



OVERVIEW AND SCRUTINY COMMITTEE

Date: Tuesday, 15 October 2019

Time: 6.00pm

Location: Shimkent Room, Daneshill House, Danestrete

Contact: Ian Gourlay (01438) 242703

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Members: Councillors: L Martin-Haugh (Chair), P Bibby CC (Vice-Chair), S Barr, J Brown, L Chester, M Downing, ME Gardner, S-J McDonough, A McGuinness, J Mead, S Mead, A Mitchell CC, R Parker CC and C Parris.

AGENDA

PART 1

1. APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

2. MINUTES - 16 SEPTEMBER 2019 AND 23 SEPTEMBER 2019

To approve as a correct record the Minutes of the meetings of the Overview and Scrutiny Committee held on 16 September 2019 and 23 September 2019.
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3. PART I DECISIONS OF THE EXECUTIVE

To consider the following Part I Decisions of the Executive taken on 9 October 2019.

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Notice of Decisions to follow

PLEASE BRING YOUR AGENDA AND REPORTS FOR THE EXECUTIVE MEETING HELD ON 9 OCTOBER 2019

4. URGENT PART I DECISIONS AUTHORISED BY THE CHAIR OF THE OVERVIEW AND SCRUTINY COMMITTEE

None.

5. URGENT PART I BUSINESS

To consider any Part I business accepted by the Chair as urgent.

6. EXCLUSION OF PRESS AND PUBLIC

To consider the following motions:

1. That under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as described in paragraphs 1 – 7 of Part 1 of Schedule 12A of the Act as amended by Local Government (Access to Information) (Variation) Order 2006.
2. That Members consider the reasons for the following reports being in Part II and determine whether or not maintaining the exemption from disclosure of the information contained therein outweighs the public interest in disclosure.

7. PART II DECISIONS OF THE EXECUTIVE

To consider the Part II decisions of the Executive taken on 9 October 2019.

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Notice of Decisions to follow

PLEASE BRING YOUR AGENDA AND REPORTS FOR THE EXECUTIVE MEETING HELD ON 9 OCTOBER 2019

8. URGENT PART II DECISIONS AUTHORISED BY THE CHAIR OF THE OVERVIEW & SCRUTINY COMMITTEE

None.

9. URGENT PART II BUSINESS

To consider any Part II business accepted by the Chair as urgent.

STEVENAGE BOROUGH COUNCIL
OVERVIEW AND SCRUTINY COMMITTEE
MINUTES

Date: Monday, 16 September 2019

Time: 6.00pm

Place: Shimkent Room, Daneshill House, Danestrete

Present: Councillors: Lin Martin-Haugh (Chair), Sandra Barr, Jim Brown, Laurie Chester, Michael Downing, Michelle Gardner, Andy McGuinness, John Mead, Sarah Mead, Adam Mitchell CC and Claire Parris.

Start / End Start Time: 6.00pm
Time: End Time: 7.30pm

1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors Phil Bibby CC and Robin Parker CC.

There were no declarations of interest.

2 MINUTES - 15 JULY 2019

It was **RESOLVED** that minutes of the meeting of the Committee held on 15 July 2019 are approved as a correct record for signature by the Chair.

3 PART I DECISIONS OF THE EXECUTIVE

The Committee considered the decisions on the following matters arising from the Executive held on 11 September 2019.

Minutes of the Executive – 10 July 2019

Noted.

Minutes of the Overview & Scrutiny and Select Committees

Noted.

Corporate Performance 2019/20 – Quarter One

In relation to staff sickness levels, Members expressed concern that the figures were misleading as both short term and long term sickness had been combined. Officers agreed to provide Members with separate figures relating to the levels of short term and long term sickness absence. Confirmation of the implementation date of the new sickness procedure involving FirstCare would also be advised.

