

Overview and Scrutiny Annual Report 2018/19

A Foreword from the Chairman of Overview and Scrutiny in 2018/19

This report takes a backward facing look at some of overview and scrutiny's highlights for the municipal year, 2018/2019. It gives a flavour of the varied work undertaken by members of each of the four overview and scrutiny committees, and reflects the diligence and hard work that they put into it. On behalf of the former chairmen and vice-chairmen, I would like to give our thanks to our committee members.

Since Cheshire East Council's inception in 2009, overview and scrutiny has been a moving feast and has undergone several changes to its structure. For the last four years, however, we have had a period of stability with the four committees settling into their own work programmes.

During last year the Scrutiny Chairmen's Group agreed that it was timely to undertake a Scrutiny Healthcheck as we were very keen to learn how our own scrutiny work is viewed within Cheshire East and by our partner organisations. We are always striving to improve our overview and scrutiny function, as without good scrutiny you cannot be a good council. The report in relation to this piece of work is almost complete and I hope to have it ready to share with you all very soon.

I commend this annual overview and scrutiny report to you and hope that you enjoy reading it.



Margaret Simon

Chairman Corporate Overview and Scrutiny Committee (May 2015 — May 2019)

2018/19 in numbers...

4 Committees



30 Meetings



39 Recommendations for
Change



1 Call-in



4 Task and Finish Groups



Highlights of the Year

Well-Managed Highways Infrastructure

The Environment and Regeneration Overview and Scrutiny Committee considered the results of the public consultation on the different well-managed highways infrastructure proposals and made 5 recommendations, which have improved the development of the approved proposal.

Mental Health Service Redesign in Macclesfield

Members of the Health and Adult Social Care and Communities Overview and Scrutiny Committee persisted in raising their (and local residents') concerns about the proposals by local NHS partners to relocate the mental health services provided from the Millbrook Unit (attached to the hospital). The committee's involvement and actions resulted in the leading NHS bodies developing a revised proposal that retained some services, whilst still providing the desired benefits of an overall revised service that could more sustainably meet future need and demand.

Cemeteries Strategy

The Environment and Regeneration Overview and Scrutiny Committee gave consideration to the proposed Cemeteries Strategy prior to Cabinet formally deciding to adopt it on 10 July 2019. All 3 recommendations put forward by the committee were accepted.

Learning Disabilities Strategy

The Health and Adult Social Care and Communities Overview and Scrutiny Committee supported the development of the Council's new strategy for people with learning disabilities in Cheshire East 'My Life, My Choice', and gave feedback on its content to help make it a more effective proposal.

2019/20 Budget

All 4 of the overview and scrutiny committees closely scrutinised the Council's budget proposals, reviewing in detail the proposals that fell within each of their committee remits. This detailed look at the forthcoming annual budget helped the full Council and its officers to make sure that Cheshire East Council set an effective, manageable and balanced budget for 2019/20.

Scrutiny Healthcheck

Cheshire East Council turned 10 years old in April this year and, as we approached the end of the 2015-19 four-year council term, the chairmen and vice-chairmen of the four overview and scrutiny committees decided to carry out a self-evaluation exercise — closely following guidance from the Centre for Public Scrutiny (CfPS) — dubbed a ‘Scrutiny Healthcheck’.

The project was carried out between February and April 2019 and involved:

- Interviews and discussions with the council’s senior managers, cabinet portfolio holders and external partners
- A review of the council’s current overview and scrutiny structure, the remits of the committees, and of the variety of work undertaken by each since 2014/15
- Research and analysis of the overview and scrutiny structures at other comparative local authorities
- An anonymous survey sent out to all 81 councillors (as at February/March 2019), 21 council officers (that were identified as being closely involved with the scrutiny function), and 15 external stakeholders.

Aims and Objectives

The aim of this project was to gain a better understanding of what the overview and scrutiny committees do well, what they could do better, as well as identify any other areas for improvement (i.e. more recognition or support, more resourcing.)

The group is producing a report containing a number of recommendations that it hopes will support the council to deliver improvements and efficiencies to the overview and scrutiny function for the future.

Corporate OSC

Chairman:	Councillor Margaret Simon
Vice-Chairman:	Councillor Mo Grant

The Corporate Overview and Scrutiny Committee is responsible for reviewing the Council's internal operation including budget setting, risk management, governance, human resources and procurement. The committee comprises the Chairmen and Vice-Chairman of all of the overview and scrutiny committees and has a secondary role to co-ordinate the work of the other three committees to achieve consistency.

