

**Minutes of a meeting of the Overview and Scrutiny Board held on 20
July 2011**

Present:

Members: Councillor John Appleton (Chair)
“ Jeff Clarke (Vice Chair)
“ Les Caborn
“ Peter Fowler
“ Bernard Kirton
“ Tim Naylor
“ Jerry Roodhouse
“ John Ross
“ Dave Shilton
“ June Tandy
“ John Whitehouse
“ Chris Williams

Co-opted members: Councillor Bill Gifford (Warwick District Council)
Councillor John Haynes (Nuneaton and Bedworth
Borough Council)
Councillor Sue Main (Stratford-on-Avon District Council)

Other Councillors: Eithne Goode
Martin Heatley, Portfolio Holder Improvement and
Workforce
Richard Hobbs, Portfolio Holder Community Safety
Heather Timms, Portfolio Holder Child Safeguarding,
Early Intervention and Schools

Officers: John Betts, Head of Finance
Pete Bones, Flood Risk Manager
David Carter, Strategic Director, Resources
Paul Galland, Strategic Director
Jim Graham, Chief Executive
Roger Harrison, Service Manager, Trading Standards
Chris Jukes, Head of Projects
Ann Mawdsley, Senior Democratic Services Officer
Michelle McHugh, Overview & Scrutiny Manager, Resources
Janet Purcell, Executive & Member Support Manager
Virginia Rennie, Group Accountant
Mark Ryder, Head of Localities and Community Safety

1. General

(1) Apologies

Apologies for absence were received on behalf of Councillor
Mike Gittus, Councillor Colin Hayfield, Councillor Alan Farnell,
Clive Parsons (Warwickshire Police Authority), Councillor Jim

Shera (Rugby Borough Council), Janet Smith (NHS Warwickshire) and Councillor David Wright.

Members raised concern about the non attendance of Portfolio Holders. emphasising the importance in their attendance at the Overview and Scrutiny Board.

(2) Members' Disclosures of Personal and Prejudicial Interests

Councillor Peter Fowler declared a personal interest in Item 5 as a School Governor at The Coleshill School and High Meadow Infant School.

Councillor Bill Gifford (Warwick District Council) declared a personal interest in Item 5 as a School Governor at Brookhurst Primary School.

Councillor John Haynes (Nuneaton and Bedworth Borough Council) declared a personal interest in Item 5 as a School Governor at St Francis Catholic School and St Michaels Church of England School.

Councillor Bernard Kirton declared a personal interest in Item 5 as a School Governor at St. Joseph's Catholic Primary School and St. Margaret's C of E Junior School.

Councillor Sue Main declared a personal interest in Item 8 as her mother was a resident in a Southern Cross Care Home.

Councillor Tim Naylor declared a personal interest in Item 5 as a School Governor at Lighthorne Health and Sydenham Primary Schools Federation.

Councillor John Ross declared a personal interest in Item 5 as a School Governor at Chetwynd Junior School and Etone College.

Councillor June Tandy declared a personal interest in Item 5 as a School Governor at Wembrook Primary School, Chilvers Coton Infant School and The George Eliot School.

Councillor John Whitehouse declared a personal interest in Item 5 as a School Governor at St. John's Primary, Nursery and Children's Centre.

(3) Minutes of the meeting of the Overview and Scrutiny Board held on 25 May 2011

The minutes of the meeting of the Overview and Scrutiny Board held on 25 May 2011 were agreed as a correct record and signed by the Chair.

Matters Arising

Page 5 – 6. Scrutiny Reviews Progress Report and New Proposals for Task and Finish Groups

Councillor June Tandy noted that the nominations by Members to participate in Task and Finish Groups had reduced and that it was important that all Members ensured proper representation on these Groups to ensure meaningful scrutiny could take place. The Chair asked that this issue be discussed at the next Group meetings.

Michelle McHugh undertook to provide the names of the Councillors on agreed Task and Finish Groups.

2. Public Question Time

None.

