



Tunbridge Wells Borough Council

# Overview and Scrutiny Committee Annual Report

2016-17

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# Introduction

The Centre for Public Scrutiny considers that the role of Overview and Scrutiny Committees in councils across the country is to '*understand, investigate and where necessary challenge decisions which affect ordinary people's lives*'. The government's austerity measures and the continued reduction of the Local Government Financial Settlement means that local authorities must find alternative funding streams and look at how services will be delivered in the future. The challenges that local authorities have faced over the last five to six years are set to continue and it is important that good governance is maintained in order to meet these challenges. It is equally important that Members involved in scrutiny, are able to continue influencing policy and challenging decision making within the Council and elsewhere in the borough, where the lives of residents and the services they receive are affected.

Throughout the last year the Overview and Scrutiny Committee has sought to add value to the Council's work and provide a democratic route through which members of the public can influence the Council's decision and policy making processes. In the last 12 months, the Committee has looked at a number of borough-wide issues including excessive speeds on rural roads, the Council's next recycling and household waste contract, the closure of the last bank in Southborough and the progress of the Council's civic complex development.

As part of the Committee's efforts to engage with local communities, and in response to the issue of excessive speeding on rural roads – raised by the Hawkhurst Speedwatch Group, the February 2017 Overview and Scrutiny Committee meeting was held at a venue in Hawkhurst. The meeting was attended by parish, borough and county councillors, as well as Hawkhurst residents.

Looking ahead to 2017/2018 – the Government's Devolution agenda will start to have more of an impact on the shape of local government and how local authorities operate, as will the triggering of Article 50 following the Brexit referendum. Scrutiny will have a continued role in this changing environment and the need to challenge decision making positively, as a 'critical friend'; will be part of that role.

This report seeks to highlight the work undertaken by the Overview and Scrutiny Committee in 2016-17.

## Our Committee

The Overview and Scrutiny Committee exercises a specific function required by law to support local democracy. The Committee can review decisions made by the Cabinet or any other part of the Council and its committees, as well as consider any matter which affects the Council's area and its inhabitants. The Centre for Public Scrutiny notes four key principles for effective scrutiny: providing a '*constructive critical friend challenge*'; '*amplifying the voices and concerns of the public*'; work is undertaken by independent minded councillors; and the scrutiny acts as a driver for improvement.

Following the introduction of revised governance arrangements in 2012, enabling the now well established Cabinet Advisory Boards to undertake the role of 'pre-scrutiny' of Cabinet decisions, the Overview and Scrutiny Committee continues to have a part to play in the 'pre' and 'post-scrutiny' of those decisions but, in practice, there has only been one call-in since the Cabinet Advisory Board system was introduced, and in that instance, the Committee resolved that no further action on the call-in was required. The Committee continues to proactively consider issues raised by elected members, residents and local community groups

Public meetings of the Overview and Scrutiny Committee are held every two months and normally at the Town Hall in Royal Tunbridge Wells. Since the last annual report, the Committee has met six times.

At every meeting, a member of the Cabinet is invited to attend so they can personally update the committee on their portfolio area and their achievements against the Council's priorities. Additionally in 2016-2017, the Committee was provided with updates on the Council's Civic Complex Development at each of its meetings.

Guest speakers from partner agencies and external organisations addressed task and finish groups initiated by the Committee, and we have invited staff from across the Council and our shared services, to update committee members on their work programmes and discuss how best to respond to issues affecting residents in their local area.

A draft work programme was developed and agreed in August 2016 and the Committee was also given an opportunity at the end of each meeting to highlight any additional topics Members felt were important and that they wished to add to the work programme. A copy of the work programme is published as part of agenda papers, which are available on the Council's website.

Where possible the Issues raised were aligned with the attendance of Cabinet members to enable a well informed discussion to take place with the right people around the table. These question and answer sessions were particularly valuable and enabled Cabinet member to focus their updates on issues which were topical at the time of the meeting.

## Meeting our statutory responsibilities

### Community Safety

The Overview & Scrutiny Committee is required to act as the relevant Crime and Disorder Committee for the purposes of the Police and Justice Act 2006 and Crime and Disorder (Overview and Scrutiny) Regulations 2009, and reviews the work of the Community Safety Partnership once a year.

In April 2016 the Committee heard from the Partnership about Kent Police's continuing work in dealing with gang related criminality; the work of the Troubled Families Partnership, and how domestic abuse was dealt with in the borough. The Committee also discussed road safety and the Council's work with Twenty's Plenty and Road Safety Week. The district commander for Tunbridge Wells, Chief Inspector Dave Pate, talked about policing levels and the important role police community support officers play in local policing.

The Committee also looked at the Council's CCTV operations; and initiatives to deal with night-time drinking such as the Safe Recovery Zone scheme, and anti-social behaviour in the borough – noting that this was on a downward trend. The use of the police's non-emergency 101 number was promoted at the meeting as a means of reporting various types of criminality.

