

THE OVERVIEW AND SCRUTINY COMMITTEE

20 June 2011

ANNUAL SCRUTINY REPORT 2010-11

REPORT OF THE CHAIRMAN - COUNCILLOR CHAMBERLAIN

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RECENT REFERENCES:

None

EXECUTIVE SUMMARY:

At the end of each Municipal Year, the Chair of the Principal Scrutiny Committee for that year reviews the work of all overview and scrutiny bodies and provides a report back to Council.

The draft report for the 2010-11 Municipal Year is attached so that The Overview and Scrutiny Committee can add its comments before it is finalised for presentation to Council on 20 July 2011.

RECOMMENDATION:

That the Committee considers the draft Annual Scrutiny Report 2010-11 and suggests any additions or amendments for consideration by Council.

OTHER CONSIDERATIONS:

SUSTAINABLE COMMUNITY STRATEGY AND DETAILED CHANGE PLANS  
(RELEVANCE TO):

Scrutiny has a key role in ensuring that the Council is efficient and effective.

RESOURCE IMPLICATIONS:

Scrutiny is undertaken within the existing staffing resources of the Council.

RISK MANAGEMENT ISSUES

None

BACKGROUND DOCUMENTS:

None

APPENDICES:

Winchester City Council Annual Scrutiny Report 2010-11



**Winchester**  
City Council

# Annual Scrutiny Report

2010-11

## Introduction

It has been acknowledged that Overview and Scrutiny at Winchester has an important role in ensuring that the Council is run as efficiently and as effectively as possible. Both Principal Scrutiny Committee and the four Panels have influenced improvements to services and continued to demonstrate successfully holding the Executive to account, both as a critical friend and by challenging individual portfolio holders in the performance of those service areas that they are responsible for. Scrutiny has commissioned a number of important in-depth reviews over the years, which are archived and accessible [via this link](#). The municipal year 2010-11 has culminated in Principal Scrutiny Committee being consulted on proposals to further strengthen the success of Overview and Scrutiny at Winchester. These changes are now in place and as Chairman, I am satisfied that there are now greater opportunities for all non executive Members to influence the running of the Council.

The establishment of a single Overview and Scrutiny Committee with task and finish Informal Scrutiny Groups will build upon the successes of the previous structure. As well as there being more opportunity to influence new Council policy, Members will be encouraged to participate in in-depth scrutiny reviews of those areas of the Council's work (and those functions delivered in partnership) that are likely to have most impact on value for money and on quality of services to residents. I am satisfied that the removal of important audit functions previously undertaken by Principal Scrutiny Committee to a separate Audit Committee will allow for more focussed agendas and therefore more rigorous scrutiny discussion.

During 2010-11, the economy has continued to impact on the work of the Council. However there have been some positive developments, including with regard to the Silver Hill regeneration project. The major refurbishment works to the Guildhall have also been successfully completed on schedule. However, the economy has also influenced some necessary changes to the staffing structures of the organisation and Principal Scrutiny Committee was consulted on changes to how the Council delivers services via a new 'commissioning approach'. Also as part of this, the Council has introduced 'Change Plans' which will now provide the focus for the Council's annual business planning cycle. Scrutiny will have key role in monitoring the delivery of the Change Plans.

Principal Scrutiny Committee has also been consulted on new legislation coming forward with regard to local democracy. The Council has now introduced formalised procedures for receiving petitions from residents and Principal Scrutiny Committee also discussed proposals to change to the executive decision making structures of the Council. Scrutiny will consider the outcome of the forthcoming Localism Bill in due course.

The forthcoming year will see the embedding of the new scrutiny structures and I will work closely with officers to ensure that they build upon the successes and positive influence that Overview and Scrutiny has had on behalf of those who live, work or visit Winchester and its District.

Clr Colin Chamberlain  
Principal Scrutiny Chairman 2010-2011

## The Role of Scrutiny in the Council

Winchester City Council operates a Cabinet system. Members of the Cabinet manage the majority of the Council's business, while scrutiny bodies oversee the discharge of the Council's work. From the 2011/12 Municipal year the Council has adopted the strengthened Leader and Cabinet Executive model.

As referred to on page one of this Appendix, arrangements on how scrutiny operates at Winchester are changing for the 2011/12 municipal year and these are described in reports [CAB2107](#) and [CL70](#). The proposals in the reports have been endorsed by the Council.

