

ACTION NOTES

SCRUTINY COMMITTEE
TUESDAY, 11 JUNE 2013



COMMITTEE MEMBERS PRESENT

Councillor Paul Cosham
Councillor Reginald Howard (Chairman)
Councillor Mrs Rosemary Kaberry-Brown
Councillor Michael King
Councillor David Nalson

Councillor Helen Powell
Councillor Bob Russell
Councillor Bob Sampson
Councillor Ian Selby
Councillor Mrs Judy Smith (Vice-Chairman)

OFFICERS

Strategic Director, Corporate Focus
(Daren Turner)
Development Management Service
Manager (Pat Reid)
Community Engagement and Policy
Development Officer (Carol Drury)
Principal Democracy Officer (Jo Toomey)

OTHER MEMBERS

Councillor Martin Wilkins

1. APOLOGIES

An apology for absence was received from Councillor Turner.

2. DISCLOSURE OF INTERESTS

No interests were disclosed.

3. ACTION NOTES FROM THE MEETING HELD ON 9 APRIL 2013

The Committee considered the action notes from the meeting held on Tuesday 9 April 2013. The wording of action note 71 on Procurement Lincolnshire was debated. Following discussion on the item and a vote, the Committee agreed the wording of the action notes as circulated with the agenda.

4. PRE-APPLICATION PLANNING ADVICE

The Chairman of the Development Control Committee and the Development

Management Service Manager had been invited to the meeting to discuss the introduction of pre-application charges for planning advice. They addressed a number of points raised by the Committee at its previous meeting, including whether the Development Control Committee should have been consulted on proposals, the potential impact on the quality of applications and the charging process.

The Development Control Committee Chairman stated he was satisfied with the procedure that was followed and that the Committee's remit was to carry out functions relating to town country planning, specified in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, which did not include fees and charges. Proposals were the subject of detailed debate by a member working group and the Resources PDG before they were submitted to Cabinet and Council. The proposal was considered in conjunction with benchmarking information from other Lincolnshire and East Midlands authorities. The charge was based on the cost of providing the service and would cover the applicant until the completion of their enquiry.

One concern expressed was whether there would be an assumption or legal responsibility on the Council that the success of an application on which an applicant had taken pre-application advice would be guaranteed. A leaflet on the service stated that advice given at the pre-application stage was given in good faith and was not binding on the Council.

The Development Management Service Manager explained that an initial meeting or telephone conversation was free of charge. Charging began when an applicant asked for information in writing. Members suggested that all written correspondence should incorporate the caveat that taking pre-application advice did not guarantee the approval of an application. The Committee also expressed some concern about charges only beginning when information was requested in writing; they suggested that an applicant could make several phone calls or have several meetings free of charge. The Development Management Service Manager assured members that initial contact only was free of charge.

In response to concerns about whether the introduction of charging would affect the quality of applications and the number of retrospective applications, the Development Management Service Manager reported that the service was recording the number of applications received and the number of applications successfully validated. Collecting this information will help demonstrate any impact of the charge on the quality of applications.

Members considered the potential impact of recent changes to permitted development rights. While this could generate an increase in the volume of calls, basic information on what would and would not need planning permission would still be free of charge. Members were advised that any queries from their constituents should be addressed through the planning officers.

Key priorities for the service were ensuring the consistency of advice, particularly in respect of complex queries, and working with consultees on the quality, timeliness and consistency of their advice.

Councillors asked about the budgeted level of income. Following consultation with other authorities and their income in the first year of operation, the Council took a cautious view and budgeted income of £10,000. The introduction of the charge was designed to meet the Council's fees and charges policy which was based on a 'user pays' approach.

The Chairman of the Committee thanked the Chairman of the Development Control Committee and the Development Management Service Manager for attending the meeting, making statements and answering questions.

11:20am to 11:27am – the meeting was adjourned.

5. PROCUREMENT LINCOLNSHIRE GOVERNANCE ARRANGEMENTS

Representatives from Procurement Lincolnshire attended the Committee's last meeting on 9 April 2013. Following some discussion with the representatives, the Committee decided it wanted the opportunity to further discuss Procurement Lincolnshire's governance arrangements.

The Strategic Director Corporate Focus summarised Procurement Lincolnshire's governance arrangements, explaining that officers from Procurement Lincolnshire had regular liaison meetings with each member authority. These meetings fed into the Strategic Procurement Board, which was responsible for the day-to-day managerial and tactical running of the partnership. This board comprised director-level officers.

The Procurement Advisory Board sat above the Strategic Procurement Board; it determined strategic medium to long-term aims. It currently comprised two elected Members (one representative from a district council (representing the interests of all district councils) and one from Lincolnshire County Council). There were also two district council officers, one county council officer and the Head of Service from Procurement Lincolnshire. It was chaired by the Chief Executive of West Lindsey District Council. The Board received regular performance reports and Procurement Lincolnshire's annual report. The Strategic Procurement Board was responsible for implementing the decisions of the Procurement Advisory Board, which was in turn responsible to Lincolnshire Leaders and Chief Executives.

