

## EAST HERTS COUNCIL

COUNCIL – 29 JUNE 2010

### REPORT BY CHAIRMEN OF SCRUTINY COMMITTEES

#### OVERVIEW AND SCRUTINY ANNUAL REPORT 2009/10

WARD(S) AFFECTED: All

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#### **Purpose/Summary of Report**

- This cover report is to introduce the Overview and Scrutiny Annual Report 2009/10 on behalf of the Chairmen of Scrutiny Committees.

<b><u>RECOMMENDATION FOR : Council</u></b>	
<b>(A)</b>	that the Annual Report on the work of the East Herts scrutiny committees (and Health Engagement Panel) during 2009/10 be received.

#### 1.0 Background

- 1.1 An Overview and Scrutiny Annual Report is prepared each year and presented to council by the scrutiny chairmen. Reports from previous years can be accessed through the council's website <http://www.eastherts.gov.uk/scrutinyannualreport>

#### 2.0 Report

- 2.1 The Annual Report for 2009/10 (attached as **Essential Reference Paper 'B'**) summarises the activities of all scrutiny committees during the past year, details the outcome of the evaluation workshops and sets out some of the ideas for the coming year.
- 2.2 The report is written for many audiences: those Members involved in scrutiny, those who might wish to be, and Members of the Executive (to whom the scrutiny committees act as a critical friend).

- 2.3 It is also hoped that partners, community groups and residents who have contributed to our scrutiny process during the year will appreciate that their contributions are valued by Members.
- 2.4 Once agreed by Council, the report will be published on the Council's website and notification of its 'e-location' will be passed to partner organisations in the Local Strategic Partnership.
- 2.5 As last year, the Annual Report will also be uploaded into the library section of the Centre for Public Scrutiny (CfPS) website.  
<http://www.cfps.org.uk/scrutiny-exchange/library/annual-report/>
- 3.0 Implications/Consultations
- 3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

#### Background Papers

Minutes of all scrutiny committee meetings held during the 2009/10 civic year. These minutes are available on the council's website at  
<http://www.eastherts.gov.uk/index.jsp?articleid=3481>

#### Contact Members:

Councillor Colin Woodward: Chairman, Community Scrutiny  
Councillor David Andrews: Chairman, Corporate Business Scrutiny  
Councillor Diane Hollebon: Chairman, Environment Scrutiny

Contact Officer: Ceri Pettit, Head of Strategic Direction and  
Performance Manager – Extn 2240

Report Author: Marian Langley, Scrutiny Officer – Extn 1612

## ESSENTIAL REFERENCE PAPER 'A'

<p>Contribution to the Council's Corporate Priorities/ Objectives</p>	<p>Effective use of the scrutiny process contributes to the Council's ability to meet two core objectives:</p> <p><b>Fit for purpose, services fit for you</b>  <i>Deliver customer focused services by maintaining and developing a well managed and publicly accountable organisation.</i></p> <p><b>Leading the way, working together</b>  <i>Deliver responsible community leadership that engages with our partners and the public.</i></p> <p>In monitoring the performance of the council's services and action plans, the Committee is monitoring the Council's achievement of all of its corporate objectives.</p> <p>Any issues identified for scrutiny will relate to at least one of the Council's corporate objectives.</p>
<p>Consultation:</p>	<p>The Annual Report has been drafted following consultation with all scrutiny Chairmen and the Chairman of the Health Engagement Panel.</p>
<p>Legal:</p>	<p>The Council's constitution states in Part 2 at paragraph 6.3 (d) that - "Scrutiny committees must report annually to full Council on their workings and make recommendations for future work programmes and amended working methods if appropriate."</p>
<p>Financial:</p>	<p>The cost of circulating the report to Members can be met within existing budgets.</p> <p>Greater use will be made of signposting interested parties and partners to the Council's website to access the Annual Report which will minimise use of material resources, distribution costs and gain potential CO<sub>2</sub> efficiencies from on-line provision.</p>
<p>Human Resource:</p>	<p>none</p>
<p>Risk Management:</p>	<p>Matters which may benefit from scrutiny may be overlooked. The selection of inappropriate topics for review would risk inefficient use of resources. Where this involved partners, it could risk damaging the reputation of the council and relations with partners.</p>

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# OVERVIEW and SCRUTINY ANNUAL REPORT 2009/10

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*“The Executive may know what challenges face the district and hold a strategic overview, but they don’t have all the detailed answers as to how to move ideas forward. The value comes when scrutiny task and finish groups can really get their teeth into issues. Scrutiny members have a real opportunity to influence and help craft the direction of the council”.*

**Councillor Tony Jackson** – Leader, East Herts Council  
*at the scrutiny evaluation workshop on 19 January 2010*

## INTRODUCTION



**Councillor David Andrews**

Chairman Corporate Business Scrutiny



**Councillor Colin Woodward**

Chairman Community Scrutiny



**Councillor Diane Hollebon**

Chairman Environment Scrutiny

A total of 38 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?

Since the Local Government Act 2000, Councils must have both an Executive function, which makes major decisions, and a Scrutiny function.

Scrutiny is a mechanism for backbench councillors to:

- examine executive proposals and decisions
- monitor the Council's performance
- contribute to policy-making and review.

In addition, Scrutiny now has statutory powers to scrutinise the work and performance of partnerships and partners, in relation to Crime and Disorder and Local Area Agreements (LAA).

There is also a separate power to scrutinise Health, and East Herts contributes to this function which is lead by Hertfordshire County Council.

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 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.

2009/10 was the second 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.

<b>Corporate Business Scrutiny:</b> 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
<b>Community Scrutiny:</b> Scheduled to meet 4 times per year	Community Safety and Protection Community Development, Leisure & Culture Health and Housing
<b>Environment Scrutiny:</b> Scheduled to meet 4 times per year	Planning Policy and Transport Environment and Environmental Quality Conservation and Climate Change

During 2009/10 a number of formal **Joint Scrutiny** sessions have been held to allow members from all the committees to come together to discuss significant cross-cutting issues. Managing such a large meeting can present its own challenges, but it is more cost effective and time efficient to have an item dealt with at a single sitting rather than at three separate meetings. These Joint sessions have their own agenda and a chairman elected at the start of each meeting.

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.

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 'topic 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.

### 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](mailto: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 2009 – April 2010

### 5. Corporate Business Scrutiny Committee

Chairman: Councillor David Andrews  
Vice-Chairman: Councillor Mike Wood

#### Councillors

R Beeching	G Lawrence
R N Copping	J Mayes
R Gilbert	J Ranger
J Hedley	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 council's 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 Sharing Protocol – biennial review
  - Annual Governance Statement
  - Treasury management – an overview
  - Partnership protocol – Governance and risk management when working with other agencies
- A major report setting out the business case for the remodelling and refurbishing of a key council facility came before CBS on 11 May 2010.

Hertford Theatre (formerly Castle Hall) sits in a central location within the county town of Hertford and occupies an enviable site alongside the river. The building is now seen as rather 'tired and outdated' and the internal space does not lend itself to a modern arts and entertainment venue which East Herts would like to present to residents and visitors.

At a meeting in September 2009, Executive had agreed that money should be spent on modernizing and upgrading the building and this CBS meeting got to look at the plans, hear about the potential for events and activities (including a digital cinema) and – most importantly – see if the figures in the 10 year business plan stood up to scrutiny.

The decision to invest a million pounds is not one to ever be taken lightly but, as part of the spend-to-save approach, councillors did decide to recommend that this exciting project should go ahead. The Executive were pleased with the attention scrutiny had given the report and supported an additional recommendation to have a member/officer group keep a close monitoring watch on Hertford Theatre during the building phase of the project.

