



OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

MINUTES of a MEETING held at COUNTY HALL, TROWBRIDGE on 15 MARCH 2006.

PRESENT: Mr JB Osborn (Chairman), Mr BE Dalton, Dr JM English, Mrs ME Groom, Brig. RW Hall, Mr A Molland, Mr C Newbury, Mr JC Noeken, Mr RT Rogers, Mrs J Rooke, Mrs P Rugg, Mr A Trotman and Mr RS While.

Also present Mrs JA Scott, Leader of the Council
Mr JP Thomson, Cabinet Member for Community and Staffing
Mr TR Sturgis, Cabinet Member for Planning and Waste
Mr CP Humphries, County Councillor (and also in his capacity as Leader of Kennet District Council in respect of minute 19)

14. Minutes of Previous Meeting

Resolved: To confirm and sign the minutes of the meeting held on 13 January 2006.

15. Chairman's Announcements

Order of Business The Chairman altered the order of business on the day to accommodate the availability of Cabinet and other members, chief officers and public participation. (The Chairman left part way through the meeting for another engagement and the Vice-Chairman took the chair for items 18, 20-23.)

16. **Public Participation** The Chairman indicated that he would take questions and statements at the start of the relevant item (see minute no. 19 below).

17. **Taking Forward the Voice to Choice Project** The Management Committee expressed its views on the concept and principles of this project at the last meeting following a seminar for all members (see minutes of last meeting). The Cabinet Member for Community and Staffing was asked to take these into account in developing the next stage of the Project.

A report by the Director of Adult and Community Services on moving the project forward, including the possible options for establishing community area boards was circulated. The Management Committee asked to receive this report in support of its role to act as the channel for the views of non-executive members and to monitor the delivery of the project. It was now being consulted on the detail and various options in advance of Cabinet's decision in April. John Thomson, Cabinet Member for Community and Staffing was invited to attend the meeting to report on the current position, as well as an invitation extended to all members of the Council to contribute to the discussions.

During debate, members made the following points:

- Varying levels of officer support at present between community areas
- Good experience already in Kennet with its community area partnerships (eg. Marlborough) – just need injection of additional resources
- Mindful of potential impact of white paper on LGR – might be best to defer
- Should be viewed as an opportunity to engage better with local people – should not put obstacles in the way of the pilots, learn from what happens
- Will only succeed if local members are supportive
- Support overall objective but area committee experience in West Wilts has not been favourable
- Community engagement will depend on whether decision-making is delegated therefore area committees should be seriously considered
- Problems created due to community areas not being coterminous with electoral divisions
- Unlikely to receive direct financial support from districts
- Need to ensure parity for villages
- Local members need to be empowered and supported more than at present
- How will Health relate to the new arrangements
- Better to simply invest in supporting existing town and parish councils – some might see this as a threat to their existence
- Area community boards need to be seen as democratic so elections should be held for representatives
- Approach should be flexible in each area + recognise that some will not get off the ground
- Potential problem in single-issue groups dominating proceedings
- Calne has had positive community engagement so would be a good pilot
- Some potential participants will not volunteer if unpaid
- Worry about costs but not responsibilities being handed over
- Partnership between the 3 tiers of local government is the right way forward
- Pilots should be spread across districts in order to identify good practice from different arrangements including a decision-making option.

In response to some of these points, John Thomson took the opportunity to refer to:

- the possible option of area board decisions being implemented under officer delegated powers (see para.4 of Appendix B to the report)
- this should be seen simply as a consultation exercise on a range of issues and options at this stage
- the work being done by the Young Foundation with town and parish councils
- this not being about supporting the Government's agenda but simply looking for a better way to work with local communities
- the Council should be prepared to take a risk at least at the pilot stage in order to have a basis for further decisions and would value the support of local members in the efforts being made
- the launch of the "Acknowledge" software designed to give members better access to information on what was happening locally

In concluding the debate the Chairman commented that it was difficult for Scrutiny to give a stronger steer at this stage in light of the ongoing consultation and further work required.

Resolved:

To advise the Cabinet Liaison Meeting on 17 March (and ultimately Cabinet) of the following:

