



Notes

Name of meeting	INFORMAL MEETING OF THE CORPORATE SCRUTINY COMMITTEE
Date and Time	TUESDAY 13 OCTOBER 2020, 2.30 - 4.30 PM
Venue	VIRTUAL (MS TEAMS)
Present	Cllrs Richard Hollis (Chairman), Debbie Andre, Michael Beston, Vanessa Churchman, Michael Lilley, Chris Quirk Paul Thistlewood, Megan Tuckwell (Notes)
Apologies	Cllrs Stephen Hendry, John Nicholson

PREFACE

At the meeting of the Corporate Scrutiny Committee held on 8 October 2020 it was agreed that an informal briefing be arranged for members of the Corporate Scrutiny Committee (and the Chairmen of the other Policy and Scrutiny Committees) to comment on the draft constitution, prior to its formal consideration by Cabinet on 12 November 2020 and Full Council on 18 November 2020.

CONSIDERATION OF THE REVISED CONSTITUTION

Note: The first page number refers to numbering on the agenda pack presented to Cabinet at its meeting on 8 October 2020. The second page numbers in () refers to the numbering within the draft constitution.

Discussion took place regarding the below key areas, and the following conclusions were reached;

1. Page 29 (Page 5) - Index – This was a welcome addition to the constitution and enabled easier navigation to the key elements of the constitution.
2. Page 45 (Page 21) – Review and revision of the constitution – It was thought that consideration could be given to having a standard item at every annual council dealing with any amendments to the Constitution. The Monitoring Officer believed however that it would be preferable to deal with any amendments throughout the year and not be seen as an annual event.
3. Page 49 (Page 25) – Policy Framework – The list of plans and strategies to be decided by full council were noted. Members felt that there is a need for a list of other key policies and strategies of the Council to be made available where these were not included within the Constitution. This list would enable the Policy and Scrutiny Committees to look at the inclusion of these in workplans to enable them to review, monitor and develop where appropriate to ensure continued effective service provision and delivery.

4. Page 52 (Page 28) – Audit Committee – Its role should state that it has an overview of procurement, delivery of the strategy and waivers which it currently dealt with.
5. Page 53 (Page 29) – Audit Committee – membership – It was suggested that rather than a member of a scrutiny committee should not be a member of the Audit Committee it should be “ideally” for them not to be a member. This would help overcome the pressures faced in filling seats on committees.
6. Page 53 (Page 29) – Audit Committee – membership – Difficulties in filling positions of the two independent non-voting co-opted members were highlighted. The Chamber of Commerce could be approached to see if it could assist in helping to fill the vacancies. If not it was suggested these positions be deleted.
7. Pages 73-76 (Pages 49-52) - Scrutiny general – The use of informal meetings/briefings and task and finish groups was seen as a productive and effective way of dealing with the work of each committee. This enabled any formal meeting to concentrate on key issues and helped with better focussed outcomes.
8. Page 74 (Page 50) – Corporate Scrutiny Committee membership – This currently provides for a voting co-opted member appointed by the Isle of Wight Association of Local Councils. It was believed that this should be reviewed firstly due to some town and parish councils being a member of the Hampshire Association of Local Councils and some not being a member of any related association. It was also thought that if such a position was to be continued it should be on a non-voting basis. A difficulty could arise if there was an increase in the number of co-opted members on the Committee. Comment is also made later in paragraph 18 below in relation to the consultation protocol between Isle of Wight Town and Parish Councils and Isle of Wight Council.
9. Pages 76/77 (Page 52/53) – Councillor Call for Action – insertion into constitution welcome and use of flow chart good.
10. Page 80 (Page 56) – Call in – flow chart welcome.
11. Pages 104-107 (Pages 80-83) – Portfolios of responsibility – The Monitoring Officer has advised that the names of cabinet members must be included within the constitution.
12. Pages 163-166 (Pages 139-166) – Access to information – provided clearer guidance.
13. Pages 167-170 (Pages 143-146) – Protocol for recording and publishing officer decisions. Enables transparency and accountability on officer decisions that has been not been fully transparent. Members believed that for the Corporate Scrutiny Committee should monitor this process and that key and significant officer decisions are included in the Forward Plan.
14. Pages 171-176 (Page 152) – Member Code of Conduct – Concerns raised about instances of poor behaviour by members at recent meetings and the need to ensure speedy handling of complaints about this. It was agreed that the Council should take the earliest opportunity of refreshing the code of conduct in light of the national review being undertaken by the Local Government Association.
15. Page 214 (Page 190) – Code of practice for members and officers dealing with planning matters – public speaking – A recommendation should be made that consideration should be given to the period for public speaking being increased from three minutes to five minutes to ensure that a reasonable time is given for the public to present their case.

