

Scrutiny Review of Licensing

Additional Information

Following the circulation of the Scrutiny Committee on 12 September 2016 comments have been received on the Scrutiny Review of Licensing draft final report.

Comments have been received from:

- ▶ Martin O’Loughlin – Democratic Services Manager
- ▶ Dave Pollard – former Senior Public Relations Officer
- ▶ Dave Whelan – Legal Services Manager

A Copy of the comments received are attached (notes redacted where appropriate).

Wilkin Chapman Solicitors has also indicated that they will be submitting comments.

The Scrutiny Review of Licensing Task Group met on 19 September 2016 to discuss the comments received.

The Task Group was grateful to those who had submitted comments and carefully considered whether the comments received changed the Task Group’s findings and recommendations.

With the exception of one technical comment from Dave Whelan about recommendation number 6, the Task Group did not feel the comments changed the Task Group’s findings and recommendations in the draft final report. However, as the comments provide information and context to the Scrutiny Review, the Task Group proposes that the comments received be added as an appendix to the Scrutiny Review final report.

Following comments from Dave Whelan with regards recommendation 6 about the technical process for referring Members to the Standards Committee, the Task Group agreed that this recommendation be amended as suggested.

The Task Group therefore recommends that:

1. Those who provided comments on the draft final report be thanked and an individual response be provided to each of the comments received.
2. The attached comments and this note be added as an appendix to the Scrutiny review final report.
3. Recommendation 6 of the draft final report be amended to read: *“That the conduct of the five Members of Cabinet involved in taking unconstitutional decisions be referred to the Monitoring Officer for formal consideration as to whether any breach of the members Code of Conduct has taken place.”*

Post Task Group meeting – 20 September 2016

Following the Task Group meeting advice was sought and it was agreed to redact some of the comments made by Dave Pollard in part because of personal information and to avoid compromising any other investigations or procedures. As the Head of Human Resources is mentioned a note from Steve Nugent is also attached for completeness.

Wilkin Chapman has provided comments on the draft Final Report which are attached to this note for the Scrutiny Committee.

Comments from Martin O’Loughlin – Democratic Services Manager

Where did Recommendation 10 come from? There is no reference to Democratic Services in the task groups findings in the report nor any indication that we do not provide proactive advice to Members and Officers nor have we been given the opportunity to justify our position. If we are not in the loop we cannot advise on courses of action.

“10. The role, capability and capacity of the in-house legal and democratic services team and that of Shared Financial Services be reviewed to ensure they provide proactive advice to Members and Officers to ensure compliance with the constitution and governance frameworks.”

I would be grateful if the Scrutiny Committee at their meeting on 20 September 2016 can be made aware of my disappointment at this implied criticism.

Comments from Dave Whelan – Legal Services Manager

As discussed I would like to make some comments on the Scrutiny review of Taxi Licensing and in particular the report of Alison Lowton the external solicitor in this matter.

I appreciate the complexity of the task that Scrutiny faced and I do not wish to add in any way to the burden but there are one or two points I need to make.

I am extremely disappointed that I am identified in para 4.3.5. of the report produced by Ms Lowton. If the intention had been to specifically refer to me like this (in a public document) then I think I ought to have been given the opportunity to put forward my version of events first. That is certainly how I would have proceeded as a solicitor. It is regrettable that I was not given my chance to articulate my position prior to publication.

By way of clarity the only advice I can recall giving Cllr Bennett was in an email in June 2016 – please see attached [reproduced below at email 1]. That email specifically addressed the delegated decision and relevant waiver(s) of CPRs. It very definitely did not provide any general comments of support or approbation for how the review had been carried out. Cllr Bennett might have interpreted it as a general endorsement of everything that happened but the wording of my email clearly does not support such a conclusion.

In terms of the delegated decision that was drawn up – and dealt with - by Martin O'Loughlin a highly experienced Democratic Services Manager.

