

Overview and Scrutiny Management Committee

MINUTES OF THE OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE MEETING HELD ON 23 MAY 2023 AT KENNET ROOM - COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE, BA14 8JN.

Present:

Cllr Graham Wright (Chairman), Cllr Christopher Williams (Vice-Chairman),
Cllr Tony Jackson, Cllr Bob Jones MBE, Cllr Johnny Kidney, Cllr Gordon King,
Cllr Jerry Kunkler, Cllr Tony Pickernell, Cllr Pip Ridout, Cllr Tony Trotman,
Cllr Iain Wallis and Cllr Clare Cape (Substitute)

Also Present:

Cllr Richard Clewer and Cllr Ian Blair-Pilling

1 **Election of Chairman 2023/24**

Nominations were sought for a Chairman for the forthcoming year. On the nomination of Councillor Jerry Kunkler seconded by Councillor Pip Ridout, 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 2023/24**

Nominations were sought for a Vice-Chairman for the forthcoming year. On the nomination of Councillor Tony Trotman, seconded by Councillor Pip Ridout, 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 Councillors Jo Trigg, Ruth Hopkinson, Richard Britton and Phil Alford.

Councillor Jo Trigg arranged for Councillor Clare Cape to attend the meeting in her absence.

It was stated that following the meeting of Full Council on 16 May 2023, Councillor Elizabeth Threlfall had been replaced on the Committee Membership

by Councillor Stuart Wheeler. The Chairman thanked Councillor Threlfall for her contributions to the work of the Committee and welcomed Councillor Wheeler.

Upon the conclusion of the meeting, it was later clarified by Democratic Services that it would be Councillor Richard Britton replacing Councillor Elizabeth Threlfall on the Overview and Scrutiny Management Committee.

4 **Minutes of the Previous Meeting**

The minutes of the meeting held on 21 March 2023 were presented for consideration, it was;

Resolved:

To approve and sign as a true and correct record of the minutes of the meeting held on 21 March 2023.

5 **Declarations of Interest**

There were no declarations of interest.

6 **Chairman's Announcements**

The Chairman noted that all of the Overview and Scrutiny Forward Work Plans were available to view on a dedicated [page](#) which demonstrated the amount of work conducted by the Committees.

7 **Public Participation**

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

8 **Service Devolution and Asset Transfer Policy update (to follow)**

The Chairman noted that in Agenda Supplement 1, was an update on the implementation of the council's Service Devolution and Asset Transfer Policy. This was adopted by Cabinet in September 2022, following input from a Rapid Scrutiny Exercise commissioned by the Committee. In endorsing the Rapid Scrutiny Group's report, the Committee also scheduled an update on the policy to come back to the Committee.

Councillor Richard Clewer, Leader of the Council, introduced the report and made the following comments that a trial transfer was taking place with Westbury and that there has been engagement from Warminster. In addition, the Council was proceeding with one town at a time to make the process easier and would move onto other towns after Westbury.

The following comments were made by Andy Brown, Deputy Chief Executive and Section 151 Officer, who outlined that on 27 May 2022, a Town and Parish Council conference was held at County Hall, however this was based on the old policy. Since then, there had been follow up engagement with towns and

parishes regarding the new policy. Though this had halted the interest of some of the councils, it would not mean in the future that they would not potentially return their interest. Further reference was given to the trial in Westbury, with it suggested that the transfer would provide savings to the Council which would then enable stabilisation for the programme.

The Chairman invited local member for Westbury East, Councillor Gordon King to speak on the subject, who noted that Westbury was happy to be the pilot, however there was a little apprehension. Councillor King stated that Westbury Town Council would meet with Wiltshire Council officers this week and that though the policy was different to the old one there was a firm belief that localism would outrun the disbenefits. Additionally, Councillor King stated that this was something that Westbury had wanted to do for a long time, with the view that there should be the ability to present and shape Westbury in the way that the residents would like to.

The following comments were received by Members of the Committee, but were not limited to, what the learning opportunities would be from the Westbury Pilot. To which it was clarified that learning had already been made regarding to the Council's asset list and that where town councils might be interested in things beyond that list, reasons had been given for why certain assets and services had been excluded. Additionally, that parameters around policy regarding parcels of land would have to be considered.

An update was provided that Calne Town Council had now employed a new Staff Director of Services, which would hopefully lead to a renegotiation of terms as the town council had been interested in going forward with a transfer.

Further detail was provided from Councillor King regarding the Westbury pilot, that the town council had consulted with other town and city councils to gain an insight of their experiences and that though there had been many warnings, Westbury Town Council were looking forward to it.

A query was raised in relation to the possibility of residents purchasing parcels of land, to which it was clarified by the Section 151 Officer that though this would be possible, assessments would be needed to determine whether the land was a ransom strip as well as obtaining a valuation and that the purchaser would have to pay for legal fees if the conditions were right. Councillor Clewer also added that if such parcels of land were large enough to build a house on, then the Council would first consider building a Council house on it.

