

Business and Transformation Scrutiny Panel

Agenda Item:

A.4

Meeting Date: 15 July 2021
 Portfolio: Cross-cutting
 Key Decision: No
 Within Policy and Budget Framework
 Private/Public Public

Title: Future Scrutiny Arrangements
 Report of: Overview and Scrutiny Officer
 Report Number: OS.18/21

Purpose / Summary:

This report provides an overview of recent discussions by Scrutiny Chairs with regard to future scrutiny arrangements at Carlisle City Council. It sets out a request from Scrutiny Chairs Group for Business and Transformation Scrutiny Panel to consider establishing a Task and Finish Group to consider whether any changes should be made.

Recommendations:

Members are asked to:

- Note the content of this report
- Consider whether they wish to establish a future scrutiny arrangements Task and Finish Group

Tracking

Executive:	Not applicable
Scrutiny:	BTSP 15/07/21
Council:	Not applicable

1. Background

1.1 The main recommendation from the Corporate Peer Challenge, published in April 2020, with regard to scrutiny was:

“Review current arrangements for scrutiny and consider alternative options. This should enable more focused scrutiny of performance, implementation of decisions and contribution to the development of policy in priority areas. It should consider how to support more timely decision making and take account of the reduction in the number of councillors since the 2018 boundary review.”

1.2 There were five recommendations for scrutiny in the follow up Corporate Peer Challenge that was published in January 2021. One of these was a further recommendation around re-considering current scrutiny arrangements:

“Consider the structure for Scrutiny and look again at the options for reducing the number of committees. In light of the Council’s wishes for improvement in Scrutiny, and in light of the reduction in the number of seats in May 2019, it is the view of the peer team that the Council would be well served by moving to a model with one committee. Building and brokering agreement on any alternative structure may need the support of the CEX but having these discussions can be important to the improvements you are trying to achieve. Equally, should agreement be found on this, ensuring this is implemented and not restricted by a date set for the AGM will avoid this debate repeating again.

As a ‘half-way house’ should the Council arrive at a decision to reduce the number of Scrutiny committees to two for example, ensuring there is a clear distinction between the committees and that they are aligned to the new Carlisle Plan will be important. When required, shared items can take place through joint working groups. This can help to avoid duplication of member and officer effort and a more rounded set of recommendations for the Executive.”

2. Scrutiny Chairs Group

2.1 At their recent meetings Scrutiny Chairs Group have been considering the recommendations of the Corporate Peer Challenge for Scrutiny and discussing whether scrutiny arrangements at Carlisle need to be re-considered in order to provide a stronger scrutiny function. As part of this work, the Scrutiny Chairs Group have looked at an example of how a two panel scrutiny structure could look in Carlisle (detailed example at Appendix 1).

2.2 At their most recent meeting on 29th July 2021, Scrutiny Chairs met with Group Leaders for Conservative and Labour groups to discuss future scrutiny arrangements in more detail. The outcome of this discussion was that a report on the Future Scrutiny Arrangements of Scrutiny be added to the Business and Transformation Scrutiny Panel agenda on 15 July 2021 so they could consider establishing a Task and Finish Group to consider what changes should be made. Minutes of this Scrutiny Chairs Group Meeting are provided at Appendix 2 of this report.

3. Process for taking this issue forward

3.1 If, following discussion, BTSP recommend establishing a task and finish group in order to consider future scrutiny arrangements there would be a number of other steps to follow before this action could deliver a change in scrutiny arrangements:

- BTSP meet and resolve to set up a task and finish group which will include members from all three O&S Panels.
- The task and finish group gathers evidence and presents a report to BTSP. This report may propose changes that require change to the Council's Constitution, improvements that can be completed within existing arrangements or a do-nothing option.
- BTSP, if it wishes to, makes a recommendation to the Monitoring Officer on proposed changes to the Constitution.
- Monitoring Officer then refers to the Executive for comments and then to Council for a decision.