In terms of the waivers of CPRs I dealt with them. There are some of comments I would like to make here:

- Ordinarily when procuring legal services we go through an organisation called the North West Consortium. This in effect is a collective of north west local authorities. Through this means we access top north west solicitors' firms at preferential rates (sometimes at a reduction in cost of 25 – 30%). If desirable or necessary we can organise a mini procurement competition through this means. However, in this instance I was specifically told by Ian Parker that Mike Nuttall had instructed him not to use a local north west firm. I was told that this was intended to protect the reputation of the licensing officers concerned.
- Hence we found ourselves in a highly unusual situation.
- I was told that Ian had gone through a process to identify Wilkin Chapman involving Paul Hoey Solicitor who was formerly Head of Standards at England. The urgency of the matter was pressed on me.
- Ordinarily of course external legal services are procured by the internal legal team. In this instance we were very kept out of the process. At no stage were we involved in any meetings with Wilkin Chapman.

If interviewed I could have made these comments along with a fuller explanation of what had happened.

Moving away from these issues I also feel I need to comment on Recommendation 6 of the Scrutiny report. The Recommendation currently reads: “The five members of Cabinet involved in taking the unconstitutional decisions be referred to the Council’s Standards Committee.” I would advise a slight change of wording here. It is for the Monitoring Officer in conjunction with the Independent Person who would decide whether a formal investigation into these matters is necessary. This is derived from our hearing and Investigation procedure which in turn is derived from legislative provisions set out in the Localism Act 2011. Hence I would suggest that the wording should be something along the following lines: “That the conduct of the five members of cabinet involved in taking unconstitutional decisions be referred to the Monitoring Officer for formal consideration as to whether any breach of the members Code of Conduct has taken place.” I appreciate the difficulties with our current MO being suspended but whoever is acting in that role can take the matter up.

Email 1 – referred to above

Email from Dave Whelan to Councillor Warren Bennett dated 1 June 2016

From: Whelan, David
Sent: 01 June 2016 12:15
To: 'Warren Bennett'
Cc: Parker, Ian <IParker@southribble.gov.uk>
Subject: RE: Extraordinary Council Meeting

Dear Cllr Bennett

Thank you for your email.

I can confirm that prior to the appointment of Wilkin Chapman Solicitors to carry out an investigation of our licensing service an appropriate delegated decision was made and a waiver of contract procedures rules was granted. This was in accordance with the council’s constitution.

Neither Ian (the Monitoring Officer) nor myself are aware of any complaints that have been made against either you or your colleagues Councillor Caroline Moon and Councillor Michael Green.

If you are concerned with some of the general comments that Councillor Foster made at the Council meeting then that is a matter for you and your colleagues to take up with Cllr Foster if you are so minded.

Kind regards

David Whelan

These notes have been redacted in part because of personal information and to avoid compromising any other investigations or procedures

Dear Scrutiny members,

I write to you seeking right of reply to the Scrutiny Review of Licensing. Although I am not named, I am clearly identified as the male, senior PR officer who resigned earlier this year in **Appendix 1: Final Interview Notes – Steve Nugent**. A professional acquaintance alerted me to these inaccurate slurs on my character and professionalism, and I cannot allow them to go unchallenged.

I only have one day in which to write this response, and have submitted a Freedom of Information request for various files and emails, which I intend to use to compile a more detailed, formal complaint at a later stage. In the meantime, I am taking this opportunity to present the information I do have for consideration alongside Mr Nugent's version of events. Therefore, please forgive any approximations of dates, times and the complexities involved at this stage.

Unfortunately I am unable to attend the scrutiny meeting, but I hope to be able to make it when this goes before full council.

The comments in the appendix to which I refer are as follows:

At the same time, SN's senior PR officer had resigned. He said he resigned in late March and he was working his notice until May. His focus was about leaving rather than being involved in the crisis.

SN never got a full picture of what happened as the PR officer was not well and never really came back into the office. SN couldn't get the detail to WB as he needed his PR officer to do it and he never did. I explained that the criticism was generally that there was a good story to tell and the council had failed to tell it. SN had not heard that.

Firstly, this insinuates that I led on the chaotic PR response to the issue, when in fact I was instructed not to get involved by SN, my line manager. Secondly, it portrays a picture of an unprofessional person who did not take their duties seriously at a time of crisis. I will demonstrate that this was far from the case. Thirdly, I did not go off sick and not return. SN asked me to leave the Civic Centre, and later sent a message through someone else that it would be "inappropriate" to allow me back into the building. I explain the circumstances around this in the enclosed document.

