

Phil Norrey
Chief Executive

To: The Chair and Members of the
Corporate Infrastructure and
Regulatory Services Scrutiny
Committee

County Hall
Topsham Road
Exeter
Devon
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(See below)

Your ref :
Our ref :

Date : 17 September 2018
Please ask for : Wendy Simpson 01392 384383

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**CORPORATE INFRASTRUCTURE AND REGULATORY SERVICES SCRUTINY
COMMITTEE**

Tuesday, 25th September, 2018

A meeting of the Corporate Infrastructure and Regulatory Services Scrutiny Committee is to be held on the above date at 2.15 pm at Committee Suite - County Hall to consider the following matters.

P NORREY
Chief Executive

A G E N D A

PART I - OPEN COMMITTEE

- 1 Apologies
- 2 Minutes
Minutes of the meeting held on 12 June 2018 (previously circulated).
- 3 Items Requiring Urgent Attention
Items which in the opinion of the Chair should be considered at the meeting as matters of urgency.
- 4 Public Participation
Members of the public may make representations/presentations on any substantive matter listed in the published agenda for this meeting, as set out hereunder, relating to a specific matter or an examination of services or facilities provided or to be provided.

MATTERS FOR CONSIDERATION OR REVIEW

- 5 Library Services - Update (Pages 1 - 6)
Report of the Chief Officer for Communities, Public Health, Environment and Prosperity, attached.

- 6 Heart of the South West Local Enterprise Partnership Joint Scrutiny Committee (Pages 7 - 16)
Report of the County Solicitor (CSO/18/30), attached.
- 7 Problem Gambling - Spotlight Review (Pages 17 - 32)
Report of the Spotlight Review on Problem Gambling, attached.
- 8 Income Generation Task Group Report - Update (Pages 33 - 36)
Report of the Head of Economy, Enterprise and Skills (EES/18/5), attached.
- 9 Commissioning of Property Consultancy Service (Pages 37 - 46)
Report of the Head of Digital Transformation and Business Support (BSS/18/10),
attached.

STANDING ITEMS

- 10 Scrutiny Work Programme
In accordance with previous practice, Scrutiny Committees are requested to review forthcoming business and determine which items are to be included in the Work Programme, which can be found at <https://new.devon.gov.uk/democracy/committee-meetings/scrutiny-committees/scrutiny-work-programme/>
- The Committee may also wish to review the content of the Cabinet Forward Plan to see if there are any specific items therein it might wish to explore further, which can be found at: <http://democracy.devon.gov.uk/mgPlansHome.aspx?bcr=1>

MATTERS FOR INFORMATION

- 11 Information Previously Circulated
Below is a list of information previously circulated to Members since the last meeting, relating to topical developments which have been or are currently being considered by this Scrutiny Committee.
- (a) Update from the Police and Crime Commissioner prepared as part of the Councillor Advocate Scheme.
- (b) Research report commissioned by the Heart of the South West Local Enterprise Partnership (HotSW LEP) and Devon County Council which examined how businesses across the HOtSW LEP geography were responding to Brexit:
<https://heartofswlep.co.uk/wp-content/uploads/2018/07/HotSW-Brexit-Report-04.06.18-PUBLIC.pdf>

PART II - ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF PRESS AND PUBLIC ON THE GROUNDS THAT EXEMPT INFORMATION MAY BE DISCLOSED

Nil

Members are reminded that Part II Reports contain confidential information and should therefore be treated accordingly. They should not be disclosed or passed on to any other person(s). Members are also reminded of the need to dispose of such reports carefully and are therefore invited to return them to the Democratic Services Officer at the conclusion of the meeting for disposal.

Membership

Councillors A Dewhirst (Chair), P Colthorpe (Vice-Chair), Y Atkinson, K Ball, R Bloxham, J Hook, J Brook, P Crabb, A Eastman, R Edgell, I Hall, M Shaw, C Slade, H Ackland, J Berry and R Radford

Declaration of Interests

Members are reminded that they must declare any interest they may have in any item to be considered at this meeting, prior to any discussion taking place on that item.

Access to Information

Any person wishing to inspect any minutes, reports or lists of background papers relating to any item on this agenda should contact Wendy Simpson 01392 384383.

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Anyone wishing to speak is requested to register in writing to the Clerk of the Committee (details above) by the deadline, outlined in the Council's [Public Participation Scheme](#), indicating which item they wish to speak on and giving a brief outline of the issues/ points they wish to make. The representation and the name of the person making the representation will be recorded in the minutes.

Alternatively, any Member of the public may at any time submit their views on any matter to be considered by a Scrutiny Committee at a meeting or included in its work Programme direct to the Chair or Members of that Committee or via the Democratic Services & Scrutiny Secretariat (committee@devon.gov.uk). Members of the public may also suggest topics (see: <https://new.devon.gov.uk/democracy/committee-meetings/scrutiny-committees/scrutiny-work-programme/>)

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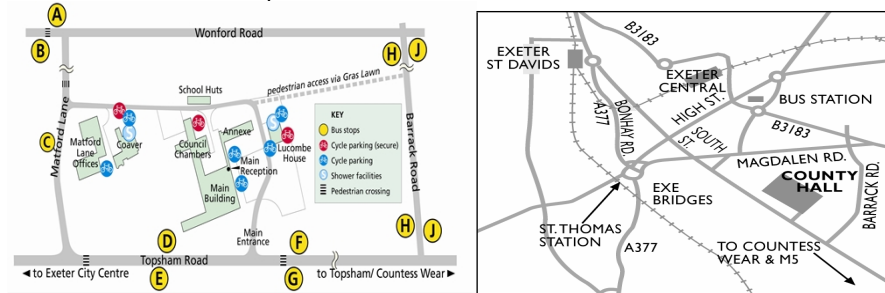
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NB   Denotes bus stops

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UPDATE ON LIBRARY SERVICES WITHIN DEVON

Report of the Chief Officer for Communities, Public Health, Environment & Prosperity

1. Background

- 1.1 Devon County Council has a statutory duty, under the 1964 Public Libraries and Museums Act, to ensure the delivery of library services across Devon. Libraries Unlimited was established in April 2016 with the support of Devon County Council (DCC) to deliver its statutory duty and to ensure that libraries have the maximum positive impact on the lives of people within local communities.
- 1.2 Libraries Unlimited is a registered charity and is a public service mutual owned by its employees, Friends Groups and trustees. The Board of trustees ensures the organisation delivers its mission and purposes and sets the strategic direction for the organisation.
- 1.2 The decision to form Libraries Unlimited came following an extensive public consultation in 2014 which demonstrated that the people of Devon wanted all 50 libraries to remain open and run by paid staff.
- 1.3 In the first 2 years of operation, Libraries Unlimited has been able to maximise the benefits of being a registered charity and has been able to develop a more entrepreneurial and innovative approach to delivering library services. Savings targets of £1.5 million have been achieved by Libraries Unlimited in its first 2 years in line with the contract agreed with Devon County Council. All 50 libraries remain open and run by paid staff. In addition, Libraries Unlimited has been able to secure new sources of funding, and to trial new and innovative library services. In April 2018 Libraries Unlimited secured the contract to deliver Library Services in Torbay.
- 1.4 The decision to spin-out the library service from DCC was bold, as Libraries Unlimited is one of just four library public service mutuals in the country. Their mission, which was developed whilst the transition from an internal DCC service to becoming independent was underway, is to bring ideas, imagination, knowledge and creativity to people's lives and communities through six core purposes:
 - Promoting and encouraging a love of reading
 - Providing free access to information to help people in their everyday lives
 - Inspiring people of all ages to learn, imagine, create, succeed and realise their potential
 - Guiding and supporting people to explore and connect to the wider world
 - Offering a welcoming space to meet, socialise, learn, read and enjoy new experiences
 - Supporting the health and wellbeing of individuals and local communities.
- 1.5 During the first two years of operation, Libraries Unlimited has made significant achievements whilst also still undergoing considerable changes and transformation. It has been important for Libraries Unlimited to become independent of DCC for services such as HR, payroll, premises and ICT. Many of these functions are now provided by external suppliers; however there remains significant work to ensure that the ICT infrastructure for the library network is transitioned away from DCC. This is a significant and complex transformation programme and is key to providing a platform that enables Devon's libraries to deliver high quality library services in the future.

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- 1.6 As a commissioned service, Libraries Unlimited senior managers meet regularly with DCC commissioners to review the performance of Devon's library service against contractual Key Performance Indicators. The meetings also provide opportunities to consider the way in which libraries can support broader community and DCC policy priorities. The contract with Libraries unlimited was a direct award for 5 years with the option of a further 5 years depending on the maturity of the marketplace.

2. Performance

National context

- 2.1 Nationally, libraries continue to face significant challenges including budget reductions and austerity, an increasingly digital landscape, drop in footfall to high streets, and continually changing and evolving behaviours, trends and demands from the general public.
- 2.2 Overall, footfall to libraries has been in decline nationally for a number of years. The latest report from the Chartered Institute of Public Finance and Accounting (CIPFA) Public Libraries statistics, shows a continuing decline in traditional public library use (both in visits and book issues) in England. However, despite the decline, libraries remain well used when compared to other forms of recreation, education or culture – there are more visits to libraries nationally than to the cinema and Premier League football matches combined.
- 2.3 Libraries across the country are changing and many local authorities are struggling to maintain their existing library network in its current form. Data compiled by the Library Taskforce from local authorities suggests that across England between April 2010 and July 2016, 252 libraries closed and 308 were transferred to being managed by volunteers within the local community (Source: <https://england.librarydata.uk>). In December of 2017 the Bookseller reported that 105 libraries had closed during 2016/17. (Source: <https://www.thebookseller.com/news/cipfa-library-figures-687596>). Our neighbours across the south west are adopting different models in response to local needs and finances.

Devon

- 2.4 As detailed in the contract between DCC and Libraries Unlimited, the charity measures performance against a number of agreed Key Performance Indicators (KPIs) reflecting the variety of services provided and the different ways that people engage with library services. The DCC commissioning team and portfolio holder are provided with regular performance reports. Libraries Unlimited is also working with the University of Exeter Business School and a number of other partners to understand the broader societal impact libraries have in relation to reducing social isolation; supporting positive health and wellbeing and improving children's educational attainment.
- 2.5 To embrace the societal shift to a more digital world, Devon's libraries have, over several years, diversified their offer to the public to provide more opportunities to sustain library usage across different demographic groups. As a charity, Libraries Unlimited have been able to secure additional funding to expand the range of services on offer, including 2 Fab Labs and Business and Intellectual Property Centres in Exeter and Barnstaple.
- 2.6 The 2017 CIPFA analysis shows that Devon Libraries are delivered at a lower cost than the average and receive a higher than average visitor count per 1,000 population, amongst its comparison group.
- 2.7 KPIs currently measured include library visits, active library users, issues of stock, computer and WiFi hours, the number of events and event attendance and volunteer hours.

