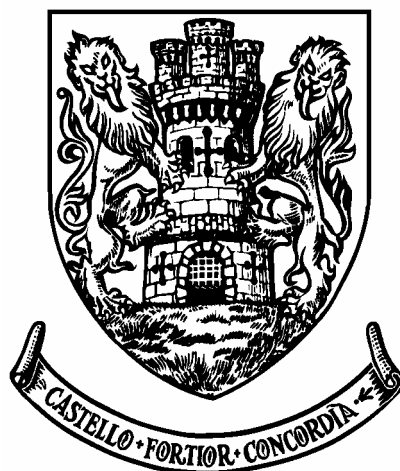


# NORTHAMPTON BOROUGH COUNCIL



## COUNCIL

Monday, 2 March 2009

**YOU ARE SUMMONED TO ATTEND A MEETING OF NORTHAMPTON BOROUGH COUNCIL, WHICH WILL BE HELD AT THE GUILDHALL NORTHAMPTON ON MONDAY, 2 MARCH 2009 AT SIX THIRTY O'CLOCK IN THE EVENING WHEN THE FOLLOWING BUSINESS IS PROPOSED TO BE TRANSACTED:-**

- 1. DECLARATIONS OF INTEREST**
- 2. APOLOGIES.**
- 3. MAYOR'S ANNOUNCEMENTS.**
- 4. PUBLIC COMMENTS AND PETITIONS**
- 5. MEMBER AND PUBLIC QUESTION TIME**
- 6. CABINET MEMBER PRESENTATIONS**
- 7. OPPOSITION GROUP BUSINESS**

Business submitted by Independent Member, Councillor Clarke :-  
"Who really runs the Council – The diminishing role of Elected members"

- 8. EVALUATION OF OVERVIEW AND SCRUTINY**  
Report of Overview and Scrutiny Management Committee.
- 9. BOROUGHWIDE DESIGNATED PUBLIC PLACES ORDER - CONSUMPTION OF ALCOHOL**  
Report of Interim Director of Environment and Culture

**10. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE MAYOR IS OF THE OPINION SHOULD BE CONSIDERED.**

The Guildhall  
Northampton  
20<sup>th</sup> February 2009

D. Kennedy Chief Executive

# Agenda Item 6

<b>Agenda Item:</b>
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**Council  
Monday 2<sup>nd</sup> March 2009**

## **Portfolio Holder Presentations**

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1. Report of the Leader of the Council, Portfolio Holder for Partnerships and Improvement (Page 1)
2. Report of the Portfolio Holder for Community Engagement & Safety (Page 3)
3. Report of the Portfolio Holder for Housing (Page 5)
4. Report of the Portfolio Holder for Environment (Page 7)
5. Report of the Portfolio Holder for Regeneration (Page 9)
6. Report of the Portfolio Holder for Performance (Page 11)
7. Report of the Portfolio Holder for Finance (Page 13)



## **Portfolio Holder Report for Partnerships & Improvement**

**Northampton Borough Council**

**Monday 2nd March, 2009**

### **Ministerial Meeting**

I met with DCLG (Department for Communities and Local Government) Minister John Healey MP on 27<sup>th</sup> January, accompanied by Sally Keeble MP and the Chief Executive. This meeting was arranged jointly by Ms. Keeble and Brian Binley MP outside the consultation procedure for local government finance. This cross-party support from both of Northampton's current MP's was a welcome show of unity in the midst of recession.

Given that this year's local government settlement had been announced in advance of the meeting, I did not seek to challenge the below-inflation increase in government funds. Instead, we discussed practical ways in which the government could help with supporting the council's improvement journey.

In particular, we agreed on the need to accelerate council's improvement and transformation. Indeed, I pointed out the relatively low level of general reserves next to the investment the council needs to make in the coming year as part of the Strategic Business Reviews for Asset Management, ICT and Leisure & Culture. The Minister made no firm commitments, but asked that the council work with DCLG to explore possible means of support moving forward.

I also highlighted the need, not least given the recession, of pushing forward Northampton's many – and much-needed – regeneration projects.

More specifically, we discussed the importance of removing the Plough Hotel gyratory to connect the south of the town to the town centre; the demolition of the bus station enable development and to open up the north of the town; and the importance of improving the railway station and neighbouring riverside.

Beyond the town centre, we spoke of the need to invest in Northampton's social homes and bring them up to the government's Decent Homes Standard by several means.

Mr. Healey acknowledged the council's strides forward though reminded us that the council had had significant help from government in the past. The council will therefore shortly submit a paper to DCLG to accelerate the transformation programme.

## **MKSM (Milton Keynes South Midlands) Leadership Group**

The council hosted a meeting of the MKSM Leadership Group on 10<sup>th</sup> February. This group, which includes Leaders and Chief Executives of several neighbouring councils, coordinates activities within the growth area. After the formal meeting, participants discussed the benefits of promoting one or more Multi Area Agreements (MAA's) within the MKSM area.

## **Supporting the Standards Committee**

Group Leaders and I met with independent Chair of the council's Standards Committee, Ian Harley, on 17<sup>th</sup> February to discuss the benefits that it could bring to this council.

Each of the three group leaders confirmed their support for the work of the Standards Committee and the need for high standards in public life.

## **Tony Woods**

Leader of the Council

Portfolio Holder for Partnerships & Improvement



## **Portfolio Holder Report for Community Engagement & Safety**

**Northampton Borough Council**

**Monday 2<sup>nd</sup> March, 2009**

### **Public Protection**

Following anticipated changes in the Environment and Culture Directorate, the council's Public Protection team will be made up of two sections – Regulatory Services and Community Safety. The latter falls within the purview of this portfolio and would bring together the Northampton Anti social Behaviour Unit, with the council's Community Safety functions and its operation of close-circuit television (CCTV) into a single team. By working closer with police and other agencies, the council will be better placed than before to make Northampton a safe place in which to live, work and relax.

### **Community Safety**

Consultation for the introduction of Designated Public Places Orders (DPPOs) to restrict the consumption of alcohol in public places was well received by residents, with over 90% supporting the council's plans to introduce a Borough-wide scheme.

Locations for appropriate signage have already been identified and are being approved by the County Council, Highways Agency and Town Centre Manager.

The council is following Best Practice guidance from the Home Office and will publish a leaflet for residents, setting out what changes to the law will mean for them. The council is also working up appropriate enforcement documentation and performance monitoring processes for Police and Neighbourhood Environmental Wardens.

### **CCTV**

A contract for the installation of the 21 CCTV cameras on the Brackmills Industrial Estate has been awarded to a local business, Nova Integrated Security Systems. All cameras will be equipped with automatic number-plate recognition (ANPR) and will feed directly into the control room at St John's. Installation will be completed in the coming weeks and will support the council's other good work to make Brackmills an even better place to do business.

### **Leisure Services**

Mounts Baths received an improved score during its most recent QUEST Audit, taking it into the 'commended' category.

Leisure Services also improved upon its Chartermark (Customer Service Excellence) score by improving its 'partial' scores from 7 to 4.

Direct Debit payments are on the rise at the council's Trilogy Fitness centres. Sales are up 52% in January on last year's figures. Council income from its leisure facilities was also up £180,000 on last year, more than half of which was received using the council's website.

New swimming pool facilities will be installed on 23<sup>rd</sup> March at Danes Camp. This will make swimming at Danes Camp a more family-friendly experience. Refurbishment work to the wetside changing areas at Lings Forum is also under way.

Up to £60,000 will be invested in the council's swimming provision as part of the Department for Culture, Media and Sport's (DCMS) 'Free Swimming Initiative'. The council has opted to extend free swimming to the under-16s as well as over-60s – something other councils in the county have not managed to do.

### **Northampton Sports and Play Development Team**

The council received a Bronze award against Chartermark criteria for 'Children and Young People's Partnership Engagement' and 'Active Engagement'. As ever, the council is looking to improve on its performance at the next available opportunity.

The council has secured £25,000 funding from Money4youth to pay for an exciting skating project at Lings Forum.

Recent results from Sport England's Active People Survey shows that Northampton now has a more active population than the county average.

### **Events, Museums and the Arts**

Preparatory work is under way for the 'Great Northamptonshire Run', which will take place in October. The event is being led by Northamptonshire Sport and Northamptonshire Enterprise Limited (NEL), in partnership with the council and will attract welcome attention to the town and county as great sporting destinations.

### **Brendan Glynane**

Portfolio Holder for Community Engagement & Safety



## Portfolio Holder Report for Housing

Northampton Borough Council

Monday 2<sup>nd</sup> March, 2009

### 1. Mortgage Rescue Scheme

The council is one of the flagship authorities taking part in the government's pilot for Mortgage Rescue Schemes.

The Mortgage Rescue Scheme will provide a safety net for up to 9,000 homeowners across the country who may otherwise be at risk of losing their homes. In a year when up to 80,000 homes will be repossessed, the Mortgage Rescue Scheme is a vital tool at the council's disposal to ensure that as many residents as possible stay in their homes.

Depending on residents' circumstances, homeowners in Northampton may be offered either a shared equity option to reduce their monthly outgoings or a mortgage-to-rent alternative to keep them in their homes as Registered Social Landlord (RSL) tenants on reduced rents.

The council is working with the Citizens' Advice Bureau (CAB), Community Law service and Bedfordshire Pilgrims Housing Association locally to ensure residents in Northampton get the very best advice on offer.

The council has already received over 40 enquiries for mortgage rescue, and was recently visited by staff from the Prime Minister's Delivery Unit to see the good work being done by one of the government's leading authorities.

#### Sheltered Housing

The council looks after over 2,000 homes designated as Sheltered Housing and employs over 40 dedicated Sheltered Housing Coordinators. Last year, the council found that 86% of Sheltered Housing residents were 'satisfied' or 'highly satisfied' with the service they received.

The council recognises that there is still work to be done to make the council better placed to respond to the needs of an ageing population. Accordingly, there will be a further review of the Sheltered Housing service, in consultation with residents, such that sheltered housing is put on a sustainable, financially sound footing for the future.

### 2. Housing PFI

The council expects to hear back from the Homes and Communities Agency (HCA) about its Expression of Interest for Private Finance Initiative (PFI) funds in the Summer.



Reports on the council's Housing Asset Management Strategy and Investment Options Appraisal will be seen by Cabinet once the outcome of this is known. In the meantime, the council is actively exploring other options to bring some of the town's most neglected homes up to standard so that every one of the town's social tenants has a decent place to live.

### **3. Social Tenants' Rent**

Following the council's decision to close its Weston Favell and Kingsthorpe Housing Offices, tenants are able to pay their rent at a number of Post Offices and shops throughout the town. In practical terms, this means social tenants across Northampton will be able to pay their rent at more locations than ever before, whilst being able to seek one-to-one advice at the council's excellent One Stop Shop in the Guildhall.

#### Single Persons Accommodation

With Robinson House about to become vacant, the council has commissioned a review of single persons' accommodation, which will be seen by Cabinet this Summer.

### **4. Tenant Participation**

At the time of writing, Cabinet's decision to create area-based partnership boards, as recommended by leading consultant PEP, was subject to a call-in by opposition councillors.

#### **Sally Beardsworth**

Portfolio Holder for Housing



## **Portfolio Holder Report for the Environment**

**Northampton Borough Council**

**Monday 2<sup>nd</sup> March 2009**

### **Public Protection**

Consultation on the Division's new structure is ongoing. The Division is expected to have two sections – Regulatory Services and Community Safety – which should be in place before the Summer.

Regulatory Services would fall within the purview of the Environment Directorate, bringing together all of Environmental Health's functions together with Licensing, Neighbourhood Environmental Wardens and a new resource for Environmental Crime.

It is expected that Regulatory Services will be split under four teams, with the Central Area covering St Crispins, Castle and Abington wards and the District Area, the remaining wards.

Each team will have a mixture of Environmental Health, Food Safety, Health and Safety and Environmental Protection Officers, as well as Neighbourhood Environmental Wardens and the new Environmental Crime Officers. Practically, these changes will mean the council working more effectively than before to keep Northampton clean and tidy.

### **Environmental Health**

The council's Environmental Wardens are now better placed to compliment the work of Police Constable Support Officers (PCSOs), ensuring there is no duplication between the work of council officers and PCSOs. Environmental Crime Officers will work to target fly tipping by issuing tough on-the-spot Fixed Penalty Notices and maintaining the council's excellent record for removing fly tips within 48 hours.

### **Glass Recycling**

A report on glass recycling will be seen by Cabinet on 18<sup>th</sup> March. If approved, residents would soon be able to have glass collected free by the council from outside their own homes.

### **Cold Weather**

The council's Streetscene team gritted Abington Street and major bus stops in Northampton on consecutive days during the recent cold snap.

The collection of brown wheelie bins was postponed to give crews a chance to catch up with collections affected by the weather – all crews did an excellent job under difficult circumstances.

All brown and grey wheelie bins have now been collected thanks to the good will and hard work of officers and residents.

During the recent cold weather, there were six accidents involving officers, one of which was a serious incident. Thankfully, the officer involved is fully recovered and back at work.

**Trini Crake**

Portfolio Holder for the Environment



## **Portfolio Holder Report for Planning & Regeneration**

**Northampton Borough Council**

**Monday 2<sup>nd</sup> March 2009**

### **Market Square**

The council is consulting on plans for the Market Square's events and exhibition space following a successful public display on the Market Square from 18-21<sup>st</sup> February.

The council has worked hard to ensure that there will be weekend events on the Market Square (beginning 11<sup>th</sup> April), providing accessible entertainment for all of the town's communities throughout the calendar year.

The council welcomes feedback from residents and visitors and hopes to use constructive comments made as the basis for planning future events.

### **Marina**

Cabinet agreed to submit a bid to West Northants Development Corporation (WNDC) to fund the installation of a Marina at Beckett's Park. Completion of the marina would be a key step in the park's Masterplan and would give a new lease of life to the river after decades of neglect.

### **Brackmills Business Improvement District (BID)**

Proposals for the Brackmills BID have been launched and have already received enthusiastic support from a number of local businesses. A ballot of all businesses will be conducted in March to seek wider support for a Supplementary Business Rate (SBR) to implement this plan. If accepted, a small SBR would allow the council and business community to make Brackmills a more attractive place for businesses to trade and help attract new employment to Northampton.

### **Chrysallis Centre**

Owing to deep cuts in government funding for Regional Development Agencies, the East Midlands Development Agency is no longer able to support the council's bid to create a business start-up centre on the Guildhall Road this year.

The council remains committed to the project and plans to re-submit proposals for the work as soon as funding is made available.

## **Concessionary bus fares**

Government underfunding of concessionary bus passes is more acute than ever as take-up of bus passes increases. With 3.2 million trips expected next year, the council's estimated shortfall of £1.6 million will cost residents in Northampton 50p for every trip made.

Cabinet hopes to have the full support of members in tackling the adverse impact of the current funding formula on transport hubs like Northampton. Cabinet considers it unfair that residents of the Borough continue to subsidise bus journeys for visitors who live outside the town and hopes to maintain cross-party support and good will to lobby government to redress this iniquity.

### **Richard Church**

Portfolio Holder for Planning & Regeneration



## **Portfolio Holder Report for Performance**

### **Northampton Borough Council**

**Monday 2<sup>nd</sup> March 2009**

#### **Changes to customer payment**

The council is working to make sure that tenants and residents are aware of the new ways to pay for its services. Information will soon be available online and in the council's One Stop Shop. Officers will be on hand in the council's existing cash offices in the run-up to the change to explain the alternatives to customers in person.

Following the switch, barcodes will be printed on top of every council bill to enable customers to pay in cash at Pay Zone locations around the town. Practically, this means more places to pay for customers – and for many local shops and Post Offices, some welcome extra income in these tough economic times.

#### **ICT**

Work is on track for the council's link to Government Connect (GN), the government's secure network for local authorities in England and Wales. Once the new system is in place, GN will provide a more secure means of transferring confidential data between councils and the government, and guard against future losses of confidential data at national level.

The council's server replacement programme for 2008/9 is now complete, with server virtualisation (replacing physical servers with online versions) also making good progress. 'Virtualising' the council's servers will enable multiple software applications to run on single servers. This saves the council money whilst reducing its carbon footprint – a win-win for Northampton's hardworking residents.

#### **Human Resources**

In recent weeks, the council has been focussed on making the transition to more efficient ways of working, as set out in its Revenue Budget for 2009/10. These changes will mean a leaner, more financially viable council for many years to come.

#### **Performance Management**

Performance data shows that the council is providing better services at a lower cost than last year. At this time of recession, the council is making sure it responds quickly and compassionately to our communities' most vulnerable residents, supported by its improved times for processing Housing Benefits

and re-letting vacant homes.

The council underwent a further Audit Commission assessment in January. The council hopes to be able to demonstrate further improvements to services, once these findings are published.

### **Cold Weather**

On behalf of all Borough Councillors, I would like to record my thanks to officers for their hard work during the recent cold weather. Cabinet members have been informed of the many exceptional efforts by the council's staff to keep essential services running.

This council can be proud of its response to the conditions and on the strengthening sense partnership and teamwork of Team Northampton.

### **Brian Hoare**

Portfolio Holder for Performance



## **Portfolio Holder Report for Finance**

**Northampton Borough Council**

**Monday 2<sup>nd</sup> March, 2009**

### **Finance**

The council's principal focus in recent months has been on setting a balanced revenue budget for the financial year 2009/10.

### **Asset Management**

The council is working closely with consultants appointed by the Delapre Abbey Preservation Trust to work up a Parklands Appraisal. The preparation of this report, expected in May, will help frame a comprehensive bid for external funding that would allow progress to be made in restoring the Abbey and its surrounding area.

The council is also working closely with the Northampton Arts Collective (NAC) and partner authorities to ensure a viable business plan is drawn up for the collective's future activities. The council continues to offer NAC a site at no cost and is in discussions about what more can be done to assist with other reasonable costs.

Works are now being undertaken to renew a section of the roof at the Royal Theatre. The council approved funding to support two phases of roof works earlier this financial year. The first phase of work, to renew the roof over the Dergate stage, was completed in 2008. As usual, the council is working with the Theatre Trust to minimise disruption to its programme.

### **Procurement**

The Northamptonshire Area Procurement Service (NAPS) has been established. The first NAPS board meeting was held on 22 December 2008, which approved the NAPS 2009/10 Business Plan. The business plan focuses on delivery of seven efficiency improvement projects, previously approved by the East Midlands Improvement and Efficiency Partnership and the Public Services Board. Additionally, it includes four major procurement projects for the NAPS partners and two contract management improvement projects.

### **Council Tax**

Collection rates for January are slowing. As a consequence, the council has issued an increased number of reminders for non-payment. The council has also received an increased number of direct debit cancellations. Given the time of year, many families will still be juggling competing pressures following



the big Christmas spend. The council therefore hopes to make arrangements with these families to clear their accounts at the earliest possible date.

The council is also writing to customers likely to be affected by changes to discounts in long-term empty properties to ensure that landlords are not caught out.

### **Business Rates**

Collection rates are also slowing and this is expected to be reflected in January's out-turn figures. Whilst the council has the best collection rate in the county, the year-on-year comparison is not as strong, reflecting problems in the wider economy.

### **Malcolm Mildren**

Portfolio Holder for Finance



# EVALUATION OF OVERVIEW AND SCRUTINY

**Council - 2 March 2009**

<b>Report Title</b>	<b>EVALUATION OF OVERVIEW AND SCRUTINY</b>
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**Agenda Status: PUBLIC**

## **1 Purpose**

- 1.1 To receive the report - "Evaluation of Overview and Scrutiny".
- 1.2 To note that the findings from the self-evaluation framework are intended to be used as the basis for developing an Overview and Scrutiny Improvement Plan.

## **2 Recommendations**

- 2.1 That Council notes the report – "Evaluation of Overview and Scrutiny".

