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# **Shadow** Dorset Council

Committee: Shadow Overview and Scrutiny Committee

Date: Wednesday, 7 November 2018

**Time:** 6.30 pm

**Venue:** Committee Rooms A/B, South Walks House,

South Walks Road, Dorchester, DT1 1EE

### Membership:

T Jones (Chairman), C Brooks (Vice-Chair), S Bartlett, K Brookes, R Bryan, M Byatt, S Christopher, C Finch, S Gibson, B Goringe, N Lacey-Clarke, R Nowak, J Sewell, J Somper, J Tanner and M Wiggins

Chief Executive (Designate) for the Dorset Council: Matt Prosser

For more information about this agenda please telephone Democratic Services on 01305 252209 or email lwatson@dorset.gov.uk

For more information about the scrutiny items please telephone Lee Ellis (Scrutiny Officer) 01202 795251 or email <a href="mailto:lellis@christchurchandeastdorset.gov.uk">lellis@christchurchandeastdorset.gov.uk</a>

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### AGENDA

Page No. 1 **APOLOGIES** To receive any apologies for absence. 2 **DECLARATIONS OF INTEREST** Councillors are required to comply with the requirements of the Localism Act 2011 regarding disclosable pecuniary interests. 3 **MINUTES** 5 - 12 To confirm and sign the minutes of the previous meeting held on 8 October 2018. 4 **PUBLIC PARTICIPATION** To receive any public questions or statements on the business of the Shadow Overview and Scrutiny Committee in accordance with the procedure rules as set out in the Shadow Dorset Council Constitution. 5 6.35 - 6.55PM - DESIGN PRINCIPLES FOR THE NEW DORSET 13 - 20 COUNCIL An overview of the design principles for the new Dorset Council A copy of the report 'Building a Council for the 21st Century – Design Principles for the new Dorset Council Operating Model', which was considered by the Shadow Executive Committee on 21 August 2018, has been attached, to support the discussion on this item. The relevant extract from the minutes of this meeting has also been attached for information. 6.55 - 7.10PM - OVERVIEW OF WORK BEING PROGRESSED BY 21 - 24 6 THE GOVERNANCE WORKING GROUP

To receive an overview of work being progressed by the Governance Working Group including proposals for scrutiny arrangements and call-in in the new Dorset Council.

# 7 7.10 - 7.20PM - SHADOW DORSET COUNCIL CALL-IN ARRANGEMENTS

To receive an overview of the Shadow Dorset Council Call-in arrangements as set out in the Constitution.

#### 8 7.20 - 7.25PM - PROPOSED CALL TO ACCOUNT

25 - 28

To consider a proposed Call to Account for consideration at a future meeting of this committee, in respect of the decision of the Shadow Executive Committee on 17 September 2018, with regard to the transfer of services and assets (West Dorset).

The following documents are attached for the committee's information:

- Transfer of assets to town and parish councils principles –
   agreed by Shadow Executive Committee on 20 July 2018
- Extract of minutes of the Shadow Executive Committee on 17 September 2018 with regard to the transfer of services and assets (West Dorset)

#### 9 7.25 - 7.40PM - OVERVIEW AND UPDATE ON FINANCE

To receive an overview from the Interim Section 151 Officer.

# 10 7.40 - 7.55PM - FUTURE OPERATIONS OF LEISURE FACILITIES IN 29 - 40 DORSET

To review and provide comments as relevant on a report to be considered by the Shadow Executive Committee on 12 November 2018.

A copy of the report to the Shadow Executive Committee on 12 November 2018, 'Future operation of sports and leisure centre facilities in Dorset', has been attached for the committee's information.

# 11 7.55 - 8.10PM - PROGRAMME HIGHLIGHT REPORT INCLUDING GATEWAY 1 REPORT

To review the latest Programme Highlight Report including Gateway 1 report, to be considered by the Shadow Executive Committee on 12 November 2018.

The report will be published within the agenda for the Shadow Executive Committee for the meeting on 12 November 2018 and will

be able to be viewed using the link below when the Shadow Executive Committee agenda has been published:

http://shadowcouncil.dorset.gov.uk/ieListDocuments.aspx?Cld=136&M ld=127&Ver=4

A copy of the report will be added to this agenda as a supplement when it is published with the Shadow Executive Committee agenda.

# 12 8.10 - 8.15PM - SHADOW OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME

41 - 54

To consider the work programme for the committee for 2018/19.

To review the Shadow Executive Committee Forward Plan.

All members of the Shadow Dorset Council receive notification when Shadow Executive Committee agendas are published on Mod.Gov and the Shadow Dorset Council website. Members of the Shadow Overview and Scrutiny Committee can review the items to be considered on each agenda and raise issues for review or comment to the Shadow Executive Committee as appropriate.

#### 13 URGENT ITEMS

To consider any items of business which the Chairman has had prior notification and considers to be urgent pursuant to section 100B (4) b) of the Local Government Act 1972. The reason for the urgency shall be specified in the minutes.

# **Shadow** Dorset Council

#### SHADOW OVERVIEW AND SCRUTINY COMMITTEE

#### MINUTES OF MEETING HELD ON MONDAY 8 OCTOBER 2018

**Present:** Cllrs C Brooks (Vice-Chair), S Bartlett, R Bryan, M Byatt, B Goringe, N Lacey-Clarke, J Sewell, J Tanner and M Wiggins

Apologies: Cllrs T Jones, K Brookes, C Finch, S Gibson and J Somper

**Also present:** Cllr A Burch, Cllr G Carr-Jones, Cllr M Gould, Cllr D Harris, Cllr M Penfold, Cllr V Pothecary, Cllr D Rickard, Cllr P Shorland, Cllr John Stayt, Cllr A Thacker, Cllr P Wharf and Bamberger

#### Officers present (for all or part of the meeting):

Keith Cheesman (LGR Programme Director), Jonathan Mair (Interim Monitoring Officer), Mark Taylor (Group Manager - Governance and Assurance), Kirsty Riglar (Democratic Services Manager - Purbeck District Council) and Lindsey Watson (Senior Democratic Services Officer)

#### 37. **Declarations of Interest**

There were no declarations of interest.

#### 38. Minutes

The minutes of the meeting held on 12 September 2018 were agreed as a correct record and signed by the Chairman.

#### 39. Public participation

There were no representations from members of the public.

Councillor D Harris raised a number of questions. The Chairman read out a response which had been provided by the HR Strategic Lead, Shaping Dorset Council. The text of the questions raised and response provided is included as an appendix to these minutes.

Councillor D Rickard raised an issue with regard to a recent request for the call-in of a Shadow Executive Committee decision with regard to the transfer of services and assets. The call-in request which had received support from 27 cross party councillors had been determined as not being a valid call-in by the Interim Monitoring Officer. Councillor Rickard asked that the call-in process be examined by the committee.

The Interim Monitoring Officer noted that the Shadow Council had adopted the call-in process which was included within the Constitution and due to the high threshold set out in the Constitution, the call-in had not been accepted. All councillors supporting the call-in request had been notified of the decision. Although there could not be a call-in of the decision, the Shadow Overview

and Scrutiny Committee could consider whether they wished to carry out a post decision scrutiny in respect of this. A separate piece of work with regard to the Constitution for the Dorset Council was underway and this would include consideration of the call-in arrangements for the new council. The draft Constitution would be brought to this committee, the Shadow Executive Committee and in addition, member engagement would be undertaken through a member workshop.

Following a discussion, the committee agreed that they would undertake a review of the call-in process for the Shadow Dorset Council and whether the process was appropriate. Consideration would also be given to the call-in proposals for the new Dorset Council.

Councillor Rickard raised an additional point with regard to the scrutiny of decisions in the Shadow Dorset Council. In response, the Group Manager, Governance and Assurance, noted that in addition to the call-in process, the Shadow Overview and Scrutiny Committee had the right to examine any decision to be taken or already taken by the Shadow Executive Committee and that members could review the Executive Committee Forward Plan to review the items to be considered at each meeting. The Shadow Overview and Scrutiny Committee could also look at the governance arrangements for the Shadow Council. The committee could decide what they wanted to look at and include items as appropriate in their work programme.

#### 40. Programme Highlight Report including SWAP Assurance Report

The committee considered the latest Programme Highlight Report which was to be considered by the Shadow Executive Committee on 15 October 2018. The report provided an update on progress since the last meeting of the Shadow Executive Committee and included a request for a change control on convergence and an update on the internal audit of the programme governance.

The Programme Director noted that overall progress remained at Amber. Work on the implementation plans continued, with theme boards making significant progress on developing the detailed service continuity plans. Due to the scale and complexity of the work, the plans were running approximately two weeks behind schedule. This would have a slight impact on the timing for the Gateway Review. The request for change control on governance highlighted any new requirements including additional resources identified.

The SWAP Assistant Director noted that the SWAP Programme Governance follow up report was a high level piece of assurance work. Assurance remained overall at 'Partial' but with a positive direction of travel.

In response to a question with regard to the level of additional resources identified, the Programme Director noted that work was continuing to further define the additional resources required but that currently the estimate was for an additional budget requirement of £350k - £400k.

In addition, lessons had been learnt from previous recruitment to the Programme Team which would be used for any additional recruitment required.