Thank you for the opportunity to exercise my right of reply.

Yours,

Dave Pollard.

15 September 2016.

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Response to Appendix 1: Final Interview Notes – Steve Nugent

By Dave Pollard

Before I begin, I wish to point out that I feel uncomfortable about disclosing the following information in such a way, but I can only be led by the tone and nature of the report to which I am responding, which has already been published to the public. I ask for the same privilege in response.

I first learned of serious concerns about the licensing service from the Monitoring Officer, Ian Parker, in November 2015, which I reported to SN immediately. (I believe this to have been either Monday 9th or the following Monday – I will be able to confirm once I have my emails.) IP told me the names of two licensing officers, and that they were “in big trouble”, and that “this is big – it goes all the way to the top”.

I was naturally shocked and concerned when I learned it involved possible instances of child sexual exploitation, and I asked if it had been reported to the police. He said that it had, and produced a letter from Lancashire Constabulary to confirm this. He said the police considered the matter closed, but he had a duty to pursue it. He did not disclose the exact nature of the allegations or any potential failings on the part of the council to me. He said he was letting me know because he was expecting to talk to the licensing officers about this soon, and they could decide to go public with it.

IP stressed that he was telling me this in confidence, and that I should bring any enquiries about the licensing service straight to him. I asked my team to forward any internal or external enquires or requests about the licensing service to me. I would then deal with them with IP as discussed.

Owing to the potential seriousness of the issue, I approached SN straight away. I showed him a list of questions I had drawn up and worked through with IP.

In such an environment, after making sure that the police were aware of the issues and that I had alerted my manager to them, I felt I had done all I could.

Although I cannot recall exactly when they were at this stage, I comfortably dealt with a couple of “soft” media enquiries from local outlets about the licensing service, by quickly issuing a short statement, together with IP as agreed. Other than that, I had no further involvement in the licensing issue until the story broke in the national news on Monday 18 April, although I was aware a member of my team had attended some meetings about it while I was on holiday from mid-March to early April. I was also aware from what SN had told me in January that the disciplinary aspects of the licensing issues were now taking up a great deal of his time.

By this time SN was well aware that, following the concerns I had first officially raised about the PR service in October 2012, I was frustrated by a lack of support from him, the CEO and the leader in resolving any of them. In the meantime things had got much worse. He knew I felt fundamentally undermined in my role, in a service which was unfit for purpose, in spite of

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the abundance of skill, experience and ambition within the team. It had been affecting my health, which in January 2016 led to my first days off sick in at least three years: three days with a stress-related condition I had last suffered following the death of my dad 15 years previously.

Therefore, on my first day back from holiday, on Tuesday 5th April, I decided to hand in my notice. In it, I said I saw no other option, as my authority and credibility to deliver an effective service had been eroded by broken assurances and lack of senior support for my team, and I would not allow this to continue making me unwell. I signed off by urging SN, as well as the CEO and senior councillors, to show more respect for the knowledge and experience of our remaining PR officers in future.

SN asked me to spend my two-month notice period on handover work, and not to get involved in anything else. He confirmed that the two part-time PR officers would effectively be leading the team, while I was finalising some of my work and training them in the different aspects of my role until I left on 31st May.

It was during these discussions that he said “that thing with licensing could blow up any day”, and that one of my team had been leading on it while I was away, and to leave her to it. I confirmed this with her, telling her that I’d been asked not to get involved, but would be there for help and advice if she felt she needed it.

When a member of my team said she had received an enquiry about the licensing concerns from the Daily Mirror, I approached SN to see if he wanted me to help. He reiterated that I should not be getting involved in anything new.

It was then that SN sent the “keep your own counsel if contacted by journalists” email to all councillors, which led to him being named and quoted as part of an attempted cover-up when the story broke in the media on Monday 18th April. A member of my team came to my office down the corridor as I arrived at work, with a copy of New Day, saying they needed my help and nobody in a senior position was around. I helped man the PR phones, which were already hot, and tried, without success, to contact IP as previously agreed, as well as the leader and the CEO, for their assistance in co-ordinating the council’s response. I was aware SN was on his way in having cancelled a day’s leave, and by the time he arrived the situation was already well out of control.

