

# **Policy Development & Scrutiny Annual Report**

## 2020 - 2021



## Foreword - Cllr Karen Warrington

I took over as chair of the Policy Development & Scrutiny Chairs & Vice Chairs Group after Cllr Myer's resignation in May this year. As Chair, Cllr Myers has helped to strengthen the future role that Policy Development & Scrutiny Members can make by ensuring that key decisions are scrutinised in forensic detail and ensuring that they meet the needs of the community. The group would like to take this opportunity to thank Cllr Myers for all of the contributions that he has made over the years as a panel member and chair which have resulted in adding significant value and positive outcomes for our local community in B&NES.



May I also 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 2020/21. It has been a memorable period, during which Members have worked together to tackle the range of conflicting pressures relating to the Coronavirus pandemic that have affected our work and constituents in so many ways. Collectively, Members have risen to the challenge and adapted our procedures and practices to focus scrutiny resources on the areas where we can make the most impact.

One of the positives during these unprecedented times has been the success of our COVID related Task Groups where we took several 'deep dives' into areas that were pressing concerns for residents, particularly surrounding our recovery plans. These groups were set up in a very short period and achieved a demonstrable impact on the Council's response to the pandemic.

To conclude, 20/21 has been an unusual year for so many reasons, but I would like to take this opportunity to thank my Scrutiny Member colleagues for their support, flexibility, and commitment during this period. This includes my fellow Scrutiny Chairs who have fully played their part in making our work this year so effective. I would also like to extend thanks to Cabinet, residents, businesses who have contributed, and specifically those council officers without whose support we would not be so effective.

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 Karen Warrington**  
**Chair of the PDS Chairs & Vice Chairs Group**

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# 1

## ■ Key information about Scrutiny

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, Adults, Health & Wellbeing Panel

### Scrutiny's Role

- To make recommendations to the Cabinet or Council
- To act or challenge as a critical friend to the Cabinet
- 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](http://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.
- Watching the meetings in full on our YouTube channel  
<https://www.youtube.com/user/bathnescouncil> – either live or afterwards

# 2

## Key successes and stats for 2020 - 21

### Summary of the main achievements of Scrutiny during 20/21

- The style of task and finish groups & briefings adopted has been very successful with the topics selected being priority issues with focussed objectives. The outcomes of these discussions have directly influenced our response to the Pandemic and future planning. For example, the Corporate Panel along with the Chairs & Vice Chairs Group formed a task & finish group to evaluate the Councils position statement on the COVID Pandemic which then informed the Cabinet at its meeting in July 2020. This quick joint working due to the pressure of time and number of questions being asked, demonstrated how scrutiny was able to work effectively in carrying out its critical friend role during expectational circumstances.
- Members have adapted to 'virtual meetings,' which have been rolled out across the Scrutiny function and bring many benefits, most notably in terms of engaging with the wider public.
- Scrutiny has strived to be kept up to date during the COVID Pandemic and have sought to highlight where necessary briefings to inform members when taking a deep dive into topics related to the Pandemic.

### Key stats:

- Number of formal Scrutiny meetings - 19
- Task and Finish Groups - 2
  - Special meeting to discuss feedback on Council's position statement
  - Commercial Markets
- Reports to Cabinet/ Council - 3
- Call-in meetings -1
  - E3229— Asset Disposal of 117 Newbridge Hill Bath
- Briefings on key topics - 6
  - Council Position statement—COVID 19
  - Community Contribution Fund
  - Commercial Markets
  - Governance of Local Authority Companies
  - Our Recovery programme of work
  - Procurement

# 3

## Snapshot of the work of the Climate Emergency & Sustainability Panel

The Climate Emergency & Sustainability Panel has had to adapt to the COVID Pandemic and adjust their workplan to accommodate emerging plans. For example, the Panel felt that it was important that they had an overview of the Renewal Programme of workstreams and the transport plans during COVID, which allowed the Panel the opportunity to comment on these plans and inform Cabinet.

The Panel had to balance these time critical items against the priorities that the council is committed to delivering, such as keeping up to date with the Bath Clean Air plans and scrutinising the Air Quality Action plan for Temple Cloud & Farrington Gurney. At the November Panel meeting members listened to an officer's presentation on the result of the Air Quality Action Plan draft public consultation which ran for 12 weeks between February and May 2020. The Panel reviewed the findings and listened to residents' concerns about clean air and raised many questions and concerns based on the consultation. The detailed scrutiny questioning of the plans by Panel members helped to inform the future work planning whilst ensuring that the needs and concerns of the local community were being answered.

Unfortunately, the Panel were unable to receive the Annual Update on the Climate Emergency which was partly due to the impact of COVID and the delay in available data, which left a gap in the CES workplan for this year, however the Panel have scheduled this into their future workplan for 2021 to ensure that the Panel are updated on its progress.

### Items Scrutinised by the Panel 2020—2021\*

- Liveable neighbourhood
- Bath Clean Air Plan
- B&NES Local plan Partial update— Climate Emergency
- Tree & Woodland Plan
- Transport & The COVID 19 Response
- Air Quality Action Plan for Farrington Gurney & Temple Cloud
- Renewal Programme Workstream
- Corporate Budget & Planning 2021/22
- Draft Homelessness & Rough Sleepers Initiative (response since COVID)

\* The Number of items scrutinised is smaller than previous years due to two meetings cancelled during the COVID Pandemic.

