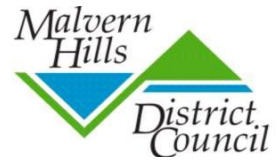


# Overview & Scrutiny

## Annual Report 2010 - 2011



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## Chairman's Foreword

I am delighted to present this report on behalf of Malvern Hills District Council's Overview and Scrutiny Committee for 2010/11.

The purpose of Overview and Scrutiny is to ensure that local services are performing well and that the interests of residents are being represented in Council decisions.

The Overview and Scrutiny function at Malvern Hills has developed firm foundations over the four years of this administration; the past year has seen the Committee grow from strength to strength, raising its profile as a firmly established force for change and improvement for the District on behalf of the District Council.

It is gratifying to report that Malvern Hills' Scrutiny function is coveted by other authorities keen to replicate the way we work. In this regard recognition should be paid to the way the Committee operates and I would like to take this opportunity to express my appreciation to the Committee for their continued diligence, enthusiasm, professionalism and impartiality; all essential skills for confidently conducting robust scrutiny that demonstrates the Council's commitment to overseeing a better future for the residents of Malvern Hills District in 2011 and beyond.

I am also grateful to officers, Executive Portfolio Holders and other attendees who have contributed to our outputs this year.

The District's Parish/Town Councils have been regular attendees and contributors at our meetings and have contributed magnificently to the two Task & Finish Reviews undertaken this year.

This strengthening relationship between District and Parish/Town Council puts the District in a strong position in preparation for the additional local responsibility and accountability associated with the Localism Bill.

The Committee has developed good working practices and procedures that will serve Malvern Hills District Council well when welcoming Members to Overview and Scrutiny - whether new to local Government or those more experienced returning following the forthcoming elections.

Finally thanks are due to Nigel Snape, Head of Legal & Governance, for his valued advice and Karen Jarman, Democratic Services Officer, for her continuing support to the committee this year.



Cllr Tom Wells

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## **Introduction and Overview**

The intention of this report is to provide an insight into Malvern Hills District Council's Overview and Scrutiny process and summarise the work that has been undertaken by the Committee and Task & Finish groups over the past year.

### **What is Overview and Scrutiny?**

The District Council's Overview and Scrutiny function is about looking closely at services and issues which affect the lives of local people with a view to improving them by:

- Holding the Council's Executive Committee and Planning Committee to account for the decisions they make;
- Reviewing and developing the Council's policies to ensure that they improve the well being of the community;
- Scrutinising the performance of outside organisations whose work affects the local community.
- Designated as the Council's Crime & Disorder Committee (September 2009) for the purposes of s.19 police and Justice Act 2006 as amended.

Once again this year, Overview and Scrutiny Committee is able to provide Malvern Hills District Council with the assurance that it has fulfilled its role to act as the Council's watchdog by reviewing Council service delivery, policies and processes to ensure they remain fit for purpose.

### **Scrutiny Process and Organisation**

Overview and Scrutiny is carried out by Councillors who do not sit on the Council's Executive Committee and can therefore approach issues with independence from the Council's key decision-making body.

The Committee's Work Programme is delivered in part through Task & Finish Groups. When a subject is suggested for Overview and Scrutiny Committee to look into that's too big for the Committee to deal with itself, it sets up a Task & Finish group to investigate the matter in depth on its behalf and report back to the Committee with its findings and recommendations.

The Committee and Task and Finish Groups ensure their work is evidenced based by undertaking research, speaking with service users and community groups; questioning Portfolio Holders, Council officers or representatives from other public bodies; undertaking fact finding visits and seeking examples of best practice.

Overview and Scrutiny provides an excellent opportunity for the public to become involved in influencing services by providing evidence to the Task & Finish Groups and the Committee. There are also opportunities for the public to become directly involved in a review, including co-option onto the Committee or a Group.

Resulting Reports and recommendations for improvement when formulated are referred to Executive Committee, Planning Committee or Council for consideration.

The Committee usually meets 10 times per year. Task and Finish Groups meet as and when required, with only one operating at any one time due to resource constraints.

The membership of Task & Finish Groups may include any Member of the Council, except Executive Committee Members, enabling “back bench” Members a means to directly influence the Council’s decision making.

The Overview & Scrutiny Committee comprises: Cllrs Tom Wells (Chairman); Mike Morgan (Vice-Chairman); Paul Cumming, Sue Gill, Gill Farmer, Roger Sutton and David Watkins.



