

**OVERVIEW AND SCRUTINY  
MANAGEMENT COMMITTEE  
26 JUNE 2014**

**PRESENT: COUNCILLOR P J O'CONNOR (CHAIRMAN)**

Councillors C J T H Brewis, Mrs J Brockway, M Brookes, P M Dilks, A G Hagues, C E D Mair, Mrs M J Overton MBE, R B Parker, Mrs A E Reynolds, C L Strange, Mrs C A Talbot and T M Trollope-Bellew

**Added Members**

Church Representatives: Mr S C Rudman

Parent Representatives:

Councillors: attended the meeting as observers

Officers in attendance:-

Simon Evans (Health Scrutiny Officer), David Hair (Team Leader - Scrutiny and Member Support), Tracy Johnson (Scrutiny Officer), Louise Tyers (Scrutiny Officer), Nigel West (Democratic Services Manager), Richard Wills (Executive Director for Environment and Economy) and Rachel Wilson (Democratic Services officer)

1           APOLOGIES FOR ABSENCE/REPLACEMENT MEMBERS

Apologies for absence were received from Councillors B Adams, A Bridges, C E H Marfleet and Mr C V Miller (Parent Governor Representative)

2           DECLARATION OF MEMBERS' INTERESTS

There were no declarations of interest at this point in the meeting.

3           MINUTES OF THE MEETING OF THE COMMITTEE HELD ON 24 APRIL  
2014

**RESOLVED**

That the minutes of the meeting held on 24 April 2014 be agreed and signed by the Chairman.

During consideration of the minutes, Members were reminded of the letter which was requested to be sent to Lincolnshire MP's in respect of the Better Care Fund during the meeting held on 27 March 2014. Members were advised that significant

2

## **OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE**

**26 JUNE 2014**

enquiries had been made on this since the meeting on 24 April 2014, and it was felt that further investigation should be undertaken by the Health Scrutiny Committee.

### 4 CONSIDERATION OF CALL-INS

No call-ins had been received.

### 5 PROPOSAL FOR SCRUTINY REVIEWS

There were no proposals for scrutiny reviews.

### 6 REVIEW OF THE CONSTITUTION - UPDATE

Consideration was given to a report which updated the Overview and Scrutiny Management Committee on progress with the review of the Council's Constitution.

A cross party working group was established at the meeting of the Overview and Scrutiny Management Committee on 27 June 2013 to support the Monitoring Officer in the review of the Constitution and had met on several occasions.

The report presented to the Committee focused on amendments to Part 2 – Articles of the Constitution and Part 3 – Responsibility for Functions. Further meetings had been scheduled for 11 and 22 July 2014 when other sections would be considered. Subject to the agreement of the Committee, the amended Constitution would be presented to Full Council on 26 September 2014 for approval and adoption.

Members of the Committee were provided with the opportunity to ask questions to the officers present in relation to the information contained within the report and some of the points raised during discussion included the following:

- It was clarified that 'members' referred to in Article 3 of Part 2, were elected members of the Council. Rights and duties for added members and co-opted members were set out in a later part of the Constitution;
- It was noted that the biggest change in relation to Article 3, was the inclusion of the link to the Electoral Commission;
- It was discussed whether the reference on page 2/9 of the Constitution to 'The Ruling Group' should be changed? It was suggested whether 'majority' group could be used instead, but it was felt that this did not reflect the difference between the dominant group with the most members, and a group which was an amalgamation of more than one group. It was agreed that this should be referred to the Monitoring Officer;
- It was thought important that added and co-opted members should abide by the same rules and code of conduct as elected councillors. It was confirmed that the code of conduct did apply to both elected and non-elected members of the Council;

## OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

26 JUNE 2014

It was reported that work would continue to progress on the Constitution, two more meetings were scheduled, and a further update may be included in the next meeting of the Overview and Scrutiny Management Committee. It was also suggested that an additional meeting of the Overview and Scrutiny Management Committee be arranged for 27 August 2014 in order to finalise all the amendments prior to the Constitution being submitted to Full Council. However, it was noted that this meeting would be cancelled in the event it was not needed.

### RESOLVED

That the recommendations of the Constitution Review Group be agreed, with a view to them being incorporated in a final submission to Council on 26 September 2014, subject to the following:

- Clarification of terminology for 'Ruling Group';
- Clarification in relation to code of conduct for Added and Co-opted Members.

