

NORTH YORKSHIRE COUNTY COUNCIL

CORPORATE AND PARTNERSHIPS OVERVIEW AND SCRUTINY COMMITTEE

Minutes of the meeting held at County Hall, Northallerton on 31 January 2011.

PRESENT:-

County Councillor Liz Casling in the Chair.

County Councillors Karl Arthur, Phillip Barrett, Neville Huxtable, David Ireton, David Jeffels, John McCartney, Stephen Shaw and Geoff Webber.

In attendance:-

Executive Member County Councillor Carl Les, County Councillors John Blackie, Tony Hall, Roger Harrison-Topham and Helen Swiers.

Carl Lis (Chairman, Yorkshire Dales National Park Authority) and Andy Wilson (Chief Executive, North York Moors National Park Authority).

Officers:-

Robert Beane (Veritau), Justine Brooksbank (Assistant Chief Executive (HR & Organisational Development)), Ray Busby (Scrutiny Support Officer), Helen Edwards (Head of Communications), Jackie Harvey (Legal & Democratic Services), Neil Irving (Head of Policy & Partnerships), Claire Lowery (Performance, Research & Intelligence Officer), John Moore (Corporate Director, Finance & Central Services), Jonathan Spencer (Scrutiny Support Officer).

Apologies for absence were received from County Councillors Val Arnold and Brian Simpson.

COPIES OF ALL DOCUMENTS CONSIDERED ARE IN THE MINUTE BOOK

18. MINUTES

RESOLVED –

That the Minutes of the meeting held on 15 November 2010, having been printed and circulated, be taken as read and be confirmed and signed by the Chairman as a correct record.

19. PUBLIC QUESTIONS OR STATEMENTS

There were no public questions or statements to be put to the Committee.

20. DEFRA CONSULTATION ON THE GOVERNANCE ARRANGEMENTS FOR THE NATIONAL PARKS AND THE BROADS

Personal interests were declared by County Councillors David Jeffels, Roger Harrison-Topham and Helen Swiers, as remunerated Members of the Yorkshire Dales National Park Authority or the North York Moors National Park Authority.

CONSIDERED –

The report of the Head of Policy & Partnerships, to brief the Committee on the Defra Consultation on the governance arrangements for the National Parks and the Broads, and to seek comments on the draft NYCC response.

Executive Member, County Councillor Carl Les and Neil Irving, Head of Policy & Partnerships, jointly introduced the report. County Councillor Les informed Members that their views were required today if they were to be incorporated into a full response tomorrow, 1 February.

Carl Lis, the Chairman of the Yorkshire Dales National Park Authority (YDNPA), and Andy Wilson, the Chief Executive of North York Moors National Park Authority (NYMNPA), spoke to the report and invited questions and comments from the Committee.

Mr Lis informed Members that the view of the YDNPA regarding its membership was that the status quo should be maintained, noting also that there was a legal requirement for political proportionality to be reflected.

As was the case with many public bodies and organisations, the Park Authority was facing reduced funding and, consequentially, reduced staffing. It was therefore believed that the expected input and commitment from Members of the Park Authority would inevitably be increased.

Mr Lis informed Members that, as a planning authority, the YDNPA has a duty to protect the fragile landscape, having a good record so far of undertaking public consultation and an approval rate of around 90%. Mr Lis said that there was a requirement for more effective communication with Parish Councils, which Park Authority Members would be expected to take forward.

Andy Wilson informed Members that a close and productive relationship was continuing between the NYMNPA and the County Council, with the Park Authority continuing to procure many of its services from the Council. The ongoing use of volunteers had allowed the Park to flourish on its own terms and was helping to keep costs to a minimum.

Mr Wilson stated that the view of NYMNPA was to maintain the status quo in respect of its Membership. There were, however, a couple of proposals, such as extending the Parish Council election process, which was seen as a step towards direct elections without increasing the cost element, and also to seek out positive ways of encouraging social enterprise within NYMNPA.

Members thanked both Mr Lis and Mr Wilson for their presentations, they also thanked County Councillor Carl Les for setting up a recent joint meeting of the Park Members, which was seen to be an apolitical group with representatives from three different political parties.

During discussion, much was made of the need for local knowledge and perspective, particularly in respect of planning applications, with the overriding view of the Committee being to maintain the status quo in respect of Membership if at all possible, but that if central Government forced their hand and changes had to be made, that an acceptable compromise needed to be reached.

Members understood the underlying reason why the Portfolio Holder put forward the notion that Parish Councils should be advised of how their comments had influenced the decision on a planning application.

There was some doubt however, as to whether this would be realistic in all circumstances. Alternatively, the response might usefully include the suggestion that an undertaking be given that, when the Park Authority reaches a decision on a planning matter, appropriate information would be made available so that a Parish Council that had submitted comments at the application stage, could ascertain the result.

