

Public Document Pack

Late information for 18 June 2013 Scrutiny Board (Sustainable Economy and Culture)

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Background

1. The Scrutiny Board Procedure Rules state that all Scrutiny Boards will act as a “critical friend” to the relevant Strategic Partnership Board and consider and report on the following areas:
 - What contribution the Partnership Board is making to tackle poverty and inequality, and the progress being made against this
 - How successfully the Board’s partnership arrangements are working
 - To what extent are significant benefits being seen from partnership working? How has partnership working ensured increased pace of change to address the issue in hand?
2. A common approach was adopted by Scrutiny Boards in exercising their “critical friend” role, in order that outcomes could be compared and contrasted between Partnership Boards. However, it was also acknowledged that each Strategic Partnership Board is at a different stage in its development and maturity.
3. During March and April 2013, Scrutiny Boards received reports from the relevant Strategic Partnership Board and had the opportunity to question the chair and members of the Partnership Board and support officers.
4. It was agreed that, following the scrutiny sessions, each Scrutiny Board would produce a summary report of its findings. The Scrutiny Support Unit would then prepare a cover report drawing out any common threads and best practice emerging from the individual inquiry sessions. The full report will be presented to Council, as the commissioning body for this piece of scrutiny inquiry work. Each Strategic Partnership Board will also receive their respective individual report, along with the cover report, and will be requested to respond to any scrutiny recommendations in the normal manner.
5. The Scrutiny Board received a report and presentation on the history and development of the Sustainable Economy and Culture Strategic Partnership Board. Members were also presented with information to assist them in assessing strengths and areas for development for the Partnership Board in respect of the three key questions set out above.
6. The following representatives from the Sustainable Economy and Culture Strategic Partnership Board attended the Scrutiny Board’s meeting on 9th April 2013:
 - Nigel Foster, Chair of the Strategic Partnership Board
 - Councillor Richard Lewis, Executive Member, Development and the Economy
 - Councillor Adam Ogilvie, Executive Member, Leisure and Skills
 - Martin Farrington, Director of City Development
 - Peter Roberts, Principal, Leeds City College

The Scrutiny Board's observations and recommendations relating to the Sustainable Economy and Culture Strategic Partnership Board

Composition of the Board

7. We discussed the balance of Board membership between private, public and third sector. We noted that this is currently the only one of the strategic partnership Boards chaired by a non-councillor, but the Chair indicated that he did not believe that this was a particularly significant feature in terms of how the Board performed.
8. We were also told about the Board's impact beyond its specific membership, through individual members' reach within their own organisations and wider networks and spheres of influence. As an example of good practice, the Board produces a regular snapshot update of key messages that members use to keep a larger group of people informed about and engaged with the Board's work.
9. The Chair spoke of the full commitment of all Board members to work in partnership to achieve the best and most lasting outcomes and transformational change for the city. This was combined with an imperative to see the impact for all communities and every size of business within the city.
10. Whilst recognising the importance of keeping the Board's membership to a workable size, Scrutiny Board members commented on the current composition of the Partnership Board, which is not representative of the diversity of the local population. The Chair of the Partnership Board acknowledged the current position and agreed that this was an area for ongoing review. In so doing he made reference to another Board he belongs to which does have a more diverse make-up and the positive dimension that this brings to that Board's work.

Recommendation 1

That the Sustainable Economy and Culture Partnership gives consideration to the diversity and representativeness of its membership in relation to the population of Leeds when vacancies arise in its membership.

11. We also acknowledged that the balance of membership on the Board makes it ideally placed to take forward the principle of Civic Enterprise set out in the Commission for Local Government, particularly through encouraging businesses to become more civic, and the public and third sectors to become more enterprising.

