

AGENDA

Meeting: Overview and Scrutiny Management Committee
Place: Kennet Room - County Hall, Trowbridge BA14 8JN
Date: Tuesday 29 April 2014
Time: 10.30 am

Please direct any enquiries on this Agenda to Kieran Elliott, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line (01225) 718504 or email kieran.elliott@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225) 713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

Membership:

Cllr Christine Crisp	Cllr Jeff Osborn
Cllr Stewart Dobson	Cllr Mark Packard
Cllr Alan Hill	Cllr Pip Ridout
Cllr Jon Hubbard	Cllr John Walsh
Cllr Simon Killane	Cllr Bridget Wayman
Cllr Gordon King	Cllr Roy While
Cllr Jacqui Lay	

Substitutes:

Cllr Glenis Ansell	Cllr John Noeken
Cllr Ernie Clark	Cllr Paul Oatway QPM
Cllr Brian Dalton	Cllr Helen Osborn
Cllr Mary Douglas	Cllr Ricky Rogers
Cllr Russell Hawker	Cllr Ian Thorn
Cllr George Jeans	Cllr Philip Whalley
Cllr Dr Helena McKeown	

PART I

Items to be considered while the meeting is open to the public

1 **Apologies**

To receive any apologies or substitutions for the meeting.

2 **Minutes of the Previous Meeting** (*Pages 1 - 10*)

To approve and sign the minutes of the meeting held on 4 March 2014.

3 **Declarations of Interest**

To receive any declarations of disclosable interests or dispensations granted by the Standards Committee.

4 **Chairman's Announcements**

To receive any announcements through the Chair.

5 **Public Participation**

The Council welcomes contributions from members of the public.

Statements

If you would like to make a statement at this meeting on any item on this agenda, please register to do so at least 10 minutes prior to the meeting. Up to 3 speakers are permitted to speak for up to 3 minutes each on any agenda item. Please contact the officer named above for any further clarification.

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution. Those wishing to ask questions are required to give notice of any such questions in writing to the officer named above no later than **5pm on 22 April 2014**. Please contact the officer named on the first page of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

Details of any questions received will be circulated to Committee members prior to the meeting and made available at the meeting and on the Council's website.

6 **Overview and Scrutiny Member Remuneration - Revised Scheme** (*Pages 11 - 14*)

The Management Committee considered a report by the Scrutiny Manager at the last meeting on the views expressed by the Independent Remuneration Panel about the scrutiny members fund and the decision of full Council.

The Management Committee was provided with the opportunity to give guidance to the Chairman in drafting a revised scheme in the light of the views expressed. However it was decided to reserve comment until a draft had been produced.

The Chairman and Vice-Chairman have now given some direction over how the fund might be allocated in future and this is set out in the [attached](#) report.

7 **Project Board Membership** (*Pages 15 - 16*)

The Management Committee has been approached on a couple of occasions recently to appoint a scrutiny member to (executive) project boards on major reviews of service. The issue of what the role is and the potential for conflict of interest has been raised for those that might be appointed.

The Chairman asked the Scrutiny Manager to provide guidance for the Management Committee. A short briefing note is [attached](#).

8 **Local Enterprise Partnership (LEP)** (*Pages 17 - 22*)

A report on the proposed methods of undertaking joint scrutiny of the Local Enterprise Partnership with Swindon Borough Council for the Committee to consider and agree the preferred method.

9 **Scrutiny Training Update**

A scrutiny skills training event was held on 24 March organised by the Council's Learning and Development team. The event was delivered by a prominent and well-respected regional adviser on overview and scrutiny. Initial feedback was positive although not all evaluation forms have been received yet.

There were a maximum of 12 places for the event and all were filled. There was a suggestion that as it was held in County Hall would it be worth repeating perhaps at a different location in the County? All non-executive members whether serving on select committees or not will be targeted.

The views of those that attended from the Management Committee are sought along with ideas about future possible events.

