

Overview and Scrutiny Committee

Tuesday, 17th June, 2014

MINUTES

Present:

Councillor Jane Potter (Chair), Councillor Gay Hopkins (Vice-Chair) and Councillors Joe Baker, Natalie Brookes (substituting for Councillor Andrew Fry), David Bush, Carole Gandy, Alan Mason, Paul Swansborough and Pat Witherspoon

Also Present:

Councillor Rod Laight (Chair of the joint WRS Scrutiny Task Group, Bromsgrove District Council) and Mr Derek Taylor (co-opted member of the Abbey Stadium Task Group).

Officers:

S Brinkworth, Kevin Dicks and Dave Wheeler

Democratic Services Officers:

J Bayley and A Scarce

1. APOLOGIES AND NAMED SUBSTITUTES

An apology for absence was received from Councillor Andrew Fry. Councillor Natalie Brookes attended as his substitute.

2. DECLARATIONS OF INTEREST AND OF PARTY WHIP

There were no declarations of interest nor of any party whip.

3. MINUTES

RESOLVED that

the minutes of the meeting of the Overview and Scrutiny Committee held on 1st April 2014 be confirmed as a correct record and signed by the Chair.

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Chair

4. JOINT WRS SCRUTINY TASK GROUP - FINAL REPORT

The Committee welcomed councillor Rod Laight, Chair of the Joint WRS Scrutiny Task Group, from Bromsgrove District Council, and invited him to deliver a presentation on the subject of the review.

During the delivery of this presentation the following issues were highlighted for Members' consideration:

- The review had originally been proposed in July 2012 but, due to delays arising from the consultation process with every Council in Worcestershire, it had not been possible to start the exercise until September 2013.
- Each of the seven Councils in Worcestershire had agreed to participate in the review.
- The group had proposed 12 recommendations focusing on particular themes.
- The group had found that in the past there had been inconsistent monitoring of service performance. This was partly due to ICT problems, though these had been resolved.
- Communications had been a significant weakness identified by the group. Due to poor communications the public and Councillors struggled to contact the service.
- There were also problems with process for communicating developments with Worcestershire Regulatory Services (WRS) from members of the Worcestershire shared Services Joint Committee to other elected Members at partner authorities.
- One of the key challenges facing the shared service was the financial support available from partner organisations. In recent years financial austerity had impacted on many of the partners and a number were requesting significant savings placing the future of the partnership at risk.
- To address these financial challenges Officers were considering entering into a strategic partnership with a private sector partner.
- The governance of the shared service had also been a significant issue considered by the group. Members had concluded that the current governance arrangements were too complex and did not enable the partnership to operate effectively. In some cases, the group had concluded that elements of the governance structure were in fact undermining the shared service.
- A number of lessons had been learned during the review, with implications both for future shared services and for any further joint scrutiny exercises.
- Despite current difficulties with WRS the Task Group had concluded that the benefits of the shared service outweighed

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these problems and that it was essential to retain an effective partnership into the future.

Following presentation of the group's report a number of additional issues were raised by Members.

- Disappointment was expressed regarding the limited number of responses that had been received from other Councillors consulted during the review about WRS.
- The potential impact of proposed budget reductions on service levels. In particular, concerns were expressed that if Worcestershire County Council's budget cuts went ahead as planned the trading standards function in Worcestershire would not necessarily have the resilience to cope with local demand.
- The benefits of having a Member Liaison Officer for Councillors to contact.
- Concerns were expressed that residents as well as local public sector bodies did not always appreciate the valuable contribution made by Regulatory Services to public health, safety and fair trading.
- The benefits of preventing issues from arising and the risk that as a result of budgets being reduced too heavily the shared service would become more reactive than proactive.
- The fact that budgets had already been reduced significantly. There would come a point where further reductions could not be undertaken without the future of the partnership being placed at risk.
- The progress that had been made in relation to the proposed strategic partnership between WRS and a private sector partner. Five companies had already expressed an interest in entering into a strategic partnership, though no final decisions had been made on the subject by the date of the meeting.
- The development of the existing budget matrix to enable partners to reduce budgets whilst continuing to receive services that met local needs. The matrix had been designed to enable partners to assess the risks involved in reducing budgets for particular service areas.
- The benefits of sharing services across such a large number of partners. In particular, it was noted that as a result of sharing services partners were able to access expertise and resources that would not have otherwise been available to their customers if the service had been retained in house.
- The need for Members of the WRS Board (currently the Joint Committee) to be appropriately trained and briefed on the subject of regulatory services and who were willing to commit to learning about and engaging with the service effectively.