How did Overview and Scrutiny influence the Council's budget-setting process?



All four overview and scrutiny committees considered and commented on the pre-budget consultation on the areas relating to their individual remits



Corporate OSC considered the comments of the other three committees on 10 December 2018, and submitted a collated response on behalf of the four overview and scrutiny committees to Cabinet for consideration



Corporate OSC invited the Environment & Regeneration OSC to investigate matters raised within the pre-budget consultation report concerning climate change

What comments did Overview and Scrutiny make on the budget?



Acknowledged the unprecedented pressures on the Council and welcomed the plans to ensure a balanced budget could be achieved



Endorsed the increased investment in Corporate Services



Suggested that the Council could more simply and clearly communicate to the public the technical details of its budget proposals, e.g. defining the difference between the statutory services the Council must provide by law, and those that are non-statutory (discretionary)



Highlighted some key issues arising from the consultation process, including that:

- The Little Bus received high numbers of public responses that the committee thought warranted greater consideration by Cabinet
- The car parking charges and strategy needed further Cabinet consideration before a final decision was taken.

Fly Tipping

Fly tipping had been identified as a growing and continuing problem — a task and finish group set up by the Environment and Regeneration OSC had reported on fly tipping issues in 2017.

One of the outcomes of that review had been additional funding (through enforcement fixed penalty notices) of £18,800 to tackle fly tipping.

If the scheme proved successful, it was hoped that a decline in littering offences (due to increased enforcement action) would mean that additional funding to this area could be used elsewhere.

Certain parts of Crewe had been particularly affected by fly tipping. The number of Houses of Multiple Occupancy (HMOs) had increased in the Crewe area, and a culture had developed whereby tenants left large items of rubbish in the street. Over time this had had a negative impact on the reputation of the area.

ACTION Corporate OSC recommended that a Portfolio Holder-led working group should be set up to continue to closely monitor the issue of fly tipping for remainder of the year. They requested that the responsible portfolio report progress of the group periodically.

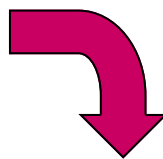


OUTCOMES

- 1) The Campaign, which began in 2017, was considered to be a success in meeting its objectives in many areas across Cheshire East. Specific areas of Crewe remained resistant to this kind of engagement, however.
- 2) Educational materials and toolkits were produced and have remained valuable resources that ANSA use when working with schools and community groups.
- 3) Engagement with schools remains ongoing — ANSA has engaged with 85-90 schools across Cheshire East (including those in the hotspot areas). Additional funding has been given to support a localised campaign to be initiated through a new council officer post (working 2.5 days per week in Crewe).
- 4) Since June 2018, the Working Group has met on four occasions with officer representation from ANSA, the Council and Crewe Town Council.

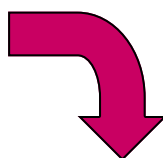
New Homes Bonus Fund

In April 2018, Corporate OSC considered arrangements regarding the New Homes Bonus fund of £2 million.



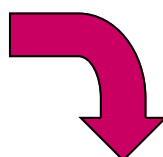
This national fund would run for 2 years and aimed to support councils to achieve positive benefits based on locally-identified needs.

These needs and priorities for each of the areas had been set by 7 different, geographical award groups — each made up of elected members and a representative from local town and parish councils.



The Committee considered bids submitted in connection to the £2 million New Homes Bonus fund (set aside by the Council as the 'New Homes Bonus Community Fund' in its budget strategies).

The New Homes Bonus Community Fund had been allocated across Cheshire East in proportion to the housing developments in each area, and how each development had contributed to the overall New Homes Bonus funding allocated to the Council.



RESULT: The scheme proved to be so popular that **222 total applications** were received during the year, seeking a total of **£7,464,406**. However, in light of the fact that not all applications could be satisfied through the scheme, Corporate OSC concluded that the process for applications needed to be considered before being rolled out again in the future.

Children & Families OSC

Chairman:	Councillor Rhoda Bailey
Vice-Chairman:	Councillor Arthur Moran

The Children and Families OSC is responsible for scrutinising all of the Council's services focused on under-18s in the borough, and its special educational need and disability services for residents aged 1 to 25. The services within the committee's remit range from children's social care, child and adolescent mental health services, education and schools, to fostering and adoption.

In 2018/19 the Committee predominantly received performance reports and annual performance reports on a variety of key areas relating to Cheshire East children's services.



