

Notice of meeting of

Scrutiny Management Committee

To: Councillors Galvin (Chair), Runciman (Vice-Chair), Barnes, Cunningham-Cross, King, McIlveen, Potter and Steward

Date: Monday, 27 February 2012

Time: 5.00 pm

Venue: The Guildhall

AGENDA

1. **Declarations of Interest**

At this point in the meeting, Members will be invited to declare any personal or prejudicial interests they may have in the business on the agenda.

2. **Minutes** (Pages 3 - 6)

To approve and sign the Minutes of the last meeting of the Scrutiny Management Committee held on 28 November 2011.

3. **Public Participation**

At this point in the meeting members of the public who have registered their wish to speak regarding an item on the agenda or an issue within the Committee's remit can do so. The deadline for registering is **5:00 pm on Friday 24 February 2012**.

4. **Progress Report - City Centre Ad Hoc Scrutiny Committee** (Pages 7 - 16)

This report updates the Committee on progress made to date with the City Centre Ad Hoc Scrutiny Review. Councillor Gillies, the Chair of the Committee will be in attendance at the meeting to answer any questions that may arise.

5. Scrutiny Work Planning 2012/13 (Pages 17 - 26)

This report identifies arrangements for delivering corporate scrutiny work planning, so that Scrutiny Committees can begin their overview and scrutiny work at the start of the new Municipal Year.

6. Proposed Amalgamation of Effective Organisation and Scrutiny Management Committees (Pages 27 - 34)

This report updates Members of the Committee on proposals to merge Effective Organisation and Scrutiny Management Committees into one new scrutiny committee, responsible for corporate scrutiny management and overview.

7. Any other business which the Chair decides is urgent under the Local Government Act 1972

Democracy Officer:

Name: Jill Pickering

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For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details are set out above.

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Scrutiny Committees

The purpose of all scrutiny and ad-hoc scrutiny committees appointed by the Council is to:

- Monitor the performance and effectiveness of services;
- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

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City of York Council

Committee Minutes

MEETING	SCRUTINY MANAGEMENT COMMITTEE
DATE	28 NOVEMBER 2011
PRESENT	COUNCILLORS GALVIN (CHAIR), RUNCIMAN (VICE-CHAIR), BARNES, CUNNINGHAM-CROSS, KING, MCILVEEN, STEWARD AND SEMLYEN (SUBSTITUTE)

6. DECLARATIONS OF INTEREST

Members were invited to declare any personal or prejudicial interests they might have in the business on the agenda. Councillor Barnes declared a personal non-prejudicial interest in agenda item 5 – “Scrutiny Review Support Budget”, as a trustee of York Museums Trust which is referred to in the report. Councillor Galvin declared a personal non-prejudicial interest in agenda item 4 – “Edible York Scrutiny Review”, as the secretary of the Ancient Society of York Florists.

7. MINUTES

RESOLVED: That the minutes of the SMC meeting held on 26 September 2011 be confirmed and signed as a correct record.

8. PUBLIC PARTICIPATION

It was reported that there were no registrations to speak under the Council’s Public Participation Scheme.

9. EDIBLE YORK SCRUTINY REVIEW - 6 MONTH FEEDBACK AND UPDATE

Members received a report that informed them of the progress in implementing the Edible York Ad Hoc Scrutiny Review recommendations.

Officers updated Members on the actions that had been taken. Members were pleased to note that good progress had been made, although there was still work to be done in respect of the collection and distribution of re-cycled garden tools. Members

suggested that it would be useful if projects such as “Dig in” continued to be well promoted, including in ward publications.

- RESOLVED:
- (i) That the report be noted.
 - (ii) That the recommendations be signed off as complete.

REASON: To raise awareness of any recommendations still to be implemented.

10. SCRUTINY REVIEW SUPPORT BUDGET

Members received a report that set out the current position in relation to available Council funding for overview and scrutiny review work.

Members were asked to consider whether they wished to make a recommendation to Cabinet for a scrutiny support budget for use on external consultation/market research, and if so, to what level.

Members stressed the need to ensure that scrutiny functioned effectively and agreed that it was therefore important that resources were available to support the process. Mindful of the present financial position, discussion took place as to the amount of funding that should be requested. Whilst some Members recommended that £10,000 was an appropriate sum, others suggested that £5,000 would be sufficient to support scrutiny reviews, particularly if other sources of information, such as on-line resources and networking opportunities, continued to be utilised.

It was agreed that it was also important that arrangements were in place to manage the budget and ensure that the funding was allocated fairly and expediently. For these reasons it was suggested that decisions about the allocation of funding from the scrutiny support budget should be delegated to the Chair, Vice-Chair and Cllr Cunningham-Cross.

- RESOLVED:
- (i) That it be recommended to Cabinet that a scrutiny support budget of £5,000 be allocated¹.

- (ii) That authorisation of expenditure from the scrutiny support budget would be delegated to the Chair, Vice-Chair and Councillor Cunningham-Cross.

