

Time commenced – 6pm
Time finished – 8.50pm

SCRUTINY MANAGEMENT COMMISSION 26 OCTOBER 2004

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

35/04 Apologies for Absence

There were no apologies for absence.

36/04 Late Items Introduced by the Chair

There were no late items.

37/04 Declarations of Interest

There were no declarations of interest.

38/04 Minutes

The minutes of the meetings held on 14 and 21 September and 1 October 2004, were confirmed as a correct record and signed by the Chair.

39/04 Call-In

There had been no call-in of a decision.

Items for Discussion

40/04 Review of the Proposals to close 16 Post Offices in Derby

The Commission considered a report previously circulated on the review of proposals to close 16 post offices in Derby. The Post Office had announced that 13 of the 16 post offices would close and that three were still being considered; these were at Darley Abbey, St Thomas Road and Roosevelt Avenue. The commission thanked Rob Davison, Overview and Scrutiny Co-ordination Officer, Andrew Whitbread, Rob Hines, Chris Hegarty, Rob Salmon, Lesley Walker and Sharon Jackson for their work in putting together the report, which was submitted to the post office.

Resolved

- 1. To note the report.**
- 2. To request the Director of Corporate Services to use an appropriate means to report back from this meeting to full Council, which had commissioned the review expressing the Commission's disappointment at Post Office Limited's response to the report of the Commission.**

41/04 Scrutiny Management Commission's Topic Reviews – Update on Overlapping Areas of Control and Management Topic Review

Rob Davison, Overview and Scrutiny Co-ordination Officer, reported that the sub-group had met on 6 October 2004. They had first interviewed Richard Boneham and discussed with him the approach of internal audit and the degree of flexibility allowed to departments over procurement practices. This had been prompted by the adoption of new practices within Development and Cultural Services on advice from internal audit. The second interview was with John Winters, Director of Commercial Services, about the specific practices applying within the Commercial Services department. The draft conclusions and recommendations would be discussed at a meeting of the sub-group on 10 November 2004. This was likely to include those issues which had been brought out about by the topic review, as well as feed back on the scrutiny topic review processes, which would be of interest to the Commission when dealing with the new review on the Achievement and Organisation of Overview and Scrutiny in Derby.

Resolved to note the report.

42/04 Scrutiny Management Commission's Topic Reviews – the Achievement and Organisation of Overview and Scrutiny in Derby

The Commission considered a report of the Director of Corporate Services, which stated that this Commission at its meeting on 14 September 2004 resolve to combine the two topics, 'So What's Happened Since?' and 'Organisation of Overview and Scrutiny in Derby', to form its main review for 2004/05. Officers had been requested to prepare a report on the scope and methodology for the combined review and this was set out at Appendix 2 to the report. Following that meeting, the Chief Executive requested appropriate Chief Officers to prepare update reports showing progress on implementation of those topic review recommendations, which had been endorsed by Council Cabinet. These were key to determining the first phase of the review 'So What's Happened Since?'. A two stage approach was suggested. Firstly, a paper review on the progress reports, which would allow grey areas or issues of concern to be identified and secondly, a subsequent meeting could be held, involving interviews with Chief Officers, focused on those areas. Given the nature of this topic review and the current staffing difficulties within the Overview and Scrutiny Co-ordination Team, as reported at the last meeting, consideration was given to use of consultants. Initial

proposals had been sought from the Institute of Local Government Studies – INLOGOV - at Birmingham University, De Montfort University, Leicester and the Local Government Improvement and Development Agency (IdEA). The IDeA carried out the peer review of the Council in 2001, which led to the organisational structure for the new constitutional arrangements. It was therefore suggested that the IDeA be used for this review. Ray Cowlshaw reported that Chief Officers were providing information to assist the review and that the appointment of consultants would accelerate the report. It was reported that the IDeA, or the Local Government Association, had consultants experienced in this field of work and had experience of working with other councils.

Councillor Bayliss suggested that one member from each political group be involved in the appointment of a consultant.

