

NORTHAMPTON BOROUGH COUNCIL

LEADER OF THE COUNCIL AND GENERAL PURPOSES OVERVIEW & SCRUTINY COMMITTEE

Monday, 20 December 2004

PRESENT: Councillor Allen (Chair); Councillor Malpas (Deputy Chair);
Councillors Boss, Caswell, Church, B Hoare and Roy

ALSO ATTENDING

M.Hunter Head of Overview and Scrutiny
T.Feltham Scrutiny Officer
B.Hill Chief Accountant (item7)
P.Newham Borough Solicitor (item5)

1. APOLOGIES

Apologies for absence were received from Councillors D Acock and P Flavell Councillor Larratt (Portfolio Holder).

2. MINUTES

Minutes of the meeting held on 3 November 2004 were signed by the Chair.

3. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

None.

4. DEPUTATIONS / PUBLIC ADDRESSES

None.

5. THE ROLE OF GENERAL PURPOSES COMMITTEE

P Newham, Borough Solicitor, advised that it was extremely difficult to give a definitive view of the remit of General Purposes Committee. The Local Government Act 2000 recognised there were Council functions which cannot be dealt with by the Executive but must be dealt with by proportionately represented, Local Government Act 1972, Committees. Some non-Executive residual functions referred to General Purposes Committee are:-

- Elections
- Personnel (human resources)Issues
- Car allowances
- Pensions Issues
- Members' Allowances
- Attendance Policy for Employees
- Maladministration
- Bylaws

General Purposes committee meets infrequently and scheduled meetings were often cancelled when there was no business to conduct.

The Council was currently reviewing all of its structures, including the constitution, and where necessary, changes will be made.

The Committee discussed the role, and need, for General Purposes committee raising several issues:

- The legal requirement for a proportionate Committee for issues that could not be dealt with by the Executive was recognised but its ad-hoc nature raised doubt about the need for a defined General Purposes Committee. The Borough Solicitor generally compiled the agenda and gave advice, as asked, about appropriate items.
- General Purposes committee had been in existence before the Local Government Act 2000 and had more powers then, although it could still now make decisions under delegated authority.
- Personnel issues going to General Purposes Committee caused concern as it was felt that some personnel matters were not given appropriate attention. Other Local Authorities had Personnel Committees and other arrangements for non-Executive functions. The County Council had different arrangements.
- Local Joint Committee was discussed, being proportionate, and including the Unions, and was considered as a means of dealing with personnel issues, and that this Scrutiny committee would also have an interest in such matters.
- The committee decided to gather research about other arrangements in similar sized authorities, particularly in relation to personnel matters.
- The Committee expressed concern that the management structure package did not go to General Purposes Committee and commented on the possibility that some of the issues about the management structure might have been more appropriately resolved by General Purposes.
- During discussion the committee considered who approved changes to the Constitution and that this Scrutiny Committee had a role in reviewing and amending the Constitution. Changes could only be made via recommendations from the Executive to Full Council and members discussed providing their own recommendations to Full Council. The Borough Solicitor advised of the Constitution Working Party to be set up in the new year.
- The committee requested the Leader and Chief Executive take into account their views on General Purposes Committee when the Political Review takes place. Its ad-hoc nature and low workload does not seem to justify its place in the new structure.
- The Council needs to give consideration to how staffing and employment issues are

dealt with in the new structure.

- RESOLVED:**
- (1) That Scrutiny Officers research the way Authorities of a similar size to Northampton deal with the non-executive residual functions particularly personnel issues.
 - (2) That the Leader and Chief Executive be advised of Scrutiny's interest and views on the future of General Purposes Committee and particularly how personnel issues should be dealt with.

6. HOW POLICIES ARE DEVELOPED AND DISSEMINATED THROUGHOUT THE AUTHORITY

The Chair referred to the Council's Child and Vulnerable Adult Protection Policy, which had been devised by the Cultural and Leisure Services Divisions. She reminded the committee that Scrutiny had welcomed the policy but had identified flaws to be rectified, and had recommended that it be implemented corporately, and not just in leisure services. The Executive had approved the policy and that it be a corporate policy.

