

BRECKLAND COUNCIL

At a Meeting of the

OVERVIEW AND SCRUTINY COMMISSION

**Held on Thursday, 10 January 2013 at 2.00 pm in the
Anglia Room, The Conference Suite, Elizabeth House, Walpole Loke, Dereham**

PRESENT

Mr T. J. Jermy (Vice-Chair, in the Chair)	Mr R. R. Richmond
Mr A.J. Byrne	Mr J.D. Rogers
Mrs D.K.R. Irving	Mr B. Rose
Mr A.P. Joel	Mr S.G. Bambridge (Substitute Member)
Mr R.G. Kybird	Mr C. S. Clark (Substitute Member)

Also Present

Mr J.W. Nunn

In Attendance

Zoe Footer	- Land Management Officer
Helen McAleer	- Senior Committee Officer
Rory Ringer	- Democratic Services Team Leader
Teresa Smith	- Committee Officer (Scrutiny & Projects)

1/13 MINUTES (AGENDA ITEM 1)

With regard to Minute No 115/12 Mr Kybird noted that he had advised Members that Mental Health in Thetford would come under Suffolk in the new arrangements.

Subject to that amendment, the Minutes of the meeting held on 29 November 2012 were confirmed as a correct record and signed by the Chairman.

2/13 APOLOGIES AND SUBSTITUTES (AGENDA ITEM 2)

Apologies for absence had been received from Mr Cowen, Mr Gilbert and Mrs Matthews.

Mr Clark was present as substitute for Mr Gilbert and Mr Bambridge was present as substitute for Mrs Matthews.

3/13 DECLARATION OF INTERESTS (AGENDA ITEM 4)

No declarations were made.

4/13 NON-MEMBERS WISHING TO ADDRESS THE MEETING (AGENDA ITEM 5)

Mr Nunn was in attendance at the request of the Commission.

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5/13 EXECUTIVE MEMBER PORTFOLIO UPDATE (AGENDA ITEM 6)

Mr Nunn, Leader of the Council, provided Members with the 'Story so Far' regarding Shared Services.

In 2009/10 both Breckland and South Holland had been exploring opportunities to reduce senior management costs through sharing Chief Executive and senior management posts; Breckland with South Norfolk District Council and South Holland with Boston Borough Council. Neither had had a satisfactory outcome.

In 2010 the two Leaders had discussed the possibilities of working together, despite the fact that the two authorities were in different Counties and Regions. At that time the Chief Executive of Breckland had accepted a new appointment and so the Chief Executive of South Holland, Terry Huggins, was asked to consider the feasibility of joint working.

In August 2010, a report went to both Councils proposing Terry Huggins' appointment as Joint Chief Executive. He was given a brief which included bringing forward proposals for shared management across the two authorities before the end of the calendar year which, if approved, were to be implemented before the end of the financial year (thereby minimising the period of unrest for staff).

In December 2010, following consultation with Unison and staff, both Councils agreed to a joint management structure comprising 19 posts (reduced from 38). Applicants for those posts were independently assessed against a set of core competencies produced by the two Leaders. Successful candidates were then interviewed.

Seven people took voluntary redundancy and ten others were served with redundancy notices or were found other suitable employment. The four shared management posts of Legal Services Manager, ICT & Customer Services Manager, Housing Landlord Manager and Business Development Manager were not filled initially.

Since then the shared management structure had been through a number of modifications reducing the total shared managers to 17 and then two of those posts – Environmental Health Manager and Building Control Manager were amalgamated into a single post of Public Protection Manager, reducing the total to the current 16 shared managers.

The two vacant posts of Business Development Manager and ICT & Customer Services Manager had been filled. Three senior managers had moved on to other authorities. Duncan Hall had been appointed as Housing Manager and was the first three-way shared manager (with Kings Lynn & West Norfolk Borough Council).

In March and April 2011 other changes had followed including the establishment of a shared legal practice manager post (following the

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deletion of the Legal Services Manager post) which had not yet been filled, and Performance Team Leader and Communications Team Leader posts, both recruited from existing staff.

In July 2011 the post of Shared Deputy Planning Manager had been established and filled.

Most recently in March 2012 both Councils had agreed to share their Environmental Health and Licensing services with a shared manager and team leaders and to establish a joint administration for the service.

With regard to further sharing, Members were reminded of the proposal to include Great Yarmouth in a three way shared service. The proposal had been supported by all three Councils but had been terminated following the elections in May 2012 when political control of Great Yarmouth had changed.

The impending departure of the Chief Executive on 31 January 2013 opened up the opportunity to further explore sharing with a third authority. Some initial discussions had been taking place with neighbouring authorities and it was proposed to appoint an interim Chief Executive for the next three months to allow time for interest to develop.

