

Joint Scrutiny – The Proposed Way Forward

LEAD OFFICER: Tim Capper, Head of Democratic Services
REPORT AUTHOR: Neil White, Scrutiny Officer

Recommendation: that the Council supports the proposals to take Joint scrutiny forward across Cumbria.

1. Background

The Cumbria Joint Overview and Scrutiny Committee at its meeting on 19 March 2008 considered the way forward for Joint Scrutiny the light of the proposed changes in the Local Government and Public Involvement in Health Act 2007.

A paper was written by the Cumbria Scrutiny Practitioners Network entitled 'Effective Scrutiny in light of the Local Area Agreement (LAA). The paper summarised the legislation and the importance of the role of non executive Members in the corporate governance arrangements.

The paper set out a business case for a 'strategic and co-ordinated approach to joint scrutiny working in Cumbria'. The paper also made a case for an 'appropriate level of resource to underpin and support the new joint arrangements'. This would be in line with the additional responsibility that the new legislation gives scrutiny.

The proposal is for a new, refocused strategic County Joint Overview Scrutiny Committee to be formed to replace the existing joint arrangements. The Local Government and Involvement in Health Act has made provision for the (formal) establishment of a joint scrutiny panel to address LAA matters. This would be clearly positioned within the CSP/LAA corporate governance framework and be established along similar lines to the County's (joint) Health and Wellbeing Scrutiny Committee.

The proposed remit for the Joint Overview and Scrutiny Committee would be to:

- a) Provide strategic scrutiny challenge of the Local Area Agreement and the mechanisms in place to lead and deliver it, including the Cumbria Strategic Partnership, associated bodies and partner authorities.

- b) To receive performance monitoring data for the LAA, by linking into the CSP performance reporting cycle and identifying issues for joint review or alerting Districts to local pockets of under-performance.
- c) To monitor *Councillor Calls for Action* at each authority and/or identify joint pieces of scrutiny work arising from the CCfA process.
- d) To continue to consider the management and co-ordination of 'joint' scrutiny across the County.
- e) To receive 'concerns' from any of the authorities' scrutiny committees on areas of under-performance locally.
- f) To provide a co-ordination forum for reports on the LAA (responding to the new powers of Districts to submit reports to the County on LAA matters). This would avoid the risk of duplication of scrutiny work between authorities. *(It is proposed that the support officer would take an active role in identifying such matters).*

Experience has shown that joint scrutiny is productive and can achieve valuable outcomes if resourced properly. There is little dedicated resource in the Cumbrian authorities at District level to scrutinise the LAA in any sort of depth.

The creation of a greater role for the Joint Committee with officer support would enable a better examination of the effectiveness of the LAA and would be a cheaper option and better value for money than each of the separate councils paying for officer support.

Accordingly, it is proposed that the new joint scrutiny committee is properly resourced and managed by a full-time dedicated officer and (part time) administrative support. The post would be jointly managed and led in partnership by all of the authorities. With the County Council being the ultimate accountable body for the LAA it might make sense to have the post co-located within the County's scrutiny unit and therefore readily accessible to the CSP support unit.

It was proposed that the new joint committee should be chaired by a District representative and that a strong member development programme be drawn up to support members (and some officers) in the transition of their new role of monitoring and influencing as well as representing their communities.

It was also recommended that the new joint scrutiny framework is 'road tested' pending final government guidance which is expected in the Autumn of 2008.

At the meeting the Joint Scrutiny Members agreed to take the above proposals back to their respective councils for approval and final implementation through the Cumbria Local Authorities Strategic Board (CLASB). A copy of the minutes of the meeting is at Appendix "A".

It was also agreed that the member authorities of CLASB be asked to consider jointly funding this initiative using the CLASB partnership funding protocol.

So far Allerdale, Carlisle and Eden Councils have considered this and have agreed, in principle, to fund their part of the joint posts subject to CLASB funding.

Financial Implications

The total cost of a full-time dedicated officer and (part-time) administrative support has been calculated at £55k. The CLASB funding rules are that 50% of the cost is paid for by the County Council with the other 50% being paid proportionately by the six District/Borough Councils.

