

THE OVERVIEW AND SCRUTINY COMMITTEE

28 May 2012

DRAFT ANNUAL SCRUTINY REPORT 2011-12

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 Overview and 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 2011-12 Municipal Year is attached so that The Overview and Scrutiny Committee can add its comments before it is finalised for presentation to Council on 18 July 2012.

RECOMMENDATION:

That the Committee considers the draft Annual Scrutiny Report 2011-12 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:

Draft Winchester City Council Annual Scrutiny Report 2011-12



Winchester
City Council

Annual Scrutiny Report

2011-12

Introduction

The 2011/12 municipal year saw changes to how overview and scrutiny operates in Winchester City Council with the introduction of The Overview and Scrutiny Committee and task-and-finish Informal Scrutiny Groups (ISGs), led by six appointed 'scrutiny leads'. The ISGs have provided opportunities for non-executive Members to potentially influence new Council policy, and to be involved in reviews of areas of the Council's work (including functions delivered in partnership) to ensure that they continue to deliver quality services to residents for the best value for money. Both officers and Members input to the selection of ISG topics, for endorsement by The Overview and Scrutiny Committee. Wherever possible, ISG topics were also selected to be relevant to the outcomes of the Council's Change Plans. To date, two 'batches' of ISGs have either concluded their work or are close to doing so. Their final reports will be archived and accessible via the Council's website [via this link](#) along with all the previous in-depth scrutiny reviews undertaken by ISGs.

The Overview and Scrutiny Committee has an important role in holding the Cabinet to account and in monitoring progress against the expected outcomes of the Council's Community Strategy. The Committee has also been consulted on some major Council projects including the Silver Hill development, changes to the Winchester Museums Service, and to the staffing structure of the Council and the reform of the Council House financing arrangements. The Committee also discussed the main issues of the Localism Act 2011 which were likely to affect the Council and it was influential in formulating the Council's budget and Change Plans. The Committee has also exercised its right to consider 'calling-in' items of unplanned expenditure on several occasions. It had also requested that further information be presented to Members on areas of particular concern arising from its discussions, including in response to representation from residents raised during its public participation session.

During the 2012/13 Municipal Year, The Overview and Scrutiny Committee will no doubt be consulted on further opportunities for efficiencies in response to the continuing economic challenges facing local government. The Council will also commence an ambitious programme to build new Council homes, taking advantage of the new self-financing arrangements for the Housing Revenue Account. I am satisfied that changes to the Council's overview and scrutiny structures implemented at the start of this Municipal Year now provide greater opportunities for non-executive Councillors to influence how the Council is run on behalf of those who live, work or visit Winchester and its District.

CLlr Colin Chamberlain
Principal Scrutiny Chairman 2011-2012

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.

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.

(i) Councillor Call for Action

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.

(ii) Crime and Disorder issues

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'. It could also consider individual matters related to crime and disorder issues referred from the local level. From 2011, this role was undertaken by The Overview and Scrutiny Committee.

(iii) 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. Accordingly, procedures have been amended within the Council's Constitution, which include that the petition organiser also has the right to request that The Overview and Scrutiny committee review 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.

THE OVERVIEW AND SCRUTINY COMMITTEE

Chairman: Cllr Collin Chamberlain

The Overview and Scrutiny Committee keeps an overview of how Cabinet has delivered the priorities and aims of the City Council. It can scrutinise any decision made by the Cabinet or by Council Officers to ensure that it was delivering within the City Council's budget and policy framework for the benefit of the District's residents. The Committee is also able to 'call-in' a decision that Cabinet had made, or had yet to make, that was outside the agreed budget for that year that was likely to cost over £50,000.

The Committee has taken a lead role in developing the Capital Programme, General Fund Budget and Sustainable Community Strategy. It was also consulted on the Council's 'Change Plans'. Members also discussed an Annual report on complaints received at the Council ([Report OS17 refers](#)).