## 7 OVERVIEW AND SCRUTINY WORK PROGRAMME

Consideration was given to a report from the Team Leader (Scrutiny and Member Support), which provided the Committee with an opportunity to consider its work programme and the work programmes of the Scrutiny Committees. Copies of the individual work programmes were appended to the report and the following updates were received:-

### i) Overview and Scrutiny Management Committee

There would be an addition to the agenda for the meeting on 24 July 2014, which would be an update on the Review of the Constitution. An additional meeting would also be arranged for 27 August 2014.

### ii) Adults Scrutiny Committee

There were currently seven items on the agenda for the meeting on 30 July 2014, but it was likely that not all the items listed would come forward..

It was also reported that it was proposed to change the date of the 24 September 2014 meeting to 1 October 2014.

There were no further changes to the work programme.

### iii) Children and Young People Scrutiny Committee

The Scrutiny Officer advised that there were no amendments to the work programme. However, it was noted that the agenda for the July meeting was quite lengthy with five items for pre-decision scrutiny.

## **OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE 26 JUNE 2014**

It was reported that the final report for the Frontline Social Workers and Safeguarding Scrutiny Review had been completed and signed off by the Scrutiny Committee and would be submitted to the Executive for consideration on 1 July 2014.

### iv) Community and Public Safety Scrutiny Committee

It was reported that there were currently no changes to the work programme. However, the meeting on 10 September 2014, would be held at the Fire and Rescue Training Facility at Waddington. Following that meeting there would be a Councillor development session on Public Health Harm Reduction and would look at alcohol and tobacco, illegal medicines and legal highs. Invitations to this session would be sent out to Councillors shortly. It was noted that this session would also be open to Councillors who were not members of this Committee.

### v) Economic Scrutiny Committee

The Scrutiny Officer advised that there were no amendments to the Work Programme and the Task and Finish Group's report 'Impact of Transportation on Maximising Economic Growth' had been accepted at the June meeting. It would be considered by the Executive at its meeting on 2 September 2014.

### vi) Environmental Scrutiny Committee

The Chairman reported that the only change to the work programme was that the Minerals and Waste Local Plan item scheduled for 18 July 2014, had been deferred to the meeting on 19 September 2014.

It was reported that the Textiles Working Group would be bringing its recommendations on a way forward for the management of textile recycling bins in household waste recycling centres to the meeting on 18 July 2014.

Members commented that they were pleased to see that textile recycling was being considered, and were confident that some satisfactory conclusions would be reached when the report was published.

Councillor Mrs M J Overton MBE reported that she had just started chairing a Task and Finish Group at North Kesteven District Council on contamination of dry recyclables.

### vii) Health Scrutiny Committee for Lincolnshire

The Chairman highlighted the following items:

25 June 2014

Burton Road Surgery, Lincoln

**OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE**  
**26 JUNE 2014**

The Chairman drew Members' attention to the Burton Road Surgery item which was on the agenda on 25 June 2014, as this would impact on the Committee's future work programme. The Committee was advised by representatives of NHS England's Area Team that the time limited contract for the Burton Road GP Surgery had been terminated by the providers, which were currently Lincolnshire Community Health Services (LCHS) NHS Trust. Following this meeting, the Chairman advised that she had received clarification from LCHS that this was not the case, as the original notification to terminate the contract had been issued by NHS England. As a result, the Health Scrutiny Committee would be seeking formal confirmation of the position from LCHS at its next meeting on 23 July 2014 and in light of this, may need to speak with NHS England.

Other items

Also, following the meeting on 25 June 2014, the Health Scrutiny Committee would be looking to timetable a specific item on the role of NHS England Area Team on the Overall Management of GP Practices and would also be receiving an update from Peterborough and Stamford Hospitals NHS Foundation Trust at the November 2014 meeting.

23 July 2014

The Chairman advised that confirmation was still awaited whether the Healthy Lives, Healthy Futures Programme, which would affect services provided at Scunthorpe General Hospital and Diana, Princess of Wales Hospital in Grimsby would come forward to the meeting in July as a consultation item.

17 September 2014

Lincolnshire Health and Care had been removed from the work programme for September, as it was unlikely there would be a consultation on this programme at this stage. The Chairman reported that there was good progress with the neighbourhood team strand of the programme and it was understood that there would be four neighbourhood team pilot sites in Lincoln City South, Skegness, Sleaford and Stamford (one in each of the four Clinical Commissioning Group areas).

