

# Overview and Scrutiny

## Annual Report

June 2017



## 1.0. Introduction

- 1.1. Welcome to the Council's 2016/17 Annual Overview and Scrutiny Report. Overview and scrutiny plays an important role in the governance of Cheshire East by examining the Council's performance and undertaking policy reviews. Overview and scrutiny committee members ensure that the Council's decision makers and partner organisations are held to account for their decisions. We strive to ensure that the residents of Cheshire East receive the best value possible from those who provide services to the residents of the borough.
- 1.2. This is the third annual report since the Council re-introduced a formal overview and scrutiny committee structure in May 2014. Overview and Scrutiny must be flexible to react to the changing demands on the Council and to reflect its corporate priorities. The Leader requested Corporate Scrutiny to undertake a review of the Overview and Scrutiny Committee set up in the summer of 2016. This resulted in a more streamlined structure involving four committees instead of six. In addition, the number of formal meetings has been reduced and committees now largely meet on a bi monthly basis. The four new committees have been aligned to the current Cabinet structure so that each portfolio holder reports to one committee only. This has provided clear lines of accountability for the Council and its partners.
- 1.3. In recognition of its significant workload, the new Health Adult Social Care and Communities Overview and Scrutiny Committee has been given a larger membership than the remaining three committees and has continued to meet monthly. Clinical Commissioning Groups (CCGs) are not immune from the impacts of austerity and are facing a similar challenging financial climate to Local Authorities. This is expected to lead to significant changes to health provision locally. CCGs and Health providers are required by law to consult with the Scrutiny committee on changes to service provision. These are known as Substantial Development or Variations (SDVs). The Committee has already been notified of three SDVs and many more are expected.
- 1.4. Each of the four committees has managed full and varied work programmes during the civic year. This includes five task and finish groups which began during the year.
- 1.5. Elsewhere, Health Adult Social Care and Communities Overview and Scrutiny Committee undertook an intensive spotlight review of delayed transfer of care and its implications for bed provision in hospitals and the care system. A Cabinet decision relating to walking routes to schools was called-in by the Children and Families Committee which generated a lot of public interest.
- 1.6. On the 7 March 2017, Overview and Scrutiny Chairs met with cabinet and CLT colleagues in the first of what will become bi-annual meetings between the Executive and Overview and Scrutiny to promote better working between the two arms of the decision making process.

1.7. As always, our thanks are extended to all those who have taken part in the work of Overview and Scrutiny over the past year. Our work would not be possible without the co-operation and support of Cabinet Members, co-opted members, officers, public and partners.

1.8. I hope you find this report to be informative and look forward to the year ahead.



**Margaret Simon**  
**Chairman Corporate Overview and Scrutiny Committee**

## **1.9. The work of Overview and Scrutiny Committees**

### **1.10. Corporate**

Chairman: Councillor Margaret Simon  
Vice Chairman: Mo Grant

1.11. The Committee is responsible for reviewing the Council's internal operation, including budget setting, risk management, governance, human resources and procurement. The committee comprises the Chairs and Vice Chairs of all of the overview and scrutiny committees and has a secondary role to co-ordinate the work of the other three committees to ensure there is consistency in relation to new legislation and best practice. The committee also oversees the training requirements of Overview and Scrutiny.

### **1.12. Committee work**

#### **1.13. Quarterly performance report**

1.14. The committee has reviewed quarterly budget and performance reports throughout the year. Despite the Council having to operate in difficult circumstances, the committee was encouraged to note throughout the year that the Council's performance and financial management arrangements are sound. The Council's decision to accept a 3 year revenue support grant settlement from the government has put the Council in a stable position to prepare for the immediate future.

#### **1.15. Business planning/Budget consultation**

- 1.16. The Committee received a number of briefings during the year on the budget setting process for 2016/17 and supported the Council's acceptance of a 3 year grant settlement from the government. This will enable the Council to plan ahead more effectively and provide Overview and Scrutiny with an opportunity to engage with the budget setting process in a different way than in the past.
- 1.17. ASDV governance structure – September 2016
- 1.18. In September 2016, the committee received a presentation on the governance structure of the Council's wholly owned companies or Alternative Service Delivery Vehicles (ASDVs), principally, to gain a better understand of the role of the holding company Cheshire East Residents First (CERF). This was to help Overview and Scrutiny Members to assist them in their responsibilities to monitor the performance of the companies on behalf of the residents of Cheshire East.
- 1.19. An all Member briefing session is being planned to help Members better understand the relationship between the ASDVs and holding company and ASDV governance arrangements. This briefing session will be one a series of Member briefing sessions that have been introduced into the corporate calendar by Overview and Scrutiny to broaden Members' knowledge on key issues affecting the borough.
- 1.20. Enforcement Agents November 2016
- 1.21. In November 2016, the Committee received a presentation from the Council's newly appointed enforcement agents Bristow and Suter on new ways in which enforcement agents now operate since a significant change in legislation occurred in 2014. Enforcement agents now make the best use of new technology to recover debt and operate under a strictly controlled fee system. The changes in legislation have brought about a success rate of 40-50% in the compliance period, which is conducted through correspondence, meaning that fewer people than ever have any face to face contact with enforcement agents.

