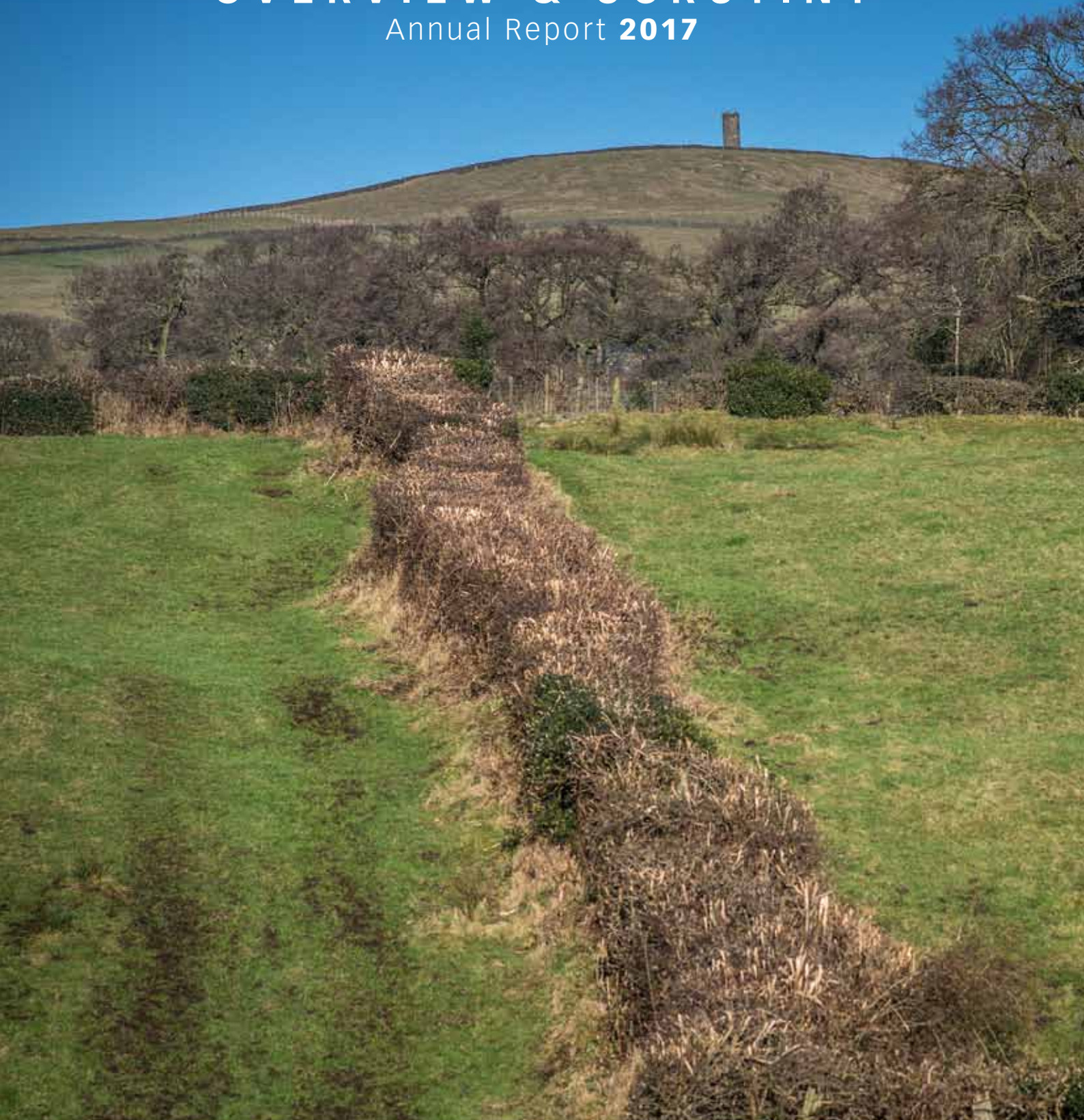




# OVERVIEW & SCRUTINY

Annual Report **2017**



Making a difference

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# Chairman's Foreword

**W**elcome to our 2016/17 Overview and Scrutiny Annual Report.

With six new members, the look of the Scrutiny Team has changed significantly since last year. However, our commitment to addressing matters of concern remains the same. As one of the new members I was very pleased to be selected as Chairman and welcomed the opportunity to lead an all-party team.

