

OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

DRAFT MINUTES OF THE OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE MEETING HELD ON 1 MARCH 2016 AT KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Simon Killane (Chairman), Cllr Alan Hill (Vice Chairman), Cllr Glenis Ansell, Cllr Chuck Berry, Cllr Stewart Dobson, Cllr Howard Greenman, Cllr Jon Hubbard, Cllr Gordon King, Cllr Jacqui Lay, Cllr Stephen Oldrieve, Cllr Jeff Osborn, Cllr Tony Trotman, Cllr John Walsh and Cllr Bridget Wayman

Also Present:

Cllr David Jenkins, Cllr Baroness Scott of Bybrook OBE, Cllr Bob Jones MBE, Cllr John Thomson and Cllr Philip Whitehead

29 **Apologies**

Apologies were received from Councillor Christine Crisp.

30 **Minutes of the Previous Meeting**

The minutes of the meetings held on 5 January, 3 February and 12 February 2016 were presented for consideration.

Resolved:

To approve and sign as a true and correct record.

31 **Declarations of Interest**

There were no declarations.

32 **Chairman's Announcements**

There were no announcements.

33 **Public Participation**

There were no statements or questions submitted.

34 Forward Work Programme

Hydrocarbon extraction

At its meeting on 23 February 2016 Full Council considered a motion from Councillors Jeff and Helen Osborn on the hydrocarbon extraction process known as Fracking, following the granting of Petroleum Exploration and Development Licences (PEDL) in the county, though planning permission would need to be applied for prior to any construction works. A number of Councillor Briefing Notes had been prepared on the subject, and Council also received a petition and several representations from members of the public on the issue at the meeting.

An officer response to the original motion from the Councillors Osborn was published in the Summons for the meeting, and following debate and an amendment of the motion to request scrutiny involvement, Council resolved:

Consequently Council requests that Scrutiny establish a task group to help councillors better understand the general implications of possible hydrocarbon exploration and extraction in the county. This will enable members on relevant planning committees to be better briefed on such matters

The Committee discussed the referral and request, with input from the Leader of the Council, Councillor Baroness Scott of Bybrook OBE, and Corporate Director, Dr Carlton Brand.

The Committee considered the broad implications on the county and council from proposed hydrocarbon extraction, as well as the potential complexities of technical and decision making processes to be followed, and debated whether before any Task Group was approved it would first be appropriate to undertake further research into those complexities. This would ensure that should following that research a Task Group was considered necessary, would have the required information to identify key lines of enquiry which would add value to the council's processes and policies.

Some members felt any research or investigation was not necessary until such time as an application was actually submitted, but others such as the mover of the original motion felt there was a need for additional guidance to better inform councillors at the current time to prepare for any future eventualities.

A debate followed on the potential extent of any investigation, including utilising research undertaken by other authorities, the possibility of briefings from expert witnesses, councillor seminars, which service would coordinate the work across the council and other data collection possibilities such as the use of external consultants. Information to gather could include basic information on the process of hydrocarbon extraction, government and council policy, landowner rights, a brief overview of environmental issues and economic impacts.

The timescale of such an activity was questioned, with some members such as the Leader of the Council stating that there was extensive information already prepared across the council, and it would not necessarily be an extensive piece of work to collate all that information for the initial guidance to inform scrutiny in determining what further action would be appropriate.

It was acknowledged as particularly important to determine what functions in relation to hydrocarbon extraction were devolved to local authorities and what was retained at a national level, so that any investigation or future enquiries by Scrutiny related solely to matters within the powers afforded to the council. It would also be important to ensure any investigation or future scrutiny work did not prejudice the council's ability to fulfil its responsibilities as planning authority in the event of any applications being received in relation to hydrocarbon extraction, given the risk of predetermination and potential legal challenge which had occurred at other planning authorities.

It was also discussed that an initial approach could be for the council's own technical officers to provide further guidance on all these topics, and following that Scrutiny would determine whether further work was needed, and in what form, such as a Task Group as suggested by Full Council. A Task Group would have the power to call witnesses from all sides of the discussion on the issue, as well as forming a view on the council's preparedness to handle future applications that might be received, as none had been received to date.

At the conclusion of debate, it was,

Resolved:

That the Committee requests officers undertake an investigation into hydrocarbon extraction as detailed above, to include technical explanations of the process, current national policy, and the process of decision making, in particular what functions are devolved to local authorities or retained at a national level, and what policies are in place in Wiltshire Council in relation to this issues.

