

BOURNEMOUTH, CHRISTCHURCH AND POOLE SHADOW AUTHORITY

SHADOW OVERVIEW AND SCRUTINY COMMITTEE

WEDNESDAY, 9TH JANUARY, 2019

Present:

Councillor Michael Weinhonig (Chairman)
Councillor Lisle Smith (Vice-Chairman)
Councillor Mark Anderson
Councillor Stephen Bartlett
Councillor Mike F Brooke
Councillor Ian Clark
Councillor David d'Orton-Gibson
Councillor Fred Neale
Councillor Jane Newell
Councillor Marion Pope
Councillor Sue Spittle
Councillor Chris Wakefield

Also in attendance (non-committee members):

Councillor Cheryl Johnson
Councillor Jane Kelly
Councillor Pat Oakley
Councillor Philip Stanley-Watts

Officers in attendance

Graham Farrant, Chief Executive, BCP Council
Julian Osgathorpe, LGR Programme Director
Tanya Coulter, Interim Monitoring Officer, BCP
Lindsay Marshall, Overview and Scrutiny Specialist
Jill Holyoake, Senior Democratic and Overview & Scrutiny Officer

57 Apologies

Apologies for absence were received from Councillors Claire Bath, Malcolm Farrell and Ron Parker.

Apologies were also received from Shadow Executive Members, Councillors Philip Broadhead and Nicola Greene.

58 Substitute Members

There were no substitute members for this meeting.

59 Declarations of Interest

For the purpose of transparency Members made the following declarations in relation to Item 6 on the Shadow Executive Committee agenda for 15 January, which set out a recommendation from the Tricuro Executive Shareholder Group:

- Councillor Chris Wakefield reported that he worked for an organisation which provides domiciliary care within Dorset

- Councillor Sue Spittle reported that a family member's girlfriend worked for Tricuro

Note: A Member raised a question on this recommendation as part of the LGR Programme update at clause 6 below. It was not a specific agenda item for detailed scrutiny at this meeting of the O&S Committee.

60 Confirmation of Record of Decisions

- a. The record of decisions of the meeting held on 10 December 2018 was confirmed as an accurate record, subject to the inclusion of the following details *in italics*:

Minute number 52, page 9: '*Councillor Anderson* put forward a motion..... The proposal was seconded *by Councillor Clark*, but upon being put to the vote, LOST : 4 votes in favour, 5 votes against, and 3 abstentions.

- b. The Committee's action sheet was noted and the Chief Executive for the new BCP Council agreed to take on and report back to the Committee on the actions listed under item 40.

61 Public Issues

There were no public issues raised.

62 Local Government Reorganisation (LGR) Programme Update

The LGR Programme Director introduced the report which provided the Committee with an update on activities within the programme undertaken in the last period. He confirmed that the programme remained consistent with the plan previously agreed by the BCP Joint Committee. The governance structures in place were functioning well with constructive input from elected Members through the Phase 2 Delivery Boards, Task and Finish Groups, and Shadow Overview and Scrutiny (O&S) arrangements.

The LGR Programme Director outlined the progress of individual Task and Finish Groups, as set out in paragraphs 6 - 10 of the report. He also referred to the quarterly Budget Monitoring Statement appended to the report which indicated that the programme remained within budget. It was noted that there were no risks or issues to be escalated at this time.

Officers in attendance responded to questions and comments from Members regarding the following matters arising from the report:

- It had been agreed to reschedule the report on the proposed BCP Constitution to allow sufficient time to consider additional feedback and prepare a final draft version for submission to the Shadow O&S Committee and Shadow Executive Committee in February, prior to adoption by the Shadow Authority.
- It was confirmed that the Civic Functions Task and Finish Group was considering mayoral arrangements and protocols for all three areas of Bournemouth, Christchurch and Poole. There would be an opportunity to consult with Members on the discretionary aspects of future arrangements before the next report to the Shadow Executive Committee in March.
- A Member referred to the budget monitoring position and asked if there were risks associated with the apparent underspend of £405,920 for infrastructure investment for ICT. The LGR Programme Director explained that although there was an element of this work which had to be done by 31 March 2019, the original project timetable, including Phase 2, extended to September 2019. There had never been an intention or commitment to complete all elements in time for April 2019. The actual spend

would be drawn down over the next three months as suppliers completed the work which was required before April, and this would appear on the next budget monitoring statement. The Committee was assured that supplier relationships were in place and progressing in accordance with the project plan.

