

Minutes of a meeting of the **JOINT PERFORMANCE MONITORING PANEL AND POLICY DEVELOPMENT PANEL** held in the Council Chamber, Council Offices, Priors Road, Spalding, on Monday, 30 November 2015 at 6.30 pm.

PRESENT

B Alcock (Chairman)

B Alcock	G K Dark	A M Newton
G R Aley	H Drury	M J Pullen
D Ashby	L J Eldridge	J L Reynolds
J R Astill	R Grocock	M D Seymour
M D Booth	A Harrison	J Tyrrell
C J T H Brewis	J L King	A R Woolf
T A Carter	J D McLean	

Apologies for absence were received from or on behalf of Councillors R Clark, C N Johnson and A C Tennant

In Attendance: Councillor P Coupland, Democratic Services and Electoral Manager, Managing Director CPBS (East Coast) Ltd and Executive Manager - Governance and the Democratic Services Support Officer.

**1. ELECTION OF CHAIRMAN**

Consideration was given as to who should preside over the Special Joint meeting of the Performance Monitoring Panel and Policy Development Panel.

**AGREED:**

That Councillor B Alcock act as Chairman for the duration of the Special Joint meeting of the Performance Monitoring Panel and Policy Development Panel.

**2. DECLARATION OF INTERESTS**

There were none.

**3. CONSTITUTION REVIEW**

Members gave consideration to the report of the Shared Executive Director Strategy and Governance on the Constitution Review.

**Action By**

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Mark Stinson (Executive Manager - Governance) and Rhonda Booth (Democratic Services Manager) were in attendance to present the report and answer any questions.

On 11 April 2013, the Council agreed that a Constitution Review Group be established to work jointly with Breckland District Council to review the current constitutional arrangements of both authorities. The Working Group had met a number of times and approved draft Constitutions which were aligned structurally, but still reflecting each council's differences. Final approval of an amended Constitution rested with full Council.

A Special Joint meeting of the Performance Monitoring Panel and Policy Development Panel was held on 29 July 2014 and approved a draft, subject to a number of suggested amendments. These were made to the draft and a copy of the Constitution was submitted to external lawyers, DAC Beachcroft LLP for an independent check. The draft was given a clean bill of health although a number of improvements/alterations were suggested.

Outstanding queries which were raised by the Joint Panel that were not reflected in the draft given to DAC Beachcroft were addressed by the Executive Manager Governance and were highlighted in the written report.

Members of the Panel raised a number of points, which included formatting, spelling and grammar errors and discussed the following:

- When is a minor amendment to the Policy Framework minor (reference to pg. 79)?

It was explained that the term 'minor amendment' was to be interpreted on the facts of each individual case.

- Was the Constitution aligned with Breckland's?

Both South Holland's and Breckland's Constitutions were formed from the Exari Model Constitution, elements were the same. The draft that had been prepared reflected each Council's specific arrangements.

- Members enquired as to whether there was any difficulty with an Executive Member being Chairman of the Planning Committee.

The Planning Chairman and Executive Member were two different

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roles. The law did not prevent an executive member from being the Chairman of the Planning Committee.

- Is it just the Performance Monitoring Panel that would be allowed to call-in decisions?

It was just the Performance Monitoring Panel that had the power to call-in Executive decisions. There was a tool called 'Councillor Call For Action' which allowed any member of the Council to instruct the Senior Legal Officer to include on the agenda of the relevant Panel, any item for discussion.

- Members asked whether call-in applied to budget virements.

It was agreed the Executive Manager Governance would further investigate this point.

- It was felt that the 'Overview and Scrutiny Committee' which was referred to should be changed to reflect the Council's current arrangements, the Performance Monitoring Panel and Policy Development Panel wherever appropriate.

The term 'Overview and Scrutiny Committee' was an accepted generic term and was used within the draft, but this was easily changed to reflect the Council's actual arrangements.

- It was requested that the number of Committee members on both the Licensing Committee and Committee of the Licensing Authority be increased from 10 to 15 to allow for its sub Panels' increasing workload. Some members were unsure how a boundary review may impact on the increase of numbers of any given committee.

The request was agreed to be added to the draft and form part of the proposals being considered at the relevant meeting of full Council, where the draft was to be considered for approval and implementation. It was explained that any boundary review would have much wider implications and would have an overall effect on the Constitution, not just the individual committee membership.