The project brief in October 2010 had been to reduce the cost of senior management across the two authorities by about £700,000. The management structure as implemented in April 2011 was estimated to have reduced management costs by £1.075m. Since then there had been a further reduction of one service manager.

Both authorities had made £400,000 available from their organisational development funds for project costs, to cover such items as redundancy costs, early release of pensions, training, etc. On closure of the project about 25% of that budget remained unspent.

Mr Nunn outlined the key principles of the sharing agreement which was based upon trust and a common purpose between the parties. Both authorities remained as separate democratically accountable bodies. There was equality between the partners and all senior managers worked for both authorities, with the same core competencies. There was open communication and no requirement for common provision of services except where it worked for both parties.

The reasons for sharing senior management were to provide an efficient use of a costly resource whilst maintaining the breadth of skills needed and protecting frontline services from cuts. It also provided a greater resilience and enabled other savings to be delivered with greater ease, such as joint commissioning, service design and procurement.

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Members and staff accepted that shared management meant different ways of working. There were less 'drop-ins' as the management team were not always available.

In conclusion Mr Nunn listed what he considered to be the Key Achievements of the project to the end of 2011.

- the change had been 'invisible' to the community in terms of performance or service delivery
- the corporate plans of both authorities had been reviewed and a Medium Term Financial Strategy developed for both
- relationships which were individually important to each authority had been sustained and developed, eg ARP
- further savings had been achieved through merging internal processes, sharing procurement, giving mutual aid, etc
- Members and staff had been helped to adjust to new ways of working through training, new practices and technology
- the Key Officers Group (KOG) had been established to support and grow talent for the future
- trust had been built between the two authorities by holding two all Member meetings, a joint Cabinet meeting and encouraging Portfolio Holders to communicate with each other
- the team of senior managers had developed a strong bond and demonstrated the characteristics needed to respond to the challenging times. They had been shortlisted for the LGC Award of "Management Team of the Year".

Members were then invited to ask questions.

Mr Bambridge fully supported what the Council had done but had concern regarding the degree of contact with Senior Managers. He cautioned that trust and common purpose might not come automatically with another partner and he also wondered what effect the reduction in the number of managers had had on Cabinet Members and Committee Chairmen.

Mr Nunn agreed that contact with Senior Managers was more difficult and it was now necessary to diarise meetings with them. But that had made him aware of the cost of Senior Managers being available all the time.

He confirmed that a third partner would only be taken on if they would fit in with the culture that had been developed.

As for the role of Members, he said that was changing dramatically. They had more responsibility to understand their own areas of work and were expected to attend briefings and work on their own development.

Mr R Richmond asked what new ways of earning money the Council

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should be considering going forward.

Mr Nunn said that the Council had to make the best use of its assets and land and work with public sector partners to encourage development. A lot of planning permissions were not being constructed. The Council needed to look for ways to help those to get started. That would bring in New Homes Grant and also help to alleviate the numbers on the waiting list.

There were going to be a lot of changes at County level and more sharing of wider public sector resources. He hoped that it would not mean that the Council had to charge more for its services.

The Chairman asked how the performance of shared services could be evaluated and Mr Nunn said that one measure was the lack of complaints or even comments from the public and individual Councillors. They were obviously not having any problems contacting the Council or noticing any reduction in service.

The Chairman noted that he was in favour of shared services but the issue was the distance involved. He asked if the Leader would prefer to share with neighbouring authorities and Mr Nunn said that he would, if it worked. However, what they had done had been good and had proved that it could be done over a distance.

When asked about the optimum number of partners Mr Nunn said he did not know. Two worked well and the model said that three would also. If that was working well and effectively they might consider moving to four. However, he was nervous about being the first to try higher numbers.

Mr Kybird asked if some of the long-term contracts were a threat to finances and Mr Nunn confirmed that they were, although all had in-built uplifts. The Council would have to re-negotiate with providers to drive efficiencies.

Mr Joel asked about the progress with Power Switch for the seven authorities in Norfolk and Mr Nunn said that it was moving forward. The refuse lorries were being rebranded at no cost to highlight that switching could save the public between £60 and £160 and £5 of each switch would go to the Council.

The Chairman thanked the Leader for his update.

6/13 LOCAL GOVERNMENT BOUNDARY REVIEW (AGENDA ITEM 7)

The Democratic Services Team Leader updated Members on the reason for the review which had been triggered by Dereham Central and Templar Wards having an electoral imbalance. The aim was for each Councillor within the District to represent the same number of people.

