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## Chief Executive's Office

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Date: 3 March 2006

**Chorley**  
Borough Council

**Chief Executive:**  
Donna Hall

Dear Councillor

### **COMMUNITY OVERVIEW AND SCRUTINY PANEL - TUESDAY, 14TH MARCH 2006**

You are invited to attend the Community Overview and Scrutiny Panel to be held in the Committee Room, Town Hall, Chorley on Tuesday, 14th March 2006 commencing at 6.30 pm.

#### **AGENDA**

1. **Apologies of Absence**
2. **Declarations of Any Interest**

Members of the Panel are reminded of their responsibility to declare any personal interest in respect of matters contained in this agenda in accordance with the provisions of the Local Government Act 2000, the Council's Constitution and the Members' Code of Conduct. If the personal interest is a prejudicial interest, then the individual Member should not participate in a discussion on the matter and must withdraw from the Committee Room and not seek to influence a decision on the matter.

3. **Minutes (Pages 1 - 4)**

To confirm as a correct record the minutes of the meeting of the Community Overview and Scrutiny Panel held on 8 February 2006 (enclosed).

4. **Public Participation in the Council's Decision Making Process - Scrutiny Inquiry**
  - a) **Public Speaking Element - Feedback on Visits (Pages 5 - 8)**

Continued....

The Chairman will invite the Members who were able to attend the following meetings to comment on the visits and perceived effectiveness of the adopted arrangements:

- West Lancashire District Council's Planning Committee on 19 January 2006;
- Meeting of West Lancashire District Council as an Assembly on 25 January 2006;
- Meeting of Rossendale Borough Council on 1 February 2006;
- Meeting of South Ribble Borough Council on 15 February 2006.

Notes on the meetings of the Rossendale and South Ribble Borough Council meetings held on 1 and 15 February respectively, as prepared by Councillor Mrs Smith, are enclosed for consideration.

b) Public Speaking - Key Issues for Consideration (Pages 9 - 10)

The Panel will be invited to consider whether it wishes to support a recommendation that the Authority introduces a system to allow the public to speak and ask questions at Council and/or Committee meetings, in the light of survey evidence and Members' visits to neighbouring Councils.

If the Members support the principle of public speaking, the Panel will, firstly, need to consider and assess the following key issues and factors that were identified in the inquiry's scoping document:

- Which Meetings would the public be allowed to speak or ask questions at – Council, Executive Cabinet, Development Control or all meetings?
- Would the public be allowed to speak on all agenda items or only selected items?
- Would prior notice of intended questions be required and, if so, the length of notice?
- Length of time allowed for speaking.
- Arrangements for feedback of responses to the public.
- Meeting room accommodation.
- Publicity arrangements.

Secondly, the Panel will be advised to request the Officers to produce draft Procedure Rules for public speaking, taking account of Member' expressed views, for submission to the next meeting.

A copy of a note expressing the views of Councillor Brownlee on public speaking at meetings, which was circulated at the last Panel meeting, is attached for consideration.

c) Area Forums/Committees element

The Chief Executive has been invited to attend the meeting to

- present a report on the extent of existing forms of community engagement within the Borough;
- report on the means of community engagement practiced by Blackburn with Darwen Borough Council;
- advise the Panel of the implications of the Government's 'Neighbourhood' agenda.

d) Community Groups

The Panel has been invited to attend, as observers, the meeting of the community group, Positive Action in East Chorley (PAiCE) to be held at Tatton Community Centre on 8 March 2006 at 1.00pm.

The next meeting of the South West Chorley Community Safety Group (SWITCH) is scheduled to be held on 6 June at a venue and time to be confirmed.

The Members may also wish to invite representatives of PAiCE and SWITCH to attend a future Panel meeting in order to explain the primary purposes of the Area Forum proposals.

5. Overview and Scrutiny Work Programme, 2005/06 (Pages 11 - 12)

A copy of the 2005/06 Work Programme is enclosed for consideration.

6. Any other item(s) that the Chair decides is/are urgent

Yours sincerely



Chief Executive

**Distribution**

1. Agenda and reports to all Members of the Community Overview and Scrutiny Panel (Councillor M Perks (Chair), Councillors T Bedford, A Birchall, Brownlee, P Buckley, Mrs M Gray, F Culshaw, G Morgan, Mrs I Smith and A Whittaker) for attendance.
2. Agenda and reports to Chief Executive, Head of Customer, Democratic and Office Support Services and Assistant Head of Democratic Services for attendance.

