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Committee: Overview and Scrutiny Committee

Date: Thursday 28 July 2022

Time: 6.30 pm

Venue: Bodicote House, Bodicote, Banbury, Oxon OX15 4AA

Membership

Councillor Sandy Dallimore (Chairman) Councillor Douglas Webb (Vice-Chairman)

Councillor Maurice Billington
Councillor John Broad
Councillor David Hingley
Councillor Ian Middleton
Councillor Dr Chukwudi Okeke
Councillor Mike Bishop
Councillor Ian Harwood
Councillor Matt Hodgson
Councillor Perran Moon
Councillor Bryn Williams

Substitutes Any member of the relevant political group, excluding

Executive members

AGENDA

Overview and Scrutiny Members should not normally be subject to the party whip.

Where a member is subject to a party whip they must declare this at the beginning of the meeting and it should be recorded in the minutes.

1. Apologies for Absence and Notification of Substitute Members

2. Declarations of Interest

Members are asked to declare any interest and the nature of that interest which they may have in any of the items under consideration at this meeting.

3. Minutes (Pages 5 - 8)

To confirm as a correct record the minutes of the meeting held on 1 June 2022.

4. Chairman's Announcements

To receive communications from the Chairman.

5. Urgent Business

The Chairman to advise whether they have agreed to any item of urgent business being admitted to the agenda.

6. Attendance of the Leader of the Council

The Leader of the Council, Councillor Barry Wood, will attend to give an overview of work currently being undertaken by the Executive.

7. Climate Change

Report of Corporate Director Communities.

Please note this report is 'to follow'

8. Strategic Partnership with Oxfordshire County Council - Decoupling (Pages 9 - 14)

The Chief Operating Officer will give a presentation on progress of decoupling and the next steps.

Full Council considered a report on 18 July 2022 regarding disbanding of Joint Shared Services and Personnel Committee and Joint Appeals Panel, this is attached for reference as it provides useful background information.

9. Working Groups 2022-23 - approval of scoping documents (Pages 15 - 20)

The Parish Engagement and Member Education and Training working groups will be continuing their work during 2022-23.

The scoping document for each group has been updated to reflect work that will take place this year. Once approved, these will act as the terms of reference for each working group.

Members are in the process of being appointed to each working group, and meeting dates will be arranged once the membership of each group is confirmed.

Recommendations

The meeting is recommended:

- 1.1 To approve the Parish Engagement scoping document.
- 1.2 To approve the Member Education and Training scoping document.

1.3 To delegate authority to the Assistant Director Law, Governance and Democratic Services (interim), in consultation with the working group Chairman, to make minor amendments to the scoping documents.

10. Work Programme 2022/23 (Pages 21 - 22)

There are two documents for the Committee to consider:

Appendix 1 – work programme for 2022-23 (to follow).

Appendix 2 – update on items previously considered.

Feedback is currently being gathered from relevant officers, including proposed submission dates to committee, regarding the subjects raised at the informal work programme session that took place on 30 June 2022. An updated work programme will be published prior to the meeting.

Recommendations

The meeting is recommended:

- 1.1 To consider and agree the work programme 2022-23 (to follow).
- 1.2 To consider and comment on the items previously considered by Committee.

Councillors are requested to collect any post from their pigeon hole in the Members Room at the end of the meeting.

Information about this Meeting

Apologies for Absence

Apologies for absence should be notified to democracy@cherwell-dc.gov.uk or 01295 221953 / 01295 221591 prior to the start of the meeting.

Declarations of Interest

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item.

Local Government and Finance Act 1992 – Budget Setting, Contracts & Supplementary Estimates

Members are reminded that any member who is two months in arrears with Council Tax must declare the fact and may speak but not vote on any decision which involves budget setting, extending or agreeing contracts or incurring expenditure not provided for in the agreed budget for a given year and could affect calculations on the level of Council Tax.

Evacuation Procedure

When the continuous alarm sounds you must evacuate the building by the nearest available fire exit. Members and visitors should proceed to the car park as directed by Democratic Services staff and await further instructions.

