

THE OVERVIEW AND SCRUTINY COMMITTEE

1 June 2011

APPOINTMENTS TO INFORMAL SCRUTINY GROUPS AND EXTERNAL BODIES  
2011/12

REPORT OF HEAD OF POLICY AND HEAD OF DEMOCRATIC SERVICES

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RECENT REFERENCES:

OS1 - Scrutiny Work Programme 2011/12 - 1 June 2011

EXECUTIVE SUMMARY:

This Report asks Members to consider appointments to Informal Scrutiny Groups (ISGs) and the external bodies related to scrutiny for 2011/12.

Four Informal Scrutiny Groups were appointed during 2010/11 by Principal Scrutiny Committee and the Scrutiny Panels:

- Low Carbon Economy Informal Scrutiny Group
- Tree Protection and Management Informal Scrutiny Group
- Planning and the Rural Economy Informal Scrutiny Group
- Asset Management Programme Informal Scrutiny Group

The Environment Scrutiny Panel also suggested topics for two new Informal Scrutiny Groups to carry out in depth scrutiny investigations on the following topics:

- Local and National Performance Indicators and their value to the Council
- Performance of the Planning Management Team

Other topics have also been suggested and these are set out at paragraph 3.5.

In addition to Informal Scrutiny Groups, there are currently also four external bodies that it would be appropriate for The Overview and Scrutiny Committee to appoint representatives to. These are detailed at paragraph 6 of the Report.

RECOMMENDATIONS:

1. That the Committee consider the establishment and appointment of Members to the following Informal Scrutiny Groups (ISGs):
  - a) Local and National Performance Indicators and their value to the Council (suggested by Environment Scrutiny Panel)
  - b) Performance of the Planning Management Team (suggested by Environment Scrutiny Panel)
  - c) Asset Management Programme (Resources Scrutiny Panel)
  - d) Any ISG's from the suggestions outlined in paragraph 3.5 of the report and
  - e) Any other ISGs the Committee considers necessary.
2. That the Committee agree to a programme for the establishment of ISGs which spreads the workload over a full year, and continue to guide and manage that programme throughout the year.
3. That the Committee consider appointments to the following external bodies:
  - a) Portsmouth City Council – Health Overview and Scrutiny Panel (1 vacancy and deputy)
  - b) Centre for Public Scrutiny (CfPS) – Scrutiny Champions Network (1 vacancy)
  - c) Partnership for Urban South Hampshire Overview and Scrutiny Committee (1 vacancy and deputy)
  - d) Project Integra Policy Review and Scrutiny Committee (1 vacancy and deputy).

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### APPOINTMENTS TO INFORMAL SCRUTINY GROUPS AND EXTERNAL BODIES 2011/12

#### Report of Head of Policy and the Head of Democratic Services

#### DETAIL:

#### 1 Background

- 1.1 Council agreed on 6 April 2011 to move to new arrangements for the scrutiny of projects, programmes and services (Report [CL70](#) refers). At the heart of that new approach was a strengthened role for Informal Scrutiny Groups (ISGs), with Scrutiny Panels being replaced by 12-18 ISGs which worked on specific topics of importance to the Council or our communities over the year. Council was anxious to ensure that topics for consideration by those ISGs came from a wide variety of sources: not just Cabinet or officers but also from backbench members and a wider spread of groups or individuals. This report invites The Overview and Scrutiny Committee (O&S) to agree a programme of work for ISGs.
- 1.2 Members will recall that CL70 proposed that five members be appointed to lead and Chair ISGs. They would also sit on The O&S Committee. That report also suggested each ISG consist of five members (including the Chair, and with Members of Cabinet not sitting on the Group), and that they should be broadly balanced according to the political make-up of the Council. The members of ISGs (other than the Chair) would not normally be members of the O&S Committee.

#### 2 Existing Informal Scrutiny Groups

##### 2.1 Low Carbon Economy Informal Scrutiny Group

This was a joint review undertaken with the Local Economy Scrutiny Panel. Councillors Pearson, Phillips and Higgins from the Environment Scrutiny Panel and Councillors Hutchison, Nelmes and Power (Local Economy Scrutiny Panel) were appointed to this Informal Scrutiny Group. The Group has concluded its investigations and its final Report will be considered by The Overview and Scrutiny Committee at its meeting to be held 20 June 2011.

