

OVERVIEW AND SCRUTINY COMMITTEE

- * Councillor Paul Spooner (Chairman)
- * Councillor James Walsh (Vice-Chairman)

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| Councillor Chris Blow | * Councillor Maddy Redpath |
| Councillor Guida Esteves | * Councillor Tony Rooth |
| * Councillor Graham Eyre | * Councillor Will Salmon |
| * Councillor Angela Goodwin | * Councillor Deborah Seabrook |
| * Councillor Richard Morris | * Councillor Fiona White |

*Present

Councillors Tim Anderson (Lead Councillor for Assets and Property), Joss Bigmore (Deputy Leader of the Council and Lead Councillor for Finance and Planning Policy), Julia McShane (Leader of the Council and Lead Councillor for Community and Housing), George Potter (Lead Councillor for Climate Change and Organisational Development), and James Steel (Lead Councillor for Environment and Regulatory Services) were also in attendance, with Councillor John Redpath (Lead Councillor for Customer and Commercial Services) in remote attendance.

In accordance with Council Procedure Rule 23(i), Councillors Ruth Brothwell and Ramsey Nagaty attended as substitutes for Councillors Chris Blow and Guida Esteves respectively.

OS33 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

The Committee was advised of apologies for absence from Councillors Guida Esteves and Chris Blow and substitutions as detailed above.

OS34 LOCAL CODE OF CONDUCT AND DECLARATION OF DISCLOSABLE PECUNIARY INTERESTS

There were no declarations of Disclosable Pecuniary Interests.

In relation to item 9, Operation of the Leisure Management Contract 2021-22, the Chairman, Councillor Paul Spooner, disclosed a non-pecuniary interest as a governor of Ash Manor School.

OS35 MINUTES

The minutes of the Overview and Scrutiny Committee meeting held on 8 November 2022 were agreed.

OS36 LEAD COUNCILLOR QUESTION SESSION

The Chairman welcomed the Deputy Leader of the Council and Lead Councillor for Finance and Planning Policy and the Lead Councillor for Assets and Property. The meeting was advised that the session would cover Councillor Anderson's new portfolio, together with finance and procurement, both recently moved to Councillor Bigmore's portfolio.

During the ensuing discussion a number of points were made and clarifications offered:

- In response to questions about Old Millmead House (OMH), the Lead Councillor for Assets and Property advised the Committee that existing tenants within part of OMH

provided an income of almost £99k per annum. He indicated that the vacant office accommodation within OMH were being prepared for marketing, with refurbishment of much of the area and the introduction of dedicated wifi connectivity and an intercom system. The meeting was advised that agents would soon be instructed and that the building would be available from April. The Lead Councillor for Assets and Property indicated that refurbishment of the offices was necessary. The Joint Executive Head of Assets and Property advised that agents to handle the marketing of the office space in OMH had been procured in accordance with Council procedures.

- In reply to a question about the current situation of the Toll House Turbine, the Lead Councillor for Assets and Property advised the turbine was working but had not been able to generate electricity due to the high downstream river level. He indicated the turbine would be operating once the river level returned to normal.
- The Deputy Leader of the Council and Lead Council for Finance and Planning Policy was asked for his view on the impact of the Council's procurement policies on climate change and matters such as safe working practices or the elimination of child labour. In his response, he referred to the value of monitoring the number of tenders received that fell outside the Council's policies.
- In response to a request for information about businesses struggling to meet rent payments to the Council during the pandemic and steps taken to recover such debts, the Deputy Leader of the Council and Lead Council for Finance and Planning Policy suggested unpaid debts or failures to meet amended payment plans were minimal and indicated that the Joint Executive Head of Assets and Property could confirm the situation. In addition, he proposed the worth in monitoring for rent arrears and such difficulties during the cost of living crisis.
- In response to comments from a member of the Committee, the Deputy Leader of the Council and Lead Council for Finance and Planning Policy advised that formal decisions were required for significant adjustments or virements to capital project budgets if unexpected issues arose. He suggested that particular queries concerning specific spending on a project be addressed through the Major Projects Board.

