

## **CABINET**

**(Held at the John Colet School, Wendover)**

**14 July, 2015**

**PRESENT:** Councillor N Blake (Leader of the Council); Councillors Mrs J Blake, Bowles (Deputy Leader), Mrs Macpherson, Mordue, Mrs Paternoster and Sir Beville Stanier. Councillors C Adams, Hetherington, Southam and Strachan attended also.

**APOLOGIES:** There were none.

### **INFORMAL QUESTION TIME**

Prior to the commencement of the formal business of the meeting, Cabinet Members responded to questions from members of the public and local Ward Members present on a number of matters, including the following:-

- A local resident enquired whether there were any plans to celebrate the diamond jubilee of the granting of the Freedom of Aylesbury to RAF Halton. The date of the anniversary was 24 April 2016. The Freedom of Aylesbury had been granted by the former Aylesbury Borough Council. The Freedom Charter now formed part of historic regalia held by Aylesbury Town Council. AVDC had granted RAF Halton the Freedom of the entire District in October 2010, and personnel from the technical training school had participated in at least two events in different parts of the Vale involving a formal march past and salute.

The Cabinet Member for Community Matters, Leisure and Civic Amenities indicated that she would ask the relevant officers of the Council to explore the opportunities for working collaboratively with any interested local authorities and the Local Area Forum concerning some form of event to mark the anniversary. The local resident concerned would be advised of any proposals that might be agreed.

- The Leader of the Council explained that AVDC remained fully supportive of initiatives to protect the bio-diversity of the District, particularly those pursued by voluntary agencies such as the Vale Conservation Volunteers. However, the Council's own dedicated staffing arrangements had had to be reviewed, (and indeed, together with all service areas, would continue to be the subject of review), as part of the Council's desire to ensure the delivery of cost efficient services, which recognised the need to identify new sources of income to offset significant reductions in Government grant.
- The Leader of the Council, in response to a question from one of the Local Ward Members drew attention to grant funds available via the "Community Chest" which might possibly assist with the acquisition of a mini bus for use by cadets attached to the RAF Technical Training School. The Ward Member concerned was encouraged to speak with one of the Council's grants officers to explore the possibilities and criteria for making application.

- The County Councillor for the Wendover Division commented that he appeared to receive a relatively large number of complaints concerning the activities of the Vale of Aylesbury Housing Trust (VAHT), particularly the grass cutting arrangements. It was believed that the Trust employed an officer dedicated to dealing with issues within the Vale and the County Councillor was encouraged to make contact directly with the Trust. The Cabinet Member for Business Transformation reminded the Member (who was also a District Councillor) that representatives of the Trust were invited at least once a year to meetings of the Environment and Living Scrutiny Committee, and that the next such occasion would be an ideal opportunity to raise directly with them any issues of particular concern.
- Reference was made to the recent publicity given to proposed increases in car parking charges in Aylesbury. The audience was reminded that the charges had not been revised for some time and that they were not excessive compared with other towns and cities both regionally and nationally. In the case of at least one of the town centre car parks it was indicated that a primary objective was to ensure that the relatively limited number of spaces were available for users of the nearby leisure facility. Those users were able to obtain a refund. Prices were pitched at a level that ensured that the costs of the service were covered.

The audience was reminded of the continuing (and significant) investment being made in the regeneration of Aylesbury Town Centre and its retail offer and that the Council was fully cognisant of the need to review car parking charges as well as the need to maintain a vibrant town centre.

- Reference was made to the need for more or perhaps larger dog bins in a particular area within Wendover which was well used by dog walkers. The audience was reminded of the arrangements for the provision and emptying. The Parish Council had a primary role in the former. It needed to be remembered that there were still a number of open spaces in the location referred to specifically that had not yet been adopted.

At the conclusion of the question time session, the Leader of the Council thanked those present for their attendance and contribution to the meeting and indicated that they were welcome to remain for the remainder of the meeting. Indeed, in view of its local interest members of the audience were invited to comment on or ask questions about the proposal to establish a National Paralympic Heritage Trust (Minute 2 below).

## **1. MINUTES**

RESOLVED –

That the Minutes of 16 June, 2015, be approved as a correct record.

## **2. THE NATIONAL PARALYMPIC HERITAGE TRUST**

Members were advised of an invitation for the Council to become a member of a new charitable trust (a company limited by guarantee) and provisionally to be known as "The National Paralympic Heritage Trust". The other members of the trust would be the British Paralympic Association, "Wheelpower" and Bucks County Council. The formation of the trust was being co-ordinated by "Wheelpower" and the legal work was being funded by a start-up grant from the Heritage Lottery Fund. The Trust would be responsible for collating, maintaining and preserving the heritage of the Paralympic movement, making it available to audiences in both a physical and virtual form. The Chairman of the project steering group gave a brief presentation on the aims and objectives of the proposal and responded to questions from Cabinet Members and members of the audience.

The Paralympic Heritage Trust would map, conserve and make available to national audiences, collections and archives relating to the British Paralympic movement. It would create an accredited permanent heritage centre at Stoke Mandeville Stadium, the birthplace of the movement, a national network of satellite exhibitions and a virtual museum. The project would also run outreach activities.