Residents and visitors will soon be able to judge the outcome for themselves as a very short building phase is planned with a re-launch in December 2010. Opening with a pantomime (Cinderella) and a linked art exhibition in the new gallery space, East Herts is looking forward to throwing open the doors to customers and also welcoming casual visitors to the public spaces alongside the river and the new café within the foyer.

- Members at East Herts Council are always looking to improve the way things are done. This doesn't just cover the services we offer direct to residents but also applies to the way we do things behind the scenes. In order to check that services are as efficient and effective as possible the committee scrutinised:

- *Corporate Customer Feedback procedure* – monitoring the new system after it was introduced in October 2009:

The project is called '3Cs' to reflect the full range of Comments, Compliments and Complaints that we now record from residents and customers.

The early focus of the customer services team was to

- ensure management processes were in place
- maximise use and learning from 3Cs
- make improvements based on customer feedback
- recognise compliments for a job well done.

Even before the introduction of the new system, East Herts had few complaints being lodged with the Local Government Ombudsman (13 in 07/08 and 11 in 08/09) – and none were judged as justified in either year. However, we are not complacent and at their first meeting of the new civic year (1 July 2010) councillors plan to look at a detailed analysis of all the Comments, Compliments and Complaints that have come in during the whole of 2009/10. First indications are that there has been a reduction in the number of formal complaints, but councillors will be looking for specific examples and evidence:

- that we have handled complaints promptly and courteously

- of where we have improved our services by listening to customers
- of where we are doing things well and what customers like about the service offered to them.

If you want to know more about '3Cs' or send us some feedback you can follow [this link](#) for the on-line version of the leaflet or phone our Customer Service Centre on 01279 655261 to request a printed copy.

➤ *Changing the Way We Work (C3W):*

As part of the commitment to deliver value for money, the council is seeking to invest in improved customer services, update its infrastructure and modernise its working practices. During 2009/10, part of that plan was realised with the opening of our new, modern public contact point in Charringtons House, Bishops Stortford.



As we moved into the first phase of 'home working' and relocation of staff to the offices at Wallfields in Hertford, the Corporate Business Scrutiny committee continued to scrutinise the progress of the C3W project on a regular basis.

- *Corporate Procurement strategy:* Procurement is "the commissioning of all Council Services and the purchase of work, material, goods and services for use by those Council Services or for sale or allocation to customers, partners or stakeholders".

This might not sound very exciting but, when spending public funds, Members know it is important to get good value for money and balance the cost against community benefit. Residents also expect us to now ask questions about how 'ethical' and how 'green' our purchases are – so we needed a new, updated strategy to make sure we follow the best practice and work together with our local partners to negotiate the best deals we can.

- *The Corporate Strategic Plan 2009-2012*. This document is central to setting out the direction for the council and what services it plans to deliver over a three year period. Being examined by Corporate Business Scrutiny is a significant stage in the development of that vision and in its annual up-dating. Knowing where we are going helps Members plan a good route to get there! [Click here for a direct link](#) to the current plan.
- This year, a significant amount of work was undertaken as **Joint Scrutiny** sessions where members from all three committees came together to scrutinise the crucial financial and service plan proposals.
  - *Fees and charges* – the amounts charged for some activities are fixed by government legislation but others we can set locally. Unlike in previous years, where increases in fees and charges have been based on a flat percentage rise across the board, the Council has adopted a new strategy and a set of key principles against which fees and charges should be set. Scrutiny has a role to play in checking:
    - There is a measure of consistency in setting similar charges for similar services
    - That fee levels are set to avoid unnecessary subsidies from the council taxpayer to commercial operations
    - That any subsidy from council taxpayer should be a deliberate choice.

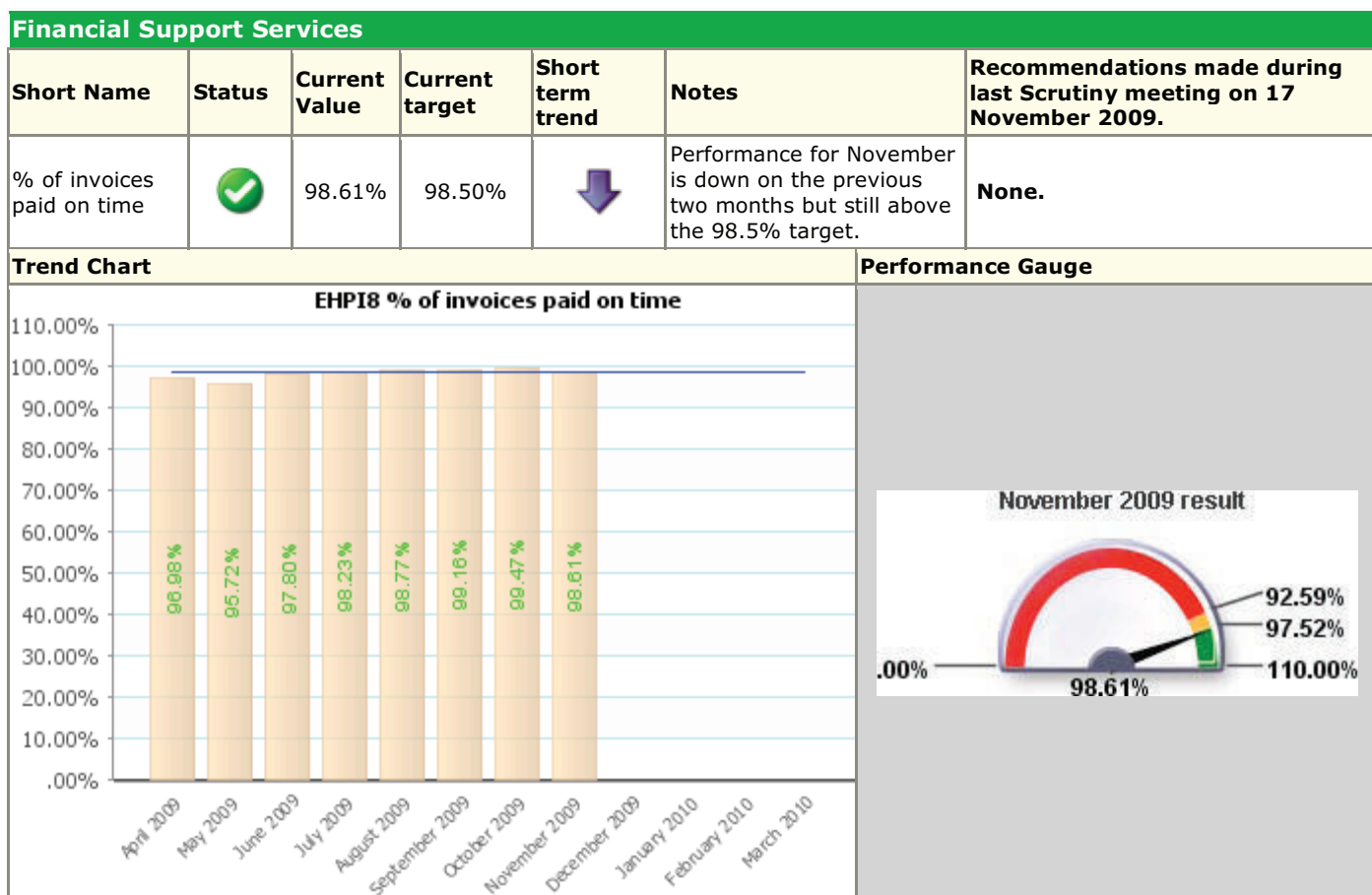
Fees and charges should now more closely reflect the real cost of delivering services. This means some charges had to be increased (such as issuing of taxi licenses) and some new charges had to be introduced (such as delivery of replacement 'wheelie' bins, although the bins themselves are not charged for). However, the strategy still allows for some appropriate concessions. As an example, residents in receipt of income related benefits can pay reduced or nil rates for pest control services.