Councillor Hussain explained that the Council were trying to make the system more robust and needed a robust response. It was not acceptable to make recommendations and then for nothing to be done about those recommendations.

Councillor Smalley said that there needed to be a follow up on whether recommendations were implemented or not.

Councillor Graves was concerned about the effectiveness of overview and scrutiny and whether the process was accurate. This should be drawn out and should not be marking work which had already been done. Ray Cowlshaw reported that a consultant would advise on the process and recommendations on how to improve it, rather than looking at work already completed.

Councillor Redfern was concerned that whatever was done, it needed to make a difference and be clear what the commission required from the consultants.

Councillor Latham was concerned that the Council was scrutinising adequately and whether there should be scrutinising of decisions taken by Council Cabinet or more service provision. Experience across various authorities, may give ideas on a way forward.

Ray Cowlshaw reported that the Commission should not think that they did not have any effect as they have contributed to developing better policies and the topic review would show what has been achieved and whether the Council was as effective as it could be.

Councillor Bayliss agreed that development of policy was working quite well but he was concerned that holding the Council Cabinet to account was not done well and this needed to be more focused.

Resolved

- 1. To approve the scoping and methodology report attached at Appendix 2 to the report.**
- 2. To agree in principle to an independent element being used to assist with the review, to be taken forward after the holding of the proposed**

cabinet/Scrutiny joint workshop.

- 3. To consider the topic review progress reports as soon as possible at meetings to which all SMC members would be welcome but the arrangements for which would focus on the availability of a core group comprising the Chair, two Vice Chairs and a nominee from the Conservative group.**

43/04 Derby's Local Public Service Agreement – LPSA1 – Performance Update

The Commission considered a report of the Director of Finance, which set out progress made in achieving the targets in the Council's first generation LPSA which ends on 31 March 2005. The Commission recognised that importance of the LPSA in improving performance of key services and the reward grant payable to the Council when targets were achieved. 2004/05 was the critical year for LPSA1, as most of the targets were determined by performance in the year up to 31 March 2005.

Councillor Repton was concerned about the low level focus to intensive packages. He was concerned that hitting targets may be taking services away from the people who used the service. He was also concerned about the number of people who no longer received home care, since the introduction of charging.

Councillor Redfern asked about priorities 12.24 and 12.25 in relation to footpaths. She reported that the dropped kerb programme for the current financial year had not commenced. Agreed to ask the Director of Development and Cultural Services for information on this.

Ray Cowlshaw reported that the targets had been set three years ago by the Government. Councillor Graves asked what influence the Council policy had on targets and what would happen if the Council wanted different targets for different indicators. Ray Cowlshaw reported that the targets had been developed by the Council and agreed by the Government, which were negotiated by the controlling group at that time to improve services in these areas and secure the performance reward.

Councillor Travis asked about paragraphs 7.1 and 7.2 on what the constraints referred to were. Agreed to ask the Director of Development and Cultural Services to inform Councillor Travis what the constraints were.

Resolved

- 1. To note the report, in particular the predicted performance compared to target for the end of the LPSA1 at 31 March 2005.**
- 2. To note the progress made in improving performance.**

44/04 Joint Cabinet / Scrutiny Workshop

The Commission considered a report of the Director of Corporate Services, which stated that in 2002, a very successful Cabinet / Scrutiny workshop had been held and it had been suggested that the exercise be repeated. The aim of the workshop would be to review the current Cabinet and Scrutiny relationships, procedures and working arrangements through constructive dialog between members of the Council Cabinet and the Scrutiny Management Commission. Invitees would be Council Cabinet members, Scrutiny Management Commission members, Leader and Deputy Leader of the Labour Group, Chief Officers and the Overview and Scrutiny Co-ordination Officers. The workshop could be seen as contributing to the Commission's current topic review on overview and scrutiny arrangements in Derby. It was proposed that the workshop be held on 20 November 2004 between 9am and 12 noon. Members of the Council Cabinet and Scrutiny Management Commission were invited to contribute issues to be covered at the workshop. A detailed programme would be circulated nearer to the date of the workshops. Councillor Redfern suggested that all members of the Labour Group be invited to the workshop. Ray Cowlshaw suggested that the Council Cabinet would need to agree for all Labour Group members to attend. Councillor Redfern was concerned that new members on the Council needed training to be effective. Rob Davison, Overview and Scrutiny Co-ordination Officer, suggested that the basic training course could be re run for any one who was not able to attend the previous training.

