

## NORTH YORKSHIRE COUNTY COUNCIL

### CORPORATE AFFAIRS OVERVIEW AND SCRUTINY COMMITTEE

Minutes of the meeting held at County Hall, Northallerton on 14 June 2010.

#### **PRESENT:-**

County Councillor Liz Casling in the Chair.

County Councillors John Batt, Bill Chatt, Don Mackenzie, John Savage, Stephen Shaw and Geoff Webber (as substitute for Polly English),

#### **Officers:**

Roger Fairholm (Finance and Central Services), Neil Irving (Head of Policy & Partnerships), John Moore (Corporate Director Finance and Central Services), Lorraine Laverton (Scrutiny Support Officer), Dominic Passman (Health and Safety), Josie O'Dowd (Legal and Democratic Services).

Apologies for absence were received from County Councillors English, Fox and Mulligan.

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### **COPIES OF ALL DOCUMENTS CONSIDERED ARE IN THE MINUTE BOOK**

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#### **46. MINUTES**

##### **RESOLVED –**

That the Minutes of the meeting held on 29 March 2010, having been printed and circulated, were taken as read, confirmed and signed by the Chairman as a correct record.

#### **47. PUBLIC QUESTIONS OR STATEMENTS**

The Committee was informed that no notification had been received of any public questions or statements to be put to the Committee.

#### **48. EXECUTIVE MEMBER'S UPDATE**

##### **CONSIDERED -**

An update report circulated at the meeting by Executive Member County Councillor Carl Les.

Under Recent Issues County Councillor Carl Les noted the reduction of Overview and Scrutiny Committees from nine to five and noted how the role of Corporate Affairs would change in future particularly to take on communications aspects. He spoke of the significant preparation being undertaken by the Executive, Management Board, and also within Conservative Group regarding the forthcoming in-year budget cuts. Regarding Forward Plan the final quarter four out turn performance report for 2009-10 was due which would clarify the year end position. Under Future Issues he mentioned the likely further changes to the Constitution as a result of the on going work of the Members Constitution Working Group. Managing the in year budget

correction, managing performance in the absence of Comprehensive Area Assessment, managing with a new government, and finally working in a coalition environment were other key challenges.

#### **RESOLVED –**

That the report of the Executive Member be noted.

#### **49. CORPORATE ASSET MANAGEMENT – ANNUAL REPORT ON PROPERTY PERFORMANCE**

#### **CONSIDERED –**

The report of the Corporate Director, Finance and Central Services asked Committee to consider the draft Property Performance Report 2010.

Roger Fairholm, Finance and Central Services introduced the Annual Report on Property Performance which would go forward to the Executive. He outlined that contracts were now set up on the basis of themed work for example: replacing boilers; windows; building refurbishments; and replacements. Themed contracts had worked very well with satisfaction scores between 7 and 10 in all cases, in addition to unsolicited positive comments. The move to replacing windows during term time had been a big step forward, without causing major disruption to school life.

Members sought clarification of information contained in the Property Portfolio the Property Assessment Summary by Property Attributes for the current cycle.

- Queries were raised regarding the properties shown as red ie those with a significant problem impacting upon service. Roger Fairholm explained that for condition each assessment covered 60 or 70 different elements and even if only one item of them first four was shown as deficient, then the whole property was classed as red. It worked well to highlight issues. To help differentiate between degrees of concern across all assessments Members were directed to page 26 explaining the traffic light and weighting system.
- It was noted that performance on condition appeared to be worse than the last year. It was explained that this was a result of more detailed surveys with issues being reflected that had been missed previously.
- Attention was drawn to the figure of £146m shown on page 54 relating to the maintenance required in schools over 5 years. John Moore, Corporate Director for Finance and Central Services, explained that this was a worst case scenario reflecting the increased level of surveying activity. This information would be used to prioritise the order in which work should be completed. Roger Fairholm went on to explain that £27.7m was expected to be spent over the next five years, no allowance was made for the rate of deterioration or the actual time scales of the work required.
- Progress with Jacobs and the Project Process (Gateway Scheme) was queried. Using building performance indicators showed that Jacobs had outperformed industry standards.
- In response to a query regarding whether temporary buildings were covered by the scheme, Roger Fairholm explained that inclusion was determined by Children and Young People's Services. John Moore Corporate Director for Finance and Central Services, pointed out that with school roles evolving in future, there may be greater use made of temporary buildings.

