

COTSWOLD DISTRICT COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE

5TH SEPTEMBER 2017

Present:

Councillor Jenny Forde - Chairman

Councillors -

SI Andrews
Andrew Doherty

SDE Parsons
NP Robbins

Observers:

JA Harris (until 11.25 a.m.)

SG Hirst (invited to speak on Minute
OS. 12)

Apologies:

RG Keeling

Jim Parsons

OS.4 SUBSTITUTION ARRANGEMENTS

No substitution arrangements had been put in place.

OS.5 DECLARATIONS OF INTEREST

(1) Member Declarations

Councillor Andrews declared an 'other' interest as a Community First Responder for the South West First Aid Trust.

(2) Officer Declarations

There were no Declarations of Interest from Officers.

OS.6 MINUTES

RESOLVED that:

(a) the Minutes of the Meeting of the Overview and Scrutiny Committee held on 7th March 2017 be approved as a correct record;

Record of Voting - for 5, against 0, abstentions 0, absent 2.

(b) the Minutes of the Meeting of the Overview and Scrutiny Committee held on 16th May 2017 be approved as a correct record.

Record of Voting - for 5, against 0, abstentions 0, absent 2.

OS.7 CHAIRMAN'S ANNOUNCEMENTS

(i) On behalf of the Committee, the Chairman expressed best wishes to Councillor Jim Parsons, who had been experiencing ill-health and was consequently absent from the Meeting.

(ii) The Chairman wished to thank those Members who continued to drive forward work relating to Planning Enforcement and explained that an update in relation to this matter would be presented to the Committee later in the Meeting.

OS.8 PUBLIC QUESTIONS

No public questions had been received.

OS.9 MEMBERS' QUESTIONS

No questions had been received from Members.

OS.10 CALLED-IN DECISIONS

No executive decisions had been the subject of Call-In since the Committee's previous Meeting.

OS.11 2020 PARTNERSHIP - PUBLICA SET-UP

The Committee received a detailed report on the establishment of Publica, containing information on the background to the formation of the Publica companies, including related Member decisions; the rationale behind the decision to operate through one company rather than three; service specifications; assets and contracts transferring to Publica, and the criteria therefor; the contract sum and other financial arrangements; impact on employees; performance monitoring and reporting; governance arrangements; and risk.

The Managing Director of the 2020 Partnership, David Neudegg, was in attendance, and provided a presentation to supplement the circulated report. The presentation covered aspects relating to the single shared employment model offered through Publica, and the benefits and opportunities afforded by the company approach; Publica ambitions; the key drivers behind the establishment of Publica; shared goals; Member Council expectations, including service and financial requirements/targets; implications for the Council as a corporate body; staffing matters, including TUPE transfer, pension arrangements, retained officers, reward and recognition principles; and the Business Plan.

Mr Neudegg explained that he was in the process of attending scrutiny meetings across all partner councils to enable the Committees to ask questions about issues of interest and/or concern. He also drew Members' attention to the Publica launch event being held on 23rd October 2017 at Cheltenham Racecourse, to which all Members across the Partnership would be invited.

In response to questions, Mr Neudegg and the other Officers present provided the following information:-

- The four principal ambitions of Publica were to be a great service provider; an enjoyable place to work; a growing and improving company and to support member councils deliver their ambitions.
- Publica was completely owned by the partner local authorities, so the transfer was neither outsourcing nor to a private company. The costs and benefits fell to the four partner councils.
- Decisions would be taken by the councils' nominated representatives (for this Council, the Leader), based on specific criteria including a majority view and with a number of matters specifically reserved to the councils, for example the power to appoint and dismiss Directors.
- A Commissioning Framework, outlining the responsibility of the company board, was currently being drafted and would be presented to each of the councils; informing them of their ability to monitor what the company was doing.
- Copies of the various documents, including the Articles of Association and Members Agreement for the Company would be made available to all Councillors.
- The input and independence of every council was absolutely sacrosanct and each had the right and ability to change policy or approach or service delivery/provision requirements. That said, if an enhanced service was proposed at an additional cost, then the council concerned would need to provide Publica with the funding to deliver the required service - although this was no different as a principle as to how the councils operated at present in this regard with an agreed allocation of funding within its budget.
- Greater efficiencies and cost savings were likely to accrue where there was a greater commonality of service provision across the partner councils.
- Service standards and specifications were based on current provision, although it was acknowledged that the circulated documentation differed between service areas insofar as the level of detail provided. Further work would be undertaken on these documents in the coming months, including involvement of scrutiny.
- In terms of service monitoring moving forward, there was a need to acquire robust qualitative and quantitative data. However, this would take time.
- Advice had been sought via HMRC and independent advisers as to taxation issues.
- The company structure provided an opportunity for trading.
- Work was being undertaken in relation to Council and Publica budgets and on-going financial reporting/monitoring mechanisms.

