

**MINUTES OF THE MEETING OF SCRUTINY  
HELD AT FOLLATON HOUSE, TOTNES ON THURSDAY 27 MAY 2010**

**MEMBERS**

\* Cllr C M Pannell - Chairman

∅ Cllr K J Baldry - Vice-Chairman

\* Cllr J H Baverstock

\* Cllr P H Cook

\* Cllr G J Fielden

\* Cllr R D Gilbert

\* Cllr J W Squire

\* Cllr J A Westacott MBE

\* Denotes attendance

**Also in attendance and participating:**

Cllr H D Bastone, M J Hicks, M J Howarth and R J Tucker

**Officers in attendance:**

For all items: Member Support Services Manager and Member Support Officer;

SC.01/10 **MINUTES**

The minutes of the meeting of Scrutiny held on 22 April 2010 were confirmed as a correct record and signed by the Chairman.

SC.02/10 **DECLARATIONS OF INTEREST**

Members were invited to declare any interests in the items of business to be considered during the course of the meeting but none were made.

SC.03/10 **REVIEW**

The Chairman asked each Member of the Group to give their initial views on the findings of the review before discussing each recommendation in more detail. Some of the responses expressed were that the report had been repetitious and had not helped them to move forward or in a different direction. Some felt the recommendations were inappropriate and might undermine good Member/Officer relationships which currently existed within the Council.

However, conversely some recognised that there was a need for scrutiny of the Council to be more rigorous and that Overview and Scrutiny should be addressing more issues of major concern.

The Chairman stated that she had found the review process a useful exercise as she, along with many other Members had always struggled to understand the non-executive role. She agreed with a number of the comments made at the Political Structures Working Group and also recognised that Overview and Scrutiny needed invigorating and that some working practices probably did need to change.

For example, she questioned whether there were there issues that the Executive would like Scrutiny or a Policy Development Group (PDG) to consider more pro-actively at a much earlier stage in development. She also questioned whether Scrutiny met too frequently and felt there was potential to meet less in the public setting but perhaps undertake more in depth review work.

A Member noted that whilst the Overview and Scrutiny groups were modelled on the parliamentary select committee system, they had struggled to undertake this role. It was suggested that some new working practices could be piloted

The Leader of the Council was then asked for his views. In response, he said that initially he had been sceptical about the merit of the review but as the process had unfolded it had generated a lot of debate and stimulated a lot of thought about how the function could be improved. He agreed that many non-executives did not fully understand their scrutinising remit and suggested that the PDGs ought to be restructured and more focused on their policy development and policy review role.

However, he felt that a Scrutiny Group should remain in place to scrutinise the authority and hold the Executive to account. It was, he said, very important that everyone understood that the authority had to ensure overview and scrutiny was adding value and there were a number of areas that should be considered. For example, he felt it right that Executive Members rather than officers present reports and be held to account, and that Strategic Directors should not attend meetings except where necessary. He also stated that he was re-evaluating the merit of additional dedicated support and the more effective use of resources. He also supported the inclusion of the Executive Forward Plan as a standing agenda item on all Group agendas. With regard to any potential PDG restructures, he suggested that these not be made until after the December 2010 Council meeting, but be ready for implementation at the start of the next municipal year.

The Lead Member for Value for Money said that he thought the report, and many of the recommendations contained in it, were very good and wished to congratulate the Chairman for pursuing the grant funding. He went on to say that he hoped Members would take a positive view of the report as the Council could benefit from being open to learning from other Councils and urged against Members perceiving that there was no room for improvement.

The Deputy Leader noted that whilst currently there was very little community engagement being undertaken, this was a tremendous role for non-executives that could reap dividends for the Council. He urged Group Members to consider being more pro-active in going out into the community (e.g. to Town and Parish Councils) to both engage, raise their scrutineer profile and to bring issues of concern back for potential consideration.

The Member Support Officer was then asked for her views. The Officer wished to emphasise that the recommendations in the report were not unique to South Hams but rather reflected the operating style of many other councils who had now taken scrutiny forward, were developing the substantive scrutineer role of non-executive Members and focusing on improved outcomes.