#### 41. Shadow Executive Operating Principles

Following a request at the last meeting, the committee had asked to hold a discussion with regard to the Shadow Executive Operating Principles and how they had been brought to fruition. Members had also requested to receive an overview of the design principles for the new organisation which had been agreed at the Shadow Executive Committee on 21 August 2018.

The Group Manager, Governance and Assurance, noted that the committee would like to gain an understanding of the operating principles, how they were embedded in the work being undertaken, the design of structures, principles around governance, culture and designing a new council that embraced these features.

The Interim Monitoring Officer noted that for effective governance, the executive needed the ability to be able to take decisions, with scrutiny being able to intervene where necessary. Reference was also made to the distinction between a call-in and a call to account.

Members discussed the issues arising and points were noted with regard to the current pace of decision making in the Shadow arrangements, the ability of scrutiny to be proactive and work effectively with the executive arrangements and the need for there to be consideration of future scrutiny arrangements

The Interim Monitoring Officer noted that there would be differences in terms of arrangements between what would happen in a steady state council and the position that the councils were currently in, in the transition of six councils to one.

A point was made that Shadow Executive Committee meetings were open to all members to attend and that currently a limited number of additional members were attending meetings. Members were encouraged to attend meetings and hear the discussions.

Due to the necessary information not being available for the meeting, it was agreed that the item would be deferred to the next meeting.

### 42. Member Engagement in Task and Finish Groups / Work Streams

The Chairman welcomed the Lead Member and Officer for Member Engagement who had been invited to the meeting to talk with members about member engagement in the Shadow Dorset Council task and finish groups and workstreams. The Lead Member, Councillor G Carr-Jones indicated that he was happy to answer any questions that members had related to this area.

Members considered the issues in this area and during discussion the following points were raised:

- The group had been set up to look at issues around member engagement in the Shaping Dorset Council programme and included representatives from each of the six councils. The decision had been taken that electronic communications would be used including members receiving a newsletter by email and a full range of information being included on the Sharepoint site. Use of Sharepoint by members had been monitored and it was noted that only 43 members had logged into the site. In addition, monthly briefing sessions for members had been held. Numbers attending the briefings appeared to be declining although attempts had been made to hold sessions at various times, including in the evening
- A discussion was held in respect of the difference between member engagement and member involvement. Some members felt that they were not involved in the Shadow Council arrangements although it was recognised that it was difficult for everyone to be involved
- Councillor Carr-Jones noted that he was happy to receive feedback on ways that the wider councillor membership could be best engaged
- Consideration was being given to the use of ModGov for the various meetings being held
- A point was raised that there were some issues with members not attending meetings and not sending their apologies in advance, including with this committee. The Chairman indicated that she would review the position with members attending meetings of this committee
- There needed to be a good system where members were able to self serve in terms of finding out the information they needed
- A discussion was held in respect of the arrangements for the member briefings and in response to a point raised, Councillor Carr-Jones noted that these needed to continue to be held as sessions for all members as it was not practical for six separate sovereign sessions to be held. In addition it was seen as useful for members of the six councils to have opportunities to meet together and hear each others points
- A point was raised with regard to the Shadow Council meetings and that the opportunity to have presentations and discussion at the meetings would be welcomed
- In respect of information on people responsible for different areas, information would be included in the next newsletter
- A point was raised that some members were not thinking forward to the new council arrangements and that opportunities were being provided for them to engage with the process. There was a role for sovereign members to encourage other members to participate
- It was noted that there would be some members who did not want to be part of the new council and therefore they may have chosen not to engage with the work leading up to it. However a question

was raised as to what information these members were passing on to their town and parish councils?

- A point was raised that the workload for members in the new council would be formed in a large part by the work currently covered by Dorset County Council and that it would be beneficial for members to attend some county council meetings now in order to get an overview of the issues. Some members were already doing this
- Councillor Rickard raised some concerns with regard to members' ability to deal with sovereign council issues at the present time where the focus was now on working towards the arrangements for the new council. He raised concerns with regard to how some decisions were being taken and without scrutiny in his opinion
- The point was reiterated that there was a lot of information available to members electronically. In addition members had been offered 1-1s with regard to their mobile devices, committee and working group information was available on ModGov, information about the Shaping Dorset Council Programme was available on the Sharepoint site and all members received newsletters which included a question and answer section
- The Programme Director provided an overview of the current position with the task and finish groups (now referred to as working groups)
- A discussion was held in respect of member involvement on the working groups including members that had been part of working groups that were no longer in operation. It was noted that there were some members who were very interested in being part of the work happening. The Interim Monitoring Officer noted that this could be reviewed.

#### 43. Shadow Overview and Scrutiny Committee Work Programme

Further to the discussion at the meeting, it was noted that the following items would be included within the committee's work programme:

- Call in arrangements arrangements in the Shadow Dorset Council and the arrangements for the Call-in process for the new council. (Noted that the Dorset Council Constitution would be brought to the Shadow Overview and Scrutiny Committee at the appropriate time)
- An overview of work being progressed by the Governance working group and specifically proposals for scrutiny arrangements in the new council
- Design Principles for the new Dorset Council Operating Model

Members considered issues around the work programme and the following points were raised:

 The item on 'Future Operations of Leisure Facilities in Dorset' had been deferred to the 12 November meeting of the Shadow

- Executive Committee and would therefore be considered at the meeting of this committee on 7 November 2018
- In response to a comment with regard to the timing for items coming to scrutiny, the point was made that the Shadow Overview and Scrutiny Committee met in the week prior to the Shadow Executive Committee
- A key role for this committee was to review the Shadow Executive Committee Forward Plan, which was included on the agenda for every meeting, and identify areas for review. It was noted that the Shadow Executive Committee should also consider potential items to refer to scrutiny. However it was noted that due to the pace at which things were happening, it may not always be possible to bring items through scrutiny
- A report on 'Parish and Town Council Elections Recharging Structure' was to be considered at the Shadow Executive Committee on 15 October 2018. This item had not been identified for scrutiny by this committee. Members of the committee had the opportunity to read the report and attend the Shadow Executive Committee meeting in respect of this item
- The items proposed for the next meeting of the committee were highlighted.

#### 44. Urgent items

There were no urgent items.

### 45. Appendix A

#### **Questions raised by Councillor David Harris**

Was the scrutiny committee aware that despite the serious budget position, £50000 was being spent on the process to appoint the new Chief Executive?

If they were aware did they scrutinise the decision to see if it was justified?

Is the committee aware of any funding being set aside to get external help in appointing the second tier officers? This was not mentioned when members were being briefed about the process so if money is being allocated for external advice should this not be made clear at the start of the process? If money has been allocated for external advice can this be investigated before it is spent?

# Response provided by Nicola Houwayek, HR Strategic Lead, Shaping Dorset Council

In February 2019, the Area Joint Committee authorised the Monitoring Officers to appoint external recruitment consultants to assist in designing and implementing the Chief Executive recruitment process, with a budget of up to £50,000. Following a competitive procurement process, GatenbySanderson were appointed. The total cost was below this, £41,500. This was £8,500 under budget and included advertising costs.

The role of external advisers is critical to recruit in a limited recruitment market for the councils most important posts and will be especially so for the Tier 2 posts, where there are a very small number of potential candidates across all roles. The role of the external advisor includes:

- 1. National Search exercise, adverts development (and placement) and hosting the microsite
- 2. An initial review of application, developing the reports and advising at the longlisting meeting with members
- 3. Running the longlisting exercise with a technical assessor
- 4. Feedback to candidates
- Preparing reports on the candidates to support the creation of a recommended shortlist and attending the shortlisting meeting with members
- 6. Overseeing the Psychometric tests, input of occupational psychologist.
- 7. Running the final interviews with advisors
- 8. Giving feedback to all candidates

At its September meeting, Shadow Executive have agreed a budget of up to £75,000 for the recruitment of four posts at Tier 2 and one post at Tier 3. This budget will also include costs to support internal applicants through the selection process. A further competitive procurement process has taken place to select a provider to deliver this work within the agreed budget.

### **Additional point**

Following requests by the Shadow Overview and Scrutiny Committee, the committee has received two presentations from the HR Strategic Lead. At the meeting on 22 August 2018, the committee received a presentation with regard to the Chief Executive Recruitment Process. This was followed at the meeting on 12 September 2018 with a presentation on the Tier Two Recruitment Process.

