

OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

THURSDAY 27 APRIL 2006 AT 10.00 AM

PRESENT: Councillor Prest (Chairman), Councillors Allison (as substitute for Councillor P Farmer), Boaden, Dodd, Parsons (as substitute for Councillor E Mallinson), Rutherford C, Stockdale (as substitute for Councillor Bradley) and Styth.

OSM.007/06 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Bradley, Farmer (P) and Mallinson.

OSM.008/06 DECLARATIONS OF INTEREST

There were no declarations of interest in relation to any items on the Agenda.

OSM.009/06 URGENT ITEM OF BUSINESS

RESOLVED – That a verbal item on Joint Scrutiny of the Cumbria Local Strategic Partnership and the Local Area Agreement be accepted for consideration as an urgent item of business.

OSM.010/06 MINUTES OF PREVIOUS MEETINGS

RESOLVED – That the Minutes of the meeting held on 2 February 2006 be approved as a correct record and signed by the Chairman.

OSM.011/06 FORWARD PLAN

(a) Monitoring of and Changes to the Forward Plan

The Head of Scrutiny and Emergency Planning Services presented report LDS.24/06 informing Members of changes to the Executive's Forward Plans for 1 February to 31 May 2006, 1 March to 30 June 2006 and 1 April to 31 July 2006.

A Member commented that with the Management Committee moving to quarterly meetings, some of the information being provided in these reports was now out of date. Members discussed the mechanisms for ensuring that the Chairmen of the Overview and Scrutiny Committees are kept fully informed of any changes to the Forward Plan. The Head of Scrutiny and Emergency Planning Services proposed that as each Forward Plan is published, the Chairmen of each of the three Overview and Scrutiny Committees are made aware of the changes to the previous Forward Plan. The Head of Scrutiny and Emergency Planning Services could then discuss these changes with the Chairmen and if necessary involve the Chairman of

the Management Committee, who could call a special meeting of the Management Committee if necessary.

In response to a Member's question about why the draft Equality and Diversity Policy had not been included in the Forward Plan, the Deputy Chief Executive advised that this had been due to an oversight on the part of Officers. It had been considered by the Executive as an urgent item under General Exception Rules as it was important that consideration of the matter was not delayed any further. Consideration by Overview and Scrutiny had been scheduled into the work programme.

Members then referred to the item on Bitts Park Tennis and commented that they were pleased to hear about the funding from the Lawn Tennis Association.

RESOLVED – (1) That the changes to the Forward Plans for 1 February to 31 May 2006, 1 March to 30 June 2006 and 1 April to 31 July 2006 be noted.

(2) That as each Forward Plan is published the Chairmen of each of the three Overview and Scrutiny Committees should be informed of the changes to the previous Plan. The Head of Scrutiny and Emergency Planning Services should then consult with the Chairmen of each of the Overview and Scrutiny Committees regarding the changes to the Plan and if necessary liaise with the Chairman of the Management Committee to arrange a Special Meeting of the Committee.

(b) Forward Plan of Executive Decisions – 1 May to 31 August 2006

The Head of Scrutiny and Emergency Planning Services presented the Forward Plan of Executive Decisions for the period 1 May - 31 August 2006. He outlined each item commenting that consideration of the items by the Overview and Scrutiny Committees had been programmed in for all but one item.

Mr Mallinson commented that with the improved Forward Plan format, officers were now planning at an early stage for matters to be considered by Overview and Scrutiny Committees.

In considering the Forward Plan Members made the following comments and observations:-

(a) The Executive on 24 April 2006 had received the comments of the Overview and Scrutiny Committees on the Performance Plan. At that meeting Officers had tabled a paper setting out each of the Overview and Scrutiny recommendations and a proposed response to these recommendations. The Executive had agreed that a further draft Performance Plan incorporating these views could be submitted to the Special Executive meeting on 25 May 2006.

Members noted with approval that the process this year had allowed Overview and Scrutiny Committees to have meaningful input into this important document and that was seen as an improvement on the consultation process adopted last year.

(b) In relation to the items on the Capital Strategy and the Medium Term Financial Plan and Corporate Charging Policy and other financial items, Members highlighted the role of the new Audit Committee. They commented that the Corporate Resources Overview and Scrutiny Committee may have a role in referring items to the Audit Committee. It was also suggested that the role of the Audit Committee in relation to these items could have been set out in these Forward Plan items.

