

NORTH HERTFORDSHIRE DISTRICT COUNCIL

SCRUTINY COMMITTEE

MINUTES

**Meeting held at the Council Offices, Gernon Road, Letchworth Garden City on
Tuesday, 23 May 2006 at 7.30p.m.**

PRESENT: *Councillors: Martin Stears (Chairman), M. Paterson (Vice-Chairman), John Bishop, S. Bloxham, Melissa Davey, David Kearns, Lorna Kercher (substitute), Sal Jarvis (substitute), H.M. Marshall, Elliot Needham and R.L. Shakespeare-Smith.*

ALSO PRESENT: *Councillor I.J. Knighton – Leisure & E-Government Portfolio Holder & 3 members of the public.*

IN ATTENDANCE: *Strategic Director of Financial & Regulatory Services, Strategic Director of Customer Services, Head of Legal & Democratic Services, Head of Leisure & Environmental Services, Leisure Project Manager, Scrutiny Officer and Senior Committee & Member Services Officer.*

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors David Billing, P.C.W. Burt, Paul Clark, Jane Gray and M.R.M. Muir.

Councillor Lorna Kercher was substituting for Councillor Billing and Councillor Sal Jarvis was substituting for Councillor Clark.

The Chairman welcomed to the meeting newly elected Councillors and those Members who were new to the Committee.

2. MINUTES

RESOLVED: That the Minutes of the meeting of the Scrutiny Committee held on 11 April 2006 be approved as a true record and signed by the Chairman.

3. NOTIFICATION OF OTHER BUSINESS

No items were presented for consideration by the Committee.

4. DECLARATIONS OF INTEREST (INCLUDING PARTY WHIP DIRECTIONS)

No declarations of interest were made and no notification of any party whip directions were given at the meeting.

5. PUBLIC PARTICIPATION

No items were presented under public participation for consideration by the Committee.

6. URGENT/GENERAL EXCEPTION ITEMS

There were no urgent or general exception items to report to the Committee.

7. CALLED-IN ITEMS

No decisions had been called-in by the Scrutiny Committee since the meeting of the Committee held on 11 April 2006.

8. CHAIRMAN'S ANNOUNCEMENTS

There were no Chairman's Announcements.

9. QUESTIONS

No questions had been received for consideration since the meeting of the Committee held on 11 April 2006.

10. NORTH HERTFORDSHIRE DISTRICT COUNCIL'S PUBLIC CONVENIENCES

The Leisure Project Manager presented a draft report which was to be considered by Cabinet at its meeting to be held on 6 June 2006 in respect of the capital and revenue options for improvements to the Council's Public Conveniences. The Consultants' report and a document detailing the revenue options had been circulated as Appendices 1 and 2 to the report, respectively.

The Chairman welcomed and introduced Mr John Inkpen of Inkpen Downie, Architectural & Design Consultants, appointed by the Council to report on the options appraisal for the District's Public Conveniences, and his colleague Mr Ronald Steel (Quantity Surveyor). The Consultants had been appointed to manage the agreed option, including the design and build of the facilities. Mr Inkpen presented the options appraisal to the Committee.

A number of questions were asked by Members, to which Mr Inkpen and officers responded. The following issues arose out of the debate:

- Some Members felt that Letchworth required greater investment in its public conveniences.
- It was confirmed that it would be more expensive to install a higher specification of public convenience, such as self-cleaning units.
- Various local concerns were expressed, including the proposed sites for the Market Square and Mosses Corner sites in Hitchin; the alternative proposed for the Bancroft facility in Hitchin; and the proposed closure of the Arcade and Portmill Lane sites in Hitchin.

In view of these comments, the Committee considered that consultation should take place with the Area Committees before the Cabinet made a decision upon the matter.

RESOLVED: That the report be noted.

RECOMMENDED TO CABINET: That the report on North Hertfordshire District Council's Public Conveniences be deferred, and that consultation take place with the Area Committees prior to the Cabinet making a decision on this matter.

REASON FOR DECISION: To ensure the delivery of project objectives.

11. NORTH HERTFORDSHIRE DISTRICT COUNCIL – THE DRAFT FORWARD PLAN: 1 JUNE 2006 – 30 SEPTEMBER 2006

The Chairman of the Scrutiny Committee presented the Draft Forward Plan to the Committee, which covered the period 1 June 2006 – 30 September 2006.

RESOLVED: That the Draft Forward Plan, covering the period 1 June 2006 – 30 September 2006, be noted;

REASON FOR DECISION: To ensure that the Scrutiny Committee could identify any matters it wished to consider prior to consideration by Cabinet.

28.12. SCRUTINY COMMITTEE WORK PROGRAMME 2006/2007

The Scrutiny Officer submitted a report that updated the Committee on the progress being made on the various topics under scrutiny.