Following the Executive decision to develop this Policy with Northamptonshire County Council (NCC) little or no progress is to be "Corporate", we need to develop it ourselves. Discussion with NCC could continue to ensure alignment.

The Chair emphasised the need for a procedure for policies being implemented throughout the council. She referred to the Employee Handbook, commenting that its various sections on Policies and Procedures, many being Human Resource related or health and safety issues. She offered to work through the document and present her findings to the next meeting.

- The Committee discussed the need for a procedure for new laws and requirements being programmed into the Authority to ensure comprehensive, consistent, generic compliance.
- It was suggested that the original Working Group be re-convened to review the progress and content of the Child & Vulnerable Adult Protection Policy. Once the Policy is completed as a corporate document, corporate take-up can be monitored.
- The Committee wanted a recommendation to the Executive that the Child & Vulnerable Adult Protection Policy be produced, agreed and implemented urgently and appropriate resources provided in Housing and Licensing to ensure the Policy is fit for purpose.

The Chair suggested that she and Councillor Roy join the Working Group, Councillor Flavell be asked to join and Health and Environment Scrutiny Committee be asked to nominate volunteers to the Working Group, the initial scoping meeting to be held in the New Year.

- RESOLVED:**
- (1) That the Chief Executive and Leader be advised that this Committee is carrying out its Review of the Child &

Vulnerable Adult Protection Policy and will investigate how corporate policies are implemented across the council.

- (2) That a Working Group including Councillors Allen and Roy review the Child & Vulnerable Adult Protection Policy with Councillor Flavell and Health & Environment Scrutiny nominees, and an initial scoping meeting set up in the New Year. Councillor Evans be invited to contribute.
- (3) That Councillor Allen supply further information to the next meeting after researching the Employee handbook regarding work on policies.

7. BUDGET PREPARATION

B Hill, Chief Accountant, advised on the draft budget, circulated with the agenda and taking account of the CPA result. Savings and investment opportunities had been identified after intensive meetings but it was emphasised that great effort would be needed to achieve these.

An addendum to the budget report was circulated which identified that the Provisional Local Government Finance Settlement had been published; the latest estimates of grant due for 2005/06 represented an increase of £170,000 (2.7%) to the budget report.

The committee discussed aspects of the draft budget:

- The vacancy factor – and that this had always been built into salary estimates with directorates managing their staff within annually agreed cash limits. It was considered that inclusion of the vacancy factor would be misleading for the public.
- Further concern was expressed at the vacancy factor of 8.2% for 2004/05 being expected to rise to 9.2% for 2005/06 when it might be expected that the root and branch review was likely to reduce the vacancy factor anyway.
- The committee expected that when the root and branch review was complete the vacancy factor would not be used to 'balance the books'. It was noted that the vacancy factor element appeared to be across the board, without reference to whether gaps were in priority or non-priority services and the committee was interested in hearing how the Vacancy Board operated.
- The nine corporate managers would be in post by mid-February 2005 when the root and branch review would already be in process.
- The matter of agency staff costs was raised and the acknowledgment of periods when the need arose to take on agency workers.
- Concern was expressed that the anticipated saving of £50,000 in Democratic Services had not been achieved. The amendment to the budget at Council on 5

February 2004 had reduced the estimated saving to £20,000, to be achieved by the anticipated reduction in Executive and Scrutiny. Although savings in member allowances had been made, member development and IT costs had increased.

- Car parking charge increases averaging 7% were noted but it was pointed out that the information in the public leaflet simply quoted a figure of £300,000. The committee expressed concern that the consultation leaflet was uninformative. Some proposed cuts in services that would affect the public were not mentioned, such as concessionary fares.
- There were misgivings about the proposed charges for bulky waste collection and the committee was keen to hear assurances (and evidence) that this would not lead to fly-tipping.
- Appendix K of the report, regarding stakeholders, carried inaccurate details: Northampton Commissioning PCG has been PCT for several years. The Volunteer Bureau is the Northampton Volunteering Centre, and Northampton Volunteer Alliance has been omitted.