- It was queried why there was a reference to the addition of a link immediately after the Committee Delegations table (Part 3 Section D (pg. 48))

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It was explained that a link to relevant provisions would be included, rather than detailing them in full within the Constitution. This was to allow readers to reference them should they wish to do so.

- It was requested that the contract procedure rules be explained in particular the reference to the tendering procedure.

The Executive Manager Governance went through the proposals for the tender process and explained to members that it was important that, where possible, local providers (within South Holland) were given the opportunity to tender. However, the Council's approach to procurement was now being reviewed. As a consequence, further amendments would be made to the Contract Procedure Rules in due course.

- Councillor Alcock felt that the provision to allow members of the public to speak at any meeting of the Council may have an impact on the Planning Committee as it already had this function.

It was agreed by all that the Executive Manager – Governance would ensure that the provision for speaking at meetings would not affect the Planning Committee's existing arrangements.

- Concerns were raised over the recommendation to remove the key decision plan from full Council agendas.

It was explained that as the Key Decision Plan was a rolling document and decisions were constantly being made, full Council may not receive a true reflection of the current situation. There was an up to date version of the Key Decision Plan available on the South Holland Website, available for Councillors and members of the public to view at any time. Members appreciated that this was the situation, but felt it was an informative document and requested that it be recommended that this remain on full Council agendas.

- Reference was made by Councillor J Astill to Article 15 and publication of the Constitution. He enquired about the Constitution being put into other formats at a reasonable fee (such as Braille).

This was to be investigated by the Executive Manager Governance and would be reported to members in due course.

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- Councillor G Dark requested that representation at the Chairman's Panel (Planning Committee) be extended to enable Ward Members to be substituted by any other Councillor (not just another councillor in for that ward) in order to submit their views for consideration.

It was agreed that this mechanism be added. The Executive Manager Governance advised that a full Planning Protocol was being compiled, which would accompany the Constitution in relation to Planning Committee matters and that much of the detail could be addressed there.

- Councillor R Grocock raised concerns on matters relating to S106 monies and member training.

Councillor Grocock was advised that they were not Constitutional matters and advised that he should speak to the relevant manager regarding these aspects. Councillor Coupland advised that a list was being compiled on the current situation in relation to S106 monies.

**AGREED:**

- (a) That the Executive Manager Governance investigate whether virement decisions were subject to call-in.
- (b) The quorum be listed consistently throughout the document as; 3 (or other minimum number) or 1/3, which ever is the greater;
- (c) That the recommendation for 15 members of the Licensing Committee and Committee of the Licensing Committee be incorporated in to the draft;
- (d) That references to 'Overview and Scrutiny Committee' be changed to reflect South Holland's arrangements for overview and scrutiny; Performance Monitoring Panel and Policy Development Panel;
- (e) That the recommendation of the removal of the Key Decision Plan be withdrawn;
- (f) That the Executive Manager Governance investigate the cost of putting the Constitution into other reading formats including Braille; and

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- (g) That representation at the Chairman's Panel (Planning Committee) be extended to enable Ward Members to be substituted by any other Councillor.
- (h) That that the provision for speaking at meetings (Standing Order 40) be clarified so as to not affect the current arrangements for the Planning Committee.
- (i) That the various other typographical errors identified by members be corrected.

*(The Democratic Services Manager left the meeting at 7.40pm. after consideration of the above item).*

**4. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT**

There were none.

**5. TO CONSIDER RESOLVING THAT, UNDER SECTION 100A (4) OF THE LOCAL GOVERNMENT ACT 1972, THE PUBLIC BE EXCLUDED FROM THE MEETING FOR THE FOLLOWING ITEM OF BUSINESS ON THE GROUNDS THAT IT INVOLVES THE LIKELY DISCLOSURE OF EXEMPT INFORMATION AS DEFINED IN PARAGRAPH 3 OF PART 1 OF SCHEDULE 12A OF THE ACT.**

**AGREED:**

It was resolved that, under section 100A (4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of part 1 of Schedule 12A of the Act.

**6. COMPASS POINT BUSINESS SERVICES DRAFT BUSINESS PLAN 2016 -2020**

Consideration was given to the report of the Executive Director Strategy and Governance regarding the Compass Point Business Services (East Coast) Ltd Business Plan 2016 – 2020.

