

Brighton & Hove City Council

For general release

Meeting: Overview and Scrutiny Organisation Urgency Sub-Committee

Date: 30th June 2003

Report of: Director, Communications and Democratic Services

Subject: Call-in request; Discretionary Grants Programme

Ward(s) affected: Vallance, All

The special circumstances for non-compliance with Council Procedure Rule 19, Access to Information Rule 5 and Section 100B(4) of the 1972 Local Government Act as amended (items not to be considered unless the agenda is open to inspection at least five days in advance of the meeting) are that by their nature call-in requests are dealt with as a matter of urgency.

1. Purpose of the report

- 1.1 A request for call-in (Appendix 2) has been submitted by Councillor Dawn Davidson, of decisions at Policy and Resources Committee on 18th June, relating to the Discretionary Grants Programme 2004 – 2007.
- 1.2 The Policy and Resources report appears at Appendix 3 to this report.
- 1.3 This report sets out the call-in request and the initial comments in response to the request from the Chief Executive, together with the report of the Discretionary Grants Scrutiny Panel (Appendix 4) and the executive reply to the scrutiny recommendations (Appendix 5).

- 1.4 The Discretionary Grants Scrutiny Panel chaired by Councillor David Watkins agreed its final report on 1st August 2002. The findings and recommendations of the scrutiny panel's report together with the executive reply were considered at the Culture Regeneration and Housing Committee on 12th September 2002 and were reported to full Council on 26th September 2002.

2. Recommendations

- 2.1 Members are asked to consider the call-in request, reports, initial officer responses and relevant Procedure Rules set out below in section 4, to determine whether or not to call-in the decision.

3. Initial Comments from the Chief Executive

3.1 Grants Process 2003

- 3.1.1 In line with the Best Value Review and the Scrutiny Report, a two staged bidding and assessment process for the discretionary grants programme was established – this comprised both an outline bid stage followed by a full bid stage.
- 3.1.2 Organisations were invited to submit outline bids by 3rd March 2003. Some 86 applications were received and appraisal of these bids was completed by 17th April 2003.
- 3.1.3 Given that the appraisal of the outline bids was completed after 14th April and during the pre-election period it was agreed with Councillor Turner that there should be no further member consultation until after 1st May election when the new council membership would be known.
- 3.1.4 Each of the outline bid applications was appraised and a summary appraisal report was sent to each organisation on 1st May 2003.
- 3.1.5 On 10th June 2003, the Voluntary Sector Unit Manager wrote to all elected members with the proposed Policy & Resources recommendations for organisations to be invited to full bid stage (see Appendix 6)
- 3.1.6 The recommendations accepted at Policy and Resources Committee on 18th June included the establishment of a Member

Advisory Group comprising 2 Labour, 2 Conservative, 1 Green and 1 Liberal Democrat members to "oversee and guide the Voluntary Sector Unit Manager in the assessment of the full bids".

3.2 General Implications

3.2.1 If officers have to delay work on the Three Year Grants to Medium / Larger Organisations then there will be a significant effect on an already tight assessment timetable:

- The 58 organisations recommended in the P&R report of 18th June 2003 have already been invited to prepare their full bids with return deadline of 1st August 2003.
- The assessment of the full bids is scheduled to take place during August 2003. This will ensure that there is sufficient time for the Member Advisory Group to actively participate in the assessment of the full bids and help draft, consider and submit recommendations on the allocation of funding to the Policy & Resources Committee in November. Members who have agreed to sit on the Member Advisory Group will have already scheduled in three dates: 14th August, 4th September, and 24th September for participation in the process.
- A delay in the assessment timetable will result in the City Council not complying with its commitment to providing 3 months notice of any changes in funding to organisations not successful for funding in 2004/07. Although not a legal commitment, as grants are time limited, this is a commitment, good practice and agreed joint working as stated in the Compact Code of Practice on Funding.

3.2.2 Of the 86 applications received at outline bid stage, 58 were prioritised and 28 not prioritised. If there is any delay then it will create a high degree of uncertainty especially with:

- organisations not invited to submit full bids but currently receiving funding (5 organisations)
- organisations invited to submit full bids but not currently receiving funding (14 organisations)

3.2.3 If there were a delay then there would need to be a Policy & Resources Committee decision to rollover into 2004/05 current main grant holders i.e. those currently on three year funding and 19

organisations which were originally on one year funding 2002/03 and which have already had this funding rolled over to 2003/04 following decision-making delays due to the scrutiny process.

- 3.2.4 It is important to note that community and voluntary sector organisations have accepted the new assessment process and only **one** organisation not invited to the full bid stage has written to the city council to complain. Those who were unhappy with their appraisals phoned to discuss the reasoning and alterations were made as appropriate.
- 3.2.5 At present the relationship between the city council and the Community and Voluntary Sector is reasonably good. They appreciate the changes in grants delivery and the new simplified process. Considerable good will has been created with the revision and recent launch (4th June) of the new Compact and Codes of Practice.

3.3 Financial Implications

- 3.3.1 There are no financial implications for the current year 2003/04. However, if a rollover of grants from 2003/04 to 2004/05 is needed, and assuming we rollover **all** current one and three year grants, this will total £1,152,346 for the full year (2004/05) or whatever proportionate period chosen.
- 3.3.2 The effect of this will be to commit all of the 2004/05 budget allocated to three year funding but without any impact on the remaining grant programmes.
- 3.3.3 However, there remain 14 organisations who have been invited to full application but who do not currently receive funding. The value of their grant application is £371,962 in 2004/05 and the budget for 2004/05 would not be able to encompass this amount without impacting the other grant programmes.

