

## **SCRUTINY LEADERSHIP BOARD**

### **Minutes of a meeting of the Scrutiny Leadership Board held on Thursday, 26<sup>th</sup> March 2009 in the Scrutiny Meeting Room, Civic Offices, Telford**

**PRESENT:** Councillors D.R.W. White (Chairman), R. Aveley, J.A. Francis, A.A. Mackenzie, A.A. Meredith and H.J. Williams  
Councillors G.M. Green and L. Lomax (co-optees)

**ALSO PRESENT:** Ken Clarke (Head of Audit & Democracy) and Stephanie Jones (Scrutiny Officer)

#### **SLB-23      MINUTES**

**RESOLVED** – that the minutes of the meeting held on the 9<sup>th</sup> March, 2009 be confirmed and signed by the Chairman.

#### **SLB-24      APOLOGIES FOR ABSENCE**

None.

#### **SLB-25      DECLARATIONS OF INTEREST/PARTY WHIP**

None.

#### **SLB-26      SCHEDULING SPECIAL INTEREST MEETINGS**

The Head of Audit & Scrutiny presented a table setting out the Special Interest Meetings currently included in the Scrutiny Work Programme. These topics had been listed in priority order, based upon the scoring criteria and number of votes gained at the Scrutiny Workshop in January. It was proposed that Special Interest Meetings be set up in order of priority but the Board was asked to consider:

- Whether the order of reviews was correct and if any should be re-prioritised
- The distribution of topics across the Scrutiny Lead Members
- Inclusion of the new scrutiny suggestion – Domestic Violence
- Suggestion 35. The suggestion was to review whether issues other than cost were considered as part of the Council's procurement processes but this had effectively been covered as part of the current Procurement Review.

Following detailed discussions the following amendments were agreed:

	<b>Issue</b>	<b>Scrutiny Lead and Members</b>
13	Bus station/Park and Ride in redevelopment of the Town Centre	This was a major topic and would be considered by the Board itself.

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19 22	Supply and drainage of water to T&W Sustainable & balanced development	Roger Aveley – these to be dealt with as one topic
20	<i>City Region – T&amp;W role, benefits</i>	<i>To be deleted</i>
25 27	Signage – advertising & road signs Car parking enforcement	Roger Aveley – to be dealt with as one topic
29	Council employment of people with disabilities	Adrian Meredith/Ute Sambrook – previous Scrutiny Review to be revisited in the first instance
30	Music Lessons/specialist provision in schools	Joy Francis – All Scrutiny Assembly members to be contacted to ascertain if there was sufficient interest to hold a Special Interest Meeting
34	Differences in young people paying adult prices	Joy Francis – to give this further consideration to ascertain if it was a topic for prioritisation
35	<i>Procurement Criteria</i>	<i>Deleted</i>
36 39	PACT meetings – support and feedback Providing reassurance through positive media	Helen Williams – to be dealt with as one topic
	Domestic Violence	Additional Special Interest Meeting (see below)

With regard to Issues 25/27 the Chairman requested that the Lead Scrutiny Member look at the Scrutiny Review on Car Parking Charges and consider to what extent the views put forward by consultees, etc. had been implemented.

With regard to Issue 13 the Chairman requested that the Development Plan Steering Group be invited to attend a meeting to discuss the issues relating to the Bus Station.

Councillor R. Aveley suggested that Transforming Telford be considered as an issue for a Special Interest Meeting. In response the Chairman referred him to the previous review on this body and asked him to consider whether it would be appropriate to revisit it now. If so, he should submit a Scrutiny Suggestion Form to that effect.

#### Scrutiny Suggestion Form

Councillor U.E. Sambrook had submitted a Suggestion Form requesting that the Scrutiny function considered the length of time it took for security to be into place at the houses of domestic abuse victims in order to prevent further intimidation/harm.

