

Minutes

Overview and Scrutiny Committee

30th April 2008

Councillors	Present	Councillors	Present
M Dunn	Yes	Mrs R O'Shea	Apologies
Dr R L Evans	Yes	R Ramage	Yes
Ms L B Flint	Yes	W. Rose	Yes
M Gage (Chairman)	Yes	Ms C Sandbrook	Yes
J E B Gyford	Yes	A F Shelton	Yes
A M Meyer	Apologies	F. Swallow	No

Also in attendance: Cllr. R. Wilkins attended the meeting for the item relating to the reference from Braintree Local Committee – Disabled Provision Across the District.

3. DECLARATIONS OF INTEREST

INFORMATION: Cllr. J. Gyford declared a personal and prejudicial interest in the item relating to Member Training – Budget Scrutiny as he has known one of the consultants seeking appointment for several years. Cllr. Gyford left the meeting whilst this item was being considered and took no part in the discussion thereon.

Cllr. A. Shelton declared a personal interest in the item relating to Digital Hearing Aids – Follow Up Study as he is a member of the County Council's Health Overview and Scrutiny Committee. Cllr. Shelton remained in the meeting for this item and took part in the discussion thereon.

4. MINUTES

DECISION: That the minutes of the meetings of the Overview and Scrutiny Committee held on 27th February and 21st April 2008 be approved as a correct record and signed by the Chairman.

5. QUESTION TIME

INFORMATION: There were no questions asked or statements made.

6. REFERENCE FROM BRAINTREE LOCAL COMMITTEE 20/2/08 – MINUTE 68 – ISSUES SURROUNDING DISABLED PROVISION ACROSS THE DISTRICT

The Committee gave consideration to the reference received from the Braintree Local Committee at its meeting on 20/2/08 that the Overview and Scrutiny Committee should examine more widely issues surrounding disabled provision across the District.

This item had arisen following the Local Committee's consideration of the current traffic restrictions in Braintree High Street that had been in place since 1994 following the environmental improvement works that were completed at that time. The traffic regulation order limits the vehicles that can legally use the street to scheduled bus services only and vehicles making deliveries to premises in the street. The Braintree Local Committee at its meeting on 17/1/08 agreed to recommend to the County Council (which is the highway authority responsible for traffic regulation orders) that no changes be made to the order.

Cllr. Wilkins addressed the Committee and explained that he was unhappy at the decision of the Local Committee not to recommend changes to the Order and was aggrieved at the way the item had been dealt with.

Cllr. Wilkins informed the Committee that one of his constituents had originally raised with him the difficulty of getting to the banks and building societies in Braintree High Street as blue badge holders vehicles were not allowed to use the High Street or to park there.

Cllr. Wilkins referred to the research that he had carried out in connection with this issue, the organisations that he had contacted and the requirements of the Disability Discrimination Act. In essence, his main concern was that he wanted an additional exception to the traffic order to Braintree High Street to permit the use of the street by a disabled person's vehicle showing a disabled person's badge, if that vehicle is used to access a business or property adjacent to the street.

Members discussed the reference from the Braintree Local Committee at some length. The Committee noted the strong concerns expressed by Cllr. Wilkins in relation to the specific issue of disabled person's vehicles using Braintree High Street, but were also mindful that the reference from the Local Committee was for the Overview and Scrutiny Committee to examine, more widely, issues surrounding disabled provision across the district.

Thus, the main issue for the Committee to consider was whether or not it wished to include this study in its work programme for this year.

Following a full debate, it was agreed as follows:-

DECISION

1. The Scrutiny Manager is to provide the Committee with a file of papers including the report and minute extracts from the Braintree Local Committee and other pertinent papers, with a view to providing members with further information and clarification on the Braintree High Street issue;

(Since the meeting, I have ascertained that Mrs. S. Lowe, the Head of Law and Governance met with Cllr. Wilkins on 24th April 2008 and is currently investigating the way in which the Local Committee made its decision. Members will be kept advised of the outcome of this investigation – Steve Bore, Scrutiny Manager)

2. The suggestion be made to Cllr. Walsh the Chairman of the Local Committee that he may like to meet with Cllr. Wilkins on a one to one basis in case any misunderstandings

have occurred;

3. A study to examine, more widely, issues surrounding disabled provision across the district by consulting with relevant disabled groups/organisations, be included in the Committee's 08/09 work programme. The Scrutiny Manager is to provide a scoping report to the next meeting of the Committee taking into account the limited officer resources that are available to undertake this study.