Chairman		

**Duration of meeting: 9.30 - 11.08 am** 



# **Shadow** Dorset Council

Date of Meeting	21 August 2018
Officer	Nicola Houwayek
Subject of Report	Building a Council for the 21st Century - Design Principles for the New Dorset Council Operating Model
Executive Summary	Design principles will provide the framework for designing a council for the 21 <sup>st</sup> century. They will be used to guide, agree and implement what the role of the council will be, what services it will provide, how these will be delivered and what culture, structures, skills and ways of working will be required to realise the ambition they describe.
	The outline ambition for the new Dorset Council was included as part of the business case that was prepared for the bid for Unitary status, with support from Price Waterhouse Coopers. This ambition was refined further into high level design principles at two subsequent workshops. The first of these was held on 17 April with Leaders and Chief Executives of the sovereign councils and a second on 10 July with members of the Shadow Executive Committee.
	Members of the Shadow Council were sent these principles following an all member briefing held on 23 July, with a request for comments. None were received from the wider membership.
	This paper details the outputs from these workshops and changes requested to the draft principles. Further work will be done in Phase 3 of the Shaping Dorset Council Programme to develop specific transformation projects which will be guided by these principles.
Impact Assessment:	Equalities Impact Assessment:
	EQIAs will be developed as part of the detailed transformation work emerging from the design principles.
	Use of Evidence:
	Budget:
	Principles only and so no budget implications at this point
	Risk Assessment:
	Having considered the risks associated with this decision using the LGR approved risk management methodology, the level of risk has been

## Report considered by Shadow Executive Committee on 21 August 2018

	identified as: Current Risk: HIGH Residual Risk HIGH This high rating reflects the fact that these principles provide the framework for all the transformational work for the new council and that the vision and new operating model to deliver these principles has not yet been designed and agreed.  Other Implications:
Recommendation	That the Shadow Executive agrees the Design Principles as outlined.
Reason for Recommendation	These principles will support the next stages of designing the transformational work for the new council
Appendices	None
Background Papers	PWC report "Case for Change in Dorset" – December 2016
Officer Contact	Name: Matt Prosser, Interim Head of Paid Service Tel: 01305 252201 Email: MProsser@dorset.gov.uk

#### **Dorset Council – Paper to Shadow Executive 21August 2018**

#### Building a Council for the 21st Century: Principles for the operating model for the new Council

#### Introduction

This paper is part of a set of papers which will set out how elected members at this stage would like the new authority to operate. This paper describes the design principles that will guide decisions about the target operating model and the organizational design for the new Council. A further paper will set out the proposed vision for the new authority and the operating model.

In preparing the bid for Unitary status the bidding authorities had commissioned Price Waterhouse Coopers to assist in preparing their business case. As part of this work PwC had discussed what sort of key characteristics the new council should aim to demonstrate. Subsequently a workshop took place on 17<sup>th</sup> April 2018 with Leaders and Chief Executives of the combining authorities to start a discussion about the design principles that would be required to guide future decisions about the preferred operating model. A second workshop of members of the Shadow Executive Committee took place on 10<sup>th</sup> July and further refined these design principles. This paper puts forward these design principles for discussion and sign off by the Shadow Executive Committee.

The key organisational characteristics included:

- Support elected members to provide strategic leadership for Dorset as a whole.
- Work in partnership with others to deliver improved outcomes for Dorset.
- Where appropriate, integrate service provision with partner organisations.
- Empower council employees and foster a culture of innovation and creativity.
- Develop an agile and flexible workforce.
- Maximise the use of digital innovation in service redesign.
- Invest in data and analytics to predict and manage demand for services.
- Resolve as many requests for service as possible at the first point of contact.
- Develop opportunities to operate more commercially.
- Standardise, simplify and share back office services.

#### **The Operating Model Principles**

**Commissioning Services:** The decisions on which services we will provide directly and those that we commission from others will be made on an individual, business case basis – taking account of the approach that will give the best outcomes for the council and the residents we serve. Where we need to provide new services, we will seek the best options from a range of suppliers and, over time, will review the options for the most appropriate provision of all our services. Commissioned services will be centred around the customer and will support the empowerment, independence and ability

#### Report considered by Shadow Executive Committee on 21 August 2018

for people to help themselves. To support our move to commissioning services to meet specific outcomes, we will also adopt a budget setting process which aligns with the commissioning cycle so we can demonstrate how our resources are aligned to outcomes and this will assist us to be able to make joint decisions with partners.

**Innovative Services:** We will seek innovative and cost-effective ways to meet the needs of those we serve and those who work with us to provide these services. New approaches carry risks, so our operating model will need to facilitate risk management and mitigation. The organisational design will need to build capacity around data, intelligence and analytics, so that we can understand how demand for services is changing, improve our planning and develop innovative ways to manage demand more effectively.

We will seek to group services in ways that support multi-disciplinary working.

**Flexible Service Delivery:** The organisational design will facilitate the provision of services and how we communicate with our customers, to ensure they are provided in the best location and in the most appropriate way in order to meet needs. Our services will be rooted in a more detailed understanding of the needs and aspirations of the people we serve, designed from the customer's perspective, ensuring accessibility for all. We will seek flexible ways to differentiate and deliver more complex services, whilst seeking efficient ways to deliver universal and transactional services.

**Shared Services:** Our operating model will promote sharing services with other organisations across the public sector. We will look to standardise, simplify and share support services to maximise efficiencies where this brings benefits for local people.

**Organisationally entrepreneurial:** Our organisational design will support a more commercial approach. This will include to collaborating with others, including the private sector, to generate income and where appropriate support the development of certain services using commercial enterprise models.

**Optimise the use of innovative digital approaches** to improve service delivery and reach out to the community – using existing and emerging technology to encourage residents to contact us on line, and to automate processes, improve transactions, empower service users & build collaborative relationships.

**Partnership working:** Our organisational structure will facilitate working in partnerships. Our emphasis will be on identifying the common outcomes to which we and our partners are working, whether in long or short-term relationships, looking to build on the distinctive contribution of all parties, and ensuring that our combined efforts bring about change. In working towards a common outcome there will be transparency and mutual accountability with partners, our customers and other stakeholders.

**Enabled and agile workforce:** Our organisational structure will facilitate the development of a flexible workforce, enabling staff to respond to periods of peak demand, reducing the cost of their fixed overheads and improving their productivity. Our structure, systems and skills will reinforce a person-centred (rather than service-centred) approach to management, monitoring and control. The organisational design will be more flexible and less hierarchical and will facilitate joint working thereby enabling resource to be moved to where it is needed.

Governance and Accountability: The new organisational structure must ensure that elected members can exercise Governance and accountability, but in a in a way that reduces unnecessary, burdensome processes, enabling speed and flexibility in decision making. The new structure should facilitate elected members to exercise shared place leadership through working with other organisations and agencies to deliver improved outcomes for local people. Accountability for performance in the delivery of services must be clear and transparent in the new operating model. Scrutiny and challenge will be applied against defined specifications and standards and in the context of the contribution to improved outcomes. The business of the Executive and the associated system of committees should be explicitly aligned to the Dorset Vision, priorities and commissioning outcomes. Elected members will need access to accurate, evidence based, timely data and intelligence in order to make sound decisions. Risk will need to be an integral, high profile and a recognised part of decision making processes to mitigate against a potential blame culture in an environment where innovation is encouraged.

#### Implications for the Council of the Future

In summary, there a large number of implications arising from these design principles:

- Customer Service Design The future operating model will need to spell out what customer
  access arrangements are required. These should focus on early resolution and problem
  solving to help residents to become more self-sufficient and resilient. Services will be
  brought together (clustered) where helpful, with a move to online and digital service
  provision.
- Organisational design the future model will need to be clear about whether commissioning
  and delivery roles should be separated. It will need to have an enhanced role for a customer
  lead empowered to take ownership of the customer platform and drive a consistent set of
  customer standards. It will have fewer management tiers.
- Governance the future model will require an overall governance framework which supports the focus on outcomes rather than organising round particular services or professions. The governance model will need to have a stronger link between the overall Vision and Priorities, and commissioning outcomes. It will also need to support a light approach to decision making processes, which will involve elected members and officers in new ways of working, operating within a clearly defined behavioural framework.
- Workforce the model will need to accommodate new skills and experience particularly in areas such as commercial behaviours, coaching for outcomes, data analytics and commissioning. We will also need to rethink our approach to less hierarchical career path development and reinforcing what we value through our recognition and reward strategies.
- Processes the future model will need to support the consolidation of common processes
  and activities and help remove the service/departmental approaches. It will need to be
  reinforced by a structure that makes it easier to move staff with the skills required enabling
  them to work flexibly to meet demand, and technology that will support more processes
  being delivered on an automated basis, removing them from service department control
  altogether.
- *Technology* the future model is highly dependent on improved technology and accessing skills and sufficient knowledgeable staff in these areas. If we struggle to attract and retain

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- such staff we may need to seek other routes such as seeking a strategic partnership in this area to provide the capacity and capability needed.
- Partners & Alliances the future model will require collaborative delivery with key stakeholders and support for a shared approach to leadership for the area.

#### **Back ground Papers**

PwC report 'Case for Change in Dorset' Dec 2016

Notes from member workshop 17th April 2018

Notes from informal shadow executive workshop 10<sup>th</sup> July 2018

Extract from minutes of Shadow Executive Committee – 21 August 2018

# **Building a Council for the 21st Century - Design Principles for the New Dorset Council Operating Model**

The Committee considered a report by the Interim Head of Paid Service on the principles for designing a council for the 21st century, which would include its role, the services it would provide, and the culture, structures, skills and ways of working required to deliver the new council. This built upon earlier sessions with the Institute of Local Government Studies (Inlogov). The development of the vision and operating model would be undertaken in early September 2018 and a date would be circulated to members very soon.

#### Decision

That the Design Principles be agreed.

#### Reason for Decision

These principles would support the next stages of designing the transformational work for the new council.



