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| REPORT TO: | Environmental & Development Services Committee | AGENDA ITEM: 10 |
| DATE OF MEETING: | 10 th July 2003 | CATEGORY: DELEGATED/ |
| REPORT FROM: | Chief Executive | OPEN |
| MEMBERS' CONTACT POINT: | David Soanes ext 5714 | DOC: |
| SUBJECT: | Review of committee terms of reference | REF: |
| WARD(S) AFFECTED: | ALL | TERMS OF REFERENCE: ES15 |

1.0 Recommendations

1.1 That Members agree to move responsibility for all non-housing asset matters to Finance & Management committee.

2.0 Purpose of Report

2.1 To assist the Council in considering the review of Committee terms of reference

2.2 To seek Members acceptance of changes to the terms of reference of the policy committees, so that all asset matters be dealt with by Finance & Management committee, thereby improving Members involvement in and understanding of asset management issues. The same report will be taken to Housing & Community Services Committee and will also be taken to Finance & Management Committee on 24 July, before finally being reported to Council on 14 August. Any comments made at this committee will be reported verbally at the meeting.

3.0 Detail

Background

3.1 As part of the Asset Management Best Value Review, the review team considered the level of Member involvement in Asset Management matters. The review report notes that 'Hot Property (a report prepared by the Audit Commission), York Consulting (who have been evaluating the Council's asset management process) and the Minister for Local Government all highlighted the lack of member involvement as a national issue which needs to be addressed. District Audit, in their study of Asset Management in the Council in 2000, also recommended that the Council need to address this issue.

3.2 The Best Value Review Team considered how Members could get more involved in Asset Management, and consulted several Members on the issue.

- 3.3 It is recognised that most Members do not have sufficient appreciation of Asset Management issues and that the historic basis of reporting on assets to a number of different committees does not assist with this. Most councils who operate the cabinet system have one Member responsible for asset issues. South Derbyshire DC have decided not to introduce the cabinet system and therefore need to consider how the committee system can better address this matter.
- 3.4 The Review Team's main suggestion was that all non-housing related asset matters should be reported to a single committee, probably Finance & Management. This would lead to a greater knowledge, expertise and ownership of all asset matters by the Members of that committee. This is now an action point in the Improvement Plan which was approved by Members of Finance & Management Committee on 18 February 2003.

Existing terms of reference

- 3.5 Finance & Management committee, under reference FM01 (of the committee terms of reference), already has the responsibility to oversee the management of the Council's assets, including the commercial portfolio, the Council Offices and other corporate assets. That definition could effectively be taken to cover all non-housing Council assets.
- 3.6 However, Housing & Community Services, under CS01, also have the responsibility to maintain and manage Council housing, land, garages, estate shops and permanent gypsy sites, and to sell, lease and/or purchase housing land/property. Under CS08 they are responsible for the provision and management of leisure facilities, under CS09 for the provision and management of cemeteries, crematoria and mortuaries, and under CS10 for the provision and management of public parks and open space.
- 3.7 In addition Environmental & Development Services, under ES15, are responsible for the provision and management of public conveniences, bus shelters, Swadlincote bus station, public car parks and the Swadlincote Market Contract

Suggested future terms of reference

- 3.8 Housing & Community Services and Environmental & Development Services committees should continue to be responsible for the services which are run from the assets listed above, but responsibility for the non-housing asset's themselves would transfer to Finance & Management.
- 3.9 The simplest option would seem to be to put a note at the top of each committee's terms of reference explaining this. The wording of CS08, CS09, CS10 and ES15 could stay the same, as 'provision and management' does cover the service delivery aspects. With CS01, which relates specifically to housing, it is suggested that the responsibility to sell, lease or purchase housing land/property should rest with Finance & Management, as this is moving away from the delivery of a housing service and therefore that part of clause CS01 should be deleted.
- 3.10 It is recognised that whilst it would be best to move responsibility for assets to a single committee, there will be a need to continue to consult with members of either

Housing & Community Services committee or Environmental & Development Services committee over the issue under consideration. In practice many asset issues are also linked to service delivery issues and therefore in many cases the matter will be reported to both committees, thereby allowing the members of these committees to comment on the matter prior to it being taken to Finance & Management committee. The chairs of both these committees sit on the Finance & Management committee and can report the views of their members to Finance & Management. In situations where the matter for consideration does not also have service delivery implications, it is suggested that the report author consults with the relevant committee chair to decide whether the matter should also be referred to their committee for consideration.

3.11 Under the terms of the constitution only the Council is permitted to vary committee terms of reference.

4.0 Financial Implications

4.1 None

5.0 Corporate Implications

5.1 Moving all non-housing asset responsibilities to a single committee will improve the understanding of and involvement in asset management of/by the Members of that committee, thereby improving decision making. It will also go a long way to meeting the concerns identified by other organisations, as set out in 3.1, and by the Asset Management Best Value Review.

6.0 Community Implications

6.1 None

7.0 Conclusions

7.1 The proposals outlined in the report will increase Member involvement in and understanding of asset management issues.

8.0 Background Papers

8.1 Hot Property report - Audit Commission
York Consulting report
District Audit study
SDDC Asset Management Best Value report

