

Overview & Scrutiny Committee

Wednesday, 9th July, 2014
6.00 - 8.15 pm

Attendees	
Councillors:	Tim Harman (Chair), Nigel Britter, Chris Mason, Sandra Holliday, Helena McCloskey, Dan Murch, John Payne, Chris Ryder and Max Wilkinson
Also in attendance:	Shirin Wotherspoon, Pat Pratley and Richard Gibson

Minutes

1. APOLOGIES

Apologies were received from Councillor Colin Hay.

As this was the first meeting of the committee, the chair welcomed both new and existing members. He said he was keen to engage all members in the overview and scrutiny process. Members who are not on the Cabinet could sometimes feel distant from what's going on across the council and so scrutiny was a way of getting them involved and at the same time balancing the power of the Cabinet. He commended the member induction session provided by Democratic Services which had provided an excellent introduction to the work of O&S.

2. DECLARATIONS OF INTEREST

None declared.

3. MINUTES OF THE LAST MEETING

Resolved that the minutes of the last meeting held on 3 April 2014 be approved and signed as a correct record.

4. REVIEW OF TERMS OF REFERENCE

The Democratic Services Manager (DSM), Rosalind Reeves, introduced the terms of reference for the committee as set out in the Council's Constitution. She highlighted the role of the committee in planning and coordinating the work of scrutiny across the council and its ability to set up scrutiny task groups to carry out in-depth reviews. It was also the role of the committee to promote good practice for scrutiny across the authority and the development of member skills.

5. APPOINTMENT OF AN O&S SUB-COMMITTEE

The Chair introduced the report which had been circulated. The report explained that the new arrangements for Overview and Scrutiny which were considered by Council in December 2011 and March 2012 made provision for the O&S committee to set up one or more sub-committees in support of its functions. As this committee meets bi-monthly it is anticipated that sometimes there might be a need to set up a scrutiny task group (STG), consider a call-in

request or receive recommendations from a STG as an urgent matter. A sub-committee could be set up for this purpose as it would facilitate the arrangement of an urgent meeting at short notice and ensure the item of business was dealt with expeditiously.

It was noted that following the election on 3 July 2014, the political balance was now such that the Liberal Democrats would be entitled to three places on the sub-committee and not two as stated in the report.

The DSM referred members to paragraph 1.3 of the report which indicated that the committee had the power to appoint substitutes.

Resolved that:

- 1. The Overview and Scrutiny sub-committee be established in accordance with political proportionality (3 Lib Dem, 1 Conservative and 1 PAB) including substitutes and that Councillors Harman, Hay and Payne be appointed and two other Lib Dems and substitutes to be advised.**
- 2. The functions of the sub-committee be as set out in Appendix 2.**
- 3. That the chairman and vice chairman of the sub-committee be appointed at their first meeting.**

6. PUBLIC AND MEMBER QUESTIONS, CALLS FOR ACTIONS AND PETITIONS

None received.

7. MATTERS REFERRED TO COMMITTEE

Any matters referred by Cabinet would be dealt with under later items of the agenda.

8. FEEDBACK FROM OTHER SCRUTINY MEETINGS ATTENDED

Health and Care Overview and Scrutiny Committee – 6 May 2014.

The chair advised that Penny Hall had attended the last meeting. Councillor Flo Clucas had been nominated as the Council's representative on this committee at Selection Council. She had been advised of the dates of future meetings so she could provide feedback to this committee by attending in person or providing a written update.

* The chair requested that the committee should be updated on any relevant items from the last meeting.

Police and Crime Panel – 13 May 2014

Councillor Helena McCloskey updated members on this meeting and invited them to raise any issues they would like her to raise at the next meeting on 28 July 2014.

Combatting cybercrime is the new priority added to the Police and Crime Plan and members received a presentation on the effects of cybercrime in Gloucestershire. This included details of the different types of cybercrime, the number of people affected, the impact on the economy and the action being taken by the Police. It is estimated that nationally 41 per cent of people had

been affected by cybercrime at an annual cost of around £800 million and 20 per cent of people did not take steps to protect themselves from online crime by taking simple measures such as the installation of anti-virus software. Gloucestershire Constabulary is recognised as taking a leading role in tackling cybercrime and is involved in national initiatives including a unit working across international boundaries.

The Police and Crime Plan has been updated to reflect recent developments including the formation of the Gloucestershire Criminal Justice Commission and the new arrangements for Probation Services. Gloucestershire is recognised as a leading area for restorative justice and the Panel requested more information on that at a future meeting.

As part of a regular review, the Panel received reports from three bodies who had received grants from the Commissioner's Fund in 2013-14:

In response to a question regarding the objectives of this initiative, Councillor McCloskey advised that it was to raise public awareness and to train officers in all aspects of cyber crime so that they could be in a better position to deal with reported incidents.

A member asked whether it was appropriate for council tax payers' money to be spent on cyber crime locally which with the power of the Internet, was clearly an international issue.

