

7 July 2006

Ref: 7/06 Scrutiny
Contact: Ian Gourlay
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To: The Members of the Scrutiny Committee: Councillor Martin Stears (Chairman); Councillor M. Paterson (Vice-Chairman); Councillors David Billing; John Bishop; S. Bloxham; P.C.W. Burt; Paul Clark; Melissa Davey; Jane Gray; David Kearns; H.M. Marshall; M.R.M. Muir; Elliot Needham; and R.L. Shakespeare-Smith.
[Substitutes: Councillors Sal Jarvis and Lorna Kercher]

You are invited to attend a

MEETING OF THE SCRUTINY COMMITTEE

to be held in

**COMMITTEE ROOM 1, COUNCIL OFFICES,
GERNON ROAD, LETCHWORTH GARDEN CITY**

on

TUESDAY, 18 JULY 2006

at

7.30pm

**[NOTE: A PRE-MEETING FOR MEMBERS OF THE COMMITTEE
WILL TAKE PLACE AT 7.00pm IN COMMITTEE ROOM 3]**

Yours sincerely,



David Miley
Democratic Services Manager

AGENDA
PART I

ITEM	PAGE
1. APOLOGIES FOR ABSENCE	-
2. MINUTES To take as read and approve as a true record the Minutes of the Scrutiny Committee held on 19 June 2006.	-
3. NOTIFICATION OF OTHER BUSINESS Members should notify the Chairman of other business which they wish to be discussed by the Committee at the end of the business set out in the agenda. They must state the circumstances which they consider justify the business being considered as a matter of urgency. The Chairman will decide whether the item(s) raised will be considered.	-
4. DECLARATIONS OF INTEREST (INCLUDING PARTY WHIP DIRECTIONS) To receive from Members of the Committee any declarations of interest in respect of any business set out in the agenda or any advice from a Member of this Committee concerning a party whip direction. Members should either declare a prejudicial or personal interest and are required to notify the Chairman of the nature of any interest declared. Members declaring a prejudicial interest should leave the room and not seek to influence the decision during that particular item of business.	-
5. PUBLIC PARTICIPATION □ To receive petitions, comments and questions from members of the public. At the time of printing the agenda, no requests to speak had been received. Public participation requests received within the agreed time will be notified to Members as soon as practicable.	-
6. URGENT/GENERAL EXCEPTION ITEMS The Chairman to report on any urgent or general exception items which required his agreement.	1
7. CALLED-IN ITEMS To consider any matters referred to the Committee for a decision in relation to a call-in of a decision. At the time of printing the agenda, no items of business had been called-in.	-
8. CHAIRMAN'S ANNOUNCEMENTS	-
9. QUESTIONS <i>To receive and respond to any questions either set out in the agenda or tabled at the meeting. The following question has been received:-</i> <i>(a) Demand for services provided by the Public Utilities from new developments – from Councillor Mrs A.G. Ashley</i>	5

10.	NORTH HERTFORDSHIRE DISTRICT COUNCIL – THE DRAFT FORWARD PLAN: 1 AUGUST 2006 – 30 NOVEMBER 2006 <i>To note items on the Council's Forward Plan and to give consideration to any items set out in the Plan prior to a decision being made.</i>	7
11.	SCRUTINY COMMITTEE WORK PROGRAMME 2006/2007 REPORT OF THE SCRUTINY OFFICER <i>To consider the issues that the Scrutiny Committee plans to review at future meetings and the activities of its sub-groups.</i>	15
12.	PROCUREMENT OPTIONS FOR THE FUTURE OF NHDC'S MARKETS REPORT OF THE HEAD OF LEISURE & ENVIRONMENTAL SERVICES <i>To consider a procurement options appraisal for the future of NHDC's markets.</i>	Report To Follow
13.	OFFICE ACCOMMODATION STRATEGY REPORT OF THE HEAD OF FINANCIAL SERVICES <i>To review the current Office Accommodation Strategy and recommend future proposals.</i>	Report To Follow
14.	REVIEW OF ENGAGING CHILDREN & YOUNG PEOPLE REPORT OF THE HEAD OF COMMUNITY DEVELOPMENT & CULTURAL SERVICES <i>To consider the response from the Cabinet Portfolio Holder for Community Engagement & Rural Affairs to the views and recommendations made by the Scrutiny Committee on 21 March 2006 regarding the final report of the Engaging Children & Young People Task & Finish Group, and a proposed course of action to be taken.</i>	21
15.	REVIEW OF HEALTH SCRUTINY IN HERTFORDSHIRE REPORT OF THE SCRUTINY OFFICER <i>To consider suggestions to assist the Leader of the Council in his response to Hertfordshire County Council on the review of Health Scrutiny arrangements for the county.</i>	25
16.	PRESENTATION BY LEADER OF THE COUNCIL To receive a presentation from Councillor F.J. Smith, Leader of the Council.	39
17.	ITEMS REFERRED FROM SCRUTINY COMMITTEE FINANCE SUB-GROUP – 22 JUNE 2006 Planning Delivery Grant Annual Statement of Accounts 2006/07	41

Future meetings of the Scrutiny Committee:

5 September 2006
10 October 2006
7 November 2006
11 December 2006 (Monday)
9 January 2007
20 February 2007
20 March 2007

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**SCRUTINY COMMITTEE
18 JULY 2006**

***PART 1 – PUBLIC DOCUMENT**

AGENDA ITEM No.

6

TITLE OF REPORT: URGENT/GENERAL EXCEPTION ITEMS

See attached.

