

## OVERSIGHT PANEL

MINUTES OF THE MEETING of the Oversight Panel held on Thursday 6 November 2008 at 4pm in the Guildhall, Portsmouth.

(NB These minutes should be read in conjunction with the agenda for the meeting.)

### Present

Councillors Jim Patey (Chair)  
David Stephen Butler (Vice Chair) (from 4.35pm)  
Mike Park  
Jim Fleming  
Terry Henderson  
Cheryl Buggy  
Lee Hunt  
John Ireland  
Caroline Scott  
Luke Stubbs (from 4.30pm)

### Officers

Fiona White, Head of Democratic & Community  
Engagement  
Stewart Agland, Local Democracy Manager  
Vicki Plytas, Scrutiny Support Officer

#### **29 Declaration of Members' Interests in accordance with Standing Order 14 (AI 1)**

There were no declarations of interest.

#### **30 Apologies for Absence (AI 2)**

No apologies for absence were received.

#### **31 Minutes of the Oversight Panel Meeting held on 18 September 2008 (AI 3)**

The Minutes were corrected at page 12 third paragraph to read "Councillor Park informed the Panel that two councillors had been invited on to this group"

**RESOLVED that the minutes of the Oversight Panel meeting held on 18 September 2008 be confirmed and signed by the Chair as a correct record subject to the amendment noted above.**

#### **32 Matters Arising from the Minutes.**

- The Panel was advised that the research showing that short sharp focused reviews were essential for effective scrutiny came from the Centre for Public Scrutiny. (pg 10 Mins)

- The new arrangements can still accommodate more in-depth reviews, should the Chair wish to do so subject to capacity of officers and members and best practice recommendations included in the Comprehensive Performance Assessment report.
- Clarification was given about independent persons participation in scrutiny reviews. Although it is open to the Panels to invite independent persons to participate, it is only Education Representatives that must be invited to participate when education matters are being scrutinised. (pg 10 Mins)
- Councillor Patey advised that in relation to the scrutiny support budget, he had only had a brief discussion with the Leader so far, but is due to meet with the Leader in week beginning 10 November 2008 and would report back to the Panel. (pg 11 Mins)

### **33 Further Developing Scrutiny in Portsmouth City Council (AI 4)** (TAKE IN REPORT)

- Fiona White, Head of Democratic and Community Engagement, advised the Panel that following the comments made on the report at the last meeting of this Panel, the report had been further revised and this had been sent to Panel Members with an explanatory letter and that the original report had also been sent to them for comparison. The report would be further revised before going to Council to take in comments received at this meeting. Advice would be taken about whether there was a need for the terms of reference element to go back to Standards Committee before going to Council but this may not be necessary as the terms of reference have not changed in essence. The Chair of the Standards Committee would be involved in this decision.
- The Panel heard that Stewart Agland, the Local Democracy Manager, had sent the original report to all members of the City Council asking for comments but that none had been received so far other than from the meeting of this Panel.

In response to questions the Panel heard

- that the term “scoping document” had been replaced by “project brief” as there is no need for the parameters of the review to be as detailed as they had been under the previous arrangements as much of the content of the old style scoping document actually amounted to part of the review itself.
- the aim of the project brief is to be short, concise and clear.
- that reference to “involving members in research and analysis” is there to provide scope for members who wish to play a greater part in reviews by for example going out into communities to gain first hand knowledge of what is happening or by visiting other places to compare methods of dealing with similar issues. It is up to members themselves to decide their level of involvement.

- that the Call In procedure wording would be revised to make it clear that it is just the Chair of the Oversight Panel who can request the appropriate officer to call in a decision or any 5 members of the Council. In particular, the words “by the relevant panel” will be deleted as they are misleading. .
- that although the Corporate Performance Assessment results are embargoed until 18 November 2008, feedback during the process identified the need to further improve scrutiny arrangements.

During discussions the Panel made the following comments on the report

- With reference to page 3 “celebrate success and recognise achievement” - Members felt this happened under the previous arrangements and is not new. It was suggested that the wording should be amended to “continue to celebrate success and recognise achievement”.
- The word “Overall” should be inserted before “responsibility” in bullet point 1 on page 4.
- Members welcomed bullet point 3 on page 4 about engaging with partners and in particular the Local Strategic Partnership (LSP) in identifying potential topics for scrutiny inquiries.

Members were advised that paragraph 8 of the report would be amended following this meeting to reflect the decision of the Panel about the review topics for the Housing and Social Care Scrutiny Panel.

Following discussion, the Panel agreed that although the Oversight Panel is involved in prioritising the topics for the themed panels in broad terms ie the topics to be included in the Work Programme, the actual order of priority for carrying out reviews will be up to the individual themed panels to decide subject to capacity of members and officers. Scrutiny reviews should be carried out where they can add value.

The Panel agreed that Member Development mentioned in paragraph 11 needs a specific budget.

