

AGENDA

SCRUTINY COORDINATING COMMITTEE MEETING



Date: Thursday 21 March 2013
Time: 9.00 am
Venue: Room 1A, Gateway Terrace, Maidstone House,
King Street, Maidstone



Overview and Scrutiny

Membership:

Councillors: Beerling, Mrs Blackmore, Burton, English, Mrs Gooch,
D Mortimer (Chairman) and Paterson

Page No.

1. **Apologies.**
2. **Notification of Substitute Members.**
3. **Notification of Visiting Members**
4. **Disclosures by Members and Officers.**
5. **To consider whether any items should be taken in private because of the disclosure of exempt information.**
6. **Notes of the Informal Meeting held on 20 February 2013.**
7. **Vision for Scrutiny.**

1 - 3

Members are asked to consider the vision for scrutiny in light of the Cabinet and Enhanced Scrutiny Model and the discussion at the previous meeting on the purpose of scrutiny.

"To have an effective and well respected service that ensures the Council's services are delivered equitably, effectively and efficiently to our residents."

8. Support for Scrutiny.

Members are asked to consider the appropriate level and type of support required for scrutiny, please refer to the notes of the informal meeting.

Continued Over/:

Issued on 6 March 2013

Alison Broom

**Alison Broom, Chief Executive, Maidstone Borough Council,
Maidstone House, King Street, Maidstone Kent ME15 6JQ**

9. Model for Scrutiny.

4 - 14

Members are asked to consider the scrutiny model and terms of reference for the scrutiny committees.

10. Member Engagement.

11. Identification of Recommendations and Findings.

The new model needs to be presented to Council on 24 April if it is to come in effect for the Annual Meeting. Members need to consider the findings and recommendations for the Model in terms of structure, support and processes. A further meeting has been arranged for 28 March to consider any additional matters and agree the report to Council.

The reports included in Part I of this agenda can be made available in **alternative formats**. For further information about this service, or to arrange for special facilities to be provided at the meeting, **please contact on 01622 602620**. To find out more about the work of the Overview and Scrutiny Committees, please visit www.maidstone.gov.uk/osc

Agenda Item 6

Notes of the Informal Overview and Scrutiny Coordinating Committee
Wednesday 20 February 2013

Attendees: Councillors Mrs Blackmore, Burton, English, Mrs Gooch, D
Mortimer and Paterson

Officers: Angela Woodhouse and Orla Sweeney

The Overview and Scrutiny Committee considered and debated a number of matters arising as a result of the resolution of full Council to develop a Cabinet with enhanced Scrutiny Model.

Vision

- Level of involvement
- Flexible
- Fit for purpose

Enhanced Scrutiny

- Effective Training
- Adequately resourced
- Early involvement in decisions
- Better relationship with Cabinet
- Using every tool we have available
- National support for / select committee, tools/advice/help
- Making a difference nationally
- Member Engagement
- Influencing outcomes/adding value

Which Model?

- Committees alighted to portfolios – improve accountability
- But portfolios need reviewing
- How many?
- Do we need Advisory Committees? No use Scrutiny properly

Cabinet Member Accountability

- Number on Cabinet? Leader or an even responsibility
- Re-visit portfolios
- Portfolios and transparency

Scrutiny Chairman

- Exercise to develop JD
- 6 weekly co-ordinating committee – daytime

Support for Scrutiny

- Democratic Services
- Resilience – turn over – plan 2 fte – dedicated – stay independent

Pre Decision – Work Programme

- The CfPS approach was agreed as a constructive way forward

Member Apathy

- Open decision making process cabinet member meetings – recording member input – knowing what's coming up – practical – use the current period for pre-decision – surgery – quality and evidence base for the decision
- Appointment process – application – group dynamic
- The papers shouldn't need questions
- Expectations of officers – member conduct – groups – training
- Induction process – tailored - phased? – mentoring?

Format & Style

- Read the papers
- Minutes
- Monthly meetings
- Pre-meet to identify issues/ideas – as a guide and prompt – inform & engage
- When to hold meetings
- Recommendation making on the topic as they come up

Work Programme P15

- Focus on issues members are interested in i.e. housing, planning policy
- Needs to change
- Get into the community
- 2 work streams

Forward Plan

- Better engagement with cabinet
- Monthly meetings – fed back to scrutiny/involved

Public issues Commissions

Chairman

Good	Bad
Recommendation making that achieve outcomes (desirable)	Allow to go off topic dominate questioning
Influencing (perception)	
Guiding/shaping Acts fairly/order	Ensure political (P) Minute taking
Desirable	
<ul style="list-style-type: none"> • Suggesting holding consultation (public) • Ability to identify topics of public interest • Project Management • Ensures recs understand dec • Leadership 	

- Facilitator
- Arbitrate
- Adjudicate
- Mediate
- Motivate
- Allow participation
- Communication skills
- Involve (particularly new members)
- Keep control of meeting
- Good housekeeping

Appointment of Chairman

- Issue of the majority party taking the chairs
- Corporate services – currently non-exec chair app
- Best person for job
- Policy over party
- There to facilitate
- Alternate?

