

OVERVIEW & SCRUTINY MANAGEMENT COMMITTEE**THURSDAY 25 OCTOBER 2001 AT 2.00 PM**

PRESENT: Councillor Jefferson (Chairman), Councillors Mrs Bradley, Ellis, Guest, Knapton, Mrs E Mallinson, Mrs J Prest and Weber (as substitute for Councillor Mrs Rutherford).

OSM.8/01 APOLOGIES FOR ABSENCE

An apology for absence was received on behalf of Councillor Mrs Rutherford.

OSM.9/01 DECLARATIONS OF INTEREST

There were no declarations interest and no declarations of the Party Whip relating to any items on the Agenda.

OSM.10/01 MINUTES OF PREVIOUS MEETING

(a) RESOLVED – That the Minutes of the meeting on 27 September 2001 be approved as a correct record.

(b) Matters Arising

With reference to Minute OSM.5/01, the Head of Corporate Policy and Strategy explained that some Members had been concerned that the Work Programme Matters which had been referred back to the Executive had not been addressed by the Executive, but had simply been noted. He explained that some Members of the Committee had indicated a wish to call-in this decision, however, the Management Committee does not have call-in powers.

The Leader had been made aware of their concerns and had agreed that the reference from the Committee be reconsidered by the Executive at its meeting on 5 November 2001.

Members commented that they were very unhappy with the initial response of the Executive in just noting their comments, and that the Executive had not treated the Committee's reference with the seriousness it deserved.

Members referred specifically to the aspect of the reference that the Executive be asked to consider a review revisiting Large Scale Voluntary Transfer in light of national changes, and discussed whether this should in fact be reviewed by

one of the Overview and Scrutiny Committees.

There was discussion on the Government's current consideration of Large Scale Voluntary Transfer and the intention of the Government to produce another White Paper on Local Government which may cover this matter. Some Members felt that the appropriate time to conduct a Review of LSVT would be when the White Paper was published, as this would be a matter which would be of relevance to Overview and Scrutiny Committee. Other Members were concerned that there may not be a White Paper published but there may be a change in legislation, and that if Government policy changes in relation to borrowing on assets, then LSVT should reviewed by Overview and Scrutiny.

After discussion and voting thereon it was agreed that if the Government produces a White Paper including the matter of Large Scale Voluntary Transfer, the White Paper and the matters contained therein, including LSVT, be reviewed by Overview and Scrutiny Committee at that time.

RESOLVED – (1) That it be noted that the Management Committee's reference back to the Executive Committee (Minute reference OSM.5/01) would be reconsidered by the Executive Committee at its meeting on 5 November 2001.

(2) That if the Government produces a White Paper on Local Government which includes matters such as Large Scale Voluntary Transfer, that White Paper and the matters contained therein (including LSVT) be considered at that stage by an Overview and Scrutiny Committee, and any detailed reviews carried out at that stage.

OSM.11/01 MINUTES OF OVERVIEW AND SCRUTINY COMMITTEES

RESOLVED – (1) That the following Minutes be noted :

Community Overview and Scrutiny Committee on 11 October 2001

Corporate Resources Overview and Scrutiny Committee on

18 October 2001

Community Overview and Scrutiny Committee (Special Meeting) on 17 October 2001

(2) That the specific references from each of these Committees would be dealt with under Work Programme to be considered as the next item on the Agenda.

OSM.12/01 *WORK PROGRAMMES FOR OVERVIEW AND SCRUTINY

COMMITTEES

The Head of Corporate Policy and Strategy tabled an Overview and Scrutiny Work Programme for 2001/02, which took into account the matters which had been referred by this Management Committee to individual Overview and Scrutiny Committees, and suggestions by individual Overview and Scrutiny Committees of what should be included within their own work programmes.

The Head of Corporate Policy and Strategy then outlined specific references which had been made by individual Committees to this Management Committee and these included :

(a) A request from the Community Overview and Scrutiny Committee that this Management Committee scope the Bereavement Services Best Value Review – the Director of Leisure and Community Development had advised that due to staffing shortages within Bereavement Services it would not be possible to scope the Review at this time, but that he would report to the Management Committee as soon as this would be possible.

(b) A request from the Corporate Resources Overview and Scrutiny Committee that they include in their Work Programme the monitoring of the Way Forward for the City Council on E-Government, based on achieving the Government's targets and that a Position Statement be submitted to the next meeting of that Committee.

