

**OVERVIEW AND SCRUTINY
 MANAGEMENT COMMITTEE
 27 FEBRUARY 2014**

PRESENT: COUNCILLOR P J O'CONNOR (CHAIRMAN)

Councillors B Adams, W J Aron, C J T H Brewis, A Bridges, Mrs J Brockway, M Brookes, P M Dilks, A G Hagues, A J Jesson, C E D Mair, C E H Marfleet, Mrs M J Overton MBE, C R Oxby, R B Parker, Mrs A E Reynolds, C L Strange, Mrs C A Talbot, T M Trollope-Bellew.

Added Members: Mr S C Rudman and Mrs G Wright.

Officers in attendance:-

Stephen Brooks (Lincolnshire Broadband Programme Manager), Simon Evans (Health Scrutiny Officer), David Hair (Team Leader - Scrutiny and Member Support), Cheryl Hall (Democratic Services Officer), Tracy Johnson (Scrutiny Officer), David O'Connor (Executive Director Performance and Governance) and Owen Williams (Supporting Officer – Lincolnshire Broadband Programme).

29 APOLOGIES FOR ABSENCE/REPLACEMENT MEMBERS

Apologies for absence were received from Councillor Mrs A M Newton and Mr C V Miller, Mrs E J Olivier-Townrow, Mr P Thompson and Dr E van der Zee.

It was noted that the Chief Executive had received a notice under Regulation 13 of the Local Government (Committees and Political Groups) Regulations 1990, and therefore had appointed Councillor W J Aron as a replacement member of the Committee in place of Councillor Mrs A M Newton, for this meeting only.

30 DECLARATION OF MEMBERS' INTERESTS

No declarations of Members' interests were made at this stage in the proceedings.

31 MINUTES OF THE MEETING OF THE COMMITTEE HELD ON
 23 JANUARY 2014

RESOLVED

That the minutes of the Overview and Scrutiny Management Committee held on 23 January 2014 be confirmed and signed by the Chairman as a correct record, subject to a minor amendment being made on page four.

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No Call-Ins had been received.

33 PROPOSAL FOR SCRUTINY REVIEWS

No proposals for Scrutiny Reviews had been received.

34 BROADBAND IN LINCOLNSHIRE

Consideration was given to a verbal update and presentation from David O'Connor (Executive Director Performance and Governance), which provided the Overview and Scrutiny Management Committee with the latest position with regards to Broadband in Lincolnshire.

It was noted that the implementation of Superfast Broadband was one of the Council's designated priority activities and scrutiny responsibility for monitoring this particular activity rested with the Overview and Scrutiny Management Committee.

The Executive Director Performance and Governance advised Members that following agreement by the Executive to the Lincolnshire Broadband Plan in July 2011, the Council had secured Government funding from the DCMS (Broadband Delivery UK) in the amount of £14.3 million for the deployment of Next Generation Broadband (NGB), also known as Superfast Broadband in Lincolnshire.

Procurement options had been considered but the Government decision to create a bespoke framework for the delivery of NGB across the United Kingdom had left the Council with no alternative but to undertake the required procurement under this framework as DCMS had made access to the funding conditional upon the usage of the national framework and were to obtain an umbrella State Aid approval for the delivery of NGB across the UK.

Two suppliers, BT plc and Fujitsu had been appointed to the national framework but, when the Council had issued its invitation to tender only BT plc had expressed an interest to tender. Subsequently, Fujitsu had formally declined to tender for the Lincolnshire project and this was due to the rural nature of Lincolnshire and it therefore not falling within Fujitsu's business plan. The invitation to tender had been issued on 28 December 2012 and closed on 28 January 2013.

Public Funding had been secured for the project, as follows: -

- DCMS/BDUK funding in the amount of £14.3 million;
- Lincolnshire County Council funding as was approved by the Executive in September 2011 in the amount of £10 million; and
- District Council funding in the amount of £4 million.

The contract would only be awarded upon the Executive granting authority, as set out in the report, and obtaining final audit approval of the tender process by DCMS and by State Aid approval specific to the project.

