



DERBY CITY COUNCIL

SCRUTINY MANAGEMENT COMMISSION 21 September 2010

Report of the Chair of the Scrutiny Management Commission

Retrospective Scrutiny of Council Cabinet Key and Budget and Policy Framework decisions 6 July 2010 – 7 September 2010

RECOMMENDATION

1. That the Commission consider the report and determine whether they wish to make any recommendations to Council Cabinet

SUPPORTING INFORMATION

- 2.1 The Commission received a report detailing the Key and Budget and Policy Framework decisions made by Council Cabinet which were and were not included on the Forward Plan at its meeting in September 2007.
- 2.2 Following this meeting the Commission made the following recommendations to Council cabinet:
 - That for items which have previously appeared on the Forward Plan, the Forward Plan reference number and the date that the item was placed on the Forward Plan is included on all reports to Council Cabinet on those items, and in the minutes of any subsequent decisions relating to the items.
 - That wherever practicable items are retained on the Forward Plan for a minimum of three months before a decision is made by Council Cabinet.
 - That before any non-urgent decision on a Forward Plan item is taken, Council Cabinet confirms that adequate opportunity has been given to anyone wishing to make representations about the item and that this is noted in the minute of the decision together with a summary of any representations that were received by the officer identified in the Forward Plan.
 - That the list contained in Table 2 of the attached report, or a list of similar content, is maintained and is made accessible through the Council's Committee Information Website (CMIS).

- 2.3 On 20 February 2008 a meeting was held between the Chair and Vice Chair with the Leader and Deputy Leader to discuss Commission recommendations for the Forward Plan.
- 2.4 The Leader and Deputy Leader gave assurances that procedures would be tightened up and an audit trail be made available.
- 2.5 This report details the Key and Budget Performance Framework decisions taken by Council Cabinet during the period 6 July 2010 – 7 September 2010.
- 2.6 Where it has been possible to do so, the Council Cabinet decision has been related to the relevant Forward Plan item. In these cases the time between the item being placed on the Forward Plan and the decision being made by Council Cabinet is shown in the table.
- 2.7 When an item has not been included on the forward plan, the report author was asked to provide an explanation for its absence. These responses are provided in the table in appendix 2.
- 2.8 Since 29 January 2008 this report has been a regular standing item on the Scrutiny Management Commission's agenda. This enables the Commission to ensure that the Forward Plan is being used correctly by officers and helps all Commissions to plan their work programmes effectively.

For more information contact:	Ellen Bird 01332 255599 e-mail Ellen.bird@derby.gov.uk
Background papers:	Appendix 1 – Implications
List of appendices:	Appendix 2 - Council Cabinet Key and Budget and Policy Framework Decisions –6 July 2010 – 7 September 2010.

IMPLICATIONS

Financial

1. None arising from this report.

Legal

2. The Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations SI 2000/3272 govern the production and content of the Forward Plan. By the law it is prepared by the Leader and needs to include:

- (a) the issue on which the key decision is to be made;
- (b) where the key decision maker is: i) an individual, give their name and title or where the decision maker is a decision making body, its name and a list of its members (ie the Council Cabinet);
- (c) the date when, or the period within which, the key decision is to be made;
- (d) the identity of the principal groups or organisations the key decision maker proposes to consult before taking the decision;
- (e) the means by which the consultation at (d) is proposed to be undertaken;
- (f) the steps any person may take to make representations to the Council Cabinet (or to an individual decision maker) about the issue to be decided and the date those steps need to be taken by; and
- (g) a list of the documents submitted to the Council Cabinet (or individual decision maker) that relate to the forthcoming decision.

Personnel

3. None arising from this report.

Equalities impact

4. None arising from this report

Corporate Objectives

5. This report has the potential to link with all the Corporate Objectives,

Council Cabinet Key and Budget and Policy Framework Decisions – 6 July 2010 – 7 September 2010.

