

OVERVIEW AND SCRUTINY IN TEESDALE



ANNUAL REPORT 2007/08



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FORWARD - OVERVIEW AND SCRUTINY

Scrutiny is one of the most challenging and exciting aspects of the new democratic agenda and it offers a new dimension to decision-making in local government. Under the provisions within the Local Government Act, 2000, all local authorities were required to set up Overview and Scrutiny Committees with the role of:

- reviewing policy and assisting in policy development
- scrutinising decisions and decision-making for any council function *except* regulatory functions such as planning or licensing
- investigating other matters of local concern
- Ensuring that the council fulfils its duties in respect of best value performance
- Ensuring procedures are in place for councillors to feed in community views to policy development and decision making.

Scrutiny, therefore, has a vital role in helping to achieve some of the key aims of the enabling legislation: greater efficiency, transparency, accountability, consistency, public involvement and responsiveness to the public. The Comprehensive Performance Assessment (CPA) process has further emphasised the importance of Overview and Scrutiny. Research for the Office of the Deputy Prime Minister (ODPM) (now the Communities and Local Government), by the Evaluating Local Government Team indicates that there is a correlation between excellent authorities and a strong scrutiny function. It is therefore appropriate that Teesdale District Council exercises the powers of scrutiny effectively and to the benefit of the whole community.

The Local Government and Public Involvement and Health Bill received royal assent on 31 October 2007 and significant steps have been taken towards decentralisation of power. One of the most controversial areas the Bill was suggesting was to propose power for the secretary of state to direct councils in two tier authorities to make bids for unitary status.

Currently the Council services in County Durham are split between the County Council and the seven districts however by April 2009 the county and district

councils will be reorganised so that one unitary council will provide all of the main council services people receive.

The key features of the change are:

- By 1 April 2009, the county and district councils will be brought together to create one new unitary council for the county.
- Once established, the unitary council will provide all of the main local services people currently get from the county and district councils and will have local offices around the county.
- The number of councillors will be reduced from 375 to 126 and the council will have a cabinet of 10 councillors.
- Reorganisation will be achieved by bringing the county and district councils together, with the county council acting as a transitional authority for a year before the new unitary council is formed.
- Services will continue to be provided by the existing councils until the unitary handover in April 2009.
- In light of the reorganisation, a special election took place on 1 May 2008 when the 63 existing county councillors stood down to enable people to vote afresh for the councillors they want to set up and run the new council. The recently elected councillors people elect will decide how the new council should be developed and set its first budget. They will also run the existing county council until the handover to the unitary council in April 2009.
- Current district councillors will remain in office until the unitary handover in April 2009.

INTRODUCTION

Background

In August 2005, Teesdale District Council agreed to the new amendments to the existing 4th option authority committee arrangements which was to increase its Members on the Overview and Scrutiny Committee to twenty four ie those not on the Executive Committee. Further proposals that were agreed included four panels which – between them – undertake the full range of scrutiny and policy development functions in specific areas.

Panels undertake reviews in accordance with an agreed programme of work, meeting as and when necessary, and Members present their reports to the Overview & Scrutiny Committee for consideration progression where appropriate.

In addition, a Co-ordinating Group was established, comprising six members - the Chair and Vice Chair of the main Committee and the Chairs of the four panels. This group meets on a regular basis to consider possible projects and references from committees and other sources, to monitor the annual work programme and generally maintain an overview of Council business.

Over the last two years Overview and Scrutiny has taken on many reviews and the public can be assured that members of the Committee are more committed than ever to engage in issues arising in their communities.

During 2007

At its meeting on 29 June 2007, the Council agreed to establish an Audit and Governance Committee which led the Overview and Scrutiny Committee agreeing to re-structure its existing panels. The requirement of this new arrangement meant that 6 members were transferred to the newly established Audit and Governance committee leaving eighteen members on Overview and Scrutiny.

The revised committee's panel structure kept in line with the Council's revised corporate priorities and focussed two of its panels internally and two externally. Highlights of the work of Overview and Scrutiny are shown on the following pages (Chairmen's Updates).

Last year following a recruitment drive, two members of the public (David Kinch and Pamela Spurrell) were co-opted onto the Overview and Scrutiny Committee. We are grateful for their interest and welcome their contribution they have made so far. We look forward to working with them again over the next few months.