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Detailed information was provided as part of a presentation, which covered the following areas: -

- Reminder - main contract;
- BT Progress;
- Planned vs Actual;
- How the Council works with BT;
- Public Accounts Committee;
- Reminder – Fixed wireless project;
- AB Internet Progress;
- How the Council works with AB Internet; and
- Superfast Extension Programme.

Members were provided with an opportunity to ask questions, where the following points were noted: -

- There would be capacity for any future expansion in the County and this was being picked up as part of the Superfast Extension Programme. It was agreed that any future pre-decision scrutiny on the Extension Programme would be conducted by the Overview and Scrutiny Management Committee;
- The anticipated 2.5 years to implement Superfast Broadband across Lincolnshire was currently ahead of schedule;
- The Local Broadband Delivery Plan outlined the benefits of the Superfast Broadband programme;
- The Committee was advised that members of the public could obtain information about superfast broadband in their area by visiting www.onlincolnshire.org;
- There would be a fixed broadband mast erected at the Pilgrim Hospital. It was noted that the County Council funded all infrastructure through the contract, whereas AB Internet funds installation;
- It was queried whether 24 megabytes would be adequate for the average family home. In response, Members were advised that by 2023 19 megabytes, which was at a medium speed, would be more than adequate for the average family home and therefore 24 megabytes would more than suffice;
- Members were advised that all districts had been engaged with as part of this programme;
- There was a clear need for young people to help educate older people within Lincolnshire on how to use technological facilities;
- It was reiterated that 90% of the County would benefit from Superfast Broadband through this project. The County Council had supported the remaining 10% by lobbying Defra on their behalf; and
- A discussion took place regarding the issues at Tallington, where it was agreed that any future correspondence would be shared with the local member.

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RESOLVED

1. That the verbal update, presentation and comments made be noted.
2. That a further update be provided to the Committee in six months.
3. That any future pre-decision scrutiny on the Superfast Extension Programme be undertaken by the Overview and Scrutiny Management Committee.

35 REVIEW OF THE CONSTITUTION

Consideration was given to a verbal update by David O'Connor (Executive Director Performance and Governance), which provided Members with an update on progress with the Review of the Constitution.

The Executive Director Performance and Governance advised Members that although he was due to leave the County Council at the beginning of April 2014, he would see through to the end the Review of the Constitution to ensure continuity.

It was noted that the Constitution Review Working Group was currently in the process of reviewing Parts 3 and 5 of the Constitution. Although it was originally planned that all changes to the Constitution would be presented to the Annual General Meeting of the County Council on 16 May 2014, it was suggested that this could be put back to the meeting of County Council scheduled for 26 September 2014, to ensure that this piece of work was not rushed and completed at a high standard. However, it was suggested that any interim changes could still be presented on 16 May 2014. It was agreed that this would be discussed in further detail at the next scheduled meeting of the Constitution Review Working Group.

It was also noted that the proposed changes to the senior managers' duties would have to go through County Council at a later date.

RESOLVED

That the verbal update and comments made be noted.

36 OVERVIEW AND SCRUTINY WORK PROGRAMME

Consideration was given to a report from the Team Leader (Scrutiny and Member Support), which provided the Overview and Scrutiny Management Committee with an opportunity to consider its work programme and the work programmes of the Council's other 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

No alterations were made to the work programme for the Overview and Scrutiny Management Committee.

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Members were reminded that the Chief Constable had accepted an invitation to attend the meeting of the Committee scheduled to be held on 27 March 2014. In advance of the meeting, Members of the Committee would be invited to submit questions to the Team Leader (Scrutiny and Member Support) in relation to policing matters and those questions would be forwarded onto the Chief Constable's office prior to the meeting. It was reiterated that questions should be of a general rather than a specific nature, as any particular individual issues could be reported through other channels.

Further to this, Members again expressed their disappointment that the Police and Crime Commissioner was unable to attend the meeting and it was therefore suggested that he was invited to a future meeting of the Committee. The Chairman advised the Committee that he had a meeting arranged with the Police and Crime Commissioner, where the Chairman would encourage his attendance at a future meeting.

