

Time commenced - 6.00 pm  
Time finished - 8.23 pm

## SCRUTINY MANAGEMENT COMMISSION 22 MARCH 2005

Present: Councillor Troup (in the Chair)  
Councillors Ahern, Bayliss, Graves, Hussain, Jones, Latham Lowe,  
MacDonald, Redfern, Repton, Smalley and Travis.

### 77/04 Apologies for Absence

An apology for absence was received from Councillor P Berry.

### 78/04 Late items introduced by the Chair

There were no late items.

### 79/04 Declarations of Interest

There were no declarations of interest.

### 80/04 Minutes

The minutes of the meetings held on 31 January and 1 March 2005 were confirmed as a correct record and signed by the Chair.

### 81/04 Call-In

There had been no call-in of a decision.

## Items for Discussion

### 82/04 Draft Annual Report of the Overview and Scrutiny Commissions

The Commission considered the first draft of the 2004/05 Annual report of the Overview and Scrutiny commissions. The report, which had been prepared by the Co-ordination Team described the work carried out by all six Overview and Scrutiny Commissions during the past year. Members were asked to indicate any changes they wished to be made before the report was finalised and to confirm the Overview and Scrutiny objectives for the coming year that they wished to be included in the final version of the Annual Report.

Members were advised that the final draft version of the annual report would be

submitted to the Scrutiny Management Commission for approval at its meeting on 19 April 2005 and that the final version of the report, which would incorporate the Commission's objectives, would then be presented to the Annual meeting of the Council on 25 May 2005.

After discussion the Commission decided to defer setting the Overview and Scrutiny Objectives for the coming year until the meeting on 19 April 2005.

## **Resolved**

- 1. To inform David Romaine Scrutiny and Complaints Manager, of any amendments to content and layout of the draft annual report that members of the Commission wished to be made to the final version of the report.**
- 2. To defer the settings of objectives for Overview and Scrutiny for the coming year, which would be included in the final version of the annual report, until the next meeting.**

## **83/04 Gershon Efficiency Review**

The Commission received a presentation from Paul Dransfield, Director of Finance, on the Gershon Efficiency Review. The Commission were told that the Government had set local authorities the target of achieving efficiency savings of 2.5% per annum, and that this was a real and genuine opportunity for the Council to set up the Council to set up a framework for efficiency reviews.

Paul Dransfield defined efficiency savings as 'getting more the the same resources or getting more or less.' In response to a question from Councillor Latham he confirmed that the Council would be able to keep any savings that it made.

The Commission were told that savings might come from:

- Customer service rationalisation
- ICT utilisation
- Asset rationalisation
- Cost reduction
- Focusing expenditure on the right things
- Business process improvement
- Procurement.

Paul Dransfield said that the Council was required to make reports to Government on the savings it was intending to achieve and that the first of these was due on 15 April. He said that for Derby the savings would be in the order of £5m per annum and that half of this would have to be cashable. He also said that cuts that has resulted in a poorer service would not be considered efficiency savings and that this was not acceptable just to put charges up. The objective was to get more use in order to get more income.

The Commission were told that the Council was well on the way to achieving a saving of around £2.5m and that £1.8m of this was cashable. Paul Dransfield said that a Gershon Board would be established to direct the process.

Councillor Latham said that she felt the approach was a good idea and she supported the idea of partnership working with other local authorities. She felt that a regional agenda was the way forward. Councillor Graves wondered how the Council could continue to achieve efficiencies year on year. In response Paul Dransfield said that meeting the targets would not be too bad for the first three years but would be more difficult thereafter. Councillor Smalley asked what the sanctions would be if the Council did not achieve its targets and Paul Dransfield said that the main sanction would be centred on Derby's rating as a Council.

The Chair asked how the Scrutiny Management Commission would be informed of the outcome of the reviews and whether Council Cabinet would be referring information to the Commission. Paul Dransfield said that he was looking into the possibility of providing monitoring statements to the Commission. He hoped the Scrutiny Commissions would play a positive role in achieving the efficiency gains required by Gershon.