At the conclusion of discussion, it was,

Resolved:

The Overview and Scrutiny Management Committee agreed:

To note the update on the implementation of the council's Service Devolution and Asset Transfer Policy.

Quarterly Performance and Risk - Quarter 4 - 2022-23

The Chairman noted that on page 15 of the agenda pack was the latest report providing an update on performance against the stated missions in the Council's Business Plan 2022-32, its strategic risks and proposed future developments. This report was considered by Cabinet on 2nd May.

It was additionally noted that while the report presented the key high-level performance indicators, the Children's Select Committee reviewed performance indicators within its remit via its standing task group. In addition, Health Select Committee would be considering proposals regarding its approach to performance scrutiny at its meeting on 8th June.

Councillor Richard Clewer, Leader of the Council, introduced the report and made the following comments that the framework was now close to being a finished product however there was a desire for greater consistency of data with an annual rolling average rather than monthly. It was also stated that the risk elements of the report were now positive, which had not been the case 18 months ago. Additionally, it was noted that this framework was used from a Cabinet perspective to enable deeper understanding of work taking place at a Cabinet and corporate leadership level.

The following comments were made by Perry Holmes, Monitoring Officer and Director Legal and Governance, that the framework had developed and that within the report and appendices new additions which had been highlighted. Headlines were provided in relation to children in foster care, potholes repaired as well as resident engagement. Regarding risk, it was outlined that the report aimed to distil risks of significance across the Council, with 224 risks managed Council-wide.

The following comments were received by Members of the Committee with reference made to potholes and how large ones had not been fixed in divisions which had affected Member credibility. It was noted by the Leader that the Council was broadly keeping up with potholes being reported, however a backlog has been generated and a request had been placed looking to use £3.6mill of Government funding effectively to provide proper repairs rather than patching. It was also outlined that if the same pattern of warm summers and cold winters was to continue, the Council would need to work on methods of prevention.

Queries were raised regarding accommodation, with reference made to a 46% increase in households being in temporary accommodation, to which it was stated by the Leader that the reason for such an increase was that the number of people on the housing register had risen and that the private rental market was broken. It was outlined that the Council had experienced housing pressures worse than previously before, and that the Council had had to place people into B&B accommodation for temporary housing. Furthermore, the Council had released £10mill from leveraging reserves to provide officers with more resource to acquire accommodation to meet demand. It was also referenced

that nationally private landlords had been increasing rent and then forcing eviction on those unable to pay, with a government bill set to be taken through parliament which could potentially exacerbate the issue. The Leader provided assurance that Wiltshire Council representation would be provided towards this bill.

Clarity was sought in how Wiltshire Council had dealt with resolving issues for asylum seekers, to which the Leader broke down asylum seekers into three categories: Afghans, Ukrainians, and then illegal asylum seekers (as per government definition). Furthermore, the Leader stated that the Council did not have a duty to house such illegal asylum seekers and that this was not an area that had funding as it was not a recognised scheme.

Reference was made to the trial opening of leisure centres on public holidays, with it stated that it was hoped that increased attendance wouldn't skew figures. It was clarified for the Cabinet Member for leisure that the past track record of opening leisure centres had not been cost effective to other councils however Wiltshire Council was reacting to a request from lobbying to arrange this trial. The Monitoring Officer also noted that attendance figures would be recorded through payments and card swipes made. It was also suggested that vaping be included in the data recorded for stopping smoking,

The Chairman reiterated to Select Committee Chairmen that though the quarterly performance was a matter of the Overview and Scrutiny Management Committee, Select Committees should consider the report through their own lenses as well as the finances involved.

It was suggested that it would be positive for Members to be able to attend a workshop or receive some training on how to interpret the indicators of the framework, which would therefore enable them to have a greater understanding and be able to pose relevant questions.

It was suggested that though performance on the scorecard might look positive for areas, it was still important that the financial figures be considered, with a need to balance both performance and budget. Furthermore, though the Financial Planning Task Group would assess the financial figures, it might be worth including these figures within the main framework. It was clarified by the Section 151 Officer that the Quarter Four financial information takes longer to produce than the other quarters and that if this information was to be linked it would enable the Council to understand how money was being spent and what was being delivered as an output.

Clarity was provided regarding what was meant by the phrase "the right direction" included within the report, to which the Leader explained that "direction of travel" related to whether in order achieve a goal, statistics would have to either increase or decrease, or in some cases there may not be a goal.

At the conclusion of discussion, it was,

Resolved:

The Overview and Scrutiny Management Committee agreed to note the updates and outturns:

- 1. Against the measures and activities ascribed against the Council's priorities and targets and for the measures which will be included in the performance report.**
- 2. To note the Strategic Risk Register, issues and emerging risks.**
- 3. To explore the opportunity of delivering performance and risk training for OSMC including the background to and interpretation of the indicators.**

10 Overview and Scrutiny Annual Report 2022-2023

The Chairman noted that on page 43 of the agenda pack was the Overview and Scrutiny Annual Report 2022-23, which was considered by Full Council on 16th May.

