

OVERVIEW AND SCRUTINY COMMITTEE

MONDAY, 10TH DECEMBER, 2018

Present:

Councillor Michael Weinhonig (Chairman)
Councillor Lisle Smith (Vice Chairman)
Councillor Mark Anderson
Councillor Stephen Bartlett
Councillor Claire Bath
Councillor Mike Brooke
Councillor Judy Butt
Councillor Ian Clark
Councillor David d'Orton-Gibson
Councillor Malcolm Farrell
Councillor Mark Howell
Councillor Frederick Neale
Councillor Ron Parker
Councillor Chris Wakefield

Also in Attendance:

Councillor Phillip Broadhead
Councillor Simon Bull
Councillor Cheryl Johnson
Councillor Jane Kelly
Councillor David Kelsey
Councillor Pat Oakley
Councillor Ann Stribley

Officers:

Jane Portman, Interim Head of Paid Service
Tanya Coulter, Interim Monitoring Officer
Adam Richens, Interim Section 151 Officer
Julian Osgathorpe, LGR Programme Director
Mark Axford, Head of Planning (BBC)
Richard Genge, Development Manager (BoP)
Jane Lynch, Head of Planning (CBC)
Paul Hudson, Partnership Manager (SVPP)
Paul Knevett, Benefits Services Manager (SVPP)
Lindsay Marshall, Overview and Scrutiny Specialist
Chris Harrod, Democratic and Overview and Scrutiny Officer
Joseph Tyler, Democratic and Overview and Scrutiny Officer

44 Apologies

Apologies for absence were received from Councillors Jane Newell, Marion Pope and Sue Spittle.

45 Substitute Members

Councillor Judy Butt substituted for Councillor Jane Newell
Councillor Mark Howell substituted for Councillor Marion Pope

46 Declarations of Interest

There were no declarations of disclosable pecuniary interest.

47 Confirmation of Record of Decisions

- a. The record of decisions of the meeting held on 1 November 2018 was confirmed as an accurate record.
- b. The Committee's action sheet was noted.

48 Public Issues

There were no public issues.

49 Local Government Reorganisation (LGR) Programme Update

Julian Osgathorpe, LGR Programme Director, introduced a report which set out the progress that had been achieved during the last period and set out the position of the numerous programme Boards. He stated that it had become apparent that there was a need to review several policies with a view to integrating best practices ready for vesting day.

Officers responded to Members comments and requests for clarification, details included:

- There were two types of risk that needed to be closely monitored as the programme progressed, the first of which related to the Budget and the MTFP. There were savings totalling approximately £12M to make and it was expected that the vast majority of this sum would be delivered through adjustments of economies of scale. The second risk to the programme was that of not taking opportunities to improve services through various means and it was crucial that where an opportunity presented itself, it was not missed.
- It was of utmost importance that both the Shadow Authority and the new authority, from April 2019, took an approach to "think big and be bold" in a bid to not only maintain, but also improve existing services.
- Officers were currently preparing business continuity and emergency plans ready for vesting day, this was a legal requirement.

DECISION MADE:

That the updates provided on the Local Government Reorganisation Programme be noted.

50 Local Council Tax Support Scheme (LCTSS) 2019/20

Paul Hudson, Partnership Manager, SVPP, introduced a report which set out the arrangements for the proposed Local Council Tax Support Scheme 2019/20. He explained that the scheme had been designed to be fair and accessible to those residents that would be most in need.

Officers responded to Members comments and requests for clarification, details included:

- Many residents across the conurbation that were utilising an existing support scheme were already on the 20% liability rate that was already in place across Bournemouth and Poole, with only those in need of the scheme in Christchurch on a liability rate of 8.5%
- Additional support would be made available to those that would experience hardship as a direct result of the proposed changes.

