

KENT COUNTY COUNCIL

SCRUTINY BOARD

MINUTES of a meeting of the Scrutiny Board held in the Darent Room, Sessions House, County Hall, Maidstone on Wednesday, 24 February 2010.

PRESENT: Mrs A D Allen, Mr C J Capon, Mr M C Dance, Mr C Hibberd, Mr G A Horne MBE, Mr E E C Hotson, Mr P W A Lake, Mr K Smith, Mrs E M Tweed and Mr M J Vye (Substitute for Mrs T Dean)

ALSO PRESENT: Mr A J King, MBE

IN ATTENDANCE: Ms D Fitch (Assistant Democratic Services Manager (Policy Overview)) and Mr P D Wickenden (Overview, Scrutiny and Localism Manager)

UNRESTRICTED ITEMS

1. Election of Chairman

(Item 2)

Mr C J Capon moved and Mr P W A Lake seconded that Mr E E C Hotson be elected Chairman.

Carried

2. Election of Vice-Chairman

(Item 3)

Mr E E C Hotson moved and Mr C J Capon seconded that Mr P W A Lake be elected Vice Chairman.

Carried

3. Chairmans' introduction

(Item)

(1) The Chairman welcomed Mr Christie and Mr Lees, invited Members, to the meeting and said that they would continue to be asked to have a full input into this and future meetings.

(2) The Chairman set out the background to the establishment of the Scrutiny Board and the changes to Overview and Scrutiny following the 2009 County Council elections. He acknowledged that it would take some time for the overview and scrutiny changes to be developed but he anticipated that within six months there should be clear processes in place and a system that would give clarity and empower Members to fully participate in debates on policy. It was essential to continue to develop overview and scrutiny to ensure that it did not get stale. He hoped that this meeting would give Members the opportunity to obtain more clarity and certainty around the way forward.

(3) The Chairman stated that if there were any future proposals to amend the overview and scrutiny Committee structure he would expect a clear direction to be sought from this Board,

(4) Members emphasised the importance of avoiding duplication and acknowledged that the Board was a means of agreeing workloads to avoid this.

(5) Members referred to a number of different ways that Policy Overview and Scrutiny Committees were carrying out their business and sought the flexibility to work in the most effective way possible, for example visits or Informal Member Groups (IMG's).

(6) Mr Christie thanked the Board for inviting him to the meeting and for letting him speak. He expressed his support for the Scrutiny role being added to Policy Overview Committees, which would give non executive Members the opportunity to have an input before a decision was taken. One of the key issues would be how to deal with Officer decision's which used to be a major part of the Cabinet Scrutiny Committees role.

(7) The Chairman expressed the view that this Board should initially meet on a monthly basis in order to move overview and scrutiny business forward. This could be reviewed if necessary.

(8) RESOLVED that the next meeting of the Board be held on 22 April 2010 with meetings being programmed approximately monthly for the remainder of 2010.

4. Items referred to the Scrutiny Board in accordance with its Terms of Reference

(Item 5)

(1) The Board received a report which set out its terms of reference and requested Members to decide how they wished to deal the following issues which had been referred to them.-

Developer contributions (Section 106 agreements)

(2) This matter had been referred to the Board from the Cabinet Scrutiny Committee on 9 December 2009.

(3) Mr Dance informed the Board that the Regeneration and Economic Development Policy Overview Committee (POSC) were holding a seminar on this issue in the Spring and that there would be a scoping paper to the POSC in July 2010. He offered to consider this referral at that time.

(4) During discussion of this item there was general agreement that this matter needed to be considered as soon as possible and therefore the Scrutiny Board would be the most effective way of doing this. The Chairman undertook to invite the relevant parties, including District Councils representatives, to attend this meeting and to ensure that a paper was produced which set out the current process.

Kent Design Guide (consultation protocol)

(5) The Cabinet Scrutiny Committee had requested the Scrutiny Board or the Corporate Policy Overview Committee to examine the consultation protocol, and whether it should be amended in light of the Kent Design Guide consultation.

(6) As the consultation protocol came under the remit of the Corporate Policy Overview Committee it was agreed that items would be considered at the April meeting of the POSC.

Draft Revised Equalities Strategy

(7) The Board was requested to decide whether to consider this corporate document itself or to refer it to a Policy Overview Committee.