# **Shadow** Dorset Council

## Overview and Scrutiny Committee

Date of Meeting	7 November 2018
Officer	David Fairbairn – Solicitor to the Council and Monitoring Officer, Purbeck District Council
Subject of Report	Overview of work being progressed by the Governance Working Group
Executive Summary	The report provides an outline of the work of the Governance Working Group; its progress to date; the next steps and the timetable for the production of the new Constitution. In outlining the work of the Working Group, the report also sets out the Working Group's initial thinking on overview and scrutiny committee arrangements.
Impact Assessment:	Equalities Impact Assessment:
	Not applicable
	Use of Evidence:
	The evidence is that the Governance Working Group has a work programme and is making progress on formulating proposals for the governance arrangements. It recognises that the timescale is tight, but wishes nevertheless to ensure that there is wider member engagement where this can be accommodated
	Budget:
	Not applicable
	Risk Assessment:
	Having considered the risks associated with this decision using the LGR approved risk management methodology, the level of risk has been identified as: Current Risk: LOW Residual Risk LOW
	Other Implications:
	None

Page 2 – Overview of work being progressed by the Governance Working Group

Recommendation	The Committee notes the progress being made by the Governance Working Group and the timetable for the production and adoption of the Constitution
Reason for Recommendation	As the Governance Working Group is working steadily to deliver the outcomes required by its terms of reference, there are no issues to highlight.
Appendices	None
Background Papers	None
Officer Contact	Name: David Fairbairn Tel: 01929 557223 Email: davidfairbairn@purbeck-dc.gov.uk

#### 1. The Governance Working Group

- 1.1. The terms of reference for the Working Group are:
  - 1.1.1. To exercise member oversight of the legal and democratic workstream (excluding areas overseen by Boundary Group) and information governance workstream.
  - 1.1.2. To review and make recommendations about the constitution of the Shadow Dorset Council.
  - 1.1.3. To ensure that the Shadow Dorset Council: (a) operates effectively and efficiently and (b) is open and transparent.
  - 1.1.4. Taking as its starting point the Joint Committee's vision for the Council, to formulate: (a) a proposed operating model; and (b) a draft Constitution for the Dorset Council.
  - 1.1.5. To consider recommendations about the culture of the new Council which complements the emerging vision, and help accelerate the creation of an entirely new organisation.
- 1.2. The Working Group has met on three occasions which have also featured two workshop sessions. At the time of writing this report dates for a further three meetings have also been agreed together with the specific pieces of work that are to be considered. So far the Working Group has reached agreement on a number of principles that should underpin the drafting of significant areas of the Constitution, namely the Articles, a committee structure including provision for overview and scrutiny committees (see paragraph 4.1 below) and the Council Procedure Rules.
- 1.3. The Working Group has considered options for local area arrangements. It has identified a suitable option for development management purposes, but acknowledges that those boundaries may not be applied to Area Forums and that further work is required on them. However, members agreed that the principle of there being Area Forums was well based and essential in ensuring that local connection with communities is not lost with the new Dorset Council.

1.4. The Working Group has also set in train the work necessary for the Independent Remuneration Panel to form recommendations on a scheme for members' allowances.

#### 2. Next steps

2.1. At its meeting on 31 October 2018 the Working Group will, in addition to the matters mentioned in paragraph 4.1 below, be considering reports on transitional arrangements for the period 1 April – 6 May 2019; member code of conduct; civic functions and arrangements for the annual meeting in May 2019.

#### 3. Timetable

3.1. While recognising that the timescale for completion of the Constitution is tight, the Working Group is nevertheless very keen to ensure that that the timetable allows sufficient time for other members of the Shadow Authority to be consulted or informed. The timetable for the production and adoption of the Constitution is:

Governance Working Group	31 October 2018
Governance Working Group	20 November 2018
Members' Newsletter	26 November or 10 December 2018
Overview and Scrutiny Committee	3 December 2018
Member briefing	13 December 2018
Shadow Executive Committee	14 January 2019
Council (Adoption)	24 January 2019

#### 4. Indicative proposals for Overview and Scrutiny Committee

- 4.1. At its meeting on 10 September 2018, the Working Group considered possible committee structures. In terms of the overview and scrutiny arrangements, the Working Group will be recommending that there should be four overview and scrutiny committees: People (responsible for education matters); Places (which will be responsible for crime and disorder scrutiny); Resources; and Health. Subject to further discussions, the last of those overview and scrutiny committees may be a joint committee with Bournemouth Christchurch and Poole Council. In reaching its conclusions the Working Group considered whether there should be an overarching overview and scrutiny committee, but rejected this as too bureaucratic and not in keeping with the "governance-light" model that it would like to see for Dorset Council. Each overview and scrutiny committee is to have 10 members (excluding any additional persons who are not members, some of who will be required by law and others that may be appointed in accordance with provisions yet to be determined) with a quorum of 3 members.
- 4.2. The Working Group has suggested too that the Constitution should leave open whether a chair should be from opposition or not; members of the Executive to attend by invitation only; and that all overview and scrutiny committees should have the power to call in decisions
- 4.3. The Working Group will be considering the principles that should underpin the drafting of the Overview and Scrutiny Procedure Rules on 31 October 2018. A verbal update will be provided to the Committee at the meeting.



#### Amended Transfer of Assets to Town and Parish Councils principles:

- (i) All assets required for the delivery of Council services and those capable of generating income are transferred to the new unitary Dorset Council, but the unique circumstances of Weymouth Town Council and Portland Town Council will be considered separately.
- (ii) Any resolution prior to 26 May 2018 by sovereign councils to dispose of an asset but not yet legally completed may continue unless it contradicts these principles.
- (iii) Property held as public open space, community buildings, free car parks and public toilets can be considered for transfer to the appropriate town or parish council.
- (iv) Any transfer of assets will usually be by transfer of the freehold to a public or charitable body or via a long lease (25 years minimum). Transfer will also be dependent on an assessment of the capacity of the receiving authority/organisation to take on the asset.
- (v) Councils can consider asset transfer to community groups other than parish and town councils where appropriate and subject to the same assessment of the capacity of such groups but such transfers are considered to be lower priority because of timescales and capacity.
- (vi) Any transfer (other than by a lease) of open spaces will contain overage clauses that will retain the land for public use or, if the land is sold the new Dorset Council will receive a proportion of the proceeds from the sale.
- (vii) Where a Council has negotiated the devolution of a service to a town or parish council and asset is transferred to support the delivery of that service, there will be no financial loss to the new Dorset Council i.e. the transfer is cost neutral.
- (viii) No financial agreement will be made with a town or parish council, or other receiving body to support the maintenance and running of a transferred asset after 1 April 2019.
- (ix) Any asset transfer that could have a financial impact upon the new Dorset Council will be initially assessed by the interim Section 151 Officer and, if it has a significant financial impact, **or potential significant impact**, seek approval by the Shadow Executive. De minimis levels of £100,000 are proposed in order to avoid the process becoming unmanageable.



Extract from minutes of Shadow Executive Committee – 17 September 2018

#### **Transfer of Services and Assets**

The Committee considered a report by the Leader of West Dorset District Council (WDDC) on "agreements in principle" established with Town and Parish Councils in West Dorset to take responsibility for discretionary services with a package of assets and money to facilitate the transfer in accordance with the principles for transfer of assets and services agreed by the Shadow Executive Committee on 20 July 2018.

Three questions were submitted by Cllr Cheryl Reynolds from WDDC as follows:

Will this committee confirm its commitment to localism and the devolution of services to local councils, to protect services and deliver long-term savings? Why are we making this so complicated? We must ask ourselves, can we afford not to accept proposals that clearly benefit the communities we represent?

In response to the questions, the Leader of the Shadow Dorset Council indicated that the Shadow Council was committed to working with local councils, but that proposals had to be in line with the agreed protocol and decisions would be taken in the best interest of all councils. Cllr Reynolds was thanked for her questions.

Cllr Alan Thacker, Portfolio holder for Community Safety and Access & Deputy Leader at WDDC, introduced the report and highlighted that this was a process which had started before Local Government Reorganisation to make more efficient provision of services and assets locally. As part of this, meetings had been taking place with Mayors and Clerks of Town Councils over the past year. The upfront cost and commitment was planned to come from WDDC reserves to implement proprietary work and to retain assets in the public sector.

The Interim Section 151 Officer confirmed that the value of the assets proposed to be transferred exceeded a financial threshold previously agreed by the Shadow Executive Committee. In the light of this the Interim Monitoring Officer advised that although the item appeared within the consultation part of the agenda, the value of the proposed asset transfers meant that they should not go ahead without the support of the Shadow Executive Committee. A proposal was tabled by Cllr Rebecca Knox, and seconded by Cllr Spencer Flower, not to support the proposed transfers.

#### Decision

That the proposals in relation to the transfer of assets and services considered by West Dorset District Council not be supported.



# **Shadow** Dorset Council

Date of Meeting	12 November 2018
Officer	General Manager – Public Health and Housing - Purbeck District Council
Subject of Report	Future operation of sports and leisure centre facilities in Dorset
Executive Summary	This report details the current management arrangements for the various Council owned Sports and Leisure Centres in Dorset. It highlights the contractual issues faced by two of the centres and the associated risks that might impact on the ability to continue with service delivery as a result of LGR. The report also outlines a suggested future programme of work and highlights the opportunity for efficiencies and savings in the future.
Impact Assessment:	Equalities Impact Assessment:  None
	Use of Evidence: None
	Budget:  At present the councils collectively subsidise the operation of sports and leisure centres by over £1.5 million per year.  Blandford Town Council currently pay an annual grant of £50K to North Dorset District Council (NDDC) which contributes to the running of the leisure centre, this arrangement will end in 2020. Dorset County Council are also due to contribute £33k in 2018/19 to NDDC for the running of the Centre and a further £22k in 2019/20 and £11k in 2020/21.  Dorset County Council's current contract for the operation of Ferndown Leisure Centre expires in 2020. To extend the current contract beyond that point could lead to an increase in costs based on current contract terms.

