


<b>Agenda Item No:</b>	<b>10</b>	
<b>Committee:</b>	<b>Council</b>	
<b>Date:</b>	<b>30 September 2024</b>	
<b>Report Title:</b>	<b>Overview &amp; Scrutiny Panel Annual Report 2023/24</b>	

## COVER SHEET

### **1 Purpose / Summary**

- 1.1 The Overview and Scrutiny Annual Report reflects what has been undertaken and achieved by the Overview and Scrutiny Panel during 2023/24 and takes a forward look at the programme of work and challenges for the Overview and Scrutiny in 2024/25.

### **2 Key Issues**

- 2.1 The Local Government Act 2000 sets out the requirements of a modernised democratic structure for local authorities. The Act includes the establishment of an Overview and Scrutiny Panel or Committee.
- 2.2 Article 6 of the Council's Constitution sets out the Overview and Scrutiny Panel's terms of reference. There is a stated requirement for the work and working methods of the Overview and Scrutiny Panel to be reported annually to the Council.

### **3 Recommendations**

- 3.1 That full Council acknowledges the broad scope of work undertaken by the Overview and Scrutiny Panel during 2023/24.

Wards Affected	All
Report Originator(s)	<p>Amy Brown, Assistant Director for Legal and Governance  <a href="mailto:amybrown@fenland.gov.uk">amybrown@fenland.gov.uk</a></p> <p>Elaine Cooper, Elections Team Leader  <a href="mailto:ecooper@fenland.gov.uk">ecooper@fenland.gov.uk</a></p>
Contact Officer(s)	As above
Background Papers	<p>Overview and Scrutiny Panel Agendas, Report and Minutes for 2023/24: <a href="#">Browse meetings - Overview and Scrutiny Panel - Fenland District Council</a></p>

## OVERVIEW & SCRUTINY PANEL ANNUAL REPORT 2023/24

### **1 CHAIRMAN'S FOREWORD**

It is a legal requirement for each local authority to set up a scrutiny process as a function of the Council.

Fenland District Council currently has a single Overview and Scrutiny Panel and the functions for which it is responsible are set out at Procedure Rule 5 of the Constitution.

As a matter of good governance and in the delivery of my role as Chair of the Overview and Scrutiny Committee, it is my pleasure to present the Annual Report for 2023/24.

I would first like to take this opportunity to thank members of the Panel for their time and contributions to the work programme over the term of their appointments and in particular, for the purpose of this report, during the last municipal year.

The Overview and Scrutiny Panel has an important role to play in overseeing the performance and delivery of services. This year the Panel has again had the benefit of receiving a variety of reports from internal and external colleagues across a broad range of service areas pertaining to the Council's core priorities. The cross-party Task and Finish Group established in the last municipal year also successfully concluded its review into the Council's corporate performance indicators making recommendations which were ultimately incorporated into the approved Business Plan. The Panel will continue to keep these changes under review as part of its annual oversight.

In the coming year, the Panel has and will continue to receive regular performance updates to ensure that services perform well. The future work programme will be published with the Agenda for each meeting and will focus on issues that are of paramount importance to local residents and businesses. Business will include updates on the Council's performance against corporate priorities as well as scrutiny of external organisations such as Clarion, Anglian Water and the regional representatives for the Arts Council.

I am confident that the Panel will utilise its ongoing knowledge and expertise to maintain the high standards expected of it in performing its functions and look forward to reporting on these again next year.

Maureen Davis  
Chairman, Overview and Scrutiny Committee 2023/24

## **2. THE OVERVIEW AND SCRUTINY PANEL 2023-2024**

Councillor Maureen Davis - Chairman  
Councillor Roy Gerstner - Vice Chairman  
Councillor Brenda Barber  
Councillor Gavin Booth  
Councillor James Carney  
Councillor Lucie Foice-Beard  
Councillor Alan Gowler  
Councillor Anne Hay  
Councillor Sidney Imafidon  
Councillor Dr Haq Nawaz  
Councillor Dal Roy  
Councillor Elisabeth Sennitt Clough  
Councillor Andrew Woollard  
Councillor Gary Christy (Substitute)  
Councillor John Clark (Substitute)  
Councillor David Connor (Substitute)  
Councillor Stuart Harris (Substitute)  
Councillor Paul Hicks (Substitute)  
Councillor Jason Mockett (Substitute)

## **3 INTRODUCTION**

### **What is Overview and Scrutiny?**

- 3.1 The Local Government Act 2000 requires Councils to have a committee with the power to review or scrutinise decisions or actions affecting the authority's area or residents. Scrutiny is an essential part of ensuring that local government remains effective and accountable. Scrutiny ensures that executives are held accountable for their decisions, that their decision-making process is clear and accessible to the public and that there are opportunities for the public and their representatives to influence and improve Council policies.
- 3.2 The power to scrutinise was further expanded by the Police and Justice Act 2006, which provided powers to scrutinise the work of Crime and Disorder Reduction Partnerships, known locally as the Safer Fenland Partnership.
- 3.3 The Local Government and Public Involvement in Health Act 2007 provides more powers to local government to scrutinise other partner organisations. It also brings in other provisions that affect how scrutiny committees work, including powers over the creation of joint committees.

