
Meeting: Overview and Scrutiny Management Committee (Inaugural)
Place: County Hall, Trowbridge
Committee Room: Council Chamber
Date: Friday, 21st December, 2001
Time: 10.30 a.m.

Briefing Arrangements:	Date	Time	Place
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Please direct any enquiries on this Agenda to Paul Kelly, of the Committee Services Unit, Corporate Services Department, County Hall, Trowbridge, direct line (01225) 713049
Press enquiries to Communications on direct lines (01225) 713114/713115.

Notes for meetings of the Management Committee:

- (1) **Interests** Can all members please consider whether they have a pecuniary or non-pecuniary interest to declare in any of the matters on this agenda and please report it at the appropriate time to the Director of Corporate Services.
- (2) **Public Participation** The County Council welcomes contributions from members of the public. This meeting is open to members of the public who may ask a question or make a statement to the Committee. Written notice of questions or statements should be given to the Director of Corporate Services at least two clear days before the meeting. Speakers are limited to two minutes.
- (3) **Substitutions** Can all members note that members of the Overview & Scrutiny Management Committee who serve on an Advisory Panel meeting need to be aware of potential difficulties if they subsequently review a decision upon which they have been consulted.

PART I

Items to be considered while the meeting is open to the public

1. **Membership** To report that County Council on 20th November appointed the following members to serve on the new Overview and Scrutiny Management Committee:

Conservative (6+5)

Mr WS Braid
Mrs MEM Groom
Mr CP Humphries
Mrs DJ Main
Mr AI Moore
Mr WR Moss
Mrs CA Soden
Mr WA Spiers
Mr JP Thomson
Mr DJ Willmott
Mr KC Wren

Liberal Democrat (3)

Mrs M Boulton
Mr M Hewson
Mr JB Osborn

Independent (1)

Mr PG Allnatt

Non-Elected Voting (5)

Mr S Tong - Salisbury Diocesan Board of Education
Canon L O'Driscoll - Clifton Diocese
Dr P Biggs - Parent Governor (Secondary/Middle)
Mr J Mackey – Parent Governor (Special)
Vacancy – Parent Governor (Primary)

(NB The non-elected voting members have been invited to serve on the Education Advisory Panel and may decide not to take up their place on overview and scrutiny as well)

2. **Membership Changes** The Director of Corporate Services will report any changes.
3. **Apologies**
4. **Election of Chairman**
5. **Election of Vice-Chairman**
6. **Terms of Reference** The new Constitution contains the following terms of reference for the Overview and Scrutiny Management Committee:
 - 1.1.1 the performance of all overview and scrutiny functions on behalf of the Council
 - 1.1.2 the appointment of such sub-committees as it considers appropriate to fulfil those overview and scrutiny functions
 - 1.1.3 to receive reports from the Leader at the first meeting after each annual Council meeting on 'the state of the Wiltshire', the executive's priorities for the coming year and its performance in the previous year
 - 1.1.4 to approve an annual overview and scrutiny work programme, including the programme of any sub-committees it appoints so as to ensure that the committee's and sub-committees' time is effectively and efficiently utilised
 - 1.1.5 where matters fall within the remit of more than one overview and scrutiny sub-committee, to determine which of those sub-committees will assume responsibility for any particular issue

- 1.1.6 to put in place a system to ensure that referrals from overview and scrutiny to the executive either by way of report or for reconsideration are managed efficiently and do not exceed the limits set out in this Constitution
- 1.1.7 in the event of reports to the executive exceeding limits in this Constitution, or if the volume of such reports creates difficulty for the management of executive business or jeopardises the efficient running of Council business, at the request of the executive to make decisions about the priority of referrals made.

- 7. **Report of the Scrutiny Members' Steering Group - New Scrutiny Protocols** A report by the Director of Corporate Services is circulated which sets out the views of the Members Steering Group, established by the previous two scrutiny sub-committees, on important issues for the new Management Committee.

The Management Committee is asked to comment on the views expressed in the report, perhaps over several meetings, to enable officers to develop a set of working protocols.