- REASONS:
- (i) To address the constitutional right of SMC to comment to Cabinet on setting a scrutiny budget.
 - (ii) To ensure effective arrangements are in place to manage the budget.

Action Required

1. Notify finance officer of the recommendation

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11. ROLE OF OVERVIEW AND SCRUTINY IN RELATION TO THE POLICE REFORM & SOCIAL RESPONSIBILITY ACT 2011, AND OTHER REGIONAL RESPONSIBILITIES

Members received a report that provided information on the expected changes to the role of overview and scrutiny as a result of the Police Reform and Social Responsibility Act 2011, and an update on the work of the Yorkshire and Humber Members Regional Scrutiny Network.

Members were encouraged to attend a Members Regional Scrutiny Network event that was to be held on 2 December 2011.

- RESOLVED:
- (i) That the information within the report be noted.
 - (ii) That SMC Members would endeavour to attend the regional scrutiny network event and would encourage other Members to do so.

REASON: To ensure the future work of overview and scrutiny in York reflects fully the forthcoming changes and remains robust and fit for purpose.

Councillor J Galvin, Chair

[The meeting started at 5.30 pm and finished at 6.35 pm].

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Scrutiny Management Committee**27th February 2012**

Report of the Assistant Director Governance & ICT

Progress Report – City Centre Ad Hoc Scrutiny Committee**Summary**

1. This report is an update to Scrutiny Management Committee on progress made to date with the City Centre Access Ad Hoc Scrutiny Review. Councillor Gillies, the Chair of the Committee will be in attendance at today's meeting to answer any questions that may arise.

Background

2. In June 2011 Councillor Gillies submitted a scrutiny topic in relation to access and foot street enforcement in the city centre. This proposed topic was subsequently considered at a scrutiny work planning event held in July 2011 where it was decided that the topic should be progressed to review.
3. At the first meeting of the City Centre Ad Hoc Scrutiny Committee the following remit was set for the review:

Aim

How do we minimise vehicular movement in the city centre footstreets and immediate area to ensure the safety of pedestrians?

Key Objectives

- i. Do changes need to be made to the City Centre Area Action Plan/City Centre Access Study/Footstreets Policy to ensure:
 - Appropriate disabled access and parking provision
 - The safety of pedestrians during footstreet hours
 - City centre cycling storage facilities

ii. How could City of York Council and the Police improve partnership working in order to fully enforce the footstreets policy, including understanding:

- Who is responsible for what currently and should there be any changes
- The current barriers to enforcing the policy

Progress on the Review to date

4. Since beginning this review the Committee have met three times as follows:

14th November 2011

5. This was the first and only formal meeting of the Ad Hoc Scrutiny Committee to date. Members considered a draft remit for the review, eventually agreeing on that set out at paragraph 3 of this report.

6. At this meeting Members were made aware that there was already ongoing work in respect of the Footstreets Review and the City Centre Movement and Accessibility Study. It was agreed that it was important not to duplicate work that was already ongoing.

7. Members also agreed that it would be useful to visit some of the key areas within the city centre to look at access points, disabled parking provision and accessibility/safety hazards for pedestrians.

22nd November 2011

8. This was an informal meeting of the Ad Hoc Scrutiny Committee, who in the first instance, walked around the city centre to look at issues in respect of access and enforcement. The visit was timed to allow Members to look at the situation both before and during footstreet hours.

9. The situation was assessed at a number of points across the city centre and a number of initial and immediate observations were made, namely;

i. Davygate

- The large traffic sign that is in place is ugly in design and lacks clarity (e.g. it is unclear whether cyclists are permitted)
- The installation of a rising bollard may curtail traffic movement but would be expensive to install and maintain and may not be an appropriate option
- Consideration could be given to focussing on street design rather than relying on signage, for example the entry to Blake

Street could be altered to better deter unauthorised motorists from entering the street

ii. St Sampson's Square

- Once the disabled parking spaces are filled, this area becomes a through route for motorists looking for a place to park
- Members commented on the apparent inconsistencies in the issuing of blue and green badge permits, including misuse of the scheme by some people (*clarity on difference between blue and green permits needed*)
- When events were taking place in St Sampson's Square the number of parking spaces was reduced but this appeared to be generally accepted by traders and the public
- The use of the area as a drop off point for people using the St Sampson's Centre was noted.

