

Overview & Scrutiny Committee

Agenda

Date

Tuesday 8 October 2019

Members of the Overview & Scrutiny Committee

Mr S Riley
(Chairman)

Mr A D Adams
(Vice Chairman)

Mr S C Beadle
Mr N J Brennan
Mr P E Bulman
Ms S J Catchpole
Ms N J Harpley
Ms S I Holland
Mr K S Kelly

Mr D King
Mr M L Murrell
Mr G K Nurden
Mrs S M Prutton
Mrs C E Ryman-Tubb
Mr N C Shaw

Substitutes Conservative

Mr A D Crotch
Mr J F Fisher
Mr R R Foulger
Ms R M Grattan
Mr K G Leggett
Mr I J Mackie
Mr G F Peck
Miss J L Thomas
Mrs K A Vincent
Mr J M Ward

Substitutes Liberal Democrat

Mr D G Harrison
Mrs C Karimi-Ghovanlou
Dr K E Lawrence
Mr D Roper

Substitute Labour

Mrs B Cook

Time

10.00 am

Place

Council Chamber
Thorpe Lodge
1 Yarmouth Road
Thorpe St Andrew
Norwich

Contact

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@BCCDemServices

If any Member wishes to clarify details relating to any matter on the agenda they are requested to contact the relevant Director / Assistant Director

The Openness of Local Government Bodies Regulations 2014

Under the above Regulations, any person may take photographs, film and audio-record the proceedings and report on all public meetings. If you do not wish to be filmed / recorded, please notify an officer prior to the start of the meeting. The Council has a protocol, a copy of which will be displayed outside of each meeting room and is available on request.

**The Chairman will ask if anyone wishes to
film / record this meeting**

A G E N D A

Page No

- | | | |
|-----------|--|----------------|
| 1 | To receive declarations of interest under Procedural Rule no 8 | 4 – 5 |
| 2 | Apologies for absence | |
| 3 | <u>Minutes of meeting held on 24 September 2019</u> | 6 – 9 |
| 4 | Matters arising therefrom (including the outcomes of the Committee's recommendations to Cabinet) | |
| 5 | Chairman's Announcements | |
| 6 | Public Speaking

To consider representation from the members of the public who have expressed the wish to convey their views on items on this agenda.

In accordance with the Constitution a period of 3 minutes is allowed per member of the public. | |
| 7 | Tourism in Broadland

To receive a presentation from the Chief Executive of Visit East Anglia. | |
| 8 | Tourism Statistics

To receive a summary of tourism statistics for the District. | |
| 9 | Resilience Update

To receive an update from the Emergency Planning Manager. | |
| 10 | <u>EcoCube Time and Task Panel Recommendation Report</u>

To receive the Panel's Recommendation Report. | 10 – 20 |
| 11 | <u>Norfolk Health Overview and Scrutiny Committee Update</u>

To receive an update from the Committee's Member representative. | 21 – 26 |
| 12 | <u>Overview and Scrutiny Committee Work Programme</u>

To consider the Committee's Work Programme. | 27 – 29 |
| 13 | <u>Overview and Scrutiny Recommendation Tracker</u>

To consider the recommendation tracker. | 30 |

Trevor Holden
Managing Director

DECLARATIONS OF INTEREST AT MEETINGS

When declaring an interest at a meeting Members are asked to indicate whether their interest in the matter is pecuniary, or if the matter relates to, or affects a pecuniary interest they have, or if it is another type of interest. Members are required to identify the nature of the interest and the agenda item to which it relates. In the case of other interests, the member may speak and vote. If it is a pecuniary interest, the member must withdraw from the meeting when it is discussed. If it affects or relates to a pecuniary interest the member has, they have the right to make representations to the meeting as a member of the public but must then withdraw from the meeting. Members are also requested when appropriate to make any declarations under the Code of Practice on Planning and Judicial matters.

Have you declared the interest in the register of interests as a pecuniary interest? If Yes, you will need to withdraw from the room when it is discussed.

Does the interest directly:

1. Affect yours, or your spouse / partner's financial position?
2. Relate to the determining of any approval, consent, licence, permission or registration in relation to you or your spouse / partner?
3. Relate to a contract you, or your spouse / partner have with the Council
4. Affect land you or your spouse / partner own
5. Affect a company that you or your partner own, or have a shareholding in

If the answer is "yes" to any of the above, it is likely to be pecuniary.

Please refer to the guidance given on declaring pecuniary interests in the register of interest forms. If you have a pecuniary interest, you will need to inform the meeting and then withdraw from the room when it is discussed. If it has not been previously declared, you will also need to notify the Monitoring Officer within 28 days.

Does the interest indirectly affect or relate any pecuniary interest you have already declared, or an interest you have identified at 1-5 above?

If yes, you need to inform the meeting. When it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.