(NB There are specific items on some of the issues raised in the report later in the agenda)

- 8. **Shadowing the Executive**

- (1) A copy of the Executive's Forward Plan is circulated.

This gives advance notice of the Executive's list of key decisions it intends to take over the next four months. It will be updated and circulated on a monthly basis. The advisory panels will be considering the individual items in the plan prior to decision by the Cabinet. The publication of the forward plan provides the Management Committee with the opportunity to look at any of the items it may have concerns about or be interested in and give its views to the Executive before the decision is taken.

- (2) The minutes of Cabinet of 18th December 2001 will be circulated

These are required to be published normally within 2 working days of the meeting. The Management Committee, through its Chairman or 3 members of the Committee, has the power to call in (i.e. delay implementation) of a decision in limited circumstances should it have concerns. The constitution sets out the procedure to be followed should this happen.

The Management Committee may also wish to review a decision of the Executive retrospectively, for example, to satisfy itself that the decision has been properly implemented or has achieved the aims that were intended.

- 9. **Budget Process** A report by the County Treasurer prepared for the Policy & Resources and Environment & Transport Scrutiny Sub-Committee on 30th November is circulated. The Sub-Committee resolved to recommend the Management Committee as follows:

- (1) *To establish a Sub-Committee of four members (3 Conservative & 1 Liberal Democrat), with invitations being sent to nominees of each of the Labour and Independent Party Group Leaders to attend as observers for political inclusion. The Sub-Committee would facilitate direct reporting to Cabinet without the added burden of reporting via the Management Committee.*
- (2) *The Sub-Committee should review the budget process each year after:*
 - (i) *The cabinet has approved the financial plan in September.*
 - (ii) *Advisory panels have made budget recommendations in December.*
 - (iii) *The Cabinet has proposed a draft budget in January.*
 - (iv) *After the County Council approval in February.*
- (1) *The Leader and/or Deputy Leader should be asked to attend the Sub-Committee with the Chief Executive and Treasurer after the September and January Cabinet meetings.*
- (4) *Selected portfolio holders, with their respective chief officers, should be asked to attend the Sub-Committee after the December advisory panel meetings. For the 2002-2003 Budget, the Education and Environment Portfolio Holders, with their respective chief officers, should attend the Sub-Committee meeting(s) after the December advisory panel meetings.*
- (5) *Review the progress of budget monitoring arrangements in autumn 2002.*

The Management Committee is asked to consider the recommendations.

10. **Health Scrutiny** A report by the Director of Corporate Services prepared for County Council on 20th November is circulated. Council approved the recommendations in the report. A brief update report on the latest developments is also circulated.

The Management Committee may wish to consider establishing a sub-committee/task group to oversee the development of health scrutiny arrangements in the County in advance of a permanent structure from April next year.

11. **Best Value**

- (1) A guide to the best value process and the recent revised three stage approach is circulated. This includes an explanation of Scrutiny's role in the process.
- (2) Best Value Performance Plan 2002/03 - The Management Committee is asked to consider nominating a couple of members to contribute to the production of next year's plan, along side the Executive, during January. The plan will ultimately be submitted to County Council for approval in February. (Copies of the current plan will be available at the meeting for information.)

(NB There are no best value review reports to consider at this meeting)

12. **Reports of the Pilot Scrutiny Sub-Committees**

- (1) Policy & Resources and Environment & Transport Sub-Committee
- (2) Education and Social Services Sub-Committee

Reports of the proceedings of the two sub-committees during the eighteen-month pilot exercise are circulated.

The Management Committee is asked to note the reports, including the topics covered and those that remain outstanding, and acknowledge the good work done by the sub-committees in developing the scrutiny function in Wiltshire.

13. **Work Plan** A draft work plan based on the responsibilities of overview and scrutiny and the outstanding topics from the previous sub-committees is circulated.

Recommendations from the previous service committees, scrutiny sub-committees and Chief Executive for topic related task groups (in addition to the budget process and health) have been include in the plan for illustrative purposes only. The views of the Management Committee are sought on its layout and content.

Members are asked to be mindful of the resources available to scrutiny (as detailed in the appendix to the plan) when setting its future work programme.