

## **OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE**

**THURSDAY 6 JULY 2006 AT 10.00 AM**

**PRESENT:** Councillor Earp (Chairman), Councillors Allison, Bradley, Dodd, Hendry (as substitute for Councillor Boaden), Rutherford C, Stevenson and Stockdale.

### **OSM.18/06 APOLOGIES FOR ABSENCE**

Apologies for absence were submitted on behalf of Councillor Boaden.

### **OSM.19/06 APPOINTMENT OF VICE-CHAIRMAN**

**RESOLVED** – That Councillor Bradley be appointed Vice-Chairman of this Committee for the 2006/07 municipal year.

### **OSM.20/06 DECLARATIONS OF INTEREST**

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

### **OSM.21/06 MINUTES OF PREVIOUS MEETING**

The Minutes of the Meeting held on 27 April 2006 were submitted. The Head of Scrutiny provided an update on the following :

- (a) OSM.11/06(a) - Arrangements have been put in place to ensure that after each Forward Plan is published, the Chairman of each of the Overview and Scrutiny Committees are informed of the changes to the previous plan. The Head of Scrutiny will consult them and the Chairman of the Management Committee to arrange a special meeting of this Committee if necessary.
- (b) OSM.13/06 – The Corporate Resources Overview and Scrutiny Committee has had the opportunity to scrutinise the draft Constitution of the Carlisle Local Strategic Partnership.
- (c) OSM.14/06 – An officer meeting will be held to discuss a joint scrutiny exercise between the Community and Infrastructure Overview and Scrutiny Committees in relation the Learning City Strategy. After that meeting a proposal would be put to the Chairmen of the two relevant Committees.
- (d) OSM.16/06 – The Corporate Resources Overview and Scrutiny Committee had nominated Councillor Styth 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.

RESOLVED – That the minutes of the meeting held on 27 April 2006 be noted.

## **OSM.22/06 FORWARD PLAN**

### **(a) Monitoring of and changes to the Forward Plan**

The Head of Scrutiny presented Report LDS.45/06 informing Members of changes to the Executive's Forward Plans for 1 May to 31 August 2006 and 1 June to 30 September 2006.

RESOLVED – That the changes to the Forward Plans for 1 May to 31 August 2006 and 1 June to 30 September 2006 be noted.

### **(b) Forward Plan of Executive Decisions – 1 July to 31 October 2006**

The Head of Scrutiny presented the Forward Plan of Executive Decisions for the period 1 July to 31 October 2006.

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

- (a) In response to a query about whether the Infrastructure Overview and Scrutiny Committee should have some input to the items on the "Transfer of land for the Carlisle Northern Development Route" and "Energy Surveys – Improving our Buildings", the Head of Scrutiny responded the Constitution sets out the remit of each Committee. If there is an ambiguity within the Constitution an item could go to both Committees or if there is no agreement then this Committee would resolve the matter. In relation to the items referred to, it was clear in the Constitution that they should be allocated to the Corporate Resources Overview and Scrutiny Committee. However, the item on Energy Surveys – Improving our Buildings would also be reported to the Infrastructure, although Corporate Resources would be the lead Committee.

The Chairman of the Infrastructure Overview and Scrutiny Committee advised that he would discuss these issues further outwith the forum of the meeting.

- (b) A Members queried whether item KD.034/06 on Concessionary Fares would set out potential options for discussion. The Overview and Scrutiny Support Officer advised that the Concessionary Fares Scheme was being reviewed after 5 months of operation, and that it may produce a revision of the scheme after that time. The Head of Scrutiny confirmed that it would be scheduled for consideration by Overview and Scrutiny.

RESOLVED – That the Forward Plan of Executive decisions for 1 July to 31 October 2006 be noted.

## **OSM.23/06      OVERVIEW AND SCRUTINY IMPROVEMENT PLAN**

The Head of Scrutiny submitted a progress report on the implementation of the Overview and Scrutiny Improvement Plan for 2005 – 2007.