Agenda Item 9

Overview and Scrutiny Model

Structure

At present we have three overview and scrutiny committees. Is the model, number and structure for scrutiny right? The Coordinating Committee was asked to consider if the structure was fit for purpose and review whether we should have a new model for scrutiny. It was agreed at the last meeting that we did need a new model and option B was identified as the most appropriate model, the Committee felt there was still work to be done on agreeing exactly what should go into each committee. The Committee also agreed that where possible cabinet advisory committees should be subsumed into scrutiny committees.

Option A – Retain Current Structure

If the present model is retained the coordinating committee will need to consider how it can be used to its optimum and whether the terms of reference need to be refined in light of the findings of the governance review.

Committee	Terms of Reference	Cabinet
Corporate Services OSC	Cabinet Scrutiny Performance Management Scrutiny Corporate Documents including the Strategic Plan, Strategic Risk Register and MTFS IT Business Improvement Customer Care and Complaints Budget Scrutiny Emergency Planning Communications LSP and Locality Boards Legal Services Procurement and Asset Management Licensing Audit Service	The Cabinet and in particular Cabinet member for Corporate Services
Regeneration and Economic	Highways Transport Public Transport Economic Development Support for Business Visitor Economy	Cabinet Member for Economic and Commercial development

Development OSC	Learning and Skills Planning LDF and Core Strategy Regeneration projects Employment	Leader Cabinet Member for Planning, transport and Development
Communities OSC	Community Development Social Inclusion and Equalities Environment Housing Revenues and Benefits Parks and open spaces Environmental Services Waste and Recycling Street Cleansing Active Citizenship and Democracy Neighbourhood Action Planning Vulnerable People and deprivation Crime and Disorder (responsibility for acting as CDRP OSC twice a year) Health Partnerships	Cabinet Member for Community and Leisure Services Cabinet Member for Environment

Option B – Align the Committees to Cabinet Portfolios

These are potential terms of reference for the Committee to use/amend as they see fit. The names and alignment to portfolios may need changing

Committee	Terms of Reference	Cabinet Member
Strategic Leadership and Corporate Services Overview and Scrutiny Committee	<ul style="list-style-type: none"> · Sustainable Communities Strategy, · Strategic Plan · Medium Term Financial Strategy including Capital Investment Strategy and Community Budget · Communications strategy · Corporate Improvement Plan · Reviewing performance and ensuring appropriate action is identified and executed to remedy performance issues · Ensuring that the Council achieves its promises in terms of service quality standards and that services are resilient and provide value for money. · Ensuring that excellent standards of governance and conduct are achieved 	Leader; and Cabinet Member for Corporate Services

	<p>throughout the business of the Council</p> <ul style="list-style-type: none"> · People Strategy and workforce development plan including health and safety and equalities policies · Information Strategy · Risk Management Strategy · Procurement Strategy · Asset Management Strategy · Democratic Engagement Strategy · Emergency and Business Continuity Plans · Customer service · Corporate finance including regular budget monitoring · Legal advice · Information Technology · Council Tax and Housing Benefit · Democratic Services including electoral services and member services · Property Services · Procurement 	
Environment Overview and Scrutiny Committee	<ul style="list-style-type: none"> · Waste Management Strategy · Public Health Strategies · Air Quality Management Strategy · Contaminated Land Strategy · Private Water Management · Climate change Framework · Licensing Strategy and policies · Carbon Management Plan · Local Biodiversity Action Plan · Waste minimisation and recycling · Waste collection · Cleansing services · Environmental Health services · Licensing · Bereavement i.e. services provided from the cemetery and crematorium · Capital projects and programmes relevant to the portfolio · Cobtree Golf Course · Climate Change. · To make recommendations to Council on sustainability issues 	Cabinet Member for Environment
Planning and Economic Overview and Scrutiny Committee	<ul style="list-style-type: none"> · Economic Development Strategy · Regeneration Statement · Commercial Services Development · Economic Development · The Visitor Economy including the Hazlitt Arts Centre, Maidstone museums, tourism, the Kent Conference Bureau and Maidstone market. · Capital projects and programmes relevant to the portfolio including regeneration and 	<p>Cabinet Member for Economic and Commercial Development</p> <p>And</p> <p>Cabinet Member for</p>

