did not have time to review during the previous year

4. How to get involved

Scrutiny is strengthened by involving partners and residents. They bring expertise, local knowledge, fresh ideas and external challenge.

If you would like to know more, ring the Scrutiny Officer on 01992 531612 or e-mail scrutiny@eastherts.gov.uk

You can access full details on any item or outcome mentioned in the following pages of this report via our website. Agendas, reports and minutes of every council committee are posted and regularly updated – and meetings are open to the public:

<http://www.eastherts.gov.uk/committees>

If you ever take part in one of our scrutiny reviews and every time you attend as an observer, we would value your feedback to help us improve the process. An on-line feedback form is available at

<http://www.eastherts.gov.uk/scrutiny>

or you can ask for a paper-based version from the Scrutiny Officer.

OVERVIEW AND SCRUTINY ACHIEVEMENTS May 2008 – April 2009

5. Corporate Business Scrutiny Committee

Chairman: Councillor Jim Ranger
Vice-Chairman: Councillor Mike Wood

Councillors

D Andrews	J Hedley
R Beeching	G Lawrence
R N Copping	J Mayes
R Gilbert	J Warren

Substitutes:

Cllrs P Ruffles, N Wilson, C Woodward, R Taylor

Scrutiny:

- This committee holds the reins on the 'business functions' of the council and, along with the Audit Committee, keeps a watch to ensure statutory requirements, regulations and legal aspects of governance are complied with. During this year, members have subjected the following reports to scrutiny:
 - Data Protection and Data Sharing Protocol
 - Legal Code of Corporate Governance
 - Annual Governance Statement
 - Review of the Constitution
 - Risk management and strategic risk register
- Members at East Herts Council are always looking to improve the way things are done. This doesn't just cover the services we offer residents but also applies to the way we do things behind the scenes. During 2008/09 decisions were made on two key changes:
 - Recruitment Services
Plans are now in hand to work with Hertfordshire County Council and Manpower when we need to recruit new staff. Working with these partners will bring an economy of scale and reduce the cost of advertising and administration for us in this area.
 - Changing the Way We Work (C3W)
In a parallel move to bring about longer-term savings, the council is seeking to reduce running costs and modernise its processes. The Corporate Business Scrutiny committee is scrutinising the progress of the C3W project on a quarterly basis to check it is on

track and continues to keep staff and residents informed at every stage.

- A significant proportion of the committee's workload has been focussed on the scrutiny of major items relating to
 - The budget setting process
 - Fees and charges
 - Service Plans (covering everything we plan to do in 2009/10)
 - The Corporate Strategic Plan 2009-2012

This last document is key to setting out the direction for the council and its services over a three year period - and Corporate Business Scrutiny is a significant stage in the development of that vision and in its annual up-dating. [Click here for a direct link](#) to the current Corporate Strategic Plan.

Performance monitoring:

This is an important role for scrutiny. At every alternate meeting the committee receives a report showing how well the services are performing against target levels. Some of these targets are set by central government and some by local agreement. The report is known as a 'Healthcheck' for good reasons – it is a way of taking the temperature of the council and keep it operating well.

Corporate Business Scrutiny monitors key information such as staff sickness absence and complaints made to the council as well as checking that we pay invoices on time.

Additionally, this committee reviewed substantial, detailed reports covering the

- Corporate Annual Report for 2007/08
- Audit Commission's Comprehensive Performance Assessment (CPA) Improvement Plan

Consultation:

- Corporate Business Scrutiny was used as the forum to co-ordinate the council's response to the government's consultation on 'Improving Local Accountability'. Members and senior officers sent written feedback to the Department of Communities and Local Government (DCLG) on its proposals for new powers for scrutiny, regulations on access to information, a legal framework for petitions and provisions for remote attendance and voting at council meetings. Members were pleased to see their feedback well represented in the government's response paper.

- The government's response to all the feedback received can be seen on-line ([click here for a direct link](#) to DCLG site) and it is now being translated into legislation as the '*Local Democracy, Economic Development and Construction Bill*' makes its way through parliament ([click here for a direct link](#) to the appropriate Bills and Legislation page on the Parliament website). The detail shows the likely direction for the development of the scrutiny function in future – and this is discussed further in Section 11 of this report.

Reviews:

- Performance Indicators: a 'task and finish' group of 5 councillors (under chairmanship of Cllr Janet Mayes) looked at the detailed information and statistics which the authority has to record and report on. Much of this data is legally required and used by the Audit Commission to formally 'inspect' the council - but local councillors also need to monitor progress and performance on a regular basis so they can quickly pick up on any issues and prevent a 'falling' figure becoming a 'failing' one.

