

# Agenda

## Overview and Scrutiny Performance Board

**Thursday, 28 June 2018, 2.30 pm**  
**County Hall, Worcester**

All County Councillors are invited to attend and participate

This document can be provided in alternative formats such as Large Print, an audio recording or Braille; it can also be emailed as a Microsoft Word attachment. Please contact Democratic Services on telephone number 01905 844963 or by emailing [democraticservices@worcestershire.gov.uk](mailto:democraticservices@worcestershire.gov.uk)

## DISCLOSING INTERESTS

There are now 2 types of interests:  
**'Disclosable pecuniary interests'** and **'other disclosable interests'**

### WHAT IS A 'DISCLOSABLE PECUNIARY INTEREST' (DPI)?

- Any **employment**, office, trade or vocation carried on for profit or gain
- **Sponsorship** by a 3<sup>rd</sup> party of your member or election expenses
- Any **contract** for goods, services or works between the Council and you, a firm where you are a partner/director, or company in which you hold shares
- Interests in **land** in Worcestershire (including licence to occupy for a month or longer)
- **Shares** etc (with either a total nominal value above £25,000 or 1% of the total issued share capital) in companies with a place of business or land in Worcestershire.

**NB Your DPIs include the interests of your spouse/partner as well as you**

### WHAT MUST I DO WITH A DPI?

- **Register** it within 28 days and
- **Declare** it where you have a DPI in a matter at a particular meeting
  - you must **not participate** and you **must withdraw**.

**NB It is a criminal offence to participate in matters in which you have a DPI**

### WHAT ABOUT 'OTHER DISCLOSABLE INTERESTS'?

- No need to register them but
- You must **declare** them at a particular meeting where:
  - You/your family/person or body with whom you are associated have a **pecuniary interest** in or **close connection** with the matter under discussion.

### WHAT ABOUT MEMBERSHIP OF ANOTHER AUTHORITY OR PUBLIC BODY?

You will not normally even need to declare this as an interest. The only exception is where the conflict of interest is so significant it is seen as likely to prejudice your judgement of the public interest.

### DO I HAVE TO WITHDRAW IF I HAVE A DISCLOSABLE INTEREST WHICH ISN'T A DPI?

Not normally. You must withdraw only if it:

- affects your **pecuniary interests** **OR** relates to a **planning or regulatory** matter
- **AND** it is seen as likely to **prejudice your judgement** of the public interest.

### DON'T FORGET

- If you have a disclosable interest at a meeting you must **disclose both its existence and nature** – 'as noted/recorded' is insufficient
- **Declarations must relate to specific business** on the agenda
  - General scattergun declarations are not needed and achieve little
- Breaches of most of the **DPI provisions** are now **criminal offences** which may be referred to the police which can on conviction by a court lead to fines up to £5,000 and disqualification up to 5 years
- Formal **dispensation** in respect of interests can be sought in appropriate cases.

## Overview and Scrutiny Performance Board Thursday, 28 June 2018, 2.30 pm, County Hall, Worcester

### Membership

#### Councillors:

Mr C J Bloore (Chairman), Mrs E A Eyre (Vice Chairman), Mr A A J Adams, Mrs J A Brunner, Mr P Middlebrough, Mrs F M Oborski, Mr C B Taylor and Mr P A Tuthill

#### Co-opted Church Representatives (for education matters)

Bryan Allbut (Church of England)

#### Parent Governor Representatives (for education matters)

Ms C Richardson (Parent Governor) and Vacancy (Secondary)

### Agenda

Item No	Subject	Page No
1	<b>Apologies and Welcome</b>	
2	<b>Declaration of Interest and of any Party Whip</b>	
3	<b>Public Participation</b> Members of the public wishing to take part should notify the Head of Legal and Democratic Services in writing or by e-mail indicating the nature and content of their proposed participation no later than 9.00am on the working day before the meeting (27 June 2018). Enquiries can be made through the telephone number/e-mail address below.	
4	<b>Confirmation of the Minutes of the Previous Meeting</b> (previously circulated)	
5	<b>Budget Scrutiny 2019/20: Discussion with the Leader and Chief Executive</b>	1 - 4
6	<b>Member Update and Cabinet Forward Plan</b>	5 - 8

Agenda produced and published by the Head of Legal and Democratic Services, County Hall, Spetchley Road, Worcester WR5 2NP. To obtain further information or hard copies of this agenda, please contact Alyson Grice (01905 844962)/Samantha Morris 01905 844963 email: [scrutiny@worcestershire.gov.uk](mailto:scrutiny@worcestershire.gov.uk)

All the above reports and supporting information can be accessed via the Council's website [here](#)

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## **OVERVIEW AND SCRUTINY PERFORMANCE BOARD 28 JUNE 2018**

### **BUDGET SCRUTINY 2019/20: DISCUSSION WITH THE LEADER AND CHIEF EXECUTIVE**

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#### **Summary**

1. The Leader and Chief Executive of the Council have been invited to the meeting to discuss the development of the 2019/20 Budget and how Scrutiny might best contribute to this work.