Panel Membership:

Finance Panel:

Cllr RA Bell (Chair)
Cllr J Watson (Vice Chair)
Cllr M Bolden
Cllr D Metcalfe

Performance Panel

Cllr K Coates (Chair)
Cllr A Smith (Vice Chair)
Cllr M Clark
Cllr D Reed

Services Panel

Cllr P Hughes (Chair)
Cllr P Ryman (Vice Chair)
Cllr K Hodgson
Cllr G Richardson
Cllr P Stubbs
Cllr N Wood

Environment Panel

Cllr AJ Cooke (Chair)
Cllr M English (Vice Chair)
Cllr J Hinchcliffe
Cllr K Watson

THE WORK OF OVERVIEW AND SCRUTINY



Councillor N Wood
Chairman, Overview and Scrutiny Committee

The year started with newly elected members joining Overview and Scrutiny and experienced members leaving to join the Executive and Audit and Governance committees. These moves clearly diluted the strength and experience of the Overview and Scrutiny function. Panel Chairs and Vice-Chairs were elected into positions of which they had no previous experience.

To give some breathing space before reviews could be undertaken, induction, training, understanding and appreciation of the role of Overview and Scrutiny in local government had to be provided.

In parallel to this, information was being released informing the general public of the role of Overview and Scrutiny, its purpose and the role it plays in improving the quality of services within Teesdale.

Information about Overview and Scrutiny was circulated to over 300 agencies and requests were made for areas in which they felt services in Teesdale could be the subject of a review and improved upon.

During this time, when the workload was being collected, it was decided to select the number of panels in relation to:-

- The workload being collected
- The current poor performance of our authority.
- Assessment and best practice from other authorities
- Requests from Audit Committee to review the *Value of Partnerships*

The selection of panels was argued by Officers and the Leader who felt that fewer panels should be introduced as the new Audit and Governance committee would, in their view, reduce the work content originating from council activities.

This misconception was without research or understanding of either the role of Overview and Scrutiny or that of the Audit and Governance committee.

This became very clear when, recently, the Internal Auditor made a request for Overview and Scrutiny to examine some of the issues that they were identifying. In effect this increased the workload for Overview and Scrutiny and did not reduce it as Officers and the Leader had incorrectly concluded.

Overview and Scrutiny has had a rocky existence within Teesdale and has, since its introduction in 2004, sought true recognition in line with the Government Legislation (Local Government Act 2000) and more recently the implementation of the government White Paper, *Strong and Prosperous Communities*.

At the beginning of this year I was removed as Chair of the Overview and Scrutiny Committee due to membership changes within the political group. This in my opinion altered the balance of power within the council.

However, most members within the council did not support my removal as Chair and I was re-instated and the situation returned to the status quo.

During this period of uncertainty (January 2008) the panel chairs of Overview and Scrutiny decided not to undertake any further work until comments expressed by the Leader were withdrawn.

Best Practice in other authorities have full-time officer support dedicated to Overview and Scrutiny who provide research, meetings with those connected with the reviews and preparation of final reports. Without full-time support from Officers Overview and Scrutiny in Teesdale is restricted in what they are able to produce.

However, on the brighter side, the role of Overview and Scrutiny was supported and encouraged during the period of the appointment of the Chief Executive of Durham County Council as our interim Chief Executive and more recently the Chief Executive of Easington as Interim Deputy Chief Executive. These Executives have a clearer understanding of the direction and role of Overview and Scrutiny as specified by the Secretary of State.

In seeking best practice on overall performance from other authorities we became very aware of the huge chasm that exists between Teesdale and other authorities. This was reflected in our slow progress made in recovery from a poor assessment in 2004.

We have worked hard to introduce best practice within Teesdale although this has not always been received with the enthusiasm with which the reviews have been prepared and presented.

At last, I am pleased to report that improved management within the council has become significant in sowing the seeds that will hopefully grow and prosper over the coming months in the run up to unitary status.

Support for Overview and Scrutiny reviews are now, not before time, being recognised by council and the function of Overview and Scrutiny is now reaping the respect, understanding, value and importance in line with legislation and direction from Central Government that is to hold to account the decision making process on behalf of the community.

Despite a difficult climate throughout this last year a selection of reviews that the committee has successfully completed are listed below:-

Flyposting; Feasibility study into Job Sector – Employment Claims; Budget Process and Rural Policing.

