

Overview Scrutiny Committee

Thursday, 18 October 2018

7.30 pm

Present:

Cllr John Burden (Chair)
Cllr Sara Langdale (Vice-Chair)

Councillors: Gary Harding
William Lambert
Shane Mochrie-Cox
Makhan Singh
Jenny Wallace

Chris Wakeford Committee Services Officer (Scrutiny)

81. Apologies

An apology for absence was received from Councillor Lee Croxton and Councillor Leslie Hills; Cllr Shane Mochrie-Cox and Councillor Gary Harding appeared as their respective substitutes. An apology for absence was also received from Councillor Samir Jassal.

82. Minutes

The Minutes of the meeting held 13 September 2018 were signed by the Chair.

83. Declarations of interest

No declarations of interest were made.

84. Oral Update on the two Scrutiny Reviews

The Chair provided the Committee with an oral update following the first meetings of the sub-groups for the following two Overview Scrutiny Topic Reviews on 10 October 2018:

1. Review of proposed council-endorsed trading companies
2. Review of Grass Cutting and Horticulture

Scrutiny Review of proposed Council-endorsed Trading Companies meeting 10 October 2018

In attendance:

Cllr John Burden (Chair)	Labour
Cllr Shane Mochrie-Cox	Labour
Cllr Leslie Hills	Conservative
Cllr William Lambert	Gravesham Independent Conservatives

Stuart Bobby - Director (Corporate Services)
Sarah Parfitt - Assistant Director (Corporate Services)
Lauren Wallis - Committee Services Officer (notes)

The Chair highlighted the following matters that were discussed at the meeting on 10 October 2018:

- The meeting dealt with the legal functions including the role of directors on any local authority company board established to manage the housing development proposed by Reef and how structurally there will in all likelihood be a parent company with subsidiaries below it.
- There are two potential routes:
 1. Go through the Council
 2. Go through the Executive (i.e. Cabinet).It was the view of the group that there should be a cabinet member who will be a director on the company but the cabinet member must not be involved with any executive function of the council that would be discharged through that company to avoid conflicts of interest.
- There could be a Member working group set up to advise on any issues.
- Officers will also sit on the board but not the Director (Corporate Services) as he is the Council's Chief Finance Officer under Section 151 of the Local Government Act 1972.
- There is the opportunity for junior officers to get experience through involvement in the subsidiary companies.
- At this stage the proposed companies are likely to complete a majority of their work for the council, not trade wholly with the private sector, so they won't be subject to competition rules; this also means staff won't need to be TUPE transferred (Transfer of Undertakings (Protection of Employment) Regulations 1981).
- If subsidiary companies are set up there will be the opportunity to get other officers involved. If the company is successful / vibrant it will be subject to VAT & other rules in the same way as any other company.
- The Council uses the Green Book Rules that set out employment arrangements for staff e.g. pay, conditions of service etc. It is anticipated that the proposed companies will embrace these rules.
- The Chair reiterated that the review group is an advisory group that can provide recommendations but ultimately this is a matter for Cabinet to decide.
- There will be a presentation to all Members on the legal aspects of setting up and running a Local Authority Trading Company in the near future.

- Council staff will be fully engaged to ensure they have a good awareness of Local Authority Trading Companies and the associated arrangements.
- The next meeting of the review group will take place on 5 November 2018. It is anticipated that this will be the last meeting of the group before the review report and recommendations are finalised and brought back to the Overview Scrutiny Committee before going on to Cabinet.

Scrutiny Review of Grass Cutting and Horticulture meeting 10 October 2018

In attendance:

Cllr John Burden (Chair)	Labour
Cllr Lyn Milner	Labour
Cllr Gary Harding	Conservative
Cllr Sara Langdale	Gravesham Independent Conservative

Nick Brown – Director (Environment & Operations)
Stuart Alford – Assistant Director (Environment)
Martin Wates – Horticultural Services Manager
Lauren Wallis – Committee Services Officer (notes)

The Chair highlighted the following matters that were discussed at the meeting on 10 October 2018:

- The group discussed the frequency of grass cutting, whether it is sufficient and how some areas in the Borough could be maintained more efficiently.
- Consideration was given to how the budget could be adjusted in order to ensure green space is satisfactorily maintained.
- Officers confirmed that the GBC website does have a section that maps out who is responsible (GBC or KCC) for the maintenance of land / green space in the Borough.
- The Chair explained that the Council has a 'land terrier' which is a record of its land and property holdings. Any unregistered areas of land are owned by the Crown.
- The group discussed the different types of trees in the Borough and how to work with planners to ensure the right species of tree are planted in the right places.
- The next meeting of the review group will take place on 5 November 2018. It is anticipated that this will be the last meeting of the group before the review report and recommendations are finalised and brought back to the Overview Scrutiny Committee before going on to Cabinet.

The Committee discussed the possibility of allowing residents to look after small areas of land near their homes and requested that this be discussed at the next meeting of the review group on 5 November 2018.

Resolved that the Committee noted the oral update and the date of the next meeting for the two reviews.

Close of meeting

The meeting ended at 8.08 pm