

**Summons to Meeting**

Thursday 20 June 2019

# Overview and Scrutiny Committee

Friday 28 June 2019, 9.30 am

Council Chamber, Allerdale House

Membership:

Councillor Alan Pitcher (Chair)

Councillor Tony Annison

Councillor Nicky Cockburn

Councillor Malcolm Grainger

Councillor Michael Heaslip

Councillor Daniel Horsley

Councillor Carni McCarron-Holmes

Councillor Carmel Bell

Councillor John Crouch

Councillor Iain Greaney

Councillor Joe Holliday

Councillor Adrian Kirkbride

***Members of the public are welcome to attend the meeting. If you have any questions or queries contact Ian Hinde on 01900 702544.***

## Agenda

**1. Minutes (Pages 3 - 10)**

To sign as a correct record the minutes of the meetings held on 22 March and 11 April 2019.

**2. Apologies for Absence**

**3. Declaration of Interests**

Councillors/Staff to give notice of any disclosable pecuniary interest, other registrable interest or any other interest and the nature of that interest relating to any item on the agenda, in accordance with the adopted Code of Conduct.

**4. Questions**

To answer questions from members of the public – submitted in writing or by electronic mail no later than 5.00pm, 2 working days before the meeting.

**5. Public Participation**

To hear representations from members of the public on items which appear on the agenda – submitted in writing or by electronic mail no later than 5.00pm, 2 working days before the meeting.

**6. Co-Chairs Introduction**

**7. Forward Plan (Pages 11 - 20)**

**8. Work Programme (Pages 21 - 26)**

**9. Executive / Scrutiny Protocol (Pages 27 - 28)**

Discussion item to consider establishing a protocol between the Executive and the Overview and Scrutiny Committee.



**Corporate Director**

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**Date of Next Meeting:**

**Friday 26 July 2019, 9.30 am  
Council Chamber, Allerdale House**

# Agenda Item 1

At a meeting of the Overview and Scrutiny Committee held in Council Chamber -  
Allerdale House, Workington on Friday 22 March 2019 at 2.00 pm

## Members

Councillor Alan Pitcher (Chair)  
Councillor John Cook  
Councillor Hilary Harrington  
Councillor Bill Pegram

Councillor Janet Farebrother (Co-Chair)  
Councillor Joseph Cowell  
Councillor Jim Osborn  
Councillor Martin Wood

Apologies for absence were received from Councillor Malcolm Grainger, Councillor Joe Holliday, Councillor Frank Johnston and Councillor Billy Miskelly

## Staff Present

A FitzGerald, I Hinde, L Jardine and K Kerrigan

## Also Present

M Fryer (Executive Member: Deputy Leader - Economic Growth)

## 432. Declaration of Interests

6. Portfolio Presentation by the Executive Member for Economic Growth. Councillor Joseph Cowell; Other Interest; Works within the 'container pods' industry.
6. Portfolio Presentation by the Executive Member for Economic Growth. Councillor Mark Fryer; Other Interest; Shareholder of Workington Town RLFC, holding shares under the threshold for Disclosable Pecuniary Interests.

## 433. Minutes

The minutes of the meeting held on 30 January 2019 were signed as a correct record.

## 434. Questions

None Received

## 435. Public Participation

None Received

## 436. Portfolio Presentation by the Executive Member for Economic Growth

Councillor Mark Fryer, Executive Member and portfolio holder for Economic Growth provided an update on various projects including the Hadrian's Wall Cycleway and the Maryport Regeneration Project whilst discussing an overview of his portfolio including planning and building control.

Discussion then followed in relation to the Wave Centre, with Councillor Fryer confirming that the Wave Centre is an asset to Maryport and that the introduction of the 'clip and climb', the 'cave' and the gym are reducing the subsidy that the Council currently pays. Maryport continued to be the subject of debate with Councillor Fryer explaining the 5 point plan to improve the town and the plan to keep employment and industry in Maryport.

Discussion then moved towards the coastal road between Allonby and Silloth and that without remedy the road could be lost to Coastal Erosion, however the issue of funding and responsibility was with several stakeholders, with Councillor Fryer confirming that the road itself being an asset of Cumbria County Council.

Members asked questions of the potential to use the Solway Coast for energy and also on the current uses of Workington and Silloth Harbours. The Head of Place Development confirmed that harnessing energy from the Solway Coast is a complex issue, not just due to cost, but due to Ecology and Hydrology concerns.

**437. Reedlands Road Project Update**

Head of Place Development, Kevin Kerrigan provided an update to members. He advised that the scheme was to provide 10 industrial units with construction due to start in August 2019. The units be leased out to tenants and managed by Allerdale Borough Council.

