

BATH AND NORTH EAST SOMERSET

RESOURCES POLICY DEVELOPMENT AND SCRUTINY PANEL

Wednesday, 27th July, 2016

Present:- Councillors Sarah Bevan (Chair), Bob Goodman (Vice-Chair), Christopher Pearce, Colin Barrett, Chris Dando, Deirdre Horstmann (in place of Jasper Becker) and Will Sandry (in place of Andrew Furse)

12 WELCOME AND INTRODUCTIONS

The Chairman welcomed everyone to the meeting.

13 EMERGENCY EVACUATION PROCEDURE

The Chairman drew attention to the emergency evacuation procedure.

14 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Councillor Becker sent his apologies and was substituted by Councillor Horstmann.

Councillor Furse sent his apologies and was substituted by Councillor Sandry.

15 DECLARATIONS OF INTEREST

Councillor Goodman (Item 10) declared that he has clients that have property owned by the Council.

Councillor Barrett (Item 6) declared that he is an honorary member of WWISE

16 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was none.

17 ITEMS FROM THE PUBLIC OR COUNCILLORS - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS RELATING TO THE BUSINESS OF THIS MEETING

Susan Charles – Warm Water Inclusive Swimming and Exercise (WWISE) made a statement (*The statement is attached to the agenda for this meeting*) regarding the plans for a warm water pool at Bath Leisure Centre and the equalities implication. She asked the Council and GLL reconsider their design.

Councillor Sandry asked how many people would use the service and how deep the water has to be. Susan Charles stated that it must be more than 3 feet deep so that people can swim. She explained that there is a warm water pool in Germany and 30/40 people use it at one time.

It was agreed that the Panel refer this statement to Councillor Martin Veal – Cabinet Member for Community Services.

Councillor Charles Gerrish – Cabinet Member for Efficiency and Resources explained that the leader of the Council is on holiday this week but will seek to meet with Susan Charles along with Councillor Veal.

Dr Gait – Chair of Somerset Care & Repair made a statement (*The statement is attached to the agenda for this meeting*) on the efficient use of resources and asked the Council to produce guidelines for partnership working.

The Chair stated that the Panel scrutinizes ongoing processes and not specific contracts. She asked that Dr Gait speak to the officer – Richard Howroyd Head of Strategic Procurement & Commissioning regarding the details of this issue. Dr Gait explained that the statement was about the efficient use of resources and not a specific case. Andrew Pate – Strategic Director for Resources explained that it is not appropriate to get engaged in a contractual issue in public forum and reiterated that Dr Gait could meet with the officer or submit a complaint to the authority. Dr Gait stated that he did not have a complaint but was asking the Council to investigate. The Panel and the Director noted this.

The Chair referred to a question from Nicolette Boater and noted the answers provided. *The question and answer sheet is attached.*

Q&A Nicolette Boater

18 MINUTES - 25TH MAY 2016

The Panel confirmed the minutes of the previous meeting as a true record and they were duly signed by the Chairman.

19 PROCUREMENT STRATEGY - THINK LOCAL

Richard Howroyd Head of Strategic Procurement & Commissioning gave a presentation to the Panel which covered the following (*The slides for this presentation are attached to the agenda papers for this meeting*):

- Procurement Strategy 2013-2017
- A success story
- Service Plan Priorities
- Horizon Scanning
- Modern Slavery Act
- Requirements

- National Procurement Strategy
- Spend Analysis Opportunities
- Systems Integration
- Portfolio Analysis – Drive for Savings and Efficiency

Panel members made the following points and asked the following questions:

Councillor Barrett asked if there is a target percentage of local providers. The officer explained that this target has moved from 28% to 40%. He explained that there has been a positive response at roadshows. He stated that input from members is welcome.

Councillor Sandry asked how 'social value' is measured. The officer explained that it is a new initiative so guidance is not yet out, social value can be interpreted widely.

Following a query from Councillor Sandry, the officer explained that tenders go through the South West Portal and anything under EU thresholds goes out to tender as pre-qualification cannot now be used. The e-procurement system has just been updated.

