

**Urban Environment Scrutiny Committee – 27<sup>th</sup> June, 2013**

**Report of the Lead Officer and the Director of Corporate Resources**

**Terms of Reference and Annual Scrutiny Programme 2013/14**

**Purpose of Report**

1. To note the terms of reference of the Committee and the items included in the Annual Scrutiny Programme for detailed consideration by this Scrutiny Committee during 2013/14.

**Background**

2. On 25<sup>th</sup> April, 2013, the Cabinet considered a report on a review of the Council's overview and scrutiny arrangements. The recommendations from Scrutiny Chairs were endorsed by the Cabinet and formally approved at the annual meeting of the Council on 16<sup>th</sup> May, 2013.
3. The principles of the new structure are to strengthen the Council's overview and scrutiny arrangements; to ensure proper democratic accountability and to promote confidence in the conduct of the Council's business. The new scrutiny arrangements are also set in the context of significant financial pressures faced by the Council and the need to focus limited resources in the most effective way.
4. The review was also based on the following principles, as agreed by Scrutiny Chairs:-
  - That the former informal "Chairs of Scrutiny Committees" meeting be formalised into an "Overview and Scrutiny Management Board".
  - That a revised structure of Overview and Scrutiny Committees be adopted, including Scrutiny Committees to carry out detailed scrutiny reviews and a separate Scrutiny Committee with a remit for Corporate Performance Management, Efficiency and Effectiveness.
  - That the role of Scrutiny Committees be developed further to comprise:-
    - The adoption of the "Parliamentary Select Committee" model by undertaking single item in-depth scrutiny investigations/inquiries with reports from the Scrutiny Chair being presented to the Cabinet/Council.

- Being more strategic and selective in selecting topics for scrutiny with Scrutiny Committees focussing on in-depth investigations. The Overview and Scrutiny Management Board will have a role in overseeing and co-ordinating the annual scrutiny programme.

- Enhancement of the role of Scrutiny Committees in policy development by carrying out the in-depth scrutiny reviews as referred to above.

- All scrutiny "Call-ins" to be determined by the Management Board (with provision for inviting statutory co-opted members in the case of Education matters).

- Cabinet Members/Chief Officers and others to attend scrutiny meetings to give evidence/reports if required by the Scrutiny Committee (given advance notice).

- The retention of statutory co-opted members on the Scrutiny Committee that considers "Education" matters (ie: Children's Services).

- The Chair of the Overview and Scrutiny Management Board to submit an annual report to the Council on corporate scrutiny activity.

- The Minutes of the Overview and Scrutiny Management Board and individual Scrutiny Committees to be submitted to Council.

5. The approved terms of reference of the Scrutiny Committee are set out in Appendix 1. The terms of reference of the Committee also gives a clear indication of the Cabinet portfolios and Directorate functions within the remit of the Scrutiny Committee.
6. Scrutiny Committees have discretion to set their own programme of meetings to carry out the reviews that are allocated to them. Meetings of the five Scrutiny Committees have also been scheduled in November, 2013 to undertake detailed scrutiny of the Council's revenue budget proposals.
7. In April, 2013, Scrutiny Chairs considered the development of a draft Annual Scrutiny Programme for the 2013/14 municipal year taking account of the views of Cabinet Members and Directors as part of their business planning cycle. The Overview and Scrutiny Management Board formally endorsed the Annual Scrutiny Plan at its meeting on 29<sup>th</sup> May, 2013. The items for detailed consideration by the Urban Environment Scrutiny Committee during 2013/14 are:
  - Parks, Nature Reserves and Open Spaces Strategy
  - Support to Local Businesses
  - Traffic Regulation Orders – the process

8. Appendix 2 gives more detailed information on the topics set out in the Annual Scrutiny Programme for 2013/14 as referred to in paragraph 7 above.
9. Immediately following this first formal meeting of the new Scrutiny Committee, an informal development session will be held for members and officers to discuss the scope of the topics to be scrutinised; the process of gathering information (including the 'witnesses' to be invited to attend) and the timescales for carrying out the reviews (with timescales for both informal and formal meetings).
10. Under the Scrutiny Committee Procedure Rules, as contained in the Constitution, all Scrutiny Committees previously had the discretion to include a standard item entitled 'Public Forum' on the agenda to facilitate members of the public asking questions on any matter falling within the terms of reference of the Committee. This discretion remains under the revised Scrutiny arrangements and the Committee is invited to express views on whether such an item should be included on future agendas.
11. The revised scrutiny arrangements will be subject to ongoing review and further consideration by the Overview and Scrutiny Management Board during the municipal year.

