



WOKINGHAM BOROUGH COUNCIL

A Meeting of the **OVERVIEW AND SCRUTINY
MANAGEMENT COMMITTEE** will be held in David Hicks 1
- Civic Offices, Shute End, Wokingham RG40 1BN on
TUESDAY 9 JANUARY 2018 AT 7.00 PM

A handwritten signature in black ink, appearing to read 'Manjeet Gill', is written over a light grey rectangular background.

Manjeet Gill
Interim Chief Executive
Published on 29 December 2017

The role of Overview and Scrutiny is to provide independent “critical friend” challenge and to work with the Council’s Executive and other public service providers for the benefit of the public. The Committee considers submissions from a range of sources and reaches conclusions based on the weight of evidence – not on party political grounds.

This meeting may be filmed for inclusion on the Council’s website.

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WOKINGHAM BOROUGH COUNCIL

Our Vision

A great place to live, an even better place to do business

Our Priorities

Improve educational attainment and focus on every child achieving their potential

Invest in regenerating towns and villages, support social and economic prosperity, whilst encouraging business growth

Ensure strong sustainable communities that are vibrant and supported by well designed development

Tackle traffic congestion in specific areas of the Borough

Improve the customer experience when accessing Council services

The Underpinning Principles

Offer excellent value for your Council Tax

Provide affordable homes

Look after the vulnerable

Improve health, wellbeing and quality of life

Maintain and improve the waste collection, recycling and fuel efficiency

Deliver quality in all that we do

MEMBERSHIP OF THE OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

Councillors

Keith Baker (Chairman)	Laura Blumenthal (Vice-Chairman)	Parry Batth
Lindsay Ferris	Kate Haines	Pauline Helliar-Symons
Ken Miall	Ian Pittock	Malcolm Richards
Bill Soane	Chris Smith	Shahid Younis

Substitutes

Philip Houldsworth	Abdul Loyes	Imogen Shepherd-DuBey
Rachelle Shepherd-DuBey		

ITEM NO.	WARD	SUBJECT	PAGE NO.
55.		APOLOGIES To receive any apologies for absence.	
56.		MINUTES OF PREVIOUS MEETING To confirm the Minutes of the Meeting held on 22 November 2017.	5 - 12
57.		DECLARATIONS OF INTEREST To receive any declarations of interest.	
58.		PUBLIC QUESTION TIME To answer any public questions. A period of 30 minutes will be allowed for members of the public to ask questions submitted under notice. The Council welcomes questions from members of the public about the work of this Committee. Subject to meeting certain timescales, questions can relate to general issues concerned with the work of the Committee or an item which is on the Agenda for this meeting. For full details of the procedure for submitting questions please contact the Democratic Services Section on the numbers given below or go to www.wokingham.gov.uk/publicquestions	
59.		MEMBER QUESTION TIME To answer any Member questions.	
60.	None Specific	DISCUSSION WITH EXECUTIVE MEMBER To discuss priorities and opportunities for Scrutiny support with Stuart Munro, Executive Member for Business, Economic Development and Regeneration.	13 - 24

- | | | | |
|------------|---------------|--|-----------------|
| 61. | None Specific | <p>SELECT COMMITTEE REPORT INTO OVERVIEW AND SCRUTINY IN LOCAL GOVERNMENT</p> <p>To consider the recommendations from the report of the Select Committee for Communities and Local Government into the effectiveness of Overview and Scrutiny.</p> | 25 - 88 |
| 62. | None Specific | <p>CONSIDERATION OF THE CURRENT EXECUTIVE AND INDIVIDUAL EXECUTIVE MEMBER DECISION FORWARD PROGRAMMES</p> <p>To consider the current published version of the Executive Forward Programme and the Individual Executive Member Decision Forward Programme.</p> | 89 - 98 |
| 63. | None Specific | <p>COMMITTEE WORK PROGRAMMES</p> <p>To discuss the work programme of the Overview and Scrutiny Management Committee and Overview and Scrutiny Committees.</p> | 99 - 110 |
| 64. | None Specific | <p>UPDATE REPORTS FROM CHAIRMEN OR NOMINATED MEMBER OF THE OVERVIEW AND SCRUTINY COMMITTEES</p> <p>For the Chairman or nominated Member of the Committee to report back in its activities including any requests to undertake reviews.</p> | |

Any other items which the Chairman decides are urgent

A Supplementary Agenda will be issued by the Chief Executive if there are any other items to consider under this heading.

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MINUTES OF A MEETING OF THE OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE HELD ON 22 NOVEMBER 2017 FROM 7.00 PM TO 9.10 PM

Committee Members Present

Councillors: Keith Baker (Chairman), Laura Blumenthal (Vice-Chairman), Parry Batth, Pauline Helliar-Symons, Ken Miall, Ian Pittock, Malcolm Richards, Chris Smith and Shahid Younis

Other Councillors Present

Councillors: Simon Weeks and Norman Jorgensen

Officers Present

Neil Carr, Democratic and Electoral Services Specialist

44. APOLOGIES

Apologies for absence were submitted by Lindsay Ferris and Bill Soane.

Imogen Shepherd-Dubey attended the meeting as a substitute for Lindsay Ferris. Philip Houldsworth attended the meeting as a substitute for Bill Soane.

45. MINUTES OF PREVIOUS MEETINGS

The Minutes of the meetings of the Committee held on 20 September and 16 October 2017 were confirmed as a correct record and signed by the Chairman.

46. DECLARATIONS OF INTEREST

There were no declarations of interest.

47. PUBLIC QUESTION TIME

There were no public questions.

48. MEMBER QUESTION TIME

There were no Member questions.

49. DISCUSSION WITH EXECUTIVE MEMBERS

The Committee considered a report, set out at Agenda pages 21 to 26, which continued the process of holding discussions with Executive Members. The aim of the discussions was to increase awareness of key policy and service issues over the year ahead and to identify areas where Overview and Scrutiny could provide effective challenge and support. Members had agreed the principle that Overview and Scrutiny would add more value if it was proactive rather than a reactive process.

Simon Weeks (Executive Member for Planning and Enforcement) and Norman Jorgensen (Executive Member for Environment, Sports, Environmental Health, Leisure and Libraries) attended the meeting to give an outline of key challenges and to answer Member questions developed around a set of key lines of enquiry.

Simon Weeks addressed the meeting and explained his role on the Executive. Councillor Weeks dealt with day to day planning issues while David Lee (Executive Member for Strategic Highways and Planning) focussed on strategic planning matters.

In relation to new policies, Councillor Weeks outlined work to produce an updated policy on Traveller incursions. It was hoped that the new policy would be ready by February 2018. Officers were working closely with the police on this issue and it was noted that the new police protocol had been effective in dealing with a recent Traveller incursion at Coppid Beech. It was confirmed that all Members would be notified once the new policy was completed, early in 2018.

In relation to the current challenges facing the Planning service, Councillor Weeks highlighted the following:

- 21st Century Council – the Planning service would be addressed in Phase 2 of the programme. At present 30% of Planning staff were on temporary contracts pending the new service structures. 21st Century Council would also bring in new ways of working which included more self-service for residents and Members.
- 5 Year Land Supply – the Council was facing significant pressures from opportunist developers who sought to exploit the current loophole whereby the Council was judged on the number of houses built rather than the number of planning permissions granted.
- Planning Appeals – there were currently 12 appeals in the pipeline which would have significant financial implications for the Council.
- Planning Enforcement – the Council was taking a more robust approach to enforcement with more prosecutions and more use of the Proceeds of Crime legislation.
- Performance Management – day to day performance was good against the 8/13 week targets for the handling of planning applications. A longer timeframe was negotiated for major planning applications.
- Communications – the key issue was to ensure that stakeholders had realistic expectations about the service. The Council had to be seen to be even-handed in dealing with applications and enforcement issues.

In the ensuing discussion Members of the Committee raised the following points and questions:

- How were residents informed about service standards and inappropriate behaviours? It was confirmed that the vast majority of residents obeyed the Planning rules. The Council used leaflets and other publicity tools to make sure that residents were aware of the required standards and behaviours.
- Why were developers with planning permissions not building the houses required to meet local needs? It was confirmed that some developers restricted the level of building in order to keep prices high and increase profitability. The Council had met with a range of Government Ministers and the Prime Minister to lobby for a change in the Government's approach to this issue.
- Were there any measures that the Council could consider local in order to bring house prices down? It was confirmed that all opportunities, such as the use of modular construction techniques, were under active consideration.

- Does the Council have the right number of skilled, experienced staff in order to address the many pressures on the Planning service? It was confirmed that, following the 21st Century Council changes, the service would be able to reduce the number of temporary staff. This would improve the quality of permanent staff and save money currently paid for agency staff. The availability of experienced senior staff was a key issue in taking the service forwards.
- In relation to the developers who obtain planning permission but do not build, can the Council use compulsory purchase powers to expedite matters? It was confirmed that the Council can enter into S106 agreements with developers which specify the rate at which houses should be built.

Norman Jorgensen addressed the Committee and highlighted a number of key issues relating to his portfolio, as follows:

- Collection of food waste – the Executive had agreed to this in principle. A further report would be considered by the Executive in January 2018. It was likely to be the subject of a Member working group, commencing in March 2018.
- Sustainable Urban Drainage Systems (SUDS) – under the framework of the Flood Water Management Act the Council needed to develop its own policy on SUDS which would be used in relation to development applications. This could be considered by a Member working group or by one of the Overview and Scrutiny Committees, with a start date in early 2018.
- Licensing of events – the implications for the licensing of major events such as the Henley Regatta. Councillor Jorgensen would be discussing this issue with the Licensing Committee. It could be the subject for a Member working group.
- Building Control/Public Protection fees and charges – there had been some negative public feedback about the level of fees and charges for certain services. This could be a matter for review by an Overview and Scrutiny Committee.
- Country Parks and Sports and Leisure projects – these would be considered by Member working groups. The relevant Terms of Reference could be submitted to Overview and Scrutiny for agreement. Members noted that Member groups had been set up for these services but had not met during 2017.
- Norman Jorgensen confirmed that any Member working groups would be cross-party. The Chairman commented that evening meetings would be necessary in order for Members with day jobs to play an effective part in the process.

In the ensuing discussion Members of the Committee raised the following points and questions:

- In relation to the Carnival Pool Redevelopment, what was the status of the 53 flats to be built as part of the scheme? It was confirmed that this matter should be referred to the Town Centre Regeneration team.
- In relation to the collection of food waste, what could the Council do to encourage residents to buy less and to recycle more? It was confirmed that re3 had an ongoing programme which was reviewed by the Board on a regular basis. In relation to the

collection of glass it was felt that the existing bring banks were successful. Furthermore, it would cost the Council around £600k to collect glass at the kerbside.

- At present the Borough did not have a cycling forum which would enable cyclists to provide feedback to the Council and would provide a specific group for consultation on new policies and projects. It was confirmed that Councillor Jorgensen would consider the potential for a cycling forum.
- In relation to major new leisure developments such as the Carnival Pool, how did the Council consult with groups representing people with disabilities? Was the Council carrying out its duties under the Equality Act 2010? The specific example of parking for disabled people at the Carnival Pool was discussed. It was confirmed that Councillor Jorgensen would review these issues.
- What was the Council doing to tackle climate change and improve energy conservation? It was confirmed that the Council did have an energy saving policy. Councillor Jorgensen confirmed that he would be meeting with Officers shortly to discuss the potential for further energy saving measures.
- In relation to the grass cutting contract, was there confidence that performance in 2018 would be an improvement on 2017? It was confirmed that performance in 2017 was an improvement on the previous year. Councillor Jorgensen confirmed that discussions had taken place with the contractor and that improvements would be made in 2018, for example a greater focus on informal grassed areas.
- Which parts of the overall portfolio were delegated to the Deputy Executive Member? It was confirmed that the Deputy Executive Member had specific responsibilities relating to waste collection, parks and open spaces, arts and leisure and partnership working.

RESOLVED That:

- 1) Councillors Jorgensen and Weeks be thanked for attending the meeting and answering Member questions;
- 2) Progress on key issues and priorities identified during the discussions be reported to a future meeting of the Committee;
- 3) The process for setting fees and charges relating to the Public Protection Service be considered by the Community and Corporate Overview and Scrutiny Committee.

50. COUNCIL PLAN PERFORMANCE MONITORING QUARTER 2 2017-18

The Committee considered a report, set out at Agenda pages 27 to 36, which provided Council Plan performance data for the second quarter of 2017/18 (July to September). The report gave details of progress against 48 performance indicators and 19 key projects.

The report stated that the majority of indicators/projects (70%) were achieving the assigned targets for the year to date and were classified as "Green". Another 15 indicators/projects (25%) were slightly off target and were reported as "Amber". The

remaining three indicators/projects (5%) were outside the Amber threshold and were reported as “Red”.

The indicators/projects with a Red rating were:

- Percentage of child protection visits due in the period which were completed within 10 days of the previous visit.
- Number of new businesses engaged with.
- Shinfield Eastern Relief Road.

The report also highlighted a service area demonstrating improved performance with an explanation of the steps taken to achieve better outcomes. The service area highlighted was Homelessness with the indicator – Formal Homelessness decisions made within 45 working days. Performance against this indicator had improved from 78% in 2015/16 to 95% in the second quarter of 2017/18.

In the ensuing discussion the following points were made:

- In relation to the indicator on child protection visits completed within 10 days of the previous visit, it was confirmed that the statutory minimum requirement for visits was 42 days. The local target of 10 days was very challenging. In fact visits completed within 15 days remained high (94.4%).
- In relation to school attainment, the Children’s Services Overview and Scrutiny Committee now looked at all schools causing concern, with local Members invited to attend the relevant meetings.
- In relation to the indicators on school performance it was suggested that in addition to the percentage of schools rated “good or better” the report should include the actual number of schools involved.
- Members noted the good news that the Shinfield Eastern Relief Road had finally opened. However, there was disappointment that the road would be closing again for further drainage works.
- In relation to the indicator on staff turnover, it was suggested that the commentary include an explanation on the rationale for and benefits of a “healthy” turnover rate.
- It was suggested that all indicators showing a deteriorating position should include explanatory comments in the commentary box.
- Members felt that the layout of the report was improving, but there was still some concern about the time delay from the end of each quarter to the report’s submission to Overview and Scrutiny. It was confirmed that the report was submitted to the Corporate Leadership Team and the Member Executive Briefing meeting prior to its consideration by the Overview and Scrutiny Management Committee. The Chairman undertook to discuss this process with the Leader of the Council.

RESOLVED That:

- 1) progress on key performance indicators and major projects be noted;
- 2) Member comments on content and presentation be incorporated into future versions of the report;
- 3) Officers in the Homelessness team be congratulated on their success in improving performance relating to homelessness decisions;
- 4) the Chairman discuss the potential for speeding up the delivery of the report, to the Overview and Scrutiny Management Committee, with the Leader of the Council.

51. SELECT COMMITTEE INQUIRY INTO OVERVIEW AND SCRUTINY

The Committee considered a report, set out at Agenda pages 37 to 39, which provided an update on the Inquiry into Overview and Scrutiny being carried out by the House of Commons Select Committee for Communities and Local Government.

The report stated that, as part of the Select Committee's deliberations, Councillors Ferris and Richards had attended a session at the House of Commons on 30 October 2017. This included an informal discussion with MPs and attendance at a formal meeting of the Select Committee.

The report stated that amongst the key questions being considered by the Select Committee and put to witnesses were the following:

- Do local authority scrutiny committees operate with political independence and in a non-partisan way?
- Do officers and Members working on Scrutiny have sufficient resources, expertise and knowledge to deliver effective scrutiny?
- If you could make a single change, what would you change about the way scrutiny operates in your authority?

The report confirmed that the Select Committee had finished its evidence taking sessions and was now meeting to consider its final report which it aimed to finalise by mid-December 2017.

RESOLVED That:

- 1) the update report on the Select Committee Inquiry into Overview and Scrutiny in Local Government be noted;
- 2) a further report be submitted following the publication of the Select Committee's final report;
- 3) feedback on the Select Committee hearings, from Councillors Ferris and Richards, be circulated to Overview and Scrutiny Members.

52. CONSIDERATION OF THE CURRENT EXECUTIVE FORWARD PROGRAMME

The committee considered a copy of the Executive Forward Programme as set out on Agenda pages 41 to 45.

RESOLVED That:

- 1) The Executive Forward Programme be noted;
- 2) Members notify Democratic Services of any issues they wish to include in the Committee's future work programme.

53. OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMMES

The Committee considered its forward work programme and that of the Overview and Scrutiny Committees as set out on Agenda pages 47 to 57.

Pauline Helliard-Symons gave details of additional items for consideration at the Children's Services Overview and Scrutiny Committee, viz:

- Action Plan following the Joint Targeted Area Inspection (January 2018);
- Schools Performance – 2017 Exam Results for secondary Schools (January 2018);
- Children in Care Questionnaire (March 2018).

RESOLVED: That the forward Work Programmes be noted.

54. UPDATE REPORTS FROM THE OVERVIEW AND SCRUTINY COMMITTEES

The Committee considered updates from the Chairmen of the Overview and Scrutiny Committees.

Pauline Helliard-Symons reported that the Children's Services Overview and Scrutiny Committee Agenda now included an item on "Executive Member Future Policy Issues". This was seen as a positive development in highlighting future issues which may benefit from the Committee's input.

Shahid Younis reported on the new approach, being undertaken by the Community and Corporate Overview and Scrutiny Committee, with more detailed analysis of issues such as housing and greater involvement from residents, community and user groups.

Ken Miall reported on issues to be considered at the Health Overview and Scrutiny Committee including feedback on the operation of the GP Alliance and the Health and Wellbeing Board.

RESOLVED: That the updates be noted.

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TITLE	Discussion with Executive Member
FOR CONSIDERATION BY	Overview and Scrutiny Management Committee on 9 January 2018
WARD	None Specific
LEAD OFFICER	Andrew Moulton, Assistant Director, Governance
LEAD MEMBER	Executive Member for Business, Economic Development and Regeneration

OUTCOME / BENEFITS TO THE COMMUNITY

Overview and Scrutiny is one of the checks and balances which ensure that the Council and its partners make and implement effective decisions.

Discussions between the Committee and Executive Members are aimed at developing greater understanding of key issues over the year ahead and identifying issues which can benefit from challenge and/or support from Overview and Scrutiny. The outcome will be greater clarity on the challenges facing the Council and a more robust decision making process.

RECOMMENDATION

The Committee is recommended to:

- 1) consider the submission from the Executive Member for Business, Economic Development and Regeneration;
- 2) highlight any issues which will benefit from challenge and/or support from the Overview and Scrutiny Committees over the year ahead.

SUMMARY OF REPORT

As part of the Overview and Scrutiny work programme for 2017/18 Members have identified the benefit of discussions with the Council's Executive Members. The aim of the discussions is to increase awareness of the key policy and service issues over the year ahead and to identify areas where Overview and Scrutiny is available to provide effective challenge and support.

Members have agreed the principle that Overview and Scrutiny can add more value if it is proactive rather than reactive. This will be achieved if issues are scrutinised prior to implementation and emerging policies are considered at an earlier stage.

Councillor Stuart Munro (Executive Member for Business, Economic Development and Regeneration) and Philip Mirfin (Deputy Executive Member) have been invited to attend the meeting to outline key issues and challenges coming up over the next year and to answer Member questions.

Background

As part of the Overview and Scrutiny work programme for 2017/18 Members have identified the benefit of discussions with the Council's Executive Members. The Overview and Scrutiny Committees aim to facilitate this process by:

- considering issues which reflect local needs and concerns;
- prioritising topics for scrutiny which have the most impact or benefit;
- involving local residents and stakeholders;
- being flexible enough to respond to new or urgent issues.

The aim of the discussions with Executive Members is to increase awareness of key policy and service issues over the year ahead and to identify areas where Overview and Scrutiny is available to provide effective challenge and support. Members have agreed the principle that Overview and Scrutiny can add more value if it is proactive rather than reactive. This will be achieved if issues are scrutinised prior to implementation and emerging policies are considered at an earlier stage.

Councillor Stuart Munro (Executive Member) and Philip Mirfin (Deputy Executive Member) have been invited to attend the meeting to discuss the Business, Economic Development and Regeneration portfolio and the key issues to be considered in the next year.

Councillor Munro's responsibilities include:

- Overseeing the projects relating to town centre regeneration;
- Overseeing the Council's Asset Strategy in relation to all Council owned property;
- Overseeing the Council's external funding strategy in order to maximise income from government, EU and other sources;
- Overseeing the Economic Development Strategy and the development of good working relationships with local businesses;
- Leading on the Local Enterprise Partnership and City Deal;
- Acting as primary press spokesman on matters relating to the portfolio.

Annex A contains the key lines of enquiry agreed by the Chairman and submitted to the Executive Member in advance of the meeting.

Also appended to the report is the Council's Economic Development Strategy 2016/21, agreed by the Executive in June 2016.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

The Council faces severe financial challenges over the coming years as a result of the austerity measures implemented by the Government and subsequent reductions to public sector funding. It is estimated that Wokingham Borough Council will be required to make budget reductions in excess of £20m over the next three years and all Executive decisions should be made in this context.

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	NA	NA	NA
Next Financial Year (Year 2)	NA	NA	NA
Following Financial Year (Year 3)	NA	NA	NA

Other financial information relevant to the Recommendation/Decision

To be considered as part of the discussions.

