



OVERVIEW AND SCRUTINY

5th June 2007

Committee

MINUTES

Present:

Councillor Colin MacMillan (Chair), Councillor Andrew Fry (Vice-Chair) and Councillors K Banks, J Brunner, J Cookson, D Taylor and D Thomas

Also Present:

N Hicks

Officers:

J Smith and I Westmore

Committee Officer:

J Bayley

1. APOLOGIES AND NAMED SUBSTITUTES

An apology for absence was received on behalf of Councillor Passingham.

2. DECLARATIONS OF INTEREST AND OF PARTY WHIP

There were no declarations of interest or of any party whip.

3. MINUTES

As this was the first meeting of the new Overview and Scrutiny Committee, The Committee received copies of the outstanding minutes of the predecessor Overview and Scrutiny Committees.

RESOLVED that

- 1) the minutes of the meetings of the Chairs' Steering Committee held on the 23rd January and the 26th March 2007 be noted and accepted as correct records;
- 2) the minutes of the meetings of the Environmental Overview and Scrutiny Committee held on the 17th January, the 19th February, the 27th February and the

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Chair

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19th March 2007 be noted and accepted as correct records;

- 3) the minutes of the meetings of the Leisure, Tourism and Economy Overview and Scrutiny Committee held on the 24th January and the 13th March 2007 be noted and accepted as correct records; and
- 4) the minutes of the meetings of the Social Overview and Scrutiny Committee held on the 30th January and the 21st^t March 2007 be noted and accepted as correct records.

4. THE FORWARD PLAN

The Chair informed Members that the Forward Plan was due to be considered as a regular item at Overview and Scrutiny Committee meetings.

RESOLVED that

no action be taken in response to the Forward Plan.

5. CALL-IN

The Chair informed Members that the opportunity to call-in Key Decisions would be considered as a regular item at Overview and Scrutiny Committee meetings.

RESOLVED that

no action be taken to initiate call-in procedures on any of the Key Decisions contained in the Executive Committee Decision Notice.

6. THE OVERVIEW AND SCRUTINY PROCEDURE DOCUMENT

Officers informed Members that the subject report was an updated version of the old Procedures Document which had been adapted to reflect changes to the Overview and Scrutiny Committee process. The Chair proposed to look through the document on a page by page basis to acquaint Members with the details.

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The Chair directed Members' attention to page four of the Procedures Document. The Chair then proposed establishing a briefing session for all Members to look at the new Overview and Scrutiny arrangements in more detail. Officers suggested that a number of Member development days had been booked in the Calendar of Meetings, one of which would be suitable for this session.

Members also discussed the suggestion, on page six, that the Overview and Scrutiny Committee should receive quarterly budget and performance reports from Officers and Service Plans from the four Directorates. The Chair suggested that Members should concentrate on identifying items for scrutiny from these reports. Councillors Fry and Taylor requested training in these areas for Members and Officers.

Members also discussed the requirement of Executive Committee Portfolio Holders to present annual reports to the Overview and Scrutiny Committee. Officers suggested that members of the Executive Committee should be provided with some guidelines about what the Overview and Scrutiny Committee would expect from these annual reports. Officers also noted that the minutes from the Executive Committee meeting where Members approved the submission of annual Portfolio Holder reports to the Overview and Scrutiny Committee should inform arrangements for these annual reports (Appendix B). The Committee agreed that the annual reports should be presented to the Overview and Scrutiny Committee throughout the year rather than scheduled for consideration simultaneously.

Members proceeded to discuss the selection of members for participation in Task and Finish Groups and noted that members of the Overview and Scrutiny Committee would normally be expected to Chair these groups. The Chair suggested that Group Leaders should also be involved in the selection of Task and Finish Group members.

Members also addressed arrangements for scoping Task and Finish Group exercises. The Chair suggested that a draft scoping document should be produced for consideration at the next meeting and should be framed in accordance with a scoping sheet that he had presented for consideration. The Chair requested that this sheet should be attached to the minutes (Appendix C).

Members agreed that the final scoping document could be used as a template by the Chair of a Task and Finish Group to scope an

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issue in detail. The T&F Chair would then produce a copy of this scoping document for consideration at the following Overview and Scrutiny Committee meeting.

Members discussed arrangements on page 16 for the attendance of members of the Executive Committee at meetings of the Overview and Scrutiny Committee. The Chair suggested that a relaxed approach to applying the rules outlined in the procedures document should be adopted. Members approved this suggestion.

Members moved on to consider Appendix 4 of the Procedures Document. Officers noted that Community Calls for Action would not be a statutory requirement until spring 2008. Members agreed that consideration of this issue could, therefore, be deferred until September or October 2007.

Members also addressed the extracts from the Council's Constitution that were attached to the Procedures Document. Members noted that the role of the Overview and Scrutiny Committee in the development of the Budget and Policy Framework was unclear. The Chair, therefore, requested Officer clarification of the Budget and Policy Framework Procedure Rules.

RESOLVED that

subject to Members' comments as recorded in the preamble above, the Procedures Document be approved.

7. WITNESS GUIDANCE NOTES

Members discussed Draft Witness Guidance notes that had been submitted for their consideration. The Chair noted that it was proposed this document would be sent to external witnesses and representatives of partner organisations where understanding of the Overview and Scrutiny process might be limited. Members agreed that all "legal jargon" should be removed from the main text of the Witness Guidance notes and instead be recorded as footnotes at the end of the document.

