

**MINUTES OF A MEETING OF THE
CORPORATE SERVICES OVERVIEW AND SCRUTINY PANEL
HELD ON MONDAY 21 MARCH 2011 FROM 7PM TO 8.05PM**

*Present:- Norman Jorgensen (Chairman), Michael Firmager (Vice-Chairman),
Alistair Auty, Jenny Lissaman and Stuart Munro*

Also present:-

*Andy Nicholls, Economic Development Officer
Madeleine Shopland, Senior Democratic Services Officer
Councillor Philip Mirfin, Chair of Audit Committee*

PART I

49. MINUTES

The Minutes of the meeting of the Panel held on 6 January 2011 were confirmed as a correct record and signed by the Chairman.

50. APOLOGIES

An apology for absence was submitted from Councillor Chris Bowring.

51. DECLARATIONS OF INTEREST

Councillor Alistair Auty declared a personal interest in Item 55.00 Update on Governance Arrangements of Local Authority Companies and the Executive Trading and Enterprise Sub-Committee Report on the grounds that he had been approached with regards to becoming a Member Director of Wokingham Enterprises Limited.

52. PUBLIC QUESTION TIME

There were no public questions.

53. MEMBER QUESTION TIME

There were no Member questions.

54. UPDATE ON CONSULTATION TASK AND FINISH GROUP

Given the current situation with the SDL's it had been agreed to defer the Consultation Scrutiny review.

RESOLVED That the update be noted.

55. UPDATE ON GOVERNANCE ARRANGEMENTS OF LOCAL AUTHORITY COMPANIES AND THE EXECUTIVE TRADING AND ENTERPRISE SUB-COMMITTEE REPORT

Councillor Mirfin presented the Audit Committee's comments on the Panel's review on the Governance Arrangements of Local Authority Companies and the Executive Trading and Enterprise Sub Committee.

During the discussion of this item the following points were made:

- The Audit Committee had made comments on the Panel's report and had asked various questions of the Head of Governance and Democratic Services who had provided answers. The Audit Committee would be reviewing these answers at a future meeting.

- The Audit Committee had recommended that a 'generic governance checklist' be formulated which could be followed prior to the establishment of any future local authority trading companies to ensure consistency. The Audit Committee had felt that they should be made aware of any forthcoming local authority trading companies before they were established.
- It was important that officer directors had the appropriate skills and were from the relevant service area.
- Whilst the Audit Committee had felt that the Joint Board should meet in public to further transparency Councillor Mirfin accepted that this would not necessarily be possible because of commercially sensitive information which would be discussed at these meetings.
- Audit Committee members had asked whether there were any restrictions on the company issuing additional shares. It was felt that this area could be further looked at.
- The Audit Committee believed that it was important that governance arrangements were handled correctly.
- Members had some concerns regarding Members as Directors and possible conflicts of interest and had questioned whether Overview and Scrutiny members and Audit Committee members would be able to be Directors.
- Training would be integral for Officers and Members who were appointed as Directors.
- Members had questioned how the Council would convey its wishes to the Authorised Representative and how this Authorised Representatives would convey these wishes to WEL at the Annual General meeting. The Chair of the Audit Committee questioned how the Council would convey its wishes to TESC.
- The Panel had recommended that for the initial two years of trading the reporting should be on a quarterly basis, the frequency to be reviewed after two years. The Audit Committee had suggested that updates be provided every three years on an ongoing basis.
- It was noted that the Executive had accepted all of the Panel's recommendations at its meeting on 22 February.
- The Panel requested that an update be provided at the Panel's first meeting in the next municipal year on WEL's progress and the progress of the implementation of the Panel's recommendations.

RESOLVED That the update be noted.

56. REVIEW INTO POSSIBLE ASSISTANCE TO RESIDENTS DURING THE RECESSION

The Panel were reminded that the now defunct Finance Overview and Scrutiny Panel had conducted a review into possible assistance to residents during the recession, in 2009. Monitoring the progress of the review's recommendations had been delegated to the Corporate Services Scrutiny Panel. The Economic Development Officer provided an update on the progress of the three of eight recommendations that had been agreed by the Executive on 25 March 2010.

During the discussion of this item the following points were made:

- The Panel were informed that approximately 1500 people were claiming Job Seekers Allowance, which was a 25% reduction in the number of people claiming just over a year ago. In addition the number of unfilled vacancies in the borough had increased. Whilst recent economic indicators were positive the situation remained fragile and it was possible that the recent events in the Middle East and Japan could impact on businesses in the Thames Valley.