URGENT/GENERAL EXCEPTION ITEMS THAT THE CHAIRMAN (OR IN HIS ABSENCE, THE VICE-CHAIRMAN) OF SCRUTINY COMMITTEE GAVE PERMISSION TO BE CONSIDERED BY CABINET WHICH WERE NOT INDICATED ON THE FORWARD PLAN

CABINET –27th JUNE 2006:

Title of Report	Purpose of Report	Reason for Urgency	Decision Made by Cabinet (Draft Decision at present)
Hitchin Market Traders Association (HTMA) Business Plan	To determine whether or not the Council wished to underwrite the financial risks arising from the implementation of the Hitchin Market Traders Association Business Plan.	A decision could not reasonably be deferred because the Business Plan urgently needed to be considered and resolved prior to the next meeting of Cabinet on 25 July 2006.	<p>RESOLVED:</p> <p>(1) That a £10 charge for any stall on a Tuesday market, £15 for any stall on a Saturday market and casual traders to pay the same as licensed traders be put in place for a trial period of six months to be determined in conjunction with the Market Traders Association;</p> <p>(2) That, in principle, the potential loss of c£31k be underwritten for the same period of six months;</p> <p>(3) That the Hitchin Area Committee be advised about the above decisions and that be requested to continue to review the actions taken to support Hitchin market;</p> <p>(4) That it be noted that a report on an options appraisal for the Council markets would be presented to the next meeting of Cabinet on 27 July 2006.</p> <p>REASONS FOR DECISIONS:</p> <p>(1) To ensure consistency with the Council's agreed budget strategy;</p> <p>(2) To provide HMTA, customers and other stakeholders with a direct response to the request for additional financial backing;</p>

			<p>(3) To ensure local oversight of market operations continue to be provided.</p> <p>RECOMMENDED TO COUNCIL:</p> <p>(1) That a £10 charge for any stall on a Tuesday market, £15 for any stall on a Saturday market and casual traders to pay the same as licensed traders for a trial period of six months be approved at the next meeting of Council on 27 July 2006;</p> <p>(2) That, in principle, the potential loss of c£31k be underwritten for the same period of six months.</p> <p>REASON FOR DECISIONS: To enable Council to review the agreed Council policy of aiming to reduce subsidies.</p>
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TITLE OF REPORT: QUESTION

The following question has been submitted by Councillor Mrs A.G. Ashley:-

"There is a lot of public concern about the amount of development across the District, especially in our town centres. Would the Scrutiny Committee consider asking the Utilities (gas,electricity,water) what steps are being taken to meet the increasing demand for their services that are caused by these developments? I have heard particular concerns expressed about low water pressure affecting electric showers and fluctuations in the electricity supply at peak times."

Response from the Head of Planning & Building Control:-

"I think that the route that the Scrutiny Committee could take would be to invite the Utilities to address the Committee on the matter raised in the question. The Scrutiny Officer will invite Three Valleys Water to send a representative to the Scrutiny Committee meeting in September 2006".

***PART 1 – PUBLIC DOCUMENT**

AGENDA ITEM No.

10

**TITLE OF REPORT: NORTH HERTFORDSHIRE DISTRICT COUNCIL – THE DRAFT
FORWARD PLAN: 1 AUGUST 2006 – 30 NOVEMBER 2006**

See Attached.

NORTH HERTFORDSHIRE DISTRICT COUNCIL FORWARD PLAN

DRAFT Forward Plan of Key Decisions - 1 August 2006

The Forward Plan contains brief details of key decisions that the Council is likely to take over the next four-month period. You will also find details of contacts who can provide further information and hear your views.

Decision required and date first appearing on plan	Overview and Scrutiny	Decision maker	Date of decision	Main consultees	Method of consultation	Relevant documents	Costs or Savings	Portfolio Holder & Contact officer
London Luton Airport Phase1 Planning Application 04/06	Scrutiny Committee	Cabinet	12 Sep 2006		Written Comments	Phase 1 Planning Application	TBA	Cllr Richard Thake Mark.wilson@north-herts.gov.uk 01462 474359
Local Development Framework – Statement of Community Involvement 06/06		Cabinet	12 Sep 2006	Member Working Party	Meeting	Inspector's Report	N/A	Cllr Richard Thake Andy.beavan@north-herts.gov.uk 01462 474317
Adoption of Planning Obligations SPD 06/06		Cabinet	12 Sep 2006	Local Groups, Cllrs, Relevant Statutory Organisations and other Herts Partners	Written Comments, Area Committees	Methodology for Stds and Sustainability Appraisal	TBA	Cllr Richard Thake Louise.symes@north-herts.gov.uk 01462 474359
First Quarter Revenue Budget 2006/07 Spend Profile 06/06	Scrutiny Finance Sub-Group	Cabinet	12 Sep 2006	Officers	meetings	Budget papers	TBA	Cllr Terry Hone Clare.fletcher@north-herts.gov.uk 01462 474470

Decision required and date first appearing on plan	Overview and Scrutiny	Decision maker	Date of decision	Main consultees	Method of consultation	Relevant documents	Costs or Savings	Portfolio Holder & Contact officer
First Quarter Capital Budget 2006/07 Spend Profile 06/06	Scrutiny Finance Sub-Group	Cabinet	12 Sep 2006	Officers	meetings	Budget papers	TBA	Cllr Terry Hone Clare.fletcher@north-herts.gov.uk 01462 474470
Agree Draft Letchworth Town Centre Strategy for Public Consultation 06/06		Cabinet	12 Sep 2006	Letchworth Area Committee Key Organisations & Stakeholders Key Landowners	Meetings and workshop	Report Summary of Stakeholder Workshops	TBA	Cllr Richard Thake Louise.symes@north-herts.gov.uk 01462 474359
Approval of revised Corporate Plan 2005-15 06/06	PARC	Council	21 Sep 2006	Councillors CMT Officers Portfolio Holder	meetings and workshops	Corporate Plan 2005-2015	TBA	Cllr F J Smith liz.green@north-herts.gov.uk 01462 474230
Implementation of the Gambling Act 07/06		Council	21 Sep 2006	Portfolio Holder Officers Licensing & Appeals Committee Community Cabinet	Meetings Workshops	Report	TBA	Cllr Sarah Wren Andy.godman@north-herts.gov.uk 01462 474293
Formulation of recommendations regarding the Electoral Cycle 07/06		Council	21 Sep 2006	Councillors Cabinet	Briefings Council meeting	Report to Cabinet	N/A	Cllr Andrew Young david.miley@north-herts.gov.uk 01462 474208
Savings and Growth options showing 5 year financial forecast 07/06	Scrutiny Finance Sub-Group	Cabinet	17 Oct 2006	Officers Councillors CMT Portfolio holder	meetings		N/A	Cllr Terry Hone Norma.atlay@north-herts.gov.uk 01462 474297

