

**OVERVIEW AND SCRUTINY
 MANAGEMENT COMMITTEE
 28 APRIL 2016**

PRESENT: COUNCILLOR P J O'CONNOR (CHAIRMAN)

Councillors C J T H Brewis, Mrs J Brockway, M Brookes, P M Dilks, A G Hagues, A J Jesson, C E D Mair, Mrs M J Overton MBE, R B Parker, C L Strange and R Wootten.

Added Members

Church Representatives: Mr S C Rudman.

Parent Governor Representatives: Dr E van der Zee.

Officers in attendance:-

Simon Evans (Health Scrutiny Officer), Cheryl Hall (Democratic Services Officer), Judith Hetherington Smith (Chief Information and Commissioning Officer), Tracy Johnson (Senior Scrutiny Officer), David Powell (Head of Emergency Planning), Daniel Steel (Scrutiny Officer) and Nigel West (Head of Democratic Services and Statutory Scrutiny Officer).

79 APOLOGIES FOR ABSENCE/REPLACEMENT MEMBERS

Apologies for absence were received from Councillors: A Bridges, R L Foulkes, C E H Marfleet, Mrs A M Newton, Mrs C A Talbot and Added Members: Mrs P J Barnett and Mr P Thompson.

An apology for absence was also received from Richard Wills (Executive Director of Environment and Economy).

80 DECLARATION OF MEMBERS' INTERESTS

No interests were declared.

81 MINUTES OF THE MEETING HELD ON 24 MARCH 2016

RESOLVED

That the minutes of the meeting held on 24 March 2016 be approved and signed by the Chairman as a correct record.

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82 CHAIRMAN'S ANNOUNCEMENTS

The Chairman was pleased to report that the defibrillator for County Offices, which was requested by the Committee, had now been fitted in the Reception area.

The Chairman advised that he had attended the meeting of the Executive on 5 April 2016, when the item on the 'Review of the Council's Home to School Transport Policy in relation to Discretionary Grammar School Transport – Final Report' was discussed. It was noted that the Chairman of the Task and Finish Group, alongside the Chairman of the Children and Young People Scrutiny Committee, presented the report to the Executive. Two Members of the Task and Finish Group who had alternative views were also invited to speak on the item.

83 CONSIDERATION OF CALL-INS

The Committee was advised that no Call-Ins had been received.

84 PROPOSALS FOR SCRUTINY REVIEWS

The Committee was advised that no proposals for Scrutiny Reviews had been received.

85 CONSIDERATION OF COUNCILLOR CALLS FOR ACTION

The Committee was advised that no Councillor Calls for Action had been received.

86 OVERVIEW AND SCRUTINY ANNUAL REPORT

The Committee considered a report by the Head of Democratic Services and Statutory Scrutiny Officer, which provided Members with the opportunity to discuss the contents of the draft Overview and Scrutiny Annual Report for 2015/2016.

It was reported that an Overview and Scrutiny Annual Report was prepared every year for consideration at the County Council's Annual General Meeting. This year's report followed the format of the previous year in highlighting the key aspects of overview and scrutiny work undertaken during 2015/2016. A copy of the draft document was appended to the report.

Members were provided with the opportunity to discuss the report, and some of the points highlighted included the following:

- It was confirmed that the draft report had been emailed to all Members on the Committee on 22 April 2016. It was suggested that the relevant sections were finalised with the relevant scrutiny chairmen and then the final draft of the report be emailed to the Committee for final comments;
- Officers agreed to explore whether scrutiny committees could refer directly to meetings of the County Council;

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- More emphasis should be placed on 'looking ahead' for each scrutiny committee and therefore the relevant scrutiny chairmen were asked to make the necessary amendments;
- A Member commented that the County Council should set its priorities through its Annual Report/Council Business Plan, prior to setting the County Council Budget;
- It was suggested that reference should be made within each section to the relevant performance indicators;
- It was also suggested that reference should be made within each section to the current, and future, financial challenges.

RESOLVED

- (1) That the comments made in relation to the Draft Overview and Scrutiny Annual report for 2015-16 be noted.
- (2) That the relevant scrutiny chairmen be requested to finalise their respective sections, prior to the final draft being emailed to Members of the Scrutiny Committee for final comments.
- (3) That the Overview and Scrutiny Annual Report 2015-16, as amended and in accordance with any comments made, be submitted to the meeting of the County Council on 20 May 2016 for final approval.