3.2 A sample Terms of Reference for the task and finish group is at appendix 3.

4. Context for this decision

4.1 Both Corporate Peer Challenges were completed prior to the Covid -19 pandemic and the announcement that Local Government Re-organisation was being considered for Cumbria. A decision on Local Government Re-organisation is now imminent and this may impact upon the role that Scrutiny has at Carlisle City Council over the next few years. It may also have a growing impact on the levels of resource that elected Members have available for Scrutiny.

4.2 BTSP do not need to make a recommendation about the nature of future scrutiny arrangements at present, however, it may be that the decision on Local Government Re-organisation has a significant influence on the work of any task and finish group and the role that BTSP ask it to take.

5. Conclusion and reasons for recommendations

5.1 Panel are requested to:

- Note the content of this report
- Consider whether they wish to establish a future scrutiny arrangements Task and Finish Group.

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**Appendices
attached to report:**

1. **Future Scrutiny Arrangements – example of a two panel system for Carlisle**
2. **Scrutiny Chairs Group Meeting Notes - 29 June 2021**
3. **Proposed Terms of Reference for Task and Finish Group**

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers:

- **None**

CORPORATE IMPLICATIONS:

LEGAL -

FINANCE –

EQUALITY – This report raises no explicit issues relating to the public sector Equality Duty.

INFORMATION GOVERNANCE –

Future Scrutiny Arrangements – example of how a two panel system for Carlisle could look

Background

Scrutiny Chairs Group in April 2021 considered a People-Place model that had been provided to them following a request from Chairs to see an illustration of what a two panel system, based around a place Panel and a People Panel, could look like in Carlisle.

Reason for exploring options for People and Place Panels as a starting point

In recent years a number of local authorities have responded to austerity by reorganising their directorates into two: People and Place. A number of other councils also seem to be using a people/ place approach to their scrutiny panels (examples include East Sussex, Southend, Dorset, Redbridge) although a number of these also seem to be keeping budget work out of these Panels, either using a less frequently meeting Resources Panel or giving budget work to Audit Committee.

Place

Membership: 8 Members

Meets: 8 times per year

This Panel considers matters that contribute to the physical environment of Carlisle. They also consider how the physical environment is communicated and perceived in order to draw in more physical and economic benefits to the city (the “place offer”).

Examples of key work streams that will fall within the remit of this Panel include:

- Infrastructure (Capital projects, regeneration, pathways, lighting)
- Council assets (fleet, buildings, CCTV)
- Environment (Environment Strategy, environmental improvements, regulatory activity, environmental health, enforcement, conservation)
- Amenities (green spaces, leisure centres, parks, Tullie House)
- Housing (development, improvements, housing needs, social housing)
- Economic development/ regeneration (Borderlands, Towns Deal, High Street)
- Planning
- Local identity (marketing, tourism, events, heritage)
- Physical and digital connectivity

People

Membership: 8 Members

Meets: 8 times per year

This Panel considers matters impact upon local people, communities and the Council's workforce. It considers matters that impact upon social relationships, quality of life and health.

- Partnerships (professional, community groups, funding bids)
- Workforce (HR, payroll, workforce development, equalities)
- Customers (service provision/ performance, consultation, data protection, FOI)
- Culture/ arts (Cultural Strategy, arts development)
- Community support/ organisations (community centres, volunteering, community projects)
- Health and wellbeing (GLL contract, sports development)
- Emergency planning
- Communications (PR, media)
- Homelessness

Resources

Membership – 4 Members of Place Panel (including 1 Chair or vice Chair), 4 Members of People Panel (including 1 Chair or vice Chair).

Meets: 3 times per year

- Budget
- Capital Strategy
- MTFP

Experiences of other authorities in using a People-Place structure

Experience: A London Borough authority

When you moved to this model and what prompted the move?

May 2017 - having moved from a hybrid Scrutiny/ Service Committee structure which was not an effective model.

Why was a people/ place model adopted?