Ways of working

12. The Chair emphasised his view of the Board's role as one of setting the strategic tone and direction rather than becoming involved in the detail of delivery.
13. We also heard that, for each of the Board's 3 priority areas of the Health Hub, low carbon city and skills, a member of the Board has put themselves forward to champion progress on behalf of the partnership .
14. We learned that the Board operates a performance steering group, and we sought reassurance that this was providing a useful focus for the Board's work, rather than creating duplication. We were assured that this is the case and that its role is to strengthen the accountability of the partnership to the council, the city and to the business community. This includes responsibility for overseeing the regular quarterly

performance reports on City Priority Plan progress that are presented to the Scrutiny Board as part of scrutiny's own accountability function for the city.

15. We acknowledged the links that the Partnership Board has made with other Partnership Boards in areas of mutual interest in order to ensure a joined up approach to achieving the vision for Leeds to be the best city in the UK, and also links to the Local Enterprise Partnership (LEP) and sub groups of the former Leeds Initiative. We value the importance of integrated working between the various strategic partnerships as key to overall city success.
16. We also acknowledged the importance of the regional dimension, through the City Deal for Employment and Skills and the West Yorkshire Transport Fund.
17. We welcomed Partnership Board members' commitment to ongoing engagement with the Scrutiny Board.

Progress

18. We appreciated the Board's development of the concept of a pipeline of transformational interventions. The Partnership Board has captured this in a simple table, which sets out short, medium and long term milestones to be achieved on each of the Board's key priorities over the lifetime of the City Vision to 2030. This high level checklist of transformational projects is a live document and is under constant review, so that the Board can continuously be engaged in identifying and shaping the next wave of potential opportunities and programmes to be championed.
19. Our own work over the year has reflected several of the same priorities as those of the partnership, most notably in our recent inquiry on the marketing and promotion of the city, focusing on what the city needs to do next in order to secure ongoing investment and growth. This is clearly a key area for the Partnership Board's consideration. We heard about the partnership's contribution to delivering successful schemes such as Trinity and the Arena, as well as in supporting and attracting future investment in the city. We also heard about, and strongly applaud, the focus on enabling local people to benefit from the employment opportunities that investment brings to the city.
20. As a particular example of the Partnership Board's contribution to tackling poverty and inequality in the city, we were very pleased to hear from Peter Roberts about the foundation of the Leeds Apprenticeship Training Agency. This is an employer-led approach to employment and skills, targeting small and medium-sized enterprises. We also heard about the complementary work being promoted by the Children's Trust Board in relation to work with NEET young people and the achievement of functional skills to promote access to employment.
21. In discussing the transport aspect of the partnership's agenda, we noted that NGT is only the starting point for the city's need to develop integrated transport

Next steps

22. We discussed the challenge for the Partnership Board to ensure that it continues to move forward on each of the three priority areas. In particular, given the long lead-in times for projects, regular stock-takes are useful to gauge progress and identify where new projects and schemes need to be brought forward. A lack of 'big ideas' now will mean a long wait for delivery on the ground.

23. We particularly noted that the Partnership Board has been reviewing its priorities and redefining them as 3 obsessions: maximising job growth; becoming a low carbon city; and enjoying an active and creative city. It is planned that the obsessions will be complemented by 2-5 'big ideas'. Board members have been discussing this concept recently and suggesting what the 'big ideas' might be. These included a strong focus on a campaign to create jobs in the city. We look forward to hearing the outcome of the Board's deliberations, and considering how this may influence our own work programme for the next year.
24. We were also pleased to hear about a commitment from the Board to promote better engagement between businesses, schools and young people. We agree that this is crucial to developing a local workforce with the required skills to fill the jobs that will be on offer in the city.
25. The Chair of the Board indicated that there also needs to be further effort to raise the profile of the city and its cultural offer. Leeds has a great range of cultural experiences to offer, but is consistently not perceived nationally as highly as that offer collectively merits.
26. The representatives of the Board also acknowledged that there had been less progress achieved against the priority to promote low carbon businesses, buildings, energy generation and connectivity across the city than for the other two priority areas. There is a need to identify more specific projects here that can help to achieve transformational change in relation to this priority, which will require strong partnership working across all sectors. District heating and integrated transport were particularly identified as areas requiring more progress to be made.