#### **Background**

2. The Leader of the Council previously attended the Overview and Scrutiny Performance Board (OSPB) on 26 April 2018 to discuss the Chartered Institute of Public Finance (CIPFA): Worcestershire County Council Financial Resilience Review which had been made public following a Freedom of Information (FOI) request. At this meeting, the Leader made a plea for early engagement in the budget setting process from all elected Members.
3. During the discussion, Members expressed concerns about whether in 2018/19 sufficient information had been shared with Scrutiny Members to allow them to carry out effective budget scrutiny.
4. Members of OSPB also expressed concern about the cost of the CIPFA exercise and asked the Chief Financial Officer to negotiate a refund from CIPFA which could be used to support budget scrutiny in 2019/20 and beyond.

#### **Budget Scrutiny**

5. The aims of budget scrutiny are:
  - To examine how the Council is planning to meet funding challenges whilst delivering its corporate priorities;
  - To consider whether the proposed budget is achievable and realistic and meets residents' needs;
  - To consider the level of risk associated with budget proposals and changes; and
  - To understand the impact of the budget proposals and how they are being managed and mitigated.
6. In recent years scrutiny of the County Council's budget has been undertaken by OSPB with the detail of the budget being considered either by the Overview and Scrutiny Panels (O & S Panels) or by a specially established Scrutiny Task Group. Last year, budget scrutiny was undertaken by the OSPB and Scrutiny Panels.

7. When considering how to improve the budget scrutiny process for 2019/20 and future years, the Board may wish to consider the following points:

- Involvement of O&S Panels: Should budget scrutiny be undertaken by OSPB itself, by the O&S Panels (making use of their Directorate knowledge) or by a small group of Members (who are able to maintain flexibility and focus on budget issues without the distraction of other agenda items)?
- Following feedback from Members after the process this time last year, how timely current year budget performance information is provided to O&S to check progress with the current year's budget, including savings and income.
- Corporate Strategy Discussions: How can scrutiny be involved in Corporate Strategy discussions at an early stage in order to influence the development of the 2019/20 budget and the Medium Term Financial Plan?
- Transparency of meetings: Should budget scrutiny meetings be held in public to maintain transparency, or should more informal meetings be held to allow discussion of more sensitive issues, before public comments are drafted?
- Involvement of Members: Should the process aim to make use of the knowledge and expertise of the maximum number of Members or a smaller, more flexible and focused group?
- Involvement of OSPB: Should the OSPB retain its 'overarching' role in order to take an overview of comments, enabling a cross-cutting, corporate response to Cabinet, or should the Panels or a smaller group of Members feedback direct to Cabinet?

## **2019/20 Budget**

8. Proposals for the 2019/20 Budget will be considered by Cabinet in December 2018 ahead of formal public consultation. Final proposals will be considered by Cabinet in February 2019 and the Budget will be agreed at Council later in February 2019.

## **Purpose of the Meeting**

9. In the light of the discussion, the Board is asked:
- to consider the views of the Leader and Chief Executive and agree the process for scrutinising the 2019/20 Budget;
  - whether it wishes to make any comments or suggestions to the Leader of the Council and the Chief Executive at this stage;
  - whether it would wish to identify any issues which should be the subject of future scrutiny.

## **Contact Point**

Specific Contact Points for this report

Alyson Grice/Samantha Morris, Overview and Scrutiny Officers  
(01905 844962/844963)

Email: [scrutiny@worcestershire.gov.uk](mailto:scrutiny@worcestershire.gov.uk)

## **Background Papers**

In the opinion of the proper officer (in this case the Head of Legal and Democratic Services) the following are the background papers relating to the subject matter of this report:

- Agenda and minutes of the OSPB meeting on 26 April 2018

All Council Agenda's and Minutes are available on the Council's website at:

<http://www.worcestershire.gov.uk/cms/democratic-services/minutes-and-agendas.aspx>

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## **OVERVIEW AND SCRUTINY PERFORMANCE BOARD 28 JUNE 2018**

### **MEMBER UPDATE AND CABINET FORWARD PLAN**

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#### **Summary**

1. The Overview and Scrutiny Performance Board (OSPB) is asked to:
  - (a) Receive an update on emerging issues and developments within the particular remit of each Member of the OSPB, including an update on each Overview and Scrutiny Panel and Task Group;
  - (b) Consider plans to refresh the scrutiny work programme;
  - (c) Consider the Council's latest Forward Plan in order to identify:
    - any items it would wish to consider further at a future meeting; and
    - any items it would wish to refer to the relevant Overview and Scrutiny Panel for further consideration.

#### **Member Updates**

2. In order to ensure that Members of the OSPB are fully informed about issues relating to scrutiny in Worcestershire, communication between Members is essential. To assist in this, it has been agreed that an item will be placed periodically on the OSPB agenda to enable each member to feed back on emerging issues and developments within their remit. This will also provide an opportunity to highlight possible future agenda items. Regard for the Council's statutory requirements in relation to access to information will be critical.

