

BOSTON BOROUGH COUNCIL

ANNUAL OVERVIEW AND SCRUTINY REPORT

2019 / 2020

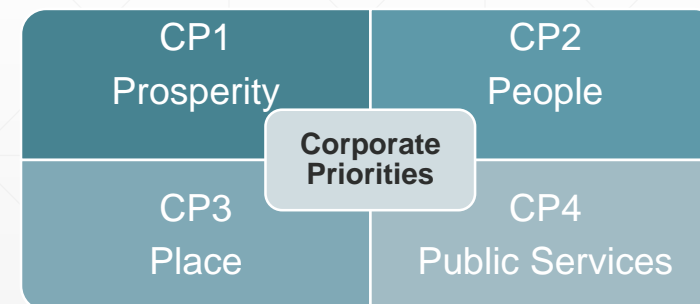
This report is reduced in content due to suspension of the committee meetings in line with Government guidance due to the Covid-19 pandemic.



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Forward



Councillor Judith Skinner

Conservative

Ward: Fishtoft

Chairman
**Environment and
Performance**

It has been an honour to chair the E&P Committee again this year. The members of this committee always engage fully in scrutiny with debates that are lively & detailed. We have been able to put forward our views on the consultation on the Energy from waste proposal. The paper and card trial has been keenly monitored as well. The Councils performance is diligently scrutinised. The path ahead will present some challenges, in these times, though I am sure that together we will rise to them.

My thanks go to all involved with the T&F Regulating & Safeguarding Review We have consulted extensively with the public and public bodies to gain their views and experiences on these matters. This is part of good scrutiny.

Councillor Judith Skinner



**Councillor Stephen
Woodliffe**

Independent

Ward: West

Chairman
Corporate and Community

Both Scrutiny Committees work closely with the Executive and all Elected Members to act as a focus for constructive challenge in order to maintain the drive to improve public services, reflect public concerns, and enable improvements to be made to policies and their implementation.

Councillor Stephen Woodliffe

Introduction to Scrutiny

by definition: 'Critical Observation or Examination'.

On the implementation of the Local Government Act 2000, a new political system was introduced which allowed Councils to have a separate 'executive' rather than just the committee system: a Cabinet model which is similar to central Government.

To balance the Cabinet and monitor its decision-making, the function of Overview and Scrutiny was introduced requiring all Councils to have at least one Scrutiny Committee. The committee(s) would be similar to a select committee with back benchers acting as critical friends

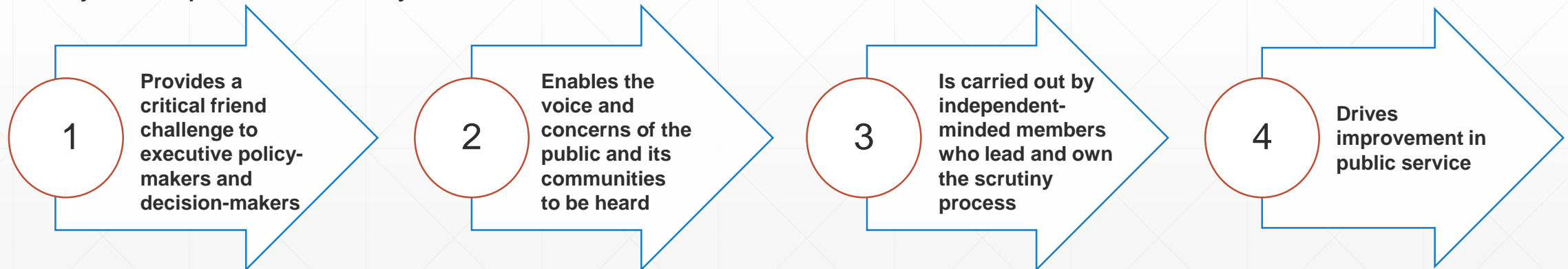
Scrutiny can look at:

Decisions by the Cabinet
External Partners
Public Services
Performance
Budget
Health

Scrutiny cannot look at:

Any legal proceedings
Individual complaints
Licensing decisions
Planning decisions
Ombudsman

Key Principles of Scrutiny:

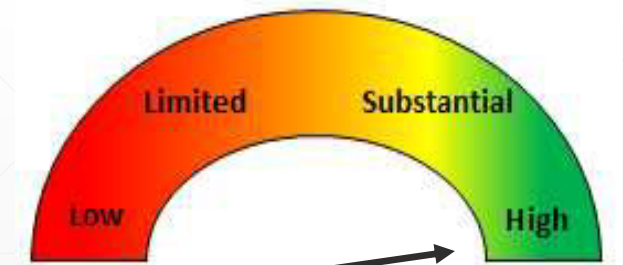


Scrutiny Working:

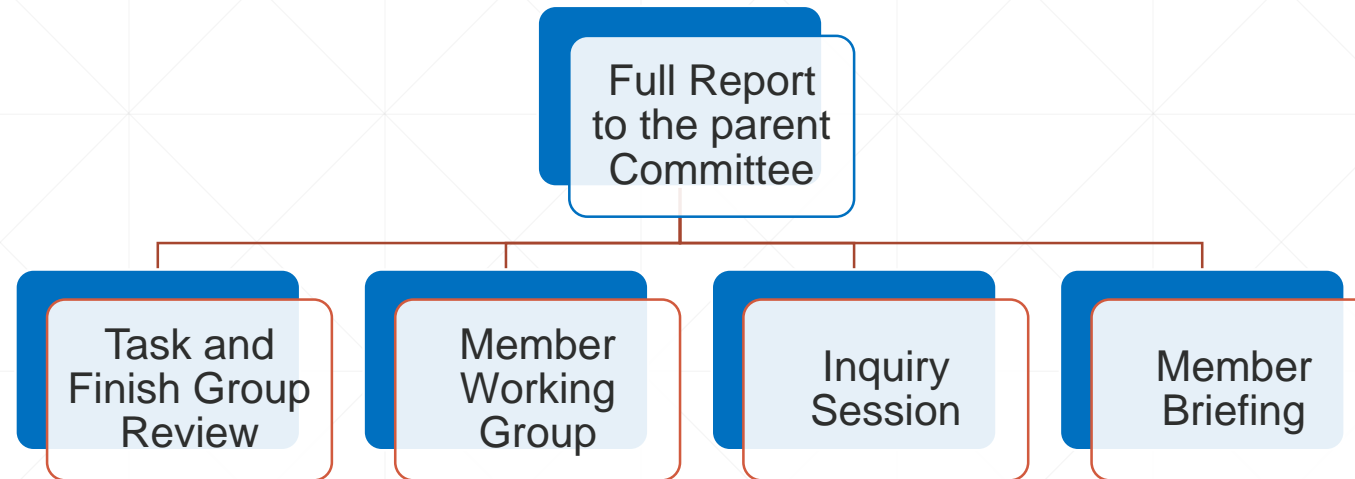
New statutory guidance introduced in 2019 proposed 10 principles to develop a supportive culture for scrutiny:

- Recognising scrutiny's legal and democratic legitimacy
- Identifying a clear role and focus
- Ensuring earlier and more regular engagement between the Cabinet and scrutiny
- Managing disagreements with Cabinet via an executive-scrutiny protocol
- Necessary support with access to resources and senior officers
- Ensuring impartial advice is always provided by officers
- Communicating scrutiny's role and purpose to the wider authority
- Maintaining the interest of Full Council in the work of the scrutiny committees with ensuring a link between full council proceedings and overview and scrutiny
- Communicating the role of Scrutiny to the public
- Ensuring scrutiny members are supported in having an independent mind set.

Following on from the new guidance, Boston Borough Council's scrutiny function was audited and received a High Assurance Rating which recognised that the Council maintained a high level of confidence in its service delivery arrangements; its management of risks; and the operation of its controls and performance



OPTIONS OF WORKING



A scrutiny committee may wish to pursue a subject matter in greater depth or require more information on items presented in the quarterly performance report which are often tabled in isolation of contributory factors.

If a detailed review requiring significant evidence gathering, support of officers and attendance by a number of outside representatives is requested a Task and Finish Group review may be convened.

If a short period review is required on a subject which members may wish to deliberate without officer assistance then a Member Working Group may be convened which is facilitated by those members.

When a subject requires a very open and robust debate by Councillors an Inquiry Session may be called which allows members to thoroughly question the officer(s) presenting and to receive concentrated information in an informal forum.

If a subject matter is deemed to be of interest to all members of the Council then a Member Briefing is scheduled.

CORPORATE AND COMMUNITY COMMITTEE:

Reports received for recommendations to Cabinet or Full Council:

Overview of Housing Benefit.

Recommend to Cabinet that data for claims and caseload figures be included in future performance reporting.

Homeless Assistance Policy.

Recommend adoption by Cabinet.

