

CHESHIRE EAST COUNCIL

OVERVIEW AND SCRUTINY ANNUAL REPORT

JULY 2010

Annual report of Overview and Scrutiny Cheshire East Council 2009/2010

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1 Welcome

- 1.1 Welcome to this Council's first Annual Overview and Scrutiny Report. The Council came into existence on the 1 April 2009 and on day one, 58 members of the new Cheshire East Council formed five Overview and Scrutiny Committees.
- 1.2 In the intervening 12 months, each Committee has spent a considerable amount of time learning about the new authority and coming to terms with the sheer scale of the mission ahead. It has been a challenging but rewarding task, and I am pleased to be able to report that Overview and Scrutiny in Cheshire East has managed to carry out a varied and interesting programme of Scrutiny reviews. It is our duty now to ensure that momentum gathers pace for the year ahead and subsequent years, so that Overview and Scrutiny committees play a leading role in shaping the future direction of the Cheshire East Council
- 1.3 This report takes a brief look at the activities of all 5 Overview and Scrutiny Committees.

Andrew Thwaite
Chairman Corporate Scrutiny Committee

2 Introduction to Overview and Scrutiny in Cheshire East

- 2.1 Overview and Scrutiny played a major part in the reforms introduced in 2001 in the Local Government Act 2000, to modernise the political management arrangements of Local Authorities. It provides opportunities for non Executive members of the Council to examine the way the Council provides its services, question how and why decisions are made, and plays a pivotal role in the shaping of future Council policies. The Local Government & Public Involvement in Health Act 2007 further enhanced the role and powers of, Overview and Scrutiny Committees.
- 2.2 Overview and Scrutiny focuses on matters of real concern to residents of the Borough by challenging decision makers with evidence based reviews to drive forward better performance.
- 2.3 The four key principles are:-
- To provide a 'critical friend' challenge to the Executive (Cabinet)
 - To reflect the voice and concerns of the public
 - To be led and owned by Members of the Council
 - To make an impact on service delivery
- 2.4 The focus of Overview and Scrutiny activity is on the quality of Council services and other strategic Borough-wide issues that affect the lives of people in Cheshire East and in this respect, Overview and Scrutiny Committees must have regard to the Sustainable Community Strategy, which sets out the overall strategic direction and long term vision for the economic, social and environmental well-being of the area. Our approach is to be flexible and responsive, in order that we can react quickly to new challenges as they are presented to the Council.

3. Scrutiny Highlights

Corporate

- 3.1 The Corporate Scrutiny Committee is mainly concerned with the internal operation of the Council and has been leading the way in promoting Performance Monitoring as a key tool to develop work programmes and ensure that Scrutiny investigates the areas that matter to the residents of Cheshire East.
- 3.12 The Committee has focussed in the first year mainly on learning about the internal performance of the Council and on forging links with its partner organisations, and on overseeing arrangements to have in place good support systems such as Information Communication Technology (ICT) and Customer Relation Management (CRM) for the Council.
- 3.13 The Committee set up a Budget Consultation Group just before Christmas 2009, to oversee the Business Planning process. This group played a vital part in the 2010/2011 Budget, was approved in March 2010. The group looked initially at the detailed budgets in each service area, and recommended that each Overview and Scrutiny Committee held formal consultation meetings prior to Cabinet recommending the final budget proposals in February of this year. The Group will continue to operate in 2010 to oversee consultation arrangements, but perhaps more importantly, to become involved in the construction of the budget and to monitor medium term financial plans.
- 3.14 The Committee also undertook to unravel the very complex arrangements that existed within the 4 demised authorities, in relation to the funding of voluntary and community organisations. In view of the intricacies involved, the Committee allowed detailed investigations in this area to be undertaken by a corporate officer working group. This matter has now been passed over to the Sustainable Communities Committee which will review the findings of corporate officer group.
- 3.15 As part of its asset management monitoring arrangements, the Committee was interested to learn that the Council inherited 79 farms formerly owned by Cheshire County Council consisting of approximately 10,000 acres of land. The Committee received a presentation on plans to review the land holding and to sell various assets on a controlled basis over 4 years, to realise £1.2 million in

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capital receipts per annum for the authority. This work led onto a further potential area of investigation into the asset held generally within Cheshire East, and this is expected to generate a significant work programme item in 2010/2011.