At the start of the year, members of the Scrutiny Team agreed that our aim was to identify, discuss and attempt to resolve issues within our local area. I feel that, whilst it has been a very demanding and busy year, we have demonstrated our ability to hold in depth analysis and display excellent cross party working.

Our investigations have included work on youth input into democracy. We also took on the challenging task of reviewing drug and alcohol rehabilitation provision and mental health care provision in the area.

The year saw one of our long established members, Councillor Ken Hartley leave the Team to take a seat on the Council's Executive. We extend our congratulations to Ken and thank him for his long, committed participation.

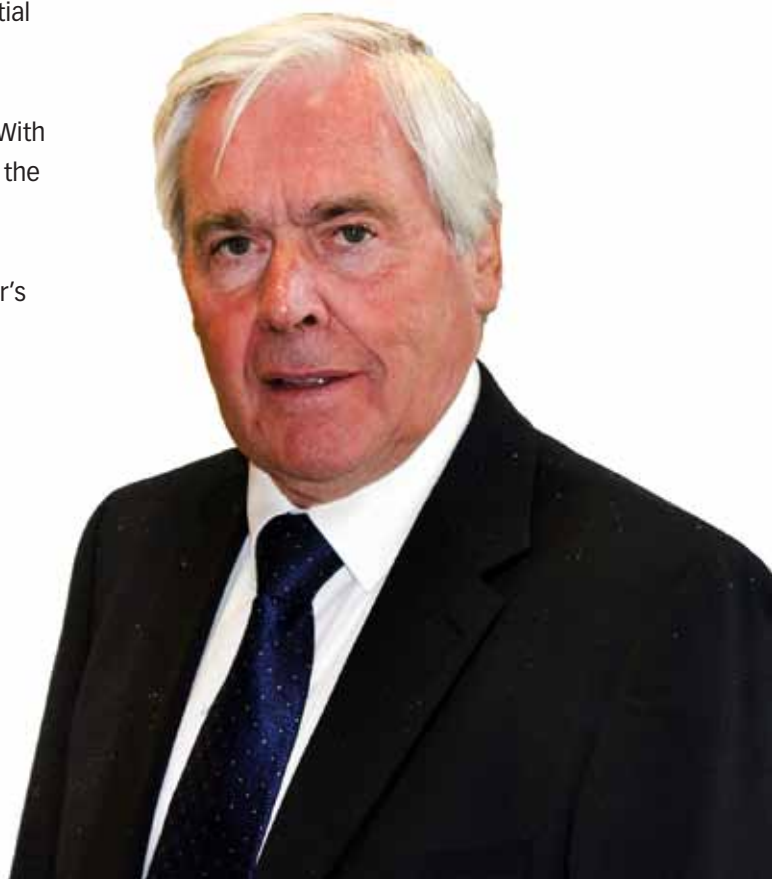
To all other members, I offer my personal thanks for your impartial contribution.

As always, we welcome and value the views of local residents. With your help, we have identified several topics for consideration in the coming year.

We are therefore looking forward to getting started on next year's work programme.

**Councillor Ken Turner**

*Chairman of Scrutiny Management Team*





# OVERVIEW & SCRUTINY IN PENDLE

**The Council's Overview and Scrutiny role allows councillors to look closely at services and issues which affect the lives of local people – usually with a view to improving them. It's now more commonly referred to simply as Scrutiny.**

To make sure we address issues of concern to local people a borough wide invitation for suggestions is made at the start of each year.

Carrying out scrutiny reviews can be very time-consuming and it is impossible to take up all the issues that are suggested.