The Committee reflected on the issues which had arisen at the Health Scrutiny Committee on 25 June during consideration of the Burton Road Surgery item and expressed their appreciation to Councillor Mrs C A Talbot for her work as Chairman of the Committee. It was suggested, in light of these issues, that both NHS England and LCHS NHS Trust should be invited to attend a future meeting. It was also suggested that it might be beneficial for the Health Scrutiny Committee to hold a workshop to gain further understanding of the new structures which were in place in the NHS.

viii) Highways and Transport Scrutiny Committee

**OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE****26 JUNE 2014**

The Chairman reported that there was only one amendment to the current work programme, which was that the winter maintenance update for the July meeting had been removed from the work programme. It was noted that this was due to the last winter being very mild, with so few issues, there was nothing to report. This item would usually be included to identify any issues and lessons learned to feed into the report for the September meeting.

It was also reported that the Speed Management in Lincolnshire Scrutiny Review final report was considered by the Committee at its meeting on 9 June 2014. The Task and Finish Group made nine recommendations which were agreed by the Committee and would be considered by the Executive on 1 July 2014.

It was reported that Lincolnshire had been awarded an additional £5.5m from central government from a £168m fund which had been made available for road maintenance. It was noted that the amount Lincolnshire had been awarded was larger than expected and this was due to having good processes laid down in the Highways Maintenance Plan on how this money would be spent.

The Committee was provided with an opportunity to ask questions and some of the points raised during discussion included the following:

- It was noted that the Highways directorate was reporting a £5.5m underspend, and this would be reallocated through the Council budget;
- It was discussed whether the scrutiny committees should be able to put forward arguments for having proportions of the underspend reallocated to their directorate areas. However, members were advised that it was the responsibility of full council to decide where the underspend was allocated or if it was put into the Council's reserves, and a report would be submitted to the meeting in September;
- It was suggested whether some of the additional money received from central government could be used to lease a pot hole filling vehicle;
- Members were pleased to see the Rail Update on the agenda for the next meeting, and it was noted that the transport minister was visiting Lincoln to talk about how important transport links were for the city. It was important to have good rail links, not just to London, but also to other major cities;
- Most of the highways maintenance work was carried out by the Highways Alliance. All jobs were issued with a completion date, but sometimes it was necessary for work to be re-programmed;
- Any potential impact of highways works on local businesses would be taken into account;
- It was requested that a report reviewing verge and amenity cutting be programmed into the work programme, and in several areas it was not being carried out on time. However, it was noted that this work was carried out by the Highways Alliance and this issue could be brought up under this item at the Committee's next meeting;

**OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE**  
**26 JUNE 2014**

ix) Value for Money Scrutiny Committee

The Vice-Chairman reported that the Committee had recently held a very successful meeting with paperless working, and it was hoped that it would be trialled again at the meeting in July. There had been an issue with page numbering, however this would be resolved. It was noted that the meeting had been very well supported, both by Mouchel and the Team Leader (Scrutiny and Member Support).

It was reported that the Committee received a regular overview of quarterly performance, and had been examining how to make this information more accessible to members of the public.

It was also reported that when the Committee was scrutinising financial information, far fewer questions were being asked, and it was important to be able to ask the right questions.

No changes to the work programme were reported.

In relation to the paperless working, it was confirmed that support would be provided for those councillors who wanted to go down this route, but paper copies of agenda packs would still be provided for those councillors who wished to receive them. Paper copies of agenda packs would also continue to be made available for any members of the public and press who were in attendance at the meeting. It was commented that this was a step in the right direction, but it was important to ensure that no-one was disadvantaged. However, in some circumstances it would not be possible to work completely paperless.

The Team Leader (Scrutiny and Member Support) advised that other Councils had introduced iPads to help Councillors to work paperless, whereas Lincolnshire County Council had introduced them as it was thought that they were the most effective tool for Councillors to communicate. If they would assist in moving to working in a more paperless manner, then that was a bonus.

Working Group Activity

The Chairman of the Health Scrutiny Committee for Lincolnshire was pleased to report that the end of the Quality Account process was approaching, with the final two Quality Accounts being completed today. This made a total of eight statements.

**RESOLVED**

1. That the work programmes for the Overview and Scrutiny Management Committee and the Council's other Scrutiny Committees (Appendices A and B) be approved, subject to any amendments identified above.
2. That the working group activity set out in Appendix C be noted.
3. That the Forward Plan of Key Decisions from 1 July 2014 be noted.

**8**  
**OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE**  
**26 JUNE 2014**

The meeting closed at 11.45 am