- The first recommendation had been that advice and schemes already offered by the Council to assist residents and local businesses through the economic downturn be better publicised. Members were informed that the Council's website had been updated and improved. Pages had been redesigned to make them more user-friendly and new sections had been added, including information on vacant property units across Wokingham Borough aimed at helping individuals interested in setting up their own business. A Member commented that whilst the website was a good means of engaging with residents not all people had access to the internet.
- Businesses had been advised of the business rate referral scheme and of appropriate discounts and exemptions.
- The Council was continuing to pay the majority of invoices below £2000 within 10 days. A Member questioned whether the Council used credit cards to pay invoices. The Economic Development Officer commented that he wasn't aware of this but offered to investigate and report back.
- Meetings were being held regularly with Chamber of Commerce to keep them informed of developments effecting business. In addition the Economic Development Officer continues to work closely with individuals businesses and arranges meetings to resolve issues and develop strong relationships.
- The Council was working with other Berkshire authorities on a Berkshire wide procurement process. It was hoped that this would make the process easier to access. Members stressed that it was important that small businesses were also able to access the procurement process. The Panel questioned whether Senior Officers met with local businesses. The Economic Development Officer commented that the Chief Executive supported Business Forum breakfasts, the next of which would be held on 11 May 2011 and also meets with individual businesses when required. The Council was looking to hold at least four business events a year. The Strategic Director for Strategy & Corporate Affairs also meets regularly with the Chamber of Commerce. It was agreed that whilst Senior Officers should meet with local businesses meetings needed to have a purpose.
- The Revenue and Benefits team had received a Customer Service Award from the Cabinet Office for excellence in dealing with customer queries and promoting awareness amongst residents.
- The Finance Overview and Scrutiny Panel's third recommendation had been that the potential benefits and cost implications of a Berkshire wide Credit Union is further examined. Members were notified that there had initially been concerns regarding the long term financial viability of a Credit Union. However, these issues are being resolved and the Council had indicated to Community Savings and Loans that a contribution of £15,000 would be made which would be funded from the Proceeds of Crime Act monies. In response to Member queries regarding the Credit Union, the Economic Development Officer stated that many of those people who used the Union were unable to access conventional bank loans which and were forced to borrow at more expensive rates. These financial difficulties potentially impacted on their ability to pay their rent and other bills and led to the further difficulties. The Council would work with the Credit Union to help mitigate the impact of people falling into debt.
- Whilst the Credit Union no longer had an office at Woodley it had recently opened an office in the Wokingham Citizens Advice Bureau and the impact of this is being monitored.
- Recommendation 6 was that the Council continue to work with other organisations such as Connexions with the aim of reducing the level of those people not in employment or training in the Wokingham Borough. There were approximately 150 NEETs in Wokingham. Children's Services and Connexions had done a lot to reduce the number of NEETs in the borough. Members were informed that the likely reduction

in the service provided by Connexions due to changes in funding levels would pose a challenge and there would be possible implications for Wokingham.

- Members were pleased to note that the number of NEETs had decreased and questioned where those who were formerly NEET now were. The Economic Development Officer indicated that they had moved into employment into a variety of sectors such as hospitality which had vacancies. A number were undertaking further training.
- The Panel learnt that the Council would be supporting an initiative launched by the Forest School aimed at setting up a Business Academy to help young people under the age of 25 interested in setting up their own business.
- An event had been held in February at Shute End to raise awareness of apprenticeships with young people and their parents. It was hoped that the Council would be able to offer a small number of apprenticeships in the future.
- A Careers Fair had been held in November 2010 which was attended by 1800 young people and a follow up event is being planned for later this year. A Jobs Fair is also under consideration to support people back into employment.
- An event aimed at promoting STEM subjects (science, technology, engineering and maths) to young people and to help with future curriculum choices was held in March. A number of technical businesses such as BT, Sony and Proctor and Gamble had supported the event.

RESOLVED That the report be noted.

These are the Minutes of a meeting of the Corporate Services Overview and Scrutiny Panel

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**MINUTES OF A MEETING OF THE
CORPORATE SERVICES OVERVIEW AND SCRUTINY PANEL HELD ON
THURSDAY 19 MAY 2011**

DURING THE ADJOURNMENT OF THE ANNUAL COUNCIL MEETING

*Present:- Parry Batth, Chris Bowring, Michael Firmager, Norman Jorgensen,
Jenny Lissaman and Ken Miall*

1. ELECTION OF CHAIRMAN FOR THE 2011/2012 MUNICIPAL YEAR

RESOLVED: That Norman Jorgensen be elected Chairman of the Panel for the 2011/2012 municipal year.