If all the authorities sign up to the proposal it would cost Copeland £4,580.

It is anticipated that the post will not be filled until at least December and by that time there may be sufficient underspend in the Members Services budget to cover the cost for this financial year. However for future years the full cost will need to be added to the base budget and be met from compensatory savings in the council's budget.

Conclusion

The Committee is invited to approve as appropriate, the recommendations at the head of this report to enable the progress of joint scrutiny across Cumbria.

List of Appendices

Appendix "A" – Notes of meeting of the Cumbria Joint Overview Scrutiny Committee held on 19 March 2008

List of Background Documents:

None

**CUMBRIA COUNTY JOINT SCRUTINY OVERVIEW GROUP
WEDNESDAY 19 MARCH 2008 AT 10.30 AM
IN THE COUNCIL CHAMBER, TOWN HALL PENRITH**

PRESENT: Councillor Major Henry Sawrey-Cookson (Chairman)
Councillor T Heslop – Allerdale Borough Council
Councillor S Brown – Allerdale Borough Council
Councillor Rory McClure – Barrow Borough Council
Councillor Mrs Dorothy Dawes – Barrow Borough Council
Councillor Barry Earp – Carlisle City Council
Councillor Michael Boaden – Carlisle City Council
Councillor Mrs Y R T Clarkson – Copeland Borough Council
Councillor Peter C Connolly – Copeland Borough Council
Councillor Mrs Patricia Bell – Eden District Council

**ALSO
PRESENT:** Jane Murray – Allerdale Borough Council
Sheila Brown – Allerdale Borough Council
John Penfold – Barrow Borough Council
Jane Holden – Barrow Borough Council
Rebecca Tibbs – Carlisle City Council
David Taylor – Carlisle City Council
Neil White – Copeland Borough Council
Doug Scott – Cumbria County Council
Ruth Atkinson – Eden District Council
Gillian Kartach – Eden District Council
Steve Richards – South Lakeland District Council

1. APOLOGIES FOR ABSENCE

Councillor Nic Hardy, Allerdale Borough Council
Councillor Rees, South Lakeland District Council
Alan Gunston, Cumbria County Council

2. NOTES OF THE LAST MEETING

The Notes of the meeting held on 9 October 2007 were submitted and agreed.

3. MATTERS ARISING FROM THE NOTES

There were no matters arising that were not a subject of the current agenda.

4. JOINT CAR PARKING REVIEW

The joint review was completed in December with the intention of bringing the final report to the January meeting of this Committee but the meeting was delayed.

There were three main issues:

1. Potential for on-street parking charges
2. Potential for charging for residential parking permits
3. Exceptions to charging policies

The recommendations submitted were that charging policies should only be implemented after full consultation with the district councils and their agreement to the proposals.

The exceptions to the policies should be for 'blue light' services only.

A report was to be submitted to the County Council Cabinet in January 2008 but this was withdrawn. The report will now be submitted to the County Council Cabinet on 8 April 2008. The only recommendation from the review included in the report is item 3, the exceptions policy.

There was a discussion concerning disc parking and Members agreed that disc parking should be consistent across the county.

A question was raised inquiring whether the joint review report would be included in the Cabinet report for the April meeting. It was thought that Joint Scrutiny had been acknowledged but it was understood that the joint final report would not be attached to the Cabinet papers.

RESOLVED – that a letter to be sent to the County Council requesting that the Joint Scrutiny Final Report on Car Parking Policies be attached to the Cabinet papers for the 8 April 2008 meeting. Eden agreed to send the letter on behalf of the Joint Committee.

5. SCRUTINY AND THE LAA

A paper was written by the Cumbria Scrutiny Practitioners Network entitled 'Effective Scrutiny in light of the Local Area Agreement'. The paper summarised the legislation and the importance of the role of non executive Members in the corporate governance arrangements.

The paper sets out a business case for a 'strategic and co-ordinated approach to joint scrutiny working in Cumbria. The paper also makes a case for an 'appropriate level of resource to underpin and support the new joint arrangements'. This would be in line with the additional responsibility that the new legislation gives scrutiny.