- (1) *The views expressed by members attending the Management Committee as set out in the minutes and in the “lines of enquiry” document attached as an appendix.*
- (2) *That the Committee felt unable to identify a preferred option for the constitutional arrangements at this stage, especially in light of the advice given by the Head of Legal and Democratic Services in appendix B to the report, and in recognition of the desire from members not to create another layer of local bureaucracy or “talking shop”.*
- (3) *The very ambitious nature of the project when considering the terms of reference in appendix A to the report, especially the potential scope from the menu of services and functions, the size of membership in order to be inclusive and the ability for the meetings to run efficiently and on time - as envisaged in appendix D to the report.*
- (4) *The apparent uncertainty over the commitment and participation by our partners, especially if advised to dissolve existing structures and/or delegate functions and budgets.*
- (5) *The potential impact on our own structures including departments, advisory panels and the current role of scrutiny in terms of holding executives and partners to account, monitoring performance and budget consultation.*
- (6) *Scrutiny’s contentment with the draft evaluation criteria in appendix E of the report subject to the points raised in the “lines of enquiry” document.*
- (7) *To acknowledge the work done by the Cabinet Member, Project Sponsor and Development Services in setting out a foundation for the Council and its partners for consideration in moving the project forward; and the national interest being shown in its development.*
- (8) *To ask the Cabinet Member to report back to the next meeting of the Management Committee on 9 June with the details of what has been agreed by Cabinet for the pilot arrangements in the light of the comments it receives.*

18. **Transport Contracts – Transport Advisory Service Review and Eligibility Criteria** A report by the Director of Environmental Services was circulated. The Management Committee asked for this information at its meeting in November when it looked at the opportunities for combining contracts and other efficiency measures in the delivery of passenger transport. Specific savings and efficiencies had now been identified within the Council’s approved budget for 2006/07. Information from both DCE and DACS in respect of progress with reviewing eligibility criteria was also included in the report.

Resolved:

- (1) *To welcome the main findings and recommendations from the final report of the TAS Partnership.*

- (2) *To seek assurance from the Cabinet Member that her full support will be given to the earliest implementation of these recommendations.*
- (3) *To receive a copy of the Action Plan (detailing timescales and resources) when finalised.*
- (4) *To observe that implementation of the recommendations was unlikely to make a major contribution to the savings and efficiencies required for 2006/07.*
- (5) *To note that the deliver of the savings and efficiencies identified in the budget for 2006/07 will be monitored through the Budget (Process) Scrutiny Task Group*
- (6) *To retain the topic on the Management Committee's work programme for the purposes of monitoring the implementation of the action plan.*

(Nb. Mr Dalton declared a personal interest in this matter as his mother attended a day centre.)

19. **Mrs ME Groom: Croft Road/Hay Lane Link Road and M4 Junction 16** A copy of the original request made by Mrs Groom for a task group to review the topic with supplementary points and an initial updated response by the Director of Environmental Services was circulated with the agenda. Mrs Groom had since supplied further background papers to her request which were also circulated. This matter was deferred from the last meeting pending the return of Mrs Groom and the availability of more information including the Council's decision on the Structure Plan modifications.

Public questions and statements were submitted by the following people in support of Mrs Groom's request:

- (i) Lady Inchape
- (ii) John Hollis
- (iii) Tom Pepperall, Chairman of Lydiard Millicent Parish Council
- (iv) Charmian Spickernell, CPRE
- (v) Geoff Yates, Chairman of Lydiard Tregoze Parish Council
- (vi) Michelle Smith
- (vii) Bridgett Tub
- (viii) Councillor C Wannell, North Wiltshire District Council

The Chairman responded to these by confirming that written replies had been prepared in the name of the Cabinet Member for Planning and Waste which had been circulated at the start of this item. He also outlined how he intended to chair the debate, focusing on the request for a review and not the substantive topic.

Mr P Tilley, on behalf of the Director of Environmental Services, gave a brief oral presentation on the background to the issues raised in the request, and the particular actions and responsibilities of the County Council. Mrs Groom then spoke in support of her request and on the latest developments. Mr Deane, who was not a member of the Committee but was invited to speak by the Chairman and who had accompanied Mrs Groom to a recent informal meeting with the Chairman and Vice-Chairman, explained why it was important to listen to the concerns being raised by Mrs Groom and the local community.

Members then debated the merits, or otherwise, of holding a review including the petition and evidence being brought by Mrs Groom and the local community especially in respect of public consultation; the implications of Swindon being the principal authority in the matter and its refusal to undertake a review, the regulatory nature of the issue and therefore any added value that scrutiny could bring especially with its current work programme and limited resources; and that the Structure Plan was now with the Secretary of State.

The Cabinet Member then spoke referring to the Planning Act and duties of Swindon Borough Council, the forthcoming public meeting in Wootton Bassett and consideration by Cabinet of the response to Condition 99. However he felt he should not take a firm line on the matter at this stage in advance Cabinet's consideration.

The Chairman encouraged Mrs Groom and her supporters to continue pressing Swindon Borough Council, the developers and Secretary of State. Several proposals were then suggested and debated as to the way forward, including possible terms of reference from Mrs Groom for a task group which the Chairman felt were just a further list of questions, and eventually it was,

Resolved:

- (1) *To establish a Task Group to review the actions of the County Council in respect of the planning application for the Hay Lane/Croft Road Link Road and associated matters.*
- (2) *To appoint 5 members (to be named by group leaders) to serve on the Task Group and to ask for it to report on its findings within 3 months of its first meeting.*

20. **Mr JB Osborn: CareFirst Project – Review of Implementation** A report by the Director of Adult and Community Services was circulated. This was in response to an enquiry by the Chairman last October following a reference in the annual internal audit report to significant slippage in the delivery of the project and that consultants had been employed to undertake a review. The Chairman and Vice-Chairman received a briefing paper from the Director at the time and felt that the matter should be brought to the attention of the Committee.

