

Public Question Time

Barry Warren

Minute 29 extract:

- Question 1.** (a) What was the date of the notification of the call in please?
- (b) Has the date of the 'call in' and the timing of the notification been compliant with the timescales as set out in law and the MDDC Constitution?
- (c) Is this late notification considered to be in accord with the policy to achieve openness and transparency?

Answers:

- (a) The decision of the Cabinet was called in on 21st August.
- (b) Yes, the call in was within 5 days of the Cabinet decision.
- (c) It was not a late call in.

Question 2.

In the light of this reason for 'call in', and latest advice/comment by the District Solicitor, were Cabinet given full, detailed and reliable advice on which to make their decisions?

Answer:

The Cabinet received detailed/comprehensive reports from both the Deputy Chief Executive (S151) and external experts to consider/advice in order to arrive at their recommendation to Full Council.

Question 3.

Bearing in mind the criticism voiced by the Cabinet Member for Finance, for continued support of investment in 3 Rivers by past Members, is there any record, anywhere, that the S151 Officer ever voiced his disagreement with any of the 3 Rivers Investment Proposals, Business Plans or Business Cases, before they were approved by Members?

Answer:

All 3R reports, including investment proposals were reviewed by the Council's senior leadership team, which includes the Council's Deputy Chief Executive (S151), as per all Council reports.

The Council's Deputy Chief Executive (S151) has provided financial advice on all matters relating to potential decisions on 3R, as is the case with all Council financial matters (it is his statutory/legal/financial responsibility). Many of the company's challenges, as evidenced in reports by 3rd parties, was as much about the non-decisions of the Shareholder, or significant delays in decision making, as opposed to what was formally agreed.

Paul Elstone**Question:**

Please fully explain where was the required level of S151 Officer good financial governance which the position demands?

In fact, please explain where there was any governance at all?

Answer:

At the inception of the company the Council agreed to appoint its S151 officer as the company's Finance Director. It is relatively common place in many Council companies that senior officers and Members are appointed to their boards. Prior to this appointment professional external legal and financial advice was commissioned to ensure sound/good governance and senior officers visited a number of Councils who were operating successful trading companies. During the life of the company regular reporting has been provided to the Shareholder (Cabinet) and financial and governance reports have been produced for both the Audit and Scrutiny Committees. In addition, at the start of the new Administration in 2019, an external review of all company financial and legal governance was undertaken and the Council accepted and implemented all of the recommendations, before deciding to continue investing in the company.