Medium Term Financial Strategy Update – General Fund 2019/20 – 2023/24

Officers advised that since the report had been published, the Government had advised that Local Authorities would only be able to increase Council Tax by 2%. In response to a question from Members regarding the report's inclusion of a 2.99% increase for Council Tax for 2020/21, Officers agreed to provide a written response to Members explaining the figure.

1st Quarter Revenue Monitoring Report 2019/20 – General Fund and Housing Revenue Account

Officers informed the Committee of the further delay by Ernst Young of the audit of the Council's Statement of Accounts. Members asked what action the Council was taking in response to the delay and the significant effect it was having on the Council and in particular members of staff. It was noted that the Leader and Officers had made representations regarding the delay, in particular the Housing Benefit Audit, but that the delays were being experienced by many Councils and several of the main Audit companies.

Members expressed their thanks to the Finance Team for their work and patience in dealing with the situation.

1st Quarter Capital Monitoring Report 2019/20 – General Fund and Housing Revenue Account

The Strategic Director undertook to circulate to Members the latest Welfare Reform Dashboard monitor for Stevenage.

In response to a question relating to the Kenilworth Scheme, Officers advised that the procurement response should be received in 6 to 8 weeks and that works would begin on-site in 2020.

Annual Treasury Management Strategy Review of 2018/19

Noted.

Urgent Business

(1) Brexit Update

The Strategic Director advised that a Brexit Officer Working Group had been established to prepare for the implications of a Brexit on 31 October 2019, in particular a worst case scenario of a no deal outcome.

It was noted that the Interim Strategic Director had been requested to:

- feed back to the Hertfordshire Resilience Forum Members' concerns regarding the shortage of medical supplies already being experienced by Stevenage residents and the potential for increased homelessness in the Borough should

unemployment increase due to companies relocating or ceasing to operate;

- prepare a Briefing Note on the latest Brexit developments for circulation to all Members of the Council;
- organise a round table meeting for businesses operating out of the Business Technology Centre to glean the concerns and issues that those businesses were expecting to experience through Brexit; and
- ensure that the Leader was invited to all future meetings of the Brexit Officer Working Group.

(2) Possible General Election Update

The Strategic Director confirmed that plans were in place to respond swiftly should a General Election be called in the coming months.

4 **URGENT PART I DECISIONS AUTHORISED BY THE CHAIR OF THE OVERVIEW AND SCRUTINY COMMITTEE**

None.

5 **URGENT PART I BUSINESS**

The Chair accepted an item of urgent Part I business in respect of the Community Infrastructure Levy (CIL).

Councillor Jim Brown advised that he had attended the recent examination in public held regarding the CIL. He expressed concern regarding a number of issues which had arisen during the enquiry including an error in the figures which had been discovered regarding the proposed CIL rates.

The Strategic Director advised that as there was no representative from Planning at this meeting and specific technical information was required for a comprehensive response a full briefing note on the matter would be produced for Members. He also advised that the Executive and this Committee would have the opportunity to examine the results of the Inspector's Report when available.

6 **EXCLUSION OF PRESS AND PUBLIC**

It was **RESOLVED**:

1. That, under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as described in paragraphs 1 to 7 of Part 1 of Schedule 12A of the Act, as amended by SI 2006 No. 88.
2. That having considered the reasons for the following item being in Part II, it be determined that maintaining the exemption from disclosure of the information contained therein outweighed the public interest in disclosure.

7 **PART II MINUTES - 15 JULY 2019 - OVERVIEW & SCRUTINY COMMITTEE**

Noted.

8 **PART II DECISIONS OF THE EXECUTIVE**

The Committee considered the Part II decisions on the following matters arising from the Executive held on 11 July 2019.

West of Stevenage Site – Access

Members expressed their appreciation to officers for involving them in this matter in particular the Local Ward Members.

It was **RESOLVED** that the Part II decisions of the Executive held on 11 July 2019 are noted.

9 **URGENT PART II BUSINESS**

None.