Key Performance Indicators (KPIs)

Purpose	Indicator	2017-18	2016-17	Change
Offering a welcoming space to meet, socialise, learn, read and enjoy new experiences	Visits	2,743,157	2,838,166	-3.35%
Offering a welcoming space to meet, socialise, learn, read and enjoy new experiences	Active users	136,710	114,720	+19.17%
Promoting and encouraging a love of reading	Stock issues	2,796,806	3,022,488	-7.47%
Guiding and supporting people to explore and connect to the wider world	Computer and Wi-Fi hours	532,393	525,941	+1.23%
Inspiring people of all ages to learn, imagine, create, succeed and realise their potential	Number of events and activities	16,732	14,823	+12.88%
	Event attendance	137,981	131,289	+4.85%
Inspiring people of all ages to learn, imagine, create, succeed and realise their potential	Volunteer hours	15,865	13,049	+21.58%

As detailed above, the library sector generally is continuing to see a decline in footfall and issues; however, with the introduction of new and more modern services we are seeing increases in usage of other areas. Total footfall in Devon in 2017/18 was 2.7 million visits. Though this was slightly down on the previous year's figure, it is in line with national trends.

- 2.8 Whilst Devon is not exempt from national trends and has the additional challenge of being one of the country's most rural counties with an ageing population, Libraries Unlimited, with the support of DCC, are developing new services that will appeal to a broader audience that meets local community needs. Through funding from Arts Council England (ACE) and investing in more digital services, we are seeing increased use of other library services, including digital services, events and activities and volunteer opportunities

Digital services

Service	2017-18	2016-17	Change
eBook downloads	78,586	61,723	+27.32%
eAudiobook downloads	33,112	22,610	+46.45%
Digital magazine downloads	28,889	28,208	+2.41%

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- 2.9 Libraries Unlimited recently commissioned the first customer survey undertaken in over 10 years to establish the views of both users and non-users of the library service. The results, drawn from 1500 respondents, show that 93% of library users are satisfied with the library services they receive. This includes 47% who said they are extremely satisfied and 31% very satisfied. The key drivers of satisfaction include customer service, good staff, the selection of books and ease of use.

Participants were asked to rate specific services in more detail:

- 89% of users said the range of services was good or above
- 93% rated staff knowledge and helpfulness as good or above.
- 90% of respondents rated the quality of services as good or above
- 88% rated the environment and ambience of our buildings as good or above
- 92% of participants rated the overall experience in our libraries as good or above
- The library service achieved a Net Promoters Score of 84 (an index ranging from -100 to 100 that measures the willingness of customers to recommend a company's products or services to others), this is higher than the national average of 77.9, the average for public services nationally (75.8) and the average for public services locally (75.4) *source: Institute of Customer Service: UK Customer Satisfaction Index, July 2018.

Service Plan 2018/19

- 2.10 An annual Service Plan is produced by Libraries Unlimited as part of its Commissioning Agreement and is agreed with DCC commissioners. The Service Plan details a range of activities that the charity plans to carry out throughout the year, each with clear measurement and outcomes to enable us to evaluate the success.
- 2.11 Key planned activities for 2018/19 include:
- Review of mobile library service
 - Delivery of ICT Strategy to ensure an independent and resilient ICT infrastructure for libraries in Devon
 - Planned capital developments – including progress on a new library in Bideford
 - Development of fundraising strategy to ensure the charity can have the greatest impact and reach, particularly to vulnerable groups
 - Compliance with General Data Protection Regulation (GDPR) legislation
- 2.12 Work to implement the ICT strategy is ongoing and will remain a priority over the coming months. Considerable progress has been achieved to date in removing libraries from the DCC Wide Area Network. However, there remains a considerable amount of work to be delivered.
- 2.13 The full Service Plan can be found online: <https://librariesunlimited.org.uk/about/our-company/>
- 2.14 As a registered charity, Libraries Unlimited provides the Charity Commission with a detailed breakdown of annual accounts and reports, and following the Annual General Meeting on 26th September, the Annual Report for 2017/18 will be available. These documents can be found online at: <https://librariesunlimited.org.uk/about/our-company/>

3. Increasing impact and adding value

- 3.1 Libraries Unlimited has successfully secured additional funding to improve DCC's statutory library services. In 2017, a new FabLab and Business and Intellectual Property Centre were opened in Barnstaple Library, enhancing the opportunities available to local communities across North Devon. They also piloted new events and activities in libraries in North Devon and Torridge, funded via the Arts Council with the benefit of attracting new people and encouraging them to explore what libraries have to offer and reaching some of the most deprived wards in the county. Over the next four years, as one of just six new ACE library sector National Portfolio Organisations, Libraries Unlimited will be introducing even more art and cultural events and activities to Devon's libraries. All of these new services and facilities add value to DCC's library service by enhancing the core library offering.
- 3.2 National evidence¹ suggests that libraries have an important role to play in supporting wider health and wellbeing within local communities, reducing social isolation amongst people of all ages and providing an important point of contact for people from all backgrounds within local communities. For the past 5 years, the library service in Devon has developed an annual Active Life Active Mind programme to showcase the ways in which libraries can support individual wellbeing and this programme is set to develop further over the next 2 years as Libraries Unlimited seeks external funding and more partners to develop the programme still further.
- 3.2 In becoming an independent charity, Libraries Unlimited has been able to expand the reach and increase the impact of Devon Libraries. They have also been able to expand beyond boundaries into Torbay where they have taken on the running of the library service on behalf of Torbay Council. This has enabled them to share learning across the two library services, create a collaborative approach and increase the annual turnover to establish a more viable future for the charity.

4. Challenges

- 4.1 Whilst Libraries Unlimited is making good progress in securing additional sources of income, it is important to recognise that the library budget in Devon has been steadily declining for a number of years. In 2010, the library budget stood at approximately £10million. By 2014 it had reduced by £3million, and as part of the contract, Libraries Unlimited has been required to reduce the cost of the library service by a further £1.5million. This has been delivered by Libraries Unlimited in its first two years. The library service in Devon now costs 50% less – in real terms - than it did 10 years ago with the same number of static libraries and increased range of services on offer.
- 4.2 With significantly less money, the charity has had to make some difficult changes. This has included a review of the management team, restructures at one of the larger libraries and the removal of enhanced pay for weekend working. This has inevitably impacted on staff morale and resulted in a small number of redundancies.
- 4.3 As part of the transition, Libraries Unlimited, with the financial support of DCC, has had to invest in new IT systems, and whilst this will have a long-lasting positive impact on the future of services, it has not all been smooth and has added pressure to those working on the frontline. The scale of the transformation programme is considerable, and there remains significant work to do to ensure the systems function and operate smoothly and efficiently. DCC continues to work with Libraries Unlimited and all the ICT providers to resolve issues and secure a stable ICT platform.

¹ <https://www.artscouncil.org.uk/sites/default/files/download-file/The%20health%20and%20wellbeing%20benefits%20of%20public%20libraries.pdf>

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- 4.4 In 2014, Devon Libraries, whilst part of DCC, commissioned a new Library Management System (LMS) from Axiell, the company that developed the existing LMS in use across Devon's libraries and the leading provider of library systems. To move the entire network of DCC libraries to a new LMS and a new public facing website has required project management support from DCC and it has taken a considerable amount of time to ensure the new system was installed and functioning properly. The move to the new system happened in December 2017 and there have been continuing cases of 'downtime' which adds pressure to library staff and impacts on customer service and satisfaction. DCC have continued to provide ongoing support to support the resolution of outstanding issues. Work is still underway with the DCC commissioner and members of the Libraries Unlimited senior management team involved in ongoing discussion with the system provider to ensure they are improving the functionality and availability/speed of the system as a priority.

5. Conclusion

- 5.1 The decision to create a new and independent organisation to deliver DCC's statutory library service was bold, and it was inevitable that it would present some challenges. The additional pressure of the changing societal landscape, a continued decline of book issues and library footfall nationally alongside years of budget reductions and cuts equally present their own challenges and issues.
- 5.2 The creation of a commissioned library service has, to date, avoided significant changes such as potential library closures and large-scale redundancies, whilst securing the level of savings required. This approach has ensured the continued operation of all 50 local libraries as well as the improvement of facilities and extension of services. It has provided the flexibility to secure additional sources of funding for the library service, such as substantial investment from Arts Council England. This additional funding enables Libraries Unlimited to expand the library offer and to support the organisation's overall financial provision.
- 5.3 It is important that the DCC commissioning team continue to measure and evaluate the library service performance to ensure the future of our libraries. We will continue to work closely with the team at Libraries Unlimited and, where appropriate, to support their work across Devon's communities. We would ask that members take the time to visit their local libraries to see for themselves the valuable services on offer.
- 5.4 Given the broader landscape for library services in the region and nationally, the move to a public service mutual for the delivery of library services in Devon is a significant achievement for DCC. Libraries Unlimited has achieved a high-profile national reputation and is widely regarded within the sector as a leading and progressive library service.

Dr Virginia Pearson
Chief Officer for Communities, Public Health, Environment & Prosperity

Electoral Divisions: All

Cabinet Member for Community, Public Health, Transportation and Environmental Services:
Councillor Roger Croad

[Local Government Act 1972: List of Background Papers](#)

Contact for enquiries: Simon Kitchen, Head of Communities
Room No. G63 County Hall, Exeter. EX2 4QD

Tel No: (01392) 383000

Heart of the South West (HotSW) Local Enterprise Partnership (LEP) Joint Scrutiny Committee

Report of the County Solicitor

Please note that the following recommendation is subject to confirmation by Committee before taking effect.

Recommendations:

That the Committee agrees to note the progress to date regarding the implementation of a Joint Scrutiny function (Committee) for the South West Local Enterprise Partnership (LEP), the Terms of Reference and Operating Procedures being outlined in appendix 1.

1. Background

1.1 The Mary Ney report, [Review of Local Enterprise Partnership Governance & Transparency](#), was commissioned by the Government and published in October 2017.

1.2 Of particular note within the Report was the advice that Scrutiny arrangements should be in place to monitor decision-making and achievements of the Local Enterprise Partnership (LEP).

1.3 At the time of developing proposals to address this reported lack of Scrutiny arrangements for the LEP's, there was no legislative framework in place, although statutory guidance was anticipated prior to the summer recess.

1.4 This new guidance '[Strengthened Local Enterprise Partnerships](#)' was received in August 2018 and whilst there was not a great deal of detail about how arrangements should operate, the review documentation did recognise the role of local authorities in scrutinising LEPs and also the recommendations of the Mary Ney Report.

1.4 The aim (from the start) was to develop a proposal for a formal joint LEP Scrutiny arrangement with Elected Members involved in the Scrutiny function, but independent of existing Scrutiny Committees, with a focus on Strategic Scrutiny of the LEP and its strategies, therefore adding value.

1.5 It was also important that local issues, for example, reviewing progress of local schemes (funded by LEP) to individual authorities remained with local Scrutiny committees, so no 'removal' of local Scrutiny 'rights'.

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2. Introduction

2.1 According to the Mary Ney Report, a number of LEPs, but not all, refer to the role of Scrutiny in overseeing their performance and effectiveness. Some LEPs are scrutinised from time to time by their accountable body Overview and Scrutiny function. It highlighted the issue as an area for further development in order to give an increased independent assurance and asked that LEPs reported on it as part of their annual assurance statement during the Annual Conversation process.

3. National Context / Guidance

3.1 At the time of developing the proposal for a Joint Committee, there was work at a national level, for example County Council's Network (CCN) meeting with officials at MHCLG to discuss the LEP review.

3.2 The recently received guidance highlighted that Government had reviewed their policy towards LEPs to ensure they continued to support Government in meeting the ambition of ensuring prosperous communities throughout the country. For the Industrial Strategy, Government had said that it is committed to work with them to bring forward reforms to leadership, governance, accountability, financial reporting and geographical boundaries.