It was noted that also on the agenda for the meeting of the Committee due on 27 March 2014, was pre-decision scrutiny in relation to the Better Care Fund. The Committee had been invited to undertake this activity given the size and cross-cutting nature of the Fund.

It was also noted that the next meeting of the Informal Scrutiny Chairmen and Vice-Chairman was scheduled to be held on 27 March 2014, commencing at 2.00 pm.

ii) Adults Scrutiny Committee

The Chairman advised that the meeting held on 26 February 2014 had been very productive, with one of the highlights being the contribution by a carer, who had shared her positive experiences of telecare with the Committee.

Members were advised that the Committee was holding a workshop meeting on 9 April 2014 with the Care Quality Commission (CQC). The Committee would be asking the CQC to set the scene in relation to the new approaches to their inspection and regulation arrangements for adult care, which were outlined in a CQC document entitled: 'A Fresh Start for the Regulation and Inspection of Adult Social Care'. The new approach would include a rating system for care provider and for local authorities. The Committee would also be asking the CQC to reflect on the themes such as dignity, nutritional standards, care staff and development and training.

In addition to the two items listed currently for 2 May 2014, the Committee would also be receiving a presentation from Healthwatch Lincolnshire on their adult care activity, including their approaches to 'enter and view'.

iii) Children and Young People Scrutiny Committee

The Scrutiny Officer advised Members that there were no amendments to the Committee's work programme.

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It was noted that the report on Policy on Support and Aspiration for Children with Special Educational Needs listed for the June meeting would now be for consultation and would then come back to the July or September 2014 meeting for pre-decision scrutiny.

iv) Community and Public Safety Scrutiny Committee

The Chairman advised Members that there were no amendments to the Committee's work programme. However, the report on the 'Outcome of the Consultation on Medical Examiners' may need to be deferred from the meeting scheduled for 26 March 2014, as the outcome had still not been published by the Government.

v) Economic Scrutiny Committee

The Scrutiny Officer advised Members that there had been the following amendments to the Committee's work programme: -

For the meeting scheduled to be held on 11 March 2014, the report on 'Place Marketing Update' had been deferred to 29 April 2014 and a report on 'Rural Economic Regeneration LEADER Approach' had been added.

For the meeting scheduled for 29 April 2014, there were a further two additional items on the 'Draft Economic Infrastructure Needs Assessment (Sites and Premises) 2014' and 'Capital Projects Programme'.

vi) Environmental Scrutiny Committee

The Chairman advised Members that there had been an item added to the work programme for the meeting of the Committee on 28 February 2014 on 'Valuing Lincolnshire's Natural Environment'.

It was noted that at the last meeting of the Flood and Drainage Management Scrutiny Committee, it was agreed to hold an additional meeting in late May/early June 2014 to consider the Section 19 Investigation Report into the Coastal Surge Event in December. The Committee would then make any necessary recommendations to both locally and national agencies.

vii) Health Scrutiny Committee for Lincolnshire

The Chairman highlighted the following items: -

19 March 2014

The meeting scheduled to be held on 19 March 2014 would be an all-day meeting and would now include a briefing report on the Government's national initiative on the sharing of personal medical records, 'Better Information Means Better Care'. The Chairman advised that each household should have received a leaflet asking people if they wished to opt out of having their medical records shared. The Committee would also be invited to agree a Protocol between the Health Scrutiny Committee

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and the Lincolnshire Clinical Commissioning Groups, which would then be subject to further approval by the four Clinical Commissioning Groups in Lincolnshire.

23 April 2014

In addition to the items listed, the Committee would also be receiving a briefing report on the National Flu Pandemic (October 2014) Test of Health and Social Care.

Other Issues

East Midlands Ambulance Service NHS Trust

On 19 February 2014, the Committee had received a report from the East Midlands Ambulance Service. Although the report confirmed improvements in ambulance response time performance across the administrative county of Lincolnshire, the figures were also presented at Clinical Commissioning Group level. The Chairman advised that the Committee was concerned by the figures for the South Lincolnshire Clinical Commissioning Group area, which had indicated, for example, that only 52.38% of Red 1 calls (calls requiring a first response within eight minutes of a person trained to use a defibrillator) were being responded to within eight minutes against a national target of 75%. The Committee also heard from South Lincolnshire Clinical Commissioning Group at the same meeting and the Committee were advised that the Clinical Commissioning Group was working with East Midlands Ambulance Service with a view to introducing initiatives to try to improve ambulance response times in their area.

