OVERVIEW AND SCRUTINY ANNUAL REPORT 2011/12

1. SUMMARY

In accordance with Article 6.03 (c) of the Council’s Constitution, this annual report describes the activities and experiences of the work of the Council’s three Select Commissions during the 2011/12 administrative year.

2. RECOMMENDATION

Recommendation to Council

That the report be noted.

3. BACKGROUND

3.1 This is the first annual Overview and Scrutiny report of this Administration following the District Council elections in May 2011. The Council continues to operate its Overview and Scrutiny function through three Select Commissions which are linked to the corporate priorities of the authority.

3.2 Following the Annual Meeting of Council in May 2011 the Select Commissions were constituted with a membership of up to 15 members on each. However, Council agreed at its meeting on 20 September 2011 to reduce the membership of each Commission to ten members. The Commissions commenced operating with ten members from 14 February 2012.

3.3 The first meeting of each Commission commenced with a presentation on the role and objectives of Overview and Scrutiny and the importance to the authority in developing its Policy Framework and Budget and holding the Executive to account for decisions taken. This meeting also considered a proposed work programme for each Commission and this report identifies the conclusions against the main topics of the agreed programme.

3.4 The year 2011/12 has seen the establishment of a number of Task and Finish Groups to support the Select Commissions. A number of these Groups produced reports which generated recommendations for consideration as part of the 2012/13 Budget. This approach has enabled detailed consideration of a number of topics which are referred to later in this report in respect of each
Commission. It is felt by the Select Commission Co-ordinating Committee that this method has produced valuable reports and information.

3.5 All of the Select Commissions have received regular attendance and briefings by Executive members which have been a valuable contribution to the Select Commission process. In addition, the support and assistance provided by officers across the Council has proved invaluable in this first year of the new Administration.

Select Commission 1 (Housing and Environment)

(a) Housing Capital Programme - Environmental Improvements - Installation of PV Panels

3.6 Council on 20 September 2011 referred two recommendations from the Portfolio Holder for Tenancy Services and Housing Needs relating to proposed spending £750,000 in 2011/12 on installing Solar PV Panels onto the most suitable housing properties, and to vire an additional £500,000 in the 2011/12 budget to add to the Environmental Improvement budget.

3.7 Following a meeting of the Commission, the recommendations were supported by members and reported to Council on 1 November 2011. A number of additional points were made and assurances given regarding Right to Buy on affected properties, risks associated with delivery due to weather conditions and the financial benefits to be obtained by the Housing Revenue Account and tenants generally.

(b) Award of Preferred Partner for Leisure Services Management

3.8 The Commission met on 3 and 14 November 2011 to consider a report of the Head of Regeneration, Leisure and Marketing relating to the proposed transfer of, and preferred partner for, leisure services management which included the future of the Meden Sports Centre. Members were advised of the decision making process to market test the Council's leisure services management, the tender documentation and contract requirements, the evaluation methodology and evaluation together with an analysis of the preferred tender.

3.9 Comprehensive information relating to the customer and staff satisfaction rates and financial performance of the preferred partner were considered by the Commission. In addition, detailed information was received concerning the proposed Community Trust which would regulate the partnership.

3.10 The Commission concluded that it did not support the proposed transfer on the grounds that the authority had dismissed prematurely investigating alternative methods which would have sought to deliver the service by the current effective in-house provision but through an alternative method such as a Council Trust. Other concerns included the lack of public support to the transfer and the potential for rises in usage charges.
The Commission supported the establishment of a budget to enable snow to be cleared from streets in order to maintain critical services that the Council must provide despite harsh winter weather. The Commission submitted a revenue development of service request which was considered by Select Commission 3 as part of the 2012/13 General Fund budget setting process.

This Group was formed after Select Commission 3’s 2011/12 budget report recommended a budget review into the Council’s waste collection service. The review was subsequently allocated to Select Commission 1 and members of the Group were Councillors Clay, Garner and Hopewell.