The project is being financed by the European Regional Development Fund (ERDF) and through Council borrowing.

**438. Discussion Item**

The topic of discussion was the New Community Stadium for Workington, which was an item on the meeting of the Executive prior to this meeting of the Overview and Scrutiny Committee on 22 March 2019.

The Monitoring Officer clarified both the 'call in' procedure and the decision made at the Executive Meeting, 22 March 2019.

The Monitoring Officer and Head of Place Development then answered questions from members and debate ensued in relation to finance, planning and public consultation.

**439. Forward Plan**

Members were concerned about the Geological Disposal Facility Site Evaluation Criteria, which was an item on the forward plan.

The Head of Place Development confirmed that this item was discussed at Executive on 22 March 2019 and that the only decision made was to approve the draft response to the consultation, not to make any other decisions or commitments.

Members then noted the forward plan of key and non key decisions.

#### **440. Work Programme**

Members discussed the formation of a task/finish group in relation to the New Community Stadium for Workington; however no updates were made to the Work Programme.

**The meeting closed at 4.00 pm**

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At a meeting of the Overview and Scrutiny Committee held in Council Chamber - Allerdale House, Workington on Thursday 11 April 2019 at 9.30 am

## **Members**

Councillor Alan Pitcher (Chair)  
Councillor John Cook  
Councillor Malcolm Grainger  
Councillor Frank Johnston  
Councillor Jim Osborn  
Councillor Martin Wood

Councillor Joseph Cowell  
Councillor Hilary Harrington  
Councillor Billy Miskelly  
Councillor Bill Pegram

Apologies for absence were received from Councillor Janet Farebrother Councillor Joe Holliday

## **Staff Present**

B Carlin, S Elsworth, I Hinde, L Jardine, K Kerrigan, C Nicholson and A Seekings

## **Also Present**

T Annison, B Cannon (Executive Member: Corporate Resources (Finance and Property)), B Finlay (Leader of the Independent Group), M Fryer (Executive Member: Deputy Leader - Economic Growth) and A Smith

## **441. Declaration of Interests**

3. Call In - Consideration of Detailed Business Case for the Development of a New Community Stadium for Workington.  
Councillor Alan Smith; Other Interest; Due to being a shareholder of Workington Association Football Club.
3. Call In - Consideration of Detailed Business Case for the Development of a New Community Stadium for Workington.  
Councillor Mark Fryer; Other Interest; Due to being a shareholder of Workington Town R.L.F.C.

## **442. Call In - Consideration of Detailed Business Case for the Development of a New Community Stadium for Workington**

At a meeting of the Executive on 22 March 2019, a decision was taken to approve the business case for the development of a new community stadium for Allerdale, that the Council undertakes a regulated procurement role to select an investor/developer to develop the new community stadium, to develop a business plan for the establishment of a stadium management company, and to delegate the procurement of a contract for the demolition of Borough Park to Head of Place Development. A decision was also taken for the Council to authorise a guarantee of the head lease to the investor, the final details of which will be delegated to the Corporate Director in conjunction with the Statutory Officers.

On 3<sup>rd</sup> April 2019 a 'call-in' form was submitted to the Councils Monitoring Officer. The Monitoring Officer accepted the call in.

The Call In was presented by Councillor Tony Annison and Councillor Bill Finlay. Councillor Mark Jenkinson was a signatory on the call in.

Before the meeting began, the Chair of the Overview and Scrutiny Committee read the following statement,

'There may be a closed session during the consideration of agenda item 3 as it may require the discussion of commercially confidential and sensitive information. Members of the press and public will be asked to leave the meeting during that session but will be invited back in to the meeting once the discussion has concluded'.

Councillor Finlay submitted the call in and provided his representations to the Committee, explaining his concerns over the Council acting as guarantor. He went through his 'call in' letter, advising the proposal for a community stadium was not within the 2015/19 Council plan and that some of the Executive reports were contradictory. Councillor Finlay went on explain that he was also concerned with the investor model, the 'rushed' timescale of the development and the potential risks the development would pose to the Council.

Councillor Annison provided his representations, advising that he was not against a new stadium, but expressed his concerns at the Council acting as guarantor, and that no mandate/debate was presented to full Council. Councillor Annison went on to say he felt the project was being rushed, sharing examples of similar developments that have been delivered late, over budget or have not been sustainable.

In response to the 'Call In', Councillor Fryer response to each point raised on the original 'call in' letter. He advised that the procurement to demolish Borough Park would only commence once the Council had agreed licence terms with Workington Town and Workington Reds. In relation to the business case he also acknowledged that the 2021 Rugby League World Cup had to be considered, but explained that a separate report without the scenario of hosting the competition had also been prepared.

