

### Chair's Introduction

I'd like to start by thanking members of the committee for their work this year. It has been in many ways a year of transition for the committee as a new administration, new members and new officers brought their different perspectives to bear. It has been good to see how quickly new members have been able to make an effective contribution to the whole scrutiny process. I am also particularly pleased to hear feedback from new and long serving members of the committee about the value they place on our non-partisan approach. As Chair I firmly believe that every member of the committee has something to contribute and that by working together, we have the best chance of achieving the right outcome for our residents.

Key concerns for the committee over the last two years have been our workload and our ability to effectively scrutinise the finance agenda.

With the support and guidance of officers we have been able to adopt some different ways of working which have helped us to keep the agendas tight and the meetings focussed. We have also taken a more proactive approach to setting our agenda by starting to focus on key areas like significant contracts and key council projects. This will help us to get ahead of the curve and add more value to cabinet and officers in future policy making. We also hope that it will bring a greater focus on our residents' voices.

In terms of finance, we have begun to receive some of the training that we have been asking for. In particular, the recent training on Treasury Management was well received (if poorly attended) and being conducted shortly prior to the report being reviewed ensured that the level of debate and scrutiny was enhanced. This has also meant delaying certain items, like the HRA report, until I am satisfied that we have the tools to scrutinise it effectively.

Of ongoing concern is absenteeism from some members of the committee. We have an important job to do, and it is therefore disappointing that there have been many occasions when we haven't had a full complement of members. It is worth reminding all councillors that their duties go beyond simply attending council meetings and that there is an important role to be played in committees and the preparation involved in them.

Finally, I would think like to thank officers for their support throughout the year. Without their hard work, occasional prompting and guidance the committee wouldn't be able to run as effectively as it does. In particular, I'd like to thank Lesley Dury who will be retiring from Warwick District Council this year. She has been an ever present over my time as chair of the committee and her support has been invaluable in keeping us organised and on-track. We wish her all the best for her retirement.

Councillor Andrew Milton  
Chair, Overview & Scrutiny Committee

## **Items considered by Overview & Scrutiny Committee 2023/24**

### **Overview & Scrutiny Committee Work Programme Items**

2023:

- Appointment of Chair
- Future High Streets Fund Update
- Appointments to the Budget Review Group
- Appointment of the Children's and Adults' Safeguarding Champion#
- Learning and Action Plan – Procurement
- Climate Change Action Programme Update
- Scrutiny Arrangements
- Planning Enforcement Update
- Carbon Emissions Data and Climate Change Measures
- Corporate Strategy
- Waste Contract Review
- "No Mow May" Review
- Appointment of Vice Chair
- HEART

2024:

- Waste Enforcement Update
- Waste Contract Update
- Setting out what the Committee wishes to see in future reports to it on:
  - Homelessness
  - Leisure Services Contract
  - General housing repairs & voids
- Development of the Overview & Scrutiny Committee and Work Programme
- End of Term Report
- Reports scheduled to be sent to all District Councillors for comment during April:
  - Children's and Adults Safeguarding Champions: End of Term Briefing Note
  - Annual Outside Bodies and Champions' Statements and Review
  - Review on the Identification and Remediation of Damp and Mould in Council Homes
  - Noise Nuisance Investigations

Routine Items:

Review of the Work Programme, Forward Plan and Comments from Cabinet

## **Cabinet / Joint Cabinet reports scrutinised by the Committee and the Budget Review Group:**

*(Where Overview & Scrutiny Committee (O&S) has made a recommendation(s) to Cabinet on reports being considered at Cabinet, Cabinet's decision to approve or refuse that recommendation is detailed below.)*

### **O&S meeting 4 July 2023:**

#### Use of Delegated Powers for Urgent Decisions

This report was not called-in for scrutiny because the report referred to decisions that had already been made. However, it was felt that the process and timing in the use of these powers should be examined; it was noted that these decisions referred to in the report had been made during the pre-election period and some had involved sizeable sums of money.

#### Recommendation to Cabinet:

As part of the review of scrutiny arrangements that had already been agreed, a review should be carried out on the use of delegated powers and whether there is a way to provide more scrutiny of these decisions.

#### Cabinet response:

The recommendation from Overview & Scrutiny Committee was approved.

#### Milverton Homes Limited Governance Audit:

The Committee noted the comments from the Portfolio Holder for Housing which clarified that Recommendation 3 in the report was a recommendation to Council, and the following amendment to recommendation 4:

"Approves the Terms of Reference for the Shareholder Representative Board at the Appendix 1 **and asks Council to annex it to the Constitution**".