The Chairman and the Head of Scrutiny then commented on progress on each of the following items :

- (a) Recommendation 1 – Chairing Overview and Scrutiny Committees – The Achieving Cumbria in Excellence Programme had included an IdeA event for Overview and Scrutiny Chairmen, but only one Chairman had been able to attend. This was unfortunate as the session had been helpful for improving and finding alternative ways of chairing meetings. The Head of Scrutiny advised that he was seeking funding to enable the other 3 Chairmen to participate in one of the national programmes and he would provide an update to the Committee on this matter.
- (b) Recommendation 2 – Task and Finish Groups – This would be covered in an item later on the Agenda.
- (c) Recommendation 3 – Member Champions – This was still not viewed as a priority but would be considered in the future.
- (d) Recommendation 4 – Reports to Overview and Scrutiny Committees – some progress but more could be achieved. The Chairman commented that he would prefer to see one side of A4 summarising the main issues.
- (e) Recommendation 5 – Agendas, Minutes and Reports to Overview and Scrutiny Committees – Members had all been happy with the style and quality of Agendas and Minutes. Progress had been made on reports and further progress could be achieved.
- (f) Recommendation 6 – Holding meetings in different venues – this had taken place during 2005/06 with meetings at the Sheepmount and Talkin. The Head of Scrutiny would continue to look for opportunities to have meetings in other locations where appropriate.
- (g) Recommendation 7 – Layout of Meeting Rooms – the new layout had been an improvement although work still needed to be done on the sound system.
- (h) Recommendation 8 – Physical Environment of the Committee Room – some Members commented on the new chairs in Committee Rooms

stating that they were uncomfortable over long time periods and could cause back pain.

The Deputy Chief Executive responded that he had been informed that the chairs did comply with all the necessary Health and Safety requirements and were fully adjustable. The Head of Scrutiny advised that consultations had taken place with 4 Members before the chairs were purchased and advice had been sought from these Members on suitable chairs used in other organisations.

- (i) Recommendation 9 – More balanced role profile for the Overview and Scrutiny function – In response to a Member's question about whether this was the same as "redefining the role of the Management Committee", the Head of Scrutiny advised that the two were not really linked. The Management Committee role about taking responsibility for the Improvement Plan, whereas developing a more balanced role profile was related to the work of the three Overview and Scrutiny Committees.

One of the improvements which would be sought in relation to holding the Executive to account was based on experience that Overview and Scrutiny Committees often drifted into asking Officers to answer questions on policy as well as technical and professional matters. Members agreed that Portfolio Holders should be asked questions on policies and it should be up to them to defend policies and propose future policies.

A Member commented on her experience of observing Overview and Scrutiny Meetings in Manchester where the meetings had been based on single issues and technical questions had been directed to officers with policy related questions directed to Portfolio Holders.

Improvements could be achieved through an improved protocol for work between the Overview and Scrutiny and the Executive, and this would be considered in an item later in the agenda when the Committee would be asked to nominate 2 Members from this Committee to meet with 2 Executive Members. Members commented that a meeting needed to be arranged early in the 2006/07 municipal year.

- (j) Recommendation 10 – Emerging new roles for Overview and Scrutiny, particularly the role of Overview and Scrutiny in the improvement planning process – The Deputy Chief Executive advised that there would be new improvement reviews with the aspirations of saving money and driving up performance. There would be a pilot improvement review of Community Development Services and this would be reported to both the Executive and Overview and Scrutiny.
- (k) Recommendations 11, 12 and 13 – Work Programmes and Agendas, Prioritisation of Work Programmes and Prioritisation in relation to

Council's priorities – These issues would be covered in an item later in the Agenda.

- (l) Recommendations 14 and 15 – Development of more effective Relationship with the Executive and Development of a Protocol to guide the relationship between the Executive and Overview and Scrutiny – These would be addressed under an item later in the Agenda.
- (m) Recommendation 16 – Overview and Scrutiny to ensure SMART SMART (specific, measurable, accurate, realistic and timely) recommendations to their work – this focuses on the need for Chairmen to sum up carefully and clearly and is addressed further under the Guidance to Chairmen and Committees on Managing Business and prioritising scrutiny.
- (n) Recommendation 17 – Development of a robust system for tracking responses to Overview and Scrutiny recommendations - this had been scheduled for later in the year but the timescale may have to be reviewed.
- (o) Recommendations 18, 19 and 20 – Engaging Public Partners and Media – The work of Overview and Scrutiny needs to be more prominent and this would be considered in more detail in the item later in the Agenda on an Overview and Scrutiny Communications Plan.

Members re-affirmed the need for more public awareness of the role of Overview and Scrutiny and of the need to use any media vehicles to improve public awareness.

A Member commented that Overview and Scrutiny has had difficulties in getting the necessary support from the Communications Team, who are focussed on the work of the Executive. The Member commented that Overview and Scrutiny should be afforded equal weight with the Executive.