	<ul style="list-style-type: none"> public realm improvement schemes · The Council's contribution to securing sustainable construction with respect to development in the borough. · Spatial planning strategy including the Local Development Framework and other spatial planning documents including Development Plan Documents, Development Management policies and development briefs · Integrated Transport Strategy Infrastructure Delivery Plan · Development Management including planning enforcement and land charges · Spatial Planning · Landscape · Conservation · Building Control · Parking Management and Enforcement · Park and Ride service and the development of public transport initiatives · Local (District) Highways functions · Capital projects and programmes relevant to the portfolio 	<p>Planning, Transport and Development</p>
<p>Community and Leisure Services Overview and Scrutiny Committee</p>	<ul style="list-style-type: none"> · Housing Strategy · Community Development Strategy · Community Safety Strategy · Safety In Action · Parks and Open Spaces Strategy · Compact with the Voluntary and Community Sectors · Contribution to relevant Community Health strategies and plans · Strategic housing management in consultation with the Strategic Housing Board · Community Safety in consultation with the Safer Maidstone Partnership · Community development including oversight of neighbourhood planning · Parks, open spaces and allotments including grounds maintenance · Leisure activities including sporting and recreational based activities and including services provided via the Maidstone Leisure Centre · Community engagement · Allocation and monitoring of grants · Capital projects and programmes relevant to the portfolio including environmental 	<p>Cabinet Member for Community and Leisure Services</p>

	improvement schemes · Crime and disorder scrutiny · Health Scrutiny	
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Option C – One OSC and Task and Finish Panels

Under this model there would be one Overview & Scrutiny Committee and a series of time-limited task & finish groups established by the Committee to carry out investigations. For example the Overview & Scrutiny Committee may be responsible for performance monitoring and review, consultation on Cabinet proposals and call-in of decisions whilst in-depth scrutiny and policy review could be carried out by time limited task & finish groups. Task & Finish Group Members can be anyone who is not on the executive.

Option D – Split Overview and Scrutiny

There is a potential to separate the roles of 'Overview' and 'Scrutiny.' One or more Committees could focus on holding the executive to account (call-in, performance monitoring) whilst one or more Committees could focus on policy review and conducting in-depth investigations.

Past Structures at Maidstone

Overview and Scrutiny Committee Remits – 2005 (5 Committees)

Customer Services and External Affairs Overview and Scrutiny Committee

Membership: 10 Councillors

Terms of reference

To perform the Overview and Scrutiny role in relation to the following matters:

1. Customer services;
2. The performance of the Council's market in light of the requirements of the residents and visitors to the Borough;
3. The development of the Tourism Strategy and its impact on the Borough;
4. The development of E-government within the Council;
5. The development, review and application of the Council's I.T. and Communications Strategy;
6. The improvement of existing methods of customer contact;
7. The development, review and application of the Council's complaints procedure;
8. The improvement in electoral turnout and participation;
9. The conduct of elections;

10. The external relationships of the Council;
11. The physical regeneration of the area including economic development; and
12. The development of an economic development strategy and its implementation throughout the Borough.

Environment and Transportation Overview and Scrutiny Committee

Membership: 10 Councillors

Terms of reference

To perform the Overview and Scrutiny role in relation to the following matters:

1. The performance of the Council and its contractors on all aspects of the waste collection service including its disposal;
2. The Council's policies on waste minimisation and recycling;
3. The Council and its contractors' performance on the cleaning of the streets in the Borough and the Council's own buildings;
4. The provision of public conveniences within the Borough Council's area including the cleaning of these facilities;
5. The performance of the Council in relation to public health and the protection of the environment;
6. The performance of the crematorium within the Borough Council area and also the provision of cemeteries;
7. The provision and enforcement of parking provision both off-street and on-street within the Borough Council area;
8. The Council's Concessionary Fares Scheme;
9. The public transport initiatives undertaken by the Council including the provision of the Park and Ride service;
10. The performance of the Council's Local Land Charges Section;
11. The impact of Local Agenda 21 and sustainability issues on the internal workings of the Council and externally throughout the Community of Maidstone as a whole;
12. The development of the Council's planning policies including the Local Development Plan and General Guidance;
13. The identification of housing need and delivery of affordable housing schemes, including through the Local Development Framework;
14. Executive planning matters; and
15. The Development Control and Building Control services.

External Scrutiny Committee

Membership: 10 Councillors

Terms of reference

To perform the Overview and Scrutiny role in relation to the following matters:

1. Providing a scrutiny role of outside agencies; and
2. Health related issues, including discharging the Council's responsibilities in respect of the Health and Social Care Act 2001.

