

## SCRUTINY PANEL A

Meeting held in the Committee Room, Council Offices, Urban Road, Kirkby-in-Ashfield,

on Thursday, 7th March, 2019 at 7.00 pm

**Present:** Councillor Rachel Madden in the Chair;

Councillors Tony Brewer, Lachlan Morrison and  
Phil Rostance.

**Apologies for Absence:** Councillors Don Davis and Nicolle Ndiweni.

**Officers Present:** Lynn Cain, Mike Joy and Shane Wright.

**In Attendance:** Councillor Helen-Ann Smith and  
Jason Zadrozny.

### **SA.14 Declarations of Disclosable Pecuniary or Personal Interests and Non Disclosable Pecuniary/Other Interests**

No declarations of interest were made.

### **SA.15 Minutes**

RESOLVED

that the minutes of the meeting of the Panel held on 22<sup>nd</sup> January, 2019, be received and approved as a correct record.

### **SA.16 Workplan Consultation and Scrutiny Improvement**

The Chairman introduced the item and reminded Members that the meeting would be the last meeting of the Panel prior to the District Elections in May 2019. Rather than commence a new review at this late stage, it had been agreed that it would be prudent for Panel Members to consider the potential impact of the upcoming national scrutiny guidance, evaluate the Council's scrutiny function over the last four years and to consider topics for the 2019/20 Scrutiny Workplan.

#### New Government Scrutiny Guidance

The Service Manager, Democratic & Scrutiny Services advised the Panel that officers had been waiting for some considerable time for the new statutory scrutiny guidance to be released by Government. The guidance was originally due to be published in December 2018 but due to Brexit priorities, the release date has been pushed back indefinitely.

The scrutiny function was first introduced by the Local Government Act 2000 as part of the requirements for the new Cabinet/Leader regime. Should a local authority adopt a Stronger Leader model to facilitate their decision making processes then a scrutiny function will also need to be provided.

No new statutory guidance had been released since 2006 and it was evident that the landscape of scrutiny had changed over the last few years. Originally the scrutiny function enabled members to hold the Cabinet to account, be a critical friend in relation to policy development and to consider items on the Forward Plan.

However, from what was already known about the anticipated new guidance, the emphasis would now focus on:-

- scrutiny of outside/external organisations;
- recognising scrutiny's legal and democratic legitimacy;
- allocating sufficient resources to the scrutiny function;
- ensuring scrutiny members have powers to access pertinent information as required;
- focussing on scrutiny of financial resilience and sustainability of functions.

It was hoped that local authorities would give renewed consideration to the level of support given to their scrutiny function thus ensuring the provision of an effective service that adds value to the work of the authority.

Panel Members were advised that once the guidance was released, a report would be submitted to the next available Overview and Scrutiny Committee meeting for consideration.

### Scrutiny Improvements

Due to the fact that the current term of office was coming to an end, the Scrutiny Research and Support Officer suggested that it would be a good idea to reflect on and evaluate how the Council's scrutiny function had performed over the last four years. Members comments were to be welcomed and also consideration could be given to some suggested improvements for the next term of office.

It was important that the credibility of the scrutiny function including its Members was maintained with a constant eye to raising its profile wherever possible. A strengthening of engagement with stakeholders during the review process would benefit both the Panel's deliberations and fulfil the Council's ongoing commitment towards transparent and informative engagement.

A reconsideration of scrutiny committee memberships and format (i.e. thematic panels) could be undertaken whilst ensuring that all new scrutiny members are fully supported and trained to ensure that their scrutiny work is focussed and well directed. Thought should also be given to the value, or otherwise, of utilising the expertise of co-opted scrutiny members and technical advisers as and when required.

Scrutiny meetings have traditionally been held at the main Council offices but in a bid to increase community engagement, Members could consider utilising different venues around the District to make the meetings more accessible to

local residents and if appropriate, to locate any such meetings based on the particular Workplan topic under review.

### Scrutiny Workplan

It had been previously acknowledged that the compilation and management of the Council's Scrutiny Workplan could be expanded and suggestions had been made to ensure any future Workplans made reference to timelines for completion of reviews and contained an outcome tracking mechanism to ensure all interested parties were kept informed as required.

