

Overview and Scrutiny Management Committee

MINUTES OF THE OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE MEETING HELD ON 19 MAY 2022 AT COUNCIL CHAMBER - COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE, BA14 8JN.

Present:

Cllr Graham Wright, Cllr Christopher Williams, Cllr Ruth Hopkinson, Cllr Johnny Kidney, Cllr Gordon King, Cllr Jerry Kunkler, Cllr Bill Parks, Cllr Tony Pickernell, Cllr Elizabeth Threlfall, Cllr Tony Trotman, Cllr Clare Cape (Substitute), Cllr Dr Nick Murry (Substitute) and Cllr Ian Thorn (Substitute)

Also Present:

Ceri Williams, Henry Powell, Simon Bennett, Perry Holmes, Cllr Allison Bucknell, Cllr Richard Clewer, Andy Brown, Cllr Nick Botterill and Ben Fielding

1 Election of Chairman 2022/23

Nominations were sought for a Chairman for the forthcoming year. On the nomination of Councillor Ruth Hopkinson seconded by Councillor Gordon King , it was,

Resolved:

To elect Councillor Graham Wright as Chairman of the Overview and Scrutiny Management Committee for the forthcoming year.

2 Election of Vice-Chairman 2022/23

Nominations were sought for a Vice-Chairman for the forthcoming year. On the nomination of Councillor Tony Trotman, seconded by Councillor Graham Wright, it was,

Resolved:

To elect Councillor Christopher Williams as Vice-Chairman of the Overview and Scrutiny Management Committee for the forthcoming year.

3 Apologies

Apologies for absence were received from Cllr Ian Blair-Pilling, Cllr Jo Trigg, , Cllr Bob Jones, Cllr Jon Hubbard, Cllr Pip Ridout, Cllr Bob Jones, Cllr Ian Wallis, Cllr Tony Jackson Cllr Ashely O'Neill and Kate Blackburn.

It was noted that Cllr Jo Trigg had arranged for Cllr Ian Thorn to attend as a substitute in her absence. Additionally, that Cllr Jon Hubbard had arranged for Cllr Nick Murry to attend as a substitute in his absence. Furthermore, that Cllr Bob Jones had arranged for Clare Cape to attend as a substitute in his absence.

4 **Minutes of the Previous Meeting**

The minutes of the meeting held on 22 March 2022 were presented for consideration, and it was;

Resolved:

To approve and sign as a true and correct record of the minutes of the meeting held on 22 March 2022.

5 **Declarations of Interest**

There were no declarations of interest.

6 **Chairman's Announcements**

The Chairman noted that at the previous Overview and Scrutiny Management Committee meeting on 22 March 2022, he was asked to report back on how the role and work of Overview and Scrutiny is being promoted to the public and partners. Which was followed by the Committee endorsing the Overview and Scrutiny Annual Report for 2021-22, which was received by Full Council on Tuesday.

The Chairman confirmed that following some work with the Communications team, a campaign has been launched to raise the profile of Overview and Scrutiny. The campaign would shortly include:

- A Wiltshire Council press release;
- An article in the council's digital newsletter; and
- Posts on the council's social media feeds.

These will all outline the role of Overview and Scrutiny, the key pieces of work conducted during the 2021-22 council year, and the direction of Overview and Scrutiny for the year ahead.

7 **Public Participation**

There were no questions or statements submitted by members of the public.

8 **Finance, corporate resources and organisational scrutiny**

The Chairman introduced a report within Agenda Supplement 2, which set out the proposed changes to Overview and Scrutiny's approach to engaging with financial, corporate and organisational matters. It was noted that the proposals

had been developed by the Chairman and Vice-Chairman, following discussion with stakeholders, including the Leader, the Cabinet Member for Finance, the Section 151 Officer, the Chairmen of the three Select Committees and the Chair and Vice-chair of the Financial Planning Task Group.

The Chairman noted that the proposals seek to improve and clarify scrutiny engagement of the following areas, for which he provided a brief overview:

- a) The public profile of financial scrutiny and its importance to the organisation
- b) Financial scrutiny of service-based and contract proposals to Cabinet
- c) Clarifying Financial Planning Task Group's responsibilities overall
- d) OS engagement on other corporate and organisational matters
- e) OS member training in local government finance and financial scrutiny

The following comments were received by the Leader, who stated that the suggested options would provide effective scrutiny of the financial position and monitoring of the Council. The Leader drew upon examples from other local authorities such as Croydon to demonstrate the benefit of scrutiny, suggesting that there is a need for Wiltshire to have a robust yet constructive scrutiny.

