

## OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

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### MINUTES OF THE OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE MEETING HELD ON 5 JUNE 2018 AT THE KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

#### **Present:**

Cllr Chuck Berry, Cllr Matthew Dean, Cllr Stewart Dobson, Cllr Howard Greenman, Cllr Alan Hill (Vice-Chairman), Cllr Jon Hubbard, Cllr Gordon King, Cllr Jacqui Lay, Cllr John Walsh, Cllr Graham Wright (Chairman), Cllr David Jenkins (Substitute) and Cllr Roy While (Substitute)

#### **Also Present:**

Cllr Ian Blair-Pilling, Cllr Richard Clewer, Cllr Tony Jackson, Cllr Brian Mathew, Cllr Ian McLennan, Cllr Ian Thorn, Cllr Bridget Wayman and Cllr Jerry Wickham

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#### **38 Election of Chairman 2018/19**

Nominations were sought for a Chairman and following a proposal from Councillor Chuck Berry, seconded by Councillor Stewart Dobson, it was,

#### **Resolved:**

**To appoint Councillor Graham Wright as Chairman for the forthcoming year.**

#### **39 Election of Vice-Chairman 2018/19**

Nominations were sought for a Vice-Chairman for the forthcoming year. Councillor Alan Hill was proposed by Councillor Jacqui Lay, seconded by Councillor Howard Greenman. Councillor Gordon King was nominated by Councillor Jon Hubbard, seconded by Councillor John Walsh.

#### **Resolved:**

**To appoint Councillor Alan Hill as Vice-Chairman for the forthcoming year.**

*A recorded vote having been requested by the required number of councillors, the votes cast were as follows:*

#### **For Councillor Alan Hill (7)**

*Councillor Chuck Berry  
Councillor Matthew Dean*

*Councillor Stewart Dobson  
Councillor Howard Greenman  
Councillor Alan Hill  
Councillor Jacqui Lay  
Councillor Roy While*

*For Councillor Gordon King (4)*

*Councillor Jon Hubbard  
Councillor David Jenkins  
Councillor Gordon King  
Councillor John Walsh*

*Abstentions (1)*

*Councillor Graham Wright*

40 **Apologies and Membership Changes**

Apologies for absence were received from Councillors Christine Crisp, David Halik, Ruth Hopkinson, Stuart Wheeler and Pip Ridout.

Councillor Crisp was substituted by Councillor Roy While.

It was noted that following Full Council on 22 May 2018 Councillors Ian Blair-Pilling, Simon Jacobs and Andy Phillips were no longer members of the Committee. Councillors Chuck Berry, Pip Ridout and Stuart Wheeler were added to the Committee.

The Committee expressed its thanks to those who had served in the past year.

41 **Minutes of the Previous Meeting**

The minutes of the meetings held on 20 March and 10 April 2018 were presented and it was,

**Resolved:**

**To approve and sign the minutes as a true and correct record.**

42 **Declarations of Interest**

There were no declarations.

43 **Chairman's Announcements**

Attention was drawn to the Annual Report of the Committee which had been approved by Full Council on 22 May 2018.

44 **Public Participation**

Statements would be taken by the public under any relevant item.

45 **Planning Committee System Task Group: Update following discussions with the Cabinet Member**

At its meeting on 20 March 2018 the Committee debate a report of the Planning Committee System Task Group, which had been established in June 2017. It was requested that the Task Group discuss its report with the Cabinet Member for Planning and Strategic Asset Management prior to final consideration by the Committee.

Councillor Ian McLennan, Chairman of the Task Group, presented the Final Report which detailed the 12 recommendations that had been resolved. Details of those discussions were detailed in the updated report. Some specific points noted included:

It was stated that the Task Group and the Cabinet Member had agreed that in relation recommendation 6 regarding the area planning committee structure, further scrutiny work was not appropriate at the present time until the outcome of the ongoing Electoral Review of Wiltshire Council by the Local Boundary Commission for England was concluded in respect of the overall Council size that would be in place in future.

In relation to recommendation 9, regarding councillors 'calling-in' applications providing detailed reasons at committee meetings, revised wording had been agreed with the Cabinet Member to recognise that it was not practical or fair to applicants to delay determination where such reasons were absent.

In relation to recommendation 11 the Task Group continued to recommend that pre-meeting briefings for all committee members as took place in some areas should cease in the interests of openness and transparency. However, the Cabinet Member believed that such briefings played a valuable role in updating committee members and did not support this recommendation.

The Committee then heard from Councillor Toby Sturgis, Cabinet Member for Planning and Strategic Asset Management, who thanked the Task Group for their work and confirmed he supported the recommendations proposed with the exception of recommendation 11.

