

# **OVERVIEW AND SCRUTINY PEER REVIEW TASK AND FINISH GROUP**

**TUESDAY 27 FEBRUARY 2018**

**6.00 PM**

**MEETING ROOM 1.04  
CIVIC OFFICES  
CENTRAL MILTON KEYNES**

**A G E N D A**

[www.milton-keynes.gov.uk/scrutiny](http://www.milton-keynes.gov.uk/scrutiny)

Councillors: Morris (Chair) Alexander, Brackenbury, A Geary, Miles and Petchey

For more information about the meeting please contact Simon Heap by telephone: (01908) 252567 or e-mail: [simon.heap@milton-keynes.gov.uk](mailto:simon.heap@milton-keynes.gov.uk)

## **What is Overview and Scrutiny?**

Each local authority is required by law to establish an overview and scrutiny function to support and scrutinise the Council's executive arrangements.

Each scrutiny committee has its own remit as set out in its terms of reference but they each meet to consider issues of local importance.

They have a number of key roles:

1. Providing a critical friend challenge to policy makers and decision makers
2. Enabling the voice and concerns of the public
3. Driving improvement in public services.

The committees consider issues by receiving information from and questioning officers and external partners to develop an understanding of proposals or practices. They then develop recommendations to provide to officers, councillors or external partners that they believe will improve performance, or as a response to public consultations.

As scrutiny committees have no executive powers they often present their conclusions in the form of recommendations that can be provided to the Council's Cabinet, elected councillors or other external agencies. Committees will often request a formal response and progress report on the implementation of recommendations that they have made to various parties.

### **Attending Meetings of Scrutiny Committees**

Meetings of the committees are held in public and are open for everyone to attend. If you would like to attend then please just turn up, but if you can then let us know you are attending in advance of the meeting and whether or not you would like to make a representation to the committee on behalf of yourself or others. There are contact details on the front of each agenda

If there are specific issues that the meeting must consider in private then they will be asked to consider this at the meeting.

After the meeting the recommendations and Minutes of the meeting, as well as agendas and reports for the majority of the Council's public meetings are available via the Council's website at: <http://milton-keynes.cmis.uk.com/milton-keynes/>.

## **The Overview and Scrutiny process aims to promote the five themes and priorities set out in the Milton Keynes Council Corporate Plan**

The Corporate Plan and framework sets out the vision for Milton Keynes. It captures what type of place Milton Keynes aspires to be for all those who live, work, learn and visit here. The plan sets out ambitious new objectives for Milton Keynes including achieving world class status for its design, new approaches and technologies and as a sporting city.

It has five key themes which help communicate all the work the Council does on behalf of the residents of the borough.

### **The five themes are:**

#### **Cleaner, greener, safer, healthier MK:**

Improve health and well-being, reduce health inequalities and work with partners to reduce crime and disorder to improve quality of life in MK.

#### **Visiting MK:**

Aim to make Milton Keynes a highly regarded visitor destination with a safe and effective transport system which is easily accessible regionally, nationally and internationally.

#### **Working in MK:**

To improve the skills and opportunities of everyone in Milton Keynes and help jobseekers into work, while attracting and retaining businesses to provide new opportunities and to bring people, jobs and industries to MK to improve the strength and resilience of the local economy.

#### **Living in MK:**

Ensuring people are satisfied with Milton Keynes as a place to live, and to support them effectively through the provision of high quality and efficient public services.

#### **World Class MK:**

Our ambition is to increase the international and national standing of Milton Keynes in several areas including our economic success, thriving communities and a high quality environment.

## **General Terms of Reference for Overview and Scrutiny Committees / Panels**

Subject to the direction of the Scrutiny Management Committee relating to work programmes and the allocation of resources:

1. To review or scrutinise any decision made, or other action taken, in connection with the discharge of any of the Executive Functions within the remit of the Committee.
2. To make reports or recommendations to the Council or to the Cabinet with respect to the discharge of any of the Executive Functions within the remit of the Committee.
3. To review or scrutinise any decision made, or other action taken, in connection with the discharge of any of the Non-executive Functions within the remit of the Committee.
4. To make reports or recommendations to the Council or any Committee of the Council with respect to the discharge of any of the Non-executive Functions within the remit of the Committee.
5. To make reports or recommendations to the Council, to the Cabinet or to a regulatory committee on matters within the remit of the Committee which affect the Council's area or the inhabitants of the Council's area.
6. To consider any representations made in connection with the work of the Committee by a Member of the Council on behalf of her/his constituents.
7. To appoint advisers from outside the Council to advise the Committees.