The Trust would raise awareness about the story of the Paralympics which had been instrumental in changing attitudes and expectations of disabled people, thus helping to improve access and remove discrimination for the 10 million disabled people in the UK. It would also raise awareness of the local area as the birthplace of the Paralympic movement, and the pioneering medical work undertaken at the National Spinal Injuries Centre. This would help meet the objectives of the Bucks Legacy Board to use the unique selling points of the area to provide better and more inclusive opportunities for the District's residents, businesses and visitors.

It was envisaged that, as a second stage of development, the Trust would be the body to commission the Paralympic Flame Lighting Ceremony associated with the 2018 and all future summer and winter Paralympic Games. The Cabinet report, posted on the Council's website, contained a more detailed commentary on the legacy of London 2012, and the Paralympic heritage.

RESOLVED –

- (1) That approval be given to the formation of the National Paralympic Heritage Trust, an independent charitable company, limited by guarantee, in partnership with the British Paralympic Association, Bucks County Council and "Wheelpower" (British Wheelchair Sport).
- (2) That the Chief Executive, after consultation with the Leader of the Council, be authorised to approve and establish the company structure and associated detailed arrangements.
- (3) That two trustees be appointed to the Trust Board, one Member to be appointed by the Leader of the Council and one officer to be appointed by the Chief Executive, after consultation with the Leader of the Council.

### 3. LEGAL SERVICES PROVIDER

At the meeting in April, the Council had agreed to the future provision of legal services through a third party and a report was submitted summarising how this would be governed and the arrangements for switching over to the external provider.

The supply of appropriate and timely legal advice was fundamental to the smooth running of many of the Council's services. This had led to consideration being given to different delivery models.

Since 2012/2013 the costs of the service had been reduced from circa £742,000 to circa £600,000. It had been considered that this could be reduced further through demand management (i.e. reducing the volume of legal work), and through different models of service delivery based upon detailed analysis of the demand from services. Council had subsequently agreed to an arrangement involving a third party provider. The Chief Executive, after consultation with the leader of the Council, had been authorised to deal with the selection of a provider. It was reported that since the matter had last been discussed, all legal services staff employed by the Council had either left or were due to leave and as such there were no TUPE considerations. It was therefore proposed to arrange for the supply of legal services through a straightforward contractual provision.

The following key objectives/issues had been taken into account in the consideration of suitable providers:-

- The speed of switchover, bearing in mind the reduced in-house provision.
- Ease and cost efficient procurement route. Bearing in mind the level of the annual contract sum involved, a standard procurement would dictate a full EU OJEU level exercise, which had the potential for significant costs and time delays.
- Locality of provider, given the need to enable face to face delivery of service where operationally necessary.
- Existing successful delivery of similar local authority services covering District Council functions, and the ability to deliver unitary level services should these be required in the future.
- Knowledge of the issues facing AVDC and where possible experience of working on the full range of legal services required by the Council – especially those of a more innovative nature, e.g. commercial projects, property and company ownership and creation.
- Ability to provide additional robustness and flexibility to the legal service so as to manage peaks and troughs to ensure the requirement for legal provision and thus ensuring the smooth running of the Council.

Taking the above into account and having explored the market place, the Leader of the Council and Chief Executive had, in accordance with the authority given previously, pursued more detailed discussions with HB Public Law. HB Public Law had been created in 2012 by combining Harrow and Barnet's legal teams in a shared service and had in excess of 70 members of staff. They were a local authority legal

practice specialising in public law, providing services to local authorities, maintained schools, academies, local authority trading companies and housing associations.

As HB Public Law were a fellow local authority, the procurement could be delivered via an inter - authority agreement (IAA), considerably speeding up the delivery of the service. An IAA was in effect a contractual relationship between the two councils that had the benefit of avoiding some of the procurement burden.

The detail of how the relationship with HB Public Law would be governed would be set out in a full IAA document. This was however still the subject of negotiation. In summary, the IAA would set out:-

- The relationship between AVDC and HB Public Law.
- The financial model.
- Service standards.
- Performance monitoring.
- Staffing.
- Intellectual property considerations.
- Disputes and determination.

As set out in previous reports, the Council would continue to hold a Monitoring Officer post at AVDC, at least for the medium term and would continue with the current part time arrangement. The Monitoring Officer would also act as the contract manager for the HB Public Law IAA.

As HB Public Law were already providing interim provision to AVDC, it was envisaged that the transition to full provision would be relatively straightforward. Detailed project plans were in place and following formal agreement by the Council, and the finalisation of the IAA, these would be brought into force. It was anticipated that the start date for full provision would be 1 September, 2015. However, due to the existing interim service provision, in reality the change in provider should be seamless and occur gradually up to the inception date.

RESOLVED –

- (1) That the update on progress with appointing a legal service provider be noted and the report recommendations approved insofar as they relate to the executive functions of the Council in accordance with Section 101 of the Local Government Act 1972 1nd of the Local Government (Arrangements for the discharge of Functions) (England) Regulations 2012.
- (2) That Council be also recommended to approve the following:-
  - (a) That the provision of Council legal services be delegated Harrow Council which operated a shared legal service known as HB Public Law (as detailed in the Cabinet report).

- (b) That the provision of these services be for up to five years and be governed by an Inter-Authority Agreement (IAA), commencing from 1 September, 2015, subject to satisfactory final arrangements being completed.
- (c) That the final delivery and implementation of the above decisions, including the detail of the IAA, be delegated to the Chief Executive, after consultation with the Leader of the Council.