

OVERVIEW AND SCRUTINY COMMITTEE 18 JULY 2017

PART 1 – PUBLIC DOCUMENT	AGENDA ITEM No.
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**TITLE OF REPORT: TASK AND FINISH GROUP REPORT ON THE COUNCIL'S
MANAGEMENT OF LARGER PROJECTS**

REPORT OF THE SCRUTINY OFFICER

EXECUTIVE MEMBER: NOT APPLICABLE

COUNCIL PRIORITY: RESPONSIVE AND EFFICIENT

1. EXECUTIVE SUMMARY

The report of the Task and Finish Group on the Council's Management of Larger Projects is attached for the Committee's consideration.

2. RECOMMENDATIONS

2.1 The Committee is asked to:

- Consider the revised report of the Task and Finish Group and its recommendations at Appendix A;
- Consider the comments of the Senior Management Team at Appendix B;
- Agree the final wording of the recommendations; and
- refer the report to Cabinet for consideration at its meeting on 25 July 2017.

3. REASONS FOR RECOMMENDATIONS

3.1 To enable the Committee and Cabinet to consider the report of the Task and Finish Group.

4. ALTERNATIVE OPTIONS CONSIDERED

4.1 The Task and Finish Group discussed the evidence it heard and reached the conclusions set out in the report.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

- 5.1 There was no formal consultation about the report. Five members of the public took part in the Task and Finish Group and their contributions have been included as part of the evidence.
- 5.2 Four members of the public made presentations on the report to the Committee's meeting on 6 June 2017.

6. FORWARD PLAN

- 6.1 This report does not contain a recommendation on a key decision and has not been referred to in the Forward Plan.

7. BACKGROUND

- 7.1 The Committee established this Task and Finish Group to consider how the Council manages its larger projects. The Task and Finish Group is obliged to report back to the Committee before the report can be sent to Cabinet.
- 7.2 The Committee considered a previous version of this report at its meeting on 6 June. Four members of the public made presentations to the Committee and the Committee had a number of comments of its own on the recommendations. These can be found in **the minutes** of the Committee's meeting for 6 June which can be found in your bundle of papers for this meeting.
- 7.3 The Committee asked the Task and Finish Group to review its recommendations and report back to the Committee in July. The Task and Finish Group re-considered its report in the light of the comments made at the Committee and as a result changed some of its recommendations. The revised report of the Task and Finish Group is attached at **Appendix A**.
- 7.4 The Committee also agreed to consider the comments of the Senior Management Team (SMT) alongside the report.

8. RELEVANT CONSIDERATIONS

- 8.1 The conclusions and recommendations are in section 1 of the Task and Finish group Report. The Committee is asked to consider and comment on:
- the revised report of the Task and Finish Group which is attached at **Appendix A**;
 - the comments of the Senior Management Team at **Appendix B (NB – to follow)**.
- 8.2 The Scrutiny Officer circulated some suggested changes to the recommendations based on the discussions at the Committee on 6 June 2017. Revisions to three recommendations - recommendations 2, 5 and 10 - were agreed by all of the members of the Task and Finish Group. The Chairman Cllr Weeks did not agree with his colleagues that two other recommendations – recommendations 4 and 9 - should be changed.

Changes to Recommendations Agreed by the Task and Finish Group

- 8.3 Recommendations 2, 5 and 10 have been changed to reflect the Committee's discussion. The changes have been made to the report and are shown in bold underlined italics below for clarity and are:
- Minor drafting change (recommendation 2);
 - The need for proper resourcing of projects has been beefed up (recommendation 5);
 - Leaving open the possibility of using the competitive dialogue process in some circumstances (recommendation 10).
- 8.4 **Revised Recommendation 2:** The Council should not introduce unnecessary complexity into its ***invitations to*** tender because it is unclear about its preferred outcome. It should decide what it wants and then ***invite bidders*** to tender for it.
- 8.5 **Revised Recommendation 5:** Projects are constrained by the resources that the Council has available. Planning a substantial project on the basis that part of it will be done in a member of staff's spare time allows no contingency. The Council should ensure that large projects are properly resourced. ***If adequate resources are not available, the project should not begin until they are.***
- 8.6 **Revised Recommendation 10:** The Council should["not use" is deleted].....***be mindful of the disadvantages of*** the Competitive Dialogue process ***and think very carefully before using it again*** in future projects.