(8) Mr Vye, who was a member of the equal opportunities group, stated that this was a major piece of work and that in his opinion it should be considered by the Scrutiny Board as it was cross cutting and covered all directorates.

(9) Members also suggested that Mosaic may be able to assist the Board in its consideration of this document.

(10) RESOLVED that

(a) the Scrutiny Board at its meeting on 22 April 2010 review the protocols in relation to future developments, between the County and Districts and the formula used to determine contributions requested under Section 106 agreements.

(b) the Consultation Protocol and whether it should be revised in light of the consultation on the Kent Design Guide be considered at the meeting of the Corporate POSC on 8 April 2010.

(Post meeting note: a draft consultation strategy was currently being produced but would not be available to be considered at the 8 April 2010 meeting of the Corporate POSC, the Chairman has agreed that it will be considered at the 7 July 2010 meeting of the POSC.)

(c) the draft revised equalities strategy be considered at the meeting of the Board on 22 April 2010.

(During consideration of the referral on Section 106 agreements Mr Kit Smith declared an interest as a member of Dover District Councils Section 106 Board and left the meeting)

5. Building capacity for Overview and Scrutiny

(Item 6)

(1) The Board received a report which looked at ways of building capacity for overview and scrutiny based on the decision taken at County Council on 15 October 2009.

(2) The Chairman invited Mr King to introduce this item. Mr King stated that KCC had embarked on a process of change relating to the way in which the organisation worked and how Members could contribute. Over the next three and a half years if Member made the most of the new mechanisms they would change the way in which KCC worked. Part of the strength of KCC had been the trust between officers and Members and the way that they worked together, and this should be reflected in the new overview and scrutiny processes. It was important that the Scrutiny Board and the POSC's liaised with the Executive to avoid either party working in isolation.

(3) Mr King referred to the innovative ways in which the POSC's were working, for example the visits by RED POSC to each district to look at key regeneration projects and to understand the challenges.

(4) He referred to the comments made at the Budget setting County Council meeting about the perception that Members had not had the opportunity to comment on the draft Budget. He stated that there had been more Member involvement in the Budget process than ever before and that back benchers views had been taken into account in developing the Budget.

(5) Mr King congratulated the Health Overview and Scrutiny Committee on the work that they had carried out via a Task and Finish Group in looking at the plans for the reconfiguration of women's and children's services in Maidstone and Tunbridge Wells.

(6) Mr King expressed the view that KCC needed to be more transparent in its work and to seek genuine engagement, the press were part of this process.

(7) Mr King agreed that the Forward Plan of Key Decisions was not in the form that was most helpful to Members, there was a need to provide more detail for Members on issues in order that POSC Members could decide where they could make a contribution prior to decisions being taken.

(8) Mr Smith gave details of the work that the CFE Learning and Development POSC were carrying out on 14 – 16 year olds learning and skills, which had involved a day of visits including hearing from young people themselves and a session at their last meeting where they gathered information from key stakeholders. This would be continued at their May meeting. He stated that he had spent 150 hours working on this. He urged the Board to retain as much flexibility as possible for POSC to work in innovative ways.

(9) Mr Dance referred to the series of visit that the Regeneration and Economic Development POSC was carrying out to each District to look at regeneration projects. Directorate officers attended these visits and produced bullet point notes, which Members then add to verbally at the POSC meeting.

(10) Mr Vye commended the work of the new Learning and Development POSC but highlighted the importance of ensuring that there was enough time at meetings to carry out all the POSC roles. In relation to the Medium Term Financial Plan IMG's, although there had been an excellent input from Officers, the timescale for doing this was inevitably short. He suggested that the IMG should be established sooner to give Members the opportunity to make a contribution at an earlier stage.

(11) A number of Members agreed that there was merit in POSC Members considering the MTFP at an earlier stage and contributing their ideas.

(12) Regarding rapporteurs Mr Vye suggested that all options should be kept open including individual Members being tasked with looking at specific issues and present their findings to the POSC. In relation to the Forward Plan of Key Decisions, he emphasised the importance of having more details of the items so that Members could decide which to consider at POSC's.

(13) The suggestion of enabling the public to email in questions during meetings was generally supported, although the importance of moderation and agreed guidelines was emphasised.

(14) Mr Christie referred to the meeting of the Northfleet and Gravesend West Neighbourhood Forum which had been held the previous evening where there had been the facility for the public to email in questions. None were received which he put down to the lack of advance publicity for this facility. Also he was surprised the number of members of the public who choose to sit where they would not be webcast.