The following comments were received by the Section 151 Officer, who stated that he had been happy to see scrutiny picking up comments from leadership, building on the work conducted by the Financial Task Group to provide oversights of budget and spending.

The following comments were received by Members of the Committee, with it suggested that there may need to be a process in place regarding significant contracts. The officers and Financial Planning Task Group were congratulated for their efforts. It was noted that members of the Financial Planning Task Group have been able to build up experience and expertise. It was therefore questioned whether the suggested model of bringing key financial papers to the Committee would continue to allow a level of expertise to be built up. It was suggested that for the next Scrutiny meeting, it be identified how the process would be reviewed in 6 months.

Regarding Proposal 3, it was stated that Select Committees generally tend to look at the cost of delivery rather than the number of units that will be provided; it would be positive to consider how external factors such as inflation might have an impact. If Select Committees were to consider both cost and resource implications, this would allow for a more rounded perspective in order to know what can be provided when external factors are prevalent.

The need for training on local government finance was also stressed, with an emphasis being placed on training being delivered in the near future.

At the conclusion of discussion, it was,

Resolved:

1. **OS Management Committee to receive the following key financial reports, after review and commentary by the Financial Planning Task Group:**
 - **Draft Financial Plan**
 - **Medium-Term Financial Strategy**
 - **Revenue and capital budget monitoring**
 - **Treasury Management Strategy**
2. **The Financial Planning Task Group's responsibilities to be clarified by amending its terms of reference as set out under paragraph 21, with a definition of "major" contracts to be agreed following further discussion.**
3. **Select Committees to retain their ability to query and flag any significant financial concerns relating to any proposals they consider, with concerns referred to OS Management Committee for further discussion as appropriate.**
4. **Proposals for greater OS engagement on other corporate and organisational matters to be developed, following discussion between the OS Management Committee Chairman, Vice-chairman, appropriate Cabinet Members and directors.**
5. **The Chairman and Vice-chairman of OS Management Committee to develop proposals for the Committee's scrutiny of corporate performance and risk, following discussion with the appropriate Cabinet Members, directors and Select Committee Chairmen.**
6. **Appropriate learning and development be arranged to support members to undertake effective finance scrutiny.**
7. **The adopted approach to be reviewed by OS Management Committee in 6 months' time.**

9 Report of the Asset Transfer Policy Rapid Scrutiny Exercise

The Chairman introduced a report within Agenda Supplement 1, which presented the findings and recommendations of the Asset Transfer Policy Rapid Scrutiny Exercise. It was noted that during the Overview and Scrutiny meeting, which took place in March, the Cabinet Member invited Overview and Scrutiny to look at the current Asset Transfer Policy and how the next version could be improved. This was completed in time to inform the town and parish council conference scheduled for 27th May.

The Chairman invited Cllr Ruth Hopkinson, Lead Member for the Exercise, to introduce the rapid scrutiny group's report. Cllr Hopkinson provided an overview of the scrutiny exercise, which noted that the purpose of the scrutiny was to review the strengths and weaknesses of the policy and to then recommend improvements, which would be taken as evidence to the Town and Parishes Conference on 27 May. Conclusions of the task group included that there was general support for the policy on financial service provision grounds but also general unhappiness about the implementation of the current policy. It was stated that Towns and Parishes should be viewed as partners within transfers, with a clear timetable and streamlined procedure focused on treating each transfer as a standalone project. Additionally, it appeared from the scrutiny that there did not seem to be sufficient resources allocated for the implementation of the policy.

The following comments were received by Members of the Committee, with previous examples of previous asset transfers in Devizes, Calne, Pewsey and Chippenham cited having shared differing experiences. The issue of land registry was discussed, with it acknowledged that previous asset transfers had been complicated due to confusion over which parties owned respective land. It was acknowledged that in the past, opportunities had been missed as Town and Parishes had not been treated as partners and that following the scrutiny of the policy, there is an opportunity to help Towns and Parishes embrace asset transfer to improve visual street scenes. Additionally, previous asset transfers had taken place with a silo mentality, which caused frustration by being too legalistic and expensive. It was therefore stressed that going forward the policy needed to be streamlined in order to enhance relationships with partners.

