

Time commenced – 6.00pm
Time finished – 8.20pm

**SCRUTINY MANAGEMENT COMMISSION
21 JUNE 2011**

Present: Councillor Higginbottom (in the Chair)
Councillors Dhindsa, Harwood, Keith, F Khan, Naitta and
Roberts

01/11 Apologies for Absence

There were no apologies for absence.

02/11 Late items introduced by the Chair

There were no late items.

03/11 Declarations of Interest

There were no declarations of interest.

04/11 Minutes

The minutes of the meetings held on 22 March 2011 were agreed as a correct record and signed by the chair.

05/11 Call-in

The Commission considered a report which set out details of the procedure and associated protocol for the Call-in of an executive key decision.

Resolved to note the report.

06/11 Councillor Call for Action Protocol

The Commission considered a report setting out details on the Councillor Call for Action scheme which was introduced in 2009.

Resolved to note the Councillor Calls for Action protocol adopted by Council in May 2009.

07/11 Asset Management Plan

The Commission considered a report which stated that the Council Cabinet at its meeting on 12 April 2011 approved the adoption of an updated Asset Management Plan and authorised the Chief Executive in consultation with the Leader of the Council to make

amendments to the Asset Management Plan following consideration of the comments of this Commission.

There was some confusion amongst some Councillors and the public on wrongly displayed signage that land belongs to a particular department rather than the Council. This needed to be corrected and disseminated to all departments. The Commission requested that future Asset Management Plan reports provide more detailed background information for members and the public to improve the understanding of the situation.

Members suggested that the Council should have a proactive maintenance strategy with an action plan to tackle the increasing backlog of repairs. It was agreed that an outline report should be considered at the next meeting.

The Commission asked Council Cabinet to consider the full impact of savings from reducing staff on the Council as it could have cost implications on other parts of the Council.

Resolved

- 1. To request that future Asset Management Plan reports provide more detailed background information for members and the public to improve the understanding of the situation.**
- 2. To request that the Council have a proactive maintenance strategy with an action plan to tackle the increasing backlog of repairs and an outline report on this be considered at the next meeting.**
- 3. To request Council Cabinet to consider the full impact of savings from reducing staff as it could have implications on other parts of the Council.**

08/11 Review of Governance Structure

The Commission considered a report which stated that the Localism Bill which was currently going through Parliament contained number of clauses affecting governance of Local Authorities. The Council's Governance Committee considered some of the key proposals at its February 2011 meeting and recommended this Commission to undertake a review of whether the Council should:

- Retain the current Leader and Cabinet model of governance or return to the Committee system
- Adopt a voluntary code of conduct
- Retain a local Standards Committee
- and that the Commission make recommendations to Council detailing its conclusions and recommendations.

The Governance Committee requested that all Councillors and the independent members of the Standards Committee be invited to participate in the review.

Resolved to conduct the review with the aim of presenting the Commission's findings to the November 2011 meeting of Council.

09/11 Petitions Procedure

The Commission considered a report which provided an update on the Council's Petition Scheme

Resolved to note the report.

10/11 Update on Items listed in the June Forward Plan

The Commission considered the following items which appeared in the Forward Plan:

- 69/10 – East Midlands Property Alliance Maintenance Framework
- 78/10 – Public Building and School Cleaning Proposal
- 80/10 – Review of School Meal Provision in Derby

East Midlands Property Alliance Maintenance Framework

The Commission considered a draft report which stated that the three principal repair and maintenance contracts managed by the Maintenance and Energy team had expired and their contract duration had been extended on several occasions by obtaining waivers of the contract procedure rules. The contracts were due to be replaced by a single contract procured through an East Midlands Property Alliance framework contract which was required to commence on 16 September 2011.

Members of the Commission expressed concerns that one of the companies on the approved list was the Keir Group. The group had carried out work in Derby and it had been done to a poor standard. In view of the concerns expressed with regard to the quality of work and overall performance of the company during its work on City Council properties in the past the Commission requested Council Cabinet to reconsider inviting this company to tender for work in the City.

Public Building and School Cleaning Proposal

Christine Durrant gave an update on the public building and school cleaning proposal. The Commission requested that Council Cabinet defer the decision on public building and school cleaning contracts until the Commission has had an opportunity to consider a written report. Some members expressed concerns about using external contractors for cleaning and maintaining council buildings and preferred to retain staff to carry out maintenance work. Members stated that past experience had shown there may be short term savings from using external contractors however it could also lead to more problems later. Members felt that Council Cabinet should also consider income generation measures.

Review of School Meal Provision in Derby

Christine Durrant gave an update on the latest position with school meal provision in

Derby. Members of the Commission were frustrated and concerned about the length of time it had taken to reach this stage in the contracting process. Members asked for information about the cost of officer time spent in reaching this stage as they felt we were no further forward than we were in July 2010.

Resolved

- 1. To request Council Cabinet to reconsider inviting the Keir Company to tender for work in the City in view of the concerns expressed with regard to the quality of work and overall performance of the company during its work on City Council properties in the past.**
- 2. To request Council Cabinet to defer the decision on public building and school cleaning contracts until the Commission has had an opportunity to consider a written report and consider income generation measures.**
- 3. To request information about the cost of officer time spent in reaching this stage with the contract for the provision of school meals in the city as they felt we were no further forward than we were in July 2010.**

11/11 Terms of Reference and Work Programme

The Commission considered a report which stated that it was usual for Overview and Scrutiny Commissions to consider their work plans and select topics that they wished to review in the coming year at the beginning of each municipal year.

Resolved to select 'review of governance structure' as the topic for Commission's 2011-12 work programme.

12/11 Scrutiny of the Forward Plan

The Commission considered a report which set out items considered by Council Cabinet between 15 March and 7 June 2011 which had not been included in the Forward Plan. During the period around 31 items were considered by Council Cabinet and of these only one item, the Leisure Strategy, was considered as an urgent item at the April 2011 meeting and had not been included in the Forward Plan.

A notice had been issued to all Councillors giving the reasons for the urgency of the decision.

Resolved

- 1. To note the report.**
- 2. To continue to monitor items considered by Council Cabinet which were not included in the Forward Plan.**

13/11 Forward Plan

No items were selected:

14/11 Retrospective Scrutiny

There were no items requested.

15/11 Matters Referred to the Commission by Council Cabinet

There were no items.

Chair of the next ensuing meeting
at which these minutes were signed