Note: The Scrutiny Committees will conduct their proceedings in accordance with the Overview and Scrutiny Procedure Rules set out in part 4 of the Constitution.

## **AGENDA**

### **1. Apologies**

### **2. Disclosures of Interest**

Members of the Task and Finish Group to declare any disclosable pecuniary interests, or personal interests (including other pecuniary interests), they may have in the business to be transacted, and officers to disclose any interests they may have in any contract to be considered.

### **3. Review of Decisions Made at the Last Meeting (15 February 2018) and Review of Draft Scrutiny Structure and Terms of Reference**

- (a) To review the updated Action Plan following the Group's meeting on 15 February 2018 (Item 3[a]) (**Pages 7 to 12**). Updates to the Action Plan are in Red Text.
- (b) To consider the draft scrutiny structure and Terms of Reference for the scrutiny committees, as agreed at the last meeting of the Group (Item 3[b]) (**Pages 13 to 17**), together with comments from the Political Groups. A copy of the comments from the Liberal Democrat Group is attached at (Item 3[c]) (**Page 18**), comments from the other Group's will be reported at the meeting.

### **4. Remaining Recommendation from Overview and Scrutiny Peer Review**

The Task and Finish Group agreed to consider the following Peer Review recommendation, once the other recommendations had been finalised:

“Provide a briefing note for staff, public and partners on the role of scrutiny prior to participation in scrutiny activity.”

The current explanation which is available on the web pages for the individual scrutiny committees is set out on the preceding pages.

The Group may wish also to consider the levels of Special Responsibility Allowances payable to Scrutiny Chairs. The Allowances which will be payable from 1 April 2018 are:

- Chair of Scrutiny Management Committee - £7,650
- Chair of Scrutiny Committee - £4,590

### **5. Dates for Future Meetings of the Group**

To consider a date for the Group's next meeting, should one be necessary.

## **Health and Safety**

Please take a few moments to familiarise yourself with the nearest available fire exit, indicated by the fire evacuation signs. In the event of an alarm sounding during the meeting you must evacuate the building immediately and follow all instructions provided by the fire evacuation officer who will identify him/herself should the alarm sound. You will be assisted to the nearest designated assembly point until it is safe to return to the building.

## **Mobile Phones**

Please ensure that your mobile phone is switched to silent or is switched off completely during the meeting.

## **Agenda**

Agendas and reports for the majority of the Council's public meetings can be accessed via the Internet at: <http://milton-keynes.cmis.uk.com/milton-keynes/> Wi Fi access is available in the Council's meeting rooms.

Users of Windows 7 and above can simply click the link to any documents you wish to see. Users of Windows XP will need to right click on the link and select 'open in browser'.

## **Recording of Meetings**

The proceedings at this meeting may be recorded for the purpose of preparing the minutes of the meeting.

In accordance with the Openness of Local Government Bodies Regulations 2014, you can film, photograph, record or use social media at any Council meetings that are open to the public. If you are reporting the proceedings, please respect other members of the public at the meeting who do not want to be filmed. You should also not conduct the reporting so that it disrupts the good order and conduct of the meeting. While you do not need permission, you can contact the Council's staff in advance of the meeting to discuss facilities for reporting the proceedings and a contact is included on the front of the agenda, or you can liaise with staff at the meeting.