East Herts takes Performance Monitoring very seriously and this group wanted to ensure key information was reported to the right committee in a timely manner and in a clear format that was more 'user-friendly'.

- Plain English and Report Writing: a group of 7 councillors (also under the chairmanship of Cllr Janet Mayes) spent time looking ways to improve the quality and style of the reports they have to read. These reports are also available to residents and local media via the council's website and at committee meetings which are all held in public.

The members of this group were keen to ensure all the reports being considered by councillors and used by them to make decisions, would be readily accessible by everyone. They have already recommended a new, clearer layout for future reports and are finishing off a Plain English guide. This is designed to sit alongside a new training course on Report Writing which has been commissioned as part of the staff development programme.

- Shared Services: a group of 7 members (under the chairmanship of Cllr Jim Ranger) has just started to review how East Herts works in partnership with other councils and agencies on a range of services. Joint working has become an important way of offering residents more efficient and responsive services – and councillors want to check we are doing everything we can to be effective. They will report back to Corporate Business Scrutiny Committee in July 2009.

Call-In:

No Call-In was heard by this committee during 2008/09.

Comment from Cllr Jim Ranger (Chairman):

“Much of the work of this Scrutiny Committee is on policy issues which lead to service improvements over a period of time. The one issue with an immediate outcome for residents is the 2009/2010 budget.

Our detailed work as the budget was developed led to recommendations, largely around staff costs and the freezing of Councillors’ allowances, which were accepted by the Executive.

This resulted in the Executive recommending to Council a reduced increase in Council Tax from 3.8% to 3.4%”.

Draft for Council

6. Community Scrutiny

Chairman: Councillor Colin Woodward
Vice-Chairman: Councillor Dorothy Hone

Councillors

P Ballam	A Dodd
N Clark	A Graham
K Darby	P Grethe
A Dearman	J Taylor

Substitutes:

Cllrs G McAndrew, P Ruffles, S Rutland-Barsby, M Wood, D Clark

Scrutiny:

- The East Herts Homeless and Homeless Prevention Strategy 2008-2013 was scrutinised at the final meeting of last year and this year the Scrutiny Committee went on to review

- East Herts Housing Strategy 2008/11
- Choice-based letting scheme and Housing Register Allocation policy
- Affordable Housing: options in the current economic climate

As part of their on-going commitment to support residents, the committee has already asked to have an updated Empty Homes strategy and action plan presented to them during next year to allow them to check it is sustainable and robust.

- The leisure and cultural services have received attention from this committee over the past year with work undertaken on
 - The new leisure contract procurement process
 - The business case for development at Grange Paddocks and Hartham leisure facilities
 - Castle Hall – review and development plans

The committee was delighted to have the opportunity to recommend significant investment in major projects in the heart of the two main towns of the district. The plans for Grange Paddocks in Bishop's Stortford and the refurbishment of Castle Hall in Hertford were warmly recommended to the Executive. The committee were keen to also pursue the development of the leisure facilities at Hartham, but considered that it might not be prudent to undertake all three projects at the same time given the current economic pressures on the council. **The Executive is still to make a final decision on this issue** (21/04/09).

- Some key recommendations were made by Community Scrutiny to the Executive – and accepted by them - regarding
 - Options for the future delivery of Community Meals – where they supported the plan to join other districts in handing over this activity to the ‘not for profit’ social enterprise (Hertfordshire Community Meals) which is managed by the County Council.
 - Community transport initiatives and bus subsidies – where they recommended how £85,650 of subsidy could most usefully be allocated across a range of bus routes around the district.

Both of these issues impact on some of the most vulnerable and isolated residents of East Herts and the committee will continue to monitor these services to ensure changes do not have a detrimental impact on their quality of life and well-being.

- During this busy year, the committee also managed to find time to look at
 - East Herts District “Children’s Trust Partnership” action plan
 - Comprehensive equalities policy and action plan
 - Cultural Strategy – end of year monitoring report
 - “Everyone Matters” – a Sustainable Community Strategy for the district of East Hertfordshire (2009-2024)
- “Everyone Matters” sets out the vision and ambitions for the future well-being of the area and is based on hard evidence, extensive public consultation and partner involvement. The committee was impressed with the document and pleased to endorse the themes and recommend the adoption of the strategy and associated action plan.
- As part of the budget setting process, Community Scrutiny considered a range of potential savings and some growth items from a list drawn up by the services under the remit of the committee. Councillors were keen for savings to come from ‘efficiency’ and not impact on quality of service delivery to residents. One unanimous decision was to support and recommend that users of East Herts parking Smartcards should get a 10% discount when staying for 5 hours or more in our local car parks.

