

Overview & Scrutiny Committee Tuesday 31 October 2023

A meeting of the above Committee will be held in Shire Hall, Market Place, Warwick on Tuesday 31 October 2023, at 6.00pm.

Councillor Milton (Chair)

Councillor D Armstrong

Councillor M Luckhurst

Councillor A Barton

Councillor J Payne

Councillor D Browne

Councillor P Redford

Councillor M Collins

Councillor D Russell

Councillor A Day

Councillor JP Sullivan

Councillor D Harrison

Emergency Procedure

At the commencement of the meeting, the emergency procedure for Shire Hall will be announced.

Agenda

1. Apologies & Substitutes

- (a) to receive apologies for absence from any Councillor who is unable to attend; and
- (b) to receive the name of any Councillor who is to act as a substitute, notice of which has been given to the Chief Executive, together with the name of the Councillor for whom they are acting.

2. Declarations of Interest

Members to declare the existence and nature of interests in items on the agenda in accordance with the adopted Code of Conduct.

Declarations should be disclosed during this item. However, the existence and nature of any interest that subsequently becomes apparent during the course of the meeting must be disclosed immediately. If the interest is not registered, Members must notify the Monitoring Officer of the interest within 28 days.

Members are also reminded of the need to declare predetermination on any matter.

If Members are unsure about whether or not they have an interest, or about its nature, they are strongly advised to seek advice from officers prior to the meeting.

3. Minutes

To confirm the minutes of the meeting held on 19 September 2023. **(To follow)**

4. **Work Programme, Forward Plan & Comments from Cabinet & Council**

To consider a report from Governance.

(Pages 1 to 