## 1.22. Highways Procurement Process April 2017



1.23. In April 2017, the Committee received a presentation on five options that were under consideration to procure a new Highways contract, as the existing contract which had been awarded to Ringway Jacobs in 2011 was due to end.

1.24. On 6 April 2017, the committee supported the Procurement Strategy for the next Highway Service Contract which included the adoption of an integrated services contract model for a period of fifteen years with a pre-defined mid-term break clause at year eight.

## 1.25. Parking outside schools task and finish group

1.26. A Task and Finish Group has been looking at universal problems associated with parking around schools. This cross cutting issue was taken up by the Committee with the aim of finding solutions to lessen the impact on local communities of inconsiderate parking around schools. Apart from the inconvenience caused to those local communities, the actions of some parents potentially puts children at risk. The group understood that parking outside schools was an emotive issue for all concerned. All 82 members were consulted and it soon became apparent that one solution would not suit all schools and that for any scheme to be successful; all stakeholders would have to share responsibility and work together. The group has now concluded its findings and drafted a final report which recommends several different solutions to manage the root cause, the impact of the problems, and to support increased resources to tackle enforcement. The final report was





considered by Cabinet on 11 July 2017.

1.27. Members' facilities task and finish group

1.28. The Committee also investigated options to improve Member facilities at Westfields as the existing ground floor Members' room, which is mainly used by non-executive Members, is considered to be too small. As the Cabinet office, Chief Executive's office and strategic directors are located on the second floor, the task and finish group investigated whether the current separation of members' facilities from Executive office by two floors had any impact on informal lines of communication in particular. The task and finish group concluded that the separation did have a significant impact on member to member interaction. This is having an impact on relationship building between political groups.

1.29. The task and finish group therefore looked at ways of providing a shared space on the second floor at Westfields adjacent to the existing Executive suite.

1.30. This led the group to consider issues concerning the culture at Westfields and to the development of a civic identity. The group concluded that improvements could be made to reception area to create space for displaying civic regalia, artefacts and other matters such as artwork and displays from major employers in the borough which are significant to Cheshire East and its former authorities. This would provide visitors to Westfields with a visual representation of Cheshire East the place.

1.31. Finally, in recognition of the fast changing world of digital technology, the group investigated ways of modernising Council meetings through the better utilisation of standardised technology for all Members which would contribute to the Council's long term aim of holding largely paperless meetings.



**Members Room at Westfields**

**1.32. Looking Ahead to 2017/18**

1.33. When Council introduced the new streamlined committee structure in January 2017, the Committee undertook to carry out a review of the new arrangements and this will begin after the summer recess.

1.34. Overview and Scrutiny Chairs in conjunction with finance colleagues have revised their thinking about how non executive members can contribute meaningfully to the budget process over the next three years since the Council accepted a three year grant settlement in 2016.

1.35. To reflect a realignment in portfolio responsibilities announced in May 2017, the Committee is now the committee responsible for scrutinising community safety. The committee will therefore be engaging with Safer Cheshire East Partnership to review the partnerships strategy.

**1.36. Children and Families**

Chairman: Councillor Rhoda Bailey

Vice Chairman: S Pochin,

**1.37. Committee Work**

1.38. As in the previous year the Committee has continued to monitor the Council's improvement plan which was produced in response to the Ofsted inspection carried out at the beginning of the 2015/16 municipal year. The Committee has also been scrutinising the performance scorecard quarterly, which provides essential data along with qualitative information to measure the effectiveness of services within children's services.

1.39. A pilot project to support the development of emotionally healthy schools has been set up across 6 schools in Cheshire East to support children's emotional health and wellbeing. The objectives are to ensure that:

- All Cheshire East Schools are better equipped to support the Emotional Health of their pupils
- Every young person in Cheshire East has access to a graduated response to emotional health issues
- Frontline staff feel confident and supported in dealing with emotional health issues
- Referrals into specialist CAMHS are based on an assessment of need and are made at the right time
- The pathways between Schools and CAMHS are clear
- Cheshire East has a joined up CAMHS system that operates across the THRIVE Model

1.40. The pilot ran until December 2016. Due to its success and recognising the importance of children's mental health, Members supported the roll out of the scheme across Cheshire East and will continue to monitor its impact on our children.