Cross-Council Implications

The roles of Executive Member impact on a wide range of areas which have an impact across the organisation and the Borough.

List of Background Papers

Economic Development Strategy 2016/21

Contact Neil Carr	Service Democratic Services
Telephone No 0118 974 6058	Email neil.carr@wokingham.gov.uk
Date 22 December 2017	Version No. 1

Key Lines of Enquiry

Stuart Munro, Executive Member for Business, Economic Development and Regeneration

Introduction

In order to assist the Committee in their discussions we have created some indications on the lines of questioning we wish to pursue. These are not exclusive and we reserve the right to look at any other areas which emerge during the discussion. It would be helpful to the operation of the Committee if all answers are as brief as possible.

Presentations

In line with good custom and practice for other councils, presentations are not allowed during the meeting but they can be circulated in advance if considered to be helpful for our discussions.

Line 1 – Policies

Can you please inform the Committee of any creation or deletion of policies over the next year? Can you also cover any planned amendments of existing policies for the next year?

Line 2 – Arrangements

Can you please inform the Committee how you plan to develop these policies over the next year? Will backbenchers be involved – e.g. through a working party? Will this involvement be cross party? If a working party will the Chairman be independent?

Line 3 – Timescales

Whilst accepting that timescales have to be flexible what is the target completion of these activities? If there are any intermediate steps (e.g. consultations) can you include them in the timescales.

Line 4 – Consultation

Can you please inform the Committee of any consultations planned for any of these issues? What other steps will you take to involve residents and community groups in the development and implementation of new or amended policies?

Line 5 – Economic Development Strategy

What progress has been made in achieving the objectives set out in the Economic Development Strategy 2016/21? What are the key targets underpinning the strategy? Are the targets being achieved?

Line 6 – Local Enterprise Partnership (LEP)

How does the Thames Valley Berkshire Local Enterprise Partnership support the Council in realising its goals in relation to business, economic development and regeneration? How is success measured and reported?

Line 7 – Communication

What are the key communication issues relating to your portfolio? How do you intend to get the key messages across to residents, partners and the media?

Note: An update on Town Centre Regeneration will be considered by the Community and Corporate Overview and Scrutiny Committee at its meeting on 15 January 2018. Consequently, this part of the portfolio is not addressed in the key lines of enquiry.

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**WOKINGHAM
BOROUGH COUNCIL**

19

Draft ECONOMIC DEVELOPMENT STRATEGY 2016-2021



A great place to live, an even better place to do business

INTRODUCTION

Wokingham Borough sits at the heart of the Thames Valley Berkshire area, widely considered to be the UK's economic powerhouse. This Economic Development Strategy will support the Thames Valley Berkshire Local Economic Partnership (TVB LEP) in delivering the Strategic Economic Plan for the area and in turn securing a more prosperous and productive future for the Borough's businesses and residents.

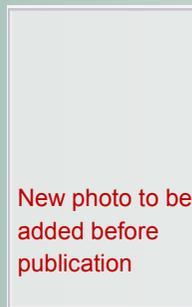
We recognise that if we are to enable our economy to continue to grow, we need the homes and associated infrastructure, including new roads, to support this. Our strategy is therefore centred on planned growth and sustainable house building so that we can continue to attract the highly-skilled, professional workforce needed to maximise our economic potential.

Our aspiration is for all of our residents to share the benefits of a strong economy; with reduced levels of deprivation and increased levels of labour market participation. Through this strategy, we will support innovation and connectivity and enable businesses across the Borough to flourish.

The key objectives set out in the strategy are :

- ⇒ Create a place where businesses thrive by offering good quality housing and infrastructure
- ⇒ Facilitate business growth through business support and inward investment
- ⇒ Ensure that people have the skills that businesses need and are able to support themselves into employment
- ⇒ Encourage innovation and technology to build a competitive business environment

Wokingham Borough Council will develop, maintain and monitor an ongoing action plan that will sit alongside the strategy in order to ensure the objectives are achieved.



Cllr Anthony Pollock
Executive Member for Economic Development and Finance



Councillor Stuart Munro
Deputy Executive Member for Economic Development and Finance

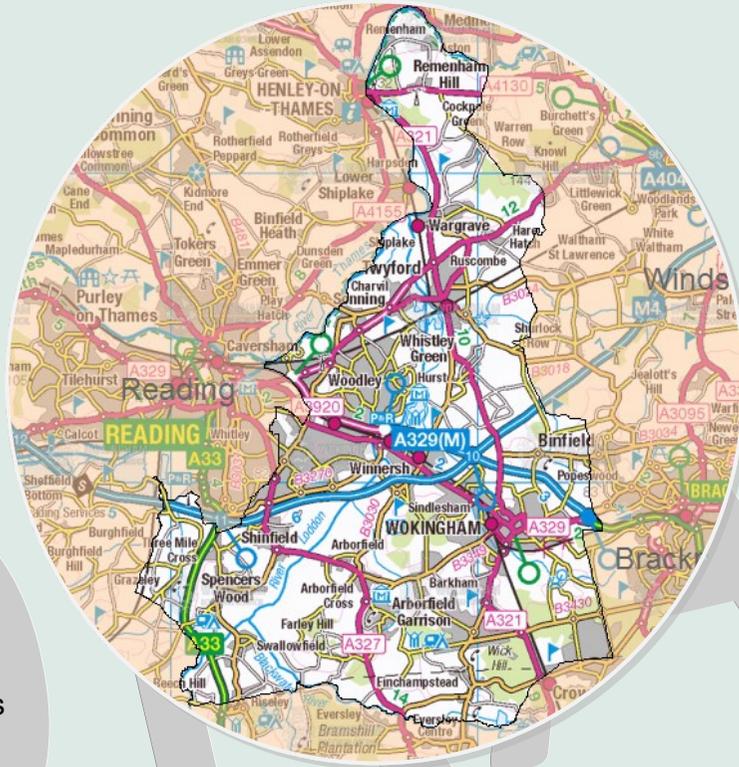
KEY FACTS ABOUT WOKINGHAM BOROUGH

Highly skilled workforce

- 159,100 total residents
- 81% economically active
- Only 2.9% are unemployed compared to 5.2% nationally
- 60.7% managers/ professionals
- 48.8% qualified to NVQ 4 and above*
- University of Reading attracts a young, skilled cohort.

Top place to live in the UK

- Now reported crime rates
- High performing schools
- Higher than average life expectancy
- Picturesque towns and villages
- High quality housing



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Ordnance Survey 100019592

Large scale regeneration and development across the Borough

- 10,000 new homes and associated infrastructure under development on four Strategic Development Locations
- Local Plan Review to address economic needs up to 2036
- Wokingham town centre regeneration; Peach Place, Carnival Pool, and Elms Field.



Excellent location

- Good links to M4 and M3
- Excellent transport links between business centres in the Borough.
- Direct train services to Gatwick, Reading, London Waterloo, London Paddington, and other local towns
- Accessible to both Heathrow and Gatwick airports

Prestigious and innovative businesses

- High profile businesses with headquarters in Borough
- Strong digital technology, life sciences and healthcare sectors



*Facts correct as of January 2016

THE STRATEGY

Objective 1 : Create a place where businesses thrive by offering good quality housing and infrastructure

- i. Continue to deliver the four Strategic Development Locations (SDLs) by 2026 providing 10,000 new homes to accommodate the workforce needed to deliver high economic growth.
- ii. Refresh our Local Plan by 2018 to deliver the required housing, employment space and infrastructure to meet the future economic needs of the area up to 2036 whilst maintaining the character of the Borough.
- iii. Regenerate town centres across the Borough (where appropriate) to bring forward retail, office accommodation, leisure and entertainment facilities, as well as housing.
- 22 iv. Continue to work with the University of Reading to deliver the Science Park in Shinfield, which will enhance the knowledge economy of Berkshire.
- v. Promote and support initiatives to upgrade existing infrastructure and boost transport links within and around Wokingham Borough; such as access to and expansion of airports, the third Thames crossing, Crossrail and improving the London Waterloo service.
- vi. Encourage sustainable transport links between Wokingham Borough and other core employment areas such as Reading.
- vii. Use our own assets, investments and companies to deliver high quality development and growth.
- viii. Look to secure infrastructure funding in partnership with the Thames Valley Berkshire Local Enterprise Partnership (TVB LEP).

Objective 2 : Facilitate business growth through business support and inward investment

- i. Encourage more innovative, high-growth new businesses into the area, including developing a proposal for business incubator hubs in partnership with organisations such as the University of Reading.
- ii. Work in collaboration with the TVB LEP to prioritise the key sectors of; digital technologies, professional and business services, life sciences and healthcare.
- iii. Develop our relationship with businesses, particularly major employers and new business entrants in the area.
- iv. Engage with all businesses through networking groups, partnership events, and a regular business bulletin in partnership with the Business Growth Hub.
- v. Work in partnership with the Berkshire Economic Development Officers Group, The Thames Valley Chamber of Commerce, TVB LEP and UK Trade and Investment to improve the Thames Valley Berkshire brand and encourage inward investment.



THE STRATEGY

Objective 3 : Ensure that people have the skills that businesses need and are able to support themselves into employment

- i. Work in partnership with TVB LEP to identify the skills needs of businesses and support the Skills Priority Statement.
- ii. Realise the potential of all young people, including reducing the number who are NEET (not in employment, education or training) by brokering with employers, schools and colleges.
- iii. Value and harness the skills and experience of older workers across Wokingham Borough in partnership with organisations such as the Wokingham Skills and Economy Group.
- iv. Promote STEM (science, technology, engineering and maths) subjects and careers in all schools and colleges.
- v. Maximise the career opportunities in construction generated through the growth across the Borough.
- vi. Support all vulnerable people into employment and as a corporate parent, ensure that our children in care and care leavers are given the best possible opportunities to engage with the workplace.
- vii. Promote apprenticeships as a viable career path for young people.

Objective 4 : Encourage innovation and technology to build a competitive business environment

- i. Improve broadband connectivity and speeds so that 99.5% of properties in the Borough have access to superfast coverage
- ii. Make use of the 'internet of things' across Council services; transport, healthcare, energy. The 'internet of things' is the network of physical objects embedded with technology to communicate, sense or interact with each other or the external environment.
- iii. Capitalise on and encourage the high profile tech businesses already located in the Borough to be at the forefront of new technology.
- iv. Use the Strategic Development Locations to start integrating connective technology and data science techniques.



NEXT STEPS

- An action plan will be developed and updated annually setting out how we will deliver against the priorities set out above.
- Actions on how we will deliver the positive outcomes needed to provide economic growth will be measured by SMART targets.
- Progress will be monitored by the Council, the Health and Well-being Board, and the Wokingham Skills and Economy Group.
- Economic data will be collected and analysed quarterly and published in the economic development facts and figures report.



TITLE	Select Committee Inquiry into Overview and Scrutiny in Local Government
FOR CONSIDERATION BY	Overview and Scrutiny Management Committee on 9 January 2018
WARD	None Specific
LEAD OFFICER	Andrew Moulton, Assistant Director, Governance
LEAD MEMBER	Keith Baker, Chairman of the Overview and Scrutiny Management Committee

OUTCOME / BENEFITS TO THE COMMUNITY

Overview and Scrutiny is one of the checks and balances which ensure that the Council and its partners make and implement effective decisions.

The House of Commons Select Committee for Communities and Local Government Inquiry report makes recommendations to the Government which seek to strengthen the Overview and Scrutiny process with the aim of achieving more positive outcomes for local residents and community groups.

RECOMMENDATION

The Committee is recommended to:

- 1) consider the Communities and Local Government Committee's report on Overview and Scrutiny in Local Government (set out in the Annex to the report);
- 2) discuss the detailed recommendations in the Select Committee report and consider any potential changes to strengthen the Overview and Scrutiny arrangements at Wokingham Borough Council.

SUMMARY OF REPORT

As reported to previous meetings of the Committee, the House of Commons Select Committee for Communities and Local Government undertook an Inquiry into the operation of Overview and Scrutiny in Local Government. The Inquiry looked at the effectiveness of Overview and Scrutiny, how independent the process was and the impact of budget reductions on the Scrutiny function.

Councillors Ferris and Richards attended the House on 30 October 2017 to observe an evidence taking session of the Select Committee. Councillor Richards also attended an informal working group session with MPs from the Select Committee.

The Select Committee's report (appended to this paper) was published on 15 December 2017. The key findings in the report are summarised below.

Background

The House of Commons Select Committee for Communities and Local Government has undertaken an inquiry into the effectiveness of Overview and Scrutiny in Local Government. The inquiry's terms of reference included:

- Whether scrutiny committees are effective in holding decision-makers to account;
- The extent to which scrutiny committees operate with political impartiality and independence from executives;
- Whether scrutiny officers are independent of and separate from those being scrutinised;
- How scrutiny chairs and members are selected;
- Whether powers to summon witnesses are adequate;
- The potential for local authority scrutiny to act as a voice for local residents and service users;
- How scrutiny topics are selected;
- The support given to scrutiny by political leaders and senior officers;
- What use, if any, is made of specialist external advisers;
- The effectiveness and importance of local authority scrutiny of external organisations.

The Select Committee published its report on 15 December 2017. The report highlighted a number of key issues:

- The most significant factor in determining the effectiveness of Overview and Scrutiny is the organisational culture of the Council in question. A positive culture, with support from senior Members and Officers, can deliver an effective scrutiny process. However, when this does not happen, Scrutiny can become marginalised which risks damage to the Council's reputation and missed opportunities to improve service outcomes.
- A number of mechanisms can be used to develop a more positive culture including measures to balance the relationship between the Executive and Scrutiny functions. These include a change in the line of accountability, with Overview and Scrutiny Committees reporting to full Council rather than the Executive.
- The role of Scrutiny Chairmen is crucial and it is essential that Chairmen are viewed as a key part of the decision making process, rather than as a form of political patronage. In order to strengthen the role of Scrutiny Chairmen it is proposed that a number of Councils take part in a pilot scheme to consider the impact of elected

Chairmen on the effectiveness of Scrutiny. (Note: this issue is already under consideration by the Council's Constitution Review Working Group).

- Organisational culture also impacts upon another aspect of effective Scrutiny – access to the information that Scrutiny Committees need to carry out their work. There are concerns about the withholding of information from Scrutiny and the overzealous classification of information as commercially sensitive.
- There is a concern that, in many authorities, supporting the Executive is the overriding priority and that the skills and experience of support Officers is not always sufficient to meet the demands of the Scrutiny function. In this regard the role of Statutory Scrutiny Officer should be strengthened.
- Scrutiny Committees are ideally placed to review any public services in their area but there can sometimes be a conflict between commercial and democratic interests, with commercial providers not always recognising that they have entered into a contract with a democratic organisation with a necessity for public oversight. It is recommended that Scrutiny powers in this area are strengthened to, at least, match the powers relating to local health bodies.
- There are significant concerns about the public oversight of Local Enterprise Partnerships (LEPs) and it is recommended that Councils be able to monitor the performance and effectiveness of LEPs through the Scrutiny process.

The full report of the Select Committee is appended to this paper. Members are requested to consider the report and to highlight any issues and/or recommendations which may be applicable to the operation of Overview and Scrutiny at Wokingham Borough Council. The Council's Constitution authorises the Management Committee to review the operation of the Council's Scrutiny function and recommend changes as necessary to the full Council.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

The Council faces severe financial challenges over the coming years as a result of the austerity measures implemented by the Government and subsequent reductions to public sector funding. It is estimated that Wokingham Borough Council will be required to make budget reductions in excess of £20m over the next three years and all Executive decisions should be made in this context.

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	N/A	N/A	N/A
Next Financial Year (Year 2)	N/A	N/A	N/A
Following Financial Year (Year 3)	N/A	N/A	N/A

Other financial information relevant to the Recommendation/Decision

Expenditure to support the work of Overview and Scrutiny, such as Member training or retention of expert witnesses, is currently met from existing Democratic Services budgets.

Cross-Council Implications

Overview and Scrutiny oversees the decision making process, all Council services and services provided by key partners such as health and community safety.

List of Background Papers

Evidence submitted to the Communities and Local Government Select Committee Inquiry into the effectiveness of Overview and Scrutiny in Local Government.

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Date 22 December 2017	Version No. 1



House of Commons
Communities and Local
Government Committee

**Effectiveness of local
authority overview and
scrutiny committees**

First Report of Session 2017–19

*Report, together with formal minutes relating
to the report*

*Ordered by the House of Commons to be printed
11 December 2017*

HC 369

Published on 15 December 2017
by authority of the House of Commons

Communities and Local Government Committee

The Communities and Local Government Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Department for Communities and Local Government.

Current membership

[Mr Clive Betts MP](#) (*Labour, Sheffield South East*) (Chair)

[Mike Amesbury MP](#) (*Labour, Weaver Vale*)

[Bob Blackman MP](#) (*Conservative, Harrow East*)

[Helen Hayes MP](#) (*Labour, Dulwich and West Norwood*)

[Kevin Hollinrake MP](#) (*Conservative, Thirsk and Malton*)

[Andrew Lewer MP](#) (*Conservative, Northampton South*)

[Fiona Onasanya MP](#) (*Labour, Peterborough*)

[Mr Mark Prisk MP](#) (*Conservative, Hertford and Stortford*)

[Mary Robinson MP](#) (*Conservative, Cheadle*)

[Liz Twist MP](#) (*Labour, Blaydon*)

Powers

The Committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No 152. These are available on the internet via www.parliament.uk.

Publication

Committee reports are published on the Committee's website at www.parliament.uk/clg and in print by Order of the House.

Evidence relating to this report is published on the [inquiry publications page](#) of the Committee's website.

Committee staff

The current staff of the Committee are Edward Beale (Clerk), Jenny Burch (Second Clerk), Craig Bowdery, Tamsin Maddock, Nick Taylor (Committee Specialists), Tony Catinella (Senior Committee Assistant), Eldon Gallagher (Committee Support Assistant), Gary Calder and Oliver Florence (Media Officers).

Contacts

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Summary

Overview and scrutiny committees were introduced by the Local Government Act 2000 and were tasked with acting as a counterweight to the increased centralised power of the new executive arrangements. Whilst some authorities were not covered by the changes brought in by the Act, the Leader and Cabinet system is the predominant model of governance in English local authorities. However, since the Localism Act 2011, councils have had the option of reverting to the committee system of governance. Some authorities that have chosen to do so have expressed dissatisfaction with the new executive arrangements, including concern at the limited effectiveness of scrutiny. Noting these concerns, and that there has not been a comprehensive assessment of how scrutiny committees operate, we decided to conduct this inquiry. The terms of reference placed an emphasis on considering factors such as the ability of committees to hold decision-makers to account, the impact of party politics on scrutiny, resourcing of committees and the ability of council scrutiny committees to have oversight of services delivered by external organisations.

We have found that the most significant factor in determining whether or not scrutiny committees are effective is the organisational culture of a particular council. Having a positive culture where it is universally recognised that scrutiny can play a productive part in the decision-making process is vital and such an approach is common in all of the examples of effective scrutiny that we identified. Senior councillors from both the administration and the opposition, and senior council officers, have a responsibility to set the tone and create an environment that welcomes constructive challenge and democratic accountability. When this does not happen and individuals seek to marginalise scrutiny, there is a risk of damaging the council's reputation, and missing opportunities to use scrutiny to improve service outcomes. In extreme cases, ineffective scrutiny can contribute to severe service failures.

Our inquiry has identified a number of ways that establishing a positive culture can be made easier. For example, in many authorities, there is no parity of esteem between the executive and scrutiny functions, with a common perception among both members and officers being that the former is more important than the latter. We argue that this relationship should be more balanced and that in order to do so, scrutiny should have a greater independence from the executive. One way that this can be achieved is to change the lines of accountability, with scrutiny committees reporting to Full Council meetings, rather than the executive. We also consider how scrutiny committee chairs might have greater independence in order to dispel any suggestion that they are influenced by partisan motivations. Whilst we believe that there are many effective and impartial scrutiny chairs working across the country, we are concerned that how chairs are appointed can have the potential to contribute to lessening the independence and legitimacy of the scrutiny process.

Organisational culture also impacts upon another important aspect of effective scrutiny: access of committees to the information they need to carry out their work. We heard about committees submitting Freedom of Information requests to their own authorities and of officers seeking to withhold information to blunt scrutiny's effectiveness. We believe that there is no justification for such practices, that doing so is in conflict with the

principles of democratic accountability, and only serves to prevent scrutiny committees from contributing to service improvement. We have particular concerns regarding the overzealous classification of information as being commercially sensitive.

We also considered the provision of staff support to committees. Whilst ensuring that sufficient resources are in place is of course important, we note that if there is a culture within the council of directors not valuing scrutiny, then focussing on staff numbers will not have an impact. We are concerned that in too many authorities, supporting the executive is the over-riding priority, despite the fact that in a time of limited resources, scrutiny's role is more important than ever. We also consider the skills needed to support scrutiny committees, and note that many officers combine their support of scrutiny with other functions such as clerking committees or executive support. It is apparent that there are many officers working in scrutiny that have the required skills, and some are able to combine them with the different skill set required to be efficient and accurate committee clerks. However, we heard too many examples of officers working on scrutiny who did not possess the necessary skills. Decisions relating to the resourcing of scrutiny often reflect the profile that the function has within an authority. The Localism Act 2011 created a requirement for all upper tier authorities to create a statutory role of designated lead scrutiny officer to promote scrutiny across the organisation. We have found that the statutory scrutiny officer role has proven to be largely ineffective as the profile of the role does not remotely reflect the importance of other local authority statutory roles. We believe that the statutory scrutiny officer position needs to be significantly strengthened and should be a requirement for all authorities.

