

COTSWOLD DISTRICT COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE
(HELD AT MORETON AREA CENTRE)

5TH DECEMBER 2017

Present:

Councillor Jenny Forde - Chairman
Councillors -
SI Andrews RA Morgan
Andrew Doherty SDE Parsons
RG Keeling

Absent:

NP Robbins

OS.19 SUBSTITUTION ARRANGEMENTS

No substitution arrangements had been put in place.

OS.20 DECLARATIONS OF INTEREST

(1) Member Declarations

Councillor Andrews declared an interest in respect of Agenda Item (12), because he was a Community First Responder for the South West First Aid Trust.

(2) Officer Declarations

The Chief Finance Officer (Mrs Jenny Poole) declared an interest in respect of Agenda Item (12), because she represented the Council on the Board of the South West Audit Partnership.

OS.21 MINUTES

RESOLVED that the Minutes of the Meeting of the Overview and Scrutiny Committee held on 5th September 2017 be approved as a correct record;

Record of Voting - for 5, against 0, abstentions 1, absent 1.

Arising thereon:

(i) Administrative Matters

The Head of Democratic Services apologised for the delay in the circulation of the Minutes of the Committee's previous Meeting, and expressed the intent that, in the near future, unconfirmed Minutes would be made available on the Committee Management Information System (CMIS) within a period of two weeks

of the date of the relevant Meeting (with an automatic notification to Members of document availability).

The Chairman suggested that, in conjunction with production of the Minutes, a short information report be produced following each Meeting, identifying the matters debated/discussed and any outcomes. The potential for update reports to be presented at Cabinet and/or Council Meetings would also be investigated.

(ii) Review of Leisure and Museum Service (OS.12)

A Member expressed the view that a timeline should be agreed for the production of Terms of Reference for the strategic review, and suggested that it was not unreasonable to expect an initial draft by June 2018.

(iii) Review of Planning Enforcement (OS.13)

Whilst noting that a future work timetable had yet to be circulated, Members reiterated their satisfaction with the positive and pro-active approach being taken, particularly with regard to the monthly update of 'live' cases.

A further update would be provided in due course.

(iv) Work Plan 2017/18 (OS.17)

In response to a question, the Head of Democratic Services reported that, to date, Officers had been unsuccessful in securing a further informal presentation by the Cotswold Water Park Trust. It was agreed that dialogue should continue in this respect.

OS.22 CHAIRMAN'S ANNOUNCEMENTS

(i) Councillor Jim Parsons - on behalf of the Committee, the Chairman expressed condolences to the family of Councillor Jim Parsons, who had passed away in September 2017. The Chairman drew attention to the significant service and exceptional hard work of Councillor Parsons on behalf of the Committee, both as a Member and Chairman; and also commended his contribution to an array of health-related matters by virtue of his membership of the County Health and Care Overview and Scrutiny Committee.

(ii) Officer Roles and Responsibilities - the Chairman invited the Officers present to provide an update on their new job titles and roles, following the formal launch of Publica.

Mr Adams informed Members that he was one of a relatively small number of retained Officers of Cotswold District Council and held the statutory designation of Head of Paid Service. He would work closely with the two other statutory officers - Mrs Poole as the Chief Finance Officer, and Mrs Patel as the Council's Monitoring Officer. Mr Adams explained that other retained Officers included staff within the Legal and Counter Fraud Teams. Officers who were required to take delegated decisions on behalf of the Council were subject to joint contractual arrangements - these included certain Officers within Development Management, Heritage and Design, Environmental and Regulatory Services, Parking Services and Building Control.

Dr Gore explained her role as Executive Director (Commissioning) of Publica and, also, the roles of Mr Wilson as Group Finance Director and Mrs Pangbourne as Executive Director (Service Delivery). The Committee was reminded that Mr Neudegg was the Managing Director of Publica.

It was explained that, irrespective of contractual arrangements, all Officers worked to deliver services on behalf of the partner councils, and in support of Members. Members would continue to be able to contact Officers direct, and the Committee could hold any Officer to account, and seek attendance at Meetings.

