

Report of the Chair of Corporate & Scrutiny Management Policy & Scrutiny Committee

30 March 2017

1. This report is submitted by the Chair of Corporate & Scrutiny Management Policy & Scrutiny Committee (CSMC), in accordance with the constitutional requirements set out in Standing Order 8.3 (m) to update Council on scrutiny work and to set out any recommendations such as may be made to Council in relation to that work.

Finance and performance

2. Since the last report to Council on 15 December 2016, the Health & Adult Social Care Policy & Scrutiny Committee has received its 3rd Quarter Finance and Performance Monitoring Report at its meeting in February 2017. CSMC and the three other standing scrutiny committees have all received their 2nd and 3rd Quarter Finance and Performance Monitoring Reports between January and March 2017.

Attendance of Executive Members

3. The Executive Member for Environment attended a meeting of the Communities & Environment Policy & Scrutiny Committee in January 2017 to provide an update on the replacement of the FAME waste collection lorries, information on the revised waste collection calendar due to be implemented in April 2017 and the communications strategy to inform residents about the changes.
4. The Leader also attended the meeting of the Communities & Environment Policy & Scrutiny Committee in January 2017, to talk the Committee through the decision to incorporate priorities and actions relating to Hate Crime into the new Community Safety Plan for 2017-20 rather than the Council having a separate Hate Crime Strategy.
5. In regard to CSMC and the other standing scrutiny committees, there have been no other attendances by Executive Members since the last report to Council.

Pre-Decision Call-ins

6. There has been only one pre-decision call-in since the last report to Council. In late January 2017, CSMC considered the Executive report on the review of Yearsley Pool, ahead of the Executive meeting on 16 March 2017. CSMC were frustrated over the lack of detail in the report and expressed concern that not all of the options had been fully explored. Whilst CSMC agreed there were no grounds to make specific

recommendations or comments to the Executive in respect of the report, they did express concern about the pre-decision call-in process and agreed it should be reconsidered as the current timescales are proving unworkable.

Corporate & Scrutiny Management Policy & Scrutiny Committee

Call-ins

7. There have been two post-decision call-ins since the last report to Council. In early January 2017, CSMC considered the Executive's decision on the Park and Ride Service Operator Specification approved in early December 2016. CSMC agreed to uphold the Executive decision, although they did request that the Executive Member for Transport and Planning attend an appropriate future meeting with a report as to how he would encourage bus operators to adopt ultra low emission vehicle standards over the course of the contract.
8. In early March, CSMC considered the Executive's decision in regard to the disposal of land for the proposed Clifford's Tower Visitor Centre, and agreed to uphold the Executive decision.

Petitions

9. At each of its meetings, CSMC continues to receive its standing report on Council petitions providing details of new petitions received by the Council and the appropriate course of action.

Scrutiny Work

10. CSMC has met twice since the last report to Council. In February the committee received a report on an Air Quality motion referred by Council in December 2016. However, as the Motion related specifically to air quality, carbon reduction, the Local Plan, environment strategy and transport strategy, all of which fall within the remit of the Economic Development & Transport Policy & Scrutiny Committee, CSMC chose to refer the motion to that committee for its consideration, with the proviso that if its workload did not allow the Motion to be reviewed in a timely manner it should be referred back to CSMC.
11. Also in February, as part of its scrutiny management role, the Committee considered scrutiny expenditure in this financial year and the scrutiny budget for the coming year. Finally, they considered the findings from their review of future ways of working in scrutiny, and consultation feedback on their preferred options for revisions to the remits for the

scrutiny committees – for further information on the review and the recommendations arising, see paragraphs 25 -28 below.

12. Subsequently in early March, CSMC agreed their proposals for revised terms of reference for the new scrutiny committees they are recommending – see paragraph 29 below. They also received a verbal update on their ongoing One Planet York Scrutiny Review.

