



# Overview & Scrutiny Annual Report – Interim Report 2017/18

# Foreword of the Scrutiny Chairs

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During 2017/18, our Scrutiny Committees have continued to carry out their functions in accordance with the Council's Constitution.

The Annual Council in May 2017 resulted in a change at Growth Committee with Councillor Phil Smith appointed as Vice-Chair. In addition, there have been changes in staffing support during the year, which has led to unexpected extensions to our review work. Nevertheless, we have remained fully supported by interim arrangements.

As a result of the extensions to our 2017/18 Work Programmes, we are providing this Interim Report to Council and intend to submit a further report later in the municipal year when we can fully report on our outcomes for our 2017/18 Work Programmes.

Our focus over the next year needs to be on the challenges facing the Authority and we aim to ensure that Scrutiny makes a valuable contribution through its work. We appreciate the continued support of colleagues on the Executive and Officers and look forward to another year of collaborative working for the benefit of our communities.

***Councillor Rose Bowler***

**Chair of the Customer Service and Transformation Scrutiny Committee**

***Councillor Sandra Peake***

**Chair of the Healthy, Safe, Clean and Green Communities Scrutiny Committee**

***Councillor Jennifer Wilson***

**Chair of the Growth Scrutiny Committee**

# Summary of 2017/18

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## Customer Service and Transformation Scrutiny Committee

During 2017/18, Members received a range of reports to Committee. Some have been routine update reports:

- Health & Wellbeing Strategy – Annual Report
- Policy Review of the Local Lettings Scheme

We have also completed pre-scrutiny work on the report for:

- In-house Procurement Unit

This involved an in-depth discussion around the proposals in the report and an assessment of alternative options.

We have taken a varied approach to Review work during the year covering 4 different areas:

### **Elections Task & Finish Group**

This involved a smaller number of members. The group was formed as a result of concern over staffing levels following the 2017 Elections and the vacancies prior to the recruitment of the recent consultant.

Alongside Officers, Members looked at the possible remodel of the service and specifications of the posts as well as adverts and the process for recruitment to the vacancies.

### **Transformation Programme**

This was suggested as a topic for review as part of the Conference in 2017.

The Committee received two presentations updating on the existing Programme and a briefing on the development of a revised Programme, which is currently being completed by the Joint Strategic Director – People. As it is not yet clear what will be delivered and the timescales for delivery, we have agreed to keep a watching brief over how projects develop with the aim of monitoring the effectiveness of the Programme.

## **Review of Disability Adaptations to Council Properties**

Following discussion at committee of anecdotal evidence, there seemed some confusion surrounding Disabled Facilities Grant's and the difference between private and social landlords.

Subsequently, the Vice Chair and myself, requested that the Head of Housing and an Officer from environmental health attend a future meeting of the Committee.

Approaching a review topic in this way involved using a new mechanism of review for councillors. Due to timing, evidence was gathered from one session via the formal Committee meeting. There was quite a lengthy discussion surrounding the differences and from the information gathered we have completed our first 'mini review'. We hope to use this method again in the future as a mechanism of dealing with review topics, where they allow it, in a timelier manner. We also hope that the other Scrutiny Committee's may look to take this approach themselves in the future

Although the evidence gathered led us to conclude that no additional action should be recommended, Members have agreed to continue to closely monitor the Corporate Plan Target already in place, via quarterly reports. Members of the Committee were satisfied that individual needs of our tenants are met.

Our recommendation was presented to Executive in April 2018 and endorsed for implementation.

## **Review Work – Review of The Strategic Alliance**

As part of our work plan for 2017/18, our scrutiny committee decided to review The Strategic Alliance which was formed in 2011. The committee felt it was time to see how far we had come, what has been achieved and what the future holds.

We quickly found that reviewing the whole of the Alliance structure and processes would be a major task, therefore as a committee we chose to produce an Interim Report which further refined the scope, defining key areas to be considered for the 2018/19 Work Programme.

The report recommends three areas for consideration and these will be considered by the Committee at the first meeting after the Annual Meeting when the review programme is formulated.

Although we have gathered initial evidence to work with there is more to come, therefore we consider this initial analysis the start of planning and agreeing the work plan for 2018/2019.