- Members wished to note the disparity between the £146m backlog of work outstanding in schools and the funding actually available for maintenance.

John Moore Corporate Director for Finance and Central Services agreed that he would advise the Executive of these comments from Corporate Affairs when the report was taken to the Executive.

**RESOLVED –**

That the Committee noted:

- (i) the performance of the County Council in relation to property in 2009/10.
- (ii) the performance of Jacobs UK in relation to property in 2009/10.
- (iii) the progress in implementing the Property Improvement Programme.

**50. HEALTH AND SAFETY ANNUAL REPORT**

**CONSIDERED –**

The reports of the Corporate Director, Finance and Central Services asked the Committee to review performance in terms of health and safety management during 2009/10 so that progress could be assessed and future actions for 2010/11 be identified and prioritised.

Dominic Passman, Health and Safety introduced the report and drew attention to the revised Health and Safety Policy agreed by the Executive. He circulated the new posters which would advertise the new Policy to be posted in work places around the County Council.

Member comments were as follows:-

- The figures for schools, relating to those employed and non employed, appeared higher than other areas. Was there any correlation between the number of accidents and the condition of the school as per the previous report? Dominic Passman replied that he felt that some issues would relate particularly to flooring issues eg playgrounds, but he was not aware that the overall condition of schools was a significant factor.
- If an issue arose relating to outside work, presumably a report would go to the Headteacher to pick this up and liaise with the corporate property landlord? John Moore Corporate Director of Finance and Central Services, confirmed that the numbers of such incidents were slight over all. It was confirmed that proactively undertaking health and safety assessment should help reduce accidents in the longer run.
- It was noted that each school has their own designated governor with responsibilities for health and safety.

**RESOLVED –**

That the Committee noted Health and Safety performance in 2009/10.

## **51. PUBLIC LIABILITY CLAIMS ANNUAL REPORT**

### **CONSIDERED –**

The report of the Corporate Director Finance & Central Services analysed the patterns of costs of public liability claims over recent years.

Members commented as follows:-

- In relation to claims arising from pot holes, performance appeared positive considering the sheer volume of roads within the County. Most problems were noted around Thirsk and York a main commuter route. Fiona Sowerby, Risk and Insurance, explained that claims were defended robustly and unnecessary pay outs were avoided.

It was noted that in future this report would be taken jointly with the Annual Health and Safety report in June each year.

### **RESOLVED –**

That Members considered the information provided and confirmed that the current approach remained appropriate.

## **52. SUSTAINABLE PROCUREMENT ANNUAL REPORT**

### **CONSIDERED –**

The report of the Corporate Director, Finance and Central Services, provided Members with information on the actual sustainable development achievements for 2009/10 in relation to the major procurement projects previously identified, the engineering and property services contracts undertaken by Jacobs and Highways Works Contract undertaken by Balfour Beatty WorkPlace. Members were to select from a list of major procurements planned to be undertaken in 2010/11, those contracts which the Committee wished to see included in a subsequent outturn report.

