

***DRAFT MINUTES SUBJECT TO APPROVAL AT NEXT MEETING***

**Draft Minutes of the Meeting of the Overview & Scrutiny Committee held on Thursday, 30<sup>th</sup> November 2006 in Committee Rooms A-C, Level –1, Monkton Park Offices, Chippenham, commencing at 6.00 p.m.**

**Present:**

Chairman: T.R. Sturgis

Committee Councillors: S.D. Meadows, J.H. Rooke, R.L. Tonge, S.R. Walls and J. Webb.

**Officers Present:**

A. Davies (Strategic Manager – Planning Services), J. Whittleton (Policy & Democratic Services Assistant), G. Wilkie (Performance Management Officer), B. Matthews (Performance Management Officer), P. Hawley (Chief Accountant) and P. Timmins (Interim Section 151 Officer)

**O73. Apologies for Absence**

Apologies were received from Councillor J.P.S.S. Thomson and from Councillor C. O’Gorman.

**O74. Membership**

There were no changes of Membership

**O75. Public Question Time/Receipt of Petitions**

A public Question was received from Mr H. Chandler:

“The decision, by the Executive of the Council, to sanction the closure of three sports and leisure facilities within the District has led to an unprecedented level of public concern in the eastern side of the District. Given the lack of information, in the public domain, leading to this decision does the Overview and Scrutiny Committee intend to review this decision and the process, including the lack of publicity, leading to this decision, and if not why not?”

Councillor T.R. Sturgis responded by stating that he understood that efforts were being made to collect ten signatures to call in the Executive decision and that he was fairly certain that this would be achieved ahead of the five day deadline. He said that he understood the public concern in the eastern side of the District.

Councillor R.L. Tonge stated that the best way to ensure the decision is called in is to speak to your District Councillor to ensure they sign the form.

A public question was received from Mr M. Gregory:

“The rumour in Cricklade is that the centre will close on Christmas Eve. I would question the reasonableness of the decision to close the centre on the date as it does not allow for alternative proposals to be considered or for information to be secured through the Freedom of Information process”

Councillor T.R. Sturgis responded by stating that the decision taken by the Executive allowed North Wiltshire Leisure Limited to vary its’ services. However, no decision can be

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implemented until the Overview & Scrutiny Committee has considered the decision through the Call In mechanism (and the Executive consider the Overview & Scrutiny's recommendations). He added that he was unaware of any closure date yet. He stated that if the decision is called in, it is his intention that the meeting be held in the public realm, but that a closed session may have to occur if the financial affairs of North Wiltshire Leisure are discussed. He added that he would be surprised if the Executive meeting considering the Overview & Scrutiny recommendations was not open to the public.

A public question was received from Mr A. Evett

"My questions relate to the recent announcement (Friday 24<sup>th</sup> November) by NWDC that the Cricklade Leisure Centre is to close on 24 December 2006.

The decision has come as a complete surprise to the residents of Cricklade and its surrounding area, i.e. the Leisure Centre's main stakeholders, and lacks any forethought as to the very implications of this decision.

The decision was, I understand, to allow North Wilts Leisure Ltd to change its agreed contract with the Council for the provision of Leisure facilities with the result that the NWLL has now confirmed that the Cricklade Leisure Centre is to be closed and mothballed on the week ending 24 December.

The decision of the Leisure Working Group on the 23<sup>rd</sup> November was made without any notice to the stakeholders, although (certain) members of the working group were all to aware that the closure notice was to be confirmed well ahead of this date. The result is that the nearest Leisure facilities will be in Malmesbury, some 11 miles away.

My questions are as follows:

1. On the basis that NWDC has a duty to provide Leisure facilities in return for Council taxes, and that the closure has a very major impact on those that use this facility, why was there no period of public consultation prior to the closure decision being effected?
2. The Cricklade Leisure Centre was originally built and funded by the residents of Cricklade and there is a very real possibility that ownership of the Centre would be transferred to enable local management and operation. The Working Group's decision to allow the virtually immediate closure has effectively prevented the possibility of a local solution to the financing problem. Would the Committee review the decision made by the Working Group with a view to:
  - a) Establishing whether this decision took into account the alternative options for the Centre to be maintained locally? And
  - b) Whether the Working Group should have made a decision which allowed the Centre to close so suddenly and thereby prevented a viable local option? And
  - c) Establishing whether the true impact of such a decision was fully taken into account?
3. Given the Government's policy on "Open Government" and the duty which therefore falls to NWDC, should the Working Group have made such a decision whereby any requests for information, under the Freedom of Information Act, in connection with this decision will only be considered and fulfilled after the actual closure of the Centre by which time there is no response to appeal the decision?

There have been numerous rumours circulating relating the future of the playing fields, in terms of additional housing for Cricklade. Could the Committee investigate whether there is any substance to the rumour that this may have been a consideration when the Working Group chose the secretive method of effectively closing the Leisure at such short notice?

