

OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

MINUTES OF THE OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE MEETING HELD ON 4 JUNE 2019 AT KENNET ROOM - COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE, BA14 8JN.

Present:

Cllr Chuck Berry, Cllr Christine Crisp, Cllr Stewart Dobson, Cllr Mary Douglas, Cllr Howard Greenman, Cllr Alan Hill (Vice-Chairman), Cllr Jon Hubbard, Cllr Gordon King, Cllr John Smale, Cllr Tony Trotman, Cllr John Walsh, Cllr Graham Wright (Chairman), Cllr Gavin Grant (Substitute), Cllr Jacqui Lay (Substitute) and Cllr Roy While (Substitute)

Also Present:

Cllr George Jeans, Cllr Ian Blair-Pilling, Cllr Richard Britton, Cllr John Thomson, Cllr Philip Whitehead, Cllr Tony Jackson, Cllr Bridget Wayman and Cllr Richard Clewer

28 Election of Chairman 2019/20

Nominations were sought for a Chairman and following a proposal from Councillor Mary Douglas, seconded by Councillor Stewart Dobson, it was,

Resolved:

To appoint Councillor Graham Wright as Chairman for the forthcoming year.

29 Election of Vice-Chairman 2019/20

Nominations were sought for a Vice-Chairman and following a proposal from Councillor John Smale, seconded by Councillor Christine Crisp, it was,

Resolved:

To appoint Councillor Alan Hill as Vice-Chairman for the forthcoming year.

30 Apologies

Following the annual meeting of Council on 21 May 2019 Councillor David Halik was removed from the Committee and Councillor Tony Trotman added to the Committee. Councillor Peter Fuller was removed as a substitute, and Councillor Jacqui Lay was added as a substitute.

Apologies were received from Councillors Ruth Hopkinson, Pip Ridout and Stuart Wheeler, substituted by Councillors Gavin Grant, Jacqui Lay and Roy While respectively.

31 **Minutes of the Previous Meeting**

The minutes of the meeting held on 19 March 2019 were presented for consideration, and it was,

Resolved:

To approve and sign the minutes as a true and correct record.

32 **Declarations of Interest**

There were no declarations.

33 **Chairman's Announcements**

There were no announcements.

34 **Public Participation**

There were no statements or questions submitted.

35 **Wiltshire Online Programme**

With the agreement of the Committee this item was moved forward in the agenda.

A report was received from Councillor George Jeans, Overview and Scrutiny appointed representative to the Broadband Contract project board. The Board oversees the Wiltshire Online programme, which provides fibre broadband infrastructure to areas considered by commercial operations to be financially non-viable. The report was presented by Councillor Jeans updating on the progress of the programme, with additional comments from Councillor John Thomson, Deputy Leader and Cabinet Member for Communications, Communities, Leisure & Libraries (and interim Cabinet Member for Adult Social Care, Public Health and Public Protection), and Sarah Cosentino, Portfolio Manager.

In discussion the Committee noted the overall success of the programme, with approximately 97% coverage estimated by the end of the process, and discussed technological and policy issues and developments within the programme. It was raised that individual properties or groups of properties within an otherwise commercially viable area, and thus not covered by the programme rollout, could be on different telecommunications infrastructure and therefore not have been picked up in previous rounds of the programme. In response it was stated the latest set of contracts was at an individual property level and thus they could be identified and a variety of solutions offered. It was agreed that it was important that local members be provided with sufficient information to help the project team to identify such properties, as well as information voucher schemes to assist with various technological solutions.

Other issues discussed included noting that due to initial BT overbuilds there had been broadband cabinets placed in areas they were not required, but that

the Council had identified this prior to the later phases of infrastructure installation. Concerns were also raised on broadband related issues of residents of new development areas being locked into single broadband suppliers, which it was stated was a national policy issue which would be raised with local MPs. It was agreed as important that the Council not involve itself in dealing with complaints regarding service quality, which would need to be directed at suppliers.

The Committee also discussed when scrutiny input would no longer add value to delivery of the programme, and noted that the funding would be all utilised by March 2020. It was also reiterated that localised updates could be provided to area boards upon request. In response to queries, it was stated that a government voucher scheme for isolated communities to access satellite broadband solutions had had limited take up due to its cost.