We select priority topics based on what matters to local people and also match the Council's priorities. We try to choose those issues where we believe we can make a real difference and achieve most improvements.

Those suggestions that don't make it into our programme are passed on to be dealt with by some other means, where appropriate.

Once the Team has agreed its own workload this is then confirmed by the full Council.

This doesn't mean that further topics can't be added during the year.

## **Suggestions are welcome all year round!**

Our reviews involve gathering relevant information by various means and making recommendations based on what we have found out.

Scrutiny councillors also have a role in overseeing the work of the Executive, the Council's main decision making body. Additionally they might get involved in developing new Council policies.

## **How does it work?**

Eleven scrutiny councillors sit on the Scrutiny Management Team, which has to reflect the political make-up of the full Council.

The Team meets around six times per year. It oversees and monitors the work of scrutiny panels which are appointed by the full Team to carry out specific pieces of work. They include scrutiny councillors with a particular interest in the topic under consideration. When work on that particular topic has finished the panel is disbanded. The Team also carries out some short reviews and gets involved in other issues such as developing policy and responding to consultation by outside organisations.

There is also a standing panel which focuses on issues relating to health and social care. The delivery of these services remains a hot topic for many local people and ensures that the Health and Social Care Scrutiny Panel has plenty of work to do.

## **Who's involved?**

Any Council member who is not a member of the Executive is eligible to serve on the Scrutiny Management Team.

From May 2016 to February 2017 the following councillors made up the Team –

<b>George Adam</b>	Labour
<b>Marjorie Adams</b>	Liberal Democrat
<b>Wayne Blackburn</b>	Labour
<b>Sarah Cockburn-Price</b>	Conservative
<b>Ken Hartley</b>	Liberal Democrat
<b>Nathan McCollum</b>	Conservative
<b>Noel McEvoy</b>	Conservative
<b>Steve Petty</b>	Conservative
<b>Ken Turner</b>	Conservative
<b>David Whalley</b>	Labour
<b>Sheila Wicks</b>	Labour

In February 2017, we said goodbye to Councillor Ken Hartley who took up a seat on the Executive and welcomed Councillor Brian Newman to the Team.

## **How can local people get involved?**

There are various ways in which you can get involved.

- You can suggest a topic for scrutiny in several ways. Firstly there's a form at the back of this report that you can complete and return. Alternatively, forms are available at Council reception areas and libraries or you can complete one online at **[www.pendle.gov.uk/scrutinyrequest](http://www.pendle.gov.uk/scrutinyrequest)**.
- You can come along to a scrutiny meeting, details of which are displayed at the Town Hall or online at **[www.pendle.gov.uk](http://www.pendle.gov.uk)** – click on Council, then Agendas, Minutes and Reports and find Scrutiny Management Team.
- Panels sometime seek feedback from local people in connection with specific topics. Public opinion surveys are usually publicised in the local press, on our website, or via Facebook and Twitter.
- If you're a member of a group, you may be invited to contribute your views on issues related to your areas of interest.
- Join our electronic mailing list to receive scrutiny bulletins and reports. Email **[scrutiny@pendle.gov.uk](mailto:scrutiny@pendle.gov.uk)**.
- Visit the scrutiny pages of the Council's website for further information at **[www.pendle.gov.uk/scrutiny](http://www.pendle.gov.uk/scrutiny)**.
- Follow the Council on Facebook and Twitter where we publicise our meetings and invite your views - **[www.facebook.com/pendlecouncil](http://www.facebook.com/pendlecouncil)** and **[www.twitter.com/pendlebc](http://www.twitter.com/pendlebc)**

It really is worth getting involved in scrutiny work, whether it's by putting forward your suggested topics or taking part in a specific review.



**Brian Newman**



**Marjorie Adams**



**George Adam**



**Sarah Cockburn-Price**



**Wayne Blackburn**



**Ken Hartley**



**Nathan McCollum**



**Noel McEvoy**



**Steve Petty**



**Ken Turner**



**David Whalley**



**Sheila Wicks**

**We have to  
decide which  
issues matter  
most to local  
people**



**In the Scrutiny Team's last annual report we reported on the beginning of two large reviews being carried out by the standing Health and Social Care Scrutiny Panel.**

The first looked at the drug and alcohol rehabilitation provision in East Lancashire and the second focussed on mental health care provision in East Lancashire.

