



OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE 21 DECEMBER 2015

PRESENT: COUNCILLOR MRS A M NEWTON (VICE-CHAIRMAN IN THE CHAIR)

Councillors C J T H Brewis, A Bridges, Mrs J Brockway, M Brookes, P M Dilks, R L Foulkes, A G Hagues, A J Jesson, C E H Marfleet, Mrs M J Overton MBE, R B Parker, Mrs C A Talbot and R Wootten.

Added Members

Church Representative: Mr S C Rudman.

Parent Governor Representative: Mrs E Olivier-Townrow.

Officers in attendance:-

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

40 APOLOGIES FOR ABSENCE/REPLACEMENT MEMBERS

Apologies for absence were received from Councillors R J Hunter-Clarke, P J O'Connor and C L Strange and Added Members Mr C V Miller and Mr P Thompson.

41 DECLARATION OF MEMBERS' INTEREST

No interests were declared.

42 MINUTES OF THE MEETING OF THE COMMITTEE HELD ON 26 NOVEMBER 2015

RESOLVED

That the minutes of the meeting held on 26 November 2015 be approved and signed by the Vice-Chairman as a correct record.

43 CONSIDERATION OF CALL-INS

No call-ins had been received.

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There were no proposals for scrutiny reviews.

45 CONSIDERATION OF COUNCILLOR CALL FOR ACTIONS

No Councillor Call for Actions had been received.

46 REVIEW OF SCRUTINY

Consideration was given to a report by Nigel West (Head of Democratic Services and Statutory Scrutiny Officer), which provided an opportunity for the Committee to consider an independent report arising out of a review of the Council's scrutiny arrangements.

Members were reminded that at the meeting of County Council on 18 December 2015, the results of a review of the Council's scrutiny arrangements, carried out by East Midlands Councils, had been considered. The review, which had been undertaken by Dr Stuart Young (Executive Director of East Midlands Councils), had included informal discussions with councillors and officers, first hand observations at scrutiny meetings and research into good practice elsewhere. Dr Young's final report, which contained 17 recommendations, was attached at Appendix 1 to the Committee's report.

The Head of Democratic Services and Statutory Scrutiny Officer advised the Committee that following a debate, the Council resolved that the recommendations contained within the report be endorsed and invited the Overview and Scrutiny Management Committee to oversee the implementation of Recommendations 1-15 with immediate effect. It was also agreed that in relation to Recommendation 15 in the independent report, the Council transfers responsibility for the scrutiny of the Council's budget and performance from the Value for Money Scrutiny Committee to the Overview and Scrutiny Management Committee. The Council also supported a revision of the governance structure for scrutiny, and invited the Overview and Scrutiny Management Committee to review structural options and to make a recommendation to Council at a future meeting based on the '5+1 Model', which should be implemented in time for the 2017 County Council Elections.

The Head of Democratic Services and Statutory Scrutiny Officer presented and sought comments on Recommendations 1-15, as follows: -

Recommendation 1 – Feedback from the Executive to Overview and Scrutiny Committees

The Committee reiterated its support for this recommendation and recognised that cultural change was required to achieve its desired outcome. Ways in which this could be achieved were discussed, and it was suggested that formal feedback could be recorded on executive decision notices. The way in which the Planning and Regulation Committee operated was considered and it was suggested that aspects of this way of working could be embraced. There was need to improve the

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communication lines between the Executive and Scrutiny Committees. The Committee felt there should be more feedback from the Executive on its response to recommendations and comments from scrutiny.

The Committee also felt there was a role for Scrutiny chairmen/vice-chairmen to attend Executive meetings to give a flavour of the debate at scrutiny.

In response to a question, Members were advised of the process for presenting task and finish group reports to the Executive, and it was particularly highlighted that an action plan was produced which the relevant Executive Councillor had to present to the relevant scrutiny committee.

The Committee reiterated the importance of feedback from the Executive so that scrutiny committees had a response to their comments. Further to this, the Head of Democratic Services and Statutory Scrutiny Officer was asked to look at those comments which were submitted to the Executive by scrutiny committees in 2015 to ascertain whether any feedback was given.

Recommendation 2 – Reporting on the implementation of recommendations to the Overview and Scrutiny Management Committee

In addition to the comments made under Recommendation 2, it was suggested that a standing item for feedback from the Executive be on the agendas for Overview and Scrutiny Management Committee.

Recommendation 3 – Engagement with the public

The Committee recognised the importance of meeting away from County Offices, however it was felt that this should be balanced with the cost of meeting off-site.

It was suggested that there was a need to raise awareness of scrutiny so that members of the public have a better understanding of its role. Further to this, Members supported that there was a clear need to engage with members of the public on particular topics, for example pre-decision scrutiny items. However, it was felt that this was not always possible owing to the limited timescales involved.