The Head of Scrutiny and Emergency Planning Services responded that the report which had been considered by the Audit Committee had defined the roles and functions of the Audit Committee as separate from the Corporate Resources Overview and Scrutiny Committee. He added that the Director of Corporate Services would need to develop a clearly timetabled programme for the Audit Committee and he undertook to liaise with her on this matter.

Members commented that whilst there should be a programme of work for the Audit Committee, it should have a great degree of freedom in relation to its audit role.

The Head of Scrutiny and Emergency Planning Services responded that the Audit Committee would work in accordance with the Government Guidance which had been issued on Audit Committees.

RESOLVED – (1) That the Forward Plan of Executive decisions for 1 May to 31 August 2006 be noted.

(2) That the improved process for consideration of and comment on the draft Performance Plan be welcomed.

(3) That the Head of Scrutiny and Emergency Planning Services raise with the Director of Corporate Services the need to develop a clearly timetabled programme of work for the Audit Committee, particularly in relation to many of the Forward Plan items which were scheduled to be considered by the Corporate Resources Overview and Scrutiny Committee.

OSM.012/06 REFERENCE FROM THE INFRASTRUCTURE OVERVIEW AND SCRUTINY COMMITTEE – IOS.26/06(b) – CARLISLE DISTRICT LOCAL PLAN

The Infrastructure Overview and Scrutiny Committee on 9 March 2006 (IOS.26/06b) had considered a reference from this Committee. The Infrastructure Overview and Scrutiny Committee had been asked to consider a report demonstrating how the consultation on Carlisle Renaissance is integrated into the Local Plan programme and confirming if the programme would still meet the statutory timetable.

The Head of Scrutiny and Emergency Planning Services reported that when the Infrastructure Overview and Scrutiny Committee had considered the reference from this Committee it had stated that it had already received and commented on a report on the Local Development Scheme Timetable.

RESOLVED – That it be noted that the Infrastructure Overview and Scrutiny Committee has already received a report on the Local Development Scheme Timetable.

**OSM.013/06 REFERENCE FROM THE EXECUTIVE - EX.042/06 –
CARLISLE RENAISSANCE/LOCAL STRATEGIC
PARTNERSHIP**

The Executive on 20 February 2006 (EX.042/06) had considered a reference from this Committee regarding the Local Strategic Partnership (LSP) as a driver of Carlisle Renaissance and in particular concerns that democratic accountability would be diminished. This Committee had concerns about how Overview and Scrutiny's position within the Council's Constitution would be protected and fulfilled with regards to the Local Strategic Partnership and had suggested that there should be a workshop for all Overview and Scrutiny Members.

In response the Executive had decided:

- “(1) That the Overview and Scrutiny Management Committee be advised of the arrangements which are being made for the Draft Constitution of the LSP to be scrutinised by the Corporate Resources Overview and Scrutiny Committee;
- (2) That the suggested workshop for Overview and Scrutiny Members on the role of the LSP be extended into a briefing for all Members of the City Council.”

Members expressed concern that the Executive had proposed a briefing for all Members of the City Council on the Local Strategic Partnership in February 2006, but that to date the briefing had not yet taken place.

The Chairman of the Management Committee and the Head of Scrutiny and Emergency Planning Services commented that they had attended a Joint County Scrutiny Group at which they had received a presentation on the Cumbria Local Strategic Partnership and the Local Area Agreement. They suggested that this presentation could be useful for Members of this Council and could be linked with the briefing on the Carlisle Local Strategic Partnership.

Members were concerned that a briefing for all Members should not be seen as a substitute for effective scrutiny of the Local Strategic Partnership. They still had concerns about the potential democratic deficit and commented that

Members as a whole felt unaware of what was happening in relation to Carlisle Renaissance and did not have an opportunity to input to the process.