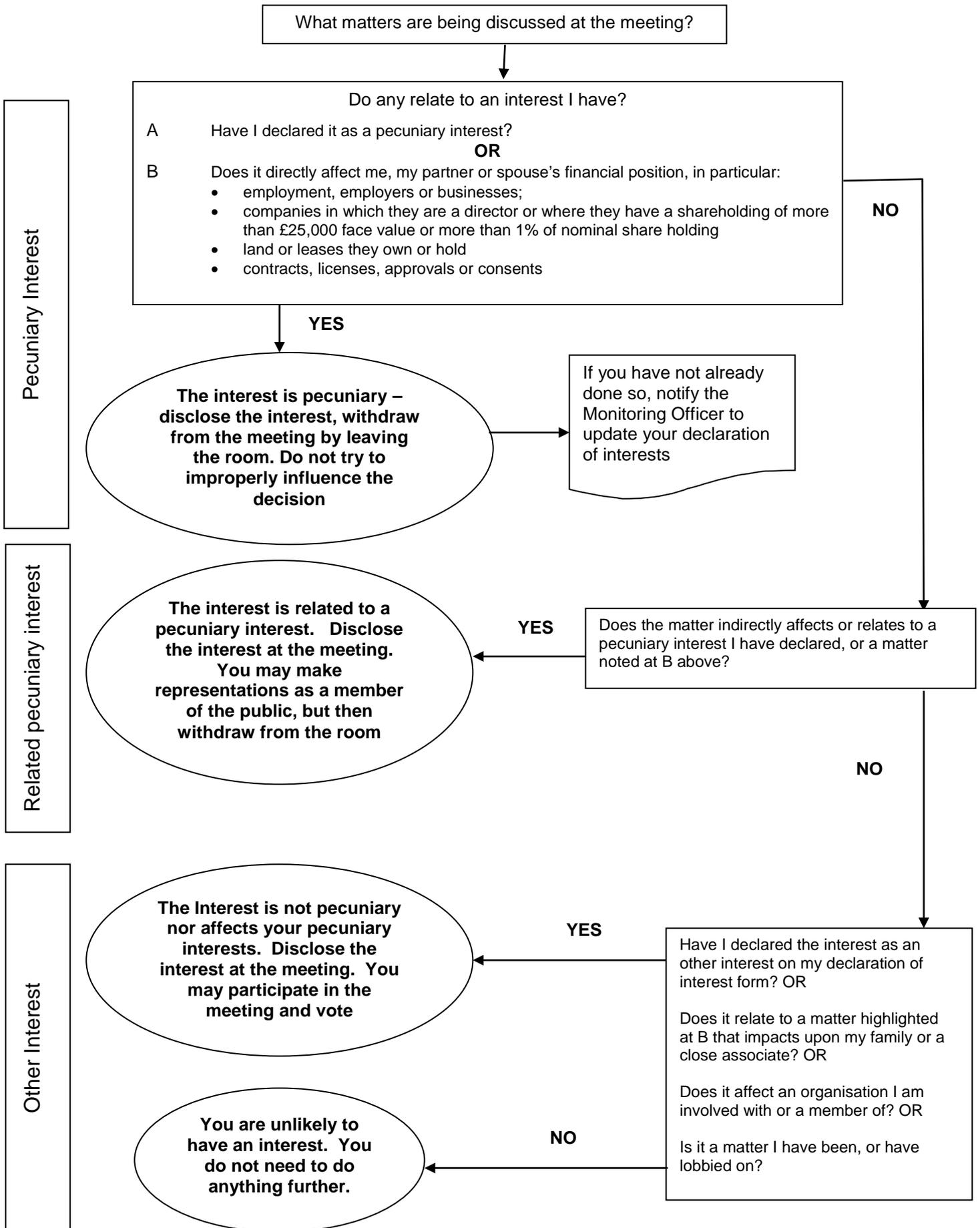
Is the interest not related to any of the above? If so, it is likely to be another interest. You will need to declare the interest, but may participate in discussion and voting on the item.

Have you made any statements or undertaken any actions that would indicate that you have a closed mind on a matter under discussion? If so, you may be predetermined on the issue; you will need to inform the meeting, and when it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.

FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF

PLEASE REFER ANY QUERIES TO THE MONITORING OFFICER IN THE FIRST INSTANCE

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



Minutes of a meeting of the **Overview & Scrutiny Committee – Review of Cabinet Agenda** held at Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich on **Tuesday 24 September 2019** at **10.00 am** when there were present:

Mr S Riley – Chairman

Mr S C Beadle
Mr N J Brennan
Ms S J Catchpole
Mr A Crotch

Mr R Grattan
Ms N J Harpley
Ms S I Holland
Mr K S Kelly

Mr D King
Mr M L Murrell
Mr G K Nurden
Mrs S M Prutton

Also in attendance were the Managing Director, Director of Resources, Chief of Staff, Assistant Director Governance & Business Support (Monitoring Officer) and the Committee Officer (JO).

54 APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr Adams, Mr Bulman and Mr Shaw.

55 MINUTES

The Minutes of the meeting held on 27 August 2019 were confirmed and signed by the Chairman as a correct record.

56 CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised Members that following the meeting on 8 October 2019 the Committee would hold an informal session to identify their budget questions for the joint meeting with Cabinet in December.

Members were also informed that a training session for Members was being held on 3 October 2019 for the budget drafting process, which might also help identify financial issues that they might like to raise with Cabinet. This would be discussed further with the Chairman following today's meeting.

57 COLLABORATION

The Managing Director provided the Committee with an update on progress with the delivery of the collaboration project and in particular the establishment of the single officer team.

The timetable for delivery of the single paid service was slightly behind the schedule set out in the Feasibility Study, which had envisaged that the senior management team would be in place by the end of June. It would now be the end of November before the final Assistant Directors were in place, as they had been required to give three months' notice to their current employers.

Similarly, the Joint Staff Structure and Terms and Conditions consultation, which would conclude on 14 October 2019, was slightly behind schedule.

However, it was still on target to have the whole restructure process in place before Christmas, with initial modelling showing that 92 percent of staff would be the same or better off as a result of the restructure in terms of salary, although this was indicative and could change following the consultation. The consultation period was being used to ensure that job descriptions best matched the new posts, and the new ways of working, and most staff were engaging with this process. Members were asked to note that staff at Broadland had a three year salary protection scheme.