The Committee was advised that Tunbridge Wells continued to be the safest place to live in Kent.

### Health

Although health is not an obvious area for a Borough Council to work in, the Overview & Scrutiny Committee does have a role to play and the Government's devolution agenda has highlighted opportunities for health care to be delivered more locally.

Through the Kent Leaders Group, representatives are appointed to Kent County Council's Health Overview & Scrutiny Committee and the West Kent Health and Wellbeing Board. The Committee has a watching brief on both groups and receives updates from the Council's representatives.

The Committee received an update from the Portfolio Holder for Communities and Wellbeing in August 2016 and noted a number of health initiatives undertaken by the Council's Healthy Lifestyles Team including the promotion of outdoor gyms, the implementation of an action plan to reduce health inequalities and agreeing a budget to deliver public health improvement initiatives.

### **Budget and policy framework**

The Committee plays a role in assisting with the development of the Council's budget and policy framework. In November 2016, Members had an opportunity to look at the Council's refreshed Corporate Priorities and the Draft Budget for 2017/18. Members were able to discuss the potential impact of devolution on the services the Council would provide in the future and how those services would be managed financially. The Committee also discussed the enabling of community groups to provide local amenities and the progress of one of the Council's key priorities - the Local Plan

### **Portfolio Holder Plans and Progress**

Tunbridge Wells Borough Council's Cabinet is made up of six executive elected members, with each member having responsibility for specific functions of the Council. Each Cabinet member attends at least one Overview and Scrutiny Committee meeting a year which enables committee members and the public to learn more about their work and find out what progress is being made towards the Council's priorities.

The meetings are an opportunity for the public to directly question or challenge a Cabinet member, as is also possible at Cabinet and at Full Council. These updates have continued to prove successful in the last year with committee members increasing their understanding and Cabinet members better appreciating the thoughts and concerns of elected members as well as those of their residents.

### **Civic Complex Development**

In 2015 the Council embarked on an ambitious programme including the provision of new council offices and a new theatre. In 2016/17, the members of the Overview and Scrutiny Committee were keen to provide input into the development of the project and it was agreed that an update would be provided at each of the Committee's meetings. Each update provided an overview of the development and discussion focussed on those elements of the project that were relevant to each of the Portfolio Holders who attended throughout the year, although the Leader of the Council was normally also present and could answer any more general questions about the project and its progress to date.

The Committee is keen to retain a focus on the project and looks forward to receiving further updates as the development progresses throughout 2017/18.

## **Member-led reviews**

### **Tackling Excessive Speeds in Rural Areas**

In June 2016 Hawkhurst Speedwatch contacted the Overview and Scrutiny Committee to highlight the problems the village was experiencing with speeding motorists. Hawkhurst Speedwatch and representatives from other Speedwatch groups in the borough addressed the committee at its August 2016 meeting. Members agreed to appoint a Task and Finish Group comprising Councillors Tom Dawlings, Bill Hills (Chair), Thelma Huggett and Bev Palmer to look further at the issue.

The Task and Finish Group met on two occasions and were provided with testimonies from Kent Police and Kent Speedwatch representatives. Additionally, two of the Group's members – Councillors Hills and Huggett visited members of Hawkhurst Speedwatch during one of their observation sessions and saw, first-hand, the difficulties being faced in and around the village.

The Task and Finish Group presented an interim report to the Overview and Scrutiny Committee in February this year with a number of recommendations including a request to the Kent and Medway Police and Crime Commissioner, to commission a joint county-wide review by the KCC Road Safety Team and the Kent and Medway Safety Camera Partnership of the resources devoted to road speed management. The Group also asked the Commissioner to consider whether, within the existing resources overall, any changes in practice, policies or priorities could lead to more effective outcomes.

The Group decided there was some more work to be done on the issue and will provide a final report to Members at the Committee's April 2017 meeting.



### **Hydrocarbon Fracturing Policy Position Statement Task and Finish Group**

Although much of the work by the Task and Finish Group was done throughout the previous year, in June 2016 the Committee was presented with a final report on hydrocarbon fracturing and how the Council would respond to applications as a statutory consultee. The Cabinet requested that Overview and Scrutiny include the subject in its work programme and the Task and Finish Group undertook considerable research into the issue including witness testimony from industry experts and other stakeholders, and a site visit to a (conventional) operational well to see the environmental impact of a drilling pad.

In August 2016 a report was provided to the Cabinet with the findings of the Task and Finish Group including a suggested policy position statement.

### **Recycling/Household Waste Contract Task and Finish Group**

A key topic highlighted when the Committee discussed its 2016/17 work programme was the renewal in 2018 of the Council's Recycling and Household Waste Collection Contract. Members felt this was an area where scrutiny could provide a valuable insight into what residents and communities across the borough might want from the service in the future.