There is an estimated cost of £30,000 to appoint a specialist consultant to develop the business case and options appraisal and £50,000 to commission condition surveys for all of six leisure centres. The interim S151 Officer has confirmed that funding for this work is available and provision will be made in the 19/20 budget for continuing expenditure.

There is the potential to generate savings to the leisure services budgets but a service that integrates with health and wellbeing through prevention at scale could generate longer term savings elsewhere for the Council. Consideration also needs to be given to potential savings by utilising existing centres to provide wider services to the community.

#### Risk Assessment:

Having considered the risks associated with this decision using the LGR approved risk management methodology, the level of risk has been identified as:

Current Risk: LOW Residual Risk: LOW

Other Implications:

None

#### Recommendation

That the Shadow Executive Committee agree:

- A specialist company be appointed to begin work on developing a business case, including options for future delivery of services, which will also include a building condition survey of all the assets.
- 2. The outcomes of the business case be presented to Dorset Council for decision in summer 2019.
- Officers from the Dorset Council Partnership and Dorset County Council extend the current contractual arrangements that are due to expire for Blandford and Ferndown leisure centres until 2022 with sufficient break clauses to mitigate against risks for unexpected delays.

## Reason for Recommendation

Beginning work on a business case and a building condition survey of the assets will enable Dorset Council to have a good understanding of the sports and leisure facilities in Dorset and make decisions on the future options for operation of these services that will align to the corporate vision, operating model and priorities.

	The appointment of a specialist companies to deliver this work will ensure delivery of the business case by summer 2019.  It is anticipated that if the preferred option was to outsource the management of all the centres in Dorset to a third party any new contract would be in place by 2021 however, to mitigate against the risk of unforeseen delays it is proposed to extend the current contracts until 2022 as legal advice states that the current contract for Ferndown can only be extended once. Any extension would have sufficient break clauses contained within them.
Appendices	Sports and Leisure Centres that will be owned / operated or supported by Dorset Council following LGR
Background Papers	Sport England - Leisure management options guidance Sport England - Procurement tool kit
Report Originator and Contact	Name: Rebecca Kirk Email: rebeccakirk@purbeck-dc.gov.uk
Additional report contributors	Name: Judith Plumley Email: JPlumley@christchurchandeastdorset.gov.uk
	Name: Tony Hurley Email: THurley@dorset.gov.uk
	Name: Paul Rutter Email: PRutter@christchurchandeastdorset.gov.uk
	Name: Paul Scothern Email: p.t.scothern@dorsetcc.gov.uk

## 1. Background

- 1.1 There are a number of Council owned and operated Sports and Leisure Centres across Dorset that will form part of the new Dorset Council. The running and operation of these centres varies across the County. The table in appendix 1 provides a breakdown of all the centres that will be the responsibility of the new Dorset Council, how they are currently managed and the current cost of operation.
- 1.2 It can be seen from the table in appendix 1 that currently a number of centres are managed directly by the relevant sovereign Council. The ownership does vary with some subject to lease agreements with Dorset County Council (DCC) while others are owned by the district or borough Council. As from 1 April 2019 all will be under the ownership of the new Dorset Council and any existing lease agreements and contractual arrangements will novate to the new Council.

- 1.3 A number of the other centres are operated by contractors on behalf of the relevant council, however, some of these contracts are due to expire in the next 18-24 months with one already using the option to extend.
- 1.4 In addition, there are other leisure facilities owned by the council but which are leased of other organisations without subsidy (Weymouth Swimming Pool and Redlands Community Sports Centre) and the independently-owned/operated Bridport Leisure Centre which receives council subsidy as a result of a long-term contract. These are shown in the second part of the table in appendix 1.

#### 2. Current Position

- 2.1 The current operating contract for Ferndown Leisure Centre, between DCC and the operator Places for People (PfP), is due to expire in July 2020. It was a 15 year contract with a break in the 10<sup>th</sup> year, and agreement was reached with PfP prior to the end of the 10<sup>th</sup> year to continue for the remaining 5 year period.
- 2.2 DCC have sought legal advice regarding the ability to extend the contract beyond the 15 year period. This contract falls under the governance of the Public Contracts Regulations 2015 and regulation 72 covers the modification of contracts during their term. There are some criteria that allow for an extension and in order to meet these it will be necessary to the prepare a secure business case for the extension and a clear programme for further procurement once the new Council is in place. The legal advice goes on to state that if the contract is extended it can only be done once.
- 2.3 Whilst the renewal of the operating contract at Ferndown has yet to be considered by DCC members, a decision does need to be made in terms of if, and how, any renewal takes place.
- 2.4 Sports and Leisure Management Ltd (SLM) are contracted to operate Blandford Leisure Centre under a contract that expires in December 2019. The contract has an option for extension that has not yet been exercised and Solicitors at the Dorset Councils Partnership (DCP) have confirmed the current contract with SLM can be extended beyond December 2019.
- 2.5 At the North Dorset District Council Cabinet meeting held on the 5 February 2018 members agreed to commence the process to procure a new operating contract for Blandford Leisure Centre to take effect from 1 January 2020 and to procure a new operating contract in collaboration with other local authorities in Dorset in advance of local government reorganisation. In reaching this decision members were of the view that if a holistic approach towards procurement was followed with a single provider managing a portfolio of sports and leisure centres across Dorset, some facilities such as Dorchester Sports Centre, where income levels are strong, may contribute towards achieving a near zero subsidy contract for the whole portfolio and generate savings for the new Council.

- 2.6 Members of Purbeck District Council agreed at their November 2017 meeting to work in partnership with other Councils in Dorset to jointly procure a single provider to manage certain Sports and Leisure Centres in Dorset. This work would be expected to tie in with the need to re-procure contracts for the operation of other sports and leisure centres. No budget had been agreed for this work until a further report had been considered by the Council once the costs of appointing a specialist company to undertake the procurement process was known.
- 2.7 East Dorset District Council has always indicated that they were happy with the in-house management arrangements and had no mandate to contract out the management of their centres to a third party but were willing to take part in a fact finding exercise with other authorities as part of the LGR process.
- Officers from Purbeck, DCP, EDDC and DCC undertook initial discussions 2.8 with three specialist consultancy companies in January 2018 to test the market regarding the procurement process. Discussions with these consultants established that the whole procurement exercise would take in the region of 18-24 months. All of the consultants advised it would be necessary to develop a strategy that reflects the corporate priorities of the new Council in respect of sport and leisure and the links to health and wellbeing. Although the recently produced Sports Facilities audit for Dorset provides a basis for this work with an assessment of demand and supply, it would not capture the vision and priorities of the new Dorset Council. The new strategy would need public and stakeholder engagement and approval by the new Council. It will also be necessary to undertake full building condition surveys of each centre and develop an asset management plan of expected works required during the contract period. These documents would then form part of the tender documentation. This workload accounts for the reason why the consultants specified the length of time required for preparation. The Sport England guidance to procurement also indicates an 18-24 month timescale is realistic.
- 2.9 The creation of Dorset Council also presents wider opportunities regarding strategic estates management and service delivery. Sports Centres are well placed to provide wider Council services that could ultimately improve health and wellbeing of the population. Other Council's in the country have also used their sports centres for the delivery of other services such as libraries or one stop shops and there may be an opportunity to consider these options as part of a wider asset management strategy that could lead to the potential disposal of other assets.
- 2.10 When officers were discussing options with the consultants about the future management of the sports and leisure centres there was some optimism that savings could be made by having a single contract with the aspiration that there would be opportunities to reduce subsidies, with an aim of some facilities (but not all, particularly those that have schools attached) achieving a zero subsidy as is the case for Weymouth swimming pool. At present the councils collectively subsidise the operation of leisure centres by over £1.5 million per year.

2.11 Some centres are dual use with a requirement to provide exclusive use to particular schools during weekday term times. Where the school is an academy funding is paid direct to the Council. Schools that are not academies, funding for the use of these centres comes from Dorset County Council education budget. While it is anticipated some savings can be made to the subsidy, given the restrictions on public access at certain times of day for these centres, a zero subsidy is unlikely. If it is agreed that a business plan is commissioned from a specialist consultant, then this document will provide an indication as to future subsidy levels, based on national benchmarking information. The shadow business plan can also be used to compare with any tenders if an operating contract is procured.

### 3. **Key Issues**

- 3.1 As outlined above two Councils PDC and NDDC have a resolution to work collaboratively to procure a contract for sports and leisure centres in their area.
- 3.2 It will take approximately 6 months for a consultant to produce a unified business plan for all the leisure centres and for condition survey to be carried out. If the work commences now a report can be present to Dorset Council in summer 2019 which will align to the new vision, objectives, priorities and operating model for service delivery. The business case will enable members to decide how they want to progress with the future delivery of these services.
- 3.3 The creation of Dorset Council has led to some risks and issues and officers will undertake to mitigate these risks as far as possible. These are;
  - The contract with SLM for the operation of Blandford Leisure Centre
    ends in December 2019 and NDDC Cabinet has resolved to procure a
    new contract with the aim of reducing subsidy even further. Although
    DCP solicitors have indicated it would be possible to extend the current
    contractual arrangements, any short-term extension to the current
    contract would probably result in increased costs to the new Dorset
    Council if the £50k annual grant from the town council ceases as
    planned by 2020.
  - The operating contract and associated leases for the operation and management of Ferndown Leisure Centre expire in July 2020. As outlined in 2.2 above DCC legal advice is the contract could be extended once, subject to a clear programme being in place to develop a business case for future operation. There is a requirement to keep parts of the premises operational as they provide the PE facilities for Ferndown Upper School. While there is every intention to deliver a solution for future delivery by 2021 the recommendation to extend until 2022 allows for any unforeseen delays to the process and provides a back stop. There would be no further options to extend the contract should unforeseen delays occur which presents a risk to the ongoing operation of the centre and provision to the school.

