

REPORT TO OVERVIEW & SCRUTINY

Report No.9

Date of Meeting	11.09.08
Title of Report	Role of Overview and Scrutiny in a Demising Authority
Link to Corporate Priorities	All
Public Report	Yes

Summary of Report

This report analyses the likely role of NWDC Overview and Scrutiny in the remaining months of the existence of NWDC and makes recommendations on future O&S arrangements. There will be no changes to the normal “call-in” arrangements.

Officer Recommendations

1. To cease the work and meetings of NWDC Overview and Scrutiny; subject to the proviso that should an issue arise not otherwise associated with the transition to one Council that the Chairman has the discretion to re-instate any pre-programmed meeting of this Committee. This will not affect the normal “call-in” arrangements which remain unchanged.
2. That the Joint Overview and Scrutiny Committee be advised of the content of this report.

Other than those implications agreed with the relevant Officers and referred to below, there are no other implications associated with this report.

Financial Implications	Legal Implications	Community & Environmental Implications	Human Resources Implications	Equality & Diversity Implications
None	None	None	None	None

Contact Officer

Lachlan Robertson – Head of Policy and Performance
01249 706420 lrobertson@northwilts.gov.uk

1. Introduction

- 1.1 In the light of the accelerating move towards a single unitary Council for Wiltshire, this Committee requested the Head of Policy and Performance to report on the role of Overview and Scrutiny in the remaining months of the Authority.

2. Options

- 2.1 Option 1: To cease the work and meetings of NWDC Overview and Scrutiny; subject to the proviso that should an issue arise not otherwise associated with the transition to one Council that the Chairman has the discretion to re-instate any pre-programmed meeting of this Committee. This will not affect the normal "call-in" arrangements which remain unchanged. **This is the recommended option.**
- 2.2 Option 2: To limit the number of future meetings of Overview and Scrutiny to one further meeting on 15th January 2009 to formally close the business of the Committee; subject to the proviso that should an issue arise not otherwise associated with the transition to one Council that the Chairman has the discretion to re-instate any pre-programmed meeting of this Committee.
- 2.3 Option 3: To continue with the present arrangements, ending on 31st March 2009.
- 2.4 Option 4: To institute such other arrangements as the Committee may discuss and agree.

3. Background Information

- 3.1 Members of this Committee will be familiar with the terms of reference for its operation, but in summary there is a general role to scrutinise decisions made on any Council function, consider any matter affecting the area, and assist the Council in policy development. Members of this Committee have the right to "call-in" matters for their attention as set out in the terms of reference.
- 3.2 This role is made more complex by the fact that this Authority will expire on the 31st March 2009 and that in the transition to the new Authority, Joint Overview and Scrutiny arrangements have been put in place. These arrangements are administered by the continuing authority, Wiltshire County Council. The Chair of the NWDC O&S is this Council's representative on that Joint O&S. Inevitably there is a degree of overlap.
- 3.3 For example, in the same manner that the NWDC O&S "scrutinises" the decisions of this Council's Executive, so the Joint O&S Committee has the same relationship with the Implementation Executive for the new Wiltshire Authority; however, many of the issues they both will deal with can be identical.
- 3.4 In order that their activities were focussed upon matters of priority to Members, the Joint O&S Committee therefore set itself five priority areas; development control, housing, customer access, area boards and waste and recycling. In practice, some other issues of interest have been dealt with at the instigation often of the four District O&S Committees. Whilst these priority areas are set, it should be recalled that the ability to "call-in" certain decisions remains available. Also, any Member of the District Council's can become involved in appropriate task groups arising from Joint O&S work.

- 3.5 Of key interest in this report is the decision of the Joint O&S Committee on 25th July 2008 as follows:

“To initially opt for receiving periodic reports at key milestones in the development of priorities and the budget for the new Council with the possibility of refining this approach in the future if necessary.”

- 3.6 This suggests that scrutiny and assistance is being offered by Members on the budget process, including from representatives of the District Councils.
- 3.7 The Implementation Executive has now appointed most of the new Corporate and Service Directors for the new Wiltshire Authority. Increasingly the day to day work of staff operating services are either taking advice or in some cases direction from those managers. Some District services have already effectively merged, for example the Elections Service for the County is operated as a single service from the offices of NWDC.

- 3.8 In terms of the four distinct responsibilities of O&S, the following assessment is offered.

