



DISTRICT COUNCIL

Despatched: 06.07.15

SCRUTINY COMMITTEE

14 July 2015 at 7.30 pm

Conference Room, Argyle Road, Sevenoaks

AGENDA

Membership:

Chairman: Cllr. London Vice-Chairman: Cllr. Brown

Cllrs. Ball, Brookbank, Clack, Hogg, Kitchener, Lindsay, McArthur, Purves and Reay

| | <u>Pages</u> | <u>Contact</u> |
|--|---------------------|--|
| Apologies for Absence | | |
| 1. Minutes To approve the Minutes of the meeting of the Committee held on 3 February 2015 as a correct record. | (Pages 1 - 6) | |
| 2. Declarations of Interest Any declarations not already registered | | |
| 3. Responses of the Cabinet to reports of the Scrutiny Committee (if any) | | |
| 4. Actions from the last meeting of the Committee (if any) | | |
| 5. Scrutiny Committee's Terms of Reference, Roles and Powers | (Pages 7 - 12) | Christine Nuttall Tel: 01732 227245 |
| 6. Kent County Council - Primary Education and Apprenticeships Margaret Crabtree, Deputy Cabinet Member for Education and Health Reform of Kent County Council to answer questions | | |
| 7. Reconstitution of Leisure In-Depth Scrutiny Working Group | (Pages 13 - 14) | David Lagzdins Tel: 01732 227350 |
| 8. Performance Monitoring | (Pages 15 - 20) | Lee Banks Tel: 01732 227161 |
| 9. Questions to the Portfolio Holder for Policy & Performance | | |

10. **Work Plan**

(Pages 21 - 22)

EXEMPT ITEMS

(At the time of preparing this agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public.)

To assist in the speedy and efficient despatch of business, Members wishing to obtain factual information on items included on the Agenda are asked to enquire of the appropriate Contact Officer named on a report prior to the day of the meeting.

Should you require a copy of this agenda or any of the reports listed on it in another format please do not hesitate to contact the Democratic Services Team as set out below.

For any other queries concerning this agenda or the meeting please contact:

The Democratic Services Team (01732 227241)

SCRUTINY COMMITTEE

Minutes of the meeting held on 3 February 2015 commencing at 7.00 pm

Present: Cllr. London (Chairman)

Cllr. Brown (Vice Chairman)

Cllrs. Brookbank, Davison, Grint, Orridge, Pett, Underwood and Walshe

Apologies for absence were received from Cllr. Clark

Cllrs. Fittock, Mrs. George, Mrs. Cook, Ms. Lowe and Mrs. Sargeant were also present.

32. Minutes

Resolved: That the minutes of the meeting of the Scrutiny Committee held on 20 November 2014 be approved and signed by the Chairman as a correct record.

33. Declarations of Interest

Cllr London declared an interest in Minute Item 36 due to his involvement with the Kent Order of St John's.

34. Responses of the Cabinet to reports of the Scrutiny Committee

There were none.

35. Actions from the last meeting of the Committee

The completed action from the previous meeting was noted.

36. West Kent Clinical Commissioning Group - Passenger Transport

The Chairman welcomed Ian Ayres, Chief Officer and Accountable Officer of the West Kent Clinical Commissioning Group, to the meeting.

The Chief Officer circulated to Members a [handout](#) providing an overview of patient transport including information on tendering the service to NSL, the contract performance, a report from the Care Quality Commission and the actions which had been taken to address concerns. He explained that the Patient Transport Service was free to those with a clinical need. A new contract, tendered by a predecessor Primary Care Trust cluster, had begun with NSL in July 2013 across Kent and Medway where previously there had been a patchwork of arrangements. It was due to last for three years with the option of two one-year extensions. He considered that the contract was providing a poor service however he was seeking to fix the contract to and was looking to ensure the next procurement was more effective.

Questions were addressed to the Chief Officer.

A Member asked the basis on which the contract had been awarded to NSL. The Chief Officer confirmed that there had been a full external tender advertised in the European Journal, with points weighted on quality and ability and a minority of points on finance. NSL had won on both counts.