In the absence of the Chairman, the Scrutiny Manager informed members of the issues raised during the earlier briefing meeting including the costs of the project to date, the need to be kept informed over practitioner input (from April 06), the benefits of transferring the Project Team to the management of the Head of ICT, the project management lessons learnt and the general awareness/engagement of non-executive members in the DACS 06 Project. During discussion members asked questions about the development of mobile technology and heard about the advantages of utilising the NHS network.

Resolved: *To note the actions taken to address the challenges faced during the implementation of the CareFirst Project, and to seek an update report on progress with practitioner input at the end of the year.*

21. **Cycle Lanes Task Group Final Report** A copy of the Task Group's final report was circulated. The members who served on the Task Group were John English (Chairman), Patrick Coleman, Ross Henning, Margaret Taylor and Charles Winchcombe. Its work covered utility and leisure cycling, cycle lane design, signage, cycle lane maintenance, cycle training, health factors, fragmentation of network, and

promotion of cycling. As well as County Council officers, the Task Group received evidence from Sustrans, local Cycling Liaison Panels, and the Healthier Wiltshire project.

Dr English thanked those members and officers who were involved in the Task Group and spoke to the findings in the report. During discussion members commented on the need to improve design and awareness at road junctions where most accidents occur.

Resolved:

- (1) *To endorse the conclusions and recommendations of the Task Group set out in its final report for submission to the Cabinet Member for Environment, Transport and Economic Development.*
- (2) *To note that her response would be reported back to the Management Committee at the next meeting and, if approved, the implementation of the recommendations would be reviewed in 12 months time.*

22. **Scheme of Delegation to Cabinet Members** It was reported that the Leader of the Council had recently circulated to all members the outcome of her review of the Scheme of Delegation to Cabinet Members. She had invited any comments on the proposed changes to the operation of the Scheme prior to implementation.

The Management Committee had made a number of comments at its meeting back in November based on experiences of non-executive members which were taken into account by the Leader when reviewing the Scheme. The Chairman felt it was right that the Committee now had a further opportunity to make collective comment on these proposed changes.

Members supported the intentions of the Leader to strengthen the early engagement with local members, including their ability to have input to any report, and the introduction of 5 days notice before a decision is taken (in addition to the post-decision five day call-in period prior to implementation). The instruction to officers that any matter of contention or significant public interest should be taken to the relevant advisory panel was also welcomed. In responding to the comments of the Committee, the Leader also encouraged members to contact the relevant Cabinet Member in the first instance should they have any questions on a specific decision.

A brief discussion took place on the volume of delegated decisions being taken by the respect Cabinet members, and the change in the responsibility for determining traffic regulation orders.

Resolved:

- (1) *To note the outcome of the review and support the changes to the Scheme proposed by the Leader.*
- (2) *To ask to be consulted on any future review following implementation of these changes, especially if concerns of non-executive members continue.*

23. **Work Programme** A copy of the latest version of the Management Committee's work programme was circulated.

Resolved:

- (1) *To note the current work programme and alterations made as a consequence of decisions taken earlier in the meeting.*
- (2) *To note the following scrutiny activities taking place under the direction of the Management Committee:*

<u>Activity</u>	<u>Topic</u>	<u>Members</u>	<u>Start date</u>	<u>Next Meeting</u>	<u>End Date</u>
Task Groups	Performance	Mr Newbury (Ch) Mr Osborn Mrs Soden Mrs Taylor Mr While	Nov 02	24 April	Standing
	Budget Process	Mr Molland (Ch) Brig Hall Mrs Wayman Mr Coleman Mr Rogers	Sept 01	6 June	Standing
	Customer First	Ms Content Mr Dalton Mr Deane Mr Newbury Mrs Rugg	June 05	24 April	Standing
	School Catering	Mrs Rooke (Ch) Mrs Chettleburgh Dr English Mrs Groom Ms Macdonald	June 04	15 May	June 06
Procurement Project Boards	Property Services	Mr Noeken	Sept 05	-	March 06
	Agency Staff	Mrs Swabey	Nov 05	-	April 06
	Advertising Services	Mr Deane	Nov 05	-	April 06
	ICT Services	Mr Deane	Dec 05	-	April 06

(Duration of Meeting: 10.30 am – 1.35 pm)

The Officer who has produced these minutes is Paul Kelly, Democratic & Members' Services, direct line: (01225) 713049.

04/04