Members then discussed each grouping of recommendations summarised in Appendix 2 of the presented agenda report, key outcomes of the discussion were:

## **A.2 Independence of Scrutiny**

Members felt:-

- The Programming Panel should remain;
- That the current political makeup of Chairs/Vice Chairs should be maintained;
- That Executive Members should continue to be able to attend Scrutiny and the PDGs ;
- That the Shadowing role continue, but a proforma protocol for the role be considered.

The Leader of the Council questioned the value of shadowing to enhance the 'critical friend' role and felt that it could compromise objectivity. To ensure a consistent approach, the Member Support Manager agreed to prepare a draft proforma for the shadowing role for discussion at the next meeting.

## **A.5 Holding Executive to Account**

Members agreed:

- That Lead Members, not Officers should be held to account and that they should be formally asked to attend to present reports that related to their areas of responsibility;
- That the Executive Forward Plan should be a standing agenda item with effect from the July Group meeting.

## **A.6 Strategic Working**

- It had been suggested that briefing meetings could be held for Group Members. This would be to scope questions as a group e.g. when external witnesses were called and to determine objectives desired from items. Concern was raised by the Chairman that this should not become pre-decision scrutiny.

## **A.7 Community Engagement**

It was discussed that:

- Evidence gathering for task and finish groups could be conducted in the community e.g. when consulting user groups;

- That raising the profile of scrutiny in the media (including the use of the South Hams magazine) and developing a website page would be advantageous;

## **B. Work Programming**

It was felt that:

- At a work programme setting event, a critical process would be utilised in order to both filter and prioritise potential agenda items and reviews;
- The Sustainable Community Strategy and LAA targets were to be discussed at a Joint SHDC/WDBC workshop;
- Performance Indicators could be discussed by exception.

## **D. Officer Support**

- Members supported in principle the Leaders proposal to investigate whether there was potential for additional dedicated support for overview and scrutiny, perhaps work experience at graduate level.

## **E. Processes and Protocols**

It was felt that:

- Decision tracking should be introduced;
- That the Executive could, if rejecting non-executive recommendations, provide reasons for the rejection;
- Names plates be introduced;
- Lead Members could individually attend Scrutiny prior to the start of the new municipal year to set out the aims and challenges for their portfolio areas for the coming year;

The Leader noted that the authority was in the process of setting up a new framework for overview and scrutiny and urged Members to be mindful that current good relationships and political makeup may not be replicated in the future and that the fundamentals of rigorous good scrutiny practice needed to be assured.

## **I. Continuity of Evaluation**

- It was suggested that some working groups could be set up to look at specific areas of development.

SC.04/10

## **AGENDA ITEMS FOR FUTURE MEETINGS OF SCRUTINY**

### **Development Control Performance Management Report:**

The Lead Member for Value for Money said that Vanguard had recommended, subsequent to the Development Management external review, that the service should produce a quarterly performance management report that benchmarked them against other authorities.

He then requested that the quarterly report be presented to the Scrutiny Group on a regular basis as part of their remit of scrutinising the Council. The first presentation of the report would be at the September 2010 meeting.

**Broadband Access in Rural Areas:**

Arising out of an issue raised at the Totnes Cluster meeting on 26 May 2010, it was discussed that a Task and Finish Group could be convened to investigate how scrutiny could best progress this issue of concern. The Member Support Officer would conduct some research to ascertain what other efforts were being conducted on this matter by other authorities and lobby groups. It was noted that the recent work undertaken on Village Hubs by customer services staff be considered as part of any review work.

**Integrated Transport:**

It was discussed that this item was awaiting the outcome of a Devon County Council Review on transport, but that in the meantime officer support could investigate what efforts other authorities or lobby groups might be undertaking on this matter.

**Effectiveness of Choice Based Letting:**

It was requested that Scrutiny investigate the impact of this system, particularly on vulnerable groups or those in a desperate situation.

**Note:** Subsequent to this request, it has been ascertained that the Community PDG will be conducting a six month review on the implementation of this policy at their meeting 14 July 2010.

(Meeting commenced at 10.00 am and concluded at 12.30 pm.)

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Chairman