(c) References from the Corporate Resources Overview and Scrutiny Committee and the Community Overview and Scrutiny Committee in relation to Smart Cards and the potential to incorporate various Swipe/Smart Cards currently used by different departments in the Council into one corporate Smart Card.

Members considered the specific references within the wider allocation of work to different Overview and Scrutiny Committees. In particular, they considered the best way to approach the issue of Smart Cards, which had corporate implications which cut across all departments within the Council. Members recognised that the current Constitution did not allow for the Management Committee to conduct such a review, but suggested that if the Committee felt strongly enough that it should be able to conduct reviews, changes to the Constitution should be suggested.

In response to Members' questions, the Head of Legal Services, on behalf of the City Solicitor and Secretary, commented that a Review of Smart Cards could be referred to one of the individual Overview and Scrutiny Committees, who could then co-opt non voting Members onto that Committee to consider the issue and address corporate issues. He commented that as the co-opted Members would be non voting Members they would not need to be included within political proportionality numbers.

He stated that he would report to the next meeting of the Management Committee to confirm the position in relation to political proportionality, and to clarify what would need to be done if the Constitution was to be amended.

The Head of Corporate Policy and Strategy also proposed that the monitoring of Best Value Action Plans for Reviews which had already been completed should be a role of Overview and Scrutiny, and he outlined a proposed allocation of these Best Value Action Plans amongst the Committees. Members suggested that it would be helpful to receive copies of these Best Value Action Plans before meetings of the relevant Committees.

A Member then stated that the Work Programme did not include the monitoring of the Forward Plan but that this was an essential item for Committees, and it was agreed that it should be a standing item for the Management Committee.

The Chairman then commented that Members of Overview and Scrutiny Committees need to be familiar with those areas of the Council's business which they will be examining. He proposed that Overview and Scrutiny Committees each receive reports or presentations on

those services and Council policies for which they are responsible. He suggested that the Head of Corporate Policy and Strategy liaise with the Corporate Management Team to arrange a programme of such reports and presentations to future meetings.

RESOLVED – (1) That a Review of Smart Cards be given further consideration at the next meeting of the Management Committee, at which time the City Solicitor and Secretary would clarify the rules on political proportionality in relation to co-opted Members and the actions which would need to be taken if the Constitution was to be amended.

(2) That monitoring of the Forward Plan should be undertaken by the Management Committee and that it should be a standing item on each Agenda.

(3) That the following Overview and Scrutiny Work Programme for 2001/02 be approved.

Management Committee

Best Value Reviews (Scoping)

- Bereavement Services
- Risk & Safety Management

Over Reviews

* Smart Cards?

Community

Best Value Reviews

- Community Safety
- Bereavement Services
- Strategic Approach to Housing

Monitoring of Best Value Action Plans

- Leisuretime
- Elderly Services
- Housing Debt Recovery
- Housing Voids

Other Reviews

- Options for Celebrating Queen Elizabeth's II Gold Jubilee

Corporate Resources

Best Value Reviews

- Customer Contact
- Risk and Safety Management
- Organisational Assessment

Monitoring Best Value Actions Plans

- Communications
- Property Management
- Municipal Maintenance

Other Reviews

- Council Budget
- E-Government – once a Position Statement is received monitoring of the achievement of Government targets in relation to E-Government.

Infrastructure

Best Value Reviews

- Regeneration
- Concessionary Fares

Monitoring Best Value Action Plans

- Waste Management
- Economic Development
- Tourism

Other Reviews

- Local Plan Roll Forward

4. That it be noted that the Infrastructure Overview and Scrutiny Committee had not yet met and may have further suggestions in relation to its Work Programme.
5. That the Head of Corporate Policy and Strategy liaise with Corporate Management Team to arrange a programme of reports or presentations to each Overview and Scrutiny Committee on those services and Council policies for which they are responsible.

OSM.13/01 A PROTOCOL FOR CARRYING OUT BEST VALUE

REVIEWS

The City Solicitor and Secretary submitted Report TC.206/01 setting out a Working Protocol for Carrying out Best Value Reviews, and an Officer Protocol for Servicing the Overview and Scrutiny Process.