The Chair also suggested the production of a marketing document to communicate the work of Overview and Scrutiny Committee to a wider audience. Councillor Fry noted that this document should be a professional brochure which would require some expense. Members agreed that further consideration of this document,

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investigating the potential cost to resources, distribution outlets and content, should be undertaken.

RESOLVED that

subject to Members' comments, as detailed above,

- 1) the Witness Guidance notes be adopted for use in future O&S work; and**
- 2) Officers provide more detailed information about the proposed marketing brochure for consideration at the following meeting.**

8. REFERRALS

The Committee received a referral from the Planning Committee in relation to a possible topic for future review: "Residential Wind Turbines".

The Chair of the Overview and Scrutiny Committee explained that he had received a request from the Chair of the Planning Committee, Councillor Hicks, to hear evidence on this item early in the meeting. The Chair of the Overview and Scrutiny Committee approved this request but confirmed that consideration of the item would be in accordance with the agenda.

Councillor Hicks, informed Members that the erection of a wind turbine on a residential property currently required a planning application. Councillor Hicks further informed Members that the members of the Planning Committee were unfamiliar with this area of planning policy and that clarification of the Council's role was required. Councillor Hicks proposed that an Overview and Scrutiny Task and Finish Group should investigate the impact of residential wind turbines on neighbourhood noise levels, particularly in terraced properties.

Members discussed the suitability of this issue for the Overview and Scrutiny Committee and suggested that the Planning Committee could review the item. However, Officers informed Members that the Planning Committee was unable to investigate this issue because it did not have a policy development role.

The Chair informed Members that Officers had expressed reservations about considering the issue at the present time. The Chair reported that Officers had suggested postponing scrutiny of

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this subject until after the publication of the forthcoming Energy White Paper. A number of Members concurred with this view but were uncertain about when the Energy White Paper was due for publication and how this could impact on the timing of scrutiny work.

Councillor Taylor proposed that the Environmental Advisory Panel, which she chaired, could investigate the issue in more detail. Councillor Taylor volunteered to report the conclusions of the Environmental Advisory Panel to the Overview and Scrutiny Committee once an investigation had been completed.

RESOLVED that

- 1) the item be referred to the Environmental Advisory Panel; and**
- 2) once the investigation has been completed, Councillor Taylor be requested to report the Environmental Advisory Panel's findings to the Overview and Scrutiny Committee for consideration.**

9. WORK PROGRAMME

The Committee noted a number of areas of potential future work (including matters discussed under Minute 4 above):

a) District Centres Task and Finish Group

Members noted that this was a piece of work outstanding from the Environmental Overview and Scrutiny Committee. Councillor Fry informed Members that at the Council's Annual Meeting he had been appointed Chair of the Task and Finish Group. Councillor Fry suggested that this Group could review any outstanding work and report its conclusions to the Overview and Scrutiny Committee for final consideration.

b) Communications Task & Finish Group

Members discussed an Officer proposal to initiate a Council Communications Task and Finish Group. Members were uncertain about the content of the proposal. Officers advised that the issue related to the effectiveness of the Council's current approach to corporate branding. The Chair proposed a scoping meeting with the appropriate Officer to clarify the objectives of the item and agreed to attend that meeting.

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c) Third Sector Task & Finish Group

Members also addressed an officer proposal to initiated a Third Sector Task and Finish Group and again agreed that further scoping was necessary to define the objectives of this exercise. Councillor Thomas noted that she would be interested in chairing this Task and Finish Group but at a later date. The Chair suggested that consideration of this scoping exercise should be deferred until after the Redditch Partnership State of the Borough Conference had been held on Monday the 18th of June 2007.

d) Fees & Charges Task & Finish Group

The Chair informed Members of the proposed review of fees and charges requested by the Council. Members discussed the issue but were unclear about the content of the proposal. The Chair proposed a scoping meeting with the appropriate Officer(s) to clarify the objectives of the item and agreed to attend that meeting.

e) Joint Expansion Study

The Chair advised that Officers had recently informed him of a need to for Members to consider the draft form of the Joint Expansion Study which was required as part of the Council's work on the Regional Spatial Strategy. The Chair advised that the issue was urgent because Member input on the study was required by the beginning of July 2007. Officers informed Members that this study would influence the future housing requirements of the Borough which were due to be determined by the Regional Planning Body at the end of July 2007.

Members debated whether this item was appropriate for the consideration of the Overview and Scrutiny Committee. The Chair proposed that an urgent meeting of Group Leaders and the Local Environment, Planning and Transport Portfolio Holder should be convened to consider how to respond to this issue.

f) Local Plan

The Chair advised that Officers had requested O&S consideration of the Local Plan. Members discussed whether this issue was an appropriate item for the Overview and Scrutiny Committee. To clarify this point the Chair suggested that this issue should also be addressed at the proposed meeting with the Group Leaders and Environment, Planning and Transport Portfolio Holder.

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RESOLVED that

**subject to Members' comments, as detailed above, the
Committee's Work Programme be approved.**

The Meeting commenced at 7.00 pm
and closed at 9.00 pm