



Business and Resources Overview and Scrutiny Committee

Date: Tuesday, 20 February 2024

Time: 4.00 pm

Location: Cumbria House, 117 Botchergate, Carlisle, CA1 1RD

Present: Cllr J Ghayouba (Chair), Cllr D Moore (Vice-Chair), Cllr A Glendinning, Cllr J Grisdale, Cllr B Pegram, Cllr A Semple, Cllr K Thurlow and Cllr B Wernham

In Attendance Assistant Director of Commissioning and Procurement, Chief Legal Officer (Monitoring Officer), Chief Finance Officer (Section 151), Policy and Scrutiny Officer and Democratic Services Officer (Scrutiny)

BROS54/23 Apologies for Absence

Apologies were received from Councillor Abdul Harid and Lucy Patrick.

BROS55/23 Declarations of Interest

There were no Declarations of Interest received.

BROS56/23 Exclusion of Press and Public

RESOLVED that the press and public not be excluded for any items of business on this occasion.

BROS57/23 Minutes of Previous Meeting

RESOLVED that the minutes of the previous meeting be agreed as a true and accurate record of the meeting held on 19 December 2023.

BROS58/23 Commissioning and Procurement - Think Local, Buy Local

The Assistant Director of Commissioning and Procurement provided the Committee with an overview of the report and background for the 'Think Local, Buy Local' approach. Highlighting the processes which were being put in place, the new software which has been appointed to start pulling data to track social value throughout Cumberland & Cumbria which is traditionally hard to track and noting that dedicated staff had been put in place to help with this. The Assistant Director of Commissioning and Procurement also noted the aim of trying to get a percentage for social value included in all contracts to help increase opportunities and manoeuvre staff where appropriate and applicable to help with that as well.

A Member queries whether the increase in requesting social value being added into contracts would prevent small businesses from winning contracts with the Council. The Assistant Director of Commissioning and Procurement explained that opposite was true, with the Social Value Act

helping local suppliers receive contracts where appropriate and proportionate, and the new procurement bill coming into effect in the autumn also helping to promote localities.

[Councillor Moore arrived at 16:06]

Members asked about Community Wealth Building and asked for clarification regarding a sentence in paragraph 3.1 and whether there would be a possibility of peer evaluation of Cumberland's Community Wealth Building compared to models such as Preston and Durham. The Assistant Director of Commissioning and Procurement clarified that the words "and we" were missing within the sentence between "organisations to share findings" and "are group members". The Assistant Director of Commissioning and Procurement then noted that there would be no reason for not having a peer evaluation and that this would be worked on through the ongoing networking happening to help Cumberland work and learn how to community wealth build.

A Member queried how many contracts Cumberland agree under the £50k and £100k values and the Assistant Director of Commissioning and Procurement noted that it was in the hundreds.

A Member asked if there was anything in place to prevent contractors sub-contracting to those not appropriate for the work being undertaken. The Assistant Director of Commissioning and Procurement explained that the contracts themselves prevent sub-contracting unless authorisation has been received from Cumberland for it to take place.

A Member requested that, for future reports, the headings for tables not be on a separate page which the Assistant Director of Commissioning and Procurement agreed to note and amend in the future.

A Member queried, with the addition of social value within contracts becoming the norm, if there was anything in place to ensure that the price of tenders was appropriate with the additional social value percentage. The Assistant Director of Commissioning and Procurement highlighted how competitive tenders are for contracts and that three elements were considered when reviewing tenders: price, quality and social value. The Assistant Director of Commissioning and Procurement also highlighted the emphasis on the Social Value Act and the local multiply effect to try and buy local where possible from the local supply base.

A Member asked how Cumberland ensured that the suppliers were local and the Assistant Director of Commissioning and Procurement explained each supplier was not taken at face value and they needed to demonstrate a local spend and have a local base, whether they be a local company or a national company with a regional office.

A Member queried how what was needed as a social value was determined as what Cumberland needed and what the consequences were for not delivering. The Assistant Director of Commissioning and Procurement noted that each contractor was under contractual obligation to deliver what they promised with contractual clauses in place which are tracked by the lead officer for the contract. Regarding determining what is needed, the Assistant Director of Commissioning and Procurement explained that these come from the questions asked during the tender process and the answers that were provided, with each set of questions being pertinent to the relevant sector rather than a standard suite of questions.

A Member asked how institutions navigate getting contracts with Cumberland and the Assistant Director of Commissioning and Procurement explained that all companies can use the Cumberland Chest for both contracts and social value and that help can be offered to navigate the formal process while the Council still remain impartial.

A Member questioned whether the procedures in place would help the Council tackle contracts which are not working. The Assistant Director of Commissioning and Procurement explained that this report is focused on social value on a local level and that contract compliance has not changed with the terms and conditions within the escalation process still the same and that companies whether big or small are treated the same.

Members agreed that it would be beneficial to have the Assistant Director of Commissioning and Procurement return in the next financial year to provide the Committee with case studies of contracts and examples once the process has been established and results can be provided.

RESOLVED that,

- a) The report be noted.
- b) An additional item be added to the 2024/25 work programme for case studies of contracts.