We believe that scrutiny committees are ideally placed and have a democratic mandate to review any public services in their area. However, we have found that there can sometimes be a conflict between commercial and democratic interests, with commercial providers not always recognising that they have entered into a contract with a democratic organisation with a necessity for public oversight. We believe that scrutiny's powers in this area need to be strengthened to at least match the powers it has to scrutinise local health bodies. We also call on councils to consider at what point to involve scrutiny when it is conducting a major procurement exercise. It is imperative that council executives involve scrutiny at a time when contracts are still being developed, so that all parties understand that the service will still have democratic oversight despite being delivered by a commercial entity. We also heard about the public oversight of Local Economic Partnerships (LEPs), and have significant concerns that public scrutiny of LEPs seems to be the exception rather than rule. Therefore, we recommend that upper tier councils, and combined authorities where appropriate, should be able to monitor the performance and effectiveness of LEPs through their scrutiny committees.

We recognise that the mayoral combined authorities are in their infancy, but given the significance of organisational culture in effective scrutiny, it is important that we included them in our inquiry to ensure that the correct tone is set from the outset. We are therefore concerned by the evidence we heard about an apparent secondary role for scrutiny in combined authorities. Mayors are responsible for delivering services and improvements for millions of residents, but oversight of their performance is currently hindered by limited resources. We therefore call on the Government to ensure that funding is available for this purpose. We also argue that when agreeing further

devolution deals and creating executive mayors, the Government must make it clear that scrutiny is a fundamental part of any deal and must be adequately resourced and supported.

Introduction

1. This inquiry was initially launched in January 2017 by our predecessor committee. However, the dissolution of Parliament and the General Election prevented any oral evidence sessions from taking place. Following the Committee's reconstitution, we considered carefully which issues we should initially pursue in our work and how best we could build on the work of our predecessors. It was clear to us from the level of interest and concern expressed in the evidence received that the effectiveness of overview and scrutiny committees in local authorities was something that we should investigate as an immediate priority. We therefore relaunched the inquiry in September 2017 and undertook to take account of the wealth of written evidence provided by councils, officers, members and stakeholders prior to the election.
2. We are extremely grateful to everyone who contributed to our inquiry. Scrutiny varies significantly across the country, and the level of interest in the inquiry has enabled us to hear from a wide range of authorities and form a representative picture of local authority scrutiny in England. To assist us in forming this picture, and to ensure we spoke with as many authorities as possible, we supplemented our oral evidence sessions with a less formal workshop event in October 2017. Our workshop was attended by over 45 councillors and officers working in scrutiny across the country and we thank them all for their attendance and contributions.
3. This report will consider why scrutiny is important and what the role of scrutiny committees should be in local authorities. We do not believe that certain models should be imposed on councils, but we do believe that there should be an organisational culture that welcomes constructive challenge and has a common recognition of the value of scrutiny, both in terms of policy development and oversight of services. In order to achieve this, we believe that scrutiny committees must be independent and able to form their own conclusions based on robust and reliable data, and that decision-makers should not seek to obstruct their role by withholding information. We also consider the role of the public in local scrutiny, both in terms of their participation in committees' work and in how scrutiny committees can represent their interests to service providers, even when those providers are external commercial organisations. The final chapter of this report considers the role of scrutiny in the recently created mayoral combined authorities in an attempt to help these organisations to establish positive working practices as early as possible. Throughout this report we call on the Government to revise the guidance on scrutiny that it issues local authorities. For clarity, the specific points that we believe should be covered by such a revision are listed below.

Proposed revisions to Government guidance on scrutiny committees

- That overview and scrutiny committees should report to an authority's Full Council meeting rather than to the executive, mirroring the relationship between Select Committees and Parliament.
- That scrutiny committees and the executive must be distinct and that executive councillors should not participate in scrutiny other than as witnesses, even if external partners are being scrutinised.
- That councillors working on scrutiny committees should have access to financial and performance data held by an authority, and that this access should not be restricted for reasons of commercial sensitivity.
- That scrutiny committees should be supported by officers that are able to operate with independence and offer impartial advice to committees. There should be a greater parity of esteem between scrutiny and the executive, and committees should have the same access to the expertise and time of senior officers and the chief executive as their cabinet counterparts.
- That members of the public and service users have a fundamental role in the scrutiny process and that their participation should be encouraged and facilitated by councils.

1 The role of scrutiny

4. Before considering whether scrutiny committees are working effectively, it is important to consider what their role is and what effective scrutiny looks like. Local authorities are currently facing a number of challenges and competing demands, from an ageing population to budget shortfalls to promoting local growth in an often-hostile economic environment. It is therefore imperative that all expenditure is considered carefully and its impact is measured. However, measuring the impact of overview and scrutiny committees can be a significant challenge. Whilst identifying ‘good’ scrutiny is not always possible, the consequences of ineffectual scrutiny can be extreme and very apparent.

5. The Francis Report¹ was published in 2013 following failings at the Mid Staffordshire NHS Trust. Whilst the failings were not attributed to local committees, the report was critical of local authority health scrutiny, highlighting a lack of understanding and grip on local healthcare issues by the members, little real interrogation and an over-willingness to accept explanations. Similarly, the Casey Report² in 2015 on Rotherham Council cited particular failings in Rotherham’s approach to scrutiny, noting that “Inspectors saw regular reports to the Cabinet and Scrutiny committees, but not the effective challenge we would expect from elected Members.”³ The report also found that scrutiny had been undermined by an organisational culture that did not value scrutiny and that committees were not able to access the information they needed to hold the executive to account. Mid Staffordshire and Rotherham are two of the most high-profile failures of overview and scrutiny committees, but the issues raised in the two reports can easily occur in other local authorities, and we consider some of them in this report.

6. Overview and scrutiny committees were created by the Local Government Act 2000 and were designed to off-set increased centralised power established by the new executive arrangements. The Act replaced the committee system whereby decisions were made either by meetings of the full council or in cross-party committees which managed council services. For proponents of the committee system, one of its strengths was that all members had an active role in decision-making. However, as Professor Colin Copus from De Montfort University told us, it was “an illusion of power. If you put your hands up at the end of a meeting you feel, “I am powerful. I am making something happen”. I am sure I am not giving any trade secrets away, but most of those decisions are made two nights before in the majority party group meetings.”⁴ With the exception of councils with a population under 85,000, the 2000 Act created a requirement for authorities to establish an executive of a leader, or elected mayor, and cabinet members.⁵ Mirroring the relationship between Parliament and government, the Act also required the non-executive members of councils to scrutinise the executive by creating at least one overview and scrutiny committee.

1 Report of the Mid Staffordshire NHS Foundation Trust Public Inquiry, [HC947](#), February 2013

2 Report of Inspection of Rotherham Metropolitan Borough Council, [HC1050](#), February 2015

3 Report of Inspection of Rotherham Metropolitan Borough Council, [HC1050](#), February 2015 p65

4 Q38

5 There was also initially an option for Mayor and council manager executive, but this was later repealed. Smaller authorities were able to retain the committee system, as long as there was at least one overview and scrutiny committee. The Localism Act 2011 extended this option to all authorities, but the requirement of a designated scrutiny committee was removed.

However, beyond some statutory requirements (for example designating committees to scrutinise health bodies, crime and disorder strategies, and flood risk management), how councils deliver scrutiny is a matter of local discretion.

7. Some councils have multiple committees that broadly align with departmental functions, while others have fewer formal committees but make greater use of time-limited task and finish groups. Similarly, as the Centre for Public Scrutiny (CfPS) identifies, different councils use different labels for their scrutiny work, including “select committees, policy development committees, or a number of other names. The use of different terminology can prove confusing [but] This is probably a good thing—it reflects the fact that scrutiny has a different role in different places, which reflects local need rather than arbitrary national standards”.⁶ Throughout this report references to ‘scrutiny’ and ‘scrutiny committees’ mean all committees and work associated with the overview and scrutiny committees required by the Local Government Act 2000.

8. Whilst acknowledging that scrutiny fulfils different roles in different areas, we believe that at its best, scrutiny holds executives to account, monitors decisions affecting local residents and contributes to the formation of policy. We therefore support CfPS’s four principles of good scrutiny, in that it:

- Provides a constructive “critical friend” challenge;
- Amplifies the voices and concerns of the public;
- Is led by independent people who take responsibility for their role;
- Drives improvement in public services.⁷

9. We believe that as well as reacting to decisions and proposals from local decision makers, effective scrutiny can also be proactive and help to set a policy agenda. For example, Birmingham City Council’s Education and Vulnerable Children Overview and Scrutiny Committee carried out a review of the council’s work to tackle child sexual exploitation. As a result of the Committee’s work, the executive responded and addressed the issues raised:

The committee heard much harrowing evidence but produced a hard hitting report containing 19 strong recommendations. As a result of the report extra resources were allocated to the team co-ordinating CSE on behalf of the city. The council also undertook to strengthen its approach to safeguarding children by reviewing its statement of licensing and being more pro-active in using its executive powers of “the protection of children from harm”.⁸

10. Pre-decision scrutiny is also a vital part of a committee’s role. By commenting on and contributing to a decision before it has been made, scrutiny committees are able to offer executives the benefit of their ability to focus on an issue in greater depth over a longer period of time. For example, the London Borough of Merton’s Children and Young People Overview and Scrutiny Panel considered a site proposal for a new secondary school. As a

6 Centre for Public Scrutiny ([OSG098](#)) para 6

7 Centre for Public Scrutiny ([OSG098](#)) para 38

8 Birmingham City Council ([OSG087](#)) part 3

result of its work, the Panel was “able to provide a detailed reference to Cabinet focusing on how to optimise use of the selected site and mitigate any negative impact”, helping the Cabinet to make a more informed and considered decision.⁹

11. The role of scrutiny has evolved since its inception. The 2000 Act empowers committees to review decisions made by the executive and to make reports and recommendations for the executive’s consideration. In the seventeen years since, the way in which scrutiny committees perform their function has understandably changed. One such way has been an increase in scrutiny of external bodies, most notably health bodies. Councils have delivered services through increasingly varied partnership arrangements - including contracting to private companies, creating arms-length bodies or working with other public bodies - and scrutiny has responded by adjusting how it scrutinises the issues that matter to local residents. The Department for Communities and Local Government (DCLG) highlights that “To support local councils adopting good practice, the Department for Communities and Local Government issues statutory guidance, to which councils must have regard when developing their localist scrutiny arrangements.”¹⁰ This guidance was last issued in 2006¹¹ and predates several legislative changes as well as changes to ways of working such as an increasing focus on external scrutiny and public participation (both discussed later in this report). When we asked Marcus Jones MP, Minister for Local Government, about the guidance, he told us:

It has been some time since we looked at the guidance on scrutiny ... The initial evidence that you have taken indicates that in many places scrutiny is working well, but there are also instances in which overview and scrutiny committees could improve. It is therefore important that once we see the outcome of this Committee in the report that you provide, I take those recommendations very seriously. If there are areas where it is sensible and pertinent to update the guidance, we will certainly consider that.¹²

12. We welcome the Minister’s willingness to consider our recommendations carefully. We believe that there are many instances across the country where scrutiny committees are operating effectively and acting as a voice for their communities, however there remains room for improvement for too many and we believe that updated guidance from the Department is long overdue. ***We therefore recommend that the guidance issued to councils by DCLG on overview and scrutiny committees is revised and reissued to take account of scrutiny’s evolving role.***

13. Throughout our investigations, we heard about a range of positive examples of effective scrutiny, some of which we have referenced in this report. ***We call on the Local Government Association to consider how it can best provide a mechanism for the sharing of innovation and best practice across the scrutiny sector to enable committees to learn from one another. We recognise that how scrutiny committees operate is a matter of local discretion, but urge local authorities to take note of the findings of this report and consider their approach.***

9 London Borough of Merton ([OSG037](#)) page 12

10 Department for Communities and Local Government ([OSG122](#)) para 5

11 Department for Communities and Local Government, [New council constitutions: guidance to English Authorities](#) (May 2006)

12 Q111

2 Party politics and organisational culture

Organisational culture

14. As discussed above, councils across the country deliver scrutiny in a wide range of different ways. We are of the view that whichever model of scrutiny a council adopts it is far less important than the culture of an organisation. Council leaders, both politicians and officials, have a responsibility to set the tone and create an environment that welcomes constructive challenge and democratic accountability. Jacqui McKinlay from the CfPS explained to us:

If you have buy-in to scrutiny at the top of the organisation—that is the leader, the cabinet and the chief executive—it tends to follow that scrutiny is resourced ... However, if you do not get buy-in to a scrutiny approach—that openness and transparency and the willingness to be questioned, seeing the value of scrutiny—it tends to follow that it is not resourced as well and you do not get that parity of esteem ... If your leadership is closed to that sort of challenge, it does not just affect scrutiny; it affects a lot of how the organisation is run.¹³

15. The Minister for Local Government echoed this view when he told us:

I think that where scrutiny is done properly in local authorities that have the right culture, and where scrutiny is taken seriously, it can perform an excellent function in relation to how the executive works by holding them to account and putting them in a position where they probably make decisions that are more in the interests of the people they represent and local residents than they otherwise might be.¹⁴

16. All of the examples of effective scrutiny that we have heard about have in common an organisational culture whereby the inherent value of the scrutiny process is recognised and supported. Senior councillors and officers that seek to side-line scrutiny can therefore miss out on the positive contributions that scrutiny is capable of, and put at risk a vital assurance framework for service delivery. The Nottingham City Council Overview and Scrutiny Committee explains that:

there can be a perception that overview and scrutiny is an ‘add on’ rather than an integral part of the organisation’s governance arrangements... [with the executive arrangements] there can be a tendency for council officers to feel that they are primarily accountable to one councillor which risks overlooking the important role of other councillors, including those engaged in scrutiny activities, within the decision making structure. As a result the function is not always afforded the prominence it deserves and opportunities to make the most of its potential can be missed.¹⁵

13 Q15

14 Q109

15 Nottingham City Council Overview and Scrutiny Committee ([OSG024](#)) para 1.3

The relationship between scrutiny and the executive

17. We are concerned that the relationship between scrutiny and the executive has a tendency to become too unbalanced. With decision-making powers centralised in the executive, scrutiny can be seen as the less-important branch of a council’s structure. Professor Copus highlighted that there is no parity of esteem in the eyes of many councillors:

One of the things I have noted in all of the work I have done on scrutiny since 2002 is I have only ever once come across a councillor who said, “If you offered me a place in the cabinet, I would reject it. I want to stay a chair of scrutiny”. I am sure there are more than the one I have met, but that is an indication.¹⁶

18. Professor Copus argued that this imbalance in esteem is also reflected in council officers:

I found many officers will know the council leader’s name and the name of the portfolio-holder for their particular area of interest, but they might not know the scrutiny chairperson’s name. Once you start to see that, you see the whole thing begin to crumble.¹⁷

19. If neither councillors or officers explicitly recognise the importance of the scrutiny function, then it cannot be effective. Part of the challenge lies in identifying what effective scrutiny actually looks like, as discussed earlier in this report, as councils are more likely to allocate diminishing resources to functions where there can be a quantifiable impact. **However, all responsible council leaderships should recognise the potential added value that scrutiny can bring, and heed the lessons of high profile failures of scrutiny such as those in Mid Staffordshire and Rotherham.**

20. Council leaderships have a responsibility to foster an environment that welcomes constructive challenge and debate. However, opposition parties also have a key role to play in creating a positive organisational culture. We agree with the Minister who told us that:

At the end of the day, if an opposition takes a reasonable view on these things and treats the executive with respect, but challenges them when challenge is necessary, rather than just for the sake of challenge, I think you can get to a situation where you have—not much of an agreement politically, probably, but there could be mutual respect. That would serve the scrutiny function well.¹⁸

The role of Full Council

21. Parliamentary select committees have a well-established independence from the executive in that they do not report to the Government, but to the House of Commons as a whole. In contrast, it is less clear where local authority scrutiny committees report to, with most reporting to the executive that they are charged with scrutinising. The Institute

16 Q4
17 Q15
18 Q137

of Local Government Studies (INLOGOV) at the University of Birmingham argues that it should be made clear in guidance that scrutiny reports and belongs to Full Council, not the executive:

As of now, most scrutiny committees report to the Executive—with only some inviting the scrutiny chair and members who have written a report to present it. A few present reports to the full council. When they do so, this has the opportunity to create a relevant and interesting debate on a matter of local concern which has been investigated in depth by a group of councillors. Such a debate enables other councillors to see what scrutiny has done, and to add their own experiences. Councils should be required to have Reports from scrutiny on all council agendas.¹⁹

22. Cllr Mary Evans told us that she welcomed the suggestion that scrutiny should be accountable to Full Council.²⁰ We also heard from Cllr John Cotton from Birmingham City Council, whose scrutiny committees do report to Full Council. He told us that:

speaking from Birmingham’s perspective, due to the fact that everything reports through to full council we have been able to preserve some of that independence of approach, but from the conversations I have been having that certainly needs to be echoed in other authorities.²¹

23. To reflect scrutiny’s independent voice and role as a voice for the community, we believe that scrutiny committees should report to Full Council rather than the executive and call on the Government to make this clear in revised and reissued guidance. When scrutiny committees publish formal recommendations and conclusions, these should be considered by a meeting of the Full Council, with the executive response reported to a subsequent Full Council within two months.

The impact of party politics

24. Scrutiny committees must have an independent voice and be able to make evidence-based conclusions while avoiding political point-scoring. In order to do this, they need to be sufficiently resourced, have access to information (both discussed in greater detail below) and operate in an apolitical, impartial way. Committees of local councillors will always be aware of party politics, but sometimes this can have too great an influence and act as a barrier to effective scrutiny. Jacqui McKinlay from the CfPS told us that “We often say that local government scrutiny is a perfect system until you add politics to it. In our last survey, 75% of people say that party politics affects scrutiny.”²² Professor Copus also recognised the party-political dynamic to scrutiny when he described to us:

members from opposing political parties, one seeing their role as using scrutiny to attack the executive and the other seeing it as a forum in which to defend the executive. If that is the interaction, you are not going to get executive accountability ... In terms of a lot of the issues that are problematic for overview and scrutiny, the interplay of party politics is often at the

19 Institute of Local Government Studies, The University of Birmingham ([OSG053](#)) page 6

20 Q68

21 Q68

22 Q12

heart of it. I will quite often hear councillors, even from majority groups, admitting that one of the reasons scrutiny is not as effective as it can be is because of the relationship between the opposing groups.²³

25. The Local Government Act 2000, and the guidance issued by DCLG, specifies that members of a council's executive cannot also be members of overview and scrutiny committees. A Private Members' Bill in 2009²⁴ made provisions to allow executive members to sit on committees during scrutiny of external bodies (on the basis that in such instances, it was not the executive that was being scrutinised). The Bill did not pass through the House of Commons, and we are wary of any such attempts to dilute the distinction between executive and scrutiny functions. We heard of instances at the workshop of executive councillors effectively chairing scrutiny committee meetings where the NHS was under scrutiny, and are concerned by such practices. **We believe that executive members should attend meetings of scrutiny committees only when invited to do so as witnesses and to answer questions from the committee. Any greater involvement by the executive, especially sitting at the committee table with the committee, risks unnecessary politicisation of meetings and can reduce the effectiveness of scrutiny by diminishing the role of scrutiny members. We therefore recommend that DCLG strengthens the guidance to councils to promote political impartiality and preserve the distinction between scrutiny and the executive.**

Committee chairing arrangements

26. Political impartiality can also be encouraged through the process for appointing chairs of committees. Overview and scrutiny committees are required to have a membership that reflects the political balance of a local authority, but there are a range of different approaches for appointing the chairs and vice chairs of committees. Many authorities specify that committee chairs must come from opposition parties, others allocate chair positions proportionally among the parties on the council and others reserve all committee chair positions for the majority party. The Centre for Public Scrutiny states that:

Legally, the Chairing and membership of overview and scrutiny committees is a matter for a council's Annual General Meeting in May. Practically, Chairing in particular is entirely at the discretion of the majority party. Majority parties can, if they wish, reserve all committee chairships (and vicechairships) to themselves ... the practice of reserving all positions of responsibility to the majority party is something which usually happens by default, and can harm perceptions of scrutiny's credibility and impartiality.²⁵

27. Chairs from a majority party that are effectively appointed by their executive are just as capable at delivering impartial and effective scrutiny as an opposition councillor, but we have concerns that sometimes chairs can be chosen so as to cause as little disruption as possible for their Leaders. **It is vital that the role of scrutiny chair is respected and viewed by all as being a key part of the decision-making process, rather than as a form of political patronage.**

23 Q12

24 [Local Authorities \(Overview and Scrutiny\) Bill 2009–10](#)

