

Minutes of a meeting of the Scrutiny Commission held at County Hall, Glenfield on Wednesday, 4 March 2009.

PRESENT

Dr. M. O'Callaghan CC (in the Chair)

Mr. G. A. Boulter CC
Mr. R. Fraser CC
Mr. S. J. Galton CC
Mr. G. A. Hart CC
Mr. D. W. Houseman CC

Mr. John Legrys CC
Mr. P. G. Lewis CC
Mr. J. S. Moore CC
Mr. R. J. Shepherd CC

190. Minutes.

The minutes of the meeting held on 28th January 2009 were taken as read, confirmed and signed.

191. Question Time.

The Chief Executive reported that no questions had been received under Standing Order 35.

192. Questions asked by members under Standing Order 7(3) and 7(5).

The Chief Executive reported that no questions had been received under Standing Order 7(3) and 7(5).

193. Urgent Business.

The Chairman reported that he had agreed to consider as an urgent item the report of the Independent Remuneration Panel on Members' Allowances which was due to be considered by the Constitution Committee on 10th March.

194. Declarations of interest.

Mr Shepherd declared a personal and non prejudicial interest in relation to the report on Sub Regional Economic Development Arrangements as reserve District representative on the Leadership Board.

Dr O'Callaghan declared a personal non prejudicial interest in relation to the report on Sub Regional Economic Development Arrangements as a member of the Melton Promotions Board.

The following members declared personal non prejudicial interests on the report on Sub Regional Economic Development Arrangements as District Council members:-

Mr Lewis, Mr Legrys; Mr Galton; Mr Boulter and Mr Hart.

All members of the Commission declared personal non prejudicial interest in relation to the Urgent Item – Report of the Independent Remuneration Paid on Members' Allowances.

195. Declarations of the Party Whip in accordance with Overview and Scrutiny Procedure Rule 16.

There were no declarations made under Overview and Scrutiny Procedure Rule 16.

196. Presentation of Petitions under Standing Order 36.

The Chief Executive reported that no petitions had been received under Standing Order 36.

197. Gating Policy for Leicestershire.

The Commission considered a report of its review panel which proposed a gating policy for Leicestershire. A copy of the report, marked 'B', is filed with these minutes.

Members were advised that the decision making process section set out in the application form, Appendix 1, was incorrect as it had not been amended to reflect the outcome of the final meeting of the Panel. A revised decision making process section is attached to these minutes.

The Commission also considered comments received from Mr David Snartt in his capacity as the Chairman of the Charnwood Crime and Disorder Reduction Partnership together with a response thereto agreed with the Chairman of the Panel. A copy of is filed with these minutes.

Members welcomed the proposed policy as another important tool to address concerns of local communities on crime and antisocial behaviour. With regard to the additional funding being sought members noted that the Panel had asked for growth of £21,000 in 2010/11 which would allow for 7 gating orders to be made per year. It was not intended that each District would be limited to one application per year. Some concern was expressed that this level of resource may prove to be inadequate and the level of demand should be monitored.

RESOLVED:-

That the Cabinet be advised that the Scrutiny Commission welcomes and supports the proposed gating policy for Leicestershire and endorses the Panel's recommendations.

198. Subregional Economic Development Arrangements

The Commission considered a report of the Chief Executive concerning:-

- i) the new sub regional economic development Leadership arrangements;
- ii) the Leicester and Leicestershire Economic Development Company.

A copy of the report, marked 'C', is filed with these minutes.

