

Time commenced - 6.00 pm
Time finished - 8.28 pm

SCRUTINY MANAGEMENT COMMISSION 4 MARCH 2008

Present: Councillor Higginbottom (in the Chair)
Councillors Bayliss, Carr, Poulter and Webb

98/07 Apologies for Absence

Apologies for absence were received from Councillors Dhindsa and Jones.

99/07 Late items introduced by the Chair

In accordance with Section 100(B) (4) of the Local Government Act 1972, the Chair agreed to admit the following late items on the grounds that they could not wait until the next meeting.

- Petition – Derby Community Transport
- Development of the New Local Area Agreement 2008-11

100/07 Declarations of Interest

Councillor Bayliss declared a personal and prejudicial interest in minute no 109/07 below as he was a Director of McConnells.

Councillor Higginbottom declared a personal and prejudicial interest in minute no 103/07 below as she was paid by Derby Community Transport.

Councillor Webb declared a personal and prejudicial interest in minute no 104/07 because he was an employee of Rolls Royce who owned the site.

101/07 Minutes

The minutes of the meeting held on 29 January 2008 were confirmed as a correct record and signed by the Chair.

102/07 Call – In

There were no items called in.

At this point Councillor Webb took the Chair

Items for Discussion

103/07 Petition - Derby Community Transport

The Commission were informed that a petition had been received relating to Derby Community Transport.

Resolved to refer the petition to the Cabinet Members for Planning and Transportation and Children and Young People and the Directors of Regeneration and Community and Children and Young People and request that a response be provided to the next meeting.

At this point Councillor Higginbottom retook the Chair

104/02 Response to Petition Concerning the Proposed Travellers Site

The Commission considered a report which set out what had been done to respond to the petition concerning the proposed Travellers site at Russell Street.

Resolved to note the report

105/07 Response to the Petition Concerning the Playhouse

The Commission considered a report which set out what had been done to respond to the petition concerning the Playhouse. The Commission requested that a presentation be provided to the Community Commission on Derby LIVE and that all Overview and Scrutiny Members be invited to attend.

Resolved

- 1. to note the report.**
- 2. to request Derby LIVE to provide a presentation to the Community Commission and to invite all Overview and Scrutiny Members to attend.**

106/07 Response to the Petition from the Retailers in the Lanes and the Cathedral Quarter

The Commission considered a report which set out what had been done to respond to the petition from retailers in the Lanes and Cathedral Quarter.

Mr R Mitchell attended the meeting and addressed the Commission. He outlined the problems which the retailers had experienced and raised concerns about the impact the Westfield was having on retailers in the area.

It was reported that for 3 months free weekend parking would be available at Chapel Street Car Park. It was suggested that Little City and Abbey Street Car Parks be added to the scheme to run concurrently. There was also to be a parking redemption scheme available. It was suggested that consideration be given to using the Big Screen in the Market Place to promote the Lanes and Cathedral Quarter.

Resolved to recommend City Centre Partnership to extend the proposed free weekend parking at Chapel Street Car Park to include Little City and Abbey Street Car Parks and to consider the possible use of the Big Screen to promote the Lanes and Cathedral Quarter and to inform Council Cabinet of the decision.

107/07 Update Report on the Enforcement of the Dog Fouling Legislation

The Commission received an update from Ian Donnelly on the enforcement of the dog fouling legislation.

Resolved to request Ian Donnelly to give a further update at a future meeting.

108/07 Briefing on Forward Plan item 64/07 – Approval of Capital Funding for Works Relating to Notices Served Under the Building Act 1984

The Commission received a briefing on the background to an item on the Forward Plan relating to a request for capital funding for works relating to notices served under the Building Act 1984. The issue related to drains in Allenton which had not been adopted by Severn Trent Water which needed major works to bring them up to standard.

Resolved to request a further update on the outcome of the situation.

109/07 Performance Eye

The Commission did not request any items.

The Commission considered reports on BV8 – Percentage of Invoices Paid in 30 days.

Resolved to note the reports.

Having declared an interest in the above item Councillor Bayliss left the meeting during the discussion and voting thereon

110/07 Retrospective Scrutiny

The Commission did not request any items for retrospective scrutiny.

The Commission considered a report on the Council Cabinet Key and Budget and Policy Framework decisions November 2007 to February 2008. The Commission Members would contact the Overview and Scrutiny Co-ordination Officers prior to meeting if they wanted reports on particular items. The Chair also reported on a meeting with the Leader and Deputy Leader about tightening up procedures. The Leader and Deputy Leader had given assurances that procedures would be tightened up and an audit trail available.

Resolved to note the report.

111/07 Members' Development Meeting – 6 March 2008

The Commission were reminded that a training day had been arranged on 6 March 2008 with sessions at 8am, 12 noon and 4pm to discuss the development of the Local Area Agreement with partner organisations as a joint venture. Commission members requested that notes of the training be made available to anyone who was unable to attend.

Resolved to encourage all Members to attend the training and to make notes available to anyone who was unable to attend.

112/07 Proposed Response of City Council to the Department for Communities and Local Government's Consultation on 'Local Petitions and Calls for Action'

The Commission considered a report which set out a proposed response to the Department for Communities and Local Government consultation on Local Petitions and Calls for Action. It was agreed that the report should be used as a basis for the response to the consultation but to change the Councillor Call for Action exclusion to read 'involve the use by a Council Committee of its regulatory powers'. The Commission requested that the petitions procedure be publicised.

Resolved

- 1. To use the basis of the report as the Council's response to the consultation but to change the Councillor Call for Action exclusion to read 'involve the use by a Council Committee of its regulatory powers'.**
- 2. To publicise the petitions procedure.**

113/07 Annual Report First Draft

The Commission considered the first draft of the annual report of the Council's Overview and Scrutiny Commissions. Councillor Carr suggested that on page 6 of the report the first sentence be strengthened regarding Council Cabinet's use of scrutiny.

There was also concern that there were not enough meetings scheduled to complete the workload.

Resolved

- 1. To provide comments by 28 March 2008.**
- 2. To delegate the finalising of the report the Scrutiny and Complaints Manager in consultation with the Chair, Vice Chair and Councillor Carr.**

114/07 Council Cabinet Forward Plan

The Commission requested the following items to be considered at a future meeting.

30/07 – Bereavement Services

23/05 - Accommodation Strategy

115/07 Matters Referred to the Commissions by Council Cabinet

The Commission considered a report on the Development of the new Local Area Agreement for 2008-11. Consideration was given to indicator NI15 – Serious violent crime rate. The Community Safety Partnership were keen to keep this indicator as it fitted with the work they were doing, but the Government Office for the East Midlands had suggest that NI20 – Assault with injury crime rate, be included instead.

Resolved to request Council Cabinet to support the Community Safety Partnership in their bid to include indicator NI15.

116/07 Responses from Council Cabinet to any Reports of the Commission

The Commission noted that Council Cabinet had considered the recommendations of the Overview and Scrutiny Commissions as part of the overall consideration of the budget proposals.

MINUTES END