3.3 They key features of the guidance 'Strengthened Local Enterprise Partnerships' is outlined below.

3.4 **Roles and Responsibility** - whilst LEP's have played a key role in convening local economic stakeholders to develop evidence-based economic strategies, Government will publish a statement on the role and responsibilities of LEP's, focusing on enhancing productivity through the development and delivery of their Local Industrial Strategy. A further statement on the Local Industrial Strategies will be published to guide locally-led work. Other actions include commissioning an annual economic outlook to independently measure economic performance.

3.5 **Leadership and organisational capacity** – The Report outlined that successful LEP's were led by influential private and public sector leaders and needed robust governance arrangements that provided the framework to take tough decisions and hold local partners to account for delivery. Government would therefore increase regular dialogue with LEP's and actively work with them to advertise opportunities for private sector leaders. They would also offer an induction and training programme and provide up to £20 million between 2018-19 and 2019-20 in additional capacity funding to support LEP's to implement the review and to provide the strategic and analytical capability required to develop the Local Industrial Strategies.

3.6 **Accountability and performance** - Government has strengthened its approach to assurance processes for the Local Growth Fund and additional guidance has been provided to LEP's on transparency. The Report outlined that Government wanted this to be further strengthened and Government would maintain overall accountability for the system of LEP's and local growth funding. Other actions included implementing the recommendations of the Ney Review, assessing and publishing annual performance (within a revised National Assurance Framework) and develop with both the LEP's and the LEP Network a sector-led approach to assessing and improving performance through regular peer review.

3.7 **Geography** - overlapping geographies emerged when LEP's were first formed and Government considers that retaining overlaps dilutes accountability and responsibility. Government will therefore ask LEP Chairs and other stakeholders to come forward with considered proposals by the end of September on geographies which best reflect real functional economic areas.

3.8 In terms of a **Scrutiny** function – the Report outlined that LEP's operate on organisational structures that support local decision making and provide greater assurance over the management of public funding. These structures should enable clear lines of accountability for delivery with local partners, as well as democratic, public and business scrutiny of decision making.

3.9 Government has said it will support all LEP's to actively participate in relevant local authority Scrutiny panel enquiries to ensure effective and appropriate democratic scrutiny of their investment decisions, including support in setting out how they will ensure external scrutiny and expert oversight.

3.10 The report demonstrates that there would be plenty of issues for the new Joint Committee to consider as part of its work programme, particularly with the availability of performance data, annual reports and also the development and implementation of the Local Industrial Strategy.

4. Local Context

4.1 At the beginning of the year, there was no collective local authority scrutiny arrangement in place for the HotSW LEP and therefore LEP activity fell to individual councils to scrutinise through their local Scrutiny arrangements. This was a 'piecemeal' approach.

4.2 The Annual Conversation process for the HotSW LEP with Government identified them as not being compliant in relation to Scrutiny. Of particular note was future LEP funding from Government depended on the LEP having compliant local arrangements in place in conjunction with local authorities and Scrutiny was identified as a key area for improvement. This led to the HotSW LEP's governance arrangements as 'Requiring Improvement'.

4.3 Chris Garcia, the then Chief Executive of the HotSW LEP approached Somerset County Council as the administrative authority for the LEP, with a formal request that the local authorities within the HotSW area urgently address the lack of compliant Scrutiny arrangements to ensure the continuation of LEP funding under the LEPs annual conversation process. Officers started work on receipt of this request and Somerset County Council gave assurance under the Annual Assurance process that adequate Scrutiny arrangements would be established by autumn 2018.

4.5 In the absence of any guidance at that time, the approach pursued was designed to be a flexible solution which would be capable of being 'flexed' to meet any requirements coming out of the LEP review.

4.6 With that outcome now known, Officers feel the current proposal is still fit for purpose. However, one of the first items of business for the new Joint Committee will be to consider the contents of the review and any impact or implication for the Committees terms of reference and / or operating procedures.

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5. Alternatives Considered

5.1 As part of the process there were a number of alternatives considered, the most obvious being to ensure LEP attendance at relevant existing Somerset County Council and Devon County Council Scrutiny Committees, but this was not considered sufficient by the Government under the Annual Assurance process.

5.2 There was also a possibility of using the HotSW Joint Committee to scrutinise the LEP but such a mechanism didn't meet the Government's requirements. The reason being that the LEP and the Joint Committee were working on similar agendas to improve productivity and therefore both would hold the other to account for delivery of their responsibilities. Both are decision making bodies with the local authority membership focused on Council Leaders and Cabinet members, therefore this model of 'holding to account' fell outside of local authority scrutiny arrangements.

5.3 There are other potential models of joint scrutiny that could have been established, but the approach that was eventually agreed ensures that the key focus is on strategic scrutiny within the HotSW area. The membership of the Joint Committee and delegation of functions is focused on the authorities with strategic responsibilities. However, the interests of the district councils as key local partners are recognised in the proposal through an appropriate level of representation within the membership.

6. Work to Date

6.1 Officers from Devon County Council, Somerset County Council, Plymouth City Council and Torbay Council met in April 2018 and proposed some initial terms of reference for how a joint Scrutiny Committee might work.

6.2 On 30th May 2018, Officers and Members from Devon County Council, Somerset County Council, Plymouth City Council, Torbay Council and West Somerset District Council held a meeting / review session at Devon County Council to consider and discuss the proposed terms of reference.

6.3 Following a number of small changes, the revised and proposed terms of reference and operating procedures as supported by the Members present at the review session are attached at Appendix 1 and were used as the final version for each Authority to take forward through their own Committee structures.

6.4 Agreement to the proposals has been reached through Devon County Council, Somerset County Council and Torbay Council. With elections taking place at Plymouth, this delayed their originally proposed timescale, but it is anticipated their Council will consider the matter in September 2018.

7. Summary / Conclusion / Next Steps

7.1 There was an urgent requirement to have arrangements in place to support local authority Elected Member Scrutiny of the Heart of the South West Local Enterprise Partnership. The proposals are light touch and also appropriate especially in light of the additional guidance recently received.

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7.2 There have been initial discussions with the newly appointed Chief Executive of the LEP, who is giving further thought to how the LEP might support the Local Authority Scrutiny function in terms of training and officer support. The LEP have also agreed to support the Committee financially. The Head of Democratic Services and the Head of Scrutiny have arranged to meet the Chief Executive of the LEP in October 2018.

7.3 The Membership of the new Joint Committee is currently being formed and it is anticipated that the first meeting will be on 2nd November 2018.

JAN SHADBOLT

Electoral Divisions: All

Local Government Act 1972: List of Background Papers

Contact for Enquiries: K Strahan

Tel No: 01392 382264 Room: G31

<u>Background Paper</u>	<u>Date</u>	<u>File Reference</u>
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Nil

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Appendix 1

Heart of the South West Local Enterprise Partnership Joint Scrutiny Committee Terms of Reference

1. Purpose

The Joint Scrutiny Committee will provide strategic overview and Scrutiny of the activities of the Heart of the South West (HotSW) Local Enterprise Partnership (LEP) to complement the existing Council's Scrutiny arrangements.

2. Roles, Duties and Responsibilities

In meeting its purpose, the Joint Scrutiny Committee will be specifically charged with:

- The review of strategic decisions made by the LEP Board;
- The review of progress of programmes under the management of the LEP to identify barriers to progress, good practice and possible improvements to the LEP's programme management function, notwithstanding the ability of Local Authorities to scrutinise individual programmes of delivery which impact on their communities;
- Scrutiny of the delivery of the Strategic Economic Plan and the Productivity Strategy; and
- To review LEP performance and consider any comparative data the Joint Committee deems necessary.

3. Scrutiny Function

The Joint Scrutiny Committee will provide a new joint Scrutiny function and the Joint Committees constituent authorities will be asked to delegate the strategic overview of the LEP functions to the Joint Scrutiny Committee (this will not remove the right of local authorities to scrutinise matters relating to programme delivery that impact on the people within those communities).

4. Membership / Substitute Members

The membership of the Joint Scrutiny Committee will be:

Devon County Council	(4 Members)
Plymouth City Council	(2 Members)
Torbay Council	(2 Members)
Somerset County Council	(4 Members)
Devon Districts	(3 Members)
Somerset Districts	(2 Members)

In line with the requirements of the Local Government and Housing Act 1979, political proportionality has been considered and is not considered appropriate to apply to the collective membership of the Joint Scrutiny Committee. However, where a Council is appointing three or more Members, political proportionality will apply to those appointments in line with the legislation. For less than three, each constituent authority

will be free to consider their own political proportionality in making their appointments to the Joint Committee on an annual basis.

The level of representation proposed for the County authorities is considered appropriate because of their administrative authority duties in respect of the LEP.

Members of the Executive / Cabinet from constituent authorities are precluded from sitting as members of the Joint Scrutiny Committee.

District Council representatives should be appointed from authorities not already represented on the HotSW Local Enterprise Partnership Board and also should not be County Councillors.

Constituent authorities may make substitutions in accordance with their own procedures where one of their Members is unable to attend any meeting of the Joint Scrutiny Committee. Substitutes do not need to be named, but as a courtesy the administering secretariat should be advised of the name of the substitute at least 24 hours in advance of the meeting.

Reflecting the approach to engage with stakeholders across the LEP Area, the Scrutiny Committee will be able to invite to meetings witnesses which it considers will contribute to the delivery of an effective Scrutiny function.

5. Work Programme

The Joint Scrutiny Committee will maintain a work programme of activities.

Constituent Authority Scrutiny Committees may ask the Joint Scrutiny Committee to consider matters for inclusion in the work programme. The final decision will be a matter for the Joint Scrutiny Committee. District Council Scrutiny Committees not directly represented on the Joint Scrutiny Committee should do this through the District Councils Members appointed to the Committee.

6. Reporting Arrangements

The work and recommendations of the Joint Scrutiny Committee will be regularly reported to the Heart of the South West LEP Board.

Members may make reports to their "home" constituent authority in accordance with their own governance procedures.

7. Agendas, reports and minutes

The agenda and supporting papers will be published and circulated at least five clear working days in advance of meetings.

The minutes of any meetings will be published on the administering secretariat's website and circulated to partner organisations as soon as practicable.

The Committee will operate under the Standing Orders of the administering authority.

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The HotSW LEP will provide a link to the agendas and minutes of the Joint Scrutiny Committee on its website.

8. Frequency of meetings

The date, time and venue of meetings will be fixed in advance by the Joint Scrutiny Committee and an annual schedule of meetings agreed.

The Joint Scrutiny Committee will meet three times per year (March, July and November). Dates will be published on the website of the administering authority.

Additional meetings may be convened at the request of the Chair.

9. Election of Chair

The Chair will be elected on an annual basis by Members of the Joint Scrutiny Committee.

10. Quorum

The quorum of the Committee shall be one quarter of Members, equating to a quorum of 5.

11. Declarations of interest

Declarations of Interest will be made in accordance with the Government Guidance.

Joint Scrutiny Committee Members are subject to the Code of Conduct for Elected Members adopted by the Constituent Authority that nominated them including the requirement to declare relevant interests at formal meetings of the Joint Scrutiny Committee.

12. Voting

In principle recommendations will be reached by consensus, but if a vote is required it will be by a simple majority of all members present.

Where there are equal votes the Chair of the meeting will have the casting vote.