87 UPDATE ON REVIEW OF SCRUTINY WORKING GROUP

The Committee received a verbal update from the Head of Democratic Services and Statutory Scrutiny Committee on the Review of Scrutiny Working Group.

Members were advised that the focus of the Working Group was still on the relationship between Executive and Scrutiny, and in particular what a good relationship should look like.

It was noted that a visit to Boston Borough Council had been carried out by two Members of the Working Group and the notes from the visit would be considered by the Working Group at the meeting during the afternoon of 28 April 2016. A visit would also be arranged for City of Lincoln Council following its Elections in May 2016.

It was also noted that two Members of the Executive were scheduled to attend and to contribute to the afternoon's meeting of the Working Group.

RESOLVED

That the verbal update on the Review of Scrutiny Working Group be noted.

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88 OVERVIEW AND SCRUTINY WORK PROGRAMME

Consideration was given to a report which enabled the Committee to consider both its own work programme and the work programmes from the scrutiny committees for 2016.

Overview and Scrutiny Management Committee

It was suggested that the Committee received an update on the progress with the County Council's Budget for 2016/17, in particular the impact of the budget reductions on each service area. Further to this, it was suggested that a workshop was arranged for the Committee covering this matter.

Concerns were raised over the possibility of the item on the Review of Financial Performance 2015/16 not being ready for June 2016. It was suggested that the Chairman be requested to send an email to the Executive Director of Finance and Public Protection expressing the Committee's concerns and ask what the implications would be of not producing the budget outturn in June 2016.

Adults Scrutiny Committee

There was one change to the work programme:

The item on the Outcomes from the Care Quality Commission Inspection of Lincolnshire Partnership NHS Foundation Trust would now not be considered by the Adults Scrutiny Committee on 25 May 2016. However, it was noted that this matter would be considered by the Health Scrutiny Committee for Lincolnshire on 18 May 2016.

A Member referred to the section on the Adults Scrutiny Committee in the Overview and Scrutiny Annual Report, specifically where it referred to the Committee being reassured that 65% of residential and nursing homes in Lincolnshire had been rated as good. Following a discussion, it was agreed that this section would be re-drafted as it implied that the Committee was content with 35% of Lincolnshire's residential and nursing homes not being rated as 'good' and this was not the case.

Children and Young People Scrutiny Committee

Members were advised that at the meeting scheduled to be held on 27 May 2016 the Committee would be considering a report to the Executive Councillor for Adult Care and Health Services, Children's Services, which would invite her to make a decision on the Grammar School Transport Scrutiny Review recommendation. The Executive Councillor was scheduled to take her decision on which option to accept on 3 June 2016.

In response to a question on the Committee's interest on enforced academisation, Members were advised that the Vice-Chairman would raise this issue at its next scheduled agenda planning meeting. The Committee expressed its dissatisfaction in this Government proposal and suggested that all Councillors received a briefing on it.

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Further to this, it was suggested that an officer from the Communications Team should be present at the meetings of the Overview and Scrutiny Management Committee, as they could publicise the proactive work of the Committee. The Chief Information and Commissioning Officer agreed to take this forward.

Community and Public Safety Scrutiny Committee

There was one change to the work programme.

The 'Lincolnshire Fire and Rescue Integrated Risk Management Plan' would now be considered by the Committee at its meeting on 13 July 2016. It was noted that this was owing to the public consultation not ending until late May and to allow enough time to analyse the response.

It was noted that a policy development scrutiny pre-engagement item on 'Assuring Sustainability of the Lincolnshire Archive and the Future of the Heritage Services' had been arranged for the meeting on 1 June 2016.

It was requested that all Councillors received a copy of the report, via email, on the 'Lincolnshire Association of Local Councils', which was due for consideration at the meeting on 1 June 2016.

Economic Scrutiny Committee

There were no changes to the published work programme.

Environmental Scrutiny Committee

There were no changes to the published work programme.

