

REVIEW OF SCRUTINY ARRANGEMENTS

1. INTRODUCTION

- 1.1 The purpose of this report is to comment on the recommendations of the Corporate Overview Panel in relation to the future structure of the Council's Scrutiny arrangements, with a view to implementation from the new Council administration in May 2011.

2. BACKGROUND

- 2.1 At its meeting in June 2010, the Corporate Overview Panel provisionally accepted the report and recommendations made by South East Employers (SEE), following their review of the Council's Scrutiny arrangements.
- 2.2 In September 2010 the Corporate Overview Panel deferred making recommendations on the structural changes recommended in the report, pending the publication of the Localism Bill which was expected to include an option for some councils to revert to a Committee system.
- 2.3 At the meeting of the Corporate Overview Panel on 20 January 2011, it was reported that the Localism Bill had been published on 13 December 2010 and included such a provision, but the effect of other provisions meant that any such change can not be introduced until after the next ordinary election of Councillors in May 2015.
- 2.4 Also at that meeting, the Leader of the Council announced that, if he remained Leader after May 2011, he intended to reduce the number of Cabinet Portfolios from 8 to 6. It was felt this might facilitate reductions in the number of Review Panels as recommended by SEE. If the total reduced from 7 to 3, each Panel could scrutinise two portfolios from May 2011.
- 2.5 In the light of these developments, it was agreed that the Scrutiny Review Working Group (comprising Cllrs John Ward, Anna Rostand and Alan Weeks) reconvene to recommend an amended structure for this Council's scrutiny arrangements, taking account of the recommendations in the SEE report and the anticipated reduction in Cabinet portfolios, with a view to new arrangements being agreed by the Council to take effect following the quadrennial elections in May 2011.

3. BASIC STRUCTURE

- 3.1 The Working Group has since met (Cllr Rostand was unable to attend) and has revisited the SEE report originally considered and agreed by the Corporate Overview Panel in June 2010. Cllrs Ward and Mrs Rostand still support all of SEE's recommendations, which include a reduction in the number of Panels from 7 to 3. Cllr Weeks raised concerns on a number of points and felt unable to support the recommendations as a package.

- 3.2 Cllrs Ward and Mrs Rostand consider that, with the expected reduction in the number of portfolios from 8 to 6, it is logical for each of the 3 Overview Panels to scrutinise two portfolios. It is felt preferable for each Portfolio Holder's service responsibilities to be within the remit of a single Overview and Scrutiny Panel.
- 3.3 In formulating its recommendations, Cllrs Ward and Rostand were mindful of the strong recommendation by SEE that task and finish groups should become the "workhorse" of any new structure. They fully support that approach.

4. REMIT / FUNCTIONS/ TERMS OF REFERENCE / MEMBERSHIP OF THE 3 OVERVIEW PANELS

4.1 Cllrs Ward and Rostand found it difficult to make firm recommendations on which functions the 3 new Overview Panels should scrutinise without knowing the content of each of the 6 new Portfolios. It is understood that this issue might not be resolved until after the May elections but, notwithstanding this, and bearing in mind the reference in paragraph 3.1 to the preference for each Panel to scrutinise two Portfolios, they favoured the broad outline suggested by SEE. This is shown in Appendix 1, and includes suggested service areas that could fall within each. There are many possible permutations. Members are conscious that the make-up of the Portfolios is not within the Working Group's remit and that the new Portfolio format could be radically different from that currently in place. However, they are of the opinion that the Panel structure recommended by SEE would be appropriate and easy to understand.

4.2 The current Panel structure is shown at Appendix 2.

4.3 It is recommended that each Overview and Scrutiny Panel comprises 10 members. These members must be appointed in accordance with the principles of proportional representation. On the basis of 3 Panels with 10 members each, the total number of Committee/Panel places to be filled (including the Standards Committee to which the principles of proportionality do not apply) would be:

Currently	146
Recommended structure	102

4.4 These places exclude the envisaged task and finish groups and any standing sub-groups that might be appointed.

5. CHAIRMEN AND VICE-CHAIRMEN'S GROUP / IMPROVEMENT PLAN

5.1 The SEE report recommended the establishment of an empowered central coordinating group, comprising chairmen and vice-chairmen of the new overview and scrutiny panels. The remit of this group would include coordination and approval of the annual work programmes of the panels, taking the lead in meetings and discussions with the Cabinet, monitoring the outputs and effectiveness of the Panels and task groups, reporting annually on the Panels to the full Council, and recommending member development programmes for overview and scrutiny. The report also identified that it should be this body that is entrusted to implement the detailed recommendations in the report.

5.2 The SEE report also suggested that an Improvement Plan be drawn up to take forward the report's recommendations. The report suggested that the Chairmen and Vice-Chairmen's group be tasked with working through the report's recommendations and preparing an Implementation and Improvement Plan, reporting back in the first instance with recommendations to the proposed new Corporate Overview and Scrutiny Panel. Recommendations would be submitted to the Cabinet where necessary.

6. NO EFFECT ON OTHER COMMITTEES

6.1 For clarity, recommendations affecting the Scrutiny Panels **will not affect** any of the following Committees:

- Planning Development Control Committee
- Standards Committee
- General Purposes and Licensing Committee
- Appeals Committee
- Final Accounts Committee
- Industrial Relations Committee

7. FINANCIAL IMPLICATIONS

7.1 If the proposed new structure for the Panels is implemented, the following estimated annual savings could be achieved:

Special Responsibility Allowances (4 Chairmen)	£18,608
Travel	£ 3,000
Printing and Postage	£ 2,000

7.2 It should be noted that the estimated savings in travel, printing and postage do not take account of any costs associated with the task and finish working groups as these are impossible to quantify at this stage. There are also likely to be savings in officer support costs, but these also cannot be estimated in advance of knowing the extent of the support required by the task and finish working groups.