Kristina Peat, Sustainability Manager, updated Committee on departmental achievements to date regarding procurement, and informed Members of projects coming up in the following year. Appendices 1 to 4 related to departmental achievement and Appendix 5 detailed those from works contracts. Appendix 6 detailed procurement projects where contracts were to be let or developed in 2010/11. Member comments were as follows:-

- Regarding The Highways Maintenance Contract 2012 with a value of £30m per annum, questions were raised regarding contract strategy what methodologies would be specified? Would recyclables be used for aggregates, what was being done to reduce vehicle miles, and what provision would be required regarding grey water?
- Adult and Community Services page 117 item 4 relating to young offenders – would Supporting People, the PCT and Probation all play a contributory part?
- Regarding the procurement of the e-monitoring system for in-house domiciliary care, page 138, this appeared to represent a new way of working. Similarly on page 141 the radio frequency identification for books in libraries, provided an electronic means of checking books in and out. Members

- Regarding vehicle procurement how were emissions measured? Kristina Peat, Sustainability Manager, replied that figures were available for different makes and models of vehicles, and then these were calculated according to the mileage to be undertaken.

**RESOLVED –**

That Members:-

- (i) Noted the reports on sustainable development achievements relating to 2009/10.
- (ii) Identified the major goods and services procurements planned for 2010/11 that were to be the subject of a report on sustainable development achievements ie those that appeared in bold in the report.
- (iii) Agreed the approach to monitoring property and highway works for sustainable development achievements and potential inclusion in an annual report.
- (iv) Agreed that the meeting scheduled for summer 2011 should receive reports on sustainable development achievements for major procurements in 2010/11 and planned major procurements for 2011/12 that contribute to sustainable development.

**53. PWC PROCUREMENT DIAGONSTIC REPORT – FOLLOW UP ON ACTION PLANS**

**CONSIDERED –**

The report of the Corporate Director, Finance and Central Services providing Members with an update on action taken in response to the procurement diagnostic review undertaken by PriceWaterhouseCoopers in the Autumn of 2008.

John Moore, Corporate Director for Finance and Central Services noted that the last report was submitted in November 2008 with Overview and Scrutiny involvement from early 2009. It was a year since this issue was last updated. The Appendix showed the original recommendation, the Management Board decision, and then the latest update. Many issues were either now resolved, were work in progress, or work expected to finish imminently. Benefits were being felt particularly across Adult and Community Services and Business and Environmental Services around smarter procurement. Regarding agency staff it was felt that the Managed Vendor project coming to fruition over the next few months would generate notable savings. The cost of the PriceWaterhouseCoopers review was queried and this was confirmed to be £15,000. John Moore, Corporate Director for Finance and Central Services, noted that with annual spending on goods and services of £300m on revenue and £80m - £100m on capital, this was a reasonable level of expenditure. It was suggested that the report could in future be brought together with the Sustainable Procurement report and it was agreed that this would come forward annually in June each year. Regarding the use of agency staff County Councillor Carl Les noted that whilst the MATRIX would help NYCC manage the use of agency staff better in future, the organisation still needed to manage down reliance on agency staff.

## **RESOLVED –**

That Members noted the report.

### **54. E-READERS**

#### **CONSIDERED –**

The report of the Assistant Chief Executive (Legal and Democratic Services) asked Committee to:

- (a) Note the information in this report.
- (b) Consider the question; *Could electronic book-readers replace paper copies of agendas and reports for Members at meetings?*

Josie O'Dowd, Legal and Democratic Services introduced the report.

County Councillor Carl Les noted that technology in this area was developing quickly and that there could certainly be positive opportunities for the future, however the timing was not really appropriate for investment in a new way of working in this area at the present time. Members commented as follows:-

- This was felt to be a matter of personal preference and for some this was not a good way to read long reports particularly those referring to multiple appendices.
- Use of an iPad had been experienced but it was felt that there was room for further development for subject matter such as Committee reports.
- A watching brief should be maintained on this issue and the matter reviewed once again in due course.
- Members should be surveyed prior to any change to ways of working in future.

## **RESOLVED –**

- (i) That the information in the report was noted.
- (ii) That the feed back given was noted by the Executive Member.

### **55. EQUALITY FRAMEWORK FOR LOCAL GOVERNEMENT ACHIEVING ASSESSMENT**

#### **CONSIDERED –**

The report of the Assistant Chief Executive (Policy, Performance and Partnerships) updating Members on the outcome of the Equality Framework for Local Government assessment at Achieving.