16. Page 217 (Page 193) – Protocol for Planning Committee Site Inspections – Consideration should be given to the rules applying to site visits containing dispensation for states of national emergency (e.g. Covid-19) as to why the Council may have to suspend this provision.
17. Page 218 (Page 194) – Code of practice for members and officers dealing with property transactions – This indicated that an annual plan on proposed property disposals would be produced and that the Corporate Scrutiny Committee would have the opportunity of considering this. This has not been done in recent years and if this requirement was to continue to be included within the code of practice it needed to be actioned by Directors and Cabinet members. The annual plan was also meant to be supplied to town and parish councils.
18. Pages 220–222 (Pages 196 – 198) – Consultation protocol between Isle of Wight Town and Parish Councils and Isle of Wight Council –Reference is only made to co-ordination with the Isle of Wight Association of Local Councils. A number of local councils belong to the Hampshire Association of Local Councils and several are not members of any Association. The basis of the protocol may have been the as to why only IWALC has a representative on the Corporate Scrutiny Committee. This protocol should be reviewed to take into account the current working arrangements of town and parish councils and the development of partnership working with them.
19. Page 223 (Page 199) – Communications Protocol – In the introduction mention is made of a communications strategy which is approved each year. Although not directly a matter relating to the review exercise the Corporate Scrutiny Committee would wish to see the strategy to ensure that it is being delivered and members were fully aware of its content.
20. Page 225 (Page 201) – Communications protocol – There is a section that specifically refers to a media officer being assigned to cover the activities of the Corporate Scrutiny Committee. The statutory guidance issued in May 2019 makes reference to communicating scrutiny's role to the wider public. The use of a media officer would therefore be of great benefit. There was also a need for similar support to be available for the three policy and scrutiny chairman to assist with issues being discussed at their respective meetings.

It was also suggested that a reminder be sent to all members advising them that it is not too late to provide any further thoughts or comments before the item goes before Cabinet and full Council in November 2020.

RECOMMENDATIONS TO CABINET:

1. THAT the Audit Committee's membership (Page 29) be amended to specify that Committee members should *ideally* also not be members of the Scrutiny Committee.
2. THAT steps be taken to seek nominations for the two independent non-voting co-opted members on the Audit Committee (Page 29) or these positions be removed.
3. THAT the Audit Committee's terms of reference (Pages 28/29) should acknowledge its current responsibility for procurement with particular regard to the procurement strategy and waivers.
4. THAT full Council should decide upon the future of the current co-opted voting position held by IWALC on the Corporate Scrutiny Committee (Page 50) and whether this should

remain a voting position. If it is to be continued consideration should be given as to whether a similar appointment should be sought from those town and parish councils who are members of HALC and also those who are not members of any related association. The consultation protocol with town and parish councils should also be reviewed which would enable any changes to be taken into account.

5. THAT the Council should take the earliest opportunity of refreshing the member code of conduct (Page 147) in light of the national review being undertaken by the Local Government Association.
6. THAT consideration be given to increasing the time allocated for public speaking at the Planning Committee (Page 191) from three minutes to five minutes.
7. THAT the rules applying to Site Visits (Page 193) should contain dispensation for states of national emergency (e.g. Covid-19), and outline who makes this decision and why the Council may be required to suspend this activity.