In response to concerns expressed by some Members regarding difficulties experienced in trying to contact some Officers for certain issues, the Head of Democratic Services confirmed that plans were in hand to provide a dedicated telephone and e-mail 'communication channel' for Members. Details would be circulated in due course, along with a structure chart/organogram covering retained and Publica staff.

OS.23 PUBLIC QUESTIONS

No public questions had been received.

OS.24 MEMBERS' QUESTIONS

No questions had been received from Members.

OS.25 CALLED-IN DECISIONS

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

OS.26 COMMISSIONING FRAMEWORK

The Committee was invited to consider and comment on the draft Commissioning Framework, including proposals for future performance monitoring.

It was noted that, following the transfer of the majority of the Council's staff to Publica Group Ltd, it was necessary to set out formal arrangements between the two organisations for the commissioning of services. Whilst, in effect, those arrangements had always been in place, with the move to a company, it was considered important for those arrangements to be more formally established, and written down, to ensure that the roles of all parties involved were clear.

The Executive Director (Commissioning) confirmed that, in the majority of cases the Council was, and would continue to be, commissioning its services directly from Publica; but in some instances, such as, for example, Leisure and Waste, the Council might wish to commission its services from other providers as it did at the current time, and would expect Publica employees to assist it in that process.

It was explained that the draft Commissioning Framework set out the stages that, together, formed the 'commissioning cycle' and indicated who was responsible for undertaking each stage of the commissioning process. The respective commissioning roles within the retained Council structure and the Publica leadership team were noted. A more detailed version of the Framework had also been produced to assist those employees who would be involved in undertaking commissioning activities.

An early draft document which set out suggested arrangements for, and terms of reference of, the proposed Member Liaison Group was circulated. Members' comments were invited either at, or after, the Meeting.

It was also considered important to recognise that commissioning was not simply about the procurement of services, but also included the need for performance monitoring. In this connection, the transfer of services to Publica offered an opportunity to review the information that had historically been provided to ensure that it remained fit-for-purpose and meaningful in terms of measuring both the quality of the services provided to the public, and progress against the Council's key tasks (which were delivering the priorities set out in the Council Plan). With this in mind, a draft template of a performance monitoring framework for the Waste Service had been circulated; and Members' views were invited in relation to the format of the information provided, prior to it being rolled out to all services. In relation to the specific performance indicators, a revised set of proposed indicators relating to all relevant services would be submitted to the Overview and Scrutiny Committee in the early part of 2018, so that these could be agreed prior to being used to report on performance on a quarterly basis as usual.

In response to various questions, it was confirmed that Members would still determine what services to deliver, and at what levels; retained staff and Publica employees would provide relevant advice and guidance to enable Members to arrive at sound decisions, whether in respect of commissioning services or decision-making in general; no member of the Cabinet would serve on the Member Liaison Group; the Group was a consultative/advisory body, and had no decision-making powers (and, as a result, the issue of a Chairman having a casting vote would not arise); and whilst each Member Council would maintain its own sovereignty and specify its own service standards, it was hoped that the Group would enable the sharing of best practice. An initial suggestion was made that the Chairman and Vice-Chairman of the Group should not come from the same Council.

The Executive Director (Commissioning) explained that the Framework was currently a draft document and would be presented for consideration by the scrutiny committees at all partner councils. In this connection, West Oxfordshire District Council had accepted the Framework without amendment but had agreed to review it in twelve months' time. However, it was intended to be a 'living' document and, as such, it could be reviewed and amended as necessary. It was suggested that it might be preferable for an initial review to be undertaken earlier than a year.

It was agreed that the comments of each Council on both the draft Commissioning Framework and the Member Liaison Group document would be presented to the Committee in due course.

As part of the Member discussion, comment was made regarding the provision of a dedicated scrutiny support resource. In this connection, it was explained that a detailed business case would need to be drawn up for any permanent Scrutiny Officer resource, but that the South West Audit Partnership could possibly offer some consultancy resource. Other options might also be available. It was agreed that South West Audit Partnership Officers be asked to provide a presentation to a future Meeting of the Committee.