In response to potential attendances, Councillor Fryer explained that he did not know one example where attendances drop once a new stadium has been developed.

Councillor Fryer also explained that the comparators studies were relevant, and that they were used to identify best practice and lessons learnt, not as a direct correlation to this proposed development.

Councillor Fryer then explained that the rest of the points raised had been answered in the Business Plan and/or by the report from KPMG.

Councillor Finlay and Councillor Annison then asked questions to members of the Executive.

Councillor Finlay asked about the 2021 Rugby League World Cup in more detail and how the potential benefits had been measured. Councillor Fryer explained that a bid was made by Allerdale to host the competition, and that investment would be needed to realise the economic benefits to Allerdale.

The Corporate Director explained that cost benefit analysis had been undertaken by the Rugby Football League, and that information was in the public domain. He clarified that the cost benefit model used was a government approved model developed by English Partnerships.

In response to a question regarding cross subsidy and the proposed tenants, the Corporate Director confirmed that the rental cost to the tenants had to be commercially competitive and that the tenants could not subsidise the sports clubs.

In response to questions relating to planning the Head of Place Development confirmed that the Borough Park cannot be demolished without planning permission, The Corporate Director also clarified that after demolition, Workington Reds AFC would ground share with Workington Town RLFC.

Questions were also asked about the sustainability of the development if clubs were to go out of business, and of the commercial rental income. The Deputy Monitoring Officer explained that due to commercial sensitivity, the responses to these questions would be made in Part 2 of the meeting.

The Overview and Scrutiny Committee then asked questions of the Executive Members.

In response to questions over the benefits of the stadium, Councillor Alan Smith explained that the stadium will bring Allerdale into the 21<sup>st</sup> century, providing a platform for aspirational sports stars. He also highlighted the potential benefits to groups such as disabled athletes and children, providing much needed sporting facilities which will improve participation levels.

Councillor Fryer explained that the benefits are not just sporting, with 350 jobs, and a consolidation of GP surgeries including improved medical and pharmacy facilities which will improve health services for Allerdale.

The Head of Development then explained that new facilities will complement Workington Leisure Centre and that Sport England would not commit to funding if facilities were taken away from the Sport Centre.

Further questions were asked over the potential increase in participation levels. The Corporate Director explained that the council is working with the Rugby and Football authorities to achieve this and that the stadium will enhance opportunities for underprivileged groups.

Questions were then raised over the NHS facilities with Councillor Fryer explaining that the consolidation of GP surgeries was at the request of the NHS. The Corporate Director went on to explain that it is a future vision of the NHS, and that the new model is the government approach to healthcare.

Councillor Annison then asked whether NHS facilities would be affected on match/event days and the potential issue of flooding. The Head of Place Development confirmed that flooding is a planning issue and that there will be very limited situations where events/matches would be on during NHS hours.

The Head of Finance and Property Services then clarified the responsibilities of the Council being guarantor.

The Chair of the Overview and Scrutiny Committee then moved the meeting into closed session and read the following statement.

'The Overview and Scrutiny Committee resolves that under the provisions of section 100A of the Local Government Act 1972 that the press and public are excluded from the meeting for the consideration of specific issues at agenda item 3 on the grounds that it involves the likely disclosure of confidential information and/or exempt information as defined in paragraph 3 of the Part 1 of Schedule 12A of the Act'.

When the meeting was moved back to open session, the Deputy Monitoring Officer clarified to the Committee the potential outcome of the meeting, either to let the decision stand or refer the decision back to the Executive.

Councillor Finlay proposed that the committee refer the decision back to the Executive Committee. He acknowledged that some of his points raised had been dealt with but that the decision should go back to the Executive due to a lack of evidence in relation to cost analysis, sustainability appraisals, and that further information was required including a wider scoping exercise regarding the comparator studies of the stadia at Leigh, Warrington and York.

In the ensuing debate the Corporate Director explained that all of Workington Town RLFC shareholders were in favour of the proposal and that shareholders of Workington Reds AFC were meeting soon after this meeting. He went on to clarify that mitigation is in place to minimise potential risks but he acknowledged that going forward, improved communication is needed.

Following the debate a vote was taken whether to refer the decision back to the Executive noting the request for further clarity regarding the cost analysis, comparator studies and sustainability appraisals.

5 voted in favour of referring the decision back to the Executive  
5 voted in favour of letting the decision stand  
0 Abstentions

As Chair, Councillor Pitcher had the casting vote and voted to refer the decision made on 22nd March 2019 back to the Executive.