Performance monitoring:

- A ‘Healthcheck’ is received by this committee at every meeting covering the services under its remit. The report is a mixture of written information explaining the performance data and visual material which shows both a current position and a trend chart so councillors can quickly pick up if something is going off-track. Close monitoring makes a significant contribution to the sound management of the council.

- More detailed annual reports were received from our key partners who attended in person to present a summary of their work over the previous year and answer questions from councillors
 - Community Meals Service (WRVS Meals on Wheels)
 - Registered Social Landlords (Housing Associations) with annual reports from both Circle Anglia and Riversmead.
 The CAB (East Herts Citizens Advice Service EHCAS) would usually report to the committee, but this year the session has been delayed until the first meeting of 2009/10 to allow EHCAS to report more fully on the outcome of their recent re-organisation.

Up-dating:

In order to deliver efficient and effective services to residents, all local councils are looking for ways to work in partnership with other agencies in their area. One significant national development is the formation of Local Strategic Partnerships (LSPs). These bring together different parts of the public, private, community and voluntary sectors allowing different initiatives and services to pool resources and support one another to gain the best outcomes for local people. Everyone is working towards the same the objectives and targets coming out of a negotiated Local Area Agreement (LAA) – and this should build capacity, avoid duplication and provide more cost-effective services in future.

Locally, the county LSP is called “Hertfordshire Forward” and the committee was brought up-to-date with a session on partnership and community working designed to broaden their understanding of the new structures, the make up of the district LSP and what has been achieved to date.

Reviews:

- No separate topic was reviewed by Community Scrutiny outside of the scheduled Committee meetings. During 2008/09, resources were allocated to set up and support the very active Health Engagement Panel.

Call-In:

No Call-In was heard by this committee during 2008/09.

Comment from Cllr Colin Woodward (Chairman):

“Community Scrutiny has played a key role in driving improvement of the District's services. Of particular note has been the detailed examination of process and proposals leading to the successful award by tender of the contract for the District's gyms and pools to SLM, a leading national operator, which should bring significant benefits to residents and users.”

7. Health Engagement Panel

Chairman:
Councillor Kim Darby



Councillors
S Bull
D Hone

M Wood
B Wrangles

Consultation:

This Panel has been very involved in events and initiatives going on with Health Service partners. Members have invited a number of speakers to their meetings throughout the year and so given councillors the opportunity to contribute directly to local health developments.

- East & North Herts NHS Trust – gave a presentation on their Consultation on Foundation Status for Lister, QEII, Hertford County and Mount Vernon hospitals
- West Herts PCT and East & North Herts PCT – consultation exercise on local procurement of GP-led Health Centres
- Feedback from 11 May 2008 consultation event on ‘site option appraisal for hospital/health campus in Welwyn Hatfield’
- East & North Hertfordshire PCT – an opportunity to meet and question their (acting) Transport Project Manager

In November 2008, East Herts Council submitted a written response to the consultation phase of the Mount Vernon Cancer Services Development Project.

Internal scrutiny:

- As a district council, we have a significant part to play in the general well-being of local residents. The Health Engagement Panel contributed extensively to the development of the East Herts Public Health strategy 2008-2013 ([click here for a direct link](#) to this document) and the Panel continues to check on whether the planned projects are delivering positive results. Their work this year has included
 - Performance monitoring of progress against 2008/09 action plan
 - Review of strategy and proposals for 2009/10
 - Agreement on 2009/10 action plan

- Promoting physical activity through planning, transport and the physical environment – a ‘select Committee’ style debate with officers.

Comment from Cllr Kim Darby (Chairman):

“The December 2008 meeting saw the Health Engagement Panel break new ground! The Panel was the first (East Herts) committee to scrutinise a topic using the same approach employed by Select Committees in parliament. This was a valuable exercise and enabled Panel members to investigate in depth how this council encourages people to be more physically active – not just through the obvious leisure services but also through our work on planning, transport and the environment. It was also an opportunity to demonstrate the extensive knowledge of the officers and shows the commitment of the whole council towards our local public health agenda”.