The Chairman thanked the Deputy Leader of the Council and Lead Council for Finance and Planning Policy and the Lead Councillor for Assets and Property for attending and answering questions.

OS37 UPDATE ON GUILDFORD-WAVERLEY COLLABORATION

The Joint Chief Executive of Guildford and Waverley Councils advised the meeting that the Joint Management Team had been in post for three months and had started to review services for transformation and collaboration opportunities. The Committee was informed that the two vacancies in the Joint Management Team would soon be filled: a new Joint Executive Head of Legal and Democratic Services would be in post by April and the Joint Executive Head of Planning Development would be able to be announced shortly.

The Joint Chief Executive stated that business cases for further collaboration would be brought forward informally to Executives of both Councils and then circulated to all Councillors thereafter. He advised that the Joint Governance Committee had recommended a minor modification to the Inter-Authority Agreement between Guildford and Waverley Councils and that the suggestion would be brought to meetings of full Council for approval. He confirmed that the Joint Governance Committee had scrutinised the risk register associated with the collaboration.

The Leader of the Council and Lead Councillor for Community and Housing thanked the Joint Chief Executive for his update and indicated her support for the collaboration.

There were no questions or comments from Councillors.

The Chairman thanked the Joint Chief Executive for attending and updating the Committee.

OS38 PROCUREMENT ANNUAL REPORT

The Interim Senior Specialist Procurement introduced the item. He advised that the report submitted to the Committee provided an update on the Procurement Service Strategy, the Procurement Savings Strategy, and the Modern Slavery Charter. The meeting was informed that the savings reported to the Committee were solely from procurement activity and did not include service redesign or efficiency savings.

The Interim Senior Specialist Procurement indicated that approximately thirty-six percent of the procurement savings target had been achieved. He explained that the report identified both vired savings, that is to say, savings moved to other budgets, and other savings that were yet to be audited or vired. The Interim Senior Specialist Procurement advised that more than £2 million of non-General Fund savings were listed within an appendix. He confirmed that the report covered the period until 31 March 2022.

The Deputy Leader of the Council and Lead Council for Finance and Planning Policy indicated that the delivery of procurement savings was on track. He outlined the complexity of identifying procurement savings in a period of high inflation, noted the difficulties of the transition to a centralised model of procurement, and referred to the opportunities from collaboration with Waverley.

In reply to questions, the Interim Senior Specialist Procurement confirmed the difference within the report between savings achieved and moved to another budget and total savings identified and awaiting financial approval. In addition, he explained the projected procurement savings in the report.

A member of the Committee asked for evidence on the effectiveness of the Council's No PO No Pay policy initiative. In reply, the meeting was advised that the No PO No Pay function was promoted but not controlled by procurement officers. The Lead Specialist Finance advised that there was an additional staff cost saving associated with the change in purchasing policy and that suppliers were paid quicker than previously.

In response to a question about modern slavery and whether the Council had received any abnormally low tenders, the Interim Senior Specialist Procurement advised that the Council always challenged such tenders in line with the Public Contract Regulations 2015 and asked bidders to justify such bids. He indicated that bidders not able to justify an abnormally low price were rejected from the tender process.

In reply to concerns raised about rising costs for suppliers and their difficulties in delivering at an agreed price, the Interim Senior Specialist Procurement indicated that the Council did engage with contractors experiencing such issues.

In response to questions, the Interim Senior Specialist Procurement undertook to investigate the measures taken to address the recommendations and risks identified within the internal audit report attached as Appendix 1 to the report submitted to the Committee. In addition, he suggested the value of future joint procurement collaboration activity with Waverley.

In reply to a question, the Deputy Leader of the Council and Lead Council for Finance and Planning Policy advised the meeting that, although the business case for each proposal would need to be developed and assessed, the procurement function seemed well suited for closer working between Guildford and Waverley Councils. The Lead Councillor for Climate Change and Organisational Development indicated that the development and approval of business cases for joint working between Guildford and Waverley Councils would not be possible before the May elections.