## How the Committee Decides Its Work Programme

Overview and Scrutiny Committee updates its work programme at each meeting. Managing the work programme with this flexibility enables the Committee to consider matters of local concern, not previously scheduled but which may merit inclusion.

In the last few years the Committee has invited partners to submit items that they wished to be considered for inclusion in the Work Programme, which proved fruitful both in terms of identifying issues of local concern and also as a means of developing relationships.

This year the Committee took this a stage further by extending an invitation to all District Councillors and representatives the District’s 54 Parish and Town Councils to attend and participate in the Committee’s informal workshop as a mutual learning experience in terms of how Overview & Scrutiny works, what it can achieve for the District on behalf of the Council and how to become involved, including suggesting items for the Work Programme; and for the Committee to benefit from feedback on how their performance was perceived.

This approach was successful on all fronts and one which the Committee intends to replicate.

## Malvern Hills District Overview and Scrutiny Business 2010/11

### Acting to Champion Residents’ Concerns

The Committee’s role of the community’s watchdog on behalf of the Council also extends to scrutinising other partner public bodies whose services affect the District.

The Committee at its meeting in October 2009, when scrutinising the results of the District wide IPSOS MORI Place Survey conducted in 2008 highlighted three areas of local concern:

- Public Transport
- Police Engagement with the local community
- Road & Footway Repairs (to include road injury and death)

The provision of Rural Affordable Housing (also a local concern within the Place Survey) had already been identified by the Committee and was subject of an on-going Task & Finish Group to identify the obstacles to delivering rural affordable housing throughout the District (see page 17).

## Public Transport

The Committee had already dealt with issues relating to Public Transport at its meeting in January 2010 and were pleased to receive an update at its meeting in May 2010 where Worcestershire County Council had provided a proposed action against each of the comments relating to public transport within the District that the Committee had extracted from the Place Survey.

### What was the outcome?

The Committee requested that Malvern Hills Transport Partnership take up the issues and progress be reported to Executive Committee via the Malvern Hills Partnership minutes.

## Police Engagement with the Local Community

### What did the Committee do?

Comments relating to policing extracted from the Place Survey and the subsequent Worcestershire Viewpoint Survey conducted in November 2009, were examined by the Committee by District Ward and highlighted that common to all were issues relating to:

- lack of police presence
- speeding traffic
- antisocial behaviour

The Committee invited representatives from West Mercia Police to assist them with their enquiries at their meeting in May 2010.

### What the Committee found:

#### 1. Speeding Traffic

Traffic travelling in excess of the speed limit was an issue throughout the District. Reports of areas where excess speeding occurred were investigated and speed cameras sited where possible. Parish and Town Councils were requested to report problem areas to the police with specified locations if possible.

In addition to their own resources, the police were able to utilise agencies such as the Safer Roads Partnership to help with monitoring traffic speed.

There was recognition that a change in the perception associated with driving at excess speed so that it became as socially unacceptable as drink driving would be an advantage.

#### 2. Illegal Parking and Lack of Enforcement

Although illegal parking was not a national policing priority, it was recognised that in some areas, such as Upton upon Severn, it could exacerbate problems of traffic flow and be a source of danger to other road users. Police resources locally were utilised to address illegal parking in such areas when possible.

The police also liaised with the District Council's Street Scene Team in relation to parking issues where possible.

3. Anti Social Behaviour and Lack of Police Presence.

There was a gap between the real situation as reported by West Mercia Police and public perception, as evidenced by the Place Survey 2008 and Worcestershire Viewpoint Survey 2009. Public perception was often influenced by issues reported nationally and did not appear to reflect the situation within Malvern Hills District.

What was the outcome?

As a result of the Committee's intervention the District Council and West Mercia Police are working together to see how they can improve communication about policing locally and remind our residents that the District is one of the safest places in the country, MHDC was in the best (lowest) 5% in the country for perceived and reported incidents of anti social behaviour.

## Road & Footway Repairs (to include road injury and death)

Worcestershire County Council representatives have been unable to attend a meeting to discuss matters relating to road and footway repairs including road injury and death as they affect the District. The Committee will continue to canvass availability for forthcoming meetings.

## Discretionary Rural Rate Relief

Why did the Committee look at this?

In January 2010 the Committee had acted to champion the District's rural businesses following reports of delays in processing Discretionary Rural Rate Relief applications by South Worcestershire Shared Services – Revenues and Benefits.

