



**Assistant Director of Legal, Governance and
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Decision Summary

Committee:
MANAGEMENT COMMITTEE

Date:

Committee Clerk:

TEL:

OVERVIEW AND SCRUTINY

THURSDAY 20 AUGUST 2015

Penny Bunker

01484 221000

Chair

Councillor Julie Stewart-Turner

Councillors Attended

D Hall, M Sokhal, J Briggs and Khan-Shah

Attendees

Co-optees

John Briggs and Fatima Khan-Shah

Apologies

Councillor Cahal Burke

Observers

Councillor Iredale, Councillor Wilkinson, Councillor Ullah
Will Acornley, Peter Fawcett, Mick Wilby, Tim Duke, Alun Ireland, Linda Crossley,
Carl Whistlecraft and D Himelfield

1 Appointment of Co-optees

The Committee will appoint new co-optees and co-optees to the Overview and Scrutiny Management Committee.

Contact: Penny Bunker, Governance and Democratic Engagement Officer Tel: 01484 221000

The Committee agreed to appoint new co-optees and co-optees to the Overview and Scrutiny Management Committee.

2 Interests

The Councillors will be asked to say if there are any items on the Agenda in which they have disclosable pecuniary interests, which would prevent them from participating in any discussion of the items or participating in any vote upon the items, or any other interests

No interests were declared.

3 Admission of the Public

Most debates take place in public. This only changes when there is a need to consider certain issues, for instance, commercially sensitive information or details concerning an individual. You will be told at this point whether there are any items on the Agenda which are to be discussed in private.

It was agreed that all items be considered in public session.

4 Deputations/Petitions

The Committee will receive any petitions and hear any deputations from members of the public .A deputation is where up to five people can attend the meeting and make a presentation on some particular issue of concern. A member of the public can also hand in a petition at the meeting but that petition should relate to something on which the body has powers and responsibilities.

The Panel noted that John Briggs, Co-optee, declared an interest as a Board Member of Kirklees Active Leisure.

5 Admission of the Public

Most debates take place in public. This only changes when there is a need to consider certain issues, for instance, commercially sensitive information or details concerning an individual. You will be told at this point whether there are any items on the Agenda which are to be discussed in private.

It was agreed that all items be considered in public session.

6 Call-in of Cabinet decision in relation to the Parks & Open Space Maintenance Standards

The Panel will formally receive and note the notice of call-in and consider the issues raised in relation to the decision taken by Cabinet on the 28 July 2015, on the Parks & Open Space Maintenance Standards.

Contact: Penny Bunker, Governance and Democratic Engagement Officer Tel: 01484 221000

The Overview & Scrutiny Management Committee has considered the notice of call-in regarding the decision made by Cabinet on the 28 July 2015 in respect of the Parks & Open Spaces Maintenance Standards.

The Committee has considered all submissions, both those given in person and those in writing. The Committee has also studied relevant background information to assist in determining the rationale behind the decision and to determine if it was made in accordance with the Council's decision-making principles.

The Committee wishes to thank everyone for taking the time to attend and give evidence to assist the Committee in making a decision.

According to the Council's Constitution, the Committee has three options available to it;

- (1) To take no further action and free the decision for implementation.
- (2) To refer it back to Cabinet with recommendations for amendment
- (3) To refer it back to the next Council, if the Committee considered that the decision was not made in accordance with the budget or policy framework

The Committee had sought advice from the Assistant Director: Legal, Governance and Monitoring and is satisfied that the third option does not apply in this instance.

It is therefore the Committee's decision that;

In respect of the financial information, this was insufficient particularly regarding the decision to devolve the flexibility to change service standards to District Committees.

The Committee found that the report to Cabinet had a rationale for each level of service standards.

The Committee found that, whilst there was no statutory obligation to consult on grass cutting and maintenance issues, it would have been good practice to inform ward councillors, consult with Friends Groups and make the public aware. The Committee found some evidence of consultation but it was inadequate to the change proposed. The budget book indicated that the budget savings would be made through modernised working practices, together with

targeted support from Councillors, community groups and neighbourhoods, however this was not evident in the approach to date.

The Committee considered the decision making principles and felt that there had not been adequate consideration of all relevant factors, in particular financial / resource implications, views of affected groups and evidence of considering other options. The Committee do not consider this omission to have been intentional.

In light of the above findings, the Committee concluded that the report should be referred back to Cabinet with the following recommendations:

(1) There is insufficient information for District Committees to be able to make decisions, Further information should be provided for them to be able to do so.

(2) It is important that we develop a clear approach to engage with Friends Groups and other community led organisations and ward members to support this change, as outlined in the Budget statement

(3) The Committee supports part 3 of the decision:
“That the Assistant Director (Physical Resources and Procurement) be delegated responsibility to find the most cost effective solution to the future provision of seasonal plants in order to achieve best value.”

However, the options should be reported back to Cabinet.

The Committee is anxious that changes are being implemented before research is undertaken.