The Committee also noted comments that the Terms of Reference should be less specific and refer instead to any relevant risks or issues linked with any Joint Venture project referred to the Board by the Cabinet.

#### Recommendation to Cabinet:

Officers should review the effectiveness on governance arrangements with the Monitoring Officer chairing Board meetings and also being the Shareholder Representative. It asked for the review to examine whether alternative options should be pursued.

#### Cabinet response:

The recommendation from the Overview & Scrutiny Committee as revised by the addendum were approved.

#### Milverton Homes Business Plan Revision: (Confidential Report)

See Appendix B

## Customer Service Relocation Options

The Committee expressed concerns about the increase in costs from those that were initially stated. The Committee requested that costs were kept closely under control for the duration of the project and reduced if possible and provided value for money. The Committee requested that further effort should be made in respect of the plans for the Pump Rooms Shop to ensure that the service provided to residents continued.

### **O&S meeting 20 July 2023:**

#### Call-in of Cabinet Decision 5 July 2023 – Customer Services Relocation Options

**Resolved** that:

- (1) the item be referred to Council for further debate so that all Members can be given the opportunity to ask questions and fully understand the implications, and to provide the Council with assurance that it is providing a viable option.

The Committee asks for pertinent information, such as a breakdown of customer attendance at Riverside House reception, plans for rooms at the Town Hall, an update on shop location (confidentially if needed), timescales for the overall project to be circulated ahead of Council by way of an addendum.

The Committee notes that the move of the Customers Services team is not done in isolation, but it is part of a wider picture, with the plan to move the Council offices out of Riverside House and the developments planned for the Town Hall. As such, the Committee asks that the relevant information from these different projects is brought forward ahead of the Council meeting.

The Committee also requested further details on what other options were considered as potential for relocating the Customer Services and reasons why these were discounted.

The Overview & Scrutiny Committee asks that the issue of relocating the Pump Rooms shop should be considered by Council, asking that any confidential information be sent in advance to all Members, to inform the debate at Council, which should be carried in public session as much as possible, for the purpose of transparency and accountability; and

- (2) a briefing be arranged for Members advising what Council services are moving where and when.

Council response:

That in respect of the resolutions made by Cabinet on the Customer Services Relocations Options, the Council resolved to take no action. (This meant that the decision could be implemented the next working day.)

### **O&S meeting 8 August 2023:**

#### Q1 Budget Update 2023/24

The Committee thanked officers for their work on the report.

It requested that in future budget setting, more visibility about the range of inflation rates used on the assumptions made was provided. Movement in the Council's

Reserve funds should also be highlighted and an historical context to this should be provided to show the trend in movement.

The Committee was keen to see the use of more visual or graphical presentation in the report which would make the report aid easier understanding of the figures.

The Committee was concerned about the adverse position in relation to the waste contract. It will be asking that the next report it receives on its Work Programme relating to the waste and recycling contract (in October) included a review of the finance considerations and would be asking that Finance provided support to the officer who would be writing the report. The level of reporting required should also be addressed in the report following on from conversations between the Chair and the Head of Finance.

### Review of Significant Business Risk Register

The Committee thanked officers for their work on the report.

#### Recommendation to Cabinet:

With the evolution of the new Corporate Strategy the Committee recommended to Cabinet that it should take the opportunity to re-examine the whole framework for reviewing and managing risk and assurance. This should include the structure of the Risk Register with a view to ensure that it was focussed on informing actions that the Council could take and risk ratings which were meaningful. Assurance was required to show that the process of management of risk was effective, and this should be reflected in the reporting.

#### Cabinet response:

The recommendation from Overview & Scrutiny Committee was approved.

### Resident Engagement Strategy

The Committee did not scrutinise this report at the meeting, but the Chair had liaised with the Head of Housing on the recommendation to Cabinet he would propose to the Committee.

#### Recommendation to Cabinet:

To strengthen the Resident Engagement Strategy The Committee recommended to Cabinet that:

- (1) Cabinet asked the Portfolio Holder to define key measures of success and metrics that could be used to determine the impact of the strategy and the effective use of Council resources; and
- (2) Cabinet asked the Head of Housing to agree appropriate measures of success with tenants to understand the level of impact on their needs.

These measures should be made available on the Council's Dashboard.

#### Cabinet response:

The recommendations in the report were approved, along with the following additional recommendation:

"that Cabinet asks the Portfolio Holder and Head of Housing to agree appropriate measures of success with tenants to understand the level of impact on their needs.

These measures should be reported by way of an annual report to tenants and on the Council's Dashboard".