2. APPOINTMENT OF VICE-CHAIRMAN FOR THE 2011/2012 MUNICIPAL YEAR

RESOLVED: That Michael Firmager be appointed Vice-Chairman of the Panel for the 2011/2012 municipal year.

3. APOLOGIES

There were no apologies for absence received.

4. DECLARATIONS OF INTEREST

There were no declarations of interest.

These are the Minutes of a Meeting of the Corporate Services Overview and Scrutiny Panel

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TITLE	Consultation Task and Finish Group
FOR CONSIDERATION BY	Corporate Services Overview and Scrutiny Panel on 28 June 2011
WARD	None Specific
STRATEGIC DIRECTOR	Muir Laurie, Director of Business Assurance and Democratic Services

OUTCOME

That the Committee comes to a view on whether to proceed with the Consultation Review

RECOMMENDATION

That the Committee decides whether or not to continue with the Consultation Process Review;

SUMMARY OF REPORT

To reconsider the draft Terms of Reference for a review of Consultation Processes and the background to a request to consider amending them.

Background

On 6 January 2011, the Panel considered draft Terms of Reference for a review of the Council's Consultation Processes and agreed to undertake the review, (Terms of Reference and an extract from the minutes of the meeting attached as Appendices A and B). However, the review was subsequently deferred at the meeting held on 21 March 2011 in light of the then situation regarding the Strategic Development Locations.

On 1 June 2011, the Overview and Scrutiny Management Committee considered a number of scrutiny review suggestions for the 2011/2012 municipal year. One suggestion made by Councillor Phil Challis was that a review be undertaken to consider how the Council works in partnership with Town and Parish Councils in light of the implications of the Localism Bill. The Committee decided to refer the issue to the Corporate Services Overview and Scrutiny Panel for the Panel to consider whether or not the suggestion made by Councillor Challis might be incorporated into the existing review of Consultation Processes or whether a standalone review might be undertaken.

Analysis of Issues

Given that the Consultation Review remains on the Panel's work programme, it is timely to reconsider whether to proceed with the review and to consider the request that Councillor Challis's review suggestion might be incorporated.

It is felt that the issue of how the Council works with Towns and Parish in partnership is touched upon within the Terms of Reference of the Consultation review in terms of how Council interacts with Towns and Parishes regarding consultation. The issue for discussion is whether it is possible to amend the Terms of Reference and incorporate the suggestion in practical terms.

Reasons for considering the report in Part 2

None

List of Background Papers

Attached

Contact Kevin Jacob	Service Business Assurance and Democratic Services
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Date Monday, 20 June 2011	Version No. 1.00

OVERVIEW AND SCRUTINY REVIEW

TERMS OF REFERENCE

CONSULTATION PROCESS

Purpose of Review:

1. To review public responses to recent Council consultations, including how they were assessed and their impact on the Council's decision-making, in order to understand the effectiveness of the current consultation process and recommend any amendments to the process as appropriate.

Key Objectives:

1. To establish why the Council undertakes consultation and to understand the statutory and local requirements the Council is subject to with regards to consultation.
2. To research common consultation methods used by the Council and to determine whether any improvements can be made.
3. To establish how the Council interprets and analyses consultation results.
4. To consider how the outcomes of consultation are used to inform decisions and policy.

Scope of the work:

1. To review and to understand the statutory and local requirements the Council is subject to with regards to consultation.
2. To review the consultation design, assessing whether respondents are fully able to give their views or being asked to respond to questions which do not offer respondents sufficient opportunities to express their position.
3. To establish how consultation responses are assessed and to understand how value judgements are applied by officers in deciding whether responses are relevant or not or if they should be rejected. To examine how consultation responses are publicised, both before and after aggregation.
4. To consider the predicted benefits of consultation against the anticipated costs and whether the cost effectiveness of the process could be improved.

The proportionality of the process should also be appraised; the resources needed to consult appropriately given the issue under discussion. The extent to which engagement should be proportionate to the significance of the issue – both to the Council and to local people – and to the benefits to be gained from involvement will also be discussed.

5. To evaluate the reporting of the feedback and if the impact of public comments can be demonstrated in the process.
6. Ascertain what other local authorities are doing and look at examples of best practice.
7. To report back to the Executive on the findings of the review and any recommendations.

BACKGROUND:

Councillor Singleton reported some perceived dissatisfaction with the consultation process. Firstly, the consultation questions were queried, in particular whether they offered respondents an opportunity to offer their personal viewpoints. The issue of closed questions, which did not allow respondents to offer more varied responses or justify their views, was also raised. Secondly, the manner in which the Council appraised responses, and the transparency of that process, was questioned. Councillor Armstrong suggested that the Council's consultation process be reviewed at the Overview and Scrutiny Management Committee on 26 July 2010. Councillor Armstrong raised concerns over the consultation process for social care charges; given the overlap between these areas, it was decided to combine these as one review. On 26 July 2010 the Overview and Scrutiny Management Committee referred the matter to the Corporate Services Overview and Scrutiny Panel.

