

Overview and Scrutiny Management Committee

MINUTES OF THE OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE MEETING HELD ON 22 MARCH 2022 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Graham Wright (Chairman), Cllr Christopher Williams (Vice-Chairman), Cllr Ruth Hopkinson, Cllr Jon Hubbard, Cllr Tony Jackson, Cllr Bob Jones MBE, Cllr Johnny Kidney, Cllr Gordon King, Cllr Jerry Kunkler, Cllr Bill Parks, Cllr Tony Pickernell, Cllr Elizabeth Threlfall, Cllr Jo Trigg, Cllr Tony Trotman and Cllr Iain Wallis

Also Present:

Cllr Phil Alford, Cllr Nick Botterill, Cllr Richard Clewer, Cllr Allison Bucknell and Rhys Schell

70 **Apologies**

No apologies for absence were received.

71 **Minutes of the Previous Meeting**

The minutes of the meeting held on 8 February 2022 were presented for consideration, and it was;

Resolved:

To approve and sign as a true and correct record of the minutes of the meeting held on 8 February 2022.

72 **Declarations of Interest**

There were no declarations of interest.

73 **Chairman's Announcements**

The Chairman proposed that in order to allow Councillor Phil Alford to leave the meeting for another commitment, that Item 8 - Management Committee Task Group Update be brought forward to the start of the agenda.

74 **Public Participation**

There were no questions or statements submitted.

75 **Final Report of the Area Boards Task Group**

The Chairman introduced a report which presented the findings and recommendations of the Area Board Task Group for endorsement by the Committee and referral to the Cabinet Member for response. At the Committee's meeting on 25 January 2022, a request was received from the Executive to establish a task group to provide Scrutiny input into the council's Area Boards arrangements. The task group was asked to provide Overview and Scrutiny input into an Executive review of:

- a) The future development and implementation of Area Board local priority setting;
- b) The operation of Area Board working groups; and
- c) Area Board grant criteria.

The Task group considered 16 Executive proposals and the report sets out 24 recommendations, which were considered during 6 meetings over a 4-week period.

The Chairman thanked all those involved and invited members to ask any questions arising from the report. Positive feedback was received for Draft Proposal 12 within the report, with the opinion expressed that that capital money should not go towards towns and parish councils and that the revenue option would be positive as there are instances when towns and parish council support groups for older and younger people. It was also suggested that Draft Proposal 12, Option B be tightened to stress that revenue grants for towns and parish councils cannot be used for capital purposes. Further praise was also given to Draft Proposal 15, which would change the matched funding level from £1,000 to £500 for all grants.

It was stated that smaller Area Boards may not have the capacity to take the lead and that the local priorities chosen by Area Boards could be different to those set within the Wiltshire Council Business Plan. It was clarified by Rhys Schell, Communities Specialist Manager, that there would be local dynamics to the process and that conversations would have to take place with Community Engagement Managers in order to identify priorities as there is only a finite amount of projects that can be worked on. It would also be possible for Area Boards to choose fewer priorities and thereby focus resources into areas that they feel are important. It was also stated that there could potentially be a tension between Business Plan priorities and those of local community groups.

It was stated that although the escalation method on page 12 was welcomed, it was suggested that clearer guidance should be provided as to whether once escalated the Area Board can choose to override a decision. In response, it was noted that there was a flow chart for decision making included within the report. Furthermore, Rhys Schell, clarified that the concept would be that grant

applications would be reviewed and if deemed unacceptable would be returned to the applicant with reasoning for them to rework or withdraw.

Cllr Allison Bucknell, Portfolio Holder for Area Boards, was invited by the Chairman to provide a response, to which she stated that as the Area Boards have delegated powers to deliver, they need to work towards the Business Plan and would need to assess local needs against this. Regarding resources, Cllr Bucknell stated that there had been discussions about the varying sizes of Area Boards and that Boards would have to work out a way of doing things differently, potentially through oversight to manage workload.