iii. King's Square

- The traffic congestion in this area was noted as vehicles sought to leave the footstreets area by 11am. This was exacerbated by utility work that was taking place
- Concerns were expressed regarding the signage at the entry to Low Petergate
- The narrow pavements make it difficult for pedestrians, particularly those with pushchairs or using wheelchairs
- The evening parking that is available in Goodramgate raises awareness of this route into the city centre

iv. St Saviourgate/Colliergate junction

- A very busy junction with a high number of vehicles turning left
- Taxis were seen driving down Fossgate, although only loading was permitted

v. Parliament Square/Piccadilly/Coppergate junction

- Looking towards Merchant Gate, the pinch point was noted.
- The taxi rank was not used; consideration could be given to alternative uses
- A bullion van was parked in the footstreets but delivering to premises outside of the footstreets area.
- Consideration could be given to relocating the cycle racks currently in Parliament Street
- The plans to demolish the building housing the toilets in order to open up the vista of Parliament Square were noted

vi. Low Ousegate/Spurriergate junction and Coney Street

- The use of bollards was noted – these were installed and removed manually at the start and finish times of the footstreet hours
- A cyclist was seen riding down Coney Street

10. At the informal meeting of the Committee after the above visit, Members were made aware, by the Chair, that the York Civic Trust had produced a survey of traffic around Coppergate in April 2011. *It was agreed that a representative of the Trust be invited to a future meeting to discuss the survey's findings with the Committee.*

11. Discussions also took place around the theme of the second key objective of the remit set for this review. It was acknowledged that there were various difficulties in enforcing the footstreet arrangements that were currently in place. The following were also mentioned:

- It was unlikely that the Government would enact Part 6 of the Traffic Management Act (relating to the civil enforcement of moving traffic offences)
- Details of a scheme in operation in Oxford whereby CCTV was used to assist in enforcement, including arrangements that had been put in place in respect of bus lanes (*further information was requested on the arrangements in place in Oxford*)
 - In relation to the above a motorist who had been issued with a penalty notice, had challenged the decision and had taken the case to the High Court but the judge had ruled in favour of the local authority. *Officers were asked to give clarity as to whether this type of arrangement was something that York could consider.*
 - It was suggested, in Oxford, that the local authority had provided CCTV evidence to Police/Crown Prosecution Service who had then taken action. *Clarification needed to be obtained as to whether this was the case and, if so, the views of North Yorkshire Police regarding the option.*
- It was noted that exemptions to enforcement measures were in place, including bullion vans and vehicles from the various utility companies.

12. Members referred to the congestion in the Coppergate area of the City and felt that this could make some members of the public reluctant to travel by bus; the congestion making it less likely that buses would keep to their timetable. Members initial thoughts were that action would need to take place to alleviate this; however to date they have not identified

any potential solutions. In the first instance and before any recommendations were put forward by the Committee, they requested that *a representative from the Quality Bus Partnership and a representative from a taxi company be invited to a future meeting to discuss the matter further.*

13. At this stage of the review the Ad Hoc Scrutiny Committee agreed that the arrangements that were currently in place within the city centre were not working effectively in the areas identified in the above paragraphs. Members agreed that it was important to come up with a range of options for consideration to ensure that this changed.

19th December 2011

14. At this, the second informal meeting of the Committee, Members considered the following:
- A briefing note on City of York Council's Traffic Regulations (which was discussed with CYC officers and a representative from North Yorkshire Police) – this detailed the City of York Council's Traffic Regulations which are contained in four traffic orders namely:
 - Parking, Stopping and Waiting Order
 - Traffic Management Order
 - Speed Limit Order
 - Off-Street Parking Places Orders
 - A report which had been presented to the Cabinet Member for City Strategy on 1st December 2011 entitled 'City Centre Footstreets Review' and the decisions he made at that meeting
 - An e-mail from a Member of the Ad Hoc Scrutiny Committee containing options for raising pedestrian safety in the city centre
 - Potential consultation questions to put to key groups in the city who may be affected by any recommendations made by the Committee
15. The Committee sought the views of both CYC officers and a North Yorkshire Police Officer regarding partnership working to enforce the footstreets policy.
16. The City of York Council's City Centre Enforcement Officer highlighted the following issues:
- The Council has limited powers in terms of enforcement and does not have the power to stop moving traffic
 - There are particular problems with vehicles using Goodramgate and Davygate
 - Signage is too high and not always clear to understand

- It is difficult to identify vehicles with disabled drivers or passengers as often permits are not displayed until the vehicles are parked
- There is abuse of the permit scheme
- Because taxis are permitted to drop off and collect permit holders, it is difficult to ascertain if taxis are in the area legitimately
- Deliveries to shops needed to be taken into consideration and there needed to be enough loading/unloading bays available

17. The North Yorkshire Police Officer detailed the following concerns:

- Signage is poor and is too high to be easily visible. A case is currently going through the Courts in relation to signage in Coppergate
- The city has good Park and Ride facilities and the buses drop people off close to the city centre. Could more be done to encourage more use of this provision to discourage vehicles from entering the city centre?
- Many of the problems originate at Goodramgate
- Consideration should be given to a bollard type arrangement at Church Street/Colliergate and at St Helen's Square
- There should be greater consistency in footstreets times
- A very high number of tickets are being issued. More could be issued if officers were available but the Police have to prioritise.
- Some drivers find it difficult to understand the differences between the blue badge and the green badge schemes, particularly when signage refers to 'permit holders'
- Not all cyclists abide by one way systems. Because of the lack of repeater signs it is sometimes difficult to issue tickets to offenders. The footstreet signage does not explicitly show no cycling and some cyclists do not class themselves as vehicular traffic
- Most of the complaints that the Police received related to motor vehicles in the city centre rather than cyclists
- PCSOs (Police Community Support Officers) do not have the power to stop moving traffic

