

SLOUGH BOROUGH COUNCIL

REPORT TO: Overview & Scrutiny Committee **DATE:** 10th April 2008

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PART I **FOR CONSIDERATION**

POST DECISION SCRUTINY CALL IN – LOCAL AREA BUSINESS GROWTH INCENTIVE SCHEME (LABGI) – ALLOCATION OF FUNDING

1. **Purpose of Report**

To advise the Committee of the receipt of the post-decision scrutiny call-in on the decision taken by the Cabinet at its meeting on Monday, 10th March, 2008 regarding the Local Area Business Growth Incentive Scheme (LABGI) – allocation of funding.

2. **Recommendations**

The Committee is asked to consider how it wishes to deal with this call-in. (The Cabinet on 3rd April was being requested to decide whether or not the implementation of its decision taken on the 10th March regarding the LABGI allocation of funding should be delayed to enable the scrutiny of this issue to take place and the decision of the Cabinet will be reported at the meeting.)

3. **Key Priorities**

None as this report is administrative in nature.

4. **Other Implications**

None as this report is administrative in nature.

5. **Supporting Information**

Cabinet – 10th March 2008

5.1 The Cabinet at its meeting on the 10th March 2008 considered a report on the allocation of LABGI funding. Following consideration of the report the Cabinet resolved:

- a) That the cumulative funding allocations already agreed be noted.
- b) That the allocation of £25k per ward be agreed.
- c) That the remainder of the funding be held pending the financial outturn.

5.2 The Constitution provides for every Member of the Council to receive a copy of the decisions that the Cabinet has taken which are then subject to a five working day delay before implementation. Any Member of the Council can call in a Cabinet decision for post decision scrutiny. The summary of the decisions taken by the Cabinet on the 10th March was distributed to Members on Wednesday 12th March and implementation of the decisions was delayed until 25th March due to the bank holidays.

5.3 A post decision call in has been received from Councillor Anderson within the time allowed in the following terms:-

“This is a major decision for the Council which has not yet been through the scrutiny process. I do not take issue with community projects benefiting from the LABGI additional money; however I would like to call-in the decision to ensure that this is a legitimate use of the money as it is usually supposed to be used to promote further business growth. I would like the Overview & Scrutiny committee to verify that this is a legitimate use – if it is found to be a legitimate use of the money then I have no problem with it proceeding with the decision. Also, I am unsure that this is the most effective use of the money – community projects in residential side-streets are unlikely to have any real effect in attracting new businesses to Slough. I would like scrutiny to use its role to ensure that the council will not be challenged if the Council uses the money for these purposes”.

Action on Receipt of a Post Decision Call In

5.4 The Constitution provides for the Cabinet to determine, with advice from the relevant Commissioner/Chief Officer, whether or not the implementation of a decision should and can be delayed following the receipt of the post decision call in. In making this decision the Cabinet will have regard to:-

- Whether the decision needs to be implemented by a particular date.
- Whether any particular deadlines have been imposed by or to the Council in terms of implementation and whether not meeting those deadlines could cause embarrassment and/or detriment to the Council or a third party in any way and the extent/risk of this.
- The timescale for submission of the call in to the Overview and Scrutiny Committee/Sub-Committee and for those views to be reported to the Cabinet and whether this falls within a realistic timescale for deferring implementation of the decision.

5.5 If a decision is taken not defer implementation of the decision the reason for this decision will need to be clearly set out in the minutes of the Cabinet and reported to the Overview and Scrutiny Committee the call in would also be reported to the Overview and Scrutiny Committee for post decision scrutiny in the normal way.

Comments of Strategic Director of Resources

5.6 The Local Authority Business Growth Incentive Scheme Grant Determination 2007 (No2) [No 31/892], which determines the amount of additional funding each local authority is to receive through the Year 1 and Year 2 LABGI schemes, states that *“the purpose of the grant is to provide support towards expenditure lawfully incurred*

or to be incurred by a local authority". There are no other restrictions or caveats on how the grant should be spent. The funds can therefore be used as the Council sees fit, although these funds are one off and therefore it is recommended are used for one off expenditure and not to support the on going revenue budget.

6. **Conclusion**

The Committee is asked to consider how it wishes to deal with this call-in. If the Cabinet on 3rd April decided not to delay implementation of its decision of 10th March, then the Committee can undertake post-decision scrutiny.

7. **Appendices**

None.

8. **Background Papers**

- '1' - Agenda and minutes – Cabinet 10th March 2008
- '2' - Call in received from Councillor Anderson