Cllr Richard Clewer, Leader of the Council was invited by the Chairman to provide a response, to which he noted that the report was good and had unanimity on the principles. The Leader identified that a key issue within Area Board funding is clarity between capital and revenue spending, with a recent Area Board cited as being an example of how the process was not working due to blurred distinction. The Leader also agreed that it would be positive to have a mechanism in place to assess whether grant applications were acceptable or not and that there is great importance in aligning Area Boards with the Wiltshire Council Business Plan as they would be spending money raised by the tax payer. This could be possible so long as Area Boards set out the core issues they want to address in line with the Business Plan in order to empower communities. It was also added that the Leader has asked officers to look at the decision-making process of Area Boards, with potential changes to the constitution to take place.

At the conclusion of discussion, it was,

Resolved:

- 1. To endorse the report of the Task Group and refer it to the Cabinet Member for Governance, IT, Broadband, Digital, Licensing, Staffing, Communities and Area Boards for response at the Committee's next meeting (while noting that the individual Cabinet Member decision on this matter will be taken prior to this).**
- 2. In addition to the Task Group's recommendations, to ask the Cabinet Member to consider and respond to the other key points raised by the Committee.**
- 3. Regarding Proposal 12, Option B, to recommend that the wording be amended to clarify that the revenue funding granted to town and parish councils cannot be used for capital purposes.**

76 **Financial Planning Task Group Update**

A report on the ongoing work of the Financial Planning Task Group was presented by Cllr Pip Ridout, Chair of the Task Group.

The Chair invited members to ask any questions arising from the report. Comments were received in relation to break clauses within procurement contracts and whether this should be a matter of consideration for the Financial Planning Task Group.

It was questioned whether performance of contracts was being investigated, with it noted that Select Committees previously used to look at the performance of service providers. It was agreed that Scrutiny should discuss appropriate input on the performance of major contracts and that this had been added to the agenda for the upcoming Select Committee Chairman's meeting. It was also added that performance metrics would be required.

At the conclusion of discussion, it was,

Resolved:

- 1. To note the update on Financial Planning Task Group activity provided and to note the Task Group's forward work plan.**
- 2. To ask the Overview and Scrutiny chairs to discuss appropriate scrutiny input on major contracts and contract performance, with the Committee chair reporting back to the next Management Committee meeting.**

77 **Management Committee Task Groups**

A report was received on the Task Groups and Panels established by the Management Committee.

Swindon and Wiltshire Local Enterprise Partnership (SWLEP) Panel

In relation to the Swindon and Wiltshire Local Enterprise Partnership (SWLEP) Panel there was no update to be received and no questions received from the Members.

Evolve Programme Task Group

In relation to the Evolve Programme Task Group, Cllr Jon Hubbard stated that the group meets quarterly and had therefore not met since the last meeting but had a meeting scheduled and that currently there was nothing to report.

Asset Transfer Policy Rapid Scrutiny

The Chairman stated that in November 2021, an update was requested by the Committee and it was reported that the planned consultation with town/parish councils on the Policy would now be replaced with a town/parish council conference to be held in January 2022.

Cllr Phil Alford, as the Cabinet Member for this area, was invited to provide an update on the latest position. Cllr Alford updated the Committee that the

town/parish council conference had been delayed and would now not take place until 27 May. It was noted that the aim is to put together a new policy by Autumn to enable parishes to plan their budgets for the following financial year. Cllr Alford requested that a rapid scrutiny exercise be undertaken to look at the benefits and draw backs of the current policy as well as how a new policy could make improvements. It was envisaged that this feedback could then be incorporated alongside the views of the Cabinet as well as towns and parishes. It was requested that this be completed within the next 6 weeks in order to be completed before the conference on 27 May.