Access to Meetings

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named below, giving as much notice as possible before the meeting.

Mobile Phones

Please ensure that any device is switched to silent operation or switched off.

Queries Regarding this Agenda

Please contact Emma Faulkner / Lesley Farrell, Democratic and Elections democracy@cherwell-dc.gov.uk, 01295 221953 / 01295 221591

Yvonne Rees Chief Executive

Published on Wednesday 20 July 2022

Cherwell District Council

Overview and Scrutiny Committee

Minutes of a meeting of the Overview and Scrutiny Committee held at Bodicote House, Bodicote, Banbury, Oxon OX15 4AA, on 1 June 2022 at 6.30 pm

Present:

Councillor Sandy Dallimore (Chairman)
Councillor Douglas Webb (Vice-Chairman)
Councillor Mike Bishop
Councillor John Broad
Councillor Ian Harwood
Councillor David Hingley
Councillor Matt Hodgson
Councillor Ian Middleton

Substitute Members:

Councillor Dr Chukwudi Okeke

Councillor Andrew Beere (In place of Councillor Perran Moon)
Councillor Bryn Williams (In place of Councillor John Donaldson)

Apologies for absence:

Councillor Maurice Billington Councillor John Donaldson Councillor Perran Moon

Officers:

Celia Prado-Teeling, Assistant Director - Customer Focus (Interim)
Shahin Ismail, Assistant Director - Law, Governance & Democratic Services &
Monitoring Officer (Interim)
Natasha Clark, Governance and Elections Manager
Lesley Farrell, Democratic and Elections Officer

3 **Declarations of Interest**

There were no declarations of interest.

4 Minutes

The minutes of the meetings of the Committee held on 15 March 2022 and 18 May 2022 were agreed as a correct record and signed by the Chairman.

5 Chairman's Announcements

The Chairman set out his vision for Overview and Scrutiny and the Committee. He explained that it was important to him to speak with Committee members and he would therefore contact all Overview and Scrutiny Committee Members outside of the meeting to discuss the work programme and what he would like the Committee to achieve over the coming year.

6 Urgent Business

There were no items of urgent business.

7 Introduction to Performance Monitoring

The Interim Assistant Director of Customer Focus gave a presentation on the performance monitoring framework and reporting cycle, and the role of Overview and Scrutiny in performance monitoring.

In the course of discussion, Members of the Committee commented that they understood that a function of the committee was to scrutinise the performance aspects of the report but asked if there was a procedure where any concerns about risk and/or finance could be relayed to the committees which considered these parts of the report.

Noting the comments of the Committee, the Interim Assistant Director Law, Governance and Democratic Services Monitoring Officer agreed that clarity was needed and that if a report was considered by a Committee, it should be considered in totality. From a Governance perspective, the Interim Monitoring Officer would review which reports were considered by which Committee and at what stage of the process.

Resolved

(1) That the presentation on the Performance Monitoring Framework and reporting cycle be noted.

8 Work Programme Planning 2022-23

The Committee considered the indicative work programme for 2022-2023.

The Committee noted that the Oxfordshire Plan 2050 was listed as an item to be scheduled on the work programme and requested that an update on the Oxford-Cambridge Arc and the Growth Deal be included with this item when submitted to the Committee.

Overview and Scrutiny Committee - 1 June 2022

In response to Members' comments regarding consideration of reports by the Committee prior to consideration by Executive, the Governance and Elections Manager advised that all councillors received email notification when the Executive Forward Plan was published. If there were items the Committee wished to scrutinise, it was important that Members requested items be added to their agenda in a timely manner to allow sufficient time for Overview and Scrutiny comments to be considered by Executive before items were finalised.

The Committee considered the list of "Topics for Scrutiny" suggested by Committee Members. Highlighting that "Planning Policy for the District including the Growth Deal" had been on the Topic list for a considerable time, it was requested that the item be scheduled for consideration.

The Committee agreed that the Member Education and Training Working Group and the Parish Engagement Working Group should be re-established and submit scoping documents to the July meeting of the Committee.

