

OVERVIEW AND SCRUTINY BOARD**29th September 2009 at 6.00 pm**

PRESENT: Councillors Bullock, Dolling, Malik, Neale, Rutstein, Taylor and Timoney.

1 ELECTION OF CHAIR (REF: 1)

Resolved: That Councillor Neale be elected Chair of the Committee for the remainder of the current Municipal Year.

2 ELECTION OF VICE-CHAIR (REF: 2)

Resolved: That Councillors Akbar and Garrett be elected Vice-Chairs of the Committee for the remainder of the current Municipal Year.

3 APOLOGIES FOR ABSENCE (REF: 3)

Apologies for absence from the meeting were received on behalf of Councillors Akbar and Garrett and Ms. J. Chipperton.

4 UPDATE ON EXECUTIVE DECISIONS (REF: 8)

No items were submitted and it was agreed that this heading be deleted from future agenda pages.

5 DRAFT PROTOCOL FOR APPOINTMENTS TO TASK AND FINISH GROUPS AND PROCESS FOR SUBMITTING ITEMS TO THE WORK PROGRAMME (REF: 9)

The Head of Strategic Planning, Policy & Performance advised the Board of the need, following the new system for overview and scrutiny agreed by the Council on 15th September 2009, to develop protocols and conventions, to be called operational guidelines, for the matters referred to in the report to the Scrutiny Board on 7th September 2009 which had not been included in the Council's Standing Orders.

The Board were advised that two alterations were proposed. The first was in relation to the number of days that Members could apply to sit on a Task and Finish Group. It was suggested that in the case of any task and Finish Group called to consider a 'Call In' only two days be given for responses, so as not to delay the Call in process.

Secondly, in relation to failure to attend meetings, it was proposed that if a Member of the Overview and Scrutiny Board failed to attend three consecutive meetings the words "without good reason acceptable to the overview and Scrutiny Board" should be inserted before the words "the Council will be asked to replace that Board Member". This was consistent with the wording proposed to apply to failure to attend Task and Finish Groups.

The Board was also invited to consider what action they might take if the number of applications by Members to sit on a Task and Finish Group did not meet the minimum requirement of 3 Members.

The Board discussed the reasons that might be given for absence from a meeting and felt that robust reasons would be required, particularly in relation to sickness absence.

The Head of Strategic Planning, Policy & Performance referred to Appendix A to the report which was a form intended for completion by Members, officers and partners to submit suggestions for the work programme and contained criteria to determine whether an item should be included.

A Member asked why there was no Standing Panel for health and was advised that this had not been included in the new arrangements as there had been a desire to avoid replicating the former Committee arrangements.

A Member commented that the Health Authority appeared to have periods of activity and that requests for consideration had often been late. A Working Group might be helpful to enable meetings to be called quickly.

A Member felt that there needed to be very clear direction as to what health topics the Board were required to scrutinise. She felt that under the old system the Board had been deluged with health data leaving little time to look at specific issues. The intention now was for the Board to identify topics they wished to examine, for example obesity, and then ask questions of the health service on that topic. Clear guidance was requested to identify those issues the Board must scrutinise, which could not be carried out by LiNKS.

The Chair agreed it was necessary to take control and remain focussed on the issues the Board wished to examine. The Chair also commented that the 'operational guidelines' would be submitted to the Board over the coming months.

The Board felt that the number of Task and Finish groups undertaken should have regard to both member and officer time and resources to support them.

Members discussed the minimum and maximum numbers to sit on a Task and Finish Group and clarified that this should be a minimum of 3 and a maximum of 7.

It was agreed that the form attached at Appendix A would be circulated to all elected Members for completion and return by 14/15th October so that they could be collated and brought back to the next meeting for consideration.

The report also referred to the urgent need for the Board to consider how it wished to scrutinise the budget this year. The Chief Accountant had been invited to attend the meeting to outline the budget timetable.

The Chief Accountant advised that the budget process would need to be completed by Mid February, with finalised proposals to the Executive in early February. Under the old scrutiny arrangements, meetings of all Scrutiny Committees had been held in early December to look at the draft budget and, in private, officers' growth and savings proposals. In early February the 'Green Book' was published which contained growth and savings proposals in public, and a second round of Scrutiny meetings diarised in early February with a final meeting of Performance, Resources & Assets Scrutiny Committee two days later, to which all Members of the Council were invited to attend.

