**OVERVIEW AND SCRUTINY COMMISSION**

At a meeting of the Overview and Commission held on 6 June 2013

(Present) Councillors C D Banks, Baines, Fulham, Hargreaves, Jackson, Lynch, Robinson, Seddon and Sims

(Not Present) Councillors Bowden (The Mayor), Burns, De’Asba, S Glover, Monk and Topping

Reverend D Hall - (Church of England)
Reverend T Neylon - (Roman Catholic)

1 **APPOINTMENT OF CHAIRMAN**

* Resolved that Councillor Hargreaves be appointed as Chairman of the Overview and Scrutiny Commission.

Councillor Hargreaves here took the Chair.

2 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Bowden, De’Asba, S Glover, Monk and Topping, Reverend Hall and Reverend Neylon.

3 **MINUTES**

* Resolved that the Minutes of the meeting held on 25 April 2013 be approved and signed.

4 **DECLARATIONS OF INTEREST FROM MEMBERS**

No Declarations of Interest from Members were made.

5 **COMPOSITION OF OVERVIEW AND SCRUTINY PANELS**

A report was submitted which allocated seats on the various Panels of the Overview and Scrutiny Commission in order to comply with Section 15 of the Local Government and Housing Act 1989 and to make appointments to those seats in accordance with Section 16.

Under the terms of Section 15 of the Local Government and Housing Act 1989 where a Council is divided into different Political Groups in accordance with the Local Government (Committees and Political Groups) Regulations 1990, as this one is, seats on all Committees have to be allocated to give effect to the following principles:

(a) all the seats on Committee are not to be allocated to the same political group;

(b) the majority of seats on a Committee should be allocated to the group which has the majority of the Authority’s membership;

(c) subject to (a) and (b) above, the total number of seats on Committees must be allocated in proportion to the political strength on the Council; and...
OVERVIEW AND SCRUTINY COMMISSION

(d) subject to (a), (b) and (c) above the number of seats on each Committee must be allocated in proportion to the political strength on the Council.

The political make-up of the Council was set out below:

<table>
<thead>
<tr>
<th>Party</th>
<th>Seats</th>
</tr>
</thead>
<tbody>
<tr>
<td>Labour</td>
<td>39</td>
</tr>
<tr>
<td>Liberal Democrat</td>
<td>5</td>
</tr>
<tr>
<td>Conservative</td>
<td>3</td>
</tr>
<tr>
<td>Vacancy</td>
<td>1</td>
</tr>
</tbody>
</table>

Section 16 of the above Act provides that after the allocation of seats had been determined, that the seats be allocated to Political Groups. The seats are the property of the various Political Groups for appointment.

The appointment of Members in line with the wishes of the Groups were shown in the recommendations. It was reported that since the publication of the agenda there had been a change of nomination on the Health and Adult Social Care Overview and Scrutiny Panel that Councillor Preston would replace Councillor Maloney.

* Resolved that:

(1) in order to comply with Section 15 of the Local Government and Housing Act 1989, the seats on the following Panels be allocated as detailed below:

<table>
<thead>
<tr>
<th>Panel</th>
<th>Total</th>
<th>Lab</th>
<th>Lib Dem</th>
<th>Con</th>
</tr>
</thead>
<tbody>
<tr>
<td>Audit and Financial Monitoring Overview and Scrutiny</td>
<td>8</td>
<td>7</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Children and Young People’s Services Overview and Scrutiny</td>
<td>8</td>
<td>7</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Environment, Regeneration, Housing, Culture and Leisure Overview and Scrutiny</td>
<td>8</td>
<td>7</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Health and Adult Social Care Overview and Scrutiny</td>
<td>10</td>
<td>8</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Safer Communities Overview and Scrutiny</td>
<td>8</td>
<td>7</td>
<td>0</td>
<td>1</td>
</tr>
</tbody>
</table>

\[ 42 \quad 36 \quad 3 \quad 3 \]

(2) in order to comply with Section 16 of the Local Government and Housing Act 1989, the appointments to those seats allocated in accordance with Section 15 be as shown below:
OVERVIEW AND SCRUTINY COMMISSION

1. Audit and Financial Monitoring

Lab  7 Councillors Almond, Deakin, Fulham, J Johnson, McQuade, Robinson and Shields
LD  1 Councillor Sims

2. Children and Young People’s Services

Lab  7 Councillors Almond, J Banks, Baines, Ireland, J Johnson, Robinson and Seddon
LD  1 Councillor Taylor
Co-opted Reverend D Hall (Church of England)
(Voting) Reverend T Neylon (Roman Catholic)
Mrs R H Summerskill, Parent Governor (Primary)
Mrs E A O’Donnell, Parent Governor (Secondary)
Vacancy, Parent Governor (Special)

3. Environment, Regeneration, Housing, Culture and Leisure

Lab  7 Councillors Anderton, C D Banks, Cunliffe, De’Asha, Dyer, Jackson and Roberts
Con  1 Councillor Jones

4. Health and Adult Social Care

Lab  8 Councillors Baines, Bowden, Burns, Hargreaves, Jackson, McQuade, Preston and Shields
LD  1 Councillor Topping
Con  1 Councillor Nichols
Co-opted (Non-Voting) Representative from Healthwatch

5. Safer Communities

Lab  7 Councillors Cunliffe, Gill, S Glover, Ireland, Lynch, Seddon and Willmitt
Con  1 Councillor Jones

(3) the Overview and Scrutiny Commission appointed Chairmen to Panels as follows:

1. Audit and Financial Monitoring

Chairman: Councillor Sims had been nominated by the Liberal Democrat Group for the position of Chairman.