The recommendations from the group’s final report were general and long-term, and as such did not contain any firm and immediate savings to be made for this budget process.

Select Commission 3 considered the report’s recommendations for inclusion in its budget report at the meeting on 29 November 2011, and although most were supported, it was noted that the recommendation regarding reduced charges for replacement bins had already been carried out, and the recommendation regarding charges for garden waste collection was still under consideration by the Commission.

This Group was formed after Select Commission 1 made a recommendation at its meeting on 21 July 2011 for a review into the Council’s Parks and Open Spaces services. The members of the Group were Councillors Harpham, Moody and Ward.

The Group’s final report recommended a number of measures, both short and long term, for generating income and making savings at the facilities.

Select Commission 3 supported all of the report’s recommendations for inclusion in its budget report at the meeting on 17 November 2011.

The Commission met with the consultant from ConsultCIH and the Chief Executive of Meden Valley Making Places regarding proposals to establish a Making Places Regeneration Company and for the Council to be a member of and invest land in the new company.

At the meeting members sought assurances that if the Council was to become a member of the company, there would be no ongoing costs to the Council once an initial contribution had been made. Members were assured that the company’s ongoing costs would be funded by grants and the company itself, although there would be a period between setting the company up and it
operating that would require financial support from the authority.

3.20 Details of the proposals for joining the company and investing land in it were outlined which were considered by Council at its meeting on 16 November 2011. Select Commission members were concerned at the financial risks to the Council presented by the proposed loans, due to what members considered were assumptions in the proposals rather than guarantees.

(g) Waste Core Strategy Consultation

3.21 Officers from Nottinghamshire County Council gave a presentation on the Waste Core Strategy preferred approach which document was at the time being consulted upon.

3.22 As part of consideration of the document the Commission received comments from People Against Incineration (PAIN) which related to recycling targets, landfill and incineration costs and reuse schemes at existing Household Recycling Centres.

3.23 In conclusion the majority of members felt that the sites chosen should be kept as local as possible, as this would be environmentally friendlier and save on costs. However, members also had reservations about the financial contribution that would be required from the Council to achieve the targets set out in the consultation document. It was considered that the proposed 70% recycling target set by the document was an environmentally admirable aspiration, but also one with cost implications to the authority as increasing recycling up to 70% would require significant expenditure.

(h) Community Interest Plans

3.24 The Commission received from the Head of Neighbourhood Services a briefing on proposals for a new Community Interest Plan scheme which would determine where Section 106 income from housing developments would be spent.

3.25 The proposal would mean that ward members would be consulted on where the Section 106 money would be spent, with the final decision being taken by the Planning Committee. The Head of Neighbourhood Services assured members that the proposals would give members an increased input into determining the expenditure of such funds.

3.26 Members supported the proposals of the process and the Corporate Director – Housing and Environment indicated that further consultation on the draft policy would be undertaken when proposals for the process were developed.

(h) Decent Homes Improvement Programme – Final Outturn Report

3.27 The Commission has received during the duration of the Decent Homes programme which commenced in 2005 quarterly outturn reports on its progress. The Commission received on 21 July 2011 a final outturn report on the scheme which showed that the programme had been completed on time.
and within budget. Members were also informed that although the scheme itself had been completed minor issues were being resolved.

(i) **New Task and Finish Groups**

3.28 Additional Groups have been established into the Core Waste Strategy, Allotments site and Dog Fouling and reports on their conclusions will be produced when the work has been completed.

### Select Commission 2 (Crime and Regeneration)

(a) **Community Safety and the role of Scrutiny**

3.29 Members were advised at a meeting on 2 August 2011 of the Commission’s role in scrutinising crime and disorder issues in response to the introduction of the Police and Justice Act 2006 which came into force in England at the end of April 2009. Members were advised of the role and operation of the Mansfield Partnership Against Crime and the role of the Commission in holding the Partnership to account and its contribution to the development of strategies and policies.