## **3 Background and Issues**

- 3.1 The Centre for Public Scrutiny (CfPS) is a national organisation, which was established to promote the value of overview and scrutiny in modern and effective government. CfPS aims to do this through a number of measures, including the production of guidance, advice on best practice and promoting information sharing. The research has shown that, in the relatively short time since Overview and Scrutiny was introduced, there has been a slow but gradual improvement of its outcomes.
- 3.2 Acknowledging that each Local Authority undertakes Overview and Scrutiny in a different way and the absence of objective measures by which its success or otherwise could be assess, the CfPS has developed a self-evaluation framework.
- 3.3 The self-evaluation framework is a mechanism for all Local Authorities to examine the effectiveness of their Overview and Scrutiny arrangements and to identify areas for improvement. The framework is based on the CfPS four principles of good scrutiny: -
  - Providing a critical friend
  - Reflecting the public voice
  - Leading and owning the process
  - Making an impact

- 3.4 The framework is a series of questions, based on the above principles, which require the assessor to show evidence of achievement, identify areas for improvement and also emphasise potential barriers to improvement.
- 3.5 A significant amount of evidence was gathered from a variety of sources, details of which are contained in the report as attached at Appendix A: -
- The Overview and Scrutiny Management Committee and the Overview and Scrutiny Officer completed the self-evaluation framework form
  - All other Councillors were sent a short questionnaire, comprising six main questions regarding the Overview and Scrutiny process at Northampton Borough Council
  - The Head of Scrutiny at Tameside Metropolitan Borough Council and the Scrutiny Officers from Rugby Borough Council undertook separate peer reviews
  - The Overview and Scrutiny Officer carried out a comparison of Northampton Borough Council's Scrutiny function with that of other districts, noted as best practice by the CfPS
- 3.6 Once completed, the framework provided a clear picture of how Overview and Scrutiny operates in Northampton. The findings will then be used to identify priorities for improvement planning.
- 3.7 After all the evidence was gathered, a number of key findings were identified which are highlighted on page 4 of the report as attached at Appendix A.
- 3.8 A summary of the findings is detailed below:-

### **Achievements**

- There have been some good issue-based Reviews.
- Overview and Scrutiny sets its own work programme.
- Members are committed to the Overview and Scrutiny process.
- All Overview and Scrutiny members have a fairly good awareness of their role in Scrutiny.
- There is effective challenge to performance monitoring.
- There is good use of external witnesses and experts.
- A formal monitoring system is in place to monitor progress of the implementation of Overview and Scrutiny recommendations.
- Past issues for Review have been suggested by the public, for example Allotments (water charges).
- Task and Finish Groups are non-partisan and focus on the issue being reviewed.
- Scrutiny is generally of a consensus nature and it is rare for a vote to be used.
- Cabinet reacts well to scrutiny and is required to formally respond to scrutiny recommendations within two Cabinet cycles.
- There is effective scrutiny. For example the work around the closure of post offices and the Review of the contaminated water incident.
- The relationship between Scrutiny and the Executive was considered by the Peer Reviewer to be very good and the Executive is keen to see a challenging and effective Scrutiny Function.
- A number of effective publications have been produced, for example the Overview and Scrutiny Toolkit and a regular newsletter.
- There is an effective Call-in process.

- There is positive support from senior management for Scrutiny, particularly as a senior officer is assigned to each Task and Finish Group for the life of the Review.
- Good quality information is issued to Overview and Scrutiny members.

## **Challenges**

- Limited pre-decision scrutiny.
- The Forward Plan is not used to inform the work of Scrutiny.
- Lack of understanding of how Overview and Scrutiny can help the improvement of the Council.
- The general public often do not understand Overview and Scrutiny.
- The public must be interested in a Scrutiny Review if they are to participate.
- The public is not consulted about the Overview and Scrutiny Work Programme.
- There is limited press coverage of Overview and Scrutiny Reviews.
- The term 'scrutiny' is often seen as negative and overly intrusive.
- The value of Overview and Scrutiny is not always recognised.
- Overview and Scrutiny Officer resources are limited
- The meeting cycles do not allow Overview and Scrutiny enough time to examine forward plan issues.
- The current number of Overview and Scrutiny Committees and the function of the Management Committee needs to be reviewed to improve delivery of outcomes.
- The Overview and Scrutiny website requires updating.
- Better attendance at development sessions.
- The Overview and Scrutiny work programme has a tendency to be reactive, rather than focusing on delivery of the corporate plan and service improvement.

## **Suggested Changes**

- The Portfolio Holder(s) and Leader should be invited to inform the relevant Overview and Scrutiny Committee of his/her priorities at the work programme setting stage.
- Work Programmes should contain clear links to Council priorities and National Indicator Set performance information and encourage an input from the Executive into the development of the Work programme.
- Overview and Scrutiny must be clearly identified with the improvement programme for Northampton and this would be aided by the adoption of a clear mission statement for the Overview and Scrutiny function.
- There needs to be linkage of Overview and Scrutiny work to the Council's Improvement Plan.
- Consideration should be given to renaming the Overview and Scrutiny Committees as Panels.
- Consideration should be given to changing the role of the Management Committee into a more Overview committee type role
- There should be more engagement with the press, including proactive statements from the Chairs.
- There is a need to demonstrate clearer outcomes following Reviews.
- The profile of Overview and Scrutiny in Northampton and therefore the Borough of Northampton itself can be raised by highlighting through, for example, the Centre for Public Scrutiny web site and other sources, the good practice currently being undertaken.
- The evaluation of Overview and Scrutiny could be carried out every two years.

- Consideration could be given to holding some Overview and Scrutiny meetings in community buildings.
- The percentage of recommendations accepted by Cabinet should be calculated.

3.9 It is suggested that the Overview and Scrutiny Improvement Plan could then be used to: -

- Demonstrate Scrutiny's value to auditors and inspectors
- Encourage involvement in the process of those being scrutinised
- Communicate the potential of Scrutiny to local communities
- Build confidence of those undertaking Scrutiny activities

## **4 Options**

4.1 This report is for information and therefore there are no options for decision.

## **5 Implications (including financial implications)**

### **5.1 Policy**

5.1.1 The work of Overview and Scrutiny plays a major part in the development of the Council's policy framework through its work programme.

### **5.2 Priorities**

5.2.1 Effective Overview and Scrutiny arrangements leading to improvement in service design and delivery contribute to achieving the ambition of being a well managed Council where the customer is at the heart of what we do.

### **5.3 Resources and Risk**

5.3.1 The improvement plan will take account of the availability of resources to ensure a realistic programme of action.

### **5.4 Legal**

5.4.1 The duties to undertake Overview and Scrutiny are set out in the Local Government Act 2000.

### **5.5 Equality**

5.5.1 Equality issues will need to be considered when the Overview and Scrutiny Improvement Plan is produced. This will need to include an Equality Impact Assessment.

## **6 Consultees (Internal and External)**

6.1.1 Members of the Overview and Scrutiny Management Committee, along with the Overview and Scrutiny Officer, completed CfPS's self-evaluation form.

- 6.1.2 All Councillors were issued with a short questionnaire comprising six main questions regarding the Overview and Scrutiny process at Northampton Borough Council (NBC).
- 6.1.3 As part of the self-evaluation process, Scrutiny Teams of two Local Authorities carried out peer reviews of the Overview and Scrutiny function at NBC.

## **7 Background Papers**

7.1 The key paper is:

- CfPS self-evaluation form

**Report Author and Title:** Tracy Tiff, Overview and Scrutiny Officer, on behalf of Councillor Andrew Simpson, Chair, Overview and Scrutiny Management Committee

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# Overview & Scrutiny

Management Committee

**SCRUTINY**  
NEWSLETTER

ISSUE 6 SUMMER 2008

## word from

Chair of the management overview and  
scrutiny committee

## introduction

Welcome to the September 2008 edition of the Overview and Scrutiny Newsletter. This is our sixth edition and we want to update you on current issues surrounding the Council's Overview and Scrutiny function. Northampton Borough Council has three Overview and Scrutiny Committees, which perform an Overview and Scrutiny function in regards to partnership, regeneration, community safety and community development, housing & environment, improvement and performance. The overarching Overview and Scrutiny Committee consists of the Chair of the Overview and Scrutiny Committee and the Chair of the Council.

# Evaluation of OVERVIEW AND SCRUTINY



**NORTHAMPTON**  
BOROUGH COUNCIL

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## APPENDICES

Appendix A	- Peer Review Report (Tameside Metropolitan Borough Council)
Appendix B	- Peer Review Report (Rugby Borough Council)
Appendix C	- Comparison – Northampton Borough Council v Centre for Public Scrutiny (CfPS) Good Practice Scrutiny Districts
Appendix D	- CfPS self-evaluation findings
Appendix E	- Findings of Member Survey



## Foreword

The Overview and Scrutiny Management Committee decided that there was a need for an evaluation of Overview and Scrutiny at Northampton to be undertaken in order that the strengths, achievements and challenges could be recognised and used as a basis for an Improvement Plan.

The Centre for Public Scrutiny (CfPS)'s self-evaluation framework for Overview and Scrutiny was used to gather the majority of the relevant information. The framework provides a mechanism for Local Authorities to demonstrate the effectiveness of Overview and Scrutiny and to identify areas for improvement. The self-evaluation framework comprises a series of questions that are based on the four principles of good scrutiny as recognised by the CfPS.

The framework was completed by the Overview and Scrutiny Management Committee and the Overview and Scrutiny Officer. Strengths and achievements were highlighted, as were some priorities for improvement planning.

As part of the evaluation process, the Scrutiny Teams of two Local Authorities undertook separate Peer Reviews of the Overview and Scrutiny function at Northampton Borough Council. Both recognised the many strengths of the Overview and Scrutiny process at Northampton and also suggested recommendations for improvement.

A comparison of Northampton Borough Council's Scrutiny function with that of other districts, noted as good practice by the CfPS, was carried out which again highlighted the many strengths and achievements of our Overview and Scrutiny function and areas for further development were suggested.

The findings and recommendations contained in the report will now be used to develop an Overview and Scrutiny Improvement Plan.

I would like to thank all those people acknowledged below who gave up their time and contributed to this Review.



*AS Simpson*

**Councillor Andrew Simpson**

Chair, Overview and Scrutiny Management Committee

**Acknowledgements to all those who took part in the Review: -**

- Councillors Ifty Choudary, Jenny Conroy, Jamie Lane, Christopher Malpas and Pam Varnsberry who provided information for inclusion in the self-evaluation form
- All Councillors for taking the time to complete the short questionnaire
- Howard Boots, Head of Overview and Scrutiny, Tameside Metropolitan Borough Council for carrying out a peer review of the Overview and Scrutiny function at Northampton
- Paul Ansell and Debbie Dawson, Scrutiny Officers, Rugby Borough Council for carrying out a peer review of the Overview and Scrutiny function at Northampton.
- Comparison information relating to the other districts was provided by the Scrutiny Unit at Rugby Borough Council and permission was given for this to be included into this report

## EXECUTIVE SUMMARY

- 1.1 The Overview and Scrutiny Management Committee instructed the Overview and Scrutiny Team to undertake an evaluation of the Overview and Scrutiny function at Northampton Borough Council (NBC) using the Centre for Public Scrutiny (CfPS) self evaluation framework.
- 1.2 The findings from the self-evaluation framework are intended to be used as the basis for developing an Overview and Scrutiny Improvement Plan.
- 1.3 The Council's Overview and Scrutiny Committee agreed to provide a mechanism for Scrutiny Members to: -
  - Demonstrate the effectiveness of Overview and Scrutiny at Northampton
  - To identify areas and means for improving Overview and Scrutiny at Northampton Borough Council
  - To provide objectivity by identifying evidence that supports the answers to the questions posed in the self-evaluation
  - To highlight potential barriers to improvement
- 1.4 A significant amount of evidence gathered from various sources, details of which are contained in the report:-
  - The Overview and Scrutiny Team and the Chair's and Vice Chair's of the Overview and Scrutiny Committee completed the self-evaluation framework form
  - All other Councillors were sent a short questionnaire, comprising six main questions regarding the Overview and Scrutiny process at NBC
  - The Scrutiny Teams of two Local Authorities were approached regarding undertaking a peer review of the Overview and Scrutiny Function at Northampton Borough Council. The Head of Scrutiny, Tameside Metropolitan Borough Council, and the Scrutiny Officers, Rugby Borough Council, undertook separate peer reviews
  - The Overview and Scrutiny Officer, NBC, carried out a comparison of Northampton Borough Council's Scrutiny function with that of other districts, noted as good practice by the CfPS

## KEY FINDINGS

2 After all the evidence was gathered, the following key findings in relation to the Overview and Scrutiny process at Northampton were drawn: -

### **2.1 CfPS's Self Evaluation Form**

#### **2.1.1 Achievements**

- Cabinet Members have been involved in Overview and Scrutiny recommendations and attend Overview and Scrutiny meetings as appropriate
- The call-in procedure is used sparingly
- There have been some good issue-based Reviews
- Overview and Scrutiny sets its own work programme.
- Effective challenge to performance monitoring
- Good use of external witnesses and experts
- An Overview and Scrutiny Co-optee Handbook has been produced
- Overview and Scrutiny has published Protocols and new ones will shortly be adopted by the Overview and Scrutiny Management Committee
- A formal monitoring system is in place to monitor progress of the implementation of Overview and Scrutiny recommendations
- The public often addresses Overview and Scrutiny Committees
- The Overview and Scrutiny website encourages public participation. A leaflet giving the same details is circulated at every Overview and Scrutiny Committee meeting
- Public speaking is welcomed at every Overview and Scrutiny Committee meeting
- The Overview and Scrutiny Toolkit has been noted as an example of best practice
- The Overview and Scrutiny Annual Report and Newsletter have been commended
- Task and Finish Groups are non-partisan and focus on the issue being reviewed
- Scrutiny is generally of a consensus nature and it is rare for a vote to be used

### **2.1.2 Challenges:-**

- More use of pre-decision scrutiny
- Involve Portfolio Holders more in all Overview and Scrutiny Reviews
- Need to join up partnership working at Cabinet level with Overview and Scrutiny. Cabinet can then see how Overview and Scrutiny helps develop partnership working
- Lack of understanding of how Overview and Scrutiny can help the improvement of the Council
- More engagement with Black, Minority and Ethnic (BME) Groups
- Greater emphasis on communicating with the public during Reviews
- Terminology is not always easy to understand
- The general public often do not understand Overview and Scrutiny
- The public must be interested in a Scrutiny Review if they are to participate
- Lack of profile of Overview and Scrutiny within the Council
- Many Officers do not come into direct contact with Overview and Scrutiny
- The term 'scrutiny' is often seen as negative and overly intrusive
- Value of Overview and Scrutiny not always recognised
- Lack of resources to promote the work of Overview and Scrutiny
- Lack of administrative support to Overview and Scrutiny
- Vacant Overview and Scrutiny Post

### **2.1.3 Suggested changes:-**

- Portfolio Holder question time could be included on Overview and Scrutiny Committee agendas, two to three times a year
- The Portfolio Holder(s) should be invited to inform the Committee of his/her priorities at the work programme setting stage
- The Leader of the Council should be invited to the Overview and Scrutiny Management Committee twice a year, which would provide an opportunity for balancing independence and support
- Co-opted members should be advertised on the Overview and Scrutiny pages of the Council's website for specific Overview and Scrutiny Reviews
- The public and community groups should be engaged in developing the Overview and Scrutiny work programme

- Consideration should be given to renaming the Overview and Scrutiny Committees as Panels
- There should be more engagement with the press, including proactive statements from the Chairs
- There is a need for clearer evaluation and action plans
- There is a need to demonstrate clearer outcomes following Reviews
- The evaluation of Overview and Scrutiny could be carried out every two years
- Annual/Bi annual members surveys could be introduced

## **2.2 Peer Review – Tameside Metropolitan Borough Council**

### **2.2.1 Achievements**

- The new structure that comprises three Overview and Scrutiny Committees and Management Committee made up of the Chairs and Deputy Chairs of the three committees enables a greater engagement with officers and the public
- Cabinet reacts well to scrutiny and was required to formally respond to scrutiny recommendations within two Cabinet cycles
- There is great good will and enthusiasm for Overview and Scrutiny although it was acknowledged that capacity was an issue
- Effective scrutiny was noted. For example the work around the closure of post offices and the review of the contaminated water incident
- The relationship between Scrutiny and the Executive was considered to be very good and the Executive was keen to see a challenging and effective Scrutiny Function
- Member capacity was generally satisfactory and development sessions were felt to be helpful
- Overview and Scrutiny in Northampton is developing a strong and distinctive brand, which is not out of keeping with the image of Northampton Borough and will in fact provide for a raised profile for the authority
- A number of effective publications have been produced
- Meetings are held in an easily accessible, light airy Committee room with reasonable acoustics

### **2.2.2 Challenges**

- There is the potential for Overview and Scrutiny to achieve much more
- Pre-decision scrutiny is not as strong as it should be with limited opportunities to formally influence decisions before they are made
- It was felt that Cabinet is very open to Scrutiny but it is also very preoccupied with the improvement of services across the whole authority. This means that it is felt to be difficult for Scrutiny to make the necessary impact required
- Overview and Scrutiny Officer resources
- Better attended development sessions

### **2.2.3 Suggested Changes**

- Overview and Scrutiny must be clearly identified with the improvement programme for Northampton and this would be aided by the adoption of a clear mission statement for the Overview and Scrutiny function
- The Overview and Scrutiny website is out of date and requires updating with a link from the home page to the Overview and Scrutiny webpages
- Work Programmes should contain clear links to Council priorities and National Indicator Set performance information and encourage an input from the Executive into the development of the Work programme
- The programme of elected member training should be continued and in view of past co-operation with neighbouring district councils the feasibility of commissioning joint training programmes with other local authorities should be explored
- The profile of Overview and Scrutiny in Northampton and therefore the Borough of Northampton itself can be raised by highlighting through, for example, the Centre for Public Scrutiny website and other sources, the good practice currently being undertaken

## **2.3 Peer Review- Rugby Borough Council**

### **2.3.1 Achievements**

- The call-in process appears to be effective and has been used to change the view of the executive on a decision.
- There is also evidence that scrutiny is involved in performance management in a meaningful way.
- There appears to be positive support from senior management for scrutiny, particularly as a senior officer is assigned to each task group for the life of the review.
- There is a general understanding amongst Members of the need to work in a consensual way, and there is evidence that all parties feel engaged in the process.
- There appears to be good training opportunities for overview and scrutiny chairs.
- Members were generally positive about the quality of information they receive.
- Committees receive helpful briefing notes on current issues, keeping Members up to date with new national policy developments.
- Cabinet is committed to responding to recommendations within two months.

### **2.3.2 Challenges**

- The Scrutiny Team felt that the relationship between the Executive and Scrutiny is not always as strong as it might be as there is no agreed way of working. There was some evidence that the Cabinet did not feel as if its work was under serious scrutiny.
- The work programming and agenda planning processes could be strengthened to ensure a good balance of overview and scrutiny work, reflecting corporate priorities.
- The Overview and Scrutiny work programme has a tendency to be reactive, rather than focusing on delivery of the corporate plan and service improvement.
- Varying comments on the quality of the training were received.
- The Forward Plan is submitted to each Committee meeting, although there can be issues with timing which mean that it is difficult for Committees to use the Plan to inform their work programmes.



### **2.3.3 Suggested Changes**

- An annual work programming workshop could be introduced, open to all members. It would be helpful to involve Portfolio Holders at an early stage in developing the work programme. Using a work prioritisation tool can also help to ensure that the right items are included in the work programme to ensure that scrutiny has an impact.
- It could be beneficial to have a planned agenda planning meeting between the Scrutiny Officer and the Chair well in advance of each meeting, with a view to selecting items on which most impact can be made and making best use of limited resources.
- Invite Portfolio Holders to give regular (possibly annual) presentations to the relevant Committee, during which they could report on progress against agreed recommendations.

