



Notice of meeting of

Scrutiny Management Committee

To: Councillors Galvin (Chair), Alexander (Vice-Chair), Orrell, Firth, Waudby, Simpson-Laing, Taylor and Gunnell

Date: Monday, 28 February 2011

Time: 5.30 pm (or immediately following the SMC Call-in meeting)

Venue: The Guildhall, York

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 - 8)

To approve and sign the Minutes of the meeting held on 6 December 2010.

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 25 February 2011**.

4. **Broadway Shops Councillor Call for Action**

Councillor Kirk, in facilitating scrutiny's involvement in the Broadway Shops Councillor Call for Action, will present the outcomes from the series of facilitated meetings that were held. Copies of the booklet are included for Members. The booklet is also available to view on-line.

5. Reports from Chairs of Scrutiny Committees

Councillor Healey – Chair of Effective Organisation Overview & Scrutiny Committee, and Councillor Scott – Chair of Economic & City Development Overview & Scrutiny Committee will be in attendance to provide an overview of their committee’s work and highlight the key achievements in 2010/11.

6. Developing Scrutiny in City of York Council (Pages 9 - 16)

This report is further to a previous report that was presented to this committee on 6 December 2010, outlining ongoing developments and improvements to scrutiny in City of York Council.

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

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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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- ensure that what you want to say speak relates to an item of business on the agenda or an issue which the committee has power to consider (speak to the Democracy Officer for advice on this);
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Further information about what's being discussed at this meeting

All the reports which Members will be considering are available for viewing online on the Council's website. Alternatively, copies of individual reports or the full agenda are available from Democratic Services. Contact the Democracy Officer whose name and contact details are given on the agenda for the meeting. **Please note a small charge may be made for full copies of the agenda requested to cover administration costs.**

Access Arrangements

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If you have any further access requirements such as parking close-by or a sign language interpreter then please let us know. Contact the Democracy Officer whose name and contact details are given on the order of business for the meeting.

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Holding the Executive to Account

The majority of councillors are not appointed to the Executive (40 out of 47). Any 3 non-Executive councillors can 'call-in' an item of business from a published Executive (or Executive Member Decision Session) agenda. The Executive will still discuss the 'called in' business on the published date and will set out its views for consideration by a specially convened Scrutiny Management Committee (SMC). That SMC meeting will then make its recommendations to the next scheduled Executive meeting in the following week, where a final decision on the 'called-in' business will be made.

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

Who Gets Agenda and Reports for our Meetings?

- Councillors get copies of all agenda and reports for the committees to which they are appointed by the Council;
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City of York Council

Committee Minutes

MEETING	SCRUTINY MANAGEMENT COMMITTEE
DATE	6 DECEMBER 2010
PRESENT	COUNCILLORS GALVIN (CHAIR), MERRETT (VICE-CHAIR), ORRELL, WAUDBY, SIMPSON-LAING, ALEXANDER AND TAYLOR
IN ATTENDANCE	COUNCILLORS D'AGORNE AND POTTER
APOLOGIES	COUNCILLOR FIRTH

6. DECLARATIONS OF INTEREST

Members were invited to declare, at this point in the meeting, any personal or prejudicial interests they might have in the business on the agenda. The following interests were declared:

Councillor Merrett declared a personal interest in agenda item 9 (minute 14 refers) "School Travel Plans" as a governor of St Paul's Primary School and parent of a child at the school, a member of Cycling England, a member of York Cycle Campaign and an honorary member of Cyclists' Touring Club.

Councillor Simpson-Laing declared a personal interest in agenda item 9 (minute 14 refers) "School Travel Plans" as a governor and parent of a child attending school.

7. MINUTES

RESOLVED: That the minutes of the SMC meeting held on the 28 June 2010 and the Traffic Congestion Ad Hoc Scrutiny Committee held on 18 May 2010 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. EXECUTIVE REFERRAL - JOINT STRATEGIC NEEDS ASSESSMENT

Members considered a report that asked them to consider a referral made by the Executive at their meeting on 21 September 2010 to refer the Joint Strategic Needs Assessment to the relevant scrutiny committees for consideration.

Members agreed that the Joint Strategic Needs Assessment would be best considered by the Health Overview and Scrutiny Committee but noted that the committee did have a very heavy workplan.