### Discussion

Members thanked the Service Manager, Democratic & Scrutiny Services and the Scrutiny Research and Support Officer for facilitating the Council's scrutiny function so effectively over the last four years and made comments/suggestions as follows:-

- scrutiny reviews and challenge had improved over the last year due to better debate and a more balanced mix of Members which had been in contrast to previous years when the ruling group had exerted too much influence over the scrutiny function;
- the Council should consider having an Independent or Opposition Member as the Chairman of Overview and Scrutiny as the strength of scrutiny provision depended on the strength of its challenge and examination;
- on the whole, attendance at Scrutiny meetings had been quite poor, especially from the Vice Chairs;
- consideration should be given to the main Overview and Scrutiny Committee having an increased membership with Sub Committees being commissioned to undertake particular reviews as required;
- the Scrutiny Committee and Panels enlisting the help of experts to contribute to reviews was a good thing and should be encouraged in the new term of office;
- the entitlement to recommend to Council the co-option of Independent Members onto the Scrutiny Committee and Panels should be utilised and any recruitment should focus on engaging individuals with appropriate skills to add value to the work being undertaken;
- cross-party working on the whole has been successful and some rewarding discussion and agreement has been achieved; a hope that it continues in the longer term;
- a suggestion that more meetings are streamed live through the Council's Facebook and Twitter pages to increase public engagement and accessibility and a response from officers that the last live stream meeting had received over 5,000 hits;
- a suggestion that the more strategic, topical reviews be undertaken by the Overview and Scrutiny Committee rather than the Scrutiny Panels;

- Panel consensus that utilising different venues around the District to make meetings more accessible to local residents would be a good idea and should be considered further;
- agreement that topics should be looked at from a wider perspective rather than in isolation (i.e. the CCTV review considered as part of the whole Community Protection function and how priorities and funding allocations are set across the service);
- new Scrutiny Members will benefit from training in relation to the scrutiny function and to have an understanding of what tools are available to them (i.e. minority reports); to be delivered as part of a two-day intensive training session following the District Elections in May 2019;

Following the discussion, the Leader of the Council who was in attendance at the meeting, commented that he had found the discussion interesting and agreed with the principles of the debate. At times, the Overview and Scrutiny Committee had not been allowed to do its job due to the Executive exerting a little too much influence over its remit and so going forward, it would seem prudent to ensure the scrutiny function has the necessary authority it requires to work effectively.

The Deputy Leader of the Council (Outward Focus) who was also in attendance at the meeting, felt that the scrutiny function had been underutilised for too long and believed that the new elected members (following the District Elections in May 2019) would be in a good position to start strengthening their position and contribution towards the decision making processes of the Council.

In relation to the Scrutiny Workplan, the Scrutiny Research and Support Officer reiterated the importance of having an effective and inclusive Workplan and Members made the following suggestions for the 2019/20 municipal year:-

1. to review the Unauthorised Encampment Policy following 12 months of implementation;
2. to consider the Council's use of bailiffs and their effectiveness, or otherwise, in recouping outstanding revenue for the Authority;
3. to consider parking provision within Ashfield including space sizes, disabled and mother and toddler parking provision and number of spaces including the continued appropriateness of the car park locations taking into account any recent town centre improvements i.e. pedestrianisation;
4. the Council's garden waste collection scheme;
5. the Council's response to the increase in graffiti as a result of anti-social behaviour;
6. an overview of the Environment portfolio and how it manages all aspects of its waste collection scheme;

7. how the Council considers and manages its income generating and commercial opportunities;
8. the potential provision of long-stay parking facilities and permits for staff working within the Council's town centres;
9. the Council's commitment towards conservation and heritage within the Ashfield District.

RESOLVED that

- a) the Service Manager, Democratic & Scrutiny Services be requested to circulate a copy of the new Government statutory scrutiny guidance to Panel Members should it be released before May, 2019;
- b) Members comments/responses in relation to the effectiveness of the Council's scrutiny function over the last four years and any suggestions for future provision, be received and noted;
- c) the potential topics for the 2019/20 Scrutiny Workplan be submitted to the first meeting of the Overview and Scrutiny Committee (following the District Election in May 2019) for further consideration and inclusion on the Workplan if agreed.

The meeting closed at 7.55 pm

Chairman.