18. In addition to the above discussions Members commented on:

- The need to ensure sufficient, secure and covered parking for cyclists. However, they did query whether this should be situated within pedestrian areas. It was noted that at the moment it was permissible to use the cycle parking facilities in the footstreet areas without actually being able to cycle there. An added complexity was the fact that the cycle parking facilities could be used after

footstreet hours, when it was also acceptable to cycle in these streets.

- The footstreet hours – some thought these should be from 10am to 4pm whilst others felt that they should be extended to 5pm.
- It was noted that whilst it was a highways offence to cycle on pavements, this legislation did not extend to footstreet arrangements.

19. Further discussions ensued on some of the points raised above; in particular in relation to the following;

- It is apparent from evidence received to date that there is an issue about the clarity of current signage. The 'Reinvigorate York' initiative includes proposals to de-clutter where possible. There needs to be less signage but it has to provide greater clarity.
- One way in which it could be made clearer that an area is pedestrianised is by changing its physical appearance so that people are aware that they are moving from one type of environment to another – however, this may be cost prohibitive
- Consideration is being given to addressing issues in respect of moving and non-moving traffic offences, including the legalities of enforcement in respect of bus lanes
- The background of the introduction of the green permit scheme.
- Issues in respect of enforcement, including the difficulties that would be faced in reducing traffic in the city centre unless rising bollards were used
- The indiscriminate way that some lorries/vehicles parked when delivering goods outside of the footstreet hours

20. In relation to the report that had been considered at the Cabinet Member for City Strategy's Decision Session Members had questioned how the work of the Ad Hoc Scrutiny Committee fitted with that already taking place on the Footstreets Review and Reinvigorate York. It was explained that the Decision Session had enabled the Cabinet Member to provide direction in respect of the work but further consultation still needed to take place. *It was suggested at this point that the consultation the Ad Hoc Scrutiny Committee would undertake as part of this review and the resulting recommendations, could be fed into the consultation process instigated by the Cabinet Member.*

Next Steps

21. After gathering the evidence summarised above the Committee agreed to delegate the task of collating some consultation questions to the

Chair, technical officers and scrutiny officer. This work is currently in progress.

22. The actions highlighted in italics throughout this report are still to be addressed as part of the review.

Consultation

23. Whilst yet to be confirmed the Ad Hoc Scrutiny Committee plans to consult some or all of the following as part of this review:
 - Representative of Reinvigorate York
 - Representative from York Civic Trust
 - Representative from the retail sector
 - Representative from a cycle organisation
 - Representative from the Independent Living Network
 - Representative(s) from disability groups
 - Representative from the Quality Bus Partnership
 - Representative from a taxi association
 - Representative from shopmobility

Options

24. Members are asked to note and comment on the report.

Analysis

25. The Cabinet Member for City Strategy attended the meeting of the Ad Hoc Scrutiny Committee on 14th November 2011 and was supportive of this review. He felt that the work being undertaken by the Scrutiny Committee could complement the work already being undertaken on the Footstreets Review (detailed in a report received by him on 1st December 2011). To this effect, both the Cabinet Member and the Chair of the Ad Hoc Scrutiny Committee will be involved in devising some consultation questions which will be used both as part of the scrutiny review and the Footstreets Review.
26. However, there have been some delays in putting together the consultation questions which means that this review is unlikely to be completed by the end of this municipal year. Once the consultation questions have been agreed then the scrutiny officer will be able to write to the consultees and arrange a further meeting date to receive responses and to discuss some of the issues raised in more depth. It is therefore suggested that this review should be concluded during the early part of the municipal year 2012/13.

27. In addition to this the Ad Hoc Scrutiny Committee still need to address and/or receive information on the issues highlighted in italics within this report. They will also need to analyse and make recommendation on all the information they have received as part of the review.

Council Plan 2011-2015

28. This review directly relates to the 'Get York Moving' theme set out within the Council Plan 2011-2015. As part of the 'Get York Moving' theme there is a commitment to look at 'improving movement in the city centre'. Many of the areas being explored as part of this review complement this.

Implications

29. **Financial** – There are no known financial implications associated with the recommendations in this report, however implications may arise as the review progresses.
30. **Human Resources** – There are no Human Resources implications associated with the recommendations within this report, however implications may arise as the review progresses.
31. **Legal** – There are no known legal implications associated with the recommendations within this report, however implications may arise as the review progresses.
32. There are no other known implications associated with the recommendations within this report.

Risk Management

33. There are no known risks associated with the recommendations within this report.

Recommendations

34. Members are asked to note and comment on the progress made on this review, which is likely to continue into the next municipal year.