The Committee formally approved the Review Report on the 30<sup>th</sup> April 2018 and have submitted the Report to Executive. We await their response.

## Healthy, Safe, Clean and Green Communities Scrutiny Committee

During 2017/18, Members received a range of reports to Committee. This year the focus has been mainly on the development and implementation of new legislation and policies:

### Homelessness Reduction Act 2017

This new legislation came in to force as of 1<sup>st</sup> April 2018. We've received two presentations in November and March updating on progress and readiness for implementing the new requirements as of 1<sup>st</sup> April. An update is due to Committee during the next municipal year and is initially timetabled for December allowing for the collection of 9 months' worth of data to assess the effectiveness of processes and procedures.

### Taxi Licensing Policy Review

During the year Committee have considered a report in relation to the recent review of the Council's Taxi Licensing Policy for drivers, vehicles and operators. In 2013 the Council approved a policy for the licensing of hackney carriages and private hire vehicles and in accordance with the Council's standard practice the policy had now been subject to a review.

The most significant change in the policy was the introduction of a new approach to the consideration of a driver's background. There will now be much more rigorous guidance for Officers and Members on how to treat convictions which reflects the County-wide minimum standards that are currently being looked at across Derbyshire as part of the review led by the Chief Executive Officer.

The Operators' Policy requests that operators monitor the amount of hours their drivers work. Ultimately, it is a driver's responsibility to ensure that he/she does not work until they are unsafe to drive. The Principal Solicitor has advised that the Council as a whole could lobby the Government for a change in the law and our concerns were raised with the Chief Executive Officer.

Committee noted that a significant change to the Operators Policy was that in future the Council would no longer licence operators outside the District boundary. With regard to enforcement, better guidance has been set out for Members of the Licensing Committee with starting points for licence holders who commit offences during the course of their licence and have to attend Licensing Committee.

Members were also informed about the frequency of enforcement checks, the Principal Solicitor has advised that once the Licensing service returns to being fully staffed and the Transformation Programme is complete it should enable enforcement to be more proactive.

## Equality Act 2010 Licensed Driver Medical Exemption Policy

Committee's views were sought in relation to the draft Licenced Driver Medical Exemption Policy under the Equality Act 2010. The proposed new policy prevents drivers of designated taxi and private hire vehicles from refusing to carry passengers in wheelchairs, failing to provide them with appropriate assistance or charging them an extra fee.

Section 167 of the Equality Act gives local authorities the power to publish a list of wheelchair accessible vehicles (known as the Section 167 list). The list ensures that passengers who use wheelchairs are better informed about the accessibility of designated vehicles in the District and consequently they should be more confident of receiving the assistance they needed to travel safely.

The Council is in the process of determining the number of vehicles it has licensed that are considered suitable for inclusion in a Section 167 list. Licensing procedures have been amended to ensure that the accessibility of vehicles is routinely determined when applications are made for new or to renew licences.

## **Annual Review of the Community Safety Partnership (CSP)**

Section 19 of the Police and Justice Act 2006 requires every Local Authority to have a specified Committee (the "Crime and Disorder Committee") with the power to:

- review or scrutinise decisions made or other action taken in connection with the discharge by the responsible authorities of their crime and disorder functions.
- make reports or recommendations to the local authority with respect to the discharge of those functions.

(Responsible authorities are effectively the statutory partners within a community safety partnership i.e. Police, Local Authorities (County and District), Fire and Rescue Authority, Probation Trusts and Clinical Commissioning Groups. This is determined by section 5 of the Crime and Disorder Act 1998 (c. 37))

Following on from the success of last year's review and in order to ensure that an effective review of the Community Safety Partnership was carried out, the Healthy, Safe, Clean and Green Scrutiny Committee compiled a list of questions around:

- Funding levels
- The efficiency of the partnership and how we compare statistically at a national and regional level
- The effectiveness of the Performance Management Group
- Best practice approaches to safeguarding
- The introduction of General Data Protection Regulation (GDPR)
- Ongoing review and development/ learning from best practice at authorities in our neighbouring group
- Partnership working with Derbyshire Police and the Partnership Sgt.
- Current PSPOs (Public Space Protection Orders) and the potential to develop others
- The process for priority setting and assessment of strategic intelligence
- Engagement of the community via events, publications and social media
- The potential impact of Universal Credit
- Emerging issues and ways in which scrutiny can support the CSP further

Key issues currently include securing sufficient resources to complete community 'clean ups'; an increase in fraudulent callers and scams which are targeting vulnerable residents; theft from vehicles (particularly tools from commercial vehicles) and theft of vehicles particularly those with the newer keyless entry systems through the use of code readers.