CHAIR

STEVENAGE BOROUGH COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE - SITTING AS A SELECT COMMITTEE MINUTES

Date: Monday, 23 September 2019

Time: 6.00pm

Place: Shimkent Room - Daneshill House, Danestrete

Present: Councillors: Lin Martin-Haugh (Chair), Philip Bibby CC (Vice-Chair), Jim Brown, Laurie Chester, Michael Downing, Michelle Gardner, John Mead, Sarah Mead and Adam Mitchell CC

Start / End Start Time: 6.00pm

Time: End Time: 7.55pm

1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received on behalf of Councillors S Barr, S-J McDonough, A McGuinness, R Parker and C Parris.

There were no declarations of interest.

2 DRAFT SCOPING DOCUMENT - SCRUTINY REVIEW OF THE COUNCIL'S SCRUTINY ARRANGEMENTS

The Committee considered the scoping document for the Scrutiny Review of the Council's Scrutiny arrangements. The Scrutiny Officer provided background information on Overview and Scrutiny (O & S) including the legal framework. Overview and scrutiny was introduced by the Local Government Act 2000 to enable a more streamlined structure for decision-making. The new role of Overview and Scrutiny was designed to act as a check and balance, holding the Cabinet to account and contributing to policy development. It was noted that in addition to scrutinising local issues, local authorities also managed the processes of external scrutiny for health bodies, community safety partnerships and Police and Crime Commissioners.

The Scrutiny Officer indicated that Members had raised the issue of reviewing the Council's Scrutiny arrangements for the last two years. The scheduling of this review came after the Ministry of Housing, Communities and Local Government (MHCLG) had published new statutory guidance on overview and scrutiny in local and combined authorities. The guidance was a response to a key recommendation made by the (then) Communities and Local Government Select Committee following its 2016-17 inquiry into the effectiveness of Overview and Scrutiny. Members were informed that the SBC Scrutiny report would be submitted to the Centre for Public Scrutiny for comments to be fed back to the Committee.

The Scrutiny Officer highlighted a number of recent reviews such as Damp & Mould, Sickness Absence, Indoor Market and Business Technology Centre. It was reported

that the Damp & Mould Scrutiny Review led to the Council changing its approach to damp & mould and an allocation of more resources to the issue.

Members highlighted a number of constraints including the lack of clarity on the links between the areas of responsibilities of Executive Portfolio Holders, Select Committees and responsibilities of Assistant Directors. Members cited the Community Centres Review and Local Neighbourhoods Review. The Community Centres Review involved Executive Portfolio Holders for Community & Community Safety and Neighbourhoods & Co-operative Working. The Local Neighbourhoods Review involved aspects of Stevenage Direct Services and Communities and Neighbourhoods. The Committee also raised questions on the role of the Executive Portfolio Holder at Portfolio Holder Advisory Group (PHAG) meetings and the policy development responsibilities of Select Committees and PHAGs.

It was **RESOLVED**:

1. That the following be added to the Aims/Outcomes: "To get relevant Portfolio Holder/Leader to respond to the recommendations of the Scrutiny Review of the Council's Scrutiny Arrangements"
2. That a Member/Officer from at least one new town such as Harlow Council be added to the list of external witnesses for the Review
3. That Councillor S Mead be the Lead Member for final reports/recommendations
4. That Councillor M Gardner be the Lead Member for Equality and Diversity issues
5. That other Lead Members be identified at the next O & S meeting
6. That the SBC response to the Parliamentary Select Committee's inquiry into Overview & Scrutiny be added to the list of background documents
7. That clarity be provided on the links between the areas of responsibilities of Executive Portfolio Holders, Select Committees and responsibilities of Assistant Directors

3 **PRESENTATION ON CURRENT SCRUTINY ARRANGEMENTS**

The Scrutiny Officer gave a presentation on the current scrutiny arrangements for Stevenage Borough Council. The presentation covered work programming, scoping, evidence gathering/site visits/interviews, final reports & recommendations, monitoring outcomes and Council priorities.

