

Wiltshire Council

Overview & Scrutiny Management Committee

14 July 2022

Executive Response to the Final Report of the Service Devolution Asset Transfer Policy Rapid Scrutiny Exercise

Purpose of the report

1. To present the response of the Cabinet Member for Housing, Strategic Assets, Asset Transfer to the final report of the Service Devolution Asset Transfer Policy Rapid Scrutiny Exercise.

Background

2. On 19 July 2022, the Overview & Scrutiny Management Committee (OSMC) endorsed the final report of the Task Group.
3. The Committee resolved to refer the following Rapid Scrutiny Exercise's recommendations to the relevant Cabinet member for response at the Committee's next meeting on 14 July 2022.

Executive response to the Task Group's recommendations

Recommendation No.1	The successful delivery of a new Asset Transfer and Service Devolution Policy is made a priority by the Cabinet.		
Executive response	July 2022	ACCEPTED	The review of the existing policy is on the Cabinet Forward Workplan for September 2022, where the Cabinet will approve any revisions to the policy and formally re-start the programme and negotiations with Councils who have indicated an interest following the Town & Parish conference at the end May.
Recommendation No.2	Implementation of the policy is fully resourced.		
Executive response	July 2022	AMENDED	Resourcing the service devolution and asset transfer policy in 2022/23 will be within existing resources and as such will be limited. The policy and programme for 2023/24 onwards and resourcing will be subject to the budget setting process for forthcoming years and a clear business case to justify

			additional investment from Wiltshire Council.
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Recommendation No.3	The council investigates using its reserves, as an 'invest to save' initiative, to fund the programme of asset transfer / service devolution.		
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Executive response	July 2022	AMENDED	It would not be appropriate to use reserves to fund the programme going forward. The Cabinet have at their discretion earmarked reserves for Business Plan Priorities could utilise that funding, equally the transformation reserve could be utilised to forward fund resource where a business case demonstrates savings.
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Recommendation No.4	The new policy is developed, delivered, and owned jointly with town and parish councils, and includes shared: <ul style="list-style-type: none"> a) aims and objectives b) glossary of definitions e.g., devolution and delegation c) outcomes d) measures of success 		
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Executive response	July 2022	AMENDED	The conference with Town and Parish Councils held on the 27th May enabled the Council to share and engage on the review of the policy that will be considered formally by Cabinet in September.
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Recommendation No.5	The council reviews which assets are appropriate for transfer and publicises a revised list.		
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Executive response	July 2022	ACCEPTED	The Council regularly reviews the list of assets it holds, and this will be included in the report to Cabinet as part of the consideration of the new policy, with specific reference to which assets are available for transfer and equally those which are not. The conference set out the current review was looking to set a minimum level of assets to be transferred in any future arrangements.
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Recommendation No.6	The council should review whether to open asset transfer to other bodies i.e., charities, community groups.		
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Executive response	July 2022	ACCEPTED	The new policy will include consideration of transfer of some assets to charities or community groups so as to allow them to seek funding to address capital liabilities. However, the policy will require those groups to provide a form of security that could be provided by a Town and Parish Council.
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Recommendation No.7	The council should create an overall timetable for asset transfer / service devolution for each town and parish wishing to proceed.		
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Executive response	July 2022	ACCEPTED	Following the Town and Parish council conference Wiltshire Council has received an indication of the appetite of town and parish councils and that will be used to inform the development and resourcing of a programme.
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Recommendation No.8	A project management approach should be taken with each transfer.		
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Executive response	July 2022	ACCEPTED	The programme will project manage the transfers once agreed and negotiated.
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Recommendation No.9	A review, including all partners, is undertaken after each transfer to develop and improve the transfer process.		
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Executive response	July 2022	AMENDED	A review will be undertaken where appropriate and proportionate.
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Recommendation No.10	All information on the potential financial liabilities and responsibilities attached to an asset are made available to the town or parish council in a timely manner during the negotiation period.		
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Executive response	July 2022	ACCEPTED	All information will be made available to inform asset transfer and service devolution
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Recommendation No.11	The council confirms the opportunity for town and parish councils who wish to pursue asset transfer / service devolution to procure services through the council's Streetscene / Grounds and Highway contracts.		
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Executive response	July 2022	AMENDED	The opportunity will exist but service devolution will also encourage towns and parishes to investigate the most cost effective way of delivering services.
Recommendation No.12	Overview & Scrutiny Management Committee (OSMC) receives a report of the outcomes of the town and parish council conference (27 May 2022) and how it will inform the new policy.		
Executive response	July 2022	AMENDED	The outcome from the conference will be reported to cabinet to inform the review of the policy and any subsequent recommendations on the programme.
Recommendation No.13	Overview & Scrutiny Management Committee (OSMC) receives the final draft of the policy and updates on the implementation of the new policy (once approved), every 6 months.		
Executive response	July 2022	ACCEPTED	Subject to the policy review and consideration by Cabinet the progress on the revised policy and programme will be reported to OSMC every six months.

4. The Town and Parish Conference was held on 27th May 2022, during that conference an update was provided by the Corporate Director Resources and Deputy Chief Executive on the review of the existing Service Devolution and Asset Transfer policy.
5. The review is looking to simplify the process and to clarify the assets and services that can be considered for either transfer and/or devolution to inform Town and Parish Councils on the position and expediate any negotiations.
6. The key action point and target date on the next steps in all the above recommendations is the Cabinet report scheduled to go in September 2022. This report will approve the revised policy and set out the plans for engagement with those Councils who have expressed an indication to hold discussions on potential transfers or devolution.
7. The report will also set out the resources and investment required to restart the programme and hold the negotiations and conclude agreements and subsequent transfer and/or devolution.

Proposal

8. To note the executive response to the Final Report of the **Service Devolution Asset Transfer Policy Rapid Scrutiny Exercise**.

Cllr Phil Alford, Cabinet Member for Cabinet Member for Housing, Strategic Assets, Asset Transfer.

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