RESOLVED: That the Committee's concerns be referred to the Executive:

- (1) The vacancy factor being included in the budget could be misleading for the public.
- (2) Consideration should be given to identified priority services, and the detriment to these, in relation to the vacancy factor.
- (3) Concern that the saving of £20,000 from Democratic and Member Services has not been achieved.
- (4) The budget consultation leaflet is considered uninformative, particularly on issues, such as the increase in car parking charges, and on proposed cuts in services such as concessionary fares.
- (5) Details regarding stakeholders consulted are incorrect and have omissions.
- (6) The effects of the proposal to charge for bulky waste collection on fly tipping.

8. FORWARD PLAN FOR THE COUNCIL

The Chair commented on the remit of this committee to look at the championing of Northampton and marketing of the town and wanted to discuss several issues in this context.

The Chair advised of concerns raised regarding items on the Executive's Forward Plan and the fact that items were dealt with at the Executive that had not previously been on the Forward Plan.

The committee conveyed concern at the lack of integration with Scrutiny in relation to the Recovery Plan. It was noted that the new annexe to the Recovery Plan was now available. It was suggested that a letter be sent to the Chief Executive and the Leader of the Council

stating that **all** councillors needed to be kept up to date with the Recovery Plan. The Recovery Plan would be an agenda item at the next meeting.

Members requested a discussion with the Chief Executive and Leader as to how they anticipate governance will work and how it will become more mainstream in relation to checks and balances.

Concerns were raised regarding the Grosvenor/Greyfriars initiative and the possible loss of a car park.

The first draft of the new Corporate Plan would be completed by 23 December for submission to the Executive on 10 January 2005. It would then be disseminated to Scrutiny Committees and other Forums for comment. Members were concerned that they had not been involved in the production of the Corporate Plan although the time constraint was recognised. This Committee should influence the style and format of the plan and could challenge the aims and achievements. It was felt it should be member driven and the Committee requested assurance of Member involvement in the draft Plan. It was agreed to recommend to the Executive that it notes the Corporate Plan as a draft document and invites all Scrutiny Committees to comment.

Members requested that the Civil Contingencies Act 2004 be discussed at the next meeting in terms of what the draft regulations were and how the Council planned to respond. The legislation could be used as another test of how new legislation was fed through the Council. I Kavanagh, Head of Community Leadership & Assistant Chief Executive, be asked to produce a briefing note.

- RESOLVED:**
- (1) That the Chief Executive and Leader of the Council be asked to attend the next meeting in respect of the Recovery/Improvement Plan and how they perceive the involvement of all Members in this process.
 - (2) That the Recovery Plan annexe be discussed at the next meeting.
 - (3) That progress with the Grosvenor / Greyfriars initiative, including car parking bean issue on the next agenda and Councillor Hadland asked to attend.
 - (4) To recommend that the Executive notes the Corporate Plan as a draft document and invites all Scrutiny Committees to comment.
 - (5) That the Committee forward its concern to the Executive that the Forward Plan needs to be reviewed to accurately describe the Executive's work.
 - (6) The Civil Contingencies Act 2004 to be on the next agenda and I Kavanagh be asked to produce a briefing note.

9. FUTURE WORK PROGRAMME

Next meeting:-

1. Recovery / Improvement Plan, and member involvement – Leader of the Council and Chief Executive to be asked to attend.
2. Progress on the Grosvenor / Greyfriars initiative including car parking issues – Councillor Hadland be asked to attend.
3. The Civil Contingencies Act 2004

Future meetings:

1. Analysis of the first quarter report on sickness absence – (29 March 2005 meeting)
2. Details of committee's previous work and awaited responses
3. Customer Services Development.

The meeting concluded at 7.55 pm

10. EXCLUSION OF PUBLIC AND PRESS

The Chair moved that the public be excluded from the remainder of the meeting on the grounds that there was likely to be disclosure to them of such categories of exempt information as defined by Section 100(1) of the Local Government Act 1972 as listed against such items of business by reference to the appropriate paragraph of Schedule 12A to such Act.

The Motion was Carried.

<TRAILER_SECTION>

The meeting concluded at Time Not Specified