The CSP is currently looking at ways to minimise the impact Universal Credit will have on offenders on being released from prison through the Integrated Offender Management (IOM) scheme.

In response to emerging trends, best practice is sought from other CSP areas or agencies that have similar experience of the target issue e.g. the CSP consulted the National Crime Agency when developing a response to CSE and consulted Boston District Council to ascertain what they had learnt in relation to best practice when addressing community safety issues in connection with the Eastern European community.

As part of the discussion around statistics, CSP officers agreed to provide the figures broken down to parish level once analysis was complete.

The Committee considered the revised Bolsover Community Safety Partnership Plan and Action Plan 2017 – 2020 at a subsequent meeting on 1<sup>st</sup> May 2018, following completion of the Strategic Intelligence Assessment.

## **Review Work – Review of Enforcement action undertaken by Bolsover District Council to improve the quality of the environment across the District.**

At the beginning of the year the Committee was particularly concerned about enforcement, especially in areas that the general public find really annoying and a danger to public health and well-being. The Committee started by looking at dog fouling, litter and fly tipping but as the review progressed the committee realised that it needed a more in depth investigation into all enforcement activities.

The Committee has gathered evidence by producing a 'Member's questionnaire' about their concerns in their own wards. We made comparisons with other local authorities and also accompanied the dog warden and enforcement officer for a full day which was an eye opening experience.

The report currently being produced from the analysis of our findings will contain a range of appropriate recommendations. It is satisfying to see a change within service delivery during the course of the review, with the team now fully staffed, but there are still further improvements that can be made. While the review has been very lengthy, lasting the whole year we feel that there will be clear benefits to the service areas we have investigated.

Committee hope to approve the final report early in the new municipal year before submitting their recommendations to Executive.

## **Growth Scrutiny Committee**

During 2017/18, Members have received a range of reports to Committee, some allowing us to monitor delivery of core projects and others to develop new policies for the Authority.

Early on in the year we were involved with the development of the new website 'Invest Bolsover'. Despite various delays to the launch, which we monitored closely, we now have a useful resource that sells the various opportunities for investment and development within the District.

### **High Street Regeneration**

One of my additional roles as Chair this year has been to represent the committee on the High Streets Working Group.

Officers and Members worked together to carry out site visits during the summer months in the four main town centres of the District with a number of aspects being looked at; mainly the potential for each area, current issues which affected the vitality and viability of each area and also the number of empty commercial properties on the high streets.

It was agreed a programme would be put together with the four anchors being the four town centre priority projects, already agreed with Members from the Regeneration Frameworks, which were currently being costed.

Committee have received a presentation on the programme proposed for the 4 town centres. This work is still in the early stages but we aim to keep a watching brief over the next phases of the scheme. This should feature on the Committee's work plan for 2018/19.

### **Growth Strategy – monitoring reports**

Part of the role of the Committee is to keep delivery of the Growth Strategy under review. We receive a report every 6 months on progress and have the opportunity to query Officers in relation to key projects and where necessary challenge any issues with delivery. Often the CEO and lead Officers for Regeneration, as well as the Leader, attend alongside the Information, Engagement and Performance as part of the update.

As advised by Officers following the Q1 and Q2 report in November last year, we are closely monitoring the use of garage sites and potential alternative uses; collection of NNDR and the management of arrears; and the numbers claiming Job Seekers Allowance (or for new claimants Universal Credit). With the latter it was noted that access to affordable housing was vital and that the objectives of the Local Plan and other policies were aiming to counteract the adverse effects of low income where possible.

We will be receiving our next update at the end of May.

## **Garage Sites**

Following updates against the Growth Strategy, Members sought additional clarity around our Garage Sites and Industrial Sites and options for development.

The Assistant Director Property and Estates (now Head of Property and Commercial Services) provided information to the Committee which detailed the various sites identified in the District for potential housing development.

