

**SCRUTINY COMMITTEE held at COUNCIL OFFICES LONDON ROAD
SAFFRON WALDEN at 7.30 pm on 8 JULY 2008**

Present: - Councillor A Dean – Chairman.
Councillors D J Sadler, G Sell, A M Wattebot and L A Wells.

Officers in attendance:- J Mitchell (Interim Chief Executive), R Procter
(Democratic Services Officer), C Rockall (Interim Change
Manager), A Webb (Interim Director of Central Services).

SC1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors Anjum, Jones,
Schneider and Yarwood.

SC2 MINUTES

The Minutes of the meeting held on 9 April 2008 were received, confirmed
and signed by the Chairman as a correct record, subject to the following
amendments:-

Minute SC36 – Petition

- In the second paragraph, to change “it’s preferred site” to “its preferred site”.
- In the third paragraph, to change “appraises the residents” to “apprises the residents”.
- In the eleventh paragraph, to change “decide a prejudicial interest” to “declare a prejudicial interest”.
- In the twelfth paragraph, to insert after “Government choices” the words “on eco towns”.

Minute SC39 – Scrutiny Working Programme

- In the third paragraph, to substitute for the wording “traffic lights for priorities on the list” the wording “risk based prioritisation of the list”.

SC3 BUSINESS ARISING

(i) Minute SC39 – Scrutiny Working Programme and draft Scrutiny Handbook

Regarding the proposed list of priorities, Councillor Dean said he had been asked by Councillor Yarwood to raise his concern that the Council had not engaged in a risk based analysis of priorities. Councillor Dean said his response had been that the Council had simply not had the necessary expertise or capacity available at that time.

Regarding procedure for Council to adopt the Scrutiny Handbook, Councillor Dean asked for it to be minuted that it was in fact not procedurally correct that Members of Scrutiny Committee would need to declare an interest, in accordance with legal advice he had sought from the Council’s Solicitor.

SC4

SCRUTINY HANDBOOK

Councillor Dean welcomed the Interim Change Manager, who had stepped into the breach as Lead Officer following the departure of the Head of Partnerships and Performance. The Interim Change Manager thanked the Chairman, and invited the Committee to consider whether the draft Scrutiny Handbook should be tried out for a few months before making a recommendation to Council to adopt it. Alternatively, he suggested Members consider recommending a review in due course.

Councillor Sadler said the draft Handbook, which seemed broadly the same as the previous version, was very good. Councillor Dean said he endorsed that support, as the information was very helpfully set out. Councillor Sell said he agreed with the Interim Change Manager that a trial period could be useful.

(Councillor Wattebot joined the meeting.)

Councillor Dean recalled that the Head of Partnerships and Performance had suggested a Members' training session on this topic. Following further brief discussion, it was noted that such training could benefit all Members.

RESOLVED that

- 1) the Committee use the draft Scrutiny Handbook as a training guide prior to formal reference to Council for adoption.
- 2) a training session on scrutiny be arranged to which all Members would be invited, to be held at the October meeting of the Committee, if this was possible.

SC5

UPDATE ON RECENT SCRUTINY DECISIONS

The Interim Change Manager gave a summary of the current position. Councillor Dean invited Members to ask questions.

Councillor Sell asked about the timeframe for setting up a joint scrutiny panel for West Essex PCT with Harlow and Epping Forest. Councillor Dean replied that Councillor Barker had enlightened the previous meeting of the Committee on the role played by the County in health scrutiny. He had gained an impression that the County seemed unlikely to delegate to districts. The Interim Chief Executive said that the PCT might not share that view, and that he could discuss the matter at a meeting he was due to attend with the PCT in two weeks' time. The views of the other two districts could also be sought.

RESOLVED that

- 1) the update be noted
- 2) officers canvass the views of the PCT, and of Harlow Borough Council and Epping Forest District Council, on delegation of health scrutiny functions from the County Council, and that a report be brought back to the Committee.

SCRUTINY WORK PROGRAMME

The Interim Change Manager referred to the report before the Committee. He said some possible areas of work might seem over-ambitious, and advised that it would perhaps be better to aim for more manageable projects. Members considered areas where the Committee could take a leading role, and noted a possible approach would be to progress certain topics via small groups.

Possible work areas to be taken forward in this way were the review of fees and charges, the access to services inspection, value for money and the management of public conveniences. In relation to public conveniences it was noted that some work had already been done, which needed to be brought to a conclusion. Councillor Wattebot said that discussions with Saffron Walden, Felsted and Dunmow Town and Parish Councils had taken place on that matter, but discussions with Thaxted Parish Council were yet to take place. She was concerned that the Parish Council would not now meet until September. The Interim Director of Central Services said that unfortunately due to an extremely demanding workload he had not been able to hold the planned discussion with Thaxted Parish Council, but the Head of Corporate Support and Revenue Services had now offered to take on this matter. The Interim Change Manager said if Members were in agreement with the principle of working in small groups, he would recommend starting with the fees and charges review, and with one other subject.