13. Duty to attend, cooperate and respond

The Joint Scrutiny Committee may require by invitation the Chair of the LEP Board and the Chief Executive of the LEP to appear before it to explain (in relation to all aspects of the Committee's work) the performance of the LEP and / or any particular decision or series of decisions. The Chair and Chief Executive have agreed to attend if so required, unless they have a legitimate reason for not doing so.

Following each meeting of the Joint Scrutiny Committee, the Committee's recommendations will be submitted to the LEP Board for consideration. The LEP

Board will be required to consider those recommendations at its next meeting, and respond to the Joint Scrutiny Committee indicating what (if any) action the LEP Board proposes to take. The response should be made within 28 days of the LEP Board meeting and will be published.

14. Code of conduct

Members of the Joint Scrutiny Committee are expected to observe the “Seven Principles of Public Life” (the ‘Nolan’ principles) and shall be bound by their own authority’s Code of Conduct in their work on the Joint Scrutiny Committee.

Members are expected to act in the interests of the Joint Scrutiny Committee, except where this would result in a breach of a statutory or other duty to their Constituent Authority or would be in breach of their Constituent Authority’s Code of Conduct.

15. Access to information

Joint Scrutiny Committee meetings are regarded as a Council Committee for the purposes of Access to Information Act.

Meetings will be open to the press and public and the Freedom of Information Act provisions shall apply to all business.

Corporate Infrastructure and Regulatory Services
Scrutiny Committee & Health and Adult Care
Scrutiny Committee

Problem Gambling Spotlight Review

September 2018

Agenda Item 7

1. Recommendations

The Task Group ask the Corporate Infrastructure and Regulatory Services Scrutiny Committee, Cabinet, The Police and the NHS in Devon to endorse the report and recommendations below; with a report on progress against the recommendations in twelve months time.

	Ambition	Specific recommendations	Agency
1	Increase the visibility of the dangers of problem gambling.	1.1 Request that the Health and Wellbeing Board undertake work to understand the interrelation between gambling and people with other complex needs. Including consideration of a focus on problem gambling in the JSNA.	DCC
		1.2 Train frontline staff to recognise the risks and warning signs associated with problem gambling. This should include children's services, youth services, high needs adults, police custody suites and A&E.	All
2	Understand the scale of the problem by collaborating on insight and intelligence with partners.	2.1 Record how many people who come into contact with our collective services who do identify as having a gambling problem.	All
		2.2 Share information to enable the creation of area maps which highlight areas of concern to inform planning or resource allocation.	All
3	Continue to support responsible gambling across sectors.	3.1 Raise awareness of GamCare certification	DCC/ districts
		3.2 Write to government to request that credit cards are not used online.	DCC
		3.3 DCC to take an active role in promoting Responsible Gambling Week through our comms team (7th Nov)	DCC/ Districts/ Gambling Commission
4	Take action when people need help	identify and promote services that offer help for people or families who are suffering from the effects of problem gambling.	NHS – Police, DCC, CAB Exeter University
		Lead by example as responsible employers and ensure that the staff assistance programme is aware of problem gambling and knows how to help people.	DCC

2. Introduction

- 2.1 This Spotlight review was established following concerns from Councillors on problem gambling. A report by Devon Public Health was presented to the Corporate Infrastructure and Regulatory Services Scrutiny Committee in January 2018, with suggestions from the Scrutiny Team as to how this issue could be constructively reviewed. A spotlight review was determined as the most useful way to review the subject matter.
- 2.2 Problem Gambling is an issue that more policy makers are attending to. The LGA provided information for the House of Lords last November, and hosted a conference dedicated to this issue in July 2018. In preparation for this work, the Chair of this task group attended the conference. There have also been several national news stories about the dangers of problem gambling, particularly those associated with fixed odds betting¹. The Gambling Commission has also been given strengthened powers to regulate more comprehensively (for example, the inclusion of remote gambling in UK regulation).
- 2.3 Whilst Devon County Council is not responsible for the direct provision of gambling establishments, the impacts of problem gambling are highly likely to have an impact on spend on services for vulnerable people.
- 2.4 Recognising the role that scrutiny can have in bringing different agencies together to collectively problem solve, the scope of this spotlight review was:
- To understand the underlying causes of problem gambling and the challenges associated with problem gambling.
 - To explore the ways in which DCC and partners could work together to prevent people who are at risk of problem gambling reaching crisis point.
 - To identify the ways in which DCC and partners could work together to support people in Devon who have gambling addictions.
- 2.5 The spotlight review took place on the 7th August and was held in the form of a round table discussion with structured questions clustered around three themes:
- Prevention;
 - Understanding when gambling becomes a problem;
 - Identifying support available when someone is struggling with problem gambling.
- 2.6 The findings of the review were particularly focused around the need for reliable and accurate data. Several of the partners in the room committed to working together to better understand the scale of the problem as well as to support services that exist to help people with a gambling addiction.

**20% of problem drinkers receive treatment
but only
2% of problem gamblers receive treatment**

¹ The Guardian 'UK betting firms face complaints deadline and ads crackdown'

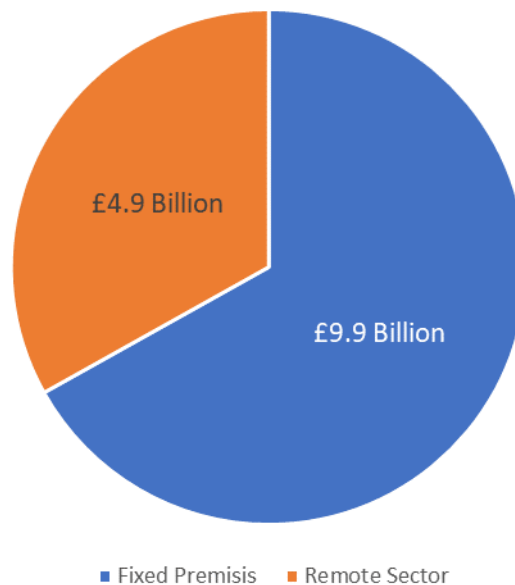
<https://www.theguardian.com/society/2018/aug/01/uk-betting-firms-face-complaints-deadline-and-ads-crackdown> 1st Aug 2018

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3. The Gambling Industry

- 3.1 There are a number of different ways that people gamble, these include the National Lottery, in betting shops, bingo halls or casinos as well as online. Gambling is a popular past time; 45% of people have gambled in the past four weeks. More men than women gamble (48% compared to 41%)² People aged 55-64 are the most likely to gamble, however this is heavily influenced by participation in the National Lottery. If this is excluded, gambling participation is highest among 16-34 year olds³. Most people gamble responsibly as a leisure activity with no adverse effects.
- 3.2 The gambling industry is big business with a gross yield of more than £14 billion a year. (Gross Gambling Yield means the amount of money after winnings have been deducted but before tax and other costs). Roughly a third of the market share is spent online, as demonstrated on the chart below.

Gross Gambling Yield of GB Gambling Industry



4

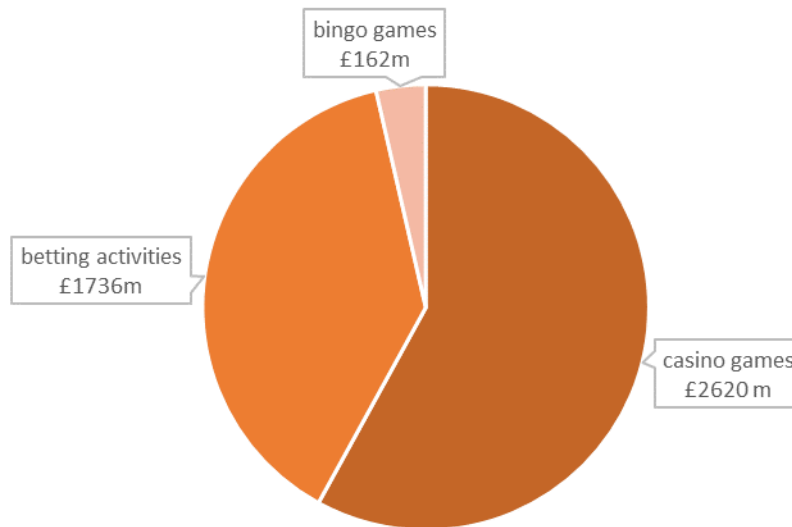
- 3.3 The spotlight review was particularly concerned about the increasing trajectory of remote gambling, which often takes place online. Eighteen percent of people have gambled online in the past four weeks. The chart below shows the types of games that people play online represented as a proportion of the £4.9 Billion spent:

² Figures from Gambling Commission <http://www.gamblingcommission.gov.uk/news-action-and-statistics/Statistics-and-research/Levels-of-participation-and-problem-gambling/Gambling-participation-and-problem-gambling.aspx>

³ Gambling Commission: 'Gambling participation in 2017: behaviour, awareness and attitudes Annual report' <http://www.gamblingcommission.gov.uk/PDF/survey-data/Gambling-participation-in-2017-behaviour-awareness-and-attitudes.pdf>

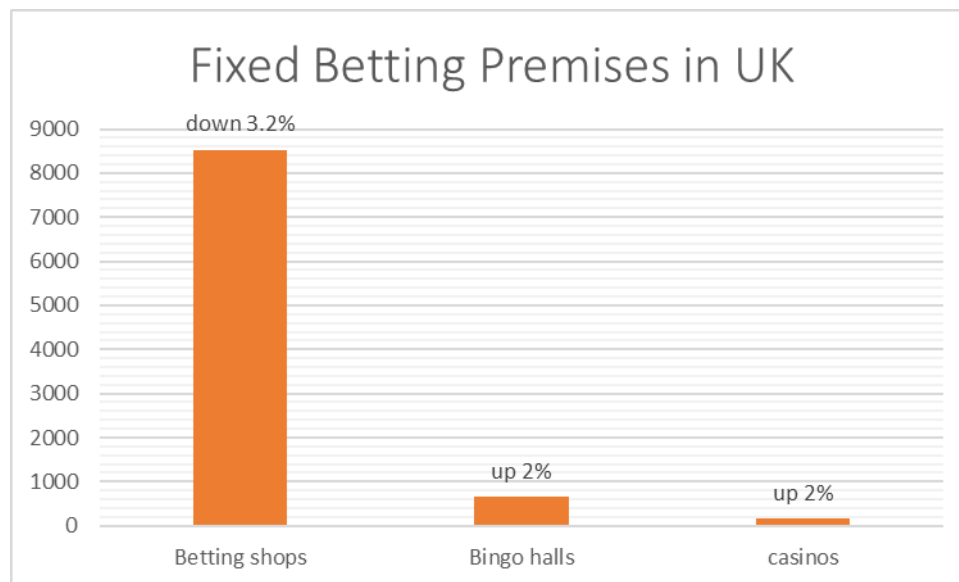
⁴ Chart produced by the scrutiny team with information from the Gambling Commission <http://www.gamblingcommission.gov.uk/news-action-and-statistics/Statistics-and-research/Statistics/Gambling-key-facts.aspx>

Types of Remote Gambling by spend



5

- 3.4 Gambling online is of particular concern because there are fewer restrictions to limit the amount or the ease of access to funds. Specifically using a credit card is possible online compared to in some gambling premises (e.g. casinos) where credit cards can only be used to credit money to a customer's account.
- 3.5 The number of people going to a physical location to gamble is decreasing. The majority of gambling in premises happens in betting shops, and the comparative number of fixed betting premises are shown on the chart below:



6

⁵ Chart produced by the scrutiny team with information from the Gambling Commission <http://www.gamblingcommission.gov.uk/news-action-and-statistics/Statistics-and-research/Statistics/Gambling-key-facts.aspx>

⁶ Chart produced by the Scrutiny Team with information from the Gambling Commission <http://www.gamblingcommission.gov.uk/news-action-and-statistics/Statistics-and-research/Statistics/Gambling-key-facts.aspx>

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- 3.6 Fixed odds betting terminals have been a particular growth area for the industry, with the yield rising from £1.05 billion in April 2008 to £1.73 billion in March 2016, representing a 65% increase in eight years⁷
- 3.1 There are moves to reduce the maximum stakes on fixed odds betting terminals from the current £100 to £2. This is because the current maximum stake of £100 is significantly out of line with the maximum amounts that can be staked on other types of gaming machines. There is also credible evidence that these machines may be particularly addictive and therefore pose a greater risk to problem gamblers, as well as being linked to anti-social behaviour⁸.

