



Policy Development & Scrutiny Annual Report 2019 — 2020



Bold



Empowered



Supportive



Transparent

Foreword - Cllr Paul Myers



May I take this opportunity to thank everyone who has played a part, no matter how small, in contributing to the work of the Council's three scrutiny Panels. PDS Panel members have worked with executive Cabinet members to provide both scrutiny and policy development input on a wide range of important subjects on some crucial topics. On behalf of the three Scrutiny

Chairs, I extend thanks to residents, Councillors, businesses who have contributed, and specifically those council officers without whose support we would not be so effective.

Scrutiny has experienced many changes since the local elections in 2019, with a reduction in Panels and a reduction in the number of local councillors, this has made the importance of prioritising our work and ensuring that we are able to deliver effective scrutiny to our local community even more important.

During this annual review period the Panels have been working through the developments in the Brexit plans and what this means at a local level for our community and more recently with the impact of the COVID Pandemic which has effected all areas of the Councils work. The panels have played an active role in monitoring the ongoing plans to ensure that Bath & North East Somerset will be able to adapt and recover. Our planning has adapted to reflect these changes and ensure that the panels continue to make a positive impact to the decision making process which remains effective and accountable.

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. This year the panels have been very active contributing 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 in the type's of scrutiny work that they have undertaken. From scrutinizing the call in of executive decisions, to developing Task & Finish Groups examining the Council's finances moving forward particularly in the light of not only local issues but national ones such as following the impact of both Brexit and the COVID pandemic.

However, we recognise that there is still more scrutiny work that will need to be done in the coming months ahead and we will be using the Chairs & Vice Chairs Group to discuss and makes plans to ensure that all three Panels we are carrying out their our 'critical friend role' effectively.

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

Cllr Paul Myers

Chair of the PDS Chairs & Vice Chairs Group

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The Overview & Scrutiny function is known as Policy Development & Scrutiny (PDS)

The Function consists of

(3 PDS Panels) :-

- Climate Emergency & Sustainability Panel
- Corporate Panel
- Children, Adult, Health & Wellbeing Panel

Scrutiny's Role

- To make recommendations to the Cabinet or Council
- Panels do not make decisions about council policies and services
- Does not deal with individual queries or complaints; or investigate planning or licensing decisions.



Meetings

- Are open to the public to attend
- Typically last 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.



Residents and stakeholders can get involved by

- Attending public meetings
- Giving evidence to one of the panels; and
- Sending in comments about a review.





function.

There was difficulty in balancing the amount of focused scrutiny work that a panel is able to undertake and providing the right level of support and resources to deliver the number of panel meetings effectively. The decision was made to reduce the number of Panels from four to three

Structural changes

In 2018 the PDS Chairs and Vice Chairs Group with senior officers and Group Leaders, explored whether the existing model, number and structure for scrutiny was working, and the different options for future change. The underlying objective was to ensure that the Council delivers an effective scrutiny

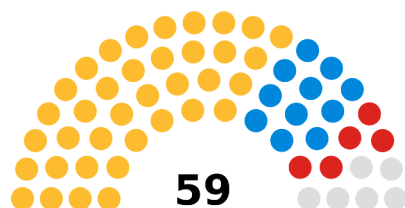
Pre-briefing meetings

have enabled better member engagement and more focussed debate at scrutiny meetings.



Local Elections

The Local Elections took place in May 2019 and a new administration took over. At this election the number of Councillors was reduced from 65 to 59, and the number of wards from 37 to 33. (Elected members serve a four year term) .



Ensuring every scrutiny item adds value

In order to improve the prioritisation of work plan items a prioritisation form was introduced in 2019 for new scrutiny items and discussed at agenda planning meetings to ensure that every item can add value to our overall Council priorities and vision and to improve the prioritisation of work plan items.

3 The Budget (examples of points raised during discussions)

"We would have liked to have seen some comparative figures from previous years to provide context"

"Will the review of empty homes and Houses of Multiple O policy be met through existing budgets?"

"How will the proposed £20,000 savings from the Music Service affect low income families and those in receipt of benefits?"

Budget

"Are enough funds in place with regard to Transport Services, in particular Highways, to deal with issues such as localised flooding? And, if funding would be B&NES wide and not solely spent within the city?"