It was noted that East Midlands Ambulance Service would be invited to attend a future meeting of the Committee in the coming months to seek clarification on their estates strategy and plans for hubs and community access points.

The Committee's response to the Francis Report

On 18 December 2013, the Committee had approved its response to the seven recommendations in the Francis Report which were relevant to the operation of health overview and scrutiny committees. With the Committee's authority the Chairman wrote to the Rt Hon Jeremy Hunt, MP, the Secretary of State for Health, outlining the Committee's response. The Chairman advised that she had since received a response from the Secretary of State, who had stated that it was very heartening that the Committee was supportive of all the health overview and scrutiny committee recommendations in the Francis Report, together with the Government's response.

On 17 February 2014, the Chairman had attended a Regional Health Accountability Forum in Leicester. The event had included input from Tim Gilling from the Centre for Public Scrutiny, Mark Browne from the Department of Health and Barbara Skinner from the Care Quality Commission.

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Tim Gilling from the Centre for Public Scrutiny had expressed an interest in the Committee's response to the Francis Report and all the paperwork for this had been forwarded onto the Centre for Public Scrutiny.

In response to a question, the Chairman advised that the Committee was due to consider an update from Peterborough and Stamford Hospitals NHS Foundation Trust on the impact of the closure of the Ministry of Defence Hospital Unit in March 2014 both on services to patients and on the financial position.

In response to another question, Members were advised that the deadline for the Government's national initiative on the sharing of personal medical records, 'Better Information Means Better Care', had been extended to Autumn 2014.

viii) Highways and Transport Scrutiny Committee

The Chairman advised Members that items on 'Traffic Asset Management Plan' and the 'Highways Maintenance Plan' had been added to the work programme for 30 April 2014. However, it was noted that the Committee would be holding its meeting on 10 March 2014 at the Life Skills Academy in North Kyme, which would be followed by a tour and demonstration of the facilities at the site.

The Chairman advised Members that the Speed Management in Lincolnshire Task and Finish Group was progressing well. Four focus groups had now been arranged to talk to local people directly. The focus groups were either held on, or were scheduled for, the evenings of 26 February in Boston; 27 February in Horncastle; 3 March in Sleaford; and 4 March in Market Rasen. The last of the site visits by Members of the Task and Finish Group would be held on Thursday, 13 March 2014. The survey which was sent out on behalf of the group was very successful with approximately 570 responses. Future meetings of the Task and Finish Group were scheduled for 10 and 26 March 2014.

A number of Members raised concerns regarding various speed limits across the County, and highlighted various locations which required attention. Members were reminded that the Task and Finish Group was not looking at individual cases as it was focusing on whether there were any common themes across the County.

ix) Value for Money Scrutiny Committee

The Scrutiny Officer advised that the Committee had met on 25 February 2014 and the main item on the agenda was the pre-decision scrutiny of the Corporate Support Services Contract Award. The Committee had spent approximately three-hours on the item. The Committee had voted in support of the seven recommendations and praised the officers for their hard work in performing this considerable piece of work.

The Committee was currently in the process of setting up a working group to look at paperless working in the future and five Members of the Committee would be meeting in March 2014 to begin this work. The conclusions of the Group would be reported to the Value for Money Scrutiny Committee and then may be presented to the Overview and Scrutiny Management Committee for further consideration.

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Finally, the Committee had continued to take a great interest in performance monitoring and the Committee had agreed that a workshop meeting should be held in March 2014 to consider how it could get the most out of the Council's performance information.

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 the inclusion of any amendments identified in (vi) above.
2. That the working Group Activity, as set out in Appendix C, be noted.
3. That the Forward Plan of Key Decisions from 3 March 2014, as set out in Appendix D, be noted.

The meeting closed at 12.55 pm.