We have worked hard to involve the community in our work and this year has seen the valuable input by 2 co-opted members of the community and also the involvement of the Church of England vicar and the Methodist minister in a review of fly-posting within the district. This clearly demonstrates the openness, honesty and accountability of Overview and Scrutiny to the community which it serves and promoting the community's active involvement.

We recommended that an Overview and Scrutiny committee be formed involving all the districts within Durham County. This was implemented and it was our proposal that the first review to be undertaken would be *Rural Transport*.

I would like to take this opportunity to thank all those involved in the Overview and Scrutiny function and those who have been involved in helping me to steer Overview and Scrutiny through stormy waters.

Specifically thanks to the Panel Chairs, the co-opted members from the community, the Co-ordinating group who have with myself and the vice chairman worked with a common objective and agreement to improve the service provision within the authority and to make challenge where challenge has been justified.

A special thanks goes to our Overview and Scrutiny Support Officer, Anne Lambert, whose ongoing support and patience has been steadfast for the benefit of Overview and Scrutiny within Teesdale District Council and the community.

With unitary status on the horizon I look forward to the continued strength and recognition of Overview and Scrutiny working hard for our community in promoting change, improvement, openness, honesty and accountability both now and in the future.

CHAIRMEN'S UPDATES



Councillor Ken Coates Chairman, Performance Panel

As Chair of the Overview and Scrutiny Performance Panel I am extremely pleased to share with you what the Panel have achieved during the civic year.

In June 2007, the Overview and Scrutiny Committee agreed to re-structure its Panels and over 300 businesses and voluntary organisations took part in a consultation exercise contributing to the Committee's work programme. The Committee were then able to prioritise which reviews to undertake first and then they were placed within the remit of each Panel.

A current review the Panel is looking at is in relation to value for money in respect of the Council's Partnerships and we are investigating if our key partners feel that they are getting value for money from us and vice versa.

Partnerships (Value for Money)

A need was identified to ensure that both members and officers work together to achieve best value and evidence of this has been sought from all of our Partners identified in the Corporate Partnership Strategy. Best value is also about working constructively with others to deliver the services for which we are responsible.

The Overview and Scrutiny Committee agreed to review the Council's key partnerships in relation to value for money. It was felt that Teesdale Conservation Volunteers (TCV) - Rotters, the Home Improvement Agency and the Durham e-govt Partnership should be reviewed first. A report was presented to the Overview and Scrutiny Committee on its findings at the beginning of this year and the panel were very happy with the responses they received.

Further more, a questionnaire was designed and sent to all of the Council's partnerships that are identified in the Corporate Partnership Strategy requesting information regarding their organisation. The Panel is currently collating and assessing the responses to the questionnaire and it is hoped that the final report will be written and presented to the Overview and Scrutiny Committee shortly.

I would like to thank members of the Overview and Scrutiny Performance Panel for their contribution this year and to acknowledge two Panel members who are employed on a full time basis. I also note that Councillor Martin Clark because of his knowledge on the subject participated in a review 'Job Sector – Employment Claims' – this is still ongoing.



Councillor Tony Cooke
Chairman, Environment Panel

Before I commence with my annual report, I would like to pay complement to the previous Chair of this Panel, Cllr Ken Coates. In 2005/6 I, along with other estate residents, was co-opted to his Environment Panel to carry out an investigation into the operation and working methods of the Waste Transfer Station situated next to homes in Stainton Grove and which were giving great concern to the estate residents.

Because of the actions taken by Councillor Coates and his panel at that time and since I have become the Panel Chair, this has enabled me to continue that work previously undertaken, to ensure that the operational procedures of that transfer station are fully carried out as per the panel's final report recommendations.

The success story is that a committee, consisting of representatives from the estate residents, businesses, the Housing Association, County, District & Parish Councils along with Premier, the operating company, has been set up to monitor the station's working procedures and to discuss any arising problems.

As a direct result of the earlier investigations, the station has now been recently been fitted with bio and dust retainer filters. This important installation has finally rubber stamped the important fact which was established by Councillor Coates and his panel, that the transfer station must at all times work with all of its doors fully closed. Thanks Ken for your guidance.