The Committee went on to discuss the general contribution to be made to the Council by the Scrutiny Committee through such work. The Interim Change Manager said he envisaged part of the role of Scrutiny Committee was to encourage consistency across the organisation. The Interim Chief Executive agreed, as in his view Scrutiny Committee would look at the broader picture, and such work would feed into the improvement plan. It was noted that scrutiny work would also contribute to the equalities agenda, a further valuable outcome. Councillor Dean concluded by stating that Scrutiny should try to identify guiding principles, so that decisions across the organisation were not made on an ad hoc basis.

The Committee discussed the access to services inspection. The Interim Change Manager explained that this area had already been looked into by Performance Select Committee, which would re-examine key actions in twelve months. Accordingly there was an opportunity in the interim for Scrutiny Committee to look at issues such as social aspects and consistency across the district.

Members discussed the methodology to be adopted for proceeding with areas of work. Councillor Sadler said that Scrutiny Committee Members who were not present could be invited to participate via e-mail. The Interim Change Manager said that in terms of size of each group, three Members would be sufficient. Councillor Dean said he had received indications from some Members regarding their preferences, and asked for those present to state the areas of work they would be interested in taking on. In response to a question, the Interim Chief Executive confirmed that officers working on these topics would continue to do so, but would also liaise with Members and

provide direction where necessary. This would raise the profile of Scrutiny, and would represent a positive and helpful contribution.

Indications of interest in areas of work were recorded as follows:

Fees and charges – Councillors Dean, Sadler and Wells.

Access to services – Councillor Yarwood.

Value for money – Councillor Sell.

Maintenance and management of public conveniences – Councillors Schneider, Wattebot and Yarwood.

RESOLVED

- 1) to undertake discrete items of work identified in the work programme, by means of small groups of Members of the Committee.
- 2) That a group of Members commence with one new area of work, fees and charges, and one area which required bringing to a conclusion, the maintenance and management of public conveniences in the district.

Councillor Dean noted that the work to be undertaken should adopt a risk based approach.

SC7

DECISION LISTS

The Committee considered the decision lists of the recent Community, Environment and Finance and Administration Committee meetings. Queries were raised as follows.

(i) Community: item 12 Greenways Play Area

Councillor Dean asked why the play area was being reinstated.

Councillor Sadler declared a personal interest as Chairman of the relevant committee within Saffron Walden Town Council.

Councillor Sadler gave a brief explanation, mentioning the fact that play equipment had not been maintained by the District Council, and that the Town Council had been invited to take over the facility.

(ii) Environment – item 9 Concessionary Fares

Councillor Sell referred to representations he had received in his ward, regarding the deferral by the Finance and Administration Committee of a decision on an extension to the national scheme to bring forward the start time to 9.00 am. He said confusion had arisen since Environment Committee Members had voted in favour, and he asked for an explanation.

The Interim Chief Executive said that whilst the wording reflected the proceedings it did not state the actual outcome. This was because the decision had unfortunately been 'ultra vires', and therefore a decision was still pending. The matter would go back before Environment Committee in September, when evidence from other local authorities on the costs of extending the scheme would be available.

Councillor Sell said that it was unfortunate that there had been publicity around this decision, as expectations had been raised and now had to be dampened. He asked how many districts in the County had extended the scheme to the earlier start. Officers understood that there were only three such districts within Essex, one of which, Maldon, was comparable to Uttlesford in terms of its rural nature. Information from that authority's experience of extending the scheme would therefore be extrapolated when it became available.

Councillor Sell said it was disappointing that the process did not seem to have been as well advised as it might have been. Councillor Dean asked whether there were lessons to be learnt. The Interim Chief Executive said that Finance and Administration had had the option to delegate authority to him, but had chosen to defer the decision. Where recommendations were made, reports should clearly identify budgets, and where it was not possible to present the full implications, this fact should be made clear in the report. Unfortunately, this had not been made clear on this occasion, although procedures would be introduced to cover the situation in future reports.

RESOLVED to monitor financial implications of recommendations in reports to policy committees.

SC8

OFFICER SUPPORT FOR SCRUTINY COMMITTEE

The Interim Director of Central Services provided a verbal update on future officer support following the departure of the Head of Partnerships and Performance. The teams handling performance and business improvement would be merged, with additional capacity of 1.4 full time equivalent. From within this joint resource, one day a week would be allocated to Scrutiny Committee support. Generic job descriptions for officers were being prepared in readiness for recruitment, which in the first instance would be internal. Interest had already been expressed in these posts. In the longer term, a lead officer would take over from the Interim Change Manager.

Councillor Sell said it was important to achieve continuity for this Committee with a lead officer of the right calibre. He suggested that Scrutiny training should be provided to the lead officer.

Councillor Dean thanked those officers who were currently holding the fort. He asked officers to circulate to the Committee the draft job descriptions for the posts mentioned.

The meeting ended at 8.25 pm.