## **Drug and Alcohol Rehabilitation Provision**

### **How we did it**

We gathered information and/or heard evidence from:

**Lancashire County Council**

**Pendle Community Safety Partnership**

**Inspire** - East Lancashire Integrated Substance Misuse Service

**Youngaddaction Lancashire** – Lancashire drugs and alcohol advice and support for young people

**Acorn Recovery Projects** – for individuals and families breaking free from drug, alcohol and other addictions

**Holgate House** – centre in the Ribble Valley supporting people's abstinence from drug and alcohol dependency.

We began by carrying out research to find out if there is a need for Pendle residents to access drug and alcohol rehabilitation facilities. Sadly, it is clear that the facilities are necessary.

### **What we found out**

At the time of our research, in respect of Lancashire we learnt that -

- Approximately **7,000 people** are problem drug users
- Approximately **8,000 children** live in households with **parents or carers who are substance misusers**
- **Tens of thousands of people** are drinking at harmful or hazardous levels
- Each year approximately **6,500 to 7,000 adults** and **nearly 1,000 young people** receive specialist help for a **primary drug or alcohol problem**

We also found out that Pendle does not compare well with England with regard to alcohol related indicators and opiate and/or crack use.

These are obviously worrying statistics, but we are happy to report **that there is plenty of support in East Lancashire**



**for those that require help in breaking free from drug, alcohol and other addictions, including support for relatives.**

Lancashire County Council (LCC) is responsible for arranging the provision of drug and alcohol treatment in local communities in Lancashire. It does this by contracting different organisations to carry out the service. From April 2016, whilst our review was taking place, new contracts were awarded for both adult and young people's treatment services.

Prior to April 2016 the main provider of adult treatment services was Crime Reduction Initiatives (CRI), delivered by Inspire, an integrated recovery service. From 1st April 2016, the service has continued to be delivered under the Inspire brand. However CRI is now Change Grow Live (CGL).

The new adult service is more community based which means that the five bases which were located in Burnley, Accrington, Rawtenstall, Clitheroe and Nelson have been reduced to two Hubs, located in Burnley and Accrington.

At first, this gave us cause for concern. However, it has been made clear that the service can be accessed at a number of venues across Pendle and we are assured that this way of working will help minimise the impact on those requiring treatment, their families and local communities.

Young people's treatment services are provided by the charity Youngaddaction. We are pleased to hear that their role includes vital work around early intervention and prevention, rather than only focussing on those already using substances.

Specialist support is also provided. This takes place in both residential and community settings.

Currently, the local residential rehabilitation provision is provided at locations in Burnley and Gisburn. However, we are pleased to report that planning permission has recently been granted for a residential drug and alcohol rehabilitation unit in Barrowford.

## Conclusion

Although we found that there is a lack of facilities based within Pendle itself, the services provided in neighbouring boroughs



are easily accessed by residents of Pendle. We obviously want this to continue and are therefore pressing County Council to ensure continued satisfactory access for Pendle residents to treatment and support facilities.

**We will revisit this topic at a future date.**

## Mental Health Care Provision in East Lancashire

**Our review on mental health care provision tied in closely with that of drug and alcohol rehabilitation.**

### Issue

After hearing that a staggering 16% of adults of working age have a mental illness and nearly one third of people attending GP surgeries have mental health problems we decided to gather information on the help available.

We wanted to find out if it was sufficient to give high quality care for patients in Pendle.

## How we did it

We broke our review down into three elements:

1. Services available in the community
2. Provision in care homes
3. Mental health ward facilities.

We gathered information and/or heard evidence from various groups/organisations, including the East Lancashire Clinical Commissioning Group (ELCCG) and a community interest company. We also considered a summary of a report by an independent mental health taskforce who had been commissioned by the NHS to give a frank assessment of the state of current mental health care across the NHS.