Flood and Drainage Management Scrutiny Committee

There was one change on the work programme:

- The Disaster Management Update scheduled for the meeting on 13 May 2016 from Emergency Planning would be considered at a future meeting.

It was noted that two working groups were planned on the following:

- River Steeping – working with the Environment Agency to consider modelling on the river following concerns of local residents;
- Anglian Water involvement in the planning process; to consider the best approach to make representation to government supporting changes to the statutory consultee planning application process.

A Member referred to an issue which had recently been discussed at North Kesteven District Council scrutiny committee in relation to Anglian Water. It was agreed that the relevant Scrutiny Officer would locate the minutes of the meeting for further information.

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There were no changes to the work programme.

Members were advised that the Quality Accounts Working Group had now met on two occasions this year, and had prepared statements on the draft Quality Accounts of (1) Lincolnshire Community Health Services NHS Trust; (2) Lincolnshire Partnership NHS Foundation Trust; and (3) Northern Lincolnshire and Goole NHS Trust.

A further meeting of the Working Group was scheduled to be held on 3 May 2016 and would consider the draft Quality Accounts of (1) the East Midlands Ambulance Services NHS Trust and (2) Peterborough and Stamford Hospitals NHS Foundation Trust.

The Vice-Chairman of the Committee thanked the Health Scrutiny Officer for his hard work on the quality accounts process.

In response to a question, Members were advised that the consultation for Lincolnshire Health and Care would commence later on in 2016, possibly October/November. The Vice-Chairman advised that the Committee would receive a briefing on Lincolnshire Health and Care on 18 May 2016 and advised that Members of the Overview and Scrutiny Management Committee were welcome to attend.

Further to this, a discussion took place regarding Delayed Transfers of Care and it was agreed that all Members of the Overview and Scrutiny Management Committee should receive, via email, the most recent report on this topic for their information.

Highways and Transport Scrutiny Committee

There were no changes to the work programme.

It was noted that the first meeting of the Winter Maintenance Working Group was scheduled to take place on 9 May 2016.

A number of concerns were raised regarding the changes to the contracts for the cutting of grass verges and footpaths. Members were advised that this service was now being brought back in-house and district/parish councils had been served notice.

In relation to the listed item on 'Parking on Footpaths / Pavements', it was queried whether the County Council would approach the Police regarding law enforcement and it was agreed that the Chairman would raise this question at the meeting on 13 June 2016.

Members raised concerns regarding the recent changes to the Street Lighting Policy, in particular the turning off of street lights at certain times. Members were concerned that they had received little notification of the changes and agreed that they required further information on it. The Chairman advised that he would request for further

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updates on the Street Lighting Transformation Project to be added to the work programme.

Value for Money Scrutiny Committee

There were no changes to the published work programme.

It was suggested that the Committee should consider at a future meeting enforced academisation from a value for money perspective.

RESOLVED

- (1) That the content of the overview and Scrutiny Management Committee Work programme as set out in Appendix A be noted;
- (2) That the work programmes from the overview and scrutiny committee set out at Appendix B be approved;
- (3) That the Working Group activity as set out at Appendix C be noted;
- (4) That the work programmes, in light of the Executive Forward Plan, as set out in Appendix D, be noted.

89 EXCLUSION OF PRESS AND PUBLIC

RESOLVED

That under Section 100 (A) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item, on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A of the Act, as amended.

90 MALICIOUS SOFTWARE (MALWARE) ATTACK ON LINCOLNSHIRE COUNTY COUNCIL - 26 JANUARY 2016

Consideration was given to an exempt report and presentation by the Chief Information and Commissioning Officer, which invited the Committee to consider information on the Malicious Software (Malware Attack) on Lincolnshire County Council.

The Chief Information Officer and the Head of Emergency Planning presented the exempt report to the Committee, and in doing so provided information on the incident; the County Council's response; and lessons learned, and responded to questions raised by Members.

Members sought information on the security of the County Council's data; the Council's response to the incident; media handling; and how this could be avoided in future.

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It was requested that officers produced a suitable summary of the exempt report, which would exclude sensitive information, for publication in the public domain.

The Chairman thanked officers for their detailed report and presentation.

RESOLVED

That the content of the exempt report, presentation and comments made be noted.

The meeting closed at 12.50 pm.