10 **Attendance at the CfPS Annual Conference - 10 and 11 June 2014**

As agreed at the last meeting, 3 places have been booked for Wiltshire Council delegates (2 members and 1 officer) to attend the 2 day conference. This

enabled an early bird rate to be secured.

Cllrs Simon Killane and Roy While have confirmed that they will be attending a day each of the conference alongside Emma Dove, Scrutiny Officer. The Committee is asked to nominate another member representative to attend. Day one will be the traditional conference format whereas day two is a scrutiny camp where delegates are able to set the agenda, be more interactive and be challenged to think differently. To find out more about the programme please see [here](#).

11 **Overview and Scrutiny Annual Report 2013/14**

The Constitution provides for an annual report to be made to full Council about the work of overview and scrutiny.

This had been done periodically in the past but more recently the standing Council summons item on overview and scrutiny has allowed more regular reporting and therefore to a degree negated the need for an annual report.

This Chairman and Vice-Chairman are keen for this to be resurrected as part of a drive to improve communications and promotion of the good work taking place in overview and scrutiny. However in doing so they felt the annual report should be contained on 2 pages (4 sides) and only be in electronic form whilst in draft. The intention would be having made the report to Council in May to add it to the Council's website and perhaps make it available in leaflet form for councillors and the wider public.

The Chairman and Vice-Chairman are keen for the annual report to be owned and promoted by all members of the Management Committee including making contributions to the presentation at full Council. The chairmen and vice-chairmen of the select committees have been consulted about their dedicated parts in the draft report.

The text of the draft annual report can be accessed [here](#) and will also be projected electronically at the meeting with appropriate branding and images. A final version will be produced to reflect the contributions of the Management Committee after the meeting and any views expressed about distribution.

If you have any comments or feedback before the meeting, please contact Emma Dove, Scrutiny Officer by email emma.dove@wiltshire.gov.uk or by telephone 01225 718071.

12 **Scrutiny of Major Contracts**

The Management Committee requested a report on options for future scrutiny of major contracts in the light of the experience regarding the early delivery of Highways and Street Scene contract by Balfour Beatty Living Places.

The report was considered at the last meeting and it was decided to leave it to

each of the select committees to determine how they might want to approach the issue for themselves. In support of this approach it was agreed to ascertain some more detailed information about the Council's top 50 vendors listed in the appendix to the report.

The Management Committee is asked to note that this has now been done and circulated to the chairmen and vice-chairmen of the select committees.

The Management Committee is also reminded that it will be involved in the corporate review of the Council's approach to procurement and commissioning (see [work programme](#)) which is now underway and also through its Financial Planning Task Group in terms of delivering on the procurement savings identified in the 2014/15 budget.

13 **Task Group Updates**

Financial Planning Task Group - It met on 2 April and received updates and presentations on the following:

- current year's revenue budget position which continues to be projected to balance at year end
- evaluation of the budget scrutiny event held on 5 February and suggested improvements for next year
- progress with alignment of business planning, finance, performance and risk as to what it will look like and the timeline for implementation. This included a demonstration of the website that is being designed to inform the public of our successes in Wiltshire across the six outcomes in the business plan, known as the 'Citizen's Dashboard'
- the Finance Improvement and Integration Programme (FIT) to connect and streamline multiple data systems. The Chairman will update further at the meeting

The Chairman of the Task Group will seek the endorsement of the Management Committee for some key actions arising from the meeting.

Local Enterprise Partnership – This is the subject of separate report on the agenda.

Area Boards Review – It's final report was presented to the last meeting and views incorporated in a report to Cabinet on 22 April (link <http://cms.wiltshire.gov.uk/ieListDocuments.aspx?CId=141&MId=8125&Ver=4>)
The outcome of Cabinet's consideration will be reported to the Committee.