**This information can be made available to you in larger print or on audio tape, or translated into your own language. Please telephone 01257 515118 to access this service.**

આ માહિતીનો અનુવાદ આપની પોતાની ભાષામાં કરી શકાય છે. આ સેવા સરળતાથી મેળવવા માટે કૃપા કરી, આ નંબર પર ફોન કરો: 01257 515822

ان معلومات کا ترجمہ آپکی اپنی زبان میں بھی کیا جاسکتا ہے۔ یہ خدمت استعمال کرنے کیلئے براہ مہربانی اس نمبر پر ٹیلیفون  
کیجئے: 01257 515823

## Community Overview and Scrutiny Panel

**Wednesday, 8 February 2006**

**Present:** Councillor M Perks (Chairman) and Councillors T Bedford, F Culshaw, Mrs M Gray, G Morgan and Mrs I Smith

**Also in attendance:** Councillor S Smith

### **06.COM.06 APOLOGIES OF ABSENCE**

Apologies for absence were submitted on behalf of Councillors Birchall, Brownlee and Whittaker.

### **06.COM.07 DECLARATIONS OF ANY INTEREST**

There were no declarations of personal or prejudicial interest by any of the Members in any of the agenda items.

### **06.COM.08 MINUTES**

The minutes of the meeting of the Community Overview and Scrutiny Panel held on 4 January 2006 were confirmed as a correct record for signature by the Chairman.

### **06.COM.09 DRAFT GENERAL FUND REVENUE BUDGET FOR 2006/07 - REVIEW OF PLANNING SERVICES BUDGET**

The Community Overview and Scrutiny Panel had been requested to undertake a review of the Authority's spending on Planning Services, as part of Members' overall scrutiny of the draft budget proposals for the next financial year. The purpose of the review was to explore the reasons for the service area appearing as upper quartile costs in the results of a recent Audit Commission on Value for Money Assessment, and to establish if the Council's policy objectives were being achieved.

The Panel received a report of the Director of Finance which summarised and commented on the key issues arising from the Audit Commission's report. The assessment had entailed a basic benchmarking of the costs of providing Planning Services by comparing the absolute costs of each Authority included in the Audit Commission's 'family group' of Councils that exhibit the same attributes in terms of demography, population etc. The survey had analysed the costs of each Authority's planning service as a whole, utilising the 2004/05 cost base and the 2003/04 performance data. The statistical data revealed that Chorley's spending in 2004/05 had exceeded the average spending by £209,000, with the number of applications processed being 9% lower than the family group.

The Chairman welcomed the Executive Member for Development and Planning, who had been invited to attend the meeting to assist the Panel's review. The Executive Member was accompanied by the Deputy Chief Executive/Group Director and the Head of Development and Regeneration. The review was conducted through a series of searching questions asked of the Executive Member by the Chairman and members of the Panel.

At the conclusion of the discussions with the Executive Member, the Panel accepted that the delivery and efficiency of the development control service had improved over recent years, particularly since the investment provided by the Planning Delivery Grant and the creation of the new Development and Regeneration Unit. The national

and local targets for the determination of planning applications had been met, but it was accepted that other efficiencies and improvements could be pursued.

The Planning Service was not restricted to Development Control, the Unit being also responsible for Building Control, Planning Policy, Economic Development and Regeneration services. In order to evaluate whether the service was providing value for money, the Council needed to determine the total cost base for each element, together with comparative costs from similar authorities. The Panel, therefore, urged the pursuance of a more probing benchmarking exercise into issues surrounding the cost and quality elements of the planning service. In addition, the introduction of additional key performance indicators in relation to qualitative and enforcement work was essential.

At the end of the debate, it was **AGREED** that the Overview and Scrutiny Committee be recommended to submit the following comments to the Executive Cabinet.

- (1) That the Executive Cabinet be recommended to pursue the provision of more detailed comparative data from the Audit Commission's 'family tree' authorities, particularly in relation to the output, cost and quality of service, in order to enable a more reasonable value for money assessment of the whole of the Council's planning service.
- (2) That action be taken to introduce effective performance indicators for planning enforcement work.

#### **06.COM.10 BUSINESS PLANS, 2005/06 - THIRD QUARTER UPDATES**

The Panel received and considered the Business Plan monitoring statements for the third quarter period ending on 31 December 2005 in respect of the services and functions falling within the remit of the Panel.

(a) Development and Regeneration Unit

The Head of Development and Regeneration submitted the Business Plan monitoring statement for the newly merged Development and Regeneration Unit for the quarter period up to 31 December 2005.