- 3.4 The Localism Act 2011 consolidated the wide range of scrutiny legislation into a single place, largely unamended from previous legislation. This aims to increase local accountability and transparency of public services as well as enhancing the involvement of local service users.
- 3.5 DLUHC issue guidance on the function of Overview and Scrutiny with the latest update having been published on 22<sup>nd</sup> May 2024.
- 3.6 All Overview and Scrutiny meetings are held in public session and attendance and involvement of the public is actively encouraged either via questions or suggestions for our work programme.

### **Main responsibilities of Overview and Scrutiny**

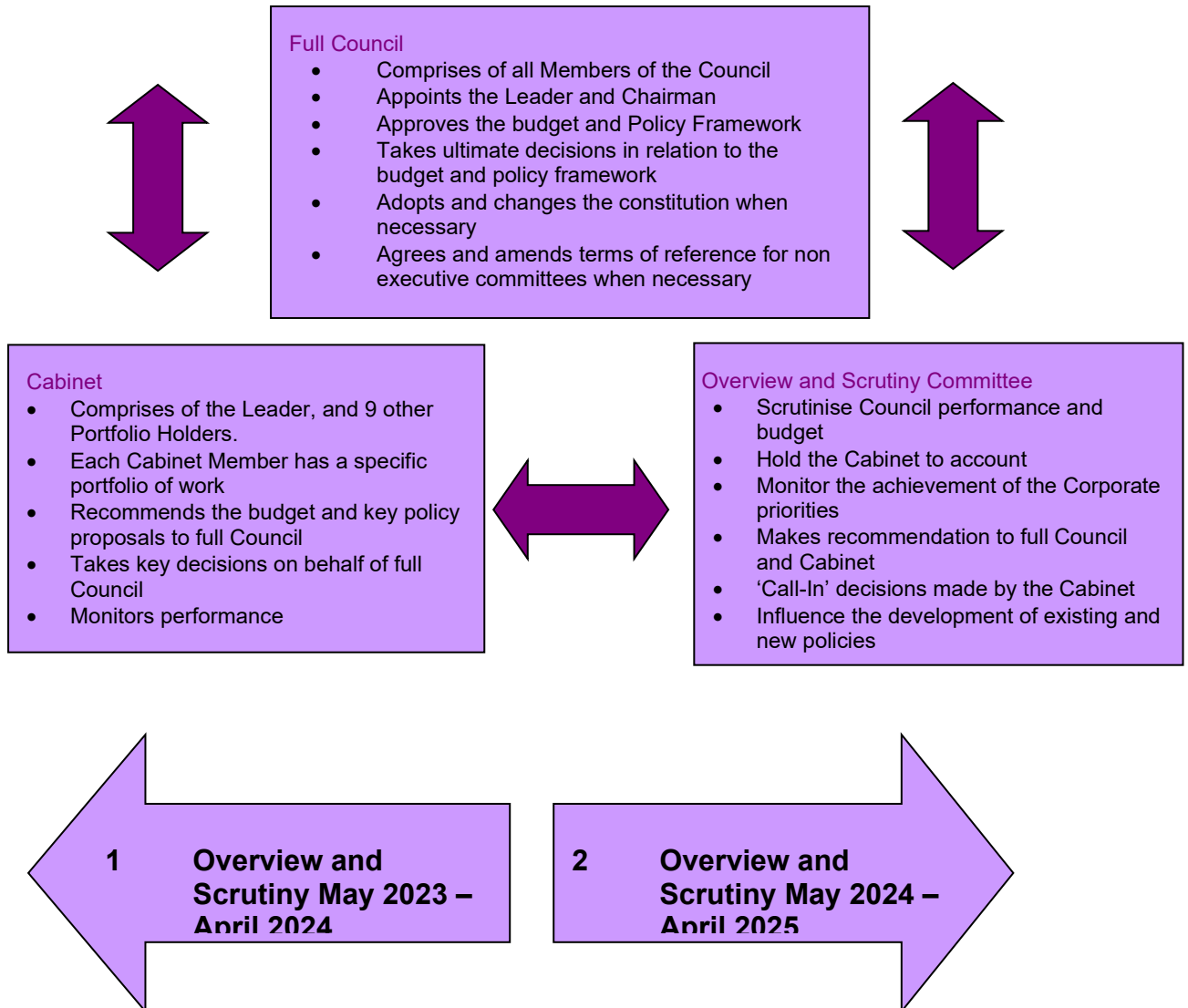
- 3.7 The role of Overview and Scrutiny has five broad functions:
- Holding the Council’s Executive and its statutory partners to account in the public interest. This enables more transparent and effective decision making.
  - Supporting the development of effective policies and initiatives which have a beneficial impact on the community through policy overview and development.
  - Contributing to continuous improvement in the delivery of the Council’s corporate priorities.
  - Having a positive impact on the work and outcomes of external agencies and providers of public services.
  - Aiding Councillors in engaging with their communities and undertaking the role of community representatives and leaders.