The Lead Councillor for Customer and Commercial Services suggested action to encourage local businesses and retailers to bid for Council contracts. The Deputy Leader of the Council and Lead Council for Finance and Planning Policy indicated that local supplier was a factor in the scoring of tenders and welcomed the suggestion of a workshop for local businesses to encourage bidding for Council contracts.

The Chair thanked officers and the Deputy Leader of the Council and Lead Council for Finance and Planning Policy for attending and answering questions.

RESOLVED: That the Annual Procurement Report submitted for the financial year ending March 2022 be welcomed by the Committee.

OS39 PERFORMANCE MONITORING REPORT 2022-23 QUARTER 2

The Chairman reminded the Committee that members with queries about specific performance indicators in the report had been asked to submit these in advance to the Policy Officer, Strategy and Communications, to enable an explanation to be given at the meeting.

The Lead Councillor for Climate Change and Organisational Development introduced the report submitted to the Committee. He advised that the key performance indicators (KPIs) within the report had been updated as a result of feedback from the Committee and a recent review workshop and meeting of the Council's Executive Liaison Group.

In addition, the Policy Officer, Strategy and Communications, informed the Committee that the review of performance indicators had reduced the number of KPIs to approximately forty from Quarter 3 reporting onwards. She advised that some previous KPIs would continue to be monitored through the service planning process.

The Policy Officer, Strategy and Communications, advised the Committee of an amendment to a figure within the report; namely, the Quarter 1 amount for COU11, Speed of determining planning applications for minor development, was 40.39 percent, rather than 52.17 percent.

In response to questions on COU3 and COU4 and aligning KPIs and internal service targets with the Council's priority outcomes, the Policy Officer, Strategy and Communications advised that the Joint Executive Head of Communications and Customer Service would be consulted on the merit in reviewing the KPIs further.

With reference to COU15, 16, 21, 22, and 23, a member of the Committee asked for an informal update on the Council's customer service performance. The Policy Officer, Strategy and Communications, summarised a response provided by the Joint Executive Head of Communications and Customer Service; the meeting was advised of a different approach from the Council's communication and engagement through social media and the reasons for increased call wait times to the Council's customer services in December. In addition, the Policy Officer, Strategy and Communications, indicated that online requests were being dealt with within advertised timescales, informed the Committee that there were over 51,000

customers registered with MyGuildford accounts, and provided details recruitment to customer services.

In reply to a question linking the number of homeless families placed in bed and breakfast accommodation with the possible use of unoccupied Council housing, the Leader of the Council and Lead Councillor for Community and Housing pointed out that void houses were often in need of repair. She undertook to arrange for more information on the issue to be provided to Committee members.

The Committee was informed that the Quarter 2 data for the KPI relating to affordable housing units granted planning permission on eligible sites (H&J20) was not available due the reporting function on the database not working. The Policy Officer, Strategy and Communications, indicated that further information could be provided to Committee members.

The Lead Councillor for Climate Change and Organisational Development made clear that comments from Committee members on improvements to KPIs would be welcomed at any time.

RESOLVED: (I) That the Performance Monitoring Report for 2022/23 Quarter 2, attached as Appendix 1 to the report submitted to the Committee, be noted.

(II) That the invitation from the Lead Councillor for Climate Change and Organisational Development to put forward suggestions and comments on improvements to performance indicators in the Council's performance framework be welcomed.

OS40 AIR QUALITY STRATEGY - WORKPLAN UPDATE

The Lead Councillor for Climate Change and Organisational Development introduced the item. He indicated that the Council was continuing to work with National Highways and Surrey County Council to improve air quality along the A3 as it passes through Guildford although detailed information was not yet able to be made public.

The Joint Executive Head of Regulatory Services noted that the report updated the Committee on Guildford town centre Air Quality Management Area (AQMA), the Air Quality Action Plans for Shalford and Compton, and the A3 through Guildford. He confirmed that the review of the Air Quality Strategy would take place in 2023. The Senior Specialist Environmental Protection declared that the Air Quality Action Plan for Guildford town centre had been approved by Defra subject to minor amendments only.

In reply to a question from a member of the Committee, the Senior Specialist Environmental Protection confirmed the help and support received from Surrey County Council.