Select Committee Task Groups

The Chairman of each Select Committee will also be given the opportunity to provide brief updates in relation to activity undertaken by the Task Groups overseen by each Committee including endorsement of the following:

- The Health Select Committee had a task group ready to review the success of the plans put in place to deal with the winter pressures. However the mild weather, coupled with additional funding made available from central Government, has meant that the pressures on services over the winter period, both nationally and within Wiltshire, have not been excessive and that services have coped well. Therefore it was agreed that there would be little value in the Task Group undertaking the proposed review and it has been stood down.
- The Environment Select Committee has formed a Highways and Streetscene Contract Task Group focused around reviewing annual performance, arising from the initial review done by the rapid scrutiny exercise under the Management Committee.

14 **Forward Work Programme** (*Pages 23 - 24*)

The Committee is asked to consider the single work programme and give direction on future overview and scrutiny activity.

15 **Date of Next Meeting**

To note the date of the next scheduled meeting as 8 July 2014.

16 **Urgent Items**

Any other items of business which the Chairman agrees to consider as a matter of urgency.

PART II

Items during whose consideration it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed.

None

OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

DRAFT 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

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 series 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:
 - What scrutiny does
 - Details about the team
 - Details about how to get involved
 - Work plan updates
 - 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 Contingence 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)

The Officer who has produced these minutes is Kieran Elliott, of Democratic Services, direct line (01225) 718504, e-mail kieran.elliott@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115

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Wiltshire Council

Overview and Scrutiny Management Committee

29 April 2014

Overview and Scrutiny Councillor Remuneration 2013/14

Purpose

- 1 As requested by the Management Committee at the last meeting, to report on the initial ideas of the Chairman and Vice-Chairman to the allocation of the remuneration fund in support of key overview and scrutiny activities.

Background

- 2 The report from the last meeting setting out the views of the Independent Remuneration Panel (IRP) and the current scheme based on a “share” allocation per qualifying activity can be accessed from the website for background if needed .
- 3 It was clear from the views expressed by the IRP, Leader and full Council that the scheme needed an overhaul in order to better reflect the key positions (other than those recognised as attracting a special responsibility allowance) and the important role OS had in supporting delivery of the Council’s Business Plan. The scheme should also reward exceptional performance and be simple to administer. The Management Committee felt at the last meeting that they would prefer the Chairman and Vice-Chairman to propose an alternative scheme for them to comment on rather than give initial guidance.

Revisions

- 4 As a consequence, the Chairman and Vice-Chairman have developed some suggestions for a revised scheme based on the chairs of task groups being the main recipients of the fund subject to the following performance measures being applied to them (and the establishing parent select committee):
 - activity should support the delivery of the Business Plan
 - have clear terms of reference and timescale for the task group
 - ensure the task is adequately scoped including having outcome focused recommendations and demonstrating suitable engagement with partners, stakeholders, communities and customers (proportionate to the scale of the issue)
 - encourage participation from all members appointed to the task group especially those new to the work of OS

- ensure suitable consultation with the lead Cabinet member/Portfolio holder and senior officers throughout the process
 - demonstrate the efforts made to achieve consent among the members to the content of the final report
 - lead the presentation of the report at the select committee and the Cabinet (and/or Cabinet Member) and with partners and other contributors
 - manage suitable promotion/publicity of the review
 - ensure appropriate formal response from the Executive and other partners as necessary
 - continue engagement to ensure implementation of agreed recommendations
 - provide a final one-sided report to the chairs and vice–chairs of the management committee and relevant select committee as appropriate demonstrating the above (officers to devise proforma).
- 5 The scheme to also provide an incentive for those that lead a rapid scrutiny exercise and serve on project boards.

Calculation

- 6 How individual payments from the fund are to be calculated has yet to be determined. A set fee or division of the total fund are options although they have implications depending on the number of activities during the year.

Limitations

- 6 The current scheme requires a minimum of 50% attendance to qualify. A higher threshold should be applied to chairmen of task groups if payment is to be based on a range of performance requirements.
- 7 Those already in receipt of a Special Responsibility Allowance would not attract payment from the fund similar to the current scheme.
- 8 Consideration should be given to the maximum number of payments that can be made to one person - perhaps 2?
- 9 Depending on the approach this could create a balance in the fund at year end?

