

**OVERVIEW AND SCRUTINY  
 MANAGEMENT COMMITTEE  
 30 MARCH 2017**

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

Councillors Mrs A M Newton (Vice-Chairman), C J T H Brewis, A Bridges, Mrs J Brockway, M Brookes, R L Foulkes, A G Hagues, J D Hough, C E H Marfleet, R B Parker, Mrs H N J Powell, Mrs C A Talbot and R Wootten.

**Added Members**

Church Representatives: Mr S C Rudman.

Councillors P M Dilks (Spokesperson of the Call-In), M J Hill OBE (Leader of the Council) and L Wootten (Vice-Chairman of Community and Public Safety Scrutiny Committee) were also in attendance.

Officers in attendance:-

Simon Evans (Health Scrutiny Officer), Cheryl Hall (Democratic Services Officer), Tracy Johnson (Senior Scrutiny Officer), Tony McArdle (Chief Executive), Nigel West (Head of Democratic Services and Statutory Scrutiny Officer) and Richard Wills (Executive Director, Environment and Economy).

91 APOLOGIES FOR ABSENCE/REPLACEMENT MEMBERS

Apologies for absence were received from Councillors A J Jesson, C E D Mair and C L Strange and Added Members Mrs P J Barnett, Mr P Thompson and Dr E van der Zee.

It was noted the Chief Executive, having received a notice under Regulation 13 of the Local Government (Committees and Political Groups) Regulations 1990, had appointed Councillors J D Hough and Mrs H N J Powell as a replacement member of the Committee in place of Councillors P M Dilks and Mrs M J Overton MBE, respectively, for this meeting only.

92 DECLARATION OF MEMBERS INTERESTS

There were no declarations of members' interests made at this stage in the proceedings.

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## RESOLVED

That the minutes of the Overview and Scrutiny Management Committee meeting held on 23 February 2017 be approved and signed by the Chairman as a correct record.

94 CHAIRMAN'S ANNOUNCEMENTS

The Committee was advised that the Chairman had attended the meeting of the Executive held on 7 March 2017. The Executive had considered a report on the *Blue Light Campus and Collaboration Agreement*, which had been discussed by the Community and Public Safety Scrutiny Committee on 1 March 2017 and the *Council Business Plan 2016/17 Quarter 3*, which had been discussed at the last meeting of the Overview and Scrutiny Management Committee on 23 February 2017. The comments from both Committees were presented to the Executive for its consideration.

95 PROPOSAL FOR SCRUTINY REVIEWS

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

96 CONSIDERATION OF COUNCILLOR CALLS FOR ACTION

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

97 CALL IN OF DECISION OF THE LEADER OF THE COUNCIL RELATING TO THE MEMBERSHIP OF THE LOCAL GOVERNMENT ASSOCIATION

A report from the Chief Executive was considered, which informed the Overview and Scrutiny Management Committee of the details of a Call In, which was referred to the Committee by the Proper Officer in accordance with paragraph 15(h) of the Overview and Scrutiny Procedure Rules of the Constitution.

The Call In related to a decision made by the Leader of the Council (Executive Councillor for Governance, Communications, Commissioning, Finance and Property) on the Membership of the Local Government Association (LGA) (Decision Reference: I013313) on the Master Plan. A copy of the report submitted to the Leader of the Council on 16 March 2017 and the subsequent Decision Notice were appended to the report presented.

The Chairman invited Councillor P M Dilks as the spokesperson for the Call-In, to outline the reasons for Calling-In the Leader of the Council's decision. The reasons submitted were detailed on page 14 of the agenda, which were expanded upon in the meeting as detailed below:

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- Although the basis of the decision was that the withdrawal from the LGA would produce an annual saving of £77,957, there had been no attempt to value the services delivered by the LGA, as detailed on paragraphs 3 and 4 of the decision report;
- There were no financial details of what would be the cost of the services delivered by the LGA if they had to be bought elsewhere, in particular the lobbying of government;
- There was no attempt to provide any evidence of the benefits to the County Council of the services provided by the LGA. The spokesperson cited examples of such benefits, which included councillor and officer training and attendance at conferences and leadership programmes; subsidised peer reviews; the guidance and support provided on the Greater Lincolnshire Devolution Proposal; and the mentoring of County Councillors;
- There was no evidence to support the claim that the LGA did not recognise the concerns of County Councils;
- There was no recognition in the report of the damage to the County Council within the local government community. It was also stated that the County Council would be seen as a 'freeloader' wanting to receive the benefits negotiated by the LGA but without paying the membership fee;
- There was no mention in the report of the difficulties the County Council could face in future dealings with central government in getting its lone voice heard. It was also stated that the County Council would become isolated, as it would be the only Council outside of London not to be a member of the LGA. The Spokesperson cited examples of when the LGA's lobbying had resulted in an increase in funding for local government which included the £2 billion of additional funding for adult social care services;
- It was questioned whether the Deputy Leader of the Council would have been appointed to the important role of Children's Social Care Commissioner at Rotherham Council if she had not been a member of the Children and Young People Programme Board at the LGA; and
- The overall lack of detail in the decision report was highlighted as a concern and it was also stated that this decision should have been subject to early engagement with scrutiny.