Guidance from the Department for Communities and local government can be viewed at the following link:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/343182/140812\\_Openness\\_Guide.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/343182/140812_Openness_Guide.pdf)

## **Comments, Complaints and Compliments**

Milton Keynes Council welcomes comments, complaints and compliments from members of the public in order to make its services as efficient and effective as possible. We would appreciate any suggestions regarding the usefulness of the w

Please e-mail your comments to [meetings@milton-keynes.gov.uk](mailto:meetings@milton-keynes.gov.uk)

If you require a response please leave contact details, ideally including an e-mail address. A formal complaints / compliments form is available online at <http://www.milton-keynes.gov.uk/complaints/>

**SCRUTINY PEER REVIEW ACTION PLAN**  
**RECOMMENDATIONS FOLLOWING MEETING HELD ON 15 FEBRUARY 2018**

	Peer Review Recommendation	Note	Recommendation
<b>Work Programme Issues</b>			
1.	Ensure that scrutiny work programmes and activity align with the Council Plan, and allows key issues to be scrutinised as they arise		That the Scrutiny Management Committee, or its successor, agree the overall overview and scrutiny work programme at its final meeting of each Council year, taking account of the priorities in the Council Plan, the Executive Forward Plan and of Cabinet members and senior officer colleagues.
2.	Involve Cabinet members and senior officer colleagues in work programme planning		
3.	Develop a culture, shared by members and officers, which enables the effective delivery of scrutiny	Senior Officers to be appointed as 'Scrutiny Champions' to work with each scrutiny committee.	
4.	Executive Forward Plan to have a wider horizon to allow better planning of scrutiny		

<b>Peer Review Recommendation</b>		<b>Note</b>	<b>Recommendation</b>
<b>Resourcing</b>			
1.	Nominate a senior officer to sponsor / champion each scrutiny committee	Senior Officers to be appointed as 'Scrutiny Champions' to work with each scrutiny committee.	That the action be supported.
2.	Ensure training and development needs are met, especially for Chairs, Vice Chairs and less experienced members	A Councillor Training Steering Committee was to be re-established to develop a programme of training for councillors.	That the councillors involved in overview and scrutiny be asked to identify any training needs that would support / better enable to fulfil their role.
3.	Progress webcasting of scrutiny meetings	The ability to webcast would be a 'nice to have' and is an issue for the Council wider than overview and scrutiny.	That no action be taken as part of the review of overview and scrutiny.
4.	Review the Statutory Scrutiny Officer designation.	To be considered as part of Corporate Leadership Team's review of support for overview and scrutiny and the appointment of 'Scrutiny Champions'.	That a specific 'Role Specification' be developed for the Statutory Scrutiny Officer role.
5.	Review roles / available resources to support overview and scrutiny	Resourcing of scrutiny was not just a matter for Democratic Services it was Council Wide and affected all service departments.	That, recognising the constraints on available resources to support overview and scrutiny, the Service Director (Legal and Democratic Services), together with CLT colleagues, be requested to review resourcing in light of the Task and Finish Group's recommendations.



Peer Review Recommendation		Note	Recommendation
<b>Role of Scrutiny Management Committee</b>			
1.	Ensure working arrangements between Scrutiny Management and Scrutiny Chairs are more constructive		That the Chairs of the scrutiny committees be members of the Scrutiny Management Committee.
2.	Consider the remit and composition of the Scrutiny Management Committee with a view to realising the above	To be considered as part of the options being brought forward by Councillor Brackenbury.	
3.	As part of the review of the remit for Scrutiny Management Committee to consider the Committee's role with regard to the management of Task and Finish Groups		That the revised Terms of Reference for the Scrutiny Management Committee be adopted.
4.	Use of Task and Finish Groups		

Peer Review Recommendation		Note	Recommendation
<b>Review of Committees / Terms of Reference</b>			
1.	Review the remit of the scrutiny committees to ensure that all major Council business is covered and understood by all	Councillor Brackenbury to bring forward a note on his suggested options to the meeting on 15 February.	<b>That the revised Terms of Reference for the scrutiny committee be adopted</b>
2.	Review membership of committees to balance experience and skills across all scrutiny committees	To be addressed by the Political Groups as part of their allocation of councillors to committee seats.	<b>That the Political Groups, as part of their allocation of councillors to committee seats, seek to balance experience and skills across all scrutiny committees.</b>
3.	Ensure shorter agendas, with fewer items to note / Committee agendas to contain no more than one or two substantive items to be scrutinised	Consideration to be given to how work is prioritised so that a range of issues are scrutinised, not just the 'big ticket' items.	That items to note on a committee's agenda should only be in exceptional circumstances. That the number of items on a committee's agenda should be limited and training for Chairs should include work prioritisation.
4.	Information items to be removed from agendas and circulated via a weekly e-bulletin		Agreed in principle, subject to other means of circulation being considered to ensure it meets councillors' needs.
5.	Provide a briefing note for staff, public and partners on the role of scrutiny prior to participation in scrutiny activity	To be considered once the Task and Finish Group has finalised its recommendations.	