It reflects learning from previous governance arrangements and allowed for a rebalancing of scrutiny activity, with condensed pre-decision scrutiny, undertaken by Overview Committee, counterbalanced by an additional emphasis on the policy development role of scrutiny through the Scrutiny Committees and Panels. Providing an efficient scrutiny function relies on scrutiny activity not being duplicated, and the development of effective work programmes for each scrutiny forum will ensure this.

How well it works, particularly in terms of clarity around panel remit?

Each body operates within its terms of reference – People Place and S&R can consider respective performance (complaints and finance).

Overview can consider any items from the Cabinet Forward plan in addition to petitions, complaints (annual report) and ombudsman cases, however as Overview leads in pre-decision scrutiny, and is the only Committee with an opposition Chair, it tends to select a number of reports which are mainly for consideration and only a few comments have been referred to Cabinet.

Experience: A unitary authority in South East England

The current framework of the scrutiny committees at Southend was introduced in 2013.

The move to the creation of the People, Place and Policy & Resources Scrutiny Committees was designed to align with the management structure of the authority.

The current framework of the scrutiny committees works pretty well, although there can be some imbalance around workload, particularly in terms of call-in matters. The areas of responsibility of each committee are generally understood by members and officers.

Example work plans under a People-Place model

Resources Panel – Example workplan based upon 2021-22 workplans for current Panels

Meeting month	Item	Type of Scrutiny	Lead Officer	Current panel
August	Medium Term Financial Plan	Policy Devel'pt	Alison Taylor	BTSP
	Asset Management Plan and Annual Property Survey Report	Policy Devel'pt	Mark Walshe	BTSP
	Capital Investment Strategy	Policy Devel'pt	Alison Taylor	BTSP
Dec	Budget Setting	Budget	Alison Taylor	BTSP
Jan	Budget Setting (Including Treasury Management Strategy Statement)	Budget	Alison Taylor	BTSP

People Panel – Example workplan based upon 2021-22 workplans for current Panels

Meeting month	Item	Type of Scrutiny	Lead Officer	Current panel
June	End of Year Performance Report	Monitoring	Gary Oliver	HWSP
	Financial Update on the Impact of Covid-19	Monitoring	Alison Taylor	BTSP
	Outturn Reports	Monitoring	Steven Tickner	BTSP
	Sickness Absence - end of year report 2020/21	Monitoring	Gary Oliver	BTSP
July	Draft Carlisle Plan	Policy Devel'pt	S. O'Keefe	HWSP
	Sustainable Food Places - Food Carlisle	Policy update	Jeannie Pasley	HWSP
	Update on IT projects	Monitoring	Laura Griffiths	BTSP
	Business Rates Outturn 2020/21	Monitoring	Alison Taylor	BTSP
	Draft Carlisle Plan	Policy Devel'pt	S. O'Keefe	BTSP
Sept	Sands Centre Project Monitoring Report	Monitoring	D. Crossley	BTSP
	Sickness Absence Q1	Monitoring	Gary Oliver	BTSP
	External Audit Report - Action Plan and recommendations follow up	Monitoring	Alison Taylor	BTSP
	Annual Equality Report	Policy update	Rebecca Tibbs	HWSP
	Performance Report - Q1	Monitoring	Gary Oliver	HWSP
	Covid-19 Recovery Update	Policy update	S. O'Keefe	HWSP
	Sands Centre - planning programmes	Policy update	D. Crossley	HWSP
	Commercialisation Strategy T&F group report	Policy Devel'pt	Alison Taylor	BTSP
Oct	Zero Carbon Partnership	Partnership	S. O'Keefe	HWSP
	Budget monitoring Q1 2021/22	Monitoring	Steven Tickner	BTSP
	Emerging agile working policy/ staff survey	Policy Devel'pt		BTSP
Nov	Cumbria Choice - accessibility & performance	Policy update	Gareth Torrens	HWSP
	Performance Report - Q2	Monitoring	Gary Oliver	HWSP
	Draft Healthy city Strategy - post Covid re-build	Policy update	Luke Leathers	HWSP
	Sickness Absence Q2	Monitoring	Gary Oliver	BTSP
	Budget monitoring Q2 2021/22	Monitoring	Steven Tickner	BTSP
Jan	Carlisle Partnership	Policy update	Emma Dixon	HWSP
	Strategic framework for Culture in Carlisle	Policy update	D. Crossley	HWSP
	Local Hub developments (Community Safety)	Policy Devel'pt	D. Crossley	HWSP
	Performance Report - Q3	Monitoring	Gary Oliver	HWSP
Feb	Community centre update	Policy update	Luke Leathers	HWSP
	GLL	Partnership	Luke Leathers	HWSP
	Sickness Absence Q3	Monitoring	Gary Oliver	BTSP
April	Homelessness - update on Strategy & key issues	Policy update	T. Rhodes	HWSP
	Local Government reorganisation	Policy Devel'pt	D. Crossley	HWSP
	Scrutiny Annual Report	Policy Devel'pt	Rowan Jones	HWSP
	Emergency Planning and Evolving Approach to Community Engagement and Climate Change	Policy update	S. O'Keefe	HWSP
	Budget monitoring Q3 2021/22	Monitoring	Steven Tickner	BTSP
	Corporate Projects	Monitoring	Jason Gooding	BTSP
	Corporate Risk Register	Monitoring	D. Crossley	BTSP