Communities & Environment Policy & Scrutiny Committee

13. The Committee has met twice since the last report to Council. In January the Committee received a Safer York Partnership bi-annual performance report, together with an update on the Safer York partners' achievements in response to the priorities and actions within the current Community Safety Plan, and the plans for the new Community Safety Plan for 2017-20. The Committee also received a detailed update on domestic violence and drug related crime and disorder across the city. Finally, the Committee considered the draft final report arising from their Ward Funding scrutiny review, which was subsequently presented to the Executive earlier this month.
14. In March the Committee received an update on the council's Flood Defences Strategy Consultation, with officers from the Environment Agency giving feedback on the findings and a progress update on the ongoing work. The Committee also received an implementation update on the recommendations arising from their previously completed Goose Management scrutiny review. The Committee noted the progress made in trialling the various methods and were pleased to note that Micklegate ward were giving serious consideration to funding the city-wide survey work, but agreed it was too early to sign off any of the recommendations.

Economic Development and Transport Policy & Scrutiny Review

15. This committee has met twice since the last report to Council. In January 2017 the committee received a presentation on the Guild of Media Arts. It also received an update on the ongoing York Central project which summarised the Council's commitment to join the West Yorkshire Transport Fund (WYTF) and to use the funding to deliver access on to the York Central site. It also received an overview of the latest available wage data for York which identified some key trends and issues and explored the possible policy responses.
16. Earlier this month the Committee met again to receive a number of update reports, which included an update on the Southern Gateway project, a report on Assess Fund York to enable Members to make further progress towards a decision on whether to undertake a scrutiny

review into modal shift in transport across the city, and an interim update on their scrutiny review into the impact of the arts and culture sectors on economic development in the city. The Managing Director of the York Business Improvement District (BID) was also in attendance to provide an update on the work of the BID.

17. Finally the Committee gave due consideration to the Council Motion on Air Quality referred to them by CSMC. The Committee agreed to form a Task Group to undertake further work on this issue on their behalf.

Health & Adult Social Care Policy & Scrutiny Committee.

18. The Health & Adult Social Care Policy & Scrutiny Committee has met four times since the last report to Council. In December 2016 the committee received a number of bi-annual updates – a quality monitoring report on residential, nursing and homecare services, and updates from Be Independent and Healthwatch. The also received a progress update on the delivery of the council's older persons' accommodation programme, and noted the positive comments made by the Mazars auditors in relation to programme progress and management. Finally, the Committee gave consideration to a draft report on a new joint health and wellbeing strategy for the city and welcomed the council's work towards 'Suicide Safer City' accreditation.
19. In January 2017, the Committee received its bi-annual assurance report on safeguarding vulnerable adults which outlined the arrangements in place to ensure adults with care and support needs are protected from abuse and neglect, whilst maintaining their independence and wellbeing. It also received an update on the healthy child service and a report on a range of Vale of York Clinical Commissioning Group issues, namely their 2017/19 Operational Plan; Delayed Transfers of Care; Continuing Health Care and the Partnership Commissioning Unit.
20. In February 2017 the Committee received a report on the Care Quality Commission's findings following its inspection of the Yorkshire Ambulance Service NHS Trust, and a TEWV / CCG report on the outcome of the consultation to seek the views of local people on the development of mental health services for the city. Finally, the Committee received an update on the implementation of the approved recommendations arising from their previously completed scrutiny review into the closure of Bootham Park Hospital. While the Committee were happy that several of the recommendations had been fully implemented they agreed not to sign off the report until they had considered an update of the action plans of partner organisations following the NHS England

Transfer of Services review, in which the scrutiny review task group played an active part.

21. Since this report was published, the Health & Adult Social Care Policy & Scrutiny Committee were scheduled to meet again in late March to receive the update on the action plans mentioned above, and update reports on Health Protection Assurance and the CCG's finance and recovery plan. They were also due to consider a Council Motion on access to NHS services and the draft final report of the Public Health Grant Spending scrutiny review.