Progress report on the impact of FACT22 (Families Achieving Change Together project)



Progress update on the Children's Home Commission (the buying and provisioning of children's homes in the borough)



Annual report from the Local Authority Designated Officer on what had gone well in the previous year and what could be done better to ensure continual improvement to children's social care services



Annual report from the Local Children's Safeguarding Board, and the two year business plan priorities for the Board



Annual report of the Corporate Parenting Committee to overview the work and outcomes achieved through the Council's corporate parenting function

In November 2018, the Committee also reviewed the results of Ofsted's focused visit to the Council's Children's Social Care department. This highlighted the strengths and achievements from the work carried out and also areas that required improvement.

SEND (Special Educational Needs and Disabilities)

The most impactful piece of work that the Children & Families OSC carried out in this year was an in-depth review of SEND by a task and finish group (a smaller group of 5 councillors) that met 12 times between September 2017 and March 2018.

The Committee decided to carry out a focused review of the new statutory framework for the personalisation of services for children and young people aged 0 to 25, which was introduced in the Children and Families Act in 2014.

- Most councils had been slow to implement the new reforms
- The transfer of statements to Education Health and Care Plans (EHCPs) has been under resourced
- Improvements continued to be made by the Council in different areas whilst the group carried out this review
- However, the group identified that more work was needed in respect of the funding and provision of services for young people aged 16 to 25

OUTCOME: The Committee set up a new task and finish group focused on reviewing SEND for 16 to 25 year olds, which remains ongoing into 2019/20

The group made a number of findings, and the final report included **17 recommendations to Cabinet**

Key Recommendations

- ◇ Systems need to be implemented, and support provided, to ensure parents are kept fully up to date on the production of an EHCP (Education, Health and Care Plan)
- ◇ That a review of the specialist support services be reviewed to ensure they are fully fit for purpose
- ◇ That early years providers are supported with the right knowledge, training and resources, to identify children with special education needs and apply for an EHCP.
- ◇ That all schools be encouraged to welcome children with special educational needs.

Environment & Regeneration OSC

Chairman:	Councillor Harold Davenport
Vice-Chairman:	Councillor Tony Dean

During its 6 meetings held in 2018/19 the Environment & Regeneration OSC dealt with a range of topics relating to **highways**, **waste services**, **transport**, **cemeteries** and **strategic infrastructure** to name a few.

Achieving better air quality and lower emissions in Cheshire East

Arguably the most crucial piece of that this Committee undertook in 2018/19 was its role as a 'critical friend' to the Cabinet, supporting and encouraging the Council to improve air quality throughout the Cheshire East area.

Since the Environment Act 1995, Councils are required by law to review and assess local air quality within their areas, measuring it against a set of objectives to ensure the best health outcomes for people.

The same legislation requires Councils to declare any areas where pollution in the air exceed safe levels to as Air Quality Management Areas and prepare specific Air Quality Action Plans detailing how they will improve air quality to safe levels again.

This particular subject area received considerable media attention and public interest and as such, the Committee felt compelled to ensure that it represented the concerns of residents.

RECOMMENDATIONS MADE ON THE STRATEGY INCLUDED:



Low emission public transport vehicles and service vehicles should be encouraged.



Charging points for electric vehicles should be provided in key centres around Cheshire East e.g. Macclesfield



Electric car charging points should (where appropriate) be made a condition of new build housing planning applications



The Council should explore establishing low emissions zones



Incentives should be given for private hire and hackney carriage drivers to use electric vehicles

Flood Risk Management

By law, Cheshire East Council must make arrangements to scrutinise its flood risk management arrangements. The Committee fulfilled this duty by receiving an annual update on the Council's work in relation to flood risk management.

Cemeteries Strategy

The Committee supported the introduction of a Cemeteries Strategy in Cheshire East, which aimed to deliver a more consistent approach across the borough.

Members recommended that the Council ensure there is adequate capacity to deal with the number of cremations in Macclesfield and Crewe, and that the quality of maintenance in cemeteries needed to be standardised across the borough.

Charging for Waste Bins

In June 2018, the Committee responded to the Council's proposal to introduce fees for new/replacement waste bins. It made its position clear that it felt developers should pay for new wheelie bins for new housing developments and that landlords also take the responsibility for informing the Council when new houses become occupied (and are in need of bins).

In the interests of local residents, the Committee recommended **“that residents are not charged for replacement bins”**.

This recommendation was not subsequently taken up by the then portfolio holder.

However, another of the committee's recommendations to prevent the introduction of charges for stolen bins in urban areas or areas that historically experienced waste issues, was accepted and the decision altered.