## What we found out

### Community Provision

Most of the community services are accessed through GP practices, although some can be accessed through self-referral.

There are varying degrees of mental illness which require differing treatments. The treatments are provided in line with a national model of stepped care, beginning with low intensity treatment for those with mild/moderate symptoms to high intensity therapy for those with moderate/severe conditions.

It was reassuring to learn that essential preventative work is also carried out. Some of this is done through community awareness training courses. These include:

- Training on mental health first aid
- Courses to promote mental wellbeing in local communities
- Education sessions in local high schools.

Courses include teaching people to spot the early signs of a mental health problem and to feel confident in helping.

Further information on the NHS services available can be found on their Healthy Minds website via the following link - [www.eastlancshealthyminds.co.uk/](http://www.eastlancshealthyminds.co.uk/)

The Council's Customer Service staff can also help refer vulnerable customers to organisations which offer help.

### Care Homes

At the time of our research there were 19 homes in Pendle that provided care for patients with mental illness. Of these, two are owned by LCC and 17 are privately owned.

The care provided ranges from caring for people with learning disabilities to those detained under the Mental Health Act.

Some of the homes specifically cater for those with a mental health condition, however many care for those with dementia alongside caring for people in old age.

Following inspection by the Care Quality Commission (CQC) which checks that each service is safe; effective; caring; responsive to people's needs; and well-led, three were rated as 'Requires Improvement'. This gave us cause for concern.

We discussed our concerns with LCC as the organisation responsible for adult social care and they have agreed to support any further investigation we carry out.

We have followed this up by asking the CQC to tell us what action has been taken in respect of the three care homes that require improvement.

### Mental Health Wards

24 hour inpatient mental health care for patients between the ages of 18 and 65 years is provided in Burnley and Blackburn. The Burnley unit has three wards and the Blackburn unit has four.

Individualised recovery focussed treatment plans are provided, in addition to a wide range of opportunities to participate in occupational activity both in a group or a one-to-one setting.

### Conclusion

Our research clearly shows that there is a lot of support available in East Lancashire for people with mental health issues.

Obviously these services come at a cost and we are mindful that budget cuts in the NHS and local council social care may have an effect on long term mental health funding.

We are keen to see the current level of service maintained and will follow any changes/developments to working practices closely.

**We will continue to be actively involved in the Local Authorities Mental Health Challenge** which has been introduced to encourage local authorities to take a proactive approach in improving mental health in their communities.

This will be supported by scrutiny member Councillor Wayne Blackburn who has been appointed as the Council's Member Champion for Mental Health.

## Youth Engagement

In our December 2016 bulletin, we told you about our attempt to find ways of consulting with young people on decisions we are about to take.

To help us gather the necessary information we consulted with organisations that work directly with young people and held a number of meetings where we listened to the views of young people.

With the help of the research agency Infusion, we also devised a survey for completion by people under the age of 18 and for those between the ages of 18 and 24.

**We had a fantastic response to our survey, with 697 completed forms** returned. The majority of the respondents were under the age of 18 and we are very grateful to the local high schools for their help in encouraging their students to complete the survey.

Our review has helped us to identify why many young people are reluctant to have their say on Council issues and has led us to recommending, amongst other things, that a Pendle Borough Council Youth Council be formed.

At the Council meeting on 23rd March Councillors agreed this course of action. As a result, a working group will be established to determine the details of the Youth Council.

The final reports to all three of these reviews can be accessed on the Council's website via the following link - [www.pendle.gov.uk/info/20093/overview\\_and\\_scrutiny/224/scrutiny/4](http://www.pendle.gov.uk/info/20093/overview_and_scrutiny/224/scrutiny/4)

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# Other Scrutiny topics

## Behaviour of Debt Enforcement Officers

After hearing reports of bad language, intimidation and aggressive behaviour from some debt enforcement officers (formerly known as bailiffs), we wanted to make sure that we have measures in place to make sure this does not happen with the firms that provide debt recovery services to Pendle Council.