Councillor T.R. Sturgis stated that the role of Scrutiny was to hold the Executive to account and had the ability to Call In Executive decisions. He added that the Executive decision would be called in if ten signatures are received within five days of the Minutes being published. He said that he believed the decision would be called in to consider the impact of the decision on the District.

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Councillor S.K. Doubell stated that the centres would be 'hot-mothballed' and not left to fall into disrepair.

### **O76. Minutes**

The Minutes of the meeting of the Overview & Scrutiny Committee held on 19<sup>th</sup> October 2006 were considered.

**Resolved** that the Minutes of the meeting of the Overview & Scrutiny Committee held on 19<sup>th</sup> October 2006 be signed as a correct record.

### **O77. Declarations of Interest**

None.

### **O78. Chairman's Announcements**

None.

### **O79. 2<sup>nd</sup> Quarter Performance Indicator Report**

Consideration was given to Report No 7, circulated with the Agenda, which provided performance indicator (PI) information for the first 2 quarters of 2006/07.

Issues discussed included:

- That slight variations in the percentage of council tax collected amount to a substantial sum;
- The usefulness of performance indicators when assessing the long term performance of a service; and
- That the Corporate Plan would be produced ahead of choosing PI's this year, so as to enable a more appropriate choice of PI's.

**Resolved** that the Report be noted and used to inform Members of the current performance of Council services.

### **O80. Procurement Strategy – Progress Report**

Consideration was given to Report No. 8, circulated with the Agenda, which provided an update on progress with the Procurement Strategy and the work carried out under partnership arrangements with the Wiltshire Procurement Federation (WPF) and the South West Centre for Excellence (SWCOE).

Issues discussed included:

- That the national target for electronic procure to pay invoices has not been reached;
- Progress taken place on Procurement Cards;

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- Whether Council invoices should be created for charges where the administration costs exceed the amount charged for;
- The new Royal Mail charging system; and
- The number of envelopes in the Council.

### **Resolved**

- 1) That the report be noted.
- 2) That a Report be prepared on the issue of small value invoices (which can't be condensed) issued by the authority and the cost of processing them.

### **O81. Council Tax & National Non Domestic Rate Collection**

Consideration was given to Report No. 9, circulated separately, which presented the Council Tax & Non Domestic Rate collection figures up to the 31<sup>st</sup> October 2006.

Issues discussed included:

- That slight variations in the percentage of council tax collected amount to a substantial sum;
- The tone of reminder letters sent to half yearly payers; and
- The resource available to send reminders.

**Resolved** that the information be noted.

### **O82. Cleansing & Amenities Best Value Improvement Programme Update**

Consideration was given to Report No. 10, circulated with the Agenda, which updated the Overview and Scrutiny Committee on the progress of the C & E Best Value Improvement Programme.

Issues discussed included:

- Enforcement is likely to be a casualty of budget pressures;
- The time taken to undertake the Best Value Review and Implementation Programme;
- Possible contributions from Town and Parish Councils to undertake enforcement;
- That a schedule for street cleaning will be put into place; and
- Councillor S.K. Doubell stated that staff at the depot and Monkton Park should be thanked for the time and effort put into the project.

**Resolved** that the Committee note the Report and the progress being made in all areas of the Programme.

**O83. Planning Scrutiny Task Group**

Consideration was given to Report No. 11, circulated with the Agenda, which considered establishing a Scrutiny Task Group to consider aspects of Planning Services, including major planning applications, Section 106 Policy and Planning Delivery Grant.

**Resolved** that

- (1) The Draft Terms of Reference for the Planning Scrutiny Task Group be approved as set out in Appendix 1 – Work Programme Record Card.
- (2) The Committee appoints Councillor T.R. Sturgis, S.D. Meadows along with the Lead Member to form the Task Group.
- (3) That examples of practices in other authorities/organisations are considered by the Task Group.

**O84. Overview & Scrutiny Work Plan**

Consideration was given to Report No. 12, circulated with the Agenda, which asked the Committee to consider the Overview & Scrutiny Work Plan and agree the inclusion of any additional issues it considered appropriate.

**O85. Exclusion of Press and Public**

**Resolved** not to exclude the press and public.

**O86. Revenue Monitor – Month 7**

Consideration was given to Report No. 14, circulated separately, which set out the Revenue Budget Monitor for Month 7 of the 2006/07 financial year.

Issues discussed included:

- Savings identified by the Corporate Management Board;
- The details of the current spending freeze; and
- The elections fund.

**Resolved** that the Report be noted.

**O87. Capital Monitor 2006/07**

Consideration was given to Report No. 15, circulated separately, which set out expenditure to date against the Council's approved Capital Programme for 2006/07.

Issues discussed included:

- The improved format of the Capital Monitor;
- The extent of slippage; and
- Capital spending.

**Resolved** that the Report be noted.

The meeting finished at 7:30pm.

There were 3 members of the public present.