Changes to Recommendations not Unanimously Agreed by Task and Finish Group

- 8.7 The Chairman Cllr Weeks did not agree with his colleagues that recommendations 4 and 9 should be changed and the Task and Finish Group report is unchanged in these respects. The proposed changes are outlined below:
- Exception reports to be available to the public (proposed recommendation 4);
 - More emphasis on public consultation and the need to keep engaged with the public throughout the project (proposed recommendation 9);
- 8.8 The Committee will need to decide on the final wording of these recommendations. The Protocol for Task and Finish Groups says:
- Para 3.1. The scrutiny officer will draft the report on behalf of the members of the task and finish group so they are satisfied the report reflects their views and the evidence given.
 - 3.4.The Committee will consider the report ***and make any changes that it considers appropriate*** (emphasis added).

Recommendation 4

- 8.9 There is disagreement about the proposed change to Recommendation 4 that exception reports should be made available to the public unless they are confidential. The Chairman of the Task and Finish Group believes most reports are likely to be confidential and even if they are not then publishing them would attract criticism of the Council and cause delays. The Committee will need to determine the final wording. The existing and proposed versions are below.
- **Existing Recommendation 4:** When exception reports are produced by project boards, they should be circulated to all members of Council through the Members' Information Service or by e mail.

- **Proposed recommendation 4 (not agreed):** When exception reports are produced by project boards, they should be circulated to all members of Council through the Members' Information Service or by e mail; **and, unless they are confidential, made available to the public via the Council's website.**

Recommendation 9

8.10 There is disagreement about the proposed change to Recommendation 9 that engagement should continue throughout the life of the project. The Chairman of the Task and Finish Group believes consultation should not, as a matter of course, continue throughout a project as it can only lead to delays. The Committee will need to determine the final wording. The existing and proposed versions are below.

- **Existing Recommendation 9:** The Council should improve its consultation and engagement with the public.
- **Proposed Recommendation 9 (not agreed):** The Council should ensure there is meaningful consultation with the public prior to it finalising its plans; and make sure it continues to engage with the public throughout the life of the project.

8.11 The Committee is asked to finalise the recommendations.

8.12 The report will be considered by Cabinet on 25 July 2017.

9. LEGAL IMPLICATIONS

9.1 Section 6.2.7 (u) of the Constitution allows the Committee "to appoint time limited task and finish Topic Groups to undertake detailed scrutiny work report back to the Overview and Scrutiny Committee to make recommendations to the Cabinet."

10. FINANCIAL IMPLICATIONS

10.1 There are no capital, revenue or other financial implications arising directly from this report. Proper resourcing of projects (Recommendation 5) could lead to some extra up front costs but these would likely be offset by avoiding the costs associated with overrunning projects.

11. RISK IMPLICATIONS

11.1 There are no risk implications arising from the report.

12. EQUALITIES IMPLICATIONS

12.1 There are no equalities implications arising from this report.

13. SOCIAL VALUE IMPLICATIONS

13.1 The Social Value Act and "go local" policy do not apply to this report.

14. HUMAN RESOURCE IMPLICATIONS

14.1 There will be no impact on staff time as a result of this report.

15. APPENDICES

15.1 Appendix A – Task and Finish Group Report on the Council’s Management of Larger Projects

15.2 Appendix B - Comments of the Senior Management Team - **to follow**.

16. CONTACT OFFICERS

16.1 Brendan Sullivan, Scrutiny Officer, 01462 474612;
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17. BACKGROUND PAPERS

17.1 None.

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