Rural businesses such as post offices, general stores, food stores, public houses and petrol stations who serve rural settlements with a population of less than 3000 automatically receive mandatory rural rate relief, which reduces their business rates by 50%. They can then apply for discretionary rural rate relief which reduces their liability by a further 25% if the Parish Council support the application in principle or by 50% (i.e. 100% reduction) if the Parish Council also provide financial support. Delays in processing these applications were causing hardship to the rural businesses concerned.

What did the Committee do?

The Committee's intervention ensured that South Worcestershire Shared Service – Revenues and Benefits reviewed the performance of processing Discretionary Rural Rate Relief applications for the District.

What was the outcome?

An update was received at the May 2010 meeting to confirm that South Worcestershire Shared Services – Revenues and Benefits had two fully trained members of the national Non Domestic Rate (NNDR) team to deal with Rural Rate

Relief applications. All applications were treated as priority postage in order to minimise any delay in awarding relief.

Applications were up to date, however looking at the longer term, South Worcestershire Shared Services – Revenues and Benefits planned to make contact with officers and Members from Malvern Hills District to discuss the process and agree any necessary changes in order to improve it.

There were no anticipated future problems with administration, however this was reliant on Parish Council participation for part of the process.

In recognition of the improvement in the processing of Discretionary Rural Rate Relief Applications within Malvern Hills' District the Committee issued a letter of appreciation to the Head of the Revenues & Benefits shared service and his staff and to the Chairman of the South Worcestershire Shared Partnership Joint Committee which was well received.

## Reductions in Bus Services and School Transport

The meeting in March 2011 sought to champion the interests of our local residents following the District Council discovering that the County Council as part of its Better Outcomes Leaner Delivery (BOLD) efficiency savings Programme, was conducting a Consultation Review of Subsidised Public Transport and Home to School Transport which included proposals to withdraw a number of bus services operating in the District.

Additionally the proposals to restrict free home to school travel service to the school nearest to the pupils would have particularly serious consequences for the District, which for historic reasons have a number of joint school catchment areas.

### Why did the Committee look at this?

The Committee was concerned that there seemed to a lack of knowledge that this important County Council consultation was taking place and with the consultation period closing on 1<sup>st</sup> April 2011, the fact that the District's residents may not be aware of how the proposed reductions in service may impact adversely in the areas affected.

### What did the Committee do?

The Committee consulted with the District's Parish and Town Councils and issued a press release to alert local residents and provide the opportunity for them to attend the meeting in March 2011 to find out more or feed in concerns for the Committee to take into consideration when formulating its response to the proposals to the County Council on behalf of the District Council.

Consultation with the District's Parish and Town Councils included an invitation to participate in the meeting to feed in vital local knowledge, to report any concerns around these proposals which the Committee would feed into its response to Worcestershire County Council. Consultation Representatives from Worcestershire County Council were also in attendance to hear concerns and answer questions.

Detailed discussions took place around how the consultation had been conducted and publicised and how the proposals may impact the District.

### What the Committee found:

There was a lack of awareness that this Consultation was taking place, as reported by some Parish Councils. The Committee's publication of this meeting generated interest from people who said they did not know about the County Council's consultation.

The County Council's "Viewpoint Survey" which apparently supported reductions to subsidised bus services (in preference to other County Council Services) was at odds with:

- a) The County Council's own long standing strategic transport policy of encouraging the use of public transport;
- b) The results of Malvern Hills District Council's own Viewpoint Survey which have identified improvements to public transport as being a key priority; and
- c) The work of the Malvern Hills Partnership which has currently identified improvement of rural access as a key work stream;

The Committee were pleased to note the County Council's commitment to thoroughly investigate alternative transport solutions, including community transport services, as a means of mitigating the effects of any reductions to subsidised routes.

The Committee were surprised that there had been no detailed consideration of the likely impact of individual service reductions before these had been included in the current list of proposals (which was unlikely to be the final list) which made it difficult for anyone, including District and Parish/Town Councils, to respond effectively to the consultation when there were no definite proposals nor any detailed appraisal of the rationale that lay behind them. We believe there should be a further round of more limited consultation once firm proposals have been developed and before any final decisions are made.

The 44 Malvern to Worcestershire Royal Hospital is a much needed service for the District's residents which the District Council has previously fought to preserve resulting in the extension from Crowngate Bus Station to the Hospital being retained by subsidy. This service however also goes to County Hall which the Committee considers to be of no value and an unnecessary waste of resources. The route for this service would benefit from reconfiguration to remove County Hall as a destination.