Reason: To keep Scrutiny Management Committee aware of the progress made on this Ad Hoc Scrutiny Review.

Contact Details

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**Report
Approved**



Date 20.02.2012

Specialist Implications Officer(s) None

Wards Affected: Guildhall Ward

All

For further information please contact the author of the report

Background Papers:

None

Annexes

None



Scrutiny Management Committee

27 February 2012

Report of the Assistant Director of Governance & ICT

Scrutiny Work Planning 2012/13

Summary

1. This report identifies arrangements for delivering corporate scrutiny work planning, so that Scrutiny Committees can begin their overview and scrutiny work at the start of the new Municipal Year.

Background

2. Over the last few years, Scrutiny Management Committee has led on new initiatives to develop and move scrutiny forward within City of York Council. In 2011/12, as part of both the induction for newly elected Councillors and the continuing Core Training Programme for all Councillors, the following training on scrutiny was provided:

(1) 'Lets Talk Scrutiny' – a focus session for Cabinet Members and Scrutiny Chairs

(2) Making a Bigger Difference through Overview & Scrutiny – a practical workshop on tips, tools and techniques for conducting effective scrutiny

(3) Scrutiny Work Planning – a collaborative session involving scrutiny members, the Cabinet and scrutiny lead officers (Chief Officers) aimed at helping the Council to use scrutiny as a productive partner in tackling and achieving key corporate challenges in a climate of fiscal austerity

(4) Local Government Yorkshire & Humber Regional Event – Scrutiny Questioning Skills – delivered in York by Tim Young from the Centre for Public Scrutiny Studies (CfPSS)

(5) Health Scrutiny Sharing & Learning Event – a speed learning session providing the opportunity for Members to speak with key health partners in the city

3. During 2011/12, Scrutiny Committees have undertaken or will undertake the following overview and scrutiny activities:

Health Scrutiny	Community Safety Scrutiny	Leisure & Culture Scrutiny	Effective Organisation	Economic & City Development Scrutiny
*End of Life Care	*Anti-social Behaviour in Westfield & Rural West	*Demographics in Primary Schools	*Sickness Absence Management	*Reducing the Carbon Footprint in the privately rented sector review (currently postponed)
*Health-Watch Procurement Monitoring Reports	*Domestic Waste Collection & Recycling	*Corporate Parenting	*Future Use & Options for the Guildhall	Sixth Monthly Update Reports on Major Developments within the City of York Council
Voluntary Sector Funding	Presentation on restructure of North Yorkshire Police	*Management of Public Parks		Sixth Monthly Update Reports on Major Transport Initiatives and Issues Arising from Them
Yorkshire Ambulance Service Priority Indicators for Quality Accounts	Presentation on restructure of CANS & Safer York Partnership	Yorkshire Museums Trust - Management of the Collections		Update on Local Enterprise Partnerships (LEPS)
Update from York Hospitals Foundation Trust and NHS North Yorkshire and York in				

relation to Transforming Community Services				
Progress Report - NHS Reforms and the work of the Transition Board				
Terms of Reference for Health and Well Being Board and Updates on the Shadow Health & Well Being Board				
Updates on the Regional Joint Scrutiny Committee Investigating the Proposed Changes to Children's Cardiac Services				
Updates from Yorkshire Ambulance Service on complaints received				
Briefing for City of York Health Overview and Scrutiny Committee on proposals to create an urgent care centre				
The Local Account for				

Adult Social Care 2011				
Briefing from the Leeds Partnerships Foundation Trust on Proposed Changes to Mental Health Services in York				
Redesign of Acute Care Pathway in York (Including closure of Ward 3 at Bootham Park Hospital)				
Briefing on the Major Trauma Network				
Dementia Strategy and Action Plan				

* activities marked with an asterix indicate scrutiny work prioritised corporately by the Scrutiny Work Planning Event held in July 2011.

- As well as the work undertaken above, Scrutiny Committees continued to receive updates on recommendations made and agreed the previous year and financial/performance monitoring reports. They also received updates on work from individual Cabinet Members. All in accordance with their terms of reference.

Consultation

- As the Committee with overall management responsibility for scrutiny, SMC is being consulted upon how it wants to effect collective work planning and priorities for 2012/13. It is also being asked to comment upon what has worked well over the past year and suggest any further developments which could be made to improve overall scrutiny performance or activity.

Options

6. Having considered this report, Members may choose:
- (i) To approve the proposals for a collective work planning event facilitated by the Chair of SMC in April 2012; or
 - (ii) To propose alternative options for effective scrutiny work planning; and
 - (iii) To suggest further developments in the provision of scrutiny within City of York Council to enhance scrutiny activity in 2012/13.