Councillor McCloskey advised members that the PCC had carried out a consultation and the public had supported a 2% rise in the police precept in order to tackle the issues in his plan which had included cyber crime as a priority.

With O&S support, she advised that she intended to write to the PCC to ask how he would allocate the money arising from the late night levy. Cheltenham was only the second town in the country to introduce such a levy. She informed members that 30% of the late-night levy would be retained by the Council and 70% would go to the PCC. Although it was not in the legislation, the PCC had promised that the 70% would be spent in Cheltenham and this formed part of the arrangement between the council and the police.

A member was concerned that the PCC should have to justify any spend of the funds, particularly if they were spent outside Cheltenham.

The Deputy Chief Executive added that a number of recommendations had been agreed in a report to Council last year. She emphasised the arrangement between the PCC and the council to work together. This included the setting up of a late-night levy advisory group and Councillors Chard, Thornton and Lillywhite sat on the group. The advisory group would make recommendations which would then go to Cabinet for approval.

* She agreed to circulate the membership of the advisory group to the committee.

The DSM advised that a meeting of the Gloucestershire Scrutiny Group was planned for the Autumn. Officers and chairs of O&S are invited to attend.

9. CABINET BRIEFING

The Leader had given his apologies for this meeting as he was attending the LGA conference. The Cabinet Member Corporate Services, Councillor Jon Walklett, introduced the briefing.

Regarding the Cemetery and Crematorium, the Cabinet commended the excellent report from the scrutiny task group chaired by Councillor Ryder. As there were long-term issues to resolve regarding the crematorium, the Cabinet Member Clean and Green Environment, Councillor Chris Coleman, had invited members of the task group to join him on a Cabinet Member Working Group as he would welcome their expertise.

Councillor Ryder advised that the task group had already set up a meeting with the Cabinet Member on 4 August 2014 and she would welcome involvement in the Cabinet Member working group going forward.

The DSM highlighted the differences between a scrutiny task group and a Cabinet Member working group. The former was chaired by a scrutiny member and resulted in recommendations to Cabinet from the task group. A Cabinet Member working group was led by the Cabinet Member and enabled them to seek views and advice before making decisions or formulating their own report to Cabinet.

Regarding rail issues, members supported the suggestion that a scrutiny task group should be set up to look at the issues that were important for Cheltenham with the renewal of the franchise in 2016. There were issues regarding the station itself, the transport links to the station within the borough as well as the rail service offered.

There was some discussion about whether the scope of the scrutiny task group could be extended to include integrated transport including cycling and walking. There was a concern that this could dilute both the rail and the cycling and walking issues. Another member suggested that this was a very important issue but he was cynical about whether the council could have any influence on the service Great Western offered if they were successful in winning the franchise.

It was agreed that Councillors Britter and Mason would work with officers to develop some draft terms of reference for the Rail STG and bring them back to the next meeting of the committee.

In the Cabinet Briefing, it had been suggested that the committee may wish to set up a scrutiny task group to look at vision 2020. After some discussion it was agreed that scrutiny should keep a watching brief on the programme but there was no need for a scrutiny task group at this stage. They encouraged the Cabinet to continue consulting with members via seminars and it was noted that O&S may want to scrutinise the business case when it became available.

10. GLOUCESTERSHIRE AIRPORT

Councillor Harman introduced the report as a member and former chair of the Joint Airport Scrutiny Working Group. The report had been brought to this committee to update members on the delivery of the Airport Governance Arrangements Review, undertaken by York Aviation Limited (YAL), jointly

commissioned by the Airport shareholders. It also gave members an opportunity to agree what involvement they would like in future scrutiny of the Airport.

There were a number of recommendations in the report which would go to the Cabinets of Cheltenham and Gloucester City as the two shareholders.

A member had read the confidential report and said he would welcome the opportunity to question the benefits of the council being a shareholder in the airport. The Deputy Chief Executive said that the committee would need to go into exempt session to cover any details of the report. The benefits of the council being a shareholder in the airport had been the subject of a previous report and she would be happy to meet with the member and give him more details if he would like to contact her.

On behalf of the committee the chair confirmed that they were comfortable with the process and the committee would wish to keep a watching brief on affairs related to the airport.

11. END OF YEAR PERFORMANCE REPORT

The Strategy and Engagement Manager, Richard Gibson, introduced the report which set out the corporate performance of the organisation as at the end of the financial year 2013/14. The report was due to go to Cabinet on 24 July and so this was an opportunity for this committee to make any comments and observations.

As this was a new committee, he gave some background to the process and explained the layout of the report. It provided an opportunity for overview and scrutiny to hold the Cabinet to account on its performance. Work was starting on the 2015 corporate strategy and in particular how performance management was going to be conducted in the future given the changing nature of the council.

Members queried the end of year target for the number of planning applications refused. It was explained that the planning department had introduced an initiative to try and weed out weak applications by offering a free planning advice service. This target therefore was a measure of the success of that initiative although it was acknowledged that it was very much in the hands of the applicants. As there were in the order of 1500 applications per year the target was low so the figure of 77 was still good.