In discussing the structure as presented, Committee members expressed some concern. They felt that scrutiny of Procurement Lincolnshire within its governance arrangements should be Member-led. Councillors also felt the name of the Strategic Procurement Board implied its purpose differed from its actual function. They suggested, given its name, they would expect this body to sit above the Procurement Advisory Board, scrutinising performance reports

and setting the partnership's strategic direction.

The Committee considered the representation on the Procurement Advisory Board. There was consensus amongst members that there should be more Councillors on the Procurement Advisory Board to ensure robust and independent scrutiny from non-experts. It was noted that at Procurement Lincolnshire's inception, it had been recommended that a board consisting solely of Members would fulfil the role of the current Procurement Advisory Board; this recommendation was not accepted in favour of the Procurement Advisory Board.

There was discussion around the actual number of district council representatives who were entitled to sit on the Procurement Advisory Board; this needed clarifying. Selection arrangements for the district council representatives were also briefly discussed.

The Committee felt there was a lack of Member involvement, which could impact on the effectiveness of scrutinising performance. It was proposed the Committee make a recommendation about the composition of the Strategic Procurement Board; the current arrangements of two Members and four officers should be reversed to two officers and four Members. It was further suggested that the Member seats should rotate around all the districts and each term should last for two years.

Action points:

- 1. Clarify the number of district council seats on the Procurement Advisory Board***
- 2. Confirm selection arrangements for the district council representative(s) on the Procurement Advisory Board.***

Recommendation:

- 1. That Procurement Lincolnshire should review its governance arrangements and consider changing the membership of the Procurement Advisory Board to four elected Members and two officers. Representatives from district councils should be appointed on a rotational basis for a two-year term.***
- 2. That Procurement Lincolnshire feed back to the Council on this recommendation when it feeds back on the recommendations made in the Committee's Scrutiny Review.***

6. ANNUAL REVIEW OF POLICY DEVELOPMENT GROUPS

The Community Engagement and Policy Development Officer summarised an annual review of the work undertaken by the Council's Policy Development Groups. She explained how items were identified for PDG consideration and gave an overview of the PDGs' achievements in 2012/13. Collectively the

PDGs considered 43 substantive items, made 32 recommendations and helped develop 17 policies, strategies and schemes. The Committee noted the review.

7. REPORTS FROM WORKING GROUPS

The Chairman of the defibrillator working group presented its report to the Committee. He thanked all of the individuals who supported the review and provided evidence and information and highlighted some of the key lines of enquiry which were considered:

- Potential reluctance of first aiders
- Different types and reliability of defibrillators
- Insurance and liability

The working group used a range of primary and secondary sources including interviews, journal articles and questionnaires to address the key lines of enquiry.

Members discussed training. The working group had proposed LIVES as a potential first aid trainer for the authority, as they could combine first aid at work training with defibrillation training. Members noted that while training for defibrillators was not necessary, it would be beneficial to build up the confidence of the staff that would use the equipment.

Concerns were expressed by a Councillor who was not a member of the Committee about the need for privacy and respecting a patient's beliefs. The Committee was reassured that a robust equality analysis would be carried out as the proposal progressed.

The introduction of any defibrillators would need to follow site assessment to determine appropriate quantities and locations for equipment and follow-up work to determine financial requirements.

The Committee considered the recommendations made by the working group and suggested the following amendments and additions:

- Recommendation 1 (unchanged): That the Council install automatic external defibrillators in its buildings across the district (Grantham offices, area offices, Bourne Community Access Point, arts centres and the Alexandra Road depot). The quantity and location should be determined by site surveys of each building.
- Recommendation 2 (amended): LIVES should be invited to attend a meeting of the Council to raise awareness about the importance of defibrillators.
- Recommendation 3 (amended): LIVES should be invited to run a drop-in session for staff to raise awareness of the importance of defibrillators

and to try and identify individuals who could become users of defibrillators.

- Recommendation 4 (unchanged): LIVES be considered as the provider for South Kesteven District Council's first aid training courses.
- Recommendation 5 (new recommendation): raise awareness of defibrillators and the international defibrillator symbol through Members' news and the staff newsletter.

Recommendation:

To endorse the Defibrillator Scrutiny Review (as amended) to Cabinet.

8. WORK PROGRAMME

The work programme was noted.

9. REPRESENTATIVES ON OUTSIDE BODIES

A report from the Council's representative on the Dame Margaret Thorold Educational Foundation was noted. It was agreed that forms should not be circulated with agendas.

A brief report was also made by representatives on the Welland and Deepings Internal Drainage Board. At its last meeting members had toured the sluices to identify any problems.

10. CLOSE OF MEETING

The meeting was closed at 12:55pm.