### Identification and Remediation of Damp and Mould in Council Homes

This report to Cabinet had not been called-in for scrutiny. The Chair had considered this report with others and the conclusion that had been reached was that there was nothing that the Committee could usefully add to the recommendations currently. It was agreed that a report would be added to the Committee's Work Programme six months' following implementation. The Committee would require a review on what was happening with the policy, was it being put into action and the impact it had made.

### **O&S meeting 19 September 2023:**

#### Policy & Budgetary Framework Procedure Rules

The Committee held a good discussion on a draft Corporate Strategy for this Council.

The Committee considered that the Corporate Strategy report (in its draft stage) was difficult to scrutinise as a "Strategy" document because the document did not have either the structure or framework to understand the direction the Council wished to take, and whether the areas of focus listed in the report would help to achieve that. It made the following points that it wished Cabinet to bring more detail to in the Corporate Strategy:

1. The Committee encouraged Cabinet to "be brave" in setting out what it wished to achieve, particularly around climate ambitions.
2. There was a need for "smart objectives" showing what the Council intended to do, building on what it had already achieved in respect to its aims and there should be an indication of a timeframe.
3. The strategy should focus more on people and the different segments of people living or coming into the District such as new communities, visitors to the District, people who work in the District. It should seek to be "People first".
4. A more wholistic view on finances should be taken, not just the profit and loss but also the balance sheet.

The Committee suggested that how the Council intended to support new communities, local enterprise and town centre regeneration should be added to the Strategy.

Parish Councils should be added to the list of consultees.

#### Kenilworth Wardens

The Committee held a good discussion on the project reflecting on the fact that it had taken a considerable amount of time to reach this stage and noting the complexity of the project.

#### Recommendation to Cabinet:

The Committee recommended to Cabinet that as well as reviewing the financial case, that a best practice audit of governance of the club including confidence in the continuity of its management be carried out by officers. This should include how it

planned to engage new communities and new members into the club to ensure its continued running.

Cabinet response:

The recommendation from Overview & Scrutiny Committee was approved.

#### Earmarked Reserves

The Committee remarked on the late publication of the report which did not provide adequate time for proper scrutiny. The Committee would have preferred more time to undertake better scrutiny.

#### **O&S meeting 31 October 2023:**

##### Abbey Fields Swimming Pools Project

Recommendation to Cabinet:

The Committee supported the recommendations in the report with the following caveats and conditions which formed a recommendation to Cabinet:

1. the project undertook a review on the assurance of the environmental energy reduction measures;
2. an independent review of the costs was carried out; and
3. Cabinet should be provided with a full briefing on the previous site analysis that had been done so that they could be properly informed when making their decision.

Cabinet response:

The recommendation from Overview & Scrutiny Committee was approved.

##### Local Government Association Corporate Challenge Report and Action Plan

The Committee thanked Officers and the Peer Review Team for the work undertaken and welcomed their feedback and recommendations.

The Committee noted the importance of financial awareness for all Members and clarity on the Council's real financial position. It emphasised the importance of data in terms of managing and measuring performance of services to residents.

The Committee, as part of its remit, would be taking a role in shaping the performance data in a positive and constructive way (Appendix 2 to the report – Peer Review Action Plan, recommendation 6).

##### Corporate Strategy

The Committee had scrutinised the draft Corporate Strategy at length previously, so further scrutiny was not considered necessary. The Chair had liaised with the Leader of the Council and had informed him that he would be asking Members if they had any further comments to pass to Cabinet.

The Committee was pleased to note how performance would be measured was defined in the Strategy but looked forward to receiving the actual targets and key performance indicators (KPI's). The Committee requested more clarity on the review process because the "who, what, when and how" was unclear.

## **Budget Review Group meeting 1 November 2023**

### Fees and Charges

The Budget Review Group had concerns about the increase in fees at the crematorium but were satisfied by the rationale behind the decision provided by officers.

The Group wished to draw Cabinet's attention to the following points regarding car parking charges:

1. The connection between car parking fees and other priorities such as the town centre economy and the climate emergency should be recognised. The Council's ambition to encourage net zero carbon methods of transportation should be reflected in the parking charges strategy. To understand the impacts of these connections better and define a way forward in achieving the Council's goals, the Group encourages officers to test hypotheses and pursue different avenues to find potential solutions;
2. the importance of having an aligned strategy with Warwickshire County Council in relation to transportation and car parking charges should be highlighted;
3. in future, the consultation for car parking charges should be widened to include all Town and Parish Councils and interested organisations such as the Chambers of Trade and Commerce for Leamington, Kenilworth, and Warwick; and
4. a review into car parking charges of all car parks linked to leisure facilities would be welcomed to ensure that they are fair and equitable across the District.