The Managing Director acknowledged that such significant change could be unsettling for staff, but one to one meetings, team briefings and drop in sessions to go through concerns were being held to help reassure officers. Moreover, formal consultation with UNISON and non-union staff representatives over the structure and terms and conditions had been constructive to date.

One example of the innovative and flexible approach being taken to the restructure was demonstrated through a phase one team review, by employing a senior role, (the Strategic Communications and Marketing Manager) as a job share.

Officers were also being encouraged to apply for posts in the Internal Consultancy Team, which will lead programmes and projects to drive change across the two Councils. This Team offered excellent career development opportunities, as it would help both Councils grow, evolve and meet challenges and might even provide income through selling its expertise to other local authorities longer term.

More challenging and resource intensive work would commence in the New Year, with such projects as joint procurement, shared IT and waste collection. It would also be proposed to move to a two year delivery planning cycle. Performance reports would also separate transactional performance from strategic ambition to get a better view of how the Council was delivering services.

A single domain name for Broadland and South Norfolk had also been consulted upon and would be put to Members for a final decision shortly.

A review would also take place of policies and procedures, so they could be aligned to drive efficiencies, whilst respecting the autonomy of each local authority. Consideration would also be given to areas such as the environment to mitigate the impacts of a single service working from two sites, and this was a reason that a flexible approach to home working was being considered. Relevant reports on proposals for key / policy changes as a result of the transformation work would be brought to member groups through the usual process committee process. Member Workshops to look at work streams could be a further way of engaging Members in this process.

In response to a query, the Managing Director confirmed that the collaboration project was proceeding in accordance with the decision agreed by both Councils last year to deliver on their ambitions. He emphasised that a key driver of this had been uncertainty over local government finances, as

well as a duty to make efficiencies to protect the public purse whilst maintaining services.

He added that the collaboration project had a presumption against redundancy and there were enough posts for people within the new structures, with savings being made from deleting vacant funded posts that were no longer required through good housekeeping and working more effectively. The Council also had robust equalities policies in place to ensure that no vulnerable staff were disadvantaged.

Data from other authorities suggested that one in four of posts that became vacant through natural turnover each year could become a saving, as through collaborative working the Councils would not have to fill as many vacancies that arose. However, the longer-term aim was to grow the service to meet the challenges that would need to be faced in the future, rather than to shrink it.

It was confirmed that three senior managers at Broadland had received redundancy payments this year.

A Member suggested that data from exit interviews could be scrutinised to assess if a member of staff's departure was a 'regrettable loss' for either the individual or the organisation. She also said that the Managing Director should be allowed to manage the budget and that it was for Members to have an overview of the budget and how staff delivered outcomes, rather than getting involved in operational staff matters. She also asked how a balance was being struck between allocating posts for all staff and the need to get the right people in the right posts.

In response, the Managing Director confirmed that exit interviews took place and this data would be assessed to understand trends. He also advised the meeting that a financial tracker was being developed that would monitor the implications and options of what the Council was delivering via the single paid service, as well as the savings being made. In respect of appointing staff to the new structure he emphasised that as the organisations was on an ongoing transformation journey roles were likely to evolve and develop as needs arose.

In response to a query, the Managing Director confirmed that there was no plans to dispose of Thorpe Lodge or South Norfolk House, but it was intended to look into the value of the sites at some time in the future, so that an informed decision about them could be made.

The Chairman thanked the Managing Director for providing an update to the Committee.

Members requested that the Managing Director considered the support that the Committee needed, as had been provided in the past through a scrutiny research officer, as part of the team reviews.

58 COMMITTEE RECOMMENDATION RECORD UPDATE

The Committee was asked to note the content of the recommendation record and highlight any outstanding recommendations they wish to have followed up or reported back to a future Committee meeting.

The Committee was also asked to adopt a more frequent and regular approach to review of recommendations made through the inclusion of a tracker as a standing Agenda item for each meeting. This would ensure that the Committee was kept up to date with progress being made by officers with their recommendations and would remove the need for a regular six monthly report to be provided.

A Member requested that the Committee's recommendation that the NEWS Board of Directors review the accuracy of the Joint Venture Company's papers, specifically payments to Directors' fees, which were contrary to the Articles of Association and to identify who authorised those payments, be raised with the Board.

The Assistant Director of Governance and Business Support (Monitoring Officer) confirmed that she would follow up on this recommendation and report back to a future meeting.

RESOLVED

- (1) note the contents of the Recommendation Record, and
- (2) place a standing item on future Committee Agendas, to provide a regular update on progress with recommendations through a tracker record.

The meeting closed at 11.37 am.

ECOCUBE TIME AND TASK LIMITED PANEL – RECOMMENDATION REPORT

Report Author: Cllr Grant Nurden
Chairman Time and Task Panel

Portfolio: Economic Development

Ward Affected: Wroxham

Purpose of the Report:

The report presents the findings and recommendations of the Time and Task Panel's investigation into the disposal of the EcoCube.

Recommendations:

1. To approve and recommend to Cabinet the recommendations set out in the report at paragraph 4;

or
2. To amend and recommend to Cabinet the recommendations set out in the report at paragraph 4.

1 SUMMARY

- 1.1 The report presents the findings and recommendations of the Time and Task Panel's investigation into the disposal of the EcoCube.