Resolved

To endorse a proposal to hold a joint Cabinet / Scrutiny workshop on Saturday 20 November 2004 between 9.45am and 12.15pm as part of the Commission's topic review of Overview and Scrutiny arrangements in Derby.

45/04 Council Cabinet Forward Plan

Resolved to request that the Commission receives paper copies of the Forward Plan until such time as all Councillors were able to fully access the electronic version.

No new items selected

Matters referred to the Commission by Council Cabinet

46/04 Reviewing the Council Objectives and Priorities 2005-2008

The Commission considered a report of the Director of Finance, which set out the draft objectives and priorities which formed part of the budget and policy framework and helped shape the Corporate Plan. Attached to the report was a report considered by Council Cabinet at its meeting on 7 September 2004, which proposed a revised framework of objectives and priorities and provided the rationale for these changes. The main changes were to make more explicit the links that already existed between

the Council's Corporate Plan and the Community Strategy – Derby's 2020 Vision, and to lay down priorities over the a three year planning horizon. It was proposed to replace the Council's existing objectives with the Derby City Partnership priority areas. These new objectives would be ongoing intending to provide a broad picture of what the Council wanted to achieve and be the framework for the Council's performance monitoring arrangements based on Best Value and Local Performance indicators. Appendix 2 of the report to Council Cabinet set out the proposed 15 priorities over the three year period. Councillor Repton suggested an additional priority should be added 'that serious consideration should be given to making Derby a no smoking city'. Consideration was given to putting a motion to full Council on this issue.

Resolved

- 1. To note the draft objectives and priorities which would formed the basis of the Council's 2005/08 Corporate Plan.**
- 2. To recommend to Council Cabinet to add an additional priority 'to give serious consideration to making Derby a no-smoking city' so that this may be taken into account before the draft objectives and priorities are agreed as a basis for preparing the 2005/08 Corporate Plan.**

47/04 Proposed priorities for Derby 2nd Generation –Local Public Service Agreement – LPSA 2.

The commission considered a report of the Director of Finance which stated that Council Cabinet had agreed the draft priorities for Derby LPSA2 at its meeting on 28 September 2004 as an urgent key decision. This was to allow the Council to submit its proposed priorities – as a starting point for negotiation – to the ODPM by 30 September. In so doing, Council Cabinet asked that these priorities were referred to this Commission for comment. The views of the Commission could then be taken into account before the priorities for LPSA 2 were confirmed with the Government. This is expected to be by the end of November, and the further development of targets which would make up LPSA 2. Councillor Repton said that the Council needed to look at weaknesses in provision and that specific rather than general targets were required. He was concerned that issues did not get lost in generalities and that specific proposals to meet needs were required.

Resolved

- 1. To request Council Cabinet to:**
 - a) revise the draft LPSA 2 to incorporate**
 - i) roads and pavement repairs, including dropped kerbs and other steps to promote access by disabled people, and clean streets**
 - ii) facilities for young children, activities for teenagers and other sporting and leisure activity**

- b) achieve this either**
- i) by revisions/additions to the wording of the existing proposed 13 target areas or**
 - ii) by adding additional target areas or, if necessary, replacing one or more of the proposed 13 target areas.**
- 2. To note the role partners would play in developing and delivering LPSA 2 targets.**
 - 3. To note the timetable for the first stages in the development of LPSA 2 and proposed project management arrangements reported to Council Cabinet on 28 September 2004.**

MINUTES END