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Contact:

James Dearling

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2 July 2021

Dear Councillor,

Your attendance is requested at a meeting of the **OVERVIEW AND SCRUTINY COMMITTEE** to be held on **TUESDAY, 13 JULY 2021 at 7.00 pm**. This meeting will be held via MsTeams.

Yours faithfully,

James Whiteman
Managing Director

MEMBERS OF THE OVERVIEW AND SCRUTINY COMMITTEE

Chairman: Councillor Paul Spooner
Vice-Chairman: Councillor James Walsh

Councillor Chris Blow
Councillor Colin Cross
Councillor Guida Esteves
Councillor Graham Eyre
Councillor Angela Goodwin

Councillor George Potter
Councillor Tony Rooth
Councillor Will Salmon
Councillor Deborah Seabrook
Councillor Fiona White

Authorised Substitute Members

For the Overview and Scrutiny Committee, there is no limit on the number of substitute members for each political group on the Council.

QUORUM: 4

WEBCASTING NOTICE

This meeting will be recorded for live and/or subsequent broadcast on the Council's website in accordance with the Council's capacity in performing a task in the public interest and in line with the Openness of Local Government Bodies Regulations 2014. The whole of the meeting will be recorded, except where there are confidential or exempt items, and the footage will be on the website for six months.

If you have any queries regarding webcasting of meetings, please contact Committee Services.

THE COUNCIL'S STRATEGIC FRAMEWORK

Vision – for the borough

For Guildford to be a town and rural borough that is the most desirable place to live, work and visit in South East England. A centre for education, healthcare, innovative cutting-edge businesses, high quality retail and wellbeing. A county town set in a vibrant rural environment, which balances the needs of urban and rural communities alike. Known for our outstanding urban planning and design, and with infrastructure that will properly cope with our needs.

Three fundamental themes and nine strategic priorities that support our vision:

- | | |
|---------------------|--------------------------------------------------------------------------------------------------------------------------------|
| Place-making | Delivering the Guildford Borough Local Plan and providing the range of housing that people need, particularly affordable homes |
| | Making travel in Guildford and across the borough easier |
| | Regenerating and improving Guildford town centre and other urban areas |
| Community | Supporting older, more vulnerable and less advantaged people in our community |
| | Protecting our environment |
| | Enhancing sporting, cultural, community, and recreational facilities |
| Innovation | Encouraging sustainable and proportionate economic growth to help provide the prosperity and employment that people need |
| | Creating smart places infrastructure across Guildford |
| | Using innovation, technology and new ways of working to improve value for money and efficiency in Council services |

Values for our residents

- We will strive to be the best Council.
- We will deliver quality and value for money services.
- We will help the vulnerable members of our community.
- We will be open and accountable.
- We will deliver improvements and enable change across the borough.

AGENDA

ITEM NO.

1 **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**

2 **LOCAL CODE OF CONDUCT AND DECLARATION OF DISCLOSABLE PECUNIARY INTERESTS**

In accordance with the local Code of Conduct, a councillor is required to disclose at the meeting any Disclosable Pecuniary Interest (DPI) that they may have in respect of any matter for consideration on this agenda. Any councillor with a DPI must not participate in any discussion or vote regarding that matter and they must withdraw from the meeting immediately before consideration of the matter.

If that DPI has not been registered, the councillor must notify the Monitoring Officer of the details of the DPI within 28 days of the date of the meeting.

Councillors are further invited to disclose any non-pecuniary interest which may be relevant to any matter on this agenda, in the interests of transparency, and to confirm that it will not affect their objectivity in relation to that matter.

3 **MINUTES (To Follow)**

To confirm the minutes of the Committee meeting held on 29 June 2021.

4 **RESPONSE TO COVID-19 – UPDATE**

5 **QUESTION SESSION WITH LEADER OF THE COUNCIL**

A question session with the Leader of the Council and Lead Councillor for Service Delivery, Councillor Joss Bigmore. His areas of responsibility:

- Customer Service
- Governance including corporate Health and Safety
- Human Resources
- Web Services
- Communications
- Future Guildford
- Partnerships
- Corporate Strategy

6 **LEAD COUNCILLOR QUESTION SESSION**

A question session with the Lead Councillor for Regeneration, Councillor John Rigg. His areas of responsibility:

- Town Centre MasterPlan
- Major Projects
- Infrastructure
- Strategic Asset Management

7 **UPDATE REPORT: SPEND ON CONSULTANTS AND AGENCY WORKERS (Pages 5 - 14)**

8 **OVERVIEW AND SCRUTINY ANNUAL REPORT, 2020-21 (Pages 15 - 28)**

Please contact us to request this document in an alternative format

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Report to Overview and Scrutiny Committee

Ward(s) affected: All wards

Report of Director of Resources

Author: Faye Gould, Senior Specialist – Procurement

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Lead Councillor responsible: Cllr Tim Anderson, Lead Councillor for Resources

Tel: 07710 328560

Email: tim.anderson@guildford.gov.uk

Date: 13 July 2021

Update Report: Spend on Consultants and Agency Workers

Executive Summary

This report provides an update on the spend position in relation to Consultants and Agency workers for the Financial year 2020/21 and an update on the impact of the recommendations implemented following the Overview and Scrutiny Committee meeting on 20 October 2020.

Over the last Financial Year 2020/21 Business World is reporting that the Council has spent a combined total of £20.9 million on Consultants and Agency Workers across revenue and capital.