Analysis

Work Planning 2012/13

7. The table in paragraph 3 demonstrates that all Scrutiny Committees have looked at the review/work areas identified collectively at last year's scrutiny work planning event. In addition, it indicates that Scrutiny Committees also individually identified other areas they wished to review within the year. This had led to the following work areas being suggested by those Committees as priorities for taking forward into 2012/13:

Health Scrutiny	Community Safety Scrutiny	Leisure & Culture Scrutiny	Effective Organisation	Economic & City Development Scrutiny
End of Life Care (carry forward)		Yorkshire Museums Trust - Management of the Collections (carry forward)	Sickness Absence Management* (carry forward)	Completion of Section 106 Agreements – Processes (potential new topic)
				Role of Science City York in Economic Development (potential new topic)

				Maximise employment opportunities for young people in the city (potential new topic)
				Reducing Carbon footprint in privately rented sector (carry forward)

8. In addition, the work of the cross cutting Ad-Hoc Sub-Committee set up SMC to look at city centre access will continue into the next Municipal Year, as set out in a separate progress report on this agenda.
9. Not all the areas identified by Scrutiny and Cabinet Members collectively for 'review' at the Scrutiny Work Planning Event in July 2011 have led to full reviews and some are only now being looked at by the relevant Scrutiny Committee. Effective Organisation Scrutiny Committee will be receiving an initial position statement on the 'Future of the Guildhall' at its meeting on 28 February 2011. Leisure & Culture Scrutiny Committee will be considering what information it needs in relation to a 'parks' review at its next meeting in March 2012. Reasons for delays in looking at identified topics at the outset of the year will vary. For instance, Leisure & Culture Scrutiny Committee have had a full overview programme and decided to look at the 'parks' topic specifically in the better, spring weather. SMC may decide it would like to learn more from Scrutiny Chairs about delays behind progressing agreed and identified areas for review.
10. There are both advantages and disadvantages to a large collective work planning event for scrutiny at the onset of every new Municipal Year. The first time York tried this was in 2011. On the plus side, if well planned, such an 'event' can:
 - Collectively identify scrutiny challenges/priorities between all involved parties;

- Ensure priorities for scrutiny chime with corporate priority areas within the agreed Council Plan, focusing resources where the Council has said they should be focused;
 - Secure collective Senior Officer and Cabinet support for identified priorities
11. Potential concerns raised by some Members in their Committees to this way of scrutiny work planning are as follows:
- Some Members feel alienated from the process if they cannot be present;
 - Topics identified depend upon those present or not present, including Senior Officers;
 - Scrutiny Committees do not feel empowered to use their acquired knowledge and experience and identify work that they really feel, as a Committee, needs prioritising because their time has already been allocated by a wider planning event;
 - Is it realistically possible to make informed choices on topics for review at a two hour planning event ?
 - In effect, having a big work planning event session in 2011 delayed the effective start of some scrutiny work, causing a back up at the end of the current Municipal Year. This was primarily because the event was held in July last year.
12. To achieve and maintain the ongoing engagement of all those essential to undertaking effective scrutiny, it is important that the aims identified in paragraph 9 are delivered but equally, that the knowledge and experience on Members of individual Scrutiny Committees is brought to bear.
13. It should also be remembered that many topics, having been initially highlighted or identified by a Scrutiny Work Planning Event, may be refined in terms of how the issues are dealt with in light of Scrutiny Committees being able to scope them more specifically. For instance, the Community Safety Scrutiny Committee identified two topics for review at the event in July 2011:
- In regard to Domestic Waste Collection & Recycling, the Committee received a report in November 2011 detailing an ongoing officer review on issues in respect of waste management which was due to be completed by March 2012 . Mindful of the need to avoid duplication of work, Members agreed that rather than instigating a

scrutiny review, it would be more appropriate for the committee to be consulted as part of the officer review. Members did however question why the officer review had not been brought to light at the Scrutiny Work Planning Event in July 2011 to inform their choices regarding suitable topics.

- In regard to ASB in Westfield & Rural West, they agreed a remit for the review and formed a Task group to carry it out. The Task Group held a number of meetings to gather information and as a result it became apparent that a review based on the remit set would not achieve any realistic outcomes. In January 2012, the Community Safety Scrutiny Committee agreed not to proceed with the review, and instead identified an alternative topic on Young People, and Alcohol and Drug related ASB – work on this has yet to start due to a lack of understanding on behalf of the Scrutiny Officer on what the objectives of the review are, and due to a lack of engagement by the Lead Officer. The topic will therefore be carried over into the next Municipal year.
14. In light of paragraph 11, it is suggested that a similar ‘collective work planning event’ be held again for scrutiny, coordinated and led by the Chair of SMC, but held earlier, in April 2012 so that Scrutiny Committees can start working on identified areas from June 2012 onwards. In addition though, it is also suggested that those areas of priority already identified or being carried forward for scrutiny by individual Scrutiny Committees be reported to that ‘event’ and be deemed as equal priorities for those Committees in the coming Municipal Year. This would make the aim of the collective work planning event to identify any additional corporate priorities for 2012/13, in so far as these may accord with the priorities in the Council 2011-15.

