

Overview and Scrutiny Commission

Thursday 2 July 2009

PRESENT:

Councillor James, in the Chair.
Councillor Mrs Watkins, Vice Chair.
Councillors Fox and Mrs Nelder (substitute for Councillor Coker).

Apologies for absence: Councillors Coker and Viney.

Also in attendance: Councillor Ricketts.

The meeting started at 10.00 am and finished at 11.15 am.

Note: At a future meeting, the committee will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

27. APPOINTMENT OF VICE-CHAIR

Resolved that Councillor Mrs Watkins be appointed as Vice-Chair for this meeting.

28. DECLARATIONS OF INTEREST

There were no declarations of interest made by Members in accordance with the Code of Conduct.

29. MINUTES

Resolved that the minutes of the meeting held on 11 June 2009 be confirmed as a correct record.

30. CHAIR'S URGENT BUSINESS

There were no items of Chair's Urgent Business.

31. DECISIONS CALLED IN

The Head of Policy, Performance and Partnerships reported that no delegated decisions had been called in.

32. TRACKING RESOLUTIONS

Members considered a schedule of tracking resolutions and noted the following –

- Minute 127 (08/09), resolution 7.1 (Decisions called in: increase in fees charged by the Public Protection Bereavement Service) 'a recommendation go to Cabinet Members and the CMT outlining that all reports should contain accurate information and should specify if consultation had taken place and with whom' – the DMS Manager was due to meet with the Director for Corporate Support shortly, who would then take the matter forward to CMT and to Cabinet;
- Minute 7 (09/10) resolution (1) (Forward Plan 1 June to 30 September 2009) 'the Chair of Commission take up issues referred to above with Cabinet Members (see minute 7 (i)–(v)) – the Chair advised that he would take these matters up at his first meeting with Cabinet Members;
- Minute 8 (09/10) resolution (Draft Scrutiny Annual Report) 'Officers contact Chairs of Panels to confirm the deadline of 22 June 2009 for their comments in respect of the draft Scrutiny Annual Report' – all Chairs had been contacted, no responses had been received, and Chairs had been advised that in the absence of any response it would be assumed that they agreed the content of the report.

33. **GOVERNANCE AND ACCOUNTABILITY OF LOCAL STRATEGIC PARTNERSHIP**

The Head of Corporate Planning submitted a report outlining the Council's governance arrangements for the Local Strategic Partnership (LSP), together with the draft Plymouth 2020 LSP 'How we will operate' document.

The Cabinet Member for Customer Services, Performance and Partnerships and the Head of Corporate Planning advised Members that –

- the Council would be judged with partners and it was important to have an effective LSP;
- the Council must hold the LSP to account and the new scrutiny structure was aligned and supporting that aim;
- the project was starting from a reasonable position, with decision making clear, risk management in place and partners keen to continue to improve and to implement the proposals of the LSP Review.

Members raised the following points –

- (i) there were concerns that not all partners were fully committed to the partnership ethos, e.g. the Hospital Trust, and more work was needed to ensure partners were working together;
- (ii) so far, only one meeting between Overview and Scrutiny Panel (OSP) and Theme Group chairs had taken place and more consultation between OSP and LSP was required to agree protocols;
- (iii) partners needed to recognise the democratic legitimacy of the Council's role;
- (iv) OSPs had the powers to scrutinize partners performance and a greater understanding of the potential role of scrutiny and commitment to working constructively was required;
- (v) scrutiny powers in relation to Local Area Agreement (LAA) should be recognised as a tool for performance management;
- (vi) more clarity regarding reviewing what is achieved by the LAA was required, ensuring that there was no duplication between LSP and scrutiny;
- (vii) clear national guidance was required regarding links between overview and scrutiny and partners which added value to the delivery of the LAA;
- (viii) finding new ways to tackling complex problems reflected in the LAA, e.g. teenage pregnancies, was essential;
- (ix) more meetings and sharing of information, e.g. exchanging minutes between OSP and theme groups, was required, but co-options of theme group chairs to OSPs could cause a conflict of interest.

In response, Members were advised that –

- (x) information on the performance of the LAA was included in the bi-monthly finance and performance report;
- (xi) the LSP recognised that commitment to partnership became weaker further down the organisation and was aiming to address this with a recommendation to strengthen communication, by signing up to protocols and by putting in place a performance management framework;
- (xii) the Audit Commission had issued guidance in a national report providing good comparative context and an indication of what they would assess, e.g. governance, sharing resources, shared consultation;
- (xiii) co-options to scrutiny were for the Management Board to approve and relationship issues would be addressed through the Scrutiny Handbook;
- (xiv) a 'breakfast' meeting had been arranged for 16 July 2009 and an agenda would be issued shortly.

