



**SCRUTINY COMMISSION – 5<sup>TH</sup> SEPTEMBER, 2001**

**REPORT OF THE CHIEF EXECUTIVE**

**COMMISSION – WORK PROGRAMME**

**Purpose**

1. The purpose of this report is to ask the Commission to consider potential items for inclusion in its work programme. A separate report appears on this agenda setting out the views of Scrutiny Committees on their individual work programmes.

**Background**

2. In considering its work programme the Commission is asked to have regard to the provisions in the Constitution, the report agreed by the County Council on 10<sup>th</sup> January, 2001 on the future shape of Scrutiny and the views of the Scrutiny Reference Group. The relevant extracts from these documents, which were also provided to Scrutiny Committees, is set out in Appendix 1 to this report.
3. The Commission is also asked to have regard to its role and remit and that of the other Scrutiny Committees. These are summarised below:

<b>Committee</b>	<b>Scope</b>
Scrutiny Commission	<ol style="list-style-type: none"><li>1. Any functions which are not specifically within the scope of any other overview and scrutiny committee.</li><li>2. Any issues which come within the scope of more than one overview and scrutiny committee.</li><li>3. Oversight and co-ordination of the work of the overview and scrutiny committees.</li><li>4. Allocating specific issues, on an <i>ad hoc</i> basis, to any of the other overview and scrutiny committees.</li><li>5. Resolving any disagreements between overview and scrutiny committees.</li></ol>

<b>Committee</b>	<b>Scope</b>
Education & Heritage	The executive functions of the County Council in respect of: 1. Education. 2. Libraries and information. 3. Museums, arts and records.
Health & Social Care	The executive functions of the County Council in respect of: 1. Personal social services. 2. Liaison with the NHS.
Planning & Environment	The executive functions of the County Council in respect of: 1. Town and country planning. 2. Highways and transportation. 3. Country parks. 4. Waste disposal.
Finance	The executive functions of the County Council in respect of: 1. The revenue budget 2. The capital programme.

### **Potential Issues for Consideration by the Commission**

4. Set out below are some of the potential issues that may appear on the agenda of the Commission. This is based on:
- i) Identification of those Plans in the Policy Framework which are the subject of review/roll forward in the next twelve months;
  - ii) the Best Value Review Programme;
  - iii) An analysis of items included in the Forward Plan;
  - iv) Issues previously identified by the Commission and the former Improving Economic Well Being, Promoting Better Government and Reducing Crime and Anti-Social Behaviour Scrutiny Committees.

### **Plans and Strategies**

Youth Justice Plan.	November 2001.
Best Value Performance Plan.	January/ February 2002.
Crime and Disorder Reduction Strategy. <ul style="list-style-type: none"> <li>• District based Community Safety Strategies.</li> <li>• Community Safety Strategy.</li> </ul>	February 2002.
Regeneration Policy Framework and Strategy	March 2002
Community Strategy. (including District Community Strategies).	Timetable to be determined (linked to Medium Term Strategy).

At the request of the Scrutiny Reference Group attached at Appendix B is a summary of the guidance issued by the Government in relation to Community Strategies.

### **Best Value Reviews/Assessments**

Industrial Properties	September 2001
Public Transport Support	October/November 2001
[The findings of this Review will also be reported to the Planning and Environment Scrutiny Committee].	
Personnel and Training	February/March 2002

### **Other Matters**

e-Government (ICT Strategy)	An issue identified by the previous Commission. The Cabinet on 17 <sup>th</sup> July approved the "Implementing Electronic Government (IEG) Policy Statement" for submission to the DTLR. The Best Value Review Programme includes a Review of Access to Services and Information later in the year. The IEG will form an important part of the Review and it may be appropriate for Commission to consider IEG Strategy in considering the scope of the Review.
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Leicestershire Records Office      At the County Council meeting on 11<sup>th</sup> July Members were advised of problems concerning the specialist racking system installed at the Records Office and of the decision of Construction Court of the High Court on the issue of liability which ruled against the County Council.

As a result the County Council now faces a total bill for legal and professional costs in excess of £600,000. Provision of £81,000 has already been made from savings in the Department of Property budget in 1999-2000. The remaining costs will be charged to the 2000/2001 revenue account.

It has been suggested that the recent difficulties experienced at the Records Office and lessons to be learnt may warrant detailed scrutiny either through the Commission or a 5 member Panel.

Medium Term Strategy.      The Leader had indicated that the Administration is currently developing a Medium Term Strategy for the Authority. The Strategy would set out the intentions of the Administration and inform the budget strategy and the County Council's input into the Community Planning Process. The Commission, and perhaps each Committee would need to consider the Strategy (in October/November?)

### **Conclusion**

5. The Commission is asked to consider the issues raised in this report and identify possible items for inclusion in its work programme including identifying the most appropriate means for undertaking such work (either through reports to the Commission or establishing 5 member Panels).