External Scrutiny:

Formal scrutiny of the Health Service lies with Hertfordshire County Council and all 10 district councils make contribution to that body. The timing of our Health Engagement Panel meetings are set to fall just before these HCC meetings. This allows East Herts councillors to consider agenda items in advance and discuss what local perspective needs to be voiced at the main Hertfordshire Scrutiny Committee.

These HCC meetings are also open to the public and details can be found through their main website (or [click here for a direct link](#) to the Health Scrutiny Committee meetings page).

8. Environment Scrutiny

Chairman: Councillor Will Quince

Vice-Chairman: Councillor Duncan Peek

Councillors

W Ashley

P Grethe

D Clark

G McAndrew

A Dearman

M McMullen

Mrs M Goldspink

N Poulton

Substitutes:

Cllrs A Dodd, G Lawrence, P Ruffles, G Scrivener, M Wood,
N Clark

Scrutiny:

- Enhancements to Jackson Square car park (capital investment): this scrutiny allowed members to examine the evidence behind a plan to modify a key location in the centre of Bishops Stortford. Interim changes to signage and traffic flow made during 2008 went some way to improving the situation for shoppers and residents, but the new scheme to add a second exit should relieve peak-event congestion.
- Parks and open spaces development programme: early in the year the committee had the opportunity to review the progress of these projects including the bid for Green Flag status for Southern County Park. This bid was ultimately successful and the 23 hectare area in Bishops Stortford now holds the first such flag in the district.
- Parks and open spaces strategy and action plan: later in the year a more detailed, 5 year plan to develop all 120 open spaces maintained by East Herts Council was scrutinised by the committee. This included a recommendation to proceed with a bid for Green Flag status on The Ridgeway site in Hertford and to seek guidance and support from local residents on whether to make Hartham Common our third such bid.

Performance monitoring:

- As with Community Scrutiny, a 'Healthcheck' is received by this committee at every meeting covering the services under its remit. For Environment Scrutiny this means keeping a watchful eye on key data including waste collections, volumes of recycling, abandoned vehicles, fly tipping and Penalty Charge Notices (parking tickets). We know from feedback that these issues are important to residents and make a significant difference to the district being seen as a positive place to live and work.

- To further emphasise the high priority given to environmental quality standards, the committee also received a detailed review on the performance of the three main operation contracts for 2007/08:
 - Refuse and recycling
 - Street cleansing
 - Grounds maintenance

The committee was pleased with the overall picture and with the standards being set and achieved for this range of activities.

Councillors noted that the number of incidents of fly tipping and abandoned vehicles is low in East Herts compared to national levels, and commented that this means residents are acutely aware when incidents do occur. These figures will continue to be monitored carefully as the economic situation becomes more difficult and some people look for ways to avoid paying disposal costs.

- Additionally, the committee spent time considering messages in the 'Stop the Drop' campaign initiated by the Council for the Protection of Rural England (CPRE). This campaign is aimed at discouraging litter and fly-tipping and encouraging local authorities and Government to take more action to address this issue. Members valued the opportunity to look at ideas from an external, voluntary agency and the work of CPRE in raising public awareness was welcomed. However, the committee stopped short of endorsing the campaign itself, preferring to focus on our own locally agreed policies, standards and targets which have served us well up to now.
- As part of their budget scrutiny, this committee looked at a range of ideas which could result in savings. One new project under discussion was that of 'Alternative Public Toilet Provision'. Under this scheme, a small annual fee would be paid from the council to businesses to make their facilities available to the public. Councillors felt that the public would appreciate being able to use centrally-located, modern, heated and 'supervised' cloakrooms and, after assurances that no existing council-owned toilets would be closed before a scheme was in place, they recommended this idea be introduced.

Reviews:

- Street naming and Numbering: a 'task and finish' group of councillors (under the chairmanship of Cllr Peter Ruffles) reviewed the detail of East Herts guidelines designed to help everyone understand what is acceptable in the naming of new roads and apartment blocks – and even in changing the name of a single house. The new guidelines set out what is now involved in requesting new names be adopted and emphasises the importance of consulting with the relevant town or

parish council – and doing some local research to check any new name is in keeping with the immediate area.

These guidelines are available for residents or developers to access via the East Herts website or [click here for direct link \(PDF document\)](#).

- **Climate Change:** this important topic has kept a group of 7 councillors (with Cllr Duncan Peek as chairman) busy during the whole year. After gathering extensive evidence from partners, young people and interested groups, East Herts now has a draft strategy and action plan ready to take out for wider public consultation. During spring and early summer 2009, residents, young people and town and parish councils will have a chance to let us know how they feel about our Climate Change ideas. East Herts is striving to act in a responsible way as an estate manager, a service provider and as a community leader – and we need to check we have covered every angle and that we have the support of local people before we go further with our plans.

