

**Report of the
Service Devolution & Asset Transfer Policy Rapid Scrutiny Exercise**

Purpose of the report

1. To present the comments of the rapid scrutiny (RS) group on the revised Service Devolution & Asset Transfer policy for consideration by the Overview & Scrutiny Management Committee (OSMC).

Background

2. In September 2021, Overview & Scrutiny Management Committee (OSMC) received an update on the implementation of the Service Devolution and Asset Transfer policy. The policy had previously been considered by Overview and Scrutiny prior to its adoption in 2017. OSMC resolved to establish a rapid scrutiny exercise to provide Overview and Scrutiny input on the Policy review process. This would follow the completion of a consultation process (January 2022).
3. On 22 March 2022, Cllr Philip Alford, Cabinet Member for Housing, Strategic Assets and Asset Transfer, updated OSMC. A town/parish council conference, delayed from January, would take place on 27 May 2022. Its purpose was to develop a new policy by the autumn of 2022 to enable town and parish councils to plan their budgets for the following financial year.
4. Following a request from the Cabinet Member, OSMC commissioned a rapid scrutiny exercise to look at the strengths and weaknesses of the current policy. It would present its recommendations for endorsement in advance of the town/parish council conference on 27 May 2022.
5. The rapid scrutiny group's recommendations were endorsed by OSMC on 19 May 2022 (see Appendix 1). The Executive response to the recommendations was considered by OSMC on 14 July 2022 (see Appendix 2). OSMC resolved that the rapid scrutiny group review and comment on the new Service Delegation & Asset Transfer policy prior to consideration by Cabinet in September 2022.

Membership

6. The opportunity to take part in the rapid scrutiny was offered to all non-executive members of the council. The following members were appointed:
 - Cllr Ruth Hopkinson (Lead Member)
 - Cllr Bob Jones MBE
 - Cllr Gordon King
 - Cllr Bill Parks

- Cllr Pip Ridout
- Cllr Iain Wallis
- Cllr Graham Wright

Evidence

7. The rapid scrutiny considered the following evidence:
 - a) Proposed new Service Devolution and Asset Transfer Policy (to be considered by Cabinet on 27 September 2022)
 - b) Current Service Devolution and Asset Transfer Policy (Wiltshire Council 2017)
 - c) Report of the rapid scrutiny group (OSMC 19 May 2022)
 - d) Executive response to the report of the rapid scrutiny group (14 July 2022)

Aim of the rapid scrutiny

8. To review and comment on the new Service Delegation & Asset Transfer policy prior to consideration by Cabinet, as resolved by OSMC (14 July 2022).

Summary of review

9. The rapid scrutiny group met once to consider the draft Service Delegation & Asset Transfer Policy (published 5 September 2022).
10. The rapid scrutiny group compared the revised policy with the previous version and noted that – as stated in para 13 of the covering report to Cabinet (27 September 2022) – ‘remains largely unchanged’ from the policy adopted in 2017.
11. The group also considered the recommendations presented in its own report to OSMC (19 May 2022) and the Executive response (14 July 2022), in particular how those recommendations accepted by the Executive were reflected in the refreshed policy.

Conclusions of the Rapid Scrutiny Exercise

12. All involved are aware that asset transfer and service devolution are important in bringing the management of local facilities nearer to local people. However, the implementation of the previous policy caused concerns and challenges for town and parish councils. It was therefore an appropriate time to undertake a review with partners to make the policy more responsive, focused, and effective.
13. In the Rapid Scrutiny Group’s view, the revised policy remains imbalanced in favour of the Council. For example, the policy retains a list from 2017 of soft services for devolution (Service Devolution & Asset Transfer policy, Appendix 3), all of which place additional costs and risk onto town and parish councils. This is exemplified by car parks being exempt from transfer under the policy (see Service Devolution & Asset Transfer policy, Appendix 2), but their maintenance being part of service devolution (see Service Devolution & Asset Transfer policy, Appendix 3).
14. It is unclear how the challenges facing town and parish councils, strongly articulated to the Rapid Scrutiny Group by Devizes Town Council (their comments included in the Rapid Scrutiny report 19 May 2022), will be mitigated or resolved by the proposed

new policy. Those concerns included the length of time agreements took, the bureaucratic nature of the process and ultimately the cost to town and parish councils. Wiltshire Council did consult town and parish councils prior to reviewing the policy, but it is not clear how the version proposed addresses their concerns.

15. The proposed policy risks perpetuating the difficulties identified in the previous version. It should have clarified the process, where possible removing risks, and provided partners with greater clarity regarding the timing/implementation of the policy, thus re-assuring town and parish councils of the benefits of asset transfer and service devolution. It is disappointing that this opportunity has been missed.

Recommendations

Having reviewed the proposed new Policy, the Rapid Scrutiny Group recommends that:

- 1. Cabinet notes this report and the concerns that it raises regarding the Service Devolution & Asset Transfer policy.**
- 2. Overview & Scrutiny Management Committee (OSMC) closely monitors the implementation of the refreshed Service Devolution & Asset Transfer policy and receives a progress update within 6 months.**

Cllr Ruth Hopkinson, Lead Member for the Rapid Scrutiny Exercise

Report author: Simon Bennett, Senior Scrutiny Officer, 01225 718 709,
simon.bennett@wiltshire.gov.uk

Appendices

Appendix 1 Rapid Scrutiny report (May 2022) incl. Asset Transfer & Service Devolution policy (2017)

Appendix 2 – Executive response to the Rapid Scrutiny report (July 2022)

Appendix 3a/3b – Asset Transfer & Service Devolution, Cabinet report (September 2022)