As SN says in his interview, he is not from a PR background, I tried to reassure him and again offered my help, which this time he accepted, saying “I know I said don’t get involved, but we need you to lead on this Dave, we need your incisiveness”.

I said that, although I appreciated the sentiment, I felt in no position to lead the response, as the horse had already bolted. I had come in completely cold, and in the middle of an intensifying rush of calls from media across the country at all levels. By this time I had also been relocated to an office further down the corridor from the PR team, so had not been party to any of the day-to-day discussions. I said I would do whatever I could to help, including a number of specific tasks, as well as taking on the role of a trusted, internal “critical friend”, to which he agreed.

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To this end I met with SN and the PR officer who had received the initial media enquiry to find out what had gone on and where things were up to. I already thought the PR team had been isolated and left to take the brunt of this on its own, and during this meeting it became immediately clear that the Public Relations service was desperately unsupported and unprepared to deal with the situation.

I was staggered to learn that, although the team told SN the journalist had a copy of the report, only SN had seen it. He had not given any indication to the PR team of the severity of the allegations contained within it, having told them it would be inappropriate for him to share any details with them. He agreed that the PR team should now have a copy, and said he would ask if we could be allowed to have it.

Normal practice when dealing with any media material was to work with the lead officer and councillor, usually the leader or a cabinet member, who would be the quoted, public face of the issue. SN said that he did not know who was leading at officer or member level, as it "was all very confused", but it was ok because we had agreed a short statement, attributed to 'a spokesperson', that we could send to everyone. I reviewed this statement and quickly saw that it would have exacerbated the issue, and urgently reviewed it with SN and the council's legal manager.

During this review meeting, and also while managing dozens of media requests for comment and interviews - and negotiating with camera crews arriving in Gateway - I strongly and repeatedly said that "someone needs to front this up" by coming out and speaking to the media. In the meantime, SN confirmed that the CEO was unavailable to me until 2pm, and I'd had no response to my messages to the leader. I did not see IP that day, and SN instructed me that, although he did not know who the lead officer was, it was definitely not IP.

As per the council's media protocols, I left the leader a final message saying I would contact her deputy to step in if I did not hear back from her by noon. Having heard nothing I contacted the deputy leader who agreed to come to the Civic Centre to help with the media response. I had agreed this approach beforehand with SN, but a short time later, he came into my office to tell me the leader had been on the phone, and he told me to ring the deputy to tell him not to come in. When I asked if this meant the leader was on her way". I did not see or hear from the leader that day.

When I contacted the deputy leader again, he was on his way to the Civic Centre having left work early for the day so he could assist. He said he was appalled by the PR response to this issue so far, and would be demanding a full breakdown of what had happened. I agreed to pass on his comments to SN, which I did.

I first saw the draft report that afternoon when SN handed me a paper copy, shortly before a conference call with the LGA. When I finally got the chance to read it at home that night, I could not believe that such a damning document had existed for so long without anyone making me aware of it, as the person responsible for managing the council's reputation. Neither could I believe that we had missed the opportunity to present a comprehensive list of

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measures the council had put in place since discovering the concerns, which would have greatly reassured a rightly worried public. As the LGA Comms Director had immediately observed on the call that afternoon, “your PR team is working with at least one hand tied behind its back here”.

At some time on the Tuesday morning, the leader rang me to ask me to pass on her thanks to my team for their excellent efforts the previous day, and to wish me luck on leaving the council. Admittedly I was not in a very gracious mood by this point, but I believe I remained measured and professional while firmly outlining the concerns I had about the continuing lack of corporate support for the PR team, which I believed were now being played out over a gravely serious issue, in excruciating fashion, in the national spotlight. I felt it important to speak up then, as the events of the previous day should have made her more receptive than ever to the seriousness of my message. She appeared to agree that this was a watershed moment, and we ended the conversation looking forward to belatedly putting together a comprehensive, transparent PR response. This was the last time I spoke to her.

