



OVERVIEW & SCRUTINY TRANSITION BOARD

Minutes of the Meeting Held at KDC Offices – 20 April 2009

In Attendance

Members
Cllr Anthony Molland WC – in the Chair
Cllr Jeff Osborn WC
Cllr Ian West WC
Cllr Chris Humphries WC
Cllr Ricky Rogers WC
Co-opted Members
Mr Mike Hewitt
Mr Keith Humphries
Mr Jonathon Seed

Also in attendance:

Cllr Tony Trotman WC
Mr Ray Parsons

Ian Cook, Head of the Programme Office
Matthew Woolford, Media Relations Manager

Support Officers Scrutiny:

Paul Kelly, Ceri Williams, Marie Gondlach WC

1. Apologies

Mrs Christine Reid, Co-opted Member

2. Minutes of Previous Meetings –27 March 2009

The minutes for the meeting of 27 March, 2009 were confirmed and signed as a correct record.

3. Chairman's Announcements

The Chairman announced that he was resigning from the Conservative group but following discussion with the Conservative Group Leader he was pleased to continue as Chairman for the Board's final 2 meetings.

4. Task Groups

(1) Communications and Critical Path

(i) Members received a presentation on the first weeks of Wiltshire Council from the Head of the Programme Office and the Media Relations Manager.

Members subsequently commented on the following issues:

- Council Tax: Wiltshire Council's increase of council tax rate seemed to be higher than the average.
- Icelandic Banks: members requested an update on Wiltshire Council's position in relation to 20 April announcement by the government regarding Icelandic Banks and the refunding of deposits.
- Staffing: members expressed concerns about the appointment process in general, and the current situation for Legal and Democratic Services in particular, and the high risk associated with not being able to deliver service following the elections. Members also questioned variations between the last set of figures and the current one.
- Parish Councils: members would welcome more details of the "new structure" of the support offered to Parish Councils.

Resolved

- 1. That the Head of the Programme Office provides clarification to the Board on Wiltshire Council's position regarding Council tax.**
- 2. That Members receive the statement on Wiltshire Council's position in relation to the Government's announcement regarding Icelandic banks.**
- 3. That the Assistant Director LGR Transition Team provide a report to the next Board meeting, clarifying the current position.
To note that the latest figures are available on the Wiltshire Council's website.**
- 4. To request an update from the Head of Democratic Services regarding the services and working relationships with Parish Councils.**

(2) Housing

Members expressed concerns regarding the new Housing application system and questioned whether a review was planned.

Resolved

To report the Board's concerns to the Portfolio Holder.

(3) Change Management and ICT

Mr Humphries presented the Board with a verbal update for the Change Management Task Group including the following topics:

- Data protection certificates are a legal requirement and are currently under consideration. Email forwarding and email auto-forwarding is still an issue within Data protection.
- The potential impact in response to the imminent departure of the Service Director ICT and Procurement.

Members expressed concerns at the level of risk ensuing from the loss of knowledge and experience as members of staff leave Wiltshire Council, and the actual efficiency in service delivery of ICT.

Resolved

- 1. To note the update**

2. **To ask the Change Management Task Group to review the risk level regarding the Service Director ICT and Procurement leaving Wiltshire Council.**
2. **To receive an update from the Change Management Task Group at the next Board's meeting.**
3. **To recommend that ICT support be scrutinised following the elections, including the email forwarding and auto-forwarding issue.**

(4) Waste

The Chairman of the Overview and Scrutiny Transition Board read out a response from the Service Director Amenities and Leisure:

"Officers are currently working on a waste collection harmonisation report for Members. The report will provide options to Members, detailing the financial and operational implications of various collection methods. It is anticipated that the report will be available for Member consideration in the Summer/Autumn of 2009."

Resolved

To note the update.

(5) Area Boards Scrutiny Task Group

The Board received the Executive's response to the Final Report's recommendation. In considering the Executive's response members expressed concerns over the following issues: not all services had provided the information required for the handbook, the evaluation report on the pilot Area Boards has been deferred for the second time, that members of the Executive should not be allowed to chair Area Boards is a decision for the new Council and the Area Boards.

