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| Policy Development and Review Committee | | Agenda Item: 5 |
| Meeting Date | 18 March 2015 | |
| Report Title | Review of the Policy Development and Review Committee's First Year | |
| SMT Lead | Chief Executive | |
| Head of Service | David Clifford, Policy and Performance Manager | |
| Lead Officer | Bob Pullen, Policy and Performance Officer | |
| Key Decision | No | |
| Classification | Open | |
| Forward Plan | | |
| Recommendations | 1. To consider the report and make any recommendations. | |

1 Purpose of Report and Executive Summary

- 1.1 This report takes stock of the first year of the Policy Development and Review Committee since it was established at the start of the 2014/15 Municipal Year.
- 1.2 Part of the Committee's Terms of Reference (Appendix I) are to report annually to Council on its work, and to make any recommendations for amended working methods if appropriate. This report is not an annual report, but it should serve as an opportunity for the Committee to consider what it would like to see included in the annual report.

2 Background

- 2.1 Up until 2014/15, the Council had two overview and scrutiny committees - a Scrutiny Committee and a Policy Overview Committee - which were established in 2009. Whilst the arrangements worked well, there had been some confusion regarding the role of each committee, and at times a lack of clarity as to which committee an item should be considered by. There was also a need to review the 'call in' procedure to make this easier to understand and to bring it in line with best practice.
- 2.2 It was therefore decided that the General Purposes Committee would review the Council's overview and scrutiny arrangements to define more clearly the roles of each committee and update the call in procedure.
- 2.3 The General Purposes Committee considered that 'pre-scrutiny' and involvement of scrutiny in matters that the Cabinet intends to consider was a very useful tool, and so it proposed that a new committee be established which focussed on this

area, in particular the development of policy. This new committee would not be designated as an overview and scrutiny committee under the Local Government Act 2000, and therefore will not consider 'call in' items. Its Terms of Reference are at Appendix I.

- 2.4 The General Purposes Committee recommended to Council that these changes be made, and Council approved them at their meeting on 19 February 2014. Reports and minutes of the relevant meetings can be accessed from the links provided under 'Background papers' at Section 8 of this report.

3 Consideration

- 3.1 The inaugural meeting of the Policy Development and Review Committee was held on 28 May 2014. The Committee:

- elected the Chairman and Vice-Chairman for the year; and
- considered a schedule of policies, strategies and plans which were due to be reviewed over the course of the year.

- 3.2 The report covering the Committee's programme of work for the year sought to summarise its purpose as follows: "To assist the Cabinet in developing or reviewing either new or existing policies, strategies or plans. Its workload is expected to be driven by the natural cycle of considering existing policies, strategies or plans of the council as they come up for review or providing advice to Cabinet on proposals for new council policy referred by Cabinet, Council or the Scrutiny Committee".

- 3.3 Immediately following the inaugural meeting, the Chief Executive received an e-mail from the Leader of the Labour Group to say that he was withdrawing the Labour Group from the Committee. The reasons given were that he: "did not believe that a genuine review of council policies will be served by it". This has resulted in three vacancies on the Committee which have existed since the inaugural meeting on 28 May 2014. The composition of the Committee for 2014/15 has therefore been seven Conservative members (including the Chairman and Vice-Chairman), one Independent member, and three vacancies.

- 3.4 A schedule of meetings and the policies, plans and strategies considered by the Committee is at Appendix II. This also provides a summary of what the Committee considered.

- 3.5 From the outset, as agendas were compiled, and policies, plans and strategies were identified for the Committee's consideration, the relevant Cabinet Member and Lead Officer(s) were invited to attend the meetings. This worked well and the minutes show that, except for one or two occasions when they were unavailable, Cabinet Members attended all meetings to which they had been invited.