Holding the Executive to Account: in the last few months remaining, it is unlikely that the Executive will wish to make any major policy decisions. Indeed, there will be less and less opportunity to do so as more powers transfer to the Implementation Executive.

Performance and Policy Review: There will be a continuing need to monitor the performance of services. But given that we are in a time of considerable change and staff turn-over, this should be part of the monitoring work that could be expected of the Implementation Executive, through its Service Directors, to ensure that the new Authority inherits good performing services. It is in the interests of the new Authority to do so.

Policy Development: There will be no new policy development work taking place in the lead up to the new Authority. Budget development is taking place for the new Authority now under the arrangements set by Wiltshire County Council.

External Scrutiny: This Committee has not undertaken any scrutiny of external bodies in the last year and this is unlikely to change.

4. Options Review

- 4.1 If there is a view that over the next six months, there will be a substantially declining opportunity for work on significant and meaningful issues for the NWDC Overview and Scrutiny to engage with, then the role of O&S would be limited. This does not mean that important issues will not be addressed as evidenced by the priority areas identified by the Joint O&S Committee and its experience so far.
- 4.2 It would be appropriate for this Committee to reduce its activities substantially and to meet only if a significant issue should arise that would not be dealt with in that other forum. This would, for example, be an issue that is only relevant to this Authority and has no consequences for the new Authority.
- 4.3 Therefore it would be appropriate to consider the option of ceasing the work of O&S and to meet only if such an issue should arise between now and March 2009.

- 4.4 Alternatively, the Committee may wish to continue at most its role of monitoring the individual performance of services and the Transitional Corporate Plan. In that case, the quarterly reports on performance and on the strategic risk register may still be considered to be important to the Committee. On that basis it would be appropriate to hold one further meeting O&S to receive these reports at an appropriate date in the meetings timetable: say 15th January 2009.
- 4.5 If the Committee wished to continue the present arrangements, it should be noted that six more meetings of O&S are programmed ending March 2009. At present there is only one substantial matter included within the work programme of this O&S Committee: relating to car parking within the District. Even in that case, its principle purpose would be best served by placing it before the Joint O&S for consideration in the context of Wiltshire as a whole.
- 4.6 In considering the above options, it is relevant to note that support for the Committee is largely drawn from the Democratic Services Team. The service manager of that team has resigned and appointed to the Wiltshire County Council post of Head of Electoral Services. In addition, the Democratic Services team will have one less member of staff from September 2008 due to maternity leave and the remaining staff are heavily engaged with work arising from the transition process. There is little capacity to undertake additional new work for the O&S Committee. The main support resource for O&S is 50% of one staff member's time. That post will shortly be taking up some of the work of the maternity leave member of staff as well as supporting the Joint O&S Customer Access task group.

5. Overview and Scrutiny in other Authorities affected by Local Government Re-organisation.

- 5.1 In West Wiltshire District Council it is understood that the work plan of their O&S Committee has been substantially scaled back. Meetings are still held monthly, though these may be cancelled for 2009.
- 5.2 In Kennet District Council there is a limited scrutiny function in any case. The Scrutiny Committee has three meetings programmed until the end of the year only. No significant scrutiny work is expected.
- 5.3 The work programme of Salisbury District Council's O&S is scaling down and it meets only on an ad hoc basis as required.
- 5.4 An initial examination of the websites of a selection of other authorities affected by the current round of local government re-organisation does not indicate that others have considered this matter publicly. A representative of the Improvement and Development for Local Government Agency was informally approached for unpublished information and a further update will be provided at the meeting if this results in useful comparison with other proposed unitary authorities.

6. Legal, Human Resources, Financial and Community Impacts

- 6.1 There are no legal implications or impacts on human resources or financial interests of the Council. The interests of proper scrutiny on behalf of the community are protected as the opportunity to call a meeting as required remains.

7. Risk Analysis

7.1 There is a risk that the standard of governance of the Council may decline, but it is considered that in the remaining time of the existence of the Council, the impact that this would have and the probability that it will occur is low.

Appendices:	None
Background Documents Used in the Preparation of this Report:	<ul style="list-style-type: none"> • NWDC Terms of Reference – Overview and Scrutiny • Published Agendas of the Joint Overview and Scrutiny Committee by WCC.

Previous Decisions Connected with this Report

Report	Committee & Date	Minute Reference
None		