The Deputy Chief Executive advised that the first meeting of the Local Strategic Partnership Executive would be held on 28 April 2006. The City Council has four Member representatives on the LSP Executive, including the Leader and three other representatives, one from each of the main political groups in the Council. He considered this to be a substantial level of representation on the Executive. In addition the LSP Executive would also include the Council's Town Clerk and Chief Executive and the Chairs of the following four priority groups:

- Safer and Stronger communities
- Healthy Communities and Older People
- Children and Young People
- Economic Development and Enterprise

Dr Gooding added that the wider LSP was made up of the same people who were previously on the City Vision Partnership.

Dr Gooding then added that the Executive on 24 April 2006 had considered the Draft Constitution for the Local Strategic Partnership and had referred it to the Corporate Resources Overview and Scrutiny Committee for consideration. He commented that Members were being engaged through the correct Council processes.

The Head of Scrutiny and Emergency Planning Services proposed that the Member Briefing/Workshop on the Carlisle Local Strategic Partnership should take place before the Corporate Resources Overview and Scrutiny Committee discusses the Draft Constitution. A note of the outcome of the Briefing/Workshop could then go to that Overview and Scrutiny Committee to be considered at the same time as the Constitution.

RESOLVED – (1) This Committee asks the Deputy Chief Executive to ensure that the Briefing/Workshop for all Members of the City Council should take place as soon as possible and certainly before the Corporate Resources Overview and Scrutiny Committee considers the Draft Constitution of the Carlisle Local Strategic Partnership. The comments made at the Briefing/Workshop could be reported to the Corporate Resources Overview and Scrutiny Committee.

(2) This Committee also suggests that the Briefing/Workshop for all Members of the City Council on the Carlisle Local Strategic Partnership could be expanded with a presentation given on the Cumbria Local Strategic Partnership and Local Area Agreement.

(3) This Committee emphasises the need for all Members to be kept fully updated on and involved with Carlisle Renaissance and particularly in relation to the role of the Local Strategic Partnership.

OSM.014/06 REFERENCE FROM THE EXECUTIVE - LEARNING CITY STRATEGY AND ACTION PLAN

The Executive on 24 April 2006 (EX.082/06) had considered the Learning City Strategy and Action Plan and had agreed that the issues surrounding consultation be referred to this Committee with a request that they arrange for appropriate external consultation, potentially as a joint exercise between the Community and Infrastructure Overview and Scrutiny Committees.

The Head of Scrutiny and Emergency Planning Services explained that Learning City Strategy matters fall between two of the Overview and Scrutiny Committees as they can be split between pre and post-14 learning. He therefore proposed that a joint scrutiny activity be undertaken by the Community and Infrastructure Overview and Scrutiny Committees at the start of the new civic year. The scrutiny activity would involve focussing on a number of partner organisations who are not directly involved through the normal routes in inputting to the Draft Learning City Strategy, but could be involved through the scrutiny process. He suggested that at the start of the next Municipal Year when Chairmen have been appointed for the Overview and Scrutiny Committees, the potential for a joint scrutiny activity with the Community and Infrastructure Committees could be discussed with the Chairmen and the Director of Development Services. At that time, Chairmen and Officers could discuss whether it would be a task and finish group type of activity.

RESOLVED – (1) That once the Chairmen of the Overview and Scrutiny Committees are appointed for Municipal Year 2006/07, the Head of Scrutiny and Emergency Planning Services meet with the Chairmen of the Community and Infrastructure Overview and Scrutiny Committees and the Director of Development Services to discuss and agree a joint scrutiny exercise between the Community and Infrastructure Overview and Scrutiny Committees in relation to the Learning City Strategy.

OSM.015/06 ANNUAL REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEES 2005/06

The Head of Scrutiny and Emergency Planning Services presented the Annual Report of the Overview and Scrutiny Committees for 2005/06 (Report OS.02/06). He commented that he had hoped to include more depth on some of the issues but apologised that he had not had sufficient time due to a family bereavement.

In presenting the report Mr Mallinson highlighted the following:

(a) Networking and Joint Activity - Joint scrutiny activity had taken place between the Cumbrian Local Authorities, in particular on the Cumbria Strategic Waste Partnership. This had been an interesting and rewarding piece of work which had made some sensible and practical suggestions.

The joint scrutiny work with other Cumbrian authorities was welcomed by Members as interesting and productive.