Conclusions

- 10 The Chairman and Vice-Chairman have tried to reflect the views of the IRP in a scheme geared towards task group activity. Members have indicated this is where the most effective and enjoyable work is done especially when helping

to develop policy rather than post-decision scrutiny. The measures listed are not intended to be a definitive list and therefore open to the Management Committee to amend these as appropriate, to set and adjust limits and to add other activities.

- 11 It is clear from discussions that there is no one simple scheme that will provide the necessary incentive and reward. Change was needed (other than to abolish the scheme) but it should be inclusive, make sense and its purpose widely understood. A link to good performance was highlighted by the IRP.
- 12 The scheme provides for allocation at year end so the further challenge is how to apply a new scheme retrospectively. It may therefore be fair to agree a scheme for application in 2014/15 and use the current "share" scheme for 2013/14?

Recommendation

- 13 To consider the suggestion made by the Chair and Vice-Chair of the Management Committee as set out in paragraphs 4-6 and amend as appropriate in order to gain acceptance throughout the OS function.
- 14 To consider utilising the current scheme for allocation of the fund in 2013/14 and apply the new scheme for 2014/15.

Reported authored by Paul Kelly, Scrutiny Manager on behalf of the Chairman and Vice-Chairman of the Management Committee

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Wiltshire Council

Overview and Scrutiny Management Committee

29 April 2014

Briefing Note - Project Board Membership

- 1 The Management Committee has been approached on a couple of occasions recently to appoint a scrutiny member to (executive) project boards on reviews of Car Parking and Positive Leisure Time for Young People. The issue of what the role entails and the potential for conflict of interest has been raised for those that may be appointed in the future.
- 2 OS can be engaged in a number of different ways and at different times during the development or review of a policy or significant service change as follows:
 - Select Committee
 - Task Group
 - Rapid Scrutiny Exercise
 - Representation on Project Board
- 3 Ideally one of these approaches becomes the prominent form of engagement depending on the joint view taken with the Executive or partner organisation. This avoids the potential for confusion or duplication and is co-ordinated by the relevant select committee with endorsement by the Management Committee as each activity forms part of the single OS work programme.
- 4 In the past appointments to projects boards were commonplace as it provided OS with an opportunity to contribute and influence through “lay challenge” on a range of Council programmes and projects. They were particularly prevalent during transition to one council. It enabled OS to broaden its scope without over-stretching member capacity and officer resource. Once appointed the member attended project board meetings and reported back to the select committee at key milestones within the project. The member received support from the lead service officer, project officer and scrutiny officer. More recent examples are SAP, Housing Revenue and Benefits System, Wiltshire Online.
- 5 In respect of the two new requests, the difference being that OS had already established task groups for these activities at the invitation of the Executive. Ordinarily these task groups would be operating alongside the project boards with constructive challenge being offered at the key milestones. The request is now to also have a scrutiny member appointed to the respective project

boards. In these circumstances it is important to define the various responsibilities.

- 6 It should be seen as a positive step that OS has been invited to make these appointments at the heart of major policy development and review within the Council. In doing so the appointments should perhaps be made on the following basis:
 - The scrutiny representative to fulfil the lay challenge role on the project board
 - To be non-voting and not bound by decisions of the board (in order to maintain transparency)
 - The member to take a strategic view (and not a locality interest)
 - Member to be appointed following an open expression of interest to all members as is the current convention
 - Ideally to be a member of any task group if also established for the review (in order to provide continuity)
 - To lead the reporting back at key milestones in the project to the select committee and/or task group as necessary (with appropriate officer support).

- 7 The way forward therefore might be that the Management Committee approves future appointments to project boards on the basis outlined above recognising that a case by case approach may be necessary to allow for individual circumstances.

Overview and Scrutiny Management Committee, 29 April 2014

Purpose of report

1. To seek the views of the Management Committee on the proposed arrangements for the joint scrutiny of the Swindon and Wiltshire Local Enterprise Partnership (SWLEP) by Swindon Borough Council and Wiltshire Council, as outlined in the attached report.