Of that spend, £17.1 million was on Consultants and £3.8 million was on Agency Workers.

Recommendation to Committee

That the Overview and Scrutiny Committee,

(I) note the 2020/21 spend position and the update on the recommendations which have since been implemented.

(II) confirm the timescale for the next report on progress to the Committee [currently scheduled for early November 2021].

Reason for Recommendation:

To monitor spend in this area and to note the impact of the recommendations implemented.

Is the report (or part of it) exempt from publication?

No

1. Purpose of Report

- 1.1 For the Overview and Scrutiny Committee to note the increased Governance in this spend area and therefore the impact of the recommendations which have been implemented.
- 1.2 A report was considered by the Overview and Scrutiny Committee on 20 October 2020 and the outcomes were:

(I) That the Executive and the Corporate Management Team be requested to consider the options to better control costs and provide a more robust governance approach to spend on consultants and agency workers as outlined in the report submitted to the Committee; and

(II) That the Committee be provided with an interim update on consultants and agency worker spend in six months' time and with a full report of progress achieved in this spend area in one year.

- 1.3 The specific recommendations therefore as agreed were as follows:

Consultants:

- 1.3.1 Look to bring opportunities where possible in-house within existing job roles.
- 1.3.2 If consultants are still required follow the new Programme and Project Governance arrangements, which involves all new projects having a controlled start through a mandate process, a common lifecycle aligned to robust business case development and approvals through central governance gates, this will include Procurement following the Council's Procurement Procedure Rules.

Agency Workers:

- 1.3.3 Implement a Governance procedure around "off contract" (i.e. spend not via the Comensura contract) spend on Agency Staff, initially directing all Hiring Managers to the Corporate Temporary Staffing contract with Comensura as a default and a Procurement exemption to Corporate Procurement Board be required if the commission is "off contract" and another recruitment agency engaged.
- 1.3.4 Part of the exemption approval will examine whether there is the option to take a holistic approach to agency worker spend across the organisation resulting in better cost control and aligning with the Council's Procurement Strategy (focussing on a category approach and sharing of information and procuring joint contracts where possible to enable more strategic sourcing decisions to be made resulting in savings).

2. Strategic Priorities

- 2.1 Consultants and Agency staff comprise key resource to deliver projects and programmes across the organisation, supporting all of the Councils Strategic Framework; placemaking, community and innovation. Both consultants and agency staff are placed where there is a lack of capacity (resource gap) or capability (skills gap).
- 2.2 Consultants in the Corporate Programmes work area in particular are delivering placemaking objectives.

Background

For the purposes of this report, Consultants have been defined as ‘engaged by the Council to deliver a specific piece of work’. Agency workers have been defined as ‘working to cover a substantive or ongoing post within the organisation’.

3. Spend Position including 2020/21

- 3.1 Over the last Financial Year (2020/21), Business World is reporting that the Council has spent a combined total of £20.9 million on Agency Workers and Consultants across revenue and capital.

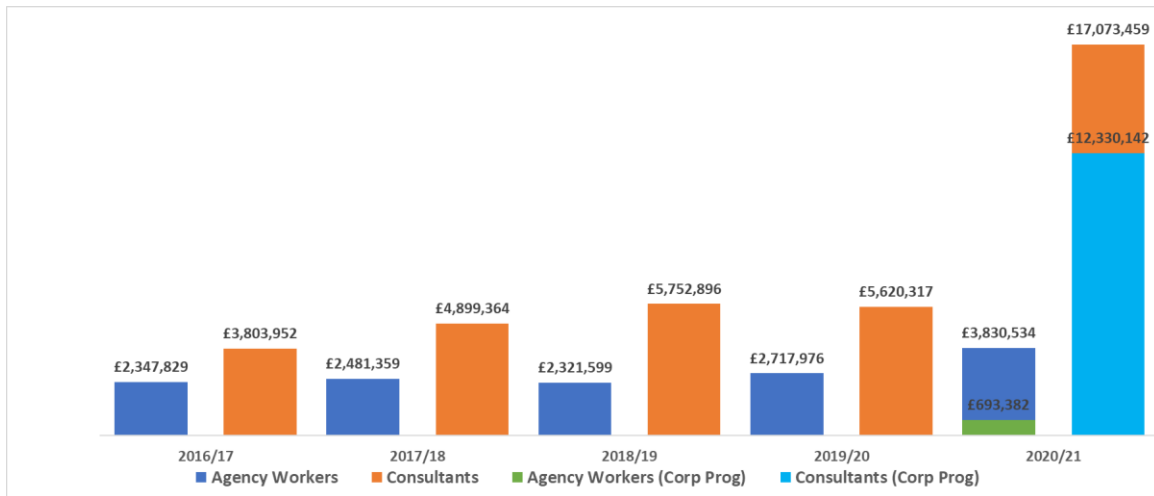


Figure 1 – Revenue & Capital Expenditure (FY 2016-17 to 2020-21)

- 3.2 When compared with the previous FY’s there has been an increase of 40.9% on Agency Workers spend and 303% on Consultants spend. Corporate Programme spend in FY 2020/21 accounts for about 18% of Agency Workers spend and about 72% of Consultants spend. Corporate Programme spend is broken down by project in Table 1 below.

