



AGENDA ITEM: 7 (i)

**EXECUTIVE OVERVIEW &
SCRUTINY COMMITTEE:
1 July 2010**

Report of: Council Secretary and Solicitor

Relevant Portfolio Holder: Councillor I Grant

**Contact for further information: Mrs J Denning (Extn. 5384)
(E-mail: jacky.denning@westlancs.gov.uk)**

SUBJECT: CALL IN ITEM – PERFORMANCE REWARD GRANT

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To advise the Executive Overview & Scrutiny Committee of the reason for the call in of the decision on the above item, as set out in Minute No. 20 of the meeting of Cabinet held on 15 June 2010.

2.0 RECOMMENDATIONS

2.1 That the Committee determines whether it wishes to ask for a different decision.

2.2 That if the Committee does wish to ask for a different decision, the Committee indicates which of the options set out at paragraph 5.1 below, it wishes to pursue.

3.0 DETAILS RELATING TO THE CALL IN

3.1 The report attached as an Appendix to this report was considered at Cabinet held on 15 June 2010.

3.2 The following decision of Cabinet is contained at Minute No. 20:

“20. PERFORMANCE REWARD GRANT

Councillor Grant introduced the report of the Assistant Chief Executive which sought to formalise the Council’s approach to its ratification of spending decisions made by the West Lancashire Local Strategic Partnership in respect of the allocation of Performance Reward Grant (PRG) and sought endorsement for the use of PRG to fund a ‘Strengthening and Supporting CCTV Provision’ project.

The Assistant Chief Executive circulated revised recommendations which took into account the recently announced Government spending review and the uncertainty as to whether the Performance Reward Grant would be available.

In reaching the decision below, Cabinet considered the details set out in the report before it, and the revised recommendations circulated by the Assistant Chief Executive, and accepted the reasons contained therein.

- RESOLVED: A. That authority to allocate PRG in accordance with the recommendation of the West Lancashire Local Strategic Partnership be delegated to the Assistant Chief Executive.
- B. That the ‘Supporting and Strengthening CCTV’ project be endorsed, as it meets with the requirements of the PRG Protocol, (Appendix A).
- C. That the Local Strategic Partnership be advised that it should not make any spending commitments or enter into any contractual arrangements which are dependent on Performance Reward Grant until the future availability of this funding source has been confirmed.”

3.3 The following reason for call was given in the requisition:

- “(a) That the process undertaken by the Local Strategic Partnership’s Executive, to recommend for Performance Reward Grant (PRG) funding the ‘Supporting and Strengthening CCTV’ project, breaches the LSP’s own constitution (para 2.4.4 a), in respect of the function of the Funding Management Group.*
- (b) That the process undertaken by the Local Strategic Partnership’s Executive might be regarded as lacking in the appropriate transparency by the general public, and that a more clearly transparent process for the allocation of PRG funding is needed.”*

3.4 The requisition also provided an alternative decision which was:

- “A. That the LSP Executive be asked to review its decision making processes in respect of PRGs made available, such that they are constitutionally legitimate and transparent.*

B. That the LSP Executive be asked to resubmit its recommendations to Cabinet at the earliest opportunity after it has revised and implemented its processes.”

3.5 The following Members of the Executive Overview & Scrutiny Committee signed the requisition for call-in in accordance with the provisions of Overview & Scrutiny Committee Procedure Rule 15:

Councillor N Hennessy
Councillor J Coyle
Councillor I Moran
Councillor B Nolan
Councillor N Furey

4.0 COMMENTS OF THE ASSISTANT CHIEF EXECUTIVE

4.1 The LSP Constitution has undergone a review with the Executive receiving a revised version at its meeting of 21st May 2010. Within the revised Constitution, it is noted that the Funding Management Group will cease to operate from October 2010. As such, the role of the Executive in relation to PRG is clarified at 2.4.2 (i) and (j). The amendments are as follows:

- a) The LSP Executive is responsible for developing recommendations concerning use of the Performance Reward Grant, subject to the protocol set out in Appendix 6.
- b) The Executive will manage progress against projects funded by PRG. Through consideration of regular performance reports from project leads, the Executive will make recommendations to address performance issues as they emerge.

4.2 In light of recent announcements regarding the amount of PRG that will be received, the Executive will be reviewing its approach to spending the available monies at its meeting of 16th July. The approach that had been developed by the Secretariat had been devised with a view to being open, transparent and fully engaging with partners. Any suggestions about how the Executive could further improve the openness and transparency of the process would be welcomed by the Secretariat, before 7th July.

5.0 CONCLUSION

5.1 Following consideration of the decision of Cabinet, the requisition for call in and the comments of the Assistant Chief Executive, the Executive Overview & Scrutiny Committee can decide if it wishes to ask for a different decision. If the Committee does not wish to ask for a different decision then the decision of Cabinet takes immediate effect. If the Committee does wish to ask for a different decision, it may:

- a. refer the decision back to Cabinet (as the decision making body) for reconsideration, setting out the different decision; or

- b. refer the matter to Council. If the matter is referred to Council and Council does not object, then the decision of Cabinet will take effect immediately from that Council meeting date. If the Council does object, then the decision and the objection will be referred back to Cabinet (as the decision making body) for reconsideration.

5.2 The Secretary of State in his Guidance recommends that Overview & Scrutiny Committees should only use the power to refer matters to the full Council if they consider that the decision is contrary to the policy framework or contrary to or not wholly in accordance with the budget.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

There is no evidence from an initial assessment of an adverse impact on equality in relation to the equality target groups.

Appendices

Report of the Assistant Chief Executive.