Comment from Cllr Duncan Peek (Vice Chairman of Environment Scrutiny and Chairman of the Climate Change task and finish group):



“We know many people are concerned about climate change. I hope the work we’ve undertaken this year goes some way to reassure residents that East Herts Council is taking this issue very seriously. We need to look to the future and ensure we contribute to the solution – not be part of the problem. The strategy we are developing now should help improve the quality of life for our local community and save money over the longer term. I would encourage residents and partners to contribute to our consultation so we can move ahead, confident we have local support.”

- **Environmental Quality Standards:** one of our priorities is ‘Pride in East Herts’ and councillors are very keen to ensure the appearance of the district – towns, villages and countryside – is attractive to residents and visitors. As a district council, we are not able to maintain land owned or managed by other agencies or undertake cleansing of their

property. This means we need to forge partnerships and influence others to work with us to raise standards across the whole district.

A 'task and finish' group (under the chairmanship of Cllr Nigel Poulton) has just been convened to review the opportunities to work with partners to improve the appearance of the district and ensure East Herts is prepared for the government's new Comprehensive Area Assessment which will inspect the district 'as a whole' – not just council owned and managed areas. This group will report back to the Environment Scrutiny Committee with recommendations in September 2009.

Up-dating:

- In order to keep their knowledge current, members received an update on the progress of Hertfordshire County Council towards the provision of a composting plant and suitable transfer facility – which included some of the complex technical background behind the requirements of the new process and the reasons for the delay in the planned opening date.
- A group of councillors and staff visited the London Waste Ltd Eco Park in Enfield to learn about the processes and technology utilised there in processing waste from surrounding areas – including a small volume from East Herts.

Call-In:

One decision made by an Executive Member was 'called in' during 2008/09. This related to Sponsorship of Roundabouts and so was heard by the Environment Scrutiny Committee at a special/additional meeting on 10 November 2008.

The Executive Member for Planning Policy and Transport made a decision ([Non-Key Decision 08/33](#)) that the pilot scheme which had been running for sponsorship of roundabouts should be adopted on a permanent basis and expanded district-wide. Seven councillors were concerned about this decision and felt that the pilot had not been allowed to run for its full term. Without proper analysis of the outcomes and feedback from this pilot phase, the councillors believed the decision was premature and could not be justified.

After a lengthy debate, Members of the Committee agreed with many of the concerns voiced by the 'call-in' councillors. The decision was referred back to the Executive with a request for it to be reconsidered in the light of their comments.






The Executive did discuss the matter at their meeting on 25 November 2008 and accepted the recommendation to continue with the full term of the pilot phase and not expand the scheme on a permanent basis at this time.




The Executive has arranged for a report to come back to them in spring/summer 2009 with a full analysis of the whole pilot scheme and ways to address the specific areas of concern raised by Scrutiny.

Draft for Council

9. EVALUATING OVERVIEW AND SCRUTINY

During the evaluation process a year ago, Members were pleased with several aspects of their work but identified some areas where they wanted to improve. Progress made in these areas during 2008/09 is as follows:

<p>More pre-decision consultation with residents and local interest groups</p>	<p>We have worked hard to consult on our Climate Change plans – particularly with younger people. Other topics and issues have not been so ‘attention grabbing’ – except the Sponsored Roundabout call-in, where councillors did voice the feedback they had received from their local residents. Our Health Engagement Panel topics have been posted on the ‘What’s On’ pages of hertsdirect website inviting interested residents to attend.</p>	
<p>More evidence from outside sources (invite expert witnesses in, make visits where appropriate)</p>	<p>With visitors from</p> <ul style="list-style-type: none"> • NHS Trusts and local PCTs • Residential Social Landlords (Housing Associations) • the WRVS (Meals on Wheels) and • the CAB (East Herts Citizens Advice Service) <p>both the Health Engagement Panel and Community Scrutiny have been very ‘outward’ facing.</p> <p>Environment Scrutiny Committee went on a ‘fact-finding’ trip to the London Waste Ltd Eco Park in Enfield – and the Climate Change topic group also went out to gather evidence at a local eco-farm and to another district council.</p> <p>The topics dealt with by Corporate Business Scrutiny are mostly focussed on internal systems – so less progress has been made on this area of development.</p>	  
<p>Use post-project reviews (retrospective scrutiny) to learn lessons and apply them - but then move on to ‘exceptional reporting’ so fresh topics have time to be considered</p>	<p>Councillors did agree that this had improved during the year. Committees are getting only the post-project reviews that they particularly ask for, and only for a limited time. Items are not automatically coming</p>	