3.6 One aspect that did come to light during the year was that while the relevant Heads of Service were attending the meetings, they were being accompanied by relatively junior members of staff and that these staff were being given the opportunity to present reports. This has several benefits:

- it enables staff who can often bring a local rather than a corporate view of how a policy might work in practice to meet and discuss emerging policy with members other than the Cabinet;
- it provides staff with an opportunity to develop their presentation skills;
- non-executive members actually get to hear from officers who have led on the development of policies; and
- this can all take place in a forum which is less adversarial than overview and scrutiny can sometimes be.

3.7 A trawl of the Cabinet and Council agendas for the year shows that all major policies, plans, and strategies had been considered by the Committee prior to their approval. The exceptions were the Local Plan and Licensing Policy, which are in any case the preserve of the Local Development Framework Panel and General Licensing Committee respectively. This reinforces the need to maintain a robust register of policies and to liaise with Heads of Services regularly to ensure that the information held on the Policy Register is up to date.

4 Proposals

4.1 The Committee is invited to consider this report and make any recommendations.

5 Consultation Undertaken or Proposed

5.1 The Committee Chairman and Vice-Chairman were consulted on this report in draft, as were the SMT Lead and Head of Service.

6 Implications

| Issue | Implications |
|----------------------------------|---|
| Corporate Plan | <p>The Committee considered policies and strategies which encompassed all of the 2011-15 Corporate Plan priorities:</p> <ul style="list-style-type: none"> ▪ embracing localism; ▪ open for business; and ▪ healthy environment. |
| Financial, Resource and Property | None identified at this stage. |
| Legal and | The establishment of the Policy Development and Review |

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| Statutory | Committee required a change to the Council's Constitution. Any change to the Committee's Terms of Reference would require further change to the Council's Constitution, and the appropriate Committee to consider any such change would be the General Purposes Committee in the first instance. |
| Crime and Disorder | The Committee considered the Community Safety Strategy and would be expected to consider this periodically as the Strategy is updated annually. |
| Sustainability | None identified at this stage. |
| Health and Wellbeing | None identified at this stage, although the Committee did consider the Sport and Physical Activity Framework which has strong links to the health and wellbeing agenda. |
| Risk Management and Health and Safety | None identified at this stage. |
| Equality and Diversity | The Committee will have initial consideration of how the existing Corporate Equalities Strategy will be revised/replaced at the meeting on 18 March, with further involvement in the new Municipal Year. |

7 Appendices

7.1 The following documents are to be published with this report and form part of the report:

- Appendix I: Terms of Reference of the Policy Development and Review Committee
- Appendix II: Policies considered by the Policy Development and Review Committee during 2014/15

8 Background Papers

8.1 The following documents are published with this report and form part of the report:

- General Purposes Committee meeting 3 February 2014 – Reports on Constitution Review:
- Covering Report:
<http://services.swale.gov.uk/meetings/Data/General%20Purposes%20Committee/20140203/Agenda/Report%20for%20Item%204%20-%203C8412AC68CC4E40B235B05D854DA918.pdf>
- Appendices:
<http://services.swale.gov.uk/meetings/Data/General%20Purposes%20Com>

mittee/20140203/Agenda/Annex%201%20for%20Item%204%20-%203CFD81F149D242DF8C3867DFC91B453D.pdf

- Minutes of General Purposes Committee meeting on 3 February 2014:
[http://services.swale.gov.uk/meetings/ceListdocuments.aspx?MID=554&DF=03%2f02%2f2014&A=1&R=0&F=embed\\$Minutes\\$.htm](http://services.swale.gov.uk/meetings/ceListdocuments.aspx?MID=554&DF=03%2f02%2f2014&A=1&R=0&F=embed$Minutes$.htm)
- Constitution Review – Report to Council on 19 February 2014:
<http://services.swale.gov.uk/meetings/Data/Council/20140219/Agenda/Report%20for%20Item%2012%20-%2041CDC52F390E4C6BBCB2BDA96FFCFA97.pdf>
- Minutes of Council meeting held on 19 February 2014:
<http://services.swale.gov.uk/meetings/CeListDocuments.aspx?MID=473&RD=Minutes&DF=19%2f02%2f2014&A=1&R=0>