**1.41. Available Walking Routes to Schools -Call In**

1.42. In July 2016, the Committee reviewed a decision taken by Cabinet in June 2016 relating to available walking routes to schools under the Council's 'call in' procedure.

1.43. In 2012 the Cabinet had approved a policy for the assessment of walking routes to school throughout the Borough. Various routes had been re-assessed in accordance with the policy approved by the Council in 2012 leading to several routes having free transport being withdrawn from April 2017.

1.44. The meeting was held at Sandbach Town hall and was attended by a large number of the public and school children who observed the Committee interviewing key witnesses.



**Residents Address the Children and Families Overview and Scrutiny Committee**

**1.45. CSE Task and Finish Review**

1.46. The Committee set up a task and finish group in 2014 to look at the Council's arrangements to protect children and young people from Child Sexual Exploitation.

1.47. The task and finish group produced an interim report in February 2015 which concluded that the policies and procedures in place at that time were good and that the Council was therefore well placed to take appropriate action in the event that CSE cases were brought its attention.

1.48. The group did express some concerns about licensing arrangements for drivers of private hire vehicles and taxis. This was beyond the scope of the review but, because of existence of cases elsewhere in the country where taxi/private hire drivers had played a significant role in CSE, the task and finish group felt that this aspect of the review, although outside its original remit, was worthy of a specific recommendation.



- 1.49. Sadly, the Chairman of the group, Councillor Phil Hoyland died suddenly shortly after the publication of the interim report, and the review was halted as a mark of respect.
- 1.50. In November 2015, the review recommenced but this time took a slightly different approach and looked at how the various practices and policies of the Council were applied in real situations.
- 1.51. Again, the task and finish group was satisfied with the evidence it gathered. The task and finish group expressed further reservations about taxi and private hire licensing arrangements and the final report contained three recommendations to attempt to make changes and improvements nationally.
- 1.52. Although the review did not uncover any matters of concern, Members of the task and finish group, poignantly expressed the view that ‘we only know what we know’ and it is therefore important to remain vigilant always.
- 1.53. **Looking Ahead to 2017/18**
- 1.54. The Committee recognises the importance of children’s mental health and wellbeing and will continue to scrutinise the arrangements of the Council and its partners. A spotlight review will be held to scrutinise tier 3 and 4 of the Child and Adolescent Mental Health Services (CAHMS), where partners will be invited to a formal select style committee meeting to answer a series of questions.
- 1.55. The Committee will also be setting up a task and finish group to scrutinise how the Council has dealt with the Special Education Needs and Disability (SEND) Reform. Recent changes made to the Children and Families Act 2014, allowed the Government to reform the way support is given to children and young people with special educational needs in England, specifically:
- The (EHC) plan will replace the statement of special educational needs, and will cover young people from birth to age 25.
  - Parents and young people can have control of a personal budget to buy additional support detailed in the plan.
  - Local authorities must produce a ‘local offer’ of education, health and social care services it expects to be available in the area for children and young people up to 25 years.
- 1.56. Following the Councils decision in February 2016 to de-designate 4 Children’s Centres, the Committee will continue to monitor the impact on residents and success of the mobile centre.
- 1.57. **Environment and Regeneration**  
Chairman: Councillor J Wray  
Vice Chairman: H Wells-Bradshaw,
- 1.58. **Committee Work**

#### 1.59. **Household Waste and Recycling Centre (HWRC) Review**

- 1.60. In accordance with the Waste Strategy the Council has undertaken an efficiency review of the HWRC network. Following public consultation and scrutiny by the Committee, the Council will be working with Ansa and their contractor to assist with implementing several changes to the network. The Committee will continue to monitor the impact of those changes and effect on fly tipping.

#### 1.61. **Bus Service Review**

- 1.62. Following consideration of the Pre-Budget Consultation 2017/20 relating to Environment and Regeneration, specifically outcome 2 (Cheshire East has a strong and Resilient Economy) and outcome 4 (Cheshire East is a Green and Sustainable Place) of the Council's Corporate Plan, the Committee has



concentrated its efforts on the review of the subsidised bus service which would include creating a new network based on demand.

1.63. The Council provide financial support to secure the operation of socially necessary bus services throughout the Borough; the service enables residents to benefit from local bus services at those times when commercial survives do not operate.