2. Children and Young People’s Services

Chairman: Councillor Seddon had been nominated by the Labour Group for the position of Chairman.

3. Environment, Regeneration, Housing, Culture and Leisure

Chairman: Councillor De’Asha had been nominated by the Labour Group for the position of Chairman.
OVERVIEW AND SCRUTINY COMMISSION

4. **Health and Adult Social Care**

   Chairman: Councillor Burns had been nominated by the Labour Group for the position of Chairman.

5. **Safer Communities**

   Chairman: Councillor Lynch had been nominated by the Labour Group for the position of Chairman.

6 **TERMS OF REFERENCE**

A report was submitted which detailed the Terms of Reference of the Overview and Scrutiny Commission as follows:

The Commission is responsible for all Overview and Scrutiny functions on behalf of the Council, and in particular:

- To appoint and work with the individual Overview and Scrutiny Panels to develop and agree the annual Overview and Scrutiny work programme.
- Hold regular discussions with the Cabinet and Chief Officer Group to identify priority topics.
- Identify and take responsibility for items that transcend the terms of reference of, or that fall outside the remit of, the individual Panels.
- Consider the Council's Budget Strategy and budget proposals made by the Cabinet and decide if consultation or representations need to be made.
- Consider strategic Council policy decisions and decide if consultation or representations need to be made.
- To make representations to the Cabinet, and Council if necessary, on any issues or areas of concern arising from the overview and scrutiny process.
- Monitor and communicate with the Local Strategic Partnership in their role of delivering the St Helens Plan and the three strategic drivers of liveability, health and worklessness.
- Produce an Annual Overview and Scrutiny Report detailing all scrutiny activity for the year.
- Co-ordinate the Members’ Overview and Scrutiny learning programme to facilitate continuous improvement of the overview and scrutiny function.

The Terms of Reference of the Audit and Financial Monitoring, Children and Young People's Services, Environment, Regeneration, Housing, Culture and Leisure, Health and Adult Social Care and Safer Communities Overview and Scrutiny Panels were also submitted for Members’ information.

* Resolved that the report be noted.
7 PUBLIC NOTICE OF KEY DECISIONS

A report was submitted which updated the Overview and Scrutiny Commission on Key Decisions that the Cabinet expected to make. Members were informed that there were a number of Key Decisions expected to be made within areas which would be subject to each Scrutiny Panel’s key policies and strategy reviews.

A brief description of each Key Decision had been included in the report for Members to consider and identify any issues of particular relevance to be taken into account in the key policy/strategy reviews.

A Public Notice of Key Decisions published on 21 May 2013 was attached at Appendix 1 to the report.

A Member requested further information in relation to the Key Decision reported to have been made by Cabinet in May 2013 to approve the Engineering Capital and Revenue Programme of Works 2013/14.

* Resolved that:

(1) the report be noted; and

(2) further information be provided to the Overview and Scrutiny Commission on the Key Decision made by Cabinet in May 2013 to approve the Engineering Capital and Revenue Programme of Works 2013/14.

8 SCRUTINY REVIEW OF TECHNOLOGY AND A TWO-TIER SOCIETY – “DIGITAL DIVIDE” – DRAFT REPORT

A draft report was submitted which informed Members of the Scrutiny Review of Technology and a Two-Tier Society – “Digital Divide”.

The report detailed the background, scope, methodology, findings, recommendations and conclusions of the review. The Chairman of the Overview and Scrutiny Commission thanked all those who had participated in the review.

Councillor Jackson, a Member of the Technology and Two-Tier Society – “Digital Divide” Task and Finish Group commented that it was a good report and thanked all those who had taken part and contributed to the review for their hard work.

* Resolved that:

(1) the draft report be noted; and

(2) the final report be submitted to Cabinet.

9 SCRUTINY WORK PROGRAMME 2012/2013 AND 2013/2014

A report was submitted and outlined by the Scrutiny Manager which updated Members on the Scrutiny Work Programme 2012/2013 and 2013/2014.

The report detailed the progress made to date for each individual Overview and Scrutiny Panel on the Scrutiny Work Programme 2012/2013. Reports for all Scrutiny Reviews undertaken during the Municipal Year had been completed with the exception of the
OVERVIEW AND SCRUTINY COMMISSION

Scrutiny Review of Empowering those who live in Retirement Villages which was anticipated to be completed by July 2013.