Peer Review Recommendation	Note	Recommendation
<b>Review of Committees / Terms of Reference</b>		
6. Process for tracking and reporting actions resulting from scrutiny recommendations	Noted recent process put in place by the Scrutiny Management Committee.	Specific term of reference included in each committee's terms of reference to monitor and review the implementation of decisions.
7. Scrutiny of Environment and Transport	To be considered as part of the options being put forward by Councillor Brackenbury (see above).	To be included in the Terms of Reference for the new General / Public Realm Committee.

Peer Review Recommendation	Note	Recommendation
<b>Executive Scrutiny / Call-In</b>		
1. Review current requirements for call-in – thresholds and rationale – to ensure that these remain fit for purpose	That the threshold for call-in be reviewed at the meeting on 15 February 2018, alongside the outcomes of the review of call-in arrangements previously undertaken by the Constitution Commission.	That there be no change to the call-in threshold.
2. Consider processes and ways of working for executive scrutiny to ensure that these provide for constructive challenge to decision-making, without being too resource intensive or adversarial	To be considered in light of above.	That each individual scrutiny committee becomes responsible for dealing with call-ins within their remit and the Executive Scrutiny Committee be abolished.

**27 FEBRUARY 2018**

**OVERVIEW AND SCRUTINY COMMITTEE COMMITTEES – REVISED  
TERMS OF REFERENCE**

**Scrutiny Management Committee**

1. To undertake the Council’s Statutory Scrutiny role in respect of ‘The Councillor Call for Action’.
2. To agree and manage the work programme for the scrutiny committees appointed by the Council, ensuring that they are comprehensive, avoid duplication and reflect the priorities in the Council Plan or any other significant issues that are affecting Milton Keynes.
3. To appoint and agree the scope of the work for task and finish review groups.
4. To refer for scrutiny by the relevant scrutiny committee any topics which the Management Committee consider urgent during the year.
5. To arrange for the monitoring of the overall performance of the Council’s services and the delivery of the Council Plan, and its projects, in order that recommendations may be made to appropriate Council bodies, as necessary.
6. To receive regular updates from Chairs of Task and Finish Groups on how the work of the Task and Finish Group is progressing.
7. To allocate to the relevant scrutiny committee call-ins of Cabinet, individual Cabinet member or officer key decisions, where the relevant committee is not self-evident to the Service Director (Legal and Democratic Services).
8. To report to the Council on the work of the overview and scrutiny function on an annual basis.
9. Where it is not practicable to wait to the next meeting of the Scrutiny Management Committee the Service Director (Legal and Democratic Services), may in consultation with the Chair and Vice-Chairs of the Scrutiny Management Committee agree any items in accordance with Terms of Reference 3 to 9 above.

**Budget Scrutiny Committee**

1. To implement the work programme agreed by the Scrutiny Management Committee by:
  - (a) providing dedicated, cross-party consideration of the Budget and the Council’s finances with a view to establishing and maintaining resources which are fit for purpose and address the needs and aspirations of the people of Milton Keynes and the Council Plan priorities;