25 [Centre for Public Scrutiny \(OSG098\)](#) paras 130–132

28. Cllr Mary Evans, chair of the scrutiny committee at Suffolk County Council, told us of her efforts to keep party politics out of scrutiny as a chair from a party with a sizeable majority: “We do it by involving the membership of the scrutiny committee at every point of an inquiry ... we had a workshop just after our elections in May to look at what our forward work programme would be. The membership together has picked the programme.”²⁶ When asked whether the size of her party’s majority made this easier, Cllr Evans explained that “When I first chaired scrutiny, in 2015, we had a majority of only one. I wanted to work across the committee. I did not have the luxury of a large majority ... We try to be as open and transparent as scrutiny should be, so the membership is engaged and involved in every aspect of the inquiry.”²⁷ Cllr John Cotton, lead scrutiny member at Birmingham City Council, is also a scrutiny chair from a majority party and he told us that whilst it is important to acknowledge the role of party politics, scrutiny works best when non-partisan:

In terms of the discharge of the scrutiny function, certainly we proceed on a very non-partisan basis. All of our full scrutiny reports go to full council. I can only recall one occasion in the last 15 years where we have had a minority report because there has been a partisan division. Frequently those reports are moved by the chair and seconded by a member from an opposition party. You then have collective ownership of those recommendations, because they are taken by full council. The scrutiny process draws its strength from the fact that we have those inputs from members across the piece ... There is a little bit of grit in the system, if you like, which comes from the party-political roots of members, which you do not want to remove entirely.²⁸

29. Cllr Sean Fitzsimons, chair of the Scrutiny and Overview Committee at Croydon Council, echoed this view when he told us that as a chair from a majority party that made critical recommendations of his executive “you have to go along with it if you believe that scrutiny is a function of the backbenches and that you have to put aside your party loyalties in the short term.”²⁹ However, Cllr Fitzsimons argued that scrutiny is at risk of becoming more partisan and that the process for choosing a chair needed consideration:

My worry is that, as people have drifted away, over time, from what the original aspect of overview and scrutiny was, party politics have played a greater role. If I was looking at this issue, I would look at the political culture of each political party. In the Labour group, under the standing orders of the national party, [scrutiny chairs are] not appointed by the leadership of the Labour group, so I am independent of my leader, so I have a little bit of leeway. My two best chairs that I ever had from the opposition group were so good at scrutiny that they were sacked by their political leader when he was in power. Within the Conservative group, chairs of scrutiny can be appointed effectively by the leader of the council or by the cabinet, and I do think the political cultures of the parties really influence it.³⁰

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30. **We believe that there are many effective and impartial scrutiny chairs working across the country, but we are concerned that how chairs are appointed has the potential to contribute to lessening the independence of scrutiny committees and weakening the legitimacy of the scrutiny process. Even if impropriety does not occur, we believe that an insufficient distance between executive and scrutiny can create a perception of impropriety.** We note, for example, the views of the Erewash Labour Group:

The Scrutiny Committee in this Authority protects the Executive rather than holding them to account. If they are ever held to account it is within the privacy of their own Political Group Meetings which are not open to the public. Most of the important decisions are first made in the Group Meetings ... The opposition have made some very sensible suggestions during Scrutiny debates only to be told “We have already decided this.” Cabinet Members may not attend Scrutiny Meeting unless by the invitation of the Chair. This rule was brought in to stop Cabinet Members exerting any undue pressure on members by their presence. Now they simply exert pressure in other ways such as by the choice of member selection and also the selection of the chair.³¹

31. It is clear to us that scrutiny chairs must be seen to be independently minded and take full account of the evidence considered by the committee. We note the evidence from the Minister who outlined the Government’s prescription that chairs of scrutiny in the new mayoral combined authorities must be from a different political party to the executive mayor in order to encourage effective challenge.³² Similarly Newcastle City Council where all scrutiny chairs are opposition party members, states that:

This has taken place under administrations of different parties and we believe that it adds to the clout, effectiveness and independence of the scrutiny process; it gives opposition parties a formally-recognised role in the decision-making process of the authority as a whole, more effective access to officers, and arguably better uses their skills and expertise for the benefit of the council.³³

32. In 2010, recommendations from the Reform of the House of Commons Committee’s report ‘Rebuilding the House’³⁴ were implemented to change the way Parliament worked. One such recommendation was the introduction of elections for select committee chairs by a secret ballot of all MPs. In 2015, the Institute for Government published an assessment of parliamentary select committees and their impact in the 2010–15 Parliament. The report found that electing chairs had helped select committees to grow in stature and be more effective:

Every chair we spoke to told us that, since the introduction of elections for committee chairs, they had felt greater confidence and legitimacy in undertaking committee work because they knew they had the support of their peers rather than pure political patronage.³⁵

31 Erewash Labour Group ([OSG013](#)) page 1

32 Q131

33 Newcastle City Council ([OSG015](#)) para 10

34 Reform of the House of Commons Select Committee, First Report of Session 2008–09, *Rebuilding the House*, HC1117

35 Institute for Government, *Select Committees under Scrutiny: The impact of parliamentary committee inquiries on government* (June 2015), page 34

33. The positive impact of elected chairs for parliamentary committees has led some to suggest that local authority scrutiny chairs should also be elected by their peers. Under such a system scrutiny chairs, regardless of whether they come from the majority party or the opposition, are more likely to have the requisite skills and enthusiasm for scrutiny by virtue of the election process. Electing chairs would also dispel the notion that being appointed scrutiny chair is a consolation prize for members not appointed to the cabinet. The CfPS argue that:

such a process would encourage those seeking nomination and election as chairs to set out clearly how they would carry out their role; it would also mean that they would be held to account by their peers on their ability to do so. The legitimacy and credibility that would come from this election could also embolden chairs to act more independently³⁶

34. When we asked the Minister about the prospect of electing scrutiny chairs, he was concerned that doing so could actually increase political pressures, but stated that “The important thing is that we have the right person chairing a scrutiny committee with the requisite skills, knowledge and acumen to take on the functions and achieve the outcomes that the scrutiny committee needs to achieve.”³⁷

35. We believe that there is great merit in exploring ways of enhancing the independence and legitimacy of scrutiny chairs such as a secret ballot of non-executive councillors. However, we are wary of proposing that it be imposed upon authorities by government. We therefore recommend that DCLG works with the LGA and CfPS to identify willing councils to take part in a pilot scheme where the impact of elected chairs on scrutiny’s effectiveness can be monitored and its merits considered.

36 Centre for Public Scrutiny ([OSG098](#)) para 133

37 Q138

3 Accessing information

36. Fostering the positive organisational culture discussed in the previous chapter can also determine another important aspect of effective scrutiny: access to information. When we asked Jacqui McKinlay whether scrutiny committees are able to access the information they need, she told us that:

The very determined ones can. I met one last week that had put an FOI request in to its own organisation in order to get the information. You should not have to do that, but there are ways there. There needs to be persuasion and influence in order to say, “This is an issue around flooding”, or whatever it might be, “that is really important”.³⁸

37. **Scrutiny committees that are seeking information should never need to be ‘determined’ to view information held by its own authority, and there is no justification for a committee having to resort to using Freedom of Information powers to access the information that it needs, especially from its own organisation. There are too many examples of councils being uncooperative and obstructive.** For example a submission from a spouse of a scrutiny chair argues that it can seem to not be in council officers’ interests to divulge information freely:

There is an element of ‘silosism’ within the Authority whereby Directors or Heads of Service do not release, explain or otherwise divulge their operational objectives, strategies or tactics for fear of being challenged. This makes it almost impossible to scrutinise, for after all how can one scrutinise what you don’t know? There is also a reluctance by officers to divulge operational (in)efficiencies in case it shows that there is an excess of staff ratios for particular tasks. It leads to obfuscation of such measures in order to protect their fiefdom.³⁹

38. Similarly, the Minister told us of the example of an authority to which he used to belong and how culture can affect councillors’ ability to scrutinise:

When I was in opposition on the district authority of which I was a member, the controlling group at the time had this unfortunate situation where they used to bring out their budget at the budget-setting council in March. They used to bring it out through the cabinet at 4 o’clock. That mini-meeting used to finish at 5 and then we used to go straight into the full council at 6 to approve the budget. Where you have that type of culture, even if you have resource and access to information, you are not going to get the outcomes that are in people’s best interests.⁴⁰

39. Professor Copus highlighted to us another challenge for scrutiny committees seeking to understand an issue:

I often think, “If someone is willing to give you something you have just asked for, what are they hiding? Why are they being overly enthusiastic?” It is because it is not causing them any problems. The information that

38 Q31

39 Anonymous submission ([OSG006](#))

40 Q119

scrutiny really needs is the stuff that people are a little bit more reluctant to hand over, whether that is the council itself or an external body. I hear quite often ... of councillors using FOIs against their own council for the want of any other way. It is a sign of an immense frustration among members that they have to do that.⁴¹

Commercial confidentiality

40. A particular challenge for councillors wishing to access information in order to scrutinise an issue is related to commercial confidentiality. Jacqui McKinlay told us that “Every councillor I meet will talk about the barrier of commercial confidentiality. They will talk about, “We cannot give that information” and a lack of transparency.”⁴² Local authorities are required by statute to publish all information relating to decisions taken and service delivery, however there are certain categories of information that they can withhold. For example information relating to an individual’s circumstances is considered exempt, as is information relating to the financial or business affairs of any particular person - including the authority holding that information. As a consequence, many councils argue that publicly releasing specific details of a contract or a procurement framework such as cost or the details of rival bidders for a contract are withheld on the basis that such information is commercially sensitive and exempt from the access to information rules. Professor Copus told us that:

Commercial confidentiality is always another cloak behind which people who do not want to provide information can hide. There is a need for a much tighter definition of what is acceptable as an exemption for commercial confidentiality. It is not just not wanting to tell somebody what they have asked you. There needs to be a much tighter definition for scrutiny purposes.⁴³

41. Whilst we acknowledge that it is not always in the public interest for local authorities to publish all information and make it available to the public, we cannot see a justification for withholding such information from councillors. Councillors have regular access to exempt or confidential information, often distinguished on agendas by use of different colour paper. As Cllr Marianne Overton told us, “Councils are used to dealing with confidential information, and we recognise if it is on pink paper it is confidential. There is no question about it. There should not be any problem with sharing information with elected members. We are already under rules.”⁴⁴ **Councils should be reminded that there should always be an assumption of transparency wherever possible, and that councillors scrutinising services need access to all financial and performance information held by the authority.**

42. Legislation dictates what information should and should not be released to councillors. Regulations in 2012⁴⁵ clarified the position and granted additional access rights to members of overview and scrutiny committees. The Regulations state that

41 Q32

42 Q30

43 Q32

44 Q32

45 The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 ([SI2089](#))

scrutiny members can access any confidential material if they can demonstrate a ‘need to know’ in that it relates to any action or decision that that member is reviewing or scrutinising, or on any subject included on a scrutiny work programme. **We do not believe that there should be any restrictions on scrutiny members’ access to information based on commercial sensitivity issues. Limiting rights of access to items already under consideration for scrutiny limits committees’ ability to identify issues that might warrant further investigation in future, and reinforces scrutiny’s subservience to the executive. Current legislation effectively requires scrutiny councillors to establish that they have a ‘need to know’ in order to access confidential or exempt information, with many councils interpreting this as not automatically including scrutiny committees. We believe that scrutiny committees should be seen as having an automatic need to know, and that the Government should make this clear through revised guidance.**

Getting data from multiple sources and external advisors

43. Council officers are the primary source of information for many committees, however if they do not present the full picture, then those committees can get very limited assurances about the service they are scrutinising. Whilst scrutiny should be able have access to whatever information it needs, this also serves to emphasise the importance of scrutiny committees seeking to use data from multiple sources and challenge that which they are told. Professor Copus described to us how effective scrutiny should operate:

In some councils ... they are too reliant on officers and too reliant on a single source of advice. In too many councils the flexibility that scrutiny has over the committee system is not used ... sometimes, when you examine scrutiny agendas and scrutiny reports, and observe scrutiny meetings, what you see is a committee, and a one-off event that leads to not very much. In other councils, those that have really supported and understood scrutiny, you get a process ... Where you get scrutiny viewed as not a single event but a process, then the outcomes are much more effective, and there is a greater access to a wider range. What scrutiny should be doing is not taking one source of evidence and going, “That is from the officers. Great. That is okay. We agree the recommendations”. They should be looking at conflicting evidence. There is always conflicting evidence with big policy issues. They need to sift that evidence.⁴⁶

44. Cllr Marianne Overton, Leader of the Independent Group of the LGA, agreed that effective committees seek to triangulate data to build a fuller picture: “That is part of what scrutiny is about ... one of the issues about scrutiny is that the whole point is that you can call all kinds of different witnesses ... You are not just sitting, looking at the papers that you have been fed.”⁴⁷ We are concerned that too many committees are overly reliant upon the testimonies of council officers, and that they do not make wider use of external witnesses. Very few councils have the resources to provide independent support to both the executive and scrutiny, and in light of the uneven balance between the two functions discussed earlier, most resources are prioritised upon the executive. This means that officers working in a service department are supporting executive members to develop and implement decisions, and the same officers are then supporting scrutiny committees as

46 Q28

47 Q28

they seek to understand the impact of decisions and performance of departments. Whilst departmental officers may be able to distinguish the two roles and cater their support accordingly, we are concerned that too few councils are hearing alternative perspectives. However, we acknowledge that councils are operating on reduced budgets and that making use of specialist advisors can come at too high a cost for many committees. The LGA explains that:

Employing specialist external advice as part of oversight and scrutiny arrangements is not common ... Where councils do bring in external experts, it is because specific knowledge and skills are needed that are not available in house. Procuring specialist advice comes at a cost and, given the pressures on council budgets, not all committees have funding available to increase their standard staffing compliment, commission professional advice, secure external witnesses or even refresh recruitment of co-optees.⁴⁸

45. We are disappointed that committees do not make greater use of expert witnesses. At the informal workshop event hosted by the Committee, we spoke with councillors and officers on their use of experts such as local academics. One attendee told us that it could sometimes be possible to engage a local academic at the start of an inquiry to help members understand an issue, but it was seldom possible to sustain this engagement throughout the life of an inquiry. ***We note that few committees make regular use of external experts and call on councils to seek to engage local academics, and encourage universities to play a greater role in local scrutiny.***

Service users' perspective and public experiences

46. While recognising the constraints that committees operate under, we believe that it is possible to bring in a wider range of perspectives for limited expenditure, and that the benefits of doing so are significant. We note, for example, the case study presented by the LGA of Brighton & Hove City Council's scrutiny panel on equality for the transgender community:

The panel's review was underpinned by an effective and sensitive engagement strategy enabling the views of a hard to reach community to inform recommendations for action. The panel worked in partnership with the Council's Communities team, the city's LGBT Health Improvement Partnership, and a local charity which supported transgender people, co-opting experts to help better inform the process, and directly engaging through community events and specially designed workshops. A significant amount of time was devoted to the consultation process which was pivotal in helping to build up trust. The Panel's findings were well received by the transgender community and partners, with all 37 recommendations adopted by the Cabinet.⁴⁹

47. Bringing in the perspectives of service users undoubtedly leads to more effective scrutiny, both in developing policy such as the example from Brighton & Hove and in monitoring services. Officers from the London Borough of Hackney described an example of effective scrutiny in their monitoring of services for disabled children in the borough.

48 Local Government Association ([OSG081](#)) paras 10.1–10.3

49 Local Government Association ([OSG081](#)) paras 13.8 – 13.10

Rather than only using the testimony of the council officers delivering the service, “A major part of the evidence base for this review was the views of parents and carers of disabled children, as well as disabled children and young people themselves about the services they receive and the barriers they face in accessing current services.”⁵⁰ **We commend such examples of committees engaging with service users when forming their understanding of a given subject, and encourage scrutiny committees across the country to consider how the information they receive from officers can be complemented and contrasted by the views and experiences of service users.**

4 Resources

Reducing council budgets

48. Local government has experienced significant reductions in funding in recent years, leading many authorities to choose to reduce their scrutiny budgets. Whilst understandable in the context of wider reductions, it is regrettable that the resources allocated to scrutiny have decreased so much. The Centre for Public Scrutiny (CfPS) explains that:

There are now significantly fewer “dedicated” scrutiny officers employed by English councils. In 2015 this dropped below one full time equivalent officer post providing policy support to scrutiny per council. In many councils, there might be only 0.2 or 0.3 FTE to carry out this role—or nothing at all. (We would describe a “dedicated” scrutiny officer as one whose sole duties involve providing policy advice to scrutiny councillors.)⁵¹

49. Cllr John Cotton from Birmingham City Council also described a significant reduction in resources in recent years:

if I look at staffing for scrutiny in Birmingham, if we go back to 2010–11, we had 19.4 full-time equivalent staff. We are now working with 8.2, so there has clearly been a substantial reduction and we have seen a similar reduction in the number of committees and so forth ... it does come back to this issue that, if you value something, you have to invest in it.⁵²

50. Birmingham City Council explain that this reduction in resources has matched a reduction in the amount of scrutiny carried out:

Birmingham has had five standing O&S Committees for the last two years, whereas there were on average ten committees in the ten years prior to that. Whilst this is line with the reduction in council budgets overall, it should be noted that the main impacts are the negative effect on the breadth and depth of work that can be covered by each committee, plus the reduced capacity to research, reach out to external partners and to residents and service users—and so to “act as a voice for local service users”.⁵³

Officer support models and required skill sets

51. The CfPS also note that increasingly the officers providing day to day support to scrutiny committees are those whose role is combined with wider democratic services functions or with a corporate policy or strategy role.⁵⁴ Whilst those working in combined roles are able to provide effective support to scrutiny, there is a significant risk that non-scrutiny functions can take precedence. For example, democratic services officers supporting scrutiny must balance effective guidance, research and advice with the immediate time pressures and statutory deadlines of agenda publication and meeting administration. In such roles there is a risk that scrutiny is relegated to an ‘add-on’ that is only done once

51 Centre for Public Scrutiny ([OSG098](#)) para 100

52 Q46

53 Birmingham City Council ([OSG087](#)) page 6

54 Centre for Public Scrutiny ([OSG098](#)) paras 101–105

all other tasks are complete. Several officers attending our workshop expressed this view, with one officer explaining that she worked full time but her time was split with a wider corporate policy role and she estimated that no more than a quarter of her time was spent working on scrutiny matters. The ability of council officers to effectively support scrutiny can often depend entirely upon the personalities and enthusiasm of those officers. For example, when we asked Cllr Mary Evans from Suffolk County Council whether she felt that she had sufficient officer support, she told us: “I would say, “Yes, but”. Yes, we are adequately resourced, but it depends upon the fact that we have two extremely dedicated and experienced scrutiny officers who are working at full stretch.”⁵⁵

52. We heard evidence that the skill sets of officers is just as important as the number of officers allocated to support scrutiny. Professor Copus for example told us that when considering whether an authority’s scrutiny function is effective, he asks:

Is the scrutiny function well supported by officers and by the right sort of officers? I used to be a committee clerk, so I am not decrying that grand profession, but scrutiny committees need access to policy officers; they need access to people who can manipulate statistics, for example. They need the right sort of support.⁵⁶

53. Jacqui McKinlay also highlighted that certain skills are needed to effectively support scrutiny. She told us that:

We used to say a dedicated scrutiny officer [was the optimum approach, but] ... As long as they have the passion, dedication and commitment to the principle of scrutiny and the specialist skills to do it, I would say we should leave councils to configure how that happens. We do need to acknowledge that we do now have the internet, and the days of research and how that happens have changed. However, it is wrong to presume that councillors themselves will have the time and the capacity to do the level of research that is sometimes needed to do good scrutiny on complex issues. Fundamentally, it needs the bedrock of good scrutiny skills within the team to do that.⁵⁷

54. From speaking with officers and councillors at our workshop, it is apparent that there are many officers working in scrutiny that have these skills, and some are able to combine them with the different skill set required to be efficient and accurate committee clerks. However, we heard too many examples of officers working on scrutiny who did not possess the necessary skills. One councillor told us that in her authority scrutiny officers had become little more than diary clerks, with reports and data now coming from the service departments across the council, which were invariably overly optimistic about performance and unchallenging of the status quo.

