

OVERVIEW COMMITTEE

12th August 2002

**PRESENT:-**

**Labour Group**

Councillor Bell (Chair) and Councillors Bambrick and Rose.

**Conservative Group**

Councillor Mrs. Robbins.

**APOLOGY**

An apology for absence from the Meeting was received from Councillor Harrington (Vice-Chair)(Labour Group).

OV/11. **MINUTES**

The Open and Exempt Minutes of the Meeting held on 1st July 2002 were taken as read, approved as a true record and signed by the Chair.

OV/12. **REPORT OF MEMBER**

In response to a query from Councillor Rose, the Chair confirmed that any Member of a Scrutiny Committee could request an item to be placed on the agenda for a Meeting of the Overview or a Scrutiny Committee.

OV/13. **REPORTS OF THE CORPORATE AND COMMUNITY SCRUTINY COMMITTEES**

Councillor Bell reported on the deliberations of the Corporate Scrutiny Committee at its Meeting held on 5th August 2002. The Committee had considered a report on updates on the Financial Services Best Value Review and the procurement of a new financial management system, monitoring arrangements for the Capital Strategy and Asset Management Plan, "How Green is the Council", the Best Value Performance Plan and the future work programme.

In the absence of Councillor Harrington, Councillor Bambrick outlined those issues considered by the Community Scrutiny Committee at its Meeting held on 29th July 2002. These included a presentation on health scrutiny in Derbyshire, the provision of BMX/skateboarding facilities, issues in connection with play equipment including a risk assessment exercise, Social Services Best Value Reviews and the future work programme.

OV/14. **WORK PROGRAMMES**

The Policy and Best Value Manager circulated the work programmes for the Corporate and Community Scrutiny Committees. These included the Best Value Reviews currently in progress, matters for consideration within the Policy Framework and Special Projects. Members discussed the relationship between the Scrutiny Committees and the Policy Committees in respect of

the consideration and monitoring of Service Plans. In this regard, it was noted that Scrutiny Committees may wish to make recommendations to Policy Committees on monitoring arrangements.

OV/15. **CONSTITUTION – ACTION PLAN**

Members were reminded that this Committee had been charged with the responsibility of monitoring progress on this action plan following approval of the plan by the Council on 16th May 2002.

The Committee considered each item within the plan and those items which had been completed would now be itemised separately. It was reported that the Leader of the Council had placed a motion on the agenda for the Council Meeting on 15th August 2002 in connection with renaming two of the Policy Committees and transferring several Terms of Reference. The Council's temporary Legal and Democratic Services Manager was to produce an assessment of current delegation to Officers, which may provide more time for Policy Committees to discuss strategic issues.

Several items within the action plan had significant resource implications and it was likely that a permanent Legal and Democratic Services Manager would not be in post until the end of the year. At the last Meeting, consideration was given to amendments to the call-in mechanism and this issue could now be progressed. With regard to the new ethical framework, the final training session for Members would be held shortly and it was suggested that presentations could be made to Area Meetings in due course to promote the presence of the Standards Committee.

At the present time, no progress had yet been made on several items in the action plan and consequential additions were also required for the purposes of completeness. It was agreed that target dates should be inserted in the 'High', 'Medium' and 'Low' categories and Members were reminded that the County Secretary had confirmed the legality of the current document. The monitoring of the action plan would be an ongoing agenda item for this Committee.

OV/16. **REVIEW OF PLANNING PROCEDURES**

Further to consideration of this matter at the last Meeting of the Committee held on 1st July 2002, it was reported that a dialogue between Officers and Members had continued but the situation had progressed no further. It was now considered that the only method in which to progress the matter would be to obtain Counsel's opinion on the role of scrutiny in connection with quasi-judicial functions, including the development control process. In this regard, it was suggested that a report should be submitted to the Council for its consideration on obtaining Counsel's opinion.

**RESOLVED:-**

***That a report be considered at the next Meeting of the Committee for subsequent submission to the next Meeting of the Council.***

R.L. BELL

CHAIR

The Meeting terminated at 5.30 p.m.