

Time commenced - 18:01
Time finished - 18:59

SCRUTINY MANAGEMENT COMMISSION 27 March 2012

Present: Councillor Higginbottom (Chair)
Councillors Dhindsa, Harwood, Keith, Naitta and Roberts

68/11 Apologies

There were no apologies for absence.

69/11 Late Items to be Introduced by the Chair

There were no late items.

70/11 Declarations of Interest

There were no declarations of interest.

71/11 Minutes of the Meeting held on 31 January 2012

The minutes of the meeting held on 31 January 2012 were agreed as a correct record and signed by the Chair.

72/11 Responses to Governance and Ethical Framework Recommendations

A report of the Strategic Director for Resources was considered. It was reported by the Head of Democratic Services that four of the recommendations the commission had made in relation to governance and ethical framework had been approved by Council at its meeting on 25 January 2012. It was further reported that the remaining seven recommendations fell within the remit of officers. The responses to those recommendations were provided.

Members expressed concern that there continued to be instances where commissions were not having an opportunity to consider reports prior to them being presented by officers at meetings of the Council Cabinet. It was acknowledged that this situation had improved, given greater lead-in times to Council Cabinet considering reports, but it was felt that the issue had not been resolved satisfactorily.

The Overview and Scrutiny Manager confirmed that incidences of the Council Cabinet considering key decisions which had not appeared in the Forward Plan had greatly reduced in recent months, but it was acknowledged that there continued to

be occasions when items did appear in the Forward Plan but the reports by officers were not prepared in time for the commission to view them first.

Members discussed the idea of a formal protocol setting out how Council Cabinet reports could first be seen by commissions, but there was consensus that this might prove over-bureaucratic. The commission instead agreed that a priority should be to monitor closely the Forward Plan and seek explanations when items were not made available to commissions prior to their consideration by Council Cabinet.

Resolved to:

- 1) Note the responses to the commission's recommendations on governance and ethical framework;**
- 2) Monitor Forward Plan entries with a view to highlighting any incidences where items within the Forward Plan could not be made available to commissions prior to their consideration by Council Cabinet;**
- 3) Reiterate to Council Cabinet and Chief Officers the necessity for commissions to have ample opportunity to consider reports, even if in draft form, prior to their consideration by Council Cabinet.**

73/11 Call-in

There were no items.

74/11 Councillor Call for Action

There were no items.

75/11 Connect – refurbishing premises to support small and medium enterprises and promote regeneration

A report of the Chief Executive was considered. The Friar Gate Studios Centre Manager reported that the Connect project sought to bring buildings in the city that could be let to small and medium enterprises up to a suitable standard, including improvements compliant with the Disability Discrimination Act and enhancements to the IT provisions.

It was explained that Friar Gate Studios was fully operational and built to a high specification, and the Cathedral Quarter Enterprise Centre would be similarly well equipped and was due to open in 2013. It was reported that two remaining buildings would require significant investment, namely Kings Chambers (£914,500) and Shot Tower (£495,000), in addition to a £100,000 investment in IT for those buildings. A funding application had been prepared and submitted for European Regional Development Funds and an expression of interest had been submitted for the council's Regeneration Fund as matching funding would be required.

Due to the scale of works and costs, it was reported that works to Kings Chambers had been prioritised as phase one and that works to Shot Tower would follow in phase two. Following questions from members, it was explained that this

prioritisation had been proposed as it was anticipated that the works to Kings Chambers would result in a quicker payback for the investment as there were existing tenants.

The commission noted that Beaufort Business Centre had not been included in the project and sought clarification on whether it was a reasonable base for council staff as proposed. It was explained that it was felt certain council teams operating in particularly sensitive areas would be best placed outside of the Council House and that Beaufort Business Centre had been proposed as a viable option.

Resolved to commend the Connect project to Council Cabinet and to support the bid to the European Regional Development Fund.

76/11 Responses of the Council Cabinet to reports and recommendations of overview and scrutiny commissions

The commission received a report from the Strategic Director of Resources. It was reported by the Overview and Scrutiny Manager that following a request from the commission at its meeting in December, it would henceforward receive quarterly reports summarising Council Cabinet's responses to commission recommendations. The commission was advised that as this was the first such report, it captured responses for the whole municipal year to date.

Members of the commission expressed concern at the lack of detail in responses received from Council Cabinet. Members felt it was insufficient for Council Cabinet to agree to take the commission's views into account if there was no inference as to whether Council Cabinet agreed or disagreed with the commission's view, or no reasoning provided.

Members also felt it was disproportionate for Council Cabinet to provide brief responses to recommendations resulting from lengthy debates and significant contributions from both members and officers attending commission meetings.

Resolved to:

- 1. Express to Council Cabinet the commission's concerns about the lack of detail provided in responses to the commissions by Council Cabinet, particularly where Council Cabinet appeared to note commission recommendations without indicating whether the principle has been accepted or rejected;**
- 2. Recommend to Council Cabinet that it resolves to provide specific reasons for rejecting or accepting recommendations of the commissions henceforward.**

77/11 Scrutiny of the Forward Plan

The commission received notice that a key decision had been considered by Council Cabinet at its meeting in February relating to a proposal to expand Arboretum Primary School, and that the item had not been included in the Forward Plan.

It was reported that the item's omission from the Forward Plan resulted from an administrative error.

Resolved to note the report and accept the reasons that Council Cabinet had considered a proposal to expand Arboretum Primary School without the item having appeared in the Forward Plan.

78/11 Forward Plan

The commission considered items in the Forward Plan following within the remit of the commission.

Resolved to note the contents of the Forward Plan.

79/11 Retrospective Scrutiny

There were no items.

MINUTES END