3.30 As part of the Commission’s role in contributing to the development of policies, a proposed Anti-Social Behaviour Education and Prevention, Early Intervention and Enforcement Policy were endorsed.

3.31 The Commission also has received quarterly up-dates on the performance of the partnership and crime statistics for the District. Members have received details of the key challenges for the district identified through a strategic assessment of the District.

3.32 The Commission was informed at its meeting on 3 April 2012 of its role in developing the 2012/13 Partnership Plan and the key themes for the District prior to its adoption by Council.

(b) **Local Development Framework – Long Term Dwelling Requirement**

3.33 The Commission received a briefing on the need to set a long-term dwelling requirement for inclusion in the Council’s Core Strategy, which was a key component of the Local Development Framework. The Commission gave consideration to a dwelling figure on 29 September 2011 and recommended a High Growth figure for the period 1 April 2011 – 31 March 2031 which would average 555 dwellings per year, for the purpose of informing an executive recommendation and a public consultation process.

3.34 The Commission received the details of the public consultation process consideration and were requested to recommend a dwelling figure in light of the comments which would inform an executive recommendation to Council. In light of officer advice and the public consultation responses the
Commission recommended an annual dwelling figure of 391 per annum. In addition to the dwelling figure, the Commission also supported an additional 20% of land (1,564 dwellings in total) being identified within the plan for future release, but only if the economy and building rates improved to such a degree that the additional land was considered necessary. This land would only be released when any agreed ‘trigger’ was met.

(c) Former General Hospital site

3.35 The Commission received a briefing on options to bring forward the redevelopment of the former General Hospital site, which included potential land use and values. As a result of the briefing the Commission agreed to recommend that provision be made in the 2012/13 Capital Programme for a feasibility study on the site. This request was supported by Select Commission 3 during the scrutiny of the proposed Capital Programme.

(d) Shared Service Agreement with Ashfield District Council and Regeneration Shared Service

3.36 The Commission received a presentation from the Corporate Director – Regeneration and Regulation on the overarching agreement for a Shared Service between this authority and Ashfield District Council and proposals for a Regeneration Shared Service between the two authorities.

3.37 The Commission supported the overarching agreement and the establishment of a Regeneration shared service between the two authorities. It was considered that this approach would benefit both authorities, as it would bring together the different skills and knowledge of the two authorities. The approach would increase resources, capacity and resilience, which were vital given the reduction in Local Government financial support, and also provided value for money and security of services. The Commission also supported the Shared Services approach as it retained services in public control and accountability.

(e) Palace Theatre/Museum Budget Review

3.38 This Group was formed after Select Commission 3’s budget report from 2011/12 recommended a budget review into the Council’s subsidy for the Palace Theatre and the Museum. The review was subsequently allocated to Select Commission 2 and the members of the Group were Councillors Clay, Hammersley, Higgins and C. Smith.

3.39 The Group’s final report recommended a number of measures, both short and long term, for generating income and making savings at the facilities. Select Commission 3 supported all of the report’s recommendations for inclusion in its budget report at the meeting on 17 November 2011.

3.40 Financial Services estimated that from these recommendations, the immediate savings to be made for this budget process totalled £10,000.
3.41 (f) Local Development Framework Task and Finish Group

A Group of Commission members has been established to respond to LDF issues as they arise. To date the Group has considered issues and options for the LDF and the Core Strategy. The work of the Commission will continue as the process develops.

(i) New Task and Finish Groups

3.42 Additional Groups have been established into the Council’s Incubation Units and Neighbourhood Warden service and reports on their conclusions will be produced when the work has been completed.

Select Commission 3 (Corporate Issues)

(a) The Corporate Plan and Annual Performance Report 2012/13

3.43 The Corporate Plan and Annual Performance report 2012/13 was considered by Commission on 19 and 28 July 2011 and 8 and 19 August 2011.

