

OVERVIEW AND SCRUTINY BOARD

A meeting of **Overview and Scrutiny Board** will be held on

Wednesday, 12 September 2012

commencing at **5.30 pm**

The meeting will be held in the Meadfoot Room, Town Hall, Castle Circus,
Torquay, TQ1 3DR

Members of the Committee

Councillor Thomas (J) (Chairman)

Councillor Barnby	Councillor Kingscote
Councillor Bent	Councillor Pentney
Councillor Darling (Vice-Chair)	Councillor Stockman
Councillor Hill	Councillor Pountney

Co-opted Members of the Board

Penny Burnside, Diocese of Exeter

Working for a healthy, prosperous and happy Bay

For information relating to this meeting or to request a copy in another format or language please contact:

Kate Spencer, Town Hall, Castle Circus, Torquay, TQ1 3DR
01803 207014

Email: scrutiny@torbay.gov.uk

OVERVIEW AND SCRUTINY BOARD AGENDA

1. Apologies

To receive apologies for absence, including notifications of any changes to the membership of the Committee.

2. Minutes

To confirm as a correct record the minutes of the meetings of the Board held on 18 July and 6 August 2012.

(Pages 1 - 4)

3. Declarations of Interest

a) To receive declarations of non pecuniary interests in respect of items on this agenda

For reference: Having declared their non pecuniary interest members may remain in the meeting and speak and, vote on the matter in question. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

b) To receive declarations of disclosable pecuniary interests in respect of items on this agenda

For reference: Where a Member has a disclosable pecuniary interest he/she must leave the meeting during consideration of the item. However, the Member may remain in the meeting to make representations, answer questions or give evidence if the public have a right to do so, but having done so the Member must then immediately leave the meeting, may not vote and must not improperly seek to influence the outcome of the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

(Please Note: If Members and Officers wish to seek advice on any potential interests they may have, they should contact Democratic Services or Legal Services prior to the meeting.)

4. Urgent Items

To consider any other items that the Chairman decides are urgent.

5. Economic Regeneration

To consider the Mayor's position in relation to economic regeneration in Torbay.

(To Follow)

The Mayor has been asked to address the following key lines of enquiry:

What is your economic strategy? What are its aims and objectives?

How is the economic strategy being implemented? What are the outcomes from your recently established Regeneration Task Force?

How is the Council encouraging new businesses and job creation?

How are we ensuring the long term sustainability of those businesses and jobs?

How does the economic strategy link to the housing strategy?

How do we balance the needs of locals against the needs of tourists?

How do we ensure that the economic strategy protects the vulnerable in our communities?

6. Use of Local Labour and Apprenticeships

Arising from its consideration of the Mayor's position in relation to economic regeneration, the Board would like to consider how the Council can or should encourage the use of local labour and/or apprenticeships within its capital projects.

6(a) Position Statement

(To Follow)

To consider the procurement position in relation to the use of local labour and/or apprenticeships within the Council's capital plan projects and contracts.

6(b) South Devon Link Road

(Pages 5 - 8)

To consider a briefing note on the current position in relation to the use of local labour within the contract for the South Devon Link Road.

7. Work Programme Update

To confirm that the review of political governance arrangements will no longer be carried out by the Overview and Scrutiny Board as it duplicates work being undertaken by the Leaders Task Group.



Minutes of the Overview and Scrutiny Board

18 July 2012

-: Present :-

Councillor Darling (Vice-Chair) (In the Chair)

Councillors Addis, Barnby, Bent, Hill, Kingscote, Parrott, Pentney and Pountney

(Also in attendance: Councillor Lewis)

13. Apology

An apology for absence was received from Penny Burnside.

14. Committee Membership

It was reported that, in accordance with the wishes of the Conservative and Non-Coalition Groups respectively, the membership of the Board had been amended to include Councillors Addis and Parrott in place Councillors Thomas (J) and Stockman.

15. Minutes

The minutes of the meeting of the Board held on 3 July 2012 were confirmed as a correct record and signed by the Vice-Chairman.