## **2.4 Scrutiny at Northampton v CfPS good practice scrutiny districts**

### **2.4.1 Achievements**

- Overview and Scrutiny has undertaken external scrutiny exercises
- Past issues that have been suggested by the public include Allotments (water charges). The Council's Forums are being asked to vote on an item for inclusion in the work programme
- Meeting papers are easily accessible on the Council's website
- Meetings are well publicised
- A regular newsletter is produced
- Public speaking is welcomed at Overview and Scrutiny Committee meetings
- Members are committed to the Overview and Scrutiny process
- All Overview and Scrutiny Members have a fairly good awareness of their role in Scrutiny

### **2.4.2 Challenges**

- The Forward Plan is not used to inform the work of Scrutiny
- The public is not consulted about the Overview and Scrutiny Work Programme
- There is limited press coverage of Overview and Scrutiny Reviews

### **2.4.3 Suggested Changes**

- The public should be consulted on the Overview and Scrutiny Work Programme
- Consideration could be given to holding some Overview and Scrutiny meetings in community buildings
- Consideration could be given to carrying out bi-annual member surveys of the Overview and Scrutiny function
- The percentage of recommendations accepted by Cabinet should be calculated
- There needs to be linkage of Overview and Scrutiny work to the Council's Improvement Plan

## 2.5 Member Survey

Strengths	Weaknesses
<ul style="list-style-type: none"> <li>• Some good examples of Overview and Scrutiny engaging with external Agencies, such as the Post Offices Review and Contaminated Water Review</li> <li>• Good joint working with Northamptonshire County Council</li> <li>• Good and dedicated Overview and Scrutiny Officer support. A good Overview and Scrutiny Officer is essential to guide inexperienced Councillors</li> <li>• Well supported by the Overview and Scrutiny Team</li> <li>• From a longer-term perspective, Task and Finish Group reports have helped to improve Council Services</li> <li>• Some accountability through Task and Finish Group recommendations</li> </ul>	<ul style="list-style-type: none"> <li>• Not enough emphasis on policy development or review</li> <li>• Robinson House Call In would have been unnecessary if Councillors engaged earlier in proposals</li> <li>• Key outcomes need to be followed through and measured</li> <li>• Finding external organisations willing to engage in Scrutiny reviews. Often dependent upon the external Agency whether they will engage</li> <li>• Need to hold Cabinet to account</li> <li>• Most reports come to Overview and Scrutiny after Cabinet for comment</li> <li>• Need for more monitoring of Overview and Scrutiny review recommendations</li> <li>• There has been a lack of engagement with key service improvements since May 2007</li> <li>• There is a lack of review of upcoming policy decisions</li> <li>• More could be done to attract a spokesperson if the Committee meetings were a little less formal</li> </ul>

Opportunities	Threats
<ul style="list-style-type: none"> <li>• Joint scrutiny with other Agencies and organisations</li> <li>• With the right level of support, Overview and Scrutiny could do more to support improvement to Council services</li> </ul>	<ul style="list-style-type: none"> <li>• Too few Overview and Scrutiny Officer resources</li> <li>• Need for administrative support for Overview and Scrutiny</li> <li>• Cabinet appears not to always realise the importance of Overview and Scrutiny reports</li> <li>• Cabinet does not take the role of Overview and Scrutiny seriously and is guilty of ignoring its needs</li> <li>• Strong leadership model</li> <li>• Many issues for review come under the remit of one of the Overview and Scrutiny Committees</li> <li>• Frustration can often lead to negativity</li> <li>• Since May 2007, the momentum across the three Committees has been mixed. The next 12 months will determine if they all come up to the same level of contribution</li> </ul>

## RECOMMENDATIONS

- 5.1 That the findings contained in this report be used to produce an Overview and Scrutiny Improvement Plan.**
- 5.2 That the training requirements suggested by Overview and Scrutiny Councillors, as detailed below, be forwarded to the Senior Training and Development Officer:-**
- **Communication between Portfolio Holders and Overview and Scrutiny Members**
  - **Housing Scrutiny**
  - **Chairing Skills**
  - **How to conduct an Overview and Scrutiny Inquiry**
  - **Objectives of Overview and Scrutiny**
  - **How to achieve outcomes**

# **Northampton Borough Council**

## **Report of the Overview and Scrutiny Management Committee**

### **Evaluation of the Overview and Scrutiny function at Northampton Borough Council**

#### **1. Purpose**

- 1.1 The Overview and Scrutiny Management Committee instructed the Overview and Scrutiny Team to undertake an evaluation of the Overview and Scrutiny function at Northampton Borough Council (NBC) using the Centre for Public Scrutiny (CfPS) self evaluation framework.
- 1.2 The findings from the self-evaluation framework are intended to be used as the basis for developing an Overview and Scrutiny Improvement Plan. Further details given in paragraph 2.6 of this report.

#### **2. Context and Background**

- 2.1 Effective Overview and Scrutiny should be: -
  - Cross-party working and non-partisan
  - Independent from the Executive
  - Member led, not officer driven
  - Evidence-based and evaluated
  - Engaging the public and reflecting the interests and concerns of local people
  - Making an impact by offering robust recommendations that lead to action by the Council's Cabinet, Council or external Agencies.
- 2.2 The Centre for Public Scrutiny (CfPS) is a national organisation, which was established to promote the value of Overview and Scrutiny in modern and effective Local Government. The CfPS aims to do this through a number of measures, including the production of guidance, advice on best practice and the promotion of information sharing. Its research has identified that, since Overview and Scrutiny was introduced; there has been a slow but sure improvement of its implementations and outcomes.
- 2.3 Acknowledging that each Local Authority carries out its Overview and Scrutiny function in a different way, and with there being no

objective measure by which its success can be assessed, the CfPS developed its self-evaluation framework.

- 2.4 The CfPS's self evaluation framework provides a mechanism for Local Authorities to demonstrate the effectiveness of Overview and Scrutiny and to identify and demonstrate achievements and identify areas for improvement and highlight any potential barriers to improvement within the Council.
- 2.5 The CfPS' framework reflects the four principles for effective scrutiny as set out in the CfPS' Good Scrutiny Guide: -
- Providing a 'critical friend' challenge
  - Reflecting the public voice
  - Leading and owning the process
  - Making an impact
- 2.6 The self-evaluation framework comprises a series of questions that are based on these principles.
- 2.7 The self-evaluation framework is intended to provide a clear picture of how Overview and Scrutiny operates at Northampton Borough Council. The findings could then be used to: -
- Communicate the potential of Overview and Scrutiny to local communities
  - Encourage involvement in the process of those being scrutinised
  - Build confidence of those undertaking scrutiny activities
  - Demonstrate Overview and Scrutiny's value to auditors and inspectors

### **3 Methodology**

- 3.1 The Council's Overview and Scrutiny Committee agreed to provide a mechanism for Scrutiny Members to: -
- Demonstrate the effectiveness of Overview and Scrutiny at Northampton
  - To identify areas and means for improving Overview and Scrutiny at Northampton Borough Council
  - To provide objectivity by identifying evidence that supports the answers to the questions posed in the self-evaluation
  - To highlight potential barriers to improvement

### 3.1 Peer Reviews

3.1.1 As part of the self-evaluation process, the Scrutiny Teams of two Local Authorities were approached regarding undertaking a peer review of the Overview and Scrutiny Function at Northampton Borough Council.

3.1.2 The Head of Scrutiny, Tameside Metropolitan Borough Council, and the Scrutiny and Policy Officers, Rugby Borough Council undertook separate peer reviews.

3.1.3 The Head of Scrutiny, Tameside MBC evaluated the Council's Overview and Scrutiny process by: -

- Evaluating a number of Overview and Scrutiny documents, such as the Overview and Scrutiny Toolkit, Policy Review reports, agendas, minutes, Protocols.
- Assessing the Council's Overview and Scrutiny webpage
- Observing an Overview and Scrutiny meeting
- Interviews with: -
  - The Council's Overview and Scrutiny Officer
  - The Leader of the Council
  - Portfolio Holder (Regeneration)
  - Chair, Overview and Scrutiny Committee 1 (Regeneration, Partnerships, Community Safety and Engagement)
  - Vice-Chair, Overview and Scrutiny Committee 1 (Regeneration, Partnerships, Community Safety and Engagement)
  - Various Members of Overview and Scrutiny Committee 1 (Regeneration, Partnerships, Community Safety and Engagement)

3.1.4 The Scrutiny Team, Rugby Borough Council, evaluated NBC's Overview and Scrutiny similarly by: -

- Evaluating a number of Overview and Scrutiny documents, such as the Overview and Scrutiny Toolkit, Policy Review reports, agendas, minutes, Overview and Scrutiny Protocols.
- Interviews with: -
  - The Council's Overview and Scrutiny Officer
  - Portfolio Holder (Environment)
  - Portfolio Holder (Performance)



- Chair, Overview and Scrutiny Committee 2 (Housing and Environment)
- Various Members of Overview and Scrutiny Committee 2 and 3 (Improvement, Performance and Finance)

## **3.2 Peer Review Findings**

### **3.2.1 Tameside Metropolitan Borough Council**

3.2.1.1 The Head of Overview and Scrutiny, Tameside Metropolitan Borough Council, produced a comprehensive report detailing his findings. A copy of which is attached at Appendix A.

3.2.1.2 The following findings were reported: -

- It is clear that there is support from all those interviewed for an effective and rigorous Overview and Scrutiny function – that keeps the Executive sharp and enables non executive councillors to provide genuine challenge, accountability and an opportunity to help develop policy and add value to the services provided for the people of Northampton. From what the reviewer has seen both from desktop research and on site observation there is every potential for this to be achieved.
- It is essential for Overview and Scrutiny to be effective that there is an open and trusting relationship between the Executive and the Overview and Scrutiny Committees and all evidence indicates that this is in place in Northampton.
- There is a clear understanding of the role of Scrutiny and it appears to be conducted in a non party political atmosphere which is necessary if it is to make the required impact on the way the authority performs.
- From observation, Overview and Scrutiny in Northampton appears to be led by elected members and it is a clear advantage that many members of the existing Cabinet were previously members of the Overview and Scrutiny Committee.
- The Terms of Reference of the three Overview and Scrutiny Committees do not seem to provide for an equality of work and it might be beneficial to review the responsibilities of Committee No 3 to see if they are appropriate.

- The current Overview and Scrutiny Officer is carrying out sterling work and providing support but although it is greatly appreciated, is at a level that is unsustainable even in the medium term.
- There is a clear commitment to effective scrutiny support with sufficient capacity to give the Committees the research and consultation support that they require and this means filling a vacant post.
- The involvement of Meeting Services in the organisation and administration of the Overview and Scrutiny Committees will relieve some of the burden from the Scrutiny Support Officers, but it should be very clear what each officers' role comprises.
- The Executive has placed great emphasis on improving the standard of service provided by the Borough Council to the people of Northampton and that this improvement is seen and recognised. It is essential therefore, that Overview and Scrutiny is seen as and can demonstrate that it is a key element in the improvement process and that it adds value to all the services and policies that it reviews.

#### 3.2.1.3 Recommendations contained in the report are detailed below:-

- Overview and Scrutiny must be clearly identified with the improvement programme for Northampton and this would be aided by the adoption of a clear mission statement for the Overview and Scrutiny function. This should state that Overview and Scrutiny seeks to improve and add value to all services or policies that it reviews and that it will operate objectively, highlighting good practice and where appropriate recommending improvements.
- Work Programmes should contain clear links to Council priorities and National Indicator Set performance information and encourage an input from the Executive into the development of the Work programme.
- The vacant post of Overview and Scrutiny Officer should be filled as soon as possible.
- The programme of elected member training should be continued and in view of past co-operation with neighbouring district

councils the feasibility of commissioning joint training programmes with other local authorities should be explored.

- The scrutiny pages on the web site although comprehensive in range, need to be updated and maintained.
- The profile of Overview and Scrutiny in Northampton and therefore the Borough of Northampton itself can be raised by highlighting through, for example, the Centre for Public Scrutiny web site and other sources, the good practice currently being undertaken. This good practice, if it is properly resourced and if Members of the Overview and Scrutiny Committees grasp the opportunities that will become available to them will help Overview and Scrutiny to develop and potentially make a real difference to the people of the Borough.

### **3.2.2 Rugby Borough Council**

3.2.2.1 The Scrutiny Team, Rugby Borough Council, produced a detailed report highlighting their findings. A copy of which is attached at Appendix B.

3.2.2.2 The following main findings were reported. Fuller details are given in Appendix B:-

- The call-in process appears to be effective and has been used to change the view of the executive on a decision. There is also evidence that scrutiny is involved in performance management in a meaningful way.
- There appears to be positive support from senior management for scrutiny, particularly as a senior officer is assigned to each task group for the life of the review. However, the Scrutiny Team felt that the relationship between the Executive and Scrutiny is not always as strong as it might be as there is no agreed way of working.
- There was some evidence that the Cabinet did not feel as if its work was under serious scrutiny. The Scrutiny Team noted that there are plans in place to help address this, for example by establishing regular meetings between overview and scrutiny chairs and executive members.
- It proved difficult to find evidence of scrutiny providing strong challenge to the Executive. The Scrutiny Team noted that some valuable scrutiny work has been undertaken, but often the focus has been on external matters, such as Post Office closures and cryptosporidium contamination.

- The Scrutiny Team felt that on occasions there is a tendency to use overview and scrutiny meetings for briefing and informing members, and for officers and Executive members to drive overview and scrutiny agendas.
- The Scrutiny Team felt that engaging the public was a clear area of strength. At each Overview and Scrutiny meeting there is an opportunity for public address on items on the agenda, and as a result there is evidence of members of the public influencing the work programme.
- The Scrutiny Team stated that there was a feeling amongst the Members they spoke to that not all non-Executive members understand scrutiny or are well informed about what Scrutiny work is being undertaken.
- The Scrutiny Team commented that there is a general understanding amongst members of the need to work in a consensual way, and there is evidence that all parties feel engaged in the process. However, the Team would suggest that, whilst there is no inherent objection to the chairman of the Management Committee being a member of the ruling group, this does nothing to deflect concerns by some regarding the impartiality of the scrutiny process.
- The Scrutiny Team felt that the work programming and agenda planning processes could be strengthened to ensure a good balance of overview and scrutiny work, reflecting corporate priorities. In Rugby, Overview and Scrutiny has introduced an annual work programming workshop, open to all members, which has proved beneficial. The Scrutiny Team has also found it helpful to involve Portfolio Holders at an early stage in developing the work programme. Using a work prioritisation tool can also help to ensure that the right items are included in the work programme to ensure that scrutiny has an impact.
- The overview and scrutiny work programme has a tendency to be reactive, rather than focusing on delivery of the corporate plan and service improvement.
- There can sometimes be a large number of items on each agenda, and consequently the meetings are long. There may be a need to concentrate more on quality rather than quantity. It could be beneficial to have a planned agenda planning meeting between the Scrutiny Officer and the Chair well in advance of each meeting, with a view to selecting items on which most impact can be made and making best use of limited resources.
- The Scrutiny Team commented that there appear to be good training opportunities for Overview and Scrutiny Chairs. It was also noted that the programme of dedicated Overview and

Scrutiny training sessions are referred to in the annual report. The Scrutiny Team received varying comments on the quality of the training.

- The Scrutiny Team stated that there are high demands on the Scrutiny Officer who is servicing frequent meetings and having to prepare agendas and minutes, in addition to their general scrutiny support role. By comparison, the Scrutiny Officers at Rugby are part of a team of two FTE scrutiny officers at a smaller district council, and its Overview and Scrutiny Committees are also supported by Democratic Services officers who take minutes and coordinate meeting papers. This enables the Scrutiny Officers to concentrate on direct support to the Scrutiny role.
- The members that the Scrutiny Team spoke to were generally positive about the quality of information they receive.
- Clear steps are being taken to ensure proper tracking of the implementation of scrutiny recommendations in future, with the production of a monitoring work programme. Cabinet is committed to responding to recommendations within two months.

### **3.3 Scrutiny at Northampton v CfPS good practice scrutiny districts**

3.3.1 The Overview and Scrutiny Officer carried out a comparison of Northampton Borough Council's Scrutiny function with that of other districts, noted as good practice by the CfPS. A copy is attached at Appendix C.

3.3.2 From the comparison data, in respect of Overview and Scrutiny at Northampton the following was recognised : -

- No items have been included on the Overview and Scrutiny work programme that have been taken from the forward plan
- The public are not generally consulted about the work programme, however; recently a vote took place at the Borough Council's Local Democracy Week event for an item to be included onto the work programme. The Overview and Scrutiny Management Committee short listed items suggested by the public to the top ten and from these a ballot took place
- No comments/suggestions have been received via the online form on the website. However, an online form is available on the Overview and Scrutiny page of the Council's website
- No Overview and Scrutiny meetings have been held in community locations, all Overview and Scrutiny Committee meetings are held at the Guildhall, Northampton

- Overview and Scrutiny receives minimal coverage by the press. The Contaminated Water Task and Finish Group did, however, receive a lot of press coverage. It was promoted in local newspapers, on local radio and the public meetings were broadcast on the television
- No clear links are identified in the work programme to the Council's improvement plan
- The work programme is not integrated with the corporate process regarding setting corporate objectives or serviced planning
- Scrutiny training for Directors and Heads of Services took place in 2007 but none has taken place since
- There are no Scrutiny champions within departments; however, this is also typical of Maidstone Borough Council and Bedford Borough Council

### **3.4 Desktop Research**

3.4.1 Desktop research was carried out using the Centre for Public Scrutiny's self-evaluation framework.

3.4.2 The Overview and Scrutiny Team and the Chair's and Vice Chairs of the Overview and Scrutiny Committee completed the self-evaluation framework form. Any comments received are reflected in the evaluation findings, Appendix D.


3.4.3 All other Councillors were sent a short questionnaire, comprising six main questions regarding the Overview and Scrutiny process at NBC.

### **3.5 Analysis**


3.5.1 From the self evaluation of the Overview and Scrutiny process at Northampton, the following was realised:-

3.5.2 Of the 50 key lines of enquiry:-

\*50% are okay (25) 

\*26% are warning areas(13) 

\*16% are alert areas (8) 

10% are unknown at the time of this evaluation (5) 

\*Some of the key lines of enquiry had more than one rating.

### **3.6 Summary of Member Comments – Survey 2008**

3.6.1 Fourteen completed questionnaires were returned to the Overview and Scrutiny Team. Some had additional comments made, of which are summarised in paragraph 4.1.4 of this report.

3.6.2 Detailed at Appendix E is the results of the questionnaires.

#### **3.6.3 Training Requirements**

3.6.3.1 The questionnaire asked Members to identify any training needs. Suggestions for training: -

- Communication between Portfolio Holders and Overview and Scrutiny Members
- Housing Scrutiny
- Charing Skills
- How to conduct an Overview and Scrutiny Inquiry
- Objectives of Overview and Scrutiny
- How to achieve outcomes

## **4 Key Findings**

4.1 After all the evidence was gathered, the following key findings in relation to the Overview and Scrutiny process at Northampton were drawn: -

### **4.1.1 CfPS's Self Evaluation Form**

#### **Achievements**

- Cabinet Members have been involved in Overview and Scrutiny recommendations and attend Overview and Scrutiny meetings as appropriate.
- The call-in procedure is used sparingly.
- There have been some good issue-based Reviews.
- Overview and Scrutiny sets its own work programme.
- Effective challenge to performance monitoring.
- Good use of external witnesses and experts.
- An Overview and Scrutiny Co-optee Handbook has been produced.
- Overview and Scrutiny has published Protocols and new ones will shortly be adopted by the Overview and Scrutiny Management Committee.

- A formal monitoring system is in place to monitor progress of the implementation of Overview and Scrutiny recommendations.
- The public often addresses Overview and Scrutiny Committees.
- The Overview and Scrutiny website encourages public participation. A leaflet giving the same details is circulated at every Overview and Scrutiny Committee meeting.
- Public speaking is welcomed at every Overview and Scrutiny Committee meeting.
- The Overview and Scrutiny Toolkit has been noted as an example of best practice.
- The Overview and Scrutiny Annual Report and Newsletter have been commended.
- Task and Finish Groups are non-partisan and focus on the issue being reviewed.
- Scrutiny is generally of a consensus nature and it is rare for a vote to be used.

### **Challenges:-**

- More use of pre-decision scrutiny.
- Involve Portfolio Holders more in all Overview and Scrutiny Reviews.
- Need to join up partnership working at Cabinet level with Overview and Scrutiny. Cabinet can then see how Overview and Scrutiny helps develop partnership working.
- Lack of understanding of how Overview and Scrutiny can help the improvement of the Council.
- More engagement with black, Minority and Ethnic (BME) Groups.
- Greater emphasis on communicating with the public during Reviews.
- Terminology is not always easy to understand.
- The general public often do not understand Overview and Scrutiny.
- The public must be interested in a Scrutiny Review if they are to participate.
- Lack of profile of Overview and Scrutiny within the Council.
- Many Officers do not come into direct contact with Overview and Scrutiny.
- The term 'scrutiny' is often seen as negative and overly intrusive.
- Value of Overview and Scrutiny not always recognised.
- Lack of resources to promote the work of Overview and Scrutiny.
- Lack of administrative support to Overview and Scrutiny.
- Vacant Overview and Scrutiny Post.



### **Suggested changes:-**

- Portfolio Holder question time should be included on Overview and Scrutiny Committee agendas, two to three times a year.
- The Portfolio Holder(s) should be invited to inform the Committee of his/her priorities at the work programme setting stage.
- The Leader of the Council should be invited to the Overview and Scrutiny Management Committee twice a year, which would provide an opportunity for balancing independence and support.
- Co-opted members should be advertised on the Overview and Scrutiny pages of the Council's website for specific Overview and Scrutiny Reviews.
- The public and community groups should be engaged in developing the Overview and Scrutiny work programme.
- Consideration should be given to renaming the Overview and Scrutiny Committees as Panels.
- There should be more engagement with the press, including proactive statements from the Chairs.
- There is a need for clearer evaluation and action plans.
- There is a need to demonstrate clearer outcomes following Reviews.
- The evaluation of Overview and Scrutiny could be carried out every two years.
- Annual/Bi annual members surveys could be introduced.

