

OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

DRAFT MINUTES OF THE OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE MEETING HELD ON 29 APRIL 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 Jacqui Lay, Cllr John Noeken (Substitute), Cllr Jeff Osborn, Cllr Mark Packard, Cllr John Walsh, Cllr Bridget Wayman and Cllr Roy While (Vice Chairman)

Also Present:

Cllr Mike Hewitt

41 **Apologies**

Apologies for absence were received from Councillors Pip Ridout and Gordon King.

Councillor Ridout was substituted by Councillor John Noeken.

42 **Minutes of the Previous Meeting**

The minutes of the meeting held on 4 March 2014 were presented for consideration, and it was,

Resolved:

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

43 **Declarations of Interest**

There were no declarations.

44 **Chairman's Announcements**

Through the Chair there were the following announcements:

- 1) The Safeguarding Children and Young People Task Group had been nominated for a Corporate Award for their work. The Chairman of the Task Group, Councillor Jon Hubbard, paid tribute to the contributions of

the Task Group and its members, Councillors Bridget Wayman and Andrew Davis, Mr Ken Brough and Rev. Alice Kemp.

- 2) It was noted an additional Children's Select Committee had been arranged for 1400 on 29 April, in order to receive the report and consider the recommendations of the Positive Leisure-time Activities for Young People Task Group on future options for the service ahead of a decision at Cabinet on 15 May.

45 **Public Participation**

There were no questions or statements submitted.

46 **Overview and Scrutiny Member Remuneration - Revised Scheme**

At the Council meeting on 12 November 2013, the recommendations of the Independent Remuneration Panel (IRP) which undertakes periodic reviews of the Councillors' Allowances Scheme were approved following debate and amendment. Within the Allowances Scheme is a fund available to reward councillor engagement in the Overview and Scrutiny Function, and this was increased to £15,000, to be allocated by the Chairman of the Overview and Scrutiny Management Committee in accordance with a scheme prepared by the Chairman and approved by the Committee.

The Chairman presented a report on the proposed revised scheme on Overview and Scrutiny Councillor Remuneration, refocusing the scheme to reward exceptional overview and scrutiny performance in task groups and rapid scrutiny exercises, with performance measures detailed in the report. It was stated that as the council was approaching the end of the 2013/14 municipal year, the new scheme would take effect with the start of the 2014/15 municipal year in May 2014 if approved.

The Committee discussed the proposal, supporting the focus on the outcome of Scrutiny work rather than merely attendance. In response to queries on scenarios where it was not felt a Task Group or other Scrutiny exercise had met the performance criteria, it was stated that the intent was to produce a supportive framework for the delivery of scrutiny work without restrictive judgement within that framework as identified.

It was noted that the proposed scheme would have the chairs of task groups being the main recipients, and there was some concern that the work of other members, which might equal or exceed that of the chairman of the task group, but who did not wish to be chairman themselves, could be overlooked.

There was also debate on wider councillor remuneration within scrutiny, in particular whether vice-chairman of select committees should be remunerated. It was noted the scheme was focused on the delivery of work at task group and rapid scrutiny level, with possible remuneration of vice-chairman a separate issue, although some members felt that with most other council committee vice-chairman not receiving remuneration, such a move could make any scheme more complex than appropriate and also be potentially divisive.

At the conclusion of debate, it was,

Resolved:

- 1) To endorse the suggestions of the Chair and Vice-Chair as detailed in paragraphs 4-5 of the report and to note that further consideration would be given to the exact method of calculation and limitations within the Scheme.**
- 2) To utilize the existing scheme for allocation of the fund in 2013/14 and apply the new scheme for 2014/15.**

47 Project Board Membership

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. In response, the Committee requested guidance be developed on the issue of what the role entails and the concern for potential for conflict of interest

A briefing note from the Scrutiny Manager was presented, detailing the background to the latest requests for scrutiny representation on project boards, past use of project boards with scrutiny representation and support that was provided. It was noted that the recent requests involved topics which were already the focus of existing task groups, and therefore the need to consider the respective roles of task group and scrutiny representative on the project board. The views of the Management Committee were sought on what future approach should be taken regarding project board representation and what guidance and structure would need to be in place.

The Committee discussed the briefing note and welcomed increased involvement of scrutiny at early stages of projects, but concerns were raised in a number of areas, including the following:

While Scrutiny involvement on project boards was seen as beneficial, that such representation was only at the invitation of the Cabinet Member was not seen as appropriate. It was also noted that the Committee had no indication how many project boards existed within the council.

The Committee discussed whether it was appropriate for a place for a Scrutiny representative on all project boards to be left open if required, or whether Scrutiny should be able to request there be a Scrutiny representative on a specific board if they felt it suitable to do so, in addition to or in place of a task group or other exercise, which might be constituted further into the project if deemed necessary. It was also raised that where invitations had been received, it should not be for a named member of scrutiny

It was considered strongly that any representative from Scrutiny on a project board should be provided with clear guidance as to their role and need to retain a strategic rather than locally focused approach to the subject. Some members

raised concerns that membership on the project board could be seen as a subject having been officially scrutinized despite single member involvement only, or that with existing task groups potentially receiving updates and questioning the Scrutiny representative on the project board, that this could replace or provide a buffer for working with and challenging the responsible Cabinet Member or Portfolio Holder, which would not be appropriate or effective scrutiny.

