

MINUTES OF A MEETING OF THE PARTNERSHIPS AND GOVERNANCE OVERVIEW AND SCRUTINY COMMITTEE HELD IN COMMITTEE ROOMS 2/3, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON FRIDAY, 19 JUNE 2015 AT 2.00 PM

Present

Councillor N Clarke – Chairperson

E Dodd
AD Owen

M Jones
RL Thomas

JR McCarthy
C Westwood

HE Morgan

Officers:

Kym Barker
Alex Carey
Andrew Rees

Scrutiny Support Officer
Scrutiny Support Officer
Senior Democratic Services Officer – Committees

Invitees:

Kelly Watson Group Manager Legal and Democratic Services

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from the following Members for the reasons so stated:

Councillor L Ellis - Family commitment
Councillor E M Hughes – Family commitment
Councillor M Thomas – Unwell
Councillor K J Watts – Holiday
Councillor C E Smith – Medical appointment.

2. DECLARATIONS OF INTEREST

None.

3. APPROVAL OF MINUTES

RESOLVED: That the minutes of the Community Safety & Governance Overview and Scrutiny Committee of 17 March 2015 were approved as a true and accurate record.

4. LEGAL SERVICES COLLABORATION

The Scrutiny Officer presented a report which provided information on the legal services collaboration, which is a collaboration as a result of Monitoring Officers from Bridgend, Ceredigion, Carmarthenshire, Swansea, Neath Port Talbot and Pembrokeshire Councils recognising the future resilience problems to be faced. Powys County Council had joined the collaboration since 2012.

The Committee questioned whether the underspend in Legal & Regulatory Services had been re-allocated. The Group Manager Legal & Democratic Services informed the Committee that a decision on the re-allocation of the underspend back to Legal & Regulatory Services had yet to be made by the Finance Department.

The Committee questioned whether the Council was getting its fair share of legal services from the collaboration and were there instances when the legal services collaboration was not available to the Council. The Group Manager Legal & Democratic Services informed the Committee that the Directorate relied on the joint legal services team to undertake work on its behalf from time to time. She stated that the Planning Lawyer engaged by the authority for 3 days per week is employed by the joint legal services team with the bulk of that officer's work being undertaken for this authority. The authority also used the joint legal services team to undertake property law work when the internal team were at capacity and the Group Manager Legal & Democratic Services believed the authority is getting an equal share from the joint legal services team. The Committee asked whether there were any instances whereby the joint legal services team was not available to the authority. The Group Manager Legal & Democratic Services was not aware of such instances of the joint legal services team not being available but there have been occasions when there has been a short delay in the work being carried out.

The Committee requested clarification regarding concerns that the framework agreement for externalising work to solicitors and barristers may not be as effective as the previous framework. The Group Manager Legal & Democratic Services informed the Committee that the previous framework agreement had come to an end on 31 March 2015. The previous framework agreement had resulted in very good rates being received from solicitors and barristers. She stated there was now a push to using the National Procurement Service (NPS), however the new framework agreement was not yet up and running. Under the new framework agreement, the NPS was asking individual barrister to submit a their quotes rather than Chambers as a collective which may make it less attractive for Barristers. She stated that the NPS would charge a levy and it was unlikely the rates charged would as competitive as the previous framework agreement.

The Committee questioned referred to the Directorate making budget cuts year on year and questioned how it was able to keep delivering services and whether an assessment has been made of the impact of those budget cuts on service users / other Directorates. The Group Manager Legal & Democratic Services informed the Committee that some Directorates require more advice from Legal & Regulatory Services than others. The joint legal services team would be contacted to ascertain whether they have capacity to provide advice if there was not internal capacity. However there would inevitably be delays in the service provided to the Directorates and work be would have to prioritised. The Committee questioned what would happen in the event of sickness cover being needed. The Group Manager Legal & Democratic Services informed the Committee that where there was sickness in the various legal teams, the use of the joint team would be considered to undertake some work although again some work would have to wait.

The Committee questioned the use of the Special interest groups (SIGs). The Group Manager Legal & Democratic Services informed the Committee that the SIGs work very well and provide a forum to share best practice and experience on dealing with difficult cases and also as support network. The use of SIGs had proven beneficial in barristers delivering training jointly. She stated that over the course of time many of the Chairs of SIGs had left their posts and the numbers of staff employed by the partner authorities had also diminished and therefore attendance at SIGs and training had also diminished.

The Committee expressed concern that Regional Trainee Solicitors may be lost to the private sector due to a lack of funding in future and asked whether training new solicitors was putting a pressure on staff. The Group Manager Legal & Democratic Services informed the Committee that there were no trainee solicitors employed at BCBC at present. She confirmed that it was disappointing to lose solicitors who had trained in

Local Government as it could be difficult to recruit suitably experienced local government lawyers.

The Committee questioned the impact on the joint legal services collaboration following the recent announcement by the Minister on the re-organisation of local government. The Group Manager Legal & Democratic Services informed the Committee that the authorities whom the Minister had proposed BCBC would merge with were not in the collaboration and it was difficult to predict whether the collaboration would get bigger or shrink.