Neil Irving, Head of Policy and Partnerships reported the good news that in April 2010 North Yorkshire County Council achieved the Equality Framework for Local Government. This was achieved ahead of target and was the culmination of a 20 page evidence based submission. The peer visit had been undertaken on the 20<sup>th</sup> and 21<sup>st</sup> April by an Executive Cabinet Member from Cumbria County

Council and County Councillor Liz Casling had also been involved. The draft report arising from the exercise was currently being worked through, and pages 170 and 171 of the report outlined the recommendations for the future.

Reassessment would be due in three years time or there was the option to apply to achieve "excellent" status before this. Further detail was being sought on what this would entail, and the financial position of the Authority would be another key factor. County Councillor Casling from the Chair, noted that if this were mandatory there would need to be certain sanctions. She suggested potentially an annual report regarding Member Training. For example there could be the opportunities for Members to respond via a commentary perhaps highlighting particular themes. Other Members noted that:-

- Perhaps a mandatory method was not the best way forward for Members.
- Perhaps the definition of training should include seminars and attending County Council meetings, in particular County Council and Area Committees;
- Training could be interpreted as information sharing and giving of views, also having the opportunity to discuss the 'real life issues which often came up' on an Area basis.
- Concern was expressed about prolonging the duration of Area Committees unnecessarily and the need for managing the Agenda proactively was reiterated.
- Another suggestion was to offer training an hour before Area Committees on a particular topic and to open that up to Parish and Town Councillors where appropriate. This was felt to be a positive suggestion particularly when those Councillors who work find it hard to attend all Member Seminars but most make the effort to get to their Area Committee. It was suggested that this be discussed at a future meeting of Area Chairmen.

#### **RESOLVED –**

That the Committee noted the content of the report and asked that the comments made above be noted.

#### **56. WORK PROGRAMME REPORT**

##### **CONSIDERED –**

The report of the Head of Scrutiny and Corporate Performance asked the Committee to: note the information provided; consider the proposal for an in-depth scrutiny review; and to confirm, amend or add to the list of matters shown on the work programme.

Lorraine Laverton, Scrutiny Support Officer, introduced the report noting that emergency planning had now moved in to CEG and she explained the need to produce the Emergency Planning Handbook for Members. Three to four Member volunteers were sought to start these discussions. The Handbook would cover both District and County Councillor roles to achieve a common understanding. The suggested volunteers were County Councillors Stephen Shaw, John Batt, Bill Chatt and Liz Casling.

As it was the last meeting of the Corporate Affairs Overview and Scrutiny Committee, Chairman County Councillor Casling thanked all Members for their hard work over recent years and noted the tremendous support received from Lorraine Laverton wishing her well for her future work. It was noted that support would in future be provided by Ray Busby.

Regarding future work programme, County Councillor Liz Casling suggested that in view of the interest in access to rural services it might be a suitable topic for the new Committee. It was also noted that the Use of Resources report which had previously been covered by Corporate Affairs would now disappear in view of abolition of the Comprehensive Area Assessment.

The Committee agreed to combine the reports on Health & Safety and Public Liability into one report and similarly to combine the Sustainable Procurement report and the PWC Procurement Diagnostic report into one Annual Procurement Report

**RESOLVED –**

That Members:

- (i) Noted the information in the report.
- (ii) That the suggestions made above be noted.
- (iii) Agreed to combine the reports on Health & Safety and Public Liability into one report and also to combine the Sustainable Procurement report and the PWC Procurement Diagnostic report into one Annual Procurement Report

**57. SUCH OTHER BUSINESS AS, IN THE OPINION OF THE CHAIRMAN, SHOULD, BY REASON OF SPECIAL CIRCUMSTANCES, BE CONSIDERED AS A MATTER OF URGENCY**

None.

JOD/ALJ