- A Member asked if the £1.5 million figure for redundancy and restructure costs was likely to be over or under assessed. The LGR Programme Director explained that this was the provisional allocation of costs until 31 March 2019 in the budget agreed by the Shadow Executive in October 2018. This was anticipated to cover costs for the initial senior tiers of the organisation. It was not possible to provide a definitive figure for the final cost of restructuring across all levels of the organisation, but it was likely to be more than the provisional figure of £1.5million. This had been highlighted as part of the original business case for LGR.
- A Member asked about the process for recharging redundancy and restructure costs to preceding authorities. The LGR Programme Director explained that the apportionment figures shown in the budget monitoring statement had been agreed by the Section 151 Officers of the preceding authorities. Every effort had been made to ensure the apportionments were equitable, consensual and clear. The percentages for Christchurch and Dorset were significantly lower than those for Bournemouth and Poole.
- It was noted that there were generic redundancy requirements which applied across local government. Each preceding authority also had its own redundancy policy which it was required to follow rigorously and fairly.
- The LGR Programme Director reminded the Committee that Phase 2 extended to the end of September 2019. Redundancy and restructuring costs as a whole up until September 2019 were included in the Financial Strategy as part of the Medium Term Financial Plan (MTPF). The MTFP was updated regularly and reported to the Shadow O&S and Executive Committees. It was understood that where redundancies as a result of restructure were committed prior to 31 March 2019 the costs would be borne by preceding authorities. The £1.5 million was intended to be set aside against an initial assessment of redundancy costs incurred by BCP after 1 April 2019. The Committee was assured that the process was open and transparent, and would be reported as part of the budget.

Officers also provided clarity on two issues raised by Committee Members in advance of the meeting:

- Human Resources spend as shown on the budget monitoring statement:-

The LGR Programme Director explained that there was a £14,000 overspend against the original estimate budgeted for the Chief Executive recruitment. This included higher than anticipated costs for advertising and external support. A more detailed breakdown of costs could be provided to the Committee if required. He confirmed that there was no actual overspend in the Assessment and Recruitment for Tier 2 posts. A higher amount had been reported in the relevant decision record, this had been made in error and had been subsequently corrected. The actual estimate for the Tier 2 appointment process reflected the fact that one of these posts, the director of children's services, was subject to external recruitment and there were certain costs associated with this.

- Interim arrangements for planning decision making:-

The Interim Monitoring Officer confirmed that the BCP Constitution included a provision for interim arrangements from 1 April 2019 until the appointment of a new committee structure in May 2019. This would enable the three existing planning committees and other regulatory bodies to make decisions during this period if

required. Arrangements were being made for additional meetings to take place before the end of March to reduce the need for this provision where possible.

With the Chair's agreement a Member referred to the recommendation from the Tricuro Executive Shareholder Group which had been circulated with the papers for the Shadow Executive Committee on 15 January. He wished to raise a concern about the potential risks this may have in relation to social care provision and asked whether it should be included on the Committee's Forward Plan. Members acknowledged that Tricuro was a potential area for scrutiny and discussed how best to facilitate this. It was agreed to include Tricuro as part of a 'long list' of items which the Committee was developing, to refer to the new BCP Council's overview and scrutiny process for consideration. The O&S Specialist confirmed that this list could form part of a wider Scrutiny Headlines report which was on the Committee's Forward Plan for March.

Graham Farrant, Chief Executive of the new BCP Council, gave a summary of his initial views on the LGR programme. He reported that programme management was strong, with clear purpose and intent. The decision making process was clear and responsibilities were well understood. Elected Members were strongly involved and were able to provide good direction and political leadership through a range of mechanisms. Members were working well together with examples of collaboration across the three preceding authorities. Budget preparation was well advanced. Risks had been assessed and where identified mitigated. Overall the programme was well structured and was making good progress especially given the tight timescales within which it was operating. There was clearly still work to be done, particularly in ensuring 'business as usual' from Day One, but he was confident that this was embedded in the programme.

DECISION MADE:

- a. That the updates provided on the Local Government Reorganisation Programme be noted;
- b. That the Shadow Executive be advised that Tricuro will be included on the emerging 'long list' of items which the Committee will be referring to the new BCP Council's overview and scrutiny arrangements as an area for potential scrutiny.