3. Board Members' areas of responsibility are as follows:

- Adult Care and Well-Being Overview and Scrutiny Panel – Juliet Brunner
- Children and Families Overview and Scrutiny Panel – Fran Oborski
- Economy and Environment Overview and Scrutiny Panel – Alistair Adams
- Corporate and Communities Overview and Scrutiny Panel – Kit Taylor
- Health Overview and Scrutiny Committee (HOSC) – Paul Tuthill
- Crime and Disorder – Paul Middlebrough
- Quality Assurance – Liz Eyre

4. As part of their role, it was agreed by the Strategic Leadership Team (SLT) that scrutiny lead members should receive regular briefings from the Directorates they are shadowing. These briefings, alongside the Forward Plan (see below), can be used to help identify any emerging issues that may be appropriate for future scrutiny. Recognising that work across the County Council is of interest and value to all OSPB members, the notes from these briefings (where produced) are available to all members electronically.

5. Members may also be leading scrutiny task groups. It will be important for Members of OSPB to be aware of how each scrutiny is developing so that they can fully consider the final report.

6. Overview and Scrutiny Panel Chairmen are asked to feedback on:

- progress on the work of their Panels and any scrutiny task groups they are leading;
- key issues from the Directorate that may be appropriate for future scrutiny;
- performance information they have queries or concerns about;
- items in the Forward Plan which they consider may be possible issues to scrutinise; and
- any other issue which they feel is relevant/of interest to the OSPB.

### **Refresh of the Scrutiny Work Programme**

7. The current 2017/18 Scrutiny Work Programme was agreed at Council in September 2017. It would now seem timely for the work programme to be refreshed for the coming year and this will be added to the agenda for the OSPB's September meeting.

8. In preparation for the discussion on 26 September, Panel Chairmen are asked to consult with their Panels on any amendments they would like to make to their work programme.

### **Cabinet Forward Plan**

9. The Board will wish to take into account any issues arising from the Council's Forward Plan which is attached at Appendix 1.

10. The latest version of the Plan (available at the time of Agenda despatch) is routinely considered at each meeting of OSPB.

11. The Board is asked to consider the Council's latest Forward Plan in order to identify:

- Any items that it would wish to consider further at a future meeting;
- Any items that it would wish to refer to the relevant overview and scrutiny panel for further consideration.

12. The OSPB agreed to use a set of criteria (listed below) to help determine its scrutiny programme. A topic does not need to meet all of these criteria in order to be scrutinised, but they are intended as a guide for prioritisation.

- Is the issue a priority area for the Council?
- Is it a key issue for local people?
- Will it be practicable to implement the outcomes of the scrutiny?
- Are improvements for local people likely?
- Does it examine a poor performing service?
- Will it result in improvements to the way the Council operates?
- Is it related to new Government guidance or legislation?

## **Supporting Information**

Appendix 1: Forward Plan (as at 20 June 2018)

## **Contact Point for the Report**

Alyson Grice/Samantha Morris, Overview and Scrutiny Officers

Tel: 01905 844962/844963

Email: [scrutiny@worcestershire.gov.uk](mailto:scrutiny@worcestershire.gov.uk)

## **Background Papers**

In the opinion of the proper officer (in this case the Head of Legal and Democratic Services) there are no background papers relating to the subject matter of this report:

[All agendas and minutes are available on the Council's website here.](#)

## FORWARD PLAN

### FORMAL NOTICE OF KEY DECISIONS TO BE TAKEN BY, AND PRIVATE MEETINGS OF, CABINET (OR OTHER EXECUTIVE DECISION-MAKING BODY OR PERSON)

Forward Plan	Expected Date of Decision	Page No.
<a href="#">A38 Bromsgrove</a> Key Decision	12 July 2018	
<a href="#">Alternative Delivery Model – Company Name etc</a>	12 July 2018	
<a href="#">Balanced Scorecard and Corporate Risk Update – Quarter 4 2017/18</a> Performance Report	12 July 2018	
<a href="#">Future Provision of Overnight Unit-based Short Breaks for Children with Disabilities</a> Key Decision	12 July 2018	
<a href="#">Minerals and Waste Local Development Scheme (2018)</a> Key Decision	12 July 2018	
<a href="#">Streetworks Permit Scheme Progress</a>	12 July 2018	
<a href="#">Worcestershire Local Area Action Plan in response to the SEND Joint Area Inspection</a>	12 July 2018	
<a href="#">Midlands Connect: Sub-National Transport Body</a> Key Decision	27 September 2018	
<a href="#">Peer Review Outcomes and Forward Look at Adult Services</a>	27 September 2018	
<a href="#">Libraries Re-modelling</a> Potentially Key Decision	18 October 2018	
Adoption of the Rights of Way Improvement Plan	15 November 2018	
<a href="#">'Called In' Decisions or Scrutiny Reports</a> Potentially Key Decision	Within the plan period	
<a href="#">Notices of Motion</a> Potentially Key Decision	Within the plan period	
<a href="#">Withdrawn Items</a>	-	

All entries will be for decision by Cabinet unless otherwise indicated