- *The annual budget setting cycle* – this process, which starts in the autumn, centres on identifying the services and special projects Members want to deliver in the coming year, then allocates money

to each of them and, by February, recommends (amongst other things) what the council tax level needs to be to balance the books. The final stage involves Members approving the Service Plans for 2010/11 which sets out everything new we want to do in the coming year.

### Performance monitoring:

- This is an important role for scrutiny. At alternate meetings throughout the year, the committee receives a report from the council's Performance Team 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 one way of taking the temperature of the council and checking it is operating well.
- One example from November 2009 is reproduced here. It shows that the council had set itself the target of paying 98.5% of invoices on time and in November was doing better than that. Members are able to follow the monthly performance trend in the columns on the left hand side and use the dial on the right hand side as a quick reference 'traffic light' system to pick up on good/amber warning/red results.





- Additionally, this committee reviewed substantial, detailed reports on:
  - 2008/09 Out-turns and Targets – all the results from the previous year and the targets we were working towards in this current year
  - Service Plan monitoring – checking on everything we did during late 2008/9 and early 2009/10
  - The final overall Corporate Annual Report for 2008/09.

### **Consultation with the public:**

- The results of two surveys were published during the 2009/10 year giving Members an opportunity to scrutinise feedback from a significant number of residents on specific attitudes, issues and services.
- **Place Survey:** As part of the new performance framework, there is a new focus on improving outcomes for local people and places – rather than on processes, institutions and inputs. Central to this is the importance of capturing residents' experiences and perceptions, so that the solutions for an area can reflect these local views and preferences. More than this, it is vital to track people's changing perceptions, as a way of determining whether changes made in an area actually result in the right outcomes for local people.

The first National Place Survey ran from September 2008 to January 2009. It was required to be a postal survey, using the bank of centrally set questions and residents were randomly selected. The survey was undertaken in conjunction with the other Hertfordshire authorities so the costs could be shared between all 10 districts and boroughs. The survey was sent out to 4500 East Herts residents and a response rate of 39.22% was achieved. This response rate was the third highest in the County. Results were collated and recorded by central government and, after several delays the results were eventually made available to councils in late summer 2009.

- **Residents' Survey:** A biennial Residents' Survey has been undertaken by East Herts Council since 1993. The survey has traditionally been used to track customer satisfaction with the Council and individual service areas, and also as a vehicle for more service specific questions relevant at the time. In order to achieve efficiency savings, the 2009 Residents' Survey was conducted through a postal survey rather than face-to-face as in previous years. In total 4330 questionnaires were distributed in August 2009, of which 1019 were completed and returned, yielding a response rate of 24%.
- The full reports from both surveys can be accessed following [this link](#).
- Members were pleased to see some encouraging responses and positive feedback from both sets of results:

- Satisfaction with the local area has increased from 82% in the 2006/07 survey to 89.5% in the Place Survey and
  - Three out of 5 residents (61%) are generally satisfied with how the council is running East Herts according to the 2009 Resident Survey.
- However the focus of scrutiny is to pick up on where improvements can be made - not just by the council, but by us working with and supporting other local agencies to make their contribution to the overall well being of residents and businesses in East Herts. To this end an Action Plan was drawn up which details everything the Council and its partners need to do to address the concerns raised by the survey results.  
Members are going to keep checking that all parties are keeping to the Action Plan and CBS has already requested an update report for the first Joint Scrutiny meeting of the new civic year (1 July 2010).
  - Engaging with the public is something East Herts takes very seriously – but, like all councils, it is something we want to improve on and get better at doing. The results from the Place Survey right across the country were disappointing for National Indicator 4: “the percentage of people that feel they can influence decisions in their locality”. At 28.1% East Herts is in line with the national figure of 28.9% and better than the Hertfordshire-wide figure of 27%, but all the councils in the county have come together to work on improving the local figures for NI4. We have taken advantage of some central funding from the Department of Communities and Local Government and will be working as a partnership over the next two years to find positive ways to actively engage residents in “influencing decisions in their locality”.

### **Reviews:**

- *Plain English and Report Writing:* during 2008/09 a group of 7 councillors (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 clearer and easier to read for everyone.

This group made their final report to CBS right at the start of the 2009/10 civic year and their recommendations for changes and staff training were all accepted and put in place. After the new style has been operating for a full year, the group will reconvene to scrutinise

where improvements have been made and recommend any further changes they identify.

- *Shared Services*: during 2008/09 a group of 7 members (under the chairmanship of Cllr Jim Ranger) reviewed 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 wanted to check we are doing everything we can to be effective.
- This group reported back to CBS in July 2009 and the “Characteristics for Success” checklist they recommended should be used when considering future shared service ventures was accepted. Their work is now being incorporated into the wider ‘Partnership Protocol’ which seeks to minimise the risk to the council when working with external partners.

#### **Call-In and Councillor Call for Action (CCfA):**

No Call-In or CCfA was heard by this committee during 2009/10.

#### **Comment from Cllr David Andrews (Chairman):**

*“Corporate Business Scrutiny tends to deal with scrutiny of ‘backroom’ issues – things that residents would not normally see. After all, the Annual Governance Statement and the Corporate Procurement Strategy are not the things headlines are usually made of! People would soon detect if the structure of the council was not sound, but for as long as we keep it working well – it tends to go unnoticed.*

*Given this, I was very pleased the committee recently had the opportunity to scrutinise the business case and plans for the proposed Hertford Theatre. To have a role in the development of this exciting project gave us the chance to work on something very tangible which residents will be able to see and enjoy in the years ahead. The investment which is going into revitalizing the old Castle Hall is a bold step for the council, but one I believe that has been taken with appropriate care.*

*I very much appreciate the hard work put in by all scrutiny members over the past year and particularly want to say how much I enjoyed working with them in the Joint Scrutiny sessions – and for the future, I am looking forward to working together to find ways of involving residents far more in the process of scrutiny”.*

## 6. Community Scrutiny

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

### Councillors

P Ballam	P Grethe
N Clark	G Lawrence
K Darby	V Shaw
A Dodd	J Taylor

### Substitutes:

Cllrs S Bull, G McAndrew, J Ranger, S Rutland-Barsby, M Wood, D Clark

### Scrutiny:

- In the challenging economic climate of 2009/10, Members have taken time to look carefully at three key areas of responsibility:
  - *East Herts Homeless and Homeless Prevention Strategy 2008/13*: the action plan was monitored to ensure all the actions were on track and on target to support residents, particularly those most vulnerable in the community.
  - *East Herts Housing Strategy 2008/11*: the action plan was monitored to ensure all actions were on target and a new action was added - to spend our local share of the £6.6million awarded to the London Commuter Belt on reducing levels of fuel poverty, particularly for vulnerable groups. We plan to install fuel efficiency measures into 340 homes for each of the next two years.

East Herts is building up a good record in this field. Between the establishment of the Herts and Essex Energy Partnership (HEEP) in June 2009 and the end of the 2009/10 financial year, more than 168 energy efficiency measures have been carried out – covering extra loft insulation, cavity wall insulation and ‘warm front top-up’ grants.

- *East Herts Empty Homes strategy*: this has been reviewed and a new action plan recommended. Members agreed to refocus the work of the team. Our research shows there are about 600 empty homes in the district at any one time. Most of these are empty less than a year whilst they are in probate or waiting to sell, but at least 34 are known to have been empty for 10 years or more.