4. Licencing

- 4.1 District Councils enforce regulations laid out in the Gambling Act (2005) and oversee licencing for gambling premises in their area. In 2016 the 'point of consumption regulation' was brought in where any person offering remote gambling facilities to British customers must have a license from the Gambling Commission. In partnership with District councils, inspections are carried out by the Gambling Commission to prevent under age gambling and to test gambling outlet staff's knowledge and understanding of regulations and procedures. The British Amusement Trade Catering Association (BACTA) also provide tests of age verification procedures in outlets and compliance for their members.
- 4.2 The spotlight review spoke to Licencing Managers from Teignbridge and Plymouth. Teignbridge District Council has 40 licensed gambling premises, which are under strict monitoring. Generally, the service sees small issues (such as not putting stickers on machines, or moving machines so that proprietors could visually supervise them). Importantly no issues surrounding Fixed Odd Betting Terminals (FOBTs) have been brought to Council's attention.
- 4.3 Experience from visits undertaken show that generally staff are trained to recognise signs of harmful gambling and that licensed operators provide training on at least an annual basis. The Gambling Commission's License Conditions and codes of practice require Operators to take appropriate action when they suspect harmful gambling.
- 4.4 There are increasing regulations around gambling. the Guardian reported that from October the [Gambling](#) Commission will have powers to impose unlimited fines for promotional campaigns that appeal to children or glamorise gambling. The watchdog will also introduce an eight-week deadline for operators to resolve complaints with customers.

5. What is Problem Gambling - and why is it a problem?

- 5.1 For a small number of people gambling is not a harmless pastime but a pernicious addiction that can have serious consequences. The Royal College of psychiatrists defines problem gambling as:

⁷ Local Government Association Briefing Debate on challenges facing problem gamblers House of Lords Thursday 23 November 2017
https://www.local.gov.uk/sites/default/files/documents/LGABriefing_ProblemGambling_HouseofLords_23Nov17_2.pdf

⁸ Local Government Association Briefing Debate on challenges facing problem gamblers House of Lords Thursday 23 November 2017
https://www.local.gov.uk/sites/default/files/documents/LGABriefing_ProblemGambling_HouseofLords_23Nov17_2.pdf

‘gambling that disrupts or damages personal, family or recreational pursuits.’⁹

To be more specific signs and symptoms of compulsive gambling (gambling disorder) include:

- Being preoccupied with gambling, such as constantly planning how to get more gambling money
- Needing to gamble with increasing amounts of money to get the same thrill
- Trying to control, cut back or stop gambling, without success
- Feeling restless or irritable when you try to cut down on gambling
- Gambling to escape problems or relieve feelings of helplessness, guilt, anxiety or depression
- Trying to get back lost money by gambling more (chasing losses)
- Lying to family members or others to hide the extent of your gambling
- Jeopardizing or losing important relationships, a job, or school or work opportunities because of gambling
- Resorting to theft or fraud to get gambling money
- Asking others to bail you out of financial trouble because you gambled money away¹⁰

5.2

Case Study: Devon County Councillor

The Spotlight Review heard from a member of the review group who went on record to share his personal experience of being a problem gambler. Councillor Ian Hall shared his personal experience of having been a problem gambler many years ago. Councillor Hall told the Spotlight Review that he used to play innocuous games with a financial element whilst at school which led to a more serious addiction and a significant deterioration in his mental health as a result. The spotlight review heard how Cllr Hall recovered with his own determination and support from his friends and family. Cllr Hall also shared his experience of knowing peers with similar problems and serious consequences.

His reflection was how easy it is to have a competitive game which becomes monetarised, often for very small amounts. This in turn leads to feeling comfortable gambling with higher amounts, often with the promise of a bigger prize and corresponding serious consequences.

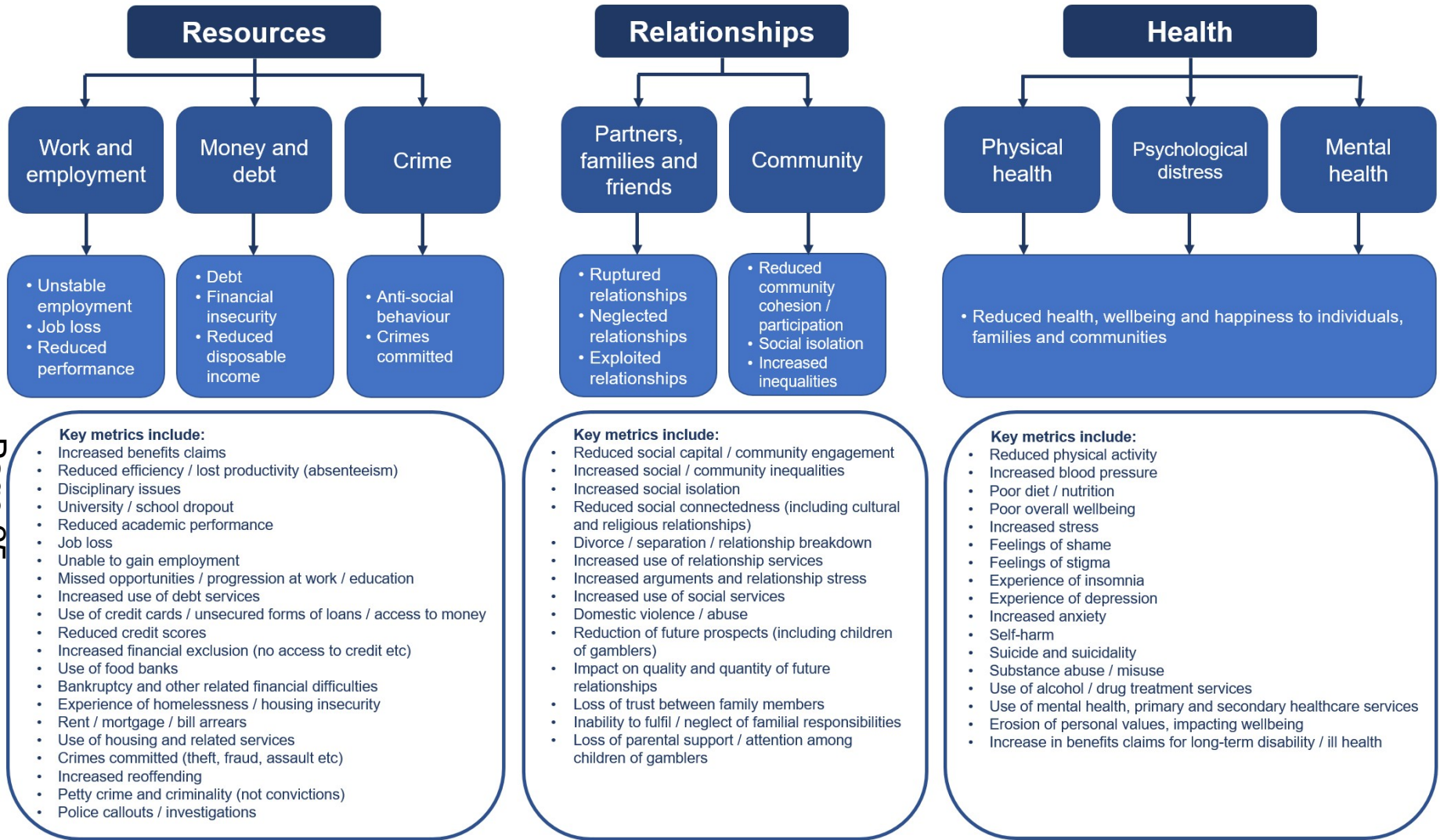
- 5.3 The impact of gambling is felt more widely than just by the individual who gambles. Problem gambling can impact on individuals and their families’ physical, mental and emotional health and wellbeing as well as having a wider impact on society through crime and disorder. Work is underway to measure and define the impacts of gambling beyond the individual. The diagram on the following page clearly outlines the impact of gambling.

- **0.7% of the population are problem gamblers**
- **3.6% of the population are at risk of developing gambling problems**
- **5400 people in Devon are likely to have a gambling problem**
- **6-10 individuals are affected by each problem gambler.**

⁹ h
¹⁰

<http://causes/syc-20355178>

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¹¹ Measuring gambling-related harms A FRAMEWORK FOR ACTION <http://www.gamblingcommission.gov.uk/PDF/Measuring-gambling-related-harms.pdf>

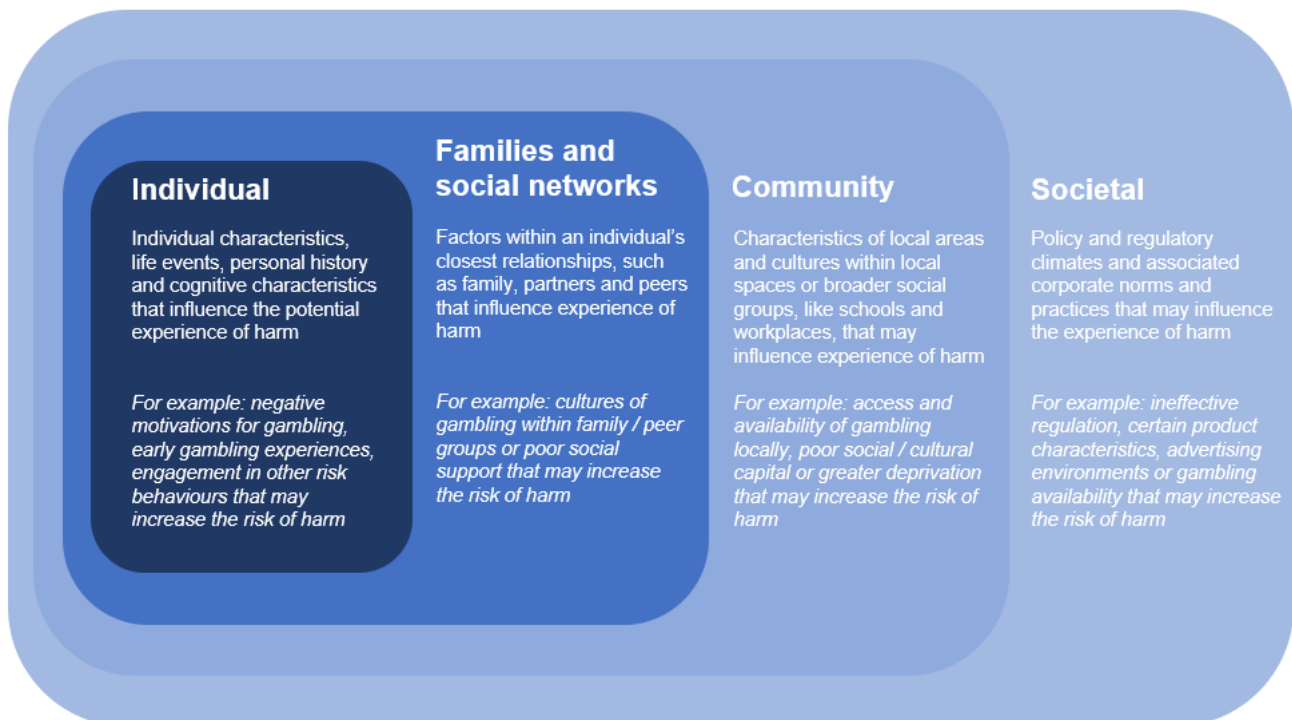
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Why is gambling addictive?