16. Children's Safeguarding

The Director of Children's Services presented his report which set out the letter that had been received as a result of the recent peer review of the Council's Children's Services safeguarding of vulnerable children and young people. The safeguarding review had focussed on five key themes and the letter set out the good practice which had been noted and the areas which the peer review team felt the Council would wish to consider further.

In response to questions about the recruitment and retention of social workers, the Board was informed by the Director of the problems recruiting Social Workers and, in particular, that, although the pay package/incentives offered by the Council were good, employment agencies were paying much more. The Board heard that Children's Services would be short-listing for social work managers in September and that new recruits should be in place by December 2012.

The Board praised the Director of Children's Services and his team for the excellent work they were carrying out to improve this service.

It was noted that the results of the peer review would inform the Children's Partnership Improvement Plan which was already in place (and would be considered as the next item on the agenda).

Resolved: (i) that future key lines of enquiry for the Overview and Scrutiny Board be

- Embedding effective partnership working
- Advertising vacant post in wider range of national publications
- Piloting multi agency enquiry forms

(ii) that the Director of Children's Services be asked to provide a recruitment timeline; and

(iii) that the Board lobby local Members of Parliament on the possible regulation of the market for agency social workers.

(**Note:** Prior to consideration of the item in Minute 16, Councillor Pentney declared a personal interest as she had a granddaughter who received help from Children's Services.)

17. **Children's Partnership Improvement Plan - Progress Update and Report Card**

The Board went on to consider a report which provided an update of the progress made against the seven projects which formed the Children's Partnership Improvement Plan. The report also provided an overview of progress through the Improvement Report Card.

Amongst other things, it was noted that Ellacombe Nursery was now open and performing well and that all schools within Torbay now had a designated child protection lead.

Whilst there was a potential fragility of multi agency working, it was recognised that improvements had been made including improved working with the Police and strengthening of the management team through secondment.

In addition, the Director of Children's Services agreed to provide written responses to a number of questions including in relation to Intensive Family Support Services and the development and implementation of the Quality Assurance Framework.

Resolved: (i) that future key lines of enquiry for the Overview and Scrutiny Board be

- Working with new health commissioners for example the troubled families agenda
- The value of early intervention and building capacity in communities

(ii) that success should be celebrated to show to the wider public and to the team that we have succeeded; and

(iii) that an early warning system be put in place to enable the Overview and Scrutiny Board to be advised of potential budget pressures.

18. Adoption Services - Peer Review and Improvement Plan

The Board received a report which highlighted the core outcomes from the recent peer review of Torbay's adoption services and outlined the actions being taken to improve adoption.

It was noted that a new management team was now in place with an agreed action plan and there was now a new constructive challenge and supervision culture. It was also noted that there was now an urgency to move children rapidly into adoption.

The Director of Children's Services agreed to:

- Provide an updated action plan showing completed actions and dates
- Provide a new adoption recruitment strategy
- To review the Corporate Parenting Board membership
- To provide details of waiting list for fostering and adoption

Resolved: that the Board consider the action plan and draft review of fostering within 6 months.

19. Overview and Scrutiny Review of Safeguarding

Resolved: that the Board consider its findings from the items in Minutes 16, 17 and 18 at the informal meeting in September or earlier if the responses were received prior to this meeting.

Chairman

Minutes of the Overview and Scrutiny Board

6 August 2012

-: Present :-

Councillor Thomas (J) (Chairman)

Councillors Barnby, Bent, Darling (Vice-Chair), Hill, Kingscote, Pentney, Stockman and Pountney

(Also in attendance: The Mayor and Councillors Cowell, Ellery, Hernandez, James, Morey, Parrott and Richards)

20. Apology

An apology for absence was received from Penny Burnside.

21. Princess Promenade Refurbishment (Phase 2) - Call-in

The Board considered the details of a call-in by five Members of the Council of the decision by the Mayor to instruct the Executive Head (Resident and Visitor Services) let the contract to demolish the upper deck and widen the lower deck of the banjo on Princess Promenade at Torquay.