The PR team continued to mop up and deal with the calls as best we could on the Tuesday, and had a follow-up conference call with the LGA. I advised SN that we had to get the basic building blocks of a PR response in place, which should have been done well before this went public. I listed the people we needed to get around the table to make this happen, including the leader, who had already agreed to this approach with me on the phone, along with the CEO, the monitoring officer and the legal manager, among others. SN said he would arrange the meeting.

He then sent round a diary request for a get-together in one of the larger meeting rooms to take place first thing the following morning, Wednesday 20th April. I anticipated a full turn-out, and was aghast to see that, 10 minutes after the meeting should have started, the only people in the room were members of the PR team. SN then entered and confirmed that we were the only people he had invited.

He then suggested that, as I had been leading on it, I should kick off the session with my thoughts on what had gone wrong with the PR response to the licensing issues, and how we could sort it all out. I said I had explicitly not been leading on it, as SN had directed, and pointed out that, even now, nobody could confirm which officers or councillors we should or should not be dealing with. I advised again that the PR team could do nothing on our own, hence my recommendation to get the right people in the room together in the first place.

I was very frustrated by this point, but held my tongue for the rest of the meeting. At the end of the meeting, noticing I had been unusually quiet, SN prompted me for my thoughts. I filtered out my misgivings about his motives in front of the team, and said that, as long as senior managers and councillors were so obviously failing to fulfil their responsibilities, the PR team was on a hiding to nothing, as usual.

At the end of the meeting, SN called me into his office and said he didn't think I was myself, I probably needed a break and that I should go home for the afternoon. I was grateful for the time to think and left. That afternoon, I rang the deputy leader having earlier been told he'd “had a go at me”, believing he must think I was responsible for his wasted afternoon off work

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on the Monday, and to check what kind of information he was looking for. He advised that he had no problem with me, and that he wanted to see a full breakdown and appraisal from SN, not me. He asked if I was happy with the PR response, and I confirmed that I was not, and that I felt that the PR team had been badly let down by senior managers and councillors, and therefore so had the residents of South Ribble.

I returned to work on Thursday 21st April, and began compiling a file on the events of the last week, pending the scrutiny that was certain to come. Around lunch time, SN put his head around my office door and asked to see me straight away. When I entered his office, he was with the HR officer responsible for health and well-being. He told me that he thought I was showing signs of stress, and that I should take a longer break. I pointed out that I'd been telling him about my signs of stress for two years, and that he had not heeded this.

I told him I found it difficult to believe that this was for my own good. Rather, as I had been thinking in the meeting the day before but not said, I had done the job for seven years, and never got close to being in the news, yet SN was named and quoted in the media as part of a cover-up within days of putting me to one side and saying he was going to "step up". I told SN that I felt he was now trying to "put me back on the hook" to cover his own shortcomings, both in terms of his lack of effective support for PR over the years, which had now come to a head, and for the errors he and others had made over this particular issue.

He instructed me to go home for the rest of the week, and the week after, and not contact anyone from work, especially IP and the deputy leader. This was the last contact I had with SN.

Conscious that there was a lot of training still to do with my team before I left, I contacted the office in the middle of the next week to clarify my status and when I would be going back. I was told by a member of the HR team that I would be getting a letter and to wait for that. I received a letter on the Saturday, dated 28th April, that said I should "continue to work at home until further notice", and that an HR officer would be coming to visit me at home on 2nd May.

During this visit, I advised the two HR officers who attended that I was very dubious about the motivations for keeping me out of the office, and again asked about going back. They said they would check for me. I rang the office the next day, and was told that "SN does not think that would be appropriate with everything that's going on." I then asked about going in to compile a portfolio of my work from the last eight years, collect my belongings and say goodbye to friends and colleagues. The HR officer checked with SN, then rang me back to inform me that none of those things would be appropriate, and I was to continue working from home on a handover document. I then discovered that I had been locked out of all council devices and accounts, including my emails, calendar, the council website and all social media accounts relating to the council.