Councillor Dando asked the following questions and officers provided answers as shown:

- Can we have an update report that shows some examples of successes? *The officer agreed that examples could be shown and gave a current example of local food for schools where he is working with local farmers and a distribution centre in Keynsham;*
- Is there a cost benefit analysis on what has been brought back into the local community? *The officer noted the point but explained that it is difficult to measure data at the moment but this is being worked on.*
- Have any lessons been learned to feed into the development of the new strategy? *The officer explained that there are now new contract standing orders and another lesson is that it takes time to talk to the community and to provide support to local businesses.*

Councillor Pearce stated that the concept of 'social value' could conflict with other objectives and asked the officer where the line is drawn in order to get the best deal for BANES Council tax payers. The officer responded that he believes that we are getting the best deals and there are examples of contracts have got cheaper due to more efficiency and also money is being put back into the local economy. The Strategic Director added that it is a dilemma between savings and value but that generating growth in local businesses increases business rates and creates local jobs. He explained that the Cabinet can review this policy if it is not working.

20 USE OF CONSULTANTS AND AGENCY STAFF - UPDATE ON TASK AND FINISH GROUP

Councillor Barrett asked for this item to be deferred until a later meeting in order that he could review the information more closely. The Strategic Director advised that there is information here to discuss today but that if the report is brought later in the year, there would be more information to report such as information on apprenticeships. Councillor Barrett stated that he would talk to the report author.

It was **RESOLVED** that this report be deferred until a meeting of the Panel later in the year (likely November 2016).

21 COMMERCIAL ESTATE

Councillor Goodman, seconded by Councillor Pearce, proposed the following motion:

'That this item be deferred and the full report be given to the panel and the meeting should be held in closed session if necessary with the Consultant from BNP Paribas in attendance to explain the report and answer question from the Panel '...

There was some discussion on this motion. Councillor Pearce agreed that a full report was needed. Councillor Dando disagreed and explained that he wanted an officer summary and information on the direction of travel, not the full report. The Strategic Director stated that it is his view that there is enough information in this report today to discuss the issue but that equally officers can come back and present a fuller version in private session at a later date.

Panel members voted on Councillor Goodman's motion and:

It was **RESOLVED** that this report be deferred until a meeting of the Panel later in the year (likely November 2016).

(Voting - 4 in favour and 3 against).

22 CABINET MEMBER UPDATE

The Cabinet Member for Efficiency and Resources, Councillor Charles Gerrish updated the Panel on what he and his senior officers are currently working on:

- Regarding Property, the view of the Cabinet Member is that the Council should make investments close by where possible. If there are commercial deals, to engage with BNP;
- Adult Care Financial Review – there is a further meeting on this in September;
- Ernst and Young – a constructive meeting, they will bring significant benefit and potential savings;
- Council Tax Benefit – the paper is out for consultation and being reported to this Panel in September.

23 PANEL WORKPLAN

The Panel noted the workplan with two additions for the November meeting deferred from this meeting:

- Use of Consultants and Agency Staff
- Commercial Estate

The meeting ended at 5.55 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

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Question from Nicolette Boater
to the 25.7.16 Resources PDS Panel meeting *(Answers provided in italics text below)*

At 15.1.15 Council, "The Policy Development and Scrutiny Lead Officer [was] designated as the Statutory Scrutiny Officer under Section 31 of the Local Democracy, Economic Development and Construction Act 2009" without any mention in the associated decision-making report of the role, responsibilities or identity of the post holder. Then, as now, two Policy Development and Scrutiny Officers were in the Council's employ, neither of whom have this job title.

Furthermore in the context of a Council administration with a sizeable majority, able if it so wishes to make decisions without regard to the adequacy of stakeholder support, policy coherence or evidence, and the requirement West of England devolution will bring for oversight and scrutiny across a wider geographic area, this role has increased in importance since I asked similar questions of the 2011-2015 Council administrations (namely at November 2012 Resources PDS, September 2013 Council and September 2014 Council).

Therefore please can you advise

- 1. Has/will an appointment been/be made to the Statutory Scrutiny Officer position?**

Yes, a post has been established and an appointment made to a post of Policy Development & Scrutiny Project Lead Officer within the Council's Resources Directorate.

- 2. Q2. Has/will the person specification and job description relating to this appointment been/be made publically available?**

It is not normal Council policy to make job descriptions/person specifications publically available.

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