**Equal Opportunities Implications**

Nil.

**Background Papers**

Constitution of the County Council  
Report to the Council on 10<sup>th</sup> January – The Future Shape of Scrutiny.  
Leaders Position Statement to the Council on 11<sup>th</sup> July.

**Officers to Contact**

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**APPENDIX 1****EXTRACT FROM THE REPORTS TO SCRUTINY COMMITTEES  
ON ISSUES TO TAKE INTO ACCOUNT IN DEVELOPING  
THEIR WORK PROGRAMME****Background**

2. In considering their work programme the Committee is asked to have regard to the following elements of the Constitution and the report agreed by the Council in January, 2001, on the future shape of Scrutiny.

The relevant sections of the Constitution are:

- The Scrutiny Commission shall approve an annual overview and scrutiny work programme, including the programme of other overview and scrutiny committees, to ensure that there is efficient use of the Committee's time and that the potential for duplication of effort is minimised. (Overview and Scrutiny Rule 2(1)).
  - Overview and scrutiny committees shall obtain the prior approval of the Scrutiny Commission for their work programme and in formulating their work programme they shall take into account wishes of members on that committee who are not members of the current political administration of the County Council. (Overview and Scrutiny Rule 7).
  - Overview and Scrutiny Committees (or the Commission in a single report on their behalf) will report annually to full Council on their workings and make recommendations for future work programmes and amended working methods if appropriate (Articles of the Constitution Article 6.03(d)).
  - The Scrutiny Reference Group shall
    - a) manage the overall operation of overview and scrutiny;
    - b) participate in joint planning meetings with the Executive to compile the review programme for Best Value and other reviews undertaken by Review Panels. (Articles of the Constitution – Article 6.05(c)).
4. The report to the County Council on 10<sup>th</sup> January – The Future Shape of Scrutiny made particular reference to the need to ensure that the finite amount of resources, both officers and elected members, are used effectively. The report argued that there should be a priority approach to the allocation of resources and the County Council in endorsing the report supported a priority approach a summary of which is as follows:-

- (i) pre-eminence should be given to the reviews included in the Best Value Review Programme on the basis that these are a statutory requirement on the authority and there are consequences for the Authority of failing to do them. In addition, the Best Value Review Programme has been compiled jointly between Scrutiny and the Executive and approved by the Council and as such should reflect the key priorities for the Council.
- (ii) the second priority should be the review and roll-forward of the Plans forming the Policy Framework. One of the consequences of the LGA 2000 is that, in future, most of the County Council's activity will need to be considered from a Plan-based perspective. One of the major roles of the Council is to approve plans forming the Policy Framework. Detailed scrutiny of such Plans is important on the basis that the Plans, once approved, will in effect determine the scope of the Executive powers. (The Plans, when agreed, can be implemented by the Executive without reference to the Council).
- (iii) Review activity undertaken by Scrutiny should be carefully planned and focussed to ensure that it is achievable in the light of resources available. It should also seek not to duplicate the work of Best Value Review Panels or 'other reviews' in the Cabinet work programme.

### **Discussion with the Scrutiny Reference Group**

- 5. An initial meeting of the Scrutiny Reference Group has been held to discuss the operation of Scrutiny. Further meetings are planned to take place in July including a meeting with the Leader and Deputy Leader. The Group considered the implications of the report to the County Council on 10<sup>th</sup> January and in particular:-
  - a) Identification of issues for the work programme is a matter for members of the Committee and, in particular, the Chairman and Spokesmen of the Committees who are in a position to determine how proactive each Committee should be.
  - b) The content and delivery of targets and commitments in the Best Value Performance Plan should influence the identification of issues to be considered. Members should also have regard to other sources of information which may be relevant to judging the performance of the Authority eg:
    - any available analysis of trends in complaints by service users;
    - concerns/views expressed by service users/public obtained through consultation exercises;

- information arising from an external examination of the Authority's performance e.g. National Performance Indicators, District Audit Reports/reviews, or inspections carried out by the SSI or OFSTED.
- c) In setting a work programme Committees should be aware that they may, from time to time, be asked by the Cabinet to comment on key policies or plans, consider outcomes of Best Value reviews, etc. The view was that this in turn suggests that each Committee should seek to identify **no more than two items in their annual work programme.**
6. The Reference Group was of the view that Scrutiny Committees should have particular regard to current or planned review activity when considering their work programme. In addition Committees should maintain a focused approach, at the outset, to their work programme by:
- identifying clearly the scope of the issue to be the subject of scrutiny;
  - setting clear objectives to the exercise;
  - establishing the method of working (reports to the Committee or establishing a Panel);
  - identifying of the type of advice and support it would require.