Background

2. Local Enterprise Partnerships were created in 2011 and as a new organisation, the governance arrangements of the SWLEP have been developing over time. To best reflect local circumstances, it has been recognised that there is a need to introduce a scrutiny mechanism for holding the SWLEP, and in particular its Strategic Economic Plan, to public account.
3. A view has been taken by the LEP and the supporting councils that the introduction of light touch joint overview and scrutiny arrangements could provide for an appropriate level of public accountability.
4. Discussions have now taken place at officer level between Swindon Borough Council and Wiltshire Council on the potential practical arrangements for the joint scrutiny of the Swindon and Wiltshire Local Enterprise Partnership and these are described in the attached report.
5. Officers are working on a briefing note for members in conjunction with the LEP to provide background information.
6. Swindon Borough Council's Corporate Governance Review Working Group considered the report on 1 April and concluded that the recommended option three, of a pilot informal Task Group, would be preferred at this stage to develop arrangements. It was also concluded that, due to their elections taking place in May that the first meeting be held in mid-June, with 4 non-executive members from each Council forming the Task Group.
7. It is worth noting that the proposed joint Scrutiny of the SWLEP and its Strategic Economic Plan performance would not preclude the ability for the appropriate Overview and Scrutiny Committee of either Swindon or Wiltshire Council to request the SWLEP to attend one of its meetings to address specific local matters should the need arise.

Recommendations

8. To review the proposed ways of moving forward with the governance arrangements of the SWLEP and agree the preferred option of an informal Task Group as the mechanism, in the first instance.
9. It is requested that the Committee confirm the appointment of 4 members to the Task Group, for a first meeting in mid-June.

Paul Kelly
Overview and Scrutiny Manager (and Designated Scrutiny Officer)
Corporate Office
Wiltshire Council

Report Author: Emma Dove, Scrutiny Officer, 01225 718071 or emma.dove@wiltshire.gov.uk.

Report on Scrutiny of the Swindon and Wiltshire Local Enterprise Partnership

Purpose of report

1. To report on the progress made in respect of establishing a joint scrutiny exercise that has been arranged between Swindon Borough Council and Wiltshire Council regarding the Local Enterprise Partnership (LEP) for Swindon and Wiltshire (SWLEP).

Background

2. The LEP is a partnership between relevant local authorities and businesses from the local area to prioritise investments and facilitate economic development, based on a clear strategic vision to deliver on the priorities of the locality. It is designed to bring together business and civil leaders to set the strategy and take decisions for their area.
3. The key principle behind the LEPs is to drive improvements to the economy through private sector growth, with a balance of business opportunities across the country and between industries, whilst being clearly and directly accountable to local people and businesses.
4. The 'Local Growth' white paper set out the roles of the LEPs which focused on the need to act on what is required and is right for their own locality namely:
 - Working with government to set key investment priorities
 - Co-ordinate proposals or bidding for the Regional Growth Fund
 - Support businesses in growth
 - Aid in development of national planning policy and ensuring business is involved, particularly with the development and consideration of strategic planning applications

- Lead change in local business regulation
 - Pooling and aligning funding streams to support strategic housing delivery
5. The main resource at their disposal is the allocation of a proportion of the £730 million Growing Places Fund, created by the Department for Communities and Local Government, and the Department for Transport, which is to be used to support local infrastructure and unlock wider economic growth. LEPs may also bid for an allocation of the Regional Growth Fund, a flexible and competitive fund of £3.2 billion. The LEPs may act as a gateway for other Government initiatives such as Foreign Direct Investment.
 6. The key documents that the LEP must provide are the Strategic Economic Plan (SEP) to outline their strategies for allocating the funds at their disposal until 2026, due to be published 31st March 2014; and the European Structural Investment Fund Strategy (ESIF) which was published 31 January 2014, to outline what they intend to do with their allocation of the ESIF. A Joint Executive Committee, between the Local Councils, is required to negotiate and monitor the delivery of the SEP within our area, progress on this is being made between the two Councils.
 7. It is clear that the Government expects the governance arrangements to be sufficiently robust to ensure meaningful accountability but there are no details as to how this should be achieved. In light of this, preliminary discussions were held between senior officers of both Councils regarding the potential introduction of a 'light-touch' involvement of both Overview and Scrutiny Functions in relation to the SWLEP. This approach is to be based on building a relationship with the SWLEP as a body, to ensure it is working effectively for the benefit of the geographic area and communities that it serves. In a follow up meeting, this was explored between the relevant officers from both Councils and a representative from the SWLEP. It should be noted that the SWLEP is proactively engaging with Scrutiny at this stage and welcomes its input.

