

MAIDSTONE BOROUGH COUNCIL

**MINUTES OF THE CORPORATE SERVICES OVERVIEW AND
SCRUTINY COMMITTEE MEETING HELD ON TUESDAY 7 JULY
2009**

PRESENT: Councillor Mrs Stockell (Chairman)
Councillors Butler, Bradshaw, Hotson, Mrs Marshall,
Parr, Mrs Wilson and Paine

APOLOGIES: Apologies for absence were received from Councillor
Marshall.

21. The Committee to consider whether all items on the agenda should be web-cast.

Due to a technical fault the meeting was unable to be web-cast.

22. Notification of Substitute Members.

It was noted that Councillor Paine was substituting for Councillor Marshall.

23. Notification of Visiting Members.

There were no visiting members.

24. Disclosures by Members and Officers:

There were no disclosures.

25. To consider whether any items should be taken in private because of the possible disclosure of exempt information.

Resolved:

That all items be taken in public as proposed.

26. Minutes of the Meetings Held on 27 May 2009 and 9 June 2009.

Resolved:

That the minutes of the meetings held on 27 May and 9 June 2009 be agreed as correct records and duly signed by the Chairman.

27. Overview and Scrutiny Function Review: Approval of Scoping Document.

It was agreed that consideration of the relationship between Cabinet and Scrutiny should be added to the Scoping Report.

A member identified that the Committee should not visit other local authorities for the sake of doing so, particularly as Maidstone continued to be recognised as best practice. The Acting Overview and Scrutiny Manager suggested that e-mailing local authorities may be more appropriate than visiting them. It was also suggested that co-optees and expert witnesses should be considered after the review had commenced.

Resolved:

That the scoping document be agreed, subject to the addition of work to investigate the relationship between Cabinet and Scrutiny.

28. Overview and Scrutiny Function Review.

William Benson, Director of Change and Business Support at Tunbridge Wells Borough Council, introduced himself to the Committee as having been responsible for the establishment of the Overview and Scrutiny (O&S) Department at Maidstone Borough Council approximately eight years previously. Maidstone had piloted O&S in advance of the statutory deadline for implementing modernised political structures. The Committee was informed that this was not the first time a review of O&S had been undertaken within Maidstone. It had been refreshed whilst he had worked for the authority and many local authorities were at a stage in which they too were reviewing O&S.

A Member asked how successful Mr Benson thought the O&S partnership with Tunbridge Wells had been. He informed the Committee that it had worked particularly well for Tunbridge Wells and had encouraged the department to broaden its scope and promote cross-cutting reviews. It was noted that working alongside Tunbridge Wells had also benefited the O&S department at Maidstone, particularly with regard to Councillor Call for Action (which had been piloted at TWBC) and joint training initiatives in areas such as budget scrutiny.

Mr Benson stated that the choice of topic was, to him, the most crucial aspect of ensuring successful scrutiny. O&S usually had the potential to deliver the greatest outcomes where it investigated joint working between organisations or cross-cutting activity within authorities. Working with Local Strategic Partnership partners could provide a good opportunity to facilitate this. A Member suggested that the Mid Kent Improvement Partnership (MKIP) was also relevant, and it may be beneficial to carry out a joint review into the advantages and disadvantages of MKIP as it currently stood. Mr Benson identified that the 2007 White Paper encouraged partnership working and scrutiny of partnerships.

A Member noted that informal Member groups were important and greater use should be made of Members' expert knowledge. It was considered that the current O&S structure did not facilitate the 'scrutiny' aspect enough.

Mr Benson suggested that committees should make more use of the Forward Plan and consider Key Decisions that may be worth investigating. He noted also that it was important to accept that savings were to be required of the Council over the next few years, and rather than simply arguing against cuts in service, it may be worth considering alternative means of reducing expenditure. A Member questioned to what extent O&S time should be spent considering future decisions. Mr Benson suggested that O&S would fail if all it did was try to look at every decision before it reached Cabinet. It was important to look at the Forward Plan and decide which specific areas O&S could influence and so would be beneficial reviewing. A Member raised concern with the way in which the Committees were currently structured particularly with regard to more issues becoming cross cutting and so not necessarily fitting within the remit of only one Committee. Mr Benson agreed that this could be an issue although the current structure ensured clear accountability and clarity as to who was responsible for responding to recommendations. He also understood that there were mechanisms for addressing cross-cutting inquiries through a group of the Committee chairmen and vice-chairmen. Additionally, aligning committees to Cabinet portfolios allowed Committee Members to build up knowledge and experience of specific areas.