At the conclusion of discussion, it was,

Resolved:

- 1) To note the update from Cllr George Jeans, the Overview and Scrutiny councillor representative, on the Wiltshire Online Programme.**
- 2) To request that a members' briefing be circulated explaining:**
 - a) how premises can pursue access to ultrafast broadband;**
 - b) the voucher scheme generally;**
 - c) where residents should direct concerns about broadband services.**
- 3) That the Committee will review the best method of Overview and Scrutiny engagement on this programme in March 2020.**

36 New Statutory Guidance on Overview and Scrutiny

In January 2017 the Department for Communities and Local Government (CLG) launched an enquiry looking at whether Overview and Scrutiny arrangements in England were working effectively and whether local communities are able to contribute to and monitor the work of their councils. Wiltshire Council submitted two responses over the course of the consultation and call for evidence. On 8 May 2019 the Department of Housing, Communities and Local Government published new statutory guidance on Overview and Scrutiny in Local and Combined Authorities. The Committee received the new guidance along with a report from Paul Kelly, Head of Democracy and Performance.

In discussion it was noted that overall the statutory guidance set out recommendations for practice and culture reflected the approach already well embedded at Wiltshire Council, noting in particular the regular liaisons between Overview and Scrutiny and the Executive, the proactive and leading role of Select Committee Chairmen and general levels of openness and transparency in provision of information and engagement. The Committee also drew attention to the Council having a dedicated Overview and Scrutiny team to resource its activities, which many other councils did not.

The Committee therefore considered a number of points where it was not in keeping with the statutory guidance or where it was felt the council could further improve its processes.

It was felt that an explicit protocol setting out the relationship between the Executive and Overview and Scrutiny was unnecessary given the existing processes and relationship, noting that had such a protocol been in place in the past this might have restricted the development of the procedures that were not in place, and that retaining the flexibility of the arrangements was positive. It was also not felt any additional clarity on managing potential conflicts of interest was required. It was, however, raised that it was important the Committee ensure it continue to conduct sufficient corporate scrutiny and not be restricted to its managing function.

It was also agreed that for occasions where Full Council requested Overview and Scrutiny involvement on a topic, particularly in response to public engagement, it would be appropriate for any scrutiny report to be taken to Full Council for information only.

Finally, the Committee discussed including a requirement in council contracts that any contract must supply information to, or appear before, an Overview and Scrutiny Committee upon request. It was noted that automatic scrutiny of major contracts was resource intensive and in the past had not added value on every occasion, but that under current arrangements when it was felt appropriate committees undertook such scrutiny. On those occasions contractors usually were happy to appear before a Committee or Task Group, and the Committee considered it would be reasonable for this to be an explicit requirement of a contract, noting that the relationship of the contractor was with the council, not merely the Executive, but that any involvement from Overview and Scrutiny could not stray into management of contracts.

At the conclusion of discussion, it was,

Resolved:

- 1) To note the new Statutory Guidance on Overview and Scrutiny for Local and Combined Authorities, and the discussion in particular of the areas that would allow or suggest change to current practice;**
- 2) To agree that Overview and Scrutiny reports will be included for information in Full Council agenda papers when the relevant issue was originally requested for scrutiny by Full Council;**
- 3) To ask the Overview and Scrutiny Chairmen and Vice-Chairmen and relevant Executive Members to explore a potential framework for requiring contractors to engage in Overview and Scrutiny when requested, and report back;**
- 4) To note the following additional potential areas for improvement:**
 - a) Advertising democratic meetings in council premises;**

b) The greater use of co-opting members to OS activities with particular expertise.

37 **Wiltshire Council Equality & Inclusion Annual Report 2019 and Objectives 2019-22**

As the item was not ready for consideration for Overview and Scrutiny or Cabinet, the item was deferred to a future meeting.

38 **Forward Work Programme**

The Committee received and noted the Forward Work Plans for each Overview and Scrutiny Select Committee, as well as updates from the Chairmen of each Select Committee on recent and future activities that were to be undertaken, including but not limited to the items below.

In relation to the Children's Select Committee it was noted that Ofsted were undertaking an inspection of the Council, that it would be doing a future piece of work on apprenticeships as well as ongoing work on disadvantaged learners. The Children's Centre Consultation Task Group was praised for its work and report on a challenging topic.