Members of the Committee, including Councillor M J Hill OBE, were invited to ask the spokesperson questions where the following points were noted: -

- It was clarified why the Spokesperson had chosen to call in the decision at this stage, as the decision taken by the Leader of the Council was to serve 12 months' notice on the LGA and not necessarily to leave it. A further decision would be required prior to 31 March 2018 to leave or to remain in the LGA. In response, the Spokesperson stated that the report implied that this was a decision to leave the LGA;
- The Leader of the Council advised that there were currently three London Boroughs that were not members of the LGA; and Leicestershire, Essex, and Surrey County Councils were also serving notice to withdraw from the LGA;
- The cost of the LGA by per head of population in Lincolnshire was approximately 11p and a Councillor deemed this good value for money;

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- A Councillor questioned why Lincolnshire County Council was so poorly funded and whether the LGA should do more to support shire Councils. In response, the Spokesperson advised that the County Council was so poorly funded owing to the national funding formula and not through a failing of the LGA;
- A Councillor questioned whether it was the activity of the LGA that had led to Adult Social Care receiving additional funding or whether the lobbying undertaken by the Association of Directors of Adult Social Services; associated charities; the County Council Network and the national media had been responsible.

The Chairman invited the Leader of the Council to respond to the reasons for the Call-In, where the following points were noted: -

- It was reiterated that the decision taken by the Leader of the Council was to serve 12 months' notice on the LGA and not necessarily to leave it. A further decision would be required prior to 31 March 2018 to leave or to remain in the LGA;
- It was clarified that the affordability of the membership fees was not the sole reason for the decision;
- The Leader of the Council stated that the Deputy Leader's appointment at Rotherham Council was not necessarily connected to her involvement at the LGA. It was felt that this was owing to the work the Deputy Leader had undertaken in the Children's Services department at Lincolnshire County Council which was reflected by the recent Ofsted ratings;
- It was reiterated that Lincolnshire County Council was underfunded compared to other local authorities and it was felt that the LGA should do more to support county councils to ensure fairer funding. The Leader of the Council cited examples where county councils were underfunded, which included the proportion of the income from new homes bonuses allocated to county councils compared to their levels of responsibility; it had become difficult for county councils to take a strategic overview of planning and waste services; and the lack of support from the LGA on the Government's requirement for elected mayors as part of devolution deals, which was deemed an unnecessary requirement by county councils. It was stated that the LGA could do more to support the voice of county councils; and
- It was reiterated that there were currently three London Boroughs that were not members of the LGA; and Leicestershire, Essex, and Surrey County Councils were also serving notice on the LGA and therefore Lincolnshire County Council would not be a lone voice.

Members of the Committee, including Councillor P M Dilks, were invited to ask the Leader of the Council and the Chief Executive, as the report author, questions where the following points were noted: -

- It was hoped that the LGA would consider the funding formula and lobby the Government to ensure fairer funding across all sectors of local government, which would be undertaken by consulting all sectors. This approach had been

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suggested by the Secretary of State for Communities and Local Government at a meeting, where the LGA was invited to propose a fairer funding formula for consideration;

- A Councillor reiterated that the decision of the Leader of the Council should have been subject to early engagement with scrutiny, prior to the decision being taken. In response, it was reiterated by the Leader of the Council that a further decision would be required by 31 March 2018 to either leave or remain in the LGA. Early engagement with scrutiny would be undertaken on this matter during the budget setting process. A detailed decision report would be produced for the decision maker's consideration;
- Should the County Council take the decision to leave the LGA in 2018, there were other means of lobbying available to the County Council, such as the Rural Services Network or by funding other organisations to do so on behalf of the County Council; and
- It was noted that the Leader of the Council had recently met with the Chairman of the LGA to outline the County Council's concerns.