Table 1 – Top 10 Spend in Corporate Programmes by Project for 2020/21

Top 10 Project spend	Agency	Consultants	Total
WUV - Thames Water Relocation	£0	£5,324,250	£5,324,250
Slyfield Area Regeneration Project	£126,533	£3,312,863	£3,439,397
Walnut Tree Bridge Replacement	£62,132	£1,099,282	£1,161,414
Ash Road Bridge	£50,756	£929,729	£980,485
Major Projects	£311,486	£593,249	£904,735
Guildford Park	£1,158	£686,547	£687,706
Town Centre Approaches	£0	£443,079	£443,079
SMC (West) Phase 1	£23,053	£303,296	£326,349
WUV - Allotment Relocation	£57,196	£187,277	£244,473
Guild Town Centre Regeneration	£28,422	£85,903	£114,325
Total	£660,737	£12,965,475	£13,626,212

3.3 This increased expenditure for 20/21 is a direct result of Capital projects moving forward at pace and associated costs with delivery of projects of a substantial size.

3.4 Breakdown by supplier is outlined in Table 2 and Figure 2 below; the highest allocated spend is to Thames Water Utilities Ltd constituting 20% of the total spend.

Table 2 – Top 10 Spend by supplier for 2020/21

Top 10 Supplier spend	Allocated spend	Service or Project	Comments
Thames Water Utilities Ltd	£4,218,351	Weyside Urban Village	Moving existing sewage treatment plant
Perfect Circle JV Ltd (AECOM)	£1,480,748	Weyside Urban Village	Consultancy Advice/Design/Allotments
Comensura Ltd	£1,238,042	Various	Agency Worker charges
VolkerLaser Limited	£962,841	Walnut Bridge	Construction charges
Ignite Consulting Limited T/A Ignite	£809,917	Future Guildford	Consultants charges
The Oyster Partnership Ltd	£509,251	Corporate Programmes	Consultants charges (Interim staff)
Surrey County Council	£461,070	Various	Charges relating to S278 agreements
Pinsent Masons LLP	£437,220	Weyside Urban Village	Legal advice
Stantec UK Ltd	£432,317	Weyside Urban Village	Consultancy advice - Environmental Impact Assessment
Hays Specialist Recruitment Limited	£417,218	Finance & Procurement	Interim staff
Total	£10,966,973		

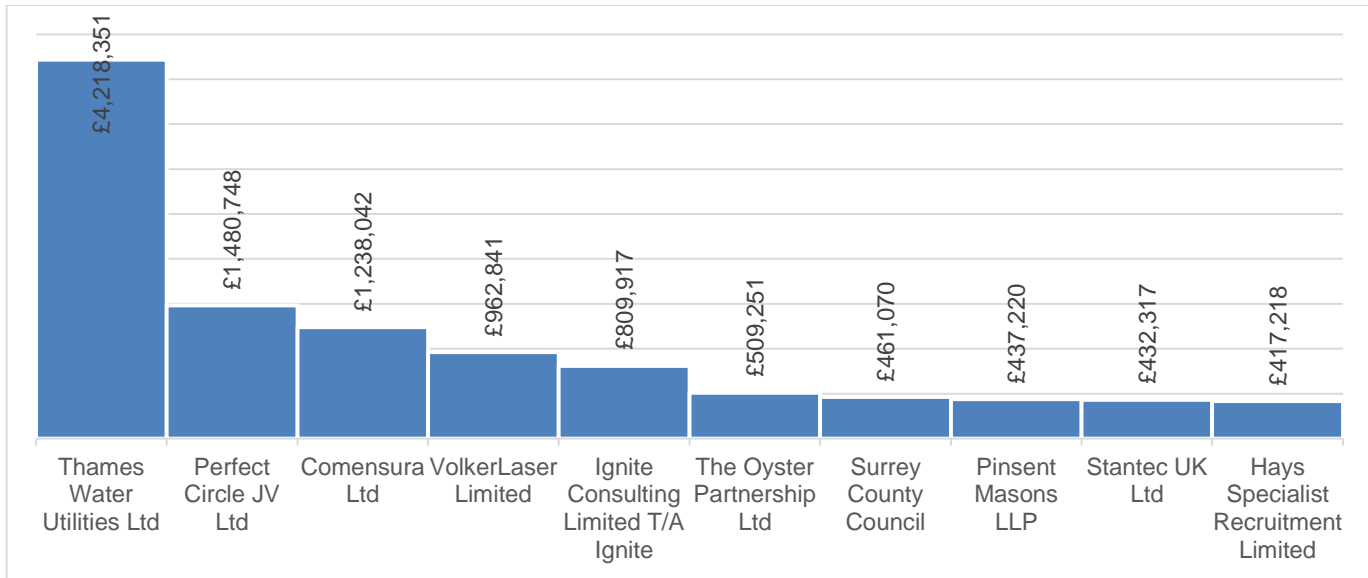


Figure 2 – Top 10 Spend by supplier for 2020/21

3.5 A breakdown of top 10 spend by Agency is outlined in Table 3. It should be noted that Comensura accounts for 23% of the top 10 Agency Workers spend and about 12% of the total spend for Agency Workers

