

SCRUTINY PROGRAMME BOARD

Thursday, 3 June 2010

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| <u>Present:</u> | Councillor | H Smith (Chair) | |
| | Councillors | A Bridson G Davies P Gilchrist C Meaden | S Mountney S Taylor G Watt |
| <u>Deputies:</u> | Councillors | J Keeley (In place of J Hale) A McArdle (In place of M McLaughlin) | |

1 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST/PARTY WHIP

Members were asked to consider whether they had personal or prejudicial interests in connection with any item(s) on this agenda and, if so, to declare them and state what they were.

Members were reminded that they should also declare, pursuant to paragraph 18 of the Overview and Scrutiny Procedure Rules, whether they were subject to a party whip in connection with any item(s) to be considered and, if so, to declare it and state the nature of the whipping arrangement.

No such declarations were made.

2 MINUTES

Resolved – That the minutes of the meeting of the Board held on 4 March 2010 be approved.

3 APPOINTMENT OF VICE-CHAIR

The Director of Law, HR and Asset Management requested the Board to consider the appointment of a Vice-Chair for the ensuing municipal year.

On a motion by Councillor H Smith and seconded by Councillor G Davies, it was –

Resolved – That Councillor Mrs C Meaden be appointed as Vice-Chair for the ensuing Municipal Year.

4 ALLOCATION OF CALL-IN NOTICES

Further to minute 42 (4 March 2010) the Board gave consideration to a briefing note in relation to the allocation of call-in notices, which had previously been circulated by the Director of Law, HR and Asset Management.

The Democratic Services Manager referred also to the call-in of Cabinet minute 406 (15 April 2010) in relation to Hoylake Lifeboat Station and sought the views of the Board as to its determination. In anticipation of the Board allocating the call-in notice to the relevant themed Overview and Scrutiny Committee, he had consulted with the Chair and spokespersons of the Council Excellence O&S Committee, who had provisionally agreed that the call-in would be heard on 14 June 2010.

Resolved – That the call-in notice be referred to the Council Excellence O&S Committee for determination.

5 IMPLEMENTATION OF THE PETITION SCHEME IN WIRRAL

The Director of Law, HR and Asset Management reported that at its meeting held on 19 April 2010, the Council had approved a Petition Scheme in accordance with the requirement of the Local Democracy, Economic Development and Construction Act 2009. He indicated that the Scheme was attached as an addendum to the Council's Constitution and he had also appended it to his report for completeness. He provided an outline of the role for Overview and Scrutiny Committees and the Scrutiny Programme Board under the new Scheme, which had to be in force by 15 June 2010. He also informed Members of the arrangements being made for the Council to receive petitions electronically in advance of the requirement coming into force on 15 December 2010.

In response to comments from Members in relation to the thresholds that had been agreed by the Cabinet/Council, on the numbers of signatures required to request the Council to take action, the Democratic Services Manager indicated that the thresholds had been significantly reduced from those set out in the model scheme in order to take account of the demographics of Wirral. Furthermore, the existing arrangements in relation to Planning and Licensing decisions were unaffected by the new Petition Scheme.

Resolved –

- (1) That the implications of the Petition Scheme to the Overview and Scrutiny function be noted.**
- (2) That the Council be recommended to amend its Constitution to ensure the implementation and smooth running of the Scheme as soon as possible.**

6 ANNUAL SCRUTINY QUESTIONNAIRE

Further to minute 51 (4 March 2010), the Democratic Services Manager provided an update in relation to the Annual Scrutiny Questionnaire. She asked that all Members take the time to complete the questionnaire and indicated that to date, only 17 responses had been received.

Resolved – That the report be noted and Members who have not completed the questionnaire be encouraged to do so.

7 **SCRUTINY TRAINING**

Further to minute 45 (4 March 2010), the Democratic Services Manager reported that a further meeting of the Members Training Steering Group was being arranged at the earliest opportunity, in order to give consideration to the Members Training Programme. Overview and Scrutiny training for both Members and officers and Overview and Scrutiny Chairs training would be specifically considered

Resolved – That the update be noted.

8 **ANNUAL SCRUTINY REPORT 2009/2010**

The Director of Law, HR and Asset Management provided an update in relation to the production of an Annual Scrutiny Report for the Municipal Year 2009/2010. It was intended to provide an overview of the work carried out and the achievements recorded by the Scrutiny Programme Board and the five Overview and Scrutiny Committees and it gave an opportunity to highlight the positive aspects that scrutiny had brought to the authority during 2009/2010.

The Director presented a copy of the Annual Report 2008/2009 and sought the views of Members as to whether the format and content should be similar to previous versions or whether an alternative approach should be pursued. A draft version of the report would be presented to a future meeting of the Board.

