

FUNCTIONS AND RESPONSIBILITIES OF OVERVIEW AND SCRUTINY COMMITTEES

LEAD MEMBER: Councillor P Connolly, Chairman of the Overview and Scrutiny Management Committee
LEAD OFFICER: Tim Capper, Democratic Services Manager
REPORT AUTHOR: Neil White, Scrutiny Support Officer

Recommendation: that (a) the terms of reference of the Council's Overview and Scrutiny Committees detailed in the council's constitution be amended to reflect those detailed in Appendix "A" and the Overview and Scrutiny Management Committee be authorised to make further adjustments as necessary to reflect changing priorities in the Council's Corporate Plan; and

(b) the membership of the Overview and Scrutiny Committees be:

**Management Committee (9 members)
Councillors**

**Effective Leadership Overview and Scrutiny Committee (13 members)
Councillors.....**

**Achieving Transformation Overview and Scrutiny Committee (13 members)
Councillors ...**

**Promoting Prosperity Overview and Scrutiny Committee (13 members)
Councillors...**

1. INTRODUCTION

Council may recall that at its meeting on 17 April 2007 it agreed to change the structure of the Overview and Scrutiny Committees.

The two changes were firstly to formalise the existing Overview and Scrutiny Committees (OSC) Chairs' Group, so as to ensure that scrutiny of Executive decisions is transparent, accountable and public. The Chairs Group became the Overview and Scrutiny Management Committee, politically balanced, consisting of the Chairs and Vice Chairs of the other OSC's plus three other members.

Secondly, three other OSC's were created (13 members each), with responsibilities centred around the main themes in the Local Area Agreement, for Children, Young People and Healthy Communities; Economic Development and Enterprise; and Safer and Stronger Communities.

2. FUNCTIONS AND RESPONSIBILITIES OF OVERVIEW AND SCRUTINY COMMITTEES

The Overview and Scrutiny Management Committee at its meeting on 5 October 2007 took the opportunity to review the effectiveness of the structure as it had been running for six months.

The Committee noted that the setting up of the council's Overview and Scrutiny Committees to mirror the Local Area Agreement had resulted in the work of the committees becoming unbalanced due to the terms of reference of the Committees being based on the thematic groups within the Local Area Agreement.

This had resulted in the Children, Young People and Healthy Communities Overview and Scrutiny Committee having considerably less reports to it as well as the number of task and finish groups that it had set up compared to the other committees particularly the Safer and Stronger Communities.

Furthermore, the work of Children, Young People and Healthy Communities was based more on activities primarily undertaken by external organisations rather than this council's functions. However, Safer and Stronger Communities had little external work but a lot of work done by the council.

The Committee considered that the means for the council to scrutinise the Local Area Agreement had changed following the establishment of a Joint Scrutiny Working Group that was looking at how to undertake effective Scrutiny of the Local Area Agreement.

The Committee also considered that its work was becoming too heavy and was not working in as focused a manner on its overview role as was originally intended.

The Committee felt that two of the key aims of Overview and Scrutiny were to:

- Support the development of effective policies and initiatives, which have a beneficial impact on the community, and

- Contribute significantly to continuous improvement in services through Performance Management.

The Committee felt that a closer link to the council priorities that were set out in the council's corporate plan would enable the overview and scrutiny committees to better achieve these two aims. It would also enable a better lining up between overview and scrutiny and the portfolio holders and with the council's corporate team.

The Committee considered four options for the future Overview and Scrutiny Committee Structure and agreed that the option to have a four Committee system with a management committee and three others with responsibilities set around the Corporate Plan/Deputy Leaders Roles should be pursued.

3. FINANCIAL AND HUMAN RESOURCES IMPLICATIONS (INCLUDING SOURCES OF FINANCE)

The proposals in this report are not expected to increase the number of member meetings or staff resources needed for Overview and Scrutiny.

4. PROJECT AND RISK MANAGEMENT

This proposal seeks to address the risk that the current Overview and Scrutiny Structure may not enable members to fully engage in Overview and Scrutiny as the structures are not directly linked up to the Council's priorities.

5. IMPACT ON CORPORATE PLAN

This report fulfils the Corporate Plan requirement to undertake a review of governance and constitutional issues.

6. CONCLUSION

Council is asked to amend Article 6 of the Council's Constitution to provide for four new Overview and Scrutiny Committees with the terms of reference as detailed in Appendix "A".

Council is also asked to agree the size and membership of these committees.