Members will be keeping a close watch on this area via the reports on the Growth Strategy.

## **Policy Review Work**

As part of our role in reviewing future policies, at our March meeting we reviewed the proposed Enforced Sale Procedure – Private Empty Properties.

There are approximately 600 Long Term Empty properties across Bolsover District and the Council has set out its plan to deal with this problem in its Empty Property Strategy 2015 – 2020. The Empty Property Officer is working with empty property owners and encouraging them to work with the council and partners to bring the properties back into productive use.

Engagement with empty property owners has been through a number of routes including writing out to them and holding engagement events jointly with North East Derbyshire District Council and expanding it to include Chesterfield Borough Council at the next event in May.

There are however a number of empty property owners who have not responded or have responded but not taken the action they had promised.

Where owners refuse to bring properties back into use and the property is causing a nuisance, the Council can take enforcement action to bring the property back into use. This can only be done where there are outstanding charges due to the Council, for example where the Council has carried out necessary improvement works to the property and the owner has failed to pay.

Enforced Sale will be used as a mechanism once all other reasonable action has been taken and only when all other avenues to encourage the owner to voluntarily bring the property back into use have been exhausted.

Having an approved Enforced Sale Procedure will be a valuable tool for the Empty Property Officer and other Council Officers to use, when identifying suitable cases to take action against. The procedure will ensure that Officers adhere to the guidance and that cases are dealt with appropriately and successfully, resulting in a reduction of empty properties and protecting the Council's reputation.

Having a clear procedure will help empty property owners know the procedure we will be undertaking and may encourage them to engage with the council to take appropriate action with their property. The wider general public will understand we are taking seriously nuisance empty properties and have an agreed procedure that we will follow.

## **Review Work – Review of Income Generation**

We agreed our scope for this review back in September last year and have gathered a range of evidence as part of the process, with some evidence still being clarified.

We have approached Officers internally in relation to our core assets for income generation such as The Tangent, Pleasley Vale and The Arc. In addition, we have looked at other income via the sale of services and endeavoured to assess ways in which we can capitalise further via income from services to third parties. Current ideas being discussed relate to Streetscene services, Payroll, our overall approach to investment and risk, improved marketing of services and a greater 'brand' presence i.e. use of the 'Go' brand as part of the Go Active facility.

We have also completed a survey across East Midlands' authorities via the Scrutiny Network which has shown that authorities are taking similar approaches, dependent on the resources available.

Once all our analysis is complete, we hope to make some beneficial recommendations of a way forward to further secure additional income generation to the Authority. Committee hope to approve the final report early in the new municipal year before submitting their recommendations to Executive.

## **The impacts of our work**

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During the year, we have monitored past recommendations and are pleased to see some of the impacts our reviews are having.

### **Review of Where does Public Health fit within Planning Policy?**

As reported previously, both recommendations were accepted to be taken forward. Recommendation 1 has now been embedded and health stakeholders are formally consulted, as standard, on all major development applications. In relation to Recommendation 2, paragraphs 6.70-6.76 of the publication draft of the Local Plan (currently out to consultation pre submission to the Secretary of State) makes specific reference to Policy WC9: Hot Food Takeaways.

As such we consider the recommendations of this review to be implemented.

As we are still in the process of completing our review from 2017/18, we are unable to clarify at this stage how our recommendations are being taken forward.

# The year ahead

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## Setting the Committee Work Programmes

At the Annual Scrutiny Conference on 10<sup>th</sup> April 2018, Members discussed a wide range of topic suggestions for consideration as part of setting the work programmes for 2018/19. Using a revised prioritisation tool, Members have scored each topic as well as providing additional information for the committees to consider as part of their topic selection following AGM in May 2018.

## Member Training

Member training on analysis of evidence is planned for June 2018 as part of the Informal Committee sessions. It is hoped that this will provide a refreshed approach to how Members view the information presented to them and further enhance their questioning skills. The evaluation of this training will help in the planning of further training as part of the Member Induction Programme, following the May 2019 Elections.

## Post-Scrutiny Monitoring

Following completion of the 2017/18 reviews, the process of monitoring our recommendations via PERFORM will be refreshed with updates brought to committee at the end of each relevant monitoring period. An update on the impact of our recommendations will feature in our next Annual Report.



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your language**

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