Resolved

- (1) That the indicative work programme 2022-2023 be agreed.
- (2) That it be agreed that the Member Education and Training Working Group be re-established and authority be delegated to the Assistant Director Law, Governance and Democratic Services, in consultation with the Chairman of Overview and Scrutiny Committee to liaise with the Group Leaders regarding membership of the Working Group and a Scoping Document be submitted to the next meeting of Overview and Scrutiny Committee for agreement.
- (3) That it be agreed that the Parish Engagement Working Group be reestablished and authority be delegated to the Assistant Director Law,
 Governance and Democratic Services, in consultation with the
 Chairman of Overview and Scrutiny Committee to liaise with the Group
 Leaders regarding membership of the Working Group and a Scoping
 Document be submitted to the next meeting of Overview and Scrutiny
 Committee for agreement.
- (4) That the update on items previously submitted to the Overview and Scrutiny Committee be noted.

The meeting ended at 7.20 pm	
Chairman:	
Date:	



Agenda Item 8

Cherwell District Council

Submitted to Overview and Scrutiny Committee for information

Council

18 July 2022

Disbanding of Joint Shared Services and Personnel Committee and Joint Appeals Panel

Report of Assistant Director Law, Governance and Democratic Services and Monitoring Officer (interim)

This report is public

Purpose of report

To agree to disband the Joint Shared Services and Personnel (JSSP) Committee as from 31 August 2022 following the end of the formal partnership arrangements between Cherwell District Council (CDC) and Oxfordshire County Council (OCC) and the conclusion of business for the Committee.

1.0 Recommendations

The meeting is recommended:

- 1.1 to disband the Joint Shared Services and Personnel Committee with effect from 31 August 2022 and note the conclusion of its business.
- 1.2 to disband the Joint Appeals Panel with effect from 31 August 2022.
- 1.3 to request that the interim Monitoring Officer update the Constitution to reflect the disbanding of the Joint Shared Services and Personnel Committee and Joint Appeals Panel accordingly effective 1 September 2022 and to add into the Chief Executive's delegations the power to terminate, extend or vary the new arrangements.
- 1.4 to request that the interim Monitoring Officer submit revised proportionality calculations with the Joint Shared Services and Personnel Committee removed from the calculations and any committee allocation and appointment adjustments made accordingly to the 17 October Full Council meeting.
- 1.5 to note that at its meeting of 4 July 2022, the Joint Shared Services and Personnel Committee noted that operational oversight of the new arrangements for service areas would be undertaken by each respective Chief Executive and agreed delegated powers to terminated, extend or vary the new arrangements.

2.0 Introduction

- 2.1 In February 2022, Cherwell District Council and Oxfordshire County Council agreed to the required six months' notice for the termination of the s.118 Agreement dated 18 August 2012 which givers joint working between the two councils.
- 2.2 In the decision agreeing to terminate the agreement, both councils agreed an ongoing role of the Joint Shared Services and Personnel Committee (JSSP Committee) with revised terms of reference, to provide suitable oversight and decision-making concerning the termination of the agreement. A Joint Officer Transition Working Group (JOTWG) has been established and a programme of due diligence and service reviews is underway, with the aim of keeping the best interests of residents at the centre of decision making.
- 2.3 The JSSP decision-making to consider the arrangements with regards the end of the formal partnership concluded at its 4 July 2022 meeting. At the meeting, JSSP resolved to recommend to the respective CDC and OCC Full Council meetings that JSSP be disbanded with effect from 31 August 2022.