Resolved

1. **The Chairman, on behalf of the Overview and Scrutiny Transition Board, to write to the Deputy Leader and Portfolio Holder for Community Services and Housing stating issues of particular concern:**
 - **some services have still yet to respond for information to be included in the handbook;**
 - **the Board's view that Executive members should not serve on Area Boards and that view to be included in the Constitution**
2. **To receive the Area Boards handbook at the next meeting.**

5. Planning Code of Good Practice for Members of Wiltshire Council.

The Board received the final version of the Code and a report from the Service Director, Development prepared for a meeting of the IE on 7 April.

In considering the Code the IE agreed that the text for Site Visits in the Code be as set out by the Constitution Focus Report (see paragraph 4 of the report). They also agreed that paragraphs 9.5 and 11 of the Code be reviewed at the end of the interim period. Finally, they agreed to delegate authority to the Service Director, Development to prepare a protocol for site visits as an appendix to the Code of Good Practice. This should include the stipulation that cases where site visits have been undertaken should be the first item on the Agenda of the following Planning Committee meeting where the final decision is made (see minutes of the IE's 7 April meeting, item 9).

During the subsequent debate members expressed concerns over issues including the effect the IE's decision would have on the overall Planning Performance and possible additional costs incurred.

Resolved:

- 1. To record the Board's dissatisfaction at the outcome of the IE's 7 April meeting.**
- 2. The Chairman, on behalf of the Overview and Scrutiny Transition Board, to write to the Implementation Executive Lead Member expressing the Board's concerns and including foreseeable implications.**

6. Member / Officer Protocol

The lead member of the Electoral / Democratic Services Task Group presented the Board with a verbal update following the 16 April meeting with the Service Director for Legal and Democratic Services. In doing so concerns over the staffing situation was mentioned again. The lead member reported that good progress had been made on the Member / Officer Protocol and a further meeting is planned on 27 April.

Resolved:

- 1. To note the update**
- 2. To receive an update following the meeting on 27 April.**

7. New Council Constitution – Overview and Scrutiny

The Scrutiny Manager presented the Board with a verbal update on the Overview and Scrutiny Articles and Procedure Rules in the New Council Constitution. The Chairman and Vice Chairman have recently approved the final version.

Resolved:

To note the following amendments taking into account the further editing required by the Service Director, Legal and Democratic Services and the views expressed by the Board:

- Party Whip: this paragraph has been deleted in its entirety and a reference to "non-partisan" added to the Articles paragraph 6.2(8).**
- Limitations to call in: this has been deleted in its entirety as reference is made elsewhere to it "only being used in exceptional circumstances" (paragraph 31) and requiring "any 3 members of the committee" to request a call in (paragraph 34). The limitations deleted related to only 2 call ins per 6 months and expenditure or reduction in service over a value of £100K.**
- Councillor Call for Action, Area Boards and Scrutiny of Crime and Disorder Reduction Partnerships: these additional paragraphs are now included in the body of the Procedure Rules as paragraphs 17 to 19 and a reference made in the Articles- Terms of Reference paragraph 6.2(6).**

8. Application of the Appointments Procedure.

The Board received the latest position on the Appointments Procedure.

Resolved:

- 1. To note the latest position and the earlier comments made in minute 4.(1).i and 4.(1).3**

9. Implementation Executive Minutes

The Board received the minutes of the special meeting of the IE held on 30 March and the meeting held on 7 April.

Resolved:

To receive the minutes.

10. Outline Work Programmes

(1) The Board considered the work Programme for JOSTB and members discussed whether or not to keep the Licensing Policy and the Gambling Policy, both to be considered at the IE's 13 May meeting, in the work programme.

Resolved:

To remove the Licensing Policy and the Gambling Policy and approve the outline work programme for the Board as amended to reflect earlier decisions taken at this meeting.

(2) The Board considered the work Programme for IE.

Resolved:

To receive clarification from the Head of Democratic Services regarding Wiltshire Council opting out of the LGA on issues including the number of positions affected, the memberships to certain groups and the actual end date of Wiltshire Council's membership.

11. Next Ordinary Meeting – Friday 8 May at 10.30am at Browfort, Devizes

(Duration of Meeting: 10:30 –12.15)

The officer who has produced these minutes is Marie Gondlach, Democratic Services, Wiltshire County Council, Direct line: (01225) 713079.