In response to questions and comments the Commission was advised as follows:-

- The new arrangements and emerging legislation provided an opportunity to review the current role played by emda during 2009. In particular, the view of the County and City Council was that emda needed to agree broad programme areas rather than be involved in the assessment and approval of individual schemes/projects;
- Future funding, estimated at £50 million, would come directly to the County and City Councils who, through the Leadership Board, would be responsible for the allocation of the funding. The City Council would be the 'Accountable Body';
- A key area of the new arrangement was to move away from individual projects to determining the key sectoral priorities and outcomes and commissioning the most appropriate bodies to deliver against these outcomes;
- The consultant's report, which led to the establishment of the proposed arrangements including the Economic Development Company, had recommended that tourism and promotion activities should remain, at least for the present, with LeicesterShire Promotions. LeicesterShire Promotions would be members of the five delivery groups and would be commissioned, as required, to deliver against particular targets. It would also have a role in influencing priorities;
- The posts of non executive Directors for the Economic Development Company had recently been advertised. The concern expressed by some members about the need to ensure that there was wider publicity of these posts was noted and would be drawn to the attention of the Company;
- The need to respond quickly to particular investment opportunities as they arose was recognised and the Leadership Board and Economic Development Company would be the key bodies with responsibility for achieving this.

Discussion then ensued on the role of scrutiny in relation to these new arrangements. Arising from this the following points were made:-

- As the Leadership Body was a non-executive body it would be appropriate for the Commission to call the Leader to account;
- It would be helpful to have a meeting with the Chairman and Chief Executive of the new Economic Development Company later in the year when the new arrangements had been put in place;
- There would be merit in inviting LeicesterShire Promotions and the Leicestershire Rural Partnership to future meetings of the Commission.

With regard to keeping elected members informed of the work of the Leadership Board and other bodies members were advised that:-

- The outcome of the Leadership Group meetings would be circulated to all members as an Information Item and the papers considered at these meetings would be published on the website;
- Quarterly performance data would be published and circulated to members as part of the County Council's usual performance reporting arrangements;
- Consideration would be given to setting up a mechanism similar to the Local Alerts Procedure which would draw to the attention of members schemes or projects commissioned under this new arrangement which would affect their electoral divisions.

RESOLVED

- a) That the comments now made be drawn to the attention of the Cabinet;
- b) That the Cabinet be advised that this Commission supports the new sub regional economic development Leadership arrangements and in particular welcomes the proposals to move away from inviting applications for individual schemes to an arrangement which will result in the identification of the key sectoral priorities and outcomes and commissioning the most appropriate bodies to deliver against these.

199. Date of next meeting.

It was noted that the next meeting of the Committee would be held on Wednesday 15th April 2009 at 2pm.

200. Urgent Item - Report of the Independent Remuneration Panel on Members' Allowances.

The Commission considered this matter, the Chairman having decided it was of an urgent nature, in order that any views of the Commission on the proposed changes in allowances could be conveyed to the Constitution Committee.

The Commission considered a report of the Chief Executive to the Constitution Committee which appended the report of the Independent Remuneration Panel on Members' Allowances. A copy of the report was circulated at the meeting and a copy is filed with these minutes.

RESOLVED

That the Constitution Committee be advised as follows:-

- a) that the report of the Independent Remuneration Panel had failed fully to recognise the progress made in improving accountability particularly that of scrutiny chairmen and spokesmen following the recent review of scrutiny undertaken Jessica Crowe from the Centre for Public Scrutiny and Steve Nicklen of the Leadership Centre including the revision of job descriptions for Chairmen and Spokesmen;
- b) that the offer made by the Independent Remuneration Panel to discuss issues of accountability and performance is welcomed and the Commission members would wish to engage in such a dialogue;
- c) that the Panel had failed to give sufficient emphasis to the significant contribution made by scrutiny bodies, particularly panels, in contributing to policy development. Examples cited were the panels established to consider eco towns, grass cutting, office accommodation strategy and practice based commissioning;
- d) that the recognition by the Panel of the important role played by the Scrutiny Committee Spokesmen is welcomed;
- e) that there would be merit in the Panel following the model adopted by the Panels at Charnwood and Harborough Borough Councils of issuing a draft report to the Groups inviting any further comment as such a process would enable matters of fact or areas of misunderstanding to be identified and addressed before the final report was issued.

2.00 pm - 3.25 pm
04 March 2009

CHAIRMAN