- 3.16 The Committee on 1 September 2009 called in a Cabinet decision to procure land for a waste transfer station in Macclesfield at the Hurdsfield Industrial Estate. The call- in generated significant interest from public and press alike, and although Cabinet rejected calls by the Committee to defer a decision locate a waste transfer on this site, in order to allow further investigations to resolve a number of inconsistencies identified by Committee Members, the site was subsequently withdrawn from sale to the Council, by the owners, due largely to matters brought to public attention by the Scrutiny call –in process.
- 3.17 The Committee undertook a brief investigation into the merits of web-casting Council meetings, but concluded that until the long term meeting arrangements of the Council were settled, it would be unwise to invest in the necessary infrastructure at this point in time.

Children and Families

- 3.2.0 Children and Families has had a particularly busy year starting in May with the committee taking on the continuation of a project originally identified by the People Policy Panel in the shadow year, to review the former Cheshire County Council's Transforming Learning Communities (TLC) initiative. The Committee set up a Task and Finish Group which made its final report to Committee on 16 November 2010, under the revised heading of Managing the Provision of School Places. The review outlined the attributes of a new system for managing school places taking into consideration key factors such as school's cost effectiveness, academic performance and local popularity. Cabinet accepted all recommendations.
- 3.2.1 A significant area of work concerns the safeguarding of children and this was brought into sharp focus recently with the Baby 'P' case. Lord Laming in his 'The protection of children in England: A progress report' had made a number of recommendations and the Committee had been kept informed of the Council's response to those recommendations. The Committee subsequently agreed to receive regular reports on the National Indicator set in relation to Safeguarding children. The Committee had also received regular updates from the Head of Children's services on the redesign of children's social care. The work in this area is ongoing.
- 3.2.2 In August 2009, the Committee was consulted on a particularly sensitive case concerning the findings of the Ombudsman in relation to a young person formerly in the care of Cheshire County Council. The

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Ombudsman had found that the County Council had been guilty of maladministration and had recommended that Cheshire East as successor authority should pay compensation to the complainant. The Committee commended the Ombudsman's recommendations to cabinet.

- 3.2.3 There are currently 2 Task and Finish Groups underway. The first is reviewing current residential provision for young people aged 11 -17 with a view to making recommendations as to future residential provision for Cheshire East children.
- 3.2.4 The second is investigating the range of different services currently offered in support of families. The group is expected to conclude its investigation in November this year and is currently in the process of assessing services currently provided, assessing the level of and improvements in the service the Council should provide, identifying whether there any gaps in service or duplication.
- 3.2.5 The Committee recently received a report on the current position in Cheshire East in relation to the Teenage Pregnancy Strategy and national targets and support received from Government Office North West and the National Support Team.
- 3.2.4 Cheshire East rates varied considerably between areas. For example the rates in the Congleton area were relatively low but had seen a rise over the 10 year period, whereas for Macclesfield, Crewe and Nantwich the under 18 conceptions were much higher, but had shown a small decrease in rate.
- 3.2.5 The 'hotspot wards' where the rates of under 18 conceptions were high, were those that had the highest index of multiple deprivation. The largest number being in Crewe
- 3.2.6 The Committee supported recommendations by the National Support Team on contraceptive and sexual health services and the steps being taken to formulate a more targeted programme of action to address the issue of teenage pregnancy.
- 3.2.7 The Committee also received an update on the Care Matters White Paper, issued in 2007, which set out an ambitious programme of change to improve the outcomes of children in care. Care Matters set out a vision to ensure that in the future, children in care would have the same opportunities in life as their peers – a good education, good health care, and consistent support, advice and practical help to give them strong foundations on which they can build happy and successful lives. Improving the lives of children in care must involve all local partners and professionals including local authorities, Primary Care Trusts, foster carers, residential care workers, social workers, GPs and other health care practitioners and teachers