In future, priority for investigation will be placed on:

- properties attracting complaints
  - properties that have been empty for the longest time
  - properties in locations that are deemed to have a high demand – based on housing needs information and where there are one or more empty homes that may be appropriate in resolving this need.
- During this busy year, the committee also managed to find time to look at
    - Equalities Scheme – progress on implementation regarding delivery of services to ensure everything we do is accessible to all and delivered fairly.
    - Parish and Town Council Action Plan – a report on how we can work more closely and effectively with clerks and councillors in the towns and villages across East Herts. Residents do not always know whether an issue should be directed to their Town/Parish council, to us at the District Council – or even to the County Council. In the end, it should not matter – each of us should each be able to help any resident who makes contact, so it is important to maintain good channels of communication between us all. Councillors
      - reaffirmed the importance of the Rural Parish Conferences as a valuable point of contact between the administrations
      - welcomed the offer of training for Town/Parish clerks and councillors: especially on planning matters and the use of the East Herts website to access information & services
      - supported the recommendation that a Parish council representative should be invited to attend the existing programme of quarterly meetings held between Town Clerks and senior officers from the district council
      - supported the recommendation that an invitation should be extended to Town/Parish clerks and councillors to attend the annual ‘open door’ Customer Services’ Briefing (which is already set up for district councillors).
    - “Everyone Matters” (a sustainable community strategy for the district of East Hertfordshire) – progress against the action plan. The strategy sets out how local organisations and agencies will work together to improve the quality of life in East Herts by addressing important issues such as health, housing, community safety, transport and education. Scrutiny members sought assurance that these joint resources would not be focussed just on the main towns in the district at the expense of the smaller, rural communities. Poor transport links and limited access to central services can leave some residents feeling isolated – and this is an aspect that scrutiny wants to keep an eye on.

- The Police and Justice Act 2007 outlined further powers for scrutiny committees around crime and disorder. These came into force from 30 April 2009 and at full Council in May 2009, the Community Scrutiny Committee was confirmed as the formal body designated to review topics under this category. During the year, Members have had the opportunity to:
  - get involved with the Community Safety consultation process. Every year the local Partnership (previously known as Crime and Disorder Reduction Partnership: CDRP) consults residents on their views relating to crime and antisocial behaviour. Elected councillors have an important role to play in identifying key issues of local concern in their wards and encouraging residents to get involved in the consultation activity. Councillors supported the ideas for member and public participation and agreed to complete a questionnaire from the Partnership which would use their local knowledge to help frame the next round of consultation events.
  - discuss the role and effectiveness of Police Service Support Officers (PCSOs). For more detail see Section 9: Working with County on page 27.
  - there were plans to scrutinise Designated Public Place Orders. These are areas where restrictions on public drinking have been applied following alcohol related problems. Members wanted to find out whether the DPPOs in place had been successful in achieving what they set out to do however, the general election in May 2010 'clashed' with these proceedings and this discussion has had to be postponed until the first meeting of 2010/11 year (27 July 2010).

#### **Performance monitoring:**

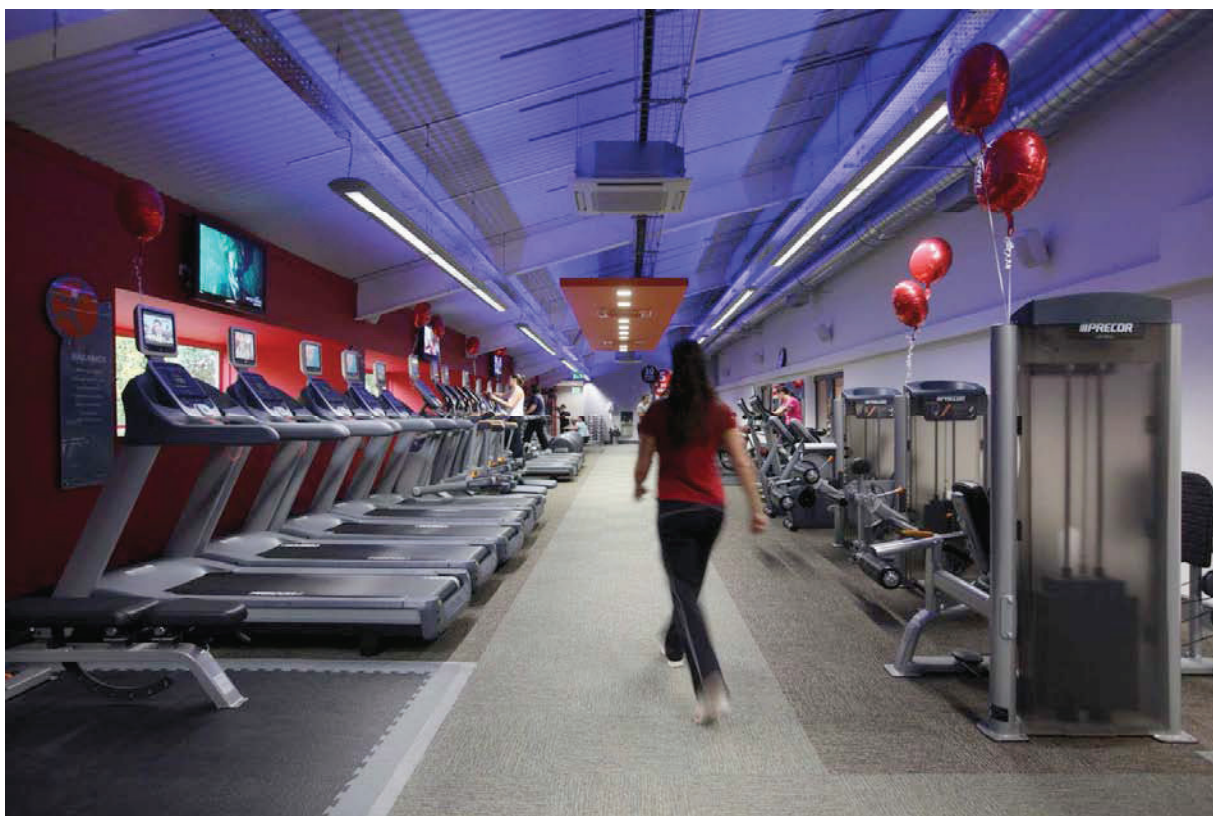
- A 'Healthcheck' is received by this committee at every meeting covering the services under its remit. The report is a mixture of written information explaining the performance data and visual material which shows both a current position and a trend chart so councillors can quickly pick up if something is going off-track. This close monitoring has made 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
  - *Registered Social Landlords* (Housing Associations) with annual reports from both Circle Anglia and Riversmead.
  - *The CAB* (East Herts Citizens Advice Service EHCAS) who outlined their restructuring and reported on how the recession was impacting on the type of advice they were being asked for.

- *Sport and Leisure Management Ltd (SLM)*. On 1 January 2009, following a competitive tender process, the council entered in to a ten year fixed fee contract with the leisure provider SLM, trading as Everyone Active. In May 2009, after scrutiny by this committee, the council approved a capital investment of £3.5million for major refurbishment and development at Grange Paddocks (in Bishop's Stortford) and Hartham (in Hertford). SLM reported back in January 2010, just as these two projects were coming to completion and Members were keen to see what had been achieved.

They were not disappointed. Early indications show a significant increase in gym membership at both sites – exceeding expectations. At the time of the scrutiny meeting in January 2010, SLM was able to report to councillors that during the 2009 year (January to December) gym membership had increased from

- 100 to 1382 at Grange Paddocks
- 668 to 1920 at Hartham.

Further increases were expected as the final phase of the planned improvements opened to the public.



The photograph above shows the new-look gym at Hartham which is now fully open, as is the one at Grange Paddocks. Details of all the East Herts facilities now managed by SLM can be found by following [this link](#).