"Is the sum of £50,000 sufficient with regard to the matter of Electric Car Charging Points?"

"Have specific roads been identified for resurfacing and or drainage works in order to prevent localised flooding?"

15

Scheduled Policy Development &
Scrutiny Panel meetings held

3

Special additional
briefing meetings held

2

Call—ins
received

15

Questions submitted
to the three Overview
& Scrutiny Panels

37

Topics considered by the
PDS Panels

Clean Air Zone (CAZ) consultation

In 2017, the government told Bath & North East Somerset Council to reduce NO₂ pollution in the city to below legal thresholds in 'the shortest possible time' and by 2021 at the latest. Our in-depth technical work (lasting over 18 months) showed that a charging clean air zone – geographical area where a fee is levied to deter drivers of higher emission vehicles – is the only measure that will ensure compliance in the time frame.



Scrutiny has been involved at every stage of the CAZ development.

During 2019-2020 the Climate Emergency & Sustainability Panel have played a key role in the CAZ project through giving officers the confidence that they had conducted the public consultations in a thorough manner, ensuring that they were reaching as many sectors of the community as possible through their own contacts. Members also challenged the plans of how B&NES were approaching implementation of such a complex scheme and provided ideas on how this could be improved further.

Key Achievements 2019-20

Climate Emergency Action Planning

B&NES as a Council made a decision to declare a Climate Emergency in March 2019 and pledged to provide the leadership to enable carbon neutrality in the district by 2030. The Climate Emergency & Sustainability Panel received a briefing in March 2019 to bring all members up to date with the timescales and plans for reviewing the Councils strategies and Plans.

The Panel reviewed the action plan of the Climate Emergency work at its March 2020 meeting. Panel Members wanted to ensure that residents could see the action plan and have a clear understanding of all of the different pieces of work going on. Recommending that the branding for all of the climate emergency work is considered, so that the council can show which projects are helping towards this.

“Retrofitting should be the priority as that is where most carbon emissions come from?”

“Are there any quick wins? As it can be useful to be able to point to the practical steps that we are making?”

The Panel resolved to play a key role in the alignment of all the Councils strategies and plans where possible.

Snapshot of some Key Achievements 2019-20

Food Poverty Action Plan

The Children, Adult, Health & Wellbeing Panel have been actively involved in the process and timeline for developing a food poverty action plan for B&NES and investigating the refresh of the B&NES Food Strategy. Food poverty is defined by the Department of Health and Social Care as 'the inability to afford, or have reasonable access to, food that makes up a healthy diet.' This was in response to the Council passing a motion on Food Poverty on 11th July 2019 requesting that the Panel work with local organisations and develop recommendations for a Food Poverty Action Plan for Bath and North East Somerset; and that the Cabinet investigate refreshing the Local Food Strategy for Bath and North East Somerset.

A Food poverty Action Plan was presented to the Panel during March 2020. The Panel commented on the proposed approach and indicative timeline for developing the Food Poverty Action Plan and investigation of the refresh of the B&NES Food Strategy.

The Panel considered ways in which elected members can support community engagement in development of the Food Poverty Action Plan. Two members of the Panel volunteered to sit on the formation of a local steering group to help drive the work and support its implementation.

Snapshot of some Key Achievements 2019-20

An update on the progress and key achievements to date and a presentation of the draft food poverty action plan was taken to the panel at its 14th July Panel meeting for comment.

The steering group was set up at the end of March, at the start of the Government lockdown period in response to COVID-19. This helped to coordinate and improve communication around food supply and distribution in the area, and emphasises the increased demand for welfare support, food aid and other forms of support.



“The chair Vic Pritchard, stated that It’s magnificent that we have been able to get this up and running before the COVID-19 Pandemic lockdown and fulfil our obligations”

“Cllr Jess David stated that “One campaign that has been suspended is the fruit & Veg for infant school children and recommended to the group that this area could be potentially looked at locally. For example, looking at growing our own food and working with school networks to improve access.”

On the 27th May 2020, the Corporate Policy Development & Scrutiny Panel and the Chairs & Vice Chairs of the remaining two Panels met to review the COVID-19 update report and position statement. The position statement summarises the Council's local response to the COVID -19 Pandemic. It sets out the interim governance arrangements put in place to enable the Council to take quick and decisive action to effectively manage the impacts of the coronavirus as they arise.