Learning & Culture Policy & Scrutiny Committee

22. This Committee has met twice since the last report to Council. In January 2017 the Committee received an update on the uptake of school meals following the introduction of universal infant free school meals in September 2014. They also received a bi-annual progress report on the council's work on Safeguarding & Looked After Children, together with an update on the York trial of 30 hours free childcare for working families.
23. In addition, the chief operating officer from York Museums Trust attended to provide an update on the current activities of the York Museums Trust (YMT) against the agreed core partnership objectives. Finally, the committee considered the draft final report arising from their play provision scrutiny review and agreed the recommendations which were subsequently presented to the Executive earlier this month.
24. Since the publication of this paper, the Learning & Culture Scrutiny Committee were due to meet again to receive a bi-annual update from York's Safeguarding Board, an annual report from the Standing Advisory Committee on Religious Education (SACRE) together with information on York schools' agreed syllabus. They were also due to receive an implementation update on local area teams, and the chair of York@Large was scheduled to attend to provide an overview of how York@Large has been working with the Council and other partners to deliver joint services. Finally, the Committee were expecting a further update on the implementation of the four outstanding recommendations arising from their previously completed scrutiny review of Disabled Access to York's Heritage & Cultural Offer.

Review of Future Ways of Working in Scrutiny

25. In September 2015 CSMC agreed to undertake a review to examine alternative committee structures to support the better delivery of this Council's scrutiny function, based on the following review remit:

'To review all options for revising the scrutiny committee remits, including the financial implications, in order to:

- Ensure an annual scrutiny workplan that better supports the Council's priorities
- Improve the Council's scrutiny function and working arrangements;
- Better balance the committees' workloads;
- Increase corporate engagement;
- Encourage more policy development work, and;
- Allow for reactive scrutiny

26. The review looked at scrutiny arrangements in good practice authorities, issues with the current scrutiny arrangements in York and examined all the possible alternative options for committee structures. As a result of that work, CSMC identified their two preferred options and instructed officers to consult on those.

27. In February 2017 CSMC received an update report on its two preferred options, and considered feedback from the political groups and the corporate management team on those options – see full details in report at Appendix 1.

28. Having considered the feedback in conjunction with information previously provided on national best practice etc, CSMS agreed to recommend option (iii) – scrutiny committees with remits in line with directorates, with the exception of Economy & Place Directorate which they agreed should be split across two scrutiny committees due to the size of the workload the Directorate was likely to generate (see paragraph 13 of the report at Appendix 1). They also instructed officers to draft revised terms of reference for those new scrutiny committees – see the Part B Minute from February 2017 at Appendix 2.

29. In early March 2017 CSMC received a report suggesting terms of reference for their proposed new scrutiny committees – see Appendix 3. However, after much consideration, CSMC agreed to propose one scrutiny committee be responsible for all the service plan areas within the Economy & Place Directorate (Annex A to Appendix 3 reflects that view) – see Part B Minute from March 2017 at Appendix 4. This proposal will reduce the number of standing Policy & Scrutiny

Committees by one, leading to an annual saving of £4,200 i.e. one less Scrutiny Chair Special Responsibility Allowance (SRA).

30. CSMC also considered how it might progress positive change in scrutiny through improvements to annual work planning, and agreed they would in the future invite the Leader and/or Deputy Leader to attend at the beginning of each municipal year (early June), to advise on key priorities for the Council for the year ahead.
31. Finally, as part of its work on the restructure of and terms of reference for the scrutiny committee, CSMC expressed concern about the current operation of the pre-decision call-in process. Whilst endorsing the principle of early scrutiny engagement, CSMC agreed the current process was restricting the freedom of the scrutiny committees to engage early. CSMC have therefore commissioned a report to review the effectiveness of the current arrangements.

Recommendations

32. In light of the information provided in this report and in Appendices 1-4, Council is recommended to:
 - a) Approve and adopt Option (iii) to align Scrutiny Committees to the new Directorates in accordance with the approach for this option set out in the report at Appendix 1.
 - b) Approve the terms of reference for the proposed new scrutiny committees, as shown at Annex A to Appendix 3.

Reason: To ensure the scrutiny function remains fit for purpose and capable of supporting the work of the Council.

Appendices:

- Appendix 1** – CSMC Report dated 13 February 2017
- Appendix 2** – CSMC Part B Minute 13 February 2017
- Appendix 3** – CSMC Report dated 6 March 2017
- Appendix 4** – CSMC Part B Minute 6 March 2017