

OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

DRAFT MINUTES OF THE OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE MEETING HELD ON 7 JANUARY 2014 AT KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Christine Crisp, Cllr Stewart Dobson, Cllr Alan Hill, Cllr Jon Hubbard, Cllr Simon Killane (Chairman), Cllr Gordon King, Cllr Jacqui Lay, 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 Mike Hewitt, Cllr Julian Johnson, Cllr Bob Jones MBE, Cllr John Noeken, Cllr Fleur de Rhé-Philipe, Cllr Jane Scott OBE, Cllr John Thomson and Cllr Philip Whitehead

1 **Apologies**

There were no apologies or substitutions for the meeting.

2 **Minutes of the Previous Meeting**

The minutes of the meeting held on 5 November 2013 were presented for consideration and comment. It was,

Resolved:

That subject to the inclusion of Cllr Bob Jones MBE among the list of attendees, to APPROVE as a true and correct record and sign the minutes.

3 **Declarations of Interest**

There were no declarations.

4 **Chairman's Announcements**

Through the Chair it was announced that following the recent Peer Review of the Council conducted in September 2013, a report would be prepared for the Committee to consider at its next ordinary meeting.

5 **Public Participation**

The rules on public participation were noted.

There were no questions or statements submitted.

6 **Highways and Streetscene Contract**

At its meeting on 5 November 2013 the Committee considered a request from Councillor Jeff Osborn to conduct a scrutiny exercise on the contract with BBLP (Balfour Beatty Living Places) and agreed to hold a Rapid Scrutiny Exercise on the content of the Cabinet Member's report presented to that meeting. It was also agreed that a progress report would be presented to the Environment Select Committee after the winter to assess the operational performance, and that a full scrutiny exercise from the Environment Select Committee be undertaken from June 2014 to coincide with the first anniversary of the contract.

The report on the Rapid Scrutiny Exercise was presented, with the lead member for the exercise, Councillor Jeff Osborn, thanking all members and officers who had partaken in the exercise for their work, and the contributions of the Cabinet Member and Portfolio Holder. The Committee also expressed its thanks to all staff involved in work relating to the recent flooding in the county, for their dedication and intensive communication to the public.

The work of the Rapid Scrutiny Exercise was detailed, noting that conclusions had been that the contractor was performing satisfactorily in seven of the eight main areas of the contract, although the local highways and streetscene element of the contract had been identified as a main area of concern, with the IT system also of concern. The crucial role of active local councillors in assisting the relationship between parishes, area boards and BBLP was also emphasized.

The Committee discussed the recommendations of the Exercise as detailed in Paragraph 36 of the report papers, to include for the members of the Exercise to meet again to evaluate further work, receive additional information when available, for Legal to provide summaries of key contracts and for a full audit to be recommended. A debate followed, where points including the following were raised:

- It was agreed that an additional meeting of the members of the Exercise should take place sometime in the Spring, with concerns a date of March 2014 could prove too soon for full information on the Winter work to be available
- Some Members felt that although the contract had been considered by the Environment Select Committee, the lack of a Major Contracts Task Group to further consider such large contracts had hindered additional scrutiny of the topic, while others felt that appropriate scrutiny had taken place, with the Committees setting up appropriate measures when further problems had arisen following implementation of the contract.

- The flexibility of the contract with regards grass cutting was raised, and it was stated that a map of all areas covered under the contract was being created for the use of all Members and Parishes. It was also confirmed that Wiltshire Council would only be responsible under the contract for maintaining land that it owned, and that only where ownership of the land was unclear and later clarified as being council owned would additional land be added to the maps of areas of council responsibility.
- The proposal for there to be a re-launch of the Community Team Service was discussed, with concerns from some members that to begin the process anew would be unhelpful, with a need to assess if the current roll out had been effective and to clarify any existing confusion, and ensure there was consistent service and quality across all community areas.
- Regarding the soliciting of feedback from all councilors, there were also concerns raised that many current local streetscene concerns in relation to operation of the contract would be out of date by the time of the second Rapid Scrutiny Exercise in the Spring

At the conclusion of debate, it was,

Resolved:

- a) **The members who undertook the rapid scrutiny exercise meet again in Spring 2014 to evaluate the work undertaken on IT, local streetscene and the reporting/feedback procedure;**
- b) **Prior to the meeting in the Spring, the rapid scrutiny group is provided with:**
 - **up to date evidence of the effective reporting and feedback procedure;**
 - **information on the role of early warning notices and the absence of default notices, and copies of the standard clauses used in the contract;**
 - **evidence that the most appropriate grass cutting equipment is available, that personnel are fully trained to use the equipment and that productivity has improved.**
- c) **The outcome of the second rapid scrutiny exercise is reported to the Environment Select Committee to coincide with the presentation of a progress report addressing operational performance after the winter;**
- d) **The Highways team ensures the service and communication of the Community Team service is applied at a consistent high quality across all community areas.**
- e) **A copy of the report of the rapid scrutiny group should be sent to all councillors with a covering letter, requesting feedback from them on any outstanding issues on the local streetscene aspects of the BBLP contract. Their feedback to be sent to the**

Scrutiny Team and collated to inform the second meeting of the rapid scrutiny group in Spring 2014.

- f) **The legal department should, in future, provide summaries of the key elements of large contracts for circulation to councillors.**
- g) **The Audit Committee should arrange for a full audit of the Highways and Streetscene contract as soon as possible, the outcome of which should be reported to the O & S Management Committee.**
- h) **The report should be forwarded to the relevant Cabinet members for response.**
- i) **To ask the Scrutiny manager to report to the next meeting on the potential role Overview and Scrutiny can play with regard to the letting and monitoring of major contracts bearing in mind its previous involvement.**

7 Housing Allocation Policy

At its meeting on 5 November 2013 the Management Committee endorsed the outcome of a Rapid Scrutiny Exercise undertaken on 28 October 2013 on proposed revisions to the Council's Housing Allocations Policy.

Cabinet then considered the proposals and made their decision at their meeting on 21 November 2013. The Management Committee considered the minute of the Cabinet Meeting.

It was,

Resolved:

- 1) To note that Cabinet approved the new Allocations Policy to be implemented from April 2014 and delegated to the Corporate Director with responsibility for Housing any necessary final amendments in consultation with the Cabinet Member for Public Health, Protection Service and Adult Care and Housing.**
- 2) To note that the Chairman and Vice-Chairman will meet with the Cabinet Portfolio Holder and the Head of Service to review the implementation of the recommendations made by Scrutiny.**

8 Staff Morale Update

At its meeting on 8 October 2013 the Management Committee considered a Member request from Councillor Jeff Osborn for a scrutiny review, requesting:

"An objective investigation into the state of morale amongst the non senior staff of Wiltshire Council, in light of recent management restructuring, legal cap on salaries, extra work load and loss of job security".

The Management Committee instead requested the Staffing Policy Committee investigate the available statistical information which might indicate the level of staff morale, which was undertaken at the Staffing Policy Committee meeting on 6 November 2013. The minute for that meeting was included within the agenda pack, and concluded that on available data concerns regarding staff morale could not be substantiated, and that employees remained engaged.

The Management Committee received and engaged in discussion regarding the minute of the Staffing Policy Committee. It was noted that the latest information compiled from staff surveys dated from October 2012, and that responses were not compulsory. Nevertheless, it was stated that a fresh survey would take place in late 2014, and that the percentage of staff completing the latest survey had increased from that undertaken in February 2011. While some members expressed concern at the impact of the council's voluntary redundancy programme, it was not felt that staff morale was a major area of concern given the available evidence.

At the conclusion of discussion, it was,

Resolved:

To note the update from the Staffing Policy Committee.

9 **Overview and Scrutiny Councillor Development**

At its meeting on 5 November 2013 the Management Committee were asked to comment on the Councillor Development - Scrutiny Skills training event held in October with a view to endorsing a rollout of a wider programme adjusted for less experienced non-executive councillors.

As a result of the mixed reaction to the event, it was decided to seek the support of the Council's Learning and Development Team to help review the training requirement.

The Management Committee considered the proposed training session structure and content as contained in the agenda pack, and it was agreed that the suggested format and provider appeared to address the requested needs and approach of the Committee.

It was,

Resolved:

To arrange a three hour workshop covering 60% scrutiny concept and process and 40 % developing and improving communication skills and techniques, with the training provided as detailed in the agenda report.

10 Council Motion - Supermarket Levy

Council at its meeting on 12 November referred the following motion proposed by Councillor Jeff Osborn and seconded by Councillor Terry Chivers to Overview and Scrutiny for consideration:

“This council requires officers to investigate the opportunities provided in the Sustainable Communities Act 2007 to levy a charge on all Wiltshire supermarkets with the object of reducing parking charges in our city and market towns.