**The meeting closed at 1.05 pm**

## Allerdale Borough Council – Executive Reports and Key Decisions

1 June 2019 to 31 May 2020

Decision	Date decision to be made and decision maker	Open/Exempt	Portfolio Holder	Officer contact details
<p><b>Capital Investment Strategy 2019/20</b></p> <p>Non-Key Decision</p> <p>To present the Capital Investment Strategy</p>	<p>Executive</p> <p>17 April 2019</p> <p>Council</p> <p>17 July 2019</p>	Open	Executive Member: Corporate Resources (Finance and Property) (Councillor Mike Johnson)	<p>Catherine Nicholson, Head of Financial Services</p> <p>catherine.nicholson@allerdale.gov.uk</p>
<p><b>World Cup Host Agreement</b></p> <p>Key Decision</p> <p>To consider the host agreement for the RL World Cup 2021</p>	<p>Executive</p> <p>TBC</p>	Part exempt		<p>Nik Hardy, Head of Strategy, Policy and Performance</p> <p>nik.hardy@allerdale.gov.uk</p>
<p><b>Q4 Performance Report 2018/19</b></p> <p>Non-Key Decision</p> <p>A report detailing performance against the Corporate Business Plan 2018/19 at the end</p>	<p>Executive</p> <p>28 June 2019</p>	Open	Executive Member: Leader of the Council (Councillor Marion Fitzgerald)	<p>Alex FitzGerald, Senior Policy and Improvement Officer</p> <p>alex.fitzgerald@allerdale.gov.uk</p>

of Quarter 4 2018/19.				
<p><b>Revenue &amp; Capital Outturns 2018/19</b></p> <p>Non-Key Decision</p> <p>To inform members of the</p> <ul style="list-style-type: none"> <li>• revenue outturn for 2018/19 and make recommendations on budget carry forwards and transfers to and from reserves.</li> <li>• capital outturn position for 2018/19 and to approve the carry-forward of capital resources to 2018/19.</li> </ul>	<p>Executive</p> <p>28 June 2019</p>	Open	<p>Executive Member: Corporate Resources (Finance and Property) (Councillor Mike Johnson)</p>	<p>Catherine Nicholson, Head of Financial Services</p> <p>catherine.nicholson@allderdale.gov.uk</p>
<p><b>Corporate Business Plan 2019/20</b></p> <p>Key Decision</p> <p>To approve the 2019/20 Corporate Business Plan. The Business Plan sets out specific activity that will be undertaken over the next year to work towards achieving</p>	<p>Executive</p> <p>10 July 2019</p>	Open	<p>Executive Member: Leader of the Council (Councillor Marion Fitzgerald)</p>	<p>Alex FitzGerald, Senior Policy and Improvement Officer</p> <p>alex.fitzgerald@allderdale.gov.uk</p>

the objectives set out in the Council Plan and is the proposed vehicle by which the Council will report progress against Council Plan 2019-23 commitments.				
<b>Members Allowances 19/20</b>  Non-Key Decision	Council  17 July 2019	Open	Executive Member: Governance and People Resources (Councillor John Cook)	Lee Jardine, Democratic and Support Services Officer  lee.jardine@allerdale.gov.uk
<b>Statement of Accounts</b>  Non-Key Decision  To present members with the Statement of Accounts for consideration and approval	Audit Committee  26 July 2019	Open	Executive Member: Governance and People Resources (Councillor John Cook)	Catherine Nicholson, Head of Financial Services  catherine.nicholson@allerdale.gov.uk
<b>Quarter 1 Finance Report April to June 2019</b>  Non-Key Decision  To inform members of the Council's financial performance against budget for the period	Executive  4 September 2019	Open	Executive Member: Corporate Resources (Finance and Property) (Councillor Mike Johnson)	Catherine Nicholson, Head of Financial Services  catherine.nicholson@allerdale.gov.uk

April to June 2019 along with the forecast position to 31 March 2020				
<p><b>2020/21 Budget Strategy &amp; Updated Medium Term Financial Plan 2019/20 to 2022/23</b></p> <p>Non-Key Decision</p> <p>To present the updated Medium Term Financial Plan (MTFP) and outline the risks and assumptions that will underpin the budget strategy for 2020/21</p>	<p>Executive</p> <p>4 September 2019</p>	<p>Open</p>	<p>Executive Member: Corporate Resources (Finance and Property) (Councillor Mike Johnson)</p>	<p>Catherine Nicholson, Head of Financial Services</p> <p>catherine.nicholson@allderdale.gov.uk</p>
<p><b>Allonby to Silloth multi-user coastal path</b></p> <p>Key Decision</p> <p>Silloth on Solway Coastal Community Team has secured £1 million of Coastal Communities funding to extend the coastal multi-user path from Allonby to Silloth. Allerdale Borough Council is the</p>	<p>Executive</p> <p>4 September 2019</p>	<p>Part exempt</p> <p>If an open procurement is considered the best option tender returns submitted may be commercially sensitive.</p>	<p>Executive Member: Deputy Leader - Economic Growth (Councillor Mark Jenkinson)</p>	<p>Joe Broomfield, Town Centre Area Manager</p> <p>joe.broomfield@allderdale.gov.uk</p>