Terms of reference for the Policy Development and Review Committee

Within its terms of reference, the Committee will:

- (i) consider any built-in review of any existing policies, strategies or plans of the Council;
- (ii) consider existing policies in the light of changes to legislation or national guidance;
- (iii) consider other reviews of existing council policy referred by a Cabinet Member or by resolution of Cabinet, Scrutiny Committee or Full Council;
- (iv) consider proposals for new council policy referred by a Cabinet Member, Cabinet or Full Council;
- (v) provide pre-decision comment on policy decisions.

A policy shall not be re-considered by the committee within two years or before its built in review period, unless by resolution of the full Council or Cabinet, or as required by a change in legislation or national guidance.

The chairman may invite Cabinet Members and officers of the council or other persons to attend committee meetings to answer questions pertinent to the business of the committee.

Having considered an item, the committee may make recommendations to the person or body that referred the item to it; Cabinet, Cabinet Member, Officer of the Council or the Full Council.

The Policy Development and Review Committee shall exercise overall responsibility for any finances made available to it.

Annual Report – the Policy Development and Review Committee must report annually to the Full Council on their work and make recommendations for amended working methods if appropriate.

Policies considered by the Policy Development and Review Committee during 2014/15

| Date considered | Policy title | Summary of Committee considerations |
|------------------|---------------------------------|--|
| 8 July 2014 | Communications Strategy | <p>The draft Communications Strategy for 2014/15 sets out the Council's approach and priorities for effective communication. The Council was aiming for a clear and consistent voice and identity so that residents were more informed about and satisfied with its services.</p> <p>The Committee considered that the communications priorities were the right ones for Swale, and that there were no unintended negative consequences of focusing on those priorities.</p> |
| “ | Corporate Plan for 2015-18 | <p>The Committee considered the work needed to develop a new Corporate Plan for the Council covering the period 2015-18. The Corporate Plan is the overarching statement of SBC's medium-term strategic objectives.</p> <p>The Committee made a number of detailed comments and suggested changes on the draft plan which would be fed into the version that was due to be consulted on in the Autumn.</p> |
| 3 September 2014 | Community Asset Transfer Policy | <p>The first version of the Community Asset Transfer Policy was approved by Cabinet in August 2009. It was developed out of a need for a clear framework within which to structure the transfer of community assets, the principle of which was beginning to emerge as a corporate priority for the Council.</p> <p>The Policy was revised and updated in April 2013 in response to comments made by the Council's external auditor. Since this last update, a number of asset transfers have taken place that highlighted the need for some further amendments and clarifications.</p> <p>The Committee raised a number of detailed points including: leasehold and freehold considerations; promotion of opportunities for community groups; advice and guidance on the process; and rental options.</p> |

| Date considered | Policy title | Summary of Committee considerations |
|------------------|---|---|
| “ | Volunteering Strategy | <p>The Strategy sets out a strategic approach for the Council, working in partnership with other agencies, to increase volunteering within Swale, including a series of priorities and actions for the next three years.</p> <p>The Committee made a number of comments on the document and recommended to Cabinet that:</p> <ul style="list-style-type: none"> ▪ <i>the figures in the report be updated and there be more publicity, to include who to contact for further information, and Swale Councillor and officer volunteer numbers.</i> |
| 15 October 2014 | Planning Enforcement Strategy and Charter | <p>The Planning Enforcement Strategy and Charter was due to be reviewed, and the Committee were invited to have an input to this process.</p> <p>Planning Enforcement relates to anything that requires planning permission but does not have it, or failing to comply with a planning condition. Additionally, the Planning Enforcement Service also issues Section 215 Notices requiring land to be cleaned up when its condition adversely affects the amenity of the area.</p> <p>The Committee considered the issues raised by the Strategy and Charter including: liaison between the Planning Enforcement and Legal Services Teams; resources; communications on enforcement notices served; and Members' reporting planning breaches. The Committee will revisit the Strategy and Charter in the next Municipal Year.</p> |
| 19 November 2014 | Local First Policy | <p>The Local First policy aims to:</p> <ul style="list-style-type: none"> ▪ maximise the proportion of our spend that is retained locally; ▪ deliver social value in the Swale BC area; and ▪ support and enable local businesses, town and parish councils and the voluntary and community sector to bid for contracts and services. <p>The Committee explored:</p> <ul style="list-style-type: none"> ▪ how the policy worked in practice; ▪ how it was promoted; |