SLM were congratulated on being able to maintain reasonable access to the swimming pools during the extensive building work and councillors were pleased to hear that swimmers would also benefit from aspects of the refurbishments. The 2009 Residents' Survey indicated that 46% of respondents felt that the swimming pools in East Herts needed improvement – and this was a good start.

### **Reviews:**

- **Markets in East Herts:** Councillors suggested the issue of Markets in East Herts should be reviewed in the light of the economic environment. They were aware that East Herts as a Council could do nothing about the closure of national retailers such as Woolworths but, as the licensing authority, we do have some control over the markets in the District. Members thought it was important to ensure these were as viable and lively possible to keep the retail offer in our towns attractive to residents and visitors during these difficult times.

This review (under the chairmanship of Cllr Dorothy Hone) ran from October 2009 to April 2010 and in this time councillors undertook visits to 9 markets within the district and neighbouring areas, held one meeting at a local agri-business (Church Farm, Ardeley); took evidence from the two main professional bodies (the National Farmers' Retail and Markets Association *FARMA* and the National Association of British Market Authorities *NABMA*) who both attended in person, met local traders and representatives from our Town Centre Partnerships and considered the results from the *FARMA* survey carried out with local residents visiting the Farmers' Market in Hertford.

The reporting schedule for this review became a 'casualty' of the cancellation of scrutiny meetings due to the general election. The recommendations from this group will now be presented at the first meeting of the 2010/11 year (27 July 2010).

### **Call-In and Councillor Call for Action (CCfA):**

No Call-In or CCfA was heard by this committee during 2009/10.

### **Comment from Cllr Colin Woodward (Chairman):**

*"Reviewing the work of Community Scrutiny over the year highlights the wide range of important issues that Members have scrutinised and the common themes of constructive challenge, concern for inclusion of town and rural communities, and service improvement, as well as the effective and efficient application of Council resources to its key priorities."*



## 7. Health Engagement Panel

Chairman:  
Councillor Kim Darby



Councillors  
S Bull  
R Gilbert

D Hone  
M Wood

Substitutes:  
Cllrs P Ballam, D Peek and V Shaw.

### Consultation:

Members of this Panel are always keen to invite external speakers to their meetings throughout the year and give councillors the opportunity to contribute directly to local health developments.

- In October 2009, the Panel set up a session on 'Drugs, Alcohol and Substance Misuse' with partners and local services. The round table discussion centred on how the health, well being and harm reduction of East Herts residents (as related to drugs, alcohol and substance misuse) are being managed by some partners and local services in the area. Members were pleased to welcome:
  - Head of Community Safety at East Herts Council
  - Head of Young People's Substance Misuse & Crime Reduction Services at Hertfordshire County Council (HCC)
  - Joint Commissioning Manager for Drug and Alcohol Services
  - Assistant Director HCC Adult Care Services (acts as Chairman of Hertfordshire Drugs Partnership)
  - Chief Executive: Vale House Stabilisation Services (Hertford)
  - Project Manager/Director of a voluntary organisation (was Chrysalis – now streetfm)
- On 12 October 2009, a press release from the NHS announced that:  
*"The boards of NHS East and North Hertfordshire and NHS West Hertfordshire (the PCTs), have decided not to proceed with the procurement process it had embarked on to establish two new Urgent Care Centres on the sites of Herts and Essex Hospital in Bishop's Stortford and St Albans City Hospital. This follows the receipt of preliminary tenders from potential providers which were at a level that is not affordable in the context of current and likely future budgets".*

- Members immediately invited representatives from the PCT to attend the December meeting of the Panel to address the concerns this cancellation raised with members and local residents alike.
- The meeting allowed Cllr Mrs M H Goldspink (member for Bishop's Stortford Central) to present a 700-signature petition to the PCT Director which showed the strength of feeling in the local area.



Herts & Essex Community Hospital was completed in 2003

- At the time, the PCT sought to give some level of reassurance by saying that the PCT had only halted the original tendering and procurement process - not abandoned plans to have an Urgent Care Centre and they retained their “strategic aim of enhancing the facilities at the Herts and Essex”.
- However, since the meeting it has become clear that the PCT Boards have concluded the “proposals would not provide best value for money” and the upgrade is not being supported. This issue is still of significant public concern and the Health Engagement Panel is likely to revisit this topic during 2010/11.

#### **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 2009/10 action plan
- Review of strategy and proposals for 2010/11
- Agreement on 2010/11 action plan.

**Comment from Cllr Kim Darby (Chairman):**

*“I am proud to have been the chairman of the Health Engagement Panel and feel that we have been able to focus on important issues surrounding health within the district.*

*2009 to 2010 has seen the Health Engagement Panel expand its focus to include seeing how the issue of drug and alcohol misuse is addressed by partner organisations. This was seen as important by the Panel as councillors had anecdotal evidence of concerns.*

*The Panel provided an opportunity for councillors to address expert witnesses in the field to understand the problems faced and see if these could be addressed in our own Public Health Strategy”.*

**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 Diane Hollebon

Vice-Chairman: Councillor Rosemary Cheswright

### Councillors

W Ashley

P Grethe

D Clark

G McAndrew

A Burlton

D Peek

Mrs M Goldspink

N Poulton

### Substitutes:

Cllrs R Beeching, A Dodd, G Lawrence, M Wood and N Clark

### Scrutiny:

- The 2009/10 Service Plans included a commitment to prepare a transport strategy for East Herts Council however, with new government legislation coming in (Local Transport Act 2008), it became necessary to amend the timescale and approach for this important piece of work. All new Local Transport Plans (LTPs) must now address a set of five overarching goals and 22 subsidiary challenges set by central government. The five goals are defined as:
  - Support economic growth
  - Tackle climate change
  - Promote equality of opportunity
  - Contribute to better safety, security and health
  - Improve quality of life

In December 2009, Members of scrutiny were asked to approve a revised approach to the preparation of our own strategy which links us to the developments at national, regional and county level. This was agreed and a new schedule of public consultations was mapped out. Residents will have their opportunity to feedback on the draft plans either on-line or at local Community Voice meetings due to be held in the 5 main towns during September 2010.

### 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 2008/09:
  - Refuse and recycling
  - Street cleansing
  - Grounds maintenance

### **Reviews:**

Most of the work under this committee during 2009/10 was undertaken by Members reviewing specific issues in great detail within task and finish groups. Their findings were then taken back to the main committee for discussion and confirmation of the recommendations.

- *Climate Change*: this important topic kept a group of 7 councillors (with Cllr Duncan Peek as chairman) busy during 2008/09 year then, during spring and early summer 2009, residents, young people and town and parish councils had a chance to let us know how they felt 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 needed to check we had covered every angle and that we had the support of local people before we moved ahead with our plans.
- The task and finish group met again in August 2009 to discuss the consultation feedback and finally reported back to scrutiny in September. Their recommendations were endorsed and have since been accepted by Executive and full Council. East Herts now has a new Climate Change Strategy with 10 key objectives focussed on:
  - Leadership
  - Education and Awareness
  - Energy
  - Transport
  - Waste
  - Water
  - Biodiversity
  - Risk Management
  - Low Carbon East Herts
  - Forward Looking East Herts
- Full details of these objectives, the strategy and the action plan which came into force from 1 January 2010 can be read by following [this link](#). Members will be reviewing progress against the action plan when it has been running for one full year to ensure that these important changes are beginning to show the carbon-footprint reductions, financial savings and environmental benefits expected.

- *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.