 Should each of the constituent councils progress independently, as currently instructed, with the procurement of the management of their individual facilities, it could be a further 10 years before the contracts can be aligned across the new Dorset council area.

There is an outstanding resolution from Purbeck District Council. It was agreed in November 2017 that the operational management of the sports centre be contracted out. In order to progress this, Council approval was required prior to any appointment of a contractor to prepare for the procurement process. It has been agreed to remove the item from the forward plan subject to the Shadow Executive agreeing the recommendations in this report.

3.4 Officers recognise that there may be opportunities for efficiencies to be made across the service prior to any formal re-organisation or tendering process, and will work to achieve this.

#### 4. Future Considerations

- 4.1 Sport England has published guidance for local authorities to assist them in planning the future management of leisure options. In order to make an informed decision about fundamental changes to the way services are delivered the guidance recommends that a leisure management options appraisal is undertaken. The options appraisal will enable the Council to;
  - Consider and clearly articulate the desired outcomes for the service, based on a detailed understanding of community need and the Council's wider outcomes:
  - Provide an objective, transparent and rigorous assessment that can stand up to scrutiny and challenge;
  - Provide an understanding of the risks associated with different operating models:
  - Enable an informed decision to be made on the best value solution to meet the needs of the community in Dorset
- 4.2 The recommendation suggests that specialist consultant be appointed to begin the process of developing a business case for the future delivery of sports and leisure services in Dorset. The business case would include the points outlined in 4.1 as well as a building condition survey of the assets. This survey will provide the Council with indicative costs of work required to maintain the assets, and will inform any future procurement through insights in asset life, investment needs, etc. It is proposed to present the business case to the Council in summer 2019 to inform the next steps.

- 4.3 As outlined in 2.8, officers have already had initial discussions with three specialist consultants to test the market regarding the procurement process. It is anticipated it would cost around £30,000 to appoint a specialist consultant to develop the business case and options appraisal and £50,000 to commission condition surveys for all of six leisure centres. The interim S151 Officer has confirmed that funding for this work is available and provision will be made in the 19/20 budget for continuing expenditure. Discussion is taking place with Dorset County Council property services to determine if they can deliver the work in the agreed timescale. If this is the case the cost of the building survey work might reduce.
- 4.4 A specification for the work would need to be produced and the services of specialist consultants procured in accordance with standing orders.
- 4.5 If the decision is made to undertake a procurement process for the management of Sports Centres the Sport England Procurement Guidance outlines 5 key steps that need to take place before going out to tender these are;
  - Step 1: Developing local outcomes and deriving specific local, measurable targets.
  - Step 2: Developing key documentation and supplier engagement.
  - Step 3: Procurement route selection, contract route selection and setting the timetable (the procurement strategy).
  - Step 4: Considering budgets and affordability (procurement and project).
  - Step 5: Developing a data room of key documents

The data room of key documents would include things such as; financial information for the past three years by site and by facility type (for example, swimming, fitness, sports hall), throughput/user information by site and facility type, membership information – numbers per site/type, pricing policies per site, information on regular hirers and/or block bookings, information on any specific contractual arrangements with private trainers (often mainly gym based), TUPE information, any existing leases or contracts, for example maintenance agreements or dual use agreements to name a few.

- 4.6 The projected timeline for the whole process would be as follows;
  - Procure consultants to carry out options appraisal, business case and building condition surveys – 3 months.
  - Prepare options appraisal, business case and undertake building condition survey – 6 months – complete June / July 2019.

If procurement of external operator is the preferred option:

- Prepare pre-procurement documentation 6 to 8 months complete March 2020.
- Undertake procurement process, including TUPE consultation 10 to 12 months complete March 2021.

Report to be considered by the Shadow Executive Committee on 12 November 2018 Future operation of sports and leisure centre facilities in Dorset

### 5. **Conclusion**

- 5.1 The management arrangements for each of the sports and leisure facilities across the new Dorset Council Area varies at the current time and whilst some are due for re-tendering shortly, others continue to be managed internally.
- 5.2 It will be more efficient to treat all facilities the same, and if putting them out to be managed by a private contractor is the preferred option, then all facilities should be tendered at the same time in order to obtain economies of scale and best value.
- 5.3 In order to realise savings as soon as is realistic to the new Dorset Council a specialist company needs to be appointed to commence as soon as possible to prepare an options appraisal and undertake a building condition survey of the existing assets prior to making a business case for the best way forward.

## Appendix 1

## **Sports and Leisure Centres that the Council operates**

Sports Centre Location	Current ownership	How run and usage	Approximate revenue subsidy
Blandford Leisure Centre	Swimming pool owned by NDDC on land leased from school foundation. Fitness facilities in school building but with sole community use.	Managed by SLM Ltd - contract ends December 2019.  Lease from school foundation for site of swimming pool requires certain amount of free school swimming.	£150k p.a. management fee paid to SLM and offset by contributions to NDDC from DCC (£33k), town council (£50k) and parish councils (£4k);
Dorchester Sports Centre	On land leased by DCC from the Duchy of Cornwall and sub-let to WDDC, who in turn sub-let to 1610.	Managed by 1610 Ltd - contract ends in 2022. Some DCC contribution for primary and secondary school use of pool and ATP. Thomas Hardy School have their own sports facilities, but do use the Astro turf pitch and the swimming pool.	£30k p.a. net cost following payment for schools' use (£160k) and profit share (£30k).
Ferndown	Owned by Dorset County Council. Part of the Ferndown Upper School campus.	Managed for DCC by Places for People – contract ends 2020.  No district or town council contribution (although there was contribution in 1st 5 years of contract), wholly funded by DCC. Pool used by local schools.	£515k p.a. management fee to contractor, with £110.5k from DCC funding and the remainder from Ferndown Upper School. Other DCC revenue costs incurred

Report to be considered by the Shadow Executive Committee on 12 November 2018 Future operation of sports and leisure centre facilities in Dorset

Sports Centre Location	Current ownership	How run and usage	Approximate revenue subsidy
Verwood Hub (including Emmanuel School Hall and Potterne Park)	Owned by EDDC, with the sports Hall at Emmanuel Middle School on land owned by the Diocese of Salisbury, under the control of the Wimborne MAT.	In-house management. No swimming pool. School use of sports hall on Emmanuel School site which is managed as part of the Verwood operation Potterne Park includes outdoor pitches, changing and café facilities and receives a grant from Verwood Town Council.	£230k p.a. (including £31k pa from VTC) for three years.
Wareham	Owned by DCC and forms part of The Purbeck School campus. Leased to PDC, lease expires 31 March 2019	In-house management.  Dual use centre. DCC contribute to some costs for school use.	£441k p.a. (including a £318k DCC contribution, of which £1.3k is from DCC funding and the remainder from The Purbeck School)
Wimborne	Owned by QE Academy School, transferred by DCC when school became an Academy.	In-house management by EDDC Dual use centre. DCC do not contribute to the use by Queen Elizabeth School as it is an academy and funding is agreed directly with the school.	£260k p.a.

Report to be considered by the Shadow Executive Committee on 12 November 2018 Future operation of sports and leisure centre facilities in Dorset

## Sports and Leisure Centres that the Council has some responsibility for

Sports Centre Location	Current ownership	How run and usage	Approximate revenue subsidy
Bridport Leisure Centre	Centre is owned by the Bridport & West Dorset Sports Trust on land leased from Palmers Brewery.	Owned and run by a Community Trust with council grant Local schools hire and pay for usage of swimming pool which is programmed into public sessions.	£180k p.a. council grant subject to a legal agreement which is due for review.
Redlands Community Sports Hub, Weymouth	Owned by W&PBC and leased to Weymouth College	Leased to Weymouth College until 2036. Full repairing lease. Shared use by College and community.	Zero subsidy
Weymouth Swimming Pool	Owned by W&PBC.	Leased to SLM Ltd until 2037. Full repairing lease.	Zero subsidy