Marcus Coleman (Managing Director (Compass Point Business Services (East Coast) Ltd), Councillor Coupland and Councillor Newton (Company Directors) were also in attendance.

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Councillor Newton, in the interest of openness and transparency declared that although she was a serving member of the Panel she was also a Company Director for Compass Point Business Services (East Coast) Ltd.

The Managing Director presented the report to members. Councillor Alcock asked for clarification on when feedback was to be submitted on the business plan. The Managing Director advised that members may provide feedback throughout consideration of the item, but may also pass further feedback to him outside the meeting and at its consideration at full Council.

Compass Point Business Services (East Coast) Ltd, Joint Venture Shared Services Company was established by East Lindsey District Council and South Holland District Council in 2010. The company produced business support services to its clients, which included Finance, Human Resources, ICT, Benefits Assessment, Revenue Collection and Customer Services.

In 2010 the Company, East Lindsey District Council and South Holland District Council entered into a Ten Year Joint Venture Shareholder Agreement. It was felt that at this mid-point in the agreement it was appropriate to take stock of the current situation.

The proposed Business Plan, which was appended to the covering report, addressed a number of issues. It:

- reviewed the key assumptions made at the start of the of the contract;
- reflected on the experience of the Company over the past five years;
- highlighted some of the changing features of the environment in which the Company operated;
- proposed renewed focus on activities to support its Shareholding Councils; and
- proposed processes to assist all parties in making decisions about the future of the Company beyond the exit date defined within the Shareholders agreement.

Over the period of five years the Company had made significant savings reducing costs from £10.9 million to £7.9 million. The Managing Director paid tribute to the staff for this achievement and reminded members that it had achieved national recognition.

The Business Plan suggested a new focus on providing the best

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possible services for East Lindsey and South Holland District Councils, rather than pursuing additional external contracts.

Members expressed some general concerns in respect of performance in certain areas; the resulting cost to the Council; performance against the previous business plan; and the impact on staff morale.

Councillors raised the following specific points:

- Councillor Alcock was concerned over suggested timescales and the number of caveats contained in the Business Plan.

The managing Director advised that the process needed to start when all the information had been gathered.

- Councillor Astill asked if there was potential to extend the period of the shareholder agreement?

The Executive Manager Governance advised that all contract/agreements could be extended, subject to the agreement of all parties involved.

- Members supported the new focus of the Business Plan although there was some disappointment that the Company had not managed to bring any other major partners on board. Councillor Grocock noted that he had hoped the Company would have brought in the services of a professional salesman to help 'close deals'.

The Company currently provided support services to some local schools and the local Citizens Advice Bureau. This was a very competitive area of the market.

- There were concerns over pressures on the Company to continually achieve savings. It was important to members that maintaining a high quality service was a key priority.

Five percent saving had been continually achieved year on year, which had been achieved by re-organisation of staff and removing levels of management but this had put pressure on staff to retain service levels to customers.

- Members asked if the Housing Benefits deadlines had been achieved, as they were aware that there had been a high back-log.

Much of the back log had been cleared and extra resources had

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been brought in in order to achieve this.

- Councillor Harrison asked if the Company had tried to recruit agency staff.

This method had been looked into, but was generally very costly.

- Concerns were raised over IT equipment and whether it was 'fit for purpose'.

The Managing Director advised that Gary Stephens was the lead on IT and would be more than happy to attend a meeting and discuss issues with members.

- Councillor Carter asked if the Company was ready for 'Universal Credit'.

Support was available from the Department for Work and Pensions and other colleagues were also giving support.

- Members asked for more detail on the proposals for new postal arrangements.

There were companies that could provide a postal service, reducing SHDC and Compass Point's postal costs. This had been used for the despatch of the Council Tax billing earlier in 2015. It provided significant savings, but would mean a culture change in the way the in-house postal service was used.

Members expressed a preference for mail to have the South Holland postal mark on it; some members had had questions about this from members of the public.

The Managing Director advised that members at East Lindsey were also reviewing the business plan and their comments would be fed into the document, along with South Holland's that would then come before both full Councils for consideration.

**AGREED:**

That the various points and comments made by the Panel be reported to full Council, when the Compass Point Business Services (East Coast) Ltd Business Plan was submitted for approval.

(The meeting ended at 8.55pm)  
(End of minutes)