BROS59/23 Council Tax exemptions, discounts and premiums

The Chair of the Task & Finish Group provided the Committee with an overview of the report and the recommendations, highlighting the requested additional wording from the Legal Team to Recommendation 1 (R1), the requested updated wording to Recommendation 2 (R2) and noting that Recommendation 3 (R3) allowed Cumberland to change their decision within the next 12 months as the Secretary of State had yet to provide the relevant guidance.

The additional wording for R1 would amend the recommendation to read as:

“That the Council proceed with its expressed intention to make the ‘determination’ in accordance with section 11C(1) of the Local Government Finance Act 1992 at the budget council meeting to introduce a Council Tax premium of 100% for second homes from the financial year 2025/26. Noting that council can alter or revoke this determination at any time until 1 April 2025.”

The updated wording for R2 would see the term “appropriate discount” to be amended with the exact discount that would be received to allow the recommendation to be read easily.

The Committee agreed to the proposed changes to R1 and R2 respectively.

Members thanked the Task & Finish Group, both the Members and Officers involved, for their hard work and providing the report.

A Member asked for clarification on which recommendation would cover the former Copeland area. The Chair of the Task & Finish Group clarified that this would be under R3 once the guidance was received.

Members had a discussion around where the Recommendations should go, it was agreed that the updated recommendations would be included within the papers for Full Council, so that all Members can have sight of them, with R1 to be agreed by Council and R2 and R3 to be noted by Council due to being dependent on guidance from the Government and may require additional work once the guidance has been issued.

RESOLVED that,

- a) the report undertaken by the Task & Finish Group on Council Tax Discounts for second homes be noted.

- b) The discussion around the recommendations of the Task & Finish Group detailed within the report be noted.

BROS60/23 Proposed Calendar of Meetings

The Chief Legal Officer (Monitoring Officer (MO)) provided the Committee with an overview of the report, highlighting that it had been seen by both officers and the Leaders of the Council, with plans to reduce costs by using council owned buildings and that feedback from the Committee would be welcome. The Chief Legal Officer (MO) also noted that committees such as Planning and Licensing would not be designated a venue until the agenda for that meeting had been set.

A Member asked for clarification as to whether the Charter Trustees of Carlisle was a Cumberland meeting and whether it effected councillors' attendance statistics. The Chief Legal Officer (MO) explained that the Charter Trustees of Carlisle was not a Cumberland meeting, although it was services by Cumberland Council officers and that they would check attendance statistics. The Chief Legal Officer (MO) also noted that the Charter Trustees of Carlisle meetings could be added to the Calendar, similar to the manor of the Lake District National Park (LDNP), if members wished.

Members discussed the timings of the meetings, querying the value of meetings which start at 4pm due to travel and potential clashes for those who have Parish Council meetings in their area. It was noted that having a variety of meeting start times allows alternatives for those councillors with flexible working hours and childcare arrangements to consider, with the aim to be inclusive for all and allow for Cumberland to have a variety of councillors. It was also noted that should a meeting time need to be changed due to a large agenda, this could be done at the discretion of the Chair. The Chief Legal Officer (MO) agreed to contact the Chairs of the meetings which were scheduled to start at 4pm to get their views.

A Member noted previous comments regarding clashes with LDNP meetings which the Chief Legal Officer (MO) highlighted had been taken into consideration and work had been done to try and avoid those clashes moving forward.

A Member asked about having Member consultation on the calendar and the Chief Legal Officer (MO) noted that Members' comments throughout the year had been considered when creating the calendar but that next year the process would start much earlier, and Members would be consulted.

Members welcomed the spread of meeting venues throughout Cumberland with it being noted that any access issues for buildings were being worked on.

A Member queried if the calendar being shown was set it stone, to which the Chief Legal Officer (MO) explained that it still needed to be approved by Full Council and that should it be required a meeting could be changed with that Committee's approval.

RESOLVED that,

- a) The proposed dates and times of meetings in the Municipal Year 2024/25, with feedback incorporated into the calendar where possible, be noted.
- b) The dates and times for meetings of the Executive, which have been chosen by the Leader be noted.

[The Committee had a five-minute comfort break]

BROS61/23 Scrutiny Overview and Work Programme Report

The Scrutiny Officer and the Democratic Services Officer (Scrutiny) gave the Committee an overview of the report, highlighting the most recent Forward Plan of Key Decisions, the progress on resolutions from previous meetings and potential changes to the work programme for 2023/24.

The Chair noted that, following a discussion at a Joint Scrutiny Chairs meeting that, as workforce moral and absences are also covered by People OSC and Health OSC, that it would be beneficial to remove the Pulse Survey from the B&R OSC and instead create a joint Task & Finish Group between the three committees. Councillors Kevin Thurlow and Bill Pegram volunteered to be the representatives from Business & Resources OSC on the Task & Finish Group.

With the agreement from the Committee, the Pulse Survey would be removed from the Work Programme.

RESOLVED that,

- a) The items on the most recent Forward Plan of Key Decisions be noted.
- b) The progress on resolutions from previous meetings be noted.
- c) Any changes to the work programme for 2023/24 be agreed and noted.
- d) The information presented within the report in relation to the development of the Committee's work programme and comment on the work programme, in particular on items for the next Committee meeting, be noted.

BROS62/23 Date and Time of Next Meeting

It was agreed that the next meeting of the Business & Resources Overview and Scrutiny Committee would be held on Tuesday 16 April 2024 at 4pm in Allerdale House, Workington.

The meeting finished at 5.37 pm