Since becoming the Environment Panel Chair in May 2007, all incoming requests for projects and areas of concern have been prioritised and a project regarding the unauthorised parking of vehicles on footpaths and the provision and maintenance of public footpaths was chosen and undertaken by the Environment Panel. Evidence gathering linked with photographic evidence was started but an important community project was brought to the attention of the Chair of the Overview & Scrutiny Committee and work was given to the Environment Panel as a matter of urgency to complete and report on a task & finish basis.

The urgent and important work project, which was reported by members of the public was the problem of "Fly Posting" within Barnard Castle. The panel co-opted two members (the complainants) and a further member of the public was also brought into its ranks. A thorough investigation was carried out into the problems created by indiscriminate fly posting and this involved meetings with officers of the Council's Development Control section and the Locum Solicitor. All facts were fully discussed and investigated and details of the findings along with the panel recommendations were produced in a comprehensive report which is currently on passage through the Executive Committee procedure.

At this point I would like to, on behalf of the panel, thank our support officer, Anne Lambert, who carefully took notes of the meetings and managed to incorporate the many amendments into the final draft of the fly posting report.

The panel has now moved on and is in the process of collating its gathered information regarding the unauthorised parking issue, when all information is discussed and agreed by the panel it will be submitted to the full Overview & Scrutiny Committee for scoping.

Finally I would like to thank all members of the Environment Panel who have worked so hard over the past civic year by attending panel and full Overview & Scrutiny committee meetings and gathered vital information and evidence on the project issues.

I would also like to give a special thank you to my Vice Chair, Mike English, who patiently took notes and details from the panel members of individual areas of concern that they had noted regarding the project on unauthorised parking and footpaths and collated that information into a workable reference document for discussion at future panel meetings.



Councillor Richard Bell
Chairman, Overview and Scrutiny Finance Panel

The main activity for the Finance Panel during 2007/8 was, as usual, scrutiny of the annual budget. As usual also, the major difficulty in assessing the overall budget is the ability of Teesdale's finances to be changed markedly by relatively small sums of money from 'outside'. Thus we went from a budget predicated on a 4.9% increase in Council Tax (the maximum likely to be permitted by Government) to one predicated on 0%, over a short period of time. This made it very difficult for members to exercise any discretion in the process in terms of spending and savings items. However the budget was well challenged by members, and well explained by the Finance Dept.

Three requests made from the Budget meeting with full Overview & Scrutiny committee have since all been progressed:

- Review of burial capacity in Teesdale - being progressed by Overview & Scrutiny Committee
- Review of s106 monies (commuted sums from Planning applications) by Parish; this is being progressed by Finance Department.
- Asset transfers from Teesdale District Council to parishes or community groups. Policies on this are currently being progressed through the Executive.

Since the 2008 budget was set, the panel's work has centred on the subject of Value for Money - a light touch review of Refuse Collection has been started. Progress was slowed by the Audit Managers' departure for Stockton Borough Council, but meetings have now reconvened. Most recently comparative data from different local authorities was scrutinised with the assistance of the Corporate Accountancy Manager (Revenues) and the Street Care Manager. Further meetings are planned.

The panel's work was reviewed during the CPA inspection of the council. No specific comments have yet been received. I attended a day's training on Financial Overview & Scrutiny at Durham City Council in February.

I would like to thank the officers referred to above, and the Chief Finance Officer) for their assistance during what has been a busy year for them.



Councillor Paul Ryman
Vice Chairman, Overview and Scrutiny Services Panel

During the civic year 2007/8 the Panel concentrated on four reviews, Broadband Issues in Rural Areas, Affordable Housing, Rural Policing and Unemployment Claims.

Rural Policing - A scoping exercise took place in June 2007 for the review into Rural Policing. This came about following reports from the community about anti social behaviour in certain parts of the district. A questionnaire was sent to all Parish Councils asking for their views and their views were incorporated into a report. The final draft was being submitted to the Overview and Scrutiny Committee meeting on 4 June 2008.

Broadband Issues in Rural Areas - Councillor Phil Hughes, Chairman of the Panel was heavily involved with this review and after attending many meetings and writing two interim reports it has been agreed not to carry on with this review as Barnard Castle Vision is undertaking work on this issue. Councillor Hughes had reported that organisations had made bids for funding for a broadband service in areas that were perceived to have no or inadequate provision of broadband services. West Durham Rural Pathfinder was conducting a survey to establish current levels of service and it was suggested that a public meeting be arranged in due course to disseminate findings so far and to request support and evidence for future action.