Accountable Body for the Silloth on Solway Coastal Community Team and is leading on the delivery of the construction of the new path. A procurement exercise will be undertaken to select a lead contractor for the construction phase of the project.				
<p><b>Annual Governance Statement</b></p> <p>Key Decision</p> <p>To Agree the Annual Governance Statement</p>	<p>Audit Committee</p> <p>26 July 2019</p> <p>Council</p> <p>25 September 2019</p>	Open	Executive Member: Governance and People Resources (Councillor John Cook)	<p>Sharon Sewell, Head of Governance and Regulatory Services and Monitoring Officer</p> <p>sharon.sewell@allerdale.gov.uk</p>
<p><b>Quarter 1 Performance Report 2019/20</b></p> <p>Non-Key Decision</p> <p>A report detailing performance against the Corporate Business Plan at the end of Quarter 1 2019/20</p>	<p>Executive</p> <p>4 September 2019</p>	Open	Executive Member: Leader of the Council (Councillor Marion Fitzgerald)	<p>Alex FitzGerald, Senior Policy and Improvement Officer</p> <p>alex.fitzgerald@allerdale.gov.uk</p>

<p><b>Treasury Management Operation Annual Report 2018/19</b></p> <p>Non-Key Decision</p> <p>To inform members of the performance of the Council's treasury management activities for the year</p>	<p>Audit Committee</p> <p>26 July 2019</p> <p>Council</p> <p>25 September 2019</p>	<p>Open</p>	<p>Executive Member: Governance and People Resources (Councillor John Cook)</p>	<p>Barry Lennox, Financial Services Manager</p> <p>barry.lennox@allerdale.gov.uk</p>
<p><b>Quarter 2 Performance Report 2019/20</b></p> <p>Non-Key Decision</p> <p>A report detailing performance against the Corporate Business Plan at the end of Quarter 2 2019/20.</p>	<p>Executive</p> <p>27 November 2019</p>	<p>Open</p>	<p>Executive Member: Leader of the Council (Councillor Marion Fitzgerald)</p>	<p>Alex FitzGerald, Senior Policy and Improvement Officer</p> <p>alex.fitzgerald@allerdale.gov.uk</p>
<p><b>Treasury Management Operations – Mid-year review 2019/20</b></p> <p>Non-Key Decision</p> <p>To inform members of the Council's treasury management activities during the six month period ending 30th</p>	<p>Audit Committee</p> <p>26 November 2019</p> <p>Council</p> <p>11 December 2019</p>	<p>Open</p>	<p>Executive Member: Governance and People Resources (Councillor John Cook)</p>	<p>Barry Lennox, Financial Services Manager</p> <p>barry.lennox@allerdale.gov.uk</p>

September 2019				
<p><b>Quarter 2 Finance report and Revised budget 2019/20</b></p> <p>Non-Key Decision</p> <p>To inform members of the Council's financial performance against budget for the period April to September 2019 along with the forecast position to 31 March 2020 and to seek approval for the revised revenue and capital budgets for 2019-20</p>	<p>Council</p> <p>11 December 2019</p>	Open	<p>Executive Member: Corporate Resources (Finance and Property) (Councillor Mike Johnson)</p>	<p>Catherine Nicholson, Head of Financial Services</p> <p>catherine.nicholson@allerdale.gov.uk</p>
<p><b>Calculation of Council Tax Base 2020/21</b></p> <p>Key Decision</p> <p>To seek approval of the calculation of the council tax base for the whole district and for each parish and town council for 2020-21</p>	<p>Council</p> <p>29 January 2020</p>	Open	<p>Executive Member: Corporate Resources (Finance and Property) (Councillor Mike Johnson)</p>	<p>Catherine Nicholson, Head of Financial Services</p> <p>catherine.nicholson@allerdale.gov.uk</p>
<p><b>Quarter 3 Finance Report Oct to Dec</b></p>	Executive	Open	Executive Member: Corporate Resources	Catherine Nicholson, Head of Financial