- (b) making recommendations on:
    - (i) Priority of Services
    - (ii) Service efficiencies
    - (iii) Value for money
    - (iv) Financial strategies
  - (c) considering and commenting on Procurement, Workforce, ICT and Property issues in the light of the Council's Financial Strategy;
  - (d) monitoring the in-year progress of the Revenue and Capital Budgets;
  - (e) scrutinising and commenting upon annual out-turn reports for the Revenue and Capital Budgets, and identify learning points;
  - (f) being consulted during the preparation of the annual Revenue and Capital Strategies and Budgets;
  - (g) scrutinising the draft Revenue and Capital Budgets;
  - (h) making recommendations to the Cabinet on any of the above matters at any time, and to submit comments to the Council in relation to the Cabinet's proposed Revenue and Capital Budgets at the appropriate time;
  - (i) monitoring and reviewing the implementation of recommendations made to Cabinet, Cabinet members and other bodies, including the recommendations of task and finish groups whose terms of reference fall within the remit of the committee;
  - (j) appointing a planning group to oversee the implementation of the Committee's work programme;
  - (k) appointing, subject to the agreement of the Scrutiny Management Committee, co-opt persons in a non-voting capacity, to add to the expertise, breath of knowledge and understanding of the work of the Committee; and
  - (l) inviting expert witnesses in respect of particular items to be considered by the Committee.
2. To establish a sub-committee to consider all called-in Cabinet, individual Cabinet member or officer decisions, as referred by the Scrutiny Management Committee in accordance with the Overview and Scrutiny Procedure Rules.

### **Children and Young People Committee**

1. To implement the work programme agreed by the Scrutiny Management Committee by:
  - (a) scrutinising the provision of services, the achievement of targets and the provision of resources by the Council and its partners for the children and young people of Milton Keynes and their families;

- (b) supporting and challenging the Council and its partners in developing evidence-based policies and strategies which assist in creating positive outcomes for the children and young people of Milton Keynes so that they can be healthy, safe, enjoy their childhood, achieve economic well-being and make a positive contribution to the Borough;
  - (c) scrutinising, on behalf of the Council, the Safeguarding Children Board, the Corporate Parenting Panel and, in partnership with the Health and Adult Social Care Committee, the work of the Health and Well Being Board including any appropriate sub-committees or working parties that it may establish;
  - (d) monitoring and reviewing the implementation of recommendations made to Cabinet, Cabinet members and other bodies, including the recommendations of task and finish groups whose terms of reference fall within the remit of the committee;
  - (e) appointing a planning group to oversee the implementation of the Committee's work programme;
  - (f) appointing, subject to the agreement of the Scrutiny Management Committee, co-opt persons in a non-voting capacity, to add to the expertise, breath of knowledge and understanding of the work of the Committee; and
  - (g) inviting expert witnesses in respect of particular items to be considered by the Committee.
2. To establish a sub-committee to consider all called-in Cabinet, individual Cabinet member or officer decisions, as referred by the Scrutiny Management Committee in accordance with the Overview and Scrutiny Procedure Rules.

### **Health and Adult Social Care Committee**

1. To implement the work programme agreed by the Scrutiny Management Committee by:
- (a) undertaking the Council's statutory scrutiny role in respect of scrutinising and reviewing any matter relating to the planning, provision and operation of the health service in Borough;
  - (b) assisting in the provision of improved health and adult social care services to the residents of Milton Keynes by supporting the development of evidence based policies and strategies by the Council, health service providers and their partners;
  - (c) scrutinising the provision of services, the achievement of targets and the provision of resources to this end;
  - (d) monitoring and reviewing the implementation of recommendations made to Cabinet, Cabinet members and other bodies, including the recommendations of task and finish groups whose terms of reference fall within the remit of the committee;

- (e) appointing a planning group to oversee the implementation of the Committee's work programme;
  - (f) appointing, subject to the agreement of the Scrutiny Management Committee, co-opt persons in a non-voting capacity, to add to the expertise, breath of knowledge and understanding of the work of the Committee; and
  - (g) inviting expert witnesses in respect of particular items to be considered by the Committee.
2. To establish a sub-committee to consider all called-in Cabinet, individual Cabinet member or officer decisions, as referred by the Scrutiny Management Committee in accordance with the Overview and Scrutiny Procedure Rules.

