

SOUTH RIBBLE BOROUGH COUNCIL

Scrutiny Committee

Meeting held at 6.00pm on Tuesday, 28 June 2016 in Wheel Room, Civic Centre, West Paddock, Leyland PR25 1DH

Present:-

Councillor M Titherington (in the chair)

Councillors Mrs Ball, Mrs Blow, Coulton, Mrs Mary Green, Mrs S Jones, Martin, Mrs B Nathan, M Tomlinson, Mrs K Walton, Watkinson and Mrs Woollard

In Attendance:-

Darren Cranshaw (Scrutiny and Performance Officer) and Andy Houlker (Senior Democratic Services Officer)

Public Attendance:- 1

Other Members & Officers:- Councillors Bennett, Mrs Moon, Mullineaux, M Nathan, P Smith and Wharton and 4 officers

Before the start of formal business, the chairman took the opportunity to inform those present that the Leader of the Council (Councillor Mrs M Smith) had unfortunately been taken ill and would not be attending tonight. In the circumstances it had been decided to defer Item 5 (Cabinet Member Update – Leader of the Council) and Item 6 (Performance, Budget and Risk monitoring report year end 2015/16 (April 2015 to March 2016)) on tonight's agenda to an extra meeting of the committee to be held at **6.00pm on Thursday 28 July 2016**.

Minute No.	Description/Resolution
1	Apology for Absence There were no apologies for absence as all members of the committee were present.
2	Declarations of Interest No interests were declared.
3	Minutes of the Last Meetings RESOLVED (unanimously): That the minutes of the meeting held on 19 April 2016 be approved as a correct record and signed by the chairman.
4	Matters Arising from Previous Meeting(s) The committee considered the list of matters arising from the last and earlier meetings. In respect of the committee's continued interest in Worden Park. It was suggested that in addition to annually visiting the council's leisure facilities it similarly visited about 3 parks (including Worden Park). This was accepted subject to agreement by the portfolio holder. The committee appreciated the verbal update from Councillor P Smith in respect of the Air Quality Action Plan. In that, the council had received feedback from DEFRA and it should be possible to provide the information to committee in the next few weeks. In respect of the matter outstanding from 23 June 2015 (min. no.5 (7) requesting an update on the land acquisition at Wesley Street Mill. The chairman confirmed the committee was committed to receiving an update. When asked when, the chairman expected this be available for the next meeting.

	<p>It was agreed to remove all the matters from the list, with the exception of the following:</p> <p>23/06/15 – Performance, Budget and Risk monitoring report – year end 2014/15 (April 2014 – March 2015) – min. no.5 (7)</p> <p>08/12/15 – Cabinet Member Update – Finance & Resources – min. no.34 (3 & 5)</p> <p>26/01/16 – Cabinet Member Update – Neighbourhoods & Streetscene – min. no.41 (5) – more information was requested</p> <p>26/01/16 – Worden Park Vision Plan – progress update – min. no.43 (3)</p> <p>08/03/16 – Consultation on the Draft Housing Framework – min. no.53 (3)</p> <p>08/03/16 – Cabinet Member Update – Regeneration & Leisure – min. no.54 (4, 6, & 7)</p> <p>19/04/16 – Chorley & South Ribble Community Safety Partnership – min. no.59 (4, 5, & 6)</p> <p>19/04/16 – Strategic Asset & Property Review – Phase 1 – min. no.60 (3)</p>
5	<p>Cabinet Member Update – Leader of the Council</p> <p>RESOLVED (unanimously) that consideration of this item be deferred to the extra meeting of the committee to be held on 28 July 2016.</p>
6	<p>Performance, Budget and Risk monitoring report year end 2015/16 (April 2015 to March 2016)</p> <p>RESOLVED (unanimously) that consideration of this item be deferred to the extra meeting of the committee to be held on 28 July 2016.</p>
7	<p>Update on Scrutiny Review of Licensing</p> <p>The chairman referred to the circulated report of the committee's task group. He commented that it had considered the report and met with the external solicitors (Wilkin Chapman) who had looked into the council's licensing function and the council's Chief Executive. The council had now received the final report from the external solicitors which had been sent to all councillors and put on the council's website.</p> <p>Councillor Mrs Mary Green indicated she was unclear on the process that had established the task group, such as its terms of reference and its membership (number and who). It was felt that in view of the severity and regard to openness, honesty and transparency this should have been considered in public by the full committee. She proposed that the task group be disbanded and that all future consideration of this matter be in public and by the full committee.</p> <p>The chairman referred to the resolution of council (min. no.100, 27 April 2016 refers) which included that he was asked to establish the arrangements to receive and review the final report. He had carried this out and took responsibility for the arrangements to date. In this respect it had been felt appropriate to have a small group (which he selected) focused on the task at hand and the process to receive the report. He did not accept that the process so far had not been open. The task group reported to this committee which in turn would report to full council. The first phased was now complete (the report had been provided).</p> <p>The next phase was to look and review the process which would include participating councillors being interviewed by a legally qualified advisor and agree the evidence they would present. Those councillors would then come before the task group in a public arena. They would be able to refer to any information to put their case across. Councillor Titherington felt this was the most organised and professional way (in keeping with tribunals). He did not feel anyone could sustain an argument that the process would not be open and transparent. Participating councillors would prepare their evidence, give a statement and then answer questions in a public arena. He confirmed that the external solicitors would not be recalled and interviewed (the report had been presented and everyone had had it).</p>