Decision required and date first appearing on plan	Overview and Scrutiny	Decision maker	Date of decision	Main consultees	Method of consultation	Relevant documents	Costs or Savings	Portfolio Holder & Contact officer
Approval of Ivel Court redevelopment scheme 07/06		Cabinet	17 Oct 2006	Portfolio Holder Officers LAPC Community	Meetings Workshops	Previous Cabinet reports	TBA	Cllr Terry Hone Barrie.jones@north-herts.gov.uk 01462 474243
Area Governance and Costs of Democracy 08/06		Cabinet	17 Oct 2006	Portfolio Holders	Meetings Briefings	Previous Cabinet reports	Savings of £50k	Cllr Tricia Gibbs Patrick.candler@north-herts.gov.uk 01462 474823
Revised Community Strategy for North Herts 11/05	PARC	Council	2 Nov 2006	LSP / Cabinet partners/stakeholders residents visioning groups COMPACT	meetings press release website public event	community strategy draft	TBA	Cllr Tricia Gibbs liz.green@north-herts.gov.uk 01462 474230
Local Development Framework – Preferred Options for Core Strategy / Development Control Policies 08/06	Scrutiny Committee	Cabinet	14 Nov 2006	Local Groups, Cllrs, Relevant Statutory Organisations and other Herts Partners Member Working Party	Written Comments Meeting	In accordance with the Statement of Community Involvement	N/A	Cllr Richard Thake Andy.beavan@north-herts.gov.uk 01462 474317
Half year spend profile & balances position 08/06	Scrutiny Finance Sub-Group	Cabinet	14 Nov 2006	CMT	meetings	Budget Papers	N/A	Cllr Terry Hone Norma.atlay@north-herts.gov.uk 01462 474
Half year Capital Budget 2006/07 Spend Profile 06/06	Scrutiny Finance Sub-Group	Cabinet	14 Nov 2006	Officers	meetings	Budget papers	TBA	Cllr Terry Hone Clare.fletcher@north-herts.gov.uk 01462 474470

Decision required and date first appearing on plan	Overview and Scrutiny	Decision maker	Date of decision	Main consultees	Method of consultation	Relevant documents	Costs or Savings	Portfolio Holder & Contact officer
Aggregated projects for approval 08/06	PARC	Cabinet	14 Nov 2006	Challenge Board CMT	meetings		N/A	Cllr F J Smith Cllr Terry Hone barriejones@north-herts.gov.uk 01462 474243 liz.green@north-herts.gov.uk 01462 474230
New/Revised Housing Strategy 08/06	Scrutiny Committee	Cabinet	14 Nov 2006					Cllr Sarah Wren Alan.davey@north-herts.gov.uk 01462 476362

NORTH HERTFORDSHIRE DISTRICT COUNCIL FORWARD PLAN

PENDING ITEMS

Decision required and date first appearing on plan	Overview and Scrutiny	Decision maker	Date of decision	Main consultees	Method of consultation	Relevant documents	Costs or Savings	Portfolio Holder & Contact officer
Draft Budget and Council Tax base 09/06	Scrutiny Finance Sub-Group	Council	14 Dec 2006	CMT Cabinet	meetings written		N/A	Cllr Terry Hone Norma.atlay@north-herts.gov.uk 01462 474297
Budget & Council Tax level set 10/06	Scrutiny Finance Sub-Group	Council	8 Feb 2007	CMT Cabinet	meetings written		N/A	Cllr Terry Hone Norma.atlay@north-herts.gov.uk 01462 474297
Best Value Performance Plan Summary 2007/08 10/06	PARC	Council	8 Feb 2007		meetings written	BVPP Summary 2007/08	N/A	Cllr Andrew Young sarah.white@north-herts.gov.uk 01462 474659
Best Value Performance Plan 2007/08 01/07	PARC	Council	May 2007	Cabinet	meetings written	BVPP 2007/08	N/A	Cllr Andrew Young sarah.white@north-herts.gov.uk 01462 474659

TITLE OF REPORT: SCRUTINY COMMITTEE WORK PROGRAMME 2006/07

REPORT OF THE SCRUTINY OFFICER

1. SUMMARY

- 1.1 This report gives details about the topics that the Scrutiny Committee plans to scrutinise and gives an update on the work of the Task and Finish Groups. **issues**

2. FORWARD PLAN

- 2.1 This report does not contain a recommendation on a key decision and has not been referred to in the Forward Plan.

3. SCRUTINY COMMITTEE WORK PROGRAMME

18 July 06	<ul style="list-style-type: none"> ▪ Leader of the Council ▪ Engaging Children & Young People – update report from the Head of Community Development ▪ Office Accommodation Strategy ▪ Review of procurement option for the future management arrangement of NHDC's markets ▪ Finance referral – 22.06.06
5 Sept 06	<ul style="list-style-type: none"> ▪ Planning & Transport Portfolio Holder (Confirmed) ▪ London Luton Airport Phase 1 – Planning Application ▪ Partnership working with Parishes & Town Councils Task & Finish Group – Scope (TBC) ▪ Community Safety Task & Finish Group – Scope (TBC)
10 Oct 06	<ul style="list-style-type: none"> ▪ Summer Playscheme user Satisfaction Survey Results (to include the performance of the Voluntary Sector providers of children's services and the success of the provision of activities for 11-14 year olds). <i>As requested at 21.03.06 meeting.</i> ▪ Residential Parking – displacement effects, pay and display, consultations, non-residential CPZ users (outstanding issues from the Task & Finish Group) ▪ Community Engagement Portfolio Holder (Confirmed)
7 Nov 06	<ul style="list-style-type: none"> ▪ Local Development Framework – Preferred options for Core Strategy / Development Control Policies ▪ Waste & Environment Portfolio Holder (Confirmed) ▪ New/Revised Housing Strategy (<i>requested at the meeting on 19 June</i>)
11 Dec 06	<ul style="list-style-type: none"> ▪ Housing & Environmental Health Portfolio Holder (Confirmed)

9 Jan 07	<ul style="list-style-type: none"> ▪ Green Spaces Strategy ▪ Leisure & E-Government Portfolio Holder (Confirmed)
20 Feb 07	<ul style="list-style-type: none"> ▪ Chair's Review
20 March 07	<ul style="list-style-type: none"> ▪ Annual Report

4. SUB GROUPS

4.1 Affordable Housing Task & Finish Group

This Group met on 28th June 2006. Cllr David Billing was appointed as Chair. The Group discussed their scope and methods of working. The Group also received a summary of the current housing need and housing schemes in North Herts. The next meeting of this group is on 31st July 2006.