### **Finance**

12. The costs of operating the revised scrutiny arrangements will be contained within existing budgetary allocations.

### **Law**

13. Scrutiny Committees are established in accordance with the provisions of the Local Government Act 1972 and the requirements of the Council's Constitution, which was adopted under the Local Government Act 2000, subsequent legislation and associated Regulations and Guidance.

### **Equality Impact**

14. Provision exists within the recommended scrutiny arrangements for overview and scrutiny to be undertaken of the Council's policies on equality and diversity.

### **Recommendations**

15. That the terms of reference of the Committee, as set out in Appendix 1, be noted.
16. That the issues contained in the Annual Scrutiny Programme for 2013/14, as referred to in paragraph 7 and Appendix 2, be noted.

17. That an informal development session be held for members and officers, at the conclusion of the formal business of this meeting, to discuss how they wish to progress the items for detailed consideration by the Committee during 2013/14.
18. That the Committee consider the possible inclusion of a "Public Forum" session as a standing item of business on the agenda for future meetings.



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**Director of Corporate Resources**



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**Ron Sims**  
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### **List of Background Papers**

Reports and minutes of the Cabinet dated 25<sup>th</sup> April, 2013  
Reports and minutes of the Council dated 16<sup>th</sup> May, 2013  
Reports and minutes of the Overview and Scrutiny Management Board dated 29<sup>th</sup> May, 2013

**Terms of Reference**

**Urban Environment Scrutiny Committee**

In accordance with any relevant statutory requirements and the Annual Scrutiny Programme approved by the Overview and Scrutiny Management Board:-

- (a) To undertake in-depth scrutiny investigations, inquiries and reviews in accordance with the Annual Scrutiny Programme;
- (b) To contribute to policy development by carrying out the scrutiny of matters falling within the functions of the Directorate of the Urban Environment and the portfolios of the Cabinet Members for Environment and Culture, Regeneration and Transportation.

To submit reports and recommendations to the Cabinet and/or the Council on the outcomes of scrutiny investigations, inquiries and reviews.

To make recommendations to the Overview and Scrutiny Management Board on any proposed amendments to the Annual Scrutiny Programme.

<b>Urban Environment Scrutiny Committee</b>		
<b>Portfolio</b>		Cabinet Member for Environment & Culture
<b>Area for Scrutiny</b>		Parks, Nature Reserves and Open Space Strategy
<b>Council Priorities</b>		
	Council Plan:	'To protect, preserve & develop for appropriate use the unique heritage of the borough for this & future generations' & 'To preserve and improve the quality and biodiversity of the natural and built environment'
<b>Context</b>		<ul style="list-style-type: none"> <li>▪ DUE is responsible for the management and development of 1500ha of land, 28 self managed allotment sites and 4 directly managed sites (providing 1000 individual plots), 6 bowling greens, 1 croquet lawn, 55 full size, 6 junior and 27 mini football pitches, 14 changing rooms, 0.9ha Local Nature Reserves (LNR) per 1000 population (Natural England target is 1ha/ 1000 population, 17 Closed Churchyards, 41 grazing fields (135.5 Ha)</li> <li>▪ Significant amounts of external funding has been secured by the Council over the past 10 years via HLF, Liveability, Healthy Towns, Play Pathfinder, Transforming Your Space, S106, Environmental Trusts. Whilst all of this has significantly improved a number of sites there is still a lot of aspiration out there through the various Friends Groups who want more for their respective parks</li> </ul>
<b>Rationale</b>		<ul style="list-style-type: none"> <li>▪ Support towards a healthier community through Public Health and Wellbeing agenda</li> <li>▪ Preservation of Green spaces and Open Spaces now and for future generations during a time of budget cuts</li> <li>▪ Aspirations for green flag status</li> <li>▪ Provision of recreational facilities to promote sports activities thereby supporting the Tackling Obesity Framework Key Objective Tier 1 Environment: Making it easier to make healthier choices</li> <li>▪ Community Engagement well established through groups such as Friends of Park and Football Forum</li> </ul>
<b>What are we asking from the Scrutiny Committee?</b>		<ul style="list-style-type: none"> <li>▪ Scrutiny Committee to consider scope for a cohesive strategy for Parks, Nature Reserves and Open Space Strategy which takes into consideration the amenity value and integrates the borough's nature conservation assets within a strategic context</li> </ul>