3. Questions to the Portfolio Holder/Portfolio Holders Update

1. Councillor Dave Shilton stated that the decision to reduce hours in libraries would result in Kenilworth Library only being open 35 hrs a week. This undermined the partnership services, particularly with the Police and asked (in Councillor Colin Hayfield's absence) that the Portfolio Holder reconsider this decision for those libraries with partnership arrangements in place.

David Carter reported that discussions were being held with Warwick District Council in relation to Whitnash, Kenilworth and Lillington Libraries to explore the possibility of keeping these libraries open longer through sharing staffing. He added that the Police had been consulted about the changes to library services and the only concern they had was Coleshill and discussions with the Police about this library were ongoing. Councillor Peter Fowler outlined the situation in Coleshill.

Councillor Richard Hobbs noted that the reduced hours would still be more than when the front desk service had been provided from police stations in these areas.

Councillor John Whitehouse stated that a key message to the population of Kenilworth when the police station front desk was closed, was the promise of improved access. He noted his surprise that the Police had not objected to the reduction in hours and hoped that the Police could benefit on the back of the discussions being held with Warwick District Council.

The Chair stated that this issue went beyond the partnership arrangements with the Police, and that Members needed to be notified of amendments to services. He asked that a full response be provided by the Portfolio Holder.

2. Councillor Jerry Roodhouse noted his concern regarding the capacity and morale of staff, adding that the Council needed to ensure that capacity was kept to a maximum and that career paths be developed for remaining staff. He asked Councillor Martin Heatley to respond. Councillor Martin Heatley said that he had already raised these issues with HR and would bring a report to the Board as soon as possible, to include capacity, training and career development and staff morale.
3. Councillor Tim Naylor requested an update on the savings plans that had been developed to deliver the budget. The Chair agreed that Councillor David Wright be asked to provide a Briefing Note to the Board.
4. Councillor John Whitehouse asked Councillor Richard Hobbs to clarify the reasoning behind Flooding being reported to the Board and not to the Communities Overview and Scrutiny Committee. Councillor Richard Hobbs noted that the Flood Risk Assessment fell within the remit of the Board. Michelle McHugh added that the County Council, as a Lead Local Flood Authority (LLFA), were required to produce a Flood Risk Assessment. This accompanied a specific scrutiny power within the Flood and Water Management Act 2010 in relation to scrutinising Flood Risk Assessment and this responsibility had been delegated by full Council to the Overview and Scrutiny Board. Councillor Whitehouse responded that this needed to be revisited.

4. Approval of the WCC Preliminary Flood Risk Assessment (PFRA)

Pete Bones, Flood Risk Manager, gave a PowerPoint presentation to support his report setting the context to the PFRA, and to the Warwickshire Preliminary Flood Risk Assessment, which Members had received.

During the discussion that followed the presentation, the following points were made:

1. The Council's remit included surface water, ground water flooding and reservoir inundation. Sewerage flooding was the responsibility of the utility companies. Pete Bones added that it

- was difficult to draw clear lines in terms of sources and responsibilities around flooding.
2. In response to a query asking whether planning authorities had a duty to consult the Lead Local Flood Authority (LLFA) (the County Council), Pete Bones noted that this assessment would “kick start” the development of a local Flood Risk Strategy, which would ensure that any developments did not have a negative affect or impact on surrounding areas.
 3. Warwickshire County Council would take over the role as Enforcing Authority in October 2012, with strategic responsibility for flooding. Pete Bones acknowledged however that under current legislation enforcing any action on utilities or land owners was difficult.
 4. The Environment Agency now provided river, surface and ground water maps, but these were not guaranteed and local authorities had the responsibility of checking and reporting any discrepancies on these maps.
 5. Arupps was leading in the field of retrospective solutions for flooding, and this was not limited to new developments.
 6. Any work carried out or funded with the Environment Agency was allocated in line with cost benefit studies seeking the greatest return. Smaller schemes were also carried out by the County Council and weighting was applied to vulnerable households.
 7. Members noted their concern that while information was made available by the Environment Agency and Network Rail, it had been difficult to get information from the Highways Agency. Jim Graham added that the Open Public Services White Paper recommended greater accountability for all public bodies, which would include the Highways Agency and Network Rail.

