

KENT COUNTY COUNCIL

CABINET SCRUTINY COMMITTEE

MINUTES of a meeting of the Cabinet Scrutiny Committee held at Sessions House, County Hall, Maidstone on Wednesday, 3 May 2006.

PRESENT: Dr M R Eddy (Chairman), Mr D Smyth (Vice-Chairman), Mr T J Birkett (substitute for Mr R J E Parker), Mr J R Bullock MBE, Mr C J Capon, Mr B R Cope, Mr C Hart, Mr S J G Koowaree (substitute for Mrs T Dean), Mr C J Law, Mrs M Newell, Mr J E Scholes and Mrs P A V Stockell.

IN ATTENDANCE: Mr J Wale, Assistant to the Chief Executive and Mr S C Ballard, Head of Democratic Services.

UNRESTRICTED ITEMS

67. Minutes

(Item A2)

RESOLVED that the Minutes of the meeting held on 15 March 2006 are correctly recorded and that they be signed by the Chairman.

68. Informal Member Group on Budgetary Issues - 20 April 2006

(Item A3)

RESOLVED that the notes of the meeting of the Informal Member Group on Budgetary Issues held on 20 April 2006 be noted.

69. Informal Member Group on "Kent - What Price Growth?" - 24 April 2006

(Item A4)

RESOLVED that the notes of the meeting of the Informal Member Group on "Kent - What Price Growth?" held on 24 April 2006 be noted.

70. Cabinet Scrutiny Committee - Outcomes and Actions to April 2006

(Item A5 - Report by Assistant to the Chief Executive)

RESOLVED that the report on the actions taken as a result of the Committee's decisions at previous meetings, and on progress with Select Committee Topic Reviews, be noted.

71. Forward Plan of Key Decisions

(Item A6 - Report by Head of Democratic Services)

(1) Mr G Wild, Director of Law and Governance, attended the meeting for this item.

(2) Members gave examples of Key Decisions which had not been included in the Forward Plan until the last minute even though the need for their inclusion was known well in advance. Members also gave examples of issues which they felt were Key Decisions but which had not been included in the Forward Plan at all.

3 May 2006

(3) Mr Wild explained that there was a legal definition of 'Key Decision' which was quite specific and KCC had decided that the threshold for Key Decisions on financial matters should be £500,000. The other test for Key Decisions was those that had a 'significant' impact on communities. This was open to interpretation but, although the Regulations defined this as a decision likely to have a significant impact on two or more electoral divisions, KCC accepted Government guidance that decisions having a significant impact on communities in one electoral division should also be treated as Key Decisions.

(4) Mr Wild said he believed that KCC's decision-making processes, including the Forward Plan, were robust but, in such a large organisation, it was inevitable that the occasional error would occur. He explained the Committee's powers to call the Executive to account if it considered that any decision should have been treated as a Key Decision. These powers were contained in Appendix 4, Part 7 of the Constitution. He also clarified that, even if a Key Decision was not included in the Forward Plan, that would not make the decision itself unlawful.

(5) Other issues raised by Members included:-

- need for meaningful summaries of each item to be included in Forward Plan;
- need for local Members to be informed in advance of proposed decisions affecting their area;
- need to avoid slowing down the decision-making process by imposing additional bureaucratic rules;
- suggestion that Forward Plan should be expanded to include all forthcoming decisions (Key or not).

(6) RESOLVED that:-

- (a) Mr Wild be thanked for attending the meeting;
- (b) Officers be requested to review the operation of the Forward Plan and report back to the June meeting. The review to include the following issues:-
 - (i) trying to give greater clarity to the definition of Key Decision used by the County Council;
 - (ii) exploring the possibility of including in the Forward Plan particularly important Decisions which fall outside the legal definition of 'Key Decision';
 - (iii) providing a meaningful summary of each item included in the Forward Plan;
 - (iv) considering the possibility of making the latest edition of the Forward Plan a standing item on Cabinet Scrutiny Committee agendas.

3 May 2006

72. Business Plans 2006/07

(Item A7 - Report by Head of Democratic Services)

RESOLVED that three separate Informal Member Groups (1/1/1 - Members to be nominated by the Group Spokesmen) be established to review the following Unit Business Plans for 2006/07 and report back to the Committee:-

- Public Health (CED);
- Clusters (CFE);
- Supporting People (AS).

06/so/csc/050306/Minutes