Wiltshire Council
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OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

MINUTES OF THE OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE MEETING HELD ON 4 MARCH 2014 AT KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Christine Crisp, Cllr Stewart Dobson, Cllr Alan Hill, Cllr Simon Killane (Chairman), Cllr Gordon King, Cllr Jacqui Lay, Cllr Helena McKeown (Substitute), Cllr Jeff Osborn, Cllr Mark Packard, Cllr Pip Ridout, Cllr John Walsh, Cllr Bridget Wayman and Cllr Roy While (Vice Chairman)

Also Present:

Cllr Allison Bucknell, Cllr Terry Chivers, Cllr Mary Douglas, Cllr Jose Green, Cllr David Jenkins, Cllr Julian Johnson, Cllr Magnus Macdonald, Cllr Linda Packard, Cllr Jonathon Seed, Cllr Dick Tonge, Cllr Philip Whitehead and Cllr Christopher Williams

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24   Apologies

Apologies were received from Councillor Jon Hubbard, who was substituted by Councillor Helena McKeown.

25   Minutes of the Previous Meeting

The minutes of the ordinary meeting on 7 January and the special meeting on 5 February 2014 were presented for consideration. It was,

Resolved:

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

26   Declarations of Interest

There were no declarations.

27   Chairman's Announcements

Following the decision of the Management Committee in January 2014, Overview and Scrutiny Training was arranged for 24 March, which had been fully booked. Additional sessions would be arranged following a review of the session and depending upon numbers wishing attend.

28   **Public Participation**

There were no questions or statements submitted.

29   **Final Report of the Review of Area Boards Task Group**

At its meeting on 8 October 2014 the Overview and Scrutiny Management Committee established the Review of Area Boards Task Group to review the function and role of Area Boards in consideration of their evolution in operation since their inception in 2009. Twelve themes were identified as potential focuses for the Task Group, as detailed in the report papers. Following three meetings where evidence was received and witnesses questioned, a final report was prepared for presentation.

The Chairman of the Task Group, Councillor Mary Douglas, presented the report to the Committee. It was noted that the Task Group's review was only one element of a wider review of Area Boards being undertaken by the Executive and leading officers, and that as a result had not had the opportunity to comment upon specific proposals regarding the future of Area Boards. It was also noted that the Cabinet Member for Area Boards, Libraries and Flooding, Councillor Jonathon Seed, had confirmed any changes to Area Boards resulting from the review would be unlikely to be undertaken through a formal Cabinet decision, instead comprising a serious of smaller operational and budgetary changes.

Cllr Douglas thanked the Task Group members for their work during the review, and praised the work of the supporting officers in facilitating the work of the Task Group. The twelve recommendations of the task group were detailed, and attention drawn to concerns from some of the Task Group that Town and Parish Councils had not been adequately consulted as part of the wider review, and that inconsistent application of criteria for grant funding allocation led to confusion, with more explicit guidelines to be welcomed. An emphasis on ensuring a greater understanding of the council's campus ethos was also raised as a suggestion.

The Committee then discussed the Task Group report and its recommendations as detailed in the agenda papers, raising points including the following:

- Many Area Boards were quite dependent on the quality of the Community Area Manager (CAM), and there was a wide spectrum of styles by which CAMs operated depending on the Community Area, in addition to other variances such as the role of the Community Area Partnerships (CAP) differing within each area. A single approach to serving and administering an Area Board would not be appropriate or effective.

- Increased technical and legal support for Area Boards would most effectively take the form of increased cooperation and support ahead of a meeting rather than merely attending, which would not be an efficient use of resources.

- The use of more informal meetings and bodies such as the Community Area Transport Groups (CATGs) to conduct community business was welcomed, although there was some concern about public engagement and the overreliance on pressure groups for information in place of the community as a whole.

- Although the Committee supported the aim of building resilient communities and communities coming to Area Boards for what they need rather than being dictated to, it was also felt that there was still a role for Area Boards to be community leaders through ideas and example and not just follow their communities, so long as this did not restrict the voluntary sector from thinking and acting for themselves.

- The servicing of Community Campuses by volunteers was felt by some members to be ambitious, as it might prove difficult to find enough suitable volunteers for activities which were not as popular with volunteering as the Library Service.

- There was debate over the extent to which Area Boards should be automatically consulted on major changes to local amenity and developments at the pre-consultation stage, and whether a consistent approach should be recommended for all Area Boards or whether it should be left to each area Board to determine which forthcoming developments and amenity changes warranted Area Board consultation prior to an application being submitted to Wiltshire Council, at which point Area Board involvement should cease.

The Cabinet Member welcomed the report of the Task Group and stated that he would consider it and the comments of the Committee carefully in moving forward with the wider review of Area Boards.

