

## **Finance & Procedures Overview & Scrutiny Committee – 14 June 2005**

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Minutes of the meeting of the **Finance & Procedures Overview & Scrutiny Committee** held on **14 June 2005** when there were present:-

Chairman: Cllr K H Hudson  
Vice-Chairman: Cllr P K Savill

Cllr R G S Choppen  
Cllr K J Gordon

Cllr Mrs S A Harper  
Cllr T Livings

### **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllr P F A Webster

### **OFFICERS PRESENT**

P Warren	- Chief Executive
R J Honey	- Corporate Director (Law, Planning & Administration)
S Fowler	- Head of Administrative & Member Services
M Martin	- Committee Administrator

### **230 MINUTES**

The Minutes of the meeting held on 21 April 2005 were agreed as a correct record and signed by the Chairman.

### **231 COMMITTEE WORK PROGRAMME**

The Committee considered the report of the Corporate Director (Law, Planning & Administration) which sought Members' approval of the annual work programme for this Committee, as proposed by Council.

Members noted that a key area of work for the Finance & Procedures Overview & Scrutiny Committee, which had arisen out of the CPA Action Plan, would be the Review of Overview and Scrutiny in Rochford. Whilst an indicative work programme for the Review had initially been agreed at the meeting of this Committee in April, it had not proved practical to start work on this as early as originally anticipated and an amended programme was circulated to Members of the Committee.

Members of the Committee had previously been circulated with a pack of background information relating to the Overview & Scrutiny Committee review. Consideration would also need to be given as to whether it was practical for the whole of the Committee to visit each of the best practice overview & scrutiny sites, once they had been identified.

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Where possible, scheduled meeting dates would be utilised for the review, although it might become necessary for some additional meetings to be held.

Members noted that:-

- Ian Davidson, the Audit Commission's Relationship Manager, would be available on the afternoon of 7 July 2005 to advise Members on the view of the Audit Commission in respect of the role and outcomes expected from the overview and scrutiny function in a District Council. All Members would be invited to attend this session.
- The IDeA had recommended a consultant, Andrea Staltmeier, who has a breadth of experience in the field. She would be available to give a presentation on 14 September 2005 and to assist in benchmarking for overview and scrutiny against best practice.
- Other external providers would need to be invited in to provide an external challenge.
- Consideration needed to be given to which officers should be invited to the next meeting of this Committee on 28 June 2005 to give their views on the function of overview and scrutiny within Rochford and also whether to extend the invitation to the Chairmen and Vice-Chairmen of the Overview & Scrutiny Committees as well as the Policy Committees.
- The review would need to be brought to a conclusion in March 2006 for recommending in to the meeting of the Policy & Finance Committee on 6<sup>th</sup> April 2006.
- Full Council would give final consideration to the recommendations and agree any necessary Constitutional amendments at its meeting on 27 April 2006.

On a Motion moved by Cllr K H Hudson and seconded by Cllr Mrs S A Harper it was:-

### **Resolved**

That the priorities identified by Council be undertaken and the work programme for the coming year, as set out in the officer's report, be agreed, subject to noting the revisions concerning the Overview & Scrutiny review. (CD(LP&A))

## **232 REVIEW OF OVERVIEW & SCRUTINY IN ROCHFORD**

Members gave consideration to Parts 1 and 2 of the review, which involved setting the scene for the review and gathering information together and noted the following introduction taken from the Office of the Deputy Prime Minister's publication entitled "The Development of Overview and Scrutiny in Local Government".

"Overview and scrutiny is potentially the most exciting and powerful element of the entire local government modernisation process. It places Members at

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the heart of policy-making and at the heart of the way in which Councils respond to the demands of modernisation. In addition, overview and scrutiny is the mechanism by which councils can achieve active community leadership, good governance and by which councillors can become powerful and influential politicians.”

During general discussion of the overview and scrutiny process, the following points were noted:-

- The purpose of Overview & Scrutiny is to hold decision makers to account, to support the development of effective policy, to contribute to service improvement and to engage with external partners on issues affecting the community.
- Article 6 of the Council's Constitution sets out the parameters for the operation of the Overview & Scrutiny Committees in Rochford.
- If subject to a Party Whip on any matter before an Overview & Scrutiny Committee, Members must declare this at the beginning of the meeting.
- One of the primary purposes of the overview and scrutiny function is to hold decision-makers to account in a transparent and rigorous manner. However, this is not a major feature of the traditional committee system and requires a change in behaviour and culture.