3.44 Initially the Commission undertook an analysis of the evidence used by the Executive to form its proposals for the Corporate Plan. Members were presented with a range of socio-economic performance data relating to the district, and the policy ambitions of both the Executive Mayor and Labour Group, to guide and provide evidence to the deliberations. The Commission identified four corporate themes from the evidence provided to them.

3.45 The Commission also identified where there was agreement between the proposals put forward by the Executive and the findings of the Select Commission, and the areas where there were differences. Members further analysed the areas of difference and drew up a series of questions for the Executive to explore these further.

3.46 The Commission met with the Executive Mayor on 8 August 2011 to put questions previously agreed by the Commission on those areas which the Commission felt further clarification was required or where there was a difference of opinion with the Executive.

3.47 In considering the initial evidence presented to the Commission and in light of the Mayor’s responses to the questions from the Commission, the following corporate plan priorities and themes were agreed by members:

(a) Regeneration and Employment – revitalising our district, town centres and neighbourhoods, encouraging inward investment and creating a climate for job creation and growth.
(b) Crime reduction – reducing crime and disorder.
(c) Social housing – providing excellent quality and managed council housing stock.
(d) Protecting the Environment – delivering a strategic framework for the provision of housing, commercial and retail development which will ensure a high quality and sustainable environment, including the
completion of the Local Development Framework and its component strategies.

(e) Vulnerable People – supporting the most vulnerable people in our district to help them live independent and fulfilled lives.

3.48 Members of the Commission also broadly supported the inclusion of all the priority aspirations set out in the Executive’s paper. However, the Select Commission did identify two exceptions to this relating to Ward Democracy and Kerbside Glass collection.

(b) Medium Term Financial Strategy for 2012/12 to 2015/16

3.49 The Commission considered the proposed Medium Term Financial Strategy for 2012/13 to 2015/16 on 8, 15 and 21 September 2011. At these meetings details of the proposed strategy were outlined for members’ consideration.

3.50 In considering the strategy members were requested to challenge the principles and assumptions that had been used in formulating the draft strategy, together with a number of proposals for the use of funds and reserves towards areas for which specific projects and developments could be considered as part of the budget process.

3.51 Members were advised that the purpose of the strategy was to establish how the financial resources of the authority would be managed in order to deliver its corporate priorities and deal with those factors that would impact upon these resources. The strategy also set out how this would be achieved whilst maintaining a balanced and sustainable budget, providing value for money and retaining adequate levels of reserves.

3.52 Following the series of meetings the Select Commission was supportive of the principles and assumptions as contained in the proposed strategy, with the exception of the Ward Democracy proposal.

(c) Annual Review of Fees and Charges 2012/2013, General Fund and Housing Revenue Account Revenue Budget 2012/13 to 2015/16 and Consolidated Capital Programme 2012/13 to 2015/16

3.53 Select Commission 3 held meetings on 8, 15, 17, 22, 24 and 28 November and 6 and 9 December 2011 to consider the Executive’s draft proposals for the Annual Review of Fees and Charges 2012/2013, General Fund and Housing Revenue Account Revenue Budget 2012/13 to 2015/16 and Consolidated Capital Programme 2012/13 to 2015/16.

3.54 In considering the Executive’s proposals members were reminded of the statutory requirement for the Council to set a balanced and sustainable budget. The Executive had produced a balanced draft budget and in considering the various elements of the proposals the Select Commission were mindful of the need to provide a balanced budget.
3.55 In considering the Fees and Charges schedule detailed consideration was
given to the introduction of a charge for the collection of garden waste which
ultimately received majority support amongst Commission members. In
addition, members thoroughly considered the level of car park charges and
the implications of introducing a flat rate charge across the district.

3.56 Detailed scrutiny was also given to the various components of the General
Fund in respect of proposed savings, revenue service developments, reports
from Select Commission Task and Finish Groups and the level of Council Tax
and whether to accept the Government’s Council Tax Freeze Grant. With
regard to revenue service the developments, the Commission supported a
number of developments which were not contained in the proposed base
budget. These related to the Meden Sports Centre, Warsop Town Hall and an
Apprenticeship Programme.