Resolved that –

- (1) the above comments be referred to Cabinet for consideration;
- (2) the Audit Commission guidance be emailed to Members of the new Overview and Scrutiny Management Board by the Head of Corporate Planning, in bullet point format if possible.

34. **FORWARD PLAN 1 JULY TO 31 OCTOBER 2009**

New items from the Forward Plan 1 July to 31 October 2009 were submitted for Members' consideration with a view to identifying items for scrutiny. None were identified on this occasion.

35. **SCRUTINY WORK PROGRAMME 2009/10**

(a) **Work Programme 2009/10**

The draft Overview and Scrutiny Commission work programme 2009/10 was submitted.

Members were advised that a revision of the work programme would be provided to the new Overview and Scrutiny Management Board and this would include budget scrutiny dates in February 2010. The Chair advised that there would be planning meetings for the Management Board in future because of the widened remit.

(b) **Work Programme Request (PID)**

A work programme request (PID) was submitted in respect of a review of Plymouth Skateboarding Byelaw.

Resolved that the work programme request in respect of a review of Plymouth Skateboarding Byelaw be approved, to be added to the work programme of the Growth and Prosperity Overview and Scrutiny Panel.

36. **SCRUTINY REVIEWS: POSITION STATEMENTS**

Members were informed that –

- Assistant Directors would be attending the Customers and Communities Overview and Scrutiny Panel in future and would help to populate the Panel's work programme appropriately;
- a task and finish group in respect of teenage pregnancies had been set up by the Children and Young People OSP and would be cross-cutting with the Health and Adult Social Care OSP.

37. **MINUTES OF THE OVERVIEW AND SCRUTINY PANELS**

The Commission received resolutions from the Panels that required approval or action, as follows:

- Sustainable OSP, 8 June 2009, minutes 5 and 6.1 (09/10);
- Health and Wellbeing OSP, 4 March and 7 June 2009, minutes 86, 87 and 88 (08/09) and minute 5 (09/10);
- Safer and Stronger OSP, 20 April 2009, minute 72 (08/09).

Members and officers commented that –

- the Members named in Sustainable OSP minute 5 (a) might change if appointments to the new OSPs changed;
- with regard to Sustainable OSP minute 5 (v), no information regarding Destination South West had been emailed to Panel Members as yet;
- regarding the 'quality training' referred to in Health and Wellbeing OSP minute 86 (08/09) resolution 3, IDeA training for Plymouth City Council Members was currently being set up;
- it was to be seen how effective the new Care Quality Commission would prove to be.

Resolved that –

- (1) in respect of Sustainable OSP minute 5 (i) and (iii), the Customers and Communities OSP be requested to submit work programme requests (PIDs) to the first meeting of the Management Board in respect of –
 - Waste Collection;
 - the Hoe Foreshore;
- (2) in respect of Sustainable OSP minute 6.1 (1), the Customers and Communities OSP be identified as responsible for the anti social behaviour issue;
- (3) Sustainable OSP minute 6.1 resolutions (2) and (3) be approved, as follows –
 - (2) that Customers and Communities OSP be responsible for operational housing services until the housing stock transfer;
 - (3) that strategic housing be brought to the Growth and Prosperity OSP;
- (4) with regard to Sustainable OSP minute 6.1, resolution (4), the Growth and Prosperity OSP be identified as the appropriate Panel for the strategic issue of future waste disposal arrangements and the Customers and Communities OSP be identified as the appropriate panel to consider the day to day running of the service;
- (5) with regard to Health & Wellbeing OSP minute 87 resolutions (1) and (2), it be agreed that the Democratic and Member Support Manager be requested to set up presentations for all Members and LSP theme groups in order to help promote and disseminate awareness of the information contained within the report of Health Visitor Surveys 2002-2008;
- (6) the resolution of Health & Wellbeing OSP minute 88 'to promote partnership working in the context of the developing localities agenda in order to support improved health outcomes' be agreed.

38. **URGENT DECISIONS**

The Head of Policy, Performance and Partnerships submitted a report on action taken by the Chair of the Overview and Scrutiny Commission regarding the approval of urgent decisions (in accordance with Special Urgency rules as set out in Paragraph 16, Part 6 of the Constitution) taken by Cabinet Members and by the Cabinet collectively from 1 June to 19 June 2009.

Resolved that the report be noted.