Note:

Linked to this item, Councillor SI Andrews had submitted the following request, seeking information to be provided by Mr Neudegg, Managing Director of Publica Group Ltd:-

'A key point raised at the Publica update for councillors held at Cheltenham Race Course on the 23rd October was the establishment of a Member Liaison Group for Councillors. In an email dated 14th November (circulated to Members of O&S) the Managing Director of Publica Group Ltd indicated that Terms of Reference for the Group were being developed and that "Reference to the Group will be included in the papers due to go to the O&S Committee". No such reference has been made in the agenda and accompanying papers received by members of the Committee on the 29th November for the O&S Meeting to be held on the 5th December 2017.

As currently presented, governance of Publica Group Ltd relies upon the contribution and challenge of the Council Leader as a member of the Members Governance Board and the scrutiny of the Members Liaison Group in a way that has yet to be defined. The lack of a detailed Governance framework describing how this is to work for a company that has already been formed and is delivering services on behalf of CDC forms a severe impediment to the democratic control of the delivery of services by the Council and should be rectified as soon as possible.

The Managing Director of Publica Ltd is therefore requested to present the CDC O&S Committee the Terms of Reference for the Members Liaison Group along with a paper describing the proposed Governance structure of Publica Group Ltd that covers the role of the Members Liaison Group, the CDC O&S Committee and the relationship between them.'

It was noted that initial information regarding the Member Liaison Group had been circulated at the Meeting, and that the further details would be provided at the Special Committee Meeting to be held on 6th February 2018.

OS.27 BROMFORD HOUSING

The Chairman expressed the view that the recent informal meeting with representatives of Bromford Housing had been very successful; and the hope that this would lead to a positive and beneficial on-going relationship. In this regard, the Head of Democratic Services explained that representatives of Bromford had agreed to participate in the upcoming Housing Seminar on 7th December 2017. In addition, Members were invited to consider any actions and/or recommendations arising out of the informal presentation..

Without exception, the Committee considered the presentation to have been extremely useful and informative, and Members had gone away from the 'event' with a very positive feel and a far greater appreciation of the issues that Bromford faced which, in turn, provided some context for the challenges that the Council faced not only from a strategic housing perspective but also in the delivery of affordable housing as local planning authority.

The Committee had been particularly impressed with the locality arrangements and the Neighbourhood Coach initiative - and had been pleased to note that some Members had already been in contact with and/or had met their respective Neighbourhood Coaches. It was suggested that details of the Neighbourhood

Coaches be circulated to all Council Members, and that all Members be encouraged to meet with their respective Coach.

The Committee agreed that a letter be sent to formally thank the Bromford representatives for meeting with the Committee, for the work that had obviously gone into preparing for the 'event', and for the honesty in their comments and responses to Members' questions and concerns.

Arising specifically out of the presentation, it was agreed that Bromford be requested to provide the Council with the following:-

- a copy of their presentation or, if this was not possible for any commercial reason, a copy of the 'New Homes' slide;
- a list of the properties/sites that Bromford were intending to rebuild/regenerate;
- a copy of their latest Annual Report.

Moving forward, and acknowledging operational contact at Officer level, the Committee expressed a desire to see on-going Member engagement - ideally through an annual update presentation, dealing with successes/issues over the previous year and plans and priorities for the following twelve months.

In terms of future housing supply, Members supported provision based on need, rather than a totally developer-led approach; and felt that Bromford should be invited to identify how the Committee and/or the Council might be able to influence such an approach.

RESOLVED that a letter be sent to Bromford Housing along the lines set out at the Meeting.

Record of Voting - for 6, against 0, abstentions 0, absent 1.

OS.28 DRAFT MEDIUM TERM FINANCIAL STRATEGY 2017/18 TO 2020/21

The Committee was invited to consider and to comment on the draft Medium Term Financial Strategy (MTFS) for the period 2018/19 to 2010/22, and to provide feedback to the Cabinet and the Council as part of the formal budget consultation process.