The proposal to restrict free home to school travel service to the school nearest to the pupils would have particularly serious consequences for residents in Kempsey – the nearest secondary school maybe in Worcester but Kempsey is in the catchment area for Hanley Castle High School and residents in Malvern where there is a joint catchment area for Malvern Chase High School and Dyson Perrins Sports College.

### What was the outcome?

The Committee responded as a local authority stakeholder representing the views of the District Council on 23<sup>rd</sup> March 2011 and recommended to Worcestershire County Council that:

Public transport is of vital importance to the communities within the Malvern Hills District, especially those within the more rural areas. Reductions to subsidised bus

services should only be implemented where suitable alternative arrangements can be put in place.

Following the current consultation process the County Council should publish a list of final proposals together with a detailed impact assessment of each and details of any measures that will be taken to mitigate the effects. These final proposals should be the subject of a further consultation with District and Parish/Town Councils before any final decisions are taken.

Service reductions should not take effect until:

Any identified mitigation/alternative arrangements have been finalised and implemented; and

Any County Council funding on which those alternative arrangements are dependant has been guaranteed for the long term, not merely the first year.

The Subsidised extension from Crowngate Bus Station to Worcestershire Royal Hospital, making up part of the 44 Service Malvern to Worcestershire Royal Hospital service be retained.

Free school travel (beyond the requisite distance) should continue to be provided for all pupils if they live within the catchment area for that school, regardless of whether it is the nearest.

*These demonstrate Malvern Hills District Council's commitment to improve or preserve services in the interests of our local communities.*

## Local Democracy In Action

### Investigating Issues on Behalf of the District's Parish and Town Councils

#### Worcestershire Highways Department and Local Parish and Town Councils

##### Why did the Committee look at this?

This was something which has been raised on a number of occasions at this Committee as a cause for concern by the District's Parish and Town Councils.

The recent Hub Joint Scrutiny Report, which took evidence from Parish and Town Councils also highlighted the difficulties that Parish Councils had in dealing with the Hub and their preference to be able to have direct access to relevant officers within departments, particularly in relation to highway matters.

##### What did the Committee do?

Acting to support the District's Parish and Town Councils, the meeting in March 2011 looked at the working relationship between Parish and Town Councils and Worcestershire County Highways department.

Representatives of the District's Parish and Town Councils in attendance provided feedback on their experience of their working relationship with Worcestershire County Council Highways department.

#### What the Committee found:

1. Many of the issues raised concerned a lack of fulfilment of service requests by the Highways back office rather than services within the Hub.
2. Improvements to the website, including the self service interactive mapping facility had been well received and addressed a lot of the issues, although this had not yet been widely advertised as it was still at pilot stage.
3. The Hub self service facility was designed for transactional issues and would not be able to deal with more complex issues that require dialogue.
4. Malvern Hills was the only District within Worcestershire not to have a dedicated County Highways Liaison Officer.
5. Worcestershire County Highways have previously acknowledged that they need to do more to improve relationships.
6. The Committee was disappointed that no one from County Highways had been able to attend the meeting to hear the concerns raised.

#### What was the outcome?

The Committee has recommended that Worcestershire County Council:

Provide a means for Parish/Town Council Clerks to have direct access to relevant highways officers in relation to matters that are not suitable to be dealt with by the Hub.

Draw up a protocol as to which matters should be reported via the Hub, those when direct contact with County Highways department is appropriate and the service standards that Parish/Town Councils are entitled to expect. They have also requested that Worcestershire County Council allocate a dedicated Highways Liaison Officer for Malvern Hills District

We have requested the County Council provide the Committee with progress on implementation of these recommendations.

## South Worcestershire Development Plan

#### Why did the Committee look at this?

Following revocation of the Regional Spatial Strategies (RSS) by the new Coalition Government in July 2010 the Committee had requested an update on the next steps for the District Council in respect of the South Worcestershire Joint Core Strategy (SWJCS). Requests for this to be investigated had originated from several Parish Councils.

### What did the Committee do?

The Committee invited the Executive Portfolio Holder for Planning and Housing, the Head of Planning and Housing and the Local Development Framework Manager to provide an update on the next steps.

At their meeting in October 2010 the Committee learned that revocation of the RSS enabled the development of local housing aspirations as the basis for Local Development Framework (LDF) documents and which had provided the opportunity to revisit the content of the SWJCS, especially the extent of housing and employment development proposed and to a degree the spatial strategy to be adopted locally.