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Scrutiny's profile and parity with the executive

55. Whilst we regret that the level of resources allocated to scrutiny has diminished, we believe that the bigger issue relates to our earlier conclusions on organisational culture. In this respect, we agree with Cllr Sean Fitzsimons from Croydon Council who told us:

Yes, it clearly does make a difference where the level of resource is, but it is too easy to put the blame on scrutiny not being at its best because we do not have the right officer or the right amount of resource in place. To me, it is clear that it is the power relationship between scrutiny, the executive and the officers. That really is the focus of where strengths and weaknesses are. You could have a very well-resourced scrutiny with officers who know their subject, but if you cannot get the chief executive or the executive director of a department to feel that you have a legitimate role, you can bang your head against the wall for as long as you like. For me, resources would come if we had that power balance right, rather than starting to look at resources first.⁵⁸

56. We are concerned that in many councils, there is no parity of esteem between scrutiny and the executive. Resources and status are disproportionately focussed around Leaders and Cabinet Members, with scrutiny too often treated as an afterthought. Professor Copus told us that:

in many councils, scrutiny lacks a parity of esteem with the executive. As a consequence, resources and focus are placed on the executive. For example, chief executives will find the time and have little problem in working directly with a council leader or with the cabinet. Expecting a chief executive then to work with the scrutiny process is always somewhat problematic. As soon as you differentiate between scrutiny and the executive with its officer base and its officer support, you start to chip away at the esteem that scrutiny has. One way around that, without expecting chief executives to work with every scrutiny committee, is to make sure that the scrutiny function has the resources to be able to produce evidence-based policy suggestions that the executive want to take on board, because they recognise scrutiny has done something they have not, which is spend three or four months looking at a particular issue in detail; cabinets cannot do that.⁵⁹

57. As well as the disproportionate allocation of resources, we are also concerned that the uneven relationship between executives and scrutiny committees means that those officers supporting scrutiny can find themselves conflicted. Scrutiny officers can find themselves in the position of having to balance corporate or administration priorities with the challenge role of scrutiny, conscious that those they are scrutinising can make decisions regarding future resourcing and their personal employment prospects. Advice from officers must be impartial and free from executive influence. Cllr Fitzsimons told us that:

You have to trust your officers and you also have to understand that they will have careers outside scrutiny ... We need to make certain that they do not become part of the rock-throwing contingent, and that they are not seen

58 Q45

59 Q15

as part of the group of officers supporting councillors who are making life difficult. I believe officers can be impartial, but they need to network and to network strongly within the council. If you really want to know what is going on in a department, you need an officer advising you in scrutiny who has those contacts within that highways department, as well as being good with the figures and being able to produce a report. You need impartiality, but you also need great networking skills.⁶⁰

58. We believe that if a local authority does not adequately resource the scrutiny function, such impartiality is harder to ensure. With officers supporting both the executive and scrutiny, there is a significant risk that real or perceived conflicts of interests can occur. For example, an officer from a London Borough explained that in her authority following reductions in scrutiny support, designated senior officers from service departments act as ‘scrutiny champions’:

The scrutiny champion’s role includes supporting the committee with finalising its work programme for the municipal year, and includes directing departmental officers to produce the scoping report for the area the Committee will undertake an ‘in-depth’ scrutiny review on in that year. As the same officers provide direct support to the executive, one can immediately see the defect in this model—officers supporting the scrutiny function are not independent of, and separate from, those being scrutinised.⁶¹

Allocating resources

59. Councils are under extreme budgetary pressures, but we are concerned that decisions regarding the resourcing of overview and scrutiny can be politically motivated. Professor Copus told us that:

In some councils, councillors have said to me, “It is a deliberate ploy that we under-resource scrutiny so that it cannot do anything and it cannot challenge the executive. It has very little role to play.” Because of the financial constraint, supporting scrutiny is a soft and obvious target for reductions. It is a false economy, because good, effective scrutiny can save councils money, and indeed save other organisations money as well.⁶²

60. When we asked the Minister about resourcing scrutiny committees, he told us:

What we have to consider here is that we have not got a scrutiny function that is in the pockets of the executive and the senior management team. We need a scrutiny function where those senior officers have a relationship with the scrutiny function and the people conducting the scrutiny get to see how the executive works and understand the executive, but that does not take away the fact that we need to make sure that scrutiny committees are properly resourced. That is not necessarily, in certain places, about having a

60 Q53

61 An officer from a London Borough ([OSG091](#)) para 3

62 Q22

dedicated officer; it is more about having access to the information, support and, at times, research, to make sure that they do a good job of scrutinising the executive.⁶³

61. We acknowledge that scrutiny resources have diminished in light of wider local authority reductions. However, it is imperative that scrutiny committees have access to independent and impartial policy advice that is as free from executive influence as possible. We are concerned that in too many councils, supporting the executive is the over-riding priority, with little regard for the scrutiny function. This is despite the fact that at a time of limited resources, scrutiny's role is more important than ever.

62. *We therefore call on the Government to place a strong priority in revised and reissued guidance to local authorities that scrutiny committees must be supported by officers that can operate with independence and provide impartial advice to scrutiny councillors. There should be a greater parity of esteem between scrutiny and the executive, and committees should have the same access to the expertise and time of senior officers and the chief executive as their cabinet counterparts. Councils should be required to publish a summary of resources allocated to scrutiny, using expenditure on executive support as a comparator. We also call on councils to consider carefully their resourcing of scrutiny committees and to satisfy themselves that they are sufficiently supported by people with the right skills and experience.*

The role of the Statutory Scrutiny Officer

63. The Localism Act 2011 created a requirement for all upper tier authorities to create a statutory role of designated scrutiny officer to promote scrutiny across the organisation. The Act does not require that the officer be of a certain seniority, or be someone that works primarily supporting scrutiny. The Institute of Local Government Studies (INLOGOV) at the University of Birmingham explains that:

The intention was to champion and embrace the role of scrutiny. In reality, in most councils, the designated post-holder, while willing, is a shadow of the other posts required by legislation—the Head of Paid Service, Section 151 Officer, and Monitoring Officer. It is seldom an officer with a level of seniority sufficient to ensure that scrutiny is taken seriously when the Executive (both cabinet members and senior council staff) seek to close ranks.⁶⁴

64. We believe that the role of a statutory 'champion' of scrutiny is extremely important in helping to create a positive organisational culture for an authority. However, we are concerned that the creation of this role has resulted in too many instances of Statutory Scrutiny Officers fulfilling the role in name only, with little actual activity. At our workshop, councillors described to us how Statutory Scrutiny Officers were often 'too low down the food chain', while officers told us of the need for a higher profile for the role, arguing that officers from across the council should know who their Statutory Scrutiny Officer is in the same way they do for monitoring officers. We agree with INLOGOV that the creation of the post has "proved largely ineffective"⁶⁵ and believe that reform

63 Q114

64 The Institute of Local Government Studies, The University of Birmingham ([OSG053](#)) page 6

65 The Institute of Local Government Studies, The University of Birmingham ([OSG053](#)), page 1

is needed in order to achieve the aspirations of the Localism Act 2011. The Association of Democratic Services Officers (ADSO) argue that the profile of the Statutory Scrutiny Officer role should be on a par with the Statutory Monitoring Officer⁶⁶ and the County and Unitary Councils' Officer Overview and Scrutiny Network argue that the requirement for a Statutory Scrutiny Officer should be extended to all councils.⁶⁷ We note the positive example of Stevenage Borough Council choosing to fund a scrutiny officer despite not being covered by the provisions of the Act:

Some years ago this authority created a post of Scrutiny Officer and this has greatly helped with the running of an effective scrutiny function. We have prioritised this over other funding options. It is increasingly difficult to do so as this is not a statutory function at a District level, and the further funding cuts we face over the next three years place extreme pressure on existing budgets.⁶⁸

65. We recommend that the Government extend the requirement of a Statutory Scrutiny Officer to all councils and specify that the post-holder should have a seniority and profile of equivalence to the council's corporate management team. To give greater prominence to the role, Statutory Scrutiny Officers should also be required to make regular reports to Full Council on the state of scrutiny, explicitly identifying any areas of weakness that require improvement and the work carried out by the Statutory Scrutiny Officer to rectify them.

66 Association of Democratic Services Officers ([OSG123](#)) page 7

67 Council and Unitary Councils' Officer Overview and Scrutiny Network ([OSG114](#)) para 8.1

68 Stevenage Borough Council ([OSG060](#)) page 1

5 Member training and skills

The importance of training

66. Unlike the quasi-judicial council committees of planning and licensing, members of scrutiny committees are not required to have any specialist skills or knowledge. We have heard evidence suggesting that this can hinder the effectiveness of committees, and are concerned that some councillors might not take their scrutiny role as seriously as others. For example, an anonymous spouse of a scrutiny chair states that:

Whilst most Authorities have educational classes for members they are not well attended for the following reasons. Members who are in full time employment are not willing to attend in their ‘nonworking hours’; those who are long standing members think it beneath them and those who work for a political party are ‘instructed’ by the party’s position on the subject.⁶⁹

67. If scrutiny members are not fully prepared and able to ask relevant questions, the committee will not be able to fully interrogate an issue and committee meetings can become little more than educational sessions for councillors to learn about a service, rather than scrutinise it. An officer from a London Borough explains that scrutiny meetings are:

typically between scrutiny members and senior officers where the temptation to ask questions to simply learn more about a subject matter is greater ... The Council’s Member Development Officer, together with Democratic Services Officers, do arrange training for scrutiny members when opportunities arise; but this has proved insufficient as members infrequently display the required level of listening and questioning skills to make scrutiny impactful. Too many discussions at meetings are based on requests for more information, without expressing why it is required or how it will facilitate good scrutiny.⁷⁰

68. Jacqui McKinlay from CfPS explained that training for scrutiny members usually fell into one of two categories:

One is the generic skills element—questioning skills, and understanding data and performance management information. We then also run training, which is around children’s services, understanding health and social care integration, whatever it might be. We are getting into the nitty-gritty then to give people enough knowledge... [However,] it is about who comes forward and accesses that. The people who come forward and access that tend to come from good organisations.⁷¹

The suitability of training provided

69. Without the legal requirement for training such as on quasi-judicial committees, councils are not able to ensure that scrutiny members have all of the skills or knowledge

69 Anonymous submission ([OSG006](#))

70 An officer from a London Borough ([OSG091](#)) para 10

71 Q30

that they need to deliver effective scrutiny, and those that need it most are the least likely to engage. However, we also note the view of Professor Copus, who highlighted that the value of councillors is that they are lay persons:

There is a danger that we end up training councillors to be elected officers, and that has to be avoided. Officers are there to do their role. Councillors require a different type of skill and training. I am a great fan of council officers and I am not unfairly criticising them, but in many cases the training that is provided to members is what officers need members to understand, rather than what members need to understand.⁷²

70. We agree that councillors require a different type of training from officers and that knowing a subject is not sufficient to ensure good scrutiny. The ability to question effectively, as well as actively listen to responses, is fundamental to successful scrutiny. Cllr Fitzsimons told us:

Indeed, some of the simpler questions are some of the most pertinent questions going. Someone coming in not knowing too much about a subject can almost get more from a session than someone who has drifted into data nirvana or something like that, where they are really drilling down and finding out why this figure does not match this other one.⁷³

The quality of training available and DCLG oversight

71. We are concerned that there is no mechanism to ascertain whether scrutiny councillors are able to fulfil their vital role or that the training they do receive is fit for purpose. We asked councillors about the training and support that they had received from the Local Government Association (LGA), and responses were mixed. Cllr Fitzsimons for example told us:

the LGA runs some really interesting courses, which I have attended. They outsource some of it to the Centre for Public Scrutiny. I am not particularly a fan of the way they do things, and their training has not really moved on for a long time. The skills training that a councillor has for a meeting about questioning-and-answering skills are good training sessions.⁷⁴

72. He argued that fundamental requirements for training included more emphasis on a self-reflective approach:

I remember going to do a training session with the London Borough of Richmond in 2006, and my challenge to the councillors who were doing scrutiny was, “How much backbone do you have?” and I just do not see that within the training. Are you willing to ask difficult questions? Are you willing, in your own political group, after you have done a scrutiny meeting, to have people say to you, “You were a bit harsh on the leader”? They do not get that self-reflective type training about, “What is your role? Are you really going to hold to account?”⁷⁵

72 Q32
73 Q59
74 Q64
75 Q64

73. Cllr Fitzsimons also criticised national conferences and networking events for having an insufficient emphasis on frontline scrutiny members:

You do not see ordinary councillors leading the events ... ultimately the LGA is focused on the executive and their whole setup. Scrutiny, I believe, is an add-on, and that is just a reflection of the way it works, because the people who are influential in LGA are more likely to be council leaders and cabinet members than the ordinary scrutiny people. Individual training is good, but overall I do not think it is hitting the mark.⁷⁶

74. The Minister told us that the Department allocated £21 million to the LGA “so that it could support various activities to improve the governance in local authorities; and it is why we are absolutely committed to working with the LGA and its delivery partners—organisations such as the Centre for Public Scrutiny”.⁷⁷ DCLG states that:

The Government does not monitor the effectiveness of overview and scrutiny committees—which is a matter for the authorities themselves. However, the Secretary of State may intervene in authorities which have failed in their best value duty, as happened in 2014 in Tower Hamlets and in 2015 in Rotherham.⁷⁸

75. We are concerned that DCLG gives the LGA £21 million each year to support scrutiny, but does not appear to monitor the impact of this support or whether this investment represents best value. When we questioned the Minister about his Department’s monitoring of scrutiny effectiveness and the extent to which this was delegated to the LGA, he told us that DCLG “will look very carefully at the recommendations that are made by the Committee.”⁷⁹

76. It is incumbent upon councils to ensure that scrutiny members have enough prior subject knowledge to prevent meetings becoming information exchanges at the expense of thorough scrutiny. Listening and questioning skills are essential, as well as the capacity to constructively critique the executive rather than following party lines. *In the absence of DCLG monitoring, we are not satisfied that the training provided by the LGA and its partners always meets the needs of scrutiny councillors, and call on the Department to put monitoring systems in place and consider whether the support to committees needs to be reviewed and refreshed. We invite the Department to write to us in a year’s time detailing its assessment of the value for money of its investment in the LGA and on the wider effectiveness of local authority scrutiny committees.*

76 Q64

77 Q113

78 Department for Communities and Local Government ([OSG122](#)) para 19

79 Q125

6 The role of the public

77. Earlier in this report, we discussed the need for scrutiny committees to have greater legitimacy and independence from their executives. A key way of delivering this is to ensure that members of the public and local stakeholders play a prominent role in scrutiny. By involving residents in scrutiny, the potential for a partisan approach lessens and committees are able to hear directly from those whose interests they are representing. Many local authorities have been very successful in directly involving their residents through open meetings, standing agenda items and public appeals for scrutiny topics. Other authorities, and indeed parliamentary select committees, can learn from such positive examples.

Case studies of public engagement

78. Devon County Council argues that “Scrutiny serves as almost the only bastion of opportunity for local people to voice an opinion on changes to a wide range of services, not just those provided by the Council.” The authority also cites an example where scrutiny considered a national issue which had a local manifestation. Search and Rescue services were previously provided by RAF Chivenor, but when this changed “Local People were very concerned about the loss of the service and scrutiny reviewed the evidence in an independent way. The subsequent report helped to reassure local people that the evidence supported the change as well as to establish a baseline from which to challenge future incidents.”⁸⁰

79. At its most effective, we believe that scrutiny amplifies the concerns of local residents and of service users. A positive example of this is in Exeter where the City Council established a ‘Dementia Friendly Council’ task and finish group. As part of its work, the group “invited members of the Torbay Dementia Leadership Group to visit the Customer Service Centre to observe the front line service and facilities from the point of view of a person with dementia and to see if the Council could make any improvements to the existing customer experience.” Subsequent recommendations to improve the service have since been made.⁸¹

80. At our workshop with councillors and officers, one councillor explained that she did not like the term ‘public engagement’ and instead preferred to think of it as ‘listen and learn’. This approach was evident in the example of Surrey County Council, cited by the LGA.⁸² Surrey conducted extensive pre-decision scrutiny of the authority’s cycling strategy to help inform the final strategy. Following an independent consultation, it was apparent that there were mixed views on the proposals within the strategy and a joint meeting of two scrutiny committees was held to consider them, with a public forum to allow residents to express their views. The outcome was a better-informed and more successful strategy:

Having heard and considered the voice and concerns of the public on the Council’s proposed Cycling Strategy, the committees made recommendations to ensure the final strategy was acceptable to Surrey residents. These included: ensuring benefits for local businesses; including

80 Devon County Council ([OSG008](#)) page 2

81 Exeter City Council ([OSG011](#)) para 7

82 Local Government Association ([OSG081](#)) paras 13.5–13.7

cycling infrastructure schemes on highways maintenance programmes; lobbying central government so that unregulated events were regulated; working with boroughs & districts to develop cycling plans; and amending the strategy to ensure roads would only be closed with strong local support.⁸³

Digital engagement

81. The examples above are illustrations of the value that greater public involvement can bring both to the scrutiny process and an authority's decision making process. However, we are also aware that the majority of scrutiny committees across the country are not well-attended by the public. Involving the public in scrutiny is time and resource intensive, but the rewards can be significant. In this context, it should also be noted that many members of the public do not want to engage with public services in the same way that they used to. Digital engagement is becoming increasingly important, with some councils embracing new media better than others (for example the twitter feed of Doncaster Metropolitan Borough Council recently received national attention for effective engagement regarding the naming of two gritters⁸⁴). Jacqui McKinlay told us:

There are some real challenges about what public engagement looks like in the future. It is not necessarily the village hall where we are expecting people to turn up on a wet Wednesday. We need to start to accept that when we engage with people they do not necessarily always speak the same language as we do, particularly on contentious issues. People are very angry. They are very upset. In scrutiny and public services generally, we have to think about what engagement looks like in the future. We are also in a digital and social media world where the conversations now, probably in the last six months, are happening in WhatsApp. They were happening in Facebook earlier. That is something that scrutiny is really going to have to manage if it is going to stay relevant and part of the dialogue.⁸⁵

82. *The Government should promote the role of the public in scrutiny in revised and reissued guidance to authorities, and encourage council leaderships to allocate sufficient resources to enable it to happen. Councils should also take note of the issues discussed elsewhere in this report regarding raising the profile and prominence of the scrutiny process, and in so doing encourage more members of the public to participate in local scrutiny. Consideration also need to be given to the role of digital engagement, and we believe that local authorities should commit time and resources to effective digital engagement strategies. The LGA should also consider how it can best share examples of best practice of digital engagement to the wider sector.*

83 Local Government Association ([OSG081](#)) paras 13.5–13.7

84 "[David Plowie or Spread Mercury? Council asks public to name its new gritters](#)", The Telegraph, 17 November 2017

85 Q39

7 Scrutinising public services provided by external bodies

The conflict between commercial and democratic interests

83. We heard a lot of evidence that scrutiny committees are increasingly scrutinising external providers of council services, both in an attempt to avoid politically ‘difficult’ subjects and as a reflection that services are being delivered in increasingly diverse ways.⁸⁶ We believe that scrutiny committees are ideally placed, and have a democratic mandate, to review any public services in their area. However, we have heard of too many instances where committees are not able to access the information held by providers, or the council itself, for reasons of commercial sensitivity (as further discussed in Chapter 3 of this report). Jacqui McKinlay from CfPS told us that there can be an “unbelievable barrier” with commercial organisations as they “do not recognise they are contracting with a democratic organisation that has democratic governance processes.”⁸⁷

84. The conflict between commercial and democratic interests means that many companies are not set up to accommodate public accountability. This is in contrast with health services, which have a more established history of engagement (backed up by legislative requirements). The London Borough of Hackney explains that:

Health scrutiny has been luckier than other areas in that the duties to attend meetings and engage with scrutiny are well established and accepted. For health scrutiny in Hackney there is an understanding that if invited to attend to be held to account on an issue, the invitation cannot be refused. Where service providers have appeared reluctant to attend scrutiny is often linked to their accountability to local government and whether their management structures are local. We have found where structures are regional or national and the organisation has very limited local accountability there can be difficulty with engagement in the local scrutiny function.⁸⁸

Scrutiny powers in relation to external organisations

85. Overview and scrutiny committees have a range of powers that enable them to conduct scrutiny of external organisations. The Health and Social Care Act 2012 gives local authorities the power to scrutinise health bodies and providers in their area or set up joint committees to do so. They can also require members or officers of local health bodies to provide information and to attend health scrutiny meetings to answer questions. Scrutiny also has powers with regard to the delivery of crime and disorder strategies, with those bodies which are delivering such strategies also being required to attend meetings and respond to committee reports. However, for all other organisations delivering public services, be they public bodies or commercial entities, their participation depends upon their willingness of both parties to do so and the ability of scrutiny committees to forge a positive working relationship. Attitudes to local scrutiny are varied, as Cllr Sean Fitzsimons from Croydon Council explained to us:

86 See for example Q9

87 Q30

88 Overview and Scrutiny Team, London Borough of Hackney ([OSG110](#)) para 11

I would say that the smaller the organisation the better they are at coming along. The most difficult one I ever dealt with was probably the Metropolitan Police. Borough commanders do not think we have any legitimacy. Sometimes, you can see they are thinking about other things. As someone who has sat on a riot review panel, led by a judge, to get someone there was an effort. They may want to come and talk about a certain thing, but the moment you ask them anything specific it is like, "I cannot talk about it". Policing is a really difficult area, and it is actually within our remit. The fire brigade has been quite a useful organisation, and they are quite keen. The ambulance service is desperate to turn up.⁸⁹

Scrutinising council contracts

86. A significant obstacle to effective scrutiny of commercial providers is an over-zealous classification of information as being commercially sensitive (as discussed in relation to council-held information in paragraph 40). Council officers are wary of sharing the terms of contracts as they do not want to prejudice future procurements, and contractors do not always see why they should share information. As discussed earlier in this report, we can see no reason for withholding confidential information from scrutiny councillors, who can then consider it in a private session if necessary. We believe that councils and their contractors need to be better at building in democratic oversight from the outset of a contract. We note for example the views of Cllr Fitzsimons, who argued that scrutiny often gets involved in contracting situations too late:

It is only when the major recommendations can go to cabinet that you can say, "I am unhappy with that and I will bring it in." My experience, particularly in my local authority, is that the failure of the authority, at the time, to engage in scrutiny early on in the process so that we could help shape the outcomes meant that a decision had been taken by the relevant cabinet member, and really it allowed itself to drift into party political flag-waving, to say, "We are just not happy with the letting of this contract." If we had been allowed to look at it six months or a year beforehand, we may have been able to have had some influence for the betterment of the service. I have found that contractors are quite keen to talk, but what it again goes back to is how comfortable the executive is having their decisions challenged, when they may have done 18 months or two years of private work on it and they think they already have the answer.⁹⁰