Transformation Programme

Recommend Cabinet to recommend to Full Council fees of £45 for the 1st garden waste bin and £20 for all additional bins.

Council Tax Support Scheme

Recommend Cabinet to recommend to Full Council

New Statutory Guidance for Overview and Scrutiny

Recommend draft protocol to Cabinet

Draft Safeguarding Policy and Protocol

Recommend Cabinet to recommend to Full Council

Quarterly performance monitoring was tabled in support of the committee's work programme.

An update report in respect of Council Tax Arrears resulted in a member briefing being convened for greater scrutiny.

Corporate Priorities

CP2. People

CP4. Public Services

ENVIRONMENT AND PERFORMANCE COMMITTEE:

Reports received for recommendations to Cabinet or Full Council:

- ❑ **The Climate Change member working group tabled regular updates to committee**
Agreed final report recommendations to Full Council.
- ❑ **The Annual CCTV report and CCTV Policy**
Recommended adoption of the CCTV Policy by Cabinet
- ❑ **Replacement Domestic Wheel Bins**
Recommended Cabinet to withdraw charges contrary to report recommendation. (see Call-In)
- ❑ **New Overview and Scrutiny Statutory Guidance**
Recommended draft protocol to Cabinet for adoption
- ❑ **Air Quality Action Plan**
Agreed the draft plan and recommended to Cabinet

Consultation exercise:

- ❑ **Committee consulted on the proposed consultation for Boston Alternative Energy Facility**
A number of additional recommendations for the proposed consultation process were agreed.

Public community meeting:

- ❑ **The Pilgrim Allied Opportunities events**
The meeting held at Boston Guildhall with a tour of the exhibits included in the meeting.

Support reporting for the work programme

- ❑ Annual ASB report
- ❑ Quarter performance monitoring
- ❑ Update markets report

Corporate Priorities

CP1. Prosperity

CP3. Place

SCRUTINY RECOMMENDATION OUTCOMES

Recommended to and agreed by Cabinet or recommended to and by agreed by Full Council:

- Air Quality Policy
- CCTV Policy
- Homeless Assistance Policy
- Safeguarding Policy
- Peer Challenge Action Plan
- Council Tax Support Scheme
- Overview and Statutory Guidance

Consultation recommendations:

Following consultation by Boston Alternative Energy Facility (BAEF) a number of the recommendations tabled by the committee were taken forward and implemented within BAEF's final consultation process with residents of the Borough.

Member Working Group:

On conclusion of the working group the final report was tabled to Full Council in January 2020 with all recommendations being agreed.

COUNCILLOR CALL- IN


Non-Cabinet members are able to 'Call-In' a decision made by the Cabinet should they feel the decision requires further consideration. The protocol requires four non-Cabinet members to sign the official call-in form, citing their reasons for doing so.

A meeting of the Environment and Performance Committee was convened for the 14 November 2019 to consider a decision made by Cabinet in respect of charges for replacement domestic wheeled bin charges.

History of report:

1. At the Environment and Performance Committee on the 24 September consideration was given to a report which recommended increasing charges for replacement domestic wheeled bins. The Committee agreed a recommendation to Cabinet that all charges for replacement domestic wheeled bins should be withdrawn.
2. At the meeting of Cabinet held on the 23 October 2019 it was agreed to not accept the recommendation.
3. Three days after the meeting of Cabinet a 'Call-In' form was received by the Chief Executive.

The meeting was duly held with three options available for the committee:

1. To determine that the decision should not have been called-in in which event the decision of Cabinet would stand
 2. To refer the matter back to Cabinet for further reconsideration setting out the nature of their concerns
 3. To refer the matter on to Full Council for debate (Council is not able to overturn the Cabinet decision).
- 

COUNCILLOR CALL-IN continued

The decision of the call-in meeting on the 14 November 2019 was to refer the matter on to Full Council for debate, noting that Full Council could not overturn a Cabinet decision.

It was agreed at the subsequent meeting of Full Council held on 16 December 2019, to refer the Cabinet decision back to the next meeting of the Cabinet for further consideration taking into account the comments of Full Council that charges should only be raised in circumstances where deliberate damage had been caused to the bins.

Cabinet met on 22 January 2020 and reviewed its original decision. It was agreed not to charge for replacement bins where one was required through no fault of the resident.

ALTERNATIVE WAYS OF WORKING

MEMBER BRIEFING.