We therefore agreed to look into the Council's use of enforcement agents in relation to the enforcement of council tax and non-domestic rate debts.

We learnt that enforcement activity is governed by Government legislation, regulation and a code of practice for members of the Civil Enforcement Association. However, **it was agreed that a local code of practice should be adopted.**

A draft document was presented to us for consideration and our comments, in

particular around the methods used to identify vulnerability, were taken into account when drawing up the final version.

**The local Enforcement Agent Code of Practice was approved in August, 2016.**

This sets out clearly what is required of the enforcement agents. It also includes an obligation for the enforcement company to provide the Council with a copy of the response to complaints within seven days of the complaint being received, together with any relevant documents. They must also maintain a register to record all complaints.

Although we obviously need to have a policy in place for enforcement activity we much prefer to help where we can, before it gets to that stage. We would encourage anybody who is experiencing difficulties in paying their bill to contact the Customer Services Team on **(01282) 661661** or by email at **customer.services@pendle.gov.uk** as early as possible.

## Disability Budget Cuts

We began a review on the impact of disability budget cuts on the people of Pendle by gathering information on the welfare reforms that had taken place in 2013. Many of you will have heard of these as they became **commonly known as the 'Bedroom Tax'.**

**We learnt that 585 households in Pendle had been affected by the tax at its**

introduction and that many of these had applied for Discretionary Housing Payments (DHPs) to assist with the payment of their rent.

**Due to the significance of the changes we have been provided with additional funding by the Government for DHPs to provide short term assistance to those in need.**

Despite work being carried out to promote DHPs **there has been unspent funds at the end of each year. Regrettably, these have to be returned to Government, which results in a reduced award the following year.**

We thought that maybe some people felt over faced by the DHP application form and so made an effort to simplify it as much as possible. However, we did find that the majority of questions are necessary and note that the Contact Centre staff are fully trained to offer help and support where needed.

We also learnt that further changes, announced in 2015, mean that Disability Living Allowance (DLA) is ending for the majority of adults. Those affected have been, or will soon be, invited to apply for a new benefit called Personal Independence Payment (PIP).

Unfortunately we have reluctantly accepted that there is limited action that we can take with regard to the cuts, as many of the benefits referred to are issued by the Department for Work and Pensions.



## The Council's Flood Policy

We have been keeping a watchful eye on the measures Pendle Council has taken to reduce the likelihood and impact of flooding to properties in Pendle.

This is in response to the damage and disruption caused by Storm Eva in December 2015 which highlighted that additional flood alleviation/defence works were needed in some areas of the borough.

We are happy to report that a substantial amount of work has been carried out, especially in Barnoldswick and Earby, and several meetings have taken place with various agencies, residents and councillors.

More details can be found on the Council's website at item 5 of the following link -[www.pendle.gov.uk/meetings/meeting/2225/scrutiny\\_management\\_team](http://www.pendle.gov.uk/meetings/meeting/2225/scrutiny_management_team)

We also welcome a decision to keep the current sandbag policy, despite the fact that Pendle Council has no legal liability to do so.



This means that we will continue to provide sandbags to homes and commercial premises during flooding emergencies, within available resources.

Hopefully these new measures will not be put to the test too often and will go some way to offering peace of mind to local residents.

## Impact of the transfer of facilities to town and parish councils

Government cuts to Council budgets means that the Council can no longer afford to deliver many services and facilities itself. However, we do wish to find other ways of retaining them.