The Chief Officer was asked what track record NSL had prior to the contract. He advised that they had been the largest provider across the country. Officers had since spoken to colleagues at other authorities and although they experienced similar difficulties, they were not on the same scale as those experienced in Kent. He had concerns that the company may have grown too quickly, with a lack of strong local management.

A Member noted that the eligibility for patient transport was imprecise and asked what role was currently played by the voluntary sector. The Chief Officer responded that the definition of eligibility was taken from national policy. If patients were not eligible then they would be signposted to the voluntary sector. The Member suggested that that activity from the voluntary sector may be as high as 50%.

Asked what improvements would be made to the tendering process, the Chief Officer confirmed that whereas the PCT had no one who had run patient transport services, the CCG had bought in a person with national experience; poor information had been given to NSL about the number and type of journeys required and it had been inappropriate to hold NSL to account for that; when a bidders day was held for the previous tender, the local NSL manager had not been brought in; the previous tender had incorrectly assessed that 100 rather than 200 staff would be transferred across under TUPE regulations and although NSL had accepted these staff it may have been more appropriate to have delayed the contract for three months to reassess the impact. The Chief Officer confirmed that considerable work had been undertaken to correctly identify the number and types of journey in preparation for the next contract.

The Vice Chairman asked why the contract had not been terminated at the point in September 2013 that performance was no longer improving or after NSL had failed to meet its recovery plan. He responded that litigation had been considered on both sides but the position had been more settled since January 2014. The contract would be for 3 years only, rather than extended to 5 years.

In response to a question, the Chief Officer confirmed that the contract expected patients to be picked up within one or two hours but patients were regularly picked up within three or four hours which he considered unacceptable, especially when patients may not then be able to return to nursing homes, if too late, and may be waiting in discomfort. NSL were currently meeting between 70 and 80% of key performance indicators.

The Vice Chairman indicated that patients may not want to wait more than one hour and Members asked whether further resources would be required to meet that aim. The Chief Officer advised that national practices were being assessed to identify the correct standards but felt that NSL had significant staff and vehicles and hospitals had begun to buy in their own vehicles too. He was optimistic that any further resources needed for the new contract would be found.

The Chief Officer was asked whether there would be sufficient bidders for the next contract. He noted that a number of other authorities were struggling with other providers. Although more local transport based around individual hospitals could work well, this tended to be more expensive.

The Chairman of the Health Liaison Board requested that the Chief Officer consider talking to other providers including the voluntary sector. She was pleased there were plans to improve but felt it was a long way from a satisfactory service.

The Chairman thanked Mr. Ayres for attending and for being frank in his responses.

37. Performance Monitoring

Members considered a report which summarised performance across the Council to the end of November and December 2014. Members were asked to consider three performance indicators which were performing 10% or more below their target with a commentary from Officers explaining the reasons and detailing any plans to improve performance. If actions taken were not deemed sufficient, the report recommended referring those indicators to Cabinet for further assessment.

A Member raised concern at the significant drop in the percentage of local land charge searches carried out within 10 working days, which averaged 37.92% for the year whereas the target was 90%. Officers drew Members' attention to the high activity levels, staff absences and that the average time for searches, at 11.2 days, was close to the target. The Chairman said that the matter could be monitored if performance was still poor at the time of the next meeting of the Committee.

The Committee considered the number of appeals received against decisions to refuse planning permission. The Vice-Chairman felt that the number of appeals was very healthy once put in the context of the total number of planning applications processed each year.

Resolved: That the report be noted.

38. Questions to the Portfolio Holder for Housing & Community Safety

The Portfolio Holder for Housing & Community Safety presented a report on the recent successes and challenges ahead within her portfolio. She was proud of the DIYSO shared-ownership housing scheme which was moving to the second round and had become a model for some London Boroughs. The HERO scheme was helping to reduce the use of bed and breakfast accommodation. However the most significant challenge was probably the change in national affordable housing policy, which limited the Council's scope to require financial contributions in lieu of on-site affordable housing and would cost the Council £2.5million. In community safety, the Council had success with the Police and Crime Commissioner in providing cameras to help identify those who entered the District to commit crime, and the Council was also responding to new anti-social behaviour powers and duties over safeguarding and modern slavery.