(i) Holding Portfolio Holders to account

Portfolio Holders were questioned as and when necessary on individual items. These included:

- The future use of Avalon House, Winchester
- The commercial performance of the new eighteen71 café in the Guildhall
- The success and issues arising from the expansion of weekday markets held in the High Street, Winchester.
- The Silver Hill Regeneration project and commencement of a Compulsory Purchase Order (CPO) programme.
- Matters related to the relocation the Council's central depot to Bar End Close, Winchester.
- Repairs and refurbishment of River Park Leisure Centre.
- Repairs to City Offices and opportunities from creating additional office space in the building for letting.
- Proposals to improve the long term sustainability of the Winchester Museums Services.
- The Council's Asset Management Plan.
- Matters associated with bin collections in some areas of the District following the introduction of the new waste management contract.
- The Council's Capital Programme and Strategy, General Fund Budget and Treasury Management Strategy.
- The Housing Finance Reforms and proposals for a new build programme of Council Housing in the District.
- The Government's proposals for a Community Infrastructure Levy (CIL)
- Update on organisational change at the Council.

(ii) Challenging decisions and the use of 'call in' powers

The Overview and Scrutiny Committee considered the call-in of the following items of unplanned expenditure:

- Continued Provision of Microsoft Office (supplementary estimate of £195,300).
- Disposal of Housing Revenue Account (HRA) Land and General Fund (GF) Land at Dever Close, Micheldever (less than best consideration greater than £50,000)
- Transfer of the freehold of open space comprising of play areas at Fryers Close (Kings Worthy) and Provene Gardens (Waltham Chase) to the respective parish councils (less than best consideration greater than £50,000)
- Transfer of six play areas and Meadowside Recreation Ground from Winchester City Council to Whiteley Parish Council (less than best consideration greater than £50,000)
- Proposals to redevelop vacant Housing Revenue Account land in Stanmore, Winchester for affordable housing (less than best consideration greater than £50,000)

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.

INFORMAL SCRUTINY GROUPS

The following Councillors were appointed as scrutiny leads for the 2011/12 Municipal Year:

Councillor Margot Power, Councillor Roger Huxstep, Councillor Lucille Thompson, Councillor Robert Hutchison, Councillor Malcolm Wright and Councillor Frank Pearson

In addition to establishing two batches of Informal Scrutiny Groups (ISGs) under the new scrutiny arrangements, the Committee received and endorsed the recommendations of the previous year's Low Carbon Economy ISG ([Report OS08 refers](#)) and the Planning and Rural Economy ISG ([Report OS7 refers](#)). The Committee also received a progress update on the Recommendations of the previous year's Trees ISG ([Report OS15 Refers](#)).

As referred to above, The Overview and Scrutiny Committee has appointed six Councillors to 'lead' each scrutiny investigation. Each topic selection was considered within two batches during the year, to assist with the management of the process. The remainder of the ISG's membership (about five additional Councillors) were appointed by Group Managers from all non-executive Councillors from across the Council.

The Committee received and endorsed the following final reports and recommendations of Batch 1 and 2 ISGs:

- Allocation of Gypsy and Traveller Sites Informal Scrutiny Group ([Report OS21 Refers](#)) – led by Councillor Power
- The City Council's Efforts to Reduce its Carbon Footprint Informal Scrutiny Group ([Report OS23 refers](#)) – led by Councillor Hutchison

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- Asset Management Plan Informal Scrutiny Group ([Report OS24 refers](#)) – led by Councillor Wright
- Air Quality Informal Scrutiny Group ([Report OS27 refers](#)) – led by Councillor Pearson
- Housing Allocations Informal Scrutiny Group ([Report OS29 refers](#)) – led by Councillor Thompson
- Young People and Employment Informal Scrutiny Group ([Report OS25 refers](#)) – led by Councillor Huxstep
- Commissioning and the Voluntary Sector and Community Sector Informal Scrutiny Group ([Report OS34 refers](#)) – led by Councillor Hutchison

The Committee also noted an interim report of the Local and National Performance Indicators and their Value to the Council Informal Scrutiny Group ([Report OS35 refers](#)) – led by Councillor Huxstep. It was noted that the final report and recommendations of this ISG and those of the Media ISG (led by Councillor Wright) and the Project Integra ISG (led by Councillor Thompson) would report during the 2012/13 Municipal Year.