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- The potential impact, in terms of workload, if the Chief Executive of the host authority was to assume a mentoring role for the Head of Regulatory Services. Officers confirmed that this would not have a significant impact as this mentoring role was largely already implemented.
- The benefits involved in disbanding the Management Board as proposed by the group. The Task Group had found that members of the Management Board tended to interfere in operational matters, despite the fact that many did not have experience or training in this sphere unlike members of WRS staff. This was making it difficult for WRS staff, particularly senior officers, to undertake their work effectively and was encouraging both Members and Officers to focus on the needs of individual authorities rather than on how to make the shared service and effective partnership.
- The role of the joint committee which had been delegated with the power to make some decisions on behalf of all partner organisations. For this reason the Task Group's recommendations would be referred to the Joint Committee before the Council's Executive Committee was invited to consider the group's findings.

The Committee also discussed the value of joint scrutiny exercises. Members noted that this was the first joint scrutiny exercise involving every Council in Worcestershire that had been hosted by a local authority other than Worcestershire County Council. Members suggested that it would be useful to undertake further joint scrutiny reviews, as and when appropriate, in future. Due to the complicated nature of this joint scrutiny two Democratic Services Officers, Jess Bayley and Amanda Scarce, had supported the review. The Chair of the review thanked them for the support that they had provided to this exercise, however, it was suggested that if further joint scrutiny exercises were to take place in the future all partners should be encouraged to contribute equally to the review process at both a Member and Officer level. This would help to minimise stress levels amongst both Officers and Members and ensure that there was a common level of understanding of the review's aims and outcomes when reports were delivered back to participating authorities.

RECOMMENDED to the Worcestershire Shared Services Joint Committee that

- 1) **Performance Management Information should continue to be made available for Members' consideration at every meeting of the Joint Committee and be sufficiently high on the agenda to be discussed in detail;**

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- 2) twelve months after the new contact centre arrangements for WRS have been introduced, replacing the use of the Worcestershire Hub; the Joint Committee should review the effectiveness of these arrangements for communicating with the public;
- 3) the web-pages of each partner authority should be regularly monitored to ensure they are kept up to date, with the inclusion of a prominent and obvious link to the WRS website;
- 4) the purpose, content and circulation of the WRS newsletter should be thoroughly reviewed, with a view to it providing a more systematic and comprehensive account of the work and performance of the shared service and with the content and format being agreed by the Joint Committee;
- 5) that WRS have a designated member of staff to act as a Member Liaison Officer and as a single point of contact to signpost Member enquiries;
- 6) in order to reduce the focus on financial considerations which currently play a major part in influencing partner participation, to the detriment of other equally important aspects of the service, the following should be addressed:
 - a) a new business model for WRS be developed through the Chief Executives' Panel, building on the proposals already being produced by the Panel;
 - b) Consideration be given to the option for partner authorities to purchase an "out of hours service";
- 7) a new strategic decision making board for WRS should replace the Joint Committee, comprising one elected member per partner authority and supported by senior officers. This should be called the WRS Board.
 - a) Meetings of this Board should take place at the base of WRS;
 - b) responsibility for attendance at Board meetings should lie with each authority's representative, and the quorum for meetings proceeding should be set at 5 representatives in attendance;
 - c) meetings of the Board should take place bi-monthly;
 - d) elected Members appointed to the Board should be provided with an induction programme and sufficient