The following briefings were held in informal session to allow members to receive update information and table questions. The request for the briefings being made by one of the committees or, when relevant, suggested by the reporting officer as a preferred way forward to present information.

- 18 June 2019. LGA Peer Challenge
- 15 July 2019 Climate Change
- 14 August 2019. Transformation Programme
- 19 August 2019. Waste Trial
- 20 November 2019 Peer Review
- 9 December 2019 Towns Fund
- 10 February 2020 Paper and Cardboard Trial

INQUIRY SESSION.

The following Inquiry Sessions were held when it was considered that an open and robust discussion was required on the subject matter to allow for greater scrutiny.

- 7 August 2019. Planning Process
- 14 October 2019. PSPO Area
- 9 March 2020. Car Parks
- 16 March 2020 Fly Tipping

MEMBER WORKING GROUP:

One member working group was convened to look at issues relating to Climate Change over a four month period, reporting back through the Environment and Performance Committee and onto Full Council in December 2019 with the outcomes of the working group.

ALTERNATIVE WAYS OF WORKING continued...

TASK AND FINISH GROUP REVIEW:

A review was convened in 2019 to look at Regulating and Safeguarding Boston's Day and Night Time Economy. It arose from the Environment and Performance Committee in response to ongoing reporting and member concerns in respect of a range of anti social behavior issues and the public's perception of alcohol licensing and general enforcement.

An initial consultation exercise was carried out which returned significant feedback to help support the scope of the review and identify consultees and research required. The agreed timeline of the review was 6 months.

The first meeting on January 21st 2020 welcomed a number of voluntary and support services from within Boston including representatives from the Salvation Army, St Botolph's Church, The Centenary Church, The Street Pastors and the Hackney Carriage Association on behalf of local taxi drivers.

All representatives provided the group with relative and evidence based information in respect of their own experiences. Areas of concern included the impact of alcohol and substance addiction resulting in homelessness, violence and often isolation of individuals suffering from addiction. The Street Pastors confirmed their ongoing support of people in need of assistance due to intoxication in the early hours of the morning, with reassurance to the Hackney Carriage Association of their practice of ensuring a safe passage home to such individuals.

ALTERNATIVE WAYS OF WORKING Task and Finish Group continued...

The second meeting on 26 February 2020 welcomed the Council's Licensing and Land Charges Manager and representatives of Lincolnshire Police, to address the issues and feedback relating to the incidents arising from alcohol licensing. Evidence and information to address public mis-conception from the consultation feedback included, confirmation of the number of licensed premises within the town; the amount of licence reviews undertaken; and most importantly, the regulations to which the Police and Licensing Manager had to comply and the options available to review panels when considering an application or a review. The detailed information enabled the group to agree significant recommendations for the final report including lobbying the local Member of Parliament to seek changes to Licensing Laws.

The review was suspended in March 2020 due to the Covid-19 pandemic and the meeting scheduled with the Police to address anti social behavior was postponed.

A meeting was held with Lincolnshire Police and the Council's Anti-Social Behavior Manager on 23 September 2020 to address significant feedback from the consultation process. Detailed comparative reporting with the towns of Skegness and Horncastle was provided for pre Covid-19 lockdown; during lockdown and the period coming out of lockdown, identifying all categories of crime. Recommendations included greater public liaison by the Police to allay fear of crime and suggested closure over night of Central Park within the town center to try and address the large volume of acts of ASB ongoing within the Park. The Police stated they could not justify having a full-time presence as deployment was based on a priority basis.

The final report to be submitted to the parent committee Environment and Performance on 3 November 2020

PUBLIC INVOLVEMENT

The Council's Scrutiny meetings are held in public and the Council welcomes suggestions from members of the public who may have ideas for the committee to scrutinise.

This applies to all members of the public across the borough, within both the town centre wards and the rural wards. All Parish Council clerks have information about the Scrutiny process.

If you have a suggestion for one of the committees to consider then please complete the form overleaf or use the contact details below:

Corporate and Community Committee:

Chairman Councillor Stephen Woodliffe
Clerk Janette Collier

Stephen.Woodliffe@boston.gov.uk

Janette.collier@boston.gov.uk

Telephone: 01205 314227

Environment and Performance Committee:

Chairman Councillor Judith Skinner
Clerk Karen Rist

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Karen.rist@boston.gov.uk

Telephone: 01205 314226.



SUGGESTION / REQUEST FOR SCRUTINY:

Name:	
e-mail:	
Telephone:	
Suggestion:	
Reason:	