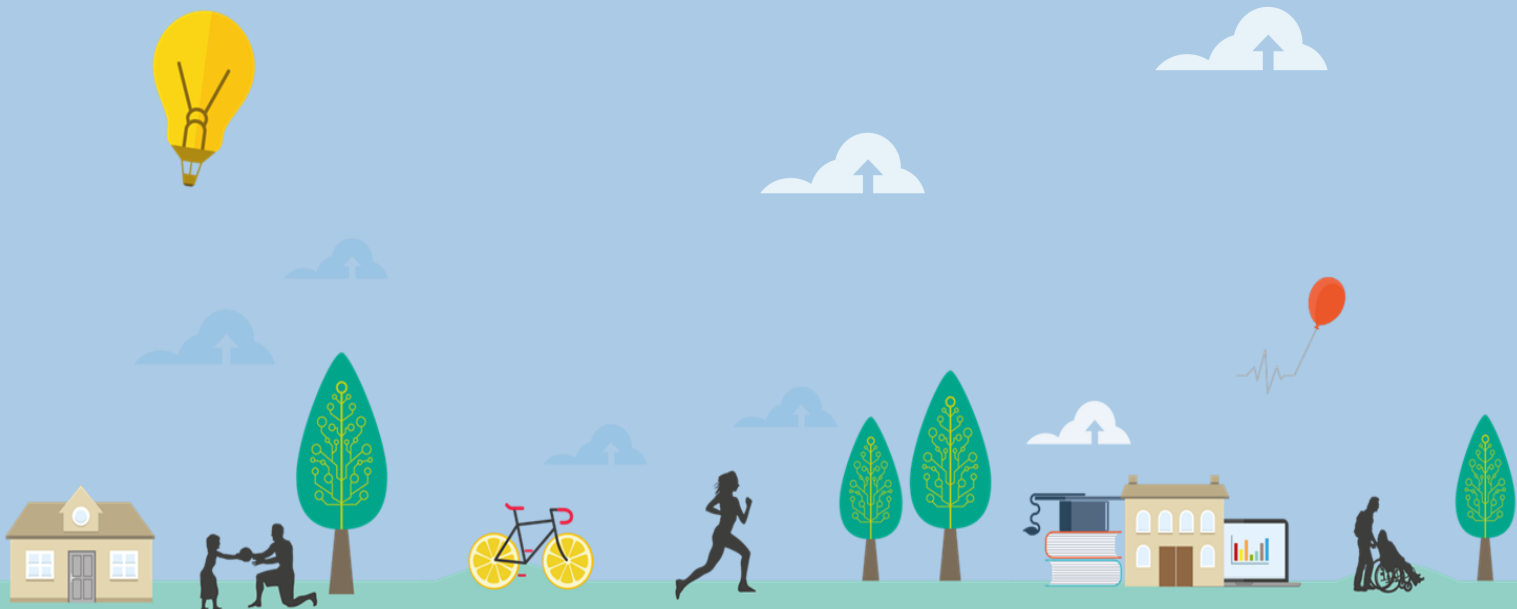


Policy Development & Scrutiny Annual Report

2017 – 2018



Foreword - Cllr Will Sandry

May I take this opportunity to thank everyone who has played a part, no matter how small, in making this year a great year for scrutiny. PDS Panel members have increasingly worked with executive Cabinet members who are regular attendees at the Panel meetings. We extend our thanks to Councillors, businesses and residents who have contributed, and specifically those council officers without whose support we would not be so effective.

Each of the Panels / Committee, has had the opportunity to examine the future plans at their respective meetings and attempted to ensure that the Council is able to deliver its services and meet the needs of our local residents in Bath & North East Somerset.

In Bath & North East Somerset Policy Development & Scrutiny is about making a difference and improving the lives of the people who live and work here. The panels and Health & Select Committee have continued to contribute to some significant pieces of work over the course of the year and have made great steps in demonstrating how Scrutiny can have a real influence and add value to local decision making.

We do this by ensuring that:-

- the decision-making processes are clear and accessible to the public and that the people making those decisions are held accountable, in a sense it provides a “critical friend” and challenges executive policy makers or decision makers.

