

CABINET

4 April 2005

EXTRACT FROM MINUTES OF PRINCIPAL SCRUTINY COMMITTEE - 29 MARCH 2005

REPORT OF CITY SECRETARY AND SOLICITOR

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RECENT REFERENCES:

None

EXECUTIVE SUMMARY:

This report sets out the relevant minute extracts from the meeting of the Principal Scrutiny Committee on 29 March 2005 that have been referred to Cabinet for its consideration.

It should be noted that these minutes are in draft form only and therefore might be subject to further changes.

RECOMMENDATION:

To consider and determine the matters set out the minute extracts from the meeting of the Principal Scrutiny Committee held on 29 March 2005.

CABINET4 April 2005EXTRACT FROM MINUTES OF PRINCIPAL SCRUTINY COMMITTEE - 29 MARCH 2005REPORT OF CITY SECRETARY AND SOLICITOR**1. SURVEY OF THE DECISION MAKING STRUCTURES AND MEMBER SERVICES - RESULTS**

(Report PS168 refers)

Following discussion, the Chief Executive confirmed that that the demographic questions asked in the survey were necessary to ascertain whether the responses received were representative of all Councillors. However, it was accepted that individual Members could be relatively easily identified from the demographic information presented in the report and this factor may have inadvertently contributed to the disappointing return rate. In future surveys separation of the forms could be considered.

RESOLVED:

That the results of the survey be noted.

2. REVIEW OF DECISION-MAKING STRUCTURES AND MEMBERS' SERVICES

(Report PS167 refers)

At the invitation of the Chairman, Councillor de Peyer addressed the Committee with reference to questions asked within the survey regarding procedures at meetings of Council.

Councillor de Peyer suggested that the physical layout of the Council Chamber was not conducive to meaningful debate due to Councillors not being able to see and, occasionally, hear each other.

Referring to the concerns of audibility within the Chamber, the City Secretary and Solicitor advised that he would request that the Guildhall staff re-set the sound levels of the microphone system. Responding to a suggestion, he stated that the Bapsy Bequest could not be utilised for the improvement of the layout of the Chamber unless it could be proven that such improved facilities would have a dual use for community benefit. Any costs solely attributable to Council use would have to be met from funds other than the Bequest. Approval of the Charity Commission to use of Bequest funds for the Guildhall improvement scheme would also be needed.

The Committee was in agreement with the issues raised by Councillor de Peyer and recognised that a permanent solution to the deficiencies of the Conference Chamber for Council meeting use was not imminent. It was suggested that the possibility of an interim solution, for example using another venue, should be investigated.

The Committee also referred to the current processes and organisation of meetings of Council and suggested that some of the existing procedures may also constrain more inspirational and meaningful meetings. These are set out below.

Following discussion of the areas identified from the results of the survey and the report for future attention, the following matters were discussed and recommendations made:

(a) Role of full Council

The Committee agreed that the existing processes of how Notices of Motions and Council Questions were dealt with, and the referral of delegated minutes to Council, may have contributed to constraining more meaningful meetings.

It was suggested by some Members that it would be beneficial for the Council to have the option of considering notices of motion at the first meeting when the motion was tabled. Other Members raised concerns as to whether this could result in decisions being taken without adequate information being available. It was suggested that an earlier deadline for the submission of notices of motion could help to overcome this issue.

It was also proposed that the Leader and Group Leaders could give consideration to the management of Council business to ensure that each meeting had a matter of substance to consider.

A Member suggested that it may also be beneficial for the Mayor to receive enhanced support in preparation for the meeting in addition to their current briefing sessions.

(b) Council Minute Books, referred and delegated minutes

Most Members agreed that the Council Minute Book was a useful reference and it was generally agreed that it was not necessary for meetings of Council to have to approve all the Minutes contained within it.

The City Secretary and Solicitor suggested that an alternative method would be for the Council Minute Book to only contain referred minutes, and for all other minutes to be printed and sent to the parent committee for their approval. He reminded Members of the electronic accessibility of reports and minutes – and the need to make budget savings on paper distribution.

Following debate, it was generally supported that the Council Minute Book be kept in its present form for the time being. Furthermore, there was some support that all delegated minutes should no longer be on the Council agenda

A Member suggested that if the full minutes for each committee meeting were no longer produced in the Council Book at some stage in the future, then the possibility of producing CD Roms with the same information should be investigated. This would enable Members to have easy access to minutes for reference purposes.