4.2 Partnership Working with Parishes Task & Finish Group

Nominations are yet to be identified and therefore this Group has not yet met. The Committee is asked to agree that this Group will be Chaired by the Liberal Democrat nominee.

4.3 Finance Sub-Group

This on-going sub group met on 22nd June 2006. Cabinet accepted the Group's recommendations at its meeting held on 27th June 2006. The recommendations are reported to this meeting as a separate report.

5. RECOMMENDATIONS

5.1 Members are asked to note the Scrutiny Work Programme for 2006/07.

6. REASON FOR RECOMMENDATIONS

6.1 To enable the Scrutiny Committee to plan and carry out its workload efficiently and effectively.

7. CONTACT OFFICER

7.1 Grace Crawford
 Scrutiny Officer
 North Hertfordshire District Council
 01462 474612
grace.crawford@north-herts.gov.uk

***PART 1 – PUBLIC DOCUMENT**

AGENDA ITEM No.

12

**TITLE OF REPORT: PROCUREMENT OPTIONS FOR THE FUTURE OF NHDC'S
MARKETS**

The attached report is to be considered by Cabinet at its meeting to be held on 25 July 2006.

The Scrutiny Committee has asked to comment on the report before it is considered by Cabinet. Members' views are invited.

***PART 1 – PUBLIC DOCUMENT**

AGENDA ITEM No.

13

TITLE OF REPORT: OFFICE ACCOMMODATION STRATEGY

The attached report is to be considered by Cabinet at its meeting to be held on 25 July 2006.

The Scrutiny Committee has asked to comment on the report before it is considered by Cabinet. Members' views are invited.

TITLE OF REPORT: REVIEW OF ENGAGING CHILDREN AND YOUNG PEOPLE

REPORT OF THE HEAD OF COMMUNITY DEVELOPMENT AND CULTURAL SERVICES

PORTFOLIO HOLDER: CLLR TRICIA GIBBS

1. SUMMARY

1.1 This report sets out the response from the Community Engagement and Rural Affairs Portfolio Holder to the views and recommendations made by the Scrutiny Committee at its meeting on 21st March 2006 on the final report of the Engaging Children and Young People Task and Finish Group.

1.2 The report includes recommendations on the proposed course of action to be taken.

2. FORWARD PLAN

2.1 This report does not contain a recommendation on a key decision and has not been referred to in the Forward Plan.

3. BACKGROUND

3.1 The Scrutiny Committee set up a cross-party task and finish group in September 2005 as part of the overall work plan for 2005/6.

3.2 The task and finish group held three meetings. At those meetings, the group questioned, heard evidence and received reports from the Head of Community Development & Cultural Services, the Senior Community Development Officer and the Children's Services Development Manager.

3.3 At its meeting on 21st March 2006, the Scrutiny Committee made the following resolutions on the Review of Engaging Children and Young People Task Group:

- (1) That the work carried out by the Engaging Children and Young People Task and Finish Group be noted;
- (2) That the wide range of actions that are presently being undertaken by the Council to engage with children and young people with regard to providing services for them be endorsed;
- (3) That the future plans and strategies to work in partnership with other agencies and children and young people themselves to promote their well being and safeguarding be endorsed;
- (4) That the Task and Finish Group be continued, in order to undertake the following work:
 - To further challenge the areas of the Action Plan which, for financial reasons, have been sidelined.
 - To participate in the formulation of a District Council Young People's Plan to reflect the agreed priorities of the Countywide Young People's Plan.
 - To consider co-opting a member of the Voice of Hitchin Youth onto the Group to assist in this further work;

- (5) That the Cabinet Portfolio Holder for Community Engagement & Rural Affairs considers the recommendations and reports back to the Scrutiny Committee on the approaches to be taken.

4. CONSIDERATIONS

- 4.1 The general comments and support of Scrutiny for the work of the Task and Finish Group were appreciated. However, in terms of taking forward different aspects of the work on children and young people's services, an alternative approach has been considered.
- 4.2 The purpose of a Task and Finish Group is one of a time limited and focussed nature and it is felt that this particular Group has now completed its function in the production of the review report.
- 4.3 Any actions that emerge from this can be better managed through existing strategic and operational functions, into which the work can be absorbed, rather than the establishment of another means of service delivery.
- 4.4 Thus, rather than continue the Task and Finish Group, it is proposed that the actions emerging from the Review should be monitored by the new cross party Children's Champions Grouping that has been recently set up. The purpose of this group is to ensure that all matters of children and youth provision are fully discussed and endorsed by having a clear political input and support, particularly in the light of the emerging Every Child Matters agenda.
- 4.5 In particular, this group can examine the future service delivery on children and young people's issues, within the context of the Council's Service and Financial Planning process and in the light of new resources being made available for children's services (Every Child Matters, Big Lottery Fund).
- 4.6 Similarly, the requirement for collaborative working with local statutory and voluntary agencies in the provision of children's services that is the reason for the District Children's Trust can be supported better by this cross-member panel.
- 4.7 A discussion with the Voice of Hitchin Youth will be arranged to determine the most appropriate way in which young people can be involved in planning and implementing services.
- 4.8 Scrutiny Committee was also interested to consider the impact of the concessionary charges that were introduced for the first time as a pilot in this Easter's sports development activities.

343 children took part in our Easter activities, of which 315 (92%) paid full price and 28 (8%) were concessions. Twenty four of these (86%) were children who had not previously taken part.

