

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE

Minutes of the Meeting of the Overview and Scrutiny Committee held at the County Borough Council Offices, The Pavilions, Cambrian Park, Clydach Vale on Wednesday, 29th July, 2015 at 5 p.m.

PRESENT

County Borough Councillor L.M.Adams – in the Chair

County Borough Councillors

J.Bonetto	P.Jarman	S.Powderhill
W.J.David	R.Lewis	G.Smith
S.Evans	B.Morgan	P.Wasley
A.S.Fox	(Mrs.)S.Pickering	R.Yeo

Officers in Attendance

Mr.P.J.Lucas – Director, Legal & Democratic Services
Mr.P.Griffiths – Service Director, Performance & Improvement
Ms.K.May – Head of Democratic Services

8. APOLOGIES FOR ABSENCE

Apologies for absence were received from County Borough Councillors (Mrs.)M.E.Davies, (Mrs.)S.Jones, S.Rees-Owen and M.J.Watts.

9. DECLARATION OF INTERESTS

In accordance with the Members' Code of Conduct, there were no personal declarations of interests made, pertaining to the agenda.

10. MINUTES

RESOLVED –

1. To approve as accurate records the minutes of the meetings of the Overview and Scrutiny Committee held on the 27th May and 8th July, 2015.

Note: To note the concerns made by Councillor P.Jarman, as one of the signatories to the Call-in that was considered at the meeting on the 27th May, 2015, as the Councillor was of the view that the comments made by each of the three signatories giving their respective reasons for the call-in should have been recorded.

2. To receive, for information, the minutes of the meetings of the following (former) Scrutiny Committees:-

- Education & Lifelong Learning – 8th April, 2015
- Corporate Services – 9th April, 2015
- Community & Children’s Services – 15th April, 2015
- Environmental Services – 20th April, 2015

11. **PRESENTATION – CHAIR OF THE COMMITTEE**

With the aid of a PowerPoint presentation the Chairman addressed Members in their new role as Members of the Overview and Scrutiny Committee, following the approval of full Council at the Annual Meeting held in May 2015 of the new Scrutiny Arrangements in ensuring that the work of each of the Scrutiny Committees are “delivering effectively” i.e. “scrutinising the scrutineer” and challenging the work of those Committees. He informed Members that he had attended the first meetings of each of the Scrutiny Committees where he stressed the importance of well thought out work programmes and ensuring that they were outcome based and Member led.

Following the presentation made by the Chairman a Member indicated that it would be difficult for the work programmes of Scrutiny Committees to shadow that of the Cabinet; this was due to items considered by Cabinet not always being published in advance in a work programme. The Chairman informed Members that he would write to the Leader of the Council, outlining the concerns raised in respect of the Work Programme.

A further query was raised by a Member in respect of the scrutineering role of this Committee in ensuring that the work of each of the Scrutiny Committees are “delivering effectively” in there being a conflict of interest for those Members that sit on one or more Scrutiny Committees. In response the Director, Legal and Democratic Services stated that in his view there would be no conflict of interest for Members of this Committee that were also Members of another Scrutiny Committee(s) as it would be the Chairs/Vice-Chairs of the respective Scrutiny Committees that would be summoned to the Overview and Scrutiny Committee, if challenged on matters that were not being “delivered effectively”, and they were not Members of this Committee for that very reason. However, he would prepare a protocol for Members of the Overview and Scrutiny Committee as if there was at any time an interest to be declared it would be on a personal and not a prejudicial basis and in such instances would not preclude Members undertaking their role.

Following a discussion, it was **RESOLVED –**

1. That the Director, Legal & Democratic Services prepare a protocol for Members of the Overview and Scrutiny Committee in respect of conflict of interests.
2. That the Chair of the Committee writes to the Leader of the Council in respect of the issues raised on the Work Programme.