The Committee questioned the inability to use the file sharing portal in the Cardiff Courts. The Group Manager Legal & Democratic Services informed the Committee that the Child Care Team uses the file sharing portal and there was reluctance by the Cardiff Courts to use the portal.

Conclusions

The Committee noted the report, which provided Information on the Legal Collaboration Services.

- The Committee notes the significant savings made by the Legal Services Collaboration and the reassurance that daily business is being maintained throughout the Authority. However, as part of its overview responsibility, the Committee welcomes views from other Overview and Scrutiny Committees on the current services provided by the Directorate.
- Members queried whether the underspend for the Legal and Regulatory Services Directorate would be reallocated and, if so, where. The Officer replied that the Assistant Chief Executive - Legal & Regulatory Services is currently waiting for advice from Finance and it is unknown at present where this money will be used if it becomes available.
- Members were concerned that Regional Trainee Solicitors may be lost to the private sector due to lack of funding in future and asked whether training new solicitors is putting a pressure on staff. The Officer replied that there are no trainee solicitors employed at BCBC at present.
- Members queried why BCBC is unable to use the system for file sharing in the Cardiff courts. The Officer explained that the issue is not with the ability of the Authority to use the system it is an issue with how the system is managed and utilised at Cardiff courts.
- Members raised concerns over the loss of the framework agreement in April 2015 and what is happening in the interim period until a new framework is in place. The Officer advised that in the interim period until August 2015, when the new framework is scheduled to be in place, the Authority will continue to use the old framework as much as possible.
- Members asked which aspects of the Special Interest Groups (SIG's) work well and how are they managed. The Officer felt that they provide a good support network and training is provided by barristers in specialist areas. Joint training is available at no cost to the Authority twice a year via this system. However, some Chairs of the SIG's have left recently and physical attendance is diminishing.

Further information requested

- The Committee has requested further information to show in more detail the amount and type of support the Authority contributes to the collaboration compared to that which it receives.

5. **FORWARD WORK PROGRAMME 2015-16**

The Scrutiny Officer presented a report outlining the suggested topics for consideration in the development of the Committee's Forward Work Programme for 2015-16. An outline Forward Work Programme had been developed utilising a list of suggested criteria such as Initial Reasons, Risk, Performance Measures, Community Perception, Budget and external factors for the identification of topics for investigation.

Conclusion

The Committee considered the suggested topics for inclusion in the Forward Work Programme for 2015-16 and to identify 12 primary topics for inclusion in the programme. It was acknowledged that some of the dates for the items on the Forward Work Programme may be subject to change following the meeting and Members were asked for their contribution to be received in time for inclusion in the Forward Work Programme Update to be reported at the next Partnerships and Governance Overview and Scrutiny Committee meeting on 16 September 2015.

6. **CORPORATE PARENTING CABINET COMMITTEE CHAMPION UPDATE**

The Committee received an update from Councillor J E Lewis, who was the former Community Safety and Governance Overview and Scrutiny Committee's Corporate Parenting Champion on the work being undertaken by the Corporate Parenting Cabinet - Committee.

Conclusions:

The Committee noted the Corporate Champion's update.

7. **CORPORATE PARENTING CHAMPION, BUDGET RESEARCH AND EVALUATION PANEL AND LOCAL SERVICE BOARD OVERVIEW AND SCRUTINY PANEL NOMINATION REPORT**

The Scrutiny Officer submitted a report seeking a nominee from the Committee as its Corporate Parenting Champion as an invitee on meetings of the Cabinet Committee Corporate Parenting; nominations for the Budget Research and Evaluation Panel in line with the recommendations of the Corporate Resources & Improvement Overview and Scrutiny Committee made as part of the 2015/16 budget setting process. The Scrutiny Officer also sought nominations from five members of the Committee to sit on the Local Service Board Overview and Scrutiny Panel.

RESOLVED:

(1) That Councillor K J Watts be nominated as its Corporate Parenting Champion to represent the Committee at meetings of the Cabinet Committee Corporate Parenting.

(2) That the Chairperson of the partnerships & Governance Overview and Scrutiny Committee and Councillor A D Owen be nominated to represent the Committee on the standing Budget Research and Evaluation Panel.

(3) That Councillors N Clarke, A D Owen, C Westwood, H E Morgan and E Dodd be nominated as the five Members of the

Committee to serve on the Local Service Board Overview and Scrutiny Panel.

8. **FORWARD WORK PROGRAMME UPDATE**

The Scrutiny Officer presented a report which detailed the items to be considered at the next meeting of the Committee and sought confirmation of the information and invitees required.

Conclusion

The Committee noted the topics to be considered at the Committee meeting on 16 September, to determine the any specific information and research it would like the Overview and Scrutiny Team to undertake in relation to its meeting on 29 October and to consider and revise the list of future potential items for the Committee Forward Work Programme and reprioritise as the Committee feels appropriate.

9. **URGENT ITEMS**

There were no urgent items.

The meeting closed at 3.09 pm