It is suggested that this Informal Scrutiny Group not be reappointed at this time, but the Committee may wish to review this position in due course following Cabinet's consideration of the Group's recommendations.

##### 2.3 Tree Protection and Management Informal Scrutiny Group

Councillors Banister, Higgins, Jackson and Jeffs were appointed to this Informal Scrutiny Group which has concluded its investigations ([Report EN109 refers](#)).

Cabinet considered and supported in principle the Group's recommendations at its meeting held on 13 April 2011 and it is suggested that the ISG be not reappointed at this time.

## 2.5 Planning and the Rural Economy Informal Scrutiny Group

Councillors Humby, Power, Stallard, Hutchison and McLean were appointed to this ISG to consider issues surrounding planning and the rural economy. The Group is nearing conclusion of its investigations and its final meeting is proposed to be held 6 June 2011. To ensure continuity of the ISG's discussion of its recommendations, it is suggested that the ISG's existing membership is utilised in this instance. Its final Report is likely to be considered by the Overview and Scrutiny Committee at its meeting to be held 20 June 2011. It is suggested that the Informal Scrutiny Group be not reappointed at this time, but the Committee may wish to review this position in due course following Cabinet's consideration of the Group's recommendations.

## 2.6 Asset Management Programme Informal Scrutiny Group

Councillors Henry, Higgins, Huxstep, Mitchell, Verney and Wright were appointed to this ISG for 2010/11. An inaugural meeting was not convened during the year and Members are therefore asked to agree a membership of at least five Members for 2011/12.

## 3 New Informal Scrutiny Groups

- 3.1 In addition to the above, the Committee is asked to consider whether it wishes to establish any new ISGs. It may wish to select subjects for review on the basis of performance monitoring information received at previous meetings and/or comments received from their constituents.
- 3.2 The Local Government and Health Involvement Act 2007 required all Councils to look at wider community outcomes, rather than just Council services, and the work through partnerships to achieve these. The Act also enables local authorities to scrutinise any public body that affects services in its role as "community leaders." Therefore, the Committee may wish to consider topics for scrutiny which come under this term of reference.
- 3.3 At its meeting held on 14 March 2011, the Environment Panel considered and acknowledged the potential benefits of future Informal Scrutiny Groups to examine local and national performance indicators and their value to the Council and another Group to examine the performance of the Planning Management Team, which the Panel had identified for in depth consideration. The Committee may wish to appoint ISG(s) to consider these matters.
- 3.4 Air Quality Informal Member/Officer Working Group – proposal to be re-established for 2011/12 as an ISG.

The Group's existing Terms of Reference are: 'To monitor progress against the City Council's air quality action plan in accordance with current guidance issued by DEFRA.' Its Membership for 2010/11 was as follows:

Councillors: Bell, Collin, Higgins, Pearson and Wright.

Officers: (City Council) Head of Environment Services, Head of Access and Infrastructure (or their representatives)

(County Council) A Wren, P Fydall, K Travers and P Syddall

In addition, at its meeting on 26 January 2011, Winchester Town Forum requested that "Cabinet be requested to consider appointing Councillors Hutchison and Mitchell onto the Air Quality Management Informal Member/Officer Group as representatives of the Forum".

Cabinet on 19 May 2011 supported that the Group be re-established for 2011/12, but referred to The Overview and Scrutiny Committee to consider its appointment as an Informal Scrutiny Group. The Group could possibly undertake its role as part of the suggested scrutiny topic of 'Air quality and transport' as referred to below.