Date of Council Cabinet meeting	Name of Key or Budget and Policy Framework Item on which Cabinet decision was made	Urgent Item?	Forward Plan Item Number	Forward Plan in which item first appeared	Approximate time for which item was available on Forward Plan	Reason why item not included on Forward Plan/ Urgency
6 July	Accommodation Strategy Update		82/09	June 2010	2 months	
	Asset Transfer from Derwent Delivers to Derby City Council		05/10	July 2010	1 month	
	Housing Revenue Account Subsidy System		72/09	April 2010	4 months	
	Chaddesdon Library					The reason for this item being considered is that it has been requested by the Leader and Deputy Leader of the Council that the report be considered at this meeting.
27 July	Performance and Revenue and Capital Budget Outturn 2009/10		80/09	June 2010	2 months	
	Treasury Management Outturn 2009/10		81/09	June 2010	3 months	
	Revenue Budget, capital Budget and Corporate Planning		83/09	June 2010	3 months	

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	Strategy 201-12 to 2013-14					
	Markeaton Crematorium – Mercury Abatement and Upgrade		03/10	July 2010	2 months	
	Outcome of Statutory Consultation to re-launch Merrill College through closure and re-opening as a National Challenge Trust School		07/10	July 2010	2 months	
	One Derby One Council Programme Update		79/09	June 2010	3 months	
	Approval of the recommendations of the School Meals Project		99/08	June 2009	<1 year	
	City of Derby Local List of Buildings of Historic or Architectural Importance		74/09	April 2010	4 months	

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	Derby State of the City Report		31/09	October 2009	10 months	
	Disposal of Land at Grange Avenue/Blakemore Street		38/09	November 2009	9 months	
	Food Law Enforcement					The reason for this item being considered is that the Food Law Enforcement Plan sets out the food law enforcement functions carried out by officers within Environment and Regulatory Services in the current financial year. The Food Standards Agency requires this plan to be submitted to Members to ensure local transparency and accountability, in an endeavour to ensure that food law enforcement is undertaken in a cost effective and collaborative manner. The plan incorporates a review of service performance against the previous year targets/standards which is now due for Member's consideration. This is necessary to identify any service improvements which may be required in order to protect public health.
	Highways					The reason for this item being considered is that

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	Maintenance Term Contract - Extension					<p>the Highway Maintenance Term Contract named derbyroads commenced on the 3 August 2007. Under the terms of the contract a decision whether or not to extend the contract needs to be taken no later than the end of the third year of the contact i.e. 2 August 2010. (This is why it was important to for this report to go to the Cabinet Meeting on the 27 July.)</p> <p>As explained the report, this issue now falls between two directors Christine Durrant (Planning & Transportation) and Tom Knight (Streetpride). Christine has being leading on this issue as she was the old director of Highways and Transportation and knows the history where as Tom Knight is an interim director only here until October.</p> <p>At a meeting held on 1 July with Cllr Poulter and Paul Robinson it was agreed Christine would convey Derby's latest position on the negotiation. It was therefore difficult to complete the report until there was a clear steer on what the outcome was likely to be.</p>

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	Adults, Health and Housing – Voluntary and Community Sector Commissioning Framework Compact Agreement and Grant Funding Procedure Rules for 2010/11.					The reason for this item being considered is that the report is a follow up report to the Cabinet report submitted on 16 March 2010 entitled “Review of Processes and Procedures for Grants Funding to Voluntary Organisations”. The documents contained in this report will facilitate Directorates in following consistent processes and procedures when dealing with the Voluntary and Community sector, which was resolved by Cabinet on 16 of March 2010 and you as the then Chair of the Compact Forum.
7 Sept 2010	Speed Management Review		11/10	September 2010	1 month	
	Introduction of Permit Scheme to control working in the highway		14/10	September 2010	1 month	
	Authorisation to enter funding agreement under Community Energy Saving Programme		15/10	September 2010	1 month	