- 5.4 The psychology of gambling is complex. Developing an addiction is not helped by the socially acceptable nature of gambling or the low levels of introduction. For example, playing on 2p slot machines or A 10p introductory bet for online gambling.
- 5.5 The Members of the Spotlight Review were particularly interested in why gambling is addictive. The latest research in neuroscience suggests that the illusion of control is appealing to people who engage in gambling activities. Playing games when there is an interpretation of skill involvement in situations governed entirely by changes makes them more attractive. For example, choosing the numbers that you play with or throwing a roulette ball. These illusions of control foster an emotional relationship with the outcome where the player has a disproportionate expectation of winning¹². A recent study using a contingency judgment task from the associative learning literature found that pathological gamblers displayed a greater tendency to overestimate their control of positive outcomes than non-gambling participants.¹³

Are particular people more at risk?

- 5.6 The Spotlight Review was particularly interested in whether there were specific characteristics that led people to become problem gamblers. The Chair of the Spotlight Review shared the chart below which demonstrates factors from the individual, families and social networks, community and societal influences that may make it more likely for someone to become a problem gambler:



14

¹² Luke Clark, Bruno Averbeck, Doris Payer, Guillaume Sescousse, Catharine A. Winstanley and Gui Xue: Journal of Neuroscience; 'Pathological Choice: The Neuroscience of Gambling and Gambling Addiction' 6 November 2013, 33 (45) 17617-17623; DOI: <https://doi.org/10.1523/JNEUROSCI.3231-13.2013>

¹³ 'Pathological gamblers are more vulnerable to the illusion of control in a standard associative learning task'

¹⁴ Measuring gambling-related harms A FRAMEWORK FOR ACTION
<http://www.gamblingcommission.gov.uk/PDF/Measuring-gambling-related-harms.pdf>

Risk factors

- Although most people who play cards or wager never develop a gambling problem, certain factors are more often associated with compulsive gambling:
- Mental health disorders. People who gamble compulsively often have substance abuse problems, personality disorders, depression or anxiety. Compulsive gambling may also be associated with bipolar disorder, obsessive-compulsive disorder (OCD) or attention-deficit/hyperactivity disorder (ADHD).
- Age. Compulsive gambling is more common in younger and middle-aged people. Gambling during childhood or the teenage years increases the risk of developing compulsive gambling. However, compulsive gambling in the older adult population can also be a problem.
- Sex. Compulsive gambling is more common in men than women. Women who gamble typically start later in life and may become addicted more quickly. But gambling patterns among men and women have become increasingly similar.
- Family or friend influence. If your family members or friends have a gambling problem, the chances are greater that you will, too.
- Medications used to treat Parkinson's disease and restless legs syndrome. Drugs called dopamine agonists have a rare side effect that may result in compulsive behaviours, including gambling, in some people.
- Certain personality characteristics. Being highly competitive, a workaholic, impulsive, restless or easily bored may increase your risk of compulsive gambling.

- 5.7 The Spotlight Review had particular concerns about the link between gambling and suicide. The Chair of the review reported from the LGA conference that 500 suicides a year were directly attributable to gambling. He also shared a case study also from the conference where a man committed suicide after accruing the relatively modest debt of £1400.

6. Support for Problem Gamblers

- 6.1 There's evidence that gambling can be successfully treated in the same way as other addictions. Cognitive behavioural therapy usually has the best results. Treatment and support groups are available for people who want to stop gambling:
- **GamCare** [GamCare](#) offers free information, support and counselling for problem gamblers in the UK. It runs the National Gambling Helpline (0808 8020 133) and also offers face-to-face counselling.
 - **National Problem Gambling Clinic** If you live in England or Wales, are aged 16 or over and have complex problems related to gambling, you can refer yourself to this specialist NHS clinic for problem gamblers.
 - **Gordon Moody Association** The [Gordon Moody Association](#) offers residential courses for men and women who have problems with gambling – email help@gordonmoody.org.uk or call 01384 241292 to find out more.

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It also runs the [Gambling Therapy website](#), which offers online support to problem gamblers and their friends and family.

- **Gamblers Anonymous UK** [Gamblers Anonymous UK](#) runs local support groups that use the same 12-step approach to recovery from addiction as Alcoholics Anonymous. There are also [GamAnon](#) support groups for friends and family.

In Devon there are dedicated support options for people who are suffering with problem gambling, this information is available on pinpoint and is reproduced Appendix 2.

- 6.2 Only 6% of gamblers have ever self-excluded. Self exclusion is where someone who knows that they have a problem with gambling makes themselves known to a particular gambling outlet to support getting help to stop gambling.



Responsible Gambling Week 2018 – Let's Talk About Responsible Gambling

- Takes place from 1st – 7th November
- Aims to reach as many people throughout the UK and Ireland as possible
- Welcomes the support of all organisations who wish to help raise awareness of how to gamble responsibly
- Provides supporters with marketing and messaging materials free of charge

Visit www.responsiblegamblingweek.org

5.8 The spotlight review contacted Exeter University to ask about their provision of support for students at risk of problem gambling. The response was as follows:

'I can confirm that as a service, we do not offer specific support for gambling problems. We do offer short-term therapies, including Counselling and CBT, and may refer students on to external, specialised support where necessary.'

'We can consider having your service down as one of our external resources, should we need to refer any students on for such support. Alternatively, please feel free to provide us with details of any other support providers for gambling problems, and we can also consider adding these to our list of external resources.'

- 5.9 The Spotlight Review will subsequently be sending the service a copy of this report to assist in sign posting support that is available.

7. Conclusion

This Spotlight Review brought together partners from Local Authorities, the Police, gambling charities and support organisations and even heard from a company that supplies gambling equipment. The work offers a snapshot view into concerns around problem gambling. As is clear in this report, some people are at a higher risk of suffering serious consequences

Whilst this was a review conducted in a single morning the evidence that the recommendations rest upon is based on significant research from several organisations. Problem Gambling is becoming recognised as a more serious problem than previously. Society’s relationship with gambling can be problematic as it is widely accepted, and many people undertake and enjoy gambling without significant ramifications. However, this may mask the seriousness and speed of potential harm to those to whom gambling does present a problem. The potential consequences from increasingly easy to access gambling websites can very quickly add up to significant debt. It is intended that the recommendations in this report will support increased recognition of the dangers, as well as supporting a multi-agency approach to prevent problem gambling and better signposting and awareness of support that does exist.

8. Sources of evidence

Witnesses

The Task Group heard testimony from a number of sources and would like to express sincere thanks to the following for their involvement and the information that they have shared as well as to express a desire of continuation of joint work towards the fulfilment of the recommendations in this document.

Name	Role	Organisation
Steve Brown	Deputy Director of Public Health	Devon County Council
Kristian Tomblin	Commissioning Manager, Public Health	Devon County Council
Richard Nokes	Compliance Manager – South West England	The Gambling Commission
Rachael Hind	Licensing Service Manager	Plymouth City Council
Anna Hemmings <i>(via video call)</i>	CEO	GamCare
Matt Baxter	Inspector	Devon and Cornwall Police
Simon Atkinson	Director	Tamar Gaming
Andrea Furniss	Licensing Services manager	Teignbridge District Council
Rob Hayward	Public Health Specialist	Devon County Council

Thanks also to Philip Bridge from the Democratic Services and Scrutiny Secretariat for organisation supporting this Spotlight Review.

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Bibliography

- 'National Responsible Gambling Strategy' 2016
- Gambling Commission: 'Gambling participation in 2017: behaviour, awareness and attitudes Annual report' <http://www.gamblingcommission.gov.uk/PDF/survey-data/Gambling-participation-in-2017-behaviour-awareness-and-attitudes.pdf>
- Local Government Association Briefing Debate on challenges facing problem gamblers House of Lords Thursday 23 November 2017
https://www.local.gov.uk/sites/default/files/documents/LGABriefing_ProblemGambling_HouseofLords_23Nov17_2.pdf
- Luke Clark, Bruno Averbeck, Doris Payer, Guillaume Sescousse, Catharine A. Winstanley and Gui Xue: Journal of Neuroscience; 'Pathological Choice: The Neuroscience of Gambling and Gambling Addiction' 6 November 2013, 33 (45) 17617-17623; DOI: <https://doi.org/10.1523/JNEUROSCI.3231-13.2013>
- The Guardian 'UK betting firms face complaints deadline and ads crackdown' <https://www.theguardian.com/society/2018/aug/01/uk-betting-firms-face-complaints-deadline-and-ads-crackdown> 1st Aug 2018
- Mayo Foundation for Medical Education and Research 'Compulsive Gambling' <https://www.mayoclinic.org/diseases-conditions/compulsive-gambling/symptoms-causes/syc-20355178>
- Measuring gambling-related harms A FRAMEWORK FOR ACTION
<http://www.gamblingcommission.gov.uk/PDF/Measuring-gambling-related-harms.pdf>

9. Spotlight Review Membership

The Group was chaired by Councillor Alistair Dewhirst and membership of the Spotlight Review was as follows:

Corporate Infrastructure and Regulatory Services	Health and Adult Care
Councillor Polly Colthorpe	Councillor Sara Randall Johnson
Councillor Ian Hall	Councillor Andrew Saywell
Councillor Hilary Ackland	Councillor Marina Asvachin
Councillor Ray Bloxham	
Councillor Colin Slade	

10. Contact

For all enquiries about this report or its contents please contact

Camilla de Bernhardt Lane, Head of Scrutiny Cam.debernhardtlane@devon.gov.uk

Appendix 1: NHS checklist to identify problem gambling

Are you a problem gambler?

Try this questionnaire:

- Do you bet more than you can afford to lose?
- Do you need to gamble with larger amounts of money to get the same feeling?
- Have you tried to win back money you have lost (chasing losses)?
- Have you borrowed money or sold anything to get money to gamble?
- Have you wondered whether you have a problem with gambling?
- Has your gambling caused you any health problems, including feelings of stress or anxiety?
- Have other people criticised your betting or told you that you had a gambling problem (regardless of whether or not you thought it was true)?
- Has your gambling caused any financial problems for you or your household?
- Have you ever felt guilty about the way you gamble or what happens when you gamble?

Score 0 for each time you answer "never"

Score 1 for each time you answer "sometimes"

Score 2 for each time you answer "most of the time"

Score 3 for each time you answer "almost always"

If your total score is 8 or higher, you may be a problem gambler.

<https://www.nhs.uk/live-well/healthy-body/gambling-addiction/>

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Appendix 2 help in the South West

FREE Counselling for those affected by Gambling

Covering Dorset, Devon, Somerset and Plymouth

Gambling Counselling Service

In partnership with GamCare, Steven James Counselling provides specialist free counselling service for anyone suffering with a gambling problem or friends and family members affected by someone else's gambling.