It was noted that the matter had been considered by the Cabinet at its Meeting on 16th November 2017; and that the Cabinet had approved the draft MTFS for public consultation purposes. In this connection, the Committee was reminded of the Special Meeting scheduled for 6th February 2018 to enable further consideration of the draft MTFS post-consultation.

To assist Members in their deliberations, the Chief Finance Officer amplified various aspects of the circulated report, particularly in relation to the key aspects of the Local Government Finance Settlement; the Gloucestershire Business Rates Pool; Financial Planning Assumptions; and Council Tax levels.

In response to a Member's question regarding the planned replacement of waste vehicles, the Chief Finance Officer explained that all vehicles had previously been replaced in 2010 in conjunction with the service transfer to Ubico and the

re-designing of the waste collection rounds. The Chief Finance Officer also provided further details relating to the Council Tax Support Grant.

RESOLVED that the draft Medium Term Financial Strategy 2018/19 to 2021/22 be noted.

Record of Voting - for 6, against 0, abstentions 0, absent 1.

OS.29 SUMMARY FINANCE/SERVICE PERFORMANCE REPORT - 2017/18 QUARTER 2

The Committee received a report summarising overall performance by the Council during Quarter 2 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 Member questions, Officers confirmed that a number of job vacancies had now been advertised under the Publica 'banner' and Publica terms and conditions, and feedback would be sought in respect of the recruitment process once appointments had been made and an evaluation made as to any impacts on expressions of interest received; the current process of exit interviews for staff would remain for any new employees of Publica; and it was expected that any residual funding from the Community Defibrillator Project would be carried forward to the next financial year.

A Member stated that, at the time of introduction, the Community Defibrillator initiative included the promotion of Community First Responders alongside the placing of auto external defibrillators and public awareness campaigns; and asked for a progress update on this particular aspect.

RESOLVED that the report be noted.

Record of Voting - for 6, against 0, abstentions 0, absent 1.

OS.30 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.

The Chairman explained that Councillor Andrews had assumed the role of CDC representative on the GCC Health and Care Overview and Scrutiny Committee (as the previously-appointed deputy to the late Councillor Jim Parsons). The Chairman asked whether the Committee wished to appoint a replacement deputy representative or if Members were happy that a representative would be nominated only in the known absence of Councillor Andrews. The Committee concurred with the latter suggestion.

One Member commented that they felt it would be beneficial for the GCC Minutes presented in the Digest to make reference to the representative Member's appointing Council under the list of those present. The Head of Democratic Services would relay the comment to Gloucestershire County Council.

A Member expressed the view that more could be done to 'push' the interests of the Cotswolds on the County-level committees. It was suggested this Council's representatives on the various committees could report back to this Committee on matters considered, successes achieved and on-going issues. This suggestion would be explored further.

No other specific issues were highlighted.

OS.31 WORK PLAN 2017/18

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

The following updates were agreed:-

- representatives of the Cotswold Water Park Trust be invited to make an informal presentation to the Committee's Special Meeting to be held on 6th February 2018;
- a report on the governance of Publica be submitted to the Committee's Special Meeting to be held on 6th February 2018;
- the items relating to 'Use of Consultants' and 'Neighbourhood Planning' be held over to the Committee Meeting in June 2018;
- draft Terms of Reference for the strategic review of the Leisure and Museum Service be presented to the June 2018 Meeting;
- a Local Enterprise Partnership Presentation be scheduled into the programme;
- the issue of Community Infrastructure Levy be scheduled when the outcome of the ongoing Examination in Public has been finalised;
- the item 'Front-Line Health Provision' be deleted from the list of potential items.

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

Record of Voting - for 6, against 0, abstentions 0, absent 1.

OS.32 OTHER BUSINESS

There was no other business that was urgent.

The Meeting commenced at 10.00 a.m. and closed at 12.18 p.m.

Chairman

(END)