3.57 With regard to the Housing Revenue Account members were reminded of the
impact of Nottinghamshire County Council’s decision to cut the authorities
Supporting People contribution and of the Government’s review of the subsidy
system which would come into effect on 1 April 2012.

3.58 In considering the proposed Consolidated Capital Programme members
considered the service developments relating to Fleet Renewal, the Council
Chamber Sound and Voting System, Civic Centre Accommodation Review,
the General Hospital site, Belvedere Street/Garden Road and the Meden
Sports Centre.

3.59 The Commission’s report on the Annual Review of Fees and Charges
2012/2013, General Fund and Housing Revenue Account Revenue Budget
2012/13 to 2015/16 and Consolidated Capital Programme 2012/13 to 2015/16
was considered by Cabinet on 20 December 2011.

(d)  Agency Staff/Consultants Budget Review

3.60 This Group was formed after Select Commission 3’s budget report from last
year recommended a budget review into the Council’s use of agency staff and
consultants. The review was subsequently allocated to Select Commission 3
and the members of the Group were Councillors Crawford, Henshaw, Lohan
and C. Smith.

3.61 The recommendations from the Group’s final report were general and long-
term, and as such did not contain any firm and immediate savings to be made
for this budget process. Select Commission 3 supported all of the report’s
recommendations for inclusion in its budget report at the meeting on 17
November 2011.

(e)  Mansfield Area Strategic Partnership (MASP) Budget Review

3.62 This Group was also formed after Select Commission 3’s budget report from
2011/12 which recommended a budget review into the value for money
offered MASP. The review allocated to Select Commission 3 and the
members of the Group were Councillors Bosnjak, Hammersley, Henshaw and Lohan.

3.63 The Group’s final report recommended a number of measures, both short and long term, for ensuring MASP offered value for money and work effectively in difficult financial times.

3.64 Select Commission 3 supported all of the report’s recommendations for inclusion in its budget report at the meeting on 6 December 2011. One of the report’s recommendations had direct and immediate budget implications for this budget process, which was the group’s recommendation to completely withdraw the Council’s current financial contribution to MASP. Financial Services confirmed at the 6 December 2011 meeting that this would achieve a saving of £11,000.

3.65 (f) Performance Management Working Group

This Group undertook a successful induction into performance management but due to lack of member availability and changes to the membership of the Commission it has not met again. New members to the Working Group will be appointed in the near future.

Select Commission Co-ordinating Committee

3.66 The Committee which comprises the Chairs and Vice-Chairs of the three Select Commissions and the Portfolio Holder for Corporate Issues has met on one occasion during the year to review the Select Commission work programme and in the effectiveness of the Task and Finish Groups.

3.67 It was agreed at this meeting that the Chairmen and Vice-Chairmen of the Commission be referred to as Chair or Vice-Chair in order to respond to the Equality agenda of a modernised local authority.

4. OPTIONS AVAILABLE

The report is for information only.

5. RISK ASSESSMENT OF RECOMMENDATIONS AND OPTIONS

There are no risks associated with this report.

6. ALIGNMENT TO COUNCIL PRIORITIES

An effective overview and scrutiny function is crucial to the authority developing and delivering its corporate priorities.

7. IMPLICATIONS

(a) Relevant Legislation – no direct implications
AGENDA ITEM 10

(b) Human Rights - no direct implications
(c) Equality and Diversity – no direct implications
(d) Climate change and environmental sustainability – no direct implications
(e) Crime and Disorder – no direct implications
(f) Budget / Resource – no direct implications

8. COMMENTS OF STATUTORY OFFICERS

(a) Acting Head of Paid Service – no specific comments.
(b) Monitoring Officer – no specific comments.
(c) Section 151 Officer – Select Commission input into the development of the Council’s budget has been very positive and is an area which will be further developed in future years.

9. CONSULTATION

Select Commission Chairs

10. BACKGROUND PAPERS

None

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