List of Appendices

Appendix A - Proposed new Overview and Scrutiny Committee Structure

Appendix B - Existing Overview and Scrutiny Committee Structure and membership

List of Background Documents: None.

List of Consultees: Leader of the Council, Corporate Team, Overview and Scrutiny Management Committee

CHECKLIST FOR DEALING WITH KEY ISSUES

Please confirm against the issue if the key issues below have been addressed . This can be by either a short narrative or quoting the paragraph number in the report in which it has been covered.

Impact on Crime and Disorder	No issues
Impact on Sustainability	No issues
Impact on Rural Proofing	No issues
Health and Safety Implications	No issues
Project and Risk Management	No issues
Impact on Equality and Diversity Issues	No issues
Children and Young Persons Implications	No issues
Human Rights Act Implications	No issues

Please say if this report will require the making of a Key Decision: NO.

Section 151 Officer Comments: No Financial Issues.

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Appendix "A"

Proposed New Overview and Scrutiny Committee Structure

Management Overview and Scrutiny Committee

- Reviewing executive decisions
- Setting, co-ordinating and reviewing overview and scrutiny work plans
- Monitoring Scrutiny Recommendations to the Executive
- Forward Plan
- Performance/Budget/Complaints Monitoring Reports
- Cross Cutting Scrutiny
- Monitoring Joint Scrutiny Bodies

- Financial/human resources issues within the Council, including monitoring of the budgetary process.
- IT issues including IEG
- Public Relations Issues

Effective Leadership Overview and Scrutiny Committee

These terms of reference are to reflect the areas set out in the corporate plan for the effective leadership theme and will enable the Committee to scrutinise the council's ability to meet the priorities that are set out in this theme. These current priorities are:

Leading local change; influencing national and regional change

- Develop a series of 1 year delivery plans. Monitor and review progress and take action as appropriate.
- Continue to monitor and review Government policy and lobby for the interests of Copeland. Produce and submit a catalogue of formal responses to Government white papers and formal consultation exercises.
- To work conjointly with the other authorities in Cumbria to improve the system of local government for Cumbria.
- Adopt commitments within the Cumbria Agreement into all of the Council's performance planning. Agree priorities within the Cumbria Agreement for Copeland and strive to meet the Government's local area agreement targets.
- Further develop and deliver an improvement action plan; invite the Audit Commission to undertake a re-assessment.
- Undertake a review of governance and constitutional issues.
- Undertake a review of organisational effectiveness and support improvements in achieving: Value for money; Customer focus; Continuous improvement.
- Implement the IDeAs ethical governance framework.
- Provide responses to key national and regional consultation within the stated deadline. Initiate a database of Council responses to nuclear consultation and annually review the effectiveness of the response
- Take a lead role in advising government and related bodies on local communities and national nuclear policies. Seek to influence policy to the benefit of Copeland residents.
- Take a lead role in the development of regeneration and economic development strategy and delivery in West Cumbria. Ensure that the Council has a clear and strong set of plans, engaging services across the Council in delivering regeneration objectives

Providing clear direction

- Create and maintain a medium term Corporate Plan which sets out the vision, priorities and objectives for the Council.
- Survey staff satisfaction and awareness of the Council's direction; develop and implement improvement plans.
- Adopt and cascade communication strategies for corporate improvements, including communications tools for staff, members and stakeholders.
- Develop measures in the Corporate Plan for issues that Copeland can only influence (i.e. in the Cumbria Agreement (the local area agreement) and Strategy for Sustainable Communities in West Cumbria).

Strong, strategic partnerships

- Produce a definitive list of active strategic partnerships and devise the appropriate support and feedback mechanisms for them.
- Develop an action plan with partners to achieve 'Green Light' accreditation from the Government Office North West for the West Cumbria Strategic Partnership.
- Adopt a new Sustainable Communities Strategy and a new neighbourhood renewal strategy. Devise and implement local delivery plans.
- Develop, along side our internal system, a performance management framework for partnership working.
- Review and revise partnership working from the recommendations and priorities of the West Cumbria Strategic Masterplan.
- Develop new strategies and programmes in response to the requirements of the approved West Cumbria Strategic Masterplan.
- Work with the Lake District National Park Partnership to deliver its vision and aims.
- Work with the Cumbria Strategic Partnership to deliver its strategic programme.
- Neighbourhood Management delivery: governance structures will be put in place giving opportunities for greater participation by the community, working with agencies to identify and address local needs.