2 BACKGROUND

- 2.1 A Time and Task Panel was established in August 2018 by the Overview and Scrutiny Committee to investigate the history and disposal of the Rackheath EcoCube and to report back to the Committee with their findings.

- 2.2 An investigation was carried out and a number of documents reviewed by the Time and Task Panel over three meetings of the Panel.

- 2.3 A recommendation report was prepared for the 26 March 2019 Overview and Scrutiny Committee, which raised a number of recommendations covering;

- legal advice and the use of commercial lawyers;
- reports for decisions to include full detail to enable the decision to be made;
- full business cases to be developed with appropriate sign off;
- clear audit trails to be in place for all decisions made;
- to ensure that due diligence is undertaken no matter the funding route;

but this was rejected by the Chairman of the Panel who requested that it be revised to ensure the breadth of the issues were adequately reported.

- 2.4 At the same time an alternative report had been drafted by a Member of the Panel (now an ex-Councillor). The ex-Member expressed concern that his report had not been published and reserved the right to make his finding public. The Chairman of the Panel also rejected this report as it did not adequately report the breadth of the issues covered.
- 2.5 On 19 June 2019 the Council was contacted by the *Eastern Daily Press* in relation to the EcoCube and asked to provide a response to a series of questions.
- 2.6 The *Eastern Daily Press* subsequently reported that 'Council chief's in the dark over deal which could have saved taxpayers thousands'.
- 2.7 The following statement was provided to the *Eastern Daily Press* on 21 June 2019. *Trevor Holden, Managing Director of Broadland District Council, said: "It would not be appropriate for the Council to pass comment on or answer questions on the EcoCube until the Time and Task Panel report has been finalised. Once this has been completed we would be more than happy to answer questions and will share the report at an appropriate juncture."*
- 2.8 The Managing Director subsequently instructed the Internal Audit Manager to carry out an objective and independent review to establish the facts with regard to the funding, development, disposal and lease of the Rackheath EcoCube.

- 2.9 The review sought to establish the policy framework under which the project was undertaken and how decisions were made. It would then identify any lessons learned and make recommendations as appropriate.

3 FINDINGS

- 3.1 In February 2010, the Council was awarded £10.2m from the Homes and Communities Agency and Department for Communities and Local Government combined to deliver a series of eco development projects. The Eco Community Education Centre known as 'The Cube' was one of the projects included within the bid.
- 3.2 In 2011 it was agreed that Tilia (the landlord and landowner) would at their own expense build the EcoCube in accordance with the Council's plans and specifications. Upon completion in 2012 Broadland paid an upfront sum of £340,000 for the first ten years of a 25-year lease. Broadland Council Training Services occupied the building for a total of three years but failed to attract schools to training due to County budget restrictions. In 2015 an operational decision was made to move Broadland Training Services to Carrowbreck House, and a tenant was found to occupy the EcoCube for a short period of time. The lease agreement was subsequently surrendered to Tilia Properties in November 2017, as the Council could not find a new tenant to occupy the building.
- 3.3 It could not be demonstrated that all options available to the Council had been explored before the decision to dispose of the EcoCube lease was made such as; engaging in negotiations with Tilia, seeking external assistance for the re-let of the property.
- 3.4 The Council's solicitors, NPLaw were asked to provide advice on whether the surrender agreement produced by Tilia's solicitors was appropriate. A 'Put Option' in the lease, which could have enabled the Council to sell the leasehold property to Tilia for the amount paid minus a deduction of five-years market rent was not highlighted.
- 3.5 It has not been possible to establish how all of the fixtures and fittings from the EcoCube were removed or disposed of at the point that Broadland Council Training Services ceased to operate from the site, as inventory records are not detailed enough to allow a reconciliation to be performed confirming that all items were transferred to Carrowbreck House.
- 3.6 The Panel also found that key documentation for how the EcoCube project was established and managed had not been retained by the Council for their own records. These included; the business case, the structural engineers report, completion statement, build inspection records and details of any procurement exercises.
- 3.7 The Portfolio Holder was asked to approve the surrender of the lease based on incomplete and inaccurate information. The delegated power referred to in making the decision was section 15.6 (9) which states; "All matters relating to the letting of

contracts within the jurisdiction of the portfolio exceeding £50,000 in value but not exceeding £500,000 in value subject to budget provision being available.”

- 3.8 There are two aspects to the portfolio holder’s decision, firstly the information was accurate with respect to the lease, in that the council was giving up the lease, at a residual value of £170,000 being the unexpired lease, therefore on this point he was within his authority. However, the information regarding the revaluation of the asset was not contained with the decision notice. Had the information been included it should have referred to the accounting treatment of the asset, which the council did not own, resulting in an accounting loss of £637,000, due to the need to write off the asset in line with the advice provided at the time. The consequential effect of giving up the lease was a write off for this amount, which put the decision over the delegated authority limit.

4 PROPOSED ACTION

- 4.1 Based on the findings above the Panel make the following recommendations:
- 4.2 Electronic files should be held and managed for existing and future capital projects carried out by the Council for which grant funding has been awarded. Electronic files shall include copies of the original bid, relevant correspondence from the grant body, confirmation of the amounts received, any agreements/stipulations for the management of the project, and details of grant certification work carried out.
- 4.3 Where professional advice is being sought on applying accounting standards, full disclosure of the relevant facts must be made, and all correspondence should be retained to fully demonstrate the decision made for the accounting treatment applied.
- 4.4 Reports presented to the Portfolio Holder for approval should include all relevant information to enable a decision to be made. This should include details such as options available to the Council and considered, ownership following investment, projected long term income, accounting treatment and conditions for disposal which would help assess the full range of risks and costs associated with the decision.
- 4.5 Electronic files are to be retained and centrally managed by teams rather than individuals for all capital projects regardless of the size or nature in a structured format which includes all relevant documentation and correspondence. A control documentation file should include all necessary information such as business case, drawings, plans, planning approval, project plans with budget information, progress reporting, defect information along with all correspondence from the contractor even if the project is managed by a third party.
- 4.6 A procedure for the disposal of assets should be developed. This procedure must ensure that all relevant departments are consulted to include consideration about potential future value, actual costs, risks, specialist advice, financial impact, negotiations and other options before the decision for disposal is made. The

outcome of the assessment must be formally documented and included within the report to support the decision.

