

REVIEW OF THE IMPLEMENTATION OF THE SCRUTINY PANEL'S RECOMMENDATIONS SINCE 2003.

1. Introduction

This is the last year of the current Council and given that we have made a number of recommendations to the Cabinet (or its predecessor the Executive) since 2003 covering a wide range of studies, we felt that it was important to review the implementation of those recommendations and see what had actually been achieved.

This, then, was an appropriate and timely final item in our work programme for 2006/07.

Our review was also somewhat opportune for another reason. One of the recommendations of the CPA Peer Review published in October 2006 stated that there should be 'mechanisms for senior officers and Cabinet Members to respond and report back on progress made in implementing recommendations made by O and S Committees.'

The review of the implementation of recommendations is therefore likely to become a regular feature of post scrutiny work in the future.

2. The Panel's Recommendations since 2003

Appendix 'A' contains a list of all the recommendations made by the Panel and, if appropriate, indicates whether the recommendations were accepted by the Cabinet/Executive.

It should be noted that not all of the recommendations were actually addressed to the Cabinet/Executive and the first part of this report briefly examines the outcome of those particular recommendations.

3. Recommendations addressed to bodies other than the Cabinet

There were a number of recommendations that, once accepted by the Cabinet, were forwarded to the County Council for consideration.

These applied to the Panel's involvement in the debate on the future of Chapel Hill School, Braintree (2003/04) and the County Council's proposals for Discretionary School Transport Provision (2003/04).

In respect of Chapel Hill School, the Braintree Area Committee (as recommended by the Panel) kept a watching brief on the school site. The Council subsequently supported the County Council's final decision not to re-open the school, but to turn it into a Children and Young People's Centre.

As regards school transport provision, the Panel's recommendations together with representations made by other interested bodies and individuals were duly taken into account by the County Council in formulating its revised Home to School Transport Policy.

In respect of the study relating to the Traffic Management Liaison Panels (2004/05),

Recommendations 1 to 5 and 7 (once endorsed by the Cabinet) were directed to Essex County Council who actually administer the Traffic Panels. The majority of the recommendations were accepted.

The recommendations arising from the Pilot Delegated Health Scrutiny Study concerning Digital Hearing Aids were made direct to and accepted by Essex County Council's Health Overview and Scrutiny Committee. In addition, the Essex HOSC has invited the Panel to undertake a follow up study next year to see if patient waiting time has changed.

The item concerning the Enforcement of the Essex Act in relation to parking on grass verges was primarily a County Council issue, but has culminated in a joint BDC/ECC trial of enforcing 'no parking' on grass verges in 14 locations in the District. The trial is currently progressing.

4. Recommendations addressed to the Cabinet (or its predecessor the Executive)

Specific recommendations were made to the Cabinet (or Executive) in respect of the following studies:-

Domestic Neighbour Disputes (2003/04)

Effectiveness of Estate Inspections (2004/05)

Efficiency and Effectiveness of Traffic Management Liaison Panels (2004/05)

Performance of the Braintree District Leisure Community Association Ltd. 'Vehicle' in respect of how the Institutional Arrangements are Working and Understood (2004/05)

The Conduct and Use of Enforcement Activities across the Council's Services (Module 1) – Planning Enforcement (2005/06)
(Module 2) – Environmental Protection/Street Scene (2006/07) – *(the Panel's recommendations were only considered by the Cabinet at its meeting on 5/2/07, but we received a progress report from Mr. P. Partridge, Head of Street Scene at our final meeting of the current civic year on 7/2/07 (see Appendix 'D'))*

On 26th July 2006, we wrote to the relevant Cabinet Members whose portfolios covered the studies in question, to seek their written response to the following questions:-

1. What action has been taken to implement the recommendations of the Panel as approved by the Cabinet?
2. Who has taken action?
3. When was the action taken?
4. What outcomes have been achieved, if any?

Copies of the responses received are set out in Appendix 'B' and were considered at the meeting of the Panel on 1st November 2006.