| Date considered | Policy title | Summary of Committee considerations |
|-----------------|---------------------------------------|--|
| | | <ul style="list-style-type: none"> ▪ criteria for evaluating tenders; ▪ the database of local businesses; ▪ the new “Swale Means Business” website; ▪ training and development; and ▪ apprenticeships. |
| “ | Sport and Physical Activity Framework | <p>The Sport and Physical Activity Framework was developed following a review in 2011 and public consultation in February 2012 with both the Sport and Physical Activity (SPA) Network and the residents of the Borough to review and develop the role the Council should be undertaking in relation to SPA, and to provide partners in Swale with a Framework from which they can develop their own strategies for action. The Committee considered:</p> <ul style="list-style-type: none"> ▪ how funds secured from Sport England were being deployed to encourage greater take-up of SPA in Swale, including partnership arrangements with Health Trainers and Job Centre Plus; ▪ communication with councillors about Health Trainer programmes; and ▪ officer support for the Swale Community Leisure Trust. |
| 14 January 2015 | Community Safety Strategy | <p>The Swale Community Safety Partnership annually refreshes its Partnership Plan following a Strategic Assessment process and agreement of priorities by Partners. The process has begun to refresh the plan for 2015/16, and the purpose of this session was to afford the Committee with the opportunity to influence the refresh process. The Committee considered:</p> <ul style="list-style-type: none"> ▪ the key activities delivered by the Community Safety Partnership; ▪ the Community Payback Scheme; ▪ community cohesion; ▪ Swale Action To End Domestic Abuse (SATEDA) Freedom Programme; |

| Date considered | Policy title | Summary of Committee considerations |
|-----------------|---------------------|---|
| | | <ul style="list-style-type: none"> ▪ child sexual exploitation; ▪ joint working with the Clinical Commissioning Groups; ▪ crime figures; and ▪ priorities for 2015/16. |
| “ | Social Media Policy | <p>The Committee considered drafts of both the Social Media Policy and Guidelines and the Customer Use Policy. The policies were being introduced in response to the increasing use the Council was making of key social media tools to raise awareness of our services and shape policy development through communicating updates, photos, videos, latest news, events, supported campaigns, and information about our Council services and those available from other local authorities and partners.</p> <p>The Social Media Policy and Guidelines was designed to guide Council Departments on when and how to use social media. The Customer Use Policy is designed to guide officers responsible for managing the Council’s social media accounts, eg on appropriate service standards etc.</p> <p>The Committee explored issues around the display of images on SBC’s website and social media accounts of vulnerable adults and children; access to council services for residents who were not online; and training for members on social media.</p> |
| “ | Tree Policy | <p>The draft policy set out SBC’s responsibility for trees on its land. SBC had a role in managing, maintaining and enhancing the environment and aims to sustain a balanced and healthy tree population, while recognising the constraints of budget and prioritising safety first. The Committee considered:</p> <ul style="list-style-type: none"> ▪ who residents should contact if they had concerns about trees on Council-owned land; ▪ trees in relation to planning applications; and ▪ whether the Council should have a policy to promote the planting of trees more generally in Swale. |