

OVERVIEW AND SCRUTINY COMMITTEE AGENDA



THE PUBLIC MAY ATTEND THIS MEETING

Date: Wednesday 14th July 2010

Time: 7.15pm

Venue: Council Chamber, Causeway House, Braintree

Membership:

Councillor J. Baugh	Councillor A. M. Meyer
Councillor G. Cohen	Councillor R. Ramage
Councillor M. Dunn	Councillor D. E. A. Rice
Councillor Dr. R. L. Evans	Councillor A. F. Shelton
Councillor M. G. Gage (Chairman)	Councillor Mrs. J. A. Smith
Councillor J. E. B. Gyford	Councillor F. Swallow

Members are requested to attend this meeting, to transact the following business:-

1. Apologies for Absence.

2. Member Declarations.

- (i) To declare the existence and nature of any 'personal' or 'personal and prejudicial' interests relating to items on the agenda having regard to paragraphs 8 to 12 (inclusive) of the Code of Conduct for Members in Part 5 of the Constitution and having taken appropriate advice (where necessary) before the meeting.
- (ii) Any member with a 'personal and prejudicial' interest to indicate whether he/she intends to make representations in accordance with paragraph 12 (2) of the Code of Conduct as part of Question Time.
- (iii) To declare the existence and nature of any instruction given by or on behalf of a political group to any Councillor who is a member of that group as to how that Councillor shall speak or vote on any matter before the Committee or the application or threat to apply any sanction by the group in respect of that Councillor should he/she speak or vote on any particular matter.

[Note: A member with a personal and prejudicial interest must withdraw from the room or chamber whilst the item of business the

subject of such prejudicial interest is being considered]

3. **Minutes.** To approve as a correct record the minutes of the meeting of the Overview and Scrutiny Committee held on 2nd June 2010 (Copy previously circulated).
4. **Question Time.** (See paragraph below).
5. **Scrutiny of Treasury Management – The Council’s Investment in Three Banks in Iceland.**

The Committee will recall that when it considered this item at its meeting on 22nd July 2009 (Minute No. 16 refers), it requested an update in 12 months time.

The report of Mr. T. Wilson, Head of Finance is attached.

6. **Budget Scrutiny Preparation In Respect Of The Cabinet’s Proposed 2011/12 Budget.**

The report of Mr. S. Bore, Scrutiny Manager is attached.

7. **Post Decision Scrutiny – Accommodations Options Review – Causeway House, Braintree/Mayland House, Witham.**

To consider the report of Mr. C. Fleetham, Corporate Director (Copy of report and attachment enclosed separately with this Agenda).

Would Members please note that some of the reports/minutes included in the Chronology of Events relate to items that were considered in private session and should be treated as **confidential**.

8. **Annual Work Programme 2010/11.**

Following approval of the Committee’s Work Programme at its last meeting, a copy of the Overall Work Plan Summary is attached.

The Committee is **RECOMMENDED** to approve the work plan.

9. **Scrutiny of Crime and Disorder Matters.**

(1) Protocol

The Committee will recall that at its last meeting it approved the protocol for scrutiny of crime and disorder matters. There is a minor amendment that needs to be made to the protocol as a result of the Crime and Disorder (Overview and Scrutiny) (Amendment) Regulations 2010. These regulations amend the provisions whereby certain categories of persons could be co-opted to serve on a Crime and Disorder Committee to add value and expertise to the Committee’s work. Any person can now be co-opted with the exception of members of the executive of the Committee’s local authority.

The Committee is **RECOMMENDED** to amend the protocol accordingly.

(2) Recommendations made by Crime and Disorder Committees

At the last meeting of the Committee, Members queried whether recommendations made by the Committee in its capacity as the Crime and Disorder Committee need to be submitted to Cabinet.

Home Office Guidance states:-

"At a basic level, the role of the Crime and Disorder Committee is to.....

- *consider actions undertaken by the responsible authorities on the Community Safety Partnership (CSP); and*
- *make reports or recommendations to the local authority with regard to those functions. In practice, the nature of the Committee and its work should mean that recommendations will be directly for responsible partners on the CSP as well.*

.....

If a Crime and Disorder Committee drafts a report or recommendations which have an impact on community safety issues, the following should occur:

- *Copies of the reports and recommendations should be sent to those responsible authorities or co-operating bodies as are affected by the report or recommendations, or as otherwise appropriate in accordance with Section 19 (8) of the Police and Justice Act 2006;*
- *The relevant partner (or partners) should submit a response within a period of 28 days from the date the report or recommendations are submitted (or if this is not possible as soon as reasonably possible thereafter); and*
- *Following the receipt of the response, the Committee will need to agree with the relevant partner(s) how progress in implementing the recommendations will be monitored."*

I would suggest that in instances where the Crime and Disorder Committee makes recommendations direct to the relevant responsible authorities or co-operating bodies on the CSP a copy of those recommendations is passed to the relevant Cabinet Member for information.

10. Task and Finish Groups.

(1) Public Services Provision for Older People – Task and Finish Group – to receive a brief verbal update from Cllr. R. Ramage the Chairman of this Group;

(2) Bus and Rail Services - Task and Finish Group – to note the Cabinet report on the outcomes from the Group's Recommendations (copies of report submitted to Cabinet on 14/6/10 and relevant minute extract attached) (Cllr. A. Shelton was Chairman of the Group);

11. Forward Plan.

To consider the Forward Plan for the period 1/7/10 to 31/10/10 (copy

previously circulated).

12. **Urgent Business.** To consider any matter which, in the opinion of the Chairman, should be considered in public by reason of special circumstances (to be specified) as a matter of urgency.
13. To agree the exclusion of the public and press for the consideration of any items for the reasons set out in Part 1 of Schedule 12(A) of the Local Government Act 1972.
At the time of compiling the agenda there were none.
14. **Urgent Business.** To consider any matter which, in the opinion of the Chairman, should be considered in private by reason of special circumstances (to be specified) as a matter of urgency.

S. Bore
Scrutiny Manager

If you require any further information relating to this agenda or wish to forward your apologies for absence, please contact Steve Bore on (01376) 551414 extension 2003 or e-mail stebo@braintree.gov.uk

QUESTION TIME

Immediately after the Minutes of the previous meeting have been approved there will be a period of up to 30 minutes when members of the public can speak about Council business or other matters of local concern. During this period, councillors who have declared a personal and prejudicial interest in any item of business on the agenda may also speak as permitted by the Council's Code of Conduct for Members . Whilst members of the public can remain to observe the whole of the public part of the meeting, councillors with a prejudicial interest must withdraw whilst the item of business in question is being considered. Members of the public wishing to speak should contact the Council's Democratic Services Section on (01376) 552525 or email stebo@braintree.gov.uk prior to the meeting.