The Panel noted that the forecast outturn for 2005/06 was within budget provision. The Members were assured by the Chief Officers that plans had been put in place to ensure that the Unit remained focused on its Business Plan's key tasks and that measures had been introduced to improve the Development Control Section's performance on the determination of minor applications.

The report also highlighted the major projects at Astley Park and at the Strategic Regional Site in which the Unit were involved, together with the production of the Local Development Framework, Economic Regeneration Strategy and a Town Centre Retail Strategy.

(b) Leisure and Cultural Services Unit

The Head of Leisure and Cultural Services presented his Unit's Business Plan monitoring statement for the quarter period up to 31 December 2005.

The Chief Officer informed the Panel that, in relation to the Unit's performance against its key performance indicators, the target for the encouragement of young people in activities would be met by the year end and the percentage of young people from priority areas participating had already exceeded its goal. It

was anticipated that, by April 2006, 1.3m visits to the town's leisure and cultural facilities would have been recorded.

The report also highlighted the Unit's involvement in the negotiation of the new Indoor Leisure Contract, and the development of the young people's programme. Negotiations were in an advanced stage with Glendale Golf on the projected transfer to the company of the management and operation of Duxbury Park Golf Course. In addition, the development of a wider community management programme was being progressed.

The report also revealed that the Unit's forecast cash outturn for the financial year was likely to be contained within its adjusted allocated budget.

#### **06.COM.11 PUBLIC PARTICIPATION IN THE COUNCIL'S DECISION MAKING PROCESS - SCRUTINY INQUIRY**

(a) Progress Report

The Panel received, for information, a note prepared by the Head of Customer, Democratic and Office Support Services which summarised the progress to date of the Panel's inquiry into the means of encouraging greater public participation in the Council's decision making processes.

The note referred to the preliminary survey of Lancashire Districts to ascertain current practices and listed the witnesses interviewed and meetings of other Authorities' Area Forums, Planning Committees, etc visited by the Panel members as part of the collation of evidence exercise.

The reports of the various visits and perceptions of the Members attending would need to be summarised and taken into account by the Panel in its deliberations and formulation of conclusions. While the Panel may soon be in a position to form initial views on the public speaking at Council/Committees element of the inquiry following the recent visits, the Panel's final conclusions, report and recommendations would need to await the completion of the Panel's review of the Area Forums aspect of the inquiry.

(b) Community Groups' meetings

The Panel, at its last meeting, had suggested Members' attendance, as observers, at the next meetings of the two community groups Positive Action in East Chorley (PAiCE) and South West Chorley Community Safety Group (SWITCH).

The Members noted that the next Annual General Meeting of SWITCH was to be held on the evening of 7 March 2006 (the date of the next Borough Council meeting).

The next meeting of PAiCE was to take place at the Tatton Community Centre on 8 March 2006 at 1.00pm and the Chair hoped that as many members of the Panel as possible would be able to attend.

Subsequently, representatives of the two groups would be invited to discuss the Area Forum proposals with the Panel to dispel any perceptions of duplication of roles.

(c) Survey Results

The Panel received, for information, a schedule showing the results of a recent survey of 13 Lancashire District Councils on the arrangements operated in the

respective Districts to allow public speaking and/or questions at their Council/Committee meetings.

The information would provide useful comparative data to inform and assist the Panel's final conclusions on the current inquiry.

(d) Matters Deferred

It was **AGREED** that consideration of the following agenda items in relation to the public speaking element of the public participation inquiry be deferred to the next Panel meeting on 14 March 2006:

- Feedback on recent visits;
- Key issues for consideration.

**06.COM.12 OVERVIEW AND SCRUTINY WORK PROGRAMME, 2005/06**

The Panel received, for information, the Overview and Scrutiny Work Programme for 2005/06, which had been agreed by the Overview and Scrutiny Committee at its last meeting.

The programme included the envisaged timescales for the on-going scrutiny inquiries and the planned dates for the periodic monitoring of past inquiries.

**06.COM.13 PROPOSED CLOSURE OF EAVES LANE LIBRARY**

The Chairman raised as a matter of urgency an item not included on the meeting's agenda in order to ensure an early response to an important community issue.

The Chairman drew the Panel's attention to the recent announcement of the Lancashire County Council's proposal to close the Eaves Green Library in Chorley between April and June 2006.