- Scrutiny is a powerful tool for empowering communities and enabling local people through their democratically elected representatives to participate in decisions which affect their day to day lives.
- We can examine issues that impact on Bath and North East Somerset residents, businesses and visitors. In doing so, we promote issues which are of relevance to local people, and actively engage them in the scrutiny process.
- Through working collaboratively, councillors have the opportunity to dig deep, and discuss the key issues that matter most to our local community.

However, we also recognise that there is still more work that could be done to carry out our ‘*Critical friend role*’ and we have been exploring ways to improve this. One way has been by ensuring that agenda items add value, by piloting prioritisation work programme form for each item to ensure that it meets a certain robust criteria before being added to the forward plan.

I hope that this report provides you with a flavour of some of the excellent work that the Policy Development & Scrutiny Panels have done this year.

Cllr Will Sandry

Chair of PDS Chairs and Vice Chairs Group



The Annual Report

The Annual Report is structured into the following sections:

1

Key Information about Scrutiny

2

Panel Membership

3

Scrutiny Committee work

4

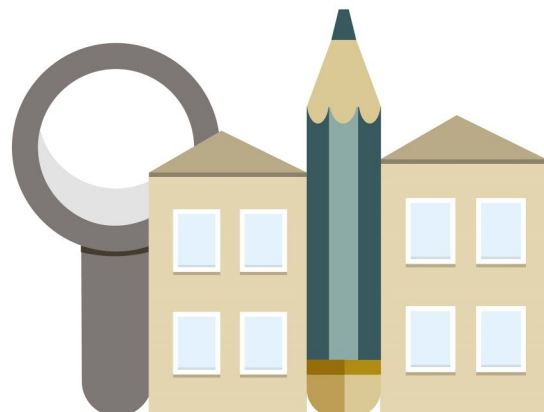
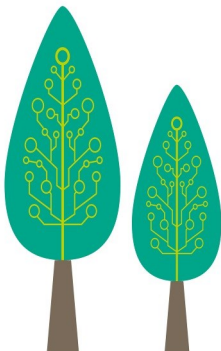
Scrutiny Inquiry

5

Call-in of decision

6

Community involvement



Residents and stakeholders can get involved by:

- attending public meetings
- giving evidence to one of the panels; and
- sending in comments about a review.

Work planning allows:

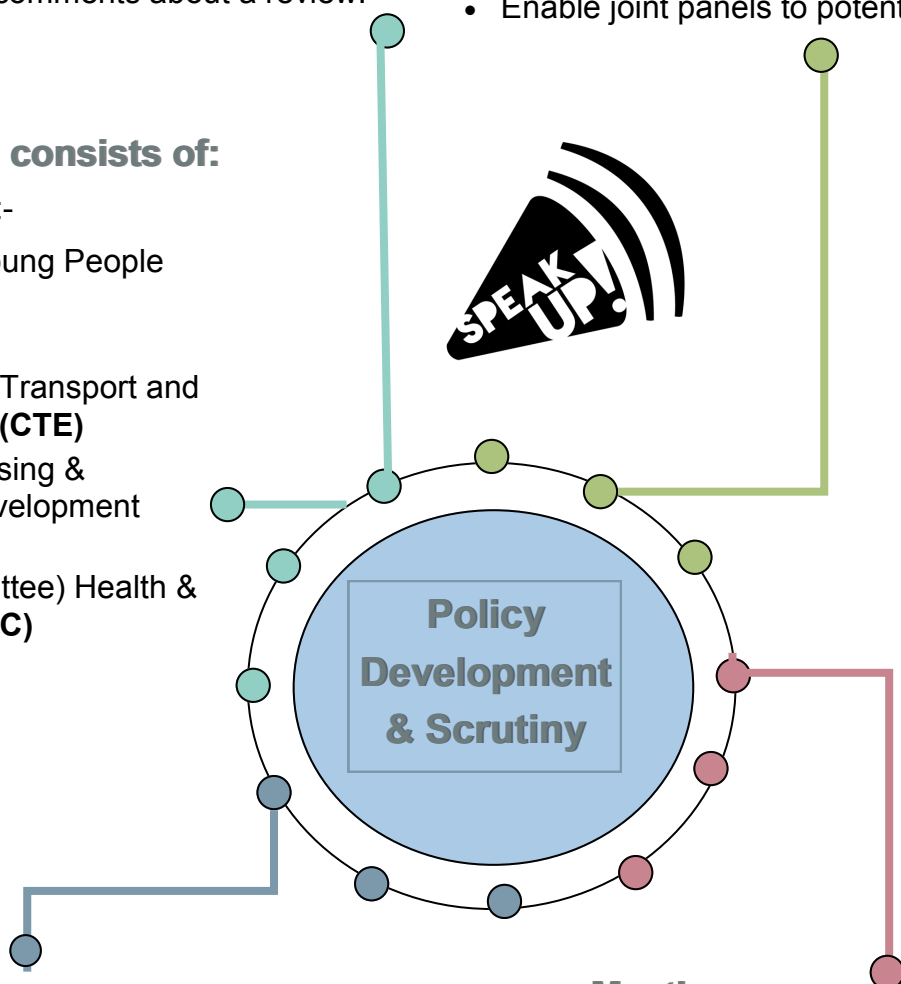
- A focus on specific areas of service delivery;
- To question whether recommendations could improve a service;
- Call other public bodies to account; and
- Enable joint panels to potentially be convened.

