

## **SCRUTINY CO-ORDINATION COMMITTEE**

4<sup>th</sup> February, 2009

### Scrutiny Co-ordination Committee Members

#### Present:

Councillor Arrowsmith  
Councillor Charley  
Councillor Clifford  
Councillor Crookes  
Councillor Duggins  
Councillor Maton  
Councillor Mutton  
Councillor Ridge (Chair)

#### Other Members Present:

Councillor Bailey (For minute 150 below)  
Councillor Sawdon (Cabinet Member (Culture, Leisure and Libraries)  
(For minute 150 below)  
Councillor Skipper (For minute 150 below)

#### Members of the Public

##### Present:

G. Croft  
K. Draper  
M. Griffin  
M. Harris  
R. Wills

#### Employees Present:

S. Brake (Chief Executive's Directorate)  
R. Brankowski (Customer and Workforce Services Directorate)  
C. Edwards (Community Services Directorate)  
M. Harris (Customer and Workforce Services Directorate)  
S. Morrison (City Services Directorate)  
J. Parry (Chief Executive's Directorate)  
J. Sprayson (Finance and Legal Services)  
C. Steele (Chief Executive's Directorate)  
A. West (Chief Executive's Directorate)

Apologies: None.

#### 148. **Declarations of Interest**

There were no declarations of interest.

#### 149. **Consideration of Call Ins – Stage 1**

The officers reported that no call-ins had been received.

#### 150. **Consideration of Call-ins – Stage 2**

At the beginning of the consideration of this item, Councillor Ridge described his decision in response to a request from Councillor Skipper not to take comments from members of the public, saying that the issues had been raised at other meetings in the past, and the public had been afforded plenty of opportunity to speak on the issue.

The Committee then considered a report of Scrutiny Board 4 which had been previously

considered by Cabinet Member (Culture, Leisure and Libraries) (their minute 35/08 refers) and had been called in by Councillors Skipper, Mutton and Clifford.

The report outlined the history of the Allesley Walled Garden and the involvement over some years of the Council in its use. It also noted the work going on in the garden currently and the views of some of the parties involved. The Cabinet Member had considered the recommendations of the report and had decided that the Allesley Park Walled Garden Group (APWGG) should continue to cultivate the area which they currently occupied. The Cabinet Member also decided that Coventry City Council should maintain the remainder of the Allesley Park Walled Garden to an agreed standard in co-operation with relevant stakeholders.

The Committee considered two briefing notes that addressed matters raised by the call-in. Some Members questioned the content and usefulness of the briefing notes, suggesting that some important issues appeared to have been omitted and that the notes did not sufficiently answer the content of the call-in and appeared to be less than helpful in seeking a way forward.

Some Members asked questions of the Cabinet Member, emphasising that it was the nature and content of the information that the Cabinet Member based his decision on which was the reason for the call-in. Officers were invited to give further background information on the issue, and clarify some legal points surrounding covenants on the land, the financial implications of leasing the land to the APWGG, and the legal consequences of allowing the APWGG to lease the land currently held in trust, specifically negotiating with the Charities Commission.

Members also questioned the Cabinet Member and officers about the impact of the decision on students using the garden to study for NVQs, stating that the current space given to the APWGG is small in comparison to the amount of users, and that students were not able to progress to higher levels in their qualifications whilst the APWGG occupied only one quarter of the walled garden. It was noted that officers in the Children, Learning and Young People Directorate had voiced concerns over the impact of the decision on both the NVQ students and the possible wider use of the Walled Garden as an educational tool.

It was stated that insufficient work appeared to have been done on looking at the issues mentioned in the briefing notes, suggesting that more resources could be applied to researching the legal and other issues, ensuring that opportunities for the development of the garden would not be missed.

The Cabinet Member responded to the questions and comments by outlining the way he had conducted his Cabinet Member meeting. The Cabinet Member refuted the comments concerning a lack of information as he had clearly requested at his meeting that members from APWGG provide him with any extra information concerning their plans. As none had been forthcoming, particularly concerning the impact on NVQ students, the Cabinet Member observed that he had not been able to make his decision based on information which he had not seen.

The Cabinet Member also pointed out that he made his decisions based on a wider range of information than just the Report of Scrutiny Board 4 on the issue, as he had looked at information provided by APWGG, the Friends of Allesley Park and the Allesley Park Residents' Association in advance of the meeting.

The Cabinet Member indicated that he concurred with the legal advice that had been given to him at his Cabinet Member meeting, (which had been reiterated to the Committee) concerning the release of covenants and involvement with the Charities Commission. In

response to questions referring to the impact on NVQ Students, the Cabinet Member stated that there was sufficient flexibility in the decisions he had made to ensure that discussions over the future of the land granted to the APWGG could be had with Council officers. In summary, he re-affirmed his decision, and indicated that he would welcome further discussion on the matter.

**RESOLVED that the Scrutiny Co-ordination Committee concur with the decisions of the Cabinet Member.**

**151. Quarterly Reports on the Work of Scrutiny Boards**

The Committee received the reports of the Chairs of the four Scrutiny Boards. At the request of a member, the Chair of Scrutiny Board 2 undertook to look into an issue raised relating to Safeguarding Children and the recent Judicial Review.

**152. Outstanding Issues**

There were no outstanding issues.

**153. Work Programme 2008/09**

The Committee noted the Work Programme.

**154. Meeting Evaluation**

Members shared a range of perceptions on the way the consideration of the main item of business had been carried out.

**155. Any Other Urgent Items of Public Business**

There were no other items of public business.