

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE

Minutes of the Special Meeting of the Overview and Scrutiny Committee held at the County Borough Council Offices, The Pavilions, Cambrian Park, Clydach Vale on Wednesday, the 15th March, 2017 at 9 a.m.

PRESENT

County Borough Councillor G.Smith – in the Chair

County Borough Councillors

J.Bonetto	S.Pickering
W.J.David	S.Rees-Owen
P.Jarman	P.Wasley
(Mrs.)S.Jones	R.Yeo
B.Morgan	

Members Making the Call-In County Borough Councillors

P.Jarman and P.Wasley (also Members of the Committee), E.Webster

Non Committee Members in Attendance County Borough Councillors

G.R.Davies, G.Stacey and M.Weaver

Cabinet Member(s) in Attendance

County Borough Councillor J.Rosser – Cabinet Member for Prosperity, Wellbeing & Communities

Officers in Attendance

Mr.C.Lee – Group Director, Corporate & Frontline Services
Mr.C.B.Jones – Director, Legal & Democratic Services
Mr.C.Hanagan – Director, Cabinet & Public Relations
Mr.C.Atyeo – Director, Corporate Estates & Procurement
Ms.K.May – Head of Democratic Services

23 CHAIR

In the absence of the Chair, County Borough Councillor L.M.Adams, the meeting was Chaired by the Vice-Chair of the Committee, County Borough Councillor G.Smith.

24 APOLOGIES FOR ABSENCE

Apologies for absence were received from County Borough Councillor L.M.Adams, (Mrs.)M.E.Davies, A.S.Fox and S.Powderhill.

25 DECLARATIONS OF INTEREST

RESOLVED – to note that there were no declarations of interest made at the meeting pertaining to the agenda.

26 PROCEDURE

The Chair welcomed everyone to the Special Meeting of the Committee and called on the Director, Legal and Democratic Services to outline the procedure for the call-in process.

The Director, Legal and Democratic Services informed those present that in accordance with the Budget and Policy Framework Procedure Rules that following consideration of the facts presented, should the Committee wish to refer the matter back, then it would be for the Statutory Officers to make the reports.

He stated that before commencing the debate, it was important to agree the procedure to be adopted and he drew Members' attention to pages 1 and 2 of the report which outlined the recommended procedure to be followed in considering the Call-in in respect of the Key Officer Decision taken by the Director, Corporate Estates and Procurement (not the Group Director, Corporate and Frontline Services as stated in paragraph 3.2 of the report) in consultation with the Cabinet Member for Prosperity, Wellbeing and Communities, County Borough Councillor J.Rosser on the 1st March, 2017 in relation to the allocation of funding to the Community Enabling Fund. This was the first Key Officer Decision that had been Called-in following the Annual Meeting of the Council held on the 25th May, 2016 where it was agreed viz: *"that Chief Officer Delegated Decisions in respect of 'key decisions' be open to scrutiny and that they must be published in the same manner as decisions of the Cabinet"* (as outlined in paragraph 3.8 of the report). The Director, Legal and Democratic Services explained that of the three Members making the Call-in, two Members were Members of the Overview and Scrutiny Committee and would therefore be able to vote on the matter.

The Director, Legal and Democratic Services referred to paragraphs 4.2 and 4.3 of his report which proposed that the three Members making the Call-in would be invited to address the Committee in support of the reason given by the Members in requesting the Call-in, a copy of which was attached to the report at Appendix D and which was reproduced, for ease of reference at paragraph 4.2 of the report. He also explained that it was proposed that one of the three Members be given the right to make a final address to the Committee immediately before a vote would be taken on the proposal. He pointed out that if the proposal to have the matter referred back, was

unsuccessful, then the Key Officer Decision would take effect immediately at the conclusion of today's meeting.

RESOLVED – to adopt the procedure as set out in paragraphs 4.2 – 4.3 of the report.

27 CALL-IN - `RCT TOGETHER` COMMUNITY ENABLING FUND

Prior to calling the three Members who signed the Call-in to speak, the Chair stated that whilst he would not strictly impose a five minute limit on the submissions that were to be made to the Committee, as he didn't wish to stifle debate and also state that he would not accept repetition of the matters raised by any of the three signatories to the Call-in.

The Chair also stated that the Cabinet Member for Prosperity, Wellbeing and Communities had requested to be able to address the Committee and that he had granted this request.

He then invited the three Members who requested the Call-in to make their submissions to the Committee.

At the outset, County Borough Councillor P.Jarman wished to have recorded the fact that she together with the two other Members making this Call-in were not opposed to the Council investing in Community Groups under the `RCT Together` Community Enabling Fund that the `matter` that the Key Officer Decision was seeking to support was not the issue. She also stated that she would be making the final address to Committee.

Councillor Jarman stated that as indicated on the Call-in form the reason for calling in the decision was that it was felt to be "out of accord with Part 4 Rules of Procedure Budget and Policy Framework rules 3a, 3b and 3c" and that the Key Officer Decision was made on the same date as the approval of the Council's 2017/18 revenue budget strategy i.e. 1st March, 2017.

Following the addresses made by the three Members, the Officers present and the Cabinet Member for Prosperity, Wellbeing and Communities acknowledged that the Decision Notice was poorly worded and could have been misinterpreted. They also confirmed that the decision notice and accompanying report, attached to the report at Appendices A and B, were not intended to trigger the release of any funds but were intended to support the request progressing to the next stage to enable the matter to be considered by the Executive during the 2017/18 financial year.

Having heard the arguments from those Members who had made the Call-in and the responses from the Officers and the Cabinet member, the Chair then invited the Committee to ask any questions.

The Chair then invited County Borough Councillor P.Jarman to sum up the argument in favour of referring the Key Officer Decision back.

Following consideration of the issues and in accordance with the Overview and Scrutiny procedure rules, it was **RESOLVED** – that the matter not be referred back and that the decision taken on the 1st March, 2017 take effect as from the close of this meeting.

**G.SMITH
CHAIR**

The meeting closed at 9.30 a.m.