Cllr. Wilkins left the meeting following the discussion of this item.

7. ANNUAL WORK PROGRAMME 2008/09 AND TASK AND FINISH GROUPS

The Committee received the notes and recommendations of the Scrutiny Steering Board held on 24th April 2008, an informal meeting consisting of the Leader of the Council, the Chairman of the Overview and Scrutiny Committee, the Group Leaders and the Head of Law and Governance.

The Steering Board had made recommendations on the work programme for the Overview and Scrutiny Committee and the Task and Finish Groups for 2008/09.

During the discussion on this item, members felt that it would be helpful for future years to be advised of the list of specific items that the Scrutiny Steering Board had considered and not just those that the Board was recommending to the Committee. It was also felt that even though Officer Support resources for Task and Finish Groups was limited all non-cabinet members should be given the opportunity annually to make suggestions as to items to be studied by the Groups.

Action point: *That the Scrutiny Manager takes these points on board in the future when collating items for the Overview and Scrutiny Committee's Annual Work Programme and possible Task and Finish Group studies.*

A. Annual Work Programme 2008/09

Following discussion, the Committee agreed the following work programme for the current civic year.

DECISION: That the 2008/09 Work Programme be as follows:-

(i) Regular Work Programme Item

Budget Scrutiny

(ii) Items Carried Over from 2007/08

(a) Digital Hearing Aids (on behalf of ECC's Health Overview and Scrutiny Committee) – to ascertain whether patient times for the fitting of digital hearing aids has significantly reduced since the completion of the follow up study in October last year;

(b) New Scrutiny Legislation – Police and Justices Act 2006/Local Government

Involvement in Health Act 2007 (including the Councillor Call for Action) – to look at the processes and structures required to enable the overview and scrutiny function at Braintree to implement the requirements of this legislation.

(iii) New Major Topic to investigate over the course of 2008/09

To investigate how the Council project manages significant projects, and to make recommendations to Cabinet on any improvements that can be made to existing arrangements:-

- * Lessons from recent projects;
- * Skills required by Project Managers;
- * The Project Management Team;
- * Examining good practice;
- * Budgetary control
- * The Members' roles;
- * The role of the Cabinet;
- * Alignment of projects with Council policy including sustainability;
- * Programme reporting and management arrangements;
- * Covalent Project Tracking System;
- * Prince Project Management System;
- * Involvement of stakeholders;
- * Project evaluation.

(iv) Additional New Topic

To examine, more widely, issues surrounding disabled provision across the district by consulting with relevant disabled groups/organisations – see minute 6 above.

B. Task and Finish Groups 2008/09

(i) The Rural Isolation Task and Finish Group

It was noted that the work of the Rural Isolation Task and Finish Group had been carried over to the new civic year, and that the Group had a revised target date for producing its final report in September.

The Support Officers for this Group had been identified as Steve Bore, Scrutiny Manager and Cherie Root, ICT Manager.

(ii) The Council's Fees and Charges Policy – Task and Finish Group

The Committee had previously agreed to the Cabinet's request that a Task and Finish Group should be set up to undertake this study. Following consideration of the Scrutiny Steering Board's recommendations for the composition of this Group, it was agreed as follows:-

DECISION:

(a) that Membership and Chairmanship of this Group be as follows:-

Councillors

Mrs. C. Sandbrook (Chairman)
J. Baugh
D. Bebb
Mrs. E. Edey
Dr. R. Evans
E. Lynch
F. Swallow

The Support Officer for this Group had been identified as Chris McCloud, Exchequer Manager.

(Cllr. D. Bebb has since indicated that, with regret, he has had to withdraw from the Group owing to recent significant changes that have occurred resulting in a substantial increase in his commitments with the Council – Steve Bore, Scrutiny Manager).

(b) that the Group should submit its report to full Council on 15th September and then to Cabinet on 6th October 2008.