Table 3 – Top 10 Spend by Agency Workers category

Top 10 Agency spend	Allocated spend	Service or Project	Comments
The Oyster Partnership Ltd	£502,251	Corporate Programmes	Consultants charges (Interim staff)
Comensura Ltd	£489,094	Various	Agency worker charges
Hays Specialist Recruitment Limited	£417,218	Finance & Procurement	Interim staff
Vivid Resourcing Limited	£176,623	Housing	Planning Enforcement staff
Civica UK Ltd	£146,177	Revs & Bens	Staff resources
Gravitas Recruitment Group	£87,580	Future Guildford	Technology workstream
Insight Executive Group Limited	£80,550	Corporate Programmes	Guildford Park Road Interim staff
Morgan Hunt UK Limited	£68,574	Revs & Bens	Staff resources
Matchtech Group UK Ltd	£57,497	Building Control	Staff resources
Bolderwood Solutions Ltd	£37,125	Future Guildford	ICT consultancy
Total	£2,062,689		

- 3.6 High spend on The Oyster Partnership is partly due to not being able to recruit programme/project managers to permanent positions and that reliance on consultants is often down to complex projects requiring specialist knowledge. Furthermore, the use of Oyster, Hays, Vivid and Civica for staff is also due to not being able to recruit to roles and in some cases roles have been advertised multiple times and had very little response.

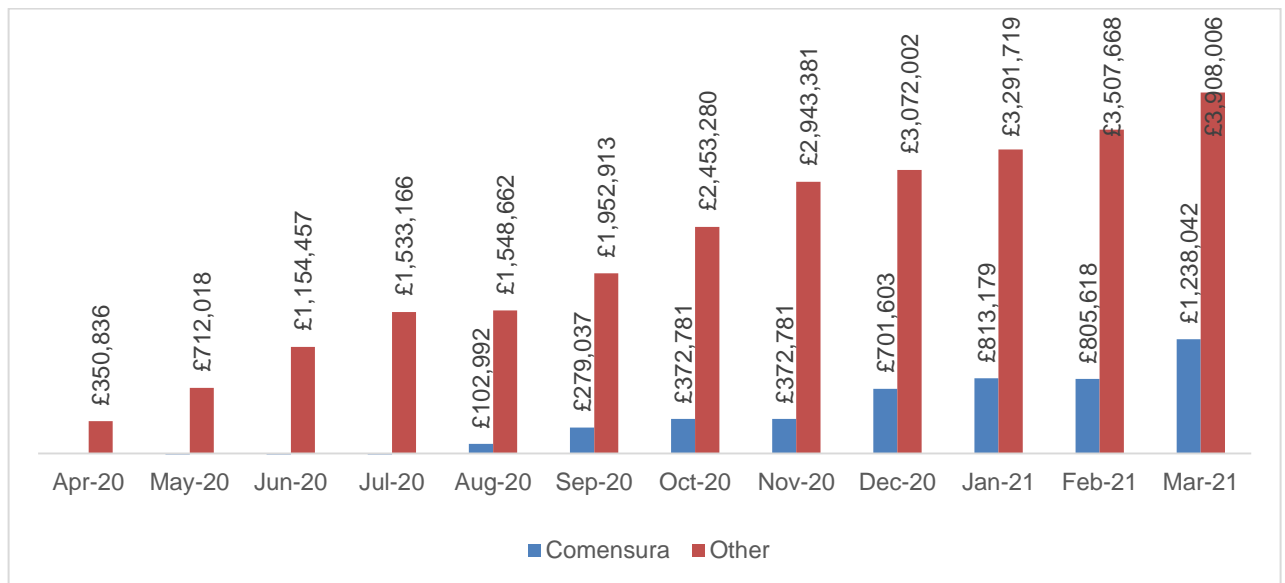


Figure 3 – Spend profile for Comensura vs total spend (Not including Corporate Programmes)

- 3.7 Comensura recorded spend increased from approximately 15% in October 2020 to approximately 24% of the total spend in FY 2020/21. The new control measures were put in place in October 2020, subsequent data indicates a trend of increasing spend with Comensura since more robust governance was introduced.

4. Update on Recommendations

- 4.1 Following the recommendations to enable better control of Consultants and Agency Workers spend the following measures have been implemented:-

Consultants

- 4.2 Requirements are kept where possible in-house where skills allow.
- 4.3 Services are aware that all consultant engagement is subject to Procurement advice and quotes being sought. The updated Procurement Procedure Rules which were adopted by Full Council on 19 May 2021 include a specific reference to the inclusion of consultants in Tendering practices.

- 4.4 The new Programme and Project Governance arrangements which are in place involve a controlled start through a mandate process, a common lifecycle aligned to robust business case development and approvals through central governance gates. This allows identification of any consultant requirements at the outset and set budgets.
- 4.5 The Programme and Project Governance is working towards reducing over-runs and delay, as historically, there has been the lack of common understanding of what projects are trying to deliver, lack of clear strategic direction or consensus which has inflated project costs, including those of the consultants trying to deliver. The new mandate and business case templates add more rigour to the options evaluation, and both include cost breakdowns for the whole life cost of a project (not just delivery costs) and staged costs for business case development and feasibility. This approach and approval of consultancy costs (and internal resource costs) can be understood, and approved, as part of the appropriate gate and consultancy deliverables can be explicitly agreed and monitored through the business case as part of the gate approval and project reporting process
- 4.6 A knowledge transfer programme (where appropriate) is in development so that the valuable skills are transferred into the Council where possible.