<p><b>2019</b></p> <p>Non-Key Decision</p> <p>To inform members of the Council's financial performance against budget for the period April to December 2019 along with the forecast position to 31 March 2020</p>	<p>19 February 2020</p>		<p>(Finance and Property) (Councillor Mike Johnson)</p>	<p>Services</p> <p>catherine.nicholson@allerdale.gov.uk</p>
<p><b>Quarter 3 Performance Report 2019/20</b></p> <p>Non-Key Decision</p> <p>A report detailing performance against the Corporate Business Plan at the end of Quarter 3 2019.20.</p>	<p>Executive</p> <p>19 February 2020</p>	<p>Open</p>	<p>Executive Member: Leader of the Council (Councillor Marion Fitzgerald)</p>	<p>Alex FitzGerald, Senior Policy and Improvement Officer</p> <p>alex.fitzgerald@allerdale.gov.uk</p>
<p><b>Council Tax Resolution Report 2020/21</b></p> <p>Key Decision</p> <p>To approve the necessary resolutions for Council Tax setting in accordance with</p>	<p>Council</p> <p>4 March 2020</p>	<p>Open</p>	<p>Executive Member: Corporate Resources (Finance and Property) (Councillor Mike Johnson)</p>	<p>Catherine Nicholson, Head of Financial Services</p> <p>catherine.nicholson@allerdale.gov.uk</p>

Sections 31 – 36 of the Local Government Finance Act 1992.				
<p><b>Revenue &amp; Capital Budget Proposals 2020/21</b></p> <p>Key Decision</p> <p>To seek approval for the revenue and capital budgets and to present the formal advice of the Chief Finance Officer on the robustness of estimates included in the budget and the adequacy of reserves which support the Council's budgetary plans</p>	<p>Executive</p> <p>19 February 2020</p> <p>Council</p> <p>4 March 2020</p>	Open	Executive Member: Corporate Resources (Finance and Property) (Councillor Mike Johnson)	<p>Catherine Nicholson, Head of Financial Services</p> <p>catherine.nicholson@allerdale.gov.uk</p>
<p><b>Treasury Management Strategy, Annual Investment Strategy and Minimum Revenue Provision Policy Statement 2020/21</b></p> <p>Non-Key Decision</p> <p>To present the Treasury Management Strategy</p>	<p>Audit Committee</p> <p>18 February 2020</p> <p>Council</p> <p>4 March 2020</p>	Open	Executive Member: Governance and People Resources (Councillor John Cook)	<p>Barry Lennox, Financial Services Manager</p> <p>barry.lennox@allerdale.gov.uk</p>

Statement, Annual Investment Strategy and Minimum Revenue Provision Policy Statement				
<b>Capital Investment Strategy 2020/21</b>  Non-Key Decision  To present the Capital Investment Strategy	Executive  19 February 2020  Council  4 March 2020	Open	Executive Member: Corporate Resources (Finance and Property) (Councillor Mike Johnson)	Catherine Nicholson, Head of Financial Services  catherine.nicholson@allerdale.gov.uk
<b>Quarter 4 Performance Report 2019/20</b>  Non-Key Decision  A report detailing performance against the Corporate Business Plan at the end of Quarter 4 2019/20.	Executive  13 May 2020	Open	Executive Member: Leader of the Council (Councillor Marion Fitzgerald)	Alex FitzGerald, Senior Policy and Improvement Officer  alex.fitzgerald@allerdale.gov.uk

Meetings of the Council, Executive and Scrutiny Committees are open to the public (except when exempt (confidential) items are being considered). It is advisable to check the agenda before attending a meeting, as decision dates may be subject to change. Agendas and supporting documents for meetings of the Executive can be found on the Council's website [www.allerdale.gov.uk](http://www.allerdale.gov.uk) or at Allerdale House, Workington, Cumbria, CA14 3YJ

Further information is available by calling 01900 702502

Any representations as to why a meeting should be open to the public should be made in writing to Democratic Services at the above address

A list of the Executive members can be found at <http://democracy.allerdale.gov.uk/mgCommitteeDetails.aspx?ID=11>

# Agenda Item 8

Allerdale Borough Council

Overview and Scrutiny Committee – 28 June 2019

## Potential items for the 2019 - 2020 Work Programme

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<b>The Reason for the Decision</b>	This report outlines suggested items for inclusion in the Committee's work programme for 2019-2020.
<b>Summary of options considered</b>	Not applicable.
<b>Recommendations</b>	<ol style="list-style-type: none"><li>1. That the Committee considers the lists of suggestions set out in this report;</li><li>2. That the Committee agrees selected topic items for the work programme.</li></ol>
<b>Financial / Resource Implications</b>	There are no direct implications.
<b>Legal / Governance Implications</b>	There are no direct implications.
<b>Community Safety Implications</b>	There are no direct implications.
<b>Health and Safety and Risk Management Implications</b>	There are no direct implications.
<b>Equality Duty considered / Impact Assessment completed</b>	Not required for this report.
<b>Wards Affected</b>	All
<b>The contribution this decision would make to the Council's priorities</b>	The role of the Overview and Scrutiny Committee contributes to all Council Plan priorities.
<b>Is this a Key Decision</b>	No
<b>Portfolio Holder</b>	Not applicable
<b>Lead Scrutiny Member</b>	Councillor Alan Pitcher and Councillor Iain Greaney (Co-Chairs)
<b>Lead Officer</b>	Ian Hinde Policy Officer (Scrutiny and Partnerships) 01900 702544 ian.hinde@allerdale.gov.uk

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**Report Implications** (Please delete where applicable).

