

The Overview and Scrutiny Committee

AGENDA

meeting to be held in

Walton Suite

Guildhall

Winchester

on

Monday

17 October 2016

at 6.30pm

THE OVERVIEW AND SCRUTINY COMMITTEE

Membership 2016/17 Councillors

Chairman: Learney
(Liberal Democrat)

Vice-Chairman: Stallard
(Conservative)

Conservatives:
Gemmell
Griffiths
Warwick
Thacker

Liberal Democrats:
Hiscock
Laming
Tod

Deputy Members

Ashton, Gottlieb

Evans, Thompson

Quorum = 4 Members

Relevant Portfolio Holders:

Having regard to the content of the agenda, the Chairman requests that The Leader and all relevant Portfolio Holders attend meetings of the Committee.

Timetable of scheduled meetings for 2016/17:

23 May 2016	13 June 2016	11 July 2016	12 September 2016
17 October 2016	12 December 2016	23 January 2017	13 February 2017
20 March 2017			

Special Meetings: 18 July 2016

Meetings commence at 6.30pm in The Walton Suite, Guildhall, Winchester, unless otherwise stated.

Public Participation:

A public question and comment session is available at 6.30pm for a 15 minute period. There are few limitations on the questions you can ask. These relate to current applications, personal cases and confidential matters. Please contact Democratic Services on 01962 848 264 in advance of the meeting for further details. If there are no members of the public present at 6.30pm who wish to ask questions or make statements, then the meeting will commence.

Corporate Priorities:

The Committee will have regard to the Community Strategy and Portfolio Plans. For further details on the Community Strategy, please visit -

<http://www.winchester.gov.uk/assets/files/19231/Community-Strategy-adopted-January-2014.pdf>

For further details on Portfolio Plans, please visit –

<http://www.winchester.gov.uk/councillors-committees/portfolio-holder-plans/portfolio-plans-2015-16/>

Voting:

- apart from the Chairman, every Member has one vote when a matter before the meeting requires a decision.
- in the event of an equality of votes, the Chairman may exercise a casting vote and that vote may be exercised in any way seen fit.
- a Member may abstain from voting, or vote differently from how they may have indicated during the debate, without further explanation.
- the way each Member voted will not be recorded in the minutes, unless a motion to have a Recorded Vote has been passed.

Further information:

Further information about The Overview and Scrutiny Committee is available from the Council's website at

<http://www.winchester.gov.uk/CouncilAndDemocracy/ElectedRepresentatives/Committees/OverviewAndScrutiny/>

Terms of Reference:

1. To have a general remit to maintain an overview of the discharge of the Council's executive functions, and to have the right to scrutinise any executive decision made by the Cabinet, Portfolio Holders or Council officers, or to review the Council's policy making or decision making processes.
2. To have the right to review Council policies insofar as the policy concerned does not fall within the remit of any other overview and scrutiny committee of the Council or where the policy concerned relates to the remit of more than one overview and scrutiny committee.
3. To have authority to require any member of the Council or any Officer of the Council to assist in its work by attending at a meeting of the Committee, by supplying information or by other means.
4. To have an overview of performance and use of resources in respect of the Council's functions including but not restricted to, the implementation of change plans, work programmes, performance against national and local performance indicators, identification of risks and monitoring action taken to mitigate those risks and responsibility for the monitoring and implementation of action plans arising from best value and key strategy reviews.
5. To consider the overall benefit to the public from services provided by the City Council and other organisations that impact on the District, including monitoring and scrutinising the work of any relevant partnership.
6. To hold Portfolio Holders to account for the services within their areas of responsibility.
7. To consider all reports on maladministration issues.