Agency Workers:

- 4.7 Any addition of Agency Staff is subject to approval by the means of an Establishment Control Form (ECF) to CMT which has now been incorporated within Business World.
- 4.8 A Governance procedure has been implemented around off contract spend on Agency Staff; all Hiring Managers are directed to the Corporate Temporary Staffing contract with Comensura as a default and a Procurement exemption to Corporate Procurement Board is required if the commission is off contract and another recruitment agency engaged. Figures 2 is a positive reflection this is making an impact.
- 4.9 The Corporate Temporary Staffing contract was re-launched on 11 January 2021 following detailed planning and this involved identifying all Hiring Managers and engaging them for refresher training sessions on c-net, which is Comensura's portal. These training sessions took place on 22 and 27 January 2021.
- 4.10 This has had a positive impact on off contract spend and there has not since been any exemptions to Corporate Procurement Board for off contract spend since the recommendations were agreed in October 2020.
- 4.11 Part of the re-launch also requested that Service Leads with any Temporary workers being supplied outside of Comensura advised immediately in order for assessment to be made and steps put in place for Comensura to engage with the agency and transition the worker assignments to c.net5 Bookings for timesheet and invoice purposes.

5. Key Risks

- 5.1 As a result of the recommendations having been implemented the risks around lack of best value and off contract spend have reduced and compliance has increased.
- 5.2 The level of consultancy expenditure has increased significantly over 2020/21 and this is directly related to the volume of projects, particularly in the Corporate Programmes Team as this is where the majority of the spend on consultants is. The Council is delivering an ambitious Capital Programme and resources are required for delivery.
- 5.3 Lack of knowledge transfer may continue on those projects where the Consultants advice is so specialist or technical it is not possible to transfer skills to the organisation.

6. Financial Implications

- 6.1 £17.1 million was spent on Consultants and £3.8 million on Agency workers in 2020/21

7. Legal Implications

- 7.1 The Council as a public body has a duty of achieving 'Best Value' and ensuring continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness under Section 3 of the Local Government Act 1999.
- 7.2 The Council must comply with the Public Contract Regulations 2015 and the Council's own Procurement Procedure Rules when procuring goods, services and works, this includes consultants.
- 7.3 The Local Government Transparency Code 2015 Rule 31 provides that all contracts over £5,000 should be published in a way which is accessible to the general public, this applies to consultancy contracts.

8. Human Resource Implications

This duty has been considered in the context of this report and it has been concluded that there are no HR implications arising directly from this report

9. Equality and Diversity Implications

This duty has been considered in the context of this report and it has been concluded that there are no equality and diversity implications arising directly from this report.

10. **Climate Change/Sustainability Implications**

This duty has been considered in the context of this report and it has been concluded that there are no climate change and sustainability implications arising directly from this report.

11. **Summary of Options**

- 11.1 To note the updated spend position on Consultants and Agency Workers for 2020/21 and to continue to implement the recommendations already agreed by the October 2020 meeting of the Overview and Scrutiny Committee.

12. **Conclusion**

- 12.1 This report concludes that spend in this area has significantly increased in 2020/21 and that the measures recommended by the Overview and Scrutiny Committee have been implemented. This has resulted in an increased rate of agency workers engaged through Comensura therefore increased compliance. Best value is being obtained where consultants being procured in line with the Council's Procurement Procedure Rules.
- 12.2 Action has been identified to develop some further cost centres within the Capital codes on Business World to enable a clearer allocation of costs for consultants and professional services enabling clearer reporting and thus promoting further transparency within the Council.

13. **Background Papers – Overview and Scrutiny Committee Report – 20 October 2020**

14. **Appendices – none**

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Report to Overview and Scrutiny Committee

Report of Director of Strategy

Author: James Dearling, Senior Democratic Services Officer (Scrutiny)

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Email: james.dearling@guildford.gov.uk

Date: 13 July 2021

Overview and Scrutiny Annual Report, 2020-21

Executive Summary:

This report outlines the work undertaken by overview and scrutiny (O&S) during the past municipal year and its future work programme as thus far developed.

Decisions taken during the past municipal year under the 'urgency' provisions are listed within the report and detailed at Appendix 2. In 2020-21, call-in was waived by the O&S Committee Chairman on four occasions. No decisions were called-in for consideration by the O&S Committee during the past municipal year.

Recommendations to Council (28 July 2021)

- (I) That this report be commended as the annual report of the Overview and Scrutiny Committee; and
- (II) That the current rules relating to call in or urgency provisions remain unchanged.

Reasons for Recommendation:

Article 8.2(d) of the Council's Constitution requires the Council's Overview and Scrutiny Committee to report annually to Full Council on the work undertaken during the year, its future work programme, and amended working methods if appropriate.

Overview and Scrutiny Procedure Rule 16(i), requires the operation of the provisions relating to call-in and urgency to be monitored annually and a report submitted to Full Council with proposals for review if necessary.

1 Purpose of report

- 1.1 This report has been prepared in accordance with Article 8.2(d) of the Constitution which requires the Council's Overview and Scrutiny Committee (OSC) to report annually to Full Council on the work undertaken during the year, its future work programme, and amended working methods if appropriate.
- 1.2 Overview and Scrutiny Procedure Rule 16(i) requires that the provisions relating to 'call-in' and 'urgency' are monitored annually and reported to Full Council with proposals for review if necessary.¹

¹ Urgency provisions refers to the circumstances set out in the Access to Information Procedure Rules 15 (General Exception) and 16 (Special Urgency) and Overview and Scrutiny Procedure Rule 16(h) Call-in. [Guildford Constitution](#), Part 4, Procedure Rules.