The role of scrutiny is to review, challenge and develop what the City Council does, making sure the right decisions are being made by Cabinet, in line with the general policies set by full Council, for the benefit of the Winchester District and its residents and businesses. The changes described above are intended to further enhance this role. The principal functions of Overview and Scrutiny at Winchester are as follows:

- 1. Holding Portfolio Holders to account for the services within their areas of responsibility including those that are delivered in partnership.**
- 2. Contributing to the development and review of key Council policies and programmes.**
- 3. Challenging decisions made by Cabinet or Portfolio Holders.**
- 4. Reviewing the overall benefit to the public from services provided by the City Council and other organisations.**

## Councillor Call for Action and Crime and Disorder issues

As part of the Local Government and Public Involvement in Health Act 2007, the Government has enacted provisions for a Councillor Call for Action (CCfA). CCfA is about helping Councillors to resolve issues and problems on behalf of people who live or work in the ward that they represent, where other methods of resolution have been exhausted. Following the work of an Informal Scrutiny Group that investigated how the Council could best respond to the new legislation, Winchester City Council's Constitution has been formally amended to include a CCfA scheme. To date, there have been no requests from Members for a call for action as they have used the Council's other processes to raise issues of concern, and have not had to rely on the "last resort" rights provided by the CCfA scheme.

The Police and Justice Act 2006 and the Crime and Disorder (Overview and Scrutiny) Regulations 2009 required the Council to designate a scrutiny body as its 'Crime and Disorder Overview and Scrutiny Committee'. The Social Issues Scrutiny Panel took this role and monitored the functioning of the Crime and Disorder Reduction Partnership. It could also

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consider individual matters related to crime and disorder issues referred from the local level. From 2011, this role will be undertaken by The Overview and Scrutiny Committee.

### Petitions

The Local Democracy, Economic Development and Construction Act 2009 included requirements for local authorities to have formal procedures in respect of petitions, particularly regarding the response to petitioners, and for mechanisms for a right of appeal. The Act also required Councils to provide facilities for an 'e-petition' scheme.

Principal Scrutiny Committee was consulted on the new guidance (including the various thresholds to 'trigger' requirements for referral of the petition to a relevant committee (including an overview and scrutiny body) or to a meeting of full Council for debate. The petition organiser also has the right to request that the relevant overview and scrutiny committee reviews the steps that the Council has taken in response to a petition. This [guidance and a new on-line facility](#) was introduced in December 2010. The on-line facility can also be utilised for petitions that are outside the guidance i.e. planning and licensing matters.

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## Activities of the Scrutiny Committees

### Principal Scrutiny Committee

Chairman: Cllr Collin Chamberlain

#### Function

Principal Scrutiny Committee kept an overview of how the Cabinet delivered the priorities and aims of the City Council. Principal Scrutiny Committee could scrutinise any decision made by the Cabinet or by Council Officers. This was to make sure that Cabinet was delivering within the City Council's budget and policy framework for the benefit of the District's residents. The Committee was also allowed to review any decision even after it had been implemented, or ask one of the Scrutiny Panels to do so. It could also 'call-in' a decision that Cabinet had made, or had yet to make, that was outside the agreed budget for that year that is likely to cost over £50,000.

Principal Scrutiny Committee was the City Council's designated Audit Committee, keeping an overview of the work of both the internal and external auditors and their recommendations.

The Sustainable Community Strategy and budget and relevant business plans (and from this year, Change Plans) were annually examined by the Committee.

#### Holding Portfolio Holders to account

The following Portfolio Holder(s) made regular reports to Principal Scrutiny Committee and the Committee was also asked to comment on the content of relevant areas of business plans:

- Leader, with responsibility for transformation and resources, with a focus on the Council's budget and improving the use of the Council's assets, including its property and land: **Cllr Kelsie Learney**

Councillor Learney and other portfolio holders were questioned as and when necessary on individual items. These included:

- Implementation of the Council's new Financial Management system.
- The Silver Hill Regeneration project.
- Development of a new planning framework, inclusive of an exercise undertaken with communities to help develop an approach for the Winchester District.
- Reform of the Council Housing funding system.
- Monitoring of the Council's Financial Strategy and budget.
- The Government's new Localism Bill.
- The Joint Environmental Services Contract.

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- Shared IT contact with Test Valley Borough Council.
- The Council's Capital Strategy and its alignment with the Community Strategy.
- The Council's value-for-money submission to the Government.
- Leadership arrangements and changes to overview and scrutiny.
- Proposals to relocate the Council's Depot.
- The administrator's proposals for the future of the Silver Hill Scheme.
- Disposals of vacant HRA dwellings policy.
- Proposals for collaborative working on tourism services.

The Committee continued to take a lead role in developing the Capital Programme and General Fund Budget and from this year, was consulted on the Council's 'Change Plans'.