Place Panel – Example workplan based upon 2021-22 workplans for current Panels

Meeting month	Item	Type of Scrutiny	Lead Officer	Current panel
June	Local Environment (Climate Change) Strategy	Policy Devel'pt	S. O'Keeffe	HWSP
	End of Year Performance Report	Monitoring	Gary Oliver	EGSP
	Sands Centre Project Monitoring Report	Monitoring	D. Crossley	BTSP
	Draft Carlisle Plan	Policy Devel'pt	S. O'Keeffe	EGSP
	Events - planned events and how they can support city centre vitality	Policy update		EGSP
	High Street Task Force - quick wins for City Centre	Policy Devel'pt	Jane Meek	EGSP
Sept	Civic Centre Re-instatement and Development	Monitoring	D. Crossley	BTSP
	Covid-19 Recovery Update - Economic Growth	Policy update		EGSP
	Economic Strategy Action Plan - performance	Monitoring	S. Robinson	EGSP
	Economic Development PMO	Policy update	Jane Meek	EGSP
	Performance Report - Q1	Monitoring	Gary Oliver	EGSP
Oct	Local Air Quality Action Plan	Policy update	Scott Burns	HWSP
	Housing Assistance Grants - DFGs, repair assistance and empty property grants	Policy update	Scott Burns	HWSP
	Delivering SCGV - ensuring resources and skills	Policy Devel'pt	Jane Meek	EGSP
	Making best use of existing housing stock (private sector housing)	Policy update	J. Hewitson	EGSP
	Tourism - strand of the Economic Strategy	Policy Devel'pt		EGSP
Nov	Tullie House Business Plan	Partnership	D. Crossley	HWSP
	Cycling Walking Infrastructure Plans (CWIPS)	Policy Devel'pt	D. Crossley	HWSP
	Performance Report - Q2	Monitoring	Gary Oliver	EGSP
	Infrastructure for connectivity	Policy Devel'pt	Jane Meek	EGSP
	High Street Task Force - quick wins for City Centre	Policy Devel'pt	Jane Meek	EGSP
	Sands Centre Project Monitoring Report		D. Crossley	BTSP
Jan	Diversifying the City Centre	Policy Devel'pt		EGSP
	Kingmoor Park Update	Partnership	S. Robinson	EGSP
	Performance Report - Q3	Monitoring	Gary Oliver	EGSP
Feb	Enforcement Strategy - update on recent activity	Policy update	Colin Bowley	HWSP
	Active spaces - update on plan	Policy update	Luke Leathers	HWSP
	Sands Centre Project Monitoring Report		D. Crossley	BTSP
	LEP - Partner Update	Partnership	Jane Meek	EGSP
	Economic Development PMO	Policy update	Jane Meek	EGSP
	Scrutiny Annual Report	Policy Devel'pt	Rowan Jones	EGSP
April	End of Year Performance Report	Monitoring	Gary Oliver	EGSP
	Riverside - regeneration of existing stock	Partnership	J. Hewitson	EGSP
	Economic Strategy Action Plan - performance	Monitoring	S. Robinson	EGSP
	Flood Risk Management		S. O'Keeffe	EGSP
	Corporate Projects	Monitoring	Jason Gooding	BTSP
	Corporate Risk Register	Monitoring	D. Crossley	BTSP