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- The reason behind setting this rate was to align the existing rates into one policy as it would not be possible to have different rates in different areas of the conurbation.
- Over 1100 consultation forms had been sent out but only 36 had been returned despite the best efforts of Officers to encourage as higher response rates.
- Officers would be working hard to ensure that claimants of the Support Scheme were kept well informed of the changes and that they were easily able to contact the council tax team if they had any concerns or required extra support.
- This scheme was separate to Council Tax Harmonisation and the would relate to each claimant's circumstances.

DECISION MADE:

That the Overview and Scrutiny Committee endorse the recommendations detailed within the report on the understanding that adequate support would be provided to claimants that needed it.

51 Consolidated Medium Term Financial Plan (MTFP) Updates

Adam Richens, Interim Section 151 Officer, introduced the report which set out the progress made in the development of the Medium Term Financial Plan (MTFP) and a robust balanced budget for 2019/20.

Officers responded to Members comments and requests for clarification, details included:

- The New Local Authority would be dealing with far larger numbers than previously seen before due to increased budgets, assets and liabilities and, as such, would need to become accustomed to dealing with them on a more regular basis.
- Unearmarked reserves would be held for the financial year 2019/20 and would act as a contingency if required.
- A process for dealing with the existing three authority's many assets and liabilities had been established and all would become the assets and liabilities of BCP unless devolved to various town and parish councils, and a process for doing so was also in place.
- At this point in time it was impossible to identify a surplus in the budget and it would be irresponsible to speculate that this could happen.
- There was no expectation that there would be an increase in staffing beyond merging teams from Bournemouth, Christchurch and Poole, no extra resource would be made available at this point.
- BCP would absorb the cost of the Charter Trustees for its initial year but the cost would then be charged as a small precept from 2020/21.

DECISION MADE:

That the Overview and Scrutiny Committee endorse the recommendations detailed within the report.

52 Bournemouth, Christchurch and Poole (BCP) Authority Constitution

Tanya Coulter, Interim Monitoring Officer and Councillor Phillip Broadhead introduced a report which provided the Committee with an oversight of the work of the Governance Task and Finish Group to date. It was explained that there were 12 work streams underway and that the Task and Finish Group were now seeking views on some elements of the proposed constitution that was being developed. It was highlighted to Members that any constitution, once adopted, should be monitored for a minimum period of 12-18 months to ensure that it was fit for purpose.

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There were several elements to the report that was being presented to Members tonight which consisted of:

- Proposed Planning Committee arrangements
- Proposed Licensing Committee Arrangements
- Proposed Audit and Governance Committee Arrangements
- Proposed Appeals Committee Arrangements
- Proposed Overview and Scrutiny Structure
- Elements of a Proposed Constitution

Officers responded to Members' comments and requests for clarification, details included:

- Interim arrangements as detailed in article 15 of the proposed constitution were still a work in progress and it was likely that these could change.
- Members were encouraged to take a view on what would be a suitable time limit for questions from members and members of the public.
- There was a need to set out a clear process for how Members could influence the planning process, including how applications could be referred to Committee, and work would be undertaken to ensure that definitions were contained within the scheme of delegation and that it was easy to navigate and interpret.
- Officers and the Task and Finish Group were seeking a clear steer on some of the details that needed to be included as part of the constitution, hence why there were a number of missing details in the documents before the Committee.
- Officers would look at including a provision which allowed Members to call in Officer decisions.
- Certain documents were considered as confidential and should not be disclosed to the public if they contained sensitive information such as personal or commercially sensitive information which would put the council's interests at risk. It was the responsibility of officers to indicate to Members when information should not be disclosed and provide a reason as to why it should not be disclosed. This was a legal position.

Cllr Malcolm Farrell left the Meeting at 19:57

- It was the role of the ward member to pick up on a planning application that was attracting a great deal of public interest to ensure that it went to a Committee, rather go because it had reached a certain threshold. This was considered best practice.
- For a planning application to be considered by the committee it would need to comply with the planning scheme of delegation.
- The Task and Finish group would need to look at the issue of Prayers as part of Council and establish whether or not it fits into the Council's agenda of being inclusive to all. The Committee's views on this matter would be appreciated.