Community Safety	N	Employment (external to the Council)	N
Financial	N	Employment (internal)	N
Legal	N	Partnership	N
Social Inclusion	N	Asset Management	N
Equality Duty	N	Health and Safety	N

**1.0 Background and introduction**

- 1.1 For a scrutiny committee to have a real impact, it needs to draw up a work programme that sets its agenda and clearly prioritises issues of concern based on clear evidence and judgement about where it can have most impact.
- 1.2 Whilst a committee has the power to look at anything which affects an area or its inhabitants, and there may be a temptation to create a comprehensive work programme, often time and resource constraints mean that it will not be possible to cover all issues of interest to local people. Selecting specific topics which clearly focus on the issue to be scrutinised will help the Committee to concentrate its efforts into those areas which will have the greatest effect.
- 1.3 In this Council, the Overview and Scrutiny Committee operates a work programme of topics to be considered during the year.
- 1.4 This report outlines suggestions for inclusion in the new Committee’s work programme, incorporating both new items and those remaining from the previous committee’s work programme.
- 1.5 A set of criteria to assist with topic selection is incorporated in the report.

**2.0 Suggested topics**

- 2.1 The tables below show the suggested topics with further explanation alongside. The first table below shows topics carried over from the previous Committee.

<b>1. Continue to monitor the development of Reedlands Road units</b>	The previous Committee had received progress reports on the development of new industrial units.
<b>2. Review and refresh of the Leisure Strategy</b>	The current Leisure Strategy has now reached the end of its timespan. The previous Committee anticipated reviewing the success of the strategy and any intentions for creating a refreshed or new strategy.

<b>3. Completion of exploration of ESF funded training provision</b>	The previous Committee had received presentations from a number of local training providers together with an overview from Cumbria LEP.
<b>4. Review of the Solway Coast Area of Outstanding Natural Beauty</b>	The previous Committee had expected to review the A.O.N.B. as part of the portfolio presentation from the former Executive Member for Leisure and Tourism. Note: This is a Joint Advisory Committee Incl. Allerdale Borough Council, Cumbria County Council and Carlisle City Council.
<b>5. Annual update from the Community Safety Partnership</b>	Scrutiny of the Community Safety Partnership is written into legislation as a requirement of the Overview and Scrutiny Committee.

2.2 The table below shows newly suggested topics gathered from a variety of sources.

<b>1. Continue to monitor the development of the proposed stadium</b>	The previous Committee had held a call in meeting regarding the stadium. The outcome of that meeting was to refer the decision back to the Executive, which is scheduled to meet in the afternoon following this meeting.
<b>2. Review of the recent Community Services procurements</b>	The recent procurement of waste, recycling and street cleaning services has highlighted an opportunity to review procurement practices across the Council.
<b>3. Refresh of the Housing Strategy</b>	The previous Committee considered the Housing Strategy. It is now due to be refreshed in the coming months. The new Committee may choose to continue this involvement.
<b>4. Governance of the Council's role as a corporate charity trustee</b>	The Committee may wish to consider how the Council approaches governance of this distinct role, and how it reports on its charity trustee functions. Being a Charity Trustee is a profound responsibility, with potential personal liability for councillors.
<b>5. Analysis of income and spend by geographic area</b>	The Council Tax base for each area is known and therefore how much it contributes; and the same for the Business Rates base. Discretionary income is known too: council property which generates income is readily identifiable in its location. Most mainstream revenue budget spend is on non-geographically specific services, like bins, so may be discounted when considering discretionary spending by location. This issue has arisen before and it is suggested it needs facts and evidence for further consideration.