A member of the Committee advised the meeting of air quality monitoring undertaken by the Council in the locality of Onslow Infant School and thanked officers.

Another member of the Committee highlighted the importance of considering climate change and sustainability implications in the Council's decision-making and providing officer resource for actions in the Borough's AQMAs. The Lead Councillor for Climate Change and Organisational Development indicated that an update report on the Shalford AQMA was planned for 2023 and that preparation for the report would include meetings with local councillors.

In reply to a question, the meeting was advised that the Council produced an Air Quality Annual Status Report that summarised air quality in the Borough and reported progress to improve air quality; these reports were available on the Council's website.

In response to questions, the Senior Specialist Environmental Protection informed the Committee that the Air Quality Strategy was for a five-year period and covered the whole Borough. He stated that the Air Quality Action Plans had specific and ambitious targets to achieve as they progressed. He confirmed those officers involved in air quality worked closely with officers engaged in the Town Centre Masterplan. The Lead Councillor for Climate Change and Organisational Development stressed that air quality action was a statutory responsibility for the Council with a strict timetable, whereas Council initiatives such as Shaping Guildford's Future were discretionary and could not be counted on to be contribute to the improvement of air quality within the same timeframe.

A member of the Committee raised concern that the anti-vehicle idling campaign within the 2017-22 Strategy had not yet started. In reply, the meeting was advised of the value of working with schools and the requirement for civil enforcement officers if the Council were to enforce such measures. The Lead Councillor for Climate Change and Organisational Development suggested the benefit of installing advisory anti-idling signage. The Leader of the Council and Lead Councillor for Community and Housing stated that the issue of vehicle idling outside schools could be taken forward by the Council's communications team. The Joint Executive Head of Regulatory Services indicated that officers would liaise with colleagues at Surrey County Council with a view to providing anti-idling campaign materials for schools.

RESOLVED: (I) That the report submitted to the Committee be noted.
(II) That the proposed review of the Guildford Air Quality Strategy 2017-22 be endorsed.

OS41 OPERATION OF LEISURE MANAGEMENT CONTRACT 2021-22

[During this item, the Chairman, Councillor Spooner, disclosed a non-pecuniary interest as a governor of Ash Manor School.]

The Lead Councillor for Environment and Regulatory Services introduced the item. He advised the meeting that the first four-month period of the contract year was impacted by Covid restrictions and that the leisure facilities were subject to industry-wide changes. The Lead Councillor for Environment and Regulatory Services noted that the report submitted to the Committee contained the Annual Report from Freedom Leisure and the minutes of the Annual Report presentation. He stated that the declared position at the end of the financial year for the contract overall was a deficit of £383,268.

The Lead Councillor for Environment and Regulatory Services indicated that the members of the overview and scrutiny Leisure Partnership Agreement working group attending the Annual Report presentation by Freedom Leisure had recognised the challenges facing the industry and were generally happy with the day to day operation of the facilities and how the facilities appeared to be recovering following the pandemic. He invited the Committee members to comment on the performance of Guildford Spectrum, Guildford Lido, and Ash Manor Sports Centre.

The Joint Executive Head of Commercial Services advised the Committee that the impact of Covid increased the difficulty of comparing performance over recent years.

In response to questions about the comments from service users, the Joint Executive Head of Commercial Services informed the Committee that there had not been any specific complaints about accessibility. He agreed to take forward a suggestion to seek customer feedback about accessibility of the facilities.

A member of the Committee referred to the issues with Ash Manor School, including the impact on income from the main hall and the dispute about the energy bill. In reply, the Joint Executive Head of Commercial Services confirmed that he was the officer responsible for progressing these issues and hoped to be meeting the school's headteacher soon.

In reply to points raised about gym facilities and membership, the Joint Executive Head of Commercial Services told the meeting that the Spectrum gym area had been refurbished and that the issue of available gym staff would be followed up with the contractor.

In response to concerns raised about energy costs, the Joint Executive Head of Commercial Services advised that the Council was working with Freedom Leisure to bring in energy reductions at the Spectrum. He indicated that the age of the Spectrum increased the challenge of reducing energy costs there.