	back unless there is a specific problem or issue identified.	
Manage agendas to allow fuller debate on forward-looking, policy-shaping items	Councillors felt that the work programming and agenda management had really improved this year. However, some meetings still had too much on the agenda for really in-depth scrutiny to be undertaken.	
Have more timely involvement in the annual service planning and budget setting process	Councillors are particularly pleased with the progress made on this objective during 2008/09. Each of the three scrutiny committees were involved at a much earlier stage, consulted during the year and were able to recommend changes at the final stage that made a real difference to the final outcome.	
Involve the vice-chairmen more fully (carried over from 2007/08).	All Vice Chairmen are invited and involved in the pre-meeting briefing session to ensure they are fully aware of the background detail of items on the agenda. Vice Chairmen were also involved on an equal footing at the internal scrutiny evaluation process and in the interviews carried out by the Audit Commission (when they came in to assess the work of the council).	

The Chief Executive, Directors and the Executive were canvassed for written feedback and asked for examples of how the scrutiny process in 2008/09 had supported the work of the council and asking for specific areas to strengthen during 2009/10.








It is testimony to the constructive nature of the relationship in East Herts, that scrutiny is seen as a positive function by both Executive members and senior officers. The non-confrontational approach and realistic recommendations made by scrutiny mean that their intervention is valued – even when they challenge and question decisions. Not everything can be accepted by the Executive, but there is a genuine willingness to listen.

- *“CBS provides a fruitful working group for the development and ‘polishing’ of council governance arrangements such as data protection and risk management.”*

- “The work of the Environmental Scrutiny task and finish group on Refuse and Recycling (which met during 2007/08) will help deliver a significantly improved service to all residents in the district when it is fully implemented in autumn 2009.”
- “From an officer perspective, they (scrutiny meetings) offer a crucial opportunity for officers to hear the views of a wider range of elected members. They fulfil this function very well.”

Scrutiny committee members were all invited to workshops in January and February 2009 to evaluate their performance in 2008/09. A written response form was also made available to those members who could not attend the interactive sessions.

Councillors were asked to look at how well the scrutiny activity in East Herts matches up to the four principles of good practice set out by the Centre for Public Scrutiny (refer back to diagram on page 2 of this report).

provides ‘critical friend’ challenge to executive policy-makers and decision-makers	Although working well, feedback suggests that councillors want to be ‘sharper’ or ‘stronger’ in their challenge during the coming year	 
enables the voice and concerns of the public and its communities	Although councillors can and do repeat what their residents have told them – we need to involve the public more directly and this is reflected in our action plan which follows	
is carried out by ‘independent-minded governors’ who lead and own the scrutiny role	This is seen as being done reasonably well but feedback suggests that, with growing confidence and experience in their role, councillors want to ‘lead’ more	 
drives improvement in public services	There are some good examples of where scrutiny has made a difference but councillors feedback shows they are keen to actively ‘drive’ improvement	 

Councillors also looked at our own, local criteria used in East Herts to select an issue to review at scrutiny. There was unanimous agreement to continue with the same six checks during the coming year. This means that items must:

- Be of local, and preferably current, concern
- Be linked to the council’s corporate objectives

- Be capable of being influenced by this committee
- Be of manageable scope – focused rather than too wide ranging
- Be of sufficient scope to warrant a scrutiny review – not something that can be easily fixed by meeting with the service provider
- Not being scrutinised elsewhere (e.g. another Scrutiny Committee)

Over the 2008/09 year, councillors feel that effective use has been made of task and finish groups to complete a range of significant scrutiny reviews. Members are pleased with the success of these groups in getting to the heart of issues. Combined with the selection criteria listed above, councillors are keen to have more complex topics allocated to a task and finish (topic) group – rather than try to deal with them too quickly and superficially in the forum of a committee meeting.

Other examples of good practice by the scrutiny committees valued by councillors, Executive members and senior officers include:

- High attendance of members at scrutiny committee meetings
- Building on the scrutiny experience and expertise of committee members and not changing everyone around at the end of every year
- Having a non-confrontational, positive approach
- Offering a useful forum for partner agencies
- Being well-supported by officers
- Giving officers direction to shape policy and meet priorities (with the Climate Change strategy being highlighted)
- Attendance by Executive and non-committee members

Looking at general things that might be done differently or better, councillors expressed a view that the layout of the room and seating makes a difference to the conduct of the meeting.