Councillor Richard Hobbs stated that once a clear indication of risk was developed, stakeholders could work together to solve problems and this would assist the Fire and Rescue Service would be better able to access areas and carry out rescues.

The Chair thanked Pete Bones for his presentation.

5. Relationship with Schools

Councillor June Tandy stated that the paper had already been sent to schools and that the Overview and Scrutiny Board were being treated as consultees, and as an integral part of the democratic process of the Council, should have been given the opportunity to scrutinise the report before it was considered by the Cabinet.

Paul Galland introduced the report and recommendations considered by the Cabinet at their meeting on 14 July 2011 underpinning the future working relationship between the County Council and schools, and the

implications for the Council, which would impact on the way resources were distributed.

During the discussion that followed the following points were raised:

1. Paul Galland agreed to provide a breakdown of the mix of responses to his survey of schools.
2. There was general acceptance that more information was needed about the cost of services, which services were a requirement and whether proper Business Plans were in place.
3. The Council needed to encourage and assist the development of school clusters to reduce the vulnerability of smaller schools.
4. There needed to be further consideration of the role of School Governors, and whether Members would be better placed to sit
5. It was suggested that an officer would need to be appointed to implement an action plan from this piece of work, in line with timescales still to be set.
6. There needed to be a mature relationship with schools in the future to be able to debate difficult issues around money.
7. Excluded children needed to be an integral part of this work, as they were considered to be vulnerable.
8. There was no mention of Free Schools in the report.

Councillor John Whitehouse moved, and it was seconded by Councillor June Tandy, and it was agreed that the report be considered by the Children and Young People Overview and Scrutiny Committee at their next meeting, before reporting back to the Overview and Scrutiny Board on 14 September 2011. This would allow both Committees to contribute towards a response to be forwarded to the Cabinet for their meeting in October.

6. Treasury Management Outturn Report 2010/11

John Betts, Head of Corporate Finance, presented the report setting out the outturn of the treasure management process during 2010/11.

The Overview and Scrutiny Board noted the report.

7. Review of Communication with the Public and Financial Accountability – Stage Two Report

Councillor Tim Naylor, Chair of the Task and Finish Group introduced the report focussing on how financial information was managed and relayed to Councillors and the public and how decision makers were held to account. He added that this piece of work provided an opportunity for Warwickshire County Council to develop methods and applications to move forward that would benefit the Council and improve the reputation of Warwickshire County Council.

Councillor Naylor thanked the members of the Task and Finish Group for their contribution, and also thanked Paul Williams for his support.

Councillor Naylor noted that while there was limited financial training given around induction and occasional seminars, Members needed to be informed, encouraged to ask questions and able to make use of whatever skills or tools they needed to be fully accountable. He added that this report was seeking to give a licence to Members and officers to explore new ways to be innovative.

The Overview and Scrutiny Board agreed to forward the Task and Finish Group's recommendations to the Cabinet.

8. Scrutiny Reviews Progress Report and New Proposals for Task and Finish Groups

Councillor Les Caborn, Chair of the Adult Social Care and Health O&S Committee reported that as soon as there was anything concrete to consider, a report on Southern Cross would be brought to ASC&H O&S, in their role of monitoring the quality and care in all care homes.

9. Work Programme 2011-12

The Overview and Scrutiny Board agreed the work programme with the addition of the Relationship with Schools report to the 14 September 2011 meeting.

10. Any Other Items

Members noted that this would be Michelle McHugh's last meeting of the Overview and Scrutiny Board and wished her every success in the future and recorded their thanks for the terrific work she had done for Overview and Scrutiny.

Members noted their concern at the loss of support for scrutiny and the Chair agreed to discuss this with the other Chairs.

Councillor Sue Main reported that at Stratford District, Task and Finish Groups were responsible for their own admin other than for final reports, which had taken some of the pressure away from officers.

11. Dates of Future Meetings

Agreed.

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Chair

The Board rose at 4:45 p.m.