## **Shadow Dorset Council Overview and Scrutiny Committee**

Subject	Decision Maker	Shadow Overview and Scrutiny Meeting Date	Consultation	Background Documents	Member/Officer Contact
Design Principles for New Dorset Council		7 November 2018, 6.30pm			Lead Officer – Matt Prosser – Chief Executive
Overview of Work Being Progressed By The Governance Working Party		7 November 2018, 6.30pm			Lead Officers – David Fairburn, Rob Firth, Jonathan Mair
					Lead Member - Cllr Spencer Flower
Call In Arrangements		7 November 2018, 6.30pm			Lead Officers – David Fairburn, Rob Firth, Jonathan Mair
					Lead Member - Cllr Spencer Flower
Proposed Call To Account – Transfer of Assets and Serv <b>id</b> es ນ		7 November 2018, 6.30pm			
Overview and Update on Finance		7 November 2018, 6.30pm			Lead Officer -Jason Vaughan
Future Operations of Leisure Facilities in Dorset	Shadow Executive Committee	7 November 2018, 6.30pm	Consultees: None  Means of Consultation: None	None	Lead Member – Cllr Mary Penfold  Lead Officer – Rebecca Kirk, General Manager, Public Health and Housing – Purbeck District Council
Programme Highlight Report, including SWAP Gateway Report  Key Decision – No Public Access – Open	Shadow Executive Committee	7 November 2018, 6.30pm			Lead Member – Leader of Shadow Dorset Council  Lead Officer – Keith Cheesman, LGR Programme Director
Forward Plans/Work Programmes		7 November 2018, 6.30pm			Lead Officer - Lee Ellis, Scrutiny Officer
Key Decision – No					

Agenda Item

	3 December 2018, 9.30am	Lead Officer - Keith Cheesman
	3 December 2018, 9.30am	
	3 December 2018, 9.30am	Lead Officer - Jonathan Mair
Shadow Executive Committee	3 December 2018, 9.30am	Lead Member – Leader of Shadow Dorset Council Lead Officer – Keith Cheesman, LGR Programme Director
	3 December 2018, 9.30am	Lead Officer - Lee Ellis, Scrutiny Officer
Shadow Executive Committee	8 January 2019, 6.30pm	Lead Member – Leader of Shadow Dorset Council Lead Officer – Keith Cheesman, LGR Programme Director
	8 January 2019, 6.30pm	
	8 January 2019, 6.30pm	Lead Officer - Lee Ellis, Scrutiny Officer
	Committee  Shadow Executive	3 December 2018, 9.30am  3 December 2018, 9.30am  Shadow Executive Committee  3 December 2018, 9.30am  3 December 2018, 9.30am  3 December 2018, 9.30am  Shadow Executive Committee  8 January 2019, 6.30pm  8 January 2019, 6.30pm

Programme Highlight Report, including SWAP Assurance Report	Shadow Executive Committee	4 February 2019, 9.30am	Lead Member – Leader of Shadow Dorset Council
			Lead Officer – Keith Cheesman, LGR Programme Director
Key Decision – No			
Public Access – Open			
Forward Plans/Work		4 February 2019, 9.30am	Lead Officer - Lee Ellis, Scrutiny Officer
Programmes			
Key Decision – No			
Public Access – Open			
Programme Highlight	Shadow Executive	7 March 2019, 6.30pm	Lead Member – Leader of Shadow
Report, including SWAP	Committee		Dorset Council
Assurance Report			
			Lead officer – Keith Cheesman, LGR
Key <del>De</del> cision – No			Programme Director
Public Access – Open			
For ward Plans/Work		7 March 2019, 6.30pm	Lead Officer - Lee Ellis, Scrutiny Officer
Programmes			
Key Decision – No			
Public Access – Open			

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## Shadow Dorset Council Shadow Executive Committee - Forward Plan - December 2018

# For the period 10 DECEMBER 2018 to 31 MARCH 2019 (publication date – 9 DECEMBER 2018)

### **Explanatory Note:**

This Forward Plan contains future items to be considered by the Shadow Executive Committee. It is published 28 days before the next meeting of the Committee. The plan includes items for the meeting including key decisions. Each item shows if it is 'open' to the public or to be considered in a private part of the meeting.

#### **Definition of Key Decisions**

Key decisions are defined in the Shadow Dorset Council's Constitution as decisions of the Shadow Executive Committee which are likely to -

- (a) to result in the relevant local authority incurring expenditure which is, or the making of savings which are, significant having regard to the relevant local authority's budget for the service or function to which the decision relates (*Thresholds Dorset County Council £500k* and *District and Borough Councils £100k*); or
- (b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the relevant local authority."

determining the meaning of "significant" for these purposes the Shadow Council will have regard to any guidance issued by the Secretary of State in accordance with section 9Q of the Local Government Act 2000 Act. Officers will consult with lead members to determine significance and sensitivity.

### Private/Exempt Items for Decision

Each item in the plan above marked as 'private' will refer to one of the following paragraphs.

- 1. Information relating to any individual.
- 2. Information which is likely to reveal the identity of an individual.
- 3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
- 4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
- 5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
- 6. Information which reveals that the shadow council proposes:-
  - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
  - (b) to make an order or direction under any enactment.
- 7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

Subject / Decision	Decision Maker	Decision Due Date	Consultation	Background documents	Member / Officer Contact
Programme Highlight Report  Key Decision - No Public Access - Open	Shadow Executive Committee	12 Nov 2018	Consultees: Members Services  Means of Consultation: Task and Finish Groups Workshops Ongoing programme activity	None	Lead member - Leader of Shadow Dorset Council  Lead officer - Keith Cheesman, LGR Programme Director keith.cheesman@dorsetcc. gov.uk
Risk Management  Key Decision - No Public Access - Open	Shadow Executive Committee	12 Nov 2018	Consultees: Sovereign Councils Programme Board  Means of Consultation: Meetings Correspondence	None	Lead member - Councillor Rebecca Knox  Lead officer - Matt Prosser, Chief Executive Designate matt.prosser@dorsetcouncil .gov.uk
© © orward Plan  A Company Decision - No Public Access - Open	Shadow Executive Committee	12 Nov 2018	Consultees: Shadow Executive Committee Dorset councils Programme Board  Means of Consultation: Meetings	None	Lead member - Leader of Shadow Dorset Council  Lead officer - Lee Gallagher, Democratic Services Manager - Dorset County Council I.d.gallagher@dorsetcc.gov. uk
Dorset Council Branding  Key Decision - Yes Public Access - Open	Shadow Executive Committee	12 Nov 2018	Consultees: Wider Member Engagement Task and Finish Group  Means of Consultation: Meetings	None	Lead member - Councillor Rebecca Knox, Councillor Gary Suttle  Lead officer - Keith Cheesman, LGR Programme Director keith.cheesman@dorsetcc. gov.uk

Future Operation of Leisure Facilities in Dorset  Key Decision - Yes Public Access - Open	Shadow Executive Committee	12 Nov 2018	Consultees: None  Means of Consultation: None	None	Lead member - Councillor Mary Penfold  Lead officer - Rebecca Kirk, General Manager, Public Health and Housing - Purbeck District Council
Future of the Public Health Partnership: Update and Key Issues under Local Government Reorganisation  Key Decision - No Public Access - Open	Shadow Executive Committee	12 Nov 2018	Consultees: Joint Public Health Board officers and portfolio holders from each member local authority.  Means of Consultation: Internal discussions, separately and jointly.	None	Lead member - Councillor Rebecca Knox  Lead officer - Sam Crowe, Acting Director of Public Health s.crowe@dorsetcc.gov.uk
NHS Health Checks Service Model  Key Decision - Yes Public Access - Open O O 4	Shadow Executive Committee	12 Nov 2018	Consultees:  Means of Consultation:	None	Lead member - Councillor Rebecca Knox  Lead officer - Sam Crowe, Acting Director of Public Health s.crowe@dorsetcc.gov.uk
Peninsula Redevelopment Scheme  Key Decision - Yes Public Access - Part exempt  (Consultation referred from Weymouth and Portland Borough Council)	Shadow Executive Committee	12 Nov 2018	Consultees: Harbour Management Board Weymouth and Portland Borough Council Management Committee and Full Council  Means of Consultation: Committee meetings Outline Planning Application Public Engagement	Reports to Harbour management Board, Management Committee and Full Council	Lead member - Councillor Jeff Cant Lead officer - Martin Hamilton, Strategic Director mhamilton@dorset.gov.uk

Defining the Relationship Between the Local Authority, Schools and Academies  Key Decision - Yes Public Access - Open  (Decision/Consultation referred from Dorset County Council)	Shadow Executive Committee	12 Nov 2018	Consultees:  Means of Consultation:	None	Lead member - Councillor Andrew Parry  Lead officer - Nick Jarman, Interim Director for Children's Services nick.w.jarman@dorsetcc.go v.uk
Home to School Transport and Post 16 Transport Assistance policy 2019/20  Key Decision - Yes Public Access - Open  (Decision referred from Dorset County Council)	Shadow Executive Committee	12 Nov 2018	Consultees: All Schools, neighbouring local authorities, all town and parish councils, all County Council members, parents and carers  Means of Consultation: Email to stakeholders; all district/town/parishes; members; all schools Information on County Council Admissions webpages	Home to School Transport Assistance Eligibility Policy for Children and Young People Attending School 2019/20 Dorset Post 16 Transport Support Policy 2019/20	Lead member - Councillor Daryl Turner  Lead officer - Debbie Ward, Chief Executive - Dorset County Council d.ward@dorsetcc.gov.uk
Quarterly Asset Management Report  Key Decision - Yes Public Access - Open  (Consultation with Dorset County Council)	Shadow Executive Committee	12 Nov 2018	Consultees: Environment & Economy, Children's Services, Adult and Community Services, Chief Executive's Directorates – Dorset County Council  Means of Consultation: All consultees submit contributions to the report	None	Lead member - Councillor Tony Ferrari Lead officer - Debbie Ward, Chief Executive - Dorset County Council d.ward@dorsetcc.gov.uk
Civic Functions of Dorset Council  Key Decision - Yes Public Access - Open	Shadow Executive Committee	10 Dec 2018	Consultees: Governance Task and Finish Group Monitoring Officers Group  Means of Consultation: Meetings	None	Lead member - Councillor Spencer Flower Lead officer - Jonathan Mair, Interim Monitoring Officer j.e.mair@dorsetcc.gov.uk