The COVID-19 briefing Paper was circulated to members of all three scrutiny Panels before the meeting to allow any comments or recommendations to be fed in through the relevant Chair & Vice Chair.



Despite a full discussion at panel and due to the pressure of time it was agreed to carry out further scrutiny. The Chair therefore proposed that a Task and Finish Group was set up with the membership of the current Policy Development & Scrutiny Panel Chairs & Vice Chairs to discuss in more detail some of the questions raised. The findings of the Task & Finish Group were then discussed at a special Corporate Policy & Development Panel meeting on the 30th June 2020 and then presented to Cabinet at its meeting on the 2nd July.

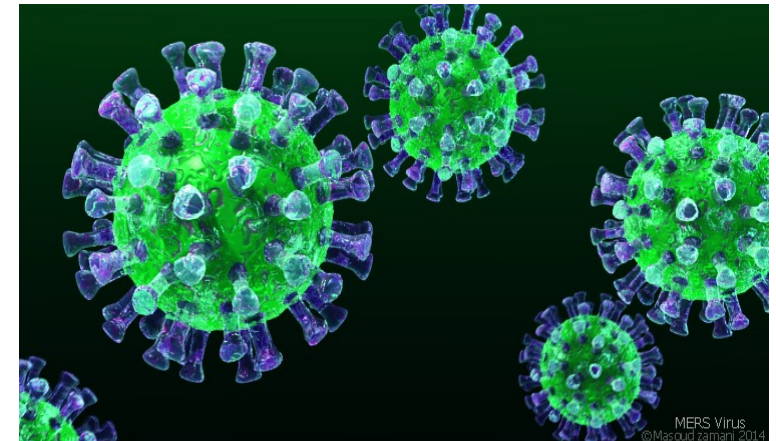
Responding to the Covid –19 Emergency 2020

Recommendations from the Task & Finish Group

1. Further work required to convey the budget deficit in a simple context, which can be clearly communicated to our local community.
2. Explanation is required as to what levers are required to managed our financial deficit.
3. Clarity was requested on the timescales for delivering the different approaches as well as details of the formal process to be used to ensure the effective scrutiny of pre plans and strategies.

Conclusions from the Task & Finish Group

The Task & Finish Group concluded that without being able to understand all the assumptions, it was difficult to conclude whether more needed to be done now to avert a deepening of the financial crisis. Or alternatively whether it is justified to take time to see how the situation develops in the coming months.



7 Topic List - (May 2019—March 2020)

Climate Emergency & Sustainability Panel

Clean Air Zone Charging Order
 Review of statement of licensing Policy & Cumulative Impact Area
 Corporate Strategy Framework
 Council House Building
 Programme update
 Littering Review
 Clean Air Zone update
 Draft Homelessness & Rough Sleepers initiative
 Parking Charges
 Corporate Strategy
 Climate Emergency Action Plan
 Waste Strategy 2020-30

Corporate Panel

Revenue & Capital Outturn 2018/19
 Corporate Strategy Framework
 Revenue and Capital Budget Monitoring/ Cash limits and Virements (April 2019-July 2019)
 Medium Term Financial Strategies & Corporate Plan Update
 People Strategy
 Council Company Accounts 2018/2019
 Protocol on Council Company Governance
 The Call in of decision E3181, 23 Grosvenor Place, London Road – Surrender of existing Guinness House Association lease
 Corporate Strategy
 Draft Budget
 E3191 - Proposed Asset Transfer of Land at North Parade Road to the Bath Cricket Club at Less Than Best Consideration

Children, Adult, Health & Wellbeing Panel

Governance arrangements for community Safety and Safeguarding in B&NES
 Relocating Services from the RNHRD to the RUH
 Virgin Care – Performance Update
 LSCB & LSAB Annual Report 2018/19
 Independent Reviewing Officer (IRO) Annual Report 2018/19
 Children's Services Representations, Compliments and Complaints Report 2018/19
 Care and Support Charging and Financial Assessment Framework
 Corporate Strategy
 Outcome of Maternity Service Reconfiguration
 Care and Support Charging and Financial Assessment Framework
 Food Poverty Action Plan
 Independent View of Virgin Performance
 Exploitation of Children & Adults
 Unregulated Placements