There were a number of supplementary issues raised by the Panel arising from the

consideration of these initial responses. Consequently, we wrote again to the relevant Cabinet Members on 13th November 2006. Copies of the letters sent to Cabinet Members and the responses received are set out in Appendix 'C'. These further responses were considered at the meeting of the Panel on 24th January 2007. The issue raised by Mrs. Sipple the Legal Executive for Housing in the context of the Domestic Neighbour Disputes study has been noted as a possible work programme item for our successors.

5. Outcomes/Improvements as a result of the Cabinet (or Executive's) acceptance and implementation of the recommendations.

We were pleased to learn that the majority of the recommendations made to the Cabinet/Executive had either been implemented or were in the process of being implemented.

Consequently, there are many examples of positive outcomes and we feel therefore that much has been achieved.

By way of illustration, we set out in the table below one example taken from each of the study areas to give a flavour of the type of improvements that have been achieved.

<u>Study</u>	<u>Example of Improvement Achieved</u>
Domestic Neighbour Disputes (2003/04)	Guidance to tenants on good neighbourliness is now issued to new tenants when they sign up for the tenancy and is also used on other occasions to draw attention to the simple steps that can be taken to resolve a potential neighbour dispute and prevent it escalating. When the Tenants' Charter is next reviewed and republished the section on 'Disagreements with your Neighbours' will be expanded. Contact information for advice on neighbour disputes is included in the Residents' Welcome Pack.
Effectiveness of Estate Inspections (2004/05)	Housing Services 'piloting' PDA hand held technology to improve on reporting systems for logging and monitoring items identified during Estate Inspections.
Efficiency and Effectiveness of Traffic Management Liaison Panels (2004/05)	Increased publicity for Agendas and minutes of TMLPs by making them available on the Council's web site so that all Parish Councils in the relevant Panel Area can access them, rather than just those Parish Councillors who attend the meetings.
Performance of the Braintree District Leisure Community Association Ltd.	Improved partnership working following a review of the work of the Partnership

'Vehicle' in respect of how the Institutional Arrangements are Working and Understood (2004/05)	Board with a new structure being put in place.
The Conduct and Use of Enforcement Activities across the Council's Services (Module 1) – Planning Enforcement (2005/06)	Tougher approach taken in dealing with developers that persistently breach planning conditions with adoption of 'three strikes and out' policy.

6. Conclusions and Recommendations

6.1 Conclusions

Whilst the Panel's enquiries into progress have acted as a timely reminder to Cabinet Members, it is clear that a great deal of work has been undertaken to implement the Panel's recommendations once they had been accepted by the Cabinet/Executive.

There are a small number of recommendations from past studies still in the process of implementation and some issues of a 'watching brief' nature (eg the BDLCA Ltd study) that our successors will no doubt wish to follow through to closure.

Similarly, this will apply to the Panel's most recent series of recommendations in respect of Module 2 of the Enforcement Study that were accepted by the Cabinet in February 2007.

Finally, we would like to record our thanks to those Cabinet Members and Officers who submitted comments to us in response to our initial enquiries and also for replying to the supplementary enquiries that we made.

6.2 Recommendations

We **RECOMMEND** to the Cabinet that:-

1. it notes the contents of this report;
2. it agrees that for all subsequent Scrutiny Panel recommendations the relevant Cabinet Member(s) should submit to the Panel a progress report on implementation within nine months of the Cabinet accepting the Panel's recommendations. Subsequent progress reports to be submitted to the Panel on request pending full implementation of the recommendations.

The Scrutiny Panel

J. E. B. Gyford (Chair)
 B. T. Broyd
 Mrs. H. W. Catley
 J. C. Collar
 N. D. C. Edey
 B. J. Gaught

M. J. Banthorpe (Vice Chair)
 D. Mann
 D. E. A. Rice
 A. F. Shelton
 R. A. G. Tincknell
 Ms. L. R. Watson