Local Area Arrangements  Key Decision - Yes Public Access - Open	Shadow Executive Committee	10 Dec 2018	Consultees:  Means of Consultation:	None	Lead member - Councillor Sherry Jespersen Lead officer - Stephen Hill, Strategic Director, Dorset Councils Partnership shill@dorset.gov.uk
HR Consultation Programme with Trade Unions  Key Decision - No Public Access - Open	Shadow Executive Committee	10 Dec 2018	Consultees: Programme Board Trade Unions  Means of Consultation: Meetings	None	Lead member - Councillor Peter Wharf  Lead officer - Keith Cheesman, LGR Programme Director keith.cheesman@dorsetcc. gov.uk
The Code of Practice for the Classification of Highway Safety Hazards and Defects  Ey Decision - Yes  Bublic Access - Open  Consultation referred from Dorset County Council)	Shadow Executive Committee	10 Dec 2018	Consultees:  Means of Consultation:	None	Lead member - Councillor Daryl Turner Lead officer - Debbie Ward, Chief Executive - Dorset County Council d.ward@dorsetcc.gov.uk
Highways Asset Management Plan  Key Decision - Yes Public Access - Open  (Consultation referred from Dorset County Council)	Shadow Executive Committee	10 Dec 2018	Consultees:  Means of Consultation:	None	Lead member - Councillor Daryl Turner Lead officer - Debbie Ward, Chief Executive - Dorset County Council d.ward@dorsetcc.gov.uk
Highways Maintenance Plan  Key Decision - Yes Public Access - Open  (Consultation referred from Dorset County Council)	Shadow Executive Committee	10 Dec 2018	Consultees:  Means of Consultation:	None	Lead member - Councillor Daryl Turner Lead officer - Debbie Ward, Chief Executive - Dorset County Council d.ward@dorsetcc.gov.uk

Home Education Bill  Key Decision - Yes Public Access - Open  (Consultation referred from Dorset County Council)	Shadow Executive Committee	10 Dec 2018	Consultees: Home education community  Means of Consultation: Arranged meetings	Home Education Bill	Lead member - Councillor Andrew Parry  Lead officer - Nick Jarman, Interim Director for Children's Services nick.w.jarman@dorsetcc.go v.uk
Changes to Special Educational Needs and Disability (SEND) Transport Policy  Key Decision - Yes Public Access - Fully exempt  (Consultation referred from Dorset County Council)	Shadow Executive Committee	10 Dec 2018	Consultees:  Means of Consultation:	None	Lead member - Leader of Shadow Dorset Council Lead officer - Nick Jarman, Interim Director for Children's Services nick.w.jarman@dorsetcc.go v.uk
Consultation referred by Weymouth and Portland Borough Council)	Shadow Executive Committee	10 Dec 2018	Consultees:  Means of Consultation:	None	Lead member - Councillor Graham Carr-Jones Lead officer - Matt Prosser, Chief Executive Designate matt.prosser@dorsetcounci I.gov.uk
Budget 2019/20 and Medium Term Financial Forecast - Update  Key Decision - No Public Access - Open	Shadow Executive Committee	7 Jan 2019	Consultees: Budget Task and Finish Group  Means of Consultation: Meetings	None	Lead member - Councillor Tony Ferrari Lead officer - Jason Vaughan, Interim Section 151 Officer jvaughan@dorset.gov.uk

Council Tax Discounts, Long Term Empty Charges Key Decision - Yes Public Access - Open	Shadow Executive Committee	7 Jan 2019	Consultees: Budget Task and Finish Group  Means of Consultation: Meetings	None	Lead member - Councillor Tony Ferrari Lead officer - Jason Vaughan, Interim Section 151 Officer jvaughan@dorset.gov.uk
Business Rates Relief  Key Decision - Yes Public Access - Open	Shadow Executive Committee	7 Jan 2019	Consultees: Budget Task and Finish Group  Means of Consultation: Meetings	None	Lead member - Councillor Tony Ferrari Lead officer - Jason Vaughan, Interim Section 151 Officer jvaughan@dorset.gov.uk
Insurance Arrangements  Key Decision - Yes Public Access - Open  O O O O O	Shadow Executive Committee	7 Jan 2019	Consultees: Budget Task and Finish Group  Means of Consultation: Meetings	None	Lead member - Councillor Tony Ferrari Lead officer - Jason Vaughan, Interim Section 151 Officer jvaughan@dorset.gov.uk
Constitution - Dorset Council  Key Decision - Yes Public Access - Open	Shadow Executive Committee Shadow Dorset Council	14 Jan 2019 24 Jan 2019	Consultees: Governance Task and Finish Group Monitoring Officers Group  Means of Consultation: Meetings	None	Lead member - Councillor Spencer Flower Lead officer - Jonathan Mair, Interim Monitoring Officer j.e.mair@dorsetcc.gov.uk
Transition Period Plan (operating arrangements and interim transition)  Key Decision - Yes Public Access - Open	Shadow Executive Committee	14 Jan 2019	Consultees: Governance Task and Finish Group  Means of Consultation: Meetings	None	Lead member - Leader of Shadow Dorset Council Lead officer - Keith Cheesman, LGR Programme Director keith.cheesman@dorsetcc. gov.uk

Legal and Democratic Operating Model  Key Decision - Yes Public Access - Open	Shadow Executive Committee	14 Jan 2019	Consultees: Governance Task and Finish Group Monitoring Officers Group  Means of Consultation: Meetings	None	Lead member - Councillor Spencer Flower Lead officer - Jonathan Mair, Interim Monitoring Officer j.e.mair@dorsetcc.gov.uk
Weymouth Town Council  Key Decision - Yes Public Access - Open	Shadow Executive Committee	14 Jan 2019	Consultees: None  Means of Consultation: None	None	Lead member - Leader of Shadow Dorset Council  Lead officer - Keith Cheesman, LGR Programme Director keith.cheesman@dorsetcc. gov.uk
Equalities Scheme  Ey Decision - Yes  Gublic Access - Open  O  O  O  O  O  O  O  O  O  O  O  O  O	Shadow Executive Committee	14 Jan 2019	Consultees: Equalities Working Group Lead members Lead officers  Means of Consultation: Meetings	None	Lead member - Councillor Peter Wharf  Lead officer - Matt Prosser, Chief Executive Designate matt.prosser@dorsetcouncil .gov.uk
Members Allowances Scheme 2019/2020 Key Decision - Yes Public Access - Open	Shadow Dorset Council	24 Jan 2019	Consultees: Independent Remuneration Panel Governance Task and Finish Group Monitoring Officers Group  Means of Consultation: Meetings	None	Lead member - Councillor Spencer Flower Lead officer - Jonathan Mair, Interim Monitoring Officer j.e.mair@dorsetcc.gov.uk
Corporate Plan  Key Decision - Yes Public Access - Open	Shadow Executive Committee Shadow Dorset Council	11 Feb 2019 20 Feb 2019	Consultees: None  Means of Consultation: None	None	Lead member - Leader of Shadow Dorset Council Lead officer - Matt Prosser, Chief Executive Designate matt.prosser@dorsetcouncil .gov.uk

2019/2020 Budget  Key Decision - Yes Public Access - Open	Shadow Executive Committee Shadow Dorset Council	11 Feb 2019 20 Feb 2019	Consultees: Public and Business Sector Councillors Budget Task and Finish Group Dorset Finance Officers Group  Means of Consultation: Meetings Public and Business Sector Consultation	None	Lead member - Councillor Tony Ferrari Lead officer - Jason Vaughan, Interim Section 151 Officer jvaughan@dorset.gov.uk
Capital Strategy  Key Decision - Yes Public Access - Open	Shadow Executive Committee	11 Feb 2019	Consultees: Budget Task and Finish Group  Means of Consultation: Meetings	None	Lead member - Councillor Tony Ferrari Lead officer - Jason Vaughan, Interim Section 151 Officer jvaughan@dorset.gov.uk
Treasury Management Strategy  Eyey Decision - Yes  Dublic Access - Open  Strategy	Shadow Executive Committee	11 Feb 2019	Consultees: Budget Task and Finish Group  Means of Consultation: Meetings	None	Lead member - Councillor Tony Ferrari Lead officer - Jason Vaughan, Interim Section 151 Officer jvaughan@dorset.gov.uk
Local Council Tax Support Scheme Key Decision - Yes Public Access - Open	Shadow Executive Committee	11 Feb 2019	Consultees: Budget Task and Finish Group  Means of Consultation: Meetings	None	Lead member - Councillor Tony Ferrari Lead officer - Jason Vaughan, Interim Section 151 Officer jvaughan@dorset.gov.uk
Financial Regulations  Key Decision - Yes Public Access - Open	Shadow Executive Committee	11 Feb 2019	Consultees: Budget Task and Finish Group  Means of Consultation: Meetings	None	Lead member - Councillor Tony Ferrari Lead officer - Jason Vaughan, Interim Section 151 Officer jvaughan@dorset.gov.uk