(b) Holding the Executive to Account - The improvements to the Forward Plan had resulted in Officers proactively planning for Overview and Scrutiny involvement in taking issues forward. However, Overview and Scrutiny had not been as effective at holding the Executive to account at an outcome level, although it was anticipated that the improved performance management framework would help the Committees with this area of work.

Members agreed that there could be an improvement in effectively holding the Executive to account. Members queried whether the group which had been set up, including Overview and Scrutiny Members and Executive Members, in order to cement the relationship with the Executive had made any progress. The Chairman responded that a meeting had not yet been held. The Head of Scrutiny and Emergency Planning Services advised that he would speak to the Leader of the Council early in the next Municipal year in order to arrange a meeting. It was a very important group which could improve the working relationship between the Executive and Overview and Scrutiny.

(c) Policy Development - Good progress had been made in this area and the work of the Community Overview and Scrutiny Committee on Housing matters and Diversity and Equality was highlighted as good effective engagement of Members at an appropriate time.

(d) Performance Monitoring - The Overview and Scrutiny Committees had been involved in discussions on the style, content, format and frequency of reporting Performance Indicator information and this had contributed to more effective engagement and understanding of the performance monitoring function.

(e) Subject Reviews/Inquiries - There had been some good Overview and Scrutiny reviews which were rewarding, valuable and could act as catalyst for change.

Task and Finish groups were seen as an important aspect of the future work of Overview and Scrutiny Committees and each of the Committees had set up at least one Group. Mr Mallinson hoped to produce guidance for Task and Finish groups to be considered early in the next Municipal Year.

(f) Dr Stephanie Snape's Review and Overview and Scrutiny Improvement Plan - The review had concluded and reported during the last year and subsequently an Overview and Scrutiny Improvement Plan had been developed and approved by this Committee. The Improvement Plan would be the focus for improving the Overview and Scrutiny function in the coming year. Mr Mallinson would report to an early meeting of the Management Committee in the next Municipal Year on progress against each of the actions in the Improvement Plan

Members then emphasised the important role that the Head of Overview and Scrutiny and the Overview and Scrutiny Support Officer had played in the development of Overview and Scrutiny during the year. They thanked them for their help and professionalism throughout the year.

Members commented that it had been a good year of development of Overview and Scrutiny and also noted the improvement in quality of reports from Officers and in the cultural understanding of the Overview and Scrutiny function throughout the Council.

Overview and Scrutiny within the Council seemed to be at a more mature stage than in many other similar authorities and Members paid tribute to the work of the Overview and Scrutiny Officers, other Officers and also Elected Members, for their input to and involvement in the Overview and Scrutiny process.

RESOLVED – (1) That the Annual report of the Overview and Scrutiny Committees for 2005/06 be welcomed.

(2) That the Head of Overview and Scrutiny and the Overview and Scrutiny Support Officer be thanked for their hard work and professionalism throughout the year which had contributed to a year of effective develop of the Overview and Scrutiny function within the Council.

OSM.016/06 JOINT SCRUTINY – CUMBRIA LOCAL STRATEGIC PARTNERSHIP AND LOCAL AREA AGREEMENT

The Head of Scrutiny and Emergency Planning Services reported that there had been a recent joint scrutiny meeting between all the Cumbrian Local Authorities. At that meeting it had been suggested that there should be joint Cumbria-wide scrutiny work on the Cumbria Local Strategic Partnership and Local Area Agreement. It was being suggested that this piece of joint scrutiny work take place through a joint task and finish group and each authority had been asked to make a nomination to that joint group. The area of work fell within the remit of the Corporate Resources Overview and Scrutiny Committee and it was suggested that that Committee should be asked to nominate a representative.

RESOLVED – That the Corporate Resources Overview and Scrutiny Committee, at its Annual Carousel meeting after the Annual Council, be asked to nominate a representative to serve on the Joint Scrutiny Task and Finish Group to scrutinise the work of the Cumbria Local Strategic Partnership and the Local Area Agreement.

OSM.017/06 CHAIRMAN'S COMMENTS

The Chairman commented that this was the last meeting of the Committee during the 2005/06 Municipal Year. She thanked Officers and Members for their involvement with and input to the work of the Committee throughout the year.

(The meeting finished at 10.55 am)

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