During 2009/10, a group of councillors (under the chairmanship of Cllr Nigel Poulton) reviewed 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. As part of their work, the Members held a 'Partners' Conference' in June 2009 and were very encouraged with the readiness to get involved and positive responses from:

- British Waterways
- BT
- Clear Channel Outdoor (responsible for most local bus shelters)
- Environment Agency
- Hertfordshire County Council Passenger Transport Unit
- Herts Highways
- South Anglia Housing Association
- Virgin Media

Members were disappointed by the lack of engagement shown by Network Rail, but the action plan that came out of the review was a practical and constructive way forward to tackle the issues which we know concern our residents.

At their first meeting of the new civic year (8 June 2010), Members will be scrutinising the progress made against this action plan to check all the talk has been turned into actions which our residents can see.

- *Planning Enforcement Policy and Procedures*: this task and finish group was set up to review the existing policy and ensure that the council's approach to planning enforcement issues is appropriate, proportionate, meets current local expectations and can be delivered within the resources available.

Under the chairmanship of Cllr Nigel Poulton, 7 Members took evidence from planning professionals and from Parish Clerks and Councillors. These same external witnesses were also consulted when the new policy was drafted to ensure it communicated the key messages in a clear and concise manner.

The main issues covered by the new Planning Enforcement policy are:

- Breaches of planning control
- Unauthorised works to listed buildings
- Unauthorised advertisements, including fly posting
- Untidy land/buildings that are seriously detrimental to the amenity of an area
- Complaints regarding High Hedges made under the Anti-Social Behaviour Act 2003

The task and finish group went on to design a Planning Enforcement guidance note and flow-chart to explain what can be a complex situation in simple and accessible terms. It will be publicly available and sent to all those who contact the Council to report a matter to be investigated. The note is not exhaustive, but aims to cover some of the commonly raised questions about the service.

If you want to inform us about a potential breach of planning control that you want us to investigate, please contact us by:

Writing to:

Planning Enforcement Service  
East Herts Council  
Wallfields  
Pegs Lane  
HERTFORD  
SG13 8EQ

Phone:

01279 655261 (ask for the planning enforcement service)

e-mail

[planning@eastherts.gov.uk](mailto:planning@eastherts.gov.uk)

Via the reporting page on our website

[www.eastherts.gov.uk](http://www.eastherts.gov.uk)

- *Refuse, Recycling and Street Cleansing Contract Specification:* The majority of the Council's waste collection services are currently provided through two main contracts. The annual value of these contracts in the last financial year was £4.53million (Refuse and Recycling) and £1.05million (Street Cleansing). Together they make up the largest single sum expended on external term contracts and are a significant proportion of the Council's net budget. Now these contracts are up for renewal and have to be put out to tender under complex European Community legislation.

The aim of the review (with Cllr Suzanne Rutland-Barsby in the chair) was to inform the design of the contract specification and obtain Members' views on the scope, relative priorities and options open to them for delivery of these services across East Herts in the future – through to at least 2018. The ideas they put forward are designed to maximise the amount of material being collected for recycling, keep East Herts' towns and rural communities clean - and crucially, deliver a quality service within a reasonable cost to the council and local tax payers.

The main Environment Scrutiny committee supported the group's recommendations at their meeting in March 2010 and passed the report onto the Executive for consideration. Executive were very positive about the attention to detail shown by the task and finish group and accepted all their recommendations when they met on 11 May 2010 (following a delay due to election purdah). These recommended parameters will now be included in the formal 'Invitation to Tender' documentation which will be sent out to eligible bidders.

- East Herts has a track-record when it comes to councillors supporting this area of work. A previous task and finish group (from 2007) took the active lead in shaping the new Alternate Refuse Collection scheme (ARC) which came into force during 2009. Early indications are that the new scheme has achieved one of its main objectives with the percentage of household waste sent for reuse, recycling and composting increasing from 34.85% (in 08/09) to 41.00% (in 09/10). East Herts council is aiming to increase this figure further over the next two years and has set a target of 50% by 2011/12. This will reduce the amount of residual waste going to landfill – an outcome which supports our local Waste Partnership commitment and contributes to UK government and EU targets.



### **Call-In and Councillor Call for Action (CCfA):**

No Call-In or CCfA was heard by this committee during 2009/10.

#### **Comment from Cllr Diane Hollebon (Chairman):**

*“Scrutiny members have been very enthusiastic and busy to date. Various topics have been on going via our task & finish groups which are set up to review a specific topic and then report back to the parent committee with their findings and recommendations. I firmly believe that these groups are essential in order to guide and support the main scrutiny committee. The background work they do undoubtedly assists with the final decision.*

*Expert witnesses are often asked to attend such meetings and are questioned about the topic they are there to advise on. Topics to date have included climate change, environmental quality, planning enforcement plus the proposed refuse, recycling and street cleansing contract which is currently on going and will be awarded to a successful contractor later in 2010.*

*It is also pleasing to note that the Southern Country Park’s green flag status was renewed - which again highlights the good work being done by many groups including the “Friends of Southern Country Park” - and in summer 2009, Hertford was awarded its own green flag status for The Ridgeway.*

*The ARC scheme introduced in November 2009 is going well and the recycling figures are now beginning to rise even further. Residents asked for more recycling options and this request has been met.*

*The workload of this committee is very varied and interesting and I would like to thank everyone involved with the scrutiny process - we **have** made a difference already through our teamwork which ultimately aims to provide an efficient, good service for all the residents of East Herts.”*

## 9. External JOINT SCRUTINY and WORKING WITH COUNTY

- As part of their 2009/10 scrutiny work programme, Hertfordshire County Council (HCC) identified a number of issues of interest to the local districts and boroughs. These issues could really only be reviewed by considering views and evidence from these authorities alongside that presented by other sources – such as external partners, voluntary agencies and residents.
  - **Youth Connexions:** the main question to be addressed was “*How has the establishment of the new service helped to improve young people’s access to the ‘Youth Offer’, particularly those that are less likely to achieve their potential?*” The new service referred to here is the new integrated youth support service ‘Youth Connexions Hertfordshire’ which was created in April 2008 through merging the resources of the HCC Youth Service and Connexions Hertfordshire.

The East Herts Executive Member (for Community Development, Leisure and Culture) and our lead officer for community development attended one of the HCC scrutiny ‘topic group’ sessions to give evidence and examples on the Youth Connexions experience from this district.

- **Crime and Disorder:** the focus for this scrutiny was to consider the effectiveness of Police Community Support Officers (PCSOs). As local authorities make a financial contribution to the funding of PCSOs, Councillors want to look at whether PCSOs provide an effective service in return for this investment and they wanted to be satisfied that PCSOs are ‘making a difference’ in local communities.

At their meeting on 26 January 2010, the East Herts Community Scrutiny Committee took the opportunity to discuss their views on the ‘role and effectiveness of PCSOs’. Our councillors wanted to identify specific examples from their wards of where PCSOs have offered an effective service and made a difference.

The East Herts Executive Member (for Community Safety and Protection) was invited to this meeting to take part in the discussion and he was asked to take all the points raised into consideration when framing any future discussions on the topic with HCC.

- The final scrutiny reports for these two reviews can be found on Hertfordshire County Council’s own website via the following links:  
[>> YOUTH CONNEXIONS](http://www.hertsdirect.org/havesay)  
[>> PSCOs](http://www.hertsdirect.org/havesay)

## 10. EVALUATING OVERVIEW AND SCRUTINY

### EXTERNAL AUDIT:

During autumn 2009, the council's external auditors undertook a "Review of Scrutiny and Audit Committee arrangements". Over a three week period a total of 17 councillors, Directors and officers were interviewed by a team of auditors. This team also reviewed documentary evidence and individual auditors attended two scrutiny committees. Their findings and proposed action plan were presented to the council in a report to the East Herts Audit Committee on 20 January 2010.