The Scrutiny Officer reported that an item would be submitted to the next meeting of the Committee on scrutiny training requirements for new Members.

The Chairman also commented that it was proposed that the outstanding issues identified by the Residential Parking Task & Finish Group would form the subject of a report to be submitted to the Committee later in 2006.

The Committee was invited to consider the re-establishment of the Finance Sub-Group.

RESOLVED:

- (1) That the progress being made by past and existing sub-groups be noted;
- (2) That the Scrutiny Finance Sub-Group be re-established for 2006/07, comprising 6 Members (3 Conservative, 2 Labour and 1 Liberal Democrat), with Councillor Lorna Kercher as Chairman, and that the political groups be asked to nominate representatives to serve on the Sub-Group.

REASON FOR DECISION: To enable the Scrutiny Committee to plan and carry out its workload efficiently.

13. AFFORDABLE HOUSING TASK & FINISH GROUP – SCOPE

The Scrutiny Officer presented a report seeking approval to the proposed scope of the Affordable Housing Task & Finish Group, as detailed in Appendix A to the report.

RESOLVED: That the proposed scope of the Affordable Housing Task & Finish Group, as detailed at Appendix A to the report, be approved.

REASON FOR DECISION: To enable the Affordable Housing Task & Finish Group to commence and carry out its workload efficiently.

14. REVIEW OF USAGE & PROMOTION OF MARKETS

In the absence of the Chairman of the Sub-Group, the final report of the Usage & Promotion of Markets Task and Finish Group was presented by the Chairman of the Committee. The report included recommendations which the Task and Finish Group had asked to be presented to Cabinet.

The Leisure Project Manager informed the Committee of progress on some of the Task and Finish Group's recommendations which had already been actioned.

The Leisure & E-Government Portfolio Holder thanked the Task & Finish Group for a very useful piece of work. He hoped that this would go some way towards the objective of ensuring that that District's Markets would continue to flourish and develop, in order to meet the public's expectations.

In response to a question raised about the style of promotional literature for the Markets, officers confirmed that the Council's corporate style (ie. Font type and size) had yet to be decided. Members' comments on this matter were noted.

RESOLVED: That the final report and recommendations of the Usage & Promotion of Markets Task & Finish Group, as detailed at Appendix A to the report, be approved for submission to Cabinet.

REASON FOR DECISION: To enable the Scrutiny Committee to carry out its work efficiently.

15. OFFICER DELEGATED DECISIONS – CALL-IN AND GENERAL PRINCIPLES

The Head of Legal & Democratic Services presented a report outlining the principles for decision making by officers and the process for Member scrutiny of such decisions. This was pursuant to a matter referred from the Hitchin Committee to Cabinet relating to an officer decision on an award of a grant under a Service Level Agreement (SLA) to the Hitchin Town Centre Initiative (HTCI). The officer decision was to award the grant for one year instead of three years.

The Committee noted that the Cabinet, at its meeting held on 25 April 2006, resolved “that officers be requested to bring back a report regarding how the decision to extend the SLA for HTCI for a one year term only had been arrived at”. The Cabinet was to receive the requested report at its meeting to be held on 27 June 2006.

The Head of Legal & Democratic Services referred to Paragraphs 4.2 – 4.6 of the report, which outlined the process for delegation of officer decisions, as contained in the Local Government Act 1972.

The Committee was advised that the process for scrutiny of officer decisions was the same as that for any other element of the Council’s functions. The Scrutiny Committee may require an officer to attend to explain matters within their remit in relation to any decision or series of decisions; the extent to which their actions implement Council policy and their performance. Where a key decision was taken by an officer with delegated authority from the Cabinet, the Committee could call-in that decision. The report detailed the procedural rules for call-in of a decision, as set out in the Council’s Constitution.

In response to a question, the Head of Legal & Democratic Services advised that Annual Council had adopted additional procedure rules for the prior notification of non-key officer/portfolio holder decisions in the weekly issue of Members’ Information Service.

The Committee expressed particular concern with the position with regard to the HTCI Service Level Agreement, and general concern with regard to consultation with appropriate Members prior to decisions being made.

RESOLVED:

- (1) That the report be noted;
- (2) That a report on the Service Level Agreement for the Hitchin Town Centre Initiative be submitted to the next meeting of the Committee on 19 June 2006, prior to its consideration by Cabinet on 27 June 2006.

RECOMMENDED TO CABINET: That the concern of the Committee that decisions with profound effects on areas of the District are made without consultation with the Chairman of the relevant Area Committee, and that procedures be put in place to ensure that such decisions are the subject of appropriate Member involvement/consultation in future.

REASON FOR DECISION: To inform the Committee of the processes and procedures relating to Officer Delegated decisions.

The meeting ended at 9.02pm.

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Chairman