#### **4.1.2 Peer Review – Tameside Metropolitan Borough Council**

##### **Achievements**

- The new structure that comprised three Overview and Scrutiny Committees and Management Committee made up of the Chairs and Deputy Chairs of the three committees was enabling a greater engagement with officers and the public.
- Cabinet reacts well to scrutiny and was required to formally respond to scrutiny recommendations within two Cabinet cycles.
- There is great good will and enthusiasm for Overview and Scrutiny although it was acknowledged that capacity was an issue.
- Effective scrutiny was noted. For example the work around the closure of post offices and the review of the contaminated water incident.
- The relationship between Scrutiny and the Executive was considered to be very good and the Executive was keen to see a challenging and effective Scrutiny Function.

- Member capacity was generally satisfactory and development sessions were felt to be helpful.
- Overview and Scrutiny in Northampton is developing a strong and distinctive brand, which is not out of keeping with the image of Northampton Borough and will in fact provide for a raised profile for the authority.
- A number of effective publications have been produced.
- Meetings held in an easily accessible, light airy Committee room with reasonable acoustics.

## **Challenges**

- There is the potential for Overview and Scrutiny to achieve much more.
- Pre-decision scrutiny is not as strong as it should be with limited opportunities to formally influence decisions before they were made.
- It was felt that Cabinet was very open to Scrutiny but it was also very preoccupied with the improvement of services across the whole authority. This meant that it was felt to be difficult for Scrutiny to make the necessary impact required.
- Overview and Scrutiny Officer resources.
- Better attended development sessions.

## **Suggested Changes**

- Overview and Scrutiny must be clearly identified with the improvement programme for Northampton and this would be aided by the adoption of a clear mission statement for the Overview and Scrutiny function.
- The Overview and Scrutiny website is out of date and requires updating with a link from the home page to the Overview and Scrutiny webpages.
- Work Programmes should contain clear links to Council priorities and National Indicator Set performance information and encourage an input from the Executive into the development of the Work programme.
- The programme of elected member training should be continued and in view of past co-operation with neighbouring district councils the feasibility of commissioning joint training programmes with other local authorities should be explored.
- The profile of Overview and Scrutiny in Northampton and therefore the Borough of Northampton itself can be raised by highlighting through, for example, the Centre for Public Scrutiny

web site and other sources, the good practice currently being undertaken.

### **4.1.3 Peer Review- Rugby Borough Council**

#### **Achievements**

- The call-in process appears to be effective and has been used to change the view of the executive on a decision.
- There is also evidence that scrutiny is involved in performance management in a meaningful way.
- There appears to be positive support from senior management for scrutiny, particularly as a senior officer is assigned to each task group for the life of the review.
- There is a general understanding amongst Members of the need to work in a consensual way, and there is evidence that all parties feel engaged in the process.
- There appears to be good training opportunities for overview and scrutiny chairs.
- Members were generally positive about the quality of information they receive.
- Committees receive helpful briefing notes on current issues, keeping Members up to date with new national policy developments.
- Cabinet is committed to responding to recommendations within two months.

#### **Challenges**

- The Scrutiny Team felt that the relationship between the Executive and Scrutiny is not always as strong as it might be as there is no agreed way of working. There was some evidence that the Cabinet did not feel as if its work was under serious scrutiny.
- The work programming and agenda planning processes could be strengthened to ensure a good balance of overview and scrutiny work, reflecting corporate priorities.
- The Overview and Scrutiny work programme has a tendency to be reactive, rather than focusing on delivery of the corporate plan and service improvement.
- Varying comments on the quality of the training were received.

- The Forward Plan is submitted to each Committee meeting, although there can be issues with timing which mean that it is difficult for Committees to use the Plan to inform their work programmes.

### **Suggested Changes**

- An annual work programming workshop could be introduced, open to all members. It would be helpful to involve Portfolio Holders at an early stage in developing the work programme. Using a work prioritisation tool can also help to ensure that the right items are included in the work programme to ensure that scrutiny has an impact.
- It could be beneficial to have a planned agenda planning meeting between the Scrutiny Officer and the Chair well in advance of each meeting, with a view to selecting items on which most impact can be made and making best use of limited resources.
- Invite Portfolio Holders to give regular (possibly annual) presentations to the relevant Committee, during which they could report on progress against agreed recommendations.

#### **4.1.4 Scrutiny at Northampton v CfPS good practice scrutiny districts**

##### **Achievements**

- Overview and Scrutiny has undertaken external scrutiny exercises.
- Past issues that have been suggested by the public include Allotments (water charges). The Council's Forums are being asked to vote on an item for inclusion in the work programme.
- Meeting papers are easily accessible on the Council's website.
- Meetings are well publicised.
- A regular newsletter is produced.
- Public speaking is welcomed at Overview and Scrutiny Committee meetings.
- Members are committed to the Overview and Scrutiny process.
- All Overview and Scrutiny Members have a fairly good awareness of their role in Scrutiny.

## **Challenges**

- The Forward Plan is not used to inform the work of Scrutiny.
- The public is not consulted about the Overview and Scrutiny Work Programme.
- There is limited press coverage of Overview and Scrutiny Reviews.

## **Suggested Changes**

- The public should be consulted on the Overview and Scrutiny Work Programme.
- Consideration could be given to holding some Overview and Scrutiny meetings in community buildings.
- Consideration could be given to carrying out bi-annual member surveys of the Overview and Scrutiny function.
- The percentage of recommendations accepted by Cabinet should be calculated.
- There needs to be linkage of Overview and Scrutiny work to the Council's Improvement Plan.

#### 4.1.4 Member Survey

Strengths	Weaknesses
<ul style="list-style-type: none"> <li>• Some good examples of Overview and Scrutiny engaging with external Agencies, such as the Post Offices Review and Contaminated Water Review</li> <li>• Good joint working with Northamptonshire County Council</li> <li>• Good and dedicated Overview and Scrutiny Officer support. A good Overview and Scrutiny Officer is essential to guide inexperienced Councillors</li> <li>• Well supported by the Overview and Scrutiny Team</li> <li>• From a longer-term perspective, Task and Finish Group reports have helped to improve Council Services</li> <li>• Some accountability through Task and Finish Group recommendations</li> </ul>	<ul style="list-style-type: none"> <li>• Not enough emphasis on policy development or review</li> <li>• Robinson House Call In would have been unnecessary if Councillors engaged earlier in proposals</li> <li>• Key outcomes need to be followed through and measured</li> <li>• Finding external organisations willing to engage in Scrutiny reviews. Often dependent upon the external Agency whether they will engage</li> <li>• Need to hold Cabinet to account</li> <li>• Most reports come to Overview and Scrutiny after Cabinet for comment</li> <li>• Need for more monitoring of Overview and Scrutiny review recommendations</li> <li>• There has been a lack of engagement with key service improvements since May 2007</li> <li>• There is a lack of review of upcoming policy decisions</li> <li>• More could be done to attract a spokesperson if the Committee meetings were a little less formal</li> </ul>

<b>Opportunities</b>	<b>Threats</b>
<ul style="list-style-type: none"> <li>• Joint scrutiny with other Agencies and organisations</li> <li>• With the right level of support, Overview and Scrutiny could do more to support improvement to Council services</li> </ul>	<ul style="list-style-type: none"> <li>• Too few Overview and Scrutiny Officer resources</li> <li>• Need for administrative support for Overview and Scrutiny</li> <li>• Cabinet appears not to always realise the importance of Overview and Scrutiny reports</li> <li>• Cabinet does not take the role of Overview and Scrutiny seriously and is guilty of ignoring its needs</li> <li>• Strong leadership model</li> <li>• Many issues for review come under the remit of one of the Overview and Scrutiny Committees</li> <li>• Frustration can often lead to negativity</li> <li>• Since May 2007, the momentum across the three Committees has been mixed. The next 12 months will determine if they all come up to the same level of contribution</li> </ul>

## **5 Recommendations**

5.1 That the findings contained in this report be used to produce an Overview and Scrutiny Improvement Plan.

5.2 That the training requirements suggested by Overview and Scrutiny Councillors, as detailed below, be forwarded to the Senior Training and Development Officer:-

- Communication between Portfolio Holders and Overview and Scrutiny Members
- Housing Scrutiny
- Chairing Skills
- How to conduct an Overview and Scrutiny Inquiry
- Objectives of Overview and Scrutiny
- How to achieve outcomes



## **Appendices**

## PEER REVIEW – SCRUTINY IN NORTHAMPTON

### 1. Introduction

- 1.1 This Peer Review of the Scrutiny Function in Northampton was undertaken by Howard Boots, Head of Scrutiny at Tameside Metropolitan Borough Council, at the request of Tracy Tiff, Overview and Scrutiny Officer, Northampton Borough Council, supported by Councillor Andrew Simpson, Chair of the Scrutiny Management Committee and Scrutiny Committee No 1.
- 1.2 The review is part of an ongoing improvement exercise for the Scrutiny Function in Northampton that will include a review by Scrutiny Officers from Rugby Borough Council.
  - 1.2.1 The reviewer would like to thank all those at Northampton Borough Council, both officers and elected members who provided information and evidence to support this review.

### 2. Summary

- 2.1.1 Northampton Borough Council having had a change of political control in 2007 is keen to see how effectively its new structures are performing and contributing to the effectiveness of the Council and the wellbeing of its Citizens.
- 2.1.2 This short review highlights the good practice currently operating at Northampton and suggests some improvements that can be achieved without the need for additional unbudgeted resources, that will place it closer to the improvement agenda.

### 3. Methodology

- 3.1 Desk top research was undertaken using the scrutiny pages of the Northampton Borough Council web site to examine the terms of reference, agendas, minutes and other information relating to the Overview and Scrutiny Committees.
- 3.2 Desk top research was also undertaken using, the Annual Report of the Overview and Scrutiny Committees, explanatory information, the Guide for Scrutiny Co-optees, the Scrutiny Tool Kit, and Task and Finish Group reports in respect of A Multi Agency Approach to Rough Sleepers and A Draft Report on Contamination of Water.
- 3.3 The reviewer also visited Northampton Borough Council and interviewed Tracy Tiff, Overview and Scrutiny Officer, Councillor Tony Wood, Leader of the Council; Councillor Richard Church, Portfolio Holder for Regeneration; Councillor Portia Wilson, Scrutiny Member, Councillor Andrew Simpson Chair of Overview and Scrutiny Management Committee and Overview and Scrutiny Committee No 1 and Councillor Ifty Choudary, Vice Chair of

Overview and Scrutiny Committee No 1 and a Member of the Overview and Scrutiny Management Committee.

- 3.4 The reviewer also observed a pre-meeting briefing and a meeting of Overview and Scrutiny Committee No 1.

#### **4. Findings**

##### **4.1 Effectiveness**

- 4.1.1 Considering the current effectiveness of Overview and Scrutiny, in Northampton, it was generally the view of those people interviewed that although it had some success, there was the potential to achieve much more.
- 4.1.2 The new Overview and Scrutiny Structure had been created by the new administration of the Council that had taken control in 2007, because it was felt the then single Overview and Scrutiny Committee was unable to effectively deal with deal with the function. It was felt that the new structure that comprised three Overview and Scrutiny Committees and Management Committee made up of the Chairs and Deputy Chairs of the three committees was enabling a greater engagement with officers and the public. Also the Executive was reacting well to scrutiny and was required to formally respond to scrutiny recommendations within two Cabinet cycles.
- 4.1.3 A scrutiny member agreed with the general consensus, feeling that there was great good will and enthusiasm although it was acknowledged that capacity was an issue.
- 4.1.4 It was also felt that pre-decision scrutiny was not as strong as it should be with limited opportunities to formally influence decisions before they were made.
- 4.1.5 An example of effective Scrutiny was given as the work around the closure of post offices. This had worked well within the community and had received the full co-operation of Post Office Ltd. The outcome of the scrutiny work had been the retention of one of the post offices scheduled for closure.
- 4.1.6 A recent review of contaminated water had involved neighbouring authorities and had also received the full co-operation of Anglian Water. In undertaking these reviews, which related directly to external companies on behalf of the community, indicates that Scrutiny in Northampton is quite prepared to take on challenging subjects and ambitious reviews. Attempts to engage the public had proved difficult, but this is the experience of 80% of all Scrutiny work.
- 4.1.7 References were also made to a review of town centre historic buildings where perceptions of its success were mixed. Although it was felt that it had in someway contributed to town centre improvement.

## 4.2 Relationship with the Executive

4.2.1 The relationship between Scrutiny and the Executive was considered to be very good and the Executive was keen to see a challenging and effective Scrutiny Function. It was felt that the Executive worked more effectively when the Scrutiny function was strong, vibrant and objective.

4.2.2 It was felt that the Executive was very open to Scrutiny but it was also very preoccupied with the improvement of services across the whole authority. This meant that it was felt to be difficult for Scrutiny to make the necessary impact required.

## 4.3 Capacity of Overview and Scrutiny and Scrutiny Support

4.3.1 There was complete agreement that Overview and Scrutiny in Northampton required greater specialised scrutiny officer support.

4.3.2 There were two Overview and Scrutiny Support Officer posts and at the time of this review one post was vacant. The remaining Overview and Scrutiny Officer was required to provide complete support for the three Overview and Scrutiny Committees and the Management Committee. It has already been acknowledged that this is unsustainable and arrangements had already been made for the committees to be serviced by Meeting Services. This will allow available capacity in Meeting Services to be utilised whilst enabling the specialist Overview and Scrutiny Support Officers to provide quality research and consultation support and provide more specialist support such as publications, etc. There was unanimous support and praise for the current Overview and Scrutiny Support Officer and a commitment to recruit to the vacant post.

4.3.3 It was felt that member capacity was generally satisfactory and development sessions were felt to be helpful, although they could be better attended. Ideally it was felt that there should be better support for the Chairs from other members of the committees.

4.3.4 It was felt that the main factor limiting Scrutiny at the time of the review was the lack of officer support.

## 4.4 Support for Scrutiny in General

4.4.1 This dealt with information supporting Overview and Scrutiny – the Web Site, published information for external people or people attending the Overview and Scrutiny Committees and reports.

4.4.2 Overview and Scrutiny in Northampton is developing a strong and distinctive brand which is not out of keeping with the image of Northampton Borough and will in fact provide for a raised profile for the authority.

4.4.3 A number of effective publications have been produced that include a Scrutiny Toolkit, a Guide for Co-optees, a Guide for People attending a Scrutiny Committee. Each publication cleverly uses interchangeable pages

and common information and includes a very useful glossary of terms. This relates to Scrutiny and other activities that they might encounter.

4.4.4 The Overview and Scrutiny web site contains sections that cover most of the Scrutiny Function and follows the Overview and Scrutiny Brand. It has however suffered from the lack of officer capacity and at the time of the review was somewhat out of date. This, however can be easily rectified when officer support is increased. Overview and Scrutiny would also benefit if there was a link straight from the home page to the Overview and Scrutiny web pages.

4.4.5 In spite of the demands on officer time, the Overview and Scrutiny Officer had managed to produce a newsletter that was distributed electronically and was available on the web site.

#### 4.5 Observations on Overview and Scrutiny Committee No 1

4.5.1 The meeting was held in an easily accessible, light airy committee room with reasonable acoustics. The meeting was addressed by a member of the public under the standing order permitting the public to do this for three minutes. The individual in question seemed to attend on regular basis and seemed to be very familiar with the members of the Committee, if not its etiquette.

4.5.2 The Committee was led well by the Chair who briefed the substitute members, clearly introduced the subject under consideration, led but did not dominate discussion and brought the witnesses in efficiently and courteously.

4.5.2 The Members of the Committee were engaged and posed pertinent questions to both Executive Members and officers, some of whom had submitted written statements which the Committee found helpful.

4.5.3 The Committee Members exhibited no obvious party political bias and each treated the witnesses with respect and courtesy.

4.5.4 The Agenda papers were perhaps a bit disjointed and although the general information to the public contained on page two of the meeting summons was a good idea and helpful, it could be better presented if it did not appear before the business for the meeting.

### **5. Conclusions**

5.1 It is clear that there is support from all those interviewed for an effective and rigorous Overview and Scrutiny function – that keeps the Executive sharp and enables non executive councillors to provide genuine challenge, accountability and an opportunity to help develop policy and add value to the services provided for the people of Northampton. From what the reviewer has seen both from desk top research and on site observation there is every potential for this to be achieved.

- 5.2 It is essential for Overview and Scrutiny to be effective that there is an open and trusting relationship between the Executive and the Overview and Scrutiny Committees and all evidence indicates that this is in place in Northampton.
- 5.3 There is a clear understanding of the role of Scrutiny and it appears to be conducted in a non party political atmosphere which is necessary if it is to make the required impact on the way the authority performs.
- 5.4 From observation, Overview and Scrutiny in Northampton appears to be led by elected members and it is a clear advantage that many members of the existing Cabinet were previously members of the Overview and Scrutiny Committee.
- 5.5 The Terms of Reference of the three Overview and Scrutiny Committees do not seem to provide for an equality of work and it might be beneficial to review the responsibilities of Committee No 3 to see if they are appropriate.
- 5.6 The current Overview and Scrutiny Officer is carrying out sterling work and providing support that although it is greatly appreciated, is at a level that unsustainable even in the medium term.
- 5.7 There is a clear commitment to effective scrutiny support with sufficient capacity to give the Committees the research and consultation support that they require and this means filling a vacant post.
- 5.8 The involvement of Meeting Services in the organisation and administration of the Overview and Scrutiny Committees will relieve some of the burden from the Scrutiny Support Officers, but it should be very clear what each officers' role comprises.
- 5.9 The Executive has placed great emphasis on improving the standard of service provided by the Borough Council to the people of Northampton and that this improvement is seen and recognised. It is essential therefore, that Overview and Scrutiny is seen as and can demonstrate that it is a key element in the improvement process and that it adds value to all the services and policies that it reviews.

## **6. Recommendations**

- 6.1 Overview and Scrutiny must be clearly identified with the improvement programme for Northampton and this would be aided by the adoption of a clear mission statement for the Overview and Scrutiny function. This should state that Overview and Scrutiny seeks to improve and add value to all services or policies that it reviews and that it will operate objectively, highlighting good practice and where appropriate recommending improvements.
- 6.2 Work Programmes should contain clear links to Council priorities and National Indicator Set performance information and encourage an input from the Executive into the development of the Work programme.

- 6.3 The vacant post of Overview and Scrutiny Support Officer should be filled as soon as possible.
- 6.4 The programme of elected member training should be continued and in view of past co-operation with neighbouring district councils the feasibility of commissioning joint training programmes with other local authorities should be explored.
- 6.5 The scrutiny pages on the web site although comprehensive in range, need to be updated and maintained.
- 6.6 The profile of Overview and Scrutiny in Northampton and therefore the Borough of Northampton itself can be raised by highlighting through, for example, the Centre for Public Scrutiny web site and other sources, the good practice currently being undertaken. This good practice, if it is properly resourced and if Members of the Overview and Scrutiny Committees grasp the opportunities that will become available to them will help Overview and Scrutiny to develop and potentially make a real difference to the people of the Borough.

Howard Boots

## NORTHAMPTON BOROUGH COUNCIL OVERVIEW AND SCRUTINY

### Peer Review by Paul Ansell and Debbie Dawson (Rugby Borough Council Scrutiny Officers)

#### Background

We visited Northampton Borough Council on 10 September 2008. We met with the following individuals:

Councillor Trini Crake, Portfolio Holder (Environment)  
Councillor Keith Davies, Members of Overview and Scrutiny Committee 3  
Councillor Brian Hoare, Portfolio Holder (Performance)  
Councillor Christopher Malpas, Chair of Overview and Scrutiny Committee 2  
Tracy Tiff, Scrutiny Officer

We used the Centre for Public Scrutiny's Self-Evaluation Framework as the basis of our discussions. Drawing on the evidence from these individuals and from the documentation we received in advance, we make a number of observations below. These are structured under the headings in the self-evaluation framework, which we understand the Council is using to review its overview and scrutiny function.

Overall, we found much evidence of good practice at the Council and we were impressed by the material we received in advance.

#### 1. Provide 'critical friend' challenge

The call-in process appears to be effective and has been used to change the view of the executive on a decision. There is also evidence that scrutiny is involved in performance management in a meaningful way. For example, the local MP has been invited to provide external challenge on the housing best value indicators.