In addition, it was identified by the task group that there is a need for legal work to be conducted before asset transfers begin, rather than during the process. An example of this being of the transfer in Devizes which involved drawing upon expensive legal documents. A further comment was received regarding transparency of agreements, and that it would be positive for agreements to be published in order to understand ownership as well as clauses; with previous examples of uncertainty cited with Chippenham. It was questioned whether there could be a potential need for a service level agreement or binding document as part of the transfer process, in order to identify landowners, identify potential issues of finance and cost as well as timescales to agree outputs. It was also identified that there needed to be a method of comparing costs with potential income savings.

The following comments were received by the Leader, who acknowledged the complexities of transferring land whilst there was ongoing confusion of land ownership. Additionally, the Leader stated that not all of the issues came from a Wiltshire Council perspective, but that such time delays would be expected when taking legal advice. Cllr Clewer stated that his vision was for town councils to approach Wiltshire Council as they would be better placed to state what should be better done within their towns, with Wiltshire Council providing a basic service. The example of Salisbury Market Square was drawn upon, with it acknowledged that once the Market Square became the city's asset, they became more empowered. Regarding finances, the Leader stated that it would

not necessarily be net zero and would feature a mix of positive and negative deals from a cost savings perspective, with value varying from town to town.

Cllr Clewer stated that the recommendations were not a question of funding but rather of resource and legal input required to move transfers through the system, with a clear policy that states which assets are not available along with clear timelines for those that are. In addition, it was noted that Overview and Scrutiny should not underestimate the legal situations involved, such as land ownership and contracts.

At the conclusion of discussion, it was,

Resolved:

To endorse the report of the Asset Transfer Policy Rapid Scrutiny Exercise and refer it, along with the additional issues raised during the Committee debate, to the Cabinet Member for response at the next meeting.

10 **Executive Response to the Report of the Area Boards Task Group**

The Chairman introduced a report within the agenda, which presented the response of the Cabinet Member to the report of the Area Boards Task Group, which was endorsed by the Overview and Scrutiny Management Committee in March.

It was noted that the purpose of the Task Group was to provide Overview and Scrutiny input into a review of:

- a) The future development and implementation of Area Board local priority setting;
- b) The operation of Area Board working groups; and
- c) Area Board grant criteria.

The Chairman invited the Portfolio Holder for Area Boards, Cllr Allison Bucknell, to present a response. Cllr Bucknell thanked those who had been involved in the rapid scrutiny, noting that a large amount of work had been conducted with a considerable amount of recommendations put forward, which had all been accepted by the Executive. It was noted that the recommendations covered many aspects and that these would be covered in a new handbook. Additionally, it was recognised that at the time of the meeting, only one recommendation had not been implemented, which concerned a new algorithm for Health and Wellbeing older persons group funding.

The following comments were received by the Leader, who stated that this work had been a positive example of how scrutiny can be used to ensure that an emerging policy will work in real world scenarios. The Leader noted that there would be challenges with the new policy, in particular Parish Councils no longer being able to place capital funding applications themselves, however it was suggested that this could lead to Parish Councils feeling empowered that they could deal with their own futures.

The following comments were received by Members of the Committee, with it noted that a communications package had been produced along with a video to illustrate the changes set to take place. Additionally, the Area Board Chairman's website had been updated along with the new handbook, to provide a detailed description of the role of an Area Board Chairman. Emphasis was placed on being familiar with the webpage and handbook when electing new Chairmen, with there now only being four Area Board business meetings a year, requiring Chairmen to work alongside Community Engagement Managers (CEMs) to maintain work and actions. It was also suggested that the handbook be included on the EPIC main webpage for easy access.

Additionally, concern was raised regarding the number of members of the public attending Area Board meetings, with it noted that through the hard work of CEMs, successful daytime events had taken place, such as an Eco Fest, an event for the elderly with the Swindon Band. A further example was provided of monthly clinics that had taken place online, where topics had been chosen for discussion, drawing in attendees. Further positive work was cited as clustering 22 Parish Councils into groups of 5, with similar priorities being identified for each group.