Work Programming – The Scrutiny Officer indicated that work programming started in January and the first draft of the Scrutiny Work Programme was agreed at a round of meetings in March. This was to enable the Scrutiny Officer to prepare documents and liaise with Lead Officers. The Work Programme reports were brought back to the Committee in June each year for Members to give further comments. The

Scrutiny Work Programme was based on Member responses to a survey and any submissions by the public. It was pointed out that residents were engaged via the Council's website and residents meetings. Members expressed concerns about the level of involvement of local residents in shaping the scrutiny work programme.

Scoping – The Scrutiny Officer informed the Committee that the template scoping document had been used in previews reviews. Members indicated that the objective of some reviews were not always clear to some Members and the public. Members commented that a scoping document should be flexible to allow for expansion of objectives of the review if justified.

Evidence Gathering/site visits/interviews – Members noted that the Overview and Scrutiny Committee did not do as many site visits as the other Select Committees. It was pointed out that there should be flexibility on timings for site visits to cater for Members' work and ward commitments. The Committee highlighted the O & S Committee's primary role of holding the Executive to account and agreed that there were also benefits in O & S Members attending regular meetings of the Executive. Members also discussed issues relating to Portfolio Holder Advisory Group meetings.

Final reports and recommendations – The Committee noted that some secondary recommendations did not add much value to reviews. In some cases, secondary recommendations had the effect of reducing the value of a review.

Monitoring outcomes – The Scrutiny Officer reminded the Committee that the Executive is required by law to respond to a scrutiny report within two months. This response should, for each recommendation, set out how and when the recommendation would be implemented. Reasons should be given for the non-acceptance of any recommendation. It was pointed out that this was an improvement from the arrangement prior to the Local Government and Public Involvement in Health Act 2007. The Scrutiny Officer also stated that the Committee had the option to revisit any review to monitor the extent to which recommendations had been implemented.

The Strategic Director informed Members that Executive Portfolio Holders liaised with Lead Officers on responses to scrutiny reports. Members were welcome to request more information if initial Executive responses were felt to be unsatisfactory.

Council Priorities – The Committee noted that Council priorities can be informed by residents' experiences of services. Members cited issues relating to the Committee's review on damp and mould. It was reported that Members had received numerous complaints on damp and mould in properties, which led to the review and informed a better approach taken forward by Officers as a result. The importance of taking into account resident's experiences of Council services was emphasised as this can inform current and future priorities.

It was **RESOLVED**:

1. That the context of the review be added to the Scoping Document

2. That the Scoping Document be updated as soon as amendments were made to any aspects of the review
3. That more work be done to engage the public in shaping the Scrutiny Work Programme
4. That the Scrutiny Work Programme be made available at resident group meetings

4 **SBC SCRUTINY - SELF EVALUATION FRAMEWORK**

The Scrutiny Officer invited the Committee to complete the Scrutiny Self Evaluation Framework Scoring Matrix. The matrix was broadly based on the Centre for Public Scrutiny (CfPS) Scrutiny Evaluation Framework. Members were advised to score relevant sections of the form and add commentary to the scores if required. The Scrutiny Officer recommended that Members familiarise themselves with the CfPS guide and the Ministry of Housing, Communities & Local Government's Overview and scrutiny: statutory guidance for councils and combined authorities (published May 2019). The Scrutiny Officer agreed to collate the forms that Members completed at the meeting and provide an average score and summary document including Member comments.

It was **RESOLVED** that Overview & Scrutiny Members who were not be at the meeting be given the opportunity to complete the Scrutiny Self Evaluation Framework Scoring Matrix.

5 **URGENT PART 1 BUSINESS**

None.

6 **EXCLUSION OF PUBLIC AND PRESS**

Not required.

7 **URGENT PART II BUSINESS**

None.

CHAIR