The Portfolio Holder had recently joined the celebrations for the fifth anniversary of the Licensing Partnership. The Partnership had already provided savings and she hoped it would expand to provide even more. The shared Environmental Health Service was now

Agenda Item 1

Scrutiny Committee - 3 February 2015

in its third year and she was also looking to share other services including the CCTV control room and HERO.

A Member asked about progress on the Shop Safe, Stay Safe scheme. The Portfolio Holder advised that the Community Safety Manager would be meeting with Dartford Borough Council. It was hoped that Shop Safe, Stay Safe would form part of the policy to become dementia friendly and the Council was looking for a Swanley dementia hub.

The Committee asked the Portfolio Holder about the implications to the change in national policy for affordable housing. The Portfolio Holder responded that the Council was unable to assist housing many residents in the medium annual income range between £30,000 to £60,000 as house prices were 17 times the national average wage. The DIYSO scheme would help people in that bracket during phase 1 and 2 but funding would not continue from Section 106 monies after that. The Council would have to consider financial alternatives such as bidding for capital from the Homes and Communities Agency. The Council was in discussions with the Department for Communities and Local Government about whether the exemption for Rural Exception Sites could be expanded. Other initiatives would be considered such as the Starter Home Scheme and empty homes initiatives. She added that the Council had only 700 on its Housing Register, whereas many authorities had over 2,000 and so the Council was able to assist many of those in the worst circumstances.

The Chairman asked what the Council was doing to address the empty homes in the District. The Portfolio Holder responded that the target to get properties returned to use (currently 18 per year) had been met each year, which also contributed to the Government's New Homes Bonus for the Council. There were approximately 350 empty residential properties in the District.

Members asked how much of the current income from affordable housing contributions came from developments which would now be exempt. The Portfolio Holder advised that it would affect the vast majority of sums collected as the majority of developments in the District were for three or fewer dwellings and many contributions had been received from small in-fill developments. It was likely that future developments in the District would be tailored to fall just below the relevant thresholds at which contributions would be paid. There would be some windfall sites, though in such cases contributions would usually be provided on-site rather than financially.

39. Chairman's Annual Report to Council

The Chairman introduced his draft Annual Report to be presented to the Council meeting on 31 March 2015. The report highlighted that the Committee had moved to a fixed membership rather than a pool and it summarised the Committee's work including the attendance of Portfolio Holders, external invitees and the work of In-Depth Scrutiny Working Groups. The Chairman's report also provided some lessons learned and the challenges he felt the Committee had experienced.

A Member suggested that the report could be more positive in the good work the Committee had carried out, particularly in being a wider forum to challenge Portfolio Holders and in scrutinising outside bodies. The Committee considered the comparative roles of the Scrutiny Committee and the Cabinet Advisory Committees.

Scrutiny Committee - 3 February 2015

Resolved: That the Chairman's draft report be noted.

40. Work Plan

The Committee noted the proposed work plan for the meeting of the Committee provisionally scheduled for June 2015. The Leisure In-Depth Scrutiny Working Group would now report to that meeting and the Chairman requested that the Leader and Portfolio Holder for Strategy & Performance be invited to that meeting together with the Portfolio Holder for Finance & Resources.

It was agreed that representatives from Kent Police be invited to the meeting of the Committee provisionally scheduled for September 2015.

THE MEETING WAS CONCLUDED AT 8.19 PM

CHAIRMAN

SCRUTINY COMMITTEE'S TERMS OF REFERENCE, ROLE AND POWERS

Scrutiny Committee – 9 June 2015

Report of Chief Officer Legal and Governance

Status: For information

Key Decision: No

Executive Summary: The report sets out the roles and powers of the Scrutiny Committee, taking into account its powers under the Local Government Act 2000 and the Council's Constitution.

Contact Officer(s) Christine Nuttall (Ext. 7245)

Recommendation to Scrutiny Committee: That the report be noted.