Environment and Prosperity

- 3.3.0 The Committee has had a busy year and covered a wide range of interesting and important topics embracing the responsibilities of 4 portfolios; Environmental Services, Health and Wellbeing, Safer and Stronger Communities and Prosperity..
- 3.3.1 On 6 August 2009, the Committee received a presentation on the Strategic Housing Review, Members decided that a significant area of importance for the Committee was to concentrate on affordable housing. It was agreed that along with developing a policy for affordable housing, Members would also visit examples of successful schemes in rural areas.
- 3.3.2 This year the authority dealt with the longest and deepest winter for some 30 years, the Committee gave consideration to the work undertaken by the authority and made recommendations to Cabinet for improvement.
- 3.3.3 The Committee received several updates on Performance Indicators, Members decided to focus their attention around street cleansing as this area was underperforming. Several suggestions for improvement, such as employing litter picking teams, implementing a charter and awareness raising were made to the Portfolio Holder and the Committee agreed to monitor this issue.
- 3.3.4 The Committee has some major issues coming up relating to waste. Members will first of all be reviewing the project to procure Waste Treatment Facilities by the Private Finance Initiative and will then set up a Task and Finish Group to look at the recycling collection methods.
- 3.3.5 The Committee was requested to review the Called-In Cabinet decision of 16 June 2009, for car parking control and charging in the area of the former Borough of Congleton. Members raised detailed questions relating to the consultants report being flawed and inaccurate, the proposed parking charges, the number of car parks and parking spaces being taken into account, the consultation process, residents parking schemes, civil enforcement and the proposed tariff bands. After detailed consideration of the explanations' and reasons for the decision, the Committee decided to offer advice to Cabinet, part of this advice, relating to the consultation period, was accepted by Cabinet.
- 3.3.6 The Committee was requested to review the Called-In Cabinet Member decision of 9 July 2009 regarding the introduction of parking charges on Thomas Street Crewe. Members raised questions and commented in respect of the detrimental effect on the income of the shops and office workers employed within the town centre, the current economic climate, the location of the car park in relation to the town centre, the effect on the use of the sports ground, displacement of parking, the

number of car parking spaces and occupancy, the Car Parking Policy, the viability of the market, the development of Lyceum square and the charging being contrary to the local strategy. However after detailed consideration of the explanations' and reasons for the decision given by the Portfolio Holder and Officers from the Places Directorate, the Committee decided to offer no advice to Cabinet.

Sustainable Communities

- 3.4.0 This year Members concentrated on gaining an understanding of the services which fall within the remit of the Committee.
- 3.4.1 Amongst other issues the Sustainable Communities Scrutiny Committee is responsible for the external scrutiny of the Local Area Agreement (LAA), Community Strategies and Crime and Disorder matters as provided by Section 19 of the Police and Justice Act 2006. To enable successful scrutiny to take place, a Protocol was developed, which set out the mutual expectations of Scrutiny Members and partners in connection with the involvement of the Committee in the community safety scrutiny process. Throughout the year the Committee received several updates on the LAA.
- 3.4.2 On 9 July 2009, the Committee received an introduction to Community Safety, which provided an overview of the service including CCTV, Community Wardens and the role of the Safer Cheshire East Partnership. Members received regular updates on the review being undertaken on the Community Warden Service and the CCTV systems and several observations were made to the Portfolio Holder for consideration.
- 3.4.3 On 11 February 2010, the Committee scrutinised the areas of the Budget which fell within the remit of the Committee. Members paid particular attention to the Regulatory Service, Libraries, Leisure and Cultural Services, CCTV and the Registration Service.
- 3.4.4 The Committee scrutinised the performance of the services, which fell within the remit of the Committee and that of the LAA. One particular National Indicator NI47 – number of people killed or seriously injured in road traffic accidents was highlighted by the Committee as underperforming, as the number of killed or seriously injured was considered to be exceptionally high, therefore the Committee requested that a representative of the Safer Cheshire East Partnership, attend a Committee meeting to enable this issue to be scrutinised further. A representative from the Cheshire Fire and Rescue Service attended the Committee on 25 March 2010 and explained the reasons for the poor performance in this area. It was agreed that the Committee should try to help improve the performance of the service and the representative and Relevant Portfolio Holders will be attending a future meeting of the Committee to tackle this issue.

- 3.4.5 On 19 November 2009, the Committee scrutinised the Community Safety Strategy and felt that although the Strategy was comprehensive, it was too lengthy and written in a language that was difficult to understand. These comments were passed onto the Safer Cheshire East partnership for Consideration.