- (p) Recommendations 21, 22 and 23 – Strengthen Officer support to Overview and Scrutiny and Location of Overview and Scrutiny in the Council's structure – Members welcomed the appointment of Lesley Dixon, one day a week, as an Overview and Scrutiny Support Officer. The Head of Scrutiny advised that additional civil contingency funding which had been allocated to allow him more time to devote to emergency planning had meant that Lesley could be employed one day a week, but that this had not arisen from additional resources to the core budget. The re-organisation had addressed the issues of a more appropriate location for Overview and Scrutiny within the organisational structure.

- (q) Recommendations 24 and 25 – The Development of a robust system for measuring outputs and outcomes – this would be addressed later in the year.
- (r) Recommendations 26 and 27 – SMART (specific, measurable, accurate, realistic and timely) recommendations from Overview and Scrutiny Committees and information on Overview and Scrutiny to be included on the Council's website – these would be considered further under an later in the agenda.
- (s) Recommendations 28, 29, 30 and 31 – Lack of substantive role for Overview and Scrutiny Management Committee – The Overview and Scrutiny Management Committee will have an important role this year in ensuring the implementation of the Improvement Plan. The Chairman commented that he would like to see the whole of the Improvement Plan completed within this municipal year.

RESOLVED – That the progress to date in achieving the implementation of the Improvement Plan be welcomed, and efforts to be made to ensure that all recommendations contained within the Plan are achieved within this municipal year.

**OSM.23/06      GUIDANCE TO CHAIRMAN AND COMMITTEES ON  
MANAGING BUSINESS AND PRIORITISING FOR  
SCRUTINY**

The Head of Scrutiny presented report OS.06/06 containing Guidance for Chairman and Committees on managing business and prioritising for scrutiny. He advised that the report had been written in response to some of the recommendations within the Dr Snape report and the subsequent Overview and Scrutiny Improvement Plan.

The report stated that the aim should be to have productive meetings with manageable, focussed agendas, based on priorities. Committees should be undertaking quality work with meaningful outcomes which requires preparation, concentration and dedication.

The report then set out a number of key objectives for Overview and Scrutiny Chairmen to achieve best practice in meetings, and also set out some criteria for prioritising over long agendas. In addition, the report contained tips for on framing Overview and Scrutiny resolutions and some more general tips for Overview and Scrutiny Chairmen.

The Head of Scrutiny asked Members to consider the report and if they were agreeable, to endorse it and recommend it to Overview and Scrutiny Chairmen and other Member colleagues on Overview and Scrutiny to adopt as a way of working.

In considering the report, Members made the following comments and observations:

- (a) Members, particularly the Overview and Scrutiny Chairmen, commented that the document was useful and they could learn from it.
- (b) A Member referred to the item on “framing resolutions” and suggested that in addition to the Overview and Scrutiny Chairmen learning from this, Executive Members could also learn. The Head of Scrutiny responded that this is something which could be covered in the Executive and Overview and Scrutiny protocol.
- (c) Members recognised the necessity to prioritise agendas but raised some concerns over the suggestion that if items are merely noted they should not be on the agenda in the first place. They referred specifically to Overview and Scrutiny’s monitoring role and also the requirement that Overview and Scrutiny Members are kept informed and have an adequate knowledge base. The Chairman of the Corporate Resources Overview and Scrutiny Committee commented that he had recently suggested that “Part C” should be introduced to agendas, containing reports for information which would be for noting, but which are necessary for Members’ information and understanding.

The Head of Scrutiny commented that he accepted that in particular the Corporate Resources Overview and Scrutiny Committee would have to receive a number of reports which were for information or to contribute to the Members pool of knowledge. In relation to the other Committees, in monitoring the implementation of scrutiny work they should be doing more than noting and should be seeking further action where necessary. He advised that the situation would continue to be monitored and reviewed.

In response to a Member’s query about how individual Members could comment on issues if they were not being given the opportunity to see all the reports, the Head of Scrutiny advised that individual Members could still take up issues with officer colleagues and share their expectations with these officers.