It was reported that final reports had also been submitted to Cabinet and responses were awaited for the following Scrutiny Reviews:

- Scrutiny Review of Support for Young Carers
- Scrutiny Review of Domestic Violence

The Scrutiny Team had invited stakeholders to suggest topics for inclusion on the Work Programme 2013/2014. Consultation had been undertaken with Chief Officers, Cabinet Members, the Council’s Scrutiny Panels, Local Strategic Partnership, St Helens Health and Wellbeing Board, St Helens Clinical Commissioning Group, Healthwatch, St Helens Community Safety Partnership, Head Teachers and Halton and St Helens Voluntary and Community Action. Suggested topics received from stakeholders had been collated and divided into the four Overview and Scrutiny Panel areas as follows:

**Children and Young People’s Services**

- Are there Sufficient Primary School Places
- How are Schools dealing with Pupils who’s Parents are in Prison
- Pupil Referral Units
- Breakfast Clubs
- Physical Exercise in Schools
- Funding for Under 2 Year Olds Nursery Grant
- Admission Policy
- Workings of the Shared Adoption Service, Possible Joint Scrutiny Review with another two Local Authorities.

**Environment, Regeneration, Housing, Culture and Leisure Services**

- Local Shopping Centres and Closure of Shops
- Responding to Emerging New Housing Needs
- Rising Energy Costs/Pricing/Affordability and Impact on Health and Education etc
- Street Scene and Grounds Maintenance
- Town Centre Housing Provision
- Shared Services

**Health and Adult Social Care**

- Transition from Children and Young Peoples Services to Adult Social Care and Health for People in Care.
- The ‘One Bridgewater’ Redesign Programme
- Response to the findings of the Francis Enquiry
- Opportunities for Urgent Care
- Integrated Care
- Tobacco

**Safer Communities**

- Restorative Justice
- Role of the Probation Trust and Re-offending
- Working in Partnership with Travelling Communities
OVERVIEW AND SCRUTINY COMMISSION

- Troubled Families Programme

Suggested topics from Headteachers had been received as follows:

- Capital Expenditure Reductions for Schools and the Effects this will have
- Local Authority Transport Service for Special Schools
- Work of Parent Partnership
- How closely Social Services work towards the vision portrayed in the new DFE document 'Working Together to Safeguard Children'

The Overview and Scrutiny Commission were presented at the meeting with a proposed list of Scrutiny Topics 2013/2014 which had been submitted for possible inclusion in the Work Programme that had been received following further consultation with Partners, All Members and Chief Officers as follows:

Children and Young People’s Services

- How do we deal with Children when their Parents are in Prison
- Breakfast Clubs
- Physical Activity in Children
- Workings of the Shared Adoption Service – Possible Joint Scrutiny Review with two other Local Authorities
- Emergency Duty Team (EDT) Shared Arrangements
- Work of Parent Partnership
- Multi-Agency Approach to Safeguarding in Schools

Environment, Regeneration, Housing, Culture and Leisure

- Local Shopping Centres and Closure of Shops – Impact of Internet Shopping
- Responding to Emerging New Housing Needs.

Health and Adult Social Care

- Transition from Children and Young People’s Services to Adult Social Care and Health for People in Care.
- Response to the findings of the Francis Enquiry
- A&E – Why do people feel the need to go straight to A&E?
- Integrated Care
- Health Provision for People with Learning Difficulties
- Tobacco
- Continued Work with 5 Boroughs Partnership NHS Trust

Safer Communities

- Role of the Probation Trust and Re-offending
- Troubled Families Programme
- Restorative Justice

The Overview and Scrutiny Commission discussed the Work Programme 2013/2014 and agreed the topics to be forwarded to the respective Overview and Scrutiny Panels. Members also discussed that other suggested topics could be submitted to the Overview and Scrutiny Panels as an agenda item. It was identified that some of suggested topics fell into one or more portfolio area, therefore the Scrutiny Panels may wish to consider
OVERVIEW AND SCRUTINY COMMISSION

using Joint Task and Finish Groups when undertaking the reviews. It was important that
the Work Programme allowed sufficient space to accommodate one off reviews and any
urgent topics that may arise during the year.

Members were requested to consider the topics and make any further suggestions. All
suggested topic areas would be considered at the first meeting of each Overview and
Scrutiny Panel. The Scrutiny Work Programme would be finalised at the meeting of the
Overview and Scrutiny Commission to be held on 18 July 2013.

Members suggested that the following topics be included in the Work Programme:

Councillor Lynch suggested:
  • Gangs and Organised Crime
  • How the Council Supports Ex-Servicemen

Councillor Seddon suggested:
  • NEET Programme

Councillor Fulham suggested four further topics for possible inclusion in the Work
Programme:
  • Governors and Governance
  • Driver Safety in Taxis
  • Staff ID Badges
  • Public Health Responsibilities Transfer to Commissioners

* Resolved that:

(1) the report be noted;

(2) the progress made on the Scrutiny Work Programme for 2012/13 be
    noted;

(3) each Overview and Scrutiny Panel be requested to consider
    suggested future topics at their first meeting of the Municipal Year
    2013/2014;

(4) the Overview and Scrutiny Work Programme be agreed at the meeting
    of the Overview and Scrutiny Commission to be held on 18 July 2013;
    and

(5) the outstanding responses from Cabinet be noted.

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