Members of the Environment & Regeneration OSC visiting the ANSA depot/hub in Middlewich.

From left to right:

- Ralph Kemp (Corporate Manager for the Waste and Environment Service)
- Cllr Nick Mannion
- Cllr Suzanne Brookfield
- Cllr Peter Groves
- Cllr Harold Davenport
- Cllr George Walton



Health and Adult Social Care and Communities OSC

Chairman:	Councillor Stewart Gardiner
Vice-Chairman:	Councillor Beverley Dooley

This committee has a dual role in scrutinising the Council's adult social care and communities services, as well as carrying out external scrutiny of local health bodies within Cheshire East.

What did the committee achieve through its internal scrutiny?



Reviewed and monitored key performance indicators from the Council's different adult social care and communities services within the Committee's remit



Considered the Council's Adult Social Care Local Account 2017/19 — a retrospective overview of the range of adult social care services the Council, and how they are delivered



Supported the development of the Council's strategy for people with learning disabilities in Cheshire East, titled 'My Life, My Choice'. Questions and feedback provided by the Committee were submitted to both the Health and Wellbeing Board and Cabinet before decisions were taken to approve the strategy



Scrutinised the improvement areas and actions listed in the Local Safeguarding Adults Board Improvement Plan

The Committee expects that it will continue to work closely with the Council's adult social care teams during the next year, as overall funding continues to reduce and the demand and overall cost of social care continues to increase,

The Committee will need to use its position to objectively scrutinise the services the Council is providing, ensuring that they are value for money, sustainable for the future, and ultimately provide the best outcomes for Cheshire East residents.

External Health Scrutiny

The Committee considered reports and presentations from a number of key health partners in Cheshire East, using its position to make sure that local health services are being provided in an efficient, effective way that achieve the best health outcomes for Cheshire East residents.

Which health partners did the Committee meet with?

**Cheshire & Wirral Partnership NHS
Foundation Trust**

East Cheshire NHS Trust

Eastern Cheshire CCG

Healthwatch Cheshire

**Mid-Cheshire Hospitals NHS
Foundation Trust**

NHS England

North West Ambulance Service

South Cheshire CCG

What did the Committee achieve through its external health scrutiny?



Held local health partners to account on areas of poor or worsened performance



Followed up on its own recommendations made following its spotlight review on Delayed Transfers of Care, ensuring that the Council and the two local CCGs had made efforts to deliver service improvements



Supported the introduction of the Working Together Across Cheshire programme — a project led by the four CCGs in Cheshire that aim to merge into one, more efficient, effective and less costly commissioning body by April 2020.



Closely monitored the work of the CCGs to make sure that local dermatology and Parkinson's disease support services were retained after contract or staffing concerns put the sustainability of the services at risk.

Significant Developments and Variatons

In the same way that councils have had to adapt to reduced funding by increasing efficiency and sustainability of services, NHS commissioners (buyers) and providers of services have similarly had to develop and introduce new, innovative ways of working, which have often involved restructuring or reconfiguring services.

This committee — **as the statutory local council health scrutiny body in Cheshire East** — is a statutory consultee on any significant redesigns or reconfigurations of local health services.

Redesign of adults and older people's mental health services in Macclesfield

September 2018 — the Committee considered the results and feedback obtained from the formal public consultation on the proposed redesign options that would result in local mental health services being relocated away from Macclesfield

November 2018 — the Committee stood firm on its view that it was not happy with how health partners had presented the proposals in the consultation, and that the intended outcome would not be in the best interests of the local public

This resulted in health partners working together to quickly devise and present a revised proposal that retained some local service provision but would still achieve the other intended benefits of the redesign.

December 2018 — A four week period of public consultation and engagement on the new proposal took place (at the recommendation of the Committee)

Closure of specialist orthodontic and oral surgery services in Macclesfield

February 2019 — the Committee were formally made aware that East Cheshire NHS Trust had given notice on its contracts for specialist orthodontic and oral surgery services in September/October 2018, and by April 2019 would not provide either service

March 2019 — the Committee requested that the Trust and commissioning body (NHS England) attend to explain why the Committee had not been consulted with on this significant planned variation to services

On the grounds that regulations and legislation had been ignored and the committee had not been consulted on the planned closures, and that no consultation had taken place with the public, service users or other interested parties, the Committee decided to refer this matter to the Secretary of State for Health and Social Care.

The committee expected that the Secretary of State response would be received in the following council year.

