



# Overview and Scrutiny Committee

**Monday 24<sup>th</sup> July 2023**

Venue:	Civic Suite, Pathfinder House, Huntingdon PE29 3TN	
Time:	11.00 – 12.56	
Present:	Cllr Andy Coles Cllr Noreen Bi Cllr David Brown Cllr Caroline Shepherd Cllr Maureen Davis Cllr Anne Hay Cllr Tim Griffin Cllr Martin Smart Cllr Martin Hassall Cllr Steve Corney Cllr Judith Rippeth Cllr Peter Fane Cllr Anna Bradnam Cllr Steve Count	Peterborough City Council Peterborough City Council East Cambs District Council East Cambs District Council Fenland District Council Fenland District Council Cambridge City Council Cambridge City Council Huntingdonshire District Council Huntingdonshire District Council South Cambs District Council South District Council Cambridgeshire County Council Cambridge County Council
Apologies	Cllr Michael Atkins Cllr Charlotte Cane Cllr Mark Goldsack Cllr Mohammed Haseeb Cllr Jon Neish Cllr Aiden Van de Weyer	Cambridgeshire County Council East Cambs District Council Cambridgeshire County Council Peterborough City Council Huntingdonshire District Council South Cambs District Council

## Minutes:

<b>1</b>	<b>Apologies for Absence</b>
1.1	Apologies received from Cllr Atkins, substituted by Cllr Bradnam, Cllr Goldsack substituted by Cllr Count, Cllr Cane substituted by Cllr Shepherd, Cllr Neish substituted by Cllr Corney, Cllr Haseeb substituted by Cllr Bi who has been temporarily appointed as substitute to the Committee for this meeting and Cllr Van de Weyer substituted by Cllr Fane.
<b>2</b>	<b>Declarations of Interest</b>
2.1	No declarations of interest received.
<b>3</b>	<b>Public Questions</b>
3.1	No public questions received.
<b>4</b>	<b>Minutes of the Previous Meeting &amp; Action Log</b>
4.1	The minutes be amended at 9.3 to state that ‘the strategy was welcomed but was somewhat wordy and members would welcome a succinct summary be provided at the commencement of the paper.’
4.2	That the minutes of the meeting held on 19 June 2023 be approved as a correct record and that the Action Log be noted.

5	<b>Improvement Plan</b>
5.1	The Committee received the report which set out for the Overview and Scrutiny the progress made on identified areas of improvement and provided an update on the procurement review which had been undertaken by PWC.
5.2	<p>The following points were raised during the discussion:-</p> <ul style="list-style-type: none"> <li>• The reference within the report to ‘increasing and improving’ the governance and decision making at the CPCA reflected the points raised by the Independent Improvement Board about co-opting Independent councillors. Both the A&amp;G Committee and the O&amp;S Committee had considered reports on this at their June meetings. Officer agreed to look at the wording to rephrase from ‘would’ to ‘could’.</li> <li>• The Committee were assured by the indicated green trend regarding staffing levels. The Executive Director advised that the CA had more capacity than before but there was still a need to rely on some interim cover. The areas where recruitment was proving challenging was in legal and finance which was a national issue.</li> <li>• Members raised concerns around the amber rating for partnership working and highlighted issues that had been reported around lack of consultation between the Mayor and the Peterborough City Council Leader on the Local Transport Plan. Officers advised that the organisation was significantly better than six months ago in this area; there had been work done on officer partnership working and new governance arrangements were in place but acknowledged further work needed to be done at the political level.</li> <li>• Members raised some confusion over the report stating that 50% of contracts had been awarded directly while also stating that direct awards should be awarded sparingly. The Executive Director advised that once the PWC recommendations had been adopted by the Board that interim resources would be brought in to review the current contracts and begin work on the contract register. Some key contracts would be done early but this would be completed on a rolling basis.</li> <li>• Learning from best practice at other constituent councils had been part of the work undertaken when rewriting the procedure rules for the procurement services.</li> <li>• The procurement hub being set up would be for the CPCA to share its own documentation within the organisation with specialist areas around skills, transport etc. Once that specialist knowledge was in place this could then be shared with constituent councils; the hub would be an opportunity to share best practice and knowledge.</li> <li>• Each workstream that made up the improvement work was important with a CMT lead appointed. The procurement workstream had the largest financial impact for the authority.</li> <li>• The resources for the recruitment required would come from the improvement budget but next year this would need to be considered as part of the MTFP.</li> <li>• In response to a query about Best Value; officers advised that Best Value was heavily regulated by statute under the 1999 Act. It meant that local authorities and combined authorities had to ensure that any decisions made had to be legal; that the right processes for decision making, strategies and policies were in place and that they would bring the best value to the taxpayer; this did not necessarily mean financial value but could also mean in terms of impact.</li> <li>• Members raised a concern that best value was not mentioned within the policy strategy for procurement; the Executive Director advised that as best value was a statutory responsibility officers would always consider efficiencies and effectiveness as part of how the organisation operates however recognised that further improvements could be made to the strategy and committed to draw out the importance of best value on a stronger basis and would advise the CA Board on the 26<sup>th</sup> July of this change prior to their approval.</li> </ul>