Achieving Transformation Overview and Scrutiny Committee

These terms of reference are to reflect the areas set out in the corporate plan for the achieving transformation theme and will enable the Committee to scrutinise the council's ability to meet the priorities that are set out in this theme. These current priorities are:

Creating opportunities for community involvement

- Democracy projects will be developed to raise participation in local issues.
- Implement an area committee structure and a programme for listening to the views and concerns of people; involving people in local decision-making and encouraging local activity.
- Review the use of local facilities and services to ensure that they meet the needs of the community in a sustainable way.
- Run a series of out-reach consultations and workshops on policy issues with local people.
- Provide feedback to the community on consultation outcomes and actions taken as a result.
- Work with Town Councils, Parish Councils and Parish Meetings to develop their role as champions of local communities.
- Promote quality parish and town council status within the Borough.
- Develop a local forum for the town of Whitehaven through consultation.
- Make more use of the Community Gateway and the West Cumbria Strategic Partnership to make direct links between the communities' views and the Council's services.
- Implement the Statement for Community Involvement.

Regenerating Copeland

- Implementation of the Whitehaven Regeneration Programme.
- Programme management of regional Development Agency regeneration initiatives such as the Market Town Initiatives (MTIs) in Millom and Egremont and the Coalfield Communities Campaign.
- Support delivery of regeneration in North East Copeland, linked to WLR investment programme.
- Review Economic Development / Regeneration Strategy in light of the West Cumbria Strategic Masterplan to achieve better engagement with businesses / employers.
- Contribute to the West Cumbria Delivery Team for regeneration projects.
- Develop structure for support of the Cumbria Agreement economic and enterprise block.
- Maximise external funding, in the context of the achievement of corporate objectives, and within the resources of the Council and partners to deliver.
- Secure adequate resources to implement sustainable regeneration by successfully securing funding through the funding bid process.
- Provide top quartile service in Development Control and Building Control.
- Enhance the architectural and historic environment in our towns.
- South Whitehaven Neighbourhood Management Board – working with the community to improve public service delivery.

- Secure resources to contribute to long term sustainability in recognition of the role the borough plays in hosting radioactive waste for the nation'.

Improving skills and education; retaining skills

- Appoint an internal 'Champion' for learning.
- Sports and arts development in schools.
- Work with partners to encourage businesses to support their staff to take up learning opportunities.
- Take a lead in setting an example to other employers: Encourage take up of learning opportunities amongst Copeland Borough Council staff; Provide opportunities for staff progression to take up hard to fill vacancies; Continue apprentice schemes; Develop new trainee schemes; Encourage the development of basic skills.
- Work with funding and delivery agencies to ensure that learning services are meeting the needs of the community in Copeland, particularly those in disadvantaged areas and groups; and that they are available in community accessible locations.
- Work with partners to raise the standard in educational institutions.
- Address with learning funders and providers key target areas such as skills for life.
- Address with learning funders and providers skills needs to contribute to reducing worklessness.
- Establish skills plans for Copeland residents to benefit from new employment opportunities inside the Borough or in the rest of West Cumbria and Furness.

Equality of opportunity

- Diversity and race equality scheme reviews completed.
- Copeland and Cumbria Equality and Diversity groups will develop an action plan to improve the Attitude Survey results.
- Implement project plan and actions against Equality and Diversity standard, and in line with the Council's Social Inclusion Policy.
- Develop action plans to help local residents access the benefits they are entitled to.
- Respond to the statutory guidance in relation to children and young people and the Every Child Matters Green Paper when the guidance is produced.

Customer focussed

- Survey customer satisfaction and stakeholder perception at agreed frequency.
- Implement an action plan arising from customer survey results.
- Broaden access to and delivery of services using appropriate new technology to give services which are well-designed, consistent and

efficient and which meet the needs of individuals; better communication; and clearer public advice.

- Respond to community/parish plans; and accepting that one size does not fit all, act to distinguish between service delivery in different localities.
- Extend the services delivered through a single point of contact for all our customers.
- Service areas will improve delivery to meet internal and external customer needs.
- Service delivery to DWP performance standards.
- Execute a communications plan which seeks to explain policy, challenge views, and stimulate response in the community and customers.

Effective performance management and culture

- Create and deliver annual Member development programme, based on competencies.
- Create annual officers training and development plan to meet corporate objectives.
- Implement Pay and Workforce Strategy to meet business and staff needs.
- Ensure that the way the Council manages its Scrutiny function is at least equal to the national standard developed by the Centre for Public Scrutiny by completing the Centre's self-evaluation framework and developing an action plan arising from the self-evaluation.
- Implement effective performance management system for all staff.
- Develop the IT based performance monitoring system to meet all performance management needs.
- Develop and implement action plan to improve the quality of data collection systems and processes.