8. The Committee shall not have a general right of call-in (by which Cabinet decisions may not be implemented without first giving the Committee the right to scrutinise and review the decisions) but, except in relation to approvals made under delegated emergency powers, any decision by the Cabinet to incur expenditure which would involve a supplementary estimate, whether by way of virement or the use of reserves, including a prior commitment with regard to future budgets, of more than **£100,000** shall not be implemented until the Committee has had an opportunity to call-in the decision for review.
9. The following matters are excluded from being considered by an overview and scrutiny committee:
 - (a) any matter relating to a planning decision;
 - (b) any matter relating to a licensing decision;
 - (c) any matter relating to an individual or entity in respect of which that individual or entity has a right of recourse to a review or right of appeal conferred by or under any enactment;

A matter does not fall within (a) to (c) above if it relates to an allegation that the function has not been discharged at all or is failing on a systematic basis.
10. To act as the Crime and Disorder Committee for the purposes of Section 19 of the Police and Justice Act 2006 and associated regulations and accordingly:-
 - (a) to review or scrutinise the decisions made, or other action taken in connection with the discharge by the responsible authorities of their crime and disorder functions; and
 - (b) to make reports or recommendations to the Council with respect to the discharge of those functions.
11. To consider any referrals under the Councillor Call for Action provisions in the Overview and Scrutiny Procedure Rules.
12. To consider any referrals under the Council's Petitions Scheme in the Overview and Scrutiny Procedure Rules and Part 8 of the Constitution.

MEMBERS ARE REQUESTED TO BRING WITH THEM:

Response to Councillor Burns Notice of Motion from Council 13 CAB2849(MP) 10.10.16
April 2016

Forward Plan – November 2016

AGENDA

OPEN TO THE PUBLIC

PROCEDURAL ITEMS

1. **Apologies and Deputy Members**
To note the names of apologies given and Deputy Members who are attending the meeting in place of appointed Members.

2. **Disclosures of Interests**
To receive any disclosure of interests from Members and Officers in matters to be discussed.

Note: Councillors are reminded of their obligations to declare disclosable pecuniary interests, personal and/or prejudicial interests in accordance with legislation and the Council's Code of Conduct.

If you require advice, please contact the appropriate Democratic Services Officer, prior to the meeting.

3. **Chairman's Announcements**
4. **Membership of Sub-Committees and Informal Groups etc**
- (i) Housing Delivery/Impact of the Housing Bill ISG – Conservative Group to nominate three members to be appointed (*Nominations received are: Councillors Berry, Tait and Thacker*)
5. **Minutes** of the meeting held on 11 September 2016 – attached for Members of the Committee only*

BUSINESS ITEMS

Report Number

6. Public Participation – to receive and note questions asked and statements made from members of the public on matters which fall within the remit of the Committee.
7. Councillor Gottlieb – Membership of Committees OS155
8. Station Approach Update CAB2852
(to follow)
9. Response to Councillor Burns Notice of Motion from Council 13 CAB2849(MP)
April 2016
10. Performance Monitoring Update - Portfolio Holder Plans OS154
Mid Year 2016/17 (continued)

11. Medium Term Financial Strategy CAB2844
(to follow)
12. To note the Scrutiny Work Programme and November 2016 OS156
Forward Plan and comment on any items for future consideration
13. EXEMPT BUSINESS: To consider whether in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

- (i) To pass a resolution that the public be excluded from the meeting during the consideration of the following items of business because it is likely that, if members of the public were present, there would be disclosure to them of 'exempt information' as defined by Section 100 (I) and Schedule 12A to the Local Government Act 1972.

Item

Para No. of Schedule 12a
to the Act giving description of
exempt information giving rise
to the exclusion of the public

- Confidential Item – Report by Assistant Director (Estates and Regeneration) - Exempt report 3

14. Confidential Item – Report by Assistant Director CAB2853
(Estates and Regeneration) (Exempt report) **(to follow)**

H.N Bone
Head of Legal and Democratic Services

City Offices
Colebrook Street
Winchester SO23 9LJ

7 October 2016 – Agenda Contact: Claire Buchanan 01962 848 438
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***Note: With the exception of exempt items, all minutes and reports listed are available on the Council's Website: www.winchester.gov.uk**