(15) Mrs Allen, highlighted the innovative ways that the Children's Champions Board had engaged with Looked after Children and the value that they had got from this. She also referred to the first meeting of the Children in Care Council that she had recently attended. She stated that it was important that senior officers and Cabinet Members met with young people on their own terms to hear from them first hand what their lives were like and to receive suggestions for possible improvements. This may involve a change in the officer culture.

(16) The Chairman informed the Board that he and the Overview, Scrutiny and Localism Manager had attended a meeting of the Chief Officers Group to talk though the changes to Overview and Scrutiny and their role within this.

(17) Mr Horne referred to the recent HOSC Task and Finish Group which had looked at the plans for the reconfiguration of Women's and Children's services in Maidstone and Tunbridge Wells. This Group had consisted of three County Council Members and two District Councillors and had been Chaired by one of the District Councillors. He commended the officers that had supported the group by co-ordinating information and making arrangements for meetings and visits. He explained that the Groups report had been written by the Members of the Group.

(18) RESOLVED that

(a) the examples of new ways of working be noted

(b) a report be submitted to the next meeting of the Scrutiny Board on the ways in which POSCs can effectively contribute to the MTP and draft budget in 2011.;

(c) the ongoing rapporteur work in its different forms across the overview and scrutiny suite be noted;

(d) at the next or following meeting of the Board the media team be invited to the meeting to discuss the way that Overview and Scrutiny can develop a more effective collaboration with the press and media, and following that representatives of the local media be invited to meet with the Board.

(e) the need for the statutory Forward Plan of Key Decisions to be improved be noted and that there be further discussions with the Cabinet and Chief Officer Group.

(f) the comments made by Members on the proposed new approach of receiving live questions from members of the public via email at Committee meetings within the Overview and Scrutiny suite be incorporated into a draft protocol to be circulated to Cabinet and Chief Officers prior to it being submitted to a future meeting of this Board for endorsement.

6. Select Committee work programme update

(Item 7)

(1) The Board received an update on the current Topic Review Programme and the resources available to deliver it. Mr Wickenden requested the Board to extend the timescale for the Select Committee on Extended Schools so that it could submit its report to County Council in December 2010.

(2) In relation to the Select Committee review on Dementia which the Policy Overview Co-ordinating Committee on 16 October 2009 had agreed would fall under the remit of the Health Overview and Scrutiny Committee (HOSC), Mr Lake stated that Adult Social Services POSC would be happy to have this Select Committee under its remit if HOSC's agenda was too full. Mr Horne stated that HOSC members had attended a meeting at Medway on various Mental Health issues including Dementia and that there was interest amongst HOSC Members in this piece of work. In response to a question on the timescale for this review Mr Wickenden stated that it was due to start in the Summer.

RESOLVED that

(a) the progress of the Select Committee topic review on Renewable Energy be noted

(b) the timeframe for the review on Extended School be extended and its final report be submitted to County Council in December 2010.

(c) further information on the timeframe for the Select Committee review on Dementia be submitted to the next meeting of the Board, and

(d) suggestions for future topic reviews be sought and reported back to a future meeting of the Scrutiny Board.

7. Half day Members workshop - approval of framework

(Item 8)

(1) Mr Wickenden introduced a paper which set out a proposal for a half day Overview and Scrutiny workshop for Members and Officers.

(2) RESOLVED that the proposal to hold a half day workshop on Overview and Scrutiny for Members and officers, the draft programme for this event and the “Frequently Asked Questions” factsheet be endorsed.

8. POSC - discussion of good practice

(Item 9)

(1) The Board received a report which provided the opportunity for Members to share and agree some best practice for POSC’s.

(2) RESOLVED that the report be noted and there be a standing item on future agendas of the Board to give Members the opportunity to share examples of good practice.

9. Kent and Medway Overview and Scrutiny Officers Network - Partnership Working

(Item 10)

(1) Mr Wickenden introduced a report which updated the Board on the work of the Kent and Medway Overview and Scrutiny Officers network, particularly in relation to avoiding duplication of work by an awareness of topic review programmes. The importance of liaising with Medway Council over issues relevant to both authorities was emphasised by Members.

(2) Mr Dance mentioned the importance of ensuring that the new Group Managing Director be invited to address a meeting of this Board soon after they were in post.

(3) RESOLVED that the report and comments made by Members be noted.