Other issues debated included the need for a clear reporting procedure either to committee or task group, and that when deciding which if any project boards a scrutiny representative should be included on, there should be a focus on the outcome that scrutiny wished to be achieved and what value would be added to the process, rather than being an additional part of the process adopted to little purpose depending on the subject. At the conclusion of debate, it was,

Resolved:

To request a further report with recommendations on possible approaches with regards Scrutiny representation on project boards, incorporating concerns raised above, in particular the need for a focus on outcomes, a clear remit for any member appointed to a project board, and a clear report process for that member.

48 Local Enterprise Partnership (LEP)

A Local Enterprise Partnership 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 civic leaders to set the strategy and take decisions for their area.

LEPs were created in 2011 and as a new organisation, the governance arrangements of the Swindon and Wiltshire LEP 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 LEP, and in particular its Strategic Economic Plan, to public account.

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. A report from the Scrutiny Manager on the options for that joint scrutiny was presented, for an initial meeting in June 2014.

It was noted that the development of the proposed scrutiny of the LEP had been the subject of extensive liaison between Swindon Borough Council, Wiltshire Council and the LEP, and that there was not a statutory requirement for the LEP to submit to the formal Local Authority scrutiny arrangements, and that the LEP had no experience of working alongside elected members in such a fashion, requiring additional development work prior to setting up scrutiny requirements.

The Committee discussed the options for any scrutiny structure of the LEP, including leaving each Authority to use their own arrangements, a formal Joint Committee of the two authorities, or an informal Joint Task Group with fixed membership from both councils, with the latter being the recommendation of the report.

For a Task Group, there was a debate as to whether like Joint Committees such a group should contain more Wiltshire Councillors than Swindon Councillors to reflect the proportionate populations, or whether for the initial group tasked with producing recommendations for how the LEP would be scrutinized in the future, equal membership was appropriate.

It was also raised that a clear timetable and terms of reference would be needed for any task group, and the involvement of the LEP at the initial stage of formulating a future scrutiny system to be adopted was discussed.

There was debate about how long the pilot Task Group option, if agreed should last, with members keen to move the process along but conscious of the need for both council's to further familiarize themselves with the LEP and its processes, as well as the impact of Swindon Borough Council's May 2014 elections on setting up the proposed Task Group.

It was also stated that any scrutiny arrangements should be as robust as possible.

At the conclusion of debate, it was,

Resolved:

To delegate to the Chairman and Vice-Chairman to appoint four non-executive members to an informal joint Task Group with fixed membership with equal numbers from both Councils which is accountable to the relevant Overview and Scrutiny parent committee 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.

49 **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.

The Committee was invited to consider whether the event should be repeated in other locations across the county to increase engagement with all councillors. It was,

Resolved:

To arrange further training sessions of the same form in other locations around the county as appropriate.

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

The Committee noted the written update in the agenda papers, with the need to appoint an additional member to attend the Centre for Public Scrutiny (CfPS) Annual Conference in June 2014.

It was,

Resolved:

To appoint Councillor Gordon King as a representative to attend the CfPS Annual Conference.

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

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

The draft Annual report was presented by the Chairman, stating that the intention was to improve communications and promotion of the good work taking place in overview and scrutiny, though a brief report to be presented at full Council in May 2014 and then append to the council's website.

The Committee discussed the proposed draft and commented upon the need to format the document appropriately for an electronic version only, and noted the information in each section. It was,

Resolved:

To approve the Overview and Scrutiny Annual Report 2013/14 for presentation to Council in May 2014.

52 **Scrutiny of Major Contracts**

In January 2014 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 on 4 March 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 noted that this had now been done and circulated to the chairmen and vice-chairmen of the select committees, and further requested the information be circulated to the rest of the Management Committee. It was,

Resolved:

To note the update.

53 Task Group Updates

In addition to the written updates of Task Groups as contained in the agenda, there were the following updates:

Financial Planning Task Group

The intended future work of the Task Group was detailed for consideration.

Area Boards Review

The Committee expressed disappointment that the Review of Area Boards Task Group had not been able to review the Cabinet report prior to its consideration on 22 April, and felt that there were still several concerns with the ongoing review which required further consideration and details to be presented, such as the governance arrangements and proposed reliance on volunteering.

The Committee also wished to have sight of the email the Chairman sent to the Leader after the Cabinet meeting and a link to the various reports.

Health Select Committee

The Continence Task Group report was now available and would be considered at the next meeting of the Committee on 6 May.

Environment Select Committee

The Speedwatch Task Group was to be stood down to avoid duplicating work which was being undertaken by the Officer of the Police and Crime Commissioner.

The Community Infrastructure Levy (CIL) Task Group was once again delayed as a result of changes from central government, and would report when able.

As a result of the recent flooding several aspects of the council's Flood Plan had been identified as in need of revision. As a result, the Environment Select Committee would postpone scrutiny of the plan until it had been revised.

Children's Select Committee

As a result of staffing changes impacting the support of its intended work, the Education for 16-19s Task Group had been suspended. With the endorsement of the Management Committee the Children's Select Committee would instead create a Task Group to examine the development of the Early Help Strategy.

54 Forward Work Programme

The Committee noted the proposed Forward Work Programme, and the intention to review the overall programme following the annual meeting of council in May 2014.

55 Date of Next Meeting

The date of the next meeting was confirmed as 8 July 2014.

56 Urgent Items

There were no urgent items.

(Duration of meeting: 10.30 am - 1.00 pm)

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