

MUNICIPAL YEAR 2009/2010 REPORT NO. 30

MEETING TITLE AND DATE:

Council
1st July 2009

REPORT OF:

Director of Finance & Corporate
Resources

Agenda - Part: 1

Item: 14

Subject:

Creation of a Place Shaping and Enterprise
Scrutiny Panel

WARDS: All

Cabinet Members consulted: Councillors Rye
& Lavender. Other Members consulted –
Chairman Overview & Scrutiny Committee

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1. EXECUTIVE SUMMARY

- 1.1 This report seeks approval to the formation of a new Scrutiny Panel covering the function of Place Shaping and Enterprise.
- 1.2 The report also outlines proposed changes to the remits for Enfield's Scrutiny Panels to address these issues and identifies the proposed make up and remit of the panel.

2. RECOMMENDATIONS

Council is asked to consider the report and approve:

- 2.1 The creation of an additional Scrutiny Panel entitled Place Shaping and Enterprise, to commence meeting as soon as possible during the 2009/10 Municipal Year;
- 2.2 The Terms of Reference, remit and membership of the Panel, as detailed in section 4 of the report, and associated changes to the Constitution;
- 2.3 The support arrangements for the new Scrutiny Panel, as detailed in section 4.4 of the report.

3. BACKGROUND

- 3.1 The Council set up its Place Shaping and Enterprise function in April 2008 with the agenda of transforming Enfield over the next 10-15 years.
- 3.2 Since that time Enfield's Scrutiny function has kept a watching brief on development of the Place Shaping agenda, although no specific Panel has been dedicated for this purpose.
- 3.3 Given the increasing focus and significance of Place Shaping activity across the borough it is now felt, following discussions with Members, that the Council would benefit from the creation of an additional Scrutiny Panel to provide a dedicated focus on the developing Place Shaping agenda.
- 3.4 This proposal also links in with the new role provided for Scrutiny (with effect from April 2009) within the Local Government and Public Involvement in Health Act 2007, in terms of the extended remit to scrutinise a much wider range of local partners. These powers now also include a duty for public sector partners to respond to Scrutiny.

4. NEW ARRANGEMENTS- SCRUTINY STRUCTURE: ESTABLISHMENT OF PLACE SHAPING & ENTERPRISE SCRUTINY PANEL

4.1 Panel Remit

- 4.1.1 Under the current Scrutiny Panel remits the main focus around Place Shaping activity has been through the Environment, Parks & Leisure and Housing Scrutiny Panels, with engagement from other Panels where felt to be relevant. There will also be need for Overview & Scrutiny Committee to consider any ongoing work around Place Shaping already identified on the existing Scrutiny Panel work programmes being prepared for 2009/10, in order to ensure the introduction of the new Panel is co-ordinated and undertaken on a structured basis with minimum impact on the other scrutiny remits.
- 4.1.2 The proposal to establish an additional Scrutiny Panel will enable this activity to be structured around a single Panel, avoiding any potential duplication across the scrutiny function and providing a focus for scrutiny activity in this increasingly important area.
- 4.1.3 The Chairman of Overview & Scrutiny Committee has been consulted on the proposal and it is proposed that the remit for the new Place Shaping & Enterprise Scrutiny Panel should cover the following areas:
 - Development of Enfield's Place Shaping Core Strategy and associated Area Action Plans
 - Community Engagement around Place Shaping & Enterprise activity
 - Enterprise Development activity
- 4.1.4 The Constitution will need to be amended to reflect the creation of a new Scrutiny Panel, on the basis set out in the table set out below. In addition it is also proposed that the changes made to the Panel structure and remits

should be kept under review by OSC, alongside the extent to which the new remit impact on the overall scrutiny work programme:

Panel	Summary of Panel Remits
Overview and Scrutiny	Management of Scrutiny function & Councillor Call for Actions Call-In LAAs & Performance Management Comprehensive Area Assessment Strategic & Corporate Policies (allocating to other Panels as required) Budget consultation Customer Focused Services & Corporate Governance Human Resources Communications Procurement
Adult Social Services	Social Services Strategy - Adults Residential Care & Home Care Mental Health Supporting People Commissioning & Procurement The Third Sector
Children's Services	Traditional Education Community Education Student Support Other Childrens' Issues eg Looked after children etc
Crime & Safety	Fear of crime and Anti-social behaviour Street crime, Violent crime & Burglary Diverting young people from crime Drug misuse & Alcohol related crime Emergency Planning
Environment, Parks & Leisure	Street Scene Urban Environment Parks & Open Spaces Culture Wider Environment Traffic and Parking
Health	All Health Services provided, including: Strategic Health Authority Enfield Primary Care Trust Barnet & Chase Farm Hospital Trust North Middlesex Hospital Trust Provision of Primary & Acute Health services Joint Borough Commissions Health Improvement Drug & Alcohol Misuse
Housing	ALMO Housing Needs Assessments Homelessness Temporary Accommodation Private Sector Housing and Registered Social Landlords Sheltered Accommodation Revenues & Benefits Inspection Process
Place Shaping and Enterprise	Development of Enfield's Place Shaping Core Strategy and associated Area Action Plans Community Engagement around Place Shaping & Enterprise activity Enterprise Development activity

4.2 Panel Terms of Reference & general powers

4.2.1 It is proposed that the new Panel will be subject to same general Terms of Reference and powers for the existing Scrutiny Panels, as set out in Chapter 2.5 of the Constitution.