Developing Scrutiny in York

15. Much work has been undertaken over the last 2 years to develop and secure collective engagement to overview and scrutiny within City of York Council. These measures have involved:
- Various training opportunities for Members since 2009 to develop the skills and understanding of effective scrutiny for backbenchers and Scrutiny Chairs– paragraph 2 sets out what has been provided in 2011/12;
 - The Chair of SMC addressing all Scrutiny Committees and reporting findings to SMC;

- Establishing 'lead officers' at Chief Officer level within Directorates to provide key support and engagement within those Directorates;
 - Reviewing the format of public scrutiny reports to create a more user-friendly A5 booklet for 'public consumption';
 - Developing a profile at a regional network level, through hosting events in York and through the Chair of SMC's ongoing participation;
 - Initiating collective scrutiny work planning as outlined in this report to develop engagement and support for scrutiny across all levels of the Council;
16. In addition, last year SMC considered a report on amalgamating Effective Organisation Committee with SMC. Audit & Governance Committee recently received a report on a number of further changes to the 'committee structure' since May 2012 and endorsed the proposal for merging these two Committees. A separate report on this agenda outlines proposals for the newly formed SMC, seeking Members' views on a revised remit. This remit should clarify the role of the merged Committee and give it powers, as the Corporate Scrutiny Management Committee, to receive corporate financial and performance monitoring information, as well as the authority to review the activities of the Standing Scrutiny Committees.
17. In the light of proposals to put in place arrangements for collective scrutiny work planning for 2012/13, SMC's views are sought more generally on what appears to be working well or not to be working so well and what, if any, more can be done to further develop scrutiny.

Council Plan 2011-2015

18. Through its overview and scrutiny work and the management of other Scrutiny Committees, SMC should work to ensure that all scrutiny activities work to achieve and challenge the best possible delivery of the Council's 5 core priorities under the Council Plan 2011-2011.

Implications

19. **HR & Financial** – Whilst there are no direct cost implications associated with any recommendations in this report, if Members suggest any further training or development in the Committee's efforts to continue to develop scrutiny, clearly, financial or staffing implications could arise and would need to be addressed.

20. There are no other known implications associated with the recommendation in this report

Risk Management

21. There are no known risks associated with any recommendations in this report. However, if the Committee decides not to set in train any collective corporate scrutiny planning for 2012/13, there is a risk that Council resources will be extensively committed to supporting activities not within the core priorities set out and agreed in the Council Plan for 2011-15.

Recommendations

22. Having considered the information within this report, Members are asked to:
- i. Invite the Head of Civic & Democratic Services to put in place arrangements for a collective scrutiny work planning event in April 2012, on the basis set out in paragraph 14 above; and
 - ii. Consider and comment on developmental initiatives in scrutiny to date and advise on any further appropriate steps, if any

Reason: To ensure proper and effective scrutiny work planning is in place for 2012/13.

Contact Details

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Report Approved



Date 20 February
2012

Specialist Implications Officer(s) - None

Wards Affected:

All



For further information please contact the author of the report

Background Papers: None



Scrutiny Management Committee

27 February 2012

Report of the Assistant Director Governance & ICT

Proposed Amalgamation of Effective Organisation and Scrutiny Management Committees**Summary**

1. This report updates Members of this Committee (SMC) on proposals to merge Effective Organisation and Scrutiny Management Committees into one new scrutiny committee, responsible for corporate scrutiny management and overview.

Background

2. In April 2011, SMC received an initial report on proposals to amalgamate the two Committees, to benefit from the resource efficiencies of running one Committee instead of two and to eliminate duplication of roles.
3. On 13 February, 2012, Audit & Governance Committee considered a report from the Assistant Director (Governance & ICT) setting out various proposed changes to the Council's decision making and scrutiny structure. Audit & Governance Committee endorsed proposals to amalgamate Effective Organisation and Scrutiny Management Committees, subject to Council approval at a future meeting. It is likely that the proposed merger will take effect from the new Municipal Year.

Consultation

4. As stated in paragraph 2 above, SMC has previously been consulted on the proposal. Audit & Governance Committee has now also been consulted.

Options

5. Having considered this report, Members may choose to note the position of Audit & Governance Committee on this issue and may choose to endorse the proposal or not. In addition, SMC may choose to comment or amend the suggested terms of reference for a new Committee (see Annex A).