The Chair invited members to ask any questions arising from the request. Comments were received on what was wrong with the previous policy and that it seemed as though the process was experiencing another delay, when arguably the previous policy had worked successfully for some towns. It was also stated that the previous policy wasn't sufficiently resourced with not enough officers to review the legal aspect of transfers. It was therefore stressed what assurances would be provided in relation to resources required for a new policy. It was also identified that one of the issues of the previous policy was that for many of the assets maintained by the Council, the type of ownership was not established. The example of Pewsey was raised, which experienced a transfer that took 2 years and 7 months with the main problem experienced having been legal resource. Further concern was expressed from the Committee, with it stated that a new policy could potentially place greater burden on town and parish councils, with it previously stated that the process would be revenue neutral.

Following the comments and questions, Cllr Richard Clewer, Leader of the Council and Cllr Phil Alford were invited by the Chairman to provide responses. It was noted by the Leader that in regard to the previous policy there were elements that would now be considered to be transferred that had not been initially considered, such as libraries. Regarding resources it was stated that the previous policy had been resourced until the beginning of the pandemic, when resources had to be diverted towards dealing with Covid-19. It was stressed that the views of Overview and Scrutiny would be appreciated in order to gain feedback as to whether or not the previous policy had been appropriate or not as the administration did not want to rush into the creation of the new policy. Cllr Alford noted that the resources required would depend on the new policy, with it recognised that the previous policy had been resource intensive due to complex land ownership issues with covenants over various assets. Regarding the issue of the policy being a revenue neutral process, Cllr Clewer stated that it had never been guaranteed that the process would be revenue neutral as the issues from town to town would vary.

The Chairman noted that the membership of the rapid scrutiny exercises had already been decided and the exercise was ready to start work. It was also requested to be recorded within the minutes that there was an overall feeling from the Committee that resources had had a big impact on the previous policy.

At the conclusion of discussion, it was,

Resolved:

- 1. Following a request from the Executive, to ask the rapid scrutiny exercise to review the existing Asset Transfer Policy and its delivery, providing recommendations to support development of a new the Policy prior to a town and parish council conference scheduled for 27th May 2022.**
- 2. To note the Committee's concerns regarding delivery of the existing Policy, and to emphasise the importance of allocating sufficient resources to delivering the new Policy once it is agreed.**
- 3. To note the update on Task Group activity.**

78 Forward Work Programmes

The Committee considered the forward work programmes for each select Committee, as well as updates from the Chairman for each Select Committee.

At the conclusion of discussion, it was,

Resolved:

- 1. To note the updates on select committee activity and approve the Overview and Scrutiny Forward Work Programme.**

79 Overview and Scrutiny Annual Report 2021-2022

The Chairman introduced the Annual Overview and Scrutiny Report for 2021-2022, which was an annual report summarising the function's work is a statutory requirement, with the final version to be presented to Full Council on 17 May 2022.

The Chair invited members to ask any questions arising from the report. Comments were received on whether a separate report would be provided from the Financial Planning Task Group, to which the Chairman stated he would be happy to accept one if Cllr Ridout would be happy to provide it. It was also questioned what was being done to promote the Annual Report as well as the work of the Scrutiny Committee to the general public. Henry Powell, Democracy and Complaints Manager, reported that the Annual Report would be on the council website and that he would also discuss a wider communications strategy with the Communications team.

At the conclusion of discussion, it was,

Resolved:

- 1. To approve the Overview and Scrutiny Annual Report 2021-22 for referral to Full Council on 17th May 2022.**

2. To report back at the next meeting with proposals for publicly promoting the Overview and Scrutiny Annual Report 2021-22 and Overview and Scrutiny's work in general, including to partners.

80 **Date of Next Meeting**

The date of the next meeting was confirmed as 24 May 2022.

81 **Urgent Items**

There were no urgent items.

(Duration of meeting: 10.30am – 12.00pm)

The Officer who has produced these minutes is Ben Fielding of Democratic Services, direct line (01225) 718221, e-mail benjamin.fielding@wiltshire.gov.uk
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