Strong financial and asset management

- Develop integrated medium term financial planning into corporate and service planning processes.
- Develop a robust budget model to assess future projections and risk assessments.
- Review and integrate the Asset Management Plan and the Capital Strategy.
- Develop financial management system to become a desktop tool for managers to manage/monitor and predict their budget.
- Put in place an assurance framework that maps the strategic objectives to risks, controls and assurance.

- Deliver an effective audit and fraud prevention process suitable to the needs of the corporate plan and in line with the CIPFA code of practice.

Promoting Prosperity Overview and Scrutiny Committee

These terms of reference are to reflect the areas set out in the corporate plan for the promoting prosperity theme and will enable the Committee to scrutinise the council's ability to meet the priorities that are set out in this theme. These current priorities are:

Sufficient and diverse job opportunities

- Ensure sufficient employment sites and buildings available.
- Support the development of sustainable local businesses.
- Market Copeland opportunities to potential new employers.
- Develop opportunities in the nuclear sector.
- Secure and develop the number of jobs in the health sector.
- Increase tourism, culture and leisure spend through the Borough.
- Increase employment in town centre retail and service activity.

Safer Copeland

- Mainstream S17 of the Crime and Disorder Act 1998 in all Council activities through an audit process.
- Close gaps found in S17 audit.
- As a key partner in the Crime and Disorder Reduction Partnership (CDRP), support partners and receive assistance of partners in reducing levels of crime and fear of crime; including survey of fear of crime.
- Communications strategy for CDRP.
- Develop structure to identify resources used/ required to reduce crime and fear of crime; and benefits of actions taken.
- Work with partners to identify people (particularly young people) on the edge of criminality and provide diversionary activity.
- Address with partners the skills needs of offenders and those on the edge of criminality.
- Ensure that emergency planning procedures are constantly up to date and effective in accordance with the Civil Contingencies Act.
- Work to help the resettlement of offenders in accordance with the National Community Safety Plan.

Quality Living Environment

- Work will be undertaken to ensure those areas subject to heavier concentrations of litter and detritus are cleaned more frequently.

- Parks and open spaces will build upon successes, working with the community, to improve the quality and access to our green spaces. Undertake disabled accessibility audits and crime audits of all the principle green spaces.

- Share information and use the powers made available through the Clean Neighbourhoods and Environment Act 2005, Local Government Act, Crime and Disorder Act 1998 and Anti Social Behaviour Act 2005 to take action against those who litter, fly tip and allow their dogs to foul public places.
- Make CBC waste management practices more sustainable by increasing recycling rates and working with residents to reduce per capita waste production. Continue to work with the Cumbria Waste Partnership.
- Local development framework in place:
- Core strategy
- Action area plans
- Supplementary planning documents
- Maintenance and improvement of street scene. Investment in public realm and accessibility.

Sustainability

- Influence home energy conservation plans and tackling fuel poverty.
- Prepare and implement an environmental sustainability programme.
- Demonstrate the Council's commitment to the environment by achieving environmental management accreditation.
- Develop and implement a green policy for the Council.

Quality housing

- Work in partnership with Registered Social Landlords to ensure decent homes target is reached by 2010.
- Review the service provided by the Home Improvement Agency.
- Ensure balance of housing stock to meet local needs through:
 - Contributing to delivery of Housing Market Renewal
 - Local Development Framework policies
 - Inputting to Regional Spatial Strategy
 - Housing Grants policy
 - Working with housing providers
 - Area based strategies and plans
- Providing a good housing advice service particularly to vulnerable people, while looking to reduce the level of homelessness.
- Improve support to people with disabilities and older people to live independently.

Leisure and culture

- Develop interest and capacity amongst Copeland residents to take forward arts and sports activities after Copeland led start up projects, including organisations not traditionally involved in sports or arts activities.
- Provide plans for new built public leisure facilities within the Pow Beck valley area of Whitehaven.
- Endeavour to have new built public leisure facilities completed.
- Capture the interest and inspiration generated by London hosting the 2012 Olympic and Paralympic Games to ensure that Copeland benefits from the UK wide programmes and legacy initiatives as they develop.
- Remove barriers to participation in sports and arts events at all levels for communities in Copeland.
- Build on current skills development initiatives and position Copeland as a destination of choice for learning establishments to facilitate workforce development in arts and sports.