Recommendation 2

We recommend that the Strategic Partnership Board develops a clear plan for progressing the low carbon city priority area of work.

Conclusion

The Scrutiny Board would like to thank the Chair and members of the Sustainable Economy and Culture Strategic Partnership Board for their positive participation in this review.

We acknowledged that this is still a comparatively 'young' Board compared to some of the more established Strategic Partnership Boards, but we felt that it had made a positive start in tackling its broad ranging challenges, and that it has promising plans for the future.

The Scrutiny Board endorses the commitment to continuously prioritise the actions of the Partnership Board, and the focus on delivery of key projects which will contribute to the ambition to deliver the long-term vision for Leeds.

In particular we welcome the realistic assessment of both successes and challenges by the Partnership Board. We look forward to an ongoing accountability dialogue on further achievements and overcoming the challenges.

Scrutiny Board (Sustainable Economy and Culture)

The role of the Leeds Let's Get Active Scheme in promoting public health

Draft terms of reference

1.0 Introduction

- 1.1 At the beginning of the 2012/13 year, members of the Sustainable Economy and Culture Scrutiny Board decided that they wished to carry out an inquiry into the role of leisure and culture in promoting public health. This fits with the Vision for Leeds 2011 to 2030 ambition that by 2030, all Leeds' communities will be successful, including an aspiration that Leeds will be a city where healthy life choices are easier to make and local cultural and sporting activities are available to all.
- 1.2 A working group meeting was held on 30 August 2012 with representation from City Development directorate, Children's Services and Public Health to scope the proposed inquiry. Input was also received on behalf of the Health, Wellbeing and Adult Social care and the Children and Families Scrutiny Boards, given the cross-cutting nature of the chosen topic.
- 1.3 The working group had a wide ranging debate about the potential scope of their work and how to define the remit of the inquiry so as to be a manageable piece of work likely to produce useful outcomes. We concluded that the inquiry should focus on addressing health inequalities. We were particularly interested in considering the accessibility of provision.
- 1.4 Since the original decision by the Board to undertake this inquiry, the council was given the opportunity to bid for funding from Sport England from the 'Get Healthy, Get into Sport' fund. The fund was designed to support projects that can demonstrate health gains through sport and physical activity and, vitally, provide a robust evidence base. The Scrutiny Board was briefed on this bid at its meeting on 20 December 2012. The bid was successful and the programme will be implemented as the Leeds Let's Get Active (LLGA) scheme.
- 1.5 Leeds Let's Get Active seeks to explore methods to remove barriers that exist for the least active people in Leeds in relation to participating in sport and physical activity. It hopes to initiate a change in culture whereby inactive people take small steps to being active, feeling encouraged to take part in sport and physical activity in an environment where they feel welcome and comfortable. The ultimate aim is to help reduce the significant health inequalities that exist in the city. The project will test the barriers to participation (getting the inactive active) and what methods most effect behaviour change. The bid is based on

3 key strands: a core sport/fitness activity offer in leisure centres; a community multi-sport offer; and a behaviour change intervention within the Bodyline Access Scheme.

- 1.6 As a result of these developments, it was agreed that it would be appropriate to revise the focus of the scrutiny inquiry to enable the Board to play a more active role in contributing to the development of the proposed scheme and its subsequent monitoring.
- 1.7 It was agreed that the first session of the inquiry should follow the format set out in the original terms of reference, but that the remainder of the inquiry would be deferred until the 2013/14 municipal year and the planned activities revised to reflect the new focus of the inquiry. Accordingly an initial inquiry session was held on 9 April 2013, which provided an overview of how sport, recreation and culture can contribute to health outcomes and an outline of what currently happens in Leeds.

2.0 Scope of the inquiry

- 2.1 The purpose of the inquiry is to make an assessment of and, where appropriate, make recommendations on;
- The development and implementation of the Leeds Let's Get Active Scheme.
- 2.2 It is hoped that the Board's work will contribute to the evaluation report on the scheme that has been requested by the Executive Board.