They have requested that any Executive member attending a scrutiny committee meeting to present a paper should be clearly 'identified' as the person to question and challenge on issues of policy – leaving the supporting officer to provide background data if necessary. Councillors feel that the interactive, round-table style of debate has resulted in some officers being inappropriately drawn into aspects of scrutiny and areas of accountability which actually sit with elected members. There is **no** move to make scrutiny in East Herts more confrontational – this suggestion is for role clarity and to improve structured questioning.

Councillors are also looking forward to the positive, practical outcomes of the Report Writing and Plain English task and finish group. Anything which helps them manage the 'mountain' of written material they have to deal with is very welcome!

Members also identified some areas in which they would like to further strengthen scrutiny in 2008/09:

What we want to do:	Action plan:
Continue to work on increasing the involvement of residents and local interest groups in the scrutiny function of East Herts	<ul style="list-style-type: none"> • Promote awareness of public involvement • Pro-actively invite local interest groups to meetings with agenda items relevant/appropriate to their 'cause' • Continue with Climate Change consultation • Review issues which really motivate and concern the public
Continue to bring evidence from independent or outside sources (including inviting expert witnesses in, making visits where appropriate)	<ul style="list-style-type: none"> • Find ways of doing more under Corporate Business Scrutiny • Emphasise the comparative data and references to external evidence in written reports being presented to councillors (as it is not always practical to meet the people or make a visit)
Plan agendas well in advance to limit the number of items that have to be heard (as an open item) at the 'wrong' committee in order to meet a pressing deadline	Have regular meetings during the year between scrutiny Chairmen, Vice Chairmen and the scrutiny officer to facilitate planning, timing, co-ordination and monitoring of scrutiny activity
Involve the Vice Chairman in tracking recommendations made by scrutiny and in the active monitoring of outcomes and results	
Scrutiny of external public bodies and outside bodies – one of the evolving roles of scrutiny	Active participation when invited to join any joint scrutiny activity set up by Hertfordshire County Council &/or another district. Potentially: <ul style="list-style-type: none"> • Youth service • Highways congestion • Highways maintenance • Flooding issues (Pitt review) • Local Area Agreement (LAA) and Local Strategic Partnership (LSP) • Pathfinder arrangements
Ensure all scrutiny members know what issues are being discussed at which committee meetings and topic groups in advance and be informed of wider scrutiny issues around the county	Continue to make good use of the existing weekly Members' Information Bulletin (MIB) Pilot a periodic e-mail summary issued by scrutiny officer

10. WHAT ARE OUR PLANS FOR 2009/10?

Work programmes

Councillors were asked to agree outline agendas for their 2009/10 meetings at the last meeting of their committee in the 2008/09 civic year - but there is flexibility to review and amend them throughout the year to keep the work of scrutiny relevant and topical.

The most up to date versions can be found under the papers for each committee published on the East Herts website (follow [this link](#) to read the most recent 'Work Programme' report under each scrutiny committee).

The committees will add to their work programmes by selecting from a list of potential 'special' topics drawn from a number of sources. To date, the following issues have been identified for closer scrutiny during 2009/10:

- Corporate Business = Partnership protocol: governance and risk management when working with other agencies (to be confirmed)
- Community Scrutiny = Markets in East Herts (to be confirmed)
- Environment Scrutiny = Planning Enforcement (see below)

Also, there are several pieces of work which will run on into 2009/10 -

East Herts task & finish groups running on into 2009/10
Shared Services – started in spring 2009 and due to report back in July 2009. Looking at two services which we provide or use in an arrangement with other councils to find out the 'characteristics' of what makes a good partnership.
Climate Change – draft strategy & action plan published in April 2009 but further work will be needed in summer 2009 (after the public and partner consultation phase) to finalise the documents.
Environmental Quality Review – started in spring 2009 and due to report back in June 2009. Looking at opportunities to work with public, private and voluntary partners to improve the appearance of the district (in advance of the new inspection standards).
Planning Enforcement Review – just getting started in spring 2009 and due to report back in September 2009. Looking to review the policy and approach of the Council toward planning enforcement activity. To ensure that it is appropriate, proportionate, meets expectations and can be delivered within resources available.

