

OVERVIEW AND SCRUTINY COMMITTEE

MONDAY, 4TH SEPTEMBER, 2006

PRESENT: Councillor G Driver in the Chair

Councillors B Anderson, J Bale, B Cleasby,
B Lancaster and T Leadley

25 Declaration of Interests

The following declarations of personal interest were made:-

Councillor Anderson – Agenda Item 7 (Minute No 28 refers) Preliminary Report on the Council's Statement of Gambling Policy (Chair of the Leeds Casino Advisory Group), Agenda Item 8 (Minute No 30 refers) Scrutiny Inquiry into Energy and Water Management (Lead Member on this subject), Agenda Item 10 (Minute 29 refers) Performance Report 2005/06 (ALMO Board Member, Leeds NW Homes and Lead Member on 'Narrowing the Gap')

Councillors Driver and Lancaster – Agenda Item 10 (Minute 29 refers) – ALMO Board Members, Leeds South Homes and Leeds NE Homes respectively)

26 Apologies for Absence

Apologies for absence from the meeting were submitted on behalf of Councillors Grahame and Pryke

27 Minutes - 3rd July 2006

- Minute No 23 – Review of Called-In Decision – Closure of Miles Hill and Potternewton Primary Schools and Creation of a New School on the Potternewton Site.

Councillor Lancaster referred to her declaration of interest at the last meeting, and indicated that this related to her capacity as a Governor of Carr Manor High School, not Primary School.

RESOLVED – That subject to the above amendment, the minutes of the meetings held on 3rd July 2006 be confirmed as a correct record.

28 Preliminary Report on the Council's Statement of Gambling Policy

The Director of Legal and Democratic Services submitted a report informing Members of the implications of the Gambling Act 2005 and seeking the Committee's views on the draft Statement of Gambling Policy, which was a statutory document outlining how the Council would seek to promote its licensing objectives under the Act.

Draft minutes to be approved at the meeting
to be held on Monday, 9th October, 2006

Michael Romagnoli, Licensing Section, Legal and Democratic Services Department, attended the meeting and responded to Members' queries and comments. In brief summary, the main areas of discussion were:-

- The Committee regarded that they had not been consulted early enough in the consultation process;
- The Committee stressed that its greatest concern at this stage was the seemingly limited range of those who had been consulted. As the document stood, it appeared that some key partners had not been consulted, particularly District Partnerships, Primary Care Trusts and faith organisations. The view was expressed that the apparent absence of consultation potentially weakened the legitimacy of the policy document, and that consultation should not end with the publication of the document, but should continue throughout the life of the document, including any review of its effectiveness;
- Reference was made to Paragraph 2.1 of the draft Statement, which referred to 'excellent accessibility and transport connections'. Whilst this might be true in terms of getting to Leeds, it was the view of the Committee that it did not apply in terms of movement within Leeds;
- Reference was made to the comments contained in Paragraphs 12.1 to 12.7 relating to the protection of children and 'vulnerable people'. This was felt to be too vague, as was reference to a 'Children's Board';
- The fact that the Statement was a 'work in progress' – this draft had been prepared three months ago, but new guidelines had now emerged from the Gambling Commission and the Department for Culture, Media and Sport, and these would be reflected when a revised statement was submitted to the Committee in October before going before the Executive Board on 15th November and full Council on 13th December 2006.

The Chair suggested that at this stage, in consultation with the Head of Scrutiny and Member Development, he should draft and send a letter to the Chair of the Executive Board, outlining the Committee's initial concerns as expressed today, but that the Committee reserve making its formal comments or recommendations on the draft Statement of Gambling Policy until it has considered a possible revised Statement in October.

RESOLVED – That the Chair's suggested course of action, as outlined above, be approved.

29 Performance Report - Full Year 2005/06

The Committee considered a report relating to performance issues for the period 2005/06 and those matters which had been identified by the Corporate Priority Boards and the Corporate Management Team as key performance indicators of corporate significance.

Steve Clough, Chief Executive's Department, attended the meeting and responded to Members' queries and comments. In brief summary the main points discussed were:-

- Reference was made to the evidential base for alleged 'areas of good performance', the Committee's draft Terms of Reference for its proposed Inquiry into the effectiveness or otherwise of the Council's 'Narrowing the Gap' initiative, and how relevant current monitoring methods and performance indicators were in this regard. This was something which no doubt the Committee would want to cover as part of its Inquiry, and individual Scrutiny Boards might also wish to pursue this aspect in terms of performance areas within their remit;
- Some of the terminology in the report was regarded as less than transparent – instead of referring to performance being 'within the threshold', it was regarded as more appropriate to refer to it being 'less than satisfactory' or 'failing to meet the target'. It was also felt that it would be useful in future to highlight or 'headline' the main issues in some way;
- Referring to 'complaint handling' and Paragraph 5.14 of the report, and the target figure of 90% of complaints answered within 15 days, as opposed to a year end performance of 38%, comment was made that more information was required regarding past performance and current performance, and that these should then be linked to a realistic achievable target. The question was also raised as to whether the report should contain recommendations and action plans linked to the resource implications? It was pointed out that these matters were addressed at Departmental level;
- Parts of the report were regarded as too vague, in particular the references to Children's Services, and this could lead to scepticism in regard to the report as a whole.

RESOLVED – That individual Scrutiny Boards pick up any particular issues within their remit which they wish to investigate in more depth, and a further report be submitted to OSC in due course after this exercise.

30 Scrutiny Inquiry - Energy and Water Management - Response to Committee's Recommendations

The Head of Scrutiny and Member Development submitted the response of the Asset Management Service, Development Department, to the results of the Committee's Inquiry into Energy and Water Management within the Council.

RESOLVED – That the Committee receive periodic update reports in order to monitor progress on implementation of its recommendations.

31 Scrutiny Commission Inquiries: Flooding in Leeds and Workforce Planning - Responses to Recommendations

The Head of Scrutiny and Member Development submitted a report regarding the responses of various Departments and agencies to the recommendations made by the above two Scrutiny Commissions established in 2005/06 by the Committee.

RESOLVED – That the report be noted and issues be addressed by this Committee, other Scrutiny Boards and individual Members as appropriate throughout this municipal year, Councillor Driver to lead on Workforce Planning issues and Councillor Leadley on Flooding in Leeds issues.

32 Work Programme

The Head of Scrutiny and Member Development submitted the Committee's work programme, updated to reflect decisions taken at previous meetings, together with a relevant extract of the Council's Forward Plan of Key Decisions and a copy of the minutes of the Executive Board meeting held on 5th July 2006.

It was agreed to delete the scrutiny of the budget item from the October meeting, but to hold an informal working lunch in October for a preliminary discussion of budget issues. It was also agreed to invite Councillor Harris to the October meeting to discuss the 'Narrowing the Gap' initiative.

RESOLVED – That subject to the above amendments, the Committee's work programme be approved and accepted.

33 Dates and Times of Future Meetings

Monday 9th October 2006
Monday 6th November 2006
Monday 4th December 2006
Monday 8th January 2007
Monday 5th February 2007
Monday 5th March 2007
Monday 2nd April 2007

All at 10.00 am (Pre-meetings at 9.30 am)