Digitisation

Following the management committee's initial decision at its meeting on 5 January that a task group be formed to consider input into the council's digitisation strategy, an update was received that the scope of the task group was being prepared, with a full update to be provided at the next meeting.

Good Neighbours

The Good Neighbours scheme involved locally based representatives assisting primarily older residents of rural areas to identify and access council services. As discussed at the meetings on 3 February and 12 February, responsibility for the scheme was being devolved to Area Boards, and an invitation had been received from the Cabinet Member for Public Health for Scrutiny to assess and comment upon the implementation of the devolution of the scheme.

After discussion, it was,

Resolved:

To request the Health Select Committee determine the most appropriate method to add value through scrutiny of the Good Neighbours scheme devolution.

Select Committee Updates

The Management Committee then received updates on the work of the select committees, including the following:

Health Select Committee - Details were provided on the work programme, including regarding mobilising wider health service in the community, including a programme called PharmacistsFirst as a potential model for other health providers

Environment Select Committee - Details were provided on the work programme, including that a further report on highways and streetscene was scheduled, which may include a briefing for members.

Children's Select Committee - Details were provided on the work programme, including ongoing engagement between the committee and young person representatives, and the ongoing task groups including the Obesity Task Group which would report shortly.

Resolved:

To note the updates from the Select Committees.

35 Management Committee Task Group Updates

In addition to the written reports, updates were received from the Management Committee Task Groups as follows:

Financial Planning Task Group

Following approval of the council's budget, the Task Group would continue to assess revenue and council budgets and quarterly reports, and would also be focusing on adult social care budgets and the scrutiny process itself.

Military-Civilian Integration Partnership(MCIP) Task Group

The MCIP Task Group had not met since the last report, but the committee were informed a Peer Review would be taking place on 4 April, and it had been confirmed the transfer of military personnel to Wiltshire would be completed in 2020, the latest date initially proposed.

Local Enterprise Partnership (LEP) Task Group

Two additional meetings had been scheduled and it was reported minor scrutiny work on LEP processes had now been performed. The committee were also

informed the Director of the LEP Secretariat, Isobel Brown, had left the post in December, and the new appointment was Paddy Bradley, previously the Head of Economy, Skills and Property Development at Swindon Borough Council.

36 **Executive Reponse to the Report of the Campus Governance Task Group**

On 5 January 2016 the Management Committee received the report of the Campus Governance Task Group and resolved:

That the Cabinet Member for Cabinet Member for Communities, Campuses, Area Boards and Broadband;

i. Considers the Terms of Reference offered as a potential governance model to deliver the community area's priorities as identified by the Area Board;

ii. Ensures there is clear delineation of the roles of area board, governance body and Health and Wellbeing team with regards to the HWC and delivering the community area's priorities as this would be crucial in maintaining supportive and harmonious working relationships between the three;

iii. Considers a review of the role and delegated powers of the area boards, as defined in the council's constitution, if it is necessary to ensure that these would enable the area boards to fulfil its role with regards to the governance of campuses;

iv. Considers offering some administrative support for the Governance Body;

v. Considers if, and if appropriate when, the Task Group should be reconvened in 2016 to provide constructive input to the development of "A communications strategy for keeping communities informed about progress with revised campus developments."

The response of the Cabinet Member to the report was presented to the Committee. The Cabinet Member, Councillor John Thomson, thanked the Task Group for its work and commented upon the recommendations of the Task Group as detailed in his report, and stated his intention to, having regard to the comments of the Task Group, to use his delegated authority to implement the proposed governance arrangements as outlined in the form of policy guidance to the area boards. Although he considered the Task Group had concluded its work on the current issues, he welcomed future involvement of scrutiny if it were determined they could add further value to other aspects of Area Board governance.

The Committee discussed the executive response to the report of the Task Group, during which it was confirmed the area board members would not have

responsibility for managing the finances of the Wellbeing centres under the proposed model, but would receive updates on the performance. It was also debated how best young people would be represented on Wellbeing governance boards, with some members wanting a community youth officer in addition to a young person representative to be explicitly included within the proposed terms of reference, and others considering the arrangements were flexible to enable each area to consider the most appropriate arrangements for them. The Cabinet Member confirmed the target size of a governance board would be a guide only, not a firm rule restricting the inclusion of additional members if deemed beneficial.

37 Scrutiny Councillors Learning and Development Programme Update

A meeting had been prepared for non-executive councillors on 2 March, which would include discussions with several members of the Executive???

38 Date of Next Meeting

The date of the next meeting was confirmed as 24 February 2016.

39 Urgent Items

There were no urgent items.

(Duration of meeting: 10.30 am - 12.10 pm)

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

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