- RESOLVED: (i) That the Joint Strategic Needs Assessment be referred to the Health Overview and Scrutiny Committee.¹
- (ii) That the Chair of the Health Overview and Scrutiny Committee be requested to invite all scrutiny members to listen to any presentation given and be offered the opportunity to ask questions.

REASON: To address the Executive referral in relation to the Joint Strategic Needs Assessment.

Action Required

1. Request inclusion on Health O&S workplan

TW

10. PROPOSED SCRUTINY TOPIC - EDIBLE YORK: CREATING FOOD GROWING SPACE ACROSS THE CITY

Members received a report that asked them to consider whether they would like to undertake a review into a proposed scrutiny topic – “Edible York: Creating Food Growing Space Across the City”, as outlined in Annex A to the report.

Councillor D’Agorne was in attendance and outlined his reasons for submitting the topic.

Members expressed their support for a review to be carried out but agreed that this should be completed within a four-month period rather than the six months indicated on the topic assessment form. This would ensure that the topic was completed within the current municipal year.

Members also agreed that the review should be carried out by an ad hoc scrutiny committee rather than a task group.

- RESOLVED: (i) That the topic be progressed to review.
- (ii) That each Group be invited to nominate, to Democratic Services, one Member who wished to volunteer to be part of the Ad Hoc Scrutiny Committee.¹

REASON: To address the topic set out in Annex A to the report.

Action Required

1. Seek nominations from group secretaries

JC

11. UPDATING WORKING PRACTICES IN SCRUTINY

Members received a report that provided an update on a series of planned changes to the way scrutiny reviews were approached in York, with a view to speeding up the processes and making the scrutiny experience more engaging to Members and public alike.

Members welcomed the proposed changes to the procedures, in particular the measures that would enable reviews to be completed within a shorter timespan.

It was noted that the Chair of SMC would be attending the main standing scrutiny committees in the coming months to hear about their collective experiences, with a view to using this information to further refine scrutiny working practices and performance.

- RESOLVED: (i) That the initiatives currently taking place be noted.
- (ii) That a further update on the new working practices be presented to the committee prior to the end of the current financial year.

REASON: To improve and make more engaging current working practices.

12. DESIGNATION OF STATUTORY SCRUTINY OFFICER

Members received a report that sought a recommendation to Council to designate an officer as the “statutory scrutiny officer”.

RESOLVED: That it be recommended to Council that the Democratic Services Manager be designated as the scrutiny officer for the purposes of the 2009 Act.¹

REASON: To ensure legal compliance and because the functions are within the existing role of the postholder.

Action Required

1. Include in SMC report to Council.

13. REGIONAL SCRUTINY NETWORK

Members received a report that gave an update on recent meetings of, and developments with, the Member Regional Scrutiny Network.

The Chair gave an update on his involvement in regional scrutiny events. He had been part of a regional delegation that was seeking backing to set up a scrutiny structure to scrutinise the work and policies of the new Local Enterprise Partnerships. The delegation had also put forward proposals to scrutinise common services on a regional basis.

Members stated that they welcomed the development of a regional network, as it was particularly important that decisions that had cross-authority implications were subject to scrutiny.

RESOLVED: That the involvement of the Chair and the Scrutiny Team at a regional level be noted

REASON: To participate in and enhance regional scrutiny.

14. SCHOOL TRAVEL PLANS AD HOC SCRUTINY COMMITTEE - FINAL REPORT

Members received a report that presented the final report of the School Travel Plans Ad Hoc Scrutiny Committee. Members were asked to comment on the arising recommendations.

Councillor Potter, Chair of the Ad-hoc Scrutiny Committee, was in attendance and presented the report to Members. She expressed her thanks to the members of the committee for the work that they had carried out and to officers for their support. It was noted that details of issues that schools had raised in respect road safety improvements would also form part of the final report.

Consideration was given to the recommendations in the report. Particular attention was drawn to recommendations 4, 9 and 13.

Members made the following comments on the report:

- In respect of recommendation 11, more than one exemplar School Travel Plan should be made available on-line.
- In respect of recommendation 6, there should be greater clarity as to how the CCTV car would be used to support parking enforcement.
- When the report was presented to the Executive it should include more information on the financial implications of the recommendations.