The intention was for the South Worcestershire Authorities to continue to work together on the production of a Development Plan for South Worcestershire and would carry out informal community/stakeholder engagement around developing a 'fresh' vision for South Worcestershire and justification for any additional growth and draw a clear distinction between the SWJCS and the proposed South Worcestershire Development Plan.

### What the Committee found:

Parish Plans would be considered a material part of the process for identifying possible development sites and housing numbers.

Funding for infrastructure is and will continue to remain an issue.

Consultation events should be two way events, where attendees may input into the process, rather than being more of a briefing which had occurred previously.

The South Worcestershire Development Plan is to be Economic Development led; the specific economic development requirements for Malvern Hills District should not be lost within the wider plan.

There were concerns around the timing; that sufficient time should be allowed for Members to reach informed decisions on the emerging South Worcestershire Development Plan.

In the interests of transparency, the South Worcestershire Joint Advisory Panel meetings should be open for Malvern Hills District Council Members to attend to observe proceedings.

### What was the outcome?

The Committee requested that the Portfolio Holder for Planning and Housing take their findings into consideration as matters progress.

## Section 106 Monies – Where Does the Money Go?

### Why did the Committee look at this?

This had been suggested as an area for the Committee to investigate by Malvern Town Council.

### What did the Committee do?

The Committee invited the Executive Portfolio Holder for Planning and Housing, the Head of Planning and Housing and the Development Control Manager to their October meeting to provide an explanation into the District Council's arrangements for dealing with Section 106 monies received through legal agreements under Section 106 of the Town & Country Planning Act 1990.

### What the Committee found:

The Committee's request had highlighted a need for the Council's processes and procedures in relation to Section 106 monies to be more widely publicised and as such application details, as contained within the Report produced by the Head of Planning and Housing, were to be made available on the Council's website.

All District Ward Members were to receive a copy of the Report.

A leaflet was explaining the S106 process was being produced for the District's Parish and Town Councils and community groups.

The Committee recognised that there was an opportunity for Local District Ward Members to be more pro-active in promoting the potential benefits that Section 106 monies could provide to their local communities.

### What was the outcome?

The Committee requested that The Head of Planning and Housing prepare a Section 106 Pack to form part of the induction information provided to Members following the District Elections in May 2011.

*This demonstrates Malvern Hills District Council's commitment to inclusive decision making and local democracy in action.*

## Pre-Decision Scrutiny

The District Council's Forward Plan is included as a standing Overview and Scrutiny Committee agenda item and includes the Committee and/or Council responsible for making the decision, the reason why it is required and the anticipated date.

This assists the Committee by providing a plan of items due for consideration and provides the opportunity for them to consider whether pre-decision scrutiny is recommended.

This adds value to the Council's decision making process by demonstrating an accountable, transparent and inclusive way of conducting business.

Pre-Executive Scrutiny this year included:

## Medium Term Financial Plan (MTFP)

### MTFP Preparation

The new Coalition Government's Comprehensive Spending Review (CSR) indicated that the Local Government Grant Settlement was likely to be reduced which would impact on the Council's MTFP.

In preparation the Head of Finance and Resources provided a briefing for the Committee to prepare their approach to scrutinising the MTFP, which included an outline of the Council's current positive financial performance and which also identified potential risks.

## Medium Term Financial Plan 2011/12 to 2013/14

In conjunction with the MTFP the Committee considered a separate update on concessionary swimming for older persons within the District in light of the premature withdrawal of Government funding at their meeting in January 2011.

Executive Portfolio Holders and all Heads of Service were in attendance to answer the Committee's questions.

### What the Committee's Pre-Decision Scrutiny Recommended:

- Concern be expressed at the apparent lack of consultation with community transport providers about whether the proposed funding of £30,000 would result in a net loss to those providers. The Committee recommended officers be asked to discuss the implications with relevant stakeholders as soon as possible.
- The Committee had reservations about the deliverability of the proposed car park income generation of £125,000 in 2013/14 and ask that a further assessment be made of the role that decriminalisation of parking could have in achieving the proposed income targets.
- Having considered the update on concessionary swimming it was not considered feasible to continue funding in the current economic climate.

### What was the outcome?

The Committee's recommendations were considered by Executive Committee in January 2011 as part of the District Council's decision making process.