3.0 Report Details

- 3.1 Following the February 2022 decisions of Cherwell District Council and Oxfordshire County Council as set out at paragraphs 2.1 and 2.2, the Joint Shared Services and Personnel Committee has met on four occasions to consider and agree the future working arrangements for the joint service areas. Papers for the meetings are available at the following link: <u>JSSP Committee papers</u>
- 3.2 The JSSP has agreed future arrangements in respect of all joint services. Of the 24 services in the previous partnership arrangements, 16 (67%) services have been fully de-coupled; 2 (8%) services will be provided by OCC to CDC under an SLA; 5 (21%) elements of service support will be brought from OCC under an SLA and 1 (4%) service will remain in partnership.
- 3.3 At its meeting on 4 July 2022, the JSSP accepted that whilst Regulatory Services and Community Safety will continue to be shared under a new s113 arrangement, other forms of partnership and collaboration agreements are being put in place for other areas where there is ongoing provision of services between councils. The service areas therefore that will be shared under new s113 arrangements are of much more limited scope and impact across both Councils. No statutory officers will be shared under the new arrangements.
- 3.4 In these circumstances, the JSSP Committee concluded that the new s113 arrangements did not require member-level oversight, but would be overseen at an operational level by each respective Chief Executive, with each Chief Executive being given delegated powers to terminate, extend or vary the new arrangements.
- 3.5 Accordingly, JSSP resolved to recommend to the respective Full Council meetings that the JSSP be disbanded as from 31 August 2022. The Committee will consequently be removed from the Constitution and committee allocation proportionality calculations.

- 3.6 Alongside the JSSP, a Joint Appeals Panel (JAP) had been established to meet, if required, in relation to matters concerning shared Chief Officer posts. As the formal partnership working will conclude on 31 August 2022, the functions of the JAP insofar as they relate to discipline and grievance of shared Chief Officers and statutory officers is not required and is already taken care of in the Constitution for CDC's own Chief and statutory officers.
- 3.7 As JSSP and JAP are formal committees constituted under the Local Government Act 1972 (as amended) and forms part of the proportionality and committee allocations calculations, it will be necessary to review these calculations following the disbanding of JSSP and JAP. A report will be submitted to the October 2022 Council meeting setting out the revised proportionality calculations and any adjustments required to committee membership. Group Leaders will be consulted on the revisions and requested to make any necessary amendments to committee appointments.

4.0 Conclusion and Reasons for Recommendations

4.1 Following the decisions at the respective Cherwell District Council and Oxfordshire County Council Full Council meetings in February 2022 to terminate the s.113 Agreement between the councils and agree an ongoing role for the Joint Shared Services and Personnel Committee, the Committee has now concluded its work and has now further business. Accordingly, at its 4 July 2022 meeting, JSSP recommended to Council to agree to disband the Committee as from 31 August 2022. There are no longer shared Chief or Statutory Officers so there is no business for the Joint Appeals Panel and JAP should therefore also be disbanded as from 31 August 2022.

5.0 Consultation

Joint Shared Services and Personnel Committee
The recommendation to Council disband the Joint Shared Services and Personnel
Committee was agreed by JSSP at its 4 July 2022 meeting.

6.0 Alternative Options and Reasons for Rejection

6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: Not to disband the Joint Shared Services and Personnel Committee and Joint Appeals Panel. This is not recommended as decisions on future working arrangements for service areas have been taken and there is no longer any business for the Joint Shared Services and Personnel Committee. There are no longer shared Chief or Statutory Officers so there is no business for the Joint Appeals Panel.

7.0 Implications

Financial and Resource Implications
Page 11

7.1 There are no financial implications arising directly from this report.

Comments checked by:

Michael Furness, Assistant Director of Finance & S151 Officer, 01295 221845 Michael.furness@cherwell-dc.gov.uk

Legal Implications

7.2 There are no legal implications arising directly from this report. The Council is required to make Constitutional changes and undertake a review of the proportionality calculations following the disbanding of any formal committee that had been established under the Local Government Act 1972 (as amended). Following the disbanding of JSSP and JAP as from 31 August 2022, a report will be submitted to the 17 October 2022 Council meeting setting out revised proportionality calculations and committee allocations.