8. CORPORATE OVERVIEW PANEL COMMENTS AND RECOMMENDATIONS

During the discussion, some members expressed concern that the Chairman and Vice Chairman's Group (which would fulfil the tasks in paragraphs 5.1 and 5.2 of the report) would be a one-party group.

There were various comments suggesting changes to the lists of functions under each panel as set out in Appendix 1, but it was accepted that these were only a starting point and could be adjusted at a later stage, both in the short and medium term. Areas mentioned included Customer Services/Information Services, Road Safety, Emergency Planning, Asset Management (Land and Building Strategy), though no changes to these were formally recommended.

Following the discussions, the Panel agreed the recommendations subject to the following minor amendment.

Paragraph 8.2 : Insertion of the word 'initially', so that it reads '...and they be responsible *initially* for the service areas....'

RECOMMENDATIONS (To the Council, with the Cabinet being informed):

8.1 That the recommendations by South East Employers for the structure of the Council's Overview and Scrutiny Panels be approved for implementation following the next ordinary election of councillors on 5 May 2011

8.2 That the new Overview and Scrutiny Panels be named:

**The Corporate Overview and Scrutiny Panel
The Community Overview and Scrutiny Panel
The Environment Overview and Scrutiny Panel**

and that they be responsible initially for the service areas set out in Appendix 1 to this report;

8.3 That the remainder of the operational recommendations contained in the report by South East Employers be approved in principle and that the Chairmen and Vice-Chairmen of the newly-appointed Overview and Scrutiny Panels be tasked as a group with those activities set out in paragraphs 5.1 and 5.2 above, including preparation of an implementation/improvement plan in respect of these recommendations, reporting back to the Cabinet and the Review Panels as necessary.

8.4 That there be 10 members on each Overview and Scrutiny Panel.

8.5 That the first meetings of the new Overview and Scrutiny Panels be held on 16 May 2011 to elect their Chairmen, appoint their Vice-Chairmen, and to agree dates and times of meetings for the remainder of the Council year.

9. DECISION

That the Cabinet comment on the recommendations of the Corporate Overview Panel as set out in paragraph 8 above.

For Further Information Please Contact:

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Background Papers:

Published documents

Corporate Overview and Scrutiny Panel:

(Issues currently the responsibility of the Policy & Resources and Finance & Efficiency Portfolio Holders)

1. Corporate and Community Plans
2. Performance Management
3. Political and Management Structures
4. Financial Strategy
5. Risk Management
6. Communications
7. Human Resources Strategy
8. Other corporate matters
9. Value for Money
10. Information and Communications Technology
11. Asset Management - Land and Buildings Strategy
12. Capital and Revenue Budgets
13. Council Tax and Benefits (incl. Housing)
14. National Non-Domestic Rates and Discretionary Non-domestic rate relief
15. Central Support Services including
 - i. Accountancy
 - ii. Information Services
 - iii. Exchequer Functions (Payroll, Payments, Cashiers, Debtors)
 - iv. Legal and Democratic Services
 - v. Chief Executive's Administration
16. Employee and Civic Catering
17. Health and Safety of Employees *(currently Employment, Health & Wellbeing Portfolio Holder)*
18. Economic Development / Business Partnership /Tourism *(currently Employment, Health & Wellbeing Portfolio Holder)*

Community Overview and Scrutiny Panel

(Issues currently the responsibility of the Housing Portfolio, the Leisure, Culture & Youth Matters Portfolio, the Crime & Disorder Portfolio and the personal health and social inclusion responsibilities of the Employment, Health & Wellbeing Portfolios)

1. Housing issues
2. Leisure Services, including
 - a. Arts
 - b. Play
 - c. Sport
 - d. Recreation
 - e. Museums
 - f. Galleries
 - g. Libraries
 - h. Children and Youth Matters
 - i. Open Space
 - j. Leisure related and other non-service specific and core funding Grants (but not Citizens' Advice Bureau or Community First)
3. Crime and Disorder matters
4. Community Safety
5. Emergency Planning
6. Road Safety

7. Personal Health and Social Inclusion
 - Health strategies;
 - Health improvement programmes;
 - Promotion of health and social inclusion issues in the community;
 - Ancillary activities that affect the health and welfare of residents in the District;
 - Welfare funerals
8. Adult Learning

Environment Overview and Scrutiny Panel

(Issues currently the responsibility of the Environment Portfolio, the Planning and Transportation Portfolio and the Environmental Health Services responsibilities of the Employment, Health and Wellbeing Portfolio)

1. Sustainability Co-ordination
2. Refuse Collection/Disposal
3. Street Cleaning
4. Grounds Maintenance
5. Recycling including Project Integra
6. Public Conveniences
7. Cemeteries
8. Abandoned Vehicles
9. Coastal Protection
10. Land Drainage and Sewerage (other than in the public health context)
11. Planning Strategy and Development Plans
12. Building Control
13. Transportation
14. Car Park Management
15. Highways
16. Street Naming and Numbering
17. Local Land Charges
18. Air pollution control
19. Noise and statutory nuisances
20. Drinking water standards
21. Drains and sewers (in the public health context)
22. Land contamination
23. Radiation monitoring
24. Food safety
25. Communicable disease
26. Pest control
27. Dog warden services
28. Sunday Trading
29. Animal Welfare (except for those matters being the responsibility the General Purposes and Licensing Committee)

(Current Structure)

CABINET, REVIEW PANEL AND COMMITTEE STRUCTURE

The Cabinet and relationship between Portfolios and Review Panels

