

BABERGH DISTRICT COUNCIL

TO: Council	REPORT NUMBER: BC/21/13
FROM: Chair of Overview and Scrutiny Committee	DATE OF MEETING: 21 September 2021

Chair: Mary McLaren

Members were advised at the last Council Meeting 29 July 2021 that the previous Joint Overview and Scrutiny Committee held on 28 June 2021 was closed prematurely due to some members of the Babergh Overview and Scrutiny Committee leaving the meeting early and thus rendering the meeting inquorate.

Both Chairs took advice from officers and the remaining agenda items of 28 June 2021 were transferred as an inclusive agenda for 19 July 2021 and the proposed agenda for August was deferred.

The August Meeting however was cancelled to allow further development of reports and presentations for the meeting to be held on 20 September 2021.

19 July 2021 - Joint Overview and Scrutiny of outstanding items from 28 June 2021 - Chair Keith Welham.

Questions by the Public

The Governance Officer reported that one question had been received from Mr Thomas Morelli. It was noted that this question had been read out at the previous meeting. The question was in regard to the Shared Legal Services which had been operating across both councils since July 2018.

In that time there had been a number of occasions relating to successful or conceded legal challenges against both councils e.g The recent part conceded case by Babergh District Council brought by Boxford Parish Council. This raised the potential issues of the quality advice provided by the Shared Legal Service.

This Item was fully debated in the later Work Plan Discussions

Information Bulletins are not for debate or discussion but are presented for information only and enable committee members to clarify the detail or request explanation of the text.

Land Adoption Policy Information Bulletin

The Assistant Director - Environment and Commercial Partnerships introduced the information bulletin on the Land Adoption Policy to the Committee alongside the Corporate Manager for Strategic Property.

Access to high quality open spaces and opportunities for sport and recreation make an important contribution to the health & wellbeing of communities.

There is no legal requirement for Councils to adopt open spaces arising as part of a new development though alternative management arrangements are being considered. However the National Planning Policy Framework requires local planning authorities to set out policies to guide and facilitate all aspirations around “open spaces”

Questions by Committee Members covered the possible requirements of developers to maintain the land within their development site or not, the maintenance of roadside verges within planned developments and the responsibility of planners to ensure these were protected at the outset. Recognising there is a joint responsibility with the County Council for maintaining grass verges, a policy document to support this decision-making process is being created.

Questions asked on the availability of a District Wide Map to highlight all open spaces on council and public land and how planning enforcement might be involved, received re-assurance that the Council’s on-line mapping software was being updated to include many uses including involvement with the Local Plan.

The Corporate Manager for Strategic Property re-affirmed that the Land Adoption Policy review was intended to capture points such as ownership of open spaces, Section 106 Agreements within time constraints and the use of verges and their ownership.

Insourcing Public Realm Project Information Bulletin

The Assistant Director for Environment and Commercial Partnerships introduced the information bulletin.

Public Realm is one of only two services that remains to be integrated under the “Working Together” arrangements. At present Mid Suffolk District Council uses an in-house team to deliver services whilst Babergh District Council has an outsourced contract with IdVerde.

Following a Scrutiny session by this Committee, a Cabinet Decision in September 2020 resolved that the Public Realm services be brought together in a single in-house operation. It was also resolved that LATCo (A trading company - wholly owned) be retained as an option for the remainder of 2021.

The bulletin summarises the work of the group of cross-functional team of officers set up to manage development and delivery of the project. Areas covered were Staff, Data, Procurement, Finance and a Public Realm organisational review.

Questions by the Committee, about the possible TUPE transfer of existing outsourced staff to Council employment and how that may affect the level or quality of service proposed was significant. The Committee were re-assured that informal 1:1 meetings with all those concerned, had set out the standard of work required by the Council and the cultural change involved in joining the Council’s insourced team and that the current standards of work were not acceptable.

Concerns raised that the current insourced team’s work could be diluted by this change of incoming staff were reassured.

The Committee queried the amount of data in the bulletin however not all the data of changes were included in the bulletin. Questions on the method of procurement, the environmental impact on the service and concerns regarding staff shortages at the handover were all answered by the Assistant Director for the Environment and Commercial Partnerships and many of these concerns had been identified on the Council's Risk Register.

Both Information bulletins were noted by the Committee.

Task and Finish Group – Scoping of Transport in the Districts

The Chair introduced the item for a Task and Finish Group to scope a potential item for scrutinising Transport in the Babergh & Mid Suffolk districts with the possibility of co-opted officers providing professional advice and guidance.

Very strong feelings were expressed by individual members including the fact that most transport is a County Council function and any proposals would be costly and there is no money. This was balanced by members who felt strongly regarding the situations of all their residents in rural areas.

Members of the committee debated whether this would be a good use of the Council's resources when they had no power over the final decision being taken and whether a county wide approach would be better suited to the topic.

The Chairman reminded Members that the role of the proposed Task and Finish Group was to scope whether it was worthwhile to conduct a scrutiny and that the Group could return their findings that it was not worth undertaking.

A motion "That Overview & Scrutiny scoping Transport is outside the remit of the Committee" was lost. A counter motion to create a Task & Finish Group for the scoping of Transport was carried.

It was RESOLVED

That the Joint Overview and Scrutiny Committee does create a task and finish group for the scoping of transport in the districts

It was RESOLVED

That the Chairs of BDC and MSDC Overview and Scrutiny Committees formulate the task and finish group with 2 members from each Council excluding the Chairs.

Babergh Overview and Scrutiny Work Plan

It was RESOLVED

That the BDC workplan was noted and updated with the following additions

- **That the Shared Legal Service be reviewed in November 2021**
- **That the Land Adoptions Policy be reviewed in November 2021**

- **That the Review of Stella Maris be added to the BDC work plan only for December 2021**
- **That an information bulletin be brought before Members on the Electronic Complaints process.**
- **That a review of the Support given by the Suffolk Association of Local Councils (SALC) be added to the workplan.**