As a result, **for the last four years, the Council has been engaged in a programme of transfers of facilities to town and parish councils.**

We decided to take a look at how things are progressing and discovered that it has been a packed programme. In the first two years the programme covered:

- Community Halls
- Public conveniences
- Festive decorations and local events

The 2015/16 programme involved –

- Play areas and Multi-Use Games Areas (MUGAs) located outside of parks
- Passenger bus shelters
- Roadside seats
- Rights of way (Countryside Access)

The current programme includes the transfer of –

- Colne Town Hall
- Parks, together with potential contributions to offset the reduction in the budget for grounds maintenance
- A number of small pieces of land and other ad hoc facilities such as:
  - Unity Hall, Nelson
  - Fence Village Hall
  - Springfield and Hill Top playing fields, the Youth Hostel and the former Council offices in Earby
  - Pendle Heritage Centre, Barrowford

It is clear that the changes so far have made an impact. Many of the town and parish councils have significantly increased their precept (an additional local tax) and added to your Council Tax bill. We will also see a reduced standard of upkeep in parks ground maintenance in areas with no contribution from the local town or parish councils.

However, we accept that the Council can no longer afford to deliver the facilities and services itself and welcome the opportunity to keep them in local control.

## Section 106 Agreements

As councillors, our work involves making decisions on planning applications. We are bound by legislation in the form of Acts of Parliament, one of which tells us when we can enter into a Section 106 (S106) Agreement. These are used for the following purposes:

- To restrict the use of land in a specified way
- Requiring specified activities to be carried out
- Requiring land to be used in a specified way
- Requiring a sum or sums to be paid

When a local resident told us that the system is unclear and was concerned that we, as councillors, do not have the necessary knowledge to make appropriate decisions, we agreed to look at this in more detail.

We received information on the legislation and policy on S106 Agreements. Planning legislation is complex and is subject to constant amendments and we recognise that, as the decision makers, we need a thorough and up-to-date knowledge.

We will therefore receive further training early in the new municipal year which starts in May 2017. Representatives of the town and parish councils will also be invited to attend.

## The impact of Lancashire County Council on planning matters

Continuing the planning theme, we also carried out a piece of work in response to concerns regarding the scope, content and timeliness of the County Council's consultation responses with regard to planning applications.

A similar review has recently been carried out by LCC's Scrutiny Team and so we looked at this as part of our research.

Although their recommendations seek changes to county council and district council practices which we found generally acceptable, we still have a couple of concerns.

The comments of County Council play a key part when councillors or council officers decide whether or not to grant planning permission, particularly with regard to highways and flood risk.





**We believe that County Council staff should have local knowledge and expertise and feel that this is sometimes lacking.**

**We are also aware that lack of LCC resources to address specific questions does cause delays in nearly every application we consult them on, and this is having an impact on delivering development.**

We have therefore written to LCC to let them know of our concerns.

## Littering

Littering and dog fouling has consistently been one of the leading causes of concern for residents in Pendle.

Over the years the Scrutiny Team has looked at these issues several times and has most recently led to the appointment of two additional Environmental Crime Officers.

They have made a big difference to the number of Fixed Penalty Notices issued and have particularly targeted town centres vulnerable to littering.

Everything from tossing litter out of cars; not clearing up after a dog; leaving bin bags out in the street for days; to fly tipping are all environmental crimes.

In 2016 Pendle Council issued 245 Fixed Penalty Notices ranging from £75 to £400.

Of the 245, 12 people appeared in court and received fines totalling £3,390 including costs. At the time of writing this report a further 11 people were awaiting trial.

We take environmental crime seriously and encourage residents to help us deal with this problem by reporting any incidents to us on our website – [www.pendle.gov.uk/envirocrime](http://www.pendle.gov.uk/envirocrime) or by calling us on (01282) 661743.

The impact of littering enforcement, although immediate, is time limited and we are grateful to the volunteers that play a large part in helping keep the streets tidy.

We support the efforts of public spirited people like those in the 'Pick up for Pendle' litter picking team and new volunteers are always welcome to join. If you are interested please contact Peter on (01282) 603553 for details.



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## Improved access to GP services

We took an active interest in NHS plans to improve access to GP services, by welcoming representatives of ELCCG to our June meeting to present their proposals. As with all our scrutiny meetings, local residents were welcome to attend.

