

Committee: Council

Date:

Title: Scrutiny Committee Annual Report

Tuesday, 9 April
2019

Report Author: Cllr Alan Dean, Chairman, Scrutiny Committee
cllrdean@uttlesford.gov.uk

Summary

1. There is a requirement under the Council's Constitution for the Chairman of the Committee to report annually to Full Council. This report summarises the key work of the Committee in the 2018/19 year.

Recommendations

2. None

Financial Implications

3. There are no direct financial implications associated with this report.

Background Papers

4. None

Impact

- 5.

Communication/Consultation	The report provides a summary of the committee's work for all members
Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	None
Sustainability	None
Ward-specific impacts	None
Workforce/Workplace	None

Situation

6. In 2018/19 the Scrutiny Committee has undertaken work looking at a range of policies and services along with its role in scrutinising key financial matters through the draft budget and Local Council Tax Support Scheme (LCTS).

LCTS

7. The Committee considered the draft scheme proposals for 2019/20 at its meeting in June. The Committee recommended to Cabinet that the scheme be set on the same basis as in 2018/19 and, therefore, the contribution rate be frozen at 12.5% for the fifth consecutive year. In addition the Council should continue to protect vulnerable and disabled residents and carers on a low income.
8. The 2019/20 scheme also proposed an increase in the empty homes premium from 50% to 100% after two years of non-occupancy. When the final scheme was presented to the Committee in November, the contribution rate freeze was recommended to Cabinet unanimously, whereas the empty homes premium increase was recommended by a majority.
9. The Cabinet considered the Committee's recommendations and proposed to Council a final scheme which followed the Committee's view.

Budget Scrutiny

10. At its meeting in January the Committee reviewed all budget reports prior to their submission to Cabinet and Full Council. Before this, the Committee had discussed in November a report setting out the budget process and consultation responses. The Committee commended the high response rate (almost 2,500 responses).
11. Discussion at the January budget meeting focused mainly on the Council's approach to investments. The draft Investment Strategy being among the budget reports. Members expressed differing views as to how best governance could be structured with regard to future investments and this area of work is one that the Scrutiny Committee continues to take a keen interest in.
12. Outline proposals for investment governance were considered by the Scrutiny Committee in March 2019. The Committee supported the establishment of an investment steering group and the matter will be further considered by Full Council.

Affordable Housing

13. The issue of affordable housing has been discussed regularly at Scrutiny Committee meetings in 2018/19. A scoping report taken to the May 2018 meeting resulted in a discussion group being established including members of the committee and the Cabinet Member for Housing. During the year, this group has met with relevant officers to develop ideas with regard to affordable housing provision in the context of the Local Plan. Through this work,

members were able to contribute towards the development of the Council's future approach to matters of policy and housing allocation.

14. A report at the September 2018 meeting set out the group's interim findings on work to be done on the Council's affordable housing policy, including a series of ideas which were noted as the basis for progress. These were:

- changes to the affordable housing allocations policy to allow workers on permanent contracts within the district to be eligible, subject to household income levels;
- adoption of the term 'truly affordable homes' with the aim of relating housing costs to household income;
- consideration of eligibility to include workers within the immediate vicinity of proposed Garden Communities that adjoin the district boundary;
- consideration of allowing under-occupation of affordable housing for families with opposite sex children below the age of 10;
- investigation and delivery of alternative intermediate home ownership products such as Community Land Trust homes not delivered by Housing Association Partners; and
- adoption of strategies and policies that are adaptable over time.

15. These ideas have been incorporated into a Consultant's Brief for work on the future Uttlesford Housing Strategy and Allocations Policy, which the Committee reviewed and endorsed at its March 2019 meeting, including the following additional recommendations from the Housing Board:

- To provide advice about the potential to encourage 'downsizing' of smaller existing households to smaller dwellings thereby increasing the availability of family housing provision in the district.
- Guidance to take account of the need for revisions to the Housing Strategy to benefit the whole of the district, not only the proposed garden communities.

Recycling Matters and Waste Education

16. This year the Committee received three reports on waste and recycling costs and the market situation and on waste education matters.

17. Scrutiny members discussed the impact of Operation Sword, a Chinese environmental initiative, on the value of recyclable materials and therefore its impact on the Council's budget. This led to discussion on the work that needed to be done in the district to improve the quantity and, crucially, the quality of recycling.

18. This discussion resulted in a further report to the Committee, outlining a waste education and awareness plan to be delivered in 2018/19 and beyond. The overall aim of the plan is to increase participation in the Council's recycling services and to help reduce contamination levels.

19. The Scrutiny Committee considers this an important area of work for the Council and continues to monitor implementation of the plan.

20. The key aims of the plan are to:

- Reduce the level of contamination in the recycling service
- Increase participation in the food waste collection service
- Promote and encourage waste minimisation
- Empower schools and the wider community with increased knowledge regarding recycling and waste minimisation
- To help schools to reduce the amount of residual waste they produce
- Improve capture rates of higher values materials

21. The Committee suggested various methods of engaging with the public in order to help achieve the aims of the plan:

- Engaging with the retail sector to encourage more sustainable commercial waste practices and the reduction of littering, e.g. providing fewer disposable cups or using recyclable plastic packaging. Businesses who had signed up to the Saffron Walden BID were cited as potential partners.
- Clarifying the Household Waste list to minimise the potential of fly tipping.
- To canvass the opinion of the Youth Council with regards to educational schemes directed at children and schools.
- To include information relating to recycling on the Housing trailer that visited developments across the district.
- To include information relating to recycling in the Tenants' Newsletter.
- To increase the presence of littering and recycling campaigns such as the 'Campaign for a Cleaner Essex'.

