

# OVERVIEW AND SCRUTINY

## ANNUAL REPORT 2018/19



**ASHFORD  
BOROUGH  
COUNCIL**



# FOREWORD FROM THE CHAIRMAN

In general terms, Overview and Scrutiny is the process whereby Councillors investigate, scrutinise and oversee the work of the Council. More specifically it pays particular attention to (a) decisions made by Cabinet, Council and Officers in relation to Council policy or key decisions, (b) activities carried out by the Council and other bodies such as Kent County Council, and (c) the performance of the Council in relation to its targets and objectives.

The past year saw the Overview & Scrutiny Committee work in close collaboration with Cabinet Members and Senior Officers to attest that decisions made by Cabinet, Council and Officers are in line with Corporate and other Council objectives, and that resident held concerns are identified and thoroughly investigated.

This report summarises the extensive and exhaustive range of work undertaken during 2018 - 2019, but cannot convey adequately the level of work and in-depth scrutiny that took place. I would like to thank the Committee and supporting Officers for their unstinting efforts which helped to realise notable accomplishments. I also thank the Chairman Cllr Brendan Chilton and Vice Chairman Cllr Winston Michael for conducting meetings, and on behalf of them I thank Officer William Train for his expert guidance of the Committee and for all the arrangements that needed to be made throughout the course of the year.

The Overview and Scrutiny Committee has an important role to play in confirming that Council actions are delivering the outcomes sought. It is a credit to Cabinet members and Officers that they worked with Overview and Scrutiny to take on board the Committee's recommendations by adopting them.

Going into the next 12 months, the Committee looks to further close collaboration between it, the Cabinet and Officers; and it will strive at all times to be that "critical friend" to bring added value to Cabinet and Council decisions. At the same time, it will look to increasing engagement with residents of the Borough and to let them know their voice is not only important but key to the success of the Overview and Scrutiny Committee, and ultimately the Council.



**Councillor Noel Ovenden**  
Chairman, Overview and Scrutiny Committee

# OVERVIEW AND SCRUTINY AT ASHFORD

The Local Government Act 2000 (the Act) introduced a requirement that councils with a 'Leader and Executive' arrangement must include the provision of one or more Overview and Scrutiny Committees within their council structure.

Under section 21 of the Act, the council's Overview and Scrutiny Committee has power to submit reports and make recommendations to the Cabinet or full Council on any aspect of council business or any matter affecting the Borough or its residents.

The constitution of Ashford Borough Council contains provisions for a single Overview and Scrutiny Committee to carry out the functions detailed in the Act, although the Committee may assemble task groups from its membership for specific reviews.

In the 2018/19 municipal year the Overview and Scrutiny Committee had 12 members, appointed in line with the broad political balance of the council. The roles of Chair and Vice-Chair of the Committee were appointed to opposition members, although the Committee operates apolitically in its discussions, with all members of the Committee working together to ensure that the council and its services are acting effectively and efficiently.

With the 2019 local elections taking place in May, the political makeup of the council and the Overview and Scrutiny Committee has changed for the coming municipal year.



In preparation for a new committee, introductory training for Members on the role, purpose and powers of Overview and Scrutiny was arranged through the Centre for Public Scrutiny. This training session was attended by members of each political group on the Council and key staff involved in the delivery of the scrutiny function.





# MATTERS SCRUTINISED BY THE COMMITTEE

The 2018/19 municipal year saw the Overview and Scrutiny Committee consider a number of items related to the council's operations and the wider issues affecting the borough and its population, including:

- Commercial investment by the council
- The Trading and Enterprise Board
- A Better Choice for Property Ltd
- The role and promotion of credit unions in the borough
- The development of the council's Air Quality Strategy
- Preparations for the roll-out of full service Universal Credit in Ashford
- Resident Management Companies and the Chilmington Management Organisation
- The council's Housing Statement
- Town Centre Place Making and the development of the Ashford Town Centre Framework
- The Community Toilet Scheme

The Committee also considers a number of standing items per year, namely:

- Scrutiny of the council's draft budget (carried out through a task and finish group)
- The annual report of the Ashford Community Safety Partnership
- The council's annual report on Safeguarding Adults and Children at Risk
- Sickness Absence in the council's workforce
- The council's corporate performance (assessed quarterly)

From the matters scrutinised by the Committee, a number of recommendations were made to the Cabinet and Full Council, of which the majority were accepted and adopted.