The Chairman summarised the discussion and suggested the value to the Borough of the Council's leisure services. He expressed support for those involved in efforts to continue Council leisure services in the Borough and sympathy for the challenges facing the operator.

RESOLVED: That the Leisure Partnership Agreement objectives detailed at section 3.4 of the report submitted to the Committee be endorsed.

OS42 REVIEW OF THE ANNUAL REPORT AND MONITORING ARRANGEMENTS FOR THE OPERATION OF THE G LIVE CONTRACT 2021-2022

The Lead Councillor for Environment and Regulatory Services introduced the item, stating that the Council's contract with HQ Theatres Guildford Limited to operate and manage G Live had been extended until 30 September 2024. The meeting was reminded that the G Live Annual Report and the minutes of the Annual Report presentation were attached as appendices to the report submitted to the Committee. The Lead Councillor for Environment and Regulatory Services stated that the eleventh contract year was considered a recovery period – impacted by Covid with the emergence of the Omnicron variant, plus reduced attendance levels in some areas as customers gained confidence in returning to entertainment venues.

The Lead Councillor for Environment and Regulatory Services stated that the members of the overview and scrutiny G Live working group attending the Annual Report presentation by Trafalgar had recognised the challenges facing the industry and were pleased overall by the performance of the operator. He declared that the operator had reported a surplus of £276,931, which meant the Council received £55,386.

A number of points were made in the ensuing discussion:

- The Joint Executive Head of Commercial Services confirmed that touring content was pitched toward younger audiences in the contract year, in part due to the number of comedians keen to tour after the pandemic.
- In reply to a Committee member's query, the Joint Executive Head of Commercial Services indicated that feedback on local community partnerships and community development activities would help inform the service specification for the next G Live contract. He indicated that the future balance and range of G Live's programme could be shaped by performance measures specified within the tendering and contract management processes. The Committee was informed that the operator was limited to the touring product that was available and therefore had little control over the exact number of performances in each genre.

- In response to a query, a member of the overview and scrutiny G Live working group praised the commitment of the G Live management team towards community development events. In addition, he noted that he was keen to resolve catering issues at the venue.

RESOLVED: That the report submitted to the Committee be endorsed.

(II) That the operator and Council's Leisure Client Team be commended for the relative success of the 2021-22 contract year.

OS43 STRAY DOG SERVICE

The Lead Councillor for Environment and Regulatory Services introduced the report submitted to the Committee. He advised the meeting of the Council's statutory responsibility to have measures in place to respond to stray dogs found in the Borough and the appointment of Dogbusters in 2019 to provide a stray dog collection and reception service on behalf of the Council. The Lead Councillor for Environment and Regulatory Services noted that the report set out the Council's responsibilities, details of the stray dog service, relevant statistics, contract management, complaints, and the contract review timetable and process.

The Senior Specialist for Licensing and Community Safety indicated that the Council had a duty to respond to stray dogs and no kennelling facilities of its own, hence the need to procure an outside contractor.

During the ensuing discussion a number of suggestions were made and clarifications offered:

- In reply to a request to provide the cost to the Council of the contract with Dogbusters to aid scrutiny of the service, the Senior Specialist for Licensing and Community Safety indicated the commercial sensitivity of the cost and undertook to seek advice about sharing the information with Committee members.
- Members questioned Dogbusters' handling of communications with members of the public. With reference to another stray dog service provider operating in the county, and the lack of contact details and publicly available information for Dogbusters, a member of the Committee questioned the transparency and accountability of the Council's contractor. In addition, the specification used in the procurement process in 2019 was challenged given that the stray dog service provided by Dogbusters was apparently used by just one other council.
- In reply to questions, the Senior Specialist for Licensing and Community Safety advised the meeting that since 2019 the Council had received three complaints relating to Dogbusters and that the company had dealt with over four hundred stray dogs in the same period. He suggested that Dogbusters was careful about divulging to members of the public any details about stray dogs in its kennels due to concerns about the public accessing their facility in order to reclaim their dogs without paying the fee, as had happened with the previous contractor on a number of occasions; however, he indicated that the contractor should respond positively to finders of stray dogs contacting them to request information about whether the dog had been returned to its owner, and any matters of concern could be referred to officers to investigate.
- In response to questions raised by the Committee, the Senior Specialist for Licensing and Community Safety advised that Dogbusters facilities were inspected regularly by Council officers, there was a contract monitoring schedule with regular meetings, and