	<ul style="list-style-type: none"> <li>• In response to a query around the scheme of delegation the Executive Director advised that there could be a lack of clarity but that the CA had contract procedural rules which were far more detailed. At the September Board the Single Assurance Framework would be brought which would have a series of delegations attached to it which would deal with the issues around delegations.</li> <li>• Once the structure was in place for the procurement team officers could then ensure there was confidence that contracts had been procured according to the correct procedures.</li> <li>• Once recruitment had been completed further training for staff could be carried out. Where permanent staff could not be recruited interim cover would be put in place to ensure best value was met.</li> </ul>
5.3	<p>The Committee RESOLVED:-</p> <ol style="list-style-type: none"> <li>a) To note the report</li> <li>b) To recommended to the CA Board that Best Value is made more implicit within the policy and that a codicil to that effect is presented to the CA Board for them to approve at their meeting on the 26th of July 2023.</li> </ol>
<b>6</b>	<b>Implementing the Scrutiny Function</b>
6.1	<p>The Committee received the report which provided an update on the progress in delivering the outcomes unanimously agreed by the OSC in June and requested that the Committee considered nominations to appoint the Scrutiny Rapporteurs for each of the Combined Authority Committees and proposed a work programme for consideration by the OSC which included the suggested informal meeting dates where the OSC would review the performance dashboard, major projects dashboard, improvement plan highlight report and the forward plan to help inform their work for the year.</p>
6.2	<p>As there were many substitute members in attendance at the meeting the Committee requested that the appointment of the rapporteurs was deferred to a later meeting. The Scrutiny Officer advised that the Committee could appoint at the informal session on the 30<sup>th</sup> of August to allow the rapporteurs to start work in September. The appointments could then be ratified at the public meeting on the 18<sup>th</sup> of September.</p>
6.3	<p>The Committee requested that further information be provided regarding the time commitments for the rapporteur roles and a more detailed job description be circulated to members prior to the 30<sup>th</sup> of August meeting.</p>
6.4	<p>The Committee also requested that expressions of interest in the rapporteur roles be submitted via email to the Scrutiny Officer in case of low attendance at the informal session on the 30<sup>th</sup> of August.</p>
6.5	<p>Committee RESOLVED to:-</p> <ol style="list-style-type: none"> <li>a) to note the progress made in implementing the recommendations agreed on 19 June 2023 to deliver new Overview &amp; Scrutiny arrangements.</li> <li>b) defer nominating and appointing members to rapporteur roles for Thematic Committees until the informal session on the 30<sup>th</sup> of August with the appointments made on this date to be ratified at the September meeting.</li> <li>c) approve the draft work programme for 2023/24 attached at Appendix 2.</li> </ol>
6.6	<p><b>ACTION</b></p> <ol style="list-style-type: none"> <li>1) Appointments of the rapporteurs be added to the work programme for the informal session on 30<sup>th</sup> August and the public meeting in September for ratification.</li> <li>2) Scrutiny Officer to circulate job description to members prior to the 30<sup>th</sup> of August session including time commitments and reporting back processes.</li> </ol>