(c) Circulation of paper copy agendas and reports

Although mindful that the collation of agendas was costly and labour-intensive, it was noted that not all Members were IT literate as so to be able to easily access reports electronically or utilise CD ROMs. Members also agreed that the reading of committee reports on screen was generally not a preferable alternative and that Members may be forced to print documents at home instead at their own cost. There

was some support for a reduction in paper circulation in principle, in order to achieve budget savings, but further investigation was required before changes were made.

(d) Catering prior to meetings

Although it was agreed that the current system of catering prior to meetings was occasionally wasteful, it was appreciated that some Members relied on this service in order to be able to attend meetings immediately after work. No changes were proposed.

(e) Traffic Orders

It was agreed that the suggestion to establish a Cabinet Committee to deal with the more contentious Traffic Order proposals was an appropriate way forward at this time.

(f) Membership of the Standards Committee

There was some support for an approach which increased the proportion of independent and parish representatives to City Councillors on the Committee. It was agreed that the matter be further considered by the Special Committee considering the appointments at its meeting on 31 March. The Special Committee would make recommendations for consideration by Council.

(g) Winchester Town Forum

The Committee supported the limited delegation of powers to enable the Forum to deal with minor grants within an approved budget ceiling.

(h) Approval of Planning Supplementary Guidance

It was agreed that the existing system of Council approving supplementary planning guidance should be maintained at this time.

RESOLVED:

That the matters raised by the Committee as detailed above be considered by Cabinet and Council and that the issues for further reports to Principal Scrutiny Committee be noted.

3. **REVIEW OF COUNCIL PROCEDURES FOR OVERVIEW AND SCRUTINY**
(Report PS169 refers)

The Committee discussed the areas for possible improvement and subsequent recommendations as set out in the report following the recent review of overview and scrutiny. The following matters were raised and recommendations made:

(a) Holding Portfolio Holders to Account

Members discussed the formalisation of the attendance of Portfolio Holder Members at meetings of Performance Improvement Committees (PICs) and Principal Scrutiny Committee to be accountable when specific reports were considered and it was

agreed that this was a natural progression of the Cabinet Portfolio Holder job description and should therefore be supported.

The current approach of portfolio holders normally attending the performance improvement committees was supported. The committees could consider items without the portfolio holders being present if they so wished.

It was also agreed that that the attendance of the Leader at Principal Scrutiny Committee to answer questions on relevant matters for which she had been asked to attend should also continue along the same lines. There would be no expectation that either the Leader or portfolio holders would attend as a matter of course. This could be clarified in the 'scrutiny guide' that was to be produced.

It was noted that the organisation of agendas generally already took account of items for which the Portfolio Holder and/or the Leader were being asked to attend. However, in preparation for the meeting chairman could give further consideration as to whether attendance was required in a particular case.

(b) Contributing to Policy Development

The Committee agreed that Scrutiny's current ability to contribute to policy development should be maintained and enhanced where necessary, as identified in of the report.

(c) Chairing of Scrutiny Committees

Members agreed that the flexibility that currently existed within the Council's Constitution regarding the chairing of scrutiny committees should be maintained and that therefore recommendation 7 referring to the amendment of the Constitution to ensure that scrutiny committees are chaired by a member of the opposition be not supported.

(d) Performance Improvement Committees (PICs)

The Committee discussed whether the PICs should be more aligned with portfolio holders and/or directorates of the Council, with clearer operational links. However, it was noted that the current restructuring of the Council may make departmental links more difficult at this time and also that portfolio holders' roles may also be revised.

There was also discussion on whether chairmen were maximising opportunities to encourage the development of the committees and the matters considered by them.

It was generally agreed that some papers that go to the PICs were unwieldy regarding the amount of financial and other performance information contained in them. This was perhaps hindering the development of the Committees in scrutinising the performance of the Council regarding its key priorities and operation of portfolio holders.

Although in agreement that role of the PICs would require further development, it was agreed that a report be brought to a future meeting of the Committee regarding suggestions for possible alternatives taking into account the experiences of other local authorities and the successes that they may have experienced regarding their scrutiny processes. The report should also set out immediate and long-term

improvements and as the existing name 'Performance Improvement Committee' was generally unpopular, suggest possible alternatives.