With regard to speaking time allowed at meetings, in the light of greater engagement, it was proposed that Parish Councillors be given more time to speak, suggesting 5 minutes rather than the 3 minutes currently allowed for members of the public.

RESOLVED –

That the draft NYCC response to the Defra Consultation on the Governance arrangements for the National Parks and the Broads (as set out in Appendix 1 to the report), subject to the above suggested amendments, be agreed.

21. REPORT ON PROGRESS ON OPTIONS FOR RESIDENT COMMUNICATIONS

CONSIDERED –

The report of the Assistant Chief Executive (HR and Organisational Development), to provide an update to the Committee on progress made on exploring future options for resident communications and replacement for the council's newspaper, NYTimes.

Executive Member, County Councillor Carl Les, Justine Brooksbank, Assistant Chief Executive (HR & Organisational Development), and Helen Edwards, Head of Communications, jointly presented the report and invited questions and comments. Councillor Les informed the Committee that the same report would be considered by the Executive tomorrow (1 February 2011), which was predicated by the need to examine all budget lines, falling into the "turn off/turn on" budget area.

There was still felt to be a need for the NYTimes in some form, particularly for advertising and statutory notices, although it was not felt appropriate to move to a completely electronic version due to the high percentage of people who do not use electronic media. Members were informed that simply changing the number of pages in the publication would not provide any significant savings whereas changes to the distribution would.

Councillor Les reported that clarification had been sought from the Secretary of State regarding whether the use of electronic media would satisfy statutory requirements in respect of public notices – the response received was that it was acceptable to use electronic media, but only if used in conjunction with hard copy print.

In discussion, Members agreed that a combination of an online electronic format combined with pages in local newspapers, with content tailored to local interest, was the best way forward.

RESOLVED –

That –

- (a) the views of the Committee on the options for future resident communications be noted and taken into consideration;
- (b) an update report be brought to the Committee in six months' time.

22. INFORMATION GOVERNANCE

CONSIDERED –

The report of the Corporate Director, Finance and Central Services, to consider the progress made to date in respect of improving the County Council's Information Governance arrangements.

John Moore, Corporate Director, Finance & Central Services, and Robert Beane, Information Governance officer with Veritau, presented the report.

Mr Moore stated that the report provided at Appendix 1 had also been taken to Audit Committee in December 2010 as that Committee had been overseeing the matter for the past 18 months. Members heard that the need for improvement was emphasised by fines levied on Hertfordshire County, and an education contractor in Sheffield, for loss of information. Circumstances like those leading to these fines could occur at this authority, and the development of the authority's Information Governance Framework is intended to reduce this risk. Indeed the ICT team has already achieved accreditation with the information security standard ISO 27001.

RESOLVED –

That progress made on Information Governance issues, as detailed in Appendix 1 to the report, be noted.

23. CITIZENS' PANEL

CONSIDERED –

The report of the Head of Scrutiny & Corporate Performance, to inform and enable the Committee to assess the value of the Citizens' Panel.

Neil Irving, Head of Policy & Partnerships, and Claire Lowery, Performance, Research & Intelligence Officer presented the report.

By way of background, Neil Irving informed the Committee that the Citizens' Panel was borne out of a need to engage with the public and has been in existence since 2004. The Panel is made up of around two thousand volunteer members selected from a balanced cross-section of the community, a third of the membership of which is refreshed on an annual basis. Payment for use of the Panel is on a use-by-use basis with surveys being undertaken on behalf of the authority by an independent market research company. Mr Irving clarified that the current contract expires in March 2012, not 2011 as stated in the report.

In addition to the various options outlined, Mr Irving reported that North Yorkshire Police were interested in entering into a shared use arrangement, making a contribution of £5K.

Mr Irving stated that the current favoured option was to retain the Citizens' Panel as it was considered to be a cost-effective process.

In response to a Member's query as to whether the Panel was used to survey views to the latest transport cuts, Mr Irving stated that it had not been used specifically for transport cuts but had been used, in September 2010, in respect of budget consultations.

In discussion, Members felt that it was crucial for matters on which the Citizens' Panel's views were going to be sought to be publicised to elected Members, possibly via email. A Member suggested that the process should be brought in-house however, Mr Irving explained that it was not possible to bring the refreshment process of the Panel in house, although it was possible to do so for the rest of the process.

It was felt that responses of the Panel should be provided in electronic format as this was the media in which the Council would need to manipulate the data provided, although it was acknowledged that not everyone has access to electronic communications media.

In reaching a view on this issue members considered it particularly significant that the current contract runs out in 2012. NYCC intends to use the Citizens' Panel again as part of the 2011/2012 budget consultation. A partner has expressed interest in using the Panel, which should defray the cost.