- 1.3 Accordingly, this report asks the Overview and Scrutiny Committee to:
- (a) note the issues and topics considered by O&S during 2020-21;
 - (b) consider and approve the future work programme for the OSC as developed thus far;
 - (c) review the operation of provisions relating to 'call-in' and 'urgency'.

2. The Council's strategic framework

- 2.1 The O&S function strengthens the position of the Council to ensure that we are able to deliver our strategic priorities. For example, O&S assists the Council in improving services and helps to ensure we are open and accountable to our residents.

3. Work of the OSC in 2020-21

- 3.1 Overview and Scrutiny Procedure Rule 7 requires the chairmen and vice-chairmen of the OSC and the Executive Advisory Boards (EABs) to hold joint work programme meetings. The purpose of these meetings is to exchange, discuss, and agree work programmes for submission to the OSC and EABs respectively. Joint work programme meetings were held on five occasions in the past municipal year (30 June 2020, 11 September 2020, 9 November 2020, 14 January 2021, and 18 March 2021).
- 3.2 The O&S work programme has principally been prepared and progressed through online meetings and discussions between the O&S Chairman, Vice-Chairman, and Senior Democratic Services Officer (Scrutiny).
- 3.3 Lead Councillor question sessions continued at OSC meetings in 2020-21, with five members of the Executive attending such individual sessions. These sessions gave an opportunity for non-Executive Councillors (and members of the public²) to question a member of the Executive about decisions and performance. Questioning can focus on targets and performance over time; particular decisions, initiatives, or projects; or on a section of a Lead Councillor's portfolio.
- 3.4 The formal issues and topics considered by the OSC in 2020-21 include:
- Response to COVID-19
 - Guildford & Waverley Integrated Care Partnership – Primary Care Update
 - Air Quality Strategy Action Plan
 - Gypsy and Traveller Unauthorised Encampments and Possible Transit Site in Surrey
 - Aspire – the Council's commitment to improving the quality of life of people who need our help
 - North Downs Housing Limited
 - Guildford Crematorium Redevelopment Post Project Review
 - Guildford Sportsground Pavilion Refurbishment
 - Safer Guildford Partnership Annual Report 2020
 - Review of the New Homes Bonus
 - ICT Refresh Programme
 - Spend on Consultants and Agency Workers

² The Committee may facilitate the asking of questions submitted in advance by members of the public. Council Constitution, Part 2 (Article 8), section 8.2(b)iii.

- Future Guildford Phase B
- Property Investment Strategy
- Review of the Annual Report and Monitoring arrangements for the operation of the G Live contract, 2019-20
- Operation of the Leisure Management contract, 2019-20

3.6 The business scheduled for the June 2020 OSC meeting was postponed to enable the Committee to focus on the Council's response to the COVID-19 crisis. The OSC continued to monitor the response to the pandemic throughout the year.

3.7 As a result of adjusting and re-prioritising its approach and work plan, the OSC members scheduled three additional Committee meetings in 2020-21. It might be noted that due to pre-election restrictions on publicity the April 2021 OSC meeting was moved to June 2021.

3.8 Two issues had been identified in 2019-20 for progression through an in-depth, task and finish group approach: Social Housing; and Governance of Major Projects. Due to the emerging project and programme governance changes at the Council the OSC removed Governance of Major Projects from its work plan as a task group in late 2020 and replaced it with the topic of Mental Health Provision in the Borough.

3.9 Both the Social Housing and Mental Health Provision in the Borough task groups began in early 2021.

4. Current and future O&S work programme

4.1 Attached at Appendix 1 is the overview and scrutiny work programme for 2020-21 as developed thus far. This includes a programme of Lead Councillor question sessions for 2021-22.

4.2 The intention is for a long-term work programme that focuses on items that can make a tangible difference, but one flexible enough to accommodate urgent, short term issues that arise.

4.3 The working groups drawn from non-Executive Councillors to scrutinise the Council's Leisure Partnership Agreement and G-Live contracts monitoring are scheduled to report back to the OSC in November 2021 and January 2022 respectively.

4.4 The O&S work programme is considered regularly and agreed formally by the OSC. Topics are shortlisted with reference to a P.A.P.E.R. selection tool (attached as Appendix 3).

Resourcing of O&S

4.5 Research suggests the resource allocated to scrutiny is fundamental in determining how effective the function is. The Council has a Senior Democratic Services Officer post dedicated largely to scrutiny and a separate scrutiny budget (of £5,000 p.a.) for external advice and expertise.

Training for O&S councillors

4.6 The Council offers induction training and ongoing skills training to Councillors, which has traditionally been facilitated by John Cade from the Institute of Local Government Studies (INLOGOV), University of Birmingham. All this training has been extremely

well received by councillors and additional sessions on aspects of overview and scrutiny are to be hoped for during 2021-22.

- 4.7 In addition, Councillors are able to attend external O&S courses remotely (for example, with the Centre for Governance and Scrutiny and the Local Government Association).

5. Call-In Procedure and Urgency Provisions

- 5.1 The provisions relating to 'call-in' and 'urgency' are monitored on an annual basis and recommendations for changes will be submitted to the Council for consideration if necessary.

