

**SCRUTINY COMMISSION – 6<sup>TH</sup> NOVEMBER, 2002**

**COMMUNITY STRATEGIES – CONDUCT OF FIVE MEMBER PANEL**

**REPORT OF THE CHIEF EXECUTIVE**

**Purpose**

1. The purpose of this report is to advise the Commission of the views of the Executive on the conduct of the five member review panel established to consider community strategies and the response of the Scrutiny Reference Group thereto.

**Background**

2. The Commission at its meeting on 26<sup>th</sup> June, 2002 established a five member panel with the following terms of reference:

“On behalf of the Scrutiny Commission –

- (a) to examine the actions of the Executive with a view to assisting in the development of a Community Strategy for the County of Leicestershire;
- (b) to consider the District Community strategies and strategies of other agencies in terms of their compatibility with the Community Strategy for the County with a view to assisting the Executive in formulating a response to these documents;
- (c) to examine and comment upon proposals of the Executive that advance the implementation of the Community Strategy;

and to report on a regular basis thereon to the Commission.”

3. The Commission on 4<sup>th</sup> September considered the report which set out how the Panel proposed to discharge the functions, particularly in relation to scrutiny of district community strategies. The Panel recognised that ‘although the County Council had an important role to play it should not be seen as attempting to drive the District based Strategies’. The Panel therefore considered that the process by which it would discharge its remit in relation to District Strategies would be as follows:
  - ‘(i) to invite the relevant Cabinet representative to meetings of the panel to comment on the input of the County Council in the development of the Strategies and comment on the impact of the Strategies on the County Council services;

- (ii) to consider and comment on those elements of the district based strategies that impact on or are reliant on the services delivered by the County Council and the compatibility of those Strategies with Leicestershire Community Strategy;
- (iii) to ensure that all relevant information had been taken into consideration;
- (iv) to consider whether all the legal requirements in relation to Community Strategies have been met.'

This approach was endorsed by the Commission at its meeting on 4<sup>th</sup> September.

### **Conduct of the Review - Views of the Executive and response thereto**

4. The report considered and approved by the Commission was then forwarded to the Executive for consideration. The Executive's response was considered by the Scrutiny Reference Group on 14<sup>th</sup> October, 2002. The comments of the Executive on the conduct of the review panel together with the response of the Scrutiny Reference Group thereto (shown in italics) are set out below:-

- (a) That in general terms of the 5 Member Scrutiny Review Panel should be asked to avoid an approach to the scrutiny of community strategies which could become bureaucratic and lead to unnecessary meetings.

*The Group agreed with the view expressed that panels should avoid a bureaucratic approach to Scrutiny which could lead to unnecessary meetings.*

- (b) That the issue of elected member representation on District-based Local Strategic Partnerships is a matter for:
  - the Cabinet in terms of County Council representation
  - the District-based LSPs in terms of all other representation.

*The Group noted that the question of representation of County Council members on district based local strategic partnerships was a matter on which a number of County Councillors held strong views. However, it was accepted that this was a matter for Cabinet decision.*

- (c) That it is premature at this stage for the Panel to consider an approach to District-based community strategies, but the Executive would not support any approach which is unnecessarily interventionist in the preparation of strategies for which other councils or other agencies have the lead responsibility.

*The Group endorsed the points raised by members of the Executive about the approach to be adopted in the scrutiny of strategies for which other councils or agencies have lead*

*responsibility. The Group also noted that purpose of the deliberations of the Panel, as set out at paragraph 5(b) of the report to Scrutiny Commission of 4 September, 2002, [set out in paragraph 3 above] was to identify an appropriate basis upon which the Panel could set about this task whilst avoiding an unduly interventionist approach.*

- (d) That the establishment of the Panel as seemingly a body with ongoing responsibilities is contrary to the requirement laid down by the Council for review panels to be time limited. The Scrutiny Commission should consider whether this is intended to be a 'review panel' as envisaged in the report on "The Future Shape of Scrutiny" considered and approved by the County Council on 10<sup>th</sup> January, 2001.

*The Group accepted the need to ensure that five member Panels should not be standing bodies continuing on an indefinite basis and that the focus of scrutiny through such bodies should be maintained. The Group was of the view that:-*

- *the Panel should continue in existence until such time as a final proposed version of the countywide strategy had been sent out for public consultation and a response to that consultation exercise was known.*
- *at that point, the Commission would consider future working arrangements for the scrutiny of proposed district community strategies and implementation of the countywide strategy.*
- *the Panel should, prior to that date, continue to consider and comment on consultative drafts of district community strategies in accordance with paragraph (b) of the terms of reference [set out in paragraph 2 (b) above].*

- (e) That in nominating members of the Panel, the Groups should ensure that conflicts of interests with membership of District-based Local Strategic Partnerships are avoided.

*The Group noted the difficulties for members of the County Council, whether serving on Cabinet or on Scrutiny, who are also members of district councils, in serving as members of district-based local strategic partnerships and in the formulation of local district-based community strategies and that this was a matter to be considered by the Groups.*

5. With regard to the question of attendance of the relevant Cabinet member at Panel meetings to comment on the District Strategies, the Leader of the Council declined the invitation. The Leader pointed out that the appropriate Cabinet members would however attend meetings of the Commission and/or Scrutiny Committees.

## **Equal Opportunities Implications**

6. Nil

## **Recommendation**

6. The Commission is asked to note this report.
- a) note the views expressed by the Executive on the conduct of the five member and the response of the Scrutiny Reference Group thereto;
  - b) agree that the five member panel should continue on the basis outlined in the response of the Scrutiny Reference Group set out in paragraph 4 (d) above.

## **Circulation under the Sensitive Issues Procedure**

Nil

## **Background Papers**

Nil

## **Officer to contact**

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