Introduction and Background

- 1 Prior to 2000, decisions in all English local authorities were taken through council committees. These committees were governed by the Local Government Act 1972 and had power delegated to them directly from Full Council and also had power to arrange the discharge of their functions through sub-committees or officers.
- 2 The Local Government Act 2000 gave effect to the Government's plans to change the way that local authorities made decisions. The central feature of the new system was a division between executive elected members, who would make decisions and non-executive elected members who would scrutinise those decisions. The aim of separating the roles of executive and non-executive elected members was to improve efficiency, transparency and accountability.

A Summary of the Role and Powers of Scrutiny

- 3 The various roles that the Committee can play are laid out in its terms of reference:
 - review and scrutinise decisions (whether made by Cabinet, Portfolio Holders, Officers, Council or Committees)
 - review performance
 - scrutinise other public bodies
 - raise important local matters
 - to oversee the Council's compliance with the Police and Justice Act 2006

Agenda Item 5

It should be noted that the Scrutiny Committee can only influence before a decision is made by way of delaying the decision making process in relation to “key decisions” in order to allow Cabinet time for reflection. The Scrutiny Committee cannot delay the decision making process in relation to any other sorts of decision apart from scrutinising the process in which a decision was made in relation to future decisions.

- 4 The Committee has been given special powers to carry out its unique duties. These are laid out in the Committee’s Procedure Rules:
 - any Member of the Committee may add items to the agenda;
 - “Councillor call for action” which allows any Councillor to raise an important local matter;
 - requesting witnesses from outside bodies, residents or stakeholders;
 - requiring members of the Cabinet, the Chief Executive or Senior Officers to attend to explain decisions, how policy is being followed, or performance;
 - powers to “call in” Key Decisions before they are implemented; and
 - their additional rights to see documents relating to Cabinet decisions.
- 5 As with all Committees, the Scrutiny Committee may establish a small Working Group to direct itself and focus on a particular issue, if necessary.
- 6 All of these powers can be used to help with any of the Committee’s roles set out above.
- 7 The outcomes from Scrutiny may then be reported to Cabinet, Council or outside bodies as is appropriate.

Scrutiny’s Main Role

- 8 The main role of Scrutiny is to hold the Cabinet to account and this is why members of the Cabinet may not sit on a Scrutiny Committee as the Scrutiny Committee needs to be entirely independent.
- 9 The Scrutiny Committee can require Cabinet Members, and senior officers to attend meetings. However, an overriding principle of effective good scrutiny is to provide a “critical friend” challenge to executive policy makers and decision makers. Any person asked to attend a Scrutiny meeting to give information should be treated with respect and courtesy and should be given at least 7 working days notice by the Chief Executive indicating the nature of the item on which he or she is required to attend to give an account and whether any papers are required to be produced for the Committee. Where the account to be given to the Scrutiny Committee will require the production of a report, then the Member or Officer concerned will be given sufficient notice to allow for preparation of that documentation. It is important that Scrutiny should not act in an adversarial manner by placing Members and Officers under cross examination.

The Power of “Call In”

- 10 The Scrutiny Committee has the power to “call in” key decisions which have been taken but not yet implemented in accordance with Appendix C – Scrutiny Committee Procedure Rules.
- 11 “Call in” takes place where it is felt that flaws have been made in the decision making process or where a decision is wholly unreasonable. The only decisions that can be called in are “key decisions”, which must be listed on the Council’s Notice of Key Decisions. A “key decision” will involve expenditure of more than £50,000 and will significantly affect two or more wards.
- 12 However, the Scrutiny Committee has no formal powers to stop the Cabinet doing something or to make it do something, although Scrutiny is far from toothless and can delay the decision making process if a “key decision” is “called in” to enable further consideration of the decision. However, the “call in” process should only be used sparingly when it is felt that there is a real problem with the decision making process. Members should work to build positive relationships with the Cabinet and External Partners, and make recommendations clearly based on evidence, thereby acting as a constructive, critical friend who is able to apply significant influence.