### **Housing and Community Committee**

1. To implement the work programme agreed by the Scrutiny Management Committee by:
- (a) undertaking the Council's statutory scrutiny role in respect of scrutinising and reviewing Crime and Community Safety;
  - (b) scrutinising the planning and provision of housing services in Milton Keynes and the Council's role as landlord, to ensure that these services provide good quality, affordable accommodation for the Council's tenants and to create a sense of place for all citizens of Milton Keynes
  - (c) reviewing the availability and provision of housing in Milton Keynes;
  - (d) reviewing and assess measures to address homelessness and rough sleeping in Milton Keynes;
  - (e) seeking to ensure that the anticipated needs and aspirations of future Milton Keynes' residents are met in the planning and delivery of new housing developments;
  - (f) scrutinising the planning and provision of leisure and cultural services provided by the Council and its partners;
  - (g) scrutinising the involvement of the Council in regional and national organisations operating within the remit of the Committee to ensure that the involvement provides value and benefit to Milton Keynes;
  - (h) monitoring and reviewing the implementation of recommendations made to Cabinet, Cabinet members and other bodies, including the recommendations of task and finish groups whose terms of reference fall within the remit of the committee;
  - (i) appointing a planning group to oversee the implementation of the Committee's work programme;



- (j) appointing, subject to the agreement of the Scrutiny Management Committee, co-opt persons in a non-voting capacity, to add to the expertise, breath of knowledge and understanding of the work of the Committee; and
  - (k) inviting expert witnesses in respect of particular items to be considered by the Committee.
2. To establish a sub-committee to consider all called-in Cabinet, individual Cabinet member or officer decisions, as referred by the Scrutiny Management Committee in accordance with the Overview and Scrutiny Procedure Rules

### **General Scrutiny / Public Realm Committee**

1. To implement the work programme agreed by the Scrutiny Management Committee by being responsible for scrutinising:
- (a) as the Council's statutory scrutiny committee, Flood and Water Risk Management
  - (b) Public Realm services;
  - (c) Development Control and strategic planning matters;
  - (d) critical partnerships involving the Council;
  - (e) monitoring and reviewing the implementation of recommendations made to Cabinet, Cabinet members and other bodies, including the recommendations of task and finish groups whose terms of reference fall within the remit of the committee;
  - (f) appointing a planning group to oversee the implementation of the Committee's work programme;
  - (g) appointing, subject to the agreement of the Scrutiny Management Committee, co-opt persons in a non-voting capacity, to add to the expertise, breath of knowledge and understanding of the work of the Committee; and
  - (h) inviting expert witnesses in respect of particular items to be considered by the Committee.
2. To establish a sub-committee to consider all called-in Cabinet, individual Cabinet member or officer decisions, as referred by the Scrutiny Management Committee in accordance with the Overview and Scrutiny Procedure Rules.



## ITEM 3(c)

### OVERVIEW AND SCRUTINY PEER REVIEW TASK AND FINISH GROUP

27 FEBRUARY 2018

#### REVIEW OF DRAFT SCRUTINY STRUCTURE AND TERMS OF REFERENCE - LIBERAL DEMOCRAT GROUP COMMENTS

The Group is content that the draft proposals should be submitted to the Scrutiny Management Committee, however the following concerns were received:

- Don't like name of General Scrutiny Committee. Growth and Strategic Planning was suggested (although it covers a lot more – something like 'Strategic Placemaking' perhaps?)
- 'Transport' to be explicitly expressed as a priority for the new committee (so 'Public Realm and Transport' instead of 'Public Realm'). With that switch, the L/D Group will likely accept this instead of the original ask of a set aside Environment and Transport committee.
- A query whether Scrutiny Management Committee would be competing with the Cabinet if it has all the other chairs on it, although this was felt to be no bad thing.
- Concern over size of the Scrutiny Management Committee, there would be support for bending proportionality to keep it manageable.
- Agreement over Scrutiny Management Committee taking corporate performance role, no view on whether 'Performance' should be in the name.
- Would having 2 different committees hearing a call-in in the same month incur extra cost, having 2 meetings instead of one? Could a figure be put on this?
- Request for Public Health to be explicitly added to terms of reference for Health and Adult Social Care Committee.
- Concern that the proposals will come to the Scrutiny Management Committee next week with the Task and Finish Group having only agreed proposals the night before – but acknowledgement that there is no real choice given the timescales.