Given that there had been limited advance publicity about the new charges owing to the short timescale over the easter period, these figures are very encouraging. Significantly greater promotion will be given to the summer programmes.

5. LEGAL IMPLICATIONS

- 5.1 The Council's new responsibilities for work with children and young people have been set out within the Education Act 2004 and the emergent Every Child Matters – Change for Children, and can be summarised as follows:

- 5.2 This Council is a relevant partner of the children's services authority, Hertfordshire County Council. A relevant partner must co-operate with the County Council in their arrangements to improve the well being of children. Well being is comprehensive and covers matters such as physical, mental, social and economic well being and safety, education and training. The Children and Young Persons Plan is part of those arrangements.
- 5.3 This Council can co-operate by making available staff, goods, services and accommodation and authority is given to incur expenditure by contributing to a pooled fund.
- 5.4 District Councils now need to consider the welfare of children in the discharge of any of its functions which is a wider duty than the new specific duties arising out of this Act.
- 5.5 This Council is required to provide a representative to the Local Safeguarding Children Board established under the Act.
- 5.6 The purpose of the Board is to co-ordinate and ensure the effectiveness of what is done by the Council and each member of the Board.

6. FINANCIAL AND RISK IMPLICATIONS

- 6.1 The children and young people's services provided by the Council are funded primarily through the budget allocations of the Service and Financial Planning process 2006/7.
- 6.2 The Council also has been successful in applying for external funding for specific projects, but these are inevitably time limited. Consideration is already being given to the time-expiry of such projects, eg: the Rural Play Officer post through the Hertfordshire Children's Fund that finishes in March 2008.
- 6.3 There are potential risks to the well being of children if responsible agencies do not co-operate and share information in the services that are provided for them. A key point about the arrangements within which the Council operates is that improved preventative work can be established that minimises the risks to children.

7. HUMAN RESOURCE AND EQUALITIES IMPLICATIONS

- 7.1 The Children's Service Team consists of a Children's Services Manager, a Sports Development Officer and a Rural Play Officer (externally funded).
- 7.2 The post of Sports Development Officer is presently being filled on a temporary basis, pending the recruitment of a full time post later this summer.
- 7.3 The post of Play Training Officer is temporarily funded until the end of August.
- 7.4 Strategic youth engagement is carried out by the Senior Community Development Officer (part time only) with support from other Community Development Officers, Parks and Open Spaces Officers, as appropriate.
- 7.5 Children and young people are a priority grouping within the Council's social inclusion programme.

8. CONSULTATION WITH EXTERNAL ORGANISATIONS AND WARD MEMBERS

- 8.1 There was no consultation with external organisations during this review.

- 8.2 It is proposed that a presentation of the Council's Citizenship and Democracy programme for schools be made to all Members, prior to a future meeting of Council.

9. RECOMMENDATIONS

- 9.1 That the Scrutiny Committee notes the recommendations for action by the Portfolio Holder for Community Engagement and Rural Affairs as set out in Section 4 of the report, especially, paragraphs 4.4, 4.5, 4.6, 4.7 and 4.8.

10. REASONS FOR RECOMMENDATIONS

- 10.1 To enable the Scrutiny Committee to receive feedback on its resolutions.

11. APPENDICES

- 11.1 There are none for this report.

12. CONTACT OFFICER

- 12.1 Patrick Candler, Head of Community Development and Cultural Services, 4823

patrick.candler@north-herts.gov.uk

13. BACKGROUND PAPERS

- 13.1 Young People's FSR 2002
Children's FSR 2003
Report to Cabinet 28th February 2006 on proposed Children's Trust Arrangements
Report to Scrutiny Committee on 21st March 2006 on Engaging Children and Young People.

TITLE OF REPORT: REVIEW OF HEALTH SCRUTINY IN HERTFORDSHIRE

REPORT OF THE SCRUTINY OFFICER

1. SUMMARY

- 1.1 The purpose of this report is to inform members of a consultation exercise that is being carried out by Hertfordshire County Council following the recent reconfiguration of the Primary Care Trust.

2. FORWARD PLAN

- 2.1 This report does not contain a recommendation on a key decision and has not been referred to in the Forward Plan.

3. BACKGROUND

- 3.1 The Leader of Hertfordshire County Council has written to the Leaders of Hertfordshire District Councils seeking their views on their review. A copy of the letter and the review is attached as **Appendix 2**.

4. NORTH HERTS & STEVENAGE JOINT PCT SCRUTINY COMMITTEE

- 4.1 The Committee met on 13 June 2006. At this meeting, the group expressed their commitment to scrutinising local health issues and agreed to write to the County Council to express their wishes to remain involved. A copy of this letter is attached as **Appendix 1**.
- 4.2 No specific deadline date has been given to respond to the consultation, however it is advisable to respond by early September as the County Council meeting will be taking place in October 2006.
- 4.3 The Leader along with the North Herts Members of the Health Scrutiny Committee have been invited to this meeting to participate in this discussion.

5. RECOMMENDATIONS

- 5.1 Members are asked to discuss the review of Health Scrutiny in Hertfordshire and agree some suggestions for the Leader of the Council to include in his response to the County Council.

6. REASONS FOR RECOMMENDATIONS

- 6.1 To assist the Leader of the Council in developing a response to the County Council on the review of Health Scrutiny in Hertfordshire.

7. APPENDICES

- 7.1 Appendix 1 – Letter from the Chair of North Herts & Stevenage PCT Scrutiny Committee to HCC
- 7.2 Appendix 2 – Letter from Leader of HCC and Review of HCC's Health Scrutiny Arrangements

8. CONTACT OFFICER

- 8.1 Grace Crawford
Scrutiny Officer
North Hertfordshire District Council
01462 474612
grace.crawford@north-herts.gov.uk

Miss Caroline Tapster
Chief Executive
Hertfordshire County Council
County Hall
Pegs Lane
Hertford SG13 8DQ

Contact: Grace Crawford
Tel: 01462 474612
Fax: 01462 474633
Email: grace.crawford@north-herts.gov.uk

20th June 2006

Dear Miss Tapster,

NORTH HERTS & STEVENAGE JOINT PRIMARY CARE TRUST SCRUTINY COMMITTEE

I am writing on behalf of the members of the North Herts and Stevenage Joint Primary Care Trust Scrutiny Committee. As we are approaching the end of the current structure of Health Scrutiny for District Councils, the committee wishes to express its gratitude for giving us the opportunity to be part of such an important process for the people of Stevenage and North Herts.