There appears to be positive support from senior management for scrutiny, particularly as a senior officer is assigned to each task group for the life of the review. However, we felt that the relationship between the executive and scrutiny is not always as strong as it might be as there is no agreed way of working. There was some evidence that the Cabinet did not feel as if its work was under serious scrutiny. We noted there are plans in place to help address this, for example by establishing regular meetings between overview and scrutiny chairs and executive members.

It proved difficult to find evidence of scrutiny providing strong challenge to the executive. Some valuable scrutiny work has been undertaken, but often the focus has been on external matters, such as post office closures and cryptosporidium contamination. We also felt that on occasions there is a



tendency to use overview and scrutiny meetings for briefing and informing members, and for officers and executive members to drive overview and scrutiny agendas. The comments regarding the work programme in section 3 are relevant here. The challenge role will be strengthened by an increase in officer resource.

## **2. Reflect the voice and concerns of the public and its communities**

We felt that engaging the public was a clear area of strength. At each overview and scrutiny meeting there is an opportunity for public address on items on the agenda, and as a result there is evidence of members of the public influencing the work programme. (As a caveat to this, it may be worth considering ways of managing this, so that the work maintains a balance between corporate priorities and reacting to specific community concerns.)

There has been good public attendance at some meetings. Attempts are made to involve the public and to promote the scrutiny work, for example through a new leaflet on “How you can become involved in the work of overview and scrutiny”.

There was a feeling amongst the members we spoke to that not all non-executive members understand scrutiny or are well informed about what scrutiny work is being undertaken. The introduction of an annual report and an overview and scrutiny newsletter are both positive steps, although not everyone seemed to be aware of the newsletter.

## **3. Take the lead and own the scrutiny process**

There is a general understanding amongst members of the need to work in a consensual way, and there is evidence that all parties feel engaged in the process. However, we would suggest that, whilst there is no inherent objection to the chairman of the Management Committee being a member of the ruling group, this does nothing to deflect concerns by some regarding the impartiality of the scrutiny process.

Members are able to suggest items for the work programme by completing a suggestion form or by raising items at overview and scrutiny committee meetings. The Management Committee is responsible for prioritising the items suggested, and there is sometimes further filtering of review topics at the detailed scoping stage. However, we felt that the work programming and agenda planning processes could be strengthened to ensure a good balance of overview and scrutiny work, reflecting corporate priorities. In Rugby we have introduced an annual work programming workshop, open to all members, which has proved beneficial. We have also found it helpful to involve portfolio holders at an early stage in developing the work programme. Using a work prioritisation tool can also help to ensure that the right items are included in the work programme to ensure that scrutiny has an impact.

Linked to work programme planning, we noted that there can sometimes be a large number of items on each agenda, and consequently the meetings are

long. There may be a need to concentrate more on quality rather than quantity. It could be beneficial to have a planned agenda planning meeting between the Scrutiny Officer and the Chair well in advance of each meeting, with a view to selecting items on which most impact can be made and making best use of limited resources.

There appear to be good training opportunities for overview and scrutiny chairs. We also noted the programme of dedicated overview and scrutiny training sessions referred to in the annual report. We received varying comments on the quality of the training.

There are high demands on the scrutiny officer who is servicing frequent meetings and having to prepare agendas and minutes, in addition to their general scrutiny support role. By comparison, we are part of a team of two FTE scrutiny officers at a smaller district council, and our overview and scrutiny committees are also supported by Democratic Services officers who take minutes and coordinate meeting papers. This enables us to concentrate on direct support to the scrutiny role.

#### **4. Make an impact on service delivery**

The members we spoke to were generally positive about the quality of information they receive. The Forward Plan is submitted to each committee meeting, although there can be issues with timing which mean that it is difficult for committees to use the Plan to inform their work programmes. Committees also receive helpful briefing notes on current issues, keeping members up to date with new national policy developments.

As discussed previously, we felt that the overview and scrutiny work programme has a tendency to be reactive, rather than focusing on delivery of the corporate plan and service improvement.

Clear steps are being taken to ensure proper tracking of the implementation of scrutiny recommendations in future, with the production of a monitoring work programme. Cabinet is committed to responding to recommendations within 2 months. It may also be helpful to invite portfolio holders to give regular (annual?) presentations to the relevant committee, during which they could report on progress against agreed recommendations.

October 2008

# Scrutiny at Northampton v CFPS good practice Scrutiny Districts

	Northampton BC	Maidstone BC	Bedford BC	Wansbeck DC
<b>Providing a critical friend challenge to executive, policy makers and decision makers</b>				
Is the forward plan used to inform the work of scrutiny?	No	Yes	Yes	Yes
% of items on work programme taken from forward plan	None	Not calculated	Approx 10%	To date over 90% work programme contributes to achieving objectives set out in Forward Plan
Number of call-ins	2 during 2007/08	7	3	0
Has Scrutiny undertaken any external scrutiny exercises?	Yes, contaminated water incident in Northamptonshire	Yes. External Scrutiny Committee	Yes	Yes, Review of Maternity Services
<b>Enabling the voice and concerns of the public</b>				
% of items on work programme suggested by public	None for current work programme. Past issues include Allotments (water charges). The Council's Forums are being asked to vote on	Not calculated	1 out of 6 (16%)	9%

Are the public consulted about the work programme?				Yes	Yes	Yes
Number of comments / suggestions received via online form on website	None. However, an online form is available on the scrutiny pages of the Council's website	3		No Online form – email address is posted on website if people want to send comments	4	
Are meeting papers and reports easily accessible on the website?	a) Minutes and agendas b) Final Reports (reviews)	Yes Yes, including all Cabinet responses to reviews Agenda alerts are also sent via email	Yes Yes - including all cabinet responses to reviews Agenda alerts are also sent via email	Yes, although not easily found Yes	Yes Yes	
Is a regular Newsletter produced?	Yes. Three times a year None	Monthly E-Bulletin	Monthly E-Bulletin	Yes	Yes	Yes
No. of meetings held in community locations	None	2	2	1	8	
How are meetings publicised?	Website., Agenda Alerts to those who subscribe/ Special meetings are publicised using press / direct mail /	Website, notices at all council locations, Agenda Alerts to those who subscribe, press releases or direct contact with local journalists	Website, notices at all council locations, Agenda Alerts to those who subscribe, press releases or direct contact with local journalists	Special meetings are publicised using press / direct mail / adverts / posters / invitation	Website, local press, posters, occasionally writing to interested groups / individuals	

	adverts / posters / invitation	Yes, at discretion of Chair		Yes, discretion of Chair	
Are members of the public able to contribute to the debate during a meeting?	Yes. Public speaking welcomed at Overview and Scrutiny Committee meetings	Yes, at discretion of Chair		Yes, discretion of Chair	
Are members of the public able to formally submit questions to Committees?	No	No		Yes	Yes
No. of news stories in local newspapers	One – Contaminated Water Incident Task and Finish Group	At least one per week		10 plus over last year	Approx 40 including local and regional papers
Are work programmes available online?	Yes	As committee papers		As committee papers	Yes
<b>Leading and owning the process</b>					
Do committees consider work programmes regularly?	Yes at every meeting	Yes, every meeting		Yes, at every meeting	Yes - Quarterly
Is a Members' survey carried out?	One took place as part of this evaluation process.	Planned for the end of 2007		Yes	Yes
% of Members who are enthusiastic about their role	Members are committed to the Overview and Scrutiny process	Approx 40%		Members are committed to the O&S process but think it could be more effective	80%
% of Members who have a fairly good awareness of their role in Scrutiny	All Overview and Scrutiny Members	Approx 70%		80%	Recently reinforced the role of scrutiny and all members

						have reasonably good understanding and awareness
Number of reports written by Members	Reports are written by the Overview and Scrutiny Officer, but the Chair of the relevant Group has an input into its final production	None	None	None	None	All reports are written by members but with strong support from officers
Are annual reports produced by the Committee?	Yes	Yes	Yes	Yes	Yes	Yes
Is there a work programme prioritisation tool?	No	No	No	No	Yes	Yes
<b>Driving improvement in public services</b>						
% of recommendations accepted by Executive	Not currently calculated, however, the majority of Overview and Scrutiny recommendations are accepted	Not currently calculated	Not currently calculated	Not currently calculated	Between 60-80% depending on committee	100%
% of External scrutiny recommendations accepted	Report to be submitted to Cabinet later in the autumn.	Not currently calculated	Not currently calculated	Not currently calculated	100%	100%
Tools for tracking implementation & impact of recommendations	Monitoring Work Programme.	Scrutiny Committee Recommendation Action & Implementation Plan (SCRAIP) – specifies the Cabinet Member and Officer	Regular reports from officers, and part of performance management	Action Planning Procedure in conjunction with reporting mechanism to the		

		responsible for implementing recommendations, gives deadlines and dates for progress / monitoring reports	framework	Scrutiny Commissions
% of scrutiny work that has a direct link to improvement plan	0%	Not currently calculated	0%	100%
Are there performance indicators for scrutiny?	Not for Scrutiny function	Not for Scrutiny function	Yes	Yes
Is the work programme integrated with corporate process? a) Budget setting b) Setting corporate objectives c) Service planning	Yes No No	Yes Yes Yes	Yes Yes No	Yes, Task and Finish Groups from Capacity Review Group
Is scrutiny incorporated into the performance management framework?	Yes	Yes	Yes	Yes
<b>Creating an enabling environment</b>				
Scrutiny Structure	Three Overview and Scrutiny Committees with an overarching Management Committee	5 O&S Committees, all of which can appoint working groups. This structure will change to 4 O&S Committees next year.	1 Scrutiny Committee, 3 Policy Review and Development Committees, Task and Finish groups as required.	Scrutiny Management Committee 2 Commissions , Panels as appointed On-going capacity review programme looking at the corporate and capacity issues within the Authority Yes
Is there dedicated officer support for Scrutiny?	Yes	Yes	Yes	Yes
Where is Scrutiny Support positioned within	Assistant Chief	Deputy Chief Executive's	Report directly to	Democratic

the organisation?	Executive's Directorate	Directorate	Deputy Chief Executive	Services and Scrutiny Services
No. of support staff	1 and 1 vacant post	3	2	4
Roles of Support staff	<p>Overview and Scrutiny Officer</p> <p>Roles include managing the Overview and Scrutiny function, research, report writing. Currently committee admin is also carried out by the Overview and Scrutiny Team</p>	<p>O+S Manager Senior O&amp;S Officer O&amp;S Officer</p> <p>Roles include committee admin functions, research, report writing etc</p>	<p>Principle Overview and Scrutiny Officer Scrutiny Support Officer</p> <p>Roles do not include committee admin / clerk functions</p>	<p>Democratic &amp; Scrutiny Services Manager Scrutiny Support Officer Scrutiny &amp; community engagement assistant Democratic &amp; Scrutiny Services Assistant</p>
Allocated budget for Scrutiny	£105,000(incl. salaries, printing)	£174,000 (incl. salaries)	£21,000 pa	£4,000 pa plus training
% of Members received scrutiny training	Approx 65%	Approx 80%	100%	93.4%
% of Senior Managers received scrutiny training	Training took place in 2006 but has not taken place since	Approx 30%	75%	All have received awareness training by not formal scrutiny training
Are there Scrutiny champions within departments?	No	No	No	Senior Managers champion the scrutiny process and attend Commission meetings




<p><b>Guides and Protocols</b></p> <p>a) Members / available online  b) Officers / available online</p> <p>c) Public / available online  d) Scoping guide  e) Clear process for carrying out reviews  f) Handbook / available online</p>	<p>Yes/Yes  To be approved shortly/will be available on line  Yes/Yes  Yes/Yes  Yes  Yes/Yes</p>	<p>Yes / Yes  Yes / Yes</p> <p>Yes / Yes  No fixed protocol  No fixed protocol</p> <p>Yes / Yes</p>	<p>In handbook  In handbook</p> <p>In handbook  Yes / No  Yes</p> <p>Yes / Yes</p>	<p>Yes / Yes  Yes / Yes</p> <p>Yes / Yes  Yes / No  Yes / No</p> <p>Yes / not at moment</p>
<p><b>Does Scrutiny have its own branding?</b></p>	<p>Yes</p>	<p>Yes</p>	<p>No</p>	<p>Yes</p>

## Appendix D


### Evaluation findings

#### Provide 'critical friend' challenge



#### Does Overview and Scrutiny provide an effective challenge to Cabinet?


Key Line of Enquiry	Evidence of what we do well	How can we improve?	What are the barriers to and opportunities for improvement
<p><b>What opportunities are available for Overview and Scrutiny members to question Cabinet Members and challenge the Executive?</b> </p>	<p>Cabinet members have been involved in Overview and Scrutiny recommendations</p> <p>Cabinet Members are invited to Overview and Scrutiny meetings, as appropriate.</p>	<p>Involve Cabinet members more in all Overview and Scrutiny reviews.</p> <p>Cabinet members are not always involved, for example the Historic Buildings Task and Finish Review.</p> <p>A clearer brief is required as to why Cabinet members should attend.</p> <p>More use of pre-decision scrutiny</p> <p>Include Portfolio Holder question time on Overview and Scrutiny Committee agendas, around two to three times a year.</p>	<p>Need to raise the profile of Overview and Scrutiny within the Council and show how it helps Officers as well as Councillors in undertaking its role.</p> <p>External representatives have been co-opted onto Scrutiny Task and Finish Groups but not of late, consideration could be given to more external co-option. Opportunities exist to form links with organisations with knowledge of the local and national picture.</p>

<p><b>How does Scrutiny provide an effective mechanism for the Executive to demonstrate public accountability?</b> 📌</p> <p><b>How do you ensure that challenge is 'constructive, robust and purposeful'?</b> 📌</p>	<p>Call-in can help clarify Cabinet decisions, for example the Robinson House Call In</p> <p>Call in procedure is used sparingly.</p> <p>Good issue-based Reviews investigating particular services of local problem and making recommendations to Cabinet. For example, homelessness (rough sleepers review), contaminated water incident review</p>	<p>Previously Overview and Scrutiny played a small part in the budget setting process, however, in 2007 the Overview and Scrutiny Budget and Monitoring Process Work Programme was set up and will contribute to the budget setting process at an early stage.</p> <p>Invite the Portfolio to inform the Committee of his/her priorities at the Work Programme setting stage</p>	<p>Forward Plan timings do not help provide for pre-decision scrutiny in the process of the Council's decision making.</p>
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<p><b>What evidence is there that Scrutiny is able to operate independently of the Executive?</b> </p>	<p>The relevant Scrutiny Committee contributes effectively to the budget setting process.</p> <p>Opportunity of the Committee to scrutinise the Forward Plan at every meeting</p> <p>Overview and Scrutiny sets its own Work Programme</p>		
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## How does Scrutiny have an impact on the work of the Executive?

Key Line of Enquiry	Evidence of what we do well	How can we improve	What are the barriers to and opportunities for improvement?
<p><b>Can you provide an example where challenge to the Executive has led to a better decision than would otherwise have been taken</b> </p>	<p>The Voluntary Sector Call-In helped to clarify the decision</p> <p>The Robinson House Call-In led to amended recommendations resulting in consultation</p>	<p>Lack of understanding has led to call-ins which could have been avoided.</p> <p>Make more use of the Forward Plan in pre-decision scrutiny.</p>	<p>Greater communication between Portfolio Holders and Chairs and Vice Chairs of the Overview and Scrutiny Committees are required to explain future plans and priorities and where Overview and Scrutiny can input.</p> <p>The Forward Plan is not used as a tool for pre-decision scrutiny.</p>
<p><b>Can you provide evidence of where Scrutiny has had a direct impact on the work of the Executive?</b> </p>	<p>It is possible that Scrutiny recommendations have led to improved methods of working in some areas.</p> <p>All Scrutiny</p>	<p>The evidence based system to monitor the Cabinet response to Scrutiny recommendations needs to be re-introduced. Portfolio Holders are requested to report back to scrutiny after six months on progress of the implementation of the recommendations.</p> <p>The Leader to be invited to attend</p>	<p>Further develop the evidence-based system to monitor the Cabinet response to Scrutiny recommendations.</p>

<p><b>Has a Cabinet Member had a change of mind on a decision due to scrutiny?</b> </p>	<p>recommendations go to Cabinet and the Portfolio Holder is asked to complete the monitoring of recommendations template.</p> <p>-</p>	<p>the Overview and Scrutiny Management Committee, perhaps twice a year, which would provide an opportunity for balancing independence and support.</p>	
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**How does scrutiny routinely challenge the Authority's corporate strategy and budget?**

Key Line of Enquiry	Evidence of what we do well	How can we improve	What are the barriers to and opportunities for improvement
<p><b>Is there evidence of questioning financial priorities and how they meet corporate objectives</b> </p>	<p>In 2007 the Monitoring and Budget Process Overview and Scrutiny Working Group was set up. In 2008, this Working Group</p>		<p>Opposition Councillors will not want to input into the budget process and save 'powder dry' until the Budget Meeting of Full Council.</p> <p>Financial reports need to clearly show performance against priorities.</p> <p>Scrutiny should have more involvement with financial</p>


<p><b>How can you demonstrate that monitoring and questioning performance has provided effective challenge</b> </p>	<p>will be involved in the budget setting process at an early stage</p> <p>Routine performance reports are received by Overview and Scrutiny Committees and tailored to their requirements.</p> <p>The Chair and Vice Chair of the Overview and Scrutiny Committees are asked to select a BVP(s) that they require further</p>		<p>priorities and budget monitoring. For example, examining Council and/or other departmental spending allocations for the coming financial year.</p> <p>Overview and Scrutiny members are due to receive performance monitoring training to develop Members approach. The Overview and Scrutiny Team will work closely with the Performance Team.</p>
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	<p>information on for the meeting.          Example: BV126 – percentage of domestic burglaries per 1,000 households per Local Authority area – Police and Community Safety Team to attend an Overview and Scrutiny Committee meeting to provide further information.</p>		
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**Are external partners involved in scrutiny and how are they included?**

<b>Key Line of Enquiry</b>	<b>Evidence of what we do well</b>	<b>How can we improve</b>	<b>What are the barriers to and opportunities for improvement?</b>
<p><b>Are external partners used to provide challenge?</b> </p>	<p>Many external partners have attended Task and Finish Group</p>	<p>Development of Countywide scrutiny based on themes of LAA2.  Provide more feedback to external</p>	<p>Need to join up partnership working at Cabinet level with Overview and Scrutiny. Cabinet can then see how Overview and Scrutiny helps develop partnership working.</p>




<p><b>Can you provide examples where partner organisations have been the subject of scrutiny?</b> </p>	<p>meetings/ Committees, for example Rough Sleepers, Post Office Closure, Voluntary Sector, Community Engagement, Leisure Services, Allotments (Water Charges), Historic Buildings, and Street Scene Reviews.</p> <p>A range of external partners have been used to provide evidence to scrutiny committees, for example Chief Executive of Northants Primary Care Trust and Northants Police</p> <p>Examples include: - Post Office Closures Review –</p>	<p>groups. Set up a key contact database. Need for Scrutiny Champions within partner organisations/key external partners.</p> <p>Avoid duplication of topics with Northamptonshire County Council (NCC). External partners and co-optees can be essential to some Reviews as they can add value to the work by offering a different perspective on the issue under review.</p>	<p>Lack of partner understanding of Overview and Scrutiny, need for finance for publicity for Overview and Scrutiny.</p> <p>After the completion of each Review, a final meeting should be set aside to discuss how the Review went, lessons learnt, and how progress will be monitored etc.</p> <p>It is sometimes difficult to get external partners to attend Overview and Scrutiny meetings.</p>
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Post Office Limited

Review of  
Partnership Working  
between NBC and  
West  
Northamptonshire  
Development  
Corporation  
(WNDC) – Board  
members of WNDC  
and Senior  
Employees


Robinson House  
Call In

Contaminated  
Water Incident  
Review – Anglian  
Water, Drinking  
Water Inspectorate

**Is there a process for external involvement in Overview and Scrutiny? Have you developed a scheme as outlined in the Local Government Act 2003?** 

Overview and Scrutiny Co-Optee handbook developed by the Overview and Scrutiny Protocol Working Group

The Council's constitution allows for external involvement in Overview and Scrutiny, both as co-opted members and providing witness evidence.


**Are arrangements in place to support and encourage external challenge?** 


There have been external co-optees to previous Overview and Scrutiny Reviews, for example, Allotments (Water Charges), Street Scene. Witnesses have provided evidence to inform Overview


Advertise for co-opted members on the Overview and Scrutiny pages of Council's website for specific Overview and Scrutiny Reviews.

