
Meeting	Corporate and Scrutiny Management Policy and Scrutiny Committee
Date	7 November 2016
Present	Councillors Williams (Chair), Galvin (Vice-Chair), Crisp, Fenton, Gates, Levene, Lisle, Reid and Craghill (Substitute for Councillor D'Agorne)
Apologies	Councillor D'Agorne

29. Declarations of Interest

Members were asked to declare any personal interests not included on the Register of Interests, any prejudicial interests or any disclosable pecuniary interests which they might have in respect of business on the agenda. None were declared.

30. Minutes

Resolved: That the minutes of the Corporate and Scrutiny Management Policy and Scrutiny Committee meeting held on 5 September 2016 be approved as a correct record and then signed by the Chair.

Matter Arising - Executive Leader and Deputy Leader Update on Progress in Implementing 12-Point Policy Plan (minute 23)

Members highlighted that a request had been made for information to be provided to the committee on the funding arrangements for Yearsley Pool on 13 June, and again on 5 September, which had not yet been received. Officers assured Members that the information would be chased up.

31. Public Participation

It was reported that there had been one registration to speak at the meeting under the Council's Public Participation Scheme on the following item:

Item 6. Briefing Paper on Administration of Section 106 Agreements

Mr Mendus, Independent Member of the Audit and Governance Committee, spoke about the transparency and accessibility of Section 106 agreements. He stated that the open data spreadsheet was helpful, but only covered financial obligations. He suggested that there needed to be a clearer way for non-financial obligations to be monitored.

In response to Member questions he stated:

- As this issue had originally been raised at Audit and Governance committee, Veritau were aware of the points he had raised. However, the most recent audit was purely financial and only a partial audit.
- His main concerns were clarity and visibility. When major developers did not deliver non-financial obligations there needed to be clearer sight of this non-compliance.

32. Schedule of Petitions

Members considered a report which provided details of new petitions received to date, together with those considered by the Executive or relevant Executive Member/Officer since the last report to the committee.

Members were asked to consider the petitions received and actions reported, and agree an appropriate course of action in each case.

Resolved: That the petitions received and actions reported, as detailed in paragraph 5 of the report and Annex A be noted.

Reason: To ensure the committee carries out its responsibilities in relation to petitions.

33. Update Report on Peer Review Action Plan

Members considered a report which set out a brief summary of progress to date with the Peer Review 2016 Action Plan, ahead of the reporting being embedded into quarterly performance

monitoring from Quarter 3.

Officers gave a brief background to the report and stated that any relevant comments made by the committee would be reported back to the Executive as part of the Q3 Finance and Performance Monitoring cycle.

During discussions Members raised the following issues:

- The language in the report was not easily accessible and there was still a lack of key measurables.
- There were several items on the Peer Review Action Plan (Annex A) which it was felt should be marked as ongoing rather than complete.
- A key criticism in Peer Reviews had been relationship building, which some Members felt still needed to be addressed as part of the monitoring arrangements.

In response to issues raised Officers clarified:

- Where items were marked as complete on the action plan it was often because a process was complete but the outcomes were ongoing.
- The issue of relationships was raised in the 2013 Peer Review and this had been the focus of previous action plans, with significant work done in this area already.
- Officers would be looking again at engagement strategy with a report to Executive expected in March 2017. This would include scrutiny input.

Resolved: That Members;

1. Noted progress to date.
2. Noted the intention to report all future progress through a new quarterly strategic 'Organisational Health-Check' basket.
3. Request that the appropriate Executive Member be present when the Committee next considers the basket of improvements.

Reason: To be assured that action plans are implemented and proper progress is made in relation to peer review findings.

34. Briefing Paper on Administration of Section 106 Agreements

Members were asked to consider a report which presented information around Section 106 arrangements and how they are administered.

Officers provided a brief background to the report. In response to issues raised during public participation Officers stated:

- The same process was used to monitor both financial and non-financial obligations under S106.
- Planning enforcement looked at S106 agreements and liaised with planning and legal teams to ensure that obligations were being met.
- In terms of open data everything was already available to the public, but there was agreement that it was not always easily accessible. Work was currently being undertaken to make this clearer.
- Veritau would check that this work had been implemented.

In response to Member questions Officers stated:

- There was not currently a list or register of S106 agreements, however the information was all publicly available as part of the planning system.
- Money from S106 agreements came in to the Council, who acted as an intermediary, and was then passed on to the relevant departments/parish councils. They fed back to the Council when the money has been spent.
- Ward Member consultation on use of S106 funding did not always take place as needs assessments and Capital Programmes take priority.
- The deadline of 31 October 2016 for Agreed Action 1.1 (Annex 1, pg. 4) had passed, however this work would be complete within a month.
- Delays in meeting S106 obligations, such as the one at Derwenthorpe, were a rare occurrence.

Resolved: That Members;

1. Noted the information contained in the report, together with the Internal Audit Report and the actions to be implemented by Officers in response.

2. Request that an update is brought to committee around June/July 2017, together with a copy of the simplified public report on Section 106 Agreements.

Reason: To determine no further scrutiny is required in relation to Section 106 agreements.

35. Work Plan 2016-17

Members were asked to give consideration to the committee's work plan for 2016-17. At the Chair's request, Officers gave a brief update on the current status of the work of the Committee's 3 Task Groups, for information.

Resolved: That the work plan be approved.

Reason: To ensure that the committee has a planned programme of work in place.

Councillor D Williams, Chair
[The meeting started at 5.30 pm and finished at 6.35 pm].