The Group welcomed the increase in charges for filming on Council land.

The Group wished to draw Cabinet's attention to the circa £170,000 of opportunity that had not been taken which could have been available had the projections of the last Medium Term Financial Strategy been followed.

## **O&S meeting 14 November 2023:**

### Future High Streets Fund Update

The Committee supported the recommendations in the report.

It stressed the importance of pursuing a balanced eco system and offers that complimented each other through the Future High Streets Fund.

### Asset Compliance Committee & Resources

The Committee supported the recommendations in the report and thanked Officers for their hard work.

Recommendation to Cabinet:

The Committee recommended to Cabinet that:

1. an appraisal report explaining how the situation the Council now found itself in and how this arose was prepared before the end of the year and should be presented to the Committee at the first opportunity; and
2. a more detailed Action Plan was progressed as soon as possible.



Members expressed some concern about deliverability of the work required and the potential impact on other services. The Committee had requested that a report was provided to it in the New Year to understand how the work would be effectively resourced and how the impact of this would be managed across the Council and its assets.

Cabinet response:

The recommendations in the report were approved. The recommendation from the Overview & Scrutiny Committee was amended slightly before approval:

- (1) an appraisal report explaining how the situation the Council now finds itself in arose is prepared *at the first reasonable opportunity* and should be presented to Overview & Scrutiny Committee at the *earliest* opportunity; and
- (2) a more detailed Action Plan is progressed as soon as possible.

#### Participation in the West Midlands Investment Zone

The Committee supported the recommendations in the report and thanked Officers for their work on the report and also for ensuring that what was a complex matter was explained in understandable terms.

The Committee recognised the potential benefits to the District as a whole and its residents. The necessity of a no detriment provision on an ongoing basis throughout the lifetime of this arrangement was clearly understood and supported.

#### **O&S meeting scheduled for 20 November 2023, but then cancelled:**

##### Revisions to the timetable for preparing the South Warwickshire Local Plan

The Overview & Scrutiny Committee noted the recommendations in the report and thanked officers for their work.

The Committee requested that a briefing on the background for all councillors is provided early next year, explaining the stage the Plan has reached and what future steps were planned.

*(The Chair used his discretion to cancel the additional meeting of the Committee 20 November because only one Councillor raised questions on the report and these did not meet the criteria for a call in because they did not relate to the substance of the paper.)*

#### **O&S meeting 5 December 2023:**

##### Renewal of Microsoft Enterprise Agreement

The Committee raised concern about the lack of detail provided in the report, particularly around the areas of risk and alternative options, cyber security and protection of residents' personal data. The Committee asked Cabinet that a review should be done, to look at the breakdown in the process leading to the current situation, and lessons to be learnt from it.

##### Q2 Budget Update 2023/24

The Committee noted the report and thanked officers for their work on it, especially for including the summary of reserves. The Committee asked that in the future, more work should be done on how the Council monitored its budgets on an ongoing basis, so that there was a lesser discrepancy between projections and the actuals.

The Committee asked for an update from the Portfolio Holder in relation to the underspent capital budget for disabled playground facilities, and what the plan for spending this budget was. The Committee asked for future reports to bring forward comments in the situations of underspend.

Associated Costs for the Purchase of 24 Dwellings at the Europa Way, Warwick (Confidential Report)

The Committee noted the report and supported the recommendations within it.

**Budget Review Group meeting 7 February 2024:**

General Fund Revenue and Capital Budget 2024/25

The Group thanked officers for their hard work in putting together the report.

The Group explored the Medium-Term Financial Strategy and the impact on reserves. They were keen to see the upcoming change management strategy and the assumptions underpinning it.

Members requested that communications material be made available detailing all of the grants that the Council had access to, and information be provided so that residents could see what was being delivered with those grant funds.

Housing Revenue Account (HRA) Budget 2024/25 (including Housing Rent Setting)

The Group acknowledged the need for greater general awareness of the details of the Housing Revenue Account across the Council and requested that a briefing be organised to ensure Councillors' full understanding.

They noted the report and awaited answers to the questions asked about the Council's social rent rates in comparison to other Council's across Warwickshire.

**O&S meeting 5 March 2024:**

Treasury Management Strategy 2024/24

The Overview & Scrutiny Committee thanked officers for their hard work bringing the detailed and thorough report forward. The Committee was reassured by explanations around sensitivity analysis and the impact on Milverton Homes.