During its existence, this committee set up 3 sub groups and agreed that each group would conduct investigations and report back with their findings and suggested recommendations. These sub groups were:

1. Adults
2. Children & Young People
3. Elderly Persons

As you are aware, the Children & Young People sub group has undertaken a major study into the high levels of teenage pregnancy and as a result, we look forward to working with you on Hertfordshire County Council's study on the same issue. We were very fortunate to be able to work with our partners within Hertfordshire County Council, the PCT and the voluntary sector. We will be reporting our findings and recommendations to the PCT this Autumn, we also plan to report back to our Local Strategic Partnerships in Stevenage and North Herts and other groups who participated in the investigation.

The Elderly Persons sub group played a key role in the discussions regarding the allocation of spaces in the EMI Unit at Elizabeth and Victoria Courts, Stevenage and disagreed with the decision to recruit volunteers to run the Unit. They are also part of the current discussions regarding the relocation of Hitchin Hospital.

We are disappointed that the sub groups were not able to fully establish more investigations, but we feel this is due to lack of resourcing and expertise.

Finally, we are very concerned about the future of Health Scrutiny for District Councils. We cannot emphasise enough how much value there is in scrutinising health at District levels. We are keen to remain involved and we would like our concerns to be considered as part of your current discussions into the future of Health Scrutiny once the PCT reconfiguration is implemented in October 2006.

We look forward to hearing from you what the outcome will be.

Yours sincerely,

Councillor Mrs Joan Kirby
Chair – North Herts & Stevenage Joint PCT Scrutiny Committee

cc: Councillor David Beatty
Leader of the Council

Leader of the Council David Beatty

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29 June 2006

Dear Councillor Ayling

Health Scrutiny in Hertfordshire

The recent reconfiguration of NHS boundaries for PCTs and the SHA has changed the basis on which the current arrangements for health scrutiny in Hertfordshire were established and the County Council would therefore wish to review them.

The main purpose of health scrutiny is to hold the health services to local democratic account to ensure that the residents of Hertfordshire receive a health service that addresses the needs of the whole community, delivered in the most efficient and accessible way. During 2005 the remit of the County's Health Scrutiny Committee was extended beyond statutory consultation to include public health issues. To facilitate this, a Public Health Seminar was held on 30th June. This was organised by district/borough and county officers and health partners. This will be followed by the development of the County Health Scrutiny Committee's work programme during the autumn.

In any future arrangements we would wish to build on current good practice and to address issues within the current system. To assist in this process the County Council sought guidance from the Centre for Public Scrutiny and engaged an independent consultant. The review's scope was:

- To review existing health scrutiny and joint health scrutiny working in consultation with key stakeholders
- To identify and report on options for health scrutiny structure and arrangements to support agreed health scrutiny goals
- To support the Authority in implementing future structures and working arrangements

A copy of the consultant's report is attached and the County Council's preferred option is option C, as recommended by the Consultant.

APPENDIX 2

The County's Health Scrutiny Committee would retain its existing link to the Adult Care & Community Safety Committee and the number of district/borough councillors added to the County Health Scrutiny Committee would be four. These would continue to be nominated by the Herts Leaders Group. (It is suggested that two each are drawn from East and West to reflect the PCT boundaries).

Small time limited topic groups would then be established by the County Health Scrutiny Committee to consider specific issues affecting a locality. These topic groups would comprise members from the district/borough and HCC of the area concerned.

The mechanism for adding to the overall work of the Committee and its topic groups would be developed during the autumn utilising the outcomes of the Public Health Seminar.

I look forward to hearing your Authority's views on these proposals

Yours sincerely

A handwritten signature in black ink, appearing to read 'David Beatty', with a stylized flourish at the end.

David Beatty
Leader - Hertfordshire County Council

Enc:
Consultant report

Review of Hertfordshire County Council's Health Scrutiny Arrangements

Introduction

The Health Scrutiny Support Programme (HSSP) is a Department of Health funded programme, managed by the Centre for Public Scrutiny, to support all social services authorities in England to implement effective health scrutiny processes.

Recommendation 5, of seven recommendations approved by the Adult Care & Health Scrutiny Committee, 'Developing Health Scrutiny' (10 March 2005), approved that "Hertfordshire County Council should review the Health Scrutiny Process".

The HSSP presented an opportunity for independent input into that process at no cost to HCC.

Scope and Terms of Reference of Review

The review's scope was agreed by the Centre for Public Scrutiny following discussions between the HSSP adviser and HCC scrutiny officers, and comprised:

- To review existing health scrutiny and joint health scrutiny working in consultation with key stakeholders
- To identify and report on options for health scrutiny structure and arrangements to support agreed health scrutiny goals
- To support the Authority in implementing future structures and working arrangements

The review has been based on a desk research of HCC's current arrangements in the context of national best practice, combined with interviews with: HCC health scrutiny chair and members; dual trackers; executive member; senior officers; chief executives of PCT; representative of acute trust; a spokesperson for the SHA; a scrutiny officer of a District Council.

Revisiting the Purpose of Health scrutiny

It is important to be clear what HCC is aiming to achieve by undertaking health scrutiny. The health scrutiny function is a duty to enable a power to be exercised; curiously, health scrutiny arrangements have to be in place but how (or whether) they are exercised is a matter for each individual relevant local authority. Guidance is available from the Department of Health (Overview and Scrutiny of Health – Guidance, July 2005).

A wide variety of health scrutiny practice and arrangements has emerged nationally over the past three years and, typically, work programmes have been skewed by the need to respond to consultations, financial recovery and local public concerns about reconfigurations.

Effective health scrutiny is promoted by various government departments as a model for: the future scrutiny of Crime and Disorder Reduction Partnerships; a basis for consultation about scrutiny for Local Strategic Partnerships; and a possible method of scrutiny for Neighbourhood Policing. There are wider, ongoing benefits to the Authority of getting Health Scrutiny fit for purpose within the new NHS boundaries.