- (d) Members recognised the importance of Overview and Scrutiny producing concise recommendations and references to the Executive should be seeking detailed responses, rather than referring all matters to the Executive.
- (e) A Member suggested that when the agenda is produced, times could be allocated against each agenda item. The Head of Scrutiny responded that this had been experimented with at the outset of Overview and Scrutiny but he suggested that it was something that the Chairman try to do as part of the preparation for a meeting.
- (f) A Member suggested that it would be helpful to include guidance on the call-in process within this paper. The Head of Scrutiny responded that a separate guidance document on the call-in process had been

produced in the past and he undertook to refresh that document and report it to a future meeting of the Committee.

- (g) A Member stressed the importance of officers bringing forward reports which were evidence based as this was essential for Members to be effectively informed and to be able to carry out their scrutiny roles.

RESOLVED – (1) That the report OS.06/06 on Guidance to Chairman and Committees on Managing Business and Prioritising for Scrutiny be approved and recommended to all Overview and Scrutiny Chairman and Overview and Scrutiny Members.

- (2) That the Committee's concerns in relation to potential problems which may occur, particularly in relation to "information reports" and the suggestion for a "Part C" of the Agenda be recorded.

#### **OSM.24/06 GUIDANCE TO CHAIRMEN AND COMMITTEES ON WORKING IN TASK AND FINISH GROUPS**

The Overview and Scrutiny Support Officer presented report OS.08/06 containing Guidance to Chairmen and Committee on Working in Task and Finish Groups.

The report which had been produced as a result of the recommendation from Dr Snape that more use be made of Task and Finish Groups and the subsequent Improvement Plan.

The report set out detailed criteria on:

- when a Task Group and Finish Group should be used;
- how to set up a Task and Finish Group;
- how Task and Finish Groups should work, including details on membership, doing the work, the role of the lead member, keeping a record of the Task and Finish Group's work, arrangements for meetings and finishing the review.

The report also provided a check-list for Task and Finish Groups and some examples of best practice of Task and Finish Group working.

RESOLVED – (1) That Report OS.08/06 containing Guidance to Chairman and Committees on Working in Task and Finish Groups be approved by the Committee as a comprehensive paper for use by all Task and Finish Groups.

- (2) That a copy of the report be sent to all Task and Finish Group Members of current Task and Finish Groups and also to Members who are appointed to Task and Finish Groups in the future.



## **OSM.25/06      OVERVIEW AND SCRUTINY COMMUNICATIONS PLAN**

Mrs Dixon, in her role as part-time Overview and Scrutiny Support Officer and Miss Osborne, Acting Communications Manager presented a joint report of the Head of Scrutiny and the Head of Policy and Performance (OS.09/06 and PPP.31/06) on a proposed Overview and Scrutiny Communications Plan.

The report had been produced after the Snape Report had highlighted the following two key areas for improvement:

- Enhance Community Engagement;
- Achieve Greater Media Exposure.

The Acting Communications Manager advised that she had attended two rounds of Overview and Scrutiny Committees to establish the processes being used, the issues being considered, the total length of each meeting and the time taken for each item and also the newsworthiness of stories. She had then undertaken a SWOT (strengths, weaknesses, opportunities and threats) analysis before producing the Communications Plan in conjunction with the Overview and Scrutiny Section.

The key areas of action related to the stages of:

- Agenda setting – at this stage officers from Overview and Scrutiny and Communications would meet together with the Chairman of the Committee to agree items which may be of interest to the media. Press Releases could then be issued in advance of the meeting to advise the media.
- Press Releases – these could be issued in advance of meetings to advise the media of newsworthy items and included in this would be details of the speakers and the Chairman. The issue of Press Releases is still no guarantee that a reporter would attend the meeting because breaking news on the day would determine the media's priorities.
- Web Pages - these had been updated and should provide a better understanding of the work of the Overview and Scrutiny Committees in Carlisle.
- Community Involvement in Overview and Scrutiny – opportunities to hold meetings in venues away from the Civic Centre and hopefully engage the public more need to be promoted more pro-actively in order to exploit the potential for community engagement.
- Overview and Scrutiny Newsletter – items about the work of Scrutiny Committees could be included in the Council's Focus magazine in the "At your Service" section.

In considering the report, Members made the following comments and observations:

- (a) Although Press Releases can be issued there is no guarantee that the media will attend meetings and cover specific items as it is down to News Editors to decide on final inclusion.
- (b) Members commented that in the past there had been coverage of the work of the Waste Minimisation Task and Finish Group but all quotes in the media had been provided by or attributed to the relevant Portfolio Holder. Members were concerned that Overview and Scrutiny were not receiving the opportunity to comment in the media or receiving the recognition they deserved. They asked how this would work in the future.