The proposal is for a new, refocused strategic Cumbria Joint Overview Scrutiny Committee to be formed to replace the existing joint arrangements. The Local Government and Involvement in Health Act has made provision for the (formal) establishment of a joint scrutiny panel to address LAA matters. This would be clearly positioned within the CSP/LAA corporate governance framework and be established along similar lines to the County's (joint) Health & Wellbeing Scrutiny Committee.

The proposed remit for the Joint Overview & Scrutiny Committee would be to:

- a) Provide strategic scrutiny challenge of the Local Area Agreement and the mechanisms in place to lead and deliver it, including the Cumbria Strategic Partnership, associated bodies and partner authorities.
- b) To receive performance monitoring data for the LAA, by linking into the CSP performance reporting cycle and identifying issues for joint review or alerting Districts to local pockets of under-performance.
- c) To monitor *Councillor Calls for Action* at each authority and/or identify joint pieces of scrutiny work arising from the CCfA process.
- d) To continue to consider the management and co-ordination of 'joint' scrutiny across the county.
- e) To receive 'concerns' from any of the authorities' scrutiny committees on areas of under-performance locally.
- f) To provide a co-ordination forum for reports on the LAA (responding to the new powers of Districts to submit reports to the County on LAA matters). This would avoid the risk of duplication of scrutiny work between authorities. *(It is proposed that the support officer would take an active role in identifying such matters).*

It is proposed that the new joint scrutiny committee is properly resourced and managed by a full-time dedicated officer and (part time) administrative support. The post would be jointly managed and led in partnership by all authorities. With the County Council being the ultimate accountable body for the LAA it might make sense to have the post co-located within the County's scrutiny unit and therefore readily accessible to the CSP support unit.

It is proposed that the new joint committee should be chaired by a District representative and that a strong member development programme be

drawn up to support Members (and some officers) in the transition of their new role of monitoring and influencing as well as representing their communities.

It is proposed that the new joint scrutiny framework is 'road tested' pending final government guidance which is expected in the autumn of 2008.

It is also proposed that CLASB be asked to consider jointly funding this initiative using the CLASB partnership funding protocol.

Questions were raised and alterations to the wording of the first proposal of the joint remit was approved before Members

RESOLVED – to discuss the roles of audit and assurance and scrutiny at the next joint meeting to ensure there is no duplication of work.

b) To hold a training session before the next meeting; this should be held as soon as convenient. The date to be left to the Practitioners Network.

c) To endorse the bid for a joint scrutiny officer and admin support to be located within the County Scrutiny Team, and to receive the job description for Joint Committee approval.

d) To request CLASB consider jointly funding the post using the CLASB partnership funding protocol

e) To take the above proposals back to the individual authorities for their approval before proceeding

f) That the Chairman of the proposed new group be a district councillor; that the Chairman and vice Chairman hold office for one year but still move the meetings around the county as current practice

6. COUNCILLOR CALLS FOR ACTION – JOINT WORKING

The Councillor Call for Action allows any Member to refer a local government matter or a crime and disorder matter in their ward to the appropriate scrutiny committee.

While further guidance is still awaited, provision has been made in legislation for Members to refer a matter to a committee of a local authority of which they are not members. Therefore, a Call for Action could well be

made by a County Councillor to a District Council scrutiny committee or from a District Councillor to the County Council's scrutiny committee where it is relevant to that Member's ward.

It was proposed by the Scrutiny Practitioners Network that a form common to all authorities in Cumbria be adopted to assist Members to submit a call for action. The form would be accompanied by common guidance and contact details for all the authorities. The guidance would be finalised when the Government guidance is available.

Practitioners are working with the Connected Cumbria Partnership to establish a reliable method of logging Calls for Action and ensuring that they are visible to the public and those who need to view them.

There is scope for a joint training package once Government guidance has been received.

The draft form was discussed and it was requested an additional box be added to capture equality information.

RESOLVED – that an additional box be added to the draft form to capture equality information for monitoring purposes.

b) That Members endorse the joint approach proposed

7. DATE OF NEXT MEETING

RESOLVED – that the date be left to the Practitioners Network to decide bearing in mind that Members training needs to be arranged at the same time.