**APPENDIX 2****COMMUNITY STRATEGIES****LOCAL GOVERNMENT ACT 2000**

1. The Local Government Act 2000 contains a range of provisions designed to give effect to the Government's modernising agenda. The Act contains two important provisions in relation to community planning:
  - (a) a general power to local authorities to do anything which they consider is likely to achieve the promotion or improvement of the economic, social or environmental well-being of their area; and
  - (b) a specific duty to prepare a community strategy 'for promoting or improving the economic, social and environmental well-being of their area and contributing to the achievement of sustainable development in the United Kingdom'.

**GUIDANCE ON PREPARING COMMUNITY STRATEGIES**

2. The final statutory guidance was issued by the Government in December 2000. {Copies of the guidance are available from Mr M. I. Seedat – telephone 265 6037}.
3. In summary, the guidance sets out the following in relation to the objectives and principles of community strategies. Community strategies are expected to meet four objectives:
  - allow communities (based on geography and/or interest) to articulate their aspirations, needs and priorities;
  - co-ordinate the actions of the council, and of public, private, voluntary and community organisations that operate locally;
  - focus and shape existing and future activity of those organisations so that they effectively meet community needs and aspirations; and
  - contribute to the achievement of sustainable development both locally and more widely, with local goals and priorities relating, where appropriate, to regional, national and even global aims;
4. The guidance states that a community strategy must have four key components:
  - a long-term vision for the area focusing on the outcomes that are to be achieved;

- an action plan identifying shorter-term priorities and activities that will contribute to the achievement of long-term outcomes;
  - a shared commitment to implement the action plan and proposals for doing so;
  - arrangements for monitoring the implementation of the action plan, for periodically reviewing the community strategy, and for reporting progress to local communities.
5. The government guidance states that the following principles should underpin all community strategies. They will:
- engage and involve local communities;
  - involve active participation of elected members within and outside the executive;
  - be prepared and implemented by a broad "local strategic partnership" through which the local authority can work with other local bodies (the Government has issued a separate draft consultation paper on the purpose of local strategic partnerships);
  - be based on a proper assessment of needs and the availability of resources.
6. In preparing community strategies, local authorities will also be expected to comply with the new statutory duties under the Race Relations (Amendment) Act.
7. The Government envisages that councils that have developed Local Agenda 21 strategies in line with the Government's guidance should have gone a long way towards developing effective partnership working, a long-term vision for the area and the necessary implementation mechanisms – as well as staff with potentially relevant skills and experience. (The document 'Ways forward for a better Leicestershire' (FABLE) is the Local Agenda 21 strategy covering Leicestershire and Leicester.)
8. The statutory guidance also states that the process by which community strategies are produced is as important as the strategy itself. In order to ensure ownership, the process therefore should be 'predominantly' 'bottom up' rather than 'top down'.
9. The Government has decided that it does not intend to use the guidance to prescribe a date for the completion of community strategies. However, a government required Best Value performance indicator for 2001/02 will require local authorities to indicate whether they have set a timetable, with partners, for the preparation of community strategies.
10. The government guidance indicates that although the Local Government Act 2000 requires every principal authority to prepare a

community strategy, neither the Act nor the guidance specifies the level at which the community strategy should be produced or the specific geographical area it should cover. To be most effective, community strategies and the process of implementing them will need to operate at different geographical levels, from county-wide to individual neighbourhoods and localities.

11. The government guidance states that the duty to prepare a community strategy does not necessarily mean that every council must prepare a separate community strategy. If community strategies are to be effective there needs to be effective interaction between the different tiers of local government operating in each area and between neighbouring authorities. The government guidance states that the development of a community strategy will present particular challenges in areas with both county and district councils. It suggests that one approach might mean 'nesting' district level strategies within a broader vision and framework established at county level, or a series of joint strategies for parts of counties based on agreed geographic communities. The guidance suggests that separate community strategies will only be effective if the strategies themselves, and the processes by which they are prepared, are complementary. In particular it is important to avoid multiple consultation exercises.
12. The guidance states that while the duty to prepare community strategies refers specifically to each authority's area, this does not preclude strategies from covering issues or actions outside the authority's own administrative boundaries.
13. The guidance also emphasises the important role that parish and town councils and local neighbourhoods and communities can play in the community planning process.
14. The guidance sets out advice on the setting up of local strategic partnerships for the development and delivery of community strategies. The Government has issued separate draft guidance on arrangements for the setting up and operation of local strategic partnerships.
15. The guidance states that the community strategy should act as an over-arching framework for other service – or theme-specific plans and, with other key strategic plans, should influence a wide range of activities. A community strategy will not specifically cover every local issue, but should affect the delivery of a wide range of services. However, work on other plans should not be delayed until a community strategy has been finalised. They should instead be revised later. The guidance contains specific reference to the links between community strategies and Best Value performance plans, local public service agreements and development plans.