The Acting Communications Manager responded that in future Press Releases would be produced in liaison with Scrutiny and the relevant Chairman and would be issued on behalf of Overview and Scrutiny with quotes attributed to the Chairman of Overview and Scrutiny Committees or the Lead Member of the Task Group, as appropriate.

Members commented that Chairmen could approach the Communications Team directly if they felt there were items which would benefit from media coverage.

- (c) A Member commented that the proposed system would fall down as the Communications Team would not want to notify the Press on any Overview and Scrutiny issues or comments which may be critical of the Executive. She felt that there did not appear to be even-handedness and that there was a distinct emphasis on the Executive. It appeared to be up to individual Members of Committees to notify the Press of something controversial.

The Deputy Chief Executive responded that he believed the Communications Team were even-handed and he advised that this would be proved in the future. He felt that some of the problems were symptomatic of the Executive and Scrutiny arrangements as opposed to the old traditional committee style of working. He hoped that by using this new framework, the Press would attend more meetings and he emphasised that Members are still free to contact the Press regarding issues of concern.

A Member expressed concern that challenging the Executive could become the main interest for the media and they could lose focus on the issue involved.

- (d) A Member queried what could be done to achieve greater public participation and attendance at meetings.

The Head of Scrutiny responded that an exercise had been undertaken through the Citizens' Panel, the media and Carlisle Focus, asking people what they wanted Overview and Scrutiny to look at. The exercise had not been very productive as a number of items had been suggested but

many were not suitable for Scrutiny. He felt that it was better to engage with the public when there was an issue which was topical and of great public interest. Nationally, there was little regular media coverage of or attendance at Scrutiny Meetings but it did occur where the issue was of concern to the public.

A Member commented that her experience of observing Overview and Scrutiny in Manchester, there had been public participation because the issues had been of interest to the public i.e. school closures and replacement of windows in Council houses.

**RESOLVED** – That the Overview and Scrutiny Communications Plan be approved with particular emphasis on and endorsement of the following:

- (1) Communications and Overview and Scrutiny Officers to meet with the Chairman to agree items which may be of interest to the media.
- (2) Scheduling items of media interest at the beginning of an agenda in order to ensure that the media can attend without having to sit through the whole meeting.
- (3) Ideally there should be three to four Press Releases per Committee per year, although this was not a definite maximum number.
- (4) Overview and Scrutiny Committees should seek to find appropriate opportunities to hold one meeting per year outwith the Civic Centre.
- (5) The proposal to include items about the work of Scrutiny Committees in the the “At your Service” section of the Council’s Focus Magazine was welcomed as a good idea.

#### **OSM.26/06      NOMINATIONS FOR PROTOCOL TASK AND FINISH GROUP**

The Chairman emphasised that it is important to arrange the first meeting of the Protocol Task and Finish Group with Members of the Executive and Members of this Committee within the next four weeks. The Leader and the Deputy Leader had been nominated from the Executive.

**RESOLVED** – (1) That the Chairman (Councillor Earp) and the Vice-Chairman (Councillor Bradley) be nominated as this Committee’s representatives on the Protocol Task and Finish Group.

- (2) That the Head of Scrutiny arrange a meeting of the Protocol Task and Finish Group within the next four weeks.

#### **OSM.27/06      JOINT MEETINGS WITH THE EXECUTIVE**

**RESOLVED** – That the second and fourth meetings of the Management Committee during the civic year be joint meetings with the Executive. This

means that the October 2006 meeting of the Management Committee would be a joint meeting with the Executive.

## **OSM.28/06      OVERVIEW AND SCRUTINY WEB PAGES**

Mrs Dixon, in her role as part time Overview and Scrutiny Officer, gave a demonstration of the updated and improved web pages. She demonstrated the links to the pages from the home page, highlighted the improvements which had been made and outlined future further improvements which could be made.

Members welcomed the improvements to the web pages and in particular the ease with which they could be found from the home page.

Members did comment that the web pages seemed to have been written in 'Local Government language' and this should be reconsidered with the aim of using plain English. It was further suggested that there should be greater use of pictures throughout the web pages.

RESOLVED – That the web pages be accepted as an improvement, but it be recognised that further progress and improvements could be made, particularly in relation to the use of plain English, the highlighting of subjects which have been covered throughout the year and a summary of subjects to be considered in the next 12 months.

(The meeting ended at 11.50 pm)