The Function consists of:

(4 PDS Panels) :-

- Children & Young People (CYP)
- Resources
- Communities Transport and Environment (CTE)
- Planning Housing & Economic Development (PHED)

(1 Select Committee) Health & Wellbeing (HWSC)



Scrutiny doesn't:

- Make decisions about council policies and services but instead makes recommendations to the Cabinet or Council
- deal with individual queries or complaints; or investigate planning or licensing decisions.



Meetings:

- The public are welcome to attend
- Last typically 2-3 hrs;
- Meet regularly (during daytime and evenings)
- Have a formal structure, but are run in an accessible way
- Papers published at www.bathnes.gov.uk and at council information points.

Planning Housing & Economic PDS Panel

Will Sandry (Chair)	Barry Macrae (Vice Chair)
Colin Blackburn	Lisa O'Brien
Rob Appleyard	David Veale
Liz Richardson	

Communities Transport & Environment PDS Panel

John Bull (Chair)	Brian Simmons (Vice Chair)
Peter Turner	Alan Hale
Neil Butters	Michael Evans
Ian Gilchrist	Richard Samuel
Patrick Anketell-Jones	

Resources PDS Panel

Sarah Bevan (Chair)	Lisa O'Brien (Vice Chair)
Joe Rayment	Jasper Becker
Patrick Anketell-Jones	Sally Davis
Andrew Furse	

Children & Young People PDS Panel

Alison Millar (Chair)	Matt Cochran (Vice Chair)	
Sally Davis	Michelle O'Doherty	Peter Turner
Liz Hardman	Karen Warrington	Lizzie Gladwyn
Chris Batten (Co-opted non-voting)	Andrew Tarrant (Co-opted voting)	David Williams (Co-opted voting)
Kevin Burnett (Co-opted non-voting)		

Health & Wellbeing Select Committee

Francine Haeberling (Chair)	
Geoff Ward	Tim Ball
Bryan Organ	Lin Patterson
Eleanor Jackson	Lizzie Gladwyn

Planning, Housing & Economic PDS Panel

This year the Panel was able to input into a range of policy developments, such as the 'Empty Residential Property Policy 2018', & the proposed policy development to explore the implications of losses of office to residential space, as well as feeding into some major plans including the draft Master Plan for Bristol Airport.

There was a large focus this year on Houses of Multiple Occupancy and the impact that this is having on our local residents was raised at several of our Panel meetings. The Panel questioned future plans surrounding this and helped to ensure that our local residents voices were being heard during the consultation and information gathering stages of the various pieces of work being developed.

The Panel also provided input into the directorate plans and questioned how we will deliver our key priorities within the current financial climate.

Cllr Will Sandry
Chair Planning, Housing & Economic Development PDS Panel

Panel considered the options for the review of Houses of Multiple Occupancy (HMO's)

In July 2017 the Panel was asked to consider the options for HMO'S as part of the supplementary documents. The Panel listened to residents concerns, that Bath is struggling to:-

- ⇒ support the increasing expansion of students at both universities
- ⇒ manage the number of developers turning family home into HMO's for students

- ⇒ manage the decreasing housing stock
- ⇒ Landlords or students not paying council tax, leading to a loss of Income to B&NES
- ⇒ Cope with the issues of rubbish, increased parking, and anti-social behaviour

The Panel supported the Cabinet Members review of HMO Policy and recognised that the Council need to enhance the data on the number of HMO's.