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The review would take 12 to 15 months and any changes would be implemented at the 2015 elections. The last review had taken place in 2001/2.

There were two key steps to the review. The first was to agree an optimum size for the Council. Then the area would be divided into Wards.

The Council had created a Working Group in October. The Group had met three times and produced an initial draft submission which had been sent to the Commission. The draft had suggested reducing the number of Councillors from 54 to 50.

The initial views of the Commission had been received and their feedback was that more evidence would be needed to support that number. The Working Group would be meeting again on 17 January 2013 to discuss those comments and all Members were encouraged to attend and be involved.

The Commission would be meeting with Group Leaders during week commencing 15 February and a final document would be presented to Council on 28 February and then to the Commissioners by 12 March 2013. The Commission had the option of accepting the proposals, requesting a review of the proposals or refusing them.

Formal consultations on the Council's size would then take place for six weeks. Once formal agreement on the Council's size had been reached the District would be divided into Wards accordingly.

The Town & Parish Councils were being consulted through the whole process and would be more involved in dividing up the area. The Boundary Commission would consult with them and were willing to attend meetings and give briefings.

Mr Kybird asked if the changes would cater for growth and it was confirmed that the Planning Team were providing forecasts to 2018.

Mr Bambridge asked if the Council would see the detailed proposals before they were made public and was advised that the recommendations would be put to Council on 28 February before being sent to the Commission.

He also asked if Wards would still fit with County Divisions and the Democratic Services Team Leader thought that there would have to be a very good reason for them not to be co-terminus.

Mr Bambridge was concerned that some rural Wards might increase in size meaning Members would have to travel even more miles to cover their area. It was confirmed that once the number of Councillors was agreed that would equate to a certain number of electors per Ward and that would have a knock-on effect on the size of Wards in rural areas.

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7/13 TASK AND FINISH GROUPS (AGENDA ITEM 8)

Nothing to report.

8/13 HEALTH & SCRUTINY (STANDING ITEM)(AGENDA ITEM 9)

There had not been a Health & Scrutiny Meeting since the last update.

9/13 SCRUTINY CALL-INS (STANDING ITEM)(AGENDA ITEM 10)

The Land Management Officer was in attendance to update Members on the issue of the sale of land at Mackenzie Road which had been called-in and discussed at the previous meeting. Members had requested evidence of the length of time that Mr R had been using the land for parking.

The Land Management Officer had looked at previous correspondence and sought legal advice from Solicitors. Mr R's Solicitors had claimed that he had a right of adverse possession, having used the land in excess of 25 years.

To obtain evidence from Mr R or his solicitors it would be necessary to take enforcement action. The proposal was to write to Mr R and his Solicitors advising them that if they did not provide evidence then enforcement action would be taken on a specific date. The action would involve the lifting of any vehicles on site on the day, the reinstatement of the land (the shingle being removed and replaced by top soil) and the erection of 20 bollards.

Once the enforcement action was set out in the letter it would be necessary for the Council to proceed with that work. The cost of that work was about £2,500 to £3,000. That amount did not include officer time and resources and police attendance (which would be required). There was no funding available to take that action. If Members confirmed that they wished action to be taken it would be necessary to seek funds from Cabinet.

Mr Bambridge asked if Mr R and his Solicitors had substantiated their claim that he had used the land for 25 years. The Land Management Officer confirmed that they had not provided any documentation. Such a claim would normally be made through Land Registry by means of a Statutory Declaration sworn on oath. All that the Council had received was an e-mail from the Solicitors saying that Mr R had 25 years uninterrupted right.

From discussions at the previous meeting Members had not been convinced that Mr R had used the land for 25 years. They supported the proposal to take action.

It was therefore **RESOLVED** to **RECOMMEND TO CABINET** that

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funds should be made available to enable enforcement action to be taken.	
10/13 <u>COUNCILLOR CALL FOR ACTION (STANDING ITEM)(AGENDA ITEM 11)</u>	
None.	
11/13 <u>WORK PROGRAMME (AGENDA ITEM 12)</u>	
Members were asked to put forward suggestions for items for inclusion on the work programme.	
It was noted that the Housing and Capita items had been deferred from the next meeting.	
A report on car parking charges would be presented to Cabinet in February and would therefore be included on the programme for the next meeting.	
Mr Kybird asked for an update on the Community Infrastructure Levy to be included on the future work programme.	
12/13 <u>NEXT MEETING (AGENDA ITEM 13)</u>	
The arrangements for the next meeting on 21 February 2013 at 2pm in the Anglia Room, Elizabeth House, Dereham were noted.	

The meeting closed at 3.10 pm

CHAIRMAN