

OVERVIEW AND SCRUTINY COMMITTEE

Minutes of the meeting held on Tuesday 17 March 2009 at the Town Hall, Royal Leamington Spa at 6.00 p.m.

PRESENT: Councillor Gifford (Chair); Councillors Barrott, Boad, Britland, Coker, Copping, Ms De-Lara-Bond, Mrs Gallagher, Hatfield, Mrs Higgins, Mrs Sawdon, Mrs Scarrott and Weed.

1. DECLARATIONS OF INTEREST

Minutes Number 3 – Executive Agenda Item Number 8 – Portfolio Holder Statements and Service Delivery Plan Summaries 2009/2010– (Non Confidential Items and Reports)

Councillor Barrott declared a personal interest because his son was awarded a Disabled Facilities Grant last year and Councillor Barrott had spoken about the system a number of times with WDC officers.

2. MINUTES

The minutes of the meetings held on 3 February 2009 were confirmed as a correct record and signed by the Chair.

3. EXECUTIVE AGENDA (NON CONFIDENTIAL ITEMS AND REPORTS) – WEDNESDAY 17 MARCH 2009

Agenda Item Number 3 - Annual Audit & Inspection Letter

The Committee supported the recommendations in the report and would be keenly looking at the PI's over the next 12 months.

Agenda Item Number 6 – Budget and Improvement Programme (BIP)

The Committee supported the recommendations in the report and were pleased to see funding was now available for additional scrutiny support from officers. The Committee hoped to set up a Task and Finish Group with regard to options for a Culture Trust and were keen to work with the Executive on the BIP Programme. The Committee would also look at further items on the BIP programme when considering the need for future Task and Finish Groups.

Agenda Item Number 7 – Building on Excellence – 18 months on

The Committee supported the recommendations in the report and would like to see any changes in Portfolio Holder responsibilities implemented as soon as a revised service area structure was approved. This would ensure the portfolio holders are immediately accountable for their service area responsibilities. The Committee also wished to see revised Portfolio Holder statements issued as soon as any changes to the portfolio structure are agreed.

Agenda Item Number 8 – Portfolio Holder Statements and Service Delivery Plan Summaries 2009/2010

OVERVIEW AND SCRUTINY COMMITTEE MINUTES (Continued)

The Committee supported the recommendations in the report. However members wished to convey their considerable unhappiness about the current performance on the handling of applications for Disabled Facilities Grants. These problems needed addressing as a matter of urgency and the Committee requested a report be submitted to it in June 2009.

Agenda Item Number 16 - Restructure of Staffing in Culture and Neighbourhood Services

This item had been withdrawn from the Executive agenda on Monday 16 March 2009, but it was now back on the Executive agenda for consideration. The Committee were not aware of this until the start of the meeting.

Therefore, Rose Winship attended the meeting and produced some additional information to the Committee and gave the Committee to opportunity to comment upon if, if they so wished.

However, after consideration of this information, members did not wish to forward any comments to the Executive on the item.

Agenda Item Number 19 – Future Maintenance of Bus Shelters within Warwick District

The Committee highlighted that as this was a County Council function, that Warwickshire County Council be pursued to investigate whether funds from the decriminalisation process or any bus shelter advertising receipts received by the County could be used to provide an enhanced service. The Committee believed that Town Councils would not be able to undertake this function and if people were to be encouraged to use the buses and not use their cars, then bus shelters were essential.

4. ENGAGING YOUNG PEOPLE

The Committee considered a report from Councillor Britland with regard to the scrutiny review which had been under taken by the Engaging Young People Task and Finish Group.

Following the Executive's receipt of a petition in April 2008 calling on the Council to 'conduct a review on how it engages with young people on its day to day proceedings,' a Task and Finish Group of non-Executive members was appointed in July 2008. This Group scrutinised how to engage young people in the Council's decision making processes. The scoping document was attached at appendix 1 to Task and Finish Groups' report. The Groups' final report was circulated separately to the agenda.

The Committee were pleased with the report and the work the Task and Finish group had undertaken, and were happy to approve the recommendations for forwarding to the Executive.