	<p>and Scrutiny reviews, for example Contaminated Water Review, Billing Waste Water Concessionary Fares, Leisure, Rough Sleepers.</p> <p>The Overview and Scrutiny Witness Protocol and Guidance Notes are sent out to all witnesses, whether internal or external.</p>		
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## Does Scrutiny work effectively with the Executive and Senior Management?

Key Line of Enquiry	Evidence of what we do well	How can we improve	What are the barriers to and opportunities for improvement?
<p><b>Do you have an agreed way of working with the Executive and Senior Management?</b></p> 	<p>There is no agreed way of working</p> <p>Informal meetings held between the Chair and Vice Chair of the Overview and Scrutiny Management Committee and the Leader of the Council and the Chief Executive</p> <p>Overview and Scrutiny has a standing item on the Cabinet agenda - <i>Issues Arising from Overview and Scrutiny</i></p>	<p>A Protocol is being drafted and will be submitted for approval by the end of 2008.</p> <p>A greater understanding is needed of how Overview and Scrutiny can contribute to the Chief Executive's agenda.</p>	<p>No formal minutes/actions from the informal meetings with the Leader of the Council and the Chief Executive.</p> <p>Lack of understanding by Senior Officers and Councillors of how Overview and Scrutiny can help in the improvement of the Council.</p> <p>Greater communication between Portfolio Holders and Chairs and Vice Chairs of the Overview and Scrutiny Committees are required to explain future plans and priorities and where Overview and Scrutiny can input.</p>

<p><b>Can you describe those relationships confidently and provide an example of them working in practice?</b> </p>	<p>Committees.’</p> <p>Portfolio Holders report back to Overview and Scrutiny on Cabinet’s response to the Overview and Scrutiny report</p> <p>Formal Monitoring System in place- Portfolio Holder reports back progress on the implementation of the recommendations contained in the Overview and Scrutiny report, six months after Cabinet has accepted it.</p> <p>The Forward Plan is submitted to every Overview</p>	<p>Greater explanation of the content of the Forward Plan at Overview and Scrutiny Committee meetings to enable the Committee to make informed choices over which issues to pre-decision scrutiny.</p>	
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<p><b>Are there examples to demonstrate improved outcomes as a result of these relationships in use?</b> </p>	<p>and Scrutiny Committee meeting so that the Committee is aware of future decisions Cabinet will be taking and for the Committee to decide on any issues to pre-decision scrutiny.</p>		
	<p>The formal monitoring system evidences the progress of the implementation of Overview and Scrutiny recommendations.</p>		

## Reflecting the voice and concerns of the public and its communities

### How is the work of Scrutiny informed by the public?


Key Line of Enquiry	Evidence of what we do well	How can we improve	What are the barriers to and opportunities for improvement?
<p><b>Is there evidence of an ongoing dialogue with the public and its diverse communities?</b></p> <p>🏠 Public 🌍 Diverse Communities</p>	<p>The public often attend and address Overview and Scrutiny at its meetings.</p> <p>Public address is a standing item on every Overview and Scrutiny Committee meeting</p> <p>The Overview and Scrutiny pages of the Council's website encourages public</p>	<p>Issue regular press releases. Produce an Overview and Scrutiny Media Protocol.</p> <p>Engage the public in the development of the Overview and Scrutiny Work Programme.</p>	<p>Links to the Council's Neighbourhood Partnerships and use of Equality Impact Assessments that involve diverse communities.</p> <p>Lack of profile for Overview and Scrutiny within the Council.</p> <p>Terminology not always easy to understand.</p> <p>Cabinet could direct public concerns to Overview and Scrutiny on some issues.</p> <p>General public often do not understand Overview and Scrutiny</p> <p>Investigate best practice from other Councils.</p>



<p><b>What evidence is there to show how diverse/different public expectations have been managed? 🗨️</b></p> <p><b>Is there evidence to show where the scrutiny work programme has been influenced by both the public and partner organisations? 🗨️</b></p>	<p>participation. A leaflet giving the same details is circulated at every Overview and Scrutiny Committee meeting.</p> <p>Billing Waste Water Working Group came into inception following a presentation from a local group – CLEAN.</p> <p>Most work programme issues are member led, however, during Local Democracy Week, Overview and Scrutiny will hold a ballot for</p>	<p>Need to build up more networks, and greater consultation required with community groups.</p> <p>More engagement with black, Minority and Ethnic (BME) groups</p> <p>Greater emphasis on communicating with the public during Reviews</p>	
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	<p>the Council's Forums to vote on one item from the top ten that the public has suggested for topics for inclusion onto the Overview and Scrutiny Work Programme.</p>		
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**How does scrutiny makes itself accessible to the public?**


<b>Key Line of Enquiry</b>	<b>Evidence of what we do well</b>	<b>How can we improve</b>	<b>What are the barriers to and opportunities for improvement?</b>
<p><b>What mechanisms are in place to enable/encourage the public to become involved in the work of scrutiny?</b> </p>	<p>The Overview and Scrutiny pages of the Council's website encourages public participation – How you can get involved in scrutiny. A leaflet giving the same details is circulated at every Overview and</p>	<p>Engage the public and community groups in developing the Overview and Scrutiny Work Programme</p>	<p>Lack of profile of Overview and Scrutiny within the Council. Terminology/names often not easy to understand. Cabinet needs to direct public concerns on some issues to Overview and Scrutiny.</p>


<p><b>Is there evidence to show where the scrutiny work programme has been influenced from both public and partner organisations?</b> 📌</p>	<p>Scrutiny Committee meeting.</p> <p>Public speaking is welcomed at every Overview and Scrutiny Committee meeting.</p> <p>The public has been invited to give evidence, e.g. Contaminated Water Review, Leisure Review, Community Engagement Review, Post Office Closures and the Historic Buildings Review</p> <p>The Allotments (Water Charges) Review was undertaken following</p>	<p>More innovative mechanisms for consultation/engagement with communities, in particular hard to reach groups and specialist groups.</p>	<p>The public must be interested in a Scrutiny Review if they are to participate.</p>
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	<p>an address at Full Council by two allotment holders, who were then co-opted onto the Review.</p>		
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### How does scrutiny communicate?


Key Line of Enquiry	Evidence of what we do well	How can we improve	What are the barriers to and opportunities for improvement?
<p><b>Are mechanisms in place to ensure that all members and officers are aware and understand scrutiny?</b> </p>	<p>The Overview and Scrutiny Toolkit has been noted as an example of best practice. Every Director and Head of Service has been issued with a copy of the Toolkit.</p>	<p>The Overview and Scrutiny Toolkit needs to be effectively promoted and built into in-house training courses</p> <p>Overview and Scrutiny Review reports could be presented directly to Full Council for debate.</p> <p>Relevant training for Overview and Scrutiny Officers.</p>	<p>Many officers do not come into direct contact with Overview and Scrutiny.</p> <p>The term `scrutiny` is often seen as negative and overly intrusive. Some authorities call their committees `improvement panels` and do not use the terminology `overview and scrutiny`.</p> <p>Investigate how other Overview and Scrutiny Committees communicate.</p>

<p><b>How do you ensure that opportunities for communicating scrutiny are identified and used, including corporate arrangements for media and public relations?</b> </p>	<p>Overview and Scrutiny Protocols are published.</p> <p>The Overview and Scrutiny Annual Report and Newsletter have been commended. Both documents give details of the scrutiny process at Northampton</p> <p>A guide to Overview and Scrutiny is available on the website.</p> <p>The press receive copies of all agendas and reports.</p> <p>Reports are published on the website.</p>	<p>A draft Media Protocol has been produced.</p>	<p>More engagement with the press, including proactive statements from the Chairs.</p>
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<p><b>Do you have any specific arrangements for communicating with partnerships and partner organisations?</b></p> 	<p>Witness Protocol is sent to all external and internal witnesses.</p>	<p>A formal structure and method to communicate with partners should be identified.</p>	
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### Does Scrutiny operate with political impartiality?

Key Line of Enquiry	Evidence of what we do well	How can we improve	What are the barriers to and opportunities for improvement?
<p><b>Are you able to demonstrate the whip is not used?</b></p> 	<p>Overview and Scrutiny sets its own agenda Task and Finish Groups are non-partisan and focus on the issue being reviewed.</p>		<p>Need for Councillors to have more understanding of party politics role within Overview and Scrutiny - need to continue to reinforce 'non political' scrutiny through training for members.</p>

<p><b>Is it possible to demonstrate political consensus?</b> </p>	<p>Councillors and members of the public have suggested items for review that have been adopted.</p> <p>Scrutiny is generally of a consensus nature and it is rare for a vote to be used.</p> <p>Overview and Scrutiny Committees are politically balanced.</p> <p>Recommendations are made by consensus. To date there have been no minority reports.</p>		
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<p><b>How have Executive members been involved in championing the value and potential of Scrutiny?</b> </p>	<p>Portfolio Holders attend Overview and Scrutiny Committees and Task and Finish Group meetings when invited.</p>		
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**Does scrutiny have ownership of its own work programme?**

Key Line of Enquiry	Evidence of what we do well	How can we improve	What are the barriers to and opportunities for improvement?
<p><b>How have Members been involved in developing the work programme?</b> </p>	<p>Overview and Scrutiny develops its own work programme and the Management O&amp;S Committee resolves any conflicts.</p>		<p>Value of Overview and Scrutiny not always recognised. Budget needs to be clearer in terms of available resources that Overview and Scrutiny can call upon. Lack of administrative support.</p>
<p><b>Do Members regularly monitor and evaluate the progress of work programmes?</b> </p>	<p>Scoping document is used to review and monitor progress for the life of the Review. Interim updates given to each parent</p>	<p>Clearer/transparency about resources available (e.g. Budget). Clearer evaluation and action plans.</p>	




<p><b>Can you provide evidence to show how conflicting views in regard to the work programme have been resolved by scrutiny members?</b> </p>	<p>Overview and Scrutiny Committee meeting.</p> <p>Work Programmes are monitored by each Overview and Scrutiny Committee at every meeting.</p> <p>The Overview and Scrutiny Management Committee allocates new review topics on the basis of capacity/resources/workloads of the Committees.</p> <p>Scope of reviews provide the terms of reference, aims and objectives of scrutiny work.</p>		
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<p><b>Do scrutiny members have goals for what they want to achieve?</b> 🚨</p>	<p>Each Task and Finish Group has good terms of reference but some have been broad on occasions.</p>		
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**Do scrutiny members consider that they have a worthwhile and fulfilling role?**

Key Line of Enquiry	Evidence of what we do well	How can we improve	What are the barriers to and opportunities for improvement?
<p><b>Do members have an opportunity to communicate their views on the development and operation of Overview and Scrutiny?</b> 🚨</p>	<p>Evaluation of Overview and Scrutiny currently underway.</p>	<p>Carry out a further evaluation in two years time.</p> <p>Need to demonstrate clearer outcomes following scrutiny Reviews.</p>	<p>'Lessons learnt' review after each completed Review to evaluate how the Review has added value.</p> <p>Lack of resources to promote the work of Overview and Scrutiny.</p>
<p><b>Are the views of Members canvassed/collected and evaluated?</b> 🚨</p>	<p>Views were gathered as part of this evaluation process. Feedback is obtained</p>	<p>Annual/Bi annual member surveys.</p>	<p>Overview and Scrutiny is not seen as contributing to the recovery of the Council/improvement process.</p> <p>Monitoring system required.</p>

<p><b>Is scrutiny seen as an attractive political career?</b></p> <p><b>Is the scrutiny role seen as one that makes an important contribution to the good management of the Authority and quality of life in the community?</b></p> 	<p>following training sessions.</p> <p>No system in place as yet to monitor.</p>		
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**Is there a constructive working partnership with officers including support arrangements for scrutiny?**

Key Line of Enquiry	Evidence of what we do well	How can we improve	What are the barriers to and opportunities for improvement?
<p><b>Can you provide evidence to show that there are arrangements to enable discussion and consensus between scrutiny, the Executive and officers?</b> </p>	<p>The Chief Executive has suggested items for scrutiny review.</p> <p>Overview and Scrutiny has provided responses to Government consultation and Northamptonshire County Council (NCC)'s consultation.</p>	<p>More pre-decision scrutiny.</p> <p>Involve Overview and Scrutiny in the Council's improvement process</p>	<p>Resources available to ensure this is effective.</p>

<p><b>How have officers been involved in championing the value and potential of scrutiny?</b> 🍅</p> <p><b>What training and development has been provided with a view to improving scrutiny?</b> 🍃</p> <p><b>How are the arrangements for scrutiny support evaluated for effectiveness and appropriateness?</b> 📢</p>	<p>There is a dedicated programme of scrutiny training</p> <p>There is a dedicated Scrutiny Team comprising of two Scrutiny Officers who manage the Overview and Scrutiny process.</p>	<p>Need Director level Champion of Overview and Scrutiny.</p> <p>Rather than individual Councillors and scrutiny officers attending external training, it may be more cost effective to ask the trainer to put on the training at the Guildhall and invite neighbouring Authorities to partake, with a small attendance fee to cover costs,</p>	<p>Lack of administrative support.</p> <p>Lack of resources to promote Overview and Scrutiny.</p> <p>Overview and Scrutiny's profile is hidden within the Council.</p> <p>Lack of Officer understanding of the role of Overview and Scrutiny.</p>
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## Make an impact on service delivery

### How does scrutiny workload co-ordinated and integrated into corporate processes?


Key Line of Enquiry	Evidence of what we do well	How can we improve	What are the barriers to and opportunities for improvement?
<p>Are you able to use the forward plan to programme the work of scrutiny? 📅</p>	<p>Overview and Scrutiny monitors the work programme at every Committee meeting.</p>	<p>Subject to the provision of administrative support for Overview and Scrutiny, more frequent Overview and Scrutiny Committee meetings .</p> <p>Portfolio Holder briefings at the Committee prior to an item going on the Forward Plan.</p>	<p>Clear understanding of corporate objectives and how decisions are aligned to these.</p>
<p>Is the Forward Plan fit for purpose? 📅</p>	<p>Yes</p>		
<p>What evidence is there that scrutiny contributes to the delivery of corporate priorities?</p>	<p>Councillor Call for Action (CcfA) was the first Overview and Scrutiny policy development</p>		

<p><b>Can scrutiny demonstrate an involvement and impact in setting performance objectives?</b></p>	<p>review.</p> <p>The PFI/Managed Access report (Loss of School Playing Fields) identified a gap in the Council's process.</p> <p>Scrutiny receives and reviews performance data and information. The Chair and Vice Chair often asks for further information on a specific Best Value Performance Indicator (BVPI) to be brought to a future meeting, for example BV126. Scrutiny can make recommendations to Cabinet.</p>	<p>Continue to build upon the work of the Budget and Monitoring Working Group.</p>	<p>Clearer management information concerning performance by Portfolio Holder/corporate priority</p>
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<p><b>What evidence is there to show that scrutiny involvement has identified the need to realign resource allocation or objective?</b></p>	<p>Budget proposals are reviewed by the relevant Overview and Scrutiny Committee prior to submission to Full Council.</p> <p>The Budget and Monitoring Working Group will look at the budget process in detail in 2008.</p>		
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**What evidence is there to show that scrutiny has contributed to improvement?**

Key Line of Enquiry	Evidence of what we do well	How can we improve	What are the barriers to and opportunities for improvement?
<p><b>What evidence is there to show that changes have been brought about as a result of scrutiny activity (including community well-being and strategic assurance)</b> </p>	<p>The Rough Sleepers Task and Finish Group helped a joined up approach.</p> <p>The Contaminated Water Task and Finish Group recommended an improved register of vulnerable people, accessed by all Agencies.</p> <p>Robinson House Call-In showed a wider picture.</p>	<p>Overview and Scrutiny needs to be seen as part of a 'tool' to help improve the Council.</p> <p>Overview and Scrutiny needs to have clearer understanding of improvement work.</p>	<p>Cabinet need to be willing to share future plans/issues needing attention with Overview and Scrutiny.</p> <p>Lack of resources.</p>

<p><b>What arrangements are in place to ensure that recommendations and actions arising from scrutiny are acted upon?</b> 📍</p>	<p>Portfolio Holder template. Reports require a feedback review after six months.</p>	<p>Explore best practice from other Councils</p>	
<p><b>How does scrutiny monitor routinely the implementation of its recommendations?</b> 📍</p>	<p>Overview and Scrutiny Monitoring Work Programme. Six-month reviews - Overview and Scrutiny invite Portfolio Holders to meetings to report back on progress.</p>	<p>Explore best practice from other Councils</p>	


## How well is information required by scrutiny managed?

Key Line of Enquiry	Evidence of what we do well	How can we improve	What are the barriers to and opportunities for improvement?
<p><b>How effective are the arrangements for planning and scoping reviews?</b></p> 	<p>The use of project planning and scoping enables reviews to be focussed and time limited. It provides a framework which evidence and witness interviews can be arranged.</p> <p>Examples of reviews that achieved their original scopes include:</p> <ul style="list-style-type: none"> <li>• Rough Sleepers</li> <li>• Community Engagement</li> <li>• CcfA</li> </ul>	<p>Clearer guides for scoping Reviews.</p> <p>Ensure background information is provided to all Task and Finish Groups before the initial scoping meeting.</p>	<p>Training for Councillors on how to conduct an Inquiry.</p> <p>More preparation prior to Reviews. Councillors need to be more specific about objectives and scope needs to be more clearly understood.</p> <p>Greater discipline by Chairs of Task and Finish Groups/Reviews.</p> <p>Lack of resources to advise Task and Finish Groups on technical aspects of the issue being reviewed at meetings. – More specialists are needed.</p> <p>Lack of administrative support.</p>

**What arrangements have been made to ensure that scrutiny members receive accurate and appropriate information?** 

Committee cycle provides the timetable, which is always met by the Scrutiny Team.





Agendas, supporting papers and minutes are issued within the statutory deadlines. They are available both electronically and by paper.

**How does scrutiny record, monitor and evaluate its own proceedings?** 

Meetings are minuted and reports are published.

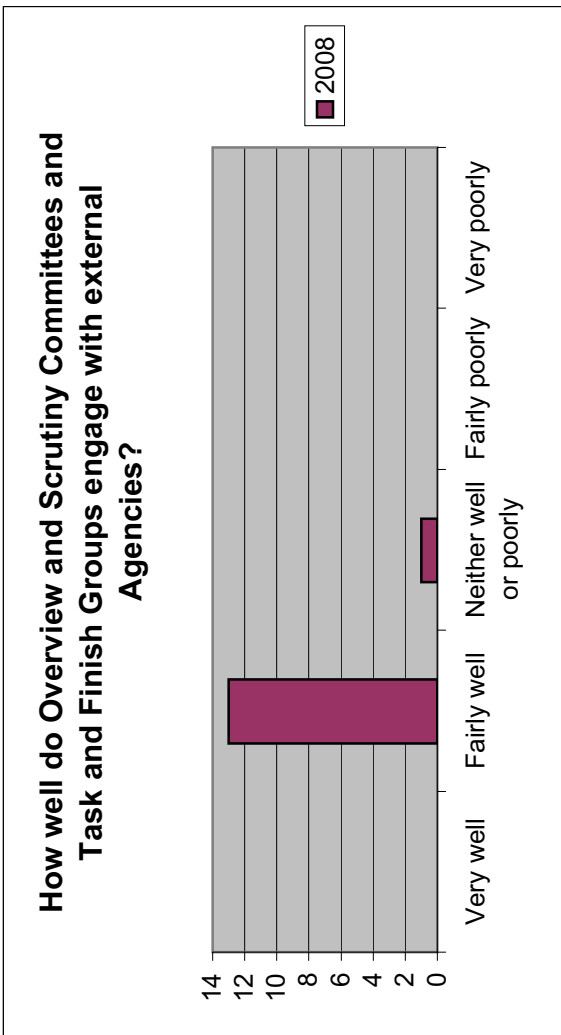
Formal evaluation following the CfPS guidelines Peer Reviews Comparison with other districts

Build on peer reviews

<b>Report Status indicators</b>			<b>OK</b>
			<b>Warning</b>
			<b>Alert</b>
			<b>Unknown</b>

Appendix E  
**How well do Overview and Scrutiny Committees and Task and Finish Groups engage with external Agencies?**

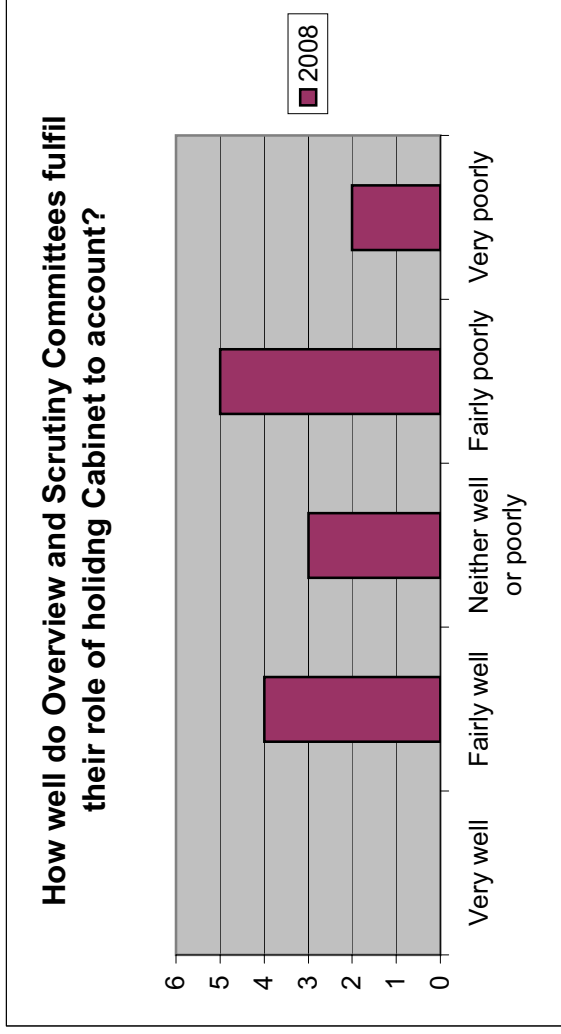
Very well 0  
 Fairly well 13  
 Neither well or poorly 1  
 Fairly poorly 0  
 Very poorly 0



How well do Overview and Scrutiny Committees fulfil their role of holding Cabinet to account?