Resolved – That the views of Members and suggestions as to how best to improve the Annual Scrutiny Report be sent direct to the Democratic Services Manager.

9 **THE FUTURE OF SCRUTINY - LGA CONFERENCE REPORT**

The Democratic Services Manager presented a copy of the Local Government Association/Centre for Public Scrutiny (LGA/CfPS) Conference Report: 'The Future of Scrutiny'. The findings in the report were from the joint LGA/CfPS conference which took place on 30 October 2009 and it highlighted the issues that were considered as most important for the future development of scrutiny and to improve its effectiveness. Rated as most important was the need to gain greater support and awareness of the potential of scrutiny from Council Executives, senior managers and partner organisations. Further issues highlighted related to the need for improved practice, increased resources and enhanced powers for scrutiny.

Resolved – That the conference report be noted.

10 **THE 2009 ANNUAL SURVEY OF OVERVIEW AND SCRUTINY IN LOCAL GOVERNMENT CONDUCTED BY THE CENTRE FOR PUBLIC SCRUTINY**

The Director of Law, HR and Asset Management provided an update on the outcomes of the 2009 Annual Scrutiny Survey conducted by the Centre for Public Scrutiny (CfPS). The survey had taken place for seven years and invited participation from those involved in the delivery of scrutiny, both at an officer and Member level. The Democratic Services Manager had produced an officer response and, in

addition, the Chairs of Overview and Scrutiny Committees had been invited to complete the survey form.

The Director had appended a copy of the CfPS report and he set out the major findings contained within it. He indicated that having received at least one response from 75% of all local authorities in England and Wales this year's annual survey of overview and scrutiny was the most representative yet. The CfPS commented that "given the tough economic climate in local government the headline resource statistics from the survey are likely to be of particular interest to the reader. The picture is very much a mixed one with good news for districts and unitary authorities – who have seen significant rises in discretionary budgets and officer provision – and a concerning if not unanticipated decline in resourcing for other top tier authority types".

The survey asked respondents for views about the perceptions with regard to scrutiny in their local authority and, whilst most scrutineers firmly believed that the scrutiny function added value in their authority, there was a consensus around the need to build a higher profile with the public. Respondents felt that scrutiny should be free from whipping and receive a ring-fenced budget and there was also agreement that there ought to be a minimum level of training for new scrutiny chairs with the need for more training being a strong theme generally in this year's survey. There had also been a decisive shift towards scrutinising partnerships compared to the previous year.

Having regard to improving engagement with the public, Members referred to difficulties in navigating the Council's new website and expressed concern that they had not been involved in the design process.

The Democratic Services Manager, in the light of the findings from the LGA/CfPS Conference (see minute 9 ante) and the CfPS survey, suggested that perhaps the Board could consider holding a workshop to look at how it could improve and strengthen the Council's Overview and Scrutiny function, reflecting on emerging themes nationally and any work identified locally. This could also provide an opportunity to benchmark the Overview and Scrutiny function against the emerging national themes.

The Democratic Services Manager noted the following issues, activities and questions that the workshop could consider: -

- The involvement of the Communications Team to raise the profile of Overview and Scrutiny.
- Website improvements by the provision of attractive Overview and Scrutiny pages, to encourage the involvement of the public.
- The Annual Report should promote the Overview and Scrutiny function.
- Review and revise the Scrutiny Handbook and Toolkit in the light of current thinking.
- Improve the Forward Plan, to ensure that Members are aware, well in advance, of the nature of executive decisions to be taken so that strategic policy overview and pre-scrutiny can be carried out if deemed appropriate.
- In respect of Community Engagement, Special Interest Groups could be encouraged to feed into Scrutiny Reviews

- Hold site visits and Committee meetings in the local community.
- What support is required from Scrutiny Officers?
- The importance of Overview and Scrutiny training for Members and officers.
- What needs to change to make Overview and Scrutiny more effective?
- What should we improve?

Resolved –

- (1) That the report be noted.**
- (2) That an informal workshop be held comprising members of the Scrutiny Programme Board and representatives from each of the other Overview and Scrutiny Committees, with a view to raising the profile of the scrutiny function in Wirral.**
- (3) That Members be encouraged to consider the ideas put forward by the Democratic Services Manager and discuss them at the workshop meeting.**
- (4) That the workshop be held after the current cycle of overview and scrutiny committees, in order to have regard to their agreed work programmes.**

11 REVIEW OF CURRENT ISSUES ON THE FORWARD PLAN

At the last meeting of the Scrutiny Programme Board (minute 49 (4 March 2010) refers), Members considered the following decision of the Cabinet (minute 298 – 4 February 2010) in relation to the Forward Plan and the Scrutiny Function –

- (1)** That officers include within the Forward Plan a more informative narrative of the key decisions to be taken, together with more accurate timescales.
- (2)** That Cabinet notes that Overview and Scrutiny Committees set their own agenda and can call on officers to present additional reports to meet their requirements.