- The majority of staff would transfer to Publica, but there would be a retained 'core' comprising statutory officers, legal officers and counter-fraud officers. In addition, there would be a number of staff who would operate on joint contracts, primarily those who had delegated decision-making powers with development management and environmental and regulatory services.
- All existing staff, whether transferring to Publica or not, would retain their existing pension rights including continuity of service. A stakeholder pension scheme would be offered to new employees of Publica, albeit as part of a modernised and more flexible remuneration and rewards package.
- The salaries of the company directors was a matter reserved to the council shareholders.
- In terms of governance, there would be a non-executive Member Liaison Group, but the formal scrutiny roles would remain. There could also be opportunities for joint scrutiny.
- As a government-controlled body, Publica would still have to comply with law in relation to public bodies and other requirements, including the Freedom of Information Act.
- Every effort would be made to minimise disruption/change at the point of transfer, with the ethos being 'the same people doing the same jobs in the same places'. Whilst service transformation would take place over the coming months, this would be done in a structured manner to seek to avoid detriment to service provision.

On behalf of the Committee, the Chairman thanked Mr Neudegg for his attendance, presentation and robustness and honesty of responses to questions.

OS.12 REVIEW OF LEISURE AND MUSEUM SERVICE

The Committee received a briefing paper which set out the 'progress to date' in relation to the key points that had arisen out of the presentation to Members, in March 2017. The specific topic areas included the impact on usage of investment in the gym facilities; car parking issues; Active Lifestyles GP Referrals in relation to the Fairford and Tetbury sites; the publicity and promotion of accessible facilities; and the inclusion of spend per head details within contract monitoring reports.

The Chairman commented that the Committee needed to reach a conclusion on this matter, in terms of any further information which was needed or actions required at this stage, given confirmed Committee involvement in the subsequent formal contract review in advance of the potential break clause at year 7 (likely to take place in Year 6, July 2018 - July 2019).

In response to Members' questions, the Strategic Director explained that an Advisory Board (whose membership included the Cabinet Member and key lead Council Officers) met three times per year, when detailed information was presented, including in respect of user statistics, and it was agreed that such

information could be shared with the Committee. The Strategic Director also advised that a full strategic service review would be timely alongside the planned contract review, which would provide an opportunity to review service outcomes and look at future service provision to communities as a whole. A Member suggested that Terms of Reference should be drawn up in due course for such strategic review, for comment by the Committee.

OS.13 REVIEW OF PLANNING ENFORCEMENT - UPDATE

The Committee received a briefing paper which set out progress with this review. In updating the circulated report, the Team Leader (Development Management) confirmed the appointment of a full-time Senior Officer, and recruitment of a trainee position; and the intention to start a trial of monthly update of live cases, from October 2017, including approximately 100 'live' cases, organised by parish/Ward and including a brief progress report on each.

Members welcomed the positive and pro-active approach being taken, and thanked the Team Leader for her work on this matter. In response to a question, the Team Leader expressed the hope that a future work timetable could be produced within the next six/eight weeks.

OS.14 SUMMARY FINANCE/SERVICE PERFORMANCE REPORT - 2016/17 YEAR END

The Committee received a report summarising overall performance by the Council as at the end of the 2016/17 financial year, with particular focus on progress towards achieving the Council's top tasks and efficiency measures; and which also provided information on the Council's capital expenditure, capital receipts and the use of reserves. Officers amplified various aspects of the circulated report.

In response to Members' question, Officers undertook to provide more detailed information on earmarked reserves, and movements in reserves, in future performance reports.

RESOLVED that the report be noted.

Record of Voting - for 5, against 0, abstentions 0, absent 2.

OS.15 SUMMARY FINANCE/SERVICE PERFORMANCE REPORT - 2017/18 QUARTER 1

The Committee received a report summarising overall performance by the Council during Quarter 1 of the 2017/18 financial year, with particular focus on progress towards achieving the Council's top tasks and efficiency measures; and which also provided information on the Council's capital expenditure, capital receipts and the use of reserves. Officers amplified various aspects of the circulated report.

In response to a Member's question, Officers and a Member provided an update on the reasons for delays in relation to the roll-out of Broadband. In the circumstances, it was suggested that an information update should be provided.

It was also suggested that future reports could contain information on the wider subject area of healthy communities rather than simply the defibrillator initiative.

RESOLVED that the report be noted.

Record of Voting - for 5, against 0, abstentions 0, absent 2.

OS.16 QUARTERLY DIGEST (INCLUDING COUNTY MATTERS)

The Committee received a Quarterly Digest, which included updates in respect of Gloucestershire County Council's Economic Growth Scrutiny Committee and Health and Care Overview and Scrutiny Committee; and the Gloucestershire Police and Crime Panel.

A Member commented on the importance of Gloucestershire 2050 Vision Project. The Strategic Director suggested that it would be beneficial to invite the Cabinet Member for Enterprise and Partnerships, as the Council's representative for Leadership Gloucestershire and a Member of the Gloucestershire Economic Joint Growth Committee, to a future Meeting.

No other specific issues were highlighted.

OS.17 WORK PLAN 2017/18

The Committee was requested to consider its forward work programme, including the identification of any other matters for possible consideration.

It was noted that the item on the use of consultants had been delayed due to other priority work pressures, and a desire for more comprehensive information to be provided. The item would be brought forward at the earliest opportunity, at December if at all possible.

A potential date of 31st October 2017 was identified for the presentation/workshop by Bromford Housing; and the presentation by the Cotswold Water Park Trust.

RESOLVED that, subject to the above, the Work Programme be approved.

Record of Voting - for 5, against 0, abstentions 0, absent 2.

OS.18 OTHER BUSINESS

There was no other business that was urgent.

The Meeting commenced at 10.00 a.m. and closed at 12.45 p.m.

Chairman

(END)