### Extract:

#### **Key findings and overall conclusions**

Overall we recognise that the Council has developed the scrutiny function since 2007. We also consider the Audit Committee is improving its effectiveness. Further we consider that the level of scrutiny at East Herts is similar to that of other councils we audit. We consider the commitment to scrutiny to be strong and well supported by officers.






Like many councils, East Herts has struggled to articulate the impact of scrutiny and to consistently demonstrate the value added to the democratic process. Inevitably, the range and volume of paperwork can be challenging and the time available to members limited when considering some complex matters. Task and Finish groups are a useful addition. We have made a number of recommendations to the Council to take the scrutiny process forward. The key issues are:



- Ensuring that a robust assessment of training needs is undertaken with a clear action plan to implement key training needs for members during 2010/11
- financial information provided as part of scrutiny needs to be set within a clear and consistent framework
- where complex issues are under review by scrutiny, the process would benefit from direct access by Scrutiny to any independent advice retained by the Council and external advisors where relevant
- putting a process in place to review the effectiveness of scrutiny on an annual basis to demonstrate the impact it has made on the democratic process.

An action plan has been developed to address the issues raised. Progress against this plan will be reported back to Audit Committee on a 6 monthly basis (28 June 2010 and 24 November 2010).

### INTERNAL EVALUATION:

During the previous evaluation process a year ago, Members identified some areas where they wanted to improve. This year they looked at what progress we had made in these areas during 2009/10:

What we wanted to achieve during 2009/10	Some examples of what we did towards this objective	How did we do?
Continue to work on increasing the involvement of residents and local interest groups in the scrutiny function of East Herts	Residents have been involved through the public consultation phase of the Climate Change Strategy and through the FARMA survey of customers at Hertford Farmers' Market. We had public attendance at the HEP which discussed the Urgent Care Centre at Herts & Essex Hospital – but, in line with the external auditors' report (as discussed above), we still need to find ways to involve residents far more.	  
Continue to bring evidence from independent or outside sources (including inviting expert witnesses in, making visits where appropriate)	The Environmental Quality task and finish group involved an extensive list of outside bodies (page 23). The Planning Enforcement task and finish group benefitted from the evidence given by representatives from Parish Councils and from a local professional planning agent. Councillors on the task and finish group involved in the Review of Markets have visited 9 markets and a local agri-business. They also discussed issues with some of our own market traders & producers and from Town Centre Partnerships. The two professional organisations FARMA and NABMA also attended in person to give their evidence.	
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	Forward planning has given committee members the opportunity to select and agree items in advance. Joint Scrutiny meetings have been used more extensively during 2009/10 to allow common issues to be discussed in timely manner as a shared forum. Chairmen made the decision to ask for some issues to be reported back in summary through the twice yearly Service Plan monitoring reports rather than come as a whole report.	
Involve the Vice Chairman in tracking recommendations made by scrutiny and in the active monitoring of outcomes and results	A new computer system (ModernGov) has been installed for Democratic Services to use in the management of meetings and agendas. This system should allow more efficient tracking of reports and their outcomes – so this improvement was held over to 2010/11	
Scrutiny of external public bodies and outside bodies – one of the evolving roles of scrutiny	Community Scrutiny had the opportunity to question two RSLs (housing associations) and the CAB (East Herts Citizens' Advice Service). They also reviewed the first year's work of the new leisure contractor (SLM). In the debate on drug and alcohol misuse, the Health Engagement Panel questioned the external agencies about the levels of service they offered local residents. The PCT was called to the next available HEP meeting after the news release about their change of plans on the Urgent Care	

	Centre. East Herts has also contributed to joint scrutiny of Youth Connexions and discussed the role and effectiveness of PCSOs. More work needs to be done in this area as the role of councillors in the scrutiny of external bodies develops further (see Section 11).	
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	Scrutiny news items have been published in the members' Information Bulletin where appropriate. An e-newsletter was piloted in the autumn covering May-October 2009 offering an overview to scrutiny members on the key issues that are being discussed within East Herts and across the county what is coming up on the 'scrutiny horizon'. Similar e-newsletters will be circulated every 6 months.	








The Chief Executive, Directors and the Executive members were canvassed for written feedback and asked for examples of how the scrutiny process in 2009/10 had supported the work of the council and asking for specific areas to strengthen during 2010/11.

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, and there is a genuine willingness to listen and engage in the process.

- *“Scrutiny Committees have continued to develop a closer link and interest in the work of partners and how we work with partners. As an officer, I have found this very positive and it is much appreciated by partners”.*
- *“From an Executive perspective, I am clear that scrutiny adds value”.*

Scrutiny committee members were all invited to workshops in January and February 2010 to evaluate their performance in 2009/10. 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).

CfPS principle	How do we feel we are doing?	
<p><b>provides ‘critical friend’ challenge</b> to executive policy-makers and decision-makers</p>	<p>Councillors feel confident about raising issues for consideration by the Executive – and, although there have been no Call-Ins during the year, councillors would be prepared to act if the need arose. There is general acceptance that scrutiny could be a more challenging ‘critical friend’ at times – but councillors are keen to maintain the constructive and non-adversarial approach developed during recent years.</p>	 
<p><b>enables the voice and concerns of the public</b> and its communities</p>	<p>This area is still a challenge and one councillor wants to focus on in the coming year – in line with the action plan coming out of the External Auditors review (discussed previously) and as part of their expanding role of ‘community leadership’.</p>	
<p><b>is carried out by ‘independent-minded governors’</b> who lead and own the scrutiny role</p>	<p>Councillors feel more confident with the ‘ownership’ of their scrutiny role but know they need to ‘lead’ more</p>	 
<p><b>drives improvement</b> in public services</p>	<p>There are some good examples of where scrutiny has made a serious contribution to the work of the council over the past year but councillors’ feedback shows they are aware they still need to monitor, measure and evidence better the ‘improvement’ that their scrutiny intervention has brought about.</p>	 

Councillors also looked at our own, local criteria used in East Herts to select an issue to review at scrutiny. There was 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)

However, in the light of the current economic climate and limited resources, there was a feeling that there should also be some

consideration given to the level of expenditure associated with any potential topic. Councillors felt that they should prioritise their time on issues where significant costs might be incurred or saved by the council.

Over the 2009/10 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 and with the opportunity to engage with external experts/witnesses. Combined with the selection criteria listed above, councillors are still 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 and their task and finish groups which are valued by councillors, Executive members and senior officers include:

- Continuing high attendance rate of councillors at scrutiny committee meetings
- Continuity of membership on the main committees which allows us to build on the experience and knowledge of members
- Drawing on other (non-scrutiny) members for their expertise on specific task and finish groups
- Active involvement in committee and on task and finish groups of councillors beyond the administration
- Having a non-adversarial, constructive approach
- Offering a useful forum for discussion and debate with partner agencies (in committee) and external experts and witnesses (in task and finish groups)
- Being well-supported by Heads of Service and officers
- Giving officers direction to shape policy and meet priorities (with Planning Enforcement being highlighted)
- Willingness of Executive members to attend and engage with the scrutiny process.

Last year, councillors expressed a view that the layout of the room and seating could be altered to improve the conduct of committee meetings. They 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 felt that the interactive, round-table style of debate had resulted in some officers being inappropriately drawn into aspects of scrutiny and areas of accountability which actually sit with elected members. There was **no** move to make scrutiny in East Herts more confrontational – the

suggestion was made for role clarity and to improve structured questioning.

This change has worked well, particularly for Community Scrutiny which covers the remit of a number of portfolio holders and different services – so tends to have several Executive members and a high number of officers involved in any one meeting.