The Board noted the decision of the Cabinet and requested that Chief Officers ensure that all new items to be included within the Forward Plan include an informative narrative of the key decisions to be taken, together with more accurate timescales for decisions to be taken.

The Democratic Services Manager reported that the Forward Plan for the period June to September 2010 had been published on the Council's intranet/website and Members had been invited to review the Plan prior to the meeting in order for the Scrutiny Programme Board to consider, having regard to the Committee's work programme, whether scrutiny should take place of any items contained within the Plan and, if so, how it could be done within relevant timescales and resources.

Members commented that greater clarity was still required in relation to items contained within the Forward Plan and indicated that it remained difficult to ascertain from the Plan the issues that may be appropriate for pre-scrutiny.

Resolved –

- (1) That the update be noted.**
- (2) That in order for Members to be able to identify issues for pre-scrutiny, Chief Officers be reminded to include within the Forward Plan a more informative narrative of the key decisions to be taken, together with more accurate timescales.**

12 ALCOHOL SCRUTINY REVIEW - PROGRESS REPORT

Further to minute 17 (14 September 2009) and minute 33 (14 January 2010), members of the Alcohol Scrutiny Panel presented an update on progress for the Alcohol Scrutiny Review. The central focus of the review was the “access to alcohol by young people in Wirral” and the issues which would be focused upon were contained within a scoping document appended to the report. Evidence had been gathered from meetings with officers of Wirral NHS, Drug and Alcohol Action Team (DAAT), Children and Young People, Licensing, Trading Standards and Merseyside Police. The Panel members proposed to continue with further evidence gathering, in particular focusing on the education of children (regarding alcohol) and the investigation of progress of initiatives at statistical and geographical neighbours. Members of the Panel indicated that young people would also be interviewed during the course of the review and it was proposed that this would be achieved with input from the Youth Parliament and the Youth Outreach Team.

It was planned that the final report for the Alcohol Scrutiny Review would be completed by the current panel members in due course.

Resolved –

- (1) That the Alcohol Scrutiny Review remain as part of the work programme for the new municipal year.**
- (2) That with the continued input and support from Mr A Veitch (Scrutiny Officer aligned to the Liberal Democrat Group), the following Members be re-appointed to serve on the Alcohol Scrutiny Panel in 2010/2011 –**
 - **Councillor Ann Bridson**
 - **Councillor Chris Meaden**
 - **Councillor Sue Taylor**
 - **Councillor Dave Mitchell**

13 ONE COUNCIL SCRUTINY REVIEW - PROGRESS REPORT

Further to minute 44 (4 March 2010), the Director of Law, HR and Asset Management provided an update upon progress of the ‘One Council’ Scrutiny Review. He outlined the objective of the review and appended to his report the scoping document previously approved by the Board. The Director sought the views of the Board as to whether the review should remain as part of the work programme for the new municipal year.

On a Motion by Councillor H Smith and seconded by Councillor Mrs C Meaden, it was –

Resolved – That no further work be undertaken in relation to the ‘One Council’ Scrutiny Review at the present time.

14 **REVIEW OF SCRUTINY PROGRAMME BOARD WORK PROGRAMME**

The Director of Law, HR and Asset Management provided an update on the current status of the Scrutiny Programme Board’s Work Programme for the 2009/2010 municipal year and invited suggestions from Members regarding the work programme for 2010/2011. He outlined the functions of the Scrutiny Programme Board and indicated that the work programmes of the five themed overview and scrutiny committees would be presented to each meeting of the Board for progress to be reviewed.

He set out guidance for the selection of topics for review and commented that an in-depth review should have the potential to make a difference and be carefully chosen with reference to objective criteria. He commented upon sources of ideas for topics for review and referred also to reasons for the rejection of suggested topics.

It was moved by Councillor H Smith and seconded by Councillor Mrs C Meaden –

“That, having regard to savings required by the Government, which are likely to amount to some £8m for Wirral Council in the current year, a Panel be appointed to consider the impact of those savings and how they will affect work being undertaken with local partners”.

Members commented that at the present time, no specific cuts in grant had been announced and that, as and when savings exercises were proposed, each should be referred to the appropriate overview and scrutiny committee for consideration.

It was moved as an Amendment by Councillor Gilchrist and seconded by Councillor Mountney –

“That the impact on partnerships of any savings that may be required in relation to specific grants, form the basis of a scrutiny review as more information is known”.

The Amendment was put and carried. (6:4)

Resolved – That the impact on partnerships of any savings that may be required in relation to specific grants, form the basis of a scrutiny review as more information is known.