The Committee considered an officer discussion paper around the current operation of overview and scrutiny in Rochford.

Members were reminded of the following:-

- Any Member of an Overview and Scrutiny Committee is entitled to give 5 days notice if he/she wishes an item relevant to the function of the Committee to be included on the agenda for the next available meeting.
- Any 2 Members of the Council who are not Members of the Overview & Scrutiny Committee may give 5 working days' written notice if they wish an item to be included on the agenda of a relevant Overview & Scrutiny Committee.
- The CPA Inspectors had criticised the fact that there had been an absence of appropriate challenge of executive decisions, since the introduction of the Overview and Scrutiny process.
- Another criticism was that Overview & Scrutiny Committees act like Sub-Committees and few decisions are called in for scrutiny. However, it was observed that the Council's Constitution stresses that call-in should only be used in exceptional circumstances.
- This Council had been praised for the fact that each Overview & Scrutiny Committee agreed an Annual Work Programme.
- Whilst this Council currently has three Overview & Scrutiny Committees, which mirror the three Policy Committees, the review would be free to recommend a different arrangement.
- The Council's Overview & Scrutiny Committees had undertaken some useful projects, such as the review of traffic movements in Magnolia

Road, Hawkwell, which had involved extensive public consultation. The recent policy development work around the Local Plan was another example.

- Guidance issued around the effective operation of the overview and scrutiny process recommended that Members should have effective and properly resourced support from officers. Currently there was no designated officer support in the Council, although a legal officer was always in attendance. It was recognised that resourcing was particularly difficult for smaller authorities.
- Councils such as Rochford, operating under a revised Committee structure, needed to determine the best way to operate.
- A budget of £5000 had been carried forward from last year.

Members agreed that the review needed to achieve the following:-

- A better understanding of what the Council wants from Overview & Scrutiny;
- The mechanisms required to achieve this;
- Recognition that the Council has put in the effort to properly address the above when resolving the way forward for Overview & Scrutiny in Rochford.

The Committee considered a further officer discussion paper around how overview and scrutiny was developing across local government and noted the following salient points:-

- The Office of the Deputy Prime Minister (OPDM) had identified the following:-
  - Overview and scrutiny should fulfil a number of roles, such as undertaking policy development and reviews, best value reviews, holding policy committees to account and undertaking external scrutiny.
  - The structure and operation should, where possible, vary from that of the 'traditional committee'. For example, consideration should be given to the most appropriate venue, style of paperwork, and conduct and outcomes of meetings.
  - A variety of structural approaches should be considered, such as multiple scrutiny committees, single standing committee.
  - Conditions for effective overview and scrutiny include Member-driven leadership, responsive policy committees, cross party working, supportive officers who welcome challenge and a good level of understanding of the process.
  - For these reasons, factors that limit the effectiveness of overview and scrutiny can include inadequate officer support, overloaded agendas, poor chairing and a general sense that a scrutiny role is second class.

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- In the majority of authorities overview and scrutiny was making a contribution and had built a base on which to develop.

Members thanked officers for their work to date in respect of this review.

The Committee agreed that the Chairmen and Vice Chairmen of the Policy and Overview & Scrutiny Committees should be invited to attend a question and answer session on their views of the current function of Overview & Scrutiny within this Council. The Chairmen and Vice-Chairmen of each Committee would be interviewed together and specific times would be supplied. Each session would last 20 minutes. A list of questions would need to be compiled.

It was agreed that the next meeting of the Committee would commence earlier to accommodate this.

### **Resolved**

- (1) That the Chairmen and Vice-Chairmen of this Council's Policy and Overview & Scrutiny Committees be invited to attend the meeting of the Finance & Procedures Overview & Scrutiny Committee on 28 June 2005.
- (2) That the meeting of the Finance & Procedures Overview & Scrutiny Committee on 28 June 2005 would commence at 6.30 pm.

The meeting closed at 9.15 pm.

Chairman .....

Date .....