Comments checked by:

Shahin Ismail, Interim Assistant Director Law, Governance & Democratic Services & Monitoring Officer, Shahin.ismail@cherwell-dc.gov.uk

Risk Implications

7.3 There are no risk implications arising directly from this report.

Comments checked by:

Celia Prado-Teeling, Interim Assistant Director Customer Focus, 01295 221556, Celia.prado-teeling@cherwell-dc.gov.uk

Equalities and Inclusion Implications

7.4 There are no equalities and inclusion implications arising directly from this report.

Comments checked by:

Celia Prado-Teeling, Interim Assistant Director Customer Focus, 01295 221556, Celia.prado-teeling@cherwell-dc.gov.uk

8.0 Decision Information

Key Decision

Financial Threshold Met: N/A

Community Impact Threshold Met: N/A

Wards Affected

ΑII

Links to Corporate Plan and Policy Framework

Lead Councillor

Councillor Barry Wood, Leader of the Council and Portfolio Holder for Policy and Strategy

Document Information

Appendix number and title

None

Background papers

None

Report Author and contact details

Natasha Clark, Governance and Elections Manager natasha.clark@cherwell-dc.gov.uk, 01295 221589



Agenda Item 9



CDC parish and district relationship scrutiny review working group

Scoping Document

Review Group Overview & Scrutiny Committee Member Lead	
Membership	Members (non-Executive) with a genuine interest in investigating the relationship between the District and Parish councils. Co-opted members: 2 parish clerks
Officer Support	Kevin Larner – Healthy Communities Manager Lesley Farrell – Democratic and Elections Officer
Background	A review of the relationship between Cherwell District Council (CDC) and the parishes in the district began in November 2021. It started to map the various interactions, highlighting areas that work well and where there may be areas for improvement in the relationship and working practices.
	The working group submitted a report to the 15 March 2022 Overview and Scrutiny Committee meeting (Minute 48) which set out a number of areas for further review and recommended the working group should continue in the new municipal year.
	It was agreed at the Overview and Scrutiny Committee meeting on 1 June 2022 that the Parish Engagement working group should be re-established to continue the work of the group. The scope of the group should incorporate the areas set out below with a view to extending the good working relationship between District and Parish Councils and seeking to find solutions where any discord is found • Further clarity and work on Statutory roles, responsibilities, and interactions
	 Feedback to be invited from Parishes via the Parish Bulletin A Consultation with Customer Services re signposting should take place Provision of information to ward councillors regarding parishes in their ward
	 Survey of Parishes to ascertain parish views on their interactions with the district Organise three meetings with Parishes (large, medium, and small) Investigate legal interactions and IT Interaction/integration Invite 2 parish clerks to join the group
	 Investigate legal interactions and IT Interaction/integration Invite 2 parish clerks to join the group Page 15

	To look at consultation processes and cross departmental streamlining
Rationale	Parish Councils are a key group and tier in local government. It is obvious from the amount of contact between the district and parish councils that there is a lot of good practice but we need to establish a more coordinated approach which allows us to improve the way we engage and work with this important stakeholder community.
Indicators of Success	 Current working relationship mapped providing clarity for CDC and parishes with an action plan setting out where improvements can be made Areas for improvement identified and actioned
Out of Scope	 Statutory Parish Responsibilities Statutory CDC responsibilities Working relationships between parishes and other parish support organisations i.e. Oxfordshire Association of Local Councils Statutory Functions that cannot be amended locally i.e. Register of Interests, election processes, Community Governance Review
Method / Approach	 Consultation by survey with district councillors and officers about current interactions and to identify areas where value can be added. Survey and meetings with parishes about current interactions and to identify any points of failure Collate details of other organisations that provide support to parishes to ensure no duplication Map the current interactions and working relationship to enable identification of what works well, where there could be improvement and specific aspects that could be further reviewed Research on good practice in parish engagement
Guest speakers / Witnesses / Experts	 Councillor Phil Chapman, Portfolio holder for Healthy communities Parish Clerk(s) and parish councillors Officers whose services have regular interaction with parish councillors
Evidence required and documents	 Information regarding current interactions and working relationships between CDC and parishes in the district Current processes for Parish consultations Other organisations in the district that provide support to parishes
Site Visits	Parish Councils - meetings with Parish Clerks and Parish Members regarding their views on their relationship with Cherwell District Council (although these can be virtual)

Risks	_	Availability of councillors and officers to progress the work Availability of parish clerks to meet with the working group	
Projected Start Da	ite	Draft Report Deadline	
Meeting Frequenc	y As required	Projected Completion Date	