<p><b>6. Rural issues, particularly considering addressing social exclusion</b></p>	<p>The issues of social exclusion for those living in rural areas are a concern for a number of organisations both locally and nationally, as well as for local people and local councillors are their representatives. With a number of possible issues to explore, the Committee would need to identify an aspect to focus upon.</p>
<p><b>7. Brexit implications for the borough</b></p>	<p>Similar to the topic area above, there are a number of possible aspects of the implications of leaving the European Union which may impact upon the borough. To be effective, the Committee would need to focus on a specific aspect as its priority.</p>
<p><b>8. Planning and development issues</b></p>	<p>Recent government advice and the implementation of planning policies creates a variety of responses within communities. How effective is this Council in balancing the competing demands – for example biodiversity issues within planning considerations?</p>
<p><b>9. Climate emergency and related issues</b></p>	<p>Parliament has declared a climate emergency. Many Councils have followed suit. What is the Council going to do, both as an organisation and as the local government of Allerdale? As the sea level rises we may expect to have to evacuate some coastal communities and major flood events could make some community areas totally uninhabitable.</p> <p>Related to the issues of climate change is the Council's position on coastal issues. As a district with one of the longest stretches of coastline, the Council currently has no specific policy relating to the coast. The remit of an overview and scrutiny committee can include policy development such as this.</p>

2.3 This list is wide-ranging and it would not be possible to consider all topics identified above in sufficient appropriate detail within a twelve month period. The advice given at the recent induction training was to select topics based on the relevance and effect on the greatest number of people as a result of scrutinising a specific item.

2.4 The following criteria used by previous Overview and Scrutiny Committees may be helpful in selecting topics:

**Criteria for Selection of Items**

- ❖ Issue identified by Members as a key issue for the public (through Member surgeries and other contact with constituents).
- ❖ Poor performing services (evidence from performance indicators or benchmarking)

- ❖ Service ranked as important by Council's community (through surveys or other means)
- ❖ High level of user or general public dissatisfaction with service
- ❖ Public interest issue covered in local media
- ❖ High level of budgetary commitment to the service/policy area (as a percentage of total expenditure)
- ❖ Pattern of budgetary overspends
- ❖ Council/Corporate priority area
- ❖ Central Government priority area
- ❖ Issues raised by external audit manager letters or external audit reports
- ❖ Key issues or new evidence provided by external organisations on key issue
- ❖ Issue highlighted by call in process
- ❖ Forward Plan
- ❖ Other

**Potential criteria for rejection**

- ❖ Issue currently being examined by the Executive
- ❖ Issue currently being examined by a staff group: changes may be imminent
- ❖ Issue will be addressed as part of a review within the next year
- ❖ Other

### **3.0 Task and Finish Groups**

- 3.1 The Committee has the option to set up task and finish groups to address selected topics.
- 3.2 Task and finish groups can include non-Committee members and invite those with specific interest or expertise from outside the Council to join a task and finish group.

### **4.0 Recommendations**

- 4.1 It is recommended:
- That the Committee considers the lists of suggestions set out in this report;
  - That the Committee agrees selected topic items for the work programme.

## **5.0 Conclusion**

- 5.1 The Committee has a broad range of topics from which to select its focused work programme, and it is unlikely that all topics identified in this report can be covered.
- 5.2 The Committee has a number of options available to address the execution of the work programme including task and finish groups or 'scrutiny in a day' approaches.

**Ian Hinde  
Policy Officer (Scrutiny and Partnerships)**

Supporting paper for item 9

The recent Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities suggests establishing a protocol between the Executive and the Overview and Scrutiny Committee. Reprinted below is the Ministry of Housing, Communities and Local Government's illustrative scenario from the guidance, although for clarity the word 'cabinet' in the original has been changed to 'Executive' in this version.

An executive-scrutiny protocol can deal with the practical expectations of scrutiny committee members and the executive, as well as the cultural dynamics.

Workshops with scrutiny members, senior officers and Executive can be helpful to inform the drafting of a protocol. An external facilitator can help bring an independent perspective.

Councils should consider how to adopt a protocol, e.g. formal agreement at scrutiny committee and Executive, then formal integration into the Council's constitution at the next Annual General Meeting.

The protocol, as agreed, may contain sections on:

- The way scrutiny will go about developing its work programme (including the ways in which senior officers and Executive members will be kept informed);
- The way in which senior officers and Executive will keep scrutiny informed of the outlines of major decisions as they are developed, to allow for discussion of scrutiny's potential involvement in policy development. This involves the building in of safeguards to mitigate risks around the sharing of sensitive information with scrutiny members;
- A strengthening and expansion of existing parts of the code of conduct that relate to behaviour in formal meetings, and in informal meetings;
- Specification of the nature and form of responses that scrutiny can expect when it makes recommendations to the Executive, when it makes requests to the executive for information, and when it makes requests that Executive members or senior officers attend meetings; and
- Confirmation of the role of the statutory scrutiny officer, and Monitoring Officer, in overseeing compliance with the protocol, and ensuring that it is used to support the wider aim of supporting and promoting a culture of scrutiny, with matters relating to the protocol's success being reported to full Council through the scrutiny Annual Report.

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