The Panel agreed that the wording at the bottom of page 11 of the report under **Role of the Health Overview and Scrutiny Panel** should be amended to read “This Panel consists of 6 core Portsmouth City Council voting members and 6 non voting co-optee members from adjoining local authorities”

The Panel discussed Appendix 3 of the report and decided after discussion that the topic “The City Council’s Contract with COLAS” included under Scrutiny Management Panel should be transferred to the Traffic, Environment & Community Safety Scrutiny Panel.

The Head of Democratic and Community Engagement agreed to provide a guidance note for members on the procedure suggested for carrying out the new two stage scrutiny reviews.

The Panel unanimously supported the report as amended by their comments at this meeting.

**RESOLVED that the Panel**

- (1) Note the positive outcomes from the work of previous scrutiny panels and agree the proposals to further develop scrutiny in Portsmouth.**
- (2) Agree the new arrangements for scrutiny as outlined in this report and the proposed Terms of Reference (Appendix 3) for the Scrutiny Management Panel and the new themed scrutiny panels subject to amendments set out below**
  - (i) page 3 – the words "celebrate success and recognise achievement" be changed to "continue to celebrate success and recognise achievement"**
  - (ii) page 4 – the word "Overall" should be inserted before "responsibility" in bullet point 1.**
  - (iii) page 9 - that the proposed scrutiny review into the City Council's Contract with Colas mentioned in Appendix 3 of the report be transferred to appear as the second item under Traffic, Environment & Community Safety Scrutiny Panel in the same Appendix.**
  - (iv) page 9 - that the following topics be included in Appendix 3 under Housing & Social Care Scrutiny Panel**
    - Neighbour relationships with private and social lets/ownership**
    - Mental Health Housing Provision**
  - (v) page 11 – under the heading Role of the Health Overview and Scrutiny Panel, the existing wording be replaced by "This Panel consists of 6 core Portsmouth City Council voting members and 6 non voting co-optee members from adjoining local authorities."**
- (3) Recommend that the name of the "Oversight Panel" be changed to the "Scrutiny Management Panel" with effect from 25 November 2008.**
- (4) Recommend that the name of the "Economic Development & Leisure Scrutiny Panel" be changed to the "Economic Development, Culture & Leisure Scrutiny Panel"**
- (5) Recommend that delegated authority be granted to the Head of Democratic and Community Engagement, to develop and implement training for elected members, partners and council staff to support these arrangements and that a budget be included for member development including scrutiny in the 2009/10 budget.**
- (6) Recommend that any required constitutional changes arising from the approval of these proposals be considered in a report from the Standards Constitution Working Party at a meeting of the Standards Committee and a meeting of the Full Council.**
- (7) Resolved that amendments to the report wording to be included following the publication of the Corporate Assessment relating to scrutiny be delegated to the Head of Democratic and Community Engagement prior to it going to council on 25 November.**

### **34 Scrutiny Work Programme**

The Chair welcomed Councillor Lee Hunt to the meeting. Councillor Hunt explained that 4 topics for scrutiny review had been suggested by the Housing & Social Care Scrutiny Panel –

- Neighbour relationships with private and social lets
- Mental Health Housing Provision
- Dealing with Fraud in the Housing Service
- The Allocation of Housing Provision.

Councillor Hunt advised the Panel that his view is that the first topic should be given priority as, although it will be an in depth review, he feels that it is very important as there are many problems in this area. As the 5<sup>th</sup> largest social landlord, the City Council has a responsibility to address problem areas. It was suggested that the topic title should be “Neighbour Relationships with private and social lets/ownership” and this was agreed by the Panel and Councillor Hunt.

Following discussion it was agreed that

- As Governance & Audit Committee has recently looked at Fraud in the Housing Service, this would be better to be deferred to be looked at again in the next Municipal Year as part of the Work Programme.
- As the allocation of housing provision arrangements are very new, this topic will also be deferred to be looked at again in the next Municipal Year as part of the Work Programme.

The following points were clarified

- Although it is possible for scrutiny reviews to continue from one municipal year to the next, this could be disruptive if the membership of the panels were to change.
- Under the new arrangements, members sign up to the themed Scrutiny Panels in which they have an interest so this may lead to greater continuity in Panel membership making it easier to carry a review across into the new Municipal Year.
- Members who are not official members of the scrutiny panels concerned are welcome to attend panels looking at topics in which they have a particular interest

The Chair of the Panel expressed his view that Councillor Mike Park's experience in scrutiny is very valuable and that he hoped he would continue to have a role in being a member of at least one scrutiny panel.

**RESOLVED that**

**(1) the following scrutiny topics be allocated to the Housing & Social Care Scrutiny Panel**

- **Neighbour Relationships with private and social lets/ownership**
- **Mental Health Housing Provision**

**(2) the following scrutiny topics be deferred for consideration as part of the Work Programme for the Housing & Social Care Scrutiny Panel for the next Municipal Year**

- **Fraud in the Housing Service**
- **The allocation of housing provision**

### **35 Date of Next Meeting**

It was agreed to arrange the next meeting in the New Year – date to be agreed, unless there is urgent business before then.

The meeting ended at 5.30pm

VJP/6 Nov 2008