

Time commenced - 6.00pm
Time finished - 7.15pm

SCRUTINY MANAGEMENT COMMISSION 30 MARCH 2004

Present: Councillor Graves (in the Chair)
Councillors Bayliss, Bolton, Jones, Latham, Lowe, Repton, Travis
and Wynn

85/03 Apologies for Absence

Apologies for absence were received from Councillors Brown, F Hussain and Smalley.

The Commission sent their congratulations to Councillor and Mrs Smalley on the birth of their daughter.

86/03 Late Items Introduced by the Chair

In accordance with Section 100 (B) (4) of the Local Government Act 1972, the Chair agreed that the following item be admitted as a late item, to enable the Commission to be informed of the latest position before the next meeting.

Combined City Council and European Parliament Election – 10 June 2004 – All Postal Voting Pilot.

87/03 Minutes

The minutes of the meeting held on 4 February 2004 were approved as a correct record and signed by the Chair.

88/03 Declarations of Interest

There were no declarations of interest.

Items For Discussion

89/03 Draft Annual Report of the Overview and Scrutiny Commission 2003/04

The Commission considered a report of the Chair of the Scrutiny Management Commission, which set out the draft annual report of the Overview and Scrutiny Commissions 2003/04, which would be reported to Full Council. The report gave details of the workings of the Overview and Scrutiny Commissions, and made recommendations on future work programmes and amended working methods, where appropriate. Councillor Bolton had submitted some amendments direct to David Romaine, Overview and Scrutiny Co-ordinator.

Councillor Bayliss felt that the report should reflect on how seriously Council Cabinet considered reports on the Call in of executive decisions. He felt that Call-Ins were not treated with the respect they deserved.

Councillor Travis felt that the report should promote the positive aspects of scrutiny. Councillor Wynn was concerned about how effectively the work of Commissions was being implemented. Councillor Repton felt that the report should be positive and that a massive amount of work had taken place during the year, but he was concerned that there was a feeling that scrutiny was not taken seriously and was used as a way to keep back benches occupied. He felt that the time that both members and officers put in to scrutiny needed to be recognised. Councillor Bolton reported on the effectiveness of commissions, particularly in relation to the grass cutting topic review.

Resolved to recommend Council to approve the report, subject to the minor amendments submitted by Councillor Bolton.

90/03 Topic Review on Overlapping Areas of Control and Management

The Commission considered a report of the Director of Corporate Services, which set out recommendations on the various approaches to undertaking a topic review on overlapping areas of control and management.

Resolved to approve and adopt the recommendations set out in appendix 2 to the report.

Responses of the Council Cabinet to any Reports of the Commission

91/03 Revenue and Capital Budget 2004 to 2007

The Commission considered a report of the Director of Corporate Services, which set out the Council Cabinet's response to the various recommendations made by the Overview and Scrutiny Commissions during the budget consultation.

Resolved to note the report.

92/03 Draft Protocol on Call-In of Executive Decisions

The Commission considered a report of the Director of Corporate Services, which set out revisions suggested by Council Cabinet and Chief Officers to the draft protocol of Call-In of Executive Decisions.

The Commission made the following comments:-

Paragraph 6 of the protocol, the second sentence to read – ‘the relevant Council Cabinet member or a Cabinet member nominee would be expected to attend.’

Paragraph 10 to read – ‘up to three of the signatories to the call-in notice will be invited to address the Commission on the call-in. The relevant Cabinet Member will then be invited to address the Commission. Members of the Commission may ask questions of the signatories and the relevant Council Cabinet member or Director.’

Paragraph 13 to read – ‘one nominated signatory of the first three signatories to the call-in will be allowed to make a further statement to the Commission, lasting no more than five minutes, in response to submissions and questions heard previously. He/she will not be allowed to question any person.’

Resolved to recommend Council to approve and adopt the protocol on call-in of Executive Decisions, subject to the amendments above, and to include it in part 5, ‘Codes and Protocols’ of the Constitution.

93/03 Combined City Council and European Parliament Election - 10 June 2004 – All-Post Voting Pilot

Steve Dunning, Assistant Director, Democratic Services, gave a brief update on the proposed all-postal voting pilot for the combined local and European Parliament elections in the East Midlands on 10 June 2004. It was reported that the Electoral Pilots Bill was still to complete its passage through Parliament. Planning for the election had been done on the assumption of a postal pilot, but contingency plans for a tradition election were in place should the Bill not receive the Royal Assent. Concern was expressed about the lateness of a final decision on the matter and the difficulties this could cause in organising the elections.

Steve Dunning said he would circulate a Frequently Asked Questions document to members of the Commission.

Resolved to request an update on the progress of the all-postal voting pilot at the next meeting.

94/03 Council Cabinet Forward Plan

Resolved that the Commission should consider the following items from the Forward Plan at the most appropriate time:

Disposal of land and service access review.

95/03 Exclusion of the Press and Public

Resolved that under Section 100 (A) of the Local Government Act 1972 the Press and Public be excluded from the meeting during consideration of the following item on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1 and 11 of Part 1 Schedule 12A of the Act.

96/03 Repositioning of Policy Directorate Services

The Commission considered a report of the Director of Policy, which stated that the Council Cabinet at its meeting on 16 March 2004, had approved a report on the repositioning of Policy Directorate services and referred the proposal to the Commission for comment. The Commission also considered a report of the Community Regeneration Commission, which recommended that the current Social Inclusion Team be maintained, and the Equalities Unit be maintained as an entity.

Resolved to recommend Council Cabinet to maintain the current Social Inclusion Team and maintain the Equalities Unit as an entity.

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