Overview	Scrutiny
Advising on the development of policies.	Ensuring that the Council’s policies have been effectively implemented by the Cabinet.
Recommending how the Council’s corporate priorities can be delivered.	Helping to monitor and drive improvements within the Council’s corporate priorities.
Bringing a wider perspective to problem solving.	Holding decision makers to account
Examining broader issues affecting local communities.	Ensuring all service providers within a local community are providing ‘value for money’

## Appointing Members onto Overview and Scrutiny

- 3.8 On an annual basis and with input from the group leaders, it is the responsibility of full Council to appoint an Overview and Scrutiny Panel at their annual meeting which usually takes place in May. The Overview and Scrutiny Panel consists of thirteen members drawn from the political groups in the same proportion as they are represented on the Council as a whole. There are also 6 substitutes also allocated on a politically proportionate basis.

### Relationship between Overview and Scrutiny, Cabinet and Full Council



## 4 A BACKWARD LOOK TO 2023 - 2024

### What the Overview and Scrutiny Panel achieved in 2023/2024

#### External advisors/partners

- 4.1 The panel looked at an array of different topic areas; most could be dealt with by drawing on the knowledge and expertise of Fenland District Council Councillors and Officers. However, sometimes there is a need to call in external advisors to help the panel with their knowledge and to provide a different vantage point.
- 4.2 Fenland's Overview and Scrutiny Panel continues its commitment to collaborating with partner organisations. The table below highlights the external partners the Overview and Scrutiny Panel have already engaged with, when undertaking the scrutiny function during 2023/24.

Agenda item	External Advisor/Partner	Organisation
Review of Delivery of Revenues and Benefits Service	Matthew Waite-Wright Lorraine King	Anglian Revenues Partnership
Review of Delivery of Leisure Services	Matt Wickham, Paul Doyle Simon Pesic-Smith	Freedom Leisure
Review of Community Safety Partnership Priorities	Inspector Andy Morris	Cambridgeshire Police
Q&A re: Water Supply, Treatment and Flooding in Fenland	Grant Tuffs Natasha Kenny,	Anglian Water
Review of Social Housing Provision	Sally Greetham Dan Read Yvonne Ogden Paul Norman Kirsten Wildman Danny Thorpe Carl Grimmer	Clarion
Review of Care Partnership Provision	John Rooke	North Cambridgeshire Care Partnership

- 4.3 As well as working with individual partners, the panel have also scrutinised other elements of partnership working through each of the respective corporate priority areas. The panel will continue with this successful approach during 2024/25.

## How the work of Overview and Scrutiny is linked to the Council's corporate priorities

4.4 Fenland District Council's Business Plan is the vision for the future of Fenland, clearly setting out a series of priorities that will be the focus of the organisation for the next twelve-month period. To ensure these priorities are correct, deliver on targets and achieve outcomes, the Overview and Scrutiny work programme reflects the Council's priorities to ensure robust scrutiny in meaningful priority areas is achieved.

4.5 The table below illustrates how agenda items link in with Fenland's priorities:

C – Communities  
 Env – Environment  
 E – Economy  
 QO – Quality Organisation

Topic/Issue	C	Env	E	QO
Review of Delivery of Revenues & Benefits				
Review of Delivery of Leisure Services				
Review of Priorities of Community Safety Partnership				
CIS & Investment Board Update				
Draft O&S Annual Report 2023/24				
LGO Annual Review of Complaints				
Progress against Corporate Priority: Environment				
Annual Meeting with Leader, Deputy Leader and CEO				
Local Government Ombudsman – Annual Review of Complaints				
Q&A re: Water Supply, Treatment and Flooding in Fenland				
Draft Business Plan 2024-2025				
Budget Report				
Fees and Charges 2024/25				
Review of Social Housing Provision				
Review of Care Partnership Provision				
Progress against Corporate Priority - Communities				