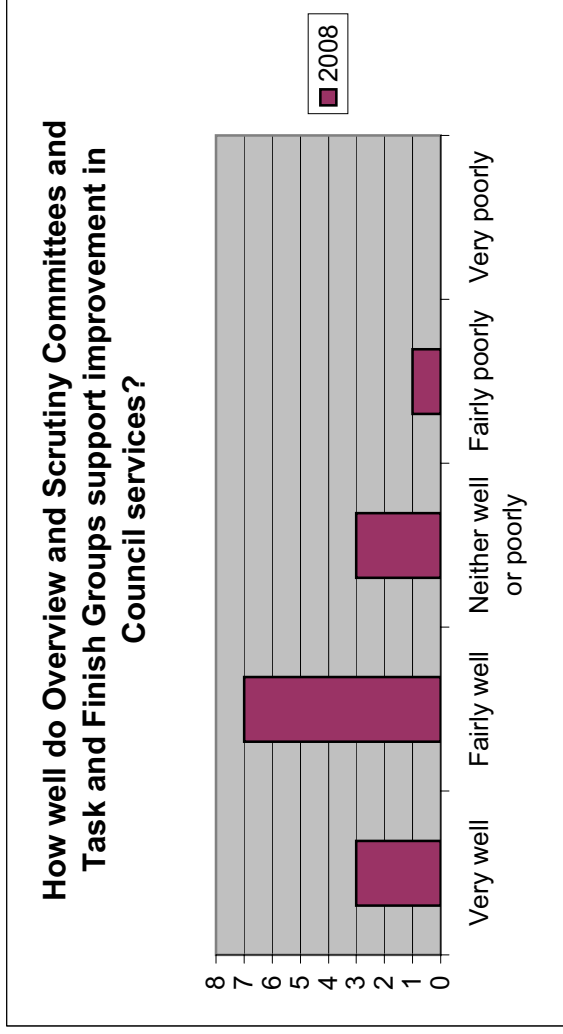


- 0 Very well
- 4 Fairly well
- 3 Neither well or poorly
- 5 Fairly poorly
- 2 Very poorly



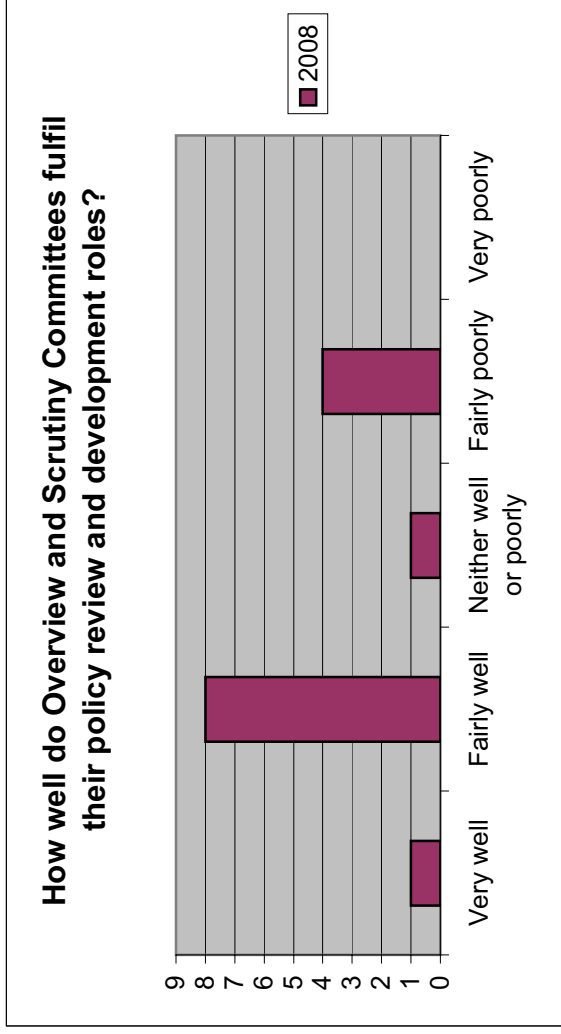
How well do Overview and Scrutiny Committees and Task and Finish Groups support improvement in Council services? 🇬🇧

- Very well 3
- Fairly well 7
- Neither well or poorly 3
- Fairly poorly 1
- Very poorly 0



How well do Overview and Scrutiny Committees fulfil their policy review and development role? 🇬🇧

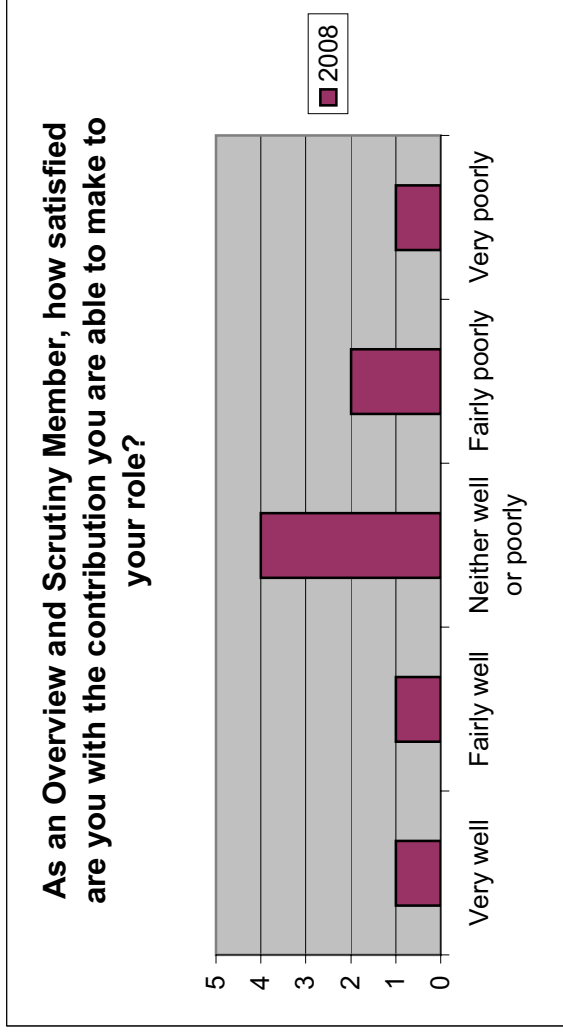
- Very well 1
- Fairly well 8
- Neither well or poorly 1
- Fairly poorly 4
- Very poorly 0





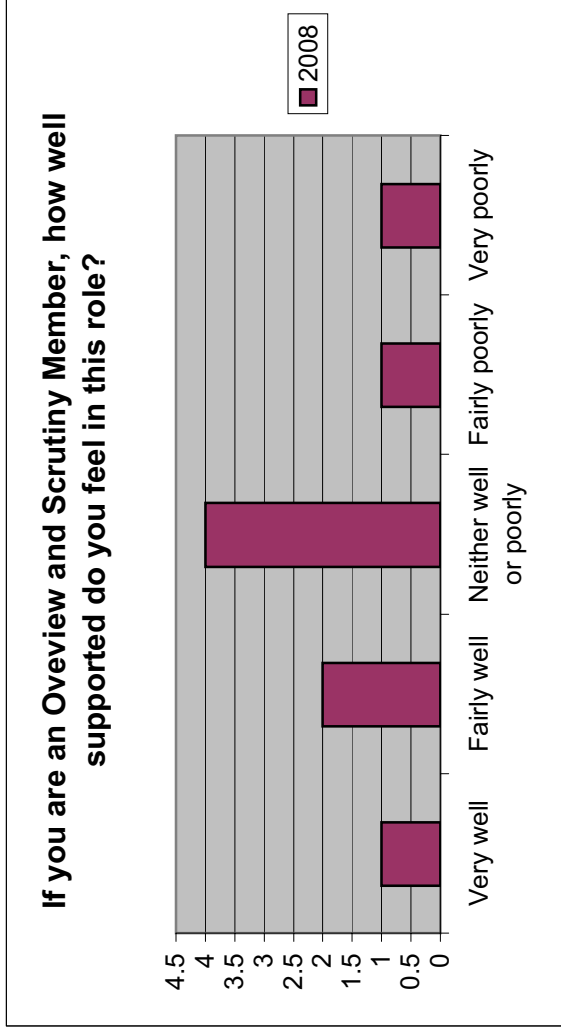
As an Overview and Scrutiny Member, how satisfied are you with the contribution you are able to make to your role? 📢

- Very well 1
- Fairly well 1
- Neither well or poorly 4
- Fairly poorly 2
- Very poorly 1



If you are an Overview and Scrutiny Member, how well supported do you feel in this role? 📊

- Very well 1
- Fairly well 2
- Neither well or poorly 4
- Fairly poorly 1
- Very poorly 1





**NORTHAMPTON**  
BOROUGH COUNCIL

# COUNCIL

## 2<sup>nd</sup> March 2009

**Agenda Status: Public**

**Directorate: Environment & Culture**

<b>Report Title</b>	<b>BOROUGHWIDE DESIGNATED PUBLIC PLACES ORDER - CONSUMPTION OF ALCOHOL</b>
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### 1. Summary

- 1.1 A report was taken to Cabinet on 5 November 2008 requesting approval to proceed to the consultation stage for a Designated Public Places Order (DPPO) covering the Borough of Northampton to restrict anti-social drinking in public places. This was given.
- 1.2 Full consultation was undertaken as per Home Office guidelines during November and December. 90% of respondents were in favour of implementing an Order
- 1.3 Following the consultation process a further report (appendix1) was taken to Cabinet on the 4 February 2009 recommending the implementation of a Boroughwide Designated Public Places Order, which was approved (paper attached).
- 1.4 The establishment of an alcohol control area (DPPO) throughout Northampton will not prohibit drinking in public places but will give the police and other designated officers the power to confiscate alcohol from anyone who is causing a nuisance in a public place and to prosecute and fine individuals who refuse to stop drinking in public when requested. The power to establish an alcohol control area (DPPO) lies with the Council.

### 2. Recommendations

- 2.1 That Council resolves to adopt a Designated Public Place Order (DPPO) for the Borough of Northampton and exercise its powers under section 13, Criminal Justice and Police Act 2001 ("the Act").

### 3. Report Background

Detailed in attached report (appendix 1)

### 4. Implications (including financial implications)

#### 4.1 Resources and Risk

Detailed in attached report (appendix 1)

#### 4.2 Legal

Detailed in attached report (appendix 1)

#### 4.3 Other Implications

Detailed in attached report (appendix 1)

### **5. Background Papers**

#### 5.1 Criminal Justice and Police Act 2001

Crime & Disorder Act 1998

Statutory Instrument 2007 No. 806 The Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007

Cabinet Report Dated 5 November 2008 requesting approval to go out to public consultation for Boroughwide Designated Public Places Order

Cabinet Report Dated 4 February 2009 recommending implementation of Boroughwide Designated Public Places Order (attached)

**Report Author and Title:** Debbie Ferguson, Community Safety Manager

**Telephone and Email:** 01604 838731 [dferguson@northampton.gov.uk](mailto:dferguson@northampton.gov.uk)



## CABINET REPORT

<b>Report Title</b>	<b>BOROUGHWIDE DESIGNATED PUBLIC PLACES ORDER - CONSUMPTION OF ALCOHOL</b>
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**AGENDA STATUS: PUBLIC**

<b>Cabinet Meeting Date:</b>	4 February 2009
<b>Key Decision:</b>	YES
<b>Listed on Forward Plan:</b>	YES
<b>Within Policy:</b>	YES
<b>Policy Document:</b>	NO
<b>Directorate:</b>	Culture & Environment
<b>Accountable Cabinet Member:</b>	Councillor Brendan Glynane
<b>Ward(s)</b>	All wards

### 1. Purpose

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- 1.1 The purpose of this report is for Cabinet to note the outcome of the public and statutory consultation undertaken to establish the need for a Borough wide Designated Public Places Order for Northampton (DPPO) and Gauge public opinion on the proposal.

### 2. Recommendations

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- 2.1 That Cabinet recommends to full Council to adopt a Designated Public Place Order (DPPO) for the Borough of Northampton and exercise its powers under section 13, Criminal Justice and Police Act 2001 ("the Act").

### **3. Issues and Choices**

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#### **3.1 Report Background**

- 3.1.1 This report is a follow up report to that was heard at Cabinet on 5 November 2008.
- 3.1.2 The Criminal Justice and Police Act 2001 enables the establishment of an alcohol control area otherwise known as a designated public places order (DPPO) in any area of a local authority if it is satisfied that nuisance or annoyance to members of the public or disorder has been associated with the consumption of alcohol in that place. A number of local authorities (e.g. Coventry, Ipswich, Crawley, Sandwell and Brighton) have used this to establish borough wide DPPO's in order to deal with issues of displacement of nuisance and street drinking. The aim of the Order is to reduce alcohol related anti social behaviour.
- 3.1.3 The establishment of an alcohol control area (DPPO) throughout Northampton will not prohibit drinking in public places but will give the police and other designated officers the power to confiscate alcohol from anyone who is causing a nuisance in a public place and to prosecute and fine individuals who refuse to stop drinking in public when requested. The power to establish an alcohol control area (DPPO) lies with the Council.
- 3.1.4 The Council can designate any area as a Designated Public Place if that area is:
- (1) Accessible to the public (whether as of right or by express or implied invitation; AND
  - (2) An area where it is satisfied that nuisance or annoyance to the public or disorder has been associated with the consumption of alcohol in this area.
- 3.1.5 It is not an offence to drink alcohol in a Designated Public Place, but it is an offence for someone to
- (1) Drink alcohol in the designated public place if a police constable or community support officer requires them not to.
  - (2) Fail to surrender of alcohol or an alcohol container if a police constable or community support officer requires them to.
- Fixed Penalty Notices may be used to enforce this law.
- 3.1.6 According to Home Office guidance, the Order is not intended to lead to a comprehensive ban on drinking in the open air and should only be used where authorities are satisfied that the nuisance and disorder have been associated with drinking in a public place. The Local Authority must be satisfied that the order is not being used disproportionately or in an arbitrary fashion.
- 3.1.7 An Order is not intended to impact upon those people or families conducting themselves in a considerate and orderly manner whilst enjoying a social drink in a public area or park.
- 3.1.8 Local authorities must consider the extent of the problem and the likelihood of the anti-social behaviour continuing if an order is not made.
- 3.1.9 A DPPO empowers the police to seize alcohol that is being consumed in public places when its consumption is associated with anti-social behaviour. It

would be an offence to consume alcohol in a public place when asked by a police officer or an accredited police community support officer or accredited Neighbourhood Wardens not to do so. Any breach of this requirement would be punishable by a fine of up to £500 following conviction in the Magistrates Court (this fine is to be increased to a maximum of £2,500, timeline not known). It is noted that it would only be an offence to drink alcohol in a designated public place when such consumption was associated with acts of anti-social behaviour.

3.1.10 The restriction on public drinking will not apply to any premises or area covered by a license allowing the consumption of alcohol, for example, the premises of licensed houses, clubs or restaurants, beer gardens and can allow for other exemptions such as carnivals.

3.1.11 The final decision on this area needs to be via full council and a further report will be taken to full council with Cabinet's approval as appropriate.

### **The Consultation Process:**

3.1.12 During November and December 2008 the following actions were undertaken to meet the statutory consultation requirements of The Local Authorities Alcohol Consumption in Designated Public Places Regulations April 2007 3.(1):

1) A consultation letter was sent to:

- Northamptonshire Chief Constable
- NBC Events Team
- Daventry District Council, South Northants Council, Borough of Wellingborough Council, Northamptonshire County Council
- Duston, Billing, Collingtree, Great Houghton, Hardingstone, Upton, Wootton & East Hunsbury Parish Councils.
- Licensed Premises Holders (540)
- Northamptonshire Police Authority
- Northamptonshire Primary Care Trust
- Northamptonshire County Council Highways
- All NBC Councillors

2) Consultation letters were distributed to the public through:

- NBC One Stop Shop
- NBC 'Live News'
- Dentists, Doctors, Opticians
- Pharmacies
- Libraries
- Post Offices
- Resident Associations
- Leisure Centres
- Bus Station
- Railway Station
- Community Centres
- Unity School – Polish Community
- Polish Shops

3) Consultation was available via the structures of:

- NBC Website
- Local Area Partnerships (6)
- Northampton Borough Council Forums (4)
- Northampton Association for the Blind Talking Newspaper

4) Public awareness was raised through:

- Chronicle & Echo
- Herald & Post
- Northants 96.6 Radio
- BBC Radio Northampton

### **Consultation Findings:**

3.1.13 A total of 510 questionnaires were received. Analysis of the questionnaire is attached in Appendix 1. Notably 70.39% of respondents had experienced alcohol related anti social behaviour in Northampton in the last twelve months and 90% support the proposal to implement a Borough wide order.

3.1.14 A summary of the representations made, both positive and negative, has been produced and is attached in Appendix 2.

3.1.15 The postcode of the location of the alcohol related anti social behaviour was collected and used to plot a map to show where alcohol related antisocial behaviour is occurring and this is reproduced in Appendix 3. This is further supported by a map, Appendix 4, of areas that have been subjected to Dispersal Orders in the past. The maps clearly show that the problem is widespread across the town. However the areas of Great Houghton and Brackmills are showing no evidence of alcohol related anti-social behaviour.

3.1.16 Responses have been received from Daventry District Council and The Borough Council of Wellingborough. Wellingborough are supportive of the order and have no concerns. However, Daventry District Council have flagged up concerns about the possibility of displacement to neighbouring boundary villages. This was already highlighted with the police and they have responded that the SCT's responsible for the Daventry side will be appropriately briefed and will respond to address any displacement issues using the powers available to them.

### **3.2 Issues**

3.2.1 Consideration has been given to placing a DPPO on specific hot spot areas, however, due to the geographical lay out of the town, displacement of the problem is a key concern. Added to this the hot spot areas that have been identified are not contained within one particular area but are in various locations across the town.

3.2.2 Police figures for 2007/8 have shown 154 complaints specifically regarding anti social behaviour related to street drinking and 18,136 complaints of rowdy or inconsiderate behaviour. On further analysis of this it is not specifically related just to the Town Centre night time economy but spread across all four sectors of the town. To further support these figures a recent Neighbourhood



survey undertaken in the 6 key areas of the town has shown that 32% of respondents saw people drinking in public places as a problem. This was only superseded by parents not taking responsibility for their children, teenagers hanging around street corners and rubbish / litter issues. Northampton currently holds 15 Criminal Anti Social Behaviour Orders (CRASBO's) relating to alcohol, these are across a wide age range. Additionally there are 5 other CRASBO applications pending.

### **3.3 Choices (Options)**

3.3.1 Remain as we are and do not implement a DPPO in any further areas. Utilise existing powers available to the Police and increase/improve education and work on prevention around alcohol. This however will not provide the Police and designated officers with the full compliment of powers to tackle those cases of alcohol related anti-social behaviour that a DPPO would address.