In summary, the proposed protocol for Best Value Reviews was :

- Scoping Best Value Reviews i.e. identifying precisely what is to be reviewed, how the relevant services should be grouped and what key aspects should be focused on in the Review, to be undertaken by the Overview and Scrutiny Management Committee.
- Management Committee will then allocate work to one of the Overview and Scrutiny Committees.
- The relevant Overview and Scrutiny Committee will then carry out the detailed Best Value Review.
- If there are corporate issues under a particular Review, the Overview and Scrutiny Committee responsible for the Review can co-opt Members of other Overview and Scrutiny Committees to obtain views from these Committees and give breadth and dimension to corporate issues.
- The Overview and Scrutiny Committee would report its draft findings to the Management Committee, who, if they are not satisfied that all elements have been completed, can refer the review back to the Overview and Scrutiny Committee.
- When the Management Committee is satisfied the Review has been completed, it will be reported to the Executive for comments and then to the full Council. The relevant Overview and Scrutiny Committee would then have responsibility for monitoring the Executive's performance in implementing the Improvement Plan and any recommendations from the Best Value Inspector.

The Officer Protocol set out Officer support which would be available to Overview and Scrutiny Committees.

RESOLVED – (1) That the Working Protocol for carrying out Best Value Reviews as outlined above and detailed in paragraph 2.2 of TC.206/01 be adopted.

(2) That the Officer Protocol for servicing the Overview and Scrutiny Committee process be noted.

OSM.14/01 BUDGET FOR OVERVIEW AND SCRUTINY COMMITTEES

The Head of Corporate Policy and Strategy reminded Members that there had been some discussion at a previous meeting of whether Overview and Scrutiny Committees should have a specific budget.

He advised that whilst a budget was available for Best Value Reviews, there were other Reviews which would be carried out by the Committees and these may involve getting external evidence from witnesses, the payment of travelling expenses, the commissioning or buying in of research, and the use of different venues which would have consequential hire charges. He suggested that if Members felt there should be an Overview and Scrutiny

Committee Budget, they should put forward a budget bid to the Executive.

After discussion and voting, it was agreed that the Executive be asked to provide a budget of £5,000 for Overview and Scrutiny Committees to carry out Reviews.

RESOLVED – That the Executive be asked to provide a budget of £5,000 to Overview and Scrutiny Committees to carry out Reviews.

OSM.15/01 OVERVIEW AND SCRUTINY OF MATTERS RELATING

TO THE HEALTH SERVICE

The City Solicitor and Secretary submitted Report TC.213/01 setting out the current position in respect of Scrutiny arrangements for Health Service matters, and changes in proposed legislation.

Under current legislation, Overview and Scrutiny can require Members of the Executive and Officers of the Council to attend and answer questions, but they can only invite other persons to meetings to do so. The Secretary of State had signalled his intention to bring in legislation to require Chief Executives of local NHS organisations to attend Overview and Scrutiny Committees to answer questions. However, details of any revised Scrutiny arrangements and Lead Authorities which may be introduced were not available, and the legislation would not come into force until next year.

Members discussed potential revised Overview and Scrutiny arrangements based on a Lead Authority and envisaged that this may well be Cumbria County Council. They anticipated that the position would become clearer as the Government made announcements on proposed changes to legislation.

RESOLVED – (1) That the Members note the position.

(2) That the City Council press for full and proper representation for the Council on any revised Scrutiny arrangements which may be put in place in respect of Health Service matters.

OSM.16/01 BUDGET REPORTS

The Management Committee considered whether Budgetary Reports referred by the Executive to Overview and Scrutiny Committees for consultation should be considered by the Corporate Resources Overview and Scrutiny Committee alone, or by all three Overview and Scrutiny Committees.

RESOLVED – That the Initial Estimates Reports should be divided up and go to each of the relevant Overview and Scrutiny Committees, with the final draft Budget Report to go to only the Corporate Resources Overview and Scrutiny Committee.

OSM.17/01 REVIEW OF LAYOUT OF SLUPSK ROOM

The Head of Corporate Policy and Strategy reported that after concerns which had been expressed by a number of Members about the Slupsk Room layout, in particular the fact that Members had their back to observers and members of the public, and the reduced

capacity of the meeting table, he asked Members to consider what layout they may wish for that room for future meetings.

Members commented that an open horseshoe shape would be better as it would be more open for any members of the public or observers who may attend the meeting. However, they commented that while the Management Committee could meet in that room, the Flensburg Room was more suitable for other meetings of Overview and Scrutiny Committees.

RESOLVED – (1) That meetings of the three individual Overview and Scrutiny Committees continue to be held in the Flensburg Room.

(2) That the Head of Corporate Policy and Strategy examine the options for the Slupsk Room and if necessary meetings of the Management Committee also continue to meet in the Flensburg Room.

(The meeting ended at 3.05 pm)