- 4.7 The relevant sections of the Constitution must be outlined in full on PH1 forms to ensure that the approval route is clear and decision makers will know that they are acting within their delegated powers.
- 4.8 Where legal advice is sought officers are to ensure that the request is sufficiently detailed to allow the solicitors to discharge their duties, and that the process introduced at the Council in April 2019 continues to be followed.
- 4.9 Where items are transferred from one Council department to another the inventories of both are fully documented and immediately updated and reconciled to reflect unique identifier/serial number and value of each item.

5 OTHER OPTIONS

- 5.1 The Committee could choose to amend the recommendations or decide that they did not wish to recommend them to Cabinet.

6 ISSUES AND RISKS

- 6.1 **Resource Implications** – if the measures suggested are not implemented future projects undertaken by the Council could have financial implications for the public purse.
- 6.2 **Legal Implications** – failure to correctly monitor the decision making process would risk the Council being in contravention of the Local Government Act 1972.
- 6.3 **Equality Implications** – there are no equalities implications.
- 6.4 **Environmental Impact** – there are no environmental implications.
- 6.5 **Crime and Disorder** – there are no crime and disorder implications.

7 CONCLUSION

- 7.1 The Panel have found that the processes and procedures undertaken for the entire EcoCube project were inadequate. The Panel therefore recommends that new measures be implemented for an integrated management approach for capital projects across the Council, with a clear and consistent audit trail of all documentation, as well as careful monitoring of the decision-making process that ensures decisions are made in accordance with the Constitution.

8 RECOMMENDATIONS

- 8.1 To approve and recommend to Cabinet the recommendations set out in the report at paragraph 4;

or

- 8.2 To amend and recommend to Cabinet the recommendations set out in the report at paragraph 4.

Background Papers

None

Appendices

Appendix 1 – Executive Summary – Internal Audit Manager Report

Report: Internal Audit Review - Broadland District Council, Eco Cube Rackheath

Date: 15 August 2019

Author: Faye Haywood, Internal Audit Manager Broadland District Council

Requested by: Trevor Holden, Managing Director Broadland and South Norfolk. Emma Hodds, Assistant Director of Governance and Business Support.

Introduction

The Internal Audit team have been instructed to carry out a review to establish the facts with regard to the funding, development, disposal and lease of the building known as the Eco Cube. The review sought to establish the policy framework under which this project was undertaken and how decisions were made, identifying any lessons learnt and making recommendations as appropriate.

The following events have prompted the Assistant Director of Governance and Business Support to request an objective and independent review.

- A Time and Task panel was established at Broadland District Council (BDC) to investigate the history and disposal of the Rackheath Eco Cube and to report back to the Overview and Scrutiny Committee. Terms of Reference were drawn up for the Time and Task Panel at a meeting held on 3 September 2018.
- An investigation was carried out and a number of documents reviewed by the Time and Task Panel.
- At the meeting held February 2019, a series of recommendations were made by the Time and Task Panel following their investigation into the disposal of the EcoCube lease.
- A draft EcoCube recommendation report was prepared for the 26 March 2019 Overview and Scrutiny Committee and was circulated to all members of the Time and Task Panel and relevant officers for comment prior to publication. Cllr Nurden, Chairman for the Time and Task Panel requested that the recommendation report be revised, and it was therefore postponed.
- Cllr Nurden received an email from Ex Cllr Frank O'Neill on 25 March 2019 stating that he was concerned to see that the report he had written for Overview and Scrutiny Committee had been changed and believed that the document had been corrupted by officers. Ex Cllr Frank O'Neill states the following in his email; 'I reserve the right to publish my report in the form I prepared'. A response to this email was not provided.
- On 19 June 2019 Broadland Press Office were contacted by the Eastern Daily Press in relation to the EcoCube and asked to provide a response to a series of questions.
- On 27 June 2019 The Eastern Daily Press reported a story 'Council chief's in the dark over deal which could have saved taxpayers thousands'.

Scope

The Internal Audit manager was instructed to carry out a review into the EcoCube as stipulated by the following terms of reference:

- a) Establish what the Eco Cube project was;
- b) Establish money received from Department for Communities and Local Government and Department for Children, Schools and Families through the Programme of Development (PoD) funding;
- c) Review the agreement for the PoD funding and establish the rules allocated for spending of the PoD;
- d) Establish the timeline and accounting of all monies associated with the PoD, including decision points and those making the decisions for all PoD funding;
- e) Review the lease between Tilia Properties Ltd and BDC;
- f) Review money spent on the build of the Eco Cube and establish costs incurred, fit out costs (including how funded and the accounting treatment of);
- g) Establish principles behind how the Eco Cube was built and what it was designed to achieve. Review the agreement behind this;
- h) Establish the proposed lease costs and the ongoing maintenance costs;
- i) Establish reasons for ceasing the agreement in 2017 and how this decision was reached;
- j) Establish the accounting treatment for the asset - from build through to disposal;
- k) Identify what happened to fixtures - industrial kitchen, laboratory, other elements and where these are fixtures now.