The “Councillor Call for Action”

- 13 The Local Government and Public Involvement in Health Act 2007 includes powers that enable all Councillors to ask for discussions at Scrutiny on issues where local problems have arisen and other methods of resolution have been exhausted. Please refer to Appendix C of the Constitution – Scrutiny Committee Procedure Rules.

Police and Justice Act 2006

- 14 The Police and Justice Act 2006 contains provisions requiring every local authority to have a committee (the “Crime and Disorder Committee”) to review or scrutinise decisions and actions by responsible authorities in connection with their crime and disorder functions. The Scrutiny Committee is the committee responsible for exercising the District Council’s powers in relation to this legislation (scrutiny of crime and disorder matters). A popular misconception of the legislation is that it gives Councillors the power to scrutinise the police. This task rests with the Police and Crime Commissioner, who is held to account by a Police and Crime Panel. The Act enables local authorities to scrutinise the formulation and implementation of crime and disorder reduction strategies. The Act also allows Members to refer any “local crime and disorder matter” raised with them by anyone living or working in their ward to the Crime and Disorder Committee. The Crime and Disorder Committee may then make a report or recommendation with respect to it. There is also the Crime and Disorder Act 1998 which requires responsible authorities to act in co-operation with a range of other bodies and persons in formulating and implementing strategies and this authority is part of a Community Safety Partnership. Crime and Disorder Committees shall meet as often as they consider appropriate to discharge their 2006 Act powers but regulations require that they meet at least once every 12 months to do this.

Agenda Item 5

Reviewing Decisions

- 15 As can be seen from the above the main purpose for Scrutiny Committees is to be a watchdog for the Council and to keep an eye on decisions made by Cabinet and Portfolio Holders, where it is a small number of Councillors making the decisions.
- 16 The Committee has the power to look at most decisions, whether made by Cabinet or Council. However, given the general purpose of Scrutiny Committees and that all Councillors get a say in decisions of full Council, it is common and best practice for Scrutiny Committees to overwhelmingly scrutinise Cabinet decisions.
- 17 There are some decisions it is inappropriate for a Scrutiny Committee to get involved with. The Committee should not:
 - get involved in quasi-judicial decision making (e.g. planning, licensing) (unless looking at a systemic failure);
 - become involved where there is a statutory appeal system;
 - become a forum for individual complaints or appeals against the Council; or
 - pre-empt consultations (though the Committee is entitled to feed into a consultation).

In Depth Scrutiny

- 18 The work plan for Scrutiny should be connected to the priorities of the council or local residents. The Council has produced “A Guide to In-Depth Scrutiny” copies of which will be circulated to the Committee as Members new to the Committee may not have been provided with a copy. The guidance recommends that the Scrutiny Committee should aim to keep its work programme to a manageable size and it is probably appropriate that the committee should undertake no more than three major reviews in a year.
- 19 In depth scrutiny is aimed to improve and promote the economic, social and environmental well-being of the District; help to improve the Council’s performance; enable the voice and concerns of the public to be heard and help the Council to deliver services which are sensitive to local needs by involving local people; ensure decision making is clear, transparent and accountable; be carried out by Councillors who lead and own the scrutiny process and aims to improve public services.
- 20 The Scrutiny Committee can look at cross-cutting themes and has the power to work with External Partners to tackle cross cutting issues, particularly where changes are proposed to services and where those changes might have a particular impact on the Council and its inhabitants.
- 21 Topics to scrutinise should be picked where they can add most value to the authority and the wider community. Suggestions for in depth scrutiny can be taken from a variety of sources for example:
 - Discussions with senior officers and cabinet members