The Panel also endorsed the emerging preferred option to introduce a sandwich policy and lower the threshold to 10% from 25%. Meaning that applications for the change of use of dwellings will not be permitted if the residential property was sandwiched between 2 HMO's, and where the property is in an area in which HMO properties represent more than 10% of households.

Panel also consider new additional licensing scheme for HMO's

The Panel were also asked to consider whether in due course Cabinet will need to make a decision to designate a new additional licensing scheme post 31st December 2018, and in what locality and for what classes of HMO'S. The aim is to improve standards, addressing management issues and improving welfare conditions.

The Panel recommended that the work also monitored the market towns of our area, such as Radstock, Keynsham & Midsomer Norton.

Overall the Panel were supportive of the expansion of the scheme to raise the standards for tenants and support the proposal to designated an additional HMO Licensing area



Communities, Transport & Environment PDS Panel

The Panel have been incredibly busy in 2017-18 and have been updated on a wide variety of different policies and strategies. One in particular was the support from the Panel for the updated Parish Charter, which reflected the changes that have taken place over the last decade, including the increased financial pressure, demographic changes and an ageing population, as well as the opportunity to transform the way that we work together.

The Panel also provided input into the 20mph zone review, which reviewed the installations of 20mph area schemes in our area. The Panel made recommendations to Cabinet that the 20mph signage be removed where it is deemed illogical and that the Cabinet continue to consider specific applications for 20mph schemes especially where these relate to safety around schools.

This work has had a positive influence on some significant developments in our local area.

Cllr John Bull

Chair Communities, Transport & Environment PDS Panel

The Panel have been receiving regular updates on Air quality (both local & National) for our area,

This is a significant issue for the residents of Bath who are affected by increased congestion in the area and the impact that this is having on pollution and air quality.

Since March 2017 the Panel have been receiving regular updates on the Air Quality Action Plan work currently underway. The previous Bath Air Quality Action Plan was adopted in 2011 and the measures are either completed or outdated, so a re-focussing has been required through a new

plan which takes account of the transport related strategic developments as identified in key documents such as the Bath Transport Strategy – Getting Around Bath.

The Panel have had the opportunity to scrutinise this plan as it is being developed, to ensure that it is addressing the concerns and needs of local residents. During 2017 local residents raised with the Panel their particular concerns within the London Road area and Bathwick Street and the potential impact on health of those living and working in the area.

The Panel have been able to offer a number of points and suggestions through the work being undertaken on the action plan and clean air zones work for the city. This continues to be priority for the Panel, with further items being scrutinised during 2018 including the items on the A37 being reported to the Panel in May 2018.

The Panel made recommendations on the Parking strategy

The Panel also had the opportunity to feedback their comments to the Cabinet member to consider following the parking strategy engagement in December 2017, recommending:-

- that Cabinet reconsider the move to promote short stay parking and instead aim to remove short stay curb space to improve air quality.
- that all transport related policies and strategies should contain an air quality impact assessment in their proposals
- and asked officers to look at the practicalities of coach drop offs outside the city centre.

Following this meeting the Panel set up a working group to explore the ideas presented to them from a local resident and parking campaigner to help feed into any future plans.

Resources PDS Panel

The Resources Panel has been faced with reviewing some of the most difficult financial decisions for the Council, with everyone being impacted by the future pressures.

It has been vitally important for the Panel to be kept up to date with progress, and understand the likely impact on residents and staff going forward.

The Panel also examined the Commercial Estate Strategy, and the Digital Strategy and were asked to give their view on the process for determining the priorities for the spend of Community Infrastructure Levy Income.

Cllr Sarah Bevan
Chair Resources PDS Panel

Council company governance arrangements and annual report were scrutinised in September 2017

The members discussed the planned approach to the governance of council owned companies.

Members asked whether they were able to challenge a decision of a company, as they felt that the call-in process would not be suitable due to the commercially sensitive information.

Members of the Panel and the Cabinet Member agreed that legal advice would be welcome to address this.

