

MINUTES OF A MEETING OF THE OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE HELD ON 20 JUNE 2018 FROM 7.00 PM TO 8.50 PM

Committee Members Present

Councillors: Parry Batth (Chairman), Philip Houldsworth (Vice-Chairman), Andy Croy, Guy Grandison, Kate Haines, Mike Haines, Ken Miall, Malcolm Richards, Bill Soane and Shahid Younis

Officers Present

Neil Carr, Democratic and Electoral Services Specialist and Scrutiny Officer

1. ELECTION OF CHAIRMAN

The Committee elected a Chairman for the 2018/19 Municipal Year.

RESOLVED: That Parry Batth be elected as Chairman of the Committee for the 2018/19 Municipal Year.

2. APPOINTMENT OF VICE-CHAIRMAN

The Committee appointed a Vice-Chairman for the 2018/19 Municipal Year.

RESOLVED: That Philip Houldsworth be appointed as Vice-Chairman of the Committee for the 2018/19 Municipal Year.

3. APOLOGIES

Apologies for absence were submitted by Lindsay Ferris and Ian Pittock.

4. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Committee held on 23 May 2018 were confirmed as a correct record and signed by the Chairman.

5. DECLARATIONS OF INTEREST

There were no declarations of interest.

6. PUBLIC QUESTION TIME

There were no public questions.

7. MEMBER QUESTION TIME

There were no Member questions.

8. SELECT COMMITTEE REPORT ON OVERVIEW AND SCRUTINY

The Committee considered a report, set out at Agenda pages 11 to 22, which gave details of the Government's response to the House of Commons Select Committee report on Overview and Scrutiny in local government.

The report stated that the House of Commons Select Committee for Communities and Local Government had published its report on Overview and Scrutiny in local government in December 2017. A number of the Select Committee's recommendations called for Government action. The Government subsequently published its response to the Select Committee report in March 2018.

The key elements of the Government's response were summarised as:

- the Government planned to issue new Statutory Guidance to local authorities at the end of 2018;
- the Government agreed that Overview and Scrutiny Committees should report to the full Council meeting rather than the Executive, mirroring the relationship between Select Committees and Parliament;
- the Government accepted the need to limit the Executive's involvement in Overview and Scrutiny meetings and would make it clear that Executive Members should not participate in Scrutiny other than as witnesses;
- Government guidance would make it clear that Scrutiny support officers should be able to operate independently and provide impartial advice to Members;
- the Government aimed to continue discussions about the election rather than appointment of Overview and Scrutiny Chairmen, but it did not support a pilot scheme. The Government noted that Councils already had the power to elect Chairmen;
- the Government did not accept the recommendations relating to additional resources for the Overview and Scrutiny function, believing that these matters were best left to local discretion;
- the Government agreed that there should be clear and transparent oversight of Local Enterprise Partnerships (LEPs).

The Scrutiny Officer gave details of recent developments relating to the publication of statutory guidance by Government later in 2018. In discussions with the Centre for Public Scrutiny the Government had indicated that it would be arranging engagement sessions and workshops with Scrutiny practitioners (including Members) in order to understand a range of views on potential improvements.

In the ensuing discussion Members raised the following points:

- Members welcomed the Government's proposed new Statutory Guidelines which would help to strengthen the operation of Overview and Scrutiny;
- Members welcomed the proposed Government stakeholder events aimed at seeking the views of Scrutiny practitioners and agreed that the Council should be represented;
- Members felt that the Council's Constitution Review Working Group should be notified that new guidelines would be circulated at the end of the year which would have implications relating to Overview and Scrutiny reporting arrangements and the involvement of Executive Members in the Scrutiny process;
- It was suggested that the Committee develop a set of performance indicators, based on best practice, which would allow Members to monitor the effectiveness of Overview and Scrutiny at the Council.

RESOLVED That:

- 1) the Government's response to the House of Commons Select Committee report be noted;
- 2) the Committee's comments on the proposals in the report be submitted to the Government, the Centre for Public Scrutiny and the Local Government Association;
- 3) Members wish to take part in the stakeholder engagement sessions relating to the emerging statutory guidance on Overview and Scrutiny, due to be held in the autumn of 2018;
- 4) the Constitution Review Working Group be notified about the Government's response to the Select Committee recommendations and the proposed publication of Statutory Guidance on Overview and Scrutiny, expected at the end of 2018;
- 5) the Committee receive a report on potential performance indicators to demonstrate the effectiveness of the Council's Overview and Scrutiny function.

9. OVERVIEW AND SCRUTINY MEMBER TRAINING

The Committee considered a report, set out at Agenda pages 23 to 26, which gave details of the annual Scrutiny training session for Members. The training session was scheduled for 23 July 2018 (7pm). The session would provide an introduction to Overview and Scrutiny for new Members and a refresher for more experienced Members.