Affordable Housing –Councillor Phil Hughes led on this matter and in his report confirmed that he had sought information from housing associations and mortgage providers with regard to their policies on affordable housing. The Committee then agreed not to take this review any further as the Council had recently published its Affordable Housing Strategy.

Job Sector – Employment Claims - A representative from the Citizens Advice Bureau responded to a request by the Overview and Scrutiny Committee for any items they would like investigating to be placed on the committee's work programme. The Overview and Scrutiny Committee agreed to undertake this review and to date they have investigated issues around the difficulties some of the residents of Teesdale have experienced when making employment claims. It is hoped that we are nearing completion of this review and a report will be forthcoming shortly.

Mr David Kinch
Co- opted Member, Overview and Scrutiny Committee

I became a member of the Overview and Scrutiny Committee nearly a year ago, after replying to an appeal in the local newspaper for members of the public to offer their time and knowledge

After attending Overview and Scrutiny meetings and several Co-ordinating Group meetings, speaking to and listening to people it became apparent to me that some members, officers and staff of Teesdale District Council were not aware of the role of Overview and Scrutiny function.

I now believe that due to constructive consultation, education and willingness by all including myself to listen, we are now all focusing and working in the right direction.

During the year I have been a member of two panels - the Services Panel, and Environment Panel and have assisted on six different and varied reviews from Fly Posting to Broadband problems I attend all the weekly meetings of the Co-ordinating Group.

I would like to thank the following people for the invaluable help and assistance they have given me. The Chairman of the Overview and Scrutiny Committee, Councillor Newton Wood and also the Chairman of the Environment Panel Councillor Tony Cooke who have developed my understanding of the function of scrutiny within local government, and the overall decision making process. I now understand why scrutiny exists and what the real purpose of it is. I also give my thanks to all the members of the Overview and Scrutiny Committee who have given help and assistance to me when I have asked. A special thank you to my fellow co-opted member Pam Spurrell.

My hope is that in this final year of Teesdale District Council, I will be able to continue giving more time and effort to any of the reviews I am asked to work on and help in resolving them to the satisfaction of the people of Teesdale

Overview and Scrutiny I believe seeks to reflect the views and concerns of the whole of our community in Teesdale. I do hope that in 2009 when the Unitary Authority takes over, they consider our local concerns and that they are investigated and meetings held locally. What I do not want to see is local issues being overlooked or considered not important enough by Durham Overview and Scrutiny Committees.

Mrs Pamela Spurrell
Co - opted Member, Overview and Scrutiny Committee

In response to an advertisement placed in the Teesdale Mercury I attended an Overview and Scrutiny meeting and was asked if I would be willing to be Co-opted as a Member. This I was delighted to accept.

I attended the first annual Overview and Scrutiny Conference in Sunderland which gave me a great insight as to what it means to be part of an Overview and Scrutiny Committee and what skills are needed in order for us to help the local community, and to improve the services which the Council provides.

Over the last few months I have been involved with the work of the Finance Panel and now feel we are prepared for the final financial year. I hope that the panel will be monitoring figures carefully in the transitional period.

Also, I had been helping with the latter stages of the review 'Job Seekers – Unemployment Claims' and in January I was given the task of collating additional information regarding Teesdale's claimants and their travel costs. This review is still ongoing and with the help of Anne Lambert (Scrutiny Support) I have attended meetings with representatives from the Citizens Advice Bureau and Job Centre plus. I have discovered a number of facts and figures for this review which I hope to share in the final report.

I feel that the Overview and Scrutiny Committee here in Teesdale has done a very useful job and has undertaken many useful reviews. I would hope that the future of Overview and Scrutiny in the new authority will be very important and the members will provide Teesdale with an excellent service to our communities.

Councillor Newton Wood the Chairman of the Overview and Scrutiny Committee has been an excellent leader and I am delighted to be working with him for another year.

In general I feel that members of the Overview and Scrutiny Committee do a really good job, but I have noted the lack of attendance of some members at meetings, although I do appreciate that some members have full time jobs.

I would also like to place on record how supportive Anne Lambert has been to Overview and Scrutiny and what a difference the appointment of the Interim Deputy Chief Executive has made to the flow of communication between officers and members.