

Extract of Audit and Accounts Committee: Minutes

Date: 22nd September 2015.

Time: 14.00 -18.25 p.m.

Place: Room 128, Shire Hall, Cambridge

Present: Councillors: I Bates (substitute for Councillor M McGuire), R Henson, P Hudson, N Kavanagh (substitute for Councillor McGuire) M Shellens, (Chairman), and P Topping (Vice Chairman)

Apologies: Councillors S Crawford and M McGuire.

Action

152. CAMBRIDGE CENTRAL LIBRARY ENTERPRISE CENTRE REVIEW

On the 21st July 2015 Full Council passed a motion agreeing that this Committee should undertake a review of the process by which the Cambridge Library Enterprise Centre (CLEC) proposals had emerged and were developed, in order to identify recommendations on how the process could be improved.

It was indicated that input to the review had been sought from Council members, residents and officers. Submissions were received by the closing date from 17 councillors and 11 residents, although the Chairman indicated orally at the meeting that he would be making reference to some additional suggestions on a late submission from at least one resident.

To assist development of the report, some 700 relevant quotes were individually reviewed by Internal Audit and learning points transferred to the report included on the agenda. Further comments were also sought from an open meeting for all councillors and members of the public held an hour before the Committee on 22nd September. The report was researched and produced by Internal Audit, apart from the section on Spokes. This was considered to be more “political” and so was compiled by the Chairman, Councillor Shellens. For some matters the recommendation was that Constitution and Ethics Committee should give the subject further consideration.

It was highlighted that the terms of reference agreed by Full Council did not require the project team to provide an evaluation or a verdict on the correctness of the many decisions taken in the course of the CLEC project. It was explained that the submissions received included many criticisms of past actions with calls for attribution and naming names. However, as there was no suggestion of illegality, the report had focused exclusively on how the authority should conduct itself in future and concentrated on the learning points to be derived from the insights made.

The report also highlighted that Internal Audit had confirmed that the

present policy of conducting checks on companies with which the Council was seeking to do business, was appropriate and proportionate.

Seven key opportunity areas had been identified, with recommended actions formulated to address the issues identified which had been included in an action plan attached to the report

The Chairman took the opportunity to thank all councillors and members of the public who had taken the time to submit feedback to the review and those councillors who had met with Members of the team to discuss the issues raised, as well as thanking all officers contacted during the course of the review for their time and assistance.

With reference to the proposals in the action plan, the Chairman made reference to a late submission from a member of the public circulated electronically to the Committee the day before, for which hard copies had been made available that day. From this submission the Chairman went through the points as follows:

- the proposal under Section 4 'Options Appraisal, Market Research and Procurement' to add the words "and members of the public" to those able to challenge proposals as new information became available was already considered to be covered by the introduction to section 6. Officers would always need to conduct work on new proposals before consultation with the public was possible, but the philosophy of the Council should be to engage the public as soon as possible, as their contribution should be considered a valuable resource.
- Under the Heading Section 5 "Engagement with Members" and the suggestion that the call-in procedure required clarification by Constitution and Ethics Committee, it was considered that this was covered by section 5 and the reference that Democratic Services should provide additional training and resources for Members on the call in process.
- On Section 6 Public Consultation and a query on whether the public currently had input to the Member Review Group looking at the Council's approach to consultation, this would be pursued outside of the meeting. **Action**
- Appendix A Outline Commercial Proposals Protocol - the request that the word "initial" should be taken out of the sentence currently reading "minutes must be taken of all initial meetings and discussions regarding commercial proposals" was agreed as an amendment that was supported by the whole Committee.
- Appendix 3 - Report on Spokes - that in Section 3 suggestion that text should be added to the existing text as underlined:

- b) reading "Committee Members retain personal autonomy and freedom to vote according to their conscience" adding after the word conscience the following additional wording "and the views of

**Neil
Hunter /
Mike
Soper**

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Hunter
(NH) to
make
change**

the constituents whom they are elected to represent

- on the fifth bullet reading “Committee Members are free to bring their personal stance and late information to meetings ” inserting the following additional words after the word “stance” reading “the views of their Constituents” .

On both the above the Chairman suggested that this additional wording was not required as Members already took the views of constituents into account, with the final decision on how to vote being for their conscience to ensure they were free to vote as they saw fit, taking into consideration all the information provided. The Committee concurred with these views.

Members comments included:

- Complementing the officers and the Chairman that the recommendations going forward were a very good outcome from what had been a difficult experience for the Council.
- The need to inject commercial considerations into ways of working sufficiently early and questioning what more could be done to help achieve this. Another Member on the same theme, suggested the need for additional training to be provided to officers to help them in their ability to operate in a commercial environment.
- One member highlighted the need to ensure gateway reviews were undertaken to monitor ongoing, large scale programmes.
- Members fully supported the proposals in relation to the section 2 of the Action Plan on confidentiality and confirmed that the guiding principle should be for openness.
- The Chairman made the point that he had concerns that commercial confidence exclusions may, in the past, have been used to omit information that could have been included in the public domain. He raised the suggestion that there should be reviews at different stages of a project to consider whether additional information could be shared and form the basis of confidentiality agreements. Such agreements which should be shared with the public, should include definitions of what needed to be confidential and at what stages. Democratic Services made the point that the guidance to report authors was that where-ever possible reports to service committees should be produced as public documents and that if there was a need for confidential information, this should be included as appendices made available separately to Members. Officers responding to the suggestion on confidentiality agreements cautioned that it would be very difficult to draft up agreements that would deal with every situation and which would be able to define when information could be made public at such an early stage, and instead suggested that recommendations on confidentiality should be signed off by appropriate members / officers on the basis that there was a

presumption on transparency.

- In relation to the above suggestion for sign off, it was indicated that such sign off had been used in the past to maintain confidentiality with members signing non-disclosure agreements when considering highly confidential reports on the contact dispute in respect of the Guided Busway.
- There was discussion on Members needing to receive specific guidance on what could be disclosed to the public where there were issues of confidentiality in relation to any reports / information presented to them. Attention was drawn to the Outline Confidential Agreements Policy set out in appendix B of the report which the Committee agreed was an appropriate document and was supported.
- In respect of the Actions Plan document, the Vice Chairman highlighted the need going forward for this to be populated with target dates and the owners of the actions. This was acknowledged as it was an ongoing document and was still subject to final approval.
- It was suggested training would be required as part of the ongoing member training programme for many of the proposals, once finally agreed.

On the next steps it was confirmed that the report, with any agreed amendments, would go forward to the full Council meeting on 13th October and before that meeting, a revised version should be sent to all members of the Committee. The Chairman highlighted that if any additional comments were received from either elected members or the public which were considered valuable additions, these should also be included in a final version.

It was resolved unanimously to:

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| a) | approve the report with the suggested changes reported orally. | (NH) |
| b) | circulate to all Members of the Committee a copy with any final changes. | (NH) |
| c) | delegate to the Interim Head of Internal Audit in consultation with the Chairman and Vice Chairman the authority to make any further changes to the final version of the report to go forward to Full Council. | (NH) |