Councillors are generally pleased with the new report format and feel the layout is clearer and easier to read. A fuller review will be undertaken once the new guidelines have been in place for a full year.

Members also identified some areas in which they would like to further strengthen scrutiny in 2010/11:

<b>What we want to do?</b>	<b>Action plan:</b>
Continue to look for ways to improve the level of public involvement within the scrutiny process	<ul style="list-style-type: none"> <li>➤ Promote awareness of public involvement</li> <li>➤ Pro-actively invite local interest groups to meetings with agenda items relevant/appropriate to their ‘cause’</li> <li>➤ Identify issues which really motivate and concern the public</li> </ul>
Continue to bring evidence from independent or outside sources (including inviting expert witnesses in, making visits where appropriate)	<ul style="list-style-type: none"> <li>➤ Find ways of doing more under Corporate Business Scrutiny</li> <li>➤ Emphasise the comparative data and references to external evidence in written reports being presented to councillors (where and when it is not practical to meet the people or make a visit)</li> </ul>
Plan agendas well in advance, identify items/issues where scrutiny can ‘make a difference’ and ensure outcomes from scrutiny are monitored, recorded and recognised.	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 and outcomes.
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"> <li>➤ Highways Congestion (June 2010)</li> <li>➤ Flooding (Autumn 2010)</li> <li>➤ Highways Maintenance (Autumn 2010)</li> <li>➤ And, where we share areas of common interest or concern - Local Area Agreement (LAA), Local Strategic Partnership (LSP): Pathfinder arrangements: Crime and Disorder.</li> </ul>
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.	<ul style="list-style-type: none"> <li>➤ Continue to make good use of the existing weekly Members’ Information Bulletin.</li> <li>➤ Circulate a periodic e-mail summary issued by scrutiny officer.</li> <li>➤ Strengthen the training programme for</li> </ul>



	councillors in areas relevant to scrutiny and offer the training in an appropriate manner to maximise take up.
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These areas of improvement have been specifically identified by councillors and will all be undertaken in parallel with the formal action plan drawn up by the external auditors following their broader 'Review of Scrutiny and Audit Committee arrangements'.

**Chairmen of our task and finish groups during 2009/10:**



Cllr Janet Mayes



Cllr Jim Ranger



Cllr Dorothy Hone



Cllr Duncan Peek



Cllr Nigel Poulton



Cllr Suzanne Rutland-Barsby

## 11. WHAT ARE OUR PLANS FOR 2010/11?

### Work programmes

Councillors were asked to agree outline agendas for their 2010/11 meetings at the last meeting of their committee in the 2009/10 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).

All the 2009/10 task and finish groups completed their work within the civic year with only the 'Review of Markets' left to report back in 2010/11.

Just two groups have asked to reconvene during 2010/11 to review the outcomes of their recommendations and check they are delivering the results they hoped for:

- Plain English & Report Writing
- Planning Enforcement (particularly around timescales)

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, there are a number of issues under consideration for closer scrutiny during 2010/11, including:

- Community Engagement and Consultation
- Planning Pre-Application process
- Economic Regeneration
- Review of major capital projects

The 2010/11 scrutiny committee members will make the final decision as to which topics are included for review as part of their work programmes.

Our task and finish groups tend to 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 was put forward as an option during last year but no topic was deemed suitable, however it may be piloted during 2010/11 if appropriate and approved by the relevant Chairman (and governed by the availability of councillors).

## 12. THE EVOLVING ROLE OF SCRUTINY

Last year (from 1 April 2009) the government brought in new powers for ward councillors to help them tackle local problems on behalf of their constituents. Under the banner “*Councillor Call for Action*” (CCfA), councillors have been provided 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 believe we are open to debate and constructive, problem resolution so we felt the new CCfA would give us the chance to formalise the good practice already in place. At the Annual Council meeting in May 2009, the Constitution was updated to fully accommodate CCfA and, although we ensured our scrutiny structure/framework could be used for a *Councillor Call for Action* to be aired, no issues were raised through this mechanism during 2009/10. Scrutiny Committees stand ready to address any problems during 2010/11 if the need arises.

In the last session of parliament, MPs had been debating the Local Authorities (Overview and Scrutiny) Bill. This aimed to strengthen and broaden the powers of local government overview and scrutiny committees however, as we approached the May 2010 general election the Bill ran out of parliamentary time. As both Government and opposition voiced support for improved scrutiny powers, it is likely to be an issue revisited in the next parliament.

The key elements of the bill (as originally set out) are that it

- gives scrutiny committees powers over a wider range of external bodies than at present (the external bodies will be designated by regulation)
- provides for these powers to be used in scrutiny of activities carried out by these external bodies that relate to matters of local concern in the provision of public services
- makes provision for executive council members to be able to sit on scrutiny committees when they are concerned with scrutiny of external bodies
- makes provision to ensure that scrutiny officers are allocated such resources as they believe they require to carry out their role effectively

As the role of district council members under this Bill becomes clearer, councillors will be offered best practice guidance and training to fulfil their duties in relation to scrutiny of external bodies.

### 13. TRAINING

During 2009/10 councillors from East Herts attended the following scrutiny related events:

- “Community Leadership” - an evening session run by the Local Leadership Academy on 19 November 2009 (as part of the Improvement and Development Agency for local government: IDeA).
- “Scrutiny of Partnerships” – an evening seminar run by Hertsmere Borough Council on 24 Nov 2009. The main speaker was Dr Andrew Coulson from the Institute of Local Government Studies at University of Birmingham.
- “The Duty to Involve: the role of elected members in citizen involvement and civic responsibility” - a one day conference run by the Local Government Information Unit (LGIU) on 1 December 2009 to explore what the citizen engagement and community empowerment agenda actually means and the impact that this has on the role of an elected member.
- “Public Engagement through Scrutiny” - a CfPS one day event on 10 February 2010 to look at how public engagement can help hold executives to account and explore the importance of reflecting the voice and concerns of the public through scrutiny.
- CfPS Parliamentary Seminars (held several times a year at the House of Commons) called “Putting the ? back into scrutiny” designed to outline the powers and work of select committees and make links back to local government scrutiny.
- “Decision Making Processes” - an in-house session on 14 Jan 2010 looking at the decision making processes at East Herts and understanding the correct procedures.
- “Data Quality” – in-house training 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 – linked to .....
- Group and 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.

Councillors will have another chance to attend some of the 2009/10 events which are provided on a rolling programme, but they have also indicated an interest in some new areas of training for the coming year:

- Chairing scrutiny
- Questioning techniques - framing questions which are objective, constructive and probing
- How to analyse and interpret data
- Evaluating evidence
- Making evidence-based decisions and recommendations.

As part of their evaluation workshops, councillors were surveyed to find out what style and approach to learning they preferred to ensure future training activities could be tailored to their needs – and we can maximise attendance at events.

Analysis of their feedback showed that they preferred:

- 'Bite-size' training delivered before an evening committee meeting
- Training delivered by East Herts officers, external speakers or other East Herts councillors with specialist knowledge/skills
- Training delivered as a seminar or 1:1 session
- Having material printed on paper to read.

Their least favourite approaches were:

- Taking part in an on-line discussion
- Attending day conferences at regional/national level
- Using an on-line learning package
- Completing a work book with written exercises
- Having a session with an external speaker held during the day
- Attending an evening session at a location outside the district
- Having reading material presented on a computer screen.

These responses will be taken into account when designing scrutiny training for councillors during 2010/11.

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 Scrutiny Annual Report. This will minimise use of material resources, distribution costs and gain potential CO<sub>2</sub> 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](mailto: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](mailto:communications@eastherts.gov.uk) or by calling 01279 655261.