(e) Public Engagement and Involvement

The Committee was generally not supportive of experiments regarding the selection of topics for review for encouraging stronger public engagement in the scrutiny process and therefore did not support recommendation 11 at this time.

RESOLVED:

1. That a report to a future meeting of the Committee detail suggestions for immediate and long-term improvements to the operation of the Performance Improvement Committees, utilising the experiences of other local authorities and their success in their operation of the scrutiny process.

RECOMMENDED:

1. THAT THE ROLE OF SCRUTINY, AS DEFINED IN THE EXECUTIVE SUMMARY AND IN PARAGRAPH 3.1.2 OF THE REPORT BE AGREED.

2. THAT THE PROPOSED 'SCRUTINY GUIDANCE' INDICATE THE CIRCUMSTANCES IN WHICH PORTFOLIO HOLDERS ARE EXPECTED TO ATTEND SCRUTINY COMMITTEES AS OUTLINED ABOVE AND THAT CHAIRMEN GIVE CONSIDERATION IN THE PLANNING OF AGENDAS FOR MEETINGS AS TO WHETHER THERE ARE SPECIFIC ITEMS WHERE PORTFOLIO HOLDERS SHOULD BE ASKED TO ATTEND, OR NOT TO ATTEND, AS APPROPRIATE FOR THE ISSUE UNDER CONSIDERATION.

3. THAT DETAILED PROPOSALS ARE BROUGHT FORWARD TO IMPLEMENT THE IMPROVEMENTS TO THE POLICY DEVELOPMENT WORK IDENTIFIED IN PARAGRAPH 3.3.3.

4. THAT NO CHANGES ARE REQUIRED IN THE CONSTITUTION TO THE EXISTING POWERS TO CHALLENGE DECISIONS MADE BY CABINET OR PORTFOLIO HOLDERS.

5. THAT SCRUTINY COMMITTEES SHOULD PLAY A STRONGER ROLE IN MONITORING AND SCRUTINISING THE WORK OF PARTNERSHIPS.

6. THAT THE PRINCIPAL SCRUTINY COMMITTEE CONTINUES TO OPERATE IN ITS CURRENT FORM, AND THAT THE CONSTITUTION BE NOT AMENDED TO REQUIRE THAT IT IS CHAIRED BY A MEMBER OF THE OPPOSITION.

7. THAT PICS BE RE-APPOINTED AT THE ANNUAL COUNCIL MEETING BUT AS SOON AS POSSIBLE IN THE 2005/06 MUNICIPAL YEAR THEY BE RE-ALIGNED PRIMARILY TO PORTFOLIO HOLDER AREAS OF RESPONSIBILITY, WITH A RECOMMENDATION ON

THE NUMBER AND AREAS OF INTEREST OF EACH PIC TO BE BROUGHT TO COUNCIL ON 29 JUNE FOR APPROVAL.

8. THAT THE WORK OF THE PICS BE SUPPORTED BY ADDITIONAL TRAINING FOR BOTH MEMBERS AND OFFICERS TO CLARIFY AND STRENGTHEN THEIR ROLE.

9. THAT THE SCRUTINY PROGRAMME OF WORK BE DEVELOPED ON THE LINES INDICATED IN PARAGRAPH 5.1.2 OF THE REPORT.

10. THAT THE FORMAT OF SCRUTINY REPORTS BE CONSIDERED ONCE THE ROLES AND OBJECTIVES OF THE SCRUTINY PROCESS HAVE BEEN CLEARLY ESTABLISHED.

11. THAT THE LEVEL AND NATURE OF OFFICER SUPPORT TO THE SCRUTINY PROCESS BE KEPT UNDER REVIEW AND DEVELOPED TO ENSURE THAT THERE IS ADEQUATE SUPPORT FOR BOTH COMMITTEES AND AGREED REVIEWS.

12. THAT, BASED ON GOOD PRACTICE ELSEWHERE, A 'GOOD SCRUTINY GUIDE' IS DEVELOPED AS A REFERENCE DOCUMENT THAT HELPS MEMBERS, OFFICERS AND THE PUBLIC UNDERSTAND THE ROLE OF SCRUTINY AND HOW IT IS IMPLEMENTED AT WINCHESTER CITY COUNCIL.