Back in March, I had already been aware that I had clear grounds for complaints and appeals, but I had elected instead to simply resign, draw a line under the last few years and move on with my life. I maintained this position even when I was made to feel like I had left under a cloud, and even after a police detective was sent to my home, threatening to remove

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all computers and communications devices from our home and gain access to my bank account. This, apparently, was over the suspicion that I had leaked the draft report to “all the media” in return for money. This unexpected threat hung over me until I read, weeks later, in the Lancashire Evening Post, that the police investigation had been ended amid fierce criticism, with no evidence of any wrongdoing found.

SN also says in his interview that someone leaked the report to “all the media”, and this was unexpected. This is a simple misunderstanding on his part, of the way media syndication works. I had explained this to him at the time.

I had voiced concerns to SN as my manager, as well as SMT and Cabinet (through official channels since October 2012) that the PR team was ill-prepared to deal with a crisis, as it was badly prioritised and out of date. I was trying to persuade unwilling decision-makers to take seriously the council’s duty to communicate openly with its communities. This was not because I wished for a crisis to happen, but because I knew what could happen if it did.

I took no pleasure from my concerns coming to pass. Unfortunately this appears only to have aroused suspicion and hostility towards me, as if I somehow wanted or caused this to happen. It leaves me with a sense of injustice and regret, but these I can live with. Continued and unfettered slurs on my character and professionalism I cannot.

Dave Pollard.

15 September 2016.

From: Nugent, Steve
Sent: 20 September 2016 15:08
To: Cllr.MTitherington <cllr.mtitherington@southribble.gov.uk>
Cc: Cranshaw, Darren <DCranshaw@southribble.gov.uk>
Subject: RE: COMPLAINT - D POLLARD

Dear Cllr Titherington

I refer to the email and the attached letter/note from D Pollard, which has been handed to me by Darren Cranshaw, yesterday morning.

I am extremely concerned that this document is to be made available to the public as part of the work of the Scrutiny Task Group – as I understand at tonight's meeting.

There are serious allegations and inaccuracies within it and if made public will cause me, unfairly, untold concerns and anxiety, without me having been able to respond.

Clearly due to equity and natural justice – this cannot be correct.

It will also unfairly damage my professional reputation.

In addition, I have just been notified [at 10.15] today that these documents have now been leaked to the LEP.

There are recognised procedures for dealing with complaints such as this and it is clearly inappropriate to adopt a position whereby a complaint of this nature can be made public at this stage.

I urge you re-consider this situation.

Regards

Steve Nugent
Head of HR

Wilkin Chapman LLP comments on Scrutiny Review of the way in which external licensing investigation was handled by South Ribble Borough Council

Page	Reference / location	Text (or summary)	Wilkin Chapman comment
8	Findings 5 - 7	<p>5. The Council's contract procedure and procurement rules were not followed in the appointment of Wilkin Chapman to carry out the external investigation.</p> <p>6. There is no available record about how the terms of reference for the external Wilkin Chapman investigation were developed and the reasoning for the witnesses who met with Wilkin Chapman.</p>	<p>5. We were unaware of any failure to follow the Council's Contract Procedure Rules. We provided an initial estimate for the conduct of the licensing review and costs updates in the course of the work. In response to a question from us about procurement, Mr Parker informed us by email of 22nd November 2015 that the Deputy Chief Finance Officer, Susan Guinness would complete the necessary steps.</p> <p>6. We set out in paragraph 3.2 of our interim report that the terms of reference were prepared by Ian Parker in consultation with Councillor Bennett, deputising for the Leader of the Council in her absence on holiday. We indicated in paragraph 3.3 of our interim report that the terms of reference were the subject of review by Mr Parker in the light of work conducted and findings reached and might be modified to provide, for example, external peer review of some elements through the Local Government Association.</p> <p>In paragraph 3.4 of our interim report we indicate that we were asked to commence with an initial review of the operation of the licensing function. The interim report was a report of that work. We noted at paragraph 4.6 of the interim report that it contained the outcome of a fact-finding exercise and recommendations based on information so far obtained. It could not be considered a complete report and there were areas of the terms of reference which had yet to be fully investigated. For this reason, it was always intended to be a confidential report to Mr Parker.</p>