Call-in procedure

- 5.2 Call-in is the power of Overview and Scrutiny to scrutinise a decision by the Leader/Executive or an individual Lead Councillor before it is implemented. The call-in provisions also apply to a decision made by an officer with delegated authority from the Leader/Executive.
- 5.3 The provisions relating to call-in are specified in the Overview and Scrutiny Procedure Rules contained in the Council's Constitution. The call-in mechanism enables non-Executive councillors to intervene when they feel that a decision being made by the Leader / Executive should be revisited or changed. The effect of call-in is to prevent implementation of a decision until the OSC has examined the decision. The OSC has the power to refer a decision back to the decision-maker or to refer a matter for further review by the Council.
- 5.4 The call-in procedure has not been exercised at the Council in 2020-21. In the previous municipal year call-in was used just once; prior to this it was last exercised in late 2012.
- 5.5 The call-in procedure was revised by the Council in October 2014 as part of a review of the Council's Constitution. In 2014, the call-in threshold was increased from three councillors to five, while retaining the call-in power of the OSC chairman and increasing the call-in period from 96 hours to 5 working days.
- 5.6 Having considered the statutory guidance on scrutiny³ and the current and previously considered approaches to scrutiny at the Council, there are no changes proposed to the call-in procedure at this time.

Urgency provisions

- 5.7 The 'urgency' provisions are specified in the Access to Information Procedure Rules and Overview and Scrutiny Procedure Rules. A principal purpose of these provisions is to enable the Leader/Executive or individual Lead Councillor, with the consent of the chairman of the OSC, to agree to preclude the call-in of any particular executive decision in cases of urgency. In addition, these provisions enable key decisions to be taken with less than 28 days' notice: either with at least 5 clear days' notification or less notice with the agreement of the OSC Chairman.

³ Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities issued in May 2019: <https://www.gov.uk/government/publications/overview-and-scrutiny-statutory-guidance-for-councils-and-combined-authorities>

5.8 During 2020-21, the urgency provisions were used on four occasions:

- Surrey Leaders' Group – Nominations for appointment to outside bodies 2020-21. Executive decisions, May 2020 and January 2021.
- Ash Road Bridge: Project Update. Executive decision, March 2021.
- North Street Development Site, Guildford. Executive decision, March 2021.

5.9 Further details of the four occasions during 2020-21 are attached at Appendix 2. This compares to four occasions in the 2019-20 municipal year.

5.10 There are no changes proposed to the urgency provisions.

6. Legal Implications

6.1 This report on the operation of overview and scrutiny has been prepared in accordance with the requirements of the Council's Constitution. In particular, the Council's Overview and Scrutiny Procedure Rule 16(i) requires the operation of the provisions relating to call-in and urgency to be monitored annually and a report submitted to Full Council with proposals for review if necessary and Article 8.2(d) of the Council's Constitution requires the Council's Overview and Scrutiny Committee to report annually to Full Council on the work undertaken during the year, its future work programme, and amended working methods if appropriate.

6.2 The Council must 'have regard' to statutory guidance on O&S when exercising and reviewing its O&S function.⁴ This means that it is not necessary to follow every detail of the guidance, but it should be followed unless there is good reason not to do so.

7. Financial Implications

7.1 There are no financial implications arising directly from this report.

8. Human Resources Implications

8.1 There are no human resources implications arising from this report.

9. Equality and Diversity Implications

9.1 The Council has a statutory duty under section 149 of the Equality Act 2010 which provides that a public authority must, in exercise of its functions, have due regard to the need to (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The relevant protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

⁴ Statutory guidance for O&S was published by the Ministry of Housing, Communities and Local Government in May 2019 under section 9Q of the Local Government Act 2000 and Schedule 5A paragraph 2(9) to the Local Democracy, Economic Development and Construction Act 2009. [Note 4 above refers].

- 9.2 This duty has been considered in the context of this report and it has been concluded that there are no equality and diversity implications arising directly from this report.

10. Climate change / sustainability implications

- 10.1 There are no climate change / sustainability implications arising directly from this report.

11. Conclusion

- 11.1 Having considered the statutory guidance on scrutiny, the work undertaken during 2020-21 and its future work programme, together with current and previously considered approaches to scrutiny at the Council, officers recommend no change to O&S at this time.
- 11.2 Officers are not recommending any changes to call-in or urgency procedures at this juncture.

12. Background Papers

None.

13. Appendices

Appendix 1 – OSC work programme 2021-22, June 2021.

Appendix 2 – Key decisions taken by Executive in 2020-21 under urgency provisions / call-in waived.

Appendix 3 – P.A.P.E.R. selection tool.