4.3 Panel Membership

4.3.1 Panel membership will be made up of 9 councillors (on the same basis as the Council's other standing Scrutiny Panels). Membership will need to comply with the Council's rule of proportionality and will be split as follows 5 members nominated from the Majority Group and 4 members nominated from the Opposition Group(s).

4.3.2 It is proposed that the Panel chairman be appointed from the Majority Group with the Vice-Chairman being appointed from the Opposition.

4.3.3 The chairman of the newly created Panel will also serve as a member of the Council's Overview & Scrutiny Committee, increasing its membership from 6 to 7.

4.4 Panel Support arrangements

4.4.1 Support to scrutiny is provided through the Corporate Governance Division within Finance & Corporate Resources.

4.4.2 If approved, there will now be seven standing Scrutiny Panels (consisting of 9 councillors from all three political parties) in addition to the Overview and Scrutiny Committee and Scrutiny Commission/s. Each panel also has a number of working groups dealing with aspects of their work programmes.

4.4.3 The new legislation and the Government's agenda for local authorities generally place an ever-increasing emphasis on an enhanced scrutiny role and effective governance arrangements across Councils as a whole. This is reflected in the new Comprehensive Area Assessment framework, the Annual Governance Statement and the Use of Resources Assessment.

4.4.4 Given the increasing focus and enhancement of the scrutiny function, it is therefore important that the resources to support the scrutiny function are sufficient in meeting the current and future challenges

4.4.5 The creation of another Panel will place an additional demand on current resources available for scrutiny. This will have an impact on the capacity to provide support elsewhere across the scrutiny function, particularly in relation to the implementation of the new Councillor Call for Action process.

5. ALTERNATIVE OPTIONS CONSIDERED

None – It is felt that a dedicated Scrutiny Panel is needed to focus around the significant Place Shaping activity being developed across the borough, given its potential impact on the local community.

6. REASONS FOR RECOMMENDATIONS

To allow effective scrutiny and wider engagement on issues of Place Shaping and Enterprise.

7. COMMENTS OF THE DIRECTOR OF FINANCE AND CORPORATE RESOURCES AND OTHER DEPARTMENTS

7.1 Financial Implications

The tangible cost of convening an additional scrutiny panel is the increase in Special Responsibility Allowance for the chairperson of £8,910p.a. There are no resources identified to fund this and the cost would need to be contained from within existing Member's support budgets. Any budget pressure arising from this additional cost will be reported as part of the revenue monitoring process. Additionally there is no specific provision for any increased support costs and budgets for scrutiny are already stretched. Should it prove that additional support is necessary, the cost of this will need to be calculated, and a further report to draw the funding from contingency will need to be made.

7.2 Legal Implications

Section 21 of the Local Government Act 2000 requires principal local authorities to have at least one overview and scrutiny committee.

Its functions are to:

- review or scrutinise decisions or actions taken by the cabinet or any non-executive part of the council;
- make reports or recommendations to the Council or the Cabinet on any issue to do with the Council's functions; and
- recommend that any decision be re-considered

This report refers to the Local Government and Public Involvement in Health Act 2007 the main changes that act introduced in relation to the Councils Overview and Scrutiny functions can be summarised as follows:-

- Allowing Councillors to raise issues of local concern.
- Requiring certain partners to provide information to Overview and Scrutiny and have regard to its recommendations,
- Requiring local authority executives to publish responses to Scrutiny recommendations where those recommendations have been published.

- Identifies the impacts of Local Involvement Networks on the work of Overview and Scrutiny.

The recommendations of this report are in line with powers and requirements under the relevant legislation

The membership of scrutiny panels and the Overview and Scrutiny Committee are dealt with in section 4 of this report.

7.3 Risk Management Implications

There are strategic and reputational risks. If the scrutiny function is to fulfill the expanded role of the new panels, contributing to effective community leadership and increase public participation, effective support is essential.. Failure to respond appropriately could hinder the delivery of the Council's objectives and adversely affect its reputation.

8. PERFORMANCE MANAGEMENT IMPLICATIONS

8.1 The key aims for the Council's scrutiny function include:

- to review & assess the delivery and performance of services provided by the Council (along with the health service and Crime and Safety)
- to assist in the monitoring & development of Council policies and strategies;

8.2 Effective Scrutiny allows engagement of a wide range of non-executive Members in policy and strategy development, and further provides challenge through a 'critical friend' approach. The prime aim of Scrutiny is to examine and analyse service provision, and seeks to deliver improved performance and outcomes for the community.

9. COMMUNITY IMPLICATIONS

9.1 Positive Impact

The formalisation and expansion of the scrutiny role will provide improved opportunities for residents to voice concerns to a wider range of local providers with the ultimate aim of improving services and local accountability.

10. PUTTING ENFIELD FIRST

The creation of this Scrutiny Panel will have an impact across all of the aims within Putting Enfield First.

Background Papers

None