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## Snapshot of the work of the Children, Adults, Health & Wellbeing Panel

This year the work of the Children, Adults, Health & Wellbeing Panel (CAHW) has continued to be busy. The impact of COVID has placed pressure on the prioritisation of items coming to Panel which has led to a large number of statutory items, including several annual reports and updates for the members to be kept informed of and which reflected the impact of COVID.

The Panel continued to receive the 6-month updates on the performance of Virgin Care. During each report to Panel, members were asked to identify areas of focus for the next report. At the March 2021 Panel meeting the report focused on Reablement and Finance. Further requests included more information on the 'Workforce' – particularly sickness / morale and further details on monitoring the transformation; with a focus on each of the different locations (MSN, Keynsham, and Bath). The Panel also requested more information on the £1.2 million gap and how this was managed. This has worked well to ensure that the Panel are reflecting on the local changing demands and needs through regularly monitoring and scrutinising the service delivery and will continue for period 2021-22.

Moving forward, consideration will be given to the prioritisation of the Panels workplan, identifying which statutory updates / reports could be circulated for comment outside of the meeting thus allowing a greater capacity for robust scrutiny, ensuring that every item adds value, whilst balancing the items between Children and Adults.

### Items Scrutinised by the Panel 2020—2021

- Children Service Improvement Plan
- Bath and North East Somerset Council School Organisation Plan 2019 – 2025
- Adult & Social Care Complaints Annual Report 2020
- Food Poverty (update on work)
- Independent View of Virgin Performance – 6-month update
- Children's Services Annual Complaints Report
- Music Hub
- B&NES Community Safety & Safeguarding Partnership
- Youth Forum / In Care Council Update
- Independent Reviewing Officer (IRO) Annual Report 2019/20
- Youth Justice Plan 2020 – 21
- Education Updates - Narrowing the Gap /SACRE
- Health Infrastructure Plan 2 (HIP2) Update
- Mental Health Strategy for B&NES, Swindon, Wiltshire (Response to COVID)
- Violent Reduction Unit
- Corporate & Budget Planning 2021/2022
- Virgin Care Commissioner - six-month update report
- Care Home Commissioning
- Suicide Prevention work
- Health Infrastructure Programme 2 (HIP2) Update

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## Snapshot of the work of the Corporate Panel

During the earlier part of 2020 when the Corporate Panel returned to meetings (in virtual form), the work of the Panel focused predominately on the response to the COVID Pandemic. A task & finish group was quickly formed which included members of the Chairs & Vice Chairs Group who scrutinised the Council's position statement and financial recovery plans. This was feedback to the Panel for further comment and then onto Cabinet and lead officers. Members were also presented with the full financial recovery plans at their June meeting, which allowed them to test some of the assumptions contained within the report.

The Panel also requested a briefing on the council's commercial markets, setting up another task & finish group which looked at the future market environment for the Council's three main business sources of income: Heritage & Tourism, Parking and Commercial Estate. The findings from the group discussion with key officers were presented to the September Panel meeting, highlighting several key considerations for future planning. Following this meeting recommendations were forward to the Cabinet members for his consideration in future planning. The Panel also received a briefing in November on the work of the Strategic Procurement Team during the COVID Pandemic and members had the opportunity to scrutinise the annual spend and arrangements currently in place.

Alongside detailed briefings and task & finish group work, the Panel continued to monitor and scrutinise the medium-term financial plans and draft budget setting at its meeting in February. Moving forward to 2021-22 the Panel are looking forward to having a greater understanding of our property review work and of the preparing for the future work programme.

### Items Scrutinised by the Panel 2020—2021

- Covid-19 Update Report & Position Statement
- special meeting - Chairs & Vice Chairs Task & Finish Group feedback Covid - feedback on position statement
- COVID -19 Financial recovery plan
- Assessment of the Council's Business Income (Identifying where we are now?)
- Capital Programme Update
- Community Contribution Fund (Briefing)
- Task & Finish Group Report on Commercial markets
- Commercial Estate Plans
- Budget Setting 2021/ 2022
- Outsourcing of our services
- Council Company Accounts
- People Strategy 2020 – 2024 Update
- Draft Budget & Council Tax 2021/ 2022 and Financial outlook
- Briefing on the Governance of Local Authority Companies
- Parental Leave Policy - Casework Options
- Update on the Parish Charter
- Invest in Bath Update

# 6 ■ Call-in of a decision

## 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 one Cabinet decision during the period 2020/21.

The call-in meeting took place on February 8th 2021, on 'Asset Disposal- 117 Newbridge Hill Bath' which reviewed the original Approval agreement to:

- Approve the disposal of 117 Newbridge Hill, Bath to ACL for £308k with the voluntary conditions; to ensure that the development meets the wider strategic aims of the Council.
- Authorise the Director of Economy & Growth to enter a Development Agreement with ACL for the redevelopment of the site into 6 apartments
- Council as detailed in the covering report.

The call-in notice received objected to this decision on the following grounds:

- the decision to dispose of the asset at nearly half a million pounds below market value, and on a non-competitive basis, is contrary to the interests of Council Taxpayers in B&NES
- the case has not been made to justify the below market value disposal and so the asset should be listed on the open market, where it will fetch greater returns for the Council

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

However, after a detailed discussion and debate the Panel voted to dismiss the call-in and allow the decision to be implemented.

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

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## Community Involvement

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.
- **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.
- **Watching the meetings in full on our YouTube channel** - <https://www.youtube.com/user/bathnescouncil> – either live or afterwards

# 8 ■ 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.