The Panel **AGREED** to request the Executive Cabinet to consider the proposal as a matter of urgency at its meeting on 9 February 2006 and agree arrangements for a suitable early response to the plans.

Chair



Notes on the Meeting of Rossendale Borough Council on Wednesday, 1<sup>st</sup> February 2006 at Bacup Leisure Hall.

Attended by Cllrs Mrs M Gray and Mrs I Smith. Apologies from Cllr L Brownlee.

Meeting took place at Bacup Leisure Hall on Burnley Road, Bacup where there was ample parking. Old offices have been or are in the process of being sold and new offices are in the process of being built. Tea and coffee was available for those present. This is a Conservative held Council by quite a large majority.

In attendance was the Mayor Cllr JD Cheetham who chaired the meeting, the Leader of the Council Cllr D Ruddick who sat in the middle of his Group, the Acting Chief Executive who is the Deputy Chief Executive at the moment, the Head of Legal and Democratic Services. The Head of Finance (George Graham) was unable to attend and had given his apologies. 2 members of the Press were also present.

10 people were present in the Public section, but during the meeting it was realised that in actual fact only 1 true member of the Public was actually present. 4 people were there to receive an award on behalf of the Council for Investors in People, 5 others were also there for congratulations etc. So only 1 person was a true public participant.

Members' Question Time was done by written questions (see attached sheet - headed Item C). Members were given 2 minutes to speak to their questions. Answers were given by the Leader who had prior knowledge of the questions and had prepared answers.

The Public Question Time was supposed to be done by written questions but the one question that was asked did not appear to be written. It appeared to be a question asked of the Council after the Mayor asked if there were "any questions".

One item Cllr Mrs Gray and I thought was interesting was that the next Deputy Mayor (for 2005/2006) was elected during the meeting after withholding Standing Orders relating to the length of service which had been that "the holder of the post should be in their 2<sup>nd</sup> term of office" with at least 2 years to run. It ended up with the Deputy Mayor being elected after only having served 2 years on the Council and the other candidate considered had only 1 year's service.

The meeting finished approximately 8.30pm and the bar to the Leisure complex was opened.

Report prepared by Cllr Mrs I Smith

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Notes on the Meeting of South Ribble Borough Council on Wednesday, 15<sup>th</sup> February 2006 at West Paddock.

Attended by Cllrs Mrs M Gray and Mrs I Smith.

Meeting took place in the Shield Room, Civic Centre, West Paddock, Leyland where there was ample parking.

There was an Executive Cabinet meeting immediately before the Full Council meeting, so more or less all of the Borough Councillors were present but the members not on the Cabinet were in the Public Gallery Section at this meeting. The acoustics were bad even though there were microphones in use in both the meetings (this could probably have been sorted out by member training).

At Executive Cabinet the Mayor invites councillors first and then the public to ask questions, make statements or comments on each item after the Executive members have debated the subject but before a vote is taken.

We were allowed to stay in whilst the Executive Cabinet debated a confidential item by special permission, although the members of the public that were present and the press were asked to leave.

The Full Council Meeting started with a prayer from the Mayor's Chaplain.

After each Agenda item was discussed by the Executive Cabinet members at the Full Council Meeting all councillors present were invited to ask questions, make statements or comments on each item. After being answered by the Executive Member on each the subject the public was allowed to speak before a vote was taken.

There were 2 members of the public besides Cllr Mrs M Gray and myself. One of these appears to be either an ex councillor or a Parish Councillor. He was present at a previous planning meeting we attended and asks a question or tries to make a statement at each step in the proceedings.

The member of the public questioned or spoke on every item, he even challenged the choice of Mayor Elect. He was told to sit down. Apparently it was not the first time he had been told to sit down and be careful about his demeanour or he would be removed from the room.

An accumulative time of 3 minutes is given to each member of the public to speak to the full agenda.

Report prepared by Cllr Mrs I Smith



**COMMUNITY OVERVIEW AND SCRUTINY PANEL****14 MARCH 2006****ITEM 4(b)****PUBLIC PARTICIPATION IN THE COUNCIL'S DECISION MAKING PROCESS – KEY ISSUES FOR CONSIDERATION**

I had made a few notes regarding the public participation/ area forums, item 6, Would you please pass them on to the meeting?

**Area forums:**

I think it's too soon to make any formal interim recommendations...we should wait at least until the first round of pilot forum meetings. However that doesn't stop us keeping a note of what does/ doesn't work well in other areas...if we've seen something that works well why not suggest it is taken on board by the pilots?