## Budget Scrutiny

The Draft Revenue and Capital Budgets 2011/12 were scrutinised in February 2011.

### What the Committee found

The Committee was pleased to note that consultation with Community Transport providers had taken place as recommended in their scrutiny of the MTFP and that the outcome of the discussions appeared to be satisfactory.

However, the Committee was concerned as to the potential future impact of the County Council's proposed cuts to subsidised bus routes.

### What the Committee's Pre-Decision Scrutiny Recommended:

Executive Committee be asked to consider what role Community Transport providers might play in relation to any gaps left by the County Council's proposed reductions to subsidised bus routes.

### What was the outcome?

The Committee's recommendations were considered by Executive Committee in February 2011 as part of the District Council's decision making process.

## Draft Scheme for Petitions

In July 2010 the Committee scrutinised the proposals that the District Council had drawn up for dealing with petitions in accordance with the requirements of the Local Democracy, Economic Development and Construction Act 2009.

### What the Committee's Pre-Decision Scrutiny Recommended:

The Committee supported the proposals and recommended to Executive Committee that the power to reject possible vexatious, abusive or otherwise inappropriate petitions include the Portfolio Holder for Customer Services, HR and Performance in addition to the Head of Legal & Governance as originally proposed.

### What was the outcome?

The Petitions Scheme was amended to include the Portfolio Holder for Customer Services, HR and Performance by Executive Committee in September 2010.

*These demonstrate the value that Overview and Scrutiny can bring to Malvern Hills District Council's decision making process.*

## Other Areas Considered by the Committee

### Malvern Hills District Council's Performance Information

The Committee receives regular updates to monitor the Council's Performance Indicators. Following the new Coalition Government's plans to disband the Audit Commission the way District Councils measure performance was changing from a regime of tightly prescribed Performance Indicators to a less regulated situation.

## Task & Finish Reviews

When a subject is suggested for Overview and Scrutiny Committee to look into that's too big for the Committee to deal with itself, it sets up a Task & Finish group to investigate the matter in depth on its behalf and report back to the Committee with its findings and recommendations.

### Rural Affordable Housing

In October 2010 the Committee received the findings and recommendations of the Task & Finish Group's investigation into obstacles to delivering rural affordable housing throughout the District.

#### Why Did the Committee establish this Task & Finish Group?

Overview and Scrutiny Committee had agreed to investigate obstacles to the delivery of rural affordable housing following a submission from Hanley Castle Parish Council requesting the Committee look into the matter, highlighting Section 106 agreements and how they accord with rural affordable housing schemes.

The provision of rural affordable housing had also been identified as a local concern within the District Wide IPSOS MORI Place Survey conducted in 2008.

The Task and Finish Group comprised Councillors Bronwen Behan (Chairman), Roger Sutton, Paul Cumming, Aubrey Tarbuck and Sheila Young MBE. All had experience or an interest in rural affordable housing.

#### How the Task & Finish Group Gathered Its Evidence

This was an intense and complex investigation with the Task & Finish Group gathering evidence from all involved in the process from the District's Parish and Town Councils who responded magnificently to a questionnaire compiled by the Task & Finish Group to gather information about their various experiences of involvement with rural affordable housing. District Councillors were invited to present evidence from the Local Ward Member perspective.

The Group met with the West Midlands Homes & Communities Agency to gather evidence in relation to grant funding for rural affordable housing, Worcestershire's Rural Housing Enabler (RHE) in relation to his role, Registered Social Landlords (RSLs) all of whom had at some stage been involved with rural affordable housing in the District. The Council's Housing Enabler (now Housing Outcomes Manager) and Planning Officers.

As part of the Task & Finish Group's research they looked for examples where others had been successful and discovered Hampshire Alliance for Rural Affordable Housing (HARAH) recognised for best practice (as detailed in the T&F Report) and we were pleased to meet with their Senior Rural Housing Enabler who explained how they had managed to turn their situation around.

HARAH were content for this Council in the interim to prepare a Rural Affordable Housing Starter Pack using the HARAH example as a model which was incorporated into the T&F recommendations.

## Findings

The District Council no longer directly provides new affordable homes, but works closely with Housing Associations, also known as Registered Social Landlords (RSLs) with the intention of enabling them to build new homes or to acquire existing dwellings for affordable housing. Most are delivered through one of the Council's preferred housing association partners.

The RSL is able to provide the housing at affordable levels as they receive grant funding, which they have to bid for, from the Homes and Communities Agency (HCA) towards the development costs.