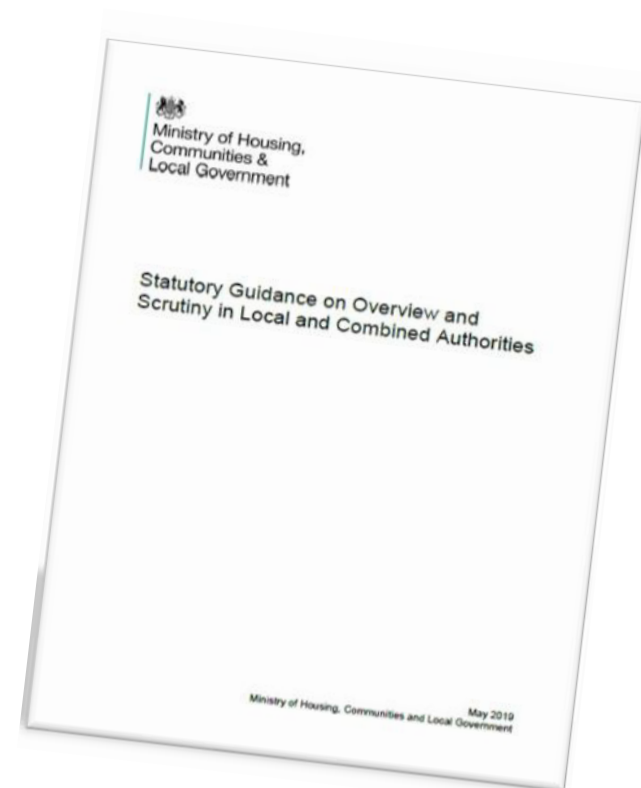
8 Member Development

New Statutory Guidance for Council and Combined authorities was issued in May 2019

- The guidance encourages councils to embrace the benefits of scrutiny to achieve value for money, improve services and address the public's concerns.
- First guidance to be issued since 2006
- This was presented to newly elected councillors during the induction training process

The Panels received individual briefings on:-

- **The current Health Partnership**, this was an opportunity to consider key partnership and governance arrangements across the local health and care system and the role of PDS within that.
- **Understanding B&NES progress with the Climate Emergency**
- **Budget Scrutiny training and an understanding of Equalities & Decision making**



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 **Corporate Panel reviewed two Cabinet decisions**. The first call-in meeting took place on **January 13th 2020, on '23 Grosvenor Place, London Road'** – which reviewed the original Approval agreement to surrender the existing occupational lease, subject to payment of a reverse premium by the Council to the tenant.

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

The **Cabinet accepted all the recommendations**:

- *Agreeing consideration to ways in which the transparency of property related decisions can be improved.*
- *The case for any ring fencing of a capital receipt to be reinvested in future social housing schemes.*
- *Discussions will be held with Guinness on reinvestment within B&NES of any receipt they receive as part of the appraisal.*

On **February 10th 2020** the **Corporate Panel** also reviewed the Cabinet decision, the '**Proposed Asset Transfer of Land at North Parade Road to the Bath Cricket Club at Less than Best Consideration**'.

The Panel voted again to **uphold the 'Call-in'**, which means that the decision was referred back to Cabinet along with a number of suggestions to reconsider.

The Cabinet accepted

- *A new process to ensure that information relating to Council land ownership is clearly communicated to the Cabinet member prior to planning applications being determined.*
- *To publish details of the community benefits at the earliest possible opportunity.*
- *That Bath Cricket Club will also enter into a contractual agreement with the Council, by way of a Deed, obliging the Club to deliver the community benefits and will provide evidence to the Council annually of the activities being delivered.*

Following the two Call-in's a full review is being carried out of our Property Services team and the findings of which will be brought back to the Corporate Panel.



Our PDS Panels work closely with a wide selection of groups, organisations and individuals. We welcome the opportunities to hear from members of the public at our Panel meetings whose input is important in understanding the concerns and needs from our community.

In the past 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.

How to get involved in scrutiny

- **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.

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

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For specific Committee enquiries, please contact:-

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- Children, Adult, Health & Wellbeing Panel
- Corporate Panel

Senior Democratic Services Officer

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- Climate Emergency & Sustainability Panel

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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.