Health and Adult Social Care

- 3.5.0 The Health and Adult Social Care Scrutiny Committee has built on the work and training undertaken during the Shadow Year in order for Members to undertake their scrutiny roles of looking at both adult social care and also externally to look at the work of various NHS partners.
- 3.5.1 The Committee has had a continuing focus on Social Care Redesign which is a major programme to redesign services for adults. The aim of the programme is to develop local services, improve preventative services and introduce changes to the shape and nature of service provision. Service users should experience greater choice and control including the opportunity to have personal budgets if they wished.
- 3.5.2 The Committee has engaged fully with the Central and Eastern Cheshire Primary Care Trust (PCT) as the commissioner of NHS services in the area. The Committee has been kept fully up to date with work at the Primary Care Trust to address its financial difficulties through its Financial Sustainability Plan. Specific work was undertaken to scrutinise the PCT's proposals to develop a healthcare centre in Knutsford. The Committee was kept fully informed of arrangements made by the PCT to deal with the suspected Pandemic Flu outbreak.
- 3.5.3 The Committee has received a number of presentations by the North West Ambulance Service who have discussed their performance in Cheshire East with the Committee paying close attention to response times in particular. The Committee has also looked at measures undertaken by the Ambulance Service to address issues raised by the Care Quality Commission following its unannounced inspection in July which resulted in a warning notice on cleanliness.
- 3.5.4 In accordance with its statutory responsibilities, the Committee has received a number of NHS proposals for Substantial Developments or Variations to services, commented on these as necessary and satisfied itself that the proposals have been subject to appropriate public consultation.
- 3.5.5 Members have been briefed on measures taken to ensure robust adult safeguarding procedures are in place including the introduction of a Safeguarding Board. Members also attended a training session on safeguarding – at this event Members met the independent Chairman

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of the Safeguarding Board and also received presentations on various aspects of adult safeguarding.

- 3.5.6 The Committee has been briefed on the preparation and content of the Joint Strategic Needs Assessment (JSNA) which was a joint document between the Council and PCT. The JSNA identified current and future health and well being needs of the local area and helped identify priorities and targets.
- 3.5.7 The Committee has spent time developing a working relationship with the Local Involvement Network (LiNK), including welcoming LiNK representatives at meetings and attending the LiNK Launch and Conference in November at Crewe Alexandra Football Club.
- 3.5.8 Members of the Committee have joined a Joint Scrutiny Panel with Cheshire West and Chester Council to participate in a pilot project to undertake specific scrutiny work around addressing health inequalities in rural areas.
- 3.5.9 The Committee set up a Task/Finish Group to scrutinise Obesity and Diabetes taking as its starting point previous scrutiny recommendations from work undertaken by the County Council on both these topics. This Group finished its work and submitted a report with recommendations to the Committee on 1 July.
- 3.6.0 Members have commented on the draft Quality Accounts produced by the Mid Cheshire Hospital NHS Foundation Trust and East Cheshire Hospital Trust.
- 3.6.1 The Committee has worked in a Joint Committee with Cheshire West and Chester Council and Wirral Council to scrutinise the work of the Cheshire and Wirral Partnership NHS Foundation Trust, the provider of mental health, learning disability and drug and alcohol services.

4 Improvements in Scrutiny

- 4.1 We are making significant changes in the way that we chose work programme items. The Corporate Scrutiny Committee in April of this year, agreed a more structured approach in the way that Overview and Scrutiny Committees approve their work programmes, to ensure that the work of Overview and Scrutiny Committees adds value to the work of the Council. For this reason, a full consultation process has been undertaken with colleagues in Cabinet and Corporate Management Team (CMT) as part of the formal business planning process of the Council. Input from Cabinet and CMT will not in any way dilute the independence of Overview and Scrutiny, but will build upon the inclusive ethos developed by Overview and Scrutiny over the first twelve months of the Council's existence.
- 4.2 In the interest of improving lines of communication and accountability between Cabinet, Portfolio Holders and senior management, the responsibilities of the five Overview and Scrutiny Committees have been reviewed, so that in future, portfolio holders will on the whole only deal with one Committee.
- 4.3 A joint protocol has been approved by the Sustainable Communities Committee to advise on the statutory arrangements to involve Community Safety partners in the Sustainable Communities Committee
- 4.4 A Scrutiny Toolkit will shortly be available which sets out the way in which the Overview and Scrutiny function carries out its work, and offers advice to Members, partners and public about getting involved in the work of Overview and Scrutiny committees.
- 4.5 The Scrutiny Chairmen's group which consists of the 5 Chairmen and Vice Chairmen plays a vital role in monitoring work loads of individual committees and will continue to meet monthly and oversee continual improvements in Overview and Scrutiny practice by keeping up to date with latest developments in Overview and Scrutiny nationally and regionally. The role of this group will now formally be recognised in the Council's Constitution.

5 The Year Ahead

5.1.1 Overview and Scrutiny Chairmen have recognised the need to acknowledge the important links between the Scrutiny function and the Council's Corporate business planning process .Consequently, in 2010/2011 Overview and Scrutiny Committees will focus attention on the priorities contained within the Sustainable Communities Strategy and the Council's own Corporate plan.