There was a view that scrutiny should be involved earlier in the decision-making process to help develop the policy.

On this point, the Committee reflected on the Council's Call In arrangements, in particular the absence of call-ins and the potential reasons for it.

Recommendation 4 – Support from Corporate Communications for the Overview and Scrutiny functions

The Committee reiterated the importance of Recommendation 4 and reflected the extent to which the Communications team supported scrutiny.

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Members suggested that there should be a presence at all scrutiny committee meetings by a member of the Communications team.

It was agreed that the Chairman should write to the Strategic Communications Manager seeking her thoughts on how Recommendation 4 could be implemented.

Recommendation 5 – Refresh of Member Training

Members supported Recommendation 5.

Members were advised that a Councillor Development Session on scrutiny had been arranged for 11 February 2016.

It was suggested that the Overview and Scrutiny Management Committee received specific training on budget monitoring and performance management, in light of its enhanced role. The Head of Democratic Services and Statutory Scrutiny Officer agreed to take this suggestion forward. It was acknowledged that this request may be challenging as there may be limited dates available prior to the meeting of the Committee on 28 January 2016, when the Committee was scheduled to consider items of this nature.

Recommendation 6 – Scrutiny work programming and prioritisation of items

Members reiterated their support for Recommendation 6.

The role of the Informal Meeting of Scrutiny Chairmen and Vice-Chairmen was discussed. Further to this, a Member of the Committee suggested that there should be political representation on this Informal Meeting from all parties.

Recommendation 7 – Management of in-depth scrutiny reviews

The Committee supported Recommendation 7.

Recommendation 8 – Detailed comments from Overview and Scrutiny Committee to the Executive

The Committee supported Recommendation 8 and recognised the importance of providing the Executive with detailed comments which reflect the discussions and decisions at committees.

It was suggested that the relevant Chairman or Vice-Chairman could present the Committee's comments to the Executive.

Recommendation 9 – Scrutiny officers should assume a greater advisory role

The Committee supported Recommendation 9.

Recommendation 10 – Focus of scrutiny activity – Executive or officers

The Committee supported Recommendation 10.

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Recommendation 11 – Effective leadership on scrutiny matters

Members supported Recommendation 11.

Recommendation 12 – Accountability of Scrutiny Chairmen and Vice-Chairmen

The Committee supported Recommendation 12.

Members were advised that although it was a legal requirement for the membership of the Overview and Scrutiny Management Committee to be politically balanced, those chairman or vice-chairman who were not members of the Committee could be invited to attend, where necessary.

Recommendation 13 – Annual account of the work of each Overview and Scrutiny Committee

The Committee supported Recommendation 13.

Recommendation 14 – Attendance by Overview and Scrutiny Chairmen

The Committee supported Recommendation 14.

Recommendation 15 – Enhanced role of the Overview and Scrutiny Management Committee

Members reiterated the importance of Recommendation 15 and recognised that there was a need for the Overview and Scrutiny Management Committee to take more of a leadership role in the scrutiny function at the Council. Ways in which this could be achieved were discussed, when it was suggested that a starting point would be to review the content of its terms of reference.

The Head of Democratic Services and Statutory Scrutiny Officer reminded Members that Recommendations 16 and 17 related to the governance structure for scrutiny, and both recommendations would be discussed at the meeting of the Overview and Scrutiny Management Committee on 28 January 2016.

A suggestion was made to form two working groups to take Recommendations 1-15 forward, with the former on the relationship between Overview and Scrutiny and the Executive and the latter on scrutiny processes. A report outlining the process for taking the recommendations forward would be presented to the Committee on 28 January 2016.

RESOLVED

- (1) That Recommendations 1-15 be supported by the Committee.
- (2) That the Chairman be requested to write to the Strategic Communications Manager seeking her views on how to take Recommendation 4 forward.

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- (3) That the Head of Democratic Services and Statutory Scrutiny Officer be requested to ascertain whether any feedback was given by the Executive in 2015 to comments and reports submitted by Scrutiny Committees to the Executive.
- (4) That a report on how to take Recommendations 1-15 of the independent report forward, including information on Recommendations 16-17 on the governance structure for scrutiny, be presented to the Committee at its meeting on 28 January 2016.

47 OVERVIEW AND SCRUTINY WORK PROGRAMME**i) Overview and Scrutiny Management Committee**

The Head of Democratic Services and Statutory Scrutiny Officer advised the Committee that all items listed on the Value for Money Scrutiny Committee's work programme in relation to budget and performance would transfer over to the Overview and Scrutiny Management Committee's work programme.

It was agreed to remove the item on 'The Local Government Boundary Commission Review' from the Committee's agenda on 28 January 2016.

ii) Adults Scrutiny Committee

The Chairman advised Members that the meeting scheduled to be held on 27 January 2016 had been rearranged to 22 January 2016.