The Committee discussed the report and the recommendations that had emerged, in particular debating the nature, extent and purpose of pre-meeting briefings at planning committees and whether these added to the quality of debate or gave the appearance of decisions being taken prior to the meetings, even though this was not the case. It was also raised whether such briefings could be public or whether there were situations where confidentiality was necessary.

A motion was moved not to endorse recommendation 11 by Councillor Matthew Dean, seconded by Councillor Jacqui Lay, with the details shown under the resolution.

At the conclusion of discussion, it was then,

**Resolved**

**That the Committee:**

- a) Notes the discussions held between the Task Group and the Cabinet Member for Planning and Strategic Property on 17 May 2018.**
- b) With the exception of Recommendations 9 and 10(b) and 11, endorses the original recommendations presented in the Task Group's Final Report (attached at Appendix 1) and refers them to the Cabinet Member where appropriate.**
- c) Endorses Recommendations 9 and 10 b) as amended in the update report above and refers them to the Cabinet Member.**
- d) Endorses a further recommendation that periodic training and briefings for planning committee members (accessible online and via Skype) be investigated, and refers this to the Cabinet Member.**
- e) Resolves that the Planning Committee System Task Group has now concluded its work.**

A recorded vote having been requested by the required number of councillors regarding the endorsement of recommendation 11, the votes cast were as follows:

**For – not to endorse recommendation 11 (8)**

*Councillor Chuck Berry  
Councillor Matthew Dean  
Councillor Stewart Dobson  
Councillor Howard Greenman  
Councillor Alan Hill  
Councillor David Jenkins  
Councillor Jacqui Lay  
Councillor Roy While*

**Against – to endorse recommendation 11 (3)**

*Councillor Jon Hubbard  
Councillor Gordon King  
Councillor John Walsh*

**Abstentions (1)**

*Councillor Graham Wright*

## **Public Request for Overview and Scrutiny Review: Westbury Advanced Thermal Treatment Plant**

On 20 March 2018 members of the public from the Westbury Gasification Action Group (WGAG) presented a petition to OS Management Committee regarding the Advanced Thermal Treatment(ATT) plant proposed in Westbury. The Committee resolved that the Chairman and Vice-Chairman of the Committee should discuss the potential for scrutiny work in this area with the relevant cabinet members, officers and select committee chairmen and vice-chairmen before making a decision. That meeting took place on 16 May 2018, with full details as provided in the agenda papers.

During debate the Committee heard from Margaret Cavanna, Maggy Daniell and Harriet James from WGAG.

The Committee discussed the report from the Chairman, which concluded that it was not felt that scrutiny could add additional value at the present time, but thanked the members of the public for their engagement in the process, as many useful points had been looked into as a result. Other points raised during debate included further discussion of the issues of waste processing in Westbury, Calne and other sites; the ongoing planning process; improving communication on waste reduction; the need for more work regarding air quality and how to assess health impacts in local areas.

On the motion of Councillor Matthew Dean, seconded by Councillor Gordon King, it was,

### **Resolved:**

**In light of the information presented above and the discussions held with officers, cabinet members and scrutiny chairmen and vice-chairmen on 16 May 2018, it is proposed that the Committee:**

**Does not consider that scrutiny can add value on this matter at present, given:**

- **The new application's status in the planning process and confirmation that all relevant changes to circumstances since the original application will be considered;**
- **The Cabinet Member has requested a comprehensive report from the Public Health and Environmental Protection teams in commenting on the public health and environmental impacts of the planning application;**
- **The role of the Environment Agency in prescribing ATT plants' maximum emissions and emission monitoring arrangements and the requirement for public and local authority consultation on the award of the permit;**
- ***The council's plan to locate an Osiris indicative particulate monitor in Westbury following service and calibration.***

Notes its thanks to the members of the public for their engagement in the overview and scrutiny process and for putting this matter forward for the committee's consideration.

Notes that Overview and Scrutiny at Wiltshire Council welcomes all public engagement on this matter and any further suggestions of topics for inclusion on its forward work programme.

47 **Executive Request for Overview and Scrutiny Review: Hackney Carriage Late-night Tariffs**

Councillor Jerry Wickham, Cabinet Member for Adult Social Care, Public Health and Public Protection, presented his request for a scrutiny review of the current schedule of late night tariffs for Hackney Carriages as adopted by the Licensing Committee in 2014. It was reported that complaints had been received regarding the charging of high late-night fares in the Salisbury area, with alleged detrimental effect on the night time economy. Concerns had been raised as to whether Wiltshire's tariffs were competitive with other nearby night time centres such as Andover and Swindon. Following the March 2018 incident in Salisbury and the ongoing recovery effort a review was felt to be appropriate.

The Committee discussed the request, noting the reports that military personnel returning to their bases from Salisbury were often impacted by the tariffs, and the terms of reference for a review were debated.