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- ongoing training to enable them to fulfil their role effectively;
 - e) Members appointed to the Board be expected to serve a minimum of two years to ensure continuity;
 - f) the Chair of the WRS Board should be elected annually by the members of the Board;
- 8) The Management Board be disbanded, with the WRS Management Team taking the lead responsibility for operational decision making under the leadership of the Head of Regulatory Services;
- 9 a) the Head of WRS should be fully accountable to the WRS Board (as the strategic decision making body);
- b) the Chief Executive of the host authority to act in a mentoring role as and when necessary;
- 10 a) all decisions made by the WRS Board be formally reported back to all elected members of the partner authorities in a timely manner;
- b) attention should be paid to communicating updates about any planned changes to WRS services to all elected members of partner authorities;
- c) the agendas and minutes of all WRS Board meetings should also be uploaded on to the WRS website in a timely fashion;
- 11) The lessons learned from the WRS shared service experience, particularly as detailed in this report, should be heeded by elected members and senior officers when considering any future proposals for shared service arrangements involving multiple partners;
- 12 a) the Joint Scrutiny Protocol should be reviewed in order to take on board the lessons learned during this review; and
- b) consideration should be given to the reinstatement of the Worcestershire Overview and Scrutiny Chairs Group as a means of feeding back the monitoring of recommendations from Joint Scrutiny exercises, as and when required.
- 5. ABBEY STADIUM TASK GROUP - FINAL REPORT**

Councillor Carol Gandy, as Chair of the Task Group, introduced the presentation and provided background information. Former Councillor, Derek Taylor was welcomed back as a co-opted

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member of the Task Group. It was confirmed that all Members of the Task Group had been in support of the six recommendations put forward in the report.

Members were provided with background information in respect of the scrutiny exercise and the areas which the Task Group had covered, which had included the scoping document being amended following details of a forthcoming business case for the Abbey Stadium being put forward. It was now understood that this had been delayed and would not be brought before the Executive Committee until the autumn.

It was appreciated that in order to make improvements to the Stadium significant financial investment would be required. The Task Group had therefore looked at other ways to allow the Council to continue to provide the service as an alternative going forward. As part of the investigation the Task Group had therefore, following a visit to the Abbey Stadium, visited other leisure facilities throughout the country which were run by various types of leisure trusts.

Those visits included Evesham Leisure Centre, which was run by Wychavon Leisure on behalf of Wychavon District Council. The trust was run on a not-for-profit basis and from the information provided in a detailed interview with officers at the site it was understood the contract did not include any form of performance targets. It was a relatively new centre which had excellent facilities and Members had been very keen to note that the sauna and steam room were well used and looked upon as a good addition to encourage and maintain membership.

The Task Group had also visited Stratford Leisure Centre, which was of a similar age to the Abbey Stadium. This was run by Sports and Leisure Management Limited (SLM) on behalf of Stratford-on-Avon District Council. Members were provided with details of the contract history (they had held the contract at Stratford for over 20 years) together with how the centre was dual branded and had strict performance management targets to meet. SLM was much larger and worked with approximately 25 other local authorities, which enabled them to have access to an excellent IT system in order to monitor membership and undertake targeted marketing on a regular basis.

Councillor Gandy was keen to assure Members that under recommendation 1, the Task Group was not recommending a specific model of trust, as it had only looked at two options and Members were aware that there were many other types available.

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It was therefore imperative that if this recommendation was accepted then careful consideration was given to all options in order to make an informed decision and to ensure the best outcome for both the Council and its resident.

Councillor Mason provided a summary of the thinking behind recommendations 3, 4, and 5 and in doing so highlighted the following:

- The inclusion of therapeutic services in order to enhance the leisure centre experience.
- The additional revenue that could be gained from these services via a franchise arrangement.
- Similarly the introduction of a sauna/steam room would be an additional benefit to encourage both the retention of current members and act as an incentive for new customers to join the centre.
- There were some off peak times, particularly during the day when the Task Group felt specific groups of residents could be encouraged to invest in membership at the Stadium.
- Specific marketing tools should be considered to promote the Stadium.

Former Councillor, Mr Derek Taylor, provided background information in respect of recommendation 6 and informed Members that he had found his previous experience as the Portfolio Holder for Leisure and Tourism invaluable during the investigation. Mr Taylor highlighted the following:

- The current limited amount and variety of goods available to purchase at the stadium and how this could be improved.
- Improvements which could be made to marketing and displays in order to increase sales and revenue.
- The possibility of a major sports supplier franchise being considered.

The Committee's attention was also drawn to the introduction of a car wash facility at the Abbey Stadium. Councillor Gandy provided background information in to this suggestion and explained that when this had been further investigated by the Task Group they were informed that there were a number of planning implications attached to this if it were to become a permanent fixture, including the disposal of the contaminated water. Officers had been keen to take this suggestion further and had already investigated the option of installing a temporary facility. However, the Task Group wished to draw to the Committee's attention the restrictions which the Council had faced in looking at this option as it was understood

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there were a number of car wash facilities throughout the Borough which might not be meeting the conditions set down by planning regulations.