Overview & Scrutiny work programme, 2021-22

Overview & Scrutiny Committee items
<p>13 July 2021 meeting</p> <ul style="list-style-type: none">• COVID-19 response• Lead Councillor Question Session – Councillor Joss Bigmore, Leader of the Council and Lead Councillor for Service Delivery• Lead Councillor Question Session – Councillor John Rigg, Lead Councillor for Regeneration• Spend on consultants and agency workers – update• Overview and Scrutiny Annual Report, 2020-21
<p>14 September 2021 meeting</p> <ul style="list-style-type: none">• Lead Councillor Question Session – Councillor James Steel, Lead Councillor for Environment• Implementation of Future Guildford• Air Quality Strategy 2017-22 – monitoring progress• Safer Guildford Partnership Annual Report 2021• Update on unauthorised gypsy and traveller encampments and Surrey’s transit site
<p>9 November 2021 meeting</p> <ul style="list-style-type: none">• Lead Councillor Question Session – Councillor Jan Harwood, Lead Cllr for Climate Change• Spend on consultants and agency workers: 12-month review• Operation of the Leisure Management contract, 2020-21• Impact of Brexit• Council’s project and programme governance• Outcome of investigations into Guildford Crematorium stack height error
<p>18 January 2022 meeting</p> <ul style="list-style-type: none">• Lead Councillor Question Session – Councillor Tim Anderson, Lead Councillor for Resources• Annual report and monitoring arrangements for operation of the G-Live contract, 2020-21
<p>1 March 2022 meeting</p> <ul style="list-style-type: none">• Lead Councillor Question Session – Councillor John Rigg, Lead Councillor for Regeneration
<p>Monday 25 April 2022 meeting</p> <ul style="list-style-type: none">• Lead Councillor Question Session – Councillor John Redpath, Lead Councillor for Economy

Currently unscheduled items

- Post COVID-19 Homelessness strategy, housing strategy/policies
- Spectrum 2.0
- Visitor and Tourism Strategy
- Councillor Tom Hunt, Lead Councillor Question Session

Task and finish groups

Title	Update
Social Housing Issues in the Borough	Membership: Cllrs Ruth Brothwell, Angela Gunning, Ramsey Nagaty, George Potter (Vice-Chair), Jo Randall, Tony Rooth (Chair), and Cait Taylor.
Mental Health Provision in the Borough	Membership: Cllrs Paul Abbey and Richard Billington.

Executive meeting	Item of business	Decision taken (K) = Key Decision	Chair of O&S informed under General Exception provision of Access to Information Procedure Rule 15	Chair of O&S agreement obtained under Special Urgency provision of Access to Information Procedure Rule 16	Chair of O&S agreed to waive call-in
26 May 2020	Surrey Leaders' Group – Nominations for appointment to outside bodies 2020-21	To submit nominations to the Surrey Leaders' Group in respect of the appointments of district council representatives to various outside bodies	n/a	n/a	✓
5 January 2021	Surrey Leaders' Group – Nominations for appointment to outside bodies 2020-21	To submit a nomination to the Surrey Leaders' Group in respect of the appointment of a governor to the Surrey & Borders Partnership NHS Foundation Trust (Mental Health Foundation Trust)	n/a	n/a	✓
23 March 2021	Ash Road Bridge: Project Update	(1) To proceed with the project, including the Council entering into the Deed of Amendment to the Homes England Funding Agreement and to delegate authority to the Director of Strategic Services to negotiate to an agreed form and sign this draft Deed of Amendment with Homes England on behalf of the Council.	n/a	n/a	✓

		<p>(2) To approve the transfer of funds from provisional to approved programmes as set out in the funding section of the exempt (Part 2) report to allow the road bridge and footbridge to proceed.</p> <p>(3) To approve the budget and funding strategy as set out in the budget and funding sections of the exempt (Part 2) report (in so far as they fall within the Executive's power to approve).</p> <p>(4) To delegate authority to the Director of Strategic Services, in consultation with the Lead Councillor, to enter into such other contracts and legal agreements connected with this project as may be necessary within the approved budget.</p>			
23 March 2021	North Street Development Site, Guildford	<p>1) To note that the scheme is being redesigned and that this will require the Heads of Terms for the sale of the Council's land to be renegotiated with St Edward.</p> <p>2) To note that the following documents which relate to the</p>	n/a	n/a	✓

		<p>Friary Centre bus station transaction are being negotiated and agreed:</p> <ul style="list-style-type: none">a) deed of surrender and variation of the Friary Centre headlease between M&G and the Council.b) new headlease of the bus station between the Council and St Edward.c) new underlease of the bus station between St Edward and the Council; and <p>3) To authorise the transaction in respect of the Friary Centre bus station to proceed immediately and independently of the sale of the Council's interest in the Site.</p> <p>4) To authorise the Managing Director, in consultation with the Leader of the Council and Lead Councillor for Regeneration, to approve the final terms of the Friary Centre bus station documentation referred to in paragraph (2) above, and to finalise the transaction.</p> <p>5) To note the additional responsibilities on the part of</p>			
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		<p>the Council in respect of the bus station as set out in section 5 of the Executive report and to accept, including making an allowance of an additional budget of £60,000 to cover immediate costs associated with works to keep the bus station land safe and insured and £10,000 for ad hoc repairs, insurance and utilities.</p> <p>6) To agree a virement of £70,000 from the corporate inflation budget to the asset management budget to fund the bus station repair costs and provide an annual budget, and to note that there is also a potential £45,000 one off repair payment as detailed in paragraph 5.5 of the Executive report.</p> <p>7) To note the advice received from AECOM as set out in section 12 of the Executive report and to confirm that the Council will continue to identify and address equalities implications arising from the proposed transaction.</p>			
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P.A.P.E.R. topic selection tool

Public interest: concerns of local people should influence the issues chosen

Ability to change: priority should be given to issues that the Committee can realistically influence

Performance: priority should be given to areas in which the Council and Partners are not performing well

Extent: priority should be given to issues that are relevant to all or a large part of the Borough

Replication: work programme must take account of what else is happening to avoid duplication or wasted effort

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