On the motion of Councillor Alan Hill, seconded by Councillor Graham Wright, it was,

**Resolved:**

**Following the Executive request for overview and scrutiny input, a task group with the terms of reference listed under paragraph 5 to be established under the auspices of Environment Select Committee.**

**Task group membership to be sought and the review to commence in anticipation of endorsement by Environment Select Committee on 26 June 2018.**

**The Chairman of Environment Select Committee be given authority to determine the task group's membership pending Committee approval on 26 June 2018.**

48 **Referral from Full Council: The Use of Plastic Waste in Road Repairs, Re-Surfacing and Construction**

On 22 May 2018 Full Council received but did not debate a Notice of Motion submitted by Cllrs Brian Mathew and Steve Oldrieve regarding The Use of Plastic Waste in Road Repairs, Re-Surfacing and Construction. Full Council

resolved to refer the matter to Overview and Scrutiny for appropriate further action.

The Cabinet Member for Highways, Transport and Waste, Councillor Bridget Wayman, stated the need to ensure any new materials used were proven to be long lasting, among other factors, given limited budgets available.

On the motion of Councillor Graham Wright, seconded by Councillor Matthew Dean, it was,

**Resolved:**

**To refer the motion to the Environment Select Committee, who would receive a briefing note at their next meeting.**

49 **Overview and Scrutiny Councillor Learning and Development Programme 2017-21**

A report was received as detailed in the agenda supplement on an updated learning and development programme for councillors for the period 2017-2021, to include a programme of workshops, some external input where appropriate, in order to develop key scrutiny skills.

**Resolved:**

**To approve the proposed Overview and Scrutiny councillor learning and development programme.**

**To note that the programme will be periodically reviewed by the Chairman and Vice-Chairman, with further activities to be added when agreed by the Committee.**

50 **Forward Work Programme**

The Forward Work Programme as detailed in the agenda pack was considered.

Additional points raised included but were not limited to the progress of phase one of the Families and Children's service transformation programme, receiving the report of the Outdoor Education Task Group, and with further task groups considered including regarding the renewal of the disadvantaged learner's strategy and a report on home schooled children. It was also stated that a number of young people from the Wiltshire Youth Parliament had agreed to serve as youth representatives to the Children's Select Committee.

There was also a proposal from the Health Select Committee for a Task and Finish Group looking at NHS Health Check provision, and that the Committee will consider the report of the Local Government Ombudsman on a case of malpractice in relation to respite care by the Council at its meeting in July.

**Resolved:**

**To note the Forward Work Programme, including the proposed Health Select Committee Task Group.**

51 **Management Committee Task Group Updates**

A report on Task Group activity was received as detailed in the agenda papers.

In relation to the Digital Strategy and Implementation Task Group it was stated the group had agreed with the relevant Cabinet Member and Director that it should amend its terms of reference, and it was requested the Committee approve this.

In relation to the Military Civilian Integration Partnership Task Group it was stated that three communities in the Amesbury Area were cooperating in further investigating issues regarding military civilian integration, with the increase in military presence in those areas.

In relation to the Local Enterprise Partnership Task Group it was stated a ministerial paper on changes to the LEPs was due for publication shortly.

**Resolved:**

1. **To note the update on task group activity provided.**
2. **To note the reported developments to the Financial Planning Task Group's approach.**
3. **To endorse the new Terms of Reference of the Digital Strategy and Implementation Task Group as follows:**
  - a) **Explore their options of the Microsoft Exercise and look at learning from other councils on how to potentially use those solutions**
  - b) **Look at the list of projects and how things become projects - explore how these can be better vetted in future to ensure project meet best needs**
  - c) **Look at audit of existing software and how much we are/are not duplicating systems and costs**
  - d) **How we interface between service users/residents and the council and its digital systems.**

52 **Overview and Scrutiny Councillor Remuneration 2017-18**

In accordance with Part 13 of the Constitution – Members Allowances Scheme – a Scrutiny Fund of £15,000 per annum is available to reward councillors



serving specific scrutiny functions such as chairing task groups and serving on project boards.

The Fund is required to be allocated by the Committee in accordance with a scheme to be approved annually. A report was presented setting out proposed allocations for the year 2017/18.

On the motion of Councillor Graham Wright, seconded by Councillor Alan Hill, it was,

**Resolved:**

**To approve the allocation of the Overview and Scrutiny Remuneration Fund for 2017/18 as detailed in Appendix 1 to the report.**

53 **Date of Next Meeting**

The date of the next meeting was confirmed as 17 July 2018.

54 **Urgent Items**

There were no urgent items.

(Duration of meeting: 10.30 am - 1.20 pm)

The Officer who has produced these minutes is Kieran Elliott of Democratic Services, direct line (01225) 718504, e-mail [kieran.elliott@wiltshire.gov.uk](mailto:kieran.elliott@wiltshire.gov.uk)

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