In response to some of the points the Cabinet Member stated that Town and Parish Councils had been contacted as part of the consultations, and with regard to the future role of the CAMs, stated that the governance arrangements of the Community Campuses had not yet been finalised, and so any role or input the CAM might have with this had not yet been determined. It was also stated that an outcome of the consultation had been a clear recommendation that there be fewer formal meetings with Area Boards, and that a flexible approach would be adopted to currently uncertain areas, as there was a desire not to hinder the adaptability and creativity of solutions by being proscriptive in defining roles and approaches at too early a stage.

The Committee then voted on each of the Task Group's recommendations in turn. Of the 12 recommendations made 8 were endorsed as set out in the following resolution.

Resolved:

To endorse the following recommendations of the Task Group and forward them to the Cabinet Member for consideration and a response:

1) Explain how and when any decisions regarding changes to the role and remit of Area Boards will be taken and, once specific and detailed proposals are developed, what opportunity there will be for them to be scrutinised.

2) Make it clear on every occasion that, as building stronger, more resilient communities is the aim, the proposed approach is one of communities telling Area Boards what they need, rather than Area Boards dictating what the voluntary sector does. Area Boards are to function as a means to communities' ends and a forum that helps communities to 'think' and act for themselves.

3) Ensure that clear and transparent lines of accountability are maintained as the remit of Area Boards expands; to ensure that the public understands who is responsible for which decisions and which services. This is particularly important given the likely increase in business being conducted at smaller and less formal local meetings.

4) Detail how performance across the county will be ensured and the risks of a 'postcode lottery' mitigated as further services and budgets are devolved to be managed at a local level.

5) Put in place appropriate officer support structures to enable Area Boards to undertake their changed role effectively. Consideration should be given to how the following will be provided under a more localised model of decision making and service delivery:
- Technical and legal support to ensure that decisions are evidence-based and legal
- Administrative support to ensure effective governance and openness and transparency of decision making
- Community networking support to ensure effective communication between Area Boards and local partners

6) Review the criteria stipulating how Area Boards can spend their grant allocations and communicate the results to all Area Boards. As the bodies with the greatest understanding of local needs, Area Boards should be given maximum freedom over how they can spend their grants and this freedom should be made explicit.

7) Put in place a mechanism to enable Area Board members to understand and genuinely influence how the budgets for those services delegated to them are determined and apportioned across the 20 community areas.

8) Report what steps will be taken to improve member and public understanding of the campus programme and the relationship between Area Boards and campuses, including;
   a) Clarity around the meaning of the word 'campus' and how we can ensure that it is used more consistently in future;

      b) What role campuses will play in the more localised model of governance and service delivery proposed;

      c) What role Area Boards will play in governing or managing campuses;

      d) Clarity around whether additional powers and responsibilities will be devolved to Area Boards only when their campuses come on stream or whether this will happen in one tranche across all 18 Area Boards;

      e) How the lessons from the Corsham campus programme in terms of campus governance will be shared with other Area Boards and Community Operations Boards (COBs).

  9) Detail the steps to be taken to market Area Boards more imaginatively as their role and remit expands, and responds to the Task Group's suggestions in this area.

30   Scrutiny of Major Contracts

The Management Committee at its last meeting received the report of its rapid scrutiny exercise on the Highways and Streetscene Contract, the Balfour Beatty Living Places (BBLP) contract. During discussion the issue of how the Environment Select Committee had engaged with development of this contract and its potential role in monitoring deliver and future performance was raised. There was a suggestion that the re-establishment of the major contracts task groups, perhaps in a reworked format, under each select committee could provide a useful forum for the future.

The Scrutiny Manager presented a report on the history of the scrutiny of major contracts and potential future options as detailed in the agenda papers. The Committee considered the successful outcome of the rapid scrutiny report on the BBLP contract, and debated whether a single body under the Management Committee to scope an approach for future contract scrutiny was the best approach, or whether each Select Committee should determine when and if they felt deeper scrutiny of a specific contract was warranted, in order to avoid being restrictive in approach.

It was,

Resolved:

  1) To note the issues raised in this report in response to the request of the Management Committee at the last meeting following consideration of the rapid scrutiny report on the BBLP contract.

  2) To continue to leave it to each Select Committee to determine if they felt specific contracts required further scrutiny.

31   **Peer Challenge Review - Issues for Overview and Scrutiny**

Following elections in May 2013 and the development of the new Business Plan for 2013-17, the Council invited a review team, consisting of six local authority peers, to carry out a corporate peer challenge during the last week of September 2013. The Chairs and Vice-Chairs of the Management Committee and Select committees were interviewed by the review team as part of their work.

A report was presented by the Scrutiny Manager detailing the conclusions of the review team as outlined in the agenda papers, and noted in particular their recommendation that Overview and Scrutiny be realigned to focus on outcomes for the public. Suggested actions in response to the Peer Review were outlined, including careful management of the work programme to ensure topics remain relevant and outcome focused, focusing on adding value and outcomes when scoping topics, and the possibility of producing guidance for a consistent approach across all scrutiny committees.

