

THE OVERVIEW AND SCRUTINY COMMITTEE - 28 May 2012

MONITORING REPORT – KEY DECISIONS NOT INCLUDED WITHIN THE FORWARD PLAN DURING 2011/12 MUNICIPAL YEAR

REPORT OF HEAD OF DEMOCRATIC SERVICES

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RECENT REFERENCES

OS04 – Monitoring Report – Key Decisions not included within the Forward Plan during municipal year 2010/11 – 20 June 2011

EXECUTIVE SUMMARY:

The Overview and Scrutiny Committee has previously received an annual monitoring report in relation to the number of Key Decisions which came forward for decision, which had not been included in the Forward Plan.

Under the Council Constitution Access to Information Procedure Rules (Rule 15.1 – General Exception), the Corporate Director (Governance) was required to inform the Chairman of The Overview and Scrutiny Committee when a Key Decision was to be taken by Cabinet which had not been included in the Forward Plan.

In addition, where an agenda item requiring a Key Decision was not in the Forward Plan and was sent to Cabinet after the statutory deadline, the Chairman of The Overview and Scrutiny Committee must firstly give approval for its inclusion (Access to Information Procedure Rule 16 – Special Urgency). There has been one such occurrence during the 2011/12 Municipal Year on 11 April 2012 (Risk Management and Insurance Services – Hampshire Insurance Framework - Report CAB2328 refers).

During the 2011/12 Municipal Year, the Chairman of The Overview and Scrutiny Committee was informed of a total of three Key Decisions which were not included in the Forward Plan. These items are set out in detail below. It should be noted that two of these items were exempt. The Local Government Act 2000 does not require these items to be included in the Forward Plan, but local practice is to give advance notice in the Plan where possible.

RECOMMENDATIONS:

That the Committee consider and make any necessary comment on the content of the Report.

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<u>Detail of Key Decision not included within Forward Plan</u>	<u>Date of Cabinet Meeting</u>	<u>Reason given for not being including in Forward Pan</u>
Continued provision of Microsoft Software (CAB2188) <b>EXEMPT</b>	15 June 2011	'The opportunity for the shared procurement of this software had only just arisen'
Revised Local Development Scheme 2011 (CAB2204)	6 July 2011	'It had not been previously known when the decision of the Secretary of State would be issued'
Risk Management and Insurance Services (CAB2328) <b>EXEMPT</b>	11 April 2012	'The opportunity described in the Report had only arisen recently'
<b>TOTAL – 3</b>		

1. CONCLUSIONS

- 1.1 Although occasionally Key Decisions are required to be made urgently for operational reasons, wherever possible, officers should continue to ensure that the Forward Plan of Key Decisions is updated monthly. Best practice would also be to include the specific reason for a decision to be taken at that meeting if an item had not been included within the Forward Plan.
- 1.2 For information, there were a total of 11 Key Decisions which were not included in the Forward Plan during the 2009/10 Municipal Year. There were 6 Key Decisions during the 2010/11 Municipal Year, 15 during the 2008/09 Municipal and 15 in 2007/08.

2. SUSTAINABLE COMMUNITY STRATEGY AND CHANGE PLAN (RELEVANCE TO)

- 2.1 A key outcome of the Sustainable Community Strategy is ensuring that the Council is efficient and effective. Providing Members with timely information as part of their decision making supports this.

3. RESOURCE IMPLICATIONS

None.

4. RISK MANAGEMENT ISSUES

None.

BACKGROUND DOCUMENTS:

Monitoring information held in the Democratic Services Division.

APPENDICES:

None