The Panel recommended to Council:

1. That regular performance reports be brought to the relevant Scrutiny Panel or Committee on a 6 monthly basis on all commercial activity
2. The Panel support the principle of establishing a clear distinction between the role of Cabinet and the role of the board/company within a reasonable period of time

3. Seek legal advice as to how and when a greater scrutiny mechanism can be achieved for decisions made by, or in consultation with, the leader in his role as shareholder

Budget and Council Tax 2018/19 & financial outlook

In February 2018 the Panel were asked to consider the budget report and feedback already received, highlighting any issues for Cabinet.

The input of the Panel adds value to the future decision on the framework of service planning and budget setting.

The Panel pointed out the shortfalls in achieving budget targets and questioned how this was going to be monitored in the future.

Following a proposal the Panel requested the Cabinet Member for Finance and Efficiency, to review the proposed use of delegated powers of the Chief Executive and S151 officer with a view to increasing the level of democratic involvement on future work.



Children & Young People PDS Panel

The Children & Young People Panel have had another busy year, Members considered a number of key reports and updates on developments with children and young people services delivered within B&NES.

The Panel examined the resource and budgetary constraints now facing our organisation, particularly focusing on the potential impacts on our service delivery.

The Panel received the education results 2016 update and analysis of the overall results of our key pupils in 2016. We also reviewed the proposals to close Bath Community Academy in the summer of 2018, requesting officers to provide further information on the provision and broader community needs to ensure that the Council has an agreed position when application for a free school or other development is received.

The Panel were also pleased to receive the Ofsted Children's Service report, which found our Local Authority Children's Services to be 'Good' and within the top 30% of the country.

Cllr Alison Millar

Chair Children & Young People PDS Panel

Children and Young peoples themed meeting in July

The Panel were kept informed of the work and current concerns and needs of children and young people within B&NES. The Panel received an update on the Secondary & Primary School Parliament Days, which gave children and young people from across B&NES the opportunity to meet and debate on a chosen theme.

They also received an update from the local member of Youth Parliament on the 'Make your Mark' campaign and the work of the In Care Council, who actively campaign to better the lives

of young people in care.

This was accompanied by an update on Youth Connect, addressing the background to the agreed council reductions to the budget of the youth service. The Panel were able to add value by questioning the proposals and ensuring that the voices of our young community were heard.

The Panel were also kept up to speed with the children service complaints and representations annual report, which sets out the types of complaints and reports made to the Council and the outcomes and lessons learned from these.

The Panel was updated on un-accompanied asylum seeking children and Syrian Refugee families

In March 2017 the Panel received an update on the process involved with receiving asylum seeking children and refugee families in B&NES.

This provided the Panel with an update on the work involved and provided the opportunity for members to make recommendations for further progress in accepting families and children

The Panel recommended that-

1. The Council continue discussions with the Home Office re: receiving further refugees through Syrian Vulnerable Persons Resettlement (SVPR), Unaccompanied Asylum Seeking Children (UASC) etc
2. That the Council continue to attempt to secure affordable housing and negotiate that a third party (Home Turf Lettings or similar) manage the property on our behalf
3. That the Council continue to pursue options with the Home Office re: increasing our funding to cover the LHA gap
4. That the Council continue our discussions re Community Sponsorship with any interested parties

Health & Wellbeing Select Committee

Members received regular updates from the Clinical Commissioning Group (CCG), Public Health and Healthwatch. The Committee looked at the RUH Strategic Plan and endorsed the proposal to relocate the RNHRD Rheumatology and Rheumatology therapies services from the mineral water hospital site to the purpose built Therapies Centre on the RUH's Combe Park site.

They also received a yearly update on 'Safeguarding & Quality Assurance', providing assurances that children & adults, living in B&NES with care and support needs are effectively safeguarded. They also received an evaluation of the first 100 days of the Virgin care contract, which started in April 2017, and is the new prime provider of community health and care services in our area.

The Committee also received a presentation on the great work being done to develop a Mental Health & Wellbeing Charter, which reflects the support people need for their mental health and wellbeing. The Committee commended the Charter to the Cabinet Member for Adult Social Care & Health so that all efforts are made to support it in all areas of work within the Council.

Briefings on the Mental Health Pathway Review and home care provision and also on the maternity transformation Plan for B&NES, Swindon & Wiltshire, provide the Committee with an oversight of the new co-created maternity transformation Plans being developed.

Cllr Francine Haeberling
Chair Health & Wellbeing Select Committee

The Committee scrutinised the Council's Operational Plan

During the Committees January 2018 meeting, members were presented with the Council's Operational Plan, which provided the opportunity to feedback any comments as part of the Council's operational planning and budget development process.