Councillor Sambrook's understanding was that it could take up to two weeks for security to be put into place at the home of a domestic abuse victim, despite the perpetrator of the domestic abuse being released on bail by the Courts. The work to be carried out was determined by the Police and then passed back to the

Domestic Abuse Co-ordinator who, in turn passed, it to a contractor for the work to be carried out. This period of time, although short, put at risk the victim's safety or even their life. She requested that Scrutiny considered this matter because it was an issue that could affect the safety of all victims of domestic abuse across the Borough and it was in a position to facilitate a solution through one meeting with all the relevant officers and partners which would minimise this delay.

Members agreed that this was an issue that should be addressed through a Special Interest Meeting. The Head of Audit & Democracy undertook to circulate the details of this issue to all members of the Scrutiny Assembly and, if a minimum of three members expressed an interest in the matter, a meeting would be organised to which Councillor Sambrook, the appropriate Cabinet Member and Head of Service, the Domestic Abuse Co-ordinator, a police representative, a representative of the contractor carrying out the work together with a representative of the abuse victim, if they wished, would be asked to attend.

#### **SLB-27      SCRUTINY ASSEMBLY MEETING 19<sup>TH</sup> MAY, 2009**

The Head of Audit & Scrutiny sought the Board's views on the proposed structure for the Scrutiny Assembly meeting scheduled for 19<sup>th</sup> May, 2009. This meeting would enable members of the Scrutiny Assembly to hold Cabinet Members to account for the Council's performance in 2008-09 to feed into the target setting in the draft Priority Plans.

Following a discussion, Members agreed the structure of the Scrutiny Assembly Meeting as proposed. Councillor L. Lomax suggested that a flip chart be set up for each Corporate Priority on which the questions/points raised could be identified. This would allow Members not able to sit on a particular table to add their comments, if these had not already been noted.

The Chairman informed the Board that he would be taking responsibility for the new Corporate Priority: Securing sustainable housing development and regenerating the Borough.

#### **SLB-28      PARTICIPATION IN SCRUTINY REVIEWS**

Details of the participation of the elected members and co-optees in the 2009 Scrutiny Work Programme reviews and standing sub-groups was tabled and noted by the Board.

#### **SLB-29      POSITION STATEMENT ON SCRUTINY REVIEWS**

The Scrutiny Officer presented a report setting out a position statement for the remaining 2008 and the first phase of the 2009 in-depth Scrutiny Reviews.

#### **SLB-30      UPDATE ON RECENT LEGISLATION**

The Head of Audit & Democracy gave an update on the progress of the legislation which would have an impact upon the Scrutiny function at the Council.

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## **Councillor Call for Action (CCfA)**

### Legislation:

- a) Local Government and Public Involvement in Health Act 2007  
Commencement: 1<sup>st</sup> April 2009 for relevant sections  
Guidance was released in February 2009
- b) Police & Justice Act 2006  
Commencement: 1<sup>st</sup> April 2009 for relevant sections  
Guidance likely to be released on 30<sup>th</sup> April 2009

Councillor Call for Action had been introduced to support elected members in achieving improvements for their local areas. It was envisaged that this would help Ward councillors who had been unable to resolve problems in their Wards by talking to the local authority and its partners, by allowing them to refer the matter to the Scrutiny Leadership Board for consideration. CCfA covered both issues of community safety (under the Police & Justice Act) and all matters of the Council, including where services were delivered with partners (Local Government and Public Involvement in Health Act)

Scrutiny Services were currently working on guidance for Members on the way in which CCfA would work at Telford & Wrekin and a process for dealing with it at Scrutiny Leadership Board, which had been identified in the Constitution as the Scrutiny body which would hear CCfAs, was being drawn up.

## **Scrutiny of Local Area Agreements (LAA)**

### Legislation: Local Government and Public Involvement in Health Act 2007

Commencement: 1<sup>st</sup> April 2009 for relevant Sections. No date for the issuing of guidance was yet available.