Feedback was provided that the grants process would offer a more robust approach, with grants being seen as an investment rather than merely handing out funding. Reference was also drawn to the work of CEMs, with it noted that Area Boards should be aware of not overburdening their workload.

At the conclusion of discussion, it was,

Resolved:

To note the executive response to the Final Report of the Area Boards Task Group.

11 **Task Group and Rapid Scrutiny Exercise Meetings**

The Chairman introduced a report within the agenda which proposed changes to the Task Group and Rapid Scrutiny Protocols, which set out how such groups should conduct their work. Following discussions between Chairman and chairmen of the three select committees, and informal feedback from other active Overview and Scrutiny members, it was proposed that task groups and rapid scrutiny meetings should, in general, meet online except where there are particular reasons why a face-to-face element would enhance the exercise. As stated within the report, it was also suggested that the adopted approach be reviewed in 6 months' time.

At the conclusion of discussion, it was,

Resolved:

- 1. To amend the Task Group and Rapid Scrutiny Protocols as set out under paragraph 10 and in the versions appended.**
- 2. For the Chairman of OS Management Committee to conduct a review of the adopted approach in 6 months, with findings brought back to Committee.**

12 **Management Committee Task Groups**

A report was received on the Task Groups and Panels established by the Management Committee.

Swindon and Wiltshire Local Enterprise Partnership (SWLEP) Joint Scrutiny Panel

It was noted that the Panel is somewhat in abeyance until the national picture regarding LEPs is clarified. Additionally, Cllr Richard Britton had recently resigned as Chair of the Panel so would need to be replaced. Cllr Tony Trotman volunteered as a potential replacement and agreed that Cllr Richard Britton should be provided with a note of gratitude for his work.

Evolve Programme Task Group

It was noted that Task Group Chair, Cllr Jon Hubbard had provided his apologies for the meeting, therefore an update was not received. Cllr Ruth Hopkinson stated that hopefully the Task Group could make more recommendations for the Wiltshire Council Executive to consider.

Financial Planning Task Group

It was noted that the Task Group has not met since the previous Overview and Scrutiny Management Committee meeting in March, but recognised that the role of the Task Group had been discussed earlier within the agenda.

The Chairman thanked Cllr Pip Ridout for her on-going work efforts and contributions to the Task Group.

At the conclusion of discussion, it was,

Resolved:

- 1. With the commencement of the 2021-22 Council year, to re-appoint the OS Management Committee task groups, rapid scrutiny exercises and panels listed in the report.**
- 2. To note the update on activity provided.**
- 3. To delegate authority to the Chairman and Vice-chairman to fill the Wiltshire Council vacancy on the Swindon and Wiltshire Local**

Enterprise Partnership (SWLEP) Joint Scrutiny Panel, and to thank Cllr Richard Britton, the outgoing Chair, for his work.

13 **Forward Work Programmes**

The Committee considered the forward work programmes for each select Committee, as well as updates from the Chairman for each Select Committee.

At the conclusion of discussion, it was,

Resolved:

To note the updates on select committee activity and approve the Overview and Scrutiny Forward Work Programme.

14 **Overview and Scrutiny Member Remuneration 2021/22**

The Chairman introduced a report within the agenda which proposed that Committee noted the application of the Overview and Scrutiny Remuneration Fund for 2021/22. It was noted that the fund is used to remunerate councillors who have led key OS activities, including task groups, panels, rapid scrutiny exercises and Overview and Scrutiny representatives on programme boards. The number of formal meetings held under each activity is used to determine the amounts awarded, though it should be noted that these formal meetings represent only a proportion of the overall role. Also receiving a share are the Vice-chairmen of Select Committees, who do not receive a Special Responsibility Allowance but who do a significant amount of work to support their committee's chairman. The proposed allocations were set out in a table within Appendix 1.

At the conclusion of discussion, it was,

Resolved:

To note the allocation of the OS Remuneration fund for 2021/22 as detailed in Appendix 1.

15 **Date of Next Meeting**

The date of the next meeting was confirmed as 14 July 2022.

16 **Urgent Items**

There were no urgent items.

(Duration of meeting: 10.30am - 12.10pm)

The Officer who has produced these minutes is Ben Fielding of Democratic Services,
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