(iii) Bus and Railway Services in the District Task and Finish Group

The Committee concurred with the Scrutiny Board's recommendation that there should be one further Task and Finish Group this year to examine Bus and Railway Services in the District.

DECISION:

(a) that a Task and Finish Group be set up to study the following:-

timetabling, regularity of services – are bus services tied in with rail services – safety issues on buses/railways – cleanliness of buses – are they clean and tidy – are the right sized buses used – disability issues – can buses accommodate disabled scooters – safety and supervision on school bus transport – regulation and enforcement.

(b) the Group to commence its study in September and complete its work by the end of the current civic year.

Action Point: *That the Scrutiny Manager writes to all non-Cabinet members seeking expressions of interest to serve on this Task and Finish Group.*

Given the capacity problems in providing a Support Officer for both the Project Management Study included in the Overview and Scrutiny Committee's work programme and the Bus and Railway Services Task and Finish Group, it was agreed that the

Committee should request the Chief Executive to provide additional officer resources with a view to engaging temporarily, external Support Officers, who are experienced in the particular field to be studied.

Action Point: *That the Scrutiny Manager communicates this request to the Chief Executive.*

8. DIGITAL HEARING AIDS – FOLLOW UP STUDY

Steve Bore, Scrutiny Manager presented his report to the Committee on this item. The Committee's predecessors, the Scrutiny Panel, had undertaken a study in 2006 into the process of allocation of new digital hearing aids in the Braintree District, on behalf of the County Council's Health Overview and Scrutiny Committee (HOSC). The County Council's HOSC had subsequently asked the Council to carry out a follow up study to see whether patient waiting times had improved.

This follow up study had been undertaken by the Overview and Scrutiny Committee in October last year, but the findings indicated no improvement in waiting times. Consequently, the Committee had asked for a further report to be submitted to them in 6 months time to see if patient waiting times had been reduced, particularly as the NHS has a key objective of delivering by the end of 2008 an 18 week patient pathway from referral to fitting a hearing aid.

The Committee was pleased to note that the latest findings indicated that the two NHS Trusts who provide audiology services for the Braintree District had achieved significant reductions in waiting times.

Essex Rivers Healthcare NHS Trust total wait time as at March 2008 had been reduced to approx. 7 to 7.5 months (in July 2006 and July 2007 the total wait time had been approx. 2 years respectively). The Trust anticipated that the 18 week target should be achieved by the end of May 2008.

Mid Essex Hospital Services NHS Trust total wait time as at March 2008 had been reduced to approx. 4 months (in July 2006 the total wait time had been approx. 8 to 9 months and in July 2007 approx. 13 to 14 months).

It was felt that it would be useful to issue a press release publicising the latest figures as this would also provide an opportunity for members of the public to submit any further anecdotal evidence.

Following discussion, it was agreed as follows:-

DECISION:

- (1) That the latest waiting times be reported to the County Council's Health Overview and Scrutiny Committee so that it is made aware of the progress that has been made towards achieving the 18 week patient pathway;
- (2) That a Press Release be published concerning the latest findings;

(3) That the Committee receives a further review report at the end of 2008 to ascertain whether the 18 week patient pathway has been achieved by both NHS Trusts.

Action Point: *That the Scrutiny Manager takes appropriate action in relation to points 1 to 3 above.*

9. MEMBER TRAINING – BUDGET SCRUTINY

At the last meeting of the Committee, members had identified Budget Scrutiny as an area in respect they would benefit from further training.

The Scrutiny Manager had subsequently written to a number of local government organisations who provided training on this subject, and the Committee gave consideration to two proposals that had been received from the Institute of Local Government Studies (INLOGOV) and the Centre of Public Scrutiny (CfPS).

Following discussion, it was agreed as follows:-

DECISION:

- (1) The training is to be open to all members of the Council to attend;
- (2) The training is to be provided by Dr. Peter Watt from INLOGOV (the Scrutiny Manager is to ascertain whether extending the training to all members of the Council will increase the INLOGOV fee);
- (3) The training session should take place in the evening commencing at 7.15pm at Causeway House, Braintree either in September or early October the precise date to be agreed with Dr. Watt.

