

OVERVIEW AND SCRUTINY COMMITTEE

26 APRIL 2018

BMBC COUNCIL CHAMBER - BARNESLEY TOWN HALL

PRESENT Councillor J Shephard (Chair)

Councillors: Z Naz, C Furness, P Innes, W Johnson, A Jones and I Saunders

Observers: Councillors: K Sarvent

Officers: R Adams, F Boden, M Gladstone, C Marriott, M McCarthy and C Tyler

Apologies for absence were received from Councillors S Mohammed, G Morley, S Peake, P Short, B Steele and A White

1 **WELCOME AND APOLOGIES**

Members' apologies were noted as above.

2 **VOTING RIGHTS FOR NON-CONSTITUENT MEMBERS**

It was confirmed there were no agenda items for which the non-Constituent should not have full voting rights.

It was noted the matters to be considered at item 10 only concerned the Constituent districts but the item is an update for noting and no vote is anticipated.

3 **URGENT ITEMS/ANNOUNCEMENTS**

None.

4 **ITEMS TO BE CONSIDERED IN THE ABSENCE OF THE PUBLIC AND PRESS**

None.

5 DECLARATIONS OF INTEREST

None.

6 REPORTS FROM AND QUESTIONS BY MEMBERS

Cllr Jones asked suggested an 'actions report' should be presented as part of the meeting to help Members identify progress made against outstanding actions amidst the minutes and additional information provided.

It was confirmed this would be incorporated into future 'matters arising reports' to provide this information to Members (**Action: R Adams / C Marriott**).

7 QUESTIONS FROM MEMBERS OF THE PUBLIC

None.

8 MINUTES OF THE PREVIOUS MEETING HELD ON 25 JANUARY 2018

RESOLVED, that the minutes of the meeting held on 25th January are agreed to be a true and accurate record.

9 MATTERS ARISING REPORT

A report was presented to provide Members with an update on matters arising from the previous meeting on 25 January 2018.

As requested at the previous meeting, Members were provided with a full list of all schemes funding by the Local Growth Fund.

Cllr Furness questioned the amount of funding allocated to the Peak Resort scheme and sought an assurance this scheme was definitely going ahead. R Adams used this as an opportunity to remind Members of the salient stages of the scheme assurance framework process and noted that this, like all schemes, are subject to periodic reviews and where applicable the conditions of award are assigned to help manage any identified risks.

It was confirmed a more detailed presentation on any LGF funded scheme could be provided to the Committee as requested. Cllr Furness requested a presentation be provided on the Peak Resort project (**Action: R Adams, C Marriott to schedule into the Committee's Work Plan**)

Cllr Jones welcomed the provision of the information and suggested a workshop could be convened for Committee Members to learn more about the processes a representative scheme goes through from initial inception to contract and award (**Action: C Marriott to work up this proposal**).

Cllr Furness reminded Members it had previously been agreed to look at whether the Committee could undertake 'site visits' to learn more about major schemes **(Action C Marriott to work up this proposal)**.

10 SUPERFAST SOUTH YORKSHIRE BROADBAND PROGRAMME

A report was presented to provide Members with an update on the progress achieved by the Superfast South Yorkshire (SFSY) Project.

Members were reminded that in September 2014, Barnsley MBC (on behalf of the four South Yorkshire authorities), entered into a contract with BT worth £21.93m to deploy broadband services across the region, primarily to locations where broadband deployment is not commercially viable. The contract will provide 97.9% coverage of superfast broadband, covering over 102,000 residential and business premises.

It was further noted the original contract was increased in February 2016 to £28m following injection of an additional £2.4m of SCRIF funding to provide ultrafast coverage at Enterprise Zones and Business Parks, with speeds of up to 330Mbps being made available.

Members were informed the programme is currently deploying the 10th of its 12 scheduled delivery phases.

Regarding future projects, Members were informed that based on recent work undertaken to ascertain the number of business premises that are unable to access speeds above 24Mbps, the SFSY partners have agreed to progress an additional procurement exercise to further extend fibre broadband coverage for businesses across South Yorkshire. An OJEU compliant procurement exercise is therefore seeking to secure a private sector partner to deliver this programme and the outcome of this process it anticipated to be known by early summer 2018.

Cllr Furness asked whether the Derbyshire Dales district is covered by the scheme. It was noted the project principally covers South Yorkshire, but a similar scheme (Digital Derbyshire) does cover the Derbyshire Dales.

It was confirmed coverage currently covers 95% of the county and the project remains on track to meet its objective. However, it was acknowledged the principal delivery partner (BT Openreach) is approximately 3 months behind the expected delivery profile, and payments have been re-profiled accordingly. Reasons for why delivery might have been delayed, such as the discovery of unexpected sub-surface complexities, were noted.

Cllr Jones questioned BT Openreach's commitment to the project and whether the additional OJEU procurement exercise was intended to help identify an alternate delivery partner. M Gladstone advised Members that his professional judgement is that BT Openreach are taking the project seriously and noted that as they operate effectively as a monopoly, they remain under the close scrutiny of not just the SCR but also the Government.