		<p>7. The escalation of costs and management of the contract/relationship between the Council and Wilkin Chapman is of concern with no evidence of effective management of costs.</p>	<p>We note at paragraph 7.1 of our interim report that we met with key officers and members to obtain an overview of issues instrumental in triggering Ian Parker's report to Cabinet. Clearly, we needed to meet Mr Parker and his investigator, Brian Thompson. We met with Councillors Bennett, Green and Moon collectively as they were identified to us as having specific concerns as to the licensing operation. We met Gary Barclay and Dawn Highton as they were involved in the internal audit study and report. We met the two licensing staff, their line manager and the relevant strategic director in order to explore and understand operational issues.</p> <p>7. We repeat our comments above at 5, but it was apparent from our work for the Council that there significant tensions between some senior officers and there was a lack of effective communication between them at times. This, together with the addition of additional lines of enquiry and a sudden change of instructing officer from Mr Parker to Mr Nuttall all caused increases in costs.</p>
9.	Finding 10	<p>10. It is difficult to see any justification for commissioning an external investigation into the licensing service considering the outcomes of the internal audit report and that the internal audit findings were being addressed.</p>	<p>We received indications that there had been a lack of engagement with the internal audit review and some resistance to the implementation of its recommendations. This was of concern, however it should be understood that the internal audit report did not consider the handling of the individual taxi licences referred to in our interim report. We note that Mr Barclay advised the Chair of the Governance Committee by email on 13th November 2015 that the internal audit was included in that year's internal audit plan due to the changes that had occurred in the Licensing Service and the review was undertaken in complete ignorance of the issues which had subsequently emerged.</p>

			It was therefore unlikely that the issues identified in Mr Parker's report would be fully addressed by relying solely on the implementation of the internal audit findings.
9.	Finding 16.	16. Members should not have been involved in commissioning Wilkin Chapman to work on the disciplinarys.	<p>Our instructions were initially from Mr Parker, though he informed us on 7th January 2016 that he had met the Chief Executive and Steve Nugent (Director of HR) who had agreed on the need for disciplinary investigations to take place.</p> <p>On 8th January, Mr Nugent informed us that whilst the Council had never used an external investigating office before, we had already worked on the issues and going elsewhere would incur delay. We consider that we formed an effective working relationship with Mr Nugent who became the de facto instructing officer for the disciplinary investigation.</p> <p>We did receive some enquiries concerning the disciplinary work from some members but declined to respond to these in substantive terms. It was only when issues arose with the DVSA Individual Vehicle Approval (IVA) of vehicles used for school transport contracts that we formed the view that it was necessary for the Council at a corporate level to be informed about and share information from the review and disciplinary areas of work. As we were not able at that point to involve the Chief Executive or the Leader, we asked Mr Parker to arrange for us to brief the then Deputy Leader, Councillor Bennett with Mr Parker and Mr Nugent present.</p>
9.	Finding 20	20. Whilst the review was not able to investigate the disciplinary process due to ongoing proceedings, the Task Group is surprised the disciplinary processes are not complete after 9 months. It is important that any lessons are learned on the way the disciplinary has been handled.	We have reviewed key dates in relation to our involvement in the disciplinary investigation and are satisfied that we conducted our work without delay at all stages.

AL p5	Para 4.3.6	Terms of reference for licensing investigation. List of witnesses.	See comment on Finding 7 above. Mr Gaffney was not contactable until very near to the meetings as he was on leave.
AL p8	Para 4.7.3	Steve Nugent had to work with an investigator he did not know based in Grimsby.	As stated above, we were able to form an effective working relationship with Mr Nugent. Our location was not a factor in the effectiveness of that relationship.
AL p9	Para 4.8.1	Concerns about differences between the final and interim report from Wilkin Chapman	The focus of the interim and final reports was entirely different. The interim report was to provide a rapid assessment of issues in the Licensing Section. The final report had a strategic focus and was to provide an assessment of measures taken by the Council to address those issues. Detailed operational issues are identified in the disciplinary reports and hence not highlighted in the final report to the same level of detail.