3.3.2 It is proposed that it is in the best interests of the residents and visitors of the town that an Order be made which designates the whole of the Borough Council's area as being subject to an Order. This means that the benefits of an Order will be felt by the whole of the local community; it will make policing the areas easier and more consistent and will prevent the problem of displacement drinking.

3.3.3 Implement an Order but exclude the areas Great Houghton and Brackmills from the designation process as they have shown no reported incidents of alcohol related anti-social behaviour.

## **4. Implications (including financial implications)**

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### **4.1 Policy**

4.1.1 The restriction of the consumption of alcohol in public will support a reduction in alcohol related nuisance, disorder, antisocial behaviour, litter, street fouling and public perceptions of fear that will enhance the achievement of a Safer, Greener and Cleaner Northampton, elements of the 2008-11 Corporate Plan.

4.1.2 Under Section 17 of the Crime and Disorder Act 1998, Northampton Borough Council has a statutory duty to 'exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it can to prevent crime and disorder'.

4.1.3 Section 2 of the Local Government Act 2000 empowers a Local Authority to do anything which it considers likely to achieve any one or more of the following:

- The promotion or improvement of the economic well-being of their area,
- The promotion or improvement of the social well-being of their area, and
- The promotion of improvement of the environmental well-being of their area.

4.1.4 The Crime and Disorder Act 1998 places a statutory duty on all local authorities to work in partnership with statutory, non-statutory, community and voluntary agencies to develop and implement strategies for tackling crime and disorder.

4.1.5 Visitors, residents and businesses of Northampton should be able to enjoy the benefits of a vibrant town without having to endure the disorder caused by the behaviour of any people intoxicated by alcohol.

4.1.6 This report supports the contents of the Northampton Borough Council Anti-Social Behaviour Policy 2008-2011.

## 4.2 Resources and Risk

4.2.1 £12,500 Home Office funding for tackling violent crime will cover costs for consultation, advertising and signage.

4.2.2

<b>Risk</b>	<b>Action</b>
Displacement of ASB/Crime to other areas	Evidence is that displacement occurs only when there is a licensed premises or somewhere to congregate. By covering the Borough of Northampton, the risk of displacement is minimised.
Misunderstanding by the public – belief that it means a wholesale ban	Publicity has and will continue to spell out that only anti-social drinking is to be controlled

## 4.3 Legal

4.3.1 The Criminal Justice and Police Act 2001 (Sections 12-16) introduced provisions for combating alcohol related disorder. The implementation of Designated Public Place Orders must comply with the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2001.

4.3.2 The process of making an Order is subject to specific legislation and the Borough Council's legal team will be advising on the process to ensure all legal duties are discharged.

## 4.4 Equality

4.4.1 An Equality Impact assessment has been carried on the NBC Anti-Social Behaviour Policy 2008-2011, to which this report is linked, and there are no known equality and diversity implications.

4.4.2 The Order will disproportionately affect street drinking populations the majority of whom are white British males. However, the Street Drinker Outreach Worker was created in April 2002 to provide referral support to street dwellers that are dependent on alcohol. Funding for this project is mainstreamed. NAASH (homeless shelter) are considering providing an indoor room in Acorn House, currently a 'dry-house', where its clients can have a drink. This project is currently in the consultation stage.

4.4.3 The Order will enhance the quality of the lives for those people living in Northampton who do not consume alcohol either through choice or for cultural or religious reasons.

- 4.4.4 A reduction in the number of people appearing drunk on the streets of Northampton will reduce alcohol induced tensions and the consequent incidence of conflict. This will have a reducing effect on the number of recorded episodes of ethnic or diversity related incidents.
- 4.4.5 The Order will contribute to reducing the visible prevalence and acceptability of the consumption of alcohol thereby contributing to alcohol reduction education campaigns. This will promote healthier lifestyles and life-potential achievement for children and young people.
- 4.4.6 Moving the consumption of alcohol from public places into homes may increase the risk of harm to the partners or significant others of those with alcohol problems who regularly drink outdoors. However, a reduction in alcohol may also contribute to safer home environments for some women.
- 4.4.7 Training and monitoring will ensure that young people are not disproportionately targeted.

#### **4.5 Consultees (Internal and External)**

Portfolio Holder	Northampton Borough Council
Interim Director	Environment & Culture, NBC
Head of Public Protection	Northampton Borough Council
Partnership Director	Safer Stronger Northampton Partnership
Crime & Disorder Team Leader	Northampton Borough Council
Manager, Finance Department	Northampton Borough Council
Solicitor, Legal Services	Northampton Borough Council
Town Centre Manager	Northampton Borough Council
Community Safety Sergeant	Northampton Police

Safer Stronger Northampton Partnership Board Members

#### **4.6 How the Proposals deliver Priority Outcomes**

The proposals in this report support the NBC Corporate Priorities to '*achieve safer, cleaner, greener, communities*' and to '*strengthen our commitment to partnership working and community engagement for better outcomes*'. They also are in line with our Service Objectives to help our communities to become safer by '*reducing the fear of crime and reducing anti-social behaviour*' and supports LAA outcome SSC2B to '*build respect, reduce the fear of crime and the impact of anti-social behaviour*'.

The proposals also fully support the aims and objectives contained within the Northampton Borough Council Anti-Social Behaviour Policy 2008-2011.

#### **4.7 Other Implications**

- 4.7.1 The objectives of the order and proposed joint work to address the issue of anti-social public drinking are to:
  - a. Provide additional powers to police to deal with persistent drinking in public places and alcohol related anti-social behaviour.
  - b. Give a clear message that alcohol related anti-social behaviour is unacceptable, consistent with priorities of the Safer Stronger

Northampton Partnership and the Governments 'Tackling Violent Crime Programme'.

- c. Contribute to the range of actions, which are being undertaken to reduce violent crime in public places, and to reduce the fear of crime and improve the quality of life for residents and visitors.
- d. Work pro-actively with partner agencies and the community to offer alcohol related education, support services and environmental improvements in order to sustain positive changes.

### **Monitoring:**

4.7.2 **The** Community Safety Team is monitoring the management of the project. If an Order is made, the effectiveness of the Order will be monitored by the partner organisations under the direction of the Safer Stronger Northampton Partnership.

### **Signage**

4.7.3 Locations for signs have been identified and are currently with Highways and Town Centre Manager, as appropriate, for approval. The guidance issued by the Home Office states that signs should be erected as felt appropriate. Gateways to the borough and hot spot areas have been identified with additional signs in store for future use. This has been done in consultation with the police, Highways and Neighbourhood Wardens.

4.7.4 Consultation will be undertaken with the Borough Conservation Officer where signage is being recommended for sensitive historic areas.

## **5. Background Papers**

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5.1 Criminal Justice and Police Act 2001

Crime & Disorder Act 1998

Statutory Instrument 2007 No. 806 The Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007

Cabinet Report Dated 5 November 2008 requesting approval to go out to public consultation for Borough wide DPPO

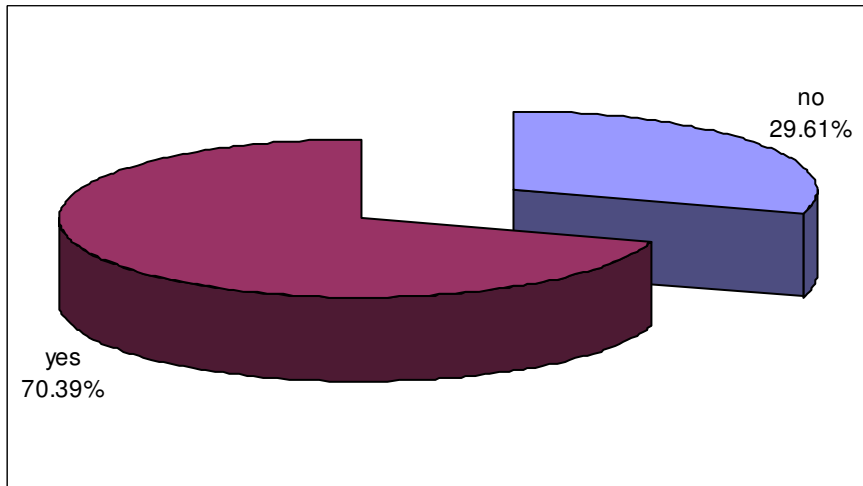
**Debbie Ferguson**  
**Community Safety Manager**  
**Ext: 8731**

## APPENDIX 1

Please note that percentages shown are representative of responses received.

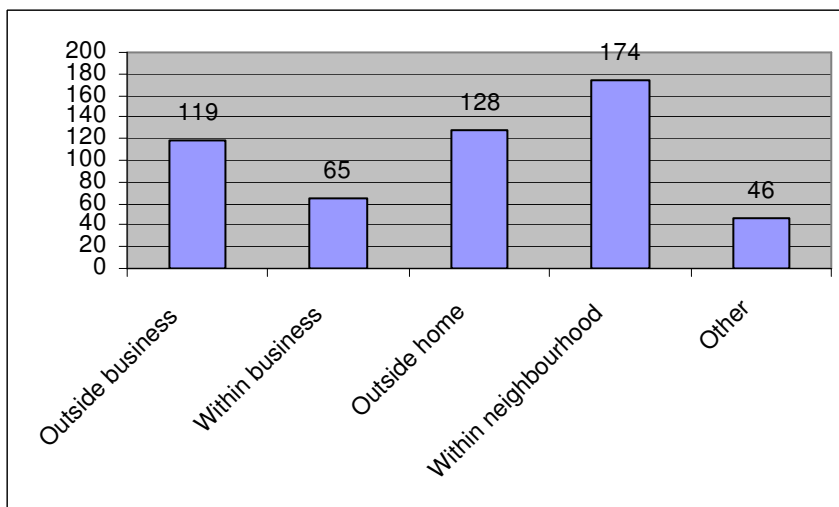
### 1. Have you experienced alcohol related anti social behaviour in Northampton within the last 12 months?

Yes	359	70.39%
No	151	29.61%



### 2. If yes, where did you experience it?

Outside your business / licensed area?	119	23.33%
Within your business / licensed area?	65	12.75%
Outside your home?	128	25.10%
Within your neighbourhood?	174	34.12%
Other area?	46	9.02%



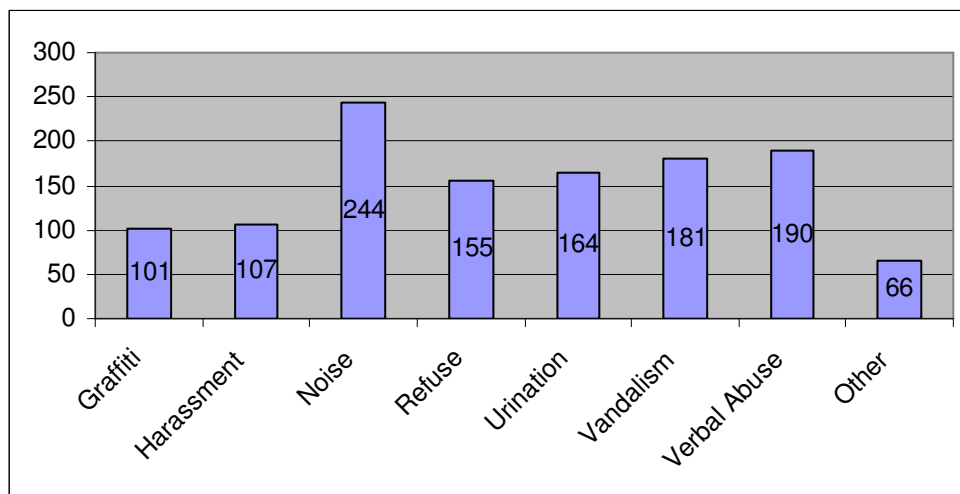
Where people had indicated 'other' the town centre was mentioned a total of 12 times. Other areas were:

- Abington Park
- Aldi / Iceland car parks

- Billing Road Cemetery
- Blackthorn Local Centre
- Canal area
- Community centres
- Delapre Abbey area
- Football ground
- Holy Sepulchre church yard
- Links View bus shelters
- Lumbertubs Shops
- Maple Centre
- Mosque on St George's Street
- Mounts and Danes Camp leisure centres
- Nene Valley Service area
- Outside Northampton General Hospital and Three Shires Hospital
- Racecourse
- Shops on Harborough Road, Kingsthorpe
- Sixfields – especially football stadium
- Sol Central / Marefair
- St James local shops
- Wellingborough Road
- Weston Favell Shopping Centre area

### 3. What type of anti social behaviour was it?

Graffiti	101	19.80%
Harassment	107	20.98%
Noise	244	47.84%
Refuse	155	30.39%
Urination	164	32.16%
Vandalism	181	35.49%
Verbal Abuse	190	37.25%
Other	66	12.94%



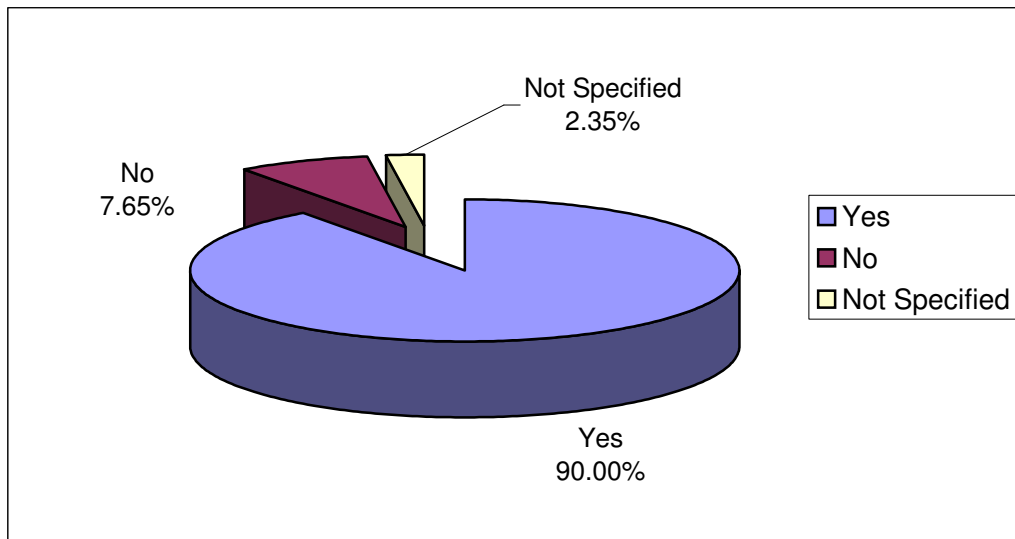
'Other' types of anti social behaviour mentioned were:-

- Arson

- Begging
- Drug dealing
- Faeces
- Fighting
- Genuine customers being deterred from entering business premises
- Racism
- Rowdy behaviour
- Violence
- Vomiting

**4. Do you support the proposal for a borough wide DPPO?**

Yes	459	90.00%
No	39	7.65%
Did not specify	12	2.35%



## **APPENDIX 2**

### **SUMMARY OF REPRESENTATIONS MADE DURING CONSULTATION**

#### **Supportive Comments from Local Businesses**

Businesses highlighted that they had been recipients of alcohol related anti-social behaviour. A number had been a victim of verbal abuse, threatening behaviour, criminal damage, littering and arson. In some responses it was reported that individuals under the influence of alcohol were using the area as a public toilet.

In general it was felt that the implementation of a DPPO would provide the Police with more control.

“Any increase in the control of anti social behaviour within the borough has got to be a step in the right direction as we are constantly dealing with alcohol related incidents in and around our premises.”

#### **Supportive Comments from Residents**

As with business, residents have been victims of a wide range of alcohol related anti-social behaviour of a similar nature. The majority in favour indicated that an increase in powers for the police was required. Notable comments were:

“It will make Northampton a better, safer and more friendly place for us all. It will make it a better place for visitors.”

“Alcohol related anti social behaviour is a problem and needs to be stopped. Why should a small percentage of irresponsible people spoil everybody’s enjoyment.”

#### **Supportive Responses with Reservations**

Some of the supportive comments received did highlight reservations specifically around the enforcement of the DPPO:

“Provided the powers are used only when anti social behaviour is being exhibited this power will make the public feel safer on the streets and the perception of feeling safer is paramount to encouraging all age groups to venture onto the streets both day and night which will ultimately lead to our streets being actually safer.”

#### **Negative Responses Received**

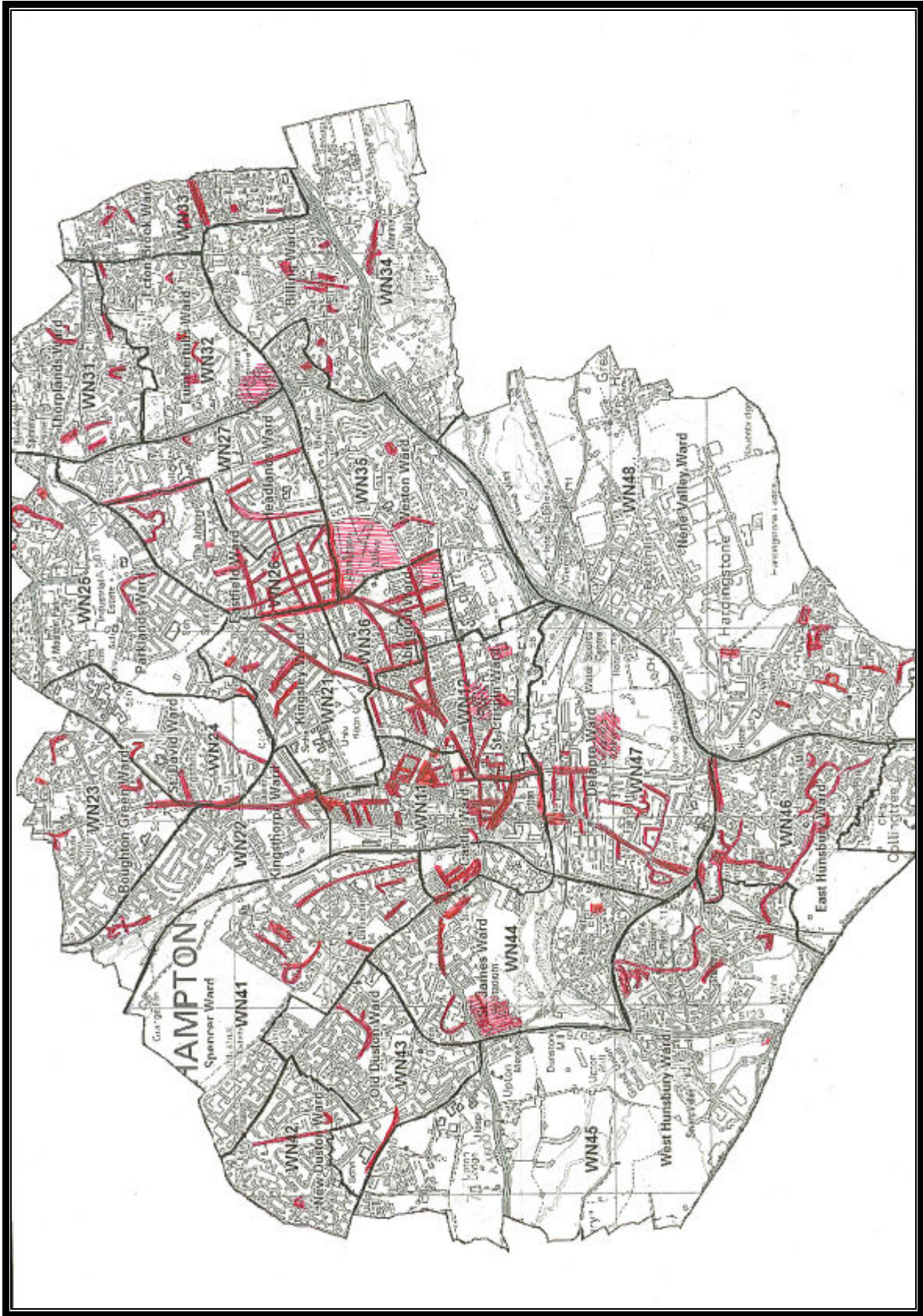
The majority of people opposing the implementation of a DPPO felt that the police already had powers to tackle alcohol related anti-social behaviour. Some respondent’s felt a DPPO was too heavy handed and an infringement of basic liberties. There was a misconception about how the DPPO would be used and the impact it would have.

“I believe that this would be used to introduce a blanket ban on drinking out doors, I do not believe there is a problem with anti social behaviour associated with drinking outdoors. I think this would be too heavy handed.”



**APPENDIX 3**

**Map of reported incidents of alcohol related anti social behaviour – data from survey**



**APPENDIX 4**

**Map of Dispersal Orders in the borough from February 2004 to date**