Improving health

- Lobby for accessible primary health care facilities for the people of the borough.
- Challenge any proposed reduction in the nature and quality of health care services in the borough through links with the West Cumbria Partnership and County Council Health Scrutiny.
- Encourage people to participate in active lifestyles.
- Develop policies and actions to improve the health of Copeland Borough Council's employees
- Support partnership working to reduce health inequalities.

Flexible transport infrastructure

- Submissions to Regional Spatial Strategy panel and Government for infrastructure improvements.
- Submissions to Government as part of the West Cumbria Masterplan.
- Coordination of regeneration programmes with infrastructure improvements via Local Transport Plan.
- In partnership with Cumbria County Council and others seek to ensure that all households are within 30 minutes of our key service towns by public transport.
- Work through the Road Safety Partnership to take direct actions to tackle number of Killed and Seriously Injured (KSI) casualties.
- Carry out a review and develop an action plan to assist in the provision of appropriate flexible transport to places of employment.

Existing Terms of Reference and Membership of the Overview and Scrutiny Committees

Overview and Scrutiny Management Committee (9 members)

Membership: Councillors P Connolly (Chairman); K Hitchen (Deputy Chairman); Mrs Y R T Clarkson; Mrs E Eastwood; J Kane; M McVeigh; Mrs W Metherell; R Salkeld; P Whalley.

Working with the Local Strategic Partnership to develop our Community Plan
Performance Management
Monitoring services for customer-friendly practice
Our Comprehensive Performance Assessment (CPA)
Financial/human resources issues within the Council, including monitoring of the budgetary process.
IT & Communication issues including IEG
Electoral issues
Public relations issues
Reviewing executive decisions
Setting, co-ordinating and reviewing overview and scrutiny work plans
Cross Cutting scrutiny

Overview and Scrutiny Committee – Children, Young People and Healthy Communities (13 members)

Membership: Councillors Mrs Y R T Clarkson (Chairman); M McVeigh (Deputy Chairman); R Cole; Mrs M Docherty; Mrs Faichney; G Garrity; A Jacob; J Kane; A Mossop; J Park; P Tyson; C Whiteside; D Wilson.

Health of young people
Sports, leisure and cultural activities for all young people
Standards in English, mathematics, and science in secondary education
School attendance
Standards in foundation stage education
Post-16 year old achievement
Young people in Higher Education
Improve access to accommodation for young people making the transition to adulthood

Children potentially at risk of significant harm
Reducing fear and improving safety
Opportunities for young people to make a positive contribution
Alcohol consumption
Harm from Illegal drugs
Mental health and wellbeing
Health of people with a learning disability
Premature mortality rates
Smoking
Obesity
Vulnerable people living independently and safely at home
Falls prevention
Income of Older People
Access to leisure for people
Affordable Warmth.

Overview and Scrutiny Committee – Economic Development and Enterprise (13 members)

Membership: Councillors J Kane (Chairman); R Salkeld, (Deputy Chairman); D Banks; J Bowman; E Brenan; N Clarkson; Mrs M Docherty; D Moore; J Prince; G Scurrah; C Whiteside; A Wonnacott; H Wormstrup.

Support for disadvantaged groups to enter the workforce
Create a culture of lifelong learning and improve skill levels and productivity
High quality employment sites in suitable locations
Access to the countryside
Employment and economic activity
Employment rate
Skills levels
Economic infrastructure
Balanced housing markets
Planning and housing intelligence
Planning issues
Affordable housing
Housing Market Renewal

Overview and Scrutiny Committee – Safer and Stronger Communities (13 members)

Membership: Councillors Mrs W Metherell (Chairman); E Eastwood (Deputy Chairman); A Carrol; G Garrity; F Gleaves; F Heathcote; J Jackson; J Park; G Scurrah; W Southward; P Watson; Mrs J Williams; M Woodburn

Anti-social behaviour (Including fires) and disorder

Drug use/dealing

Crime and fear of crime

Domestic violence

Street cleanliness

Litter and detritus

Recycling and waste minimisation

Quality of parks and green spaces

Local voluntary and community sector

Voluntary sector involvement in public service provision

Participatory local decision making

Community cohesion

Road Maintenance, structures and transport

Sustainable Transport

Decent homes

Preservation and protection of the Environment

Energy efficiency and climate change

Flooding