- Any forward work plans
 - Evidence from peer reviews or inspections
 - Major national trends and their policies, and how they might affect local services
 - Demographic information
- 22 Unlike Cabinet and its Advisory Committees, the Scrutiny Committee does not have the same duties to manage the day-to-day running of the Council. Scrutiny can therefore run over a longer time-frame and focus on particular matters which the Committee has considered need attention. This may either be matters which they feel have been overlooked by Cabinet and its advisory Committees, or the Committee may take the opportunity to use its powers to bring in and question outside organisations.
- 23 In some Councils the entire Committee will consider a theme over a series of meetings, building on evidence from one meeting to the next. In others Working Groups may be charged with looking at a matter.
- 24 Many Councils now carry out the bulk of their detailed scrutiny work in informal, time-limited task groups. These can carry out investigations into issues, collecting evidence from a wide range of sources. They make recommendations which, through a Scrutiny Committee, are sent to the Council's Cabinet for consideration.
- 25 For Members' information the Centre for Public Scrutiny sets out matters that have been recently considered by other local authorities at www.cfps.org.uk/Library.
- 26 As with all Committees in the Council, it is recommended that the Committee does not overlap with the work other Committees carry out. The recent introduction of Advisory Committees for each Portfolio Holder at the Council means that policy development may sometimes take place in these forums.

Key Implications

Financial

There are none arising from this report.

Legal Implications and Risk Assessment Statement

There are none arising from this report.

Agenda Item 5

Equality Assessment

The recommendations in this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Conclusions

The Committee can play a wide role, particularly in holding the Cabinet to account, questioning the impact of decisions, assessing the Council's relationship with partner organisations and in taking on in-depth projects.

Background Papers:

[Local Government Act 2000](#)

[Modern Local Government: In touch with the people](#)

[Sevenoaks District Council Constitution – Part 5 –
Scrutiny Function](#)

[Sevenoaks District Council – Appendix C – Scrutiny
Committee Procedure Rules](#)

Christine Nuttall
Chief Officer for Legal and Governance

RECONSTITUTION OF THE LEISURE IN-DEPTH SCRUTINY WORKING GROUP

Scrutiny Committee – 14 July 2015

Report of Chief Officer Legal and Governance

Status: For Decision

Key Decision: No

Contact Officer David Lagzdins Ext. 7350

Recommendation to Scrutiny Committee: That Members review the terms of reference and membership of the Leisure In-Depth Scrutiny Working Group to report to the Scrutiny Committee on leisure value for money.

Reason for recommendation: to enable a small working group of Members to meet more frequently and report back to the Scrutiny Committee on its findings for consideration.

Introduction and Background

- 1 Over the past year the Committee has established an in-depth scrutiny working group. It is necessary for the Committee to review the need for this working group and confirm the terms of reference and membership.

Leisure Working Group

- 2 At the meeting held on 15 July 2014 (Minute 7) it was resolved that the in-depth scrutiny working group be re-established to focus on value for money in the provision of leisure services to the Council including whether alternative, private sector provision could provide services for a lower cost to the Council and the customer. The terms of reference confirmed at that meeting were:
 - i. to benchmark with other authorities the amount spent by Sevenoaks District Council on the provision of leisure services through the leisure trust;
 - ii. to analyse the amount of subsidy per use of the Council's centres paid by the Council to Sencio – if possible in comparison with other authorities as well as over time;
 - iii. to assess customer satisfaction with the service provided;
 - iv. to assess the retention rates for fitness users, the key profit-making area of the business;
 - v. to look at initiatives those are in place or could be put in place to improve income and retention; and

Agenda Item 7

- vi. in the context of value for money to look at alternative provision by private providers.
- 3 The membership was agreed as Cllrs. Gaywood, Grint, Mrs. Morris and Pett, with Cllr. Pett to be the Chairman. All of the former members are no longer members of this Scrutiny Committee.
- 4 An interim report had been presented to the Committee on 20 November 2015.
- 5 If the working group is reconstituted then, to minimise duplication, Officers will provide members of the new working group with the information that had been collected by the previous group.

Key Implications

Financial

None directly arising from this report.

Legal Implications and Risk Assessment Statement

In-depth scrutiny working groups are only constituted for a municipal year, and must be reconstituted each new municipal year. Members would only be allowed to claim travel expenses for formally constituted working groups.

Equality Impacts

The recommendations in this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Conclusions

Members should consider whether the the working group should continue to meet, agree the membership and terms of reference.