What is health scrutiny for?

"The overview and scrutiny of health is an important part of the Government's commitment to place patients and the public at the centre of health services. It is a fundamental way by which democratically elected community leaders may voice the views of their constituents and require local NHS bodies to listen and respond. In this way, local authorities can assist to reduce health inequalities and promote and support health improvement".

"The focus of health scrutiny is in health improvement, bringing together the responsibilities of local authorities to promote social, environmental and economic well-being and the power to scrutinise local services provided and commissioned by the NHS." (Overview and Scrutiny of Health – Guidance, July 2005).

In practice there may well be tensions between local democratic accountability and strategic, service wide improvement that may be exacerbated by the size of the geographic area at which scrutiny is organised.

What is health scrutiny not for?

"It is not the role of committees to performance manage the NHS".

"Scrutiny is not the only (or even the main form) of engagement between local authorities and local NHS bodies." (Overview and Scrutiny of Health – Guidance, July 2005).

There is national experience of a danger in health scrutiny trying to, or having to, do too much and too much that is inappropriate.

Background in HCC.

In 2002, HCC assigned its health scrutiny function to a newly formed Adult Care and Health Scrutiny Committee.

When scrutinising health services (the primary activity being limited to responding to consultation on changes within the health service), the

membership of the committee increased as a result of additional voting and non-voting co-optees.

The scrutiny of services provided or commissioned by Primary Care Trusts (PCTs) in the County was delegated to eight joint health scrutiny committees, comprising HCC members, members of some of the ten District Councils, and representatives of the Patient and Public Involvement (PPI) Forums, as agreed with the Hertfordshire Local Government Association (LGA) Steering Committee.

Following a conference, 'Evaluating Health', organised jointly by: HCC; the Strategic Health Authority; and the support organisation for PPI Forums, in November 2004, HCC in 2005, approved a number of recommendations including the extension of health scrutiny work to wider health topics.

Imperatives for change

The Department of Health's requirement for SHAs to make recommendations for the merger of PCTs implied proposals for Hertfordshire for a merger, from eight, to one or two PCTs.

This recommendation has now been confirmed as two PCTs for Hertfordshire.

The 'Evaluating Health' conference and the subsequent approval of recommendations arising from the 'Developing Health Scrutiny' report (10 March 2005) contained a number of imperatives for more pro-active and effective health scrutiny.

Initial Questions and issues

- Should the Health Scrutiny Committee (HSC) be a separate service committee and what should be its relationship with the Overview Scrutiny Committee (OSC)?
- Should HSC be primarily outward looking, with the scrutiny of solely internal HCC functions being primarily responsibility of other scrutiny committees?
- How can HSC's role be developed in line with Evaluating Health recommendations?
- What are the implications of NHS reorganisation with especial reference to the merger of PCTs and the devolved joint PCT scrutiny committees?
- What is the role of PPI Forums and the wider community?
- What are the membership and co-option issues for HSC and topic groups?
- What are the resource and support implications?

- What are next steps?

Status of HCC Health Scrutiny Committee (HSC)

There is general consensus in favour of Health Scrutiny being constituted as a separate service committee with its own topic groups.

Its relationship with the overarching OSC needs to be clarified in constitutional terms, in that it is inappropriate for Health Scrutiny recommendations to be subject to approval by any other body.

There is an issue of consistency in the naming of committees; elsewhere, OSC is sometimes used as shorthand for the Health Overview and Scrutiny Committee.

Benefits of this include:

- Clarity to NHS partners at a critical time in terms of Health Scrutiny remit and requirements for partners' response.
- Facilitating a balanced work programme.
- A clear relationship to other bodies.

There is also general consensus on HSC being primarily outward looking, with the scrutiny of internal HCC functions being primarily the responsibility of the Adult Care and Community Services Committee, or as otherwise determined by OSC.

Implications of PCTs' merger

The implications of PCT reorganisation was a major driver for this review. The proposed merger, of eight NHS PCTs in Hertfordshire, effectively negates the basis for "8 Primary Care Trust-based scrutiny committees to be established to scrutinise the services provided or commissioned by each PCT", as provided for in article 3.3 of the Council's constitution. Logically, the remit of the HSC would stand as stated in Point 6 of Annex 8 of the Constitution and HCC would cease to delegate its powers to the PCT based joint committees.

NHS partners were consulted from the SHA, one of the acute trusts, and one of the PCTs.

Concern was expressed by NHS partners about the duplication of scrutiny activities with NHS bodies being required to attend scrutiny at both District and County levels to address similar, if overlapping, questions.

There was widespread comment on the good relationships between the NHS bodies and scrutiny at County level, and, in particular, the level of understanding and debate at HCC topic groups.

The calibre of scrutiny at District level was characterised as variable, with some concern expressed about the understanding of the particular roles of different components of the NHS, e.g. the commissioning role of a PCT v. performance managing what had been commissioned. Overall, the experience with the joint District Committees was viewed as variable, ranging from very constructive to unhelpful. The logic of focusing health scrutiny at County level is indisputable and a model proposed, including some mechanism to refer local issues from district level, is supported. Your imminent public health seminar was commended.

Specific concern was expressed by some members at the loss of democratic accountability at borough/ district level, and a consequent desire expressed to retain joint committees at District level.

There are extreme difficulties in retaining joint committees at District level on a standing basis, in that the powers to be delegated by HCC would need to be explicitly defined, as they were previously with PCT based joint committees.

There is widespread agreement that current work at District level is an invaluable element of health scrutiny. Both members and NHS partners value topic work undertaken at District level and strong views were expressed concerning the need for: local community engagement; to take scrutiny outside of HCC; and to support the effectiveness of PPI Forums, by continuing to include them in local scrutiny: this could be achieved by continuing to scrutinise topics at District or sub-County level. Topics might relate to a theme like teenage pregnancy or the provision of a specific NHS body but in any case they would be time limited.