The Committee was informed that O&S in local government was much newer than select committees at national parliamentary level so there were some lessons to be learned from parliament where Select Committees had a good reputation. It was inevitably easier for Select Committees at a national level to have a greater influence because they were run in a larger political environment. Also, Government departments had more capacity for dealing with recommendations, whereas capacity was extremely limited in local government. It was suggested that it may be worth having pre-meetings in which Members discussed the agenda and possibly allocate specific questions to each Member, as happened for Select Committees. Finally, Select Committees met more frequently than O&S Committees which created a momentum, ensured that evidence remained up-to-date and allowed Members to focus clearly on one issue.

It was questioned how, now that Maidstone had a 'real' opposition, Members should act upon political views. Mr Benson identified that this could be overcome by Members stating at Committee meetings that they were speaking without prejudice and separately to their political role, for example. Mr Benson also indicated that although at national level there was more independence of Select Committees, there had been examples where they had been politically biased.

Mr Benson stated that, in order to ensure that O&S was not simply a talking shop, it was a good practice to discuss with officers and the public what issues/areas would be worth reviewing. Considering customer complaints, press articles and performance indicators would be good starting points for this work. It was also useful for Committees to identify what they did not want to look at. Scrutiny could add real value by joining up what different departments were doing, both internally and externally. The Committee agreed that it would be beneficial to have outside bodies sitting on the Committees where appropriate. The Committee agreed that

O&S would be most enjoyable where it was innovative, and so holding meetings outside of the usual committee-style meeting was important.

Resolved: That the discussion be noted as part of the Overview and Scrutiny Function Review.

29. Best Value Performance Plan, Place Survey Results and the Corporate Improvement Plan

It was agreed that items ten, eleven and twelve would be discussed together.

The Director of Change and Environmental Services, David Edwards, introduced the Committee to the Best Value Performance Plan (BVPP). It was highlighted that this was a three year plan and had been developed with the aim of linking closely with the Strategic Plan. The year had been challenging economically, nevertheless the Council had performed well. 16% of targets had been missed but this had been due to issues such as the Kent International Gateway planning application and the significant rise in people claiming benefits. Action plans had been developed for those areas in which the Council had not achieved its targets. The Policy and Performance Manager, Georgia Hawkes, informed the Committee that despite the economic down turn the Council's performance had been comparable to that of the previous year.

A Member raised concern that there was inadequate time to discuss these three reports and make recommendations which would be helpful for Cabinet to consider the following day. It was felt there was inadequate time to understand the data contained within the reports and identify any issues with the report. The Committee agreed that it should have had more time to consider these documents. Mr Edwards informed the Committee that these reports contain end of year results, many of which are unavailable until June. If any longer was spent on developing the report their purpose would become questionable. It was suggested that there should be a working group established to review such reports in detail before they come to the Committee. It may also have been appropriate to consider a discussion of the direction of travel prior to the figures having become available.

Best Value Performance Plan

A member raised concern with regard to information of the development of the All Saints Link Road. Key Performance Indicator (KPI) 23 stated that the introduction of lay bys into Upper Stone Street was an abortive idea. The Committee had not been informed that this proposal had been aborted and requested further information of this decision. Members also asked that it be clarified whether the detailed alignment of the All Saints Link Road as provided by Jacobs suggests a greater land take than a previous design that was considered unacceptable due to its large land take. The reactivation of the Member group regarding this issue was requested.

KPI P1, the number of new businesses set up in the Borough, was queried. It was questioned whether the baseline was the total number of new businesses within the whole borough.