13. THAT THERE IS A CLEARER DISTINCTION BETWEEN CABINET, SCRUTINY AND OTHER COMMITTEES ON THE CITY COUNCIL WEBSITE, WITH THE SCRUTINY PAGES DEVELOPED TO ENCOMPASS ISSUES RAISED IN THIS REPORT.

14. THAT THE SCRUTINY ANNUAL REPORT IS GIVEN WIDER PUBLICITY TO HELP DISSEMINATE INFORMATION ON THE IMPACT THAT THE PROCESS IS HAVING ON THE WORK OF THE COUNCIL.

15. THAT MORE PUBLICITY IS GIVEN TO REPORTS PRODUCED BY SCRUTINY REVIEWS, WITH THESE BEING PUBLICISED THROUGH THE MEDIA AND PUBLISHED AS AN ARCHIVE ON THE COUNCIL'S WEBSITE.

16. THAT A PROGRAMME OF TRAINING AND DISCUSSION ON THE SCRUTINY PROCESS BE ARRANGED FOR SENIOR OFFICERS THROUGH THE SENIOR MANAGERS GROUP, DESIGNED TO ADDRESS ISSUES RAISED THROUGH THIS REVIEW.

17. THAT THE PROGRAMME OF TRAINING FOR PRINCIPAL SCRUTINY COMMITTEE AND PERFORMANCE IMPROVEMENT COMMITTEES BE STRENGTHENED, BUILDING ON WORK TAKING PLACE THROUGH HIOWA.

4. **SCRUTINY REVIEW – THE COMMUNITY OF WHITELEY – UPDATE**
(Report PS172 refers)

The Chairman noted that this item had not been notified for inclusion on the agenda within the statutory deadline.

The Chairman agreed to accept the item as a matter requiring urgent consideration, as the Committee would wish to have regard to the content of the report prior to its consideration by Cabinet at its meeting on 4 April 2005.

Councillor Collin (Portfolio Holder for Healthy and Inclusive Communities) was mindful that the proposals for a Whiteley Forum were particularly relevant to his Portfolio.

The Chairman referred to the provision of Primary School education within Whiteley (paragraph 5.5.5 of the report refers) and he suggested that in the light of further information available at a recent public meeting, it may be too prescriptive for the report to only recommend to support the proposed 'option 1' for a new one form entry Church of England voluntary aided Primary School. Therefore, it was agreed that the report be amended accordingly.

The Committee requested that the Whiteley Business Forum be engaged before any formal establishment of a new Whiteley Forum.

RESOLVED:

That Cabinet be recommended:

1. To defer consideration of establishing a forum to promote closer working between all organisations serving the Whiteley community on both sides of the District Council boundary, with a focus on the well being of the whole community, pending comments from Fareham Borough Council following the meeting of its Executive on 16 May 2005.

2. To encourage Hampshire County Council to give very high priority to the future provision of Whiteley Way in the emerging Local Transport Plan 2 and in response to the development of the Regional Spatial Strategy and proposals for south Hampshire.

3. To note with concern the provision in the Fareham Local Plan that requires Whiteley Way to be open before Rookery Avenue or Yew Tree Drive can be used for general traffic and request that this restriction is reviewed as soon as possible as part of work on the Fareham Local Development Framework, in particular as far as Rookery Avenue is concerned.

4. To welcome the County Council's current review of Primary education provision to serve the Whiteley area and respond to that consultation on basis that the Council would support the option which enables the County to increase school provision in Whiteley as soon as possible

5. That the appropriate Primary Care Trust be urged to support provision of a Health Centre for Whiteley at the earliest opportunity.

6. To monitor the parking situation following the installation of the yellow lines in the Business Park area of Whiteley, with the Director of Development to report back in three months time with any proposals for extending yellow lines where necessary for public safety and the effective movement of traffic.

7. To ask Hampshire County Council to review the current level of congestion in Leafy Lane and re-consider the use of rising bollards at peak times to ensure that residents have safe access to their homes.

8. To support the work of Hampshire County Council to improve cycle links between Swanwick railway station and the Whiteley Business Park.

9. To notify the Whiteley Business Forum of all new planning applications relating to the Whiteley area.