Following the presentation the Task Group members and supporting Officers responded to questions and the Committee made observations, which covered the following areas:

- Concern over whether people were able to access the facilities without their membership cards being swiped, thus allowing those without membership to access the Stadium. Officers responded by acknowledging that this was a valid point and was an issue which was being addressed.
- “Checking in” at the reception desk (which would address the issue above) and concerns around members having to queue, which might be off putting.
- The location of the Stadium and the luxury of free parking being available.
- The positioning of merchandise and the type of goods which would be popular. Officers confirmed that “wet” products were the most popular items for sale.
- Officers confirmed that they believed the Abbey Stadium was the only local gym facility which allowed under 18s to be members.
- Staff discounts – Members requested details of what percentage of the overall membership were currently Council staff.
- Membership schemes, including families and couples.
- Expansion of the merchandise area and the inclusion of protein type products.

Officers suggested that Members might wish to consider what they saw as the purpose of the Abbey Stadium and the Leisure Team; whether it was to contribute towards the health and wellbeing of residents or purely to be run on a commercial basis. Members agreed it was important to encourage people to participate and enjoy a variety of sports. However, there was the potential for partnership working with GPs and Clinical Commissioning Groups (CCGs) which to address health and well being. Members also commented that it was important that the Abbey Stadium was inclusive for all and that those residents from the areas of highest need were encouraged and supported to use the facility.

Whilst discussing the option for a leisure trust to run the Abbey Stadium it was highlighted that a contract could contain whatever the Council wanted. Members expressed concerns that any decision taken on this subject should not be made solely by Officers

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as there was an opportunity for them to, indirectly, have a conflict of interest.

The Committee discussed the other leisure facilities within the Borough and the potential to extend trust arrangements to incorporate these facilities. Councillor Gandy explained that although it was acknowledged that these centres were in need of refurbishment it was not appropriate to include them within this Task Group's recommendations as they had not been part of their terms of reference. She also explained that one of the trusts the group had investigated had also managed other areas such as theatres and museum on behalf of local authorities and this was therefore also an option that the Council could potentially explore in the future.

The Committee thanked the Abbey Stadium Task Group Members for the presentation and the detailed and informative report.

RECOMMENDED that

- 1) the Council should explore the option for the Abbey Stadium to be managed by a leisure trust;**
- 2) subject to the Executive Committee agreeing to investigate the trust management option further the Overview and Scrutiny Committee arrange to pre-scrutinise any final business case relating to the future operation of the Abbey Stadium;**
- 3) the provision of therapeutic services should be considered under any new trust arrangements put in place in future at the Abbey Stadium;**
- 4) the provision of a sauna/steam room should be considered under any new trust arrangements put in place in future at the Abbey Stadium;**
- 5) Officers should identify appropriate marketing measures to promote membership of the Abbey Stadium to people aged 55 years and over; and**
- 6) there should be expansion of the offer and additional marketing (including displays) of retain provision at the Abbey Stadium.**

6. OVERVIEW AND SCRUTINY TRAINING - FEEDBACK

The Chair reminded Members that the training session on 10th June had been cut short due to some needing to attend another meeting. The second part of the training had consisted of two separate exercises that were designed to assist work planning for the coming municipal year. It was suggested that these could take place prior to the next meeting of the Committee. However, as a number of Members had other commitments that evening it was agreed that Officers would look at alternative dates.

RESOLVED that

Officers canvas alternative dates in order for the training exercises to be completed.

7. EXECUTIVE COMMITTEE MINUTES AND SCRUTINY OF THE EXECUTIVE COMMITTEE'S WORK PROGRAMME

For the benefit of new Members to the Committee, Officers explained the Executive Committee minutes and Work Programme were standing items on the agenda and provided them with the opportunity to select any reports which could be pre-scrutinised in order for the Committee's views to contribute to the Executive's decision making process. Officers highlighted that due to the timing of the Executive meetings, which were the week following the Scrutiny Committee's meetings, Members should ensure that sufficient time was available for such pre-scrutiny to take place.