Where adopted, recommendations are tracked for implementation progress through the Committee's tracker report and the council's programme management system (Pentana).

# BUDGET SCRUTINY TASK GROUP

The Overview and Scrutiny Committee has a duty to scrutinise the council's draft Capital and Revenue budgets. In 2018/19, the Committee assembled a cross-party task and finish group whose remit included ensuring that the draft 2019/20 budget was achievable and deliverable in line with the council's 5 year Medium Term Financial Plan (MTFP) and the council's adopted corporate priorities.

The five member task and finish group first assessed the council's draft service budget books and key risks relating to the council's financial and resource positions, identifying areas to be subjected to in-depth scrutiny on an exception basis. The Budget Scrutiny Task Group met with relevant Directors, Heads of Service and the Accountancy team to examine the draft budget in areas including commercial income projections, town centre place making, capital expenditure, pest control and section 106 availability.

The task and finish group made a total of 12 recommendations in regard to the 2019/20 budget and referred several matters outside of its remit to the full Overview and Scrutiny Committee for consideration.





# COMMERCIAL SCRUTINY

During scrutiny of the council's draft 2018/19 budget, the Overview and Scrutiny Committee determined that a review of commercial investment by the council was warranted alongside an examination of the governance arrangements of the Trading and Enterprise Board and the progress of the council's trading company, A Better Choice for Property Ltd. Due to the complexity of these matters, scrutiny took place across several committee meetings between April and August 2018.

Members examined the council's policies on commercial investment as well as the acquisition, income generation and development of two key property assets - International House and Park Mall. From this scrutiny, Members made three recommendations aimed at strengthening the governance around the council's investment approach.

In examining the Trading and Enterprise Board and A Better Choice for Property Ltd, the Committee examined the company's history, business planning and trading activity, the council's mechanisms for approving acquisitions and loaning funds to the company and the governance arrangements of the Trading and Enterprise Board.

Seven recommendations were made to Cabinet regarding the governance of the Trading and Enterprise Board and the company, including requiring collective decision making in regard to the approval of purchases, the appointment of non-executive directors and clarification of the property company's business plan. Of these recommendations, the majority were adopted and implemented.



# CREDIT UNIONS

In recognition of the difficulties facing people of low incomes when considering deposits for housing, the Committee met with representatives of the Kent Savers Credit Union and Together Canterbury to understand the work of credit unions and the services available to residents.

Both organisations provided detail on the extent of their operations in the borough, the services they offered and the challenges they faced. Members of the Committee were highly supportive of the work of both groups and felt strongly that the council should actively assist residents in accessing the financial support services of both groups and the practical alternatives to high interest lenders that were available to residents.

In recognition of the limits on the amount of lending that Kent Savers could undertake (through their need to maintain a minimum 3% capital to assets ratio), the Committee recommended that the council issue a £10,000 subordinated loan to Kent Savers, forge a closer working relationship and actively promote the services offered by the credit union to residents and council staff. Following the adoption of these recommendations, the council has issued the subordinated loan and entered into an agreement with Kent Savers to offer services to council staff.

# PLANNING AND DEVELOPMENT PRIVATE MANAGEMENT COMPANIES

During scrutiny of the council's draft 2019/20 budget, Members felt that it would be beneficial for the Committee to be presented with an overview of the council's section 106 process and current position, as well as an update on the development of the council's Air Quality Strategy. The Committee made four recommendations to Cabinet related to section 106 and planning application processes; and two recommendations related to air quality monitoring and electric vehicles.

Members also considered a report on the history and development of the Chilmington Management Organisation in 2018/19, and how its community management model differed from the operational model for private management companies.

Members were supportive of the community management approach, and felt that the council should work to ensure, as far as possible, that residents should be well advised of their rights with regard to management companies and that the council should keep a record of developments operated by management companies within the borough.

The Committee made five recommendations to Cabinet concerning private management companies for new and existing developments.