Members stressed the importance of ensuring that the recommendations were actioned and gave examples of several near-miss incidents that had occurred in the vicinity of schools.

Officers drew attention to the new format that would be used for the final report. The booklet format would be used for the copies that were distributed to schools and other establishments.

RESOLVED: (i) That the contents of the final report and its annexes be noted.

(ii) That the comments of the committee be fed into the cover report, and taken into account when the Executive considers the final report.

- (iii) That thanks be recorded to the School Travel Plan Ad Hoc Scrutiny Committee for the work that they had carried out.

REASON: To fully inform the Executive of the outcome of the School Travel Plans Ad Hoc Scrutiny Review.

15. URGENT BUSINESS - SCRUTINY REVIEW SUPPORT BUDGET

Members were asked to consider whether, as part of the budget setting process, they wished to make a recommendation to Council as to future funding to support scrutiny reviews. The Chair had agreed to take this as an urgent item in view of the timescales involved.

Officers outlined current expenditure and the outturn prediction.

RESOLVED: That it be recommended that the budget to support scrutiny reviews remain at £15,000 for 2011/12.

REASON: To enable Council to set an informed scrutiny review support budget for the 2011/12 financial year.

Councillor J Galvin, Chair

[The meeting started at 5.00 pm and finished at 6.20 pm].

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Scrutiny Management Committee

28 February 2011

Report of the Assistant Director – Legal, Governance & ITT

Developing Scrutiny in City of York Council

Summary

1. This report is further to a previous report to this Committee on 6 December 2011, outlining ongoing developments and improvements to scrutiny in City of York Council. Since that time, the Chair of Scrutiny Management Committee, has taken soundings from all the Scrutiny Committees about how scrutiny currently works in City of York Council.

Background

2. At the meeting of this Committee in December 2010, Members endorsed a range of new approaches and changes to scrutiny in York:
 - The Chair of Scrutiny Management Committee engaging and networking with regional scrutiny events and activities
 - Establishing lead directorate officers to support scrutiny throughout the Council, at Chief Officer level;
 - Meeting with other Scrutiny Chairs and Vice-Chairs to establish what needs improving;
 - A simple one-step approach to assessing potential scrutiny topics
 - A new, simpler and more digestible format for final scrutiny review reports will be 'trialled' for some reviews (e.g. School Travel Plans, Newgate Market);
 - Former topic registration form replaced by simpler topic assessment;
 - Informal meetings in private (or public as Members choose) have been reinstated to allow for researching and gathering of evidence flexibly and quickly
3. It was also agreed at the meeting that a further report back be received in the light of the Chair's findings from speaking with other scrutiny members and any further developments which arose.

Progress to Date

Regional Events/Activities

4. Since the last meeting, the Chair and a Scrutiny Officer have attended a regional network event held in Bradford in February 2011, at which an update on the potential impact of the Localism Bill on scrutiny and beyond was received. Subsequently, a specific Members Seminar has been organised by Craven District Council on the Localism Bill for their Members but places have been offered to Members from other neighbouring authorities, including York. Details have been circulated to Members by Democratic Services.

'Lead' Directorate Officers

5. The arrangements for lead officers, at designated Chief Officer level, continue and some Scrutiny Committees are now embedding their relationships with these officers in terms of assisting in the review and work planning processes. The level of engagement varies and some Members have still identified specific concerns about the importance of a relationship between scrutiny and the relevant Chief Officers. These concerns have emerged through the consultation round between the Chair of this Committee and the Standing Scrutiny Committees.

Reducing the Paperwork/Bureaucracy and Improving Presentation:

6. Members will be aware that a new simpler approach to both registering potential scrutiny topics and assessing the requirements under review has been introduced. This approach enables a Member to register a topic very quickly indeed and subsequently enables Members at one meeting, with the advice of a Scrutiny Officer and 'Lead' Officer, to set a remit and state how and by when they want to conduct a review. All recently registered topics have been conducted using this simpler approach.
7. Additionally, since the last meeting, Scrutiny has been adopting a more informal approach to the information gathering process supporting scrutiny reviews. This has made it quicker and simpler for Members to meet flexibly or gather information, individually or collectively, outside the formal meeting process. As a result, recently commissioned reviews, eg. school travel plans, carers review, taxi licensing, customer complaints etc, have all been started and finished within basically 4 meetings or 3 months. There will, however, always be some topics which by their very subject matter will necessitate a longer review.
8. With the support of Scrutiny Officers, Chairs and Members of recent 'scrutinys' have been working hard at ensuring recommendations emerging from reviews are focussed and justifiable. To improve the visibility of scrutiny to the Executive and the Council in general, Chairs have been presenting their Committee's work and recommendations to the Executive. The Audit Commission recently commended the experience of the Executive and Scrutiny in the presentation of scrutiny reports to the Executive. This took place on 18 January 2011 when Scrutiny Chairs presented scrutiny reports on Newgate Market, Casual Play and School Travel Plans.

9. The Chair of Scrutiny Management Committee has attended recent Executive Calling-In meetings to present the outcome of Scrutiny Management Calling-In meetings. The presence of both the Chair of this Committee at Executive Calling-In sessions and of individual Scrutiny Committee Chairs at Executive meetings has increased the visibility of scrutiny to the Executive.

Involving the Public and Wider Community

10. In addition to simplifying topic registrations for elected Members, a simple public registration form has been introduced which can be accessed online. Assistance will be given by Scrutiny Services to any member of the public wishing to submit topics.
11. A new A5 booklet format presenting an easy guide to scrutiny reviews is now being produced for the public, on completion of reviews. These are also being made available on-line. Reviews available in this format to date are: school travel plans; Newgate market; taxi licensing; and customer complaints. The new format has been well received at Executive meetings to date;
12. Efforts are being made to test different ways of 'doing scrutiny'. A primary example is the recent Broadway Shops 'Councillor Call for Action', the outcomes from which are presented elsewhere on this agenda. In this case, scrutiny facilitated a series of community meetings, which brought local traders and the residents association together to bring about solutions to concerns raised.

Feedback from Scrutiny Members – Key Themes

13. During the last cycle of Scrutiny Committees, the Chair of Scrutiny Management Committee attended the meetings to hear firsthand Scrutiny Members' views and opinions of the way scrutiny currently worked or could work in City of York Council.
14. Below is a summary of the key themes around which it emerged, through the Chair's discussions, more work was required:

Need to establish more effective communication and relationships:

As follows:

- between scrutiny and those registering topics ;
- between scrutiny and Chief Officers/'Lead Officers';
- between scrutiny and Executive and vice versa;
- between scrutiny chairs and scrutiny members;
- between 'Lead officers/Chief Officers' with the Executive, on behalf of scrutiny

Need to engage others through:

- improving communications/relationships
- continuing to make it easier for scrutiny members to do scrutiny - shorter timescales; more informality; interesting topics; showing that positive results can be achieved; demonstrating that scrutiny and Executive Members are equally accountable
- reports to the Executive to present clear, logical, supportable recommendations
- engaging the public through simplifying the way scrutiny reports are publicly presented and the way they can get involved;

- effective training for scrutiny members, the Executive and key officers

Need to ensure the Council values and promotes different types and ways of doing scrutiny:

- pre-decision or early scrutiny - helping to shape future services/development;
- policy/performance development and review;
- holding to account (including call in)
- Councillor Call For Action

As an integral part that work, the Council needs to recognise and agree what scrutiny can do. For example:

- undertake a full review;
- monitor a particular concern identified;
- talk to partners/Exec Members/Senior Officers about a particular concern/issue;
- receive presentations;
- facilitate (Broadway Shops CCFA)

In undertaking the above, Scrutiny may need to operate in a variety of ways to get the most of available time and maximise personal interest. For example:

- meet collectively;
- take on tasks
(individually or collectively);
- call witnesses;
- invite feedback from interested parties;
- meet in the community; undertake site visits etc

Emphasise What Works and Recent Improvements:

- reduced bureaucracy with a simple and fast registration and review process;
- improved public presentation and ability for public to register;
- higher visibility of scrutiny chairs to the Executive;
- improved recommendations arising from Scrutiny

What Next

15. Whilst progress has been made in terms of making it easier to do scrutiny, it is clear that more work still needs to be done to communicate what has changed but also more needs to be done to improve the experience for those undertaking scrutiny and to improve engagement with and commitment to scrutiny across the Council.