Action Point: *That the Scrutiny Manager takes appropriate action in relation to points 1 to 3 above.*

10. 2008 ESSEX SCRUTINY CONFERENCE – 8TH OCTOBER 2008 – HYLANDS HOUSE, CHELMSFORD

This conference was being organised by the Essex Overview and Scrutiny Officers Network and each authority in Essex was being invited to send delegates.

A copy of the draft agenda for the day was circulated to members. The aim of the conference was to provide an opportunity for Scrutiny Committee Chairpersons and Scrutiny Officers involved in scrutiny in Essex to network and share best practice.

The speakers and facilitators are to be provided by the Centre for Public Scrutiny.

The Council had been apportioned 4 delegates (*following contact with the organiser, the number of delegates for the Council has been increased to 5 members plus one officer – Steve Bore, Scrutiny Manager*).

It was anticipated that each authority would not contribute more than £500 (precise costs would be advised in due course) so the cost per delegate would be very reasonable.

Having considered the draft agenda, the Committee felt that the contents would provide a very useful learning opportunity and it was agreed that it should participate in the conference.

DECISION: That the Committee participates in the conference and that the following delegates attend:-

Councillors: M. Gage (Chairman); Mrs. C. Sandbrook (Vice Chairman); R. Ramage; A. F. Shelton; Dr. R. L. Evans.

Officer: Steve Bore, Scrutiny Manager

Action Point: *That the Scrutiny Manager informs the conference organiser accordingly.*

11. IMPLEMENTATION BY THE CABINET OF THE RECOMMENDATIONS MADE BY THE OVERVIEW AND SCRUTINY COMMITTEE OR THE TASK AND FINISH GROUPS.

Steve Bore, Scrutiny Manager advised the Committee that there was nothing to report specifically concerning the implementation of recommendations, but the recommendations contained in the Committee's report on Licensing Enforcement had been considered initially by Cabinet at its meeting on 30th March 2008. The study and associated recommendations would be considered further by the Portfolio holder Cllr. Mrs. W. Schmitt and recommendations made to the Cabinet meeting on 7th July 2008.

He also reported that the recommendations contained in the Allotments Task and Finish Group's report had been initially considered by Cabinet at that same meeting. A further report and recommendations would be submitted to the 7th July Cabinet meeting.

The recommendations contained in the reports of the Democratic Renewal and the Refuse/Recycling Task and Finish Groups were due to be considered by Cabinet on 2nd June 2008.

The Chairman advised the Committee that he anticipated that the Cabinet would give very positive consideration to the recommendations arising from the work of the Committee and the Task and Finish Groups.

The Committee asked the Scrutiny Manager to devise a spreadsheet system to assist members in monitoring the progress of projects/project outcomes and to submit a report on this at the next meeting.

ACTION POINT: *Scrutiny Manager to report back to the next meeting.*

12. FORWARD PLAN – 1ST MAY 2008 TO 31ST AUGUST 2008

Members received the four month Forward Plan for the above period.

DECISION: that the contents of the Forward Plan be received and noted.

13. INVITING MEMBERS OF THE CABINET TO ATTEND MEETINGS OF THE OVERVIEW AND SCRUTINY COMMITTEE

The Chairman reported that following his discussions with Steve Bore, Scrutiny Manager, his attention had been drawn to the practice followed by some Essex local authorities O and S Committees who have a programme of inviting individual Portfolio Holders to attend their meetings as part of the O and S function of holding the Cabinet to account and acting as a 'critical friend'.

Portfolio holders are invited to give the O and S Committee an insight as to their portfolio responsibilities, and to set out what they see as their main work priorities for the year and how matters are progressing.

The O and S Committee has an opportunity to ask questions on Portfolio holders responsibilities and associated matters. There is no pre-agreed question plan as such, but where the Portfolio holder is unable to answer a particular question on the night they provide a subsequent written response.

Members agreed unanimously that this would be a good initiative to explore further with the Leader of the Council.

DECISION:

It was agreed to **RECOMMEND** to the Leader of the Council that he has discussions at Cabinet level with a view to introducing an appropriate programme.

The meeting commenced at 7.15pm and closed at 9.35pm.

M. Gage
Chairman