- 1.64. The review will cover the 42 bus services that are funded by Cheshire East Council and in accordance with the budget proposals a £1.6m saving is required. During the review the Committee has considered the methodology and preferred option for consultation and will scrutinise the final recommendations prior to consideration by Cabinet.

#### 1.65. **Flood Risk Management**

- 1.66. In accordance with the Localism Act 2011, this Committee is responsible for the scrutiny of flood risk management within Cheshire East. Members received an annual report outlining the progress made in the past year and fed into the Flood Risk Management Strategy. The Committee commended the team on its work especially when dealing with the floods in Poynton.

### 1.67. Food Waste Collection, Organic Waste Treatment Solution

- 1.68. The Council is seeking to provide a food waste recycling collection as part of its garden waste recycling service. This is an aspiration of the waste strategy to reduce the disposal of food waste which currently accounts for 40% of residual black bin waste. The Committee is closely scrutinising the process which has been undertaken to seek a solution to recycle mixed household food and garden waste that would be collected in the existing garden waste bins from April 2019.

### 1.69. Fly Tipping Task and Finish Group

- 1.70. A Task and Finish Group had been established to tackle the problems associated with fly tipping in Cheshire East. Since the Task and Finish group was established, it had been acknowledged by the Council that the current situation was unsustainable. Therefore a 12 month pilot scheme had been approved to employ additional wardens and a private enforcement company to concentrate on education and enforcement.

- 1.71. As the majority of the task group's concerns had been addressed by the portfolio holder throughout the review, the Committee amended its terms of



reference to monitor the impact of the appointment of the additional environment wardens and the procurement of the external enforcement company. The group monitored the success of the pilot scheme and fed into the recommendations to Cabinet accordingly.

**Flytipping in an alleyway in Crewe**

### 1.72. Community Assets Transfer Assets Task and Finish Group

- 1.73. The community asset transfer task and finish group was originally set up by the former Jobs, Regeneration and Assets Overview and Scrutiny Committee. There had been some anecdotal evidence from Cheshire East Councillors that suggested the transfer of Council buildings and assets to community groups and town and parish councils took too long. Community groups were becoming disillusioned with the process and there were reports of very long waiting times in respect of the transfer of community buildings.

- 1.74. The task group have continued to meet with the support of a senior surveyor and partnership manager, and received a thorough explanation of the process which has undergone substantial changes in recent years. An investigation

into asset transfer arrangements within other neighbouring local authorities and similar sized authorities across the country is underway and the group will be considering the detail of these findings shortly. Following this, a review of the current work and report planning will take place, it is envisioned the group will conclude its findings by the end of 2017.

#### **1.75. Looking Ahead 2017/18**

- 1.76. As well as the Committee setting up a task and finish group to investigate how the Highways Service communicates with Councillors and members of the public, a Task and Finish Group has been established to develop several Highways Policies including Street Lighting, Clear Way Forward and Al Fresco, Verge Maintenance and Drainage. The primary purpose of this group is to prepare a list of Highway policies in readiness for inclusion in the tender documents that are being assembled for the new Highway Service Contract which will commence in October 2018.

#### **1.77. Health & Adult Social Care Scrutiny (May 2016- April 2017)**

Chairman: Councillor Jos Saunders

Vice Chairman: Councillor Beverly Dooley

#### **1.78. Committee Work**

- 1.79. In May 2017 the committee received the Quality Accounts for all three NHS Trusts which operate in the Borough: Eastern Cheshire (Macclesfield Hospital) Mid Cheshire (Leighton Hospital) and Cheshire and Wirral Partnership (mental health services). The Quality Accounts provide the committee with an opportunity to review the performance of each trust.
- 1.80. The Chair and Vice-Chair have regular meetings the Chief Executives and health colleagues of both CCGs on a quarterly basis. The purpose of the meetings is to keep an open channel of communication between the CCG and Health Scrutiny to maintain a transparent and strong work relationship.

#### **1.81. Delayed Transfer of Care Spotlight Review**



- 1.82. In January 2017 the Committee undertook a spotlight review of Delayed Transfers of Care (DToC) in to better understand the effect of delayed discharges from hospital in Cheshire East.

- 1.83. The Committee invited key health partners from across Cheshire East to take part in a public meeting. A Parliamentary style select committee approach was used to enable the Committee to gather evidence about how

the system currently worked, how effective current measures were, where the



future challenges to services were and what initiatives might contribute towards making improvements to performance. The aim was to provide better outcomes for patients in Cheshire East.

- 1.84. Following the review, the Committee met to discuss the presentations and talk through key recommendations. The Committee produced a report, which is in the process of being published, and will be distributed to all those whom the Committee made recommendations to for a response.