The Committee welcomed the initiative to bring forward more information on Treasury Management and affordability when decisions were being made on capital expenditure. It was pleased that the Portfolio Holder, Councillor Chilvers was keen to explore the initiative to set clear parameters to enable councillors to be confident in future borrowing decisions.

Change Programme – Case for Change

The Overview & Scrutiny Committee was keen to see that Customer Services were baselined and tracked to ensure that these reflected the commitment made in the Corporate Strategy to improve Council services.

The Committee requested a specific update on Change Programme progress following the Programme Board meeting scheduled in June.

Recommendation to Cabinet:

That all Members received regular communications from the Members Advisory Group detailing the outcomes, outputs and actions.

Cabinet response:

The recommendation from Overview & Scrutiny Committee was approved.

#### Q3 Budget Update 2023/24

The Overview & Scrutiny Committee thanked officers for the detailed and comprehensible report. The Committee supported the Finance Team's strategy to work with budget managers to improve budget management to smooth volatility and reduce peaks. This would result in a more measured view of what was going on.

#### Housing Revenue Account Business Plan Review 2024

The Overview & Scrutiny Committee did not scrutinise this report at the meeting but made comments to Cabinet.

Members were keen to see maximum attendance at training sessions so asked that these, where possible, avoided holiday periods. However, to mitigate for this, the Committee requested that training sessions should be recorded (whilst also appreciating that external trainers might not be open to this request).

The Committee also requested that when HRA reports were to be considered in future, this should always be accompanied by a briefing to Members in advance.

The committee intends to add this report to the Overview & Scrutiny workplan in line with dates for further training.

#### Annual Governance Statement 2022/23

The Overview & Scrutiny Committee did not scrutinise this report at the meeting but made comments to Cabinet.

The Committee expressed concern about the lateness in signing off the AGS which the Head of Finance explained was linked to the delay in signing off the Council's Statement of Account and he explained how this would be overcome in the future with a backstop date being agreed.

The Committee requested that the AGS should be produced sooner in order to support a strong focus on governance.

#### **O&S meeting 9 April 2024:**

##### Park Exercise Permit

The Overview & Scrutiny Committee did not scrutinise this report at the meeting because a report on the subject shortly before the scheme was introduced had been considered by the Committee. Following consideration of that report, the Committee had requested a follow-on report after the scheme had been in operation for a while to check that the permits were operating in the way intended and then to discuss if the scheme should continue. The follow-on report was never forthcoming because various issues arose which stymied the operation of the scheme in the way intended to produce measurable results.

The recommendations in the report to Cabinet did not include an option on whether to proceed or not with the scheme but was purely to determine if the terms and conditions of the scheme should be changed.

The Committee requested that a report should be produced after the summer period on how the scheme was performing along with some data, including data on how much of officers' time was being spent with the implementation and governance of the scheme.

#### Revisions to fees for markets in 2024

The Overview & Scrutiny Committee did not scrutinise this report at the meeting but made comments to Cabinet.

The Committee requested that when in the future these same types of recommendations are made, more evidential data backing up the proposals being made should be provided; if fees are to be reduced then there should be options provided to mitigate or alternative plans that help to overcome some of the challenges being faced.

The Committee raised a concern that footfall numbers were reducing but there were no plans to reduce the fees. Markets were an important part of communities and the economy in towns.

Members of the Committee wish to remind Cabinet that these assumptions are built into our budget for the year and therefore making changes after the budget has been set could be problematic.

#### Joint Waste Contract – Customer Services

The Overview & Scrutiny Committee did not scrutinise this report at the meeting because it had very recently considered a report on the subject under its own Work Programme and it is one of the Council's contracts the Committee has chosen to scrutinise.

The Committee thanked officers for their work in bringing that report to it proactively. The Committee welcomed the recommendations in the report to Cabinet.

#### Milverton Homes Ltd Business Plan Revision

The Overview & Scrutiny Committee held good discussions supported by officers and would like to further explore Milverton Homes. The Committee is intending to set up a specific meeting to coincide with the time when Milverton Homes will hold its AGM (November). This will allow Members to better understand the assumptions going into the business plan and the mechanisms for running the business over the next 12 months.

The Committee asked that more attention should be placed on the way words and language could be interpreted in reports. The use of "no liability" stated in the report at paragraph 10.1 should more accurately have made plain that the Council was taking measures to mitigate the liability, so the statement "no liability" was technically incorrect. The word "constrained" at paragraph 1.1.4 was also problematic because it did not explain why this was and that the arrangements being used were perfectly valid and used in other Authorities.