Background Papers:

[Scrutiny Committee – 15 July 2014 - Minutes](#)

[Scrutiny Committee – 20 November 2014 - Minutes](#)

Christine Nuttall
Chief Officer for Legal and Governance

PERFORMANCE REPORT

Scrutiny Committee – 14 July 2015

Report of Chief Executive

Status: For Information

Key Decision: No

This report supports the Council Promise to provide value for money

Portfolio Holder Cllr. Peter Fleming

Contact Officer(s) Lee Banks (Ext. 7161)

Recommendation to Scrutiny Committee:

- (a) Members note the contents of the report; and
 - (b) If Members are dissatisfied by actions being taken to improve performance by either Officers, Advisory Committee or Cabinet, they consider areas of underperformance for scrutiny.
-

Reason for recommendation: To ensure that areas of under performance within services are considered and reviewed by Members.

Introduction and Background

- 1 Scrutiny Committee have requested a regular update at each of their meetings of any performance indicators which are not meeting their target level. Attached to this short introduction paper is an exceptions report with a commentary from officers explaining the reasons why performance is not within 10% of target and detailing any actions the service is planning to take to improve performance levels.

Performance Overview

- 2 The table on the following page summarises performance levels as at the end of May 2015.

Agenda Item 8

| | Current Month | Year To Date |
|---|---------------|---------------|
| Red <i>10% or more below target</i> | 2 (5.0%) | 1 (2.5%) |
| Amber <i>Less than 10% below target</i> | 10 (25.0%) | 10 (25.0%) |
| Green <i>At or above target</i> | 28 (70.0%) | 29 (72.5%) |

- 3 Provided as Appendix A to this report are details of the two indicators where performance is 'Red' and missing the target level by 10% or more.

Other Options Considered and/or Rejected

- 4 None.

Key Implications

Financial

- 5 Effective performance management monitoring arrangements will assist the Council in diverting resources to areas or services where it is considered to be a greater priority.

Legal Implications and Risk Assessment Statement.

- 6 Robust arrangements are in place to ensure that the risk of inaccurate data being reported to Members is minimised and assurance can be placed on the accuracy of data used to assess performance. By reporting to Members and ensuring all Members are able to access the Council's performance management system the risk of poor performance not being identified or addressed is minimised.

Equality Impacts

- 7 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Conclusions

- 8 This report to Members summarises performance across the Council with data that was available at the end of May 2015. Members are asked to consider two performance indicators which are performing 10% or more below their target and if the actions being taken by officers are not deemed sufficient are recommended to refer those indicators to the Cabinet for further assessment.

Appendices

Appendix A – Performance Data


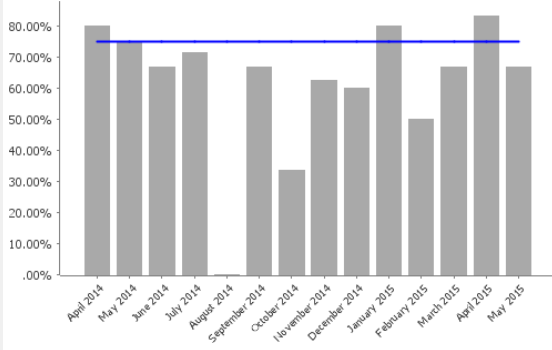


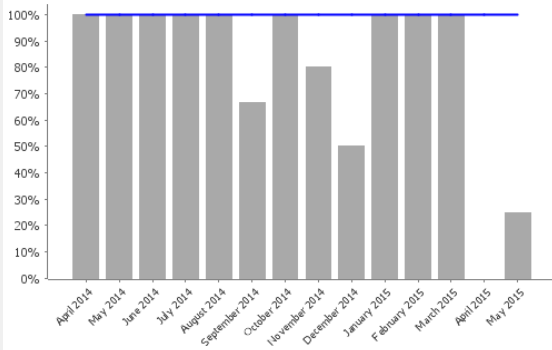
Background Papers:

None

**Dr Pav Ramewal
Chief Executive**

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Scrutiny Committee – Performance data

| Code | Short Name | Current Value | Current Target | Current Status | Performance Chart | Cumulative (Year to Date) Performance | | | Latest Note |
|---------------|--|---------------|----------------|---|---|---------------------------------------|--------|---|---|
| | | | | | | 2015/16 | | | |
| | | | | | | Value | Target | Status | |
| LPI_DC 009 | Percentage of appeals against planning application refusal dismissed | 66.67% | 75% |  |  | 73.33% | 75.00% |  | <p>15 planning appeals against Council decisions have been concluded in the first two months of 2015/16. Of these 15 appeals 11 were dismissed, supporting the decision taken by the Council.</p> <p>Officers continue to review appeal decisions to identify lessons for improving future practice and briefing sessions are also held on appeals for Development Control Committee Members.</p> |
| LPI_EH 004 | Percentage of higher risk food inspections due that was done (higher risk is categories A & B) | 25% | 100% |  |  | 25% | 100% | | <p>For the year to date one of the four high risk food inspections that were due have been completed.</p> <p>Reasons for the three inspections outstanding include difficulties accessing the premises and the inspections will be rescheduled for later in the year.</p> |

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Scrutiny Committee Workplan

| Committee (2014/15) | 15 July 2014 | 2 October 2014 | 20 November 2014 | 3 February 2015 |
|----------------------------|--|---|---|---|
| External Invitees | Sevenoaks & Swanley CAB Edenbridge & Westerham CAB | Sencio - Jane Parish, Chief Executive | Kent County Council (Secondary Schools) – Roger Gough, Cabinet Member for Education & Health Reform | West Kent Clinical Commissioning Group (Passenger Transport) – Ian Ayres, Chief Officer |
| Scrutiny Committee | Performance Monitoring Michelle Lowe – Housing, Welfare and Community Safety | Performance Monitoring Peter Fleming – Leader, Strategy and Performance Brian Ramsay – Finance and Resources | Performance Monitoring Roddy Hogarth – Economic and Community Development Robert Piper – Local Planning and Environment | Performance Monitoring Michelle Lowe – Housing, Welfare and Community Safety Chairman’s annual report to Council |
| Depth Scrutiny | Working Group Leisure - Stages Two/Three ¹ | Working Group Leisure - Stages Two/Three ¹ | Working Group Leisure - Stages Three/Four ¹ | |

Page 21

| Committee (2015/16) | 14 July 2015 | 24 November 2015 | 23 February 2016 | 3 May 2016 |
|----------------------------|--|--|--|--|
| External Invitees | Kent County Council (Primary Schools) – Margaret Crabtree, Deputy Cabinet Member for Education & Health Reform | Kent Police | Kent County Council (Highways) | |
| Scrutiny Committee | Performance Monitoring Portfolio Holder for Policy & Performance | Performance Monitoring Portfolio Holder for Economic & Community Development Portfolio Holder for Finance | Performance Monitoring Portfolio Holder for Planning Portfolio Holder for Legal & Democratic | Performance Monitoring Portfolio Holder for Direct & Trading Services Portfolio Holder for Housing & Health |
| In-Depth Scrutiny | Working Group Leisure – Reconstitution of Group | | | |

¹ For detailed information on stages refer to “A Guide to In-Depth Scrutiny”

Past In-Depth Scrutiny Working Groups

| | |
|--------------------------------------|---|
| Parking | Cllrs Clark, Cooke, Edwards-Winser, Eyre, Mrs Purves, Raikes (Chairman) |
| Budget | Cllrs Abraham, Mrs Bracken (Chairman), Butler, Gaywood, Maskell |
| Leisure | Cllrs. Gaywood, Grint, Mrs. Morris, and Pett (Chairman) |
| Investment in Property (put on hold) | Cllrs. Brookbank, Davison (Chairman) and Underwood |

Current In-Depth Scrutiny Working Groups

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Possible future areas for In-Depth Scrutiny

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|--------------------------|
| Highways |
| Housing – Welfare Reform |

Possible future Councillor Call for Action

| | |
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| Cllr. Ms. Lowe | Gypsies & Traveller Site Consultation – Shoreham Site |
|----------------|---|

Possible External Invitees

| Position | Name | Topic |
|---|-------------|--------------|
| KCC Cabinet Member – Community Services | Mike Hill | Libraries |
| KCC Cabinet Member – Community Services | Mike Hill | Housing |