A report should be presented in sufficient time before the next full council to enable a notice of motion to be prepared so that a debate can take place on the matter.”

The Scrutiny Manager (Designated Scrutiny Officer) presented an update on background to the motion and the Sustainable Communities Act, through which Local Authorities could lobby Central Government to enact changes at a national level to improve the economic, social or environmental wellbeing of a local area. The Management Committee was invited to consider how it wished to respond to the referral.

The Management Committee discussed the referred motion, noting that it was the result of a national campaign by an organisation called Local Works, which had been instrumental in the creation of the Sustainable Communities Act and which worked to ensure its objectives were achieved, with several Local Authorities resolved to support similar motions.

It was considered that there was a need for greater clarity over what powers could be asked for and what impact any changes could have on a local area. It was determined that additional research would need to be conducted before any concrete action could be suggested, including what any proposed measure could apply to and the process by which a change would be sought if deemed desirable, for instance in concert with other Local Authorities.

At the conclusion of discussion, it was,

Resolved:

- 1) To note the referral of the Motion from Council;**
- 2) That it was not a topic which at this time could be scrutinized; and,**
- 3) To request that the matter be referred to the Councillor Development Group, who could invite a representative from Local Works or other interested bodies to arrange a briefing for those councillors who wished to learn more about the topic.**

11 Overview and Scrutiny Profile and Communication

At the Overview and Scrutiny Management Committee meeting on 5 November 2013, Members raised the issue of the need to increase the profile of the Overview and Scrutiny function through wider and more effective communication.

The Chairman, Vice-Chairman and Scrutiny Manager met with representatives from the Communications Team on 2 December to discuss the issue and potential options. Communications have indicated that they would:

- Create a page on the intranet explaining what overview and scrutiny is, how it works etc. Make it as interesting, informative and easy to navigate as possible. The main objective is to change the perception of Scrutiny, so everyone is aware of its purpose and value.
- Send an elected wire message directly to members to create as much engagement across all non-executives as we can.
- Hold a follow-up meeting to review the action taken and develop ideas for an outward, public-facing communications tool.

The need for requests for volunteers to serve on Task Groups to be provide clear context of the purpose of the proposed Task Group was emphasised, along with the need for the format of the notices to be distinctive to ensure they were properly considered by Members among the large volume of communications elected members received on a regular basis.

It was also requested that any intranet page also be available on the council's external website, to permit access for councillors and others when access to the intranet was not possible.

At the conclusion of discussion, it was,

Resolved:

To note the update and future plans for raising the profile and communication of Overview and Scrutiny, and request that any dedicated information page be available externally as well as on the council's intranet, The Wire.

12 Task Group Updates

In addition to the written updates from Task Groups as contained in the agenda pack, further updates were received as follows:

Financial Planning Task Group – The written update was noted. A correction was made, clarifying that Cabinet would be considering the Budget at its meeting on 11 February 2014, not 20 January 2014, with a special meeting of the Management Committee to be held on 5 February to consider the Budget ahead of Cabinet.

A discussion arose regarding the consideration of the Budget being a Special meeting of the Overview and Scrutiny Management Committee, rather than a Special Joint Scrutiny meeting to which all the members of each Scrutiny Select Committee were formally required to be present. In response it was stated that all backbench members would be encouraged to attend the meeting, which would take place in the Council Chamber and received the same update from the Associate Director (Finance) as had been the case under previous years' arrangements, but that as the senior Committee it was felt that the Management Committee should still formally be the body taking the final decision.

A vote was taken to hold a Special Joint Meeting of Scrutiny in place of a Special meeting of the Overview and Scrutiny Management Committee, which was defeated. Councillor Jeff Osborn requested his objection to the new arrangement be recorded.

Area Boards Task Group – The written update and membership was noted.

Local Enterprise Partnership (LEP) Task Group – The written update was noted, and it was requested those members assigned to the Task Group arrange a meeting ahead of meeting with Swindon Borough Council and the LEP to agree on understanding and approach.

13 Forward Work Programme

The Management Committee considered the forward work programme, and formally approved the Children's Select Committee's creation of a Schools and Local Authority Task Group.

14 Date of next meeting

The date of the next ordinary meeting was confirmed as 4 March 2014.

A Special meeting of the Management Committee to consider the draft Budget, with all backbench members encouraged to attend, would take place in the Council Chamber on 5 February 2014.

15 Urgent Items

There were no urgent items.

(Duration of meeting: 10.30 am - 1.30 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

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