Members observed that there appeared to be an absence of 'controversial subjects' consulted upon; the future of the Libraries Service the most obvious example. Stronger corporate influence over Citizens' Panel consultation issues would address this.

Elected Member awareness of panel activity is limited because survey results and use is confined a small section of the regular Performance Monitoring Report to the Executive. We could certainly improve Member influence over the direction of surveys and apply them more, for example, when we conduct reviews.

More use might be made of online consultations generally, recognising of course, that we can only go at a pace that takes into account such things as equalities, the availability of broadband and the willingness of the panel members themselves.

Assuming we continue with the current panel, the Committee is minded to look at this issue again.

RESOLVED -

That:

(a) the Executive be advised that:

the Committee's overriding conclusion was that the Panel is a valuable resource but some small changes to practice were worth making;

(b) whilst it makes sense to retain the current arrangement, the views of the Committee are:

- ❖ The number of surveys be reduced.
- ❖ Bearing in mind payment is per survey irrespective of content, we should maximise the opportunity to consult on as wide a range of subjects as is useful. (Acknowledging that long surveys can deter people from finishing and completing them.)
- ❖ Rather than a series of surveys spread throughout the year, we should aim to time and dovetail their use better to the Council's needs.
- ❖ Links with partners should be explored further, particularly the possibility of closer working with the Police Authority.

- (c) we suggest that surveys be more corporately driven rather than being reactive to directorate's needs, which appears to us to be the case;
- (d) we should produce information on panel activity separately, thus making it easier to highlight successes, identify good practice and make better use of the results;
- (e) we should aim to move towards a fully on-line panel;
- (f) the Committee is minded to look at similar evidence once a year and may well take a closer look at a particular issue that has been consulted upon, one which matches its terms of reference.

24. DRUGS AND ALCOHOL COMMISSIONING: IN DEPTH REVIEW

CONSIDERED –

The report of the Scrutiny Team Leader, to introduce discussion on the involvement of this Committee in work being undertaken by the Care and Independence Overview and Scrutiny Committee in relation to:

- (a) a review of the functions and effectiveness of the Substance Misuse Board;
- (b) the corrosive effects of substance misuse in communities; and
- (c) future work in relation to the balance between commissioning of drug treatment schemes and alcohol prevention, intervention and treatment.

County Councillor Tony Hall and Ray Busby, Scrutiny Support Officer, presented the report and invited the Committee to nominate Members to attend a workshop on Thursday 24 February 2011.

Councillor Hall informed Members that in light of the public health responsibility which would soon fall within the County Council's remit, this was a big issue which needed to be kept on peoples' agendas. Ray Busby further stated that it was worth emphasising the significance of the report, which was focussing on where money would be spent in the context of commissioning of drugs and alcohol treatment services in the future.

RESOLVED –

That County Councillors Bernard Bateman, David Jeffels and Geoffrey Webber represent the Corporate & Partnerships Overview & Scrutiny Committee at a workshop to be held on Thursday 24 February 2011.

25. DECENTRALISATION AND THE LOCALISM BILL

CONSIDERED –

The report of the Scrutiny Team Leader, to inform Members on the implications of the Localism Bill on the work of this Committee, and to outline the main areas of the Bill.

Neil Irving, Head of Policy & Partnerships, highlighted the key elements of the report, informing Members that the Bill, which had its second reading in the House of Commons on 17 January 2011, is long and complex and, ironically, gives the Secretary of State additional powers.

RESOLVED –

That the report be noted.

26. FUTURE WORK PROGRAMME

CONSIDERED –

The report of the Head of Scrutiny & Corporate Performance.

Ray Busby, Scrutiny Support Officer invited comments from the Committee on the future work programme.

The Chairman reported that in respect of equality and diversity, it had been agreed that a representative Member of the Overview and Scrutiny Committee present a report on the equality profile of the Selby District, as a pilot for this initiative, to the Area Committees - the nominations from this Committee to undertake this function were the following Councillors:

- David Jeffels (Scarborough)
- David Ireton (Craven)
- Carl Les (Hambleton)
- Stephen Shaw (Ryedale)
- Geoffrey Webber (Harrogate)
- Liz Casling (Richmondshire)

In respect of the task group created to consider Access to Services, Ray Busby reminded Members of the nominations, namely County Councillors Val Arnold; Liz Casling; David Jeffels; John McCartney; Brian Simpson and Geoffrey Webber.

Members were informed that that report regarding the Volunteering Policy would be considered at the March meeting.

RESOLVED –

That the future work programme, as detailed at Appendix 1 to the report, be noted and agreed.

27. SUCH OTHER BUSINESS AS, IN THE OPINION OF THE CHAIRMAN, SHOULD, BY REASON OF SPECIAL CIRCUMSTANCES, BE CONSIDERED AS A MATTER OF URGENCY

There was no urgent business for the Committee to consider.

JAH/ALJ