Any member asked why the percentage of licensed premises inspections undertaken was only 87%.

* The officer agreed to circulate more information.

A member suggested that the use of 'broadly' relating to compliance of food premises was too imprecise.

A member wish to know more about the shortfall of £1.2 million reported under the Bridging the Gap program.

The officer advised that there were many work streams delivering this programme. The DSM reminded members of the member induction event on 16 July which provided an introduction to local government finance and the Director of Resources would be in attendance. This area would also be covered

in detail by the Budget Scrutiny Working Group and this committee could request an update from them at any time.

A member asked why the University had not purchased universal cards.

* The Cabinet Member, Councillor Rowena Hay, agreed to ask the University the reasons for their decision and advise the committee.

12. SCRUTINY ANNUAL REPORT 2013-14

The chair introduced the scrutiny annual report which would go to Council on 21 July 2014. He highlighted the foreword where he had encouraged all members to contact him or the other lead members with regard to any suggested areas of activity or issues of concern to Cheltenham and its people which may be appropriate for scrutiny.

Resolved that the scrutiny annual report 2013/14 be endorsed and forwarded to Council.

13. UPDATES FROM SCRUTINY TASK GROUPS

The Committee reviewed the update of all scrutiny task groups and which had been circulated with the agenda. The following actions were agreed.

Rail issues – to bring back terms of reference for a STG as suggested by the Leader in his Cabinet Briefing.

Public Arts Panel – The Cabinet Member, Councillor Rowena Hay had requested that the Committee could review the current structure of the panel and its accountability and governance arrangements, how it reports back its decisions and how long members remain on the panel. Scrutiny could also review the implementation of the recommendations made to Cabinet in December 2011 following a previous review by the Social and Community O&S committee. She suggested the task group could meet initially with the current chair from the University and the supporting officer.

It was agreed that members would be invited to join scrutiny task group and bring back terms of reference to this committee for agreement.

Rewiring Public Services – The Leader, Councillor Steve Jordan had proposed this topic to the committee. A document had been issued by the Local Government Association which puts forward ten proposals for changing the relationship between local and national government. It was agreed this could be a topic for a future member seminar rather than a STG and it should be looked at in the context of Vision 2020.

Vision 2020 – agreed scrutiny should keep a watching brief and set up a STG only when there was a particular issue to look at.

Pub Closures -although it had been suggested by officers that this could be picked up as part of the work on the Cheltenham Local Plan, members felt this was some time away and therefore a scrutiny task group should be set up to look at this issue which could then feed into the Local Plan.

* The DSM would invite nominations to join the task group

Cycling and Walking - a new registration form had been completed by Councillor Wilkinson. He thought the timing of this review was important to

ensure that new roads were laid out in the right way to facilitate cycling and walking rather than an expensive refit being required later on. There was a general acknowledgement in Cheltenham that cycle routes were not good and statements needed to be backed up with action. The chair indicated that he would be happy to be involved given that he was a member of the county council with their responsibility for transport.

The next step would be to define terms of reference and officer support for the group.

JCS and Planning and Liaison Group – agreed that this should be a member working group but could reconvene as a STG when further validation work on housing numbers is required or any other issue arises requiring scrutiny.

Section 106 Agreements – Councillor Britter advised that the process was being phased out in favour of the community infrastructure levy and it was appropriate that this was picked up as part of the work on the Local Plan by the Planning and Liaison group. However as the new process was some time away, the STG wanted to focus on why some of the money was not being spent. It was agreed that the STG continue on that basis

Deprivation – it was agreed that the report should be sent to Cabinet as an interim report and Cabinet requested to advise O&S which of the outline recommendations they would like a STG/s to follow up and bring back more detailed proposals for Cabinet to consider.

Performance measures at Cheltenham Crematorium and Cemetery – Agreed that members of this group should join the Cabinet Member Working Group but there will always be the option to set up a scrutiny task group should it be required.

The DSM highlighted to members that a lot of potential scrutiny work had been identified and this would need officer support from Democratic services and from relevant officers across the council. She agreed to review this and come back to the committee with some proposals. The chair acknowledged the need for the committee to prioritise and plan the scrutiny task groups in order to manage the limited resources available to scrutiny most effectively.

14. REVIEW OF SCRUTINY WORKPLAN

The committee reviewed the latest workplan which had been circulated with the agenda.

It was agreed that it would need to be reviewed once the resource requirements of the scrutiny task groups had been quantified.

A member highlighted the importance of having appropriate follow-ups in the plan and requested a follow-up report on allotments following the scrutiny review.

A member asked what had happened to the suggestion that Seven Trent water should attend the committee to give an update on work planned to Cheltenham. The DSM advised that this had been suggested by the former chair but she had not left any contact details. She agreed to follow this up and see whether a member seminar was relevant.

15. DATE OF NEXT MEETING

Date of next meeting was confirmed as 8 September 2014.

Tim Harman
Chairman