**SCRUTINY CHAIRS' GROUP MEETING NOTES
29 June 2021 at 10.00am**

Attended: Councillor Bainbridge, Chair of the Business and Transformation Scrutiny Panel
Councillor Alcroft, Vice Chair of the Business and Transformation Scrutiny Panel (from 10.29)
Councillor Brown, Chair of the Economic Growth Scrutiny Panel
Councillor Meller, Vice Chair of Economic Growth Scrutiny Panel
Councillor Paton, Chair of Health and Wellbeing Scrutiny Panel
Councillor Mrs Finlayson, Vice Chair of the Health and Wellbeing Scrutiny Panel
Councillor J Mallinson, Leader of the Conservative Group
Councillor Dr Tickner, Leader of the Labour Group
Darren Crossley, Deputy Chief Executive
Rowan Jones, Overview and Scrutiny Support Officer
Rachel Plant, Democratic Services Officer

13/21 APOLOGIES FOR ABSENCE

There were no apologies for absence submitted.

14/21 LEAD MEMBER

AGREED – That Councillor Brown, Chair of the Economic Growth Scrutiny Panel, would lead the Group for the meeting.

15/21 NOTES OF PREVIOUS MEETING

AGREED – That the notes of the meeting held on 4 April 2021 be approved.

16/21 FUTURE SCRUTINY ARRANGEMENTS

The Overview and Scrutiny Officer reminded the Group that the Corporate Peer Review had recommended that the scrutiny arrangements for the Council should be reviewed and the number of Panels should be reduced. The previous Scrutiny Chairs Group had considered a scoping document which set out an option for two Panels using a People -

Place model along with a Resources Panel which would meet to scrutinise the budget. The Scrutiny Chairs Group had asked for further information on the potential remits of a People - Place model and what their potential Work Programmes could look like.

The Overview and Scrutiny Officer had circulated example work programmes under a People – Place model and comparison data showing the number of items covered by the existing Panels compared to the People-Place model. She also circulated feedback from other authorities who had similar models in place.

The Group had also asked for each Chair to discuss the options with their Group prior to this meeting which included the Group Leaders.

The Group discussed the documents in detail, there was some concern that the changes only reduced the number of meetings by 5 over the year and that the wide variety of matters within each remit would affect the knowledge base of Members on Scrutiny.

A Member felt that the work undertaken by the Overview and Scrutiny Officer was detailed enough to move forward with the implementation of reducing the number of Panels to two. He suggested that the matter go to the Lead Panel to establish a Task and Finish Group.

The Labour Group Leader acknowledged the work that Overview and Scrutiny Officer had done in preparing the draft work programmes but felt that it may be more beneficial to use the time improving the three Panels instead of making the changes which, ultimately retained three Panels. He also felt that any decisions on the future arrangements should wait until the decision on the Local Government Reform was known.

The Conservative Group Leader felt that the matter was a decision for the Panel Members and supported the suggestion that a Task and Finish Group take the matter forward.

The Overview and Scrutiny Officer outlined the process needed to make changes. The Group would refer the matter to the Lead Panel which was Business and Transformation Scrutiny Panel. The Panel would consider the matter and if in agreement establish a Task and Finish Group. The Task and Finish Group would undertake the work and make recommendations to the Business and Transformation Scrutiny Panel, who would in turn make recommendations to the Monitoring Officer. The Monitoring Officer would refer the recommendations to the Executive for comment before it was taken to full Council for a decision.