The Committee debated the reasons for Call-In, together with the responses of the Leader of the Council, as well as any other additional points. During the discussion the following points were noted: -

- It was hoped that the LGA would make improvements in how it supported county councils, for example proposing changes to the national funding formula. Should those improvements be made, it was hoped the County Council would remain a member of the LGA;
- A Councillor reiterated that the membership fees of the LGA, equating to 11p per Lincolnshire resident was good value for money;
- A decision report, including more information, would be presented to the Leader prior to 31 March 2018 to take a final decision on the County Council's involvement in the LGA. This report would be subject to pre-decision scrutiny.

**RESOLVED**

That the decision of the Leader of the Council in relation to the Membership of the Local Government Association (I013313) be upheld.

NOTE: Councillor R B Parker wished his vote against the resolution be recorded.

**98      SCRUTINY WORK PROGRAMME 2017/18**

Consideration was given to a report by Nigel West (Head of Democratic Services and Statutory Scrutiny Officer), which invited the Committee to begin the process of producing a scrutiny work programme for the new Council for the municipal year 2017/18.

The Head of Democratic Services and Statutory Scrutiny Officer advised that some initial thoughts had been gathered by scrutiny officers from the current chairmen and vice-chairmen and service area officers, which were detailed at Appendices A to F of the report. It was recognised that those new committee members after the election in

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May 2017 may have further ideas that would need to be incorporated in the programme.

It was noted that going forward it was planned to rotate the scrutiny committees' work programme item on the Overview and Scrutiny Management Board to allow committee chairmen to provide regular updates, and at the same time provide fellow scrutineers with an opportunity to challenge.

Members were provided with an opportunity to comment on the proposed work programmes, where the following points were noted: -

### Overview and Scrutiny Management Board Work Programme

There were no further suggestions for inclusion in the work programme.

### Adult Care and Public Health Scrutiny Committee

It was anticipated that Public Health would be given a prominent role on the work programme of the Adult Care and Public Health Scrutiny Committee and the new Committee would continue to engage with service users and providers. It was also suggested that the Committee should continue to undertake visits of adult care facilities.

It was also confirmed that the Adult Care and Public Health Scrutiny Committee would consider whether to take forward a review of delayed transfers of care.

A suggestion was made for the Adult Care and Public Health Scrutiny Committee and the Health Scrutiny Committee for Lincolnshire to have a closer working relationship. It was suggested that this could be done by ensuring that detailed analysis of the work programmes of each committee would be considered by the Overview and Scrutiny Management Board at the same meeting.

### Children and Young People Scrutiny Committee

There were no further suggestions for inclusion in the work programme.

### Communities and Public Protection Scrutiny Committee

It was suggested that the meetings of the Crime and Disorder Committee should be scheduled to take place on a quarterly basis.

It was suggested that the Committee should consider an update in the autumn of 2017 from the Police and Crime Commissioner for Lincolnshire.

NOTE: At this stage in the proceedings, Councillor C E H Marfleet left for the remainder of the meeting.

### Environment, Economy and Transport Scrutiny Committee

Members acknowledged that the workload of the Environment, Economy and Transport Scrutiny Committee had the potential to be extensive and the need for prioritisation of items would be essential.

It was suggested that the Committee gave consideration to the following issues:

- the level of scrutiny input into the review of street lighting;
- impact of parking in the vicinity of schools; and
- Broadband (including mobile phone coverage).

### Food and Water Management Scrutiny Committee

It was noted that Anglian Water had recently issued information leaflets in Lincolnshire as certain parts of the County were 'water stressed'. It was therefore suggested that the Committee continue to engage with Anglian Water.

NOTE: At this stage in the proceedings, Mr S Rudman left for the remainder of the meeting.

### Health Scrutiny Committee for Lincolnshire

The following changes to the proposed work programme were noted: -

- The items on the *Lincolnshire Sustainability and Transformation Plan* would now be considered at the meetings scheduled for 13 September and 11 October 2017;
- The item on *Grantham Accident and Emergency – Temporary Overnight Closure Referral to the Secretary of State* would now be considered at the meeting scheduled to be held on 14 June 2017;
- The item on the *Outcomes of the NHS England Consultation on Congenital Heart Disease* would now be reported to the Committee on 13 December 2017;
- The item on the *East Midlands Ambulance Service* would now be presented to the Committee on 11 October 2017.

### RESOLVED

That the comments on the proposed scrutiny work programmes for 2017/18 be noted.

The meeting closed at 1.00 pm