Cllr Jones questioned why residents and businesses were not getting the speeds promised by the Internet Service Providers. M Gladstone reminded Members the SFSY project is providing the necessary 'to-cabinet' infrastructure but this is essentially separate to the commercial 'cabinet to premises' services provided by the commercial sector with whom businesses and residential premises have contracts to receive notional broadband speeds. Members were therefore reminded that any service dispute needs to be raised with the commercial internet service provider.

Cllr Saunders requested a report on the SCR district's collated superfast broadband's capability (**Action: C Marriott to scope out**).

It was acknowledged there are varying estimates of what minimum line speeds might be considered 'appropriate' in the future.

Members requested further information regarding what areas are still to be provided with access to superfast broadband (**Action: C Marriott and officers to provide**).

Cllr Saunders indicated there were maybe some discrepancies in reports on SFSY provided to various past Committees and requested these be investigated. Cllr Saunders also proposed a single item meeting be convened to address these discrepancies if founded (**Action: C Marriott and officers to investigate this matter further, to provide Members with a further update as appropriate and offer advice on whether an additional meeting is required**).

RESOLVED, that Members note the content of the report.

11 UPDATE ON MAYORAL ELECTION

With the Sheffield City Region Mayoral election just one week away, Members were presented with an update on the timetable of events and the measures in place to conduct the election.

The report also reminded Members of the powers the Mayor will assume on taking office.

Members were reminded the setting of a mayoral budget and mayoral salary remain predicated on the requirement to achieve consensus on these issues by the Combined Authority Constituent Members.

RESOLVED, that Members note the content of the presentation.

12 SCR OVERVIEW & SCRUTINY COMMITTEE DRAFT TERMS OF REFERENCE

Members were presented with the revised Committee Terms of Reference and advised of the changes made to the previous version.

It was requested the wording at paragraph 2.1 '*The terms of reference for the Overview and Scrutiny Committee and its work programme will be subject to an annual review by the Combined Authority*' be checked against relevant statutory guidance to ensure compliance. It was confirmed the wording is taken from the Combined Authorities' Order 2016.

Regarding the proposal that '*The Committee will meet on a quarterly basis with additional meetings called as and when required*'. Members requested additional dates be pencilled into the meetings schedule (to give the Committee some pre-determined opportunities to meet monthly if required), which may be removed from the diary as required. It was acknowledged the inclusion of additional dates might lead to an unintended consequence with diary congestion to address (**Action: C Marriott to lead discussion on this matter at the planned OSC Members' Workshop scheduled for June 2018**).

Cllr Furness suggested these could be used as pre-determined call-in dates and help manage Members' ability to attend.

Members questioned whether the requirement for three Members to trigger a call-in in excessive and if a two Member threshold might be more appropriate. Varying opinions on this matter was considered.

Cllr Furness suggested Members might be minded to review why the Combined Authority currently doesn't webcast its meetings.

13 ACHIEVING QUORACY

A report was received inviting Members to formally review the Committee's governance arrangements in respect of helping achieve the required quoracy threshold of two thirds of Members to be present at meetings by the introduction of a Scheme of Substitute Arrangements ("the Scheme") and other innovations.

As discussed at previous meetings, It was proposed that Scheme of Substitution would help achieve quoracy by permitting an ordinary OSC Member to delegate his or her representation to a fellow Member, providing the substitute is of the same representative of the same Local Authority and of the same political group (thus maintain a requirement for the OSC to remain politically proportionate).

Further details were provided in respect of how this Scheme might operate in practice.

It was acknowledged it is effectively the Councils who would appoint substitute Members, rather than the standing Members themselves, and agreed this will be written into the draft Scheme.

RESOLVED, that the Committee:

1. Endorses the proposed OSC Scheme of Substitute Arrangements and agrees this be submitted to the SCR Combined Authority for ratification.

2. Endorses the introduction of video conferencing and more direct reporting on members' attendance as additional means of achieving quoracy
3. Notes the intention not to review the size or composition of the Committee's membership (other than the usual exercise following each round of local government elections).

14 FORWARD PLAN OF KEY DECISIONS

Members were presented with the Forward Plan of Key Decision being taken by the Combined Authority and thus subject to being called-in by the Scrutiny Committee.

It was noted this Forward Plan now contains decisions which are taken at the Business Investment Fund and the Housing Investment Board meetings as they have delegated authority to make decisions (under £2m in value) on behalf of the Combined Authority.

Members considered what might be their primary means of communication with the Scrutiny Officer in respect of receiving updates to the Forward Plan and thus facilitate the Committee's ability to call-in or request more information about decisions. It was agreed these communications would be best undertaken by email (**Action: C Marriott to continue to provide Members with the updated Forward Plan of Key Combined Authority decisions by email**).

15 OSC WORK PLAN

Members were presented with the updated Committee work programme.

It was agreed that the work plan would be discussed in more detail at the OSC Member Workshop in June 2018.

It was noted the revised Terms of Reference would be presented for final consideration and agreement at the next meeting.

CHAIR