The Call-in Promoter (Councillor Cowell) set out the reasons for calling-in the decision and each of the Call-in Supporters also addressed the Board about their concerns regarding the decision.

The Board heard a representation from a potential private sector developer for the site.

The Mayor responded to the points raised by both the Call-in Promoter and Supporters and the Members of the Board.

Resolved: that no further action be taken.

Chairman

Agenda Item 6b



Title: Use of Local Labour – South Devon Link Road

Wards Affected: Shiphay & The Willows

To: Overview & Scrutiny Board

On: 12 September 2012

Contact Officer: Patrick Carney

 **Telephone:** 01803 207710

 **E.mail:** Patrick.Carney@torbay.gov.uk

1. Key points and Summary

- 1.1 The Contract for the construction of the South Devon Link Road does not contain any legal clauses that require the use of local labour. However the two client partners, Torbay Council and Devon County Council are keen to encourage the use of local labour.
- 1.2 The contractor, Galliford Try, does have local links with the South Devon area through its development arm, Linden Homes. The key personnel and sub-contractors used on the contract are reported to the clients through the project team meetings. To date it is encouraging that Galliford Try have been recruiting locally and are using the project to provide training and career opportunities. The use of local labour will continue to be monitored and can be reported to a future meeting of the Overview & Scrutiny Board.

2. Introduction

- 2.1 The Deputy Chairman of the Overview and Scrutiny Board has requested a briefing note on how the contractor for the South Devon Link Road will be encouraged to use local labour. The contract for the construction of the South Devon Link was tendered in August 2009. The contract did not contain any specific clauses that required the contractor to use a set of percentage of local labour or sub contractors. The reason for this was partly due to the need to attract national companies to ensure competition in tendering and also at the time of writing the contract it had not been fully understood whether such clauses were legal in terms of European Law.

Due to funding not being approved by Central Government until May 2012 the contract was not awarded to Galliford Try until this time. It has been agreed between Torbay Council and Devon County Council that they will encourage the contractor to use local labour or supplies where possible, however, the cost effective delivery of the project is the key priority.

3. Background

3.1 The official commencement of the contract was in May 2012. The Contract is a design and construct project and so there is a significant lead in time between award and commencement of construction on site. The contractor's designers are working on the detailed design and construction is expected to commence in October 2012. However initial construction will be mainly enabling works towards the Penn Inn end of the scheme.

3.2 Galliford Try are an international company who deliver large scale construction projects, however, they have local connections with South Devon through their development arm, Linden Homes, and have offices in Newton Abbot. The Chief Executive was the founder of Midas Homes which was acquired by the Galliford Try Group. The tender quality submission did not contain any specific questions on the use of local labour, however, Galliford Try did state that they would be using a mixture of specialist contractors and local sub-contractors and suppliers where possible. This is an extract from their tender submission:-

"Our overall approach to Supply Chain Management will be to use a proven supply chain with whom we have established relationships. By adopting this approach, Galliford Try (GT) ensure that a collaborative approach is taken to the scheme objectives with a joint commitment to giving best value .

Our strategy to properly manage the key interfaces with the general public, affected parties, Sainsbury's in particular, Network Rail and the Environment Agency and ensure that a quality product is delivered on time, to budget and with excellent safety management is to:

- *Use GT in house specialist subcontractors for the Piling and Traffic Management works*
- *Engage nationally and internationally renown specialist contractors in the areas of structural steelwork, earthworks and box culvert jacking systems*
- *Maximise the use of local specialists particularly for surfacing and landscaping works*
- *Use local suppliers of labour and plant for the structures, drainage and general ground works activities".*

3.3 As stated Galliford Try have been encouraged to use local labour and supplies. The personnel used and key sub-contractors are reported to Council officers through the regular project meetings. To date it is too early to report any percentage of local labour used but the following points should be noted:-

- Galliford Try have partnered with South Devon College who will provide support to the company and its supply chain in education and training.
- A number of adverts have already been placed in the Herald Express (see Appendix 1) for job opportunities on the project.
- Galliford Try have already appointed a local Graduate to commence his training on the project.
- The project is currently being run from Linden Homes offices in Newton Abbot.
- Many of the key site staff already appointed live locally.