With the District being predominantly rural in nature this vital enabling responsibility is essential to ensure that the needs of all our residents including our rural communities are considered.

## What was the outcome?

The findings of the Task & Finish Group highlighted that our situation, in terms of delivering rural affordable housing is not unique. By identifying the obstacles specific to Malvern Hills and being proactive to take steps to address them will place this Council in a positive position to meet the new Government's localism agenda, which includes the proposals for more local responsibility for delivering rural affordable housing.

All of the Recommendations were endorsed by Overview and Scrutiny Committee in October 2010 and received Council resolution in December 2010 and are in the process of being implemented, an update on progress is due to be reported to Overview and Scrutiny Committee in April 2011.

## Parish and Town Councils Involvement in Development Control

### Why did the Committee establish this Task and Finish Group?

The role that Parish Councils played in the Development Control Process and how the District Council supported that role had been proposed (in various guises) by a number of Parish Councils as part of the Committee's Work Programme setting workshop in May 2010.

This Task & Finish Group comprised S Gill (Chairman) D Watkins (Vice-Chairman), Mrs M Walters MBE, Mrs V Myatt and Mrs S Harrison. This mix also provided a good geographic local ward representation of the District and was established in October 2010.

### How the Task & Finish Group Gathered Its Evidence

The Task Finish Group decided to invite our Parish and Town Councils to participate in an informal workshop in order to learn first hand how they perceived the procedures followed when processing planning and related applications from the initial consultation stage through to issuing the decision notice and implementation of the proposed development.

This was not in relation to specific planning issues but rather the procedures followed when processing planning and related applications and how the District Council supports the Parish/Town Councils in the process.

They were keen to explore how the District Council and Parish and Town Councils communicate and share information etc.

In order to gain as much feedback as possible they held two informal workshops in the north and south of the District.

The purpose of the workshops was to learn from the experiences of how the District's Parish and Town Councils engaged with the Development Control Process.

Both Informal Workshops were facilitated by Members of the Task & Finish Group, the Head of Planning and Housing, the Development Control Manager and Democratic Services Officer and adopted the same format for each.

Officers provided an overview of the support that the development control part of planning services currently provided with a view to finding out how this could be improved upon and/or changed by looking for feedback into what was considered helpful or what was considered unhelpful or of little benefit.

Both workshops were well attended with participants entering into the spirit of the event, discussing their various experiences with a view to feeding back in the following areas:

- What the District Could Do Better
- Obstacles to Change
- What Works Well
- Opportunities for the Future

A post it exercise, where comments could be posted for each of these areas, proved a fruitful means of capturing this invaluable feedback. It was reassuring that both workshops generated many responses, and it was interesting to note the similarity of responses considering their originating from opposite ends of the District.

The responses from both workshops were recorded and subsequently distilled into the evidence base underpinning the Task & Finish Group's findings and recommendations.

### Findings

The findings were comprehensive and detailed and included developing and improving the Planning Services element of the District Council's Website, including creating a specialised area for matters of interest to Parish/Town Councils to support their role in the development control process – effectively a Parish Portal.

Improvement of the planning application search facility on the website, Parish and Town Councils to be requested to nominate representatives to make up a panel of three representatives from Parish/Town Councils to be involved in the development/improvement of the Parish area on the Planning Services element of the website.

The Annual District Planning Training Programme be opened up to appropriate Members of Parish/Town Councils, the Parish Council consultation response form be amended, e-consultation would be a future opportunity for some and as such there would continue to be a requirement for the District Council to continue to send out plans/drawings in hard copy although more could be made of electronic communication as all 54 Parish/Town Councils were contactable by email.

#### What was the outcome?

The T&F Report is due to be submitted to Overview and Scrutiny Committee at its April 2011 meeting.

### Disabilities Facilities Grants (DFG)

The Committee requested an update on a previous Task & Finish review (February and May 2009) into the funding and administration of DFGs within Malvern Hills District.

The update was received in February 2011 and the Committee learned that since joining Worcestershire Care and Repair, previously known as Home Improvement Agency, in April 2010 (one of the Task & Finish Group's Recommendations) waiting times for processing DFGs had improved both in terms of enquiry to completion stage or approval (where grant applications had been approved but works not yet been completed). However, the performance while improving remained far from satisfactory.

#### What was the outcome?

The Committee resolved that Quarterly Performance Reports for Disabled Facilities Grants be made to the Executive Committee and copies of those Reports be presented to Overview and Scrutiny Committee in order to monitor progress.