Findings

The table included within Appendix 1 provides a detailed response and any proposed recommendations for each of the points raised within the scope of this review.

Conclusion

The conclusions, main issues and learning points from this review are included below:

1. It has been difficult to establish how the Eco Cube project was founded and how it was subsequently managed as a file containing key documentation not been retained. The following information has been recovered from legal documentation held in the strong room:
 - A legal agreement dated 30 September 2011 between BDC and Tilia states that Tilia 'The Landlord' and landowner, would at their own expense, build the Eco Cube in accordance

with the plans and specifications drawn up by Anglia Design Partnership on behalf of Broadland District Council.

- The accompanying lease document states that upon completion of the Eco Cube building, Tilia the land and building owner as demonstrated by title deeds would grant BDC with a 25-year lease, with the first 10 years of the term payable upfront for a sum of £340,000. Financial records show a sum of £340,000 being paid to Mills and Reeve (Tilia's Solicitors) on 21/03/2012.
- No construction costs were paid by Broadland District Council, however, the bespoke fit out of the Eco Cube facilities were undertaken by contractors nominated by BDC.

2. The following key documents cannot be found:

- A detailed business case covering the rationale or options for the building of the Eco Cube;
- Documents relating to the development of the Eco Cube as mentioned in the Agreement such as; the structural engineers report, completion statement, build inspection records.
- Details of any procurement exercises that were undertaken by BDC to appoint the contractors for the bespoke fit out of the Eco Cube.

3. The accounting treatment of the Eco Cube has been applied in line with the Code for Local Authority Accounting. Following advice, a decision was made to treat the Eco Cube as an asset rather than a lease in the accounts as the transaction was more consistent with characteristics that define an asset i.e. payment of £340,000 was made upfront and the building was expected to be used for more than one financial year. As required by BDC Accounting Policy, buildings are required to be depreciated consistently over a 50-year period. Sufficient technical advice has also been sought in respect of the accounting disposal of the asset in the Statement of Accounts. No issues relating to the accounting treatment of the Eco Cube have been raised by External Audit.

4. The decision made by the Portfolio Holder in relation to the disposal of the lease was not made in line with the rules set out in the constitution. In future it is recommended that a robust rationale for the delegated power route chosen is reflected within the accompanying report, so it is clear to decision makers that they are acting within their delegated powers.

5. It was not possible to demonstrate that the decision to dispose of the Eco Cube lease was made after all other available options had been explored such as; engaging in negotiations with Tilia, seeking external assistance for the re-let of the property, analysing the actual costs associated with the managing of the lease, analysing the current value of the lease

or investigating the costs associated with a re-fit to make the property more desirable to prospective tenants.

6. The Council's solicitors, NPLaw were asked to provide advice on whether the surrender agreement produced by Tilia's solicitors was appropriate. The 'Put Option' was not highlighted and could have enabled the Council to sell the leasehold property to Tilia for the amount paid minus a deduction of five-years market rent. Tilia could have declined to buy back the leasehold building from the Council, however this does represent a missed opportunity to negotiate a better outcome for BDC.
7. It has not been possible to establish how all of the fixtures and fittings from the Eco Cube were disposed of at the point that Broadland Council Training Services ceased to operate out of the Eco Cube. Inventory records are not detailed enough to allow a reconciliation to be performed confirming that all items were transferred to Carrowbreck House.

In summary, it is unclear how the agreement between Tilia and BDC to build the Eco Cube came to fruition and how it was established that the Eco Community Training Centre would be a viable venture in the medium to long term for BDC as relevant correspondence has not been retained. Legal safeguards were arranged by BDC to try and prevent the Eco Cube becoming a burden to the tax payer if the project was not a success.

Whilst the development of the Eco Cube building was delivered in line with BDC specifications, the Eco Community training project was not a success and after three years Broadland Council Training Services moved to Carrowbreck House. BDC did not seek to demonstrate that the full range of options to retain the lease and make use of the Eco Cube were explored prior to the decision being made to surrender the lease. As a result, the Portfolio Holder was asked to approve the surrender of the lease based on incomplete and inaccurate information. This decision was made outside of delegated authority limits.

The main learning points from this project are as follows:

- Ensure that key documentation in relation to projects is retained electronically and accessible to all team members for future reference;
- When members are asked to make a decision on the disposal of a lease or asset, reports clearly state reasons for delegated authority route chosen, provide details of a full range of options and evaluate the associated risks.

- The Finance Team are fully utilised by management to support decision making about the value, accounting consequences of disposing of Council leases or assets.
- Where NPLaw are asked to provide advice, the request is detailed enough to allow the solicitors to discharge their duties, includes all relevant documentation and is checked by a suitably experienced or senior member of staff;
- Where items are transferred from one Council building to another, the inventory of each is updated immediately to reflect unique references for each item along with value.