In relation to the Health Select Committee there had been reports on phase 2 of the Adult Social Care Transformation and the South West Ambulance Service would be presenting to them shortly. It would also be looking Alzheimer's support. The Committee noted this and commented upon the importance of work on dementia across the council, and of the issue of healthcare care worker recruitment and retention in rural communities.

In relation to the Environment Select Committee it was reported more data was being sought on highways incidents of death or injury, the review of public transport was ongoing, the licensing committee had taken forward work from scrutiny on taxi rates, and a draft air quality strategy had been considered. The membership of the Climate Change Task Group was reported, and it would be meeting for the first time on 4 June 2019.

The Committee also requested the issue of promoting the forward work plan to councillors and others be considered by the Communications with Councillors Task Group.

At the conclusion of discussion, it was,

Resolved:

- 1) **To note the Overview and Scrutiny forward work programme, and to welcome the positive work being done and the Executive's engagement with it;**
- 2) **To note that the Chairman of the Health Select Committee will explore scrutiny input on the difficulties of recruiting sufficient GPs and healthcare workers in Wiltshire.**

39 **Management Committee Task Groups**

The Committee received a report updating on the progress of work being undertaken by the tasks group it had set up. The updates were noted for the Communications with Councillors Task Group, Digital Strategy and Implementation Task Group, Financial Planning Task Group, Swindon and Wiltshire Local Enterprise Partnership Task Group, Public Consultations Task Group, and the Commercialism Task Group.

The Committee also received the report of the Military and Civilian Integration Task Group. The Task Group had retained concerns that the financial impacts of the army rebasing had not been fully assessed, and that evidence suggested the benefits from S.106 legal agreements from planning developments had not been fully delivered. They also had concerns that the programme had not properly considered the issues of community integration from the large influx of military families. It did not examples of good practice, of joint events with and engagement between military and civilian, but a survey it had undertaken suggested communities saw more threats than opportunities from the community change.

The Task Group considered that its work had progressed as far as it could, and recommended that the Task Group be stood down along with some recommendations for further actions.

The Committee discussed the report at length, and considered that at the present time there was no further work the Task Group could add value to, although it felt that the situation should be reassessed in 2020 to see the impacts of the ongoing changes to communities, though it was noted the issues of military security, demographics and most military facilities being behind the wire were obstacles to overcome for any wider community engagement, which was easier for the families living outside the wire. The Committee supported the suggestion of a conference to be held between affected parties to agree a shared vision of successful integrated communities.

At the conclusion of discussion, it was,

Resolved:

- 1) To note the updates from the task groups;**
- 2) To disband the Military-Civilian Integration Partnership (MCIP) Task Group, but to review progress with supporting military-civilian integration at community level in 12 months' time;**
- 3) To endorse, and refer for response, the MCIP Task Group's recommendations, which are:**
 - a) That relevant division members are encouraged by the MCI Programme to follow up outstanding local section 106 investments through the relevant area boards.**

- b) That the MCI Programme hold a conference on community integration; agreeing a shared vision of successful integrated communities between the military, Wiltshire Council and affected communities.

40 **Annual Report of Overview and Scrutiny**

The Chairman presented the Annual Report of Overview and Scrutiny, as already reported to Full Council on 21 May 2019. The Committee thanked all those who had participated in scrutiny activities in the past year, and in particular the officer team.

Resolved:

To receive the Annual Report of Overview and Scrutiny.

41 **Overview and Scrutiny Member Remuneration**

The Wiltshire Council Members' Allowances Scheme was last adopted by Full Council on 16 October 2017 following a review by an Independent Remuneration Panel. The Scheme retained a £15,000 Overview and Scrutiny Fund to remunerate councillors to recognise significant additional responsibilities undertaken as part of Overview and Scrutiny activities.

Under the scheme the Committee had responsibility for approving a methodology to allocate the fund. The Committee considered a new methodology at its meeting on 18 September 2018 and a report was received setting out the allocations using that method.

At the conclusion of discussion, it was,

Resolved:

To approve the application of the scheme for allocation of the Overview and Scrutiny Remuneration fund for 2018/19 as detailed in Appendix 1.

42 **Date of Next Meeting**

The date of the next meeting was confirmed as changed to 16 July 2019 at 1430.

43 **Urgent Items**

There were no urgent items.

(Duration of meeting: 10.30 am - 12.50 pm)

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