The Scrutiny Officer updated Members on the format of the training session and confirmed that it would include a presentation, small group discussions and practical exercises. The session would seek to emphasise the principles of effective Scrutiny:

- Providing critical friend challenge to the Executive and partner organisations;
- Reflecting and enabling the voice and concerns of residents and community groups;
- Members acting in the role of "independently minded governors" who lead and own the Scrutiny process;
- Driving improvement in public services and helping to find efficiencies and new ways of delivering services.

The Scrutiny Officer confirmed that the most suitable date for the training session was Monday 23 July 2018. He also reported that the Committee had received a Scrutiny request from Members relating to the operation of the Council's grass cutting service. It was suggested that the training session on 23 July could use the grass cutting issue as a basis for discussing the format and delivery of an effective Scrutiny review. This would allow Members to discuss the steps in undertaking a Scrutiny review such as developing the terms of reference, engagement with residents and other stakeholders, identifying key witnesses and drafting the final report.

During the ensuing discussion, Members raised the following points:

- It was felt that the training session should include a discussion on the interpretation of data and the process for setting performance indicators;

- It was noted that earlier updates on the 21st Century Council programme had indicated that the investment in improved IT would deliver more timely and accurate performance data for consideration by the Overview and Scrutiny Committees.

RESOLVED That:

- 1) the Member training session on Overview and Scrutiny be confirmed for 7pm on 23 July 2018;
- 2) the format of the session include small group discussions and exercises;
- 3) the training session use the Council's grass cutting service as an example of a Scrutiny review;
- 4) the training session include a section on the interpretation of performance data by Overview and Scrutiny Members and the process for developing "stretching" targets.

10. CONSIDERATION OF THE CURRENT EXECUTIVE AND INDIVIDUAL EXECUTIVE MEMBER DECISION FORWARD PROGRAMMES

The Committee considered a copy of the Executive Forward Programme and Individual Executive Member Decision Forward Programme, as set out on Agenda pages 27 to 36.

In the ensuing discussion Members confirmed that the following items be added to the Overview and Scrutiny work programme for 2018/19:

- Financial position of the WBC owned companies;
- Duty to Co-operate: SHMA Methodology (Strategic Housing Market Assessment).

Members noted that the item "Sites to be Declared Surplus for Disposal" had already been included in the Overview and Scrutiny Work Programme.

RESOLVED That:

- 1) The Executive and Individual Executive Member Decision Forward Programmes be noted;
- 2) The Overview and Scrutiny Management Committee Work Programme be amended to include the items highlighted by the Committee.

11. OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE WORK PROGRAMME 2018/19

The Committee considered a report, set out at Agenda pages 37 to 40, which gave details of its work programme for 2018/19.

The report reminded Members of the importance of effective work programming in prioritising issues of community concern, highlighting Scrutiny topics of most value and involving residents and community groups in the process.

The report also referred to a request for a Scrutiny review of the Council's grass cutting service. The new service had started in April 2016 following a joint procurement exercise

with the Royal Borough of Windsor and Maidenhead. The successful contractor was ISS Facility Services with the contract due to run to September 2026.

The Committee reviewed its work programme and highlighted the following issues:

- Members agreed that key lines of enquiry be developed in relation to the discussion at the next meeting with the Leader of the Council and the Chief Executive;
- Following a request from Members, the Chairman agreed that an extraordinary meeting of the Committee be held on 1 August 2018 to consider the Council's response to its duties under the Equality Act 2010 and the proposed Scrutiny review of grass cutting.

RESOLVED That:

- 1) the Committee's 2018/19 work programme, as amended, be confirmed;
- 2) key lines of enquiry be developed in advance of the next meeting in order to structure the discussions with the Leader of the Council and the Chief Executive;
- 3) that Members suggest relevant questions to be included in the key lines of enquiry, including, for example: 21st Century Council and town centre regeneration;
- 4) an extraordinary meeting of the Committee be held on 1 August 2018 to consider a report on the Equality Act 2010 and the proposed Scrutiny review of the Council's grass cutting service;
- 5) the relevant Executive Members and Directors be invited to attend the extraordinary meeting on 1 August 2018.

12. COMMITTEE WORK PROGRAMMES

The Committee considered work programmes of the other Overview and Scrutiny Committees, as set out on Agenda pages 41 to 50.

RESOLVED That:

- 1) the Overview and Scrutiny Work Programmes for 2018/19, as amended, be noted;
- 2) that Overview and Scrutiny Committee Agenda aim to include a maximum of two or three substantive items in order to enable detailed Scrutiny to take place.

13. UPDATE REPORTS FROM CHAIRMEN OR NOMINATED MEMBER OF THE OVERVIEW AND SCRUTINY COMMITTEES

The relevant Chairmen provided updates on recent issues considered by the Overview and Scrutiny Committees and future Agenda items.

RESOLVED: That the update reports be noted.

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