Outcomes and Actions Norfolk Health Overview and Scrutiny Committee (NHOSC) 5 September 2019

Agenda Item Number	Report Title	Outcomes and Actions	Action By Whom
6.	Access to palliative and end of life care	<p>Norfolk & Waveney STP Palliative and End of Life Care Collaborative Group partners to return to NHOSC with a progress update in 6 months' time (i.e. at 19 March 2020 meeting).</p> <p>Agreed that the Queen Elizabeth Hospital should be approached to arrange an NHOSC Member visit to better understand the action underway to improve end of life care.</p>	<p>Cath Byford Pam Fenner Tracey Greatrex Craig Chalmers & Jane Shuttler</p> <p>Maureen Orr</p>
7.	Physical health checks for adults with learning disabilities	Progress updates to be provided via the NHOSC Briefing, including total numbers of patients registered and health checks delivered at each GP practice.	Cath Byford Parveen Mercer Nickie Watts
8.	Ambulance response and turnaround times in Norfolk	<p>Information on waiting times at the N&N A&E to be provided, including numbers of patients waiting up to 6 hours.</p> <p>The East of England Ambulance Service NHS Trust (EEAST), Norfolk and Norwich University Hospitals NHS Foundation Trust (NNUH), Norfolk & Waveney CCGs and Adult Social Care representatives to return to NHOSC with a progress update in year's time.</p>	<p>Cursty Pepper</p> <p>Nick Cason Prof Nancy Fontaine Cursty Pepper Mark Burgis Janice Dane</p>

		Agreed that a date in 2020 will be arranged for NHOSC Members' follow-up visit the NNUH Older People's Emergency Department. (The original visit was in January 2018).	Prof Nancy Fontaine
9.	Forward work programme	<p>The forward work programme was agreed with the addition of following items:-</p> <p><u>On the NHOSC agenda</u></p> <p>19 March 2020 – 'Access to palliative and end of life care' – progress update</p> <p>September 2020 – 'Ambulance response and turnaround times' – progress update</p> <p><u>In the NHOSC Briefing</u></p> <p>Progress updates on 'Physical health checks for adults with learning disabilities' to be provided via the NHOSC Briefing (dates to be arranged)</p> <p>Information on the Milestone service for women with mental health issues and the situation with regard to out of area placements.</p> <p><u>Visits to be arranged</u></p> <ul style="list-style-type: none"> • The Queen Elizabeth Hospital, King's Lynn • Norfolk and Norwich Hospital – Older People's Emergency Department <p>The committee agreed the following appointments:-</p>	Maureen Orr

		<ul style="list-style-type: none">• Cllr Brenda Jones – link member with Norwich Clinical Commissioning Group• Cllr David Harrison – link member with Norfolk and Suffolk NHS Foundation Trust	
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Copied to:-
Chairman of NHOSC
District Council Members of NHOSC
Member Support Officer – Ashleigh Hodge
CCG engagement contacts (x5)
Health and Wellbeing Board support officer – Hannah Shah
Healthwatch Norfolk – Judith Bell

Norfolk Health Overview and Scrutiny Committee

ACTION REQUIRED

Members are asked to suggest issues for the forward work programme that they would like to bring to the committee's attention. Members are also asked to consider the current forward work programme:-

- whether there are topics to be added or deleted, postponed or brought forward;
- to agree the briefings, scrutiny topics and dates below.

Proposed Forward Work Programme 2019

<i>Meeting dates</i>	<i>Briefings/Main scrutiny topic/initial review of topics/follow-ups</i>	<i>Administrative business</i>
10 Oct 2019 2.00pm start	<u>Children's speech and language therapy</u> (central and west Norfolk) – update since 28 Feb 2019 <u>Adult autism – access to diagnosis</u> – to examine waiting times to diagnosis. <u>City Reach service</u> – to examine concerns regarding staffing levels and patient safety.	
28 Nov 2019	<u>Access to NHS dentistry</u> – progress since report to NHOSC on 11 April 2019 <u>Eating disorder services</u> – progress since report to NHOSC on 11 April 2019	
23 Jan 2020	<u>The Queen Elizabeth Hospital NHS foundation Trust</u> – response to the Care Quality Commission report – progress report	
19 Mar 2020	<u>Norfolk and Suffolk NHS Foundation Trust</u> – response to the CQC report <u>Access to palliative and end of life care</u> – update on progress since Sept 2019	

NOTE: These items are provisional only. The OSC reserves the right to reschedule this draft timetable.

Provisional dates for reports to the Committee / items in the Briefing 2019

- October 2020 (in the NHOSC Briefing) - Information on the Milestone service for women with mental health issues and the situation with regard to out of area placements.
- Dates to be confirmed (in the NHOSC Briefing)* - Progress updates on 'Physical health checks for adults with learning disabilities'
- July 2020 (Agenda item) - Local action to address health and care workforce shortages – update
- September 2020 (Agenda item) - Ambulance response and turnaround times in Norfolk - update since Sept 2019

Other activities

- Visit arranged for **Tues 1 Oct 2019** 2.00 – 4.00pm - Cromer Hospital – Norfolk and Norwich University Hospitals NHS Foundation Trust
- Visit to be arranged (*looking at 13 Sept 2019 for an hour between 11.00am and 3.00pm*) - Samphire Ward (new facilities), Chatterton House, King's Lynn – Norfolk & Suffolk NHS Foundation Trust
- Visit to be arranged (*in 2020*) - Follow-up visit to the Older People's Emergency Department (OPED), Norfolk and Norwich hospital to be arranged after expansion works are completed in 2019-20.