4. **Council Procedure Rules Relating to Call-in**

4.1 The procedure rules relating to the determination of a call-in request are set out in paragraphs 13.7 – 13.12 of the Council Procedure Rules as follows:

“13.7 In deciding whether or not to refer a decision back, the relevant Overview and Scrutiny Committee shall have regard to the criteria for Scrutiny reviews set out at paragraph 11.4 of these rules. In addition it may take into account:

- any further information which may have become available since the decision was made
- the implications of any delay; and
- whether reconsideration is likely to result in a different decision.

13.8 If, having scrutinised the decision, the relevant Overview and Scrutiny Committee is still concerned about it, then it may refer it back to the decision making body for reconsideration, setting out in writing the nature of its concerns or, only if it considers the decision is contrary to the policy framework or budget agreed by the Council, refer the matter to the full Council to determine whether or not it should be referred back to the decision making body.

13.9 If the relevant Overview and Scrutiny Committee does not meet within 7 working days of the Chief Executive accepting a call-in request, or

does meet but does not refer the matter back to the decision making body or to the Council, the decision shall take effect on the date of the Overview and Scrutiny meeting, or the expiry of the period of 7 working days from the call-in request being accepted, whichever is the earlier.

13.10 If the decision is referred back to the decision making body, that body shall then reconsider, either at its next programmed meeting or at a special meeting called for the purpose, whether to amend the decision or not before reaching a final decision and implementing it.

13.11 If the relevant Overview and Scrutiny Committee refers the matter to full Council and the Council does not object to a decision which has been made, then no further action is necessary and the decision will be effective in accordance with the provision below. However, if the Council does object, the Council will refer any decision to which it objects back to the decision making body, together with the Council's

views on the decision. In this case the decision making body shall consider, either at its next programmed meeting or at a special meeting convened for the purpose, whether to amend the decision or not before reaching a final decision and implementing it.

13.12 If the Council does not meet within two weeks of the matter being referred to it, or if it does meet but does not refer the decision back to the decision making body or person, the decision will become effective on the date of the Council meeting or expiry of that two week period, whichever is the earlier.”

4.2 Paragraph 11.4 of the Procedure Rules state:

10.4 In considering whether or not any matter should be agreed for Scrutiny, the OSOC will have regard to:

- The importance of the matter raised and the extent to which it relates to the achievement of the Council's strategic priorities, the implementation of its policies or other key issues affecting the well being of the City or its communities;
- Whether there is evidence that the decision-making rules in Article 11 of the constitution have been breached; that the agreed consultation processes have not been followed; or that a decision or action proposed or taken is not in accordance with a policy agreed by the Council.
- The potential benefits of a review especially in terms of possible improvements to future procedures and/or the quality of Council services.
- What other avenues may be available to deal with the issue and the extent to which the Councillor or body submitting the request has already tried to resolve the issue through these channels (e.g. a letter to the relevant Executive Committee, the complaints procedure, enquiry to the Chief Executive or Chief Officer, Council question etc.)
- The resources available and the need to ensure that the process is not overloaded by requests.

COMMITTEE REPORT APPENDIX



Meeting/Date	Overview and Scrutiny Organisation Committee/30 th June 2003
Report of	Director, Communications and Democratic Services
Subject	Call-in Request re: Discretionary Grants Programme
Wards affected	All

Financial implications

Financial implications are set out in the body of the report, section 3.3.

Legal implications

In coming to a decision, Members need to take into account all relevant considerations, including the effect of any delay and the criteria for call-in set out in the report.

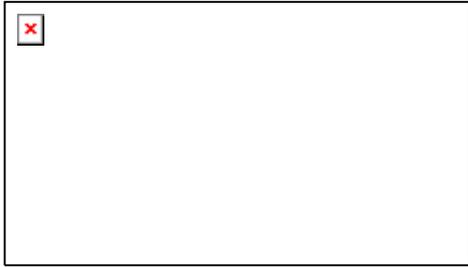
Corporate/Citywide implications	Risk assessment
Sustainability implications	Equalities implications
Implications for the prevention of crime and disorder	

Background papers *[Part 1 reports only]*

Background papers included as appendices to this report

Contact Officers

Jude Tyrie, Voluntary Sector Unit Manager, (29 – 1112)
Mary van Beinum, Committee Administrator, (29 – 1062)



Councillor Dawn Davidson

Liberal Democrat Councillor for Regency ward

Town Hall
Brighton
BN1 1JA

David Panter
Chief Executive
Via email

Date: 24 June 2003

Our Ref:

Your Ref:

Phone: 01273 291150

Fax: 01273 291150

e-mail: Dawn.Davidson@brighton-hove.gov.uk

Dear David

Call-in request of Item 11, Policy & Resources Meeting, 18 June 2003

As a member of OSOC, I would like to call-in item 11, Discretionary Grants Programme 2004/7, from the Policy & Resources meeting on 18 June 2003.

We believe that this decision contravenes the council's constitution because it directly contradicts the decisions taken by the Culture, Regeneration & Housing Committee on 12 September 2002 and then full Council on 26 September 2002, which in response to the report of the Grants Scrutiny Panel dictates 'full member involvement' in the grants process. This has not occurred in this year's bid assessment process, as according to the 18 June 2003 report to P&R, this was undertaken by a 'cross-directorate officer group' and the involvement of only one councillor, as in previous years.

We do not believe that this neither constitutes 'full member involvement', nor embraces the Culture, Regeneration and House Committee's response to the scrutiny panel's recommendations and that this item should be called-in and reconsidered.

Yours sincerely

Dawn Davidson

Councillor Dawn Davidson