Councillors Chapelard, Dawlings (Chair), Hill and Rankin were appointed to the Group and met on four occasions. The Group talked to a number of stakeholders including representatives from Kent Resource Partnership, Biffa (providers of the current Household Waste Collection Contract) and Maidstone Borough Council's Waste and Environment Service.

The Task and Finish Group looked at the Council's current role as the waste collection authority and how the service meets the requirements of Kent County Council as the waste disposal authority. The Group also looked at how the service could be shaped to meet future challenges such as recycling rates and the need to reduce landfill. There was strong support amongst the members for the kerbside collection of glass.

The Group discussed the Council's Civic Amenity Vehicle Service and were updated on the outcomes of recent changes to the Service.

The final report of the Task and Finish Group was considered by the Overview and Scrutiny Committee on 13 February 2017 and the recommendations were endorsed. The report and recommendations will be presented to the Cabinet on 13 April.

## **And what else have we learnt...**

In addition to the more detailed reviews that have taken place, the Overview and Scrutiny Committee have heard about a range of topics involving the Council and its partner agencies.

### **Community Safety**

The Committee was contacted by the Chairman of Bidborough Parish Council regarding problems residents in the parish had experienced with cold-callers. The Committee was advised that a number of the cold-callers had been abusive - causing the residents to feel intimidated. The Committee was advised by the Council's Community Safety Manager that, both the Community Safety and Licensing teams were aware of these types of incidents and were looking at a number of solutions, including use of the Police's non-emergency 101 number to report incidents. The Community Safety Manager advised that the Community Safety Unit would be distributing 'no cold-calling' stickers to local communities and encouraging the promotion of 'no cold-call' zones by Parish Councils or through local Neighbourhood Watch Schemes.

## **Local Facilities**

In June 2016, Committee member Councillor Uddin, used the Committee's 'Councillor Call for Action' procedure to request that the Committee look at the imminent closure of a Lloyds Bank branch in Southborough. This issue was highlighted to Councillor Uddin by Southborough residents who were concerned that the branch represented the last bank in Southborough and that its closure constituted the loss of a local amenity and it would have an adverse impact on the local community. At the June meeting Members discussed the issue and agreed that a letter should be sent by the Committee, to the directors of Lloyds Bank, requesting that they reconsider the decision to close the branch. Greg Clark MP also wrote to Lloyds Bank. Regretfully, the above still went ahead.

## **Road Conditions**

In August 2016, Members looked at a report which highlighted the poor condition of some of the roads in the Borough, the number of potholes, and the programme of repairs being undertaken to resolve the problem. Members noted that, as the Highways Authority, Kent County Council (KCC) was prioritising its repairs across the county, although with funding decreasing. The Committee also noted that road repair schedules were regularly provided to the Council's Joint Transportation Board and members of that Board, and any other councillors who attended its meetings, were able to highlight particular areas of concern.

## **Complaints**

In October 2016, the Committee was provided with an annual review of the Council's Corporate Complaints Policy and given the opportunity to look further at the types of complaints received by the Council. Members felt the large number of complaints reflected the fact that residents were able to resolve many issues without needing to make an official complaint.

## **Looking ahead**

Each year the Committee produces a work programme that lists those topics Members have chosen to look at, as well as those items which the Committee has a constitutional or statutory requirement to consider.

The Committee is keen to inform the 2017/18 work programme and hear from councillors at all levels, from residents and community groups - to understand what matters most to people in their local areas, what is working well and what their concerns are. Although the committee will be meeting in June to plan for the municipal year ahead, it reviews the work programme at every meeting. There is always an opportunity to raise concerns, either through borough, parish or county councillors, or through a member of the Overview and Scrutiny Committee, or directly with the Council. The Council's website has an online form on the Overview and Scrutiny Committee page allowing anyone concerned about a local issue to suggest it is added to the Committee's work programme. Alternatively anyone may email [scrutiny@tunbridgewells.gov.uk](mailto:scrutiny@tunbridgewells.gov.uk). Views submitted may well be discussed at the next Overview and Scrutiny committee meeting and if taken forward could bring about a beneficial change to communities.

Copies of agenda papers and minutes can be found on the Council website at:  
<http://democracy.tunbridgewells.gov.uk/ieListMeetings.aspx?Committeeld=359>

## **Final Words from the Chair**

I would like to thank the Committee members, supporting officers, colleagues from partner organisations and members of the public who have attended Overview and Scrutiny Committee meetings over the last year.

### **Overview and Scrutiny Committee members 2015-16:**

Councillors Catherine Rankin (Chair), Bill Hills (Vice Chair), Ben Chapelard, Tom Dawlings, Nathan Gray, James Hannam, Bill Hills, Thelma Huggett, Dianne Hill, Bev Palmer, Joe Simmons, Zulhash Uddin and Chris Woodward.

Supporting officers: Jane Clarke and Nick Peeters