Main Committee Members have a formal link with the following local healthcare commissioners and providers:-

Clinical Commissioning Groups

- North Norfolk - Emma Spagnola (substitute David Harrison)
- South Norfolk - Dr Nigel Legg (substitute Robert Kybird)
- Gt Yarmouth and Waveney - Emma Flaxman-Taylor
- West Norfolk - Michael Chenery of Horsburgh (substitute Sheila Young)
- Norwich - Brenda Jones

Norfolk and Waveney Joint Strategic Commissioning Committee

- Link - *Vacancy*
- Substitute for meetings held in west and north Norfolk - Michael Chenery of Horsbrugh
- Substitute for meetings held in east and south Norfolk - Dr Nigel Legg

NHS Provider Trusts

- Queen Elizabeth Hospital, King's Lynn NHS Foundation Trust - Sheila Young (substitute Michael Chenery of Horsbrugh)
- Norfolk and Suffolk NHS Foundation Trust (mental health trust) - David Harrison (substitute Brenda Jones)
- Norfolk and Norwich University Hospitals NHS Foundation Trust - Dr Nigel Legg (substitute David Harrison)
- James Paget University Hospitals NHS Foundation Trust - Emma Flaxman-Taylor
- Norfolk Community Health and Care NHS Trust - Emma Spagnola



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OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME 2018-19

Subject to change due for any resource implications and/or matters arising.

Topics brought to Committee:

Date of Meeting	Topic	Lead Officer Portfolio Holder	Objectives and Desired Outcomes	Time Cycle
	Performance Report	Committee Officer	Committee to allocate areas for investigation to the Performance Management Sub Committee (PMSC) when the report is received under Cabinet papers.	Six Months
	Committee Representation Updates	Committee Representatives	Opportunity for Committee Representatives from Norfolk Health Overview and Scrutiny Committee, Norfolk Police and Crime Panel and Norfolk Health and Wellbeing Board to report back any key information to Committee or for Committee Members to raise any questions for representatives to take forward.	Bi-Monthly
3 December 2019	Joint Budget Meeting	Head of Finance and Revenues All PH's	To address Portfolio Holders with the agreed questions drafted at a workshop to be arranged separately from the agenda in October.	Annual
28 January 2019	Broadland Northway	David Allfrey, Infrastructure Delivery Manager, Norfolk County Highways	To receive a monitoring and evaluation report on Broadland Northway.	Once
28 January 2020	Economic Update	Head of Economic Development/ Portfolio Holder for Economic Development	An update on the effect of Broadland's economic strategy in the District and beyond. For Members to assess the effectiveness of the strategy and make recommendations as appropriate.	Six Months
28 January 2020	Broadband and Mobile Phone Coverage in the District	Better Broadband for Norfolk	To assess the level of broadband and mobile phone coverage in the District and for Members to make any recommendations as appropriate.	Once
17 March 2020	Council Partnership Register Review	Committee Officer	Committee to receive an update against the Council's partnership register. Committee will be asked to identify any partnership concerns that may require further investigation by a nominated time and task limited panel	Annual
17 March 2020	Committee Annual Report	Committee Officer	Committee to approve the drafted Annual Report for presentation to Council.	Annual

Date of Meeting	Topic	Lead Officer Portfolio Holder	Objectives and Desired Outcomes	Time Cycle
TBC	Early Intervention and Community Safety	Community Safety Manager and Coordinator	To receive an update on the effectiveness of the Norfolk County Community Safety Partnership, with particular reference to progress of established outcomes and benefits achieved in the District. The Committee to make recommendations as appropriate.	Annual
TBC	Water – supply, management and climate change	Anglian Water	To investigate how water was being managed in the District and what measures were being put in place to address climate change.	Once
TBC	Staff turnover at Broadland	HR and Customer Services Members	To receive a report setting out the levels of staff turnover from 2015 to the present.	Once
TBC	Housing Allocations Policy		To undertake a joint scrutiny with South Norfolk Council to contrast and compare the Housing Allocation Policies of each authority.	Once
TBC	Affordable Housing Provision		A joint scrutiny with South Norfolk Council to investigate how effectively each authority delivered affordable housing. This should also include an assessment of why Clarion Housing, the largest stock holder in Broadland, was no longer building affordable housing in the District.	Once

Time and Task Panel reviews

Topic	Objectives	Lead Officers	Month
Apprenticeships	Undertake a review that considers the following points: <ul style="list-style-type: none"> Investigate the effect of the Apprenticeships Levy on the take up of apprenticeships and its impact on small businesses. Scrutinise transport barriers for apprentices. Identify the reasons for the reduction in Level 2 apprenticeships and any measures that the council could take to mitigate this. 	Assistant Director Economic Growth Economic Development Manager Economic Development Officer	October

Workshops

Topic	Objectives	Lead Officers	Month
Preparing to meet with Cabinet to discuss budget performance	A facilitated workshop attended by the Assistant Director Finance for Committee Members to identify, agree, and allocate questions for Cabinet to answer at the Joint Budget meeting.	Assistant Director Finance Finance Team staff Committee Officer	October

OVERVIEW AND SCRUTINY RECOMMENDATION TRACKER 2019/20

Date	Topic	Responsible Member/Officer	Resolution and Recommendations	Progress	Outcome
19 Sept 2017	Gaps in Mental Health Support	Member representative on the Norfolk Health Overview and Scrutiny Committee	Requested that the NHOSC consider how they can work with the Health and Wellbeing Board to investigate gaps in Mental Health support and how those gaps can be resolved.	New representative on NHOSC to raise this issue when settled into her role.	
24 Sep 2019	NEWS JVC	The Assistant Director of Governance and Business Support (Monitoring Officer).	To raise the issue of the accuracy of the Joint Venture Company's papers, specifically payments of Directors' fees, which were contrary to the Articles of Association, with the NEWS Board of Directors and to identify who authorised those payments.	To be followed up and reported back to a future meeting.	