3.0 Comments of the relevant director and executive member

- 3.1 Scrutiny Board procedure rules require that the Board consults with the relevant Executive Member(s) and Director(s) on the terms of reference for its inquiries. Any views will be communicated to the Board.

4.0 Timetable for the inquiry

- 4.1 The inquiry will take place over the course of the 2013/14 municipal year.
- 4.2 The inquiry will conclude with the publication of a formal report setting out the board's conclusions and recommendations.

5.0 Submission of evidence

5.1 Scrutiny Board meeting – 16 July 2013

This session will provide the Scrutiny Board with an opportunity to comment on the development and marketing of the Leeds Let's Get Active scheme prior to implementation in the autumn.

Scrutiny Board meeting – 18 February 2014

This session will review the progress of the scheme over its first few months of operation and any proposed developments

The board will then consider whether any further ongoing scrutiny monitoring and evaluation is required or whether to produce a final inquiry report at this stage of the scheme.

5.3 Witnesses

The inquiry will be supported by officers from City Development and from Public Health. Other witnesses will be invited as appropriate, including the relevant Executive members and scheme partners, including health service commissioners, research and delivery partners.

6.0 Equality, Diversity and Cohesion and Integration Issues

- 6.1 Where appropriate, all terms of reference for work undertaken by the Scrutiny Boards will include
To review how and to what effect consideration has been given to the impact of a service or policy on all equality areas, as set out in the council's Equality and Diversity scheme, and on the council's Cohesion and Integration Priorities and Delivery Plan.
- 6.2 The objectives of this inquiry particularly reflect the following theme from the council's Equality and Diversity scheme:
Service Delivery – Leeds City Council provides fair access to services which meet the needs of our diverse communities and individuals.

7.0 Monitoring Arrangements

- 7.1 Following the completion of the scrutiny inquiry and the publication of the final inquiry report and recommendations, the implementation of the agreed recommendations will be monitored.
- 7.2 The final inquiry report will include information on the detailed arrangements for monitoring the implementation of recommendations.

8.0 Measures of success

- 8.1 It is important to consider how the Board will deem whether its inquiry has been successful in making a difference to local people. Some measures of success may be obvious at the initial stages of an inquiry and can be included in these terms of reference. Other measures of success may become apparent as the inquiry progresses and discussions take place.

8.2 The Board will look to publish practical recommendations.

Briefing Note for Scrutiny Board (Sustainable Economy and Culture)

Categorisation of Executive Decisions

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, came into force in September 2012, and provide for local authorities to define a 'Key Decision' in accordance with the significance of the impact of that decision on their budgets and on the communities living or working in the area. The Regulations require that in doing so the local authority should have regard to guidance issued by the Secretary of State in this regard.

In chapter 7 of the Guidance on New Council Constitutions issued in October 2000, and since updated, the Secretary of State provides

- 7.18 In setting such thresholds, a local authority will need to bear in mind the underlying principles of accountable decision-making that there should be a presumption towards openness so that local people have knowledge sufficiently in advance of all those decisions which will be of genuine concern to local communities. ...
- 7.20 The second test for a key decision focuses on those decisions which are not likely to involve significant expenditure or savings but which nevertheless are likely to be significant in terms of their effects on communities. The Regulations require that a decision which is likely to have a significant impact on two or more wards or electoral divisions is a key decision. Nevertheless, local authorities should, unless it is impracticable to do so, specify that they will treat as if they were key any decisions which are likely to have a significant impact on communities in one ward or electoral division. For example, a council should regard as key a decision to close a school or carry out roadworks (such as introducing or altering traffic calming measures) in a neighbourhood, notwithstanding the thresholds of financial significance and that there may be an impact in only one ward. Where a decision is only likely to have a significant impact on a very small number of people in one ward or electoral division the decision maker should ensure that those people are nevertheless informed of the forthcoming decision in sufficient time for them to exercise their rights to see the relevant papers and make an input into the decision making process.
- 7.21 In considering whether a decision is likely to be significant, a decision-maker will need to consider the strategic nature of the decision and whether the outcome will have an impact, for better or worse, on the amenity of the community or quality of service provided by the authority to a significant number of people living or working in the locality affected. ...