3.5 The following topics for scrutiny have also been suggested by elected Members and officers for consideration during the 2011/12 scrutiny work programme:

- i. The City Council's shared IT service with Test Valley Borough Council
- ii. The City Council's flexible working programme for officers
- iii. Air quality and transport
- iv. Developing the knowledge and creative industries sector
- v. The City Council's efforts to reduce its carbon footprint
- vi. Young people and employment
- vii. Public access to data and information via the WCC web site
- viii. Site allocation of the traveling community in the Winchester District
- ix. Arrangements for the City Council's commissioning approach to service delivery (in parallel with this, a suggestion has also been made to review the Council's approach to community grants and the arts).
- x. Working with the South Downs National Park Authority
- xi. Car parking provision on new build estates
- xii. Delivery of support for a strong and vibrant community sector
- xiii. Support for local food production in the Winchester District
- xiv. The application and weight of local criteria in allocating housing

- xv. Planning policy and exception sites – whether these sites should be restricted to rental only

3.6 It is suggested that no more than five ISGs are run at any one time to ensure that they are properly resourced and are not overly burdensome on Member and officer time. The following programme for ISGs is proposed for 2011/12, although this does not preclude topics in 2.3 from the scrutiny work programme once these ISGs are complete. Once an ISG from Batch 1 is well underway, an ISG from Batch 2 can be started, depending on whether there is any overlap in officer serving requirements.

**Batch 1**

Asset Management

The application and weight of local criteria in allocating housing

Delivery of support for a strong and vibrant community and voluntary sector

Air quality and transport

Local and National Performance Indicators and their value to the Council

The City Council's efforts to reduce its carbon footprint

**Batch 2**

The City Council's efforts to reduce its carbon footprint

Support for local food production in the Winchester District

The City Council's shared IT service with Test Valley Borough Council

Planning Management performance

Public access to data and information via the WCC web site

Arrangements for the City Council's commissioning approach to service delivery

3.7 The Head of Planning Management is currently developing a Planning Performance Improvement Plan, therefore it is advised that an ISG looking at Planning Performance is scheduled to start no earlier than December 2011 to allow Members sufficient time to scrutinise whether an improvement in performance levels has been made.

3.8 Members have suggested an ISG to look at arrangements for the City Council's commissioning approach, possibly to also include a review the Council's approach to community grants and the arts. It is advised that this ISG be scheduled to commence no earlier than March 2012 so that Members will have observed a

whole year of the new approach to services and will be in a better position to scrutinise how it has worked.

- 3.9 Members are reminded that there are number of ways in which a topic can be scrutinised in addition to setting up an ISG. Members can request that a report on a particular item is brought to a meeting of The Overview and Scrutiny Committee. Portfolio Holders and senior officers can also be called to attend the Committee to be questioned. If Members would like further information on a topic before a decision is made as to whether it needs scrutinising or not, a briefing can also be arranged by officers for Members. The Committee is asked to consider whether any of the suggested topics in 2.3 could be dealt with other than via an informal scrutiny group.
- 3.10 The following topics were also suggested, however it is proposed that they are not pursued as ISGs for the coming year for the following reasons:
- a) **Council membership and ward arrangements**

The next opportunity for boundary review will be at the 2015 election, with the Boundary Commission looking at requests for a review in 2013, therefore work in 2011/12 on the issue would be premature. It is suggested that an ISG looking at the matter be deferred to 2012/13.
  - b) **The non-saved Planning Policies which were covered by the South East Plan**

It is suggested that a Member briefing note be provided on this subject instead due to the limited scope available to the Council to change the situation.
  - c) **Planning Development Control and Enforcement**

An ISG was commissioned to look into Planning Enforcement in 2008 and due to limited resources available to support ISGs it is suggested that this topic is not further reviewed at the moment.
  - d) **Allocation of resources to encourage economic development in rural areas and market towns.**

The current Planning and the Rural Economy ISG will cover a number of aspects of this. The final report is currently being drawn up which includes recommendations which will be useful and supportive to a range of businesses. A Member briefing about the Council's activities to support economic development across the District is also booked for Tuesday 7 June.
  - e) **Planning service to business and the effect on economic development**

See (d) above.
  - f) **Officer planning reports and access to planning records**

In response to a call for ISG items, a Member raised issues about Councillor access to planning documents. This is probably not appropriate for an ISG, however officers will contact the Member concerned to look at the issue raised. Planning are reviewing and up-dating their standard conditions this year and the Enforcement Team will be involved in this process to ensure they are robustly worded.

#### 4 New ISGs to commence in 2012/13

- 4.1 The scheme of delegation within the South Downs National Park has also been raised as a potential topic for scrutiny. As the National Park Authority came into being on the 1 April 2011, it is suggested that to scrutinise it now would be premature and an ISG at the beginning of 2012/13 would be more suitable.