OVERVIEW AND SCRUTINY COMMITTEE MINUTES (Continued)

Councillor Britland also expressed his gratitude to Victoria Cook, Improvement Officer, for her assistance and support with the project until she left the Council in December 2008.

RESOLVED that the report be supported and forwarded to the Executive in June 2009.

5. PERFORMANCE TARGETS – QUARTER 3

The Committee considered a report, which was enclosed within the Executive agenda, on the third quarter performance targets.

The regular and systematic reporting of performance results against target, trended over time and compared with other authorities was a fundamental element of the Council's integrated performance management framework. The performance management framework in turn remained a key tool for ensuring the Council stayed focussed on what mattered to ensure it delivered its services efficiently and effectively.

As in previous quarters, a report relating to each Portfolio had been prepared and arranged to enable the Overview and Scrutiny Committee to hold portfolio holders to account for the performance of services within their portfolio area. The information in section 7 of the report contained full exception, mitigation and correction actions.

When examining performance results for any given area the following points should be considered with relation to the results achieved and used to evaluate the appropriateness of any corrective action proposed:

- Result against target
- Result compared to previous results - trend over time.

There were a few points of clarification which the Committee discussed, but on the whole, members were generally happy with the performance targets.

There were some concerns raised with regard to Housing Strategy. Members were of the opinion that there was an underlying problem with staffing issues and this was affecting performance within the Business Unit. The staffing issues needed to be addressed and may need some input from the Human Resources Portfolio Holder.

RESOLVED that

- (1) the report be noted; and
- (2) the staffing issues within Housing Strategy be addressed with consultation from the Human Resources Portfolio Holder.

6. FORWARD PLAN

OVERVIEW AND SCRUTINY COMMITTEE MINUTES (Continued)

The Committee considered a report from Members' Services on the Forward Plan. The current Forward Plan was attached as appendix 1 to the report.

The Forward Plan was published on a monthly basis and sets out the key decisions, and some non-key decisions, to be taken by the Executive.

The Committee considered the Forward Plan and looked at the up-coming Executive decisions. There was some discussion and suggestions made as to items which the members could have an input upon.

The Committee were mindful that any work undertaken would be done so without the need to change the timescales.

There were not any items within the Forward Plan which the Committee would like to have an input at the moment. However, members would like to see the Plan expanded so the reasons why the items were delayed were detailed within the Plan.

Officers would investigate this and report back if necessary.

RESOLVED that the report be noted.

7. SCOPING DOCUMENT – MAINTENANCE OF WDC TREES

The Committee considered a scoping document submitted by Councillor Mrs Higgins with regard to the maintenance of WDC trees.

The Committee were happy for a Task and Finish Group to be appointed but felt that the scope needed more work doing to it by the Group at their first meeting.

It was also reported that the Group, consisting of Councillors Mrs Blacklock, Mrs Higgins and Pittarello, would not have their first meeting until May/June 2009.

RESOLVED that

- (1) the establishment and membership of the Task and Finish Group be approved; and
- (2) the current scoping document be amended appropriately by the Task and Finish Group at their first meeting.

8. COMMENTS FROM THE EXECUTIVE

The Committee considered a report from Members' Services on the response the Executive gave to the Committees' comments on the reports submitted to the Executive on 3 February 2009.

OVERVIEW AND SCRUTINY COMMITTEE MINUTES (Continued)

The report was produced to create a dialogue between the Executive and the Overview and Scrutiny Committee and it ensured that the Overview and Scrutiny Committee were formally made aware of the Executive's responses.

As part of the new scrutiny process, the Committee were no longer considering the whole of the Executive agenda.

On the publication day of the agendas for the previous meetings of the Executive and Overview & Scrutiny, all Councillors were emailed asking them to contact Committee Services, by 9.00am on the day of the Overview and Scrutiny Committee, Tuesday 3 February 2009, to advise which Executive items they would like the Overview and Scrutiny Committee to pass comment on.

As a result the Committee considered the items as detailed in appendix 1 to the report, and the response the Executive gave was also shown. The Committee noted that there was not enough information in the appendix actually detailing what the Executive said. The information which was in the report only stated what the Executive decision was. Therefore, members requested that the Executive give a full response to each of the comments made and that this was conveyed to the Leader of the Executive.