The minutes also enabled the Overview and Scrutiny Committee to track whether any recommendations it had made had been agreed by the Executive Committee. Officers highlighted that in the attached minutes a number of recommendations made by the Landscaping Task Group and the Football Task Group had been accepted together with a recommendation made by the Committee on the subject of Member Development. However, two recommendations pertaining to the sale of Threadneedle House had been rejected on the basis that the Executive Committee had already agreed an alternative decision on the subject.

In respect of the Executive Committee Work Programme, Members discussed the impact of the Local Development Scheme 2014 and Community Infrastructure Levy item and although the timescale did not permit the opportunity for pre-scrutiny it was felt information on this subject would be useful for the Committee to receive.

RESOLVED that

- 1) **Officers be asked to provide a summary report in respect of the Local Development Scheme 2014 and Community Infrastructure Levy; and**
- 2) **that minutes of the Executive Committee held on 8th April and the latest edition of the Executive Committee Work Programme be noted.**

8. OVERVIEW AND SCRUTINY WORK PROGRAMME

Officers invited Members to consider the Committee's own Work Programme. Whilst there were a number of standing items on this, it was explained that there was flexibility for Members to both add and remove items from it if they so wished.

Councillor David Bush explained, that in his role as the previous Chair of the Overview and Scrutiny Committee he had recently received a letter from a local resident which referenced a charitable donation made to the Council for the purpose of providing a number of defibrillator units. Questions had been raised as to whether all of these defibrillators had been installed. As this was a charitable donation Councillor Bush asked that this matter be investigated and a response provided for Members' consideration.

RESOLVED that

the relevant Officers be asked to provide an update on the provision of defibrillators purchased through this charitable donation.

9. TASK GROUPS - PROGRESS REPORTS

Officers explained that at each meeting the Chair of each Task Group was asked to provide a verbal update to inform Members of the progress of the investigation. This provided the Committee with an opportunity to ensure that the terms of reference were being adhered to and that the deadline for the review remained realistic. It also provided the Chair of the Task Group with an opportunity to highlight any particular areas or to ask for an extension if deemed necessary.

- a) Football Task Group – Chair, Councillor David Bush

Councillor Bush reminded Members that an interim report had been brought to the April meeting and unfortunately since that

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date, due to the elections and other commitments, the Task Group had not held any further meetings. It was anticipated that a meeting would be arranged following the by election on 17th July and the second part of the report would be brought to the October meeting.

b) Voluntary Sector Task Group – Chair, Councillor Pat Witherspoon

Councillor Witherspoon explained that the Task Group's investigations were completed, with only one further meeting planned. The final report would therefore be presented as expected at the next meeting of the Committee.

RESOLVED that

- 1) the Football Task Group complete their review by October 2014; and**
- 2) the update reports be noted.**

10. HEALTH OVERVIEW AND SCRUTINY COMMITTEE

For the benefit of new Members, Officers explained that in a two tier local government system health scrutiny powers rested with the county council. In Worcestershire the county's Health Overview and Scrutiny Committee (HOSC) included a representative from each District and the Redditch representative was Councillor Pat Witherspoon. Councillor Witherspoon provided a verbal update on the work of the HOSC at each meeting of the Committee and this also provided an opportunity for the Members of the Committee to discuss any particular issues which they wanted to see raised at HOSC on their behalf.

Councillor Witherspoon informed Members that the latest meeting of HOSC had been held on 17th June and the bulk of the meeting had been taken up with a presentation on the development of the Integrated Community Team Hubs around the county. The aim of these was to encourage people to go to the clinics, which were closer to home, rather than the acute hospitals. There would eventually be five Community Treatment Centres across the county providing a variety of services. A further update on these new facilities would be provided in the autumn.

The HOSC had also been informed that the Acute Hospitals Trust Review would be holding a further formal public consultation from

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the beginning of September and the HOSC would receive a presentation on the process at its next meeting.

Concerns had also been raised at the meeting in respect of charges being made for the provision of incontinence pads. Councillor Witherspoon had been particularly concerned about what appeared to be a very large variation in the amount charged by different GPs for the provision of a written assessment for those with a disability. It was understood that HOSC or the Health and Wellbeing Board would investigate the inconsistency of these charges, which ranged from £18.50 to £125.00.

The Meeting commenced at 7.00 pm
and closed at 9.18 pm