63 Rapporteur Updates

The Committee considered verbal updates from its appointed rapporteurs on strategic activity taking place under the four Service Delivery Boards, since last reported to the Committee in December:

Adults - Councillors David d'Orton-Gibson and Lisle Smith

Councillor Smith updated the Committee on one of the previously identified areas of risk relating to the transfer of clients into the new IT system, MOSAIC. She reported that all clients affected had been written to and it was hoped that these issues would soon be resolved.

Children's - Councillors Bobbie Dove and Chris Wakefield

Councillor Wakefield reported that good progress was being made on the handover and transfer arrangements for a range of services, including provisions relating to SEND and SENDIASS, SACRE, elective home education, looked after children, child protection and children in need. In terms of the budget position he was able to confirm that the Shadow Schools Forum had reached an agreement regarding the transfer of funding into the High Needs Block to ensure a balanced budget would be reached. He reported that the appointment process for the Director of Children's Services position was progressing well.

Risks which continued to be monitored and mitigated included the integration of the IT system, MOSAIC, and the recruitment of social workers.

A Member asked whether the Shadow Schools Forum included academies in Christchurch and it was confirmed that it did.

Place/Environment & Economy (E&E) - Councillors Claire Bath, Marion Pope and Sue Spittle

There were no updates or risks to highlight for this meeting.

Corporate - Councillors Ian Clark and Lawrence Williams

Councillor Clark reported that although the Delivery Board had not convened since the last Committee he had met with the Executive Leads, Councillor Anne Filer and Councillor May Haines. He had been assured that the teams continued to work hard to progress the work streams within corporate services.

DECISION MADE:

That the updates from rapporteurs be noted.

64 Overview and Scrutiny Committee Forward Plan

The Overview and Scrutiny Specialist referred the Committee to the items listed on its Forward Plan for consideration at its February meeting.

She gave an update on items added to the Shadow Executive Forward Plan since the last meeting in December. In line with the approach previously taken by the Committee, Members agreed that there was no need to consider those items which would be scrutinised by the preceding authority and/or where the Shadow Executive was acting as a consultative body only, as the risk in this context was low. This included the report on the BCP Local Transport Plan Capital Programme for 2019/20. A Member who chaired one of the preceding authorities' relevant scrutiny panels supported this view.

The Committee agreed to add the Shadow Executive report on the Dedicated Schools Grant to its February agenda, as this was in keeping with the Committee's agreed areas of focus on risk and the budget. It was agreed to consider this item alongside reports on the Medium Term Financial Plan and the Housing Revenue Account, as part of a dedicated finance section on the agenda.

The Interim Monitoring Officer explained that the Shadow Executive report on the Community Safety Partnership (CSP) was seeking formal approval of the revised arrangements for the new BCP Council area. The Committee agreed that the CSP was an appropriate item to include on its long list of scrutiny items, and it was noted that there was a statutory requirement to scrutinise this area.

The Committee was advised that Shadow Executive reports due to be considered at its meeting on Thursday 7 February would be published with the Shadow Executive Committee agenda on Monday 4 February. It was noted that these timescales formed part of the Committee's previously agreed working arrangements and enabled Members to receive the same reports as the Shadow Executive.

The Overview and Scrutiny Specialist highlighted the inclusion of a 'Scrutiny Headlines' report on the Committee's agenda for 6 March. This report would enable preceding authorities to identify scrutiny priorities for consideration by the new BCP Council. As

discussed the Committee was developing its own list of items for consideration. Members confirmed that the issue relating to Tricuro be included on this list.

DECISION MADE:

That the Committee's Forward Plan as set out be agreed, subject to the subject to the inclusion of the Shadow Executive report on the Dedicated Schools Grant (DSG) on the agenda for the 7 February meeting.

65 Calendar of Meetings

The dates and venues of future meetings were noted.

The Vice-Chairman referred to the number of substantial items on the agenda for the next meeting on 7 February and asked Members to be prepared for a longer meeting than usual. A comfort break would be scheduled as necessary.

66 Any other business of which notice has been received before the meeting and by reason of special circumstances, which shall be specified in the record of decisions, the Chairman is of the opinion that the items should be considered as a matter of urgency.

There was none.

Duration of the meeting: 6.00pm – 7.01pm

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Chairman at the meeting on
Wednesday, 9 January 2019