### **Challenging Decisions and the Use of 'call in' powers**

Principal Scrutiny Committee considered the call-in of the following items of unplanned expenditure:

- Urgent repairs to Jewry Street Car Park flint wall (supplementary estimate of £50,000).
- Development of the 'secret rooms' in the Guildhall (supplementary estimate of £77,000).
- Restructure Of Landlord Services and Corporate Property Management (supplementary estimate of £68,000).
- An £150,000 increase in the Housing Estate Works Budget, funded from the Housing Revenue Account balances.
- Adverse variances to the General Fund Estimate.
- Costs associated with refurbishment and letting of 75 Hyde Street, Winchester.

In each case, the view of the Committee was that there was sufficient information available for Cabinet or Council to come to a decision and no benefit would be gained from delaying the decision being taken.

### **Audit Committee function**

A key part of Principal Scrutiny's work was overseeing the audit function of the Council. Principal Scrutiny Committee received the Annual Audit report and the Inspection Letter from the external auditors, the Audit Commission. The Committee took up the opportunity to question the external auditor before agreeing the Letter.

The Committee also oversaw the internal audit function, agreeing the internal audit plan and also monitoring emerging recommendations and progress in achieving them, with particular discussion on special investigations undertaken. The Committee also monitored the Council's Annual Governance Statement.



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From the 2011/12 municipal year, these important functions will now be dealt with by the Council's new Audit Committee.

### **Informal Scrutiny Groups**

- The Committee did not undertake any new in-depth scrutiny investigations during the year. The Committee received and endorsed the recommendations of the previous Treasury Management ISG (Report PS418 refers).
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## Environment Scrutiny Panel

Chairman: Cllr John Higgins

### Function

To have an overview of the City Council's work and performance, contribute to the development of Council policies and programmes and scrutinise any matter affecting the Winchester District or its residents in the areas of:

- Planning, Building Control and Strategic Planning
- Environmental Health
- Transportation, Parking and Engineering

The Panel also considered the overall benefit to the public from services provided by the City Council and other organisations that impact on the Environment of the District, including monitoring and scrutinising the work of any relevant partnership.

The Sustainable Community Strategy and budget and relevant business plans (and from this year, Change Plans) were annually examined by the Panel.

### Holding Portfolio Holders to account

The following Portfolio Holders reported to the Environment Scrutiny Panel:

- Portfolio Holder for High Quality Environment: **Cllr Eleanor Bell**

Items in the **High Quality Environment Portfolio** that were of particular interest to the Panel included:

- The capacity of the Planning Management Team to process planning applications within the target timescales.
- The new south of Winchester Park and Ride site.
- The role of the Assistant Director (High Quality Environment) and Change Plans.
- The Joint Environment Services Contact.
- Project Integra 2011 – 2016 Action Plan and Review.

### Informal Scrutiny Groups

- The Panel concluded its review of energy efficiency issues through the planning process through the Informal Scrutiny Group process (Report EN104 refers).
- The Panel appointed an Informal Scrutiny Group to undertake an in-depth scrutiny review of Tree Protection and Management processes. The Panel approved the ISG's recommendations at its meeting held 15 March 2011 (Report EN109 refers).

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- The Panel jointly commissioned, with the Local Economy Scrutiny Panel, an in-depth scrutiny review titled 'Low Carbon Economy'.
  - The Panel concluded an in-depth scrutiny review of the Council's role in community Emergency Planning in the District (Reports EN100 and EN104 refer).
  - The Panel reviewed with satisfaction implementation of the recommendations of the previous Public Conveniences ISG (Report EN87 refers).
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## Local Economy Scrutiny Panel

Chairman: Cllr Sue Nelmes

### Function

To have an overview of the City Council's work and performance, contribute to the development of Council policies and programmes and scrutinise any matter affecting the Winchester District or its residents in the areas of:

- Recreation, Sport and Leisure
- The Arts
- Heritage and Conservation
- Community Facilities
- Local Economy and Tourism

The Panel also considered the overall benefit to the public from services provided by the City Council and other organisations that impact on the local economy, culture and heritage of the District, including monitoring and scrutinising the work of any relevant partnership.

The Sustainable Community Strategy and budget and relevant business plans (and from this year, Change Plans) were annually examined by the Panel.

### Holding Portfolio Holders to account

The following Portfolio Holders reported to the Local Economy Scrutiny Panel:

- Portfolio Holder for Economic Prosperity: **Cllr Dominic Hiscock**

Items in the **Economic Prosperity portfolio** that were of particular interest to the Panel included:

- The Panel received a presentation on the work of the Transport Working Group (formerly Transport Forum)
- The Hockley viaduct and importance of ensuring continued funding of its maintenance during ongoing negotiations with Sustrans to transfer ownership.
- The forthcoming refurbishment of The Square, Winchester
- The impact of proposed increases in car parking charges, including removal of free Sunday parking.
- Preparations for the 2012 Olympics.