Airport Parking

22. During the course of the year, members of the Scrutiny Committee identified on-going issues with passenger car parking associated with Stansted Airport as a matter of concern and requested a report on the measures the Council and others have at their disposal to deal with off-airport parking. The Committee also received information on case studies at Luton and Manchester airports.

23. After discussing the issues, the Chairman requested a further report on progress be brought back in the new Council year. This has been added to the draft work programme for the new Committee

Major Planning Applications

24. Two members of the Committee requested that a review be undertaken into the Council's processes with regard to major planning applications. This request was made following the decision on the Stansted Airport application, the most recent major application the Council has handled.
25. A reference group was established comprising four members of the Committee to develop this work. A scoping document, along with advice from the Monitoring Officer, was presented at a January 2019 meeting. This followed an informal meeting between the members and officers. The scoping document, prepared by officers, recommended an independent review of processes. However, the scoping document was not agreed, although the Committee did resolve to establish such a review.
26. Subsequently, officers engaged the Centre for Public Scrutiny to provide advice to the reference group. This advice, which reiterated that given by the Monitoring Officer, was reported back to the Committee at its March 2019 meeting. Officers have also been in discussion with the Planning Advisory Service (PAS) about whether it would be able to conduct the review and also assist in the initial scoping work. PAS has indicated it is likely that it will be able to do this.

Call-in

27. Two related call-ins were made in 2018/19. The first was about the decision taken by the Leader to delegate authority to a single Cabinet Member to decide whether or not to remove a payback clause on a £500,000 grant towards the provision of a running track at Carver Barracks in Wimbish. The second was about the decision taken by the Cabinet Member to remove the payback clause.
28. Both call-ins were heard at a meeting in March 2019 and in each case the Committee decided no further action needed to be taken.

Centre for Public Scrutiny Review, Outstanding Work and Recommendations for the next Scrutiny Committee

29. Towards the end of 2017/18, the Centre for Public Scrutiny was commissioned to conduct a review of Uttlesford District Council's Scrutiny processes and practices. Face-to-face interviews were held with councillors and officers over two days in February 2018, with other interviews carried out over the phone. Those interviewed included the Chairman of the Committee and Committee Members, Cabinet Members, officers working directly in the Scrutiny function, senior officers including the Chief Executive and officers who had taken reports to the Committee. The CfPS representative conducting the review also attended the February Scrutiny Committee meeting.
30. The results of this review were reported in this Council year both to the Scrutiny Committee and Cabinet, where the recommendations were accepted.

An action plan was subsequently developed, which has been reported to Scrutiny.

31. Recently, the Chairman and Cllr Howell, as nominated Cabinet representative, have met to discuss the relationship between the Executive and Scrutiny and, more specifically, a Memorandum of Understanding (MoU) which seeks to formalise this relationship. The MoU was approved at the March 2019 Scrutiny Committee meeting and has now received Cabinet approval via an executive decision.
32. Other matters in the action plan have either already been implemented or are in progress and will need to be seen through to their conclusion by the new Scrutiny Committee.
33. As this is the final annual report of this Scrutiny Committee it is appropriate to look back over the last four years and review what has worked well and what has worked less well.
34. In general, Scrutiny has worked best when:
 - Members have approached topics with an open mind and in a collegiate spirit
 - Consideration has been given to the best way to approach a subject (for example setting up a task and finish group in order to consider matters in more detail)
 - It has focused on a small number of items per meeting
 - Call-in has been used sparingly, and in consultation with the relevant Cabinet member, making it more effective as a role of Scrutiny
35. Scrutiny has been less effective when:
 - Members have requested too many items to be considered, resulting in the work programme being too busy to allow for sufficient time to consider each item
 - Too much time has been spent in committee meetings gathering information
 - Insufficient thought has been given to the outcome sought from a particular review
36. The findings of the Centre for Public Scrutiny review give an independent analysis of where scrutiny has functioned effectively and where shortcomings are found. The outgoing Scrutiny Committee urges the new Committee to take on board the advice.
37. The CfPS report highlights several strengths:

- Scrutiny is generally well-organised and is welcomed in the Council
- Relationships between Scrutiny members and officers are good and there is a general willingness to support Scrutiny
- Scrutiny and executive members in general have a good relationship and Scrutiny aims to be objective. It is not seen as threatening or negative
- Members appreciate the role of Scrutiny and want it to become better
- In the main Cabinet decisions are transparent and accessible for call-in for Scrutiny
- Scrutiny members take their role seriously and are willing to develop and improve

38. The report also summarises key areas for improvement:

- Overview and Scrutiny is underachieving. It lacks purpose and authority
- It is widely valued, but not consistently understood and there are wide differences of opinion about its purpose, potential and function
- It does not provide sufficient impact and value in shaping and improving decision-making and performance in the council
- Scrutiny is too focused on monitoring and therefore missing opportunities to provide strategic input
- There are signs that scrutiny is not integral to or valued as part of the decision and policy making process
- Cabinet is not sufficiently visible or accountable to scrutiny. Scrutiny is not effectively holding it to account. Cabinet members are often observers or not present at scrutiny meetings.

39. The action plan developed following the review seeks to address these concerns and improvements, such as most reports now being presented by a Cabinet Member rather than officers, have already been put in place. The new Committee is encouraged to ensure the remaining actions are put into place.

40. Aside from the CfPS review and action plan, there are two other matters outstanding from this year which the outgoing Committee encourages the new Committee to pursue. They have been included on the draft work programme for 2019/20. These are:

- The Major Planning Applications Review
- An update on the work the Council is doing regarding airport parking.