Objectives

8. To support the LEP in its transition from the strategic phase into the delivery phase and in developing its operating and governance arrangements. To promote awareness of the LEP and its work and nurture a good working relationship through a light touch approach to scrutiny activities concerning the LEP.
9. Primary focus should be on the achievements that the Board is seeking to accomplish, with a view to fulfilling the 'critical friend' role and aid in development.

It will also need to work closely with the new Joint Executive Committee, when established, in respect of the Strategic Economic Plan.

Arrangements/ Structure

10. Following the initial officer meeting, a number of options emerged in terms of how Overview and Scrutiny could be involved in the overall governance arrangements for the LEP.

11. The options for structuring the exercise are proposed as follows:

1. The relevant Scrutiny Committee of each Authority to scrutinise the Council's Board member representative and by implication, hold the LEP to account;
2. Arrange a formal Joint Committee, under the existing Overview and Scrutiny Provisions to be agreed by both Councils; OR
3. Establish an informal Joint Task Group with a fixed membership with equal numbers from both Councils which is accountable to the relevant Overview and Scrutiny parent committee.

Conclusion

12. These discussions are at a very early stage, as is the development of the overall governance arrangements for LEPs. All local authorities are facing similar issues in the absence of any clear direction or guidance from central Government. However, this does present our two Councils with an opportunity to develop local arrangements that can influence and add real value to this important area of joint working and accountability. With the current lack of clarity and much still to be done in terms of development, the officer meeting concluded that option 3 would be the favoured approach as a first step.

13. If supported, the suggestion was that 4 elected members from each Council would seem an appropriate number to enable close co-operation and effective discussion and direction. A pilot approach would allow issues and approaches to be explored in a 'round-table' setting and most importantly allow for an informal, flexible forum without the constraining and constitutional bureaucracy that would be imposed by a Joint Committee at this stage.

14. The Task Group will increase the elected members' awareness of the work of the LEP and its achievements. It will develop into acting as a supportive 'sounding-

board' to the Joint Executive Committee in looking at the implementation and delivery of the SEP.

15. It is envisaged that an initial meeting between the nominated non-executive members of the Task Group would take place in mid-April, ahead of the local election in Swindon. A series of early meetings may be needed to develop a clear understanding of how the LEP is currently structured before setting some tangible outcomes to achieve the 'light touch' scrutiny intended.

16. It will be important to demonstrate to the LEP the positive, joined up nature of the discussions and constructive contribution that can be made to the overall governance of the Partnership.

Recommendations

17. That option 3 is taken up as a pilot exercise for an initial 12 month period with the opportunity to review the arrangements and formalise it as necessary, subject to the agreement of both Councils.

18. If supported, to nominate 4 non-executive elected members from each Council to serve on the pilot joint scrutiny task group with a view to holding a first meeting in mid-April.

Paul Kelly
Overview and Scrutiny Manager (and Designated Scrutiny Officer)
Corporate Office
Wiltshire Council

Report Author: Emma Dove, Scrutiny Officer, 01225 718071 or emma.dove@wiltshire.gov.uk.