They heard from the Director of Integrated Health & Care Commissioning on the increased demand for services and growing expectations of the Council at a time when there's less money and fewer resources to help, particularly as social care services accounts for almost 75 pence out of every pound.

Some of the reasons include:-

- More people are living longer with complex conditions
- More children and young people are living with complex care and educational needs
- Recent care home closures have pushed up local costs
- The national living wage is rising faster than inflation,
- The Council have more responsibility for children with special educational needs and disabilities (SEND).

Members asked questions of the current pressure that the council face, for example, members wanted to know how many beds had been lost due to the recent care home closures and were concerned about the proposed reduction in day care, which was thought to have the potential to miss some people out who might then require additional and more costly needs in later life.

The Committee agreed that there should be a coordinated approach to this work going forward.

Community Safety Scrutiny Inquiry Day

Background:

A number of wide ranging changes from the election of Police Crime Commissioner's (PCC), funding and the increased recognition of the role of councils and partners can play in tackling a wide range of

community safety & public protection issues have prompted many local authorities to consider their roles and responsibilities and explore how best to deliver their community safety functions.



In the context of these changes for local community safety services, the Communities Transport and Environment Panel undertook a scrutiny inquiry day on 12th October 2017. This was an opportunity to examine what is needed from council services in the community safety context and how best this might be delivered. The day set out to examine our current picture, challenges and how best to shape our services for the future. It also included an understanding of the national context of changing community safety priorities; the key community safety issues and challenges that Bath & North East Somerset currently face, and current best practice approaches.

What the Panel did:

Part of the planning for the event involved working out which key partners that we would need to invite, particularly as the nature of community safety is so wide and impacts on many of our local services, both internally and externally. We recognized that this also impacts on the remits of both the Children and Young People Panel and also the Health & Wellbeing Select Committee, who were also invited to attend.

“The day was
interesting, successful
and positive ”

The recent findings from the Local Government Association

(LGA) ‘*Review of the Future of Community Safety Services*’ (March 2017) provided the background information for the steering group to have a national perspective of the current context for community safety and to provide an understanding of some of our joint emerging challenges.

Our Current Picture & Challenges

- **Mainstream funding for Community Safety has reduced by at least 60% since 2010.**
- **Our priorities for crime have now changed;** we are now experiencing more complex crimes, such as child exploitation and modern slavery, making multi agency work even more important. The duty on dealing with community safety issues now requires greater shared priorities and responsibilities.
- Working within this new landscape and with a wide range of partners, places even greater importance in **understanding how we operate and in building stronger relationships** that are open, frank and allow the possibility of exploring how we safely share information.
- Every decision is about putting residents first, although the fear of crime is low in our area, **it is important that we maintain B&NES as an area where people feel safe.**
- **The impact of mental ill health**
- There is even greater importance of having a **clear oversight of the range of complex issues** and links between our Local Safeguarding Children's Board; Adult Safeguarding; Health and Well-being Boards and Multi-Agency Safeguarding hubs, and ensure that they are joined up.
- **The impact of welfare reform** and more specifically the change to universal credit have had a ripple effect on our most vulnerable people including those in our street communities. There is now an urgent need to raise our concerns of the inadvertent effect of welfare reform on central government to recognize this impact.

Panel Recommendations:

1. **Develop a Joint PCC & Council Community Safety Plan, which will be an opportunity to look at the specific local community needs for Bath & North East Somerset. This would be based on our Joint Strategic Needs Assessment (JSNA).** *This has been recently developed with the aim of being presented to the Panel at their July 2018 meeting for review.*
2. **The Panel would like a greater understanding of how QLIK Sense works,** which is a system of sharing real time live data - developed by Avon & Somerset Constabulary, and to identify the benefits to shared future working. *The Panel are still scheduled to receive this update at one of their future meetings.*
3. The workshop sessions emphasized **the importance of greater social cohesion,** identifying how we can improve relationships with different community groups and faith groups. *This has been developed by using our local area forums to raise this question at their meetings and work together to share thoughts and ideas.*

What is a call-in ?