	3) Scrutiny Officer to email Committee to invite expressions of interest for rapporteur roles prior to the 30 <sup>th</sup> of August informal session.
<b>7</b>	<b>Access to Information</b>
7.1	The Committee received the report which presented the Access to Information Protocol and requested its feedback, endorsement and comments before it is presented to the Combined Authority Board to approve.
7.2	<p>The following points were raised during the discussion:-</p> <ul style="list-style-type: none"> <li>• The Committee queried why there was a need for the Committee to demonstrate a need for information; the Monitoring Officer advised that the protocol outlined what was required by statute.</li> <li>• The Monitoring Officer advised that the additional rights outlined in legislation only applied to business that had been transacted; if pre-scrutiny was being adopted then there would be limitations to the information provided.</li> <li>• The Monitoring Officer advised that if information was requested in relation to a piece of work that O&amp;S was involved with then that was where scrutiny would have the additional rights as outlined in the protocol.</li> <li>• Members requested that the policy reflect that information should also be shared with substitute members of the Committee.</li> <li>• The Committee felt that they should be provided with all information to allow them to scrutinise unless there was a significant reason not to and that reason should be provided.</li> <li>• Committee queried who decided what 'need to know' was and without some further clarity around this in the protocol it would be difficult to support recommending it to the CA Board.</li> <li>• In response to a query the Monitoring Officer advised that The Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017 provided the Committee with more rights to information than the Freedom of Information Act, however there was a difference between a right to information under the legislation and a need for information which was directed by case law.</li> <li>• The Monitoring Officer confirmed that if information was refused to the Committee that this would be done in consultation with the Monitoring Officer.</li> <li>• The Committee discussed that they could not support or recommend the protocol as it currently stood to the CA Board for approval and would like officers to bring back an alternative version to September's meeting taking into consideration the concerns raised by members during the discussion.</li> </ul>
7.3	<p>Cllr Bradnam proposed and was seconded by Cllr Smart that officer's re-word the protocol to reflect that the focus should be what the Committee could request and have access to rather than highlighting what they could not and that greater clarity around the 'need' for information be included.</p> <p>The Committee voted unanimously in favour.</p>
7.4	<p>The Committee RESOLVED:-</p> <ol style="list-style-type: none"> <li>a) Not to endorse the Access to Information Protocol and request that an alternative protocol be brought back to a later meeting for the members to consider.</li> </ol>
<b>8</b>	<b>Combined Authority Forward Plan – Lead Members' Updates</b>

8.1	The Committee had agreed to defer the appointment of Lead Rapporteurs and therefore there was no member update.
<b>9</b>	<b>CA Board Agenda</b>
9.1	The Chair advised members that in future to enable the CA Board item to be more effective that the Chair and Vice Chair would identify an item from the Board agenda which could be scrutinised in greater detail by the Committee (for example at the September meeting the LTCP could be discussed with relevant officers invited to answer any questions about the report.)  The Committee Agreed to support this way forward.
9.2	The Committee submitted no questions to the CA Board.
<b>10</b>	<b>Date of next meeting</b>
10.1	1) Informal O&S meeting – 30th August 2023 Time TBC Venue – Virtual via Teams Microsoft.  2) Public OSC meeting - Monday 18th September at 11am. Venue: 1am at Bourges Viersen Rooms, Town Hall, Peterborough PE1 1HF

Meeting Closed: 12.56pm

Chair