Scrutiny of Local Area Agreements had introduced an extension of the Scrutiny remit to cover a range of service providers, as set out in the report. Each of these, apart from the Police which would be subject to requirements in the Police and Justice Act 2006, would have a duty to co-operate on issues that related to service delivery connected with the authority. The organisations detailed needed to also "have regard to" scrutiny reports and recommendations. This was a function of the Scrutiny Leadership Board part of which, scrutiny performance of the Local Area Agreement, had been delegated to the Value for Money Group.

The service providers listed included upper tier or unitary councils and district councils and the Chairman undertook to check if Telford & Wrekin Council had the power to or if there was a voluntary code in existence which would allow this scrutiny to be extended to Parish and Town Councils.

## **Scrutiny of Crime and Disorder Matters**

### Legislation: Police & Justice Act 2006. Commencement: 30<sup>th</sup> April 2009

No date for the issuing of guidance on the Regulations had yet been produced.

The Act inserted a new Section 21A into the Local Government Act, 2000 to extend the remit of Scrutiny Committees to incorporate the scrutiny of their local Crime and Disorder Reduction Partnership (CDRP). Under the Council's revised Scrutiny structure this had been agreed to be a function of the Scrutiny Leadership Board but the Constitution would need to be amended to designate the Board as the Scrutiny Committee with responsibility for scrutinising the local Crime & Disorder Reduction Partnership under this new legislation.

**RESOLVED** – that it be agreed that the Constitution be amended to designate the Scrutiny Leadership Board as the Scrutiny Committee for Crime and Disorder issues.

### **Petitions**

Legislation: Local Democracy, Economic Regeneration and Construction Bill. Possible commencement in "Summer 2009", however this might slip beyond Parliament's Summer Recess and guidance was unlikely to be available before October 2009

The Act required the Council to make, comply with and publish a scheme for handling petitions. The subject of the petition had to relate to the functions of the authority or other public services for which the authority had shared delivery responsibilities (excluding planning which was covered by existing processes). The Council would decide who to recognise as signatories but, at a minimum, this would be to respond to petitions from those who lived, studied or worked within the borough boundary. It would not be necessary to respond to frivolous, vexatious or discriminatory petitions, nor to one that was the same or substantially similar to one that had been made to the authority within a period of six months. If requested by the petitioner, the authority had to review the adequacy of the steps taken in response to the petition and to publish the results on its website. Petitioners would be able to appeal to an Overview and Scrutiny Panel, if not satisfied with the response they had received to their petition, to review the adequacy of the steps taken by the authority. Democratic Services was currently looking at options for dealing with petitions.

### **SLB-31 CHAIRMAN'S UPDATE**

The Chairman informed the Board that the Joint Health Scrutiny Committee was currently not politically balanced, comprising of three elected members and three co-optees. This worked well in practice with valuable expertise being provided by the co-optees. However, for the Committee to continue not to be subject to political balance requirements, it would be necessary for this Board to agree an appropriate resolution. Following a discussion it was unanimously:

**RESOLVED** – that there be no requirement for the membership of the Joint Health Scrutiny Committee to be politically balanced.

The Chairman referred to the provision contained in the Council's Constitution whereby urgent decisions taken by the Cabinet were not then subject to the Call-In Procedure. This Procedure also stipulated that urgent decisions had first to be

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effected by him as Chairman of the Scrutiny Leadership Board. Unfortunately, the number of such requests had increased recently and he was concerned that officers were not making sufficient efforts to submit reports for decision in time for them to be included on a published agenda. Consequently, a document would be drawn up for report authors to set out the reasons why an item was urgent before he would consider giving his agreement.

**SLB-32      DATE OF NEXT MEETING**

The next meeting of the Scrutiny Leadership Board was scheduled for Tuesday, 12<sup>th</sup> May 2009 at 4.00 p.m.

The meeting ended at 5.55 p.m.

Chairman: .....

Date: .....