3.4 As the project progresses and the supply chain develops it will be possible to provide the Overview and Scrutiny Board with percentage figures on the use of local labour. However at this early stage it appears that the contractor is using local resources.

Patrick Carney
Group Service Manager – Streetscene & Place

Appendices

Appendix 1 – Job Vacancy Adverts.

Documents available in members' rooms

None.

Background Papers:

Galliford Try Quality Submission



GallifordTry plc is one of the UK's leading construction and housebuilding companies with nation-wide operations. A vacancy has arisen for a full time experienced Public Liaison Officer based at our site offices in Kingskerswell.

Public Liaison Officer

A380 South Devon Link Road - Kingskerswell Bypass

Duties will include:

- Managing the interface between the construction team, the local community and other key stakeholders
- Arranging and attending quarterly liaison meetings with the local authority and third party interest groups
- Managing the preparation and distribution of regular project newsletters
- Acting as the main contact for members of the public and other stakeholders.

The successful candidate will have:

- Previous experience in a similar role including experience of supervising a small team
- Excellent communication and interpersonal skills
- A high level of IT literacy
- Excellent organisation skills with the ability to work to deadlines and prioritise workload to ensure maximum efficiency.

If you have the experience and skills we require, please apply with a comprehensive CV including salary details to:

Simon Giblin, HR Assistant, GallifordTry Services, PO Box 7740, Hinckley, Leicestershire LE10 1YL. Email Simon.giblin@gallifordtry.co.uk

Closing date: Tuesday 7th August 2012.

Interviews will be held locally on site.

No Agencies please.

Galliford Try is an equal opportunities employer.



GallifordTry plc is one of the UK's leading construction and housebuilding companies with nation-wide operations. A vacancy has arisen for a full time experienced Office Manager based at our site offices in Kingskerswell.

Office Manager

A380 South Devon Link Road - Kingskerswell Bypass

Duties will include:

- Managing a small team responsible for Reception, Administration and document control functions within the office
- Facilitating the provision of workstations, security, induction etc for new starters
- Ensuring any office repairs and maintenance carried out in a timely manner
- Establishing and maintaining safe filing system.

The successful candidate will have:

- Previous experience in a similar role including experience of supervising a small team
- Good interpersonal skills
- A high level of IT literacy, preferably with experience of computerised document management systems
- The ability to prioritise workload to ensure maximum efficiency.

If you have the experience and skills we require, please apply with a comprehensive CV including salary details to:

Simon Giblin, HR Assistant, GallifordTry Services, PO Box 7740, Hinckley, Leicestershire LE10 1YL. Email Simon.giblin@gallifordtry.co.uk

Closing date: Tuesday 7th August 2012.

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Galliford Try is an equal opportunities employer.



GallifordTry plc is one of the UK's leading construction and housebuilding companies with nation-wide operations. Following the recent contract award of the A380 South Devon Link Road: Kingskerswell By Pass we will shortly have vacancies for the following personnel:

- Senior Quantity Surveyor
- Assistant Quantity Surveyor
- Site Agent • Sub-Agent • Foreman
- Section Engineers • Works Manager

Applicants must be suitably qualified and have previous experience working on major roads and structures projects. In return we can offer a first class salary and benefits package.

If you have the experience and skills we require, please apply with a comprehensive CV including salary details to: Simon Giblin, HR Assistant, GallifordTry Services, PO Box 7440, Hinckley, Leicestershire LE10 1YL.

Email: Simon.giblin@gallifordtry.co.uk

Closing Date: Tuesday 21 August 2012

Interviews will be held locally on site.

No Agencies please.