It was questioned whether the 2010/11 targets for NI 154, net additional homes provided (cumulative) and NI 155, number of affordable homes delivered (gross) should be the same. It was also questioned how targets had been reached for a number of indicators when no baseline had yet been established. Furthermore a 2% target decrease in the indicator, 'average waiting time on list of those applicants housed from the Housing Register', was considered almost insignificant.

A member also questioned the difference in results with regard to waste collection within the three reports. Mr Edwards informed the Committee that at the time of the place survey a significant number of people had not yet received recycling collection services. The Best Value Performance Plan provided a more up to date picture.

Place Survey

Mr Edwards identified to the Committee that although the Place Survey had been carried out last August, the data had not been published from a national level, until 23 June 2009. A high response rate of 2,300 out of 5,000 had been received, however there was an indication that some people didn't know of or chose not to use some Council services.

A Member questioned the usefulness of questions in the Place Survey regarding perception as there was no further information provided informing as to why people held these perceptions.

Corporate Improvement Plan

A Member questioned how increasing key skills could be a priority of the current administration, yet increasing numerical and English skills had been rated as a low priority. A Member also questioned how the targets were developed and considered that a target of answering a call in 48 seconds was inadequate.

A Member questioned the accuracy of UR8 and suggested that if the Council was to outsource work, surely it should continue to be monitored. Mr Edwards was of the opinion that this statement was inaccurate and agreed to check the accuracy before the report went to Cabinet the following day.

Resolved: That the Committee recommended that:

- a) An informal Members' group be established as a sub-group of the Committee to scrutinise performance reports at an early stage, prior to publication;
- b) Future performance reports presented to the Committee include a covering report summarising the overall direction of travel and highlighting issues of particular concern;

- c) In relation to the Best Value Performance Plan:
 - i. With regard to KPI 23, it be clarified whether the idea of introducing lay-bys in Upper Stone Street has been rejected and if so, when this was reported to Members;
 - ii. With regard to KPI 23, it be clarified whether the detailed alignment of the All Saints Link Road as provided by Jacobs suggests a greater land take than a previous design that was considered unacceptable due to its large land take;
 - iii. The 2010/11 targets for NI 154 and NI 155 be checked as the target number of affordable homes currently matches the target number of additional homes overall;
 - iv. It be clarified how targets are set where baselines have yet to be established.
- d) With regard to the Corporate Improvement Plan, the progress comment for UR8 be checked for relevancy to the action.

30. Future Work Programme and Forward Plan of Key Decisions.

The Committee agreed that there were no key decisions which currently required their attention.

It was agreed that discussions on the asset management review be deferred pending an informal meeting with the Head of Business Improvement.

Resolved:

That discussions on the asset management review be deferred pending an informal meeting with the Head of Business Improvement.

31. Overview and Scrutiny Function Review: Informal Discussion.

It was requested that the officers and Members involved with Overview and Scrutiny at Kent County Council be contacted with regard to the structure of the department. The Committee agreed that it would be beneficial to liaise with the Institute of Local Government, the Improvement and Development Agency and the London Assembly.

It was requested that Parish Councils be involved in the review. It was also requested that the Head of Communications be interviewed regarding the involvement of the public and local businesses with Scrutiny reviews.

It was suggested that a questionnaire be provided to officers, and interviews be carried out with Members. All responses and interview transcripts should be provided to the Committee anonymously. The Committee agreed that all suggested questions for Councillors and officers were acceptable and relevant. It was suggested that Officers all be asked whether they considered that Members understood the work of officers.

The Acting Overview and Scrutiny Manager informed the Committee that she was waiting for a quote from Centre for Public Scrutiny and the

Improvement and Development Agency with regard to assistance with the review.

Resolved:

That:

- a) The structure and strengths and weaknesses of the KCC Overview and Scrutiny Department be considered.
- b) The Committee liaise with the Institute of Local Government, the Improvement and Development Agency and the London Assembly.
- c) Parish Councils be included within the review of the department and their opinions sought.
- d) An anonymous questionnaire be provided to Officers; and
- e) The Overview and Scrutiny Team conduct interviews with all Members, with resulting transcripts being provided anonymously to the Committee.

32. Duration of the Meeting

6.30pm to 8.28pm