Scrutiny legislation allows for a Scrutiny Panel to investigate, make reports and recommendations on Cabinet decisions that have been agreed but not yet put into action. Legislation allows for action on these decisions to be suspended pending such a Scrutiny investigation. This process is referred to as a scrutiny 'Call-in'. Following any scrutiny call-in, the Scrutiny Panel may request Cabinet reconsider its decision on the basis of the further evidence gathered.

The **Communities Transport and Environment Panel (CTE)** held additional meetings to scrutinise the decision of the Cabinet. The first call-in meeting took place in March 2017, on **'Warm Water Swimming Provision'**, which reviewed the technical and practical consideration of warm water pools within the leisure refurbishment.

The Panel voted to dismiss the call-in and allow the decision to be implemented.

During November the CTE Panel also reviewed two Cabinet decisions, the first was **'on' the move of the One stop shop to the Podium in Bath'**. Having considered all of the evidence the Panel decided to dismiss the call and allow the decision to be implemented.

The second of the decisions by the Cabinet was to **'adopt a new approach to delivering community run library services'** in Bath and North East Somerset as part of the overall modern libraries programme.

The Panel voted to uphold the call-in, which means that the decision was referred back to Cabinet along with a number of suggestions to

reconsider. However, the decision was not accepted by Cabinet, and instead made a number of clarifications and amendments, which addressed the issues raised by the CTE Panel following the Call-in meeting.

The Children & Young People Panel (CYP) at a meeting in January 2018, reviewed the agreed decision **on the 'implementation of the new Funding formula (NFF) methodology that is planned to be adopted from the 2018-19 financial year'**, and to ensure that all school receive 0.5% increase per pupil as a minimum.

Cllr Alison Millar, the Panel Chair, said:

Result of Call-in

"The call in meeting was very constructive, Several head teachers gave their views which were welcomed by the panel. Whilst some members were disappointed that the call-in was dismissed, the majority view of the panel was that the Cabinet Member's decision needs to be implemented."

To assist in their deliberations, the CTE & CYP Panel received a range of written and verbal evidence, interviewed Cabinet Members, Council officers and a representative Councillors, on behalf of those Councillors who signed the request to review the decision for the call-in.

The minutes of these meetings can be found on our public website.



Our PDS Panels work closely with a wide selection of groups, organisations and individuals. At many of our Panel meetings we listen to members of the public which are important in understanding the concerns and needs from our community.

Individuals, campaign groups and local organisations have been involved in our Call-in meetings, presented at Scrutiny Inquiry Days, fed into scrutiny review work and provided briefings to inform Panel members on key topics.

Without positive, trusting and mutually beneficial relationships, the work of the PDS Panels and the Select Committee would not be nearly as valuable.

Getting involved in scrutiny

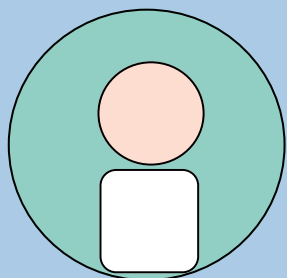
You can:

- **Attend meetings** - All our scrutiny meetings are open to the public and you are welcome to come along and listen to the debate and discussion. *Please note that reports may be considered in private if they contain confidential information.*
- **Ask a question or make a point** - All we ask is that if you want a formal detailed response, please let us have details of the question five days in advance.
- **Present a petition** – You can present a petition to a meeting or follow updates on a petition you have submitted.
- **Request a review** - If there is something you think scrutiny should look at, then let us know. Contact a Scrutiny Chair or Member of the Panel/ Committee or contact Scrutiny directly.
- **Consultation and participation** - You could be asked for your views on an issue or be invited to provide specialist knowledge you might have by being a witness in a scrutiny review. You are also free to offer your knowledge on any on-going reviews.



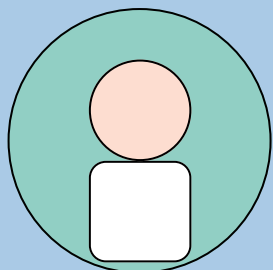
Contacts

For further information about this document, or to get involved, please contact:



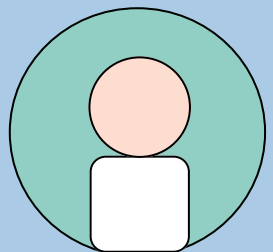
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If you require this document in a different format (such as Braille, large print etc.) or have any further comments on this report or any aspects of the work of policy development and scrutiny, please contact us.