	<p>The proposal was seconded by Councillors Mrs Blow.</p> <p>The proposal was put to the vote and lost (Abstain: 1, No: 9, Yes: 2)</p> <p>Councillor Mrs Moon in the audience commented that she was named in the proceedings and sought clarity whether the council's Chief Executive had been involved in setting the task group's terms of reference. The council's review needed to understand how this situation had occurred with the licensing function and that it was not repeated. The chairman had not feel the terms of reference were constrained and concurred that everyone wanted to know how the council had arrived at this situation and would be a fundamental part of the report to council. Also for clarity and assurance, Councillor Titherington confirmed he had written the terms of reference which were forwarded to the Chief Executive and a LGA advisor. The Chief Executive had not altered them.</p> <p>Councillor Bennett in the audience was interested in ascertaining that the audit trail of correspondence between interested persons starting at the right point. The chairman confirmed that he had received the report at the same time as the Chief Executive and the audit trail started from that point. The task group had ascertained from the external solicitors and chief executive that the audit trail would be available. He was sure that if Councillor Bennett had concerns he would raise them.</p> <p>Councillor Wharton in the audience was informed that the task group had met the external solicitors twice. In respect of possible disciplinary action for officers it was not felt appropriate for the committee to be involved in the process. However, after the conclusion of the matter, dependent on the outcomes individual members might be interested in an area. Although it was currently not felt that disciplinary matters were in the remit of this committee. The chairman confirmed that the task group was re-assured because in respect of the issues raised/recommendations these had been acted up on and completed or were close to being completed.</p> <p>RESOLVED (Abstain: 1, Yes: 11): that the approach outlined in the task group's report and the final report from Wilkin Chapman of the review of licensing functions by the council be received and accepted.</p>
8	<p>Update on Scrutiny Matters</p> <p>a) Verbal update on Lancashire County Council's Health Scrutiny Committee – The chairman reported he had not attended a meeting since the last meeting of the committee. The meeting on 4 July would discuss the issue of the A&E department at Chorley & South Ribble Hospital.</p> <p>b) Member feedback on meeting and training attended on behalf of the committee – Councillor Mrs Ball reported that she and Councillor Wharton had a very good course on better questioning techniques.</p> <p>c) Scrutiny Work Programme</p> <ul style="list-style-type: none"> - Health Steering Group and Highways Task Group – the committee would shortly review its work programme at its annual workshop - Council's preparedness for major incidents, including flooding – the final report would be presented to the committee at the next meeting (28 July 2016) - External use of the Banqueting Suite and Catering Service – a report had been drafted subject to some further information from Property Services. It was hoped the report could be presented to the next meeting <p>d) Cabinet and Scrutiny Forward Plans – these were noted.</p>

..... Chairman