



## OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

MINUTES of THE INAUGURAL MEETING held at COUNTY HALL,  
TROWBRIDGE, on FRIDAY, 21ST DECEMBER 2001.

**PRESENT:** Mr PG Allnatt, Dr P Biggs, Mrs M Boulton, Mr WS Braid, Mrs MEM Groom, Mr CP Humphries, Mr AI Moore, Mr WR Moss, Canon L O'Driscoll, Mr JB Osborn, Mrs CA Soden, Mr JP Thomson, Mr DJ Willmott, Mr KC Wren.

- 
1. **Membership** It was reported that County Council on 20th November appointed the following members to serve on the Overview and Scrutiny Management Committee:
- |                           |                             |                        |
|---------------------------|-----------------------------|------------------------|
| <u>Conservative</u> (6+5) | <u>Liberal Democrat</u> (3) | <u>Independent</u> (1) |
|---------------------------|-----------------------------|------------------------|

Mr WS Braid	Mrs M Boulton	Mr PG Allnatt
Mrs MEM Groom	Mr M Hewson	
Mr CP Humphries	Mr JB Osborn	
Mrs DJ Main		
Mr AI Moore	<u>Non-Elected Voting</u> (5)	
Mr WR Moss		
Mrs CA Soden	Mr S Tong - Salisbury Diocesan Board of Education	
Mr WA Spiers	Canon L O'Driscoll - Clifton Diocese	
Mr JP Thomson	Dr P Biggs - Parent Governor (Secondary/Middle)	
Mr DJ Willmott	Mr J Mackey – Parent Governor (Special)	
Mr KC Wren	Vacancy – Parent Governor (Primary)	

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

2. **Apologies** Apologies for absence were received from Mr M Hewson, Mr WA Spiers and Mr S Tong.
4. **Election of Chairman** Following discussion on the eligibility for chairmanship and the avoidance of party politics in undertaking scrutiny,

Resolved: *To elect MrKC Wren as Chairman*

Mr KC Wren in the Chair

5. **Election of Vice-Chairman**

Resolved: *To elect Mr CP Humphries as Vice-Chairman*

6. **Terms of Reference** It was reported that the new Constitution contained 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** The Committee received a report by the Director of Corporate Services which set out the views of the Members' Steering Group, established by the previous two scrutiny sub-committees, on important issues for the new Management Committee. A number of the issues raised in the report were considered as individual items later in the agenda.

Members discussed the working relationship with the Cabinet advisory panels including the need for genuine scrutiny to take place but avoiding duplication and party politics. Members were keen that the budget and support for scrutiny were at a sufficient level to reflect the importance of the function. Members raised some doubt that the estimate identified in the appendix to the work plan would not be enough, especially in cases where external consultancy was needed. It was also emphasised that the process of scrutiny should be accessible to the public.

Resolved:

- (1) *To thank the members of the Steering Group for their views on a number of important issues facing the Management Committee in taking forward the scrutiny function in Wiltshire.*
- (2) *To request that this report be used as one of the base documents to inform the 6 month review of the Constitution.*
- (3) *To ask the Director of Corporate Services to report to the next meeting on proposals for a member development programme including scrutiny awareness training for members and officers.*
- (4) *To ask officers to ensure that a realistic bid for resources for scrutiny is made in next year's budget.*
- (5) *To note that the Steering Group did not recommend having a senior officer to "champion" and protect scrutiny interests in the Council, but to ask that the issue is explored further in a report to the next meeting.*

**8. Shadowing the Executive**

- (1) Executive's Forward Plan A copy was circulated and it was reported that this gave advance notice of the Executive's list of key decisions it intended to take over the next four months and would be updated and circulated to all members on a monthly basis. The Management Committee was informed that the advisory panels would be considering the individual items in the plan prior to decision by the Cabinet.

Resolved: *To note that the publication of the Forward Plan provided 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 any decision was taken.*

- (2) Minutes of Cabinet of 18<sup>th</sup> December 2001 A copy was circulated and it was reported that these were required to be published normally within 2 working days of the meeting.

Resolved:

- (i) *To note that the Management Committee, through its Chairman or 3 members of the Committee, had 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.)*
- (ii) *To note that the Management Committee could also review a decision of the Executive retrospectively, for example, to satisfy itself that the decision had been properly implemented or had 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 30<sup>th</sup> November, 2001 was circulated. On considering the recommendation of the Sub-Committee,

Resolved:

- (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) *To request the Sub-Committee to 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.*
- (3) *To ask the Leader and/or Deputy Leader to attend the Sub-Committee with the Chief Executive and Treasurer after the September and January Cabinet meetings.*
- (4) *To ask selected portfolio holders, with their respective chief officers, 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 after the December advisory panel meetings.*
- (5) *To review the progress of budget monitoring arrangements in autumn 2002.*

(NB. Meetings of the Sub-Committee have been arranged for 11<sup>th</sup> and 26<sup>th</sup> January)

10. **Health Scrutiny** A report by the Director of Corporate Services prepared for County Council on 20<sup>th</sup> November was circulated. John Feane, Corporate Policy Advisor who was leading on the development of health scrutiny in the County, reported on preliminary discussions he had had with the district councils and the Health Authority.

Members generally welcomed this major new role but had concerns about the Council's ability to deliver with the limited resources available. The need for partnership working was fully supported bearing in mind the potential size of the task.

Resolved:

- (1) *To note that Council had approved the recommendations in the report.*

- (2) *To establish a sub-committee of 4 members (3 Conservative and 1 Liberal Democrat) to oversee the development of health scrutiny arrangements in the County in advance of a permanent structure from April next year. (NB named observer status was granted to the Labour and Independent groups.)*

(NB Mr PG Allnatt declared an indirect non-pecuniary interest in this matter and remained in the meeting.)

11. **Best Value** A guide to the best value process and the recently revised three stage approach, including an explanation of Scrutiny's role in the process was circulated. The Committee also heard about proposals for the production of next year's performance plan.

*Resolved:* *To note the existence of the helpful guide and to nominate Mrs M Boulton and Mrs CA Soden to contribute to the production of the Best Value Performance Plan 2002/03 along side the Executive, during January. (The plan would ultimately be submitted to County Council for approval in February.)*

12. **Reports of the Pilot Scrutiny Sub-Committees** Reports of the proceedings of the two sub-committees during the eighteen-month pilot exercise were circulated.

*Resolved:* *To note the reports, including the topics covered and those that remained outstanding, and acknowledge the good work done by the members and officers of 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 was circulated.

It was reported that the 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 agreed earlier in the meeting) had been include in the plan for illustrative purposes only. The Chairman asked members to be mindful of the resources available to scrutiny (as detailed in the appendix to the plan) when setting its future work programme.

*Resolved:* *To adopt the draft plan as the basis of the Committee's future work programme for consideration and review at each meeting, including the establishment of an E-Government Task Group with 4 members to scrutinise the Cabinet's development and implementation of its e-government strategy.*

(Duration of Meeting : 10.30 – 11.45 a.m.)

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

Press enquiries to Communications, direct line: (01225) 713114/713115.