It was noted that Elaine Baylis would be attending the meeting on 24 February 2016 to present an item on Lincolnshire Safeguarding Adults Board, although she had stood down from the role as Chairman of the Board.

The Chairman advised that at the Committee's meeting on 9 December 2015, consideration was given to a report on the 'Adult Care Local Account', which listed a number of items which could be included in the Committee's work programme for 2016.

iii) Children and Young People Scrutiny Committee

The Vice-Chairman advised that there were no amendments to the Committee's work programme.

It was noted that the next meeting of the Committee was scheduled to be held on 15 January 2016 and the agenda was set out on page 73 of the report. Members were advised that the item on 2016/17 contract would now be an open report and not exempt. Members were also advised that representatives from the Monks' Dyke Tennyson College in Mablethorpe and from the campaign group had been invited to address the Committee when considering the pre-decision scrutiny report on its potential closure.

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It was suggested that the alternative proposals, as included in the petition address at the meeting of Council on 18 December 2015, were also considered by the Committee as part of this item.

iv) Community and Public Safety Scrutiny Committee

The Chairman advised that there were no amendments to the work programme.

However, it was noted that that the report on the Joint Ambulance Conveyance Project which was being considered by the Committee on 13 January 2016 would now be a verbal update, rather than a written report. It was suggested that the success of this project should be publicised.

Members were advised that the Committee would receive an update on Operation Barnes Wallace in the New Year.

v) Economic Scrutiny Committee

The Chairman advised that there were no amendments to the work programme.

It was queried whether the Committee's comments on the 'Coastal Town Team' at its meeting on 12 January 2016 could be presented to the meeting of the Children and Young People Scrutiny Committee on 15 January 2016 as they might be relevant to the discussion on the potential closure of Monks' Dyke Tennyson College in Mablethorpe.

vi) Environmental Scrutiny Committee/Flood and Drainage Management Scrutiny Committee

The Health Scrutiny Officer advised that there were no changes to the work programme for the Environmental Scrutiny Committee.

There were three additional items for the meeting of the Flood and Drainage Management Committee on 26 February 2016, as follows: -

- The Involvement of Anglian Water in Planning Applications, an item from Anglian Water;
- River Steeping – an item from the Environment Agency; and
- River Welland Navigation – a further item from the Environment.

In response to a question, the Committee was advised that Mid UK was a recycling facility located in Caythorpe.

vii) Health Scrutiny Committee for Lincolnshire

The Chairman provided the Committee with updates on the following meetings: -

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There were no confirmed changes to the agenda for the meeting on 20 January 2016.

17 February 2016

An item from Healthwatch Lincolnshire on their views of Children and Adolescent Mental Health Services had been added to the agenda for 17 February 2016.

16 March 2016

It was noted that on 15 December 2015, the Chairman had met the new Chief Executive of St Barnabas Hospice Trust to discuss developments at St Barnabas, and it was agreed that the Committee would receive a general presentation on St Barnabas' contribution to palliative and end of life care at the meeting of the Committee on 16 March 2016.

The Chairman referred to the impact of the Norovirus at Lincoln County Hospital, in particular the number of wards closed to new admissions.

viii) Highways and Transport Scrutiny Committee

The Chairman advised that the item on the 'Lincolnshire Highways Alliance' had been deferred to 7 March 2016 to form part of one single performance item on 'Performance Report - (to include Major Schemes, Lincolnshire Highways Alliance and Customer Satisfaction)', which would be considered on a quarterly basis.

It was also noted that items on the 'Lincoln Eastern Bypass - Authority to Enter into Contract with Network Rail'; 'CCTV Pilot Scheme – Parking enforcement outside schools'; and 'Charging and Income Generation' had been added to the Committee's work programme.

In response to a question, Members were advised that all County Councillors would receive an electronic copy of the report on the Grantham Transport Strategy, in the usual way via Democratic Services.

Members were advised that the Planning Inspector had submitted a report on the Lincoln Eastern Bypass to the Secretary of State. However, the Secretary of State did not have specific timeframe to work towards.

ix) Value for Money Scrutiny Committee

The Chairman reminded the Committee that all items listed on the work programme relating to budget and performance would transfer over to the Overview and Scrutiny Management Committee's work programme.

Comments from the discussion on the Serco contract would be forwarded onto the Executive.

RESOLVED

- (1) That the content of the Overview and Scrutiny Management Committee work programme, as detailed at Appendix A to the report, be approved.
- (2) That the work programmes from the Council's other Overview and Scrutiny Committees, as detailed at Appendix B to the report, be approved.
- (3) That the Working Group activity, as detailed at Appendix C to the report, be noted.
- (4) That the Forward Plan of Key Decisions from 4 January 2016, as detailed at Appendix D to the report, be noted.

The meeting closed at 12.55 pm.

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