the contractor was accountable to the Council. He indicated that Dogbusters was a licensed boarding kennels located in the Surrey area, rated as a five-star facility, the highest rating available under the Licensing Regulations, and with the exact location judged commercially sensitive for reasons of security.

- The Senior Specialist for Licensing and Community Safety confirmed that Dogbusters had been awarded the contract to provide the service after an open procurement exercise, with tenders scored on both cost and technical specification. He indicated that the contract was about to be re-tendered and included areas such as staff training, kennel management, rehoming unclaimed dogs, the provision of emergency medical treatment, dealing with customers, and returning dogs to owners.
- A member of the Committee questioned the quality of the Dogbusters website and the public's perception of both the service and, by association, the Council. The same member of the Committee asked how many complaints had been made direct to the contractor, besides the three formal complaints received by the Council about the service. The Senior Specialist for Licensing and Community Safety suggested that the quality of the information provided to customers could be included within the service specification when the next contract was put out to tender. He indicated that the expectation was for the contractor to manage service complaints made directly to them.
- A member of the Committee asked about the seven-day holding period, the rehoming of unclaimed dogs and the possible role of breed club rescue societies, the value of councillors viewing facilities at the stray dog service, and whether the police used the same boarding kennels. The same member of the Committee queried the number of dogs rehomed or placed in foster care (36) and the number returned to owners (7) in the current year and noted the likely usefulness of a site visit to speak to the contractor.
- In reply to the above questions, the Senior Specialist for Licensing and Community Safety advised that the seven-day holding period was legislated whereby dogs legally become the property of the Council after this period, however during this time every effort is made to reunite the dog with their owner. He informed the meeting that Dogbusters worked with a number of foster families and other rescue centres, including Battersea Dogs Home. In reply to a comment about Battersea Dogs Home, the Senior Specialist for Licensing and Community Safety indicated that the contractor was specifically instructed to never euthanise a healthy dog or pass one along to a charity that would. He advised that many dogs which are unclaimed are not 'pedigree' breeds which would enable the use of a charity for that breed. He suggested that the specification for the new contract would consider the rehoming arrangements. The Senior Specialist for Licensing and Community Safety advised the meeting that he was not aware whether the police used the contractor. The meeting was advised that an increase in the number of dogs being rehomed or sent to foster care in the current year was due to owners not reclaiming their dogs, possibly as a result of an increase in dog ownership during covid and dogs not being microchipped or microchip details not being updated by owners.
- A member of the Committee suggested the merit of Councillor oversight or involvement in the contract preparation process, including consultation about the specification of the contract when it was re-tendered, and ensuring Councillors had a clear understanding of the contract management process and elements of the procurement process, together with information on the costs paid by the Council for the current service. The Chairman expressed support for these sentiments and

suggested to the Lead Councillor for Environment and Regulatory Services the value in a consultation with councillors with a view to improving the specification of the next contract when put out to tender. In response, the Lead Councillor for Environment and Regulatory Services indicated his support for input from Councillors.

RESOLVED: (I) That the Executive be requested to ensure Councillor involvement in the processes for the procurement, contract preparation, and contract management of the stray dog service.

(II) That the Lead Councillor for Environment and Regulatory Services ensure details of the cost and fees paid to Dogbusters for provision of the stray dog service be provided to Overview and Scrutiny Committee members.

OS44 OVERVIEW AND SCRUTINY WORK PROGRAMME

The Senior Democratic Services Officer (Scrutiny) invited questions on the work programme. There were no questions or comments.

RESOLVED: That the work programme attached at Appendix 1 to the report submitted to the Committee be approved.

The meeting finished at 10.00 pm

Signed

Date

Chairman