**1.85. Cheshire and Wirral Partnership - Draft Redesign Consultation Proposal**

- 1.86. In March 2017 Cheshire and Wirral Partnership (CWP) presented to the committee proposals to re-design mental health services in the north of the Borough involving three options that would have an impact on the Millbrook Centre in Macclesfield.

- 1.87. This was deemed to be a Substantial Development or Variation (SDV) which meant that the proposal had to go through a formal consultation process with the committee prior to a decision being taken by the trust. In the first instance, The Committee concluded that the proposal needed a more robust business case than had been presented to it.

- 1.88. A smaller working group of Members was formed to facilitate more agile informal discussions with representatives from CWP, Eastern Cheshire CCG, South Cheshire and Vale Royal CCG and Adult and Social Care.

- 1.89. Following discussions, all parties agreed that there should be a pause in the proposed consultation in order to produce more robust and compelling evidence. The CCG has received the pre-consultation business case from CWP and the CCGs have now committed to work with CWP to further develop and inform the content of this document ahead of any future attendance to Scrutiny. Both CCG Governing Bodies will need to receive and approve any business case and consultation documentation in advance of presenting to scrutiny in September 2017.

**1.90. Social Landlords- Low Level Anti Social Behaviour (ASB) - Task and Finish Group**

Membership

Councillors Beverly Dooley (Chair) Suzanne Brookfield, Steven Edgar, Gillian Merry, Mick Warren.

- 1.91. In April 2017, the Committee received a Community Safety briefing from the Partnerships department which highlighted a specific problem relating to the removal of the Neighbourhood and ASB team at Peaks and Plains Housing Trust. The removal of the department had led to an increase of low level ASB incidents for both Cheshire Police and the Council. In order to investigate this matter further, a Task Group was set up to better understand the situation at Peaks and Plains with a view to identifying potential key issues to help the Council to plan ahead in the event that other Housing trusts took similar action.



## 1.92. **Looking ahead to 2016/17**

- 1.93. In April 2017, East Cheshire NHS Trust presented the Committee with a proposal for a potential relocation of outpatient clinics from Handforth. After hearing the presentation, the Committee advised that the matter was a Level 3 Substantial Development/Variation (SDV) and as such would need to return with appropriate health partners for further consideration.
- 1.94. The Committee are continuing to work with Cheshire East Health & Adult Social Care, Eastern Cheshire NHS Trust and Eastern Cheshire CCG to scrutinise the business case and consultation documentation to ensure proposals are fully developed and ensure the best outcomes for Cheshire residents.
- 1.95. Towards the end of 2016, there was a new appointment of the Strategic Director of Adult Social Care and Health, and some significant changes to the Adult Social Care and Health department. Scrutiny continue to work closely with colleagues and are kept up to date on any new or emerging themes within health that could lead to further scrutiny on the work programme.

## 1.96. **Community Asset Transfer- Task and Finish Group December 2016- current**

### Membership

Councillors Hayley Wells-Bradshaw (Chair) Suzanne Brookfield, Craig Browne, Beverly Dooley, Brian Roberts, Don Stockton.

- 1.97. The Task Group was formed to review the effectiveness of the Council's policies and guidance in relation to the transfer of community assets to review the current process under the Community Assets Transfer Framework specifically at the effectiveness, application and process. This will lead y to an Investigation into how the Framework is applied in practice, with a view to removing blockages from the system and improvements to communication, specifically with Town and Parish Councils



**The Gables, a community building in Nantwich, a successful example of a community asset transfer to Nantwich Town Council.**

## 1.98. **Conclusion**

- 1.99. The four committees within the new structure provide 51 Overview and Scrutiny places. This represents a substantial proportion of the Council's non executive membership and provides significant opportunities to challenge Cabinet and partner organisations on policy development and implementation.
- 1.100. Overview and Scrutiny in Cheshire East is truly a Member led function with strong commitment to the four principles of good scrutiny: providing a critical friend challenge to Cabinet; reflecting the voice and concerns of the public; being led and owned by Members of the council; and making an impact on service delivery.
- 1.101. Overview and Scrutiny has demonstrated its willingness to make improvements to its structural alignment with cabinet and the way in which it operates. This will ensure that it remains an integral part of the Council's decision making process.
- 1.102. Overview and Scrutiny Members are committed to service improvement. Notwithstanding the responsibility of Overview and Scrutiny to challenge Cabinet on important issues, there continues to be a strong belief that Overview and Scrutiny is part of the bigger team that is Cheshire East and in that spirit will strive to continue to work collaboratively with Cabinet colleagues to continue on the journey of making service improvements for the residents of Cheshire.