We offer one to one counselling with experienced and specialist trained counsellors, who will create a confidential, non-judgemental and nurturing environment in which you can be given the time and support to tackle your gambling problem.

The main aims of our gambling counselling are to help you to:

Stop or reduce the frequency of problem gambling

Develop ways of coping with problem gambling behaviour

Address related issues that are causing harm or damage

Understand some of the underlying reasons why gambling has become a problem

Develop a productive and healthy life without problem gambling

We offer you an initial assessment appointment with one of our experienced counsellors. Like the rest of our service, this is free. At your assessment we will discuss your situation with you and suggest ways in which you might begin to address your problem. We can then offer you a series of counselling sessions which can be arranged for a regular time and location to suit you.

Although our main office is based in Poole, we have a network of counsellors covering Dorset, Devon, Somerset and Plymouth areas.

Call Steven James Counselling on [01202 740044](tel:01202740044), to find out more or set up an initial appointment

Remember, this service is also available free as a support for those friends or family members affected by a problem gambler

EES/18/5

Corporate, Infrastructure & Regulatory Services Scrutiny Committee
25 September 2018

Update on the Joint Scrutiny Committee Income Generation Task Group Report, September 2016

Report of the Head of Economy, Enterprise and Skills

1. Introduction

- 1.1 At the January 2016 meeting of the former Corporate Services Scrutiny Committee, Members established a Joint Scrutiny Task Group to investigate how the County Council can generate income, in order to safeguard council services. The Task Group reported in September 2016 with a list of recommendations which were subsequently endorsed by Cabinet.
- 1.2 An update on the progress made against each of those individual recommendations and a summary of general developments was made to the Corporate, Infrastructure & Regulatory Services Scrutiny Committee on 31 January 2018.
- 1.3 This report provides a further update as requested by the Committee.

2. Joint Scrutiny Income Generation Task Group Recommendations from January 2016.

2.1 *The Council should investigate, identify and take forward new and innovative opportunities for income generation*

- 2.1.1 DCC has clearly adopted a positive attitude to exploring the potential of income generation within service areas and this has filtered through the organisation and helped create pockets of innovation. However, individual service areas have been largely left to create their own agenda in developing their commercial offerings, with success depending on the nature of the service, management appetite, capacity and political will.
- 2.1.2 Attempts at commercialisation by other local authorities have had varying degrees of success and in a few instances, appear to have exacerbated financial difficulties. In general though, those councils that have been recognised as being more successful in commercialising service activities have taken a more centralised, corporate approach to how these are developed.
- 2.1.3 However, even within individual councils, this does not mean that commercialisation is the appropriate approach in all circumstances. There are a variety of models in existence but the basic features of a successful public-sector approach would appear to be:
 - Evaluation of the balance between commercial opportunity and the public good or social value derived from providing a free service.
 - Identification of those service areas or specific activities where a more commercial approach is appropriate, viable and of significant value.
 - A dedicated central team with the appropriate expertise to support and advise selected service areas in making the necessary transformation.

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- Central investment in cultural change and commercial training for those selected service areas.
- Capacity and appropriate expertise in key support services, for example Legal, Finance and Human Resources, to ensure that the infrastructure is in place to deliver commercial services in a competitive environment.
- An agreed principle for the retention of sufficient income to support ongoing development and redistribution of any surplus back to corporate funds. This should help relieve pressure on those service areas where commercialisation is not considered appropriate or economically viable.

2.1.4 Taking the original Joint Scrutiny Income Generation Task Group recommendations further than they have already been progressed requires some strategic decisions to be made by the Council and may entail subsequent allocation of corporate resource. A report, based upon research and benchmarking within DCC and across other councils and relevant organisations, is currently being prepared for senior management to consider appropriate recommendations to Council.

2.2 *The Council should maximise the potential for capital receipts or income generation from assets identified for disposal or development, as soon as possible*

2.2.1 As detailed in the report to the Corporate, Infrastructure & Regulatory Services Scrutiny Committee on 31 January 2018, performance to date against the Corporate Estates Strategy 2017 has exceeded targets and this continues to be the position. In total during this period £41.5m capital receipts have been generated. For the last full financial year (2017/18) £10.3m of capital receipts were generated from the sale of DCC land and property assets, exceeding the budget book target (£7m) by £3.3m. For this financial year a further £7m (in-year capital receipts) is anticipated from property and land sales and is on target to be achieved. In addition, a further potential circa £24.5 million has been identified from the sale of 'strategic' land holdings, largely for residential development.

2.2.2 DCC are taking a strategic lead role in the One Public Estate initiative working in partnership with other Local Authorities in Devon, the NHS and blue light services to explore opportunities to promote economic development, consider co-location opportunities and unlock land for housing. Notably, DCC are working with NHS partners to consider the opportunities to co-locate a range of adult care services in North Devon with the potential to realise capital receipts from building and land value through a co-ordinated partnership approach. In addition, there are a range of other property related initiatives where DCC lead or support areas of work. For example, the Southern Construction Framework which DCC jointly hosts with another Local Authority to enable public bodies to commission their property construction work programme. Over the last 3 years this has supported projects in the geographical area of Devon to the value of circa £300 million (across a range of public sector organisations).

2.2.3 A DCC focus on energy management has successfully secured funding through the Zero Emissions Building Catalyst (ZEBCat), European Regional Development Fund supported programme which provides a capital grant of £200,000 (with DCC providing match funding) and a revenue grant of £86,000

over 3 years. In addition, from October 2018, DCC has secured revenue funding from the European Local Energy Assistance (ELENA) initiative for the South West Energy Programme (SWEP) across all partners for staff and external contractor costs. Other on-going energy related project funding continues to be actively explored through a dedicated energy manager.

3. Conclusion

- 3.1 Income generation within service areas has been achieved but progress has been sporadic and oversight dispersed. A more structured and cohesive approach could be achieved with some central coordination. This approach requires some strategic decisions to be made by the Council and may entail subsequent allocation of resource. These decisions will also determine how future monitoring and oversight is best conducted.
- 3.2 DCCs Estates Strategy has delivered significant capital receipts and revenue budget reductions; exceeding targets set out in the Corporates Estate Strategy.
- 3.3 The new Cabinet Member for Economy and Skills has expressed an interest in those services within his portfolio exploring any possibilities for further cost saving and income generation through a planned service delivery transformation process. An informative meeting with representatives from South Hams Council has already taken place and other fact-finding visits have been arranged.
- 3.4 The Corporate, Infrastructure & Regulatory Services Scrutiny may wish to consider its role in monitoring the progress of DCC income generation and efficiency saving strategies, taking into account any existing oversight provisions.

Keri Denton
Head of Economy, Enterprise and Skills

Electoral Divisions: All

Cabinet Member for Economy and Skills: Councillor Rufus Gilbert

Chief Officer for Communities, Public Health, Environment and Prosperity: Virginia Pearson

Local Government Act 1972: List of Background Papers

Contact for enquiries: Paul Thomas

Room No: County Hall, Exeter. EX2 4QD

Tel No: 01392 383000

Background Paper	Date	File Ref.
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Nil

pt1808cirssc Income Generation
hk 05 140918

FUTURE DELIVERY MODEL: PROPERTY CONSULTANCY SERVICES

Report of the Head of Digital Transformation and Business Support

RECOMMENDATIONS

- i That the Committee notes the forthcoming delivery model options appraisal, enabling the Council to decide its future model for property consultancy beyond March 2022.
- ii That Committee Members support a Task Group workshop in February 2019, which will contribute into the delivery model review.
- iii That Committee receives the Review Team's recommendations in September 2019 in readiness for Cabinet decision, to help determine the future delivery model for these services.

1. Introduction

Devon County Council has significant property responsibilities, with associated requirements for a wide range of specialist property support services. These are currently provided by NPS SW using a multidisciplinary, integrated approach. The Council's joint venture contract with NPS SW runs from April 2007 to March 2022, as such a future delivery model is required.

The services include maintenance and minor works, property compliance, property acquisition, sales and leases, construction management, energy management, programme management, architectural / design and quantity surveying, throughout the Council's estate. The Council's full year spend with NPS in 2016-17 was £5.3 million across 80+ NPS professional staff, was £4.8 million in 2015-16, and £4.5 million in 14-15.

On 26 September 2017 Scrutiny Committee received a briefing regarding the outcome of the ten-year review of NPS joint venture performance. That report included key metrics on the Council's property service requirements and is available as a background paper.

Scrutiny requested this further update for September 2018, regarding how the future delivery model is to be decided. This report asks Scrutiny Committee to note the planned approach that will enable the Council to decide its future delivery model for property consultancy services, beyond the expiry of its current contract with NPS in March 2022.

2. Forthcoming Delivery Model review

Devon County Council has a wide set of requirements for property consultancy and is a significant commissioner of such services in the South West market. The disciplines commissioned are varied and specialist in nature. By 2022 these requirements will have developed through a fifteen-year partnership with NPS, having evolved significantly through changing times. The Council is taking a methodical approach to deciding its future delivery model, to ensure the model it chooses is the best way to fulfil the Council's requirements.

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The purpose of this work is to enable the Council to make its decision on the most appropriate delivery model for property consultancy that best meets its future needs; this current stage is not about selecting the delivery organisation itself.

A Terms of Reference (ToR) has been developed and agreed by Corporate Leadership Group, it is intended to be wide ranging and to support evidence based decision making. The ToR for the review are attached as Appendix A to this report, and set out key activities and timings.

3. Delivery model options appraisal

A Review Team has been established by DCC Heads of Service, recognising that property support is required throughout the Council's operations. The ToR is intended to be comprehensive to ensure the delivery model decision is well informed.

There are various delivery model options open to the Council. These include common industry approaches and part of the Review Team's role is to assess the relative merits of each, in relation to the Council's likely future needs.

The following delivery models are examples for the team to consider, in no order of preference:

- 1. Compete the whole business across the property services marketplace**
This option would end the joint venture and trigger a market tested competition, in this case competing for an integrated, multi-disciplinary service model.
- 2. Extend the service contract and continue the Joint Venture**
Renegotiate a new joint venture contract and establish fresh terms.
- 3. Compete service disciplines individually**
This option is similar to Option 1, however it segments specialist service disciplines into individual Lots. This would enable specialist firms to bid for discrete service areas.
- 4. Continue and expand the JV to include other SW Local Authorities**
There may be opportunity to expand the Joint Venture to include other Public-Sector bodies if there is sufficient market interest, and the ownership model remains compliant.
- 5. Bring whole or part of the service in house**
This option would consider if there are any benefits in bringing the service in house.
- 6. Join an existing framework for property services**
This option considers DCC's requirements being competed through a Framework Agreement. There are various property consultancy frameworks which DCC could use, albeit only service providers on the relevant framework would be eligible to compete.

The review team will consider the delivery model options as set out against organisational requirements. This will lead to the recommended option, and facilitate the delivery model decision. Once that decision is made, due process will be followed to set the model in place.

4. Consultation

The Terms of Reference sets out wide consultation from DCC Members and officers, market suppliers, property professionals, Public Sector bodies and other informative consultees. The delivery model decision requires foresight to anticipate organisational change and must identify the optimal model to commence from 2022 and succeed for the next 5+ years. The delivery model assessment must anticipate likely conditions which lie 5 - 10 years ahead.