**Public participation at committee meetings:**

From our last discussion I would agree with Cllr Culshaw's suggestion that we make some interim recommendations regarding public participation at meetings. My suggestion would be:

Introduce public speaking within limits at some meetings, to start as soon as possible, and to be reviewed after 6 months. Then we can assess at first hand how it's working. After the review, we can make further recommendations to amend the system or roll out to more meetings, as appropriate.

**at DC Committee:**

Allow public speaking regarding Planning Applications only.

Allow maximum one speaker for and one against the officer's recommendation on each Planning Application.

If there's only one "side" present, still allow them to speak anyway.

If there are several people wanting to speak, allow them a short time to confer and elect a spokesperson.

Have the public speaker(s) before the councillors' debate starts for each application.

Allow 5 minutes per speech.

Maybe if the Panel is minded to recommend something similar, we should consult DC Cttee for comments.

**at all O&S and Scrutiny Panel meetings:**

Allow public participation in every meeting, related to agenda items only.

Allow at least one speaker per each side of an argument, up to any number of people to speak, at the Chair's discretion.

5 minute limit to a speech.

**At Full Council:**

Have up to 30 minutes "Question Time" at the start of each meeting.

Members of the public can ask questions of any member of the Council.

If people have forwarded their question 48 hours in advance, they should get an answer on the night, and be able to ask a supplementary question on the same subject.

Or someone can turn up on the night and ask a question out of the blue, in which case the question may be answered there and then if possible, or deferred to be answered in writing, and the answer reported to next Full Council.  
Some questions may be completely out of the Council's remit or be deemed malicious etc and could be ruled out of order at the mayor's discretion.

This could potentially make Full Council more interesting...

Councillor L Brownlee

**OVERVIEW AND SCRUTINY WORK PROGRAMME – 2005/06**

Function/topic	Assigned to	J	A	S	O	N	D	J	F	M	A	M	J
<b>1. Holding the Executive to Account</b>													
Annual Budget Consultation	OSC					3		3					
Provisional full year Performance Indicator	OSC									3			
Business Plan and Performance Indicator Updates	ESP				✓			✓		✓	✓		✓
	Com SP				✓			✓	✓	✓	✓		✓
	Cust SP				✓			✓		✓	✓		✓
	OSC				✓			✓		✓	✓		✓
BVPP (Corporate Plan overall performance)		✓								✓			
Monitoring of Sickness Absence (6 monthly update)					✓								✓
<b>2. Policy Development and Review</b>													
Overview and Scrutiny Improvement Plan				✓			✓			✓			✓
Corporate Improvement Plan 2004-2007 Update (Corporate Strategy)								✓					
<b>3. External Scrutiny/Community Concern Full Scrutiny Inquiry</b>													
Public Participation/Communication	ComSP												
LCC's arrangement for the Scrutiny of health function – Periodic Review	CustSP				3								
Parkwise Scheme	CustSP												
<b>4. Monitoring of Inquiries</b>													
Housing Maintenance Appointments System	CustSP			✓						✓			
Flooding, Flood Prevention and Contingency Plan/Proposals	ESP						✓						✓
Chorley Markets - Occupancy of Stalls & Associated Matters	CustSP			✓						✓			
Juvenile Nuisance	ComSP												✓
Grass Cutting	ESP						✓						✓
Provision of Youth Activities in Chorley	ComSP									✓			
One-Stop Shop	CustSP							3					
Accessibility of Cycling as a Leisure Pursuit	ESP												✓
<b>5. Monitoring of Budget Scrutiny Recommendations</b>													
Environmental Services	ESP			3				3					
Revenues and Benefits	CustSP			3				3					
Planning Services	ComSP			3				3					
<b>6. Other</b>													
O & S Training Programme	OSC			3						✓			

OSC - Overview and Scrutiny Committee Panel  
 ComSP - Community Overview and Scrutiny Panel

ESP - Environment Overview and Scrutiny  
 CustSP - Customer Overview and Scrutiny Panel

## Overview and Scrutiny Topics/Issues to be Programmed

Ref	Topic/Issue Title	Date Included	Priority Score	Source	Brief Description
	<p><b><u>Full Scrutiny Inquiries</u></b>                      Priority List                      IEG Measurement of Council's progress (Cust SP)</p>	26/06/03	4 and 4	Overview and Scrutiny Committee A	Referred to Customer O & S Panel
	<p>Reserve List</p>				
	<p><b><u>Policy Development/Review</u></b>                      Priority List</p>				
	<p>Reserve List</p>				