INFORMATION GATHERING:

Potential Witnesses

Name	Organisation/Position	Reason for Inviting
Mark Redfearn/ Carla Tanswell	WBC	Policy Manager – Performance. Responsible for consultation/ Council's Consultation Officer
Nick Spencer	WBC	As Council's Website Manager regarding online consultation
Louise Strongitharm? Dave Wilby? Rachael Wardell/Sam Jones? Mike Woolridge/Rebecca Taylor? Cris Lancaster? Ashwani Gupta?	WBC	Officers who have recently used the Council's consultation process
Chairs of Residents Associations		
Representatives from Neighbourhood	Neighbourhood Action Groups	Consultees

Action Groups		
Representatives from other best practice authorities		To ascertain what other local authorities are doing other local authorities

Information to be obtained from

Organisation	Information to be Requested
National Guidance	Eg: Strengthening Local Democracy consultation
	Information relating to the Localism Bill

TIMESCALE

Starting: January 2011

Ending: April 2011

Referred by the Management Committee to:

Corporate Services Overview and Scrutiny Panel

Terms of Reference agreed by:

Members involved in the review:

Chris Bowring
Michael Firmager
Norman Jorgensen
Jenny Lissaman
Stuart Munro?
Chris Singleton

Panel Lead Member:

Norman Jorgensen

Executive Member:

David Lee/Liz Siggery

Reporting Lines:

Executive

Extract for Corporate Services Minutes 6 January 2011**47. PROCESSING OF CONSULTATION – TERMS OF REFERENCE**

The Panel discussed the draft terms of reference for the review on processing of consultation.

During the discussion of this item the following points were made:

- Members agreed that it was important that the review was not too broad.
- Mark Redfearn informed the Panel that the Consultation Strategy had been developed in 2007 and had focused on guidance and principles for services wishing to undertake consultation and managing the workload of the Consultation Service. The Consultation Service was now part of the Policy and Performance team and was made up of one Officer. The Consultation Strategy was due for review. When a strategy was due for review it was normally examined by the officer Corporate Strategy Board. Templates were developed for strategies, making sure that they fitted with the Council's and specific service's aims and ambitions. With regards to the Consultation Strategy officers would be investigating whether a strategy or a policy would be appropriate.
- It was noted that a large consultation regarding the Local Transport Plan had been carried out in December 2008. This had helped set parameters for the draft document. Consultation on the draft document had recently been completed.
- The previous government had introduced the 'Duty to Involve' under which local authorities were required to inform, engage with and involve the community. This was still in force under the coalition government. The Localism Bill placed a greater emphasis on community engagement. However, prescriptive requirements on how this should be achieved had not been put in place. Councillor Lissaman indicated that it would be helpful for Members to receive background information on the statutory requirements regarding consultation that the Council was subject to.
- Councillor Singleton expressed some concerns regarding the consultation process. He stressed that it was vital that consultations were not overly long as lengthy documents often discouraged people from completing them.
- Members agreed that it was important to find out what people wanted and that a wide range of people had the opportunity to respond should they wish. It was also agreed that it was important that every effort was made to engage hard to reach sections of the community. Mark Redfearn commented that various methods or combination of methods were used to engage with the community and that there was constant dialogue between the Council and residents. Discussions took place with forums and Partnerships such as the Older People's Partnership and the BME Forum.
- The Chair questioned how responses were taken into account. Mark stressed that consultations were not votes or referendums and as such were not bound by the results. The results could also be about understanding public reaction to a proposal. Officers developed recommendations to help Members in their decision making.