5.1.2 The Leader of the Council and Chief Executive recently met members of the Scrutiny Chairs Group at which they outlined the main challenges facing the Council over the coming year. The Leaders main priorities are:

- Adult Services - the personalisation agenda in adult services and the need to consolidate the 'jointness 'of this service with the health service.
- Children's services – safeguarding and underperforming schools
- Health and Wellbeing – rationalisation of leisure centres, particularly addressing the varying standards of provision of service
- Environment – particularly the performance of the planning function
- Rationalisation of off street parking.
- Sustainable - Area neighbourhood working – now have LAP managers in place and hoping for a leap forward in their effectiveness.

5.1.3 The Chief Executive highlighted issues raised by the Audit Commission during the area assessment and use of resources assessment undertaken as part of the Comprehensive Area Assessment (CAA) process and although the new coalition government has abolished the CAA regime, Overview and Scrutiny Committees will continue to have regard to the key messages highlighted by the Audit Commission in relation to:

- Health Inequalities
- Road Safety
- Recession mitigation
- Housing affordability and stock condition
- Alcohol misuse

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- Anti Social behaviour
 - Improvement of Performance management
- 5.1.4 Two particular areas for improvement mentioned recently by the Audit Commission in relation to the affordability and stock condition of housing, and health inequalities, are already integral parts of the Council's Overview and Scrutiny Work programmes
- 5.1.5 The Environment and Prosperity Committee is due to review the interim affordable housing strategy on 6 July 2010 and in the summer will be embarking on a tour of the Borough to witness at first hand the levels of affordable housing in the Borough. The Committee is also committed to reviewing the results of the Audit Commission Housing Inspection in November. Additionally, the Committee is programmed to revive the Task and Finish Group that started work on a review of car parking arrangements in 20 priority towns across the Borough by ranking each town in terms of its economic vitality by comparing employment levels, amenities, retail opportunities, transport, and commercial viability. .
- 5.1.6 The Council is part of a joint initiative with Cheshire West and Chester Council, in partnership with the Centre for Public Scrutiny, to undertake a pilot project on health inequalities m across Cheshire.
- 5.1.7 The Audit Commission has also given specific mention to educational attainment in Cheshire East, and this features prominently within the Children and Families Committee work programme.
- 5.1.8 The Sustainable Communities Committee will be undertaking a value for money study on the Community Warden Service and the links between that service and the functions provided by Police Community Support Officers. Linked to this, the committee will undertake a study of anti - social behaviour across the Borough.
- 5.19 The Health and Adult Social Care Scrutiny Committee has a very ambitious programme involving a number of consultations with partner organisations and including:
- PCT Financial Sustainability and resultant Substantial Developments or Variations in Service (SDVs)
 - Cheshire East Community Health (CECH) – Services under Review
 - Alcohol Services – commissioning and delivery in Cheshire East
 - Pharmaceutical Needs Assessment – consultation
 - Mid Cheshire Hospital – Clinical Services Strategy
 - Vaccinations
 - Changes in the NHS - White Paper
 - Review of Joint Strategic Needs Assessment
 - Caring Together programme
 - Health Inequalities including life expectancy and Marmot Report

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- Quality Accounts: North West Ambulance Service;
- Review of QA's from both Hospital Trusts;
- PCT Direct Delivery of Services (Autumn)
- Dementia Strategy
- Support for Carers
- Teenage Pregnancy
- Local Involvement Network (LINK) – Work Programme; Future arrangements and development of a working protocol

5.2 Corporate Scrutiny Committee is leading a consultation group looking at the business planning process for the next and subsequent years. This will lead to a clear programme of Member engagement in the budget construction and consultation processes for the 2011/12 Budget. The committee also intends to oversee the Asset challenge process that the Council is currently undergoing to rationalise its huge asset portfolio, inherited from the demised Council's. The Committee will also be monitoring the Leisure review currently being carried out by a cabinet sub - committee.

6 Getting Involved

- 6.1 Cheshire East is committed to working on behalf of its residents, and generating more interest from the Public, Media and Partners is a significant area for development. Overview and Scrutiny can make a difference and we would like all sections of the community to become involved in our work.
- 6.2 If you have a particular area or service that you think we should be looking at, please tell us about it. Following receipt of your suggestion, we will consider this issue for review. You may be invited to contribute by providing advice, information or expressing your views, if a formal review is carried out.
- 6.3 The overview and Scrutiny Team would be glad to hear from you.

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