The Committee welcomed the report and the comments of the review team, though were keen to note that it was acknowledged the service was already moving in the direction of more outcome focused scrutiny. The working relationship with the executive was highlighted as crucial to remain outcome focused and adding value.

Following discussion, it was,

Resolved:

1) **To note the comments and key recommendations of the Peer Challenge Review relating to OS as set out in paragraphs 6 and 8 of the report;**

2) **To note the action agreed by Cabinet in response to the findings as set out in paragraph 9 of the report;**

3) **To endorse the work identified to deliver the action as highlighted in paragraphs 16 – 21 of the report including any additional work required by the Management Committee**

32   **Housing Allocation Policy**

A rapid scrutiny exercise of the new Housing Allocation Policy was undertaken in October 2013 and its recommendations endorsed by the Management Committee on 5 November 2013. Cabinet approved the new policy for implementation in April 2014 at its meeting on 21 November 2013.

The Portfolio Holder for Housing, Councillor Richard Clewer, was asked to provide an update to the recommendations made by Scrutiny in conjunction with the Head of Strategic Housing.

The Committee received the update as detailed in the agenda papers, which included a recommendation that the Committee receive a further report after the implementation of the new Housing Allocation Policy.

It was,

Resolved:

To thank the Portfolio Holder and the Head of Strategic Housing for the update and to support the idea of a further report post implementation of the new Housing Allocation Policy.

33   **Constitutional Changes**

The Committee noted the decision of Council at its meeting on 4 February 2014 to approve changes to Part 8 of the Constitution - Overview and Scrutiny Procedure Rules - in relation to the Call-in procedure, such that Call-ins could now be made by any ten non-executive members of the Council, as opposed to any three members of the Management Committee, or at the discretion of the Chairman of the Management Committee.

The short timescales for a decision to be identified and called in by ten members, within five days of a decision being made and prior to its coming into force, was reiterated.

34   **Overview and Scrutiny Councillor Remuneration**

The Panel received a report from the Scrutiny Manager on the decision of Council on 4 February 2014 with regards the recommendation of the Independent Remuneration Panel (IRP) in respect of the overview and scrutiny (OS) fund within the Councillors' Allowances Scheme.

The Panel identified a number of weaknesses in the current arrangement and felt that the original intentions behind the creation of the fund to reward key positions had been diluted over the years. However they increased the fund to £15,000 and called for a change in how it was allocated.

Guidance was sought from the Management Committee over possible criteria for a revised scheme. However, it was,

Resolved:

To request the Chair and Vice-Chair to produce a report on a suggested scheme for the next meeting of the Committee.

35   **Centre for Public Scrutiny Annual Conference**

Members were asked to express their interest in attending the Centre for Public Scrutiny Annual Conference and represent Wiltshire Council at the Good Scrutiny Awards on 10 and 11 June 2014, where the main focus would be on

public sector commissioning as a lever for change and how scrutiny and accountability are vital to ensure commissioning improves outcomes.

Resolved:

To delegate to the Chair and Vice-Chair to liaise with members to arrange one other member to attend along with either the Chair or Vice-Chair, or for both the Chair and Vice-Chair to attend should no other member volunteer.

36   **Communications**

The written update on the work to improve the communication on the work and function of Overview and Scrutiny was received as detailed below:

The Chairman, Vice-Chairman and Scrutiny Manager met with representatives from the Communications Team again on 17 February to discuss progress. Communications have indicated that they will:

- Create an simpler page about scrutiny which will contain information in a bullet point-type format, such as:
    o   What scrutiny does
    o   Details about the team
    o   Details about how to get involved
    o   Work plan updates
    o   Achievements – how scrutiny has helped influence policy
- Send an elected wire message directly to members to create as much engagement across all non-executives as we can.
- Hold a further follow-up meeting to review the action taken and develop ideas, including how to keep people updated.

It was also suggested that an end of year report be produced to identify outcomes that had been achieved by the select committees to better publicise the achievements of Overview and Scrutiny and focus them on specific outcomes.

Resolved:

To note the discussions held to date and the further work planned.

37   **Task Group Updates**

The written updates for the Financial Planning Task Group and the Local Enterprise Partnership (LEP) Task Group were received and noted.

Additionally, it was reported in respect of task groups under the select committees that the Continence Task Group was expected to conclude its work by the end of March 2014, the CIL Task Group was still ongoing as a result of further governmental regulation changes, with the Waste and Air Quality Task Groups coming to a close.

A request from the Health Select Committee to bring the CCG Task Group to an end was also accepted.

Resolved:

To note the updates from the Task Groups and approve the ending of the CCG Task Group.

38   **Forward Work Programme**

The Forward Work Programme was noted.

39   **Urgent Items**

There were no urgent items.

40   **Date of Next Meeting**

The date of the next meeting was confirmed as 29 April 2014.

(Duration of meeting: 10.30 am - 1.20 pm)

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