### Joint Scrutiny with Neighbouring Authorities

#### Worcestershire Hub

This year saw Malvern Hills Overview and Scrutiny Committee participating in a County wide joint scrutiny of the Worcestershire Hub, involving the six Districts and Worcestershire County Council.

The Committee welcomed the Joint Scrutiny Team's Recommendations at their January 2011 meeting and recommended that the Chairman of the Joint Scrutiny Team be asked that the needs of the District's Parish and Town Councils particularly in relation to highway queries via the Hub be recognised and addressed as a matter of urgency.

#### Summer Floods 2007

The Committee received a progress report into the Worcestershire Joint District and County Council Scrutiny of the Response to the Summer Floods 2007

## Worcestershire Wide Joint Scrutiny Strategy Meetings

Worcestershire Joint Scrutiny Chairmen and Vice Chairmen's Network has met on three occasions to consider opportunities for joint scrutiny. A protocol to assist the process of joint scrutiny work is also being developed.

The next meeting is due to be hosted by Malvern Hills District in July 2011.

Joint scrutiny however does not detract from the continuing development of MHDC's Overview and Scrutiny function which is coveted by other authorities.

## Have Your Say.....

The Committee's Work Programme is formulated with the aim of improving public services and quality of life for the District's residents. A proforma is attached should you wish to submit an item you would like the Committee to investigate.

## Developing the Overview and Scrutiny Function in Malvern Hills District

The theme for the Centre for Public Scrutiny (CFPS) Annual Conference 2010 was "Accountability Works."

The event focussed on how the impact of budget cuts, transparency agenda and the localism agenda had the potential to increase the workload of Overview and Scrutiny Committees.

The new Coalition Government's plans to disband the Audit Commission intended more responsibility for deciding which performance areas to measure should be placed with District Councils. The CFPS recommended these should be considered from the user's perspective.

The Vice Chairman reported that there had been a lot of interest in Malvern Hills' Scrutiny function from other delegates at the Annual Conference who had expressed a desire to replicate the way we work.

## Malvern Hills Overview and Scrutiny Committee Welcomes Observers

In February 2011, the Committee welcomed representatives from Pembrokeshire Coast National Park and Brecon Beacons National Park, who were in attendance to observe the way the Committee operated following a recommendation from the Centre for Public Scrutiny.

## Conclusion

The past year has seen Malvern Hills District Council's Overview and Scrutiny go from strength to strength as evidenced within this report.

By acting to champion issues causing concern to our residents demonstrates the District Council's commitment to improve services in the interests of upholding the wellbeing of the District.

The Committee's pre-decision scrutiny forming part of the Council's decision making process, demonstrates the District Council's commitment to an inclusive, open and transparent decision making process.

Overview and Scrutiny at Malvern Hills District Council, encouraging input from the District's residents and partners instils the ethos that the public can be directly involved in the Council's decision making process and thereby directly influence the decisions that affect their communities.

Investigating matters on behalf of the District's Parish and Town Councils which has also strengthened relationships, places the District, Parish and Town Councils in a strong position in respect of the Localism Bill which indicates greater responsibility and accountability at neighbourhood level.

'The world will be your oyster', suggested the Secretary of State for Communities and Local Government, The Right Honourable Eric Pickles MP, at the Local Government Association Conference back in July 2010, when outlining new freedoms that his forthcoming Localism Bill would provide for councils.

Perhaps there is a role for Overview and Scrutiny to help discover the pearls.

## Your Suggestions Count...Make A Difference...

I think the following should be investigated:

(please refer to criteria overleaf)

Please say why:

Name/Organisation	
Address	
Telephone	
Email	

Please Return to:

Karen Jarman, Democratic Services Officer, Malvern Hills District Council, The Council House, Avenue Road, Malvern WR14 3AF email:

[Karen.jarman@malvern hills.gov.uk](mailto:Karen.jarman@malvern hills.gov.uk) Tel: 01684 862273 [www.malvern hills.gov.uk](http://www.malvern hills.gov.uk)

Suggestions for Overview and Scrutiny Reviews should:

- Affect a group of people living within the District
- Relate to a service, event or issue in which the Council has a significant stake or over which the Council has an influence or interest
- Not be an issue which overview and scrutiny has considered during the last 12 months
- Not relate to an individual service complaint
- Not relate to matters dealt with by another Council committee, unless the issue deals with procedure