The definition established by Leeds City Council is set out in Article 13.6 of the Council's Constitution and provides:-

Key Decision:- a decision relating to an executive function which is likely

- a. to result in the authority incurring expenditure or making savings (including the receipt or loss of income) over £250,000 pa¹; or
to have a significant effect on communities living or working in an area (including one ward), and
- b. which is not a decision which is a direct consequence of implementing a previous Key Decision², or in relation to which a further report will be submitted for approval of the proposal before the Council is committed to proceed³; or

which is not the result of varying a previous Key decision in line with recommendations made by a Scrutiny Board following a Call In of that decision.

Key decisions are subject to a number of requirements to enable transparent and accountable Executive decision making. The Regulations require that intention to take a Key Decision is published 28 clear calendar days before that decision is taken: in Leeds this is achieved by inclusion in the List of Forthcoming Key Decisions which is published on the Council's internet site. In addition to this the Executive and Decision Making Procedure Rules require that 5 clear working days prior to an officer taking a Key Decision, that officer should give notice of the report on which that decision will be based: this is achieved by publishing the report and the delegated decision notice on the Council's internet site. When the Key decision is taken, the decision is recorded: as it is already included in the Council's internet site this recording of the decision requires only that the status of the decision is amended to show that it has now been taken. Finally Key Decisions, unless exempted for reasons of urgency, are open to Call In: in Leeds Call In closes at 5 p.m. on the fifth working day after the decision is recorded as taken.

¹ Except where this expenditure, saving or income will result from:-

- a) a Treasury Management decision in relation to the making, payment or borrowing of a loan; or
- b) a decision to purchase energy under the terms of an energy supply contract which has been awarded following the appropriate procurement process; or
- c) a decision to approve a care plan which the Council has a duty or power to provide as defined by s46 of National Health Service and Community Care Act 1990 and s2 of the Chronically Sick and Disabled Persons Act 1970. Ss17 and 20 Children Act 1989
- d) the settlement of proceedings to which Leeds City Council is a party.

² Where a scheme or proposal changes following the original decision to the extent that the additional spend or save, or the additional impact of the decision, reaches the threshold for a Key decision it shall be treated as a new Key decision.

³ Under the capital programme, a decision to **authorise expenditure** over £250,000 will be a **key** decision, but a decision to **inject a scheme** into the capital programme, or to **award a contract** over the value of £250,000 will not.

In accordance with the Regulations all other decisions would be categorised as Administrative, and are not subject to any formal requirements in relation to notice, recording or scrutiny. However, in Leeds, a third category of Executive Decision has been developed to provide an enhanced level of transparency in relation to matters which do not fulfil the definition of a Key Decision but are none the less considered significant, and which require recording and publication. These decisions are defined as Significant Operational Decisions:-

Significant Operational Decisions:- those decisions which are not Key decisions and which;

- a. Do not fall within the definition of Administrative decisions; or
- b. Would have been a Key decision but for footnote 1 to Article 13.6.1a or Article 13.6.1b above; or
- c. Result in the authority incurring expenditure or making savings (including the receipt or loss of income) over £100,000 each year; or
- d. Are, in the opinion of the Director, Chief Officer or Head of Service, of such significance that a published record of the decision would ensure transparency and accountability in relation to decision making within the authority.

Significant Operation Decisions are subject only to the requirement that they should be recorded. In Leeds this is achieved by publishing the Delegated Decision Notice and accompanying report (together with any relevant appendices or background documents) on the Council's internet site. Significant Operational Decisions taken by officers are not open to call in, and can therefore be implemented as soon as they are taken, whether or not they have yet been published.

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