Developing local accountability, community engagement and PPI forums through health scrutiny is more difficult with a range of issues as yet unclear, including:

- How commissioning GPs will be scrutinised
- Patient involvement in Practice Based Commissioning
- The role of PPI forum in local patient groups and clusters
- How enlarged PCTs will operate at District level.

Whilst the exact shape of local District involvement in health scrutiny will be reliant on resolution of the above issues, District based 'topic' work could continue in various ways:

- A. through co-option of members of overview and scrutiny committees from district councils to participate as full members of HCC's HSC's topic groups
- B. through the ability to create specific, time or topic limited joint committees between HCC and district councils based on agreed protocols
- C. through a combination of A and B.

There are pros and cons to both A and B. Option A is simple and clear-cut but lacks ownership at district level. Option B retains local ownership and may thereby encourage community engagement but is more complicated with a greater administrative overhead.

Owing to the current uncertainties, Option C has merit and permits HCC to proceed with a reconfiguration of health scrutiny that can start work immediately, whilst permitting the establishment of a joint committee for a specific piece of work.

A view was expressed from Districts in favour of a defined mechanism for District members to submit a topic to HCC's HSC for review as local issues emerged.

Whilst the merger of PCTs provides PCT co-terminosity with HCC boundaries, the effective scrutiny of a larger SHA, and tertiary provision, extends beyond the HCC boundary. Current joint health scrutiny arrangements with neighbouring Authorities will have to be developed and extended. A separate HSC should assist in this.

An interesting consideration is the role of health scrutiny at a regional level. It is assumed, by the SHA, that there will be larger Joint Committees to scrutinise the SHA as well as supra-county provision, e.g. Luton, Bedford and Hertfordshire, but maybe also service provisions that cut across SHA and GO boundaries. This last point is important: Regional Assemblies, across the country, are expressing interest in involvement in Health Scrutiny. For the moment, the legal authority rests with social care authorities and HCC might best defend its interests through active engagement by HCC in wider participation at supra-County level, e.g. in the implications for the Milton Keynes "area for growth.

Membership and Co-option

The HSC has the same requirement for political balance as other scrutiny committees; were topic groups to reflect District priorities, there might be a lesser rationale in continuing to include District LGA appointed nominees.

There exists the option of waiving the requirement for political balance on topic groups, either solely for the HSC, or more generally. In either case this requires the approval of all members.

The current non-voting co-optees on the main HSC are drawn from the PPI forums. This arrangement could be reviewed through clarifying and reforming the PPI Forums/ Scrutiny relationships, perhaps refocusing PPI forum involvement in topic groups, and considering a more widely based co-opted membership.

Resource and Support

There is an obvious need to identify the appropriate level of resourcing and officer support, possibly as part of a wider scrutiny review, available in HCC and districts for:

- Scrutinising PCT provision and commissioning
- Topic based work at county level
- Topic based work at district level

Good practice elsewhere has identified the value of a specific health scrutiny budget to cover expert witnesses, commissioning specific work/research and member visits/development and the key role of dedicated officer support.

Next Steps

The constitutional issues arising from the creation of a separate HSC with the additional responsibilities of scrutinising the services provided or commissioned by the PCT(s) need to be resolved.

The enabling framework for District working is discussed with districts.

Andy Matchet April 2006

Health Scrutiny Support Programme Adviser,

Centre for Public Scrutiny

***PART 1 – PUBLIC DOCUMENT**

AGENDA ITEM No.

16

TITLE OF REPORT: PRESENTATION BY THE LEADER OF THE COUNCIL

TO RECEIVE A PRESENTATION BY COUNCILLOR F.J. SMITH, LEADER OF THE COUNCIL

ITEMS REFERRED FROM SCRUTINY COMMITTEE FINANCE SUB-GROUP – 22 JUNE 2006

The Finance Sub-Group met on Thursday 22nd June 2006, to consider the Planning Delivery report and the Annual Statement of Accounts 2005/06.

Planning Delivery Report:

The Finance Sub-Group endorsed the recommendations in the report with particular reference to:

1. The recommendation of £55,000 to be allocated to the appeals workload.
2. Part of the funding from the PDG award and the part funding from S106 administration income be allocated to recruiting a temporary S106 co-ordinator.

Annual Statement of Accounts 2005/06:

Members went through the report and Statement of Accounts and had questions around the following:

- The changes to the General Fund balances, including the vacancy control target, I.T. leasing and maintenance costs.
 - The increase in provision for bad debts and the review of Council Tax and Business Rates arrears and provision.
 - Reduction in the Insurance reserve and the reasons why.
 - Deficit on the Collection Fund including the amount relating to the North Hertfordshire Council.
 - The amount of Housing Benefit payments that are eligible for subsidy.
 - The 2005/06 balance of useable receipts and the percentage that is useable and allocated for use as part of the capital programme.
 - The reasons for the reduction in investments from £75million to £67million.
 - The DSO reserve and the need to make the reserve defunct.
1. The Finance sub group would like Cabinet to consider closing the DSO reserve account since the balance is zero, as stated in paragraph 4.8 of the report.
 2. It was suggested and agreed that a further note be added to section 6 (page 32 of the Statement of Accounts booklet), that explains how the provision of debts are accounted for, as follows; "The 2005/06 provision for bad debts has increased from £1,552,702 to £2,528,377, an increase of £975,675. The reason for this increase was a 2005/06 review of the outstanding arrears and the level of debt provided, for Council Tax and Business Rates arrears. As a result of this review, the 2005/06 provision for Council Tax increased by £682,187 and Business Rates by £276,104. The remaining increase in provisions of £17,384 relates to Sales ledger and Summons arrears".
 3. It was suggested and agreed that a further note be added to section 9 (page 33 of the Statement of Accounts booklet), that explains how the balance of capital receipts will be allocated, as follows; "The Council's capital programme approved at Cabinet on the 28th February 2006 has identified and committed useable capital receipts for the Council's capital programme for the years 2006/07 to 2009/10, leaving an unallocated useable receipts balance of £243 thousand".

4. It was suggested that the 3rd bullet point of section 10 (page 33) should be changed from 'Baldock pavilion' to 'Baldock Road pavilion'.