**Resolved to note the presentation.**

## **84/04 Draft Report on the Review of Scrutiny**

The Commission considered the first draft report on the review of the Council's Scrutiny function that it had approved at its meeting on 26 October 2004.

The draft report detailed the outcome of the Commission's review and had been provided to the Commission so that they might consider the content and layout of the draft report and indicate any changes they would wish to be made before the report was finalised. The Commission were asked to consider the evidence and information contained in the draft report and based on that evidence and information to confirm the recommendations they wished to make in the final report. It was intended to submit the final version of the report for approval by the Commission at its meeting on 19 April 2005. The final version of the report, with the Commission's recommendations, would then be presented to the Annual Meeting of the Council on 25 May 2005. The Commission considered the report at length and agreed that a sub group should be convened to consider the report in detail and make recommendations.

**Resolved**

- 1. To appoint a sub group comprising Councillors Troup, Graves, Redfern and Smalley to consider the report in detail and bring recommendations to the next meeting of the Commission.**
- 2. To circulate the draft report to all Members of the Council and to ask the political groups and pass comments to the sub group.**

## 85/04 Freedom of Information

In accordance with Rule OS15, Councillor Graves had asked the Scrutiny Management Commission to consider the reasons for the refusal by the Council to provide information in respect of two requests that Phil Stubbs of the Derby Evening Telegraph had made under the Freedom of Information Act.

John Cornall, Assistant Director – ICT and Performance Management, explained that 75 requests had been received to date under the Freedom of Information Act and of these, six had gone through the appeals process. Four of the appeals had been resolved, three had been rejected and one upheld. He reported that some appeals were rejected because there was an absolute exemption within the Freedom of Information Act, for example, where personal information had been requested. Other reasons for rejection included requests where it would take more than 18 hours to assemble the information. John Cornall said that he either heard appeals himself or he nominated an officer to investigate them. Where requests would take more than 18 hours to retrieve the applicant would be advised that they could pay for the extra time required to put together the information.

The Commission was reminded that it would receive regular update reports on Freedom of Information requests and that the register of requests for Freedom of Information was available on DerbyNet.

It was noted that if an appeal was rejected, the applicant had a right of appeal to the Information Commissioner. Michael Foote, Director of Corporate Services reported that a review of Freedom of Information requests and the Council's response to them would be carried out and a detailed report would be submitted to Council Cabinet and then referred to this Commission.

**Resolved to note the report.**

## Responses of the Council Cabinet to any Reports of the Commission

### 86/04 Overlapping Areas of Control and Management Procurement

The Commission considered a minute extract from the Council Cabinet held on 22 February 2005 relating to the Commission's report on overlapping areas of control of management – procurement. The Council Cabinet had thanked the Commission for the report and asked the Commission to consider whether all Commissions should consider adopting this methodology when planning out future reviews. Council Cabinet had accepted all the recommendations set out in the report.

**Resolved to note the response from Council Cabinet.**

### 87/04 Internal Audit – Interim Report on Progress

The Commission considered a minute extract from Council Cabinet held on 22 February 2005 on an internal audit, interim report on progress. The Council Cabinet had approved the recommendations of this Commission by reducing the time allowed for managers to respond to draft report from six weeks to four weeks and instructed managers that providing a response was mandatory.

**Resolved to note the response from the Council Cabinet.**

#### **88/04      Response of the Council Cabinet to the Commission's Revenue Budget Recommendations**

The Commission considered a report of the Director of Corporate Service which set out the response from Council Cabinet to the Commission's revenue budget recommendations.

**Resolved to note the response of Council Cabinet to the Commission's 2005/06 revenue budget recommendations.**

#### **89/04      Council Cabinet Forward Plan**

The Commission considered the Council Cabinet Forward Plan for April 2005 and requested that when time permits, the following items be considered by the Commission at the appropriate time: Internal Audit Plan 2005/06 and Disposal of Land at 126 Osmaston Road.

MINUTES END