Overview and Scrutiny Work Plan

Committee	Review / Task Group	Mar-14	Apr-14	May-14	Jun-14	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Scrutiny Officer	STATUS (incl. date)	
		Cabinet 18th Mar	Cabinet 22nd April	Cabinet 20th May	Cabinet 17th Jun	Cabinet 22nd Jul		Cabinet 16nd Sep	Cabinet 7th Oct	Cabinet 11th Nov			
				Council 13th May		Council 29th Jul			Council 21st Oct				
O & S MANAGEMENT	Financial Planning Task Group	Ongoing										PK/ED	Next meeting w/c 19th May
	Review of Area Boards Task Group	Management 4 March									HP	Final report went to Management Committee in March	
	Swindon & Wiltshire Local Enterprise Partnership (LEP) Task Group		Management 29 April								PK/ED	Joint with Swindon BC. Officer meeting held, first member meeting to be mid June	
	Campus Governance										PK	Timing and details to be decided	
	Broadband Rollout										PK	Timing and details to be decided	
	Development of the Procurement Service										PK	Timing and details to be decided	
	Housing Allocations Policy Rapid Scrutiny										PK	Outcome of rapid exercise being reported to Cabinet 21 Nov	
	Staff Morale - Member Request											PK	
	Scrutiny Representation of Project Boards and Focus Groups		Management 29 April									PK	Regular updates provided to Committee
	Supermarket Levy to pay for car parking											PK/ED	Member briefing arranged by CDG
CHILDREN'S	Apprenticeships in Wiltshire	Children's March 2013									HP	Covering council facilitation of apprenticeships and the council's use of apprentices as an employer	
	Early Help Strategy - update				Children's June 2013						HP	Draft Strategy recv'd Dec 2013. Update on final version and imp' plan requested. CSC to monitor success indicators.	
	Final Report of the Positive Leisure Activities for Young People Task Group			Children's May 2013 (extraordinary)							HP	This task group was established to respond to the consultation on a Cabinet review of youth activities.	
	Executive response to the 18 month review of the FE in the Salisbury Area Task Group	Children's March 2013									HP		
	Safeguarding Children & Young People Task Group										HP	Review in progress	
	Education for 16-19s Task Group										HP	Review on hold	
	SEND Task Group										HP	Review in progress	
	Schools and the Local Authority Task Group										HP	Review in progress	

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ENVIRONMENT	Community Infrastructure Levy (CIL) Task Group	Review in progress									MM	Task Group presented proposed rate of CIL to ESC and Cabinet Dec 13. Work to continue due to changing legislation.	
	Waste Task Group	Review in progress									MM	Task Group presented final report to ESC and Cabinet Dec 13. Awaiting report on Affordable Plan	
	Adoptable Estates Task Group	Review in progress			Environment June 2014							MM	Task Group reviewing systems and communications around planning processes Report to Committee June 2014
	Investing in Highways			Review in progress							MM	Task Group to scrutinise involvement of Area Boards and how money to be allocated. Work to begin May/June 2014.	
	Car Parking Review	Review in progress									MM	Task Group to scrutinise presentation to ABs on parking and 'town profile'. Third meeting TBA	
	20 mph Policy	Review in progress									MM	Task Group to review developing policy. Inaugural meeting held 8 April.	
	Highways and Streetscene Contract BBLP		Environment April 2014								MM	Rapid scrutiny completed. To amend to Task Group and continue work if endorsed by MC in April.	
	Flood Plan Annual Report		Environment April 2014					Environment Sept 2014			MM	Update report received April. Revised flood plan to ESC Sept 2014.	
HEALTH	Transfers to Care Task Group	Review in progress									MM	Task Group to meet in May to review impact of DtoC measures	
	Continence Services Task Group	Review in progress		Health May 2014							MM	Task Group reviewing provision of continence products. Report to HSC May 2014	
	Review of AWP/Dementia Services	Review in progress									MM	Task Group reviewing provision of revised dementia services. Awaiting completion on consultation on Dementia Strategy.	
	Help to Live at Home			Review in progress							MM	Task Group to commence May/June 2014 to consider Peer Review on HTLAH.	
	Local Safeguarding Adults Board Annual Report								Health Sept 2014			MM	Annual Report Next due Sept 2014
	Public Health Annual Report								Health Sept 2014			MM	Annual Report Next due Sept 2014