

Finance & Procedures Overview & Scrutiny Committee – 16 February 2006

Minutes of the meeting of the **Finance & Procedures Overview & Scrutiny Committee** held on **16 February 2006** when there were present:-

Chairman: Cllr K H Hudson
Vice-Chairman: Cllr P K Savill

Cllr R G S Choppen
Cllr K J Gordon
Cllr Mrs S A Harper

Cllr Mrs J R Lumley
Cllr P F A Webster

APOLOGIES

Apologies for absence were received from Cllr T Livings

SUBSTITUTES

Cllr J M Pullen

OFFICERS PRESENT

R J Honey - Corporate Director (Law, Planning & Administration)
M Martin - Committee Administrator

Apologies were received from P Warren, Chief Executive and R Crofts, Corporate Director (Finance & External Services).

57 MINUTES

The Minutes of the meeting held on 19 January 2006 were approved as a correct record and signed by the Chairman.

58 PROGRESS ON DECISIONS

The Committee received the Schedule relating to Progress on Decisions and in response to Member questions the following was noted:-

Rayleigh, Rochford and District Association for Voluntary Services (RRAVS) – Core Funding Support (Minute 539/04)

Clarification was still being sought in respect of RRAVS capacity to deliver following receipt of funding from the Local Strategic Partnership to assist in addressing the issues of volunteering and development across the District. This item would be progressed once the recently appointed Corporate Policy Manager had commenced duties.

Outstanding issues would be carried forward.

59 FINANCIAL REGULATIONS AND ORDERING PROCEDURES

The Committee considered the report of the Corporate Director (Finance & External Services) proposing a minor amendment to the Financial Regulations and seeking Members' views on the provision of training on the Council's procurement methods.

Members agreed with the recommendation around a change in the wording from 'agreed price' to 'estimate'. Whilst it was noted that there was very little likelihood of a problem occurring, the Council would retain the scope for further negotiation if a contract were let on the basis of an estimate.

In respect of whether or not to include procurement in the Member training programme, Members felt that this would not be of any real value. The Chairman confirmed that he had found it to be of great value when he had recently visited the Council offices to observe the procedures that are in place for the procurement of goods and services via the Improvement & Development Agency's (IDeA) 'Marketplace' e-procurement system. It was agreed that this would be a preferable option and an invitation would be extended to all Members to view this system.

Members expressed concern as to what happens at the County Council level when better suppliers were identified and passed to them for evaluation. District Council officers should pursue a response and continual price perception was to be encouraged.

In response to Member questions, the following was noted:-

- The system, which was driven by the e-agenda, made it possible for a small authority such as Rochford to gain from economies of scale.
- Benchmarking figures could be obtained from sources such as the internet.
- Whilst the system was not perfect, the involvement of other Essex authorities provided a monitoring check on the system.
- The system did not eliminate the ability to use local specialist suppliers and provided an opportunity for local suppliers to broaden their market.
- A charge was made to a supplier to have their name added to the system.
- The IDEA Marketplace system could be added to the Council's Internal Audit Plan for continued monitoring.

Resolved

- (1) That the following amended wording in Regulation 4.4 of the Financial Regulations be incorporated within the new Constitution to be

Finance & Procedures Overview & Scrutiny Committee – 16 February 2006

introduced in May 2006: “Orders shall indicate clearly the nature and quantity of the works, goods or services required and any contract, estimate and authorisation relating thereto.” (CD(LP&A))

60 COUNCIL CONSTITUTION – PROPOSED AMENDMENTS

The Committee considered the report of the Corporate Director (Law, Planning & Administration) inviting Members to consider revisions to the Constitution following the Committee’s review of overview and scrutiny. The draft would then go to the Standards Committee and Policy and Finance Committee prior to implementation in the new Municipal Year.

A copy of the Constitution had been circulated separately to Members. Amendments within Parts 1 to 6 of the draft had been shaded and Section 7 should also have been highlighted. The Monitoring Officer had also taken the opportunity to incorporate some tidying up.

A further update to the Access to Information Procedure Rules within Section 4 was tabled and agreed. These changes had been brought about by the Local Government (Access to Information) (Variation) Order 2006 which would come into force on 1 March 2006.

Following Member discussion it was recommended that, as well as typographical errors/omissions, which would be corrected in preparation for the final draft version to be presented to Full Council, the highlighted amendments within the draft Constitution, including the following alterations would be **recommended to the Standards Committee and Policy and Finance Committee:-**

- Part 2 - Article 6 – section 6.02, paragraph (ii) - delete the reference to area Committee.
- Part 3 – second paragraph - the Corporate Director to amend the wording, prior to determination by Council, to reflect the Committee’s wish that the Leader of the Council in conjunction with the Chief Executive should decide the designation of “lead committees” where necessary.
- Part 3 – delete “Chief Executive” from the membership of the Emergency Planning Committee; his responsibility was to convene the meeting.
- Part 3 - Amend title of Head of Planning Services to include “Transportation”.
- Part 4 – Access to Information Procedure Rules - include the amended wording provided.
- Part 4 – Budget and Policy Framework Procedure Rules, paragraph 2(a) – amend the wording to indicate that the Review Committee is not required

Finance & Procedures Overview & Scrutiny Committee – 16 February 2006

to address strategic policy or resource issues, as follows – “Within this programme, it may identify strategic policy or resource issues on which it may wish to request studies by the Review Committee.”

- Part 4 – Overview and Scrutiny Procedure Rules:-
 - delete the final sentence of the opening paragraph.
 - paragraph 4 should read, “There shall be at least ten ordinary meetings of the Review Committee in each year.”
 - paragraph 8.3, amend the final sentence to read “..... shall consider the report of the Review Committee at its next available meeting.
 - paragraph 15 (a) – as above, delete the reference to Area Committee.
 - Part 4 – Contract Procedure Rules – include amended EU thresholds.

Members congratulated the Corporate Director on the excellent work undertaken in this revision to the Council’s Constitution.

The meeting closed at 9.09 pm.

Chairman

Date