Recreation and Community Services Overview and Scrutiny Committee

Membership: 10 Councillors

Terms of reference

To perform the Overview and Scrutiny role in relation to the following matters:

1. The provision of cultural activities within the Borough Council area including Museums, Theatres and the development of an Arts Strategy;
2. The provision of leisure, sporting and recreational facilities and activities within the Borough Council area including those provided directly by the Council;
3. The provision and management of the Council's parks, open spaces and allotments;
4. Social inclusion and the Council's specific initiatives to promote it;
5. The impact of the Council on community safety within the Borough Council's area, including the Safer Maidstone Partnership;
6. Young people, including the Youth Forum;
7. Lifelong learning; and
8. The operation of the Council's Licensing function.

Strategic Leadership Overview and Scrutiny Committee

Membership: 10 Councillors

Terms of reference

To perform the Overview and Scrutiny role in relation to the following matters:

1. The preparation of the Council's annual budget and to review and scrutinise the Council's performance in relation to budgetary management;
2. The management of the Council's resources;
3. The development of the Council's asset management strategy;
4. To review the Council's Best Value Performance Plan and the Council's performance against the Plan;
5. The development and implementation of the Council's Community Plan to promote the economic, social and environmental wellbeing of the Borough;
6. All matters pertaining to the governance of the local authority including review of the Council's Constitution, its Executive arrangements and standing orders;
7. The co-ordination of policy development being formulated by the Executive;
8. Development and implementation of the Council's Performance Management System;
9. Strategic housing services and policy issues, including private sector housing, homelessness and rehousing services;
10. The provision of corporate services, including human resources, legal services, Council Tax and Housing Benefit; and
11. Responsibility for keeping the overview and scrutiny process under review and for the production of an annual report.

Structure in 2008 - four Overview and Scrutiny Committees

Title	Scope
Regeneration and Sustainable Communities	<ul style="list-style-type: none">• Strategic housing services and policy issues, including private sector housing, homelessness and re-housing services• Provision and enforcement of parking provision both off-street and on street within the Borough Council area• The Council's concessionary fares scheme• The public transport initiatives undertaken by the Council including the provision of the Park and Ride service

	<ul style="list-style-type: none"> • The development of the Council's planning policies including the Local Development Plan and General Guidance • The identification of housing need and delivery of affordable housing schemes, including through the Local Development Framework • The development of an economic development strategy and its implementation throughout the Borough • The Council's licensing function
Environment and Leisure	<ul style="list-style-type: none"> • The provision of leisure, sporting and recreational facilities and activities within the Borough Council area • The provision and management of the Council's parks, open spaces and allotments • Lifelong Learning – the provision of cultural activities within the Borough including Museums, Theatres and the development of the Arts Strategy • The operation of the Council's licensing function • The performance of the Council and its contractors' performance on all aspects of the waste collection service including its disposal • The Council and its contractors' performance on the cleaning of its streets in the Borough and the council's own buildings • The provision of public conveniences within the Borough Council's area including the cleaning of these facilities • The performance of the Council in relation to public health and the protection of the environment • The Council's policies on waste minimisation and recycling • The development of the Tourism Strategy and its impact on the Borough • The performance of the crematorium within the borough Council area and also the provision of cemeteries • The performance of the Council's market in light of the requirements of the residents and visitors to the Borough
External	<ul style="list-style-type: none"> • Providing a scrutiny role of outside agencies

	<p>(including the Council's partners and the major utility providers)</p> <ul style="list-style-type: none"> • Health related issues including discharging the Council's responsibilities in respect of the Health and Social Care Act • The impact of the Council on community safety within the Borough Council's area, including the Safer Maidstone Partnership • The development and implementation of the Council's community plan (LSP) • The external relationships of the Council. • Lifelong Learning – Influencing external learning providers to improve the training and skills offer in the Borough • Social Inclusion and the Council's specific initiatives to promote it • Young people including the youth forum
Corporate Services	<ul style="list-style-type: none"> • The preparation of the Council's annual budget and to review and scrutinise the Council's performance in relation to budgetary management • The management of the Council's resources • The development of the Council's asset management strategy • To review the Council's Best Value Performance Plan and the Council's performance against the Plan • All matters pertaining to the governance of the local authority including review of the Council's constitution, its Executive arrangements and standing orders • The co-ordination of policy development being formulated by the executive • Development and implementation of the Council's performance management system • The provision of corporate services and staffing matters • Lifelong Learning – responsible for internal skills and lifelong learning promotion • Responsibility for keeping the O&S process under review and the production of an annual report • Customer Services • The development of e-government within the Council • The development, review and application of the Council's policies, complaints systems and procedures

	<ul style="list-style-type: none">• The improvement in electoral turnout and participation• The conduct of elections.
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