Scrutiny Committee is invited to input to this exercise by way of a Scrutiny workshop in February 2019, which will include an overview of research to date and provide an interactive session to consult with Members around future property consultancy requirements, and views on the models.

5. Timeframes

The Review Group's research is planned to commence from Autumn 2018. This will enable initial research to be carried out, ensuring that the Scrutiny Member's workshop would be well timed for February 2019. This would be early enough to contribute directly to the findings, while also enabling the discussions to be informed by the research to date.

After that time, the Review Group would present to the Council's LG8 Senior Leadership Group in Summer 2019, and to Scrutiny and Cabinet for organisational decision-making in September 2019. This approach preserves sufficient time to set in place the future delivery model, ready for 1st April 2022.

6. Considerations

Options / Alternatives

This report presents the approach to determining the Council's future delivery model, during which alternatives and options will be considered as per the Terms of Reference.

Consultations / Representations / Technical Data

This report sets out a wide-ranging consultation process to be undertaken during the work.

Financial and Legal Considerations

Financial and legal matters will be considered by the review team, as part of its research.

Environmental Considerations and Equality Considerations

There are no specific environmental, or equality considerations in respect of this report.

Risk Management Considerations

Risk will be considered as part of future decision making, informed by the research.

7. SUMMARY

Determining the Council's future property consultancy delivery model is a strategic decision which supports virtually all the Council's services. The approach set out in the attached Terms of Reference is intended to facilitate well informed decision making, for which the early involvement of Scrutiny Committee would be of welcome support.

Rob Parkhouse
Head of Digital Transformation and Business Support

Electoral Divisions: All

Cabinet Member: Councillor Barry Parsons,
Cabinet Member for Organisational Development and Digital Transformation

LOCAL GOVERNMENT ACT 1972: LIST OF BACKGROUND PAPERS

NPS JOINT VENTURE: TEN YEAR REVIEW, 26 September 2017, Scrutiny BSS/17/13

Contact for Enquiries: Justin Bennetts, Strategic Procurement Manager
Tel No: 01392 38 3000 Room: 122

Future delivery model assessment

Draft Terms of Reference: Property consultancy services

Devon County Council's service for property consultancy support runs until 31st March 2022. This Terms of Reference (ToR) sets out how and when the Council will determine its delivery model for the future service.

1. Approval of Terms of Reference:

Property consultancy services are commissioned Council-wide, overseen by Digital Transformation and Business Support. Accordingly DT & BS will be the lead commissioning service for the future model.

This ToR is offered to Devon's LG9 Leadership Group for approval. The Council's Scrutiny Committee has expressed its desire to be involved. As DCC's joint venture partner, NPS SW will be consulted. A separate ToR has been prepared for Facilities Management; reflecting market characteristics and any specific DCC requirements.

2. Governance:

Programme Board: Comprising Head of Service board members:
(Proposal: Rob, Jan, Mary, Meg)

Report recipients: LG9 Leadership Group

Decision making: DCC Cabinet

3. Review team main tasks:

The purpose is to facilitate organisational decision-making for DCC's future property consultancy model. Primary tasks include:

- a. Consult with key stakeholders and commissioning services to vision DCC's likely future requirements for property support.
- b. Consider and assess all feasible delivery model options for how DCC's property consultancy services could be undertaken, in line with that vision.
- c. Recommend how property consultancy should be undertaken post 2022, with a business case for this recommendation.

4. Review team enabling tasks:

Review group considerations to include:

- a. Appoint an external chairperson to promote challenge and objectivity. Appoint a small team from key commissioning services. Recommendation to be challenged by DCC's Corporate Negotiation Team prior to reporting to LG9. Enabling work to include Purposeful Systems, a Scrutiny Workgroup and reference to Programme Devon's Future Delivery Model approach.
- b. Ensure links to DCC's 'Purposeful Systems' approach and in particular consider if there are tangible synergies with any other DCC requirements, i.e:
 - Facilities Management: contract currently with Devon Norse until April 2021
 - Consider property partnership opportunities including One Public Estate.
 - Engineering Design Consultancy: contract currently with Jacobs until 2020

- c. Gather, review and interpret industry, wider public sector and organisational information such as:
- DCC estates strategy; vision DCC's requirements
 - DCC's strategic direction and future organisational objectives
 - Dialogue with NPS SW, DCC's existing joint venture partner
 - Consider overall value for money including performance
 - Consult ADEPT membership to identify current practice / delivery models in this service area.
 - Understand Local Authorities' preferred approaches.
 - Commission a Market Sector conditions analysis, such as a 'Glenigan' report.
 - Undertake supply market consultation
 - Develop a list of property consultants that could potentially deliver these services; understand the breadth of the available market
 - Identify top 50 property consultancy providers in UK
 - DCC - NPS 10 & 5 year reviews (including Delivery Model options)
 - Consider how local SME's may link into future property consultancy services
 - Consider if there is any appetite within Devon or more widely to jointly commission property consultancy services with partners
- d. Produce an overview for alternative delivery models taking into account overall strategic alignment, quality of service provision, needs analysis, income opportunity, business growth and economic innovation, costs of operation and setup, overall sustainability and resilience. Consider the NPS Ten Year Review, which includes delivery models.
- e. Develop a matrix of criteria to identify attributes of each Delivery Model including a SWOT analysis of each.
- f. Develop a matrix for DCC stakeholders to provide a scored assessment of alternative models, against an objective list of criteria which may include - VFM, quality of delivery, strategic alignment, flexibility, Whole Life Cost, cost of management, resilience, cost of acquisition and others as agreed by team.
- g. Follow up scored assessments with interviews of key DCC stakeholders as determined appropriate by review group.
- h. Seek views from Elected Members in respect of future needs and consult Cabinet Members and Scrutiny Committee.
- i. Ensure NPS SW and DCC's client leads have a forum to present to the review group and contribute to the process.
- j. Review and recommend whether individual service disciplines are best placed as part of an overall commissioned model, or in-house within DCC. Determine whether the approach should comprise an integrated solution, or a mixed model bringing out specialist expertise.
- k. Obtain relevant technical advice such as legal, health and safety, procurement, technical operations and TUPE implications.
- l. Ascertain future service requirements in relation to schools. Include consultation with schools representative groups such as DASH, DAG, SHAD and DAPH.

5. Attributes required by the review group

Review group members will need to be independent, objective, open minded, commercially aware, challenging where necessary, able to assess wider strategic matters and contribute positively to generating clear outcomes from the assessment.

6a) Team structure includes:

- Independent Chairperson (external to DCC):
Qualified property professional who has worked at senior level in the sector.
No affiliation to any property consultants. Likely to be in, or ex public sector:

6b) Team composition (comprising some or all of):

- | | |
|--|---------------------------------------|
| 1. Independent technical advisor | Chairperson to be appointed |
| 2. Project manager (accountable person) | Nominated by Rob Parkhouse |
| 3. Property services (including farms) lead: | Nominated by Rob Parkhouse |
| 4. Procurement service lead: | Nominated by Rob Parkhouse |
| 5. Capital development lead: | Nominated by Meg Booth |
| 6. Economy & strategic planning: | Nominated by Keri Denton & Dave Black |
| 7. Finance services representative: | Nominated by Mary Davis |
| 8. Social care commissioning: | Nominated by Jennie Stephens |
| 9. Schools representative | Nominated by Dawn Stabb |
| 10. Legal, and health & safety: | Nominated by Jan Shadbolt |

6c) Corporate negotiation team challenge process:

Nominated by Jan Shadbolt

6d) Support resource:

- (i) Review group co-ordinator + (ii) DT & BS Apprentice
- Document exchange via SharePoint

7. Anticipated resource commitment:

Estimate 20 days per team member during November 2018 – May 2019:

- 1 day planning, familiarisation and preparation
- 3 days research
- 8 days review meetings with interested parties
- 4 day options generation and review
- 3 days recommendation and report development.
- 1 day final report presentation

8. Report structure

- | | |
|---|-----------------------|
| - Executive summary / recommendations: | Max 2 pages |
| - Rationale for recommended option: | Max 2 pages |
| - Core report (covering activities a – l): | Max 5 pages |
| - Summary of key reasons for option de-selection: | Max 1 page per option |
| - Key next steps: | Max 2 pages |

Prepared by:

Justin Bennetts, Matthew Jones, Jon Williams, Chris Dyer.
March 2018

Appendix one: timescales

	Activity	Indicative Timeline
1.	Finalise Terms of Reference (LG9)	March 2018
2.	Identify review team members	March 2018
3.	Provide group members with background information	May 2018
4.	Review group initial planning	May 2018
5.	Group prepare for key tasks & activities	May 2018
6.	Initial consultative meetings	October 2018
7.	Carry out core team tasks, develop findings	Nov 2018 – May 19
8.	Members input & Scrutiny workgroup	Feb 2019
9.	Produce initial review report for LG9	June 2019
10.	Finalise report for presentation to LG9 / Cabinet	July '19 -Sept 2019
11.	Present report to DCC Scrutiny Committee	Oct 2019
12.	Inform NPS of the review outcome	Oct 2019
13.	Brief DCC and NPS staff on future delivery model	Oct 2019
14.	Undertake process to set up delivery model (i.e. remodelled J-V /in house / competitive process)	Between: Jan 2021 – Sept 21
15.	Transition process (if required)	Oct 2021 – Mar 22
16.	New delivery model begins	1st April 2022

Appendix two: Independent technical advisor: proposal

This proposal recommends John Lorimer as the independent technical advisor to the workstream. John previously led Manchester City Council's capital programme and is currently a visiting professor at Salford University, with a particular interest in delivery model assessment for property services. John is currently supporting a similar exercise at Salford city council and being out of the area has no vested interest in the South West market.

This commission would bring specialist skills, independence and objectivity to the delivery model assessment and would cost less than £10,000. This would be met out of DCC's annual profit share return from NPS SW, and in context of Devon's significant property spend is recommended as being value for money.

Name: John Lorimer
Practice location: Manchester and the North West

Accreditation:

**Visiting Professor at Salford University
BSc Civil Engineering CEng MICE**

2002 – 2012: Capital Programme Director Manchester City Council

Ten years leading the capital programme division of Manchester City Council, delivering a £300 million pa capital programme. Workforce of 150 staff including Architects, Engineers, Building Surveyors, Quantity Surveyors and Project Managers.

2013 to date: Director JLO Innovation Ltd

Provision of consultancy services to clients, consultants and contractors which is based on practical, diverse and extensive experience within the construction industry.

Recent commissions include strategic advice, business change, procurement, marketing, bid support, BIM strategy and implementation. Clients include local authorities, government departments, universities, management consultants and contractors.

Other roles include:

- Visiting Professor at Salford University- www.salford.ac.uk
- Chair of the Constructing Excellence Digital Construction Theme Group- www.constructingexcellence.org.uk
- Chair of BIM Academy (Enterprises) Ltd- www.bimacademy.ac.uk
- Seven years a Council member of CITB - Client representative
- Founder member and deputy chair of the National Improvement and Efficiency Partnership for Built Environment: National Association of Construction Frameworks.
- Chair of North West Construction Hub which procures and manages construction and professional services framework contracts on behalf of North West local authorities & other public clients, which is currently delivering £1bn+ projects.
- Established robust benchmarking ethos to ensure value for money. Managed the £500 million Building Schools for the Future programme, completed at c10% below the cost of comparable schools in the UK.