The Deputy Chief Executive asked the Group to consider the upcoming decision with regard to the Local Government Reform. Should the decision be to carry out one of the

options it would bring a significant workload to the Panels and therefore this may not be the most appropriate time to look at scrutiny arrangements.

The Deputy Chief Executive asked the Group to consider the upcoming decision with regard to the Local Government Reform. Should the decision be to carry out one of the options it would bring a significant workload to the Panels and therefore this may not be the most appropriate time to look at scrutiny arrangements.

Following a vote the Group

RESOLVED – That a report on the Future Scrutiny Arrangements of Scrutiny be added to the Business and Transformation Scrutiny Panel agenda for its meeting on 15 July 2021 so they can establish the Task and Finish Group to consider what changes should be made.

16/21 DRAFT SCRUTINY IMPROVEMENT PLAN

The Overview and Scrutiny Officer circulated the draft Scrutiny Improvement Plan which was based on the Initial feedback document from the Peer Challenge.

The recommendations from the Peer Challenge had been included in the Improvement Plan with a number of other good practice measures. The Plan would be a working document which could be added to and would be monitored by the Scrutiny Chairs Group who would also carry out an annual review at the end of the year.

RESOLVED – That the Scrutiny Improvement Plan be adopted.

17/21 ANY OTHER BUSINESS

There was no other business.

(The meeting ended at 10.39am)

Proposed Terms of Reference for Future Scrutiny Arrangements Task and Finish Group

Task to be completed

Background

Business and Transformation Scrutiny Panel met on 15th July 2021. During discussion on Future Scrutiny Arrangements, informed by recommendations from the Corporate Peer Challenge that that took place in November 2020, it was resolved that a cross panel Task and Finish Group would be established to develop a proposal for future scrutiny arrangements that BTSP could consider and decide whether they wished to make a recommendation to the Monitoring Officer.

Aims of the Task and Finish Group:

- Review work that has already be done by Officers and through the Corporate Peer Challenge on this issue. Identify drivers for change and challenges or issues to be taken into consideration in delivering change.
- Research – good practice and experience of other local authorities that are in a similar position to Carlisle (may need to include considerable consideration of impacts on scrutiny workloads of local government re-organisation, pending a decision).
- Develop recommendations to share with Business and Transformation Scrutiny Panel (BTSP)

Membership

Members:

Cllr ##### (BTSP Member),
Cllr ##### (BTSP Member),
Cllr ##### (HWSP Member),
Cllr ##### (HWSP Member),
Cllr ##### (EGSP Member),
Cllr ##### (EGSP Member),

Co-opted Members:

Darren Crossley (Deputy Chief Executive and SMT Lead for Scrutiny)
Rowan Jones (Overview and Scrutiny Officer)

Frequency and mode of communication

This Task and Finish Group will collaborate online. Virtual meetings will be held using Teams. OneNote as the primary method of sharing research and reports.

Virtual meeting will be scheduled to provide Members with an opportunity to share and discuss their work and to progress the task.

A group email will be the secondary method of communication between the group.

Schedule and workplan for meetings

Date	Event	Activity
(early) August 2021	T&F Meeting	Agree ToR, elect Chair, briefing from officers on current issues (including Local Government Re-organisation) that may impact on work, planning tasks.
(mid) August 2021	T&F Meeting	Members and officers share research and initial thoughts
(late) August 2021	T&F Meeting	Members and officers share further research and refine views. Agree key points for officers to develop into a draft report for BTSP.
(mid) Sept 2021	T&F Meeting	Officers share draft report for BTSP – group discuss and develop this. Agree draft report.
7 October 2021	BTSP Meeting	T&F group report back to BTSP. Seek recommendation from BTSP on whether a recommendation will be made to the Monitoring Officer.