Approved by Overview & Scrutiny Committee	Date:

Draft Outline of meetings(Review Group members are reminded that they will be required to undertake evidence gathering and work outside of the meetings detailed below to ensure that the Review completion date is met)

Meeting 1 –	
Meeting 2 –	
Meeting 3 –	
Meeting 4 –	
Meeting 5 –	





Member Education and Training Review Group Scoping Document

Review Group Overview & Scrutiny Committee Member Lead	Cllr Sandy Dallimore	
Membership	Cllr Dorothy Walker plus 5/6 Members elected at the May 2021 or May 2022 elections.	
Officer Support	Emma Faulkner - Democratic and Elections Officer Service Managers involved in 2022 training.	
Background	A review into Member Training was held during 2021/22, following an increased focus in post-election induction and general member training in recent years. The 2021/22 working group made several recommendations to continue the improvement in Member Training during 2022/23, and agreed that the working group should continue to work with officers and implement the recommendations. The recommendations were considered and agreed by the committee in March 2022 (minute 48 refers)	
Rationale	The 2021/22 working group made a number of recommendations based on their experiences of induction from May to September 2021. The continuation of the group will allow momentum to continue with the review and put into effect the recommendations from the 2021/22 review. A combination of newly elected members in 2021 and 2022 working together to consider, review and make recommendations on future Member Education with a view to helping all Members understand their role and scope within the organisation and within their community. This leads to a better and more efficient working environment and Members able to effectively fulfil all aspects of their councillor role.	
Indicators of Success	Production of documents detailed in the recommendations of the 2021/22 review, including FAQ sheets, guidance documents and departmental contact details, alongside new documents such as role profiles (e.g. councillor, committee chair, Group Leader). Review and relaunch of the Members' Portal, leading to an increase in the percentage of Members registering and accessing it on a regular basis.	
Out of Scope	Officer education and training. Political group operations and training.	
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Method / Approach	Recommendations from the 2021/22 working group will be used as a basis for the working groups work during 2022/23. Review the training and briefings held during induction 2022, looking at the positives and the negatives, with recommendations to improve where necessary. Identify areas where additional knowledge and training is needed. Look at the ongoing needs to keep the information fresh and relevant.		
Guest speakers / Witnesses / Experts	Longer serving Members not appointed to the working group including Members appointed to specific roles, i.e. committee chairs, Executive members, Group Leaders. Service Managers involved in 2022 training. Assistant Director Law, Governance and Democratic Services		
Evidence required and documents	Recommendations from the 2021/22 working group Desk top research and direct contact to obtain information from other authorities and national organisations i.e. Local Government Association.		
Site Visits	None		
Risks	Availability of councillors and officers to progress the work.		
		Draft Report Deadline	
Meeting Frequency As required		Projected Completion Date	

Approved by Overview & Scrutiny	Date:
Committee	

Draft Outline of meetings(Review Group members are reminded that they will be required to undertake evidence gathering and work outside of the meetings detailed below to ensure that the Review completion date is met)

Meeting 1 –
Meeting 2 –
Meeting 3 –
Meeting 4 –
Meeting 5 -

Appendix 2

Updated: 20 July 2022

Update on items previously submitted to Overview and Scrutiny Committee

This document will be used to track progress of items that have been considered by Overview and Scrutiny Committee prior to submission to another meeting, such as Executive or Full Council.

Item Description	Resolution from Overview & Scrutiny	Outcome
New Overview and Scrutiny Committee Annual Report 2021/22	That the Overview and Scrutiny Committee Annual report for 2021/22 be noted.	The report was submitted to the 18 July 2022 Full Council (item 10 refers).
(Considered <u>15 March 2022</u> , Minute 49 refers)	2. That authority be delegated to the Director – Law and Governance, in consultation with the Chairman of the Overview and Scrutiny Committee, to finalise the areas highlighted in the report following the final meeting of the municipal year, prior to its submission to Council.	Resolved (1) That the Overview and Scrutiny Committee Annual Report 2021-22 be noted.

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