The report provided a summary of the Overview and Scrutiny function's work over the past 12 months. The Chairman thanked those who had been involved in Overview and Scrutiny over the past year; including members, officers, representatives of partner organisations and members of the public.

At the conclusion of discussion, it was,

Resolved:

The Overview and Scrutiny Management Committee agreed:

To note the Overview and Scrutiny Annual Report 2022-23.

11 Overview and Scrutiny Member Remuneration Fund Allocation 2022-23

The Chairman noted that on page 49 of the Agenda Pack, was a report proposing the application of the OS Remuneration Fund for 2022-23. The method of allocating the fund was agreed in 2018, with following activities considered eligible:

- Chairing active task groups, including standing task groups;
- Leading rapid scrutiny exercises;
- Vice-chairing select committees that do not attract an SRA;
- Representation on active project boards;
- Chairing active scrutiny panels.

It was outlined that as stated in the report, the number of qualifying activities and meetings had reduced this year compared with 2021-22, due to several long-standing task groups, panels and boards having concluded their work, and

also two of the more active standing task groups having reduced the number of meetings held in order to focus on their key priorities.

Therefore, due to the reduction in qualifying activities, allocating the full fund this year would create an unusually high payment per meeting. It was therefore, proposed to allocate only £10,400 of the fund this year, yielding a per meeting payment of £200, which was the average per meeting payment seen over the previous four years. The original plan was to allocate an even £10,000 of the fund, but two meetings subsequently needed to be accounted for.

In addition, to address some of the annual variation seen and provide a consistent system of allocation, for future years a per meeting cap of £220 is proposed, to be applied from 2023/24.

At the conclusion of discussion, it was,

Resolved:

The Overview and Scrutiny Management Committee agreed:

- 1. To note the allocation of the OS Remuneration fund for 2022/23 as detailed in Appendix 1.**
- 2. To note that from 2023/24 a cap of £220 will be placed on remuneration to eligible members per qualifying meeting.**

12 **Task Group update**

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

Evolve Programme Task Group

The Chairman encouraged Members with questions regarding the Evolve Programme to contact Task Group Chairman, Councillor Jon Hubbard.

Financial Planning Task Group

The Chairman stated that the task group had not met since the last meeting, but its next meeting was scheduled for 9th June 2023.

It was outlined that as this was a standing task group, the Committee must reappoint its membership this meeting. Additionally, it was noted that Cllr Britton was missed from the membership within the report but would be corrected in the Chairman's proposal.

Swindon and Wiltshire Local Enterprise Partnership Joint Scrutiny Panel

The Chairman noted that the LEP Joint Scrutiny Panel had not met since February 2022, due to LEP activity having changed in recent years, with significantly less funding being directed to the LEP by Central Government. The funding that did remain expected to end in March 2024. Due to the lack of non-commercial LEP activity that now remains, the LEP had decided to decommission the Joint Scrutiny Panel and the Committee was therefore asked to note this.

The LEP had asked the Chairman to thank all councillors and officers for their involvement in the public scrutiny of the SWLEP's publicly funded activity. The work of the Joint Scrutiny Panel was valued highly by the SWLEP Board and would continue to operate as a not-for-profit limited company focussed on the inclusive and sustainable economic development of Swindon and Wiltshire.

Resolved:

The Overview and Scrutiny Management Committee agreed:

- 1. To note the update on the Task Group activity provided.**
- 2. To note the Financial Planning Task Group's forward work plan.**
- 3. To note the disbandment of the Swindon and Wiltshire Local Enterprise Partnership (LEP) Joint Scrutiny Panel by the LEP.**
- 4. To reappoint the following members to the Financial Planning Task Group:**
 - Cllr Richard Britton**
 - Cllr Gavin Grant**
 - Cllr Gordon King**
 - Cllr Charles McGrath**
 - Cllr Pip Ridout**
 - Cllr Ian Thorn**
 - Cllr Elizabeth Threlfall**
 - Cllr Mark Verbinnen**

13 Overview and Scrutiny Forward Work Programme

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:

The Overview and Scrutiny Management Committee agreed:

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

14 **Date of Next Meeting**

The date of the next meeting was confirmed as 26 July 2023.

15 **Urgent Items**

There were no urgent items.

(Duration of meeting: 10.30 - 11.50 am)

The Officer who has produced these minutes is Ben Fielding - Senior Democratic Services Officer of Democratic Services, direct line 01225 718656, e-mail benjamin.fielding@wiltshire.gov.uk

Press enquiries to Communications, direct line 01225 713114 or email communications@wiltshire.gov.uk