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- Planning applications in the countryside.

### **Informal Scrutiny Groups**

- The Panel received an update from officers on the recommendations of the Culture and Economy Informal Scrutiny Group re Section 106 Contributions (Report LE78 refers).
  - The Panel jointly commissioned, with the Environment Scrutiny Panel, an in-depth scrutiny review titled 'Low Carbon Economy'.
  - The Panel commenced an in-depth scrutiny review titled 'Planning and the Rural Economy Informal Scrutiny Group'.
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## Social Issues Scrutiny Panel

Chairman: Cllr Ray Love

### Function

To have an overview of the City Council's work and performance, contribute to the development of Council policies and programmes and scrutinise any matter affecting the Winchester District or its residents in the areas of:

- Housing both generally and in relation to the activities of the Housing Revenue Account (HRA).
- Community Safety (To act as the Crime and Disorder Committee for the purposes of Section 19 of the Police and Justice Act 2006).
- Community Development (other than related to sport).
- Social Inclusion, including, where relevant, benefits administration
- Health Improvement

The Panel had regard to the Sustainable Community Strategy and Corporate Business Plan, in particular, its references to the three outcomes of Health and Wellbeing, Safe and Strong Communities and Inclusive Society. The Panel's terms of reference were also linked to several of the Council's more partnership related and diverse strategic priorities.

The Sustainable Community Strategy and budget and relevant business plans (and from this year, Change Plans) were annually examined by the Panel.

In addition to members of the City Council, the Social Issues Panel had representatives of the City Council's Tenants organisation (TACT) sitting on the Panel.

### Holding Portfolio Holders to account

The following Portfolio Holders reported to the Social Issues Scrutiny Panel:

Portfolio holder for Communities: **Cllr Lucille Thompson**

Items in the **Communities portfolio** that were of particular interest to the Panel included:

- The Government's intentions to reform the existing Housing Revenue Account (HRA) system.
- The ongoing need for the Council to increase the provision of affordable homes in the Winchester District to meet demand.
- The Panel received presentations on the work of 'No Cold Calling Zones', Street Pastors and on 'Push 4 Safer Homes'.

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- The functioning of the sub regional choice based allocations system, 'Hampshire Home Choice'.
- Proposals for a Village Information and Service Advisor (VISA) Programme in the District.
- The Panel discussed the new commissioning approach to the Council's Revenue Support Grant system.
- The potential for the Council to become more involved in an "at-arms-length" management role of private sector rented housing.
- The possibility of the posts of Acceptable Behaviour Coordinator and Community Safety Data Analyst not being retained.
- The Panel congratulated the Head of Landlord Services and his team for achieving excellent levels of performance.
- The future of the Council's Cash Office service.

### Informal Scrutiny Groups

- The Panel appointed an Informal Scrutiny Groups to consider, in depth, Landlord Services Benchmarking Data. The ISG's findings were received as part of a performance monitoring update report at the Panel meeting on 1 February 2011. (Report SO123 refers)
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## Resources Scrutiny Panel

Chairman: Cllr Daryl Henry

### Function

To have an overview of the City Council's work and performance, contribute to the development of Council policies and programmes and scrutinise any matter affecting the Winchester District or its residents in the areas of:

- Legal Services
- Administration
- Financial Services
- Customer Service
- Information Management and Technology
- Revenues
- Human Resources
- Estates
- Procurement

To consider the overall benefit to the public from services provided by the City Council and other organisations that impact on the internal workings of the Council, including monitoring and scrutinising the work of any relevant partnership.

The Sustainable Community Strategy and budget and relevant business plans (and from this year, Change Plans) were annually examined by the Panel.

### Holding Portfolio Holders to account

The following Portfolio Holders reported to the Resources Scrutiny Panel:

- Leader, with responsibility for transformation and resources, with a focus on the Council's budget and improving the use of the Council's assets, including its property and land: **Cllr Kelsie Learney**

Items in the **Leader portfolio** that were of particular interest to the Panel included:

- Proposals to bring the Council's IT services in-house, with a shared Head of IT with Test Valley Borough Council.
- Various matters related to the Council's property portfolio, including the vacant Avalon House and Abbey Mill.
- The completion of the Guildhall refurbishment, including relocation of the café facility.
- The changes to corporate culture to how employees saw their work via a 1-Team approach.
- Working with other local authorities on shared services, such as IMT, Audit and Housing.



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- The Panel received a tour of the Council's Customer Service Centre.
- Consideration of matters related to staffs' terms and conditions of employment.
- The future of the Council's Cash Office service.

### **Informal Scrutiny Groups**

- The Panel did not appoint any Informal Scrutiny Groups.
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