In addition to continuing with the improvements already introduced, the following further initiatives are suggested in an effort to address some of the themes which have emerged from consultation with scrutiny members:

16. Those Members or members of the public registering topics to be asked to contribute to setting remits for any topics progressing to review and to be asked for feedback on outcomes arising from reviews. This will ensure 'registrees' have their input into the process and findings and can usefully comment on the value of the review.

17. **Training** existing and new Members (including Executive) is essential to ensure good effective scrutiny. As part of the induction training for newly elected Members and the Core Programme for returned Members, the course delivered by David McGrath last year to Members on 'Making a bigger difference through Overview and Scrutiny' is being repeated. This course was extremely well received by all those who attended last year and David McGrath is a former serving elected Councillor. All Members will be invited to attend (including the Executive) as will 'lead' directorate officers.
18. **Working together** to plan what work scrutiny should be doing in 2011/12 will be a contributory factor to its success in the next Municipal Year. Establishing good clear communication channels between Scrutiny Members, Chief Officers ('lead' officers) and the Executive will help the Council identify what the most appropriate priorities for scrutiny are in the coming year and where it can add most value. Arrangements have already been made for each Scrutiny Committee to meet informally with their 'lead officer' and other relevant Chief Officers to discuss up and coming work plans and priorities in June 2011. Relevant Executive Members will also be invited to attend. Noticeably, in their discussions with the Chair of SMC, a few scrutiny members repeatedly commented that a better approach towards proper 'pre-decision' scrutiny was required. Working together in this way early in every Municipal Year will provide opportunities and scope for all parties to identify proper pre-decision scrutiny and for scrutiny to manage and set out its approach to that early in the year. There will be an opportunity to work with partners too in the new Municipal Year.
19. In addition, it is planned to set up an informal session for Scrutiny Chairs, Executive Members and Chief Officers ('lead officers') to discuss how organisationally the Council might want to deliver its priorities in 2011/12 and what role scrutiny can take in that.
20. **Working differently.** Scrutiny Members will continue to be encouraged to work in a variety of ways to achieve the desired outcome quickly and in a way which is interesting and rewarding. Much more work is already being done informally, removing the need for formally convened meetings and for Committees to work as one whole. The training session on 'making a difference' will help newer Members to scrutiny appreciate how good scrutiny can be done relatively quickly and in an engaging way.
21. **Performance Monitoring.** Some Members are concerned about whether performance monitoring reports should really remain a part of the scrutiny function. However, some Members equally value the role of scrutiny here. It is suggested that the Chair and Vice Chair of this Committee meet with the 'lead' officer for SMC and the Assistant Director Legal & Governance to discuss the options for report back to this Committee.
22. **Engaging with the Executive.** Scrutiny Chairs have recently increased their visibility with the Executive in owning and presenting scrutiny reviews and calling-in decisions. The feedback to the Chair of SMC suggests that there are some concerns that Executive Members could be more visible at scrutiny meetings when matters relating to their areas are under discussion. Members of this Committee

may, for instance, wish to consider requesting the presence of the relevant Executive Member at calling-in sessions .

Consultation

23. All Scrutiny Committees have now been consulted on the way scrutiny operates currently within the Council and their feedback is being addressed within this report.

Options

24. This Committee can choose to introduce no further initiatives to develop scrutiny in York or it can choose to endorse the further approaches suggested under next steps above. Equally, it can suggest other options for further improvements.

Corporate Priorities

25. The continuing initiatives outlined in this report, if successful, will contribute to the Council's overall aim of being an effective organisation, 'a modern Council, with high standards in all we do'.

Implications

26. There are no direct financial, human resources, legal or other implications associated with the recommendations of this report.

Risk Management

27. There is an ongoing risk to the future of scrutiny within City of York Council if it does not continue to address the effectiveness of the scrutiny experience.

Recommendations

28. Members are asked consider and endorse the further initiatives outlined in the next steps section of this report and to identify any other opportunities for developing scrutiny which may be appropriate.

REASON: To further develop the effective provision of scrutiny in City of York Council.

Contact Details

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Report Approved



Date

18.02.11

Specialist Implications Officer(s) None

Wards Affected:

All



For further information please contact the author of the report

Background Papers:

Scrutiny Procedure Rules – the Constitution.

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