## **5 Specific reviews undertaken in 2023- 2024**

- 5.1 A cross-party Task and Finish Group was formed in 2022/23 to review the Council's Corporate Performance Indicators to ensure that they continued to enhance the Council's corporate priorities in a measurable and achievable way.
- 5.2 The work of the Task and Finish Group continued into 2023-2024 with Councillors Woolard, Foice-Beard and Gerstner being appointed to replace those councillors who were no longer members of the Overview and Scrutiny Panel. Councillors Booth and Hay remained with the Group and were able to assist in ensuring continuity across the lifespan of the project.
- 5.3 The Task and Finish Group reported its suggestions to the Overview and Scrutiny Panel at its meeting on 28<sup>th</sup> November 2023 and these were considered by Cabinet and incorporated into the Business Plan for 2024/25. The work of the Group has therefore now concluded however, the Panel will continue to monitor the success of the changes and any future recommendations that may be required as part of its annual review of the Business Plan

## **6 Overview and Scrutiny Call – In**

- 6.1 The Overview and Scrutiny Panel have the opportunity to scrutinise Executive decisions that have been made, but not implemented through the 'call-in' mechanism.
- 6.2 In accordance with the Council's constitution, decisions of the Executive or a Portfolio Holder decision are published within 3 working days. There is then a further 5 working day period prior to the implementation of the decision in which Members are able to call in the decision. If the necessary number of Members, either the Chairman or Vice Chairman of any panel, or any 3 members of the Overview and Scrutiny Panel or any 10 Members of the Council, ask for a decision to be called in for scrutiny, the Overview and Scrutiny Panel has to meet within 15 working days to consider the issue. Whilst this process takes its course, the decision taking process is suspended. If no call-in occurs, the decision is adopted.
- 6.3 If, having considered the decision, the Panel remains concerned about it, then it may refer it back to the decision-making person or body for reconsideration, setting out in writing the nature of its concerns or, in exceptional circumstances, refer the matter to full Council. If referred back, the decision maker shall then reconsider the matter within a further 10 working days and amend the decision or not, before adopting a final decision. If however the Panel decides not to refer the matter back, no further action is taken and the decision can take effect.



- 6.4 The call-in procedure does not apply where the decision being made by the Executive is deemed to be urgent i.e. where any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests. This should be clearly stated in the record of the decision. The Chairman of the Overview and Scrutiny Panel or in his/her absence the Chairman of the Council must agree that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency. Decisions taken as a matter of urgency must be reported to the next available meeting of the Overview and Scrutiny Panel together with the reasons for the urgency.
- 6.5 Because of the nature of the call-in procedure, it is generally recognised as a mechanism of last resort. Indeed Government guidance states that it would clearly be detrimental to efficient decision making if every individual decision of the Executive were called in for overview and scrutiny as a matter of course.

The call-in procedure is therefore utilised when other means of influencing decision making have failed. Fenland District Council did not utilise the call-in procedure at all during 2023/24. There were 5 occasions during 2023/24 when the Chairman exercised her power to waive the need for call-in on grounds of urgency; Acceptance of the Planning Skills Delivery Fund, Acceptance of Defra Food Waste Capital Funding, Procurement of Polling Station Software, Healthy Homes Project and property purchase.

## **7 A FORWARD LOOK TO 2024/2025**

### **Fenland's Priorities**

- 7.1 In Fenland's Business Plan 2024/25 the Council's corporate priorities remain:
- Communities
  - Economy
  - Environment
  - Quality Organisation
- 7.2 It is important that the work of Overview and Scrutiny complements these priorities to ensure services are being delivered to highest quality and any scrutiny work adds value. In addition the current Business Plan outlines the fact that Cabinet members have selected a number of projects to contribute towards the 'Council for the Future' agenda. These projects have a variety of aims; from tackling areas of particular need within the district, to transforming services and the wider organisation sustainably to be fit for the future. The Overview and Scrutiny work programme will also be informed by the Council for the Future agenda.

## **What the Overview and Scrutiny Panel will achieve in 2024/25**

### **Strategic Priorities**

- 7.3 The Overview and Scrutiny Panel will continue to articulate recommendations associated with the work plan and monitor how effectively the recommendations have been received and endorsed by the associated decision-making bodies.

### **Work Programme**

- 7.4 The Overview and Scrutiny work programme is a detailed programme that indicates the topics that the Overview and Scrutiny Panel will scrutinise. The work programme is developed on a rolling basis and has been updated and revised for the forthcoming municipal year. Topics already identified for inclusion include a review of the Council's Corporate Priorities including Communities, Economy and Planning and Environment as well as Q&A sessions with partner organisations such as the Road Safety Partnership, Clarion Housing, Anglian Water and the Arts Council. This will also sit alongside regular items such as scrutiny of the Budget and Business Plan and the Council's management of complaints.

## **8 CONTACTS**

- 8.1 Work of the Overview and Scrutiny Panel is enhanced by the involvement of Fenland residents, service users, our partners and local businesses as they bring an alternative perspective whilst also providing external challenge. If, therefore, you would like further details about any of the work mentioned in this report, or on how residents and partner organisations can contribute to the work of Overview and Scrutiny within Fenland we would very much welcome your input, please contact:

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