#### 5 Appointments to act as observers on the Winchester District Strategic Partnership

- 5.1 In previous years, Scrutiny Members have been appointed by Principal Scrutiny Committee to attend meetings of partnerships in which the City Council is involved to gain a better understanding of the Council's partnership working and to promote the scrutiny of these bodies.

- 5.2 2011/12 is a transitional year for the Winchester District Strategic Partnership (WDSP), and partnerships are reviewing their structure to reflect the changing landscape of public service provision.

- 5.3 It is recommended that observers are not re-appointed at the time, but this is kept under review. However, WDSP meetings are open to the public and Members are welcome to attend the partnership meetings in that capacity. Details of meeting dates can be found online at [www.wdsp.co.uk](http://www.wdsp.co.uk)

#### 6 Appointments to External Bodies

##### 6.1 **Portsmouth City Council - Health Overview and Scrutiny Panel**

This Panel was established by Portsmouth City Council. Its membership is drawn from appropriate interest groups, stakeholders and Councillors from adjoining local authorities 'when discussing issues that have significant effect upon their area'. The current Winchester City Council co-optee is Councillor Stallard (Deputy Councillor Chamberlain) who have both indicated that they wish to continue be the Council's representatives for 2011/12. No other nominations have been received at the time this report was published.

##### 6.2 **The Centre for Public Scrutiny (CfPS) – Scrutiny Champions' Network**

The CfPS has previously requested a Member representative as a 'scrutiny champion' for the Council. The Member receives a monthly bulletin and is also invited to attend an Annual Conference. The current representative is the Chairman of Principal Scrutiny Committee and it is suggested that the Chairman of The Overview and Scrutiny Committee is the appointed representative for 2011/12.

##### 6.3 **Partnership for Urban South Hampshire Overview & Scrutiny Committee**



At its meeting on 22 October 2007, the Principal Scrutiny Committee considered a report which set out changes to the governance of the Partnership for Urban South Hampshire (PUSH). This included proposals for a PUSH Overview and Scrutiny Committee. Principal Scrutiny Committee was asked to appoint a non-executive representative from those Wards within the PUSH area.

The current representative, Councillor Huxstep, has indicated that he wishes to continue in this capacity. No other nominations have been received at the time this report was published. Councillor Achwal is the current deputy representative and has also indicated that she wishes to continue in this capacity for the forthcoming Municipal Year.

#### 6.4 **Project Integra Policy Review and Scrutiny Committee**

The Committee comprises of up to 17 Committee Members, being one Member appointed by each partner authority, one co-opted Member appointed by Hampshire Waste Services, and two co-opted Members appointed by the Committee to represent relevant community interest or groups. Members may not include members of partner authority executives. Members shall have relevant knowledge of issues relating to waste or other resource management, and skills and qualities required to assist the Committee in discharging its review and scrutiny functions.

The Council's current representatives to the Committee are Councillor Higgins (Councillor Pearson as deputy).

Councillor Higgins has indicated that he wishes to continue in this capacity for 2011/12. No other nominations have been received at the time this report was published.

#### **OTHER CONSIDERATIONS:**

##### 7 **SUSTAINABLE COMMUNITY STRATEGY AND CHANGE PLANS (RELEVANCE TO):**

When establishing Informal Scrutiny Groups and appointing to external bodies, the Committee should be satisfied that these arrangements are supporting or scrutinising the delivery of the Council's priorities, or working towards identifying future priorities.

##### 8 **RESOURCE IMPLICATIONS:**

Scrutiny is currently undertaken within the existing staffing resources of the Council.

##### 9 **RISK MANAGEMENT ISSUES**

The overview and scrutiny process is designed in part to manage risks associated with the Council's work, by ensuring Members are able to engage in high level challenge, support and debate on matters of significance in delivering outcomes for local people. This report helps provide a structure to the scrutiny work programme by setting out potential ISGs. Members may subsequently wish to highlight risks stemming from the issues investigated during the course of the ISGs.

BACKGROUND DOCUMENTS:

Files held in the Democratic Services Division.

APPENDICES:

None