We were given information on a 12 week public consultation that was taking place to gather opinion on a proposed model to provide access to routine GP services from 8 a.m. to 8 p.m. by one call to your local practice.

The ELCCG representatives returned to our December meeting to report on the results of the consultation. We were told that overall, of those that had responded, three in four had agreed with the proposals.

Further information on this topic can be found on the ELCCG website: [www.eastlancsccg.nhs.uk](http://www.eastlancsccg.nhs.uk)



## Changing Places Toilet Facility

At the request of the Panel, consideration was given to developing a facility at Stanley Villas in Albert Road, Colne. As a result, we are happy to report that a Changing Places has been installed and is now open. Further details on the Colne facility can be found at the following website – <http://changingplaces.uktoiletmap.org/toilet/view/921>

This is a blow for Pendle residents but we are assured that the relocation will result in faster access to consultant led care. Only time will tell!

We have learnt that in many cases people feel more comfortable speaking to somebody independent of the service on which they wish to comment, and therefore the poster has proved to be successful. Details on the posters will continue to be updated where necessary.

We are also very happy to tell you of the construction of a new eye care unit at Burnley General Hospital. The forecast date for completion is January, 2019.



# The year ahead

In response to our Pendle wide invitation to put forward topics for the coming year's work programme we received over 50 suggestions. This has resulted in the Team being able to agree a full work programme for 2017/18.

## Health and Social Care

The Health and Social Care Scrutiny Panel has another busy year ahead! We will continue to keep an eye on progress with the recommissioning of homecare services being carried out by LCC as referred to in our last annual report.

New topics for consideration include highlighting the symptoms of Sepsis and publicity around organ donation.

We also have a keen interest in the development of the Lancashire and South Cumbria Sustainability and Transformation Plan (STP).

**The NHS needs to find new ways to deliver a sustainable, efficient health and care system** and has identified 44 footprint areas throughout England to develop this. Lancashire and South Cumbria is one of the footprint areas and must deliver a five year strategic plan. Work has already started on this with the development of a Pennine Local Delivery Plan.

As a Council we are committed to help deliver change and are well positioned to do so. We shall be watching developments closely.

**Other scrutiny topics we are going to consider include:**

- Disabled Facilities Grants
- Monitoring the Council's paper usage
- Council Tax enforcement agent fees and charges



## Dates for your diary

The Scrutiny Team is expected to meet on the following dates during 2017/18. Meetings are open to all and start at 7.00 p.m. We usually meet in the Wilson Room at Nelson Town Hall but occasionally may use another venue so do check notices on Council noticeboards or on the website.

2017

**23rd May** (SMT)

**20th June** (H&SC)

**18th July** (SMT)

**22nd August** (H&SC)

**19th September** (SMT)

**17th October** (H&SC)

**21st November** (SMT)

**12th December** (H&SC)

2018

**23rd January** (SMT)

**13th February** (H&SC)

**13th March** (SMT)

**SMT** = Scrutiny Management Team

**H&SC** = Health and Social Care Scrutiny Panel

You may also see us out in the community. In this past year we have hosted a stall at an Airedale Health Event at Barnoldswick Civic Hall and did the same at Pendle Care Fair at Colne Municipal Hall.

## Why not join us?

If any of these topics are of interest to you, you would be very welcome to attend our meetings. You can find out when each of the topics will be discussed by enquiring at [scrutiny@pendle.gov.uk](mailto:scrutiny@pendle.gov.uk).



# CONTACT US



If you think there's a service or an issue which is in need of scrutiny please complete the form below and return it **FREEPOST**

The following issue/service is in need of scrutiny –

.....

**Please state why**

.....

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Name .....

Address .....

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Telephone .....

Email .....

If you would like to receive copies of future Pendle Scrutiny Bulletins by email please indicate below and return **FREEPOST**.

Please email

bulletins to: .....

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**Market Street**  
**Town Hall**  
**NELSON BB9 7LG**





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**If you would like this information in a way  
which is better for you, please telephone us.**



### **Overview and Scrutiny**

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Tel: 01282 661661