Some of our task and finish groups meet several times, spread out over a number of months and this is appropriate when evidence needs to be gathered over time. However, there may be some topics which could benefit from 1 or 2 day scrutiny, where councillors can be immersed in an issue over a shorter period of time – making recommendations based on fresh and immediate evidence. This approach may be piloted during 2009/10 if deemed appropriate by the relevant Chairman and governed by the availability of councillors.

11. The evolving role of the committees

The Empowerment White Paper, *Communities in control: real people, real power* was published in July 2008 by the Department for Communities and Local Government. A period of public consultation followed during the summer and autumn of 2008 and East Herts Scrutiny Members submitted a detailed response on the aspect of '*Improving local accountability*'. The government's response to the feedback arrived in January 2009 and councillors were pleased to see that their feelings were generally reflected in the outcomes and proposed actions – although they do still have some concerns around the detail of petitions triggering public meetings and the move to 'remote' attendance/voting at committees.

Many of the points raised through this public consultation and the proposals set out in the government's response paper have been incorporated into the new '*Local Democracy, Economic Development and Construction Bill*' currently going through parliament. This is only at committee stage in the House of Lords and still needs to go through the Commons, so we don't yet know exactly what changes or additional duties this might bring to the scrutiny function. Later in 2009/10 we should have more detail and be in a better position to start planning for the future.

The government has brought in new powers for ward councillors to help them tackle local problems on behalf of their constituents and these can come into force from 1 April 2009. The powers are contained in the Local Government and Public Involvement in Health Act 2007 and the Police and Justice Act 2006 but we had to wait until February 2009 for the publication of the associated guidance.

Councillor Call for Action (CCfA) provides councillors with the opportunity to ask for discussions at scrutiny committees on issues where local problems have arisen and where other methods of resolution have been exhausted. The powers are limited to issues affecting single council wards and are designed as a "long stop" to be used when all other attempts at resolution have failed.

At East Herts, we feel we are open to debate and constructive, problem resolution so the new CCfA will give us the chance to formalise the good practice we already carry out. The full powers under the 2006 and 2007 Acts cover a range of areas, not just scrutiny, so we must check that all our procedures and the Constitution are updated to fully accommodate CCfA. We need to ensure our scrutiny structure/framework can be used for a *Councillor Call for Action* issue to be appropriately aired.

The Police and Justice Act 2007 outlined further powers for scrutiny committees around crime and disorder. Proposals for implementing these new powers came in from the Home Office on 12 March 2009 and need to be in place from 30 April 2009. Work is currently underway to ensure we comply with the legislation.

12. Training

During 2008/09 councillors had the opportunity to attend the following scrutiny related events:

- an in-house session on *“Effective Scrutiny”*
- a session on *“Chairing Scrutiny”* – organised by another district authority and delivered by a speaker from Institute of Local Government Studies at Birmingham University
- a county-wide, day conference and workshops with Jessica Crowe Executive Director of Centre for Public Scrutiny (CfPS) as the main speaker
- a CfPS Parliamentary Seminar (held at the House of Commons) called *“Putting the ? back into scrutiny”*
- a session run by our Auditors to bring members up to date on the new Comprehensive Area Assessment – particularly the technical area of Use of Resources
- an in-house session on *“Data Quality”* to explain all the checks that are carried out on statistics and information before they are reported – to ensure decisions made by councillors are based on sound evidence
- tutorial-style training on ‘Covalent’ – the Corporate Performance Management software designed specifically for the public sector and used by East Herts – to give members the skills to look up any information they are interested in, at any time.

A continuing training programme will be needed to keep councillors briefed on their developing role as described above in Section 11 and offer them the chance to strengthen their scrutiny skills.

They will have another chance to attend some of the 2008/09 events which are provided on a rolling programme, but Members have also requested some new areas of training for the coming year:

- Questioning techniques including:
 - Framing questions which are objective, constructive and probing
 - Dealing with expert witnesses
- How to analyse and interpret data
- Evaluating evidence
- Making evidence-based decisions and recommendations

There will be a limited print run of this document.

Greater use will be made of signposting interested parties, partners and residents to the Council's website to access the Annual Report. This will minimise use of material resources, distribution costs and gain potential CO₂ efficiencies from on-line provision.

<http://www.eastherts.gov.uk/scrutinyannualreport>

If you do require a paper copy, there will be a limited number available at the reception desk in both Wallfields and The Causeway – or contact the Scrutiny Officer on 01992 531612 : e-mail scrutiny@eastherts.gov.uk

If you would like a translation of this document in another language, large print, Braille, audio or electronic, please contact Communications at East Herts Council on email communications@eastherts.gov.uk or by calling 01279 655261.