<b>Urban Environment Scrutiny Committee</b>		
<b>Portfolio</b>		Cabinet Member for Regeneration
<b>Area for Scrutiny</b>		Support to Local Businesses
<b>Council Priorities</b>		
	Council Plan:	'To create a thriving local enterprise economy' and 'To increase the number and diversity of businesses attracted to the borough'
<b>Context</b>		<ul style="list-style-type: none"> <li>▪ Removal of a regional framework through West Midlands Economic Strategy</li> <li>▪ Linkages with the Black Country Local Enterprise Partnership and the core themes of competitiveness, and employment &amp; skills</li> <li>▪ Linkages with the Black Country Strategy for Growth and Competitiveness and the Black Country Joint Core Strategy (Core Strategy)</li> <li>▪ Role of inward investment at a sub regional and regional level</li> <li>▪ Initiatives supporting local businesses include: (1) Dudley Business First initiative with 600+ business support &amp; inward investment enquiries answered since December 2011; (2) 'Business to Business element of Dudley Business First website which encourages inter company trading &amp; developing the local supply network; (3) Dudley Business Loan Fund which since its launch in August 2012 has provided £234,000 in loans to 10 Dudley businesses which has safeguarded 61 jobs and created 20 new jobs</li> </ul>
<b>Rationale</b>		<ul style="list-style-type: none"> <li>▪ Links into the wider borough regeneration agenda including inward investment</li> <li>▪ Supports the objectives in the borough's Economic Strategy and in particular the Business &amp; Enterprise theme: 'To encourage the development of a dynamic and diverse business base and job opportunities through support to new and existing businesses in the Borough'</li> </ul>
<b>What are we asking from the Scrutiny Committee?</b>		<ul style="list-style-type: none"> <li>▪ Determining what the key outcomes are in terms of business support</li> <li>▪ Merits of existing interventions and whether these should form a joined up approach to business support generally</li> </ul>

<b>Urban Environment Scrutiny Committee</b>		
<b>Portfolio</b>		Cabinet Member for Transport
<b>Area for Scrutiny</b>		Traffic Regulation Orders (the process)
<b>Council Priorities</b>	Council Plan:	'Involve and engage people in a meaningful and timely way'
<b>Context</b>		<ul style="list-style-type: none"> <li>▪ Traffic &amp; Road Safety Group manage temporary road closures and traffic management for emergencies, works and events. They also introduce permanent Traffic Regulation Orders as part of the management of and use of the highway.</li> <li>▪ In terms of Traffic Regulation Orders regarding on street enforcement there are nearly 1,000 with Traffic Regulation Orders. Each Traffic Regulation Order covers between 5 and 100 streets</li> <li>▪ The Traffic &amp; Road Safety Group have a TRO database which they maintain</li> <li>▪ It is estimated that there are approximately 30 TRO's sealed each year and typically there are 70 TRO proposals progressed per annum</li> <li>▪ The Group provide circa 100 Advisory Disabled Parking Places in front of customers' homes. Disabled Parking Place TROs cannot be provided at present, because they are resource-intensive. 220 new Disabled Parking Place TROs are requested annually</li> <li>▪ To date 360 Disabled Parking Place TRO permits have been issued</li> <li>▪ Each new Traffic Regulation Order can take up to 2 years to introduce</li> </ul>
<b>Rationale</b>		<ul style="list-style-type: none"> <li>▪ Posts have been lost and/or not replaced in the Traffic and Road Safety Group whilst demand for their services has increased</li> <li>▪ Demand for TROs continues to exert service pressures on the Group</li> <li>▪ The allocation of Disabled Parking Permits and Resident Parking Permits places an additional work load for the Group</li> </ul>
<b>What are we asking from the Scrutiny Committee?</b>		<ul style="list-style-type: none"> <li>▪ To provide a consistent approach by identifying an appropriate process for policy &amp; strategy towards the delivery of TROs</li> <li>▪ In line with the policy to prioritise as appropriate</li> </ul>