- Councillor Armstrong commented that ascertaining who and what to ask could sometimes be problematical because the Council had such a large remit and provided a large number of services to the community. He went on to say that it was important to quantify responses so as to understand what residents were saying.
- A Member suggested that pilots may be helpful.
- Mark recommended that Members may wish to look at in what instances it was appropriate for the Council to consult and why they consulted (e.g. in line with Council's objectives or required to do so by statute). Members agreed that it would be helpful to receive information on the statutory requirements the Council was bound by with regards to consultation. Mark also suggested that common methods of consultation be looked at, how the results of consultation were analysed and interpreted and what difference results made to decisions.
- Councillor Bowring questioned whether statistics should also be looked at. Councillor Armstrong commented that whilst it was helpful that Officers condensed and summarised information for Members, Members needed more training on understanding the output of consultations. Councillor Singleton stressed the importance of transparency throughout the consultation process.
- Information that consultation responses could provide was discussed. Mark Redfearn commented that the information provided did not always relate to a specific action, project or service. Multiple choice questions were a usual means of managing responses. Councillor Firmager suggested that consideration should be given to whether it was necessary to consult in every instance and who should be consulted. Mark emphasised that advice and guidance was provided to managers.
- Councillor Singleton asked what resources the Council had for undertaking and processing consultation. Mark Redfearn indicated that the Consultation Officer was involved in approximately 30 consultations a year of varying size. She processed questionnaire driven consultations using the SNAP computer system. It was possible to use the SNAP system for multiple choice consultations. Resources were also provided by the appropriate service. For example Officers from Children's Services had been involved in the consultation regarding designated areas and Officers from Policy and Partnership had been involved in the consultation on the Core Strategy. The Council was no longer required to carry out some of the larger central government set consultations. For example the requirement to carry out a Place Survey been removed.
- Members examined the scope.
- Potential witnesses were discussed. Members felt that it would be useful to look back at some previous examples of consultation to see what had been done successfully and what could be improved. It was suggested that the Panel may wish to gather information from Officers who had been involved in recent larger scale consultations. It was suggested that Resident Association Chairs and Neighbourhood Action Group Chairs be invited to provide information as consultees. Members agreed that it would be helpful if a representative of the Parish Councils be asked to attend. It was noted that MORI had looked at consultation questions

asked by local authorities across the world. This would potentially useful for ascertaining best practice and what other authorities did.

- It was agreed that the review would be carried out by a Task and Finish Group. This would be made up Councillors Jorgensen, Firmager, Armstrong, Auty, Bowring, Lissaman, Munro and Singleton. The Members also agreed that the draft terms of reference be amended to reflect discussions and that they be circulated to all Members of the Task and Finish Group. The draft terms of reference would be agreed via email. Members agreed that a draft timetable for the review be produced, circulated to all members of the Task and Finish Group and agreed via email.

RESOLVED That:

- 1) the review be undertaken by a Task and Finish Group made up of Councillors Jorgensen, Firmager, Armstrong, Auty, Bowring, Lissaman, Munro and Singleton.
- 2) the draft terms of reference be amended to reflect discussions and to be circulated to all Members of the Task and Finish Group. The amended terms of reference will be agreed via email.
- 3) a draft timetable for the review be produced, circulated to all members of the Task and Finish Group and agreed via email.

CORPORATE SERVICES OVERVIEW AND SCRUTINY PANEL
Work Programme from June 2011

Please note that the work programme is a 'live' document and subject to change at short notice.

The information in this work programme is subject to approval at the Panel meeting scheduled for 28 June 2011

The order in which items are listed at this stage may not reflect the order they subsequently appear on the agenda / are dealt with at the scrutiny meeting.

All Meetings start at 7pm in the Civic Offices, Shute End, Wokingham, unless otherwise stated.

CORPORATE SERVICES OVERVIEW AND SCRUTINY WORK PROGRAMME

DATE OF MEETING	ITEM	PURPOSE OF REPORT	REASON FOR CONSIDERATION	RESPONSIBLE OFFICER / CONTACT OFFICER
28 June 2011	Consultation Task and Finish Group	To consider how to proceed with this review and whether a new review suggestion from Councillor Phil Challis can be incorporated into the review.	To decide whether to continue with an outstanding item of business.	Democratic Services
	Corporate Services Forward Programme	To consider the forward programme of the Panel.	Standing Item	
Special Joint meeting with Audit Committee Date Tbc.	Local Authority Trading Companies – Update on Scrutiny Review	To update the Panel and Audit Committee on the implementation of recommendations arising from the Panel’s review of Wokingham Enterprises Ltd	To track the implementation of the Panel’s recommendations	Andrew Moulton/ Graham Ebers
1 September 2011	Monitoring of Burials Provision		Annual Yearly Update arising from a previous Scrutiny Review	Nell Carr

DATE OF MEETING	ITEM	PURPOSE OF REPORT	REASON FOR CONSIDERATION	RESPONSIBLE OFFICER / CONTACT OFFICER
20 October 2011	Corporate Services Forward Programme	To consider the forward programme of the Panel.	Standing Item	
4 January 2012	Corporate Services Forward Programme	To consider the forward programme of the Panel.	Standing Item	
29 February 2012	Corporate Services Forward Programme	To consider the forward programme of the Panel.	Standing Item	

Work Items on Hold:

- 1) Consultation Review
- 2) The Council's policy and response towards major licensed live music and public entertainment events.