Councillor Ron Parker left the Meeting at 20:12

Councillor Ann Stribley addressed the Committee in her capacity as Lead Member for the O&S Design Group and set out the recommendations as detailed at Appendix A and the structure as detailed at Appendix B

Councillor Stribley and Officers responded to Members' comments and requests for clarification, details included:

- The concept of a Listening Committee was a new tool that allowed residents to engage with their local councils and was based on a model established by Kensington and Chelsea Councils following certain events that had occurred within the areas of both local authorities and was now considered best practice by the Centre for Public

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Scrutiny. There were various methods of engagement that could be utilised by the committee but it would need to be driven by the public and it would also need to be adaptable.

- The proposed structure allowed for a number of working groups to be established which could focus on certain issues in greater detail before bringing a final report back to the parent committee.
- The structure would be kept under review for a period of 18-24 months to ensure it was effective.
- The proposed O&S Board would have a similar role as the existing Shadow O&S Committee and could scrutinise anything it saw fit. The proposed Children's Services and Health Overview and Scrutiny Committees would ease the pressure of the main Board and would allow it to focus on other issues. This was considered best practice by the Centre for Public Scrutiny.
- The Centre for Public Scrutiny had held a conference in the week preceding the meeting and had highlighted the pressure that Councils were under financially and that there was therefore a need for Councils to scrutinise a small number of issues that it could add value to.
- The proposed structure created more accountability.
- All Councillors had the right to request that an item be considered by scrutiny if there were clear reasons for doing so, regardless of what arrangements were in place.
- These proposals were an opportunity to design an exemplary scrutiny model that could improve the outcomes for residents of the conurbation through effective scrutiny.
- There were area forums in Bournemouth but these were not council led and although members were invited to attend, some of the forums were more effective than others.
- Issues requiring close oversight could be monitored by sub-committees of the proposed Board which would provide opportunity for oversight of specific issues that were seen as a priority.

A Member put forward a motion that proposed the existing overview and scrutiny arrangements remained the same as at present for at least 12 months after the inception of BCP before they were reviewed to allow the Governance Task and Finish Group to have adequate time to fully consider suitable arrangement.

The proposal was seconded, but upon being put to the vote, LOST.

The Overview and Scrutiny Specialist explained to Members that these proposals were in draft form and that Appendix A was a set of principles and were by no means in a concrete form. It was highlighted that feedback would be taken on board by the Task and Finish Group and that the proposals would be further developed with a view to being finalised in January.

DECISION MADE:

That the Overview and Scrutiny Committee supports the developing proposals for the various aspects of the BCP constitution, and the proposals relating to overview and scrutiny as outlined at Appendix A of the Report.

Councillor Mark Anderson left the Meeting at 21:02

53 Rapporteur Updates

The Committee considered verbal updates from its appointed rapporteurs on strategic activity taking place under the four Service Delivery Boards and were pleased to note there were no risks highlighted which required further scrutiny.

54 Overview and Scrutiny Committee Forward Plan

The Overview and Scrutiny Specialist highlighted a new addition to the Shadow Executive Forward Plan which covered safeguarding arrangements and sought to establish whether the Overview and Scrutiny Committee wished to scrutinise the proposals.

The Vice-Chairman stated that she felt it important that the Committee looked at the proposals and requested that it be added to the Forward Plan with the agreement of the Committee.

The Committee reflected this view.

DECISION MADE:

That the Forward Plan as set out be agreed, subject to the addition of the safeguarding item.

55 Calendar of Meetings

Members noted the Calendar of Meetings.

56 Any other business of which notice has been received before the meeting and by reason of special circumstances, which shall be specified in the record of decisions, the Chairman is of the opinion that the items should be considered as a matter of urgency.

There was no urgent business

The meeting finished at 9.12pm.

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Duration of the meeting: 6.09 - 9.12 pm

Chairman at the meeting on
Monday, 10 December 2018