It was agreed that there should be a clear protocol about what information should be in public and private at different times and that this should be submitted to the next meeting of the Board.

A Member suggested that this might make the process secretive. The Chief Accountant advised that where savings proposals might affect employees there was a need for discussion with employees and Unions. For this reason it was necessary to maintain confidentiality.

The Chief Accountant advised that this year, budget information would be taken to all Area Committees in January 2010, which would include a 'hands on' exercise for the public to think about those issues of importance to them. Area Committees could make recommendations on any conclusions.

A Member welcomed this idea as a more effective way to gain a broader public response to the budget; invitations for public comment through Lutonline had received a poor response in the past.

The Chair asked the Board if scrutiny of the Budget this year should be a matter for the Board or a Task and Finish Group.

Members felt that a Task and Finish Group approach might allow a more in depth scrutiny of the budget overall; a Member suggested that the topic was of such significance that perhaps it should be a matter for the Board.

On balance Members supported a Task and Finish Group approach with a member of the Board attending or participating in those meetings.

It was suggested that this might be an appropriate approach for all Task and Finish Groups as this would allow interim progress reports to be made back to the Board, depending upon the length of a review.

The Chair suggested that this could be written into the Terms of Reference of the Task and Finish Groups when they were established.

A Member asked if other members could attend the Task and Finish Group meetings on the Budget. It was felt that this would be inappropriate and unwieldy; instead Members could ask questions through their representative(s) on the Task and Finish Group.

The Chair asked when the first meeting of the Task and Finish Group might need to be held.

The Chief Accountant advised that preliminary papers would be available by the end of October. The bulk of the information would be available by mid to late November and the outcomes would need to be known by early February. As soon as the membership of the Group was established she would arrange training for Members to assist in their scrutiny of the Budget.

It was agreed that the date of the next meeting should be 29th October 2009 at which the budget process for next year should be considered.

The Chair suggested that future meetings could be held outside of the Town Hall and invited Members to suggest venues.

The Chair also referred to training of Task and Finish Group Chairs and the need for this to happen in advance.

The Head of Strategic Planning, Policy & Performance advised that arrangements had been made for I&DeA to provide training in chairing skills and project management towards the end of October.

A Member suggested that more than one date should be offered for training.

A Member mentioned that the Centre for Public Scrutiny ran suitable courses and attendance also provided an opportunity for Members to network with other Scrutiny colleagues.

Resolved: (i) That those sections of the Overview and Scrutiny operational guidelines to apply to the selection of members to sit on the Task and Finish Groups, set out at paragraph 9 of the Scrutiny Manager's report (Ref: 9) be approved subject to the following amendments:

(a) The inclusion of the words "two days in the case of Task and Finish Groups for Call Ins" at paragraph 6.3 so that it reads as follows:

"Members will be allowed five working days in which to apply for appointment to the Task and Finish Group, two days in the case of Task & Finish Groups for Call Ins and will be reminded that they should only apply if they wish to take a pro-active role in the group's work."

(b) the inclusion of the words “without good reason acceptable to the Overview and Scrutiny Board” at paragraph 1 under ‘Failure to Attend Meetings’ so that it reads as follows:

“If a Member appointed to the Overview and Scrutiny Board fails to attend three consecutive meetings without good reason acceptable to the Overview and Scrutiny Board the Council will be asked to replace that Board Member.”

(ii) That the form for selecting items to be included in the Overview and Scrutiny Boards work programme (attached at Appendix A to the Scrutiny Manager’s report) be noted.

(iii) That the form referred to at (ii) above be circulated to all Members of the Council to identify topics of early study, for completion and return to the Head of Strategic Planning, Policy & Performance by 15th October 2009 and the completed forms submitted to the next meeting.

(iv) That the Scrutiny Manager submit to the next meeting proposals for the scrutiny of the budget for 2010/11.

(v) That the next meeting be held on Tuesday 29th October 2009 at 6.00 pm at the Town Hall.

(vi) That arrangements for training Members in advance of the establishment of Task and Finish Groups be progressed as soon as possible.

(Note: The meeting ended at 7.10 pm)