87. It is imperative that executives consider the role of scrutiny at a time when external contracts are still being developed, so that both parties understand that the service will still have democratic oversight, despite being delivered by a commercial entity. Scrutiny committees have a unique democratic mandate to have oversight of local services, and contracting arrangements do not change this. We therefore support the recommendations made by the scrutiny committee at Suffolk County Council, as described to us by Cllr Evans:

89 Q77

90 Q52

We had a task and finish group that did a lot of work on procurement and contracting, and we are asking that, in future, when the council signs any contracts, those people who are making the contract are aware that we could well expect to see them in front of scrutiny at some point. They cannot sign a contract with the authority and expect never to be put on the spot and be accountable.⁹¹

88. We heard examples where committees had successfully engaged external providers, such at Suffolk County Council where the contractors for highways and for social care come to scrutiny willingly.⁹² However this is not always the case and such variance is an issue of concern for us. We are of the view that scrutiny committees must be able to scrutinise the services provided to residents and utilise their democratic mandate and we therefore agree with the Minister, who told us:

When councils put contracts out to external bodies, they should look at that in the context of how open and transparent those arrangements can be. That can quite often be difficult because of commercial confidentiality, but, as I say, that should not be a cover-all for everything. I think that that should be considered in the context of when a contract is let, in terms of making sure that a particular provider can be called to a scrutiny committee. However, when a particular local authority lets a contract to a particular company, I do not think it should lead to a situation where that particular local authority is able to sit back and just blame its contractor. The local authority in question should, when tendering out, put together a process over which it has a level of control that enables it to scrutinise a particular contractor and take enforcement action should that contract not be fulfilled.⁹³

Following the ‘council pound’

89. The CfPS highlight the difficulties that scrutiny committees can have monitoring services delivered in partnership, and notes that scrutiny has been effective when its formal powers give it a ‘foot in the door’:

We would therefore like to see these powers balanced across the whole local public service landscape. We would like to see the law changed and consolidated, to reflect the realities that local authorities now face—particularly the fact that much council business is now transacted in partnership. We would like to see an approach which uses the “council pound” as the starting point for where scrutiny may intervene—that is to say, that scrutiny would have power and responsibilities to oversee taxpayer-funded services where those services are funded, wholly or in part, by local authorities.⁹⁴

91 Q50

92 Q52

93 Q148

94 Centre for Public Scrutiny ([OSG098](#)) paras 149–151

90. *Scrutiny committees must be able to monitor and scrutinise the services provided to residents. This includes services provided by public bodies and those provided by commercial organisations. Committees should be able to access information and require attendance at meetings from service providers and we call on DCLG to take steps to ensure this happens. We support the CfPS proposal that committees must be able to 'follow the council pound' and have the power to oversee all taxpayer-funded services.*

Scrutiny of Local Economic Partnerships

91. We are also extremely concerned at the apparent lack of democratic oversight of Local Economic Partnerships (LEPs). There are 39 LEPs in operation across England, tasked with the important role of promoting local economic growth and job creation. However, we fear that they vary greatly in quality and performance, and that there is no public assurance framework, other than any information they themselves choose to publish. LEPs have been charged with delivering vital services for local communities and do so using public money, and so it is therefore right and proper that committees of elected councillors should be able to hold them to account for their performance. LEPs are key partners of mayoral combined authorities and we note that the relationship in London seems established. Jennette Arnold OBE AM, Chair of the London Assembly, told us:

The responsibility for the LEPs falls within the Mayor's economic strategy, so for us the buck stops with the Mayor. He then has a LEP board. There are local authority councillors and businesspeople on that. There is a Deputy Mayor who is charged with business and economic growth in London. Both members of that LEP board and that Deputy Mayor have appeared in front of our Economy Committee. We also had questions about skills, because skills was linked, so our education panel raised questions. Business as usual for us is that where there is a pound of London's money being spent, we will follow that and we will raise any issues as relevant.⁹⁵

92. We applaud this approach and welcome the oversight of the London LEP provided by the London Assembly. In the next chapter we will consider the role of scrutiny in combined authorities, where we have concerns over the capacity of the newer organisations. Their relative infancy when compared to the London Assembly is reflected in unclear relationships with their local LEPs. Cllr Peter Hughes, Chair of the West Midlands Combined Authority Overview and Scrutiny Committee, told us:

There are non-voting LEP representatives on the board of the combined authority and there has been since the day it started. I have LEP representatives on the Overview and Scrutiny Committee. Again, they are non-constituent members, as are some of the rural authorities. Their commitment to overview and scrutiny and to audit is patchy, to say the least. There is one big authority or LEP area that does not contribute to scrutiny or audit ... We have not done so yet, but I am sure before the 12 months are up that the LEP involvement in the combined authority's work will be looked at.⁹⁶

95 Q103

96 Qq104-106

93. Whilst we welcome the established arrangements in London and the intentions of the newer mayoral combined authorities, we are concerned that there are limited arrangements in place for other parts of the country. We do note that examples exist, and call for such arrangements to be put in place across the country. Wiltshire Council states that:

Wiltshire Council is one of the few local authorities nationally to have a OS task group actively engaging with the region’s Local Enterprise Partnership, providing extra public accountability to the LEP funding spent within the county. All LEP reports and expenditure are published to facilitate further scrutiny by members of the public.⁹⁷

94. In October 2017, a review of LEP governance arrangements was published by DCLG. The review makes a number of recommendations and noted that while many LEPs have robust assurance frameworks, approaches vary. For example, LEPs are required to publish a conflict of interest policy and the review found that “Whilst LEPs comply with this requirement, the content of policies and approach to publication varies considerably and is dependent on the overall cultural approach within the organisation.”⁹⁸ The review also noted that:

A number of LEPs, but not all, refer to the role of scrutiny in overseeing their performance and effectiveness. Some LEPs are scrutinised from time to time by their accountable body Overview and Scrutiny function. This is an area for further development which would give increased independent assurance. Given the different structures across LEPs it is not appropriate to specify any particular approach to scrutiny. It is an area which could benefit from the sharing of good practice/‘what works’ to assist LEPs in shaping their own proposals.⁹⁹

95. When we asked the Minister about the democratic oversight of LEPs, he told us that local authorities will usually have representation on LEP boards and that expenditure will often be monitored by the lead authority’s Section 151 finance officer. When we asked him about more public methods of scrutiny, he told us that:

in terms of the scrutiny there are ways in which a LEP can be scrutinised. At this point I do not believe that those arrangements need to be changed, but I will certainly be interested—I know you have asked this of a number of the witnesses at this Committee—in their views on local enterprise partnerships. Certainly that will be a Government consideration once the Committee has submitted its report.¹⁰⁰

96. In light of our concerns regarding public oversight of LEPs, we call on the Government to make clear how these organisations are to have democratic, and publicly visible, oversight. We recommend that upper tier councils, and combined authorities where appropriate, should be able to monitor the performance and effectiveness of LEPs through their scrutiny committees. In line with other public bodies, scrutiny committees should be able to require LEPs to provide information and attend committee meetings as required.

97 Wiltshire Council (OSG034) para 10

98 Department for Communities and Local Government, [Review of Local Enterprise Partnership Governance and Transparency](#) (October 2017), para 6.1

99 Department for Communities and Local Government, [Review of Local Enterprise Partnership Governance and Transparency](#) (October 2017), para 9.3

100 Q146

8 Scrutiny in combined authorities

97. We recognise that the mayoral combined authorities are in their infancy, but given how important organisational culture is, it is important that we include them in our inquiry to ensure that the correct tone is set from the outset. We are therefore concerned by the evidence we heard about an apparent secondary role for scrutiny. Mayors will be responsible for delivering services and improvements for millions of residents, but oversight of their performance will be hindered by limited resources.

The London Assembly

98. The London Assembly has 25 members elected to hold the Mayor of London to account and to investigate any issues of importance to Londoners. London Assembly Members are elected at the same time as the Mayor, with eleven representing the whole capital and fourteen elected by constituencies. The Mayor holds all executive power and the Assembly's ability to override decisions is limited to amending budgets and rejecting statutory strategies. The most visible accountability tool is Mayor's Question Time, when the Mayor of London is required to appear in public before the Assembly ten times a year to answer for decisions made and their outcome. Oversight is also provided by ten thematic scrutiny committees. In 2016/17 the London Assembly controlled a budget of £7.2 million, of which £1.5 million was allocated to scrutiny and investigations, with the remainder used for other member services and democratic services functions. This compares with the Mayor's budget of around £16 billion.¹⁰¹ The Chair of the Assembly, Jennette Arnold, told us:

You will see that we have been learning and changing over the last 16 years. I would say we are a much more robust body than we were, say, eight years previously because we have taken on learning. We set out to make sure that the centrepiece of our work, which is detailed scrutiny, is evidence-based, well resourced and is disseminated as widely as possible. We have two tracks: the first track is to follow the Mayor, i.e. we ensure mayoral accountability; and the other track we have is about any issue of public concern to London. I would say the combined authorities should look and see the clarity that we have. This is what good scrutiny looks like: it is separate; it has its own officers; it has its own budget; and there is money that is required to do that work.¹⁰²

The mayoral combined authorities

99. We welcome and applaud the approach of the London Assembly, however the wide discrepancy in the approach to scrutiny in the newer mayoral combined authorities which has come to light during our inquiry is an issue of concern. Combined authorities have a far smaller budget and do not have an equivalent body to the London Assembly, with scrutiny instead being performed by members of the constituent councils. The Local Government Research Unit at De Montfort University argue that:

101 London Assembly, *The London Assembly Annual Report 2016–17*, page 57

102 Q83

An opportunity was missed in the creation of combined authorities—because of the focus on leadership—to recreate a London Assembly style directly elected body with the responsibility to hold the mayor of any combined authority (and other organisations) to account. A directly elected scrutiny body with its own staff and resources may seem an expensive innovation, but ... serious governance failures resulting in damage to public services and the public can occur where O&S is inadequate or fails.¹⁰³

100. In contrast with the London Assembly, Cllr Peter Hughes of the West Midlands Combined Authority told us:

The regulations for the combined authority actually state “a scrutiny officer”, as it stands at the moment. This has been the case for the last 18 months. The combined authority scrutiny chair, whether it is me or anybody else, is supported by a part-time person who is lent out from our own authority. That is the case across all of the other issues. Effectively, the West Midlands Combined Authority is run on the basis of good will and people, chief executives and directors, giving up their time. That is exactly the same with scrutiny. At the moment, we have a person who is lent, with no financial refund to Sandwell, to the combined authority. That has not yet been formalised.¹⁰⁴

101. We recognise that the resourcing levels are not necessarily decisions for the combined authorities themselves, with Government funding dictating that they be organisations with minimal overheads. However, we also acknowledge that the absence of an allocated budget or a directly-elected scrutiny body does not mean that the approach to scrutiny in combined authorities is necessarily wrong. Cllr Hughes for example told us how he will be measuring the effectiveness of his committee:

Part of scrutiny is not just the questioning and scrutiny aspect of it; it is also that we are adding value to the work of the combined authority. As you have just said, it is in the very early stages at the moment. We feel that we can actually add value to some of the policy decisions that are being taken or being formed by actually taking specific pieces of work and drilling down and calling upon evidence from the local authorities beneath us to add value to the work of the combined authority itself.¹⁰⁵

102. Susan Ford, Scrutiny Manager of the Greater Manchester Combined Authority, also told us that successful scrutiny in Greater Manchester will enable the Mayor and officers to:

understand the value that scrutiny can bring, and... sense-checking what might cause issues in particular districts and bringing that kind of wealth of in-depth knowledge that scrutiny members bring in with them. The scrutiny function also has a duty to the public to try to simplify some of what can be seen as a very complicated governance arrangement. Having different governance arrangements across different devolved areas has not helped. Mayors in different city region areas have different powers, so

103 Local Government Research Unit, De Montfort University ([OSG022](#)) para 4

104 Q87

105 Q85

there is a duty to members of the public. There is also a duty to broaden the engagement in terms of thinking about things like younger people and the way in which elected members actually engage with their constituents. We have to support them to be able to make devolution governance and decision-making intelligible.¹⁰⁶

103. We raised the issue of scrutiny of combined authority mayors with the Minister, who argued that the scrutiny arrangements were sufficient:

I consider that the scrutiny arrangements in that sense are stronger than they are for local authorities ... Certainly the powers that were being transferred to Mayors were generally powers that hitherto had been held by Secretaries of State and, therefore, on a virtually daily basis when this House was sitting there was a method, potentially, of scrutinising the decisions that were being made, and their outcomes ... That said, and I have mentioned this a number of times, I do not think there is any room, in this sense, for complacency. I would say that, in the same way as we are now talking about the scrutiny arrangements from the Local Government Act 2000 having bedded in ... the question is: should there now be more changes to update things because time moves on? There will legitimately be the question, as time moves on: how have those scrutiny arrangements worked? Do we need to change anything going forward to make sure that we are responding to circumstances that arise?¹⁰⁷

104. We welcome the approach to scrutiny by new mayoral combined authorities such as the West Midlands and Greater Manchester, but we are concerned that such positive intentions are being undermined by under-resourcing. This is not a criticism of the combined authorities - which have been established to be capital rich but revenue poor - as they do not have the funding for higher operating costs. However, we would welcome a stronger role for scrutiny in combined authorities, reflecting the Minister's point that the Mayors now have powers hitherto held by Secretaries of State. ***We are concerned that effective scrutiny of the Metro Mayors will be hindered by under-resourcing, and call on the Government to commit more funding for this purpose. When agreeing further devolution deals and creating executive mayors, the Government must make clear that scrutiny is a fundamental part of any deal and that it must be adequately resourced and supported.***

106 Q85

107 Qq131-132

Conclusions and recommendations

The role of scrutiny

1. *We therefore recommend that the guidance issued to councils by DCLG on overview and scrutiny committees is revised and reissued to take account of scrutiny's evolving role. (Paragraph 12)*
2. *We call on the Local Government Association to consider how it can best provide a mechanism for the sharing of innovation and best practice across the scrutiny sector to enable committees to learn from one another. We recognise that how scrutiny committees operate is a matter of local discretion, but urge local authorities to take note of the findings of this report and consider their approach. (Paragraph 13)*

Party politics and organisational culture

3. However, all responsible council leaderships should recognise the potential added value that scrutiny can bring, and heed the lessons of high profile failures of scrutiny such as those in Mid Staffordshire and Rotherham. (Paragraph 19)
4. *To reflect scrutiny's independent voice and role as a voice for the community, we believe that scrutiny committees should report to Full Council rather than the executive and call on the Government to make this clear in revised and reissued guidance. When scrutiny committees publish formal recommendations and conclusions, these should be considered by a meeting of the Full Council, with the executive response reported to a subsequent Full Council within two months. (Paragraph 23)*
5. We believe that executive members should attend meetings of scrutiny committees only when invited to do so as witnesses and to answer questions from the committee. Any greater involvement by the executive, especially sitting at the committee table with the committee, risks unnecessary politicisation of meetings and can reduce the effectiveness of scrutiny by diminishing the role of scrutiny members. *We therefore recommend that DCLG strengthens the guidance to councils to promote political impartiality and preserve the distinction between scrutiny and the executive. (Paragraph 25)*
6. It is vital that the role of scrutiny chair is respected and viewed by all as being a key part of the decision-making process, rather than as a form of political patronage. (Paragraph 27)
7. We believe that there are many effective and impartial scrutiny chairs working across the country, but we are concerned that how chairs are appointed has the potential to contribute to lessening the independence of scrutiny committees and weakening the legitimacy of the scrutiny process. Even if impropriety does not occur, we believe that an insufficient distance between executive and scrutiny can create a perception of impropriety. (Paragraph 30)
8. We believe that there is great merit in exploring ways of enhancing the independence and legitimacy of scrutiny chairs such as a secret ballot of non-executive councillors. However, we are wary of proposing that it be imposed upon authorities by government.

We therefore recommend that DCLG works with the LGA and CfPS to identify willing councils to take part in a pilot scheme where the impact of elected chairs on scrutiny's effectiveness can be monitored and its merits considered. (Paragraph 35)

Accessing information

9. Scrutiny committees that are seeking information should never need to be 'determined' to view information held by its own authority, and there is no justification for a committee having to resort to using Freedom of Information powers to access the information that it needs, especially from its own organisation. There are too many examples of councils being uncooperative and obstructive. (Paragraph 37)
10. Councils should be reminded that there should always be an assumption of transparency wherever possible, and that councillors scrutinising services need access to all financial and performance information held by the authority. (Paragraph 41)
11. We do not believe that there should be any restrictions on scrutiny members' access to information based on commercial sensitivity issues. Limiting rights of access to items already under consideration for scrutiny limits committees' ability to identify issues that might warrant further investigation in future, and reinforces scrutiny's subservience to the executive. *Current legislation effectively requires scrutiny councillors to establish that they have a 'need to know' in order to access confidential or exempt information, with many councils interpreting this as not automatically including scrutiny committees. We believe that scrutiny committees should be seen as having an automatic need to know, and that the Government should make this clear through revised guidance.* (Paragraph 42)
12. *We note that few committees make regular use of external experts and call on councils to seek to engage local academics, and encourage universities to play a greater role in local scrutiny.* (Paragraph 45)
13. We commend such examples of committees engaging with service users when forming their understanding of a given subject, and encourage scrutiny committees across the country to consider how the information they receive from officers can be complemented and contrasted by the views and experiences of service users. (Paragraph 47)

Resources

14. We acknowledge that scrutiny resources have diminished in light of wider local authority reductions. However, it is imperative that scrutiny committees have access to independent and impartial policy advice that is as free from executive influence as possible. We are concerned that in too many councils, supporting the executive is the over-riding priority, with little regard for the scrutiny function. This is despite the fact that at a time of limited resources, scrutiny's role is more important than ever. (Paragraph 61)

15. *We therefore call on the Government to place a strong priority in revised and reissued guidance to local authorities that scrutiny committees must be supported by officers that can operate with independence and provide impartial advice to scrutiny councillors. There should be a greater parity of esteem between scrutiny and the executive, and committees should have the same access to the expertise and time of senior officers and the chief executive as their cabinet counterparts. Councils should be required to publish a summary of resources allocated to scrutiny, using expenditure on executive support as a comparator. We also call on councils to consider carefully their resourcing of scrutiny committees and to satisfy themselves that they are sufficiently supported by people with the right skills and experience. (Paragraph 62)*
16. *We recommend that the Government extend the requirement of a Statutory Scrutiny Officer to all councils and specify that the post-holder should have a seniority and profile of equivalence to the council's corporate management team. To give greater prominence to the role, Statutory Scrutiny Officers should also be required to make regular reports to Full Council on the state of scrutiny, explicitly identifying any areas of weakness that require improvement and the work carried out by the Statutory Scrutiny Officer to rectify them. (Paragraph 65)*

Member training and skills

17. *It is incumbent upon councils to ensure that scrutiny members have enough prior subject knowledge to prevent meetings becoming information exchanges at the expense of thorough scrutiny. Listening and questioning skills are essential, as well as the capacity to constructively critique the executive rather than following party lines. In the absence of DCLG monitoring, we are not satisfied that the training provided by the LGA and its partners always meets the needs of scrutiny councillors, and call on the Department to put monitoring systems in place and consider whether the support to committees needs to be reviewed and refreshed. We invite the Department to write to us in a year's time detailing its assessment of the value for money of its investment in the LGA and on the wider effectiveness of local authority scrutiny committees. (Paragraph 76)*

The role of the public

18. *The Government should promote the role of the public in scrutiny in revised and reissued guidance to authorities, and encourage council leaderships to allocate sufficient resources to enable it to happen. Councils should also take note of the issues discussed elsewhere in this report regarding raising the profile and prominence of the scrutiny process, and in so doing encourage more members of the public to participate in local scrutiny. Consideration also need to be given to the role of digital engagement, and we believe that local authorities should commit time and resources to effective digital engagement strategies. The LGA should also consider how it can best share examples of best practise of digital engagement to the wider sector. (Paragraph 82)*

Scrutinising public services provided by external bodies

19. *Scrutiny committees must be able to monitor and scrutinise the services provided to residents. This includes services provided by public bodies and those provided by*

commercial organisations. Committees should be able to access information and require attendance at meetings from service providers and we call on DCLG to take steps to ensure this happens. We support the CfPS proposal that committees must be able to 'follow the council pound' and have the power to oversee all taxpayer-funded services. (Paragraph 90)

20. *In light of our concerns regarding public oversight of LEPs, we call on the Government to make clear how these organisations are to have democratic, and publicly visible, oversight. We recommend that upper tier councils, and combined authorities where appropriate, should be able to monitor the performance and effectiveness of LEPs through their scrutiny committees. In line with other public bodies, scrutiny committees should be able to require LEPs to provide information and attend committee meetings as required. (Paragraph 96)*

Scrutiny in combined authorities

21. *We are concerned that effective scrutiny of the Metro Mayors will be hindered by under-resourcing, and call on the Government to commit more funding for this purpose. When agreeing further devolution deals and creating executive mayors, the Government must make clear that scrutiny is a fundamental part of any deal and that it must be adequately resourced and supported. (Paragraph 104)*

Annex: summary of discussions at an informal workshop with councillors and officers

As part of the inquiry, the Committee hosted a workshop in October 2017 attended by over 45 council officers and councillors from across the country. Split into four groups, attendees discussed their experiences of overview and scrutiny, with each group considering three questions. The following provides an edited summary of the discussions held and is not intended to be verbatim minutes. Comments are not attributed to individuals or organisations, but seek to reflect the variety of statements made and opinions expressed. This summary and its content does not necessarily reflect the views of the Committee, or all of the attendees present at the workshop.

Q1) Do local authority scrutiny committees operate with political independence and in a non-partisan way

Officers:

- Scrutiny is only non-partisan on the surface: most of the discussion and debate takes place in group meetings, which officers and the public cannot see
- Scrutiny chairs often don't want to challenge their Leaders, so do more external scrutiny or pick 'safe' topics that are less controversial
- The ways that committee chairs are appointed means that chairs more likely to 'keep quiet', use the role as a way to prepare for a Cabinet position, or see it as a consolation prize for not being in the Cabinet
- Personalities of chairs and the ability to work well with executive colleagues is key
- Officers in combined roles struggle to adequately support scrutiny: the roles of scrutiny officer and committee clerk are fundamentally different with different skill sets needed
- Clerking a committee changes how officers are treated, with the value placed on their expertise and guidance lessened so they are treated as little more than admin assistants
- Task and finish groups are less partisan and work effectively cross-party. However, witness sessions are usually held in private with only the reporting of findings being in public. External scrutiny is also less partisan, and so can achieve much more while enthusing councillors
- Third party organisations can sometimes be reluctant to be scrutinised by lay persons. It takes significant time to build positive relationships
- There should be debate at Full Council for topic selection for scrutiny committees
- Committees need more power to force changes on executives

- There is too much executive control over what is scrutinised
- In some local authorities, cabinet members and the Leader attend health scrutiny meetings when the NHS is being scrutinised and sometimes lead the questioning of witnesses
- Appointment of members to scrutiny committees is in the hand of controlling political groups, so there will never be full independence

Councillors:

- Focussing on the impact we want, like improved health and wellbeing, gets rid of the party-political aspect because we've agreed on what we want to achieve
- The better the quality of the opposition, the better the contribution it makes. Currently, we have a very weak opposition and I don't think they understand the difference between scrutiny and opposition
- One problem is engagement of one's own backbenchers to participate in scrutiny. It's often the poor relation, and shouldn't be
- Is aiming for political independence realistic and necessary? If you have people from both sides on committee, as long as they challenge effectively, that's all that matters
- I want to know about value for money, so I ask awkward questions. Politics comes into it when members score points to get votes. It suits my nature to be challenging and ask probing questions. But you need knowledge of subject to do this. A lot of colleagues don't have this
- The role of the Leader is key: they have to believe in good governance. Scrutiny's success depends on the attitude of the Leader, who needs to recognise that good scrutiny reflects on the reputation of council. Too many Leaders seek to block scrutiny
- Scrutiny is improved in authorities where scrutiny reports go to Full Council and not the executive
- Officers have to be supportive of scrutiny. It's not just about the Leader
- Some chairs can be fiercely independent regardless of which party has control. An effective chair of a scrutiny committee need to be apolitical and work collaboratively across party lines. A lot depends on the group of individuals on the committee
- A lack of political independence is often more pronounced in small shire district councils where there is often too much domination by strong leaders and executives
- There is a problem with committees lacking teeth - the executive will often not listen regardless of what scrutiny committees say

- Joint scrutiny often works well, sometimes with different chairs. Working groups also increase political independence
- Decisions on who will chair a committee is often whipped vote, and there is considerable remuneration which binds chairs' approach
- The executive has control over scrutiny funding and budgets which is a big problem

Q2) Do officers and members working on scrutiny have sufficient resources, expertise and knowledge to deliver effective scrutiny?

Officers:

- Limited access to expertise is a bigger issue than resources: committees struggle to access expert advisors and find it hard to build relationships
- Scrutiny support is often combined with wider a corporate policy role, meaning officers often spend relatively little of their time actually working on scrutiny
- There is a tension in trying to scrutinise people with whom you might later seek to work with or for
- The reduced resources allocated to scrutiny has led to a corresponding reduction in scrutiny committees: local authorities cannot have committees that mirror each portfolio like in Parliament, leading to committees with extremely large remits
- Districts need to work better with upper tier authorities: on their own, districts are limited in what they can influence
- Scrutiny has fewer resources, but increasingly wide remits: it's not possible to do everything justice
- Health scrutiny has a huge workload so committees often struggle to do much more than the statutory requirements
- Scrutiny has become much leaner, but this is not necessarily a bad thing: it is more focussed now so that it achieves more impact and demands greater attention
- Accessing outside experts is easier in London as they are always relatively nearby
- Questioning skills for members are key, and remain the biggest training need
- Getting input from external experts such as academics is possible at the start of an inquiry, but sustaining this engagement throughout an inquiry is difficult
- There should be a separate budget for scrutiny, commissioning research and recommending options
- In authorities that are reducing staff numbers for budgetary reasons, more resources for scrutiny is often unrealistic

- In many councils, there are enough resources, but they aren't allocated appropriately: there needs to be a top-down reallocation of resources, with more priority given to the scrutiny team
- There is often a lot of resistance to scrutiny at the senior officer level. Many actively seek to keep scrutiny to a minimum, as they don't want to be challenged in what they're doing
- Information requested from senior officers is often sanitised or of limited usefulness. Officers need to realise they work for all councillors, not just the executive

Councillors:

- I'm not impressed by the quality of members. They need more training—it's only then they have the knowledge to ask probing questions
- We have people on our Committee with no expertise
- The way round the resource problem is to get members to do more work themselves.
- It is incumbent on members who chair committees and task and finish groups to take on knowledge and expertise and motivate other members to do so too
- The clerks don't prepare papers, someone from the relevant department (e.g. health and social care) does it
- We have found that scrutiny officers have taken on the role of being nothing more than glorified diary clerks. We need to motivate them to become more involved in the background and research. If you rely on reports from individual departments, they are too optimistic
- The key is understanding which questions to ask
- It's about the officers understanding the key role of scrutiny and not seeing it as a nuisance
- Commercial confidentiality is a big issue which impedes scrutiny committees
- Investment in member development is insufficient, but also hampered by large turnover of committee members
- Individual committees often have too wide a remit to cover individual issues sufficiently
- There is a growing trend to merge scrutiny function with corporate policy team. This negatively impacts on scrutiny because of conflicts of interest among officers
- Too many scrutiny committees remain talking shops. There should be more emphasis on measuring how effective scrutiny is in influencing policy and decisions
- Scrutiny staff must be completely separated from the executive

- There has been a trend towards fewer members on scrutiny committees in recent years. This has negatively affected good scrutiny
- To give scrutiny more agency scrutiny reviews should be regularly produced which go to the full council for consideration
- More focus of scrutiny committees should be placed on upstream policy formation

Q3) If you could make a single change, what would you change about the way scrutiny in your authority operates?

Officers:

- The whole process should be more independent of departmental officers: chairs are reluctant to challenge or disagree with senior officers
- Having opposition chairs would get much better engagement and input from other members
- More members need to actually read their committee papers—however some officers make the papers intentionally long to dissuade members from doing so
- There is a capacity issue for ‘double-hatted’ councillors, and those who work in outside employment
- With meetings being held in the evenings, discussions can go on quite late: with many of the best councillors having demanding day jobs, it’s unrealistic to expect high performance
- Scrutiny committees should share expected questions with witnesses before meetings to ensure all information is available in advance: it shouldn’t be a closed-book exam as some officers can deflect questions by promising to look into an issue and write back later
- Scrutiny in general needs a higher profile, including the role of statutory scrutiny officer: people across the council should know who it is with their status being far closer to that of the monitoring officer
- Scrutiny has become too broad and complex over the years: it is not achievable to do everything asked of it. There needs to be a clear remit for scrutiny with up to date guidance from Government
- Scrutiny will only succeed if the Leader and Chief Executive think it is important—strong scrutiny chairs and strong scrutiny managers are required when they do not
- Ensuring legislation is enforced regarding undue interference from the Leader and cabinet
- Resident-led commissions help to improve scrutiny. Broadening the scrutiny process out to involve the public and prominent campaign groups, inviting them onto task groups, or to serve as chairs of commissions

- There should be an independent secretariat for scrutiny committees with separate ring-fenced budget, independent of the council, to create greater organisational autonomy
- Councils should be able to compel witnesses to attend from publicly funded bodies, such as housing associations
- Legislation relating to scrutiny powers should be simplified, putting them all into one place
- Removing conflicts of interests where scrutiny committees are supported by officers responsible for the policies that are being scrutinised

Councillors:

- Better selection of candidates to be councillors, as well as improving their calibre through training
- We need full time councillors: the part time nature of the role means variable quality
- It should be constitutionally established that scrutiny is on a level with cabinet
- Greater public involvement: if you want to be effective, what really changes a Leader's mind is people and residents, and if you don't get them to meetings, you won't make changes
- Statutory Scrutiny Officers are too low down the food chain to influence people. This statutory post has to be a similar level and have access to the corporate management level
- We've also got to make use of modern technology. It's about getting the message out through facebook and twitter
- One of the changes is taking meetings out in the community
- Political groups need to treat each other with fairness and respect
- Completely disconnect all aspects of scrutiny (formation, governance, resources) from the executive
- Increase connection with residents and public through co-opted members. More witnesses and public evidence sessions
- Clearer feedback loops to quantify scrutiny influence
- Council leadership should be assessed on how they take into account work of scrutiny committees, for example through annual report on scrutiny considered by full Council or annual evidence sessions with cabinet members
- Allocate chairs on the basis of political proportionality
- All scrutiny work should be considered by Full Council, rather than the cabinet

Formal Minutes

Monday 11 December 2017

Members present:

Mr Clive Betts, in the Chair

Mike Amesbury	Fiona Onasanya
Bob Blackman	Mark Prisk
Helen Hayes	Mary Robinson
Kevin Hollinrake	Liz Twist
Andrew Lewer	

Draft Report (*Effectiveness of local authority overview and scrutiny committees*) proposed by the Chair, brought up and read.

Ordered, That the Draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 104 read and agreed to.

Summary agreed to.

Annex agreed to.

Resolved, That the Report be the First Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

[Adjourned until Monday 18 December at 2.15 p.m.]

Witnesses

The following witnesses gave evidence. Transcripts can be viewed on the [inquiry publications page](#) of the Committee's website.

Monday 16 October 2017

Question number

Professor Colin Copus, Director of the Local Governance Research Unit, De Montfort University; **Jacqui McKinlay**, Chief Executive, Centre for Public Scrutiny (CfPS); **Councillor Marianne Overton**, Leader of the Independent Group, Local Government Association

[Q1-43](#)

Monday 30 October 2017

Councillor Mary Evans, Chair of Scrutiny Committee, Suffolk County Council; **Councillor Sean Fitzsimons**, Chair of Scrutiny and Overview Committee, Croydon Council; **Councillor John Cotton**, Lead Scrutiny Member, Birmingham City Council

[Q44-82](#)

Jennette Arnold OBE AM, Chair, London Assembly; **Ed Williams**, Executive Director, Secretariat, London Assembly; **Susan Ford**, Scrutiny Manager, Greater Manchester Combined Authority; **Councillor Peter Hughes**, Chair, Overview and Scrutiny Committee, West Midlands Combined Authority

[Q83-107](#)

Monday 6 November 2017

Marcus Jones MP, Minister for Local Government, Department for Communities and Local Government

[Q108-152](#)

Published written evidence

The following written evidence was received and can be viewed on the [inquiry publications page](#) of the Committee's website.

OSG numbers are generated by the evidence processing system and so may not be complete.

- 1 B4RDS (Broadband for Rural Devon & Somerset) ([OSG0006](#))
- 2 Birmingham City Council ([OSG0002](#))
- 3 Chester Community Voice UK ([OSG0022](#))
- 4 Councillor Tony Dawson ([OSG0019](#))
- 5 Dr Laurence Ferry ([OSG0017](#))
- 6 Dr Linda Miller ([OSG0018](#))
- 7 F&G BUILDERS LTD ([OSG0005](#))
- 8 Gwen Swinburn ([OSG0015](#))
- 9 Heston Residents' Association ([OSG0008](#))
- 10 Local Government and Social Care Ombudsman ([OSG0007](#))
- 11 MNRAG ([OSG0020](#))
- 12 Mr Bryan Rylands ([OSG0003](#))
- 13 Mr Mark Baynes ([OSG0009](#))
- 14 Mr Stephen Butters ([OSG0001](#))
- 15 Ms Christine Boyd ([OSG0013](#))
- 16 Ms Jacqueline Thompson ([OSG0012](#))
- 17 Nicolette Boater ([OSG0016](#))
- 18 North Lincolnshire Council ([OSG0021](#))
- 19 Research for Action ([OSG0014](#))
- 20 Susan Hedley ([OSG0004](#))

The following written evidence was received in the last Parliament by the previous Committee for this inquiry and can be viewed on the [inquiry publications page](#) of the Committee's website.

- 1 A Journalist ([OSG0004](#))
- 2 ADSO ([OSG0123](#))
- 3 An Officer from a London Borough ([OSG0091](#))
- 4 Anonymous ([OSG0006](#))
- 5 Anonymous ([OSG0065](#))
- 6 Anonymous ([OSG0103](#))
- 7 Bedford Borough Conservative Group ([OSG0069](#))
- 8 Birmingham City Council ([OSG0087](#))
- 9 Bournemouth Borough Council ([OSG0071](#))
- 10 Bracknell Forest Council ([OSG0010](#))
- 11 Bristol City Council ([OSG0082](#))
- 12 Broadland District Council ([OSG0014](#))
- 13 Cardiff Business School ([OSG0056](#))
- 14 Central Bedfordshire Council ([OSG0019](#))
- 15 Centre for Public Scrutiny Ltd ([OSG0098](#))
- 16 Charnwood Borough Council ([OSG0080](#))
- 17 Chesterfield Borough Council ([OSG0052](#))
- 18 Citizens Advice ([OSG0076](#))
- 19 Cllr Jenny Roach ([OSG0104](#))
- 20 Committee on Standards in Public Life ([OSG0027](#))
- 21 Cornwall Council ([OSG0051](#))
- 22 Councillor Ann Munn ([OSG0109](#))
- 23 Councillor Charles Wright ([OSG0088](#))
- 24 Councillor Chris Kennedy ([OSG0106](#))
- 25 Councillor James Dawson ([OSG0016](#))
- 26 Councillor James Dawson ([OSG0118](#))
- 27 County and Unitary Councils' Officer Overview and Scrutiny Network ([OSG0114](#))
- 28 Debt Resistance UK ([OSG0094](#))
- 29 Department for Communities and Local Government ([OSG0122](#))
- 30 Devon County Council ([OSG0008](#))
- 31 Dr Laurence Ferry ([OSG0023](#))
- 32 Dr Linda Miller ([OSG0095](#))
- 33 Dudley MBC ([OSG0058](#))
- 34 Durham County Council ([OSG0079](#))
- 35 Ealing Council ([OSG0041](#))
- 36 East Devon Alliance ([OSG0040](#))

- 37 East Riding of Yorkshire Council ([OSG0061](#))
- 38 Epping Forest District Council ([OSG0012](#))
- 39 Erewash Labour Group ([OSG0013](#))
- 40 Exeter City Council ([OSG0011](#))
- 41 Federation of Enfield residents & Allied Associations ([OSG0097](#))
- 42 Gloucestershire County Council ([OSG0050](#))
- 43 Green group on Norwich City Council ([OSG0057](#))
- 44 Hereford and South Herefordshire Green Party ([OSG0119](#))
- 45 Herefordshire Council ([OSG0101](#))
- 46 INLOGOV ([OSG0053](#))
- 47 Institute of Local Government Studies, University of Birmingham ([OSG0115](#))
- 48 It's Our County ([OSG0124](#))
- 49 Julian Joinson ([OSG0112](#))
- 50 Ken Lyle ([OSG0032](#))
- 51 Leeds City Council ([OSG0043](#))
- 52 Leicestershire County Council ([OSG0036](#))
- 53 Lewisham Overview and Scrutiny Business Panel ([OSG0078](#))
- 54 Liberal Democrats on Wokingham Borough Council ([OSG0125](#))
- 55 Local Governance Research Unit, De Montfort University ([OSG0022](#))
- 56 Local Government Association ([OSG0081](#))
- 57 London Assembly ([OSG0117](#))
- 58 London Borough of Enfield ([OSG0075](#))
- 59 London Borough of Hackney ([OSG0110](#))
- 60 London Borough of Merton ([OSG0037](#))
- 61 London Borough of Tower Hamlets ([OSG0105](#))
- 62 Marc Hudson ([OSG0116](#))
- 63 Medway Council ([OSG0021](#))
- 64 Mr G M Rigler ([OSG0002](#))
- 65 Mr Gerry O'Leary ([OSG0092](#))
- 66 Mr John Galvin ([OSG0102](#))
- 67 Mr Martyn Lewis ([OSG0003](#))
- 68 Mr Peter Cain ([OSG0007](#))
- 69 Mrs Tracy Reader ([OSG0009](#))
- 70 Ms Christine Boyd ([OSG0086](#))
- 71 Ms Jacqueline Annette Thompson ([OSG0074](#))
- 72 Newcastle City Council ([OSG0015](#))
- 73 NHS Providers ([OSG0064](#))
- 74 Nicolette Boater ([OSG0107](#))

- 75 North East Combined Authority ([OSG0084](#))
- 76 North East Councils Scrutiny Officers Network ([OSG0083](#))
- 77 North Tyneside Council - Scrutiny Chairs/Deputy Chairs ([OSG0028](#))
- 78 North Yorkshire County Council ([OSG0018](#))
- 79 Nottingham City Council ([OSG0024](#))
- 80 Officer from a Fire & Rescue Authority ([OSG0121](#))
- 81 Pendle Borough Council ([OSG0020](#))
- 82 Rachel Collinson ([OSG0066](#))
- 83 Ryedale District Council ([OSG0030](#))
- 84 Scrutiny Committee of East Devon District Council ([OSG0035](#))
- 85 Sheffield City Council ([OSG0073](#))
- 86 Sheffield for Democracy ([OSG0025](#))
- 87 South Gloucestershire Council ([OSG0113](#))
- 88 Southampton City Council ([OSG0029](#))
- 89 St Albans City and District Council ([OSG0099](#))
- 90 Stevenage Borough Council ([OSG0060](#))
- 91 Stockton on Tees Borough Council ([OSG0077](#))
- 92 Suffolk County Council ([OSG0054](#))
- 93 Sunderland City Council ([OSG0067](#))
- 94 Susan Hedley ([OSG0038](#))
- 95 The Society of Local Authority Chief Executives and Senior Managers (Solace) ([OSG0068](#))
- 96 Trafford Council ([OSG0048](#))
- 97 Villages Focus Group ([OSG0063](#))
- 98 Walsall Council ([OSG0085](#))
- 99 West Sussex County Council ([OSG0026](#))
- 100 Westminster City Council ([OSG0039](#))
- 101 Wiltshire Council ([OSG0034](#))
- 102 Woking Borough Council Overview & Scrutiny Committee ([OSG0100](#))
- 103 Woodhouse Parish Council ([OSG0111](#))
- 104 Worcestershire County Council ([OSG0033](#))
- 105 Wyre Council ([OSG0047](#))
- 106 Wyre Council Labour Group Of Councillors ([OSG0042](#))

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WOKINGHAM BOROUGH COUNCIL EXECUTIVE FORWARD PROGRAMME

THIS DOCUMENT IS A “NOTICE” IN ACCORDANCE WITH
THE LOCAL AUTHORITIES (EXECUTIVE ARRANGEMENTS)(MEETINGS AND ACCESS TO INFORMATION)(ENGLAND)
REGULATIONS 2012

Executive Forward Programme - January to April 2018

Updated 21 December 2017

Ref No.	Subject for Decision	Decision to be taken by	List of Documents to be submitted to the Decision Maker for consideration and Background Documents	Contact Details (Director/ Author)	Responsible Lead Member	Statement as to whether the item is likely to be considered in private and if so the reasons why / Explanation for any deferment of item
Executive Meeting 25 January 2018						
WBC970	Revenue Monitoring 2017/18 - end of December 2017 Purpose: To consider the Revenue Monitoring Report, including Treasury Management Indicators, to the end of December 2017	Executive		Director of Corporate Services - Graham Ebers/ John Ogden	Executive Member for Finance - Oliver Whittle	N/A
WBC971	Capital Monitoring 2017/18 - end of December 2017 Purpose: To consider the Capital Monitoring Report to the end of December 2017	Executive		Director of Corporate Services - Graham Ebers/ John Ogden	Executive Member for Finance - Oliver Whittle	N/A
WBC972	Treasury Management Mid-Year Report 2017/18 Purpose: To consider the report for approval and recommendation to Council	Executive		Director of Corporate Services - Graham Ebers/ Martin Jones	Executive Member for Finance - Oliver Whittle	N/A

WBC973	Chief Finance Officer's Report Purpose: To set out the Chief Finance Officer's annual report for the 2017/18 financial year	Executive		Director of Corporate Services - Graham Ebers/ John Ogden	Executive Member for Finance - Oliver Whittle	N/A
WBC974	21st Century Council - Update Purpose: To provide an update on the 21st Century Council Project	Executive		Heather Thwaites/	Executive Member for Finance - Oliver Whittle	N/A
WBC981	Shareholders' Report Purpose: To consider various items related to the business of the Council owned companies, including their trading position	Executive		Director of Corporate Services - Graham Ebers/ James Sandford	Executive Member for Finance - Oliver Whittle	N/A
06 WBC988	Woodley Car Parking Trial Purpose: To consider the information obtained from the Woodley Car Parking Trial and decide on a future permanent decision for Woodley	Executive		Interim Director of Environment - Josie Wragg/ Alex Deans	Executive Member for Highways and Transport - Chris Bowring	N/A
WBC989	Berkshire Pension Fund Pooling Purposes: To note the new pooling arrangements for the Berkshire pension fund	Executive		Director of Corporate Services - Graham Ebers/ Jonathan Ross	Executive Member for Finance - Oliver Whittle	N/A
WBC996	Retender of Bus Service 12 Purpose: To provide agreement to the option and budget for inclusion in the tender document	Executive		Interim Director of Environment - Josie Wragg/ Rebecca Brooks	Executive Member for Highways and Transport - Chris Bowring	N/A
WBC997	Appropriation of Land Within the Approved Alignment of the Northern Distributor Road for Planning Purposes Purpose: To ensure the timely delivery of the Northern Distributor Road	Executive		Interim Director of Environment - Josie Wragg/ Vincent Healy	Executive Member for Strategic Highways and Planning- David Lee	N/A

WBC1002	Weekly Kerbside Food Waste Collection Purpose: To make the final business case and seek approval to collect food waste weekly from 1 April 2019	Executive		Interim Director of Environment - Josie Wragg/ Peter Baveystock	Executive Member for Planning and Enforcement - Simon Weeks	Yes - it is likely that part of the report will be considered at a private meeting of the Executive. This is because it is likely that the report will contain information which is commercially sensitive and relates to the financial and business affairs of a person.
WBC999	Neighbourhood Plan Area Application for Ruscombe Purpose: To consider whether Ruscombe Parish should be designated as a Neighbourhood Plan Area	Executive		Interim Director of Environment - Josie Wragg/ Heather Read	Executive Member for Strategic Highways and Planning- David Lee	N/A
WBC994	Local Discretionary Rate Relief Scheme Purpose: To agree a local scheme to enable clear and fair allocation of the funding awarded by Central Government for this purpose	Executive		Graham Ebers/ Sharon Pearce	Oliver Whittle	N/A
WBC1003	Public Protection Partnership Fees and Charges Purpose: To agree Public Protection fees and charges for 2018/19 and a variation to Animal Boarding Licence fees for 2017/18	Executive		Interim Director of Environment - Josie Wragg/ Clare Lawrence	Executive Member for Environment - Norman Jorgensen	N/A
Executive Meeting 22 February 2018						
WBC983	Housing Revenue Account Budget 2018/21 Purpose: To recommend to Council any proposed increases	Executive		Director of Corporate Services - Graham Ebers/ John Ogden	Executive Member for Adults' Services - Julian McGhee-Sumner	N/A

	to rents and to approve any proposed increases to charges					
WBC984	Capital Programme and Strategy 2018/21 Purpose: To recommend to Council approval of the Capital Programme and Strategy 2018/21	Executive		Director of Corporate Services - Graham Ebers/ John Ogden	Executive Member for Finance - Oliver Whittle	N/A
WBC985	Treasury Management Strategy 2018/21 Purpose: To recommend to Council approval of the Treasury Management Strategy 2018/21	Executive		Director of Corporate Services - Graham Ebers/ John Ogden	Executive Member for Finance - Oliver Whittle	N/A
WBC986	Medium Term Financial Plan 2018/21 - Revenue Budget Submission 2018/19 and Council Plan 2018/19 Purpose: To recommend the Medium Term Financial Plan, Revenue Budget Submission and Council Plan to Council	Executive		Director of Corporate Services - Graham Ebers/ John Ogden	Executive Member for Finance - Oliver Whittle	N/A
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WBC987	Shareholders' Report Purpose: To consider various items related to the business of the Council owned companies, including their trading position	Executive		Director of Corporate Services - Graham Ebers/ James Sandford	Executive Member for Finance - Oliver Whittle	N/A
WBC995	Temporary Closure Remenham 4 Purpose: To agree to the closure of the footpath to enable the Henley Festival to take place	Executive	Application for closure and objections to closure	Interim Director of Environment - Josie Wragg/ Rebecca Walkley	Executive Member for Environment - Norman Jorgensen	N/A
WBC1001	Unauthorised Encampment Policy for Wokingham Borough Council Purpose: To agree the updated Unauthorised Encampment Policy for Wokingham Borough Council	Executive		Director of Corporate Services - Graham Ebers/ Simon Price	Executive Member for Planning and Enforcement - Simon Weeks	N/A
WBC1000	SDL Community Facility, North	Executive		Interim Director of	Executive Member	N/A

	Wokingham Matthewsgreen Purpose: To agree in principle the provider for the Matthewsgreen Community Centre			Environment - Josie Wragg/ Rebecca Bird	for Strategic Highways and Planning- David Lee	
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Executive Meeting 29 March 2018

WBC998	Shareholders' Report Purpose: To consider various items related to the business of the Council owned companies, including their trading position	Executive		Director of Corporate Services - Graham Ebers/ James Sandford	Executive Member for Finance - Oliver Whittle	N/A
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93 The Executive will not be holding a meeting in April therefore there are no items programmed for this month

**EXECUTIVE FORWARD PROGRAMME
CHANGES MADE TO PREVIOUSLY PUBLISHED VERSIONS**

Ref No.	Subject for Decision	Decision to be taken by	Original Schedule Date	Contact Details (Director/ Author)	Responsible Lead Member	Explanatory notes
WBC969	Custom and Self-Build Housing Register Eligibility Criteria and Fees Purpose: To consider the introduction of eligibility criteria and fees under the Self-Build and Custom Housebuilding Register Regulations	Executive	26 Oct 2017	Interim Director of Environment - Josie Wragg/ Kayleigh Pearse	Executive Member for Strategic Highways and Planning- David Lee, Executive Member for Adults' Services - Julian McGhee-Sumner	This item was deferred in order to refine the detail of the proposed eligibility criteria. Date tba
WBC977	Supporting the Recruitment and Retention of Foster Carers through Council Tax Rebate	Executive	30 Nov 2017	Interim Director of People Services - Paul Senior/	Executive Member for Children's Services - Mark	This item was deferred from the November Executive in order to carry out further work; including

	Purpose: To support the recruitment and retention of foster carers.			Lisa Humphreys	Ashwell	exploring other areas. Date tba
WBC978	Supporting Care Leavers in their Stability and Independence Purpose: To consider a value for money proposition to deliver improved outcomes for our care leavers	Executive	25 Jan 2018	Interim Director of People Services - Paul Senior/ Lisa Humphreys	Executive Member for Children's Services - Mark Ashwell	This paper requires further exploration of impact and opportunities for young people and is therefore on hold to enable this work to be completed. Date tba

Members of the Executive:-

Charlotte Haitham Taylor	Leader of Council
David Lee	Deputy Leader of the Council, Strategic Highways and Planning
Julian McGhee-Sumner	Adults' Services, Health, Wellbeing and Housing
Stuart Munro	Business and Economic Development and Regeneration
Mark Ashwell	Children's Services
Norman Jorgensen	Environment, Sports, Environmental Health, Leisure and Libraries
Oliver Whittle	Finance, 21 st Century Council, Internal Services and Human Resources
Chris Bowring	Highways and Transport
Simon Weeks	Planning and Enforcement

Note:

Unless the matter has been listed as being likely to be discussed in private, copies of the reports associated with the above decisions will be available no earlier than five days before the meeting at the Council Offices, Shute End, Wokingham; on the Council's website; by contacting a member of the Democratic Services Team on 0118 974 6053 or by emailing democratic.services@wokingham.gov.uk

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**WOKINGHAM BOROUGH COUNCIL
INDIVIDUAL EXECUTIVE MEMBER DECISIONS FORWARD PROGRAMME**

THIS DOCUMENT IS A “NOTICE” IN ACCORDANCE WITH
THE LOCAL AUTHORITIES (EXECUTIVE ARRANGEMENTS)(MEETINGS AND ACCESS TO INFORMATION)(ENGLAND)
REGULATIONS 2012

Individual Executive Member Forward Programme - December 2017

Updated 21 December 2017

Ref No.	Subject for Decision	Decision to be taken by	List of documents to be submitted to the Decision maker for consideration and Background documents	Contact Details (Director/ Author)	Statement as to whether the item is likely to be considered in private and if so the reasons why/ Explanation for any deferment of item
IMD 20 18/01	Wokingham Borough Council response to the Reading Borough Council Pre-submission Draft Local Plan Purpose: To give comments on the Reading Borough Council Pre-submission Draft Local Plan Date 10 Jan 2018 Meeting Room and Time FF2 9:00 am	Executive Member for Strategic Highways and Planning- David Lee	Pre-Submission Draft Reading Borough Local Plan Duty to Co-operate Statement	Interim Director of Environment - Josie Wragg/ Vanessa Rowell	N/A N/A
IMD 2018/02	Wokingham Borough Council response to the South Oxfordshire Local Plan 2011-2033 Purpose: To provide a response to Oxford District Council to their consultation on the Local Plan 2011-2033 – Final Publication version. Date 10 Jan 2018 Meeting Room and Time FF2 at 9:10am	Executive Member for Strategic Highways and Planning- David Lee	http://www.southoxon.gov.uk/services-and-advice/planning-and-building/planning-policy/emerging-local-plan . Two separate consultation response forms for the topics of housing and transport respectively	Interim Director of Environment - Josie Wragg/ James McCabe	N/A N/A

IMD 2018/03	Write offs of uncollectable debt Purpose: To approve write off of uncollectable debt Date 16 Jan 2018 Meeting Room and Time David Hicks 2 at 9:30 am	Executive Member for Finance - Oliver Whittle		Director of Corporate Services - Graham Ebers/ Sharon Pearce	N/A N/A
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CHANGES MADE TO PREVIOUSLY PUBLISHED VERSIONS

Ref No.	Subject for Decision	Decision to be taken by	Original Schedule Date	Contact Details (Director/ Author)	Explanatory notes
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Members of the Executive:-

Charlotte Haitham Taylor	Leader of Council
David Lee	Deputy Leader of the Council, Strategic Highways and Planning
Julian McGhee-Sumner	Adults' Services, Health, Wellbeing and Housing
Stuart Munro	Business and Economic Development and Regeneration
Mark Ashwell	Children's Services
Norman Jorgensen	Environment, Sports, Environmental Health, Leisure and Libraries
Oliver Whittle	Finance, 21 st Century Council, Internal Services and Human Resources
Chris Bowring	Highways and Transport
Simon Weeks	Planning and Enforcement

Note:

Unless the matter has been listed as being likely to be discussed in private, copies of the reports associated with the above decisions will be available no earlier than five days before the meeting at the Council Offices, Shute End, Wokingham; on the Council's website; by contacting a member of the Democratic Services Team on 0118 974 6054 or by emailing democratic.services@wokingham.gov.uk

DRAFT WORK PROGRAMME 2017/2018

Please note that the Work Programme is a 'live' document and subject to change at short notice. The information in this Work Programme, including report titles is draft and is subject to approval by the Overview and Scrutiny Management Committee.

OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

DATE OF MEETING	ITEM	PURPOSE OF REPORT	REASON FOR CONSIDERATION	CONTACT OFFICER
21 February 2018	21st Century Council	To consider an update on the 21 st Century Council modernisation programme	Work Programme	Heather Thwaites
	Council Plan Performance Monitoring Q3	To consider the performance management report for Quarter 3 – October–December 2017	Standing Item	Paul Ohsan.Ellis
	Overview and Scrutiny Work Programme 2018/19	To consider the development of the Overview and Scrutiny Work Programme for 2018/19	Work Programme	Neil Carr
	Executive Forward Programme and IEMD Forward programme	To consider upcoming Executive and Individual Executive Member Decision items	Standing Item	Democratic Services
	Reports from O&S Chairmen	Standing Item	Coordination of Committee work	Committee Chairmen
	Work Programmes	To consider the individual Work Programmes for the Committees in the remainder of 2017/18	Coordination between the O&S Committees	Democratic Services

DATE OF MEETING	ITEM	PURPOSE OF REPORT	REASON FOR CONSIDERATION	CONTACT OFFICER
27 March 2018	Overview and Scrutiny Work Programme 2018/19	To approve the Overview and Scrutiny Work Programme for 2018/19	Work Programme	Neil Carr
	Executive Forward Programme and IEMD Forward programme	To consider upcoming Executive and Individual Executive Member Decision items	Standing Item	Democratic Services
	Reports from O&S Chairmen	Standing Item	Coordination of Committee work	Committee Chairmen
	Work Programmes	To consider the individual Work Programmes for the Committees in the remainder of 2017/18	Coordination between the O&S Committees	Democratic Services

CHILDREN'S SERVICES OVERVIEW AND SCRUTINY COMMITTEE

DATE OF MEETING	ITEM	PURPOSE OF REPORT	REASON FOR CONSIDERATION	CONTACT OFFICER
23 January 2018	Strategic MASH Development Update	<ul style="list-style-type: none"> To consider the progress of the MASH programme since its implementation; To invite key stakeholders such as the Police, the CCG and the School Federation Chair to attend the meeting 	The Committee requested regular updates on MASH to ensure its efficiency	Paul Senior /Children's Services
	Children's Services Performance Indicators	<ul style="list-style-type: none"> To receive an update and monitor Children's Services performance measured by local indicators 	Standing item to enable the Committee to assess performance and identify areas of concern	Children's Services Performance & Information Team
	Policy Update from the Executive Member for Children's Services	<ul style="list-style-type: none"> To receive an update and to monitor the development of policies in Children's Services 	Standing item to monitor Policy development	Executive Member for Children's Services
	Elective Home Education Review	<ul style="list-style-type: none"> To receive information regarding the educational progress being made by children that have decided not to attend mainstream schools. 	To monitor the level of elective home education in the Borough	Paul Senior/ Children's Services
	Cross Borough Secondary Place Planning/ SDL	<ul style="list-style-type: none"> To monitor the secondary school place sufficiency, including places for Borough children living in the border with other local authorities 	To ensure the sufficiency of secondary school places for children in the Borough	Piers Brunning/ Children's Services

DATE OF MEETING	ITEM	PURPOSE OF REPORT	REASON FOR CONSIDERATION	CONTACT OFFICER
	Draft Primary Place Strategy	<ul style="list-style-type: none"> To receive information in relation to the plans for the Primary Place Strategy 	To ensure the sufficiency of primary school places for children in the Borough	Piers Brunning/ Children's Services
	Social Worker Stability	<ul style="list-style-type: none"> To test the Social Worker recruitment and retention strategy 	To receive an update on the strategy	Lisa Humphreys/ Children's Services
	School Performance Indicators and Ofsted Reports, School Improvement	<ul style="list-style-type: none"> To receive information on schools' performance, and to review recent Ofsted Report Narrowing the gap – progress report 2017 exam results with a breakdown of all schools in the Borough 	Standing item to enable the Committee to assess performance and identify areas of concern	Head of Learning and Achievement
	Joint Targeted Area Inspection	<ul style="list-style-type: none"> To consider the action plan that followed the inspection 	To ensure the service is taking the effective action towards improvement	Children's Services
	Schools causing concern – Part 2	<ul style="list-style-type: none"> To receive information about any school(s) causing concern 	Standing item to give an early indication of any school(s) in danger of underachieving	Head of Learning and Achievement
	Children's Services O&S Committee Forward Programme	<ul style="list-style-type: none"> To consider the forward programme of the Committee 	Standing item	Democratic Services / Luciane Bowker

DATE OF MEETING	ITEM	PURPOSE OF REPORT	REASON FOR CONSIDERATION	CONTACT OFFICER
20 March 2018	Children's Services Performance Indicators	<ul style="list-style-type: none"> To receive an update and monitor Children's Services performance measured by local indicators 	Standing item to enable the Committee to assess performance and identify areas of concern	Children's Services Performance & Information Team
	Policy Update from the Executive Member for Children's Services	<ul style="list-style-type: none"> To receive an update and to monitor the development of policies in Children's Services 	Standing item to monitor Policy development	Executive Member for Children's Services
	Regional Adoption Service Review	<ul style="list-style-type: none"> To ensure there has been a smooth transition to the new Berkshire Adoption Services To receive details of the partnership structure and service level agreement 	To update the Committee	Lisa Humphreys/ Children's Services
	Innovations Programme	<ul style="list-style-type: none"> The Committee to receive an update report outlining how the programme continues to make a difference 	To update the Committee	Paul Senior/ Children's Services
	Childcare Sufficiency Strategy	<ul style="list-style-type: none"> To monitor the development and implementation of the Early Years Childcare Sufficiency Strategy 	To assess the efficacy of the strategy	Children's Services
	Corporate Parenting Board Update	<ul style="list-style-type: none"> To receive a six monthly update of CPB To receive the CIC questionnaire for analysis 	To assess the effectiveness of CPB	Children's Services
	School Performance Indicators and Ofsted Reports, School Improvement	<ul style="list-style-type: none"> To receive information on schools' performance, and to review recent Ofsted Report Narrowing the gap – progress report 	Standing item to enable the Committee to assess performance and identify areas of concern	Head of Learning and Achievement

DATE OF MEETING	ITEM	PURPOSE OF REPORT	REASON FOR CONSIDERATION	CONTACT OFFICER
	Schools causing concern – Part 2	<ul style="list-style-type: none"> To receive information about any school(s) causing concern 	Standing item to give an early indication of any school(s) in danger of underachieving	Head of Learning and Achievement
	Children’s Services O&S Committee Forward Programme	<ul style="list-style-type: none"> To consider the forward programme of the Committee 	Standing item	Democratic Services / Luciane Bowker

COMMUNITY AND CORPORATE OVERVIEW AND SCRUTINY COMMITTEE

DATE OF MEETING	ITEM	PURPOSE OF REPORT	REASON FOR CONSIDERATION	CONTACT OFFICER
15 January 2018	Wokingham Town Centre Regeneration	To consider an update on the progress towards and impact of the Wokingham Town Centre Regeneration	Requested by the Chair and Vice Chair May 2017	Bernie Pich/Philip Mirfin
	Highways and Transport Works programmes	To consider the development of the annual work programme.	Annual Report	Alex Deans
	May 2018 Local Elections	To inform the Committee of the arrangements for the count following the local elections on 3rd May 2018.	To inform Members	Andrew Moulton
	Work Programme	To consider the work programme for the committee for 2016/2017 so that the resources of the committee can be used as effectively as possible	Standing Item	Democratic Services

DATE OF MEETING	ITEM	PURPOSE OF REPORT	REASON FOR CONSIDERATION	CONTACT OFFICER
12 March 2018	Community Safety Partnership & Policing	To consider an annual review of the operation of the Borough's Community Safety Partnership and Update on Policing	Required by legislation	Supt Shaun Virtue/Julia Mlambo
	Civil Parking Enforcement	To consider the impact of the introduction of CPE within the authority	Update following item 3 March 2017	Clare Lawrence/Matt Gould
	Work Programme	To consider the work programme for the committee for 2016/2017 so that the resources of the committee can be used as effectively as possible.	Standing Item	Democratic Services

Future Topics:
Flooding Update

HEALTH OVERVIEW AND SCRUTINY COMMITTEE

DATE OF MEETING	ITEMS	PURPOSE OF REPORT	REASON FOR CONSIDERATION	CONTACT OFFICER
22 January 2018	Impact of 21st Century Council project on health and social care services	To be informed of the potential Impact of the 21st Century Council project on health and social care services	To be informed of the potential Impact of the 21st Century Council project on health and social care services	Paul Senior, Interim Director People Services
	Performance Outcomes Report	To monitor performance and identify any areas of concern	Challenge item	Democratic Services
	Update on primary care facilities and estates	Update	Update	NHS Wokingham CCG
	Update on GP alliance	Update on arrangements	Update	NHS Wokingham CCG
	Health Consultation Report	Challenge item	Challenge item	Democratic Services
	Healthwatch update	Challenge item	Challenge item	Healthwatch Wokingham Borough

DATE OF MEETING	ITEMS	PURPOSE OF REPORT	REASON FOR CONSIDERATION	CONTACT OFFICER
7 March 2018	Performance Outcomes Report	To monitor performance and identify any areas of concern	Challenge item	Democratic Services
	Health Consultation Report	Challenge item	Challenge item	Democratic Services
	Healthwatch update	Challenge item	Challenge item	Healthwatch Wokingham Borough

109 **Currently unscheduled topics:**

- Draft Quality Accounts (April 2018)
 - Berkshire Healthcare NHS Foundation Trust
 - Royal Berkshire Hospital NHS Foundation Trust
 - South Central Ambulance NHS Foundation Trust
- Update on work of Clinical Commissioning Group
- Weekend 'bed blocking'
- Progress of Community Health and Social Care implementation

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