REPORT OF THE DIRECTOR, LEGAL & DEMOCRATIC SERVICES

12. NEW ARRANGEMENTS FOR OVERVIEW AND SCRUTINY

Coinciding with the comments made by the Chairman of the Committee, earlier on in the meeting (Minute No.11 above refers) the Director, Legal and Democratic Services set out in his report the new role and responsibilities of this Committee following the Annual Meeting of Council held on the 20th May, 2015, specifically:

- To ensure that the work of each of the Committees are `delivering effectively` i.e. scrutinising the scrutineer
- To challenge the work of the Scrutiny Committees
- To deal with all "Call-ins" (under the Council's Overview and Scrutiny Procedure Rules)
- To co-ordinate the implementation of the recommendations as set out in the Wales Audit Office document - `Good Scrutiny? Good Question`
- To identify an approach which will evaluate the impact of the work each Committee undertakes – which could develop into self evaluation arrangements for each Committee
- To produce an on-going Action Plan for the Overview and Scrutiny Committee (as shown at Appendix 2 to the report)
- That the work of the former Overview and Scrutiny Working Group dealing with `Fuel Poverty` is continued and the findings to be reported to full Council.
- LSB Scrutiny Working Group (Minute No.13 below refers)
- To further develop and publish a public facing Council's Scrutiny Guide which will form part of an inclusive approach to the Council's Scrutiny Arrangements.
- To produce and publish an Annual Scrutiny Report.

The general responsibility of all the Scrutiny Committees was also reported upon.

One Member reiterated the comments/concerns that she raised at the meeting of the Children and Young People Scrutiny Committee where she cautioned against the Scrutiny Committees attempting to undertake too much as she doubted whether there was sufficient scrutiny support to cope if there were too many areas of review. She also raised concern that other than the Finance and Performance Scrutiny Committee, the other Scrutiny Committees would no longer receive the quarterly budget and performance information and queried how the Members could hold Officers to account without this information.

Another Member commented that whilst the Scrutiny Committees were mindful in not trying to scrutinise too many issues as there would be more likelihood of securing greater impact through focussing on a small number of items, there was a need for flexibility and scope to deal with other issues that could arise.

The Head of Democratic Services advised Members that the sufficiency of resources comes within the remit of the Democratic Services Committee and that a report on this matter would be presented to that Committee in the next few months but also wished to inform Members that under the new Scrutiny Arrangements the teams within `Performance and Improvement` and `Democratic Services` were working closely with each other to ensure that the work was undertaken effectively and efficiently.

RESOLVED –

1. To agree the approach taken to date to develop the respective Scrutiny Committees Work Programmes;
2. To agree to the proposals as set out in paragraph 4.1 for the Overview and Scrutiny Committee

13. LOCAL SERVICE BOARD (LSB) SCRUTINY WORKING GROUP

In his report, the Director, Legal and Democratic Services reminded Members that the Local Service Board Scrutiny Working Group would continue to meet as a Working Group of the Overview and Scrutiny Committee as agreed at the Annual Meeting of the Council in May, 2015.

At the meeting the Head of Democratic Services informed Members of the work undertaken by Members and Partners of the Working Group since its inception in 2009.

Reference was also made to the Wellbeing of Future Generations (Wales) Act, under which Local Service Boards will become statutory bodies and will be known as Public Service Boards. Part 4 (Section 35) of the Act makes provisions for scrutiny of Public Service Boards and set out in paragraph 4.1 of the report were the powers of the Local Authority's Overview and Scrutiny Committee in this regard, one of which viz *"to review or scrutinise decisions made, or other action taken, by the Public Service Board for the local authority area in the exercise of its functions"*.

In preparation for the commencement of the Wellbeing of Future Generations (Wales) Act (around April, 2016), the Council's Local Service Board had agreed to a new way of working in partnership, based on geographical areas of focus and with the overall priority of `Skills and Jobs`, which was endorsed by Cabinet at its meeting on the 25th June, 2015. It was therefore felt an opportune time that at the next meeting of the LSB Scrutiny Working Group to familiarise Members with the new agreed approach, prioritise areas of focus for scrutiny and agree a revised Terms of Reference.

Following a discussion when it was suggested by the Chairman that in addition to the nomination of elected Members (five) onto the Working Group, expressions of interest be sought from each of the constituent bodies as outlined in paragraph 5.1 of the report; it was **RESOLVED –**

1. To agree to the re-establishment of the LSB Scrutiny Working Group;
2. That the Terms of Reference of the Scrutiny Working Group be revised, in order for the Group to undertake the functions as set out in the Wellbeing of Future Generations (Wales) Act (not yet commenced);
3. To agree the proposed membership as set out in paragraph 5.1 of the report and expressions of interest be sought from each of the constituent bodies.

**L.M.ADAMS
CHAIRMAN**

The meeting closed at 6.10 p.m.