Analysis

6. If Council decides to support the proposed merger and create a new overarching management committee for Scrutiny taking on board the corporate effectiveness role of 'Effective Organisation Committee', a new remit and terms of reference for that Committee will need to be agreed. Attached at Annex A to this report are some suggested terms of reference for a merged Corporate Scrutiny Management Committee, taking in the existing responsibilities of Effective Organisation Overview & Scrutiny Committee. If a decision were taken to amalgamate the role of both Committees, the ability to carry out reviews would not be lost. Future reviews on topics falling within the new Corporate SMC's (CSMC) remit could still be carried out, either by CSMC as a whole, or by a small Task Group of its Members, or by an Ad-hoc Scrutiny Committee created solely for that purpose.
7. In addition, SMC would retain its 'call-in' role. As discussed previously by Members, this could be reinforced slightly by CSMC, in its new role, requiring Cabinet Members to attend and address CSMC regarding the decision called-in. In return, the Chair (or Vice-Chair) of CSMC would attend Cabinet to explain why CSMC had invited Cabinet or the Cabinet Member to reconsider its decision, where applicable.
8. Meetings of any new merged corporate scrutiny committee would be scheduled in effect to take place during the same week currently 'occupied' by Effective Organisation Scrutiny Committee, on the basis that the new Committee would assume its corporate monitoring responsibilities and these are reported to Cabinet and Scrutiny on a cyclical basis.

Council Plan 2011-15

9. Through its overview and scrutiny work and the management of other Scrutiny Committees, any new Corporate Management Committee should work to ensure that all scrutiny activities achieve and challenge the best possible delivery of the Council's 5 core priorities under the Council Plan 2011-2015.

Implications

9. **HR & Financial** - There will be a slight saving made by reducing the number of meetings, in terms of fewer meetings for Democratic Services to prepare reports for and fewer meetings to attend. Equally, there would be fewer meetings for Directorate officers to attend and support.

- 10. **Legal** – The approval of Full Council will be required to the proposed merger as it would be a change to the Council’s current decision making and scrutiny structure.
- 11. There are no other known implications associated with the recommendation in this report

Risk Management

- 12. There are no known risks associated with the recommendations in this report.

Recommendations

- 13. Having considered the information within this report, Members are asked to comment upon the proposed merger of Effective Organisation and Scrutiny Management Committees and upon any proposed terms of reference for a new Committee:

Reason: To ensure the scrutiny function remains robust and fit for purpose.

Contact Details

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Report Approved **Date** 21 February 2012

Specialist Implications Officer(s) - None

Wards Affected: All

For further information please contact the author of the report

Background Papers: None

Annex A: Draft terms of reference for merged Committee

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The Constitution – Pt 3C

Council Committees and Other Bodies

12 The Scrutiny Management Committee

12.1 The functions of the Scrutiny Management Committee are:

No.	Delegated authority	Conditions
	Work planning	
1	<p>To oversee and co-ordinate the scrutiny function, including:</p> <ul style="list-style-type: none"> • Managing resources for effective corporate scrutiny to satisfy the requirements of the Council Plan • allocating responsibility for issues which fall between more than one Scrutiny Committee; • allocating urgent issues to be considered by an appropriate 	Subject to budget and resource availability
2	To receive bi-annual reports from the Scrutiny Committees on progress against their workplans	
3	To consider any decision “called in” for scrutiny in accordance with the Scrutiny Procedure Rules as set out in Part 4 of this Constitution.	
4	To consider and comment on any final reports arising from completed reviews produced by the Scrutiny Committees, as required	
	Performance monitoring:	
5	To exercise the powers of an overview and scrutiny Committee under section 21 of the Local Government Act 2000.	
6	To review progress against the Work Plans of the Overview & Scrutiny Committees, as may be necessary.	

The Constitution – Pt 3C

Council Committees and Other Bodies

No.	Delegated authority	Conditions
7	To receive periodical progress reports, as appropriate, on particular scrutiny reviews.	
8	To provide an annual report to Full Council on the work of the Overview & Scrutiny function	
9	<p>In relation to the Cabinet Member portfolios this Committee is responsible for monitoring the performance of the following service plan areas through regular performance monitoring reports:</p> <p>(a) Corporate Services: Audit & Risk Management, Strategic Finance, Business Management, IT&T, Public Services, Property Services</p> <p>(b) Cabinet Leader: Policy & Development, Civic Democratic & Legal Services, Marketing & Communications, Human Resources and Performance & Improvements</p> <p>(c) City Strategy: Resources & Business Management, Business Support Service</p> <p>(d) Neighbourhood Services: Business Support Services</p> <p>(e) Housing & Adult Social Services: Corporate Services</p> <p>(f) Leisure, Culture & Social Inclusion: ICT Client, Directorate Financial Services, Directorate HR Services</p> <p>(g) Children & Young People's Services: Management Information Services, ICT Client, Directorate Financial Services, Directorate HR Services</p>	
	Budget	
10	To consider and recommend to the Cabinet a budget for scrutiny and thereafter to exercise overall responsibility for the finance made available to scrutiny.	

The Constitution – Pt 3C

Council Committees and Other Bodies

No.	Delegated authority	Conditions
	General	
11	To periodically review the overview and scrutiny procedures to ensure that the function is operating effectively and recommending any constitutional changes, to Council	
12	Responsible for promoting a culture of continuous improvement in all services, and monitoring efficiency across organisational / service boundaries to promote a seamless approach to service delivery, with the user as a central focus.	

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