The Committee also examined the decisions of the Executive, detailed in appendix 1 for possible scrutiny of those decisions. However, the Committee did not wish to scrutinise any Executive decisions at this time.

RESOLVED that the report be noted.

9. END OF TERM REPORT

The Committee considered a report from Members' Services on the work which had been undertaken by the Committee and Audit & Resources Scrutiny Committee since June 2008, the Task and Finish Groups which had been established and the changes which had been made to scrutiny throughout the year.

The main change from the previous Committee style was to streamline the agenda and ensure that it was member led and the items included were those which members wished to receive.

There were a number of standard items on the agenda including the Forward Plan, consideration and comments on selected Executive agenda items, a report on the response the Executive made to the Committees' comments on the previous Executive agenda, and the work programme.

Four Task and Finish Groups had also been established. The agreed procedure was that all non-executive members were invited to join these Groups and they only met following prior approval of the scope by the Overview and Scrutiny Committee.

Two scrutiny reviews had been completed in 2008/2009 and these were with regard to CCTV and Engaging Young People. The response from members

OVERVIEW AND SCRUTINY COMMITTEE MINUTES (Continued)

had been positive and both of these Groups had produced meaningful and useful recommendations.

The third Group was the Royal Spa Centre Task and Finish Group and their work was currently on-going. The Group would be reporting to the Overview and Scrutiny Committee in July 2009 and the Executive in September 2009.

The fourth Task and Finish Group was with regard to tourism and the first meeting was due to be held on 19 March 2009.

At the meeting in February 2009, the Overview and Scrutiny Committee identified three items within the Forward Plan which members would like to have an impact upon, before the report was submitted to the Executive and the decision was made. These had been added into the Committees' work programme and members would now look at the Forward Plan at each meeting. The Committee would also be able to identify any policies due for approval at a future meeting of the Executive and feed into those policies, where members wish to do so.

The Committee had also continued to consider the Executive agenda, but only those items which had been specifically selected by members. This had meant that only the Executive items which were of particular interest to members were commented upon and the Committees' time was spent more effectively.

A training session on questioning skills had also been arranged for all members in January 2009, which gave members the skills needed to interview witnesses who attend the Committee or Task and Finish Groups. This session was very well received by members and a second session would be arranged for later in the year.

RECOMMENDED that the report be noted.

10. FUTURE OF SCRUTINY 2009/2010

The Committee considered a report from the Chief Executive on the Scrutiny for 2009/2010 and the ideas for taking it forward into 2009/2010.

There have been many changes to scrutiny during 2008/2009 and the good work and improvements which had been achieved so far, provided a foundation for building upon into 2009/2010. These improvements were detailed within the report.

It had been suggested by CMT and the Scrutiny Chairs that Audit and Resources Scrutiny Committee becomes 'Finance and Audit Committee' with a remit with respect to finance and audit across all areas. The Overview and Scrutiny Committee would then have an overview of all portfolio areas, but leaving all finance and audit matters to the other committee. In practice this was how the Committees had been working anyway and this amendment to the Constitution would regularise the current position.

OVERVIEW AND SCRUTINY COMMITTEE MINUTES (Continued)

It was also suggested by CMT and the Scrutiny Chairs that with respect to the proposed Finance and Audit Committee, it should sign off the accounts on the behalf of the authority. This would remove the need for the very short Council meeting in June and would probably make for better scrutiny of the accounts.

The suggested terms of reference for the proposed Finance and Audit Committee were shown in appendix 2 to the report, and the amended terms of reference for the Overview and Scrutiny Committee were shown in appendix 3 to the report.

A Scrutiny Focus Group was held on 4 March 2009. This informal ad hoc Group consisted of 6 members, Councillors Crowther, Gifford, Guest, Illingworth, MacKay and Pratt, and all non-executive members were invited to attend. This issue of Audit and Resources Scrutiny Committee had been discussed and as well as the option above, it was also suggested that the Audit and Resources Committee could:

- continue with the same remit but meet more frequently so that meetings were hopefully shorter and there would plenty of time to consider all items on the agenda; or
- Audit and Resources splits into two separate Committees – one Committee for the audit function and the other for resources issues.

Of course the other option was for the Committee to continue with the present arrangement and make no changes at all.

It was officers' preference that the Committee changes to Finance and Audit Committee, as this was in practice how the Committee was operating anyway. It also made it clear that the overview and scrutiny function lies with the Overview and Scrutiny Committee. However, this did not prevent the Finance and Audit Committee from completing their own investigations into matters within their remit, but it would not have to be done so within the format of Task and Finish Groups.

The Chief Financial Officer also advised that there was not a good dividing line between audit and resources issues. The external auditor reports were often concerned with matters of financial management and practice, and the Committee had recently decided that a much more strategic approach was adopted towards internal audit. It was felt that there could be confusion between roles in this suggestion.

In effect what was being suggested was that the Overview and Scrutiny Committee carry out the Council's overview and scrutiny function. The proposed Finance and Audit Committee would continue to carry out investigations and other work as the Committee sees fit within their remit, but do not have the full overview and scrutiny responsibilities.

Further suggestions for developing scrutiny for the Overview and Scrutiny Committee were detailed in the report.

RECOMMENDED that

OVERVIEW AND SCRUTINY COMMITTEE MINUTES (Continued)

- (a) the report and the developments for scrutiny in 2009/2010 be noted; and
- (b) the Committee supports the change from Audit and Resources Scrutiny Committee to Finance and Audit Committee, subject to agreement by the Audit and Resources Scrutiny Committee.

11. REVIEW OF THE WORK PROGRAMME

The Committee considered a report from Members' Services on the Committees' work programme for 2008/2009.

At the Committees' meeting on 3 February 2008, it was agreed that in addition to standard items on the agenda, the Committee would receive the following reports in March 2009:

- LAA/LSP – Deferred to June 2009 because the current LAA agreement WAs being refreshed as per the item on the Executive agenda
- Waste Management – Deferred to June because a scrutiny had been undertaken by Audit & Resources Scrutiny Committee
- A scoping document with regard to Maintenance of WDC Trees
- Engaging Young People Task and Finish Group report

Engaging Young People Task and Finish Group – The Group had now concluded their scrutiny of CCTV and the draft report was a separate item on the agenda.

CCTV Task and Finish Group – This report was on the agenda for the March meeting of the Executive.

Tree and Woodland Task and Finish Group – As agreed at the last meeting of the Committee, the Group had been disbanded because the scope was too wide.

Royal Spa Centre Task and Finish Group – The Group have had their second and third meetings and had had a site visit to the Civic Hall in Bedworth. Their final report would now be submitted to the Executive in July 2009 and not June as originally planned.

At each meeting, the Committee considered their work programme and made amendments where necessary, and also made comments on specific Executive items, where notice has been given by 9am on the day of the Overview and Scrutiny Committee meeting. The Committee also received a report detailing the response from the Executive, on the comments the Committee made on the Executive agenda in the previous cycle.

On a quarterly basis, the Committee received performance reports and had previously received the Forward Plan on this basis too. However, to ensure the Forward Plan was used effectively to allow the Committee to become involved in the Executive decisions to be taken, this was now a standard item on each agenda.

OVERVIEW AND SCRUTINY COMMITTEE MINUTES (Continued)

For information, at each meeting of the Executive, there would be a report on their agenda detailing the work of the Overview and Scrutiny Committee and the Audit and Resources Scrutiny Committee.

RESOLVED that the report be noted and the following amendments be made to the work programme:

- (i) Business Improvement Programme (BIP) – Report detailing Information on the BIP programme with specific details about the Culture Trust – June 2009;
- (ii) Portfolio Holder Areas – Report on how the new Portfolio Holder areas fit with the Council's structure – June 2009;
- (iii) Royal Spa Centre Task and Finish Group – Reporting to the Committee in July 2009 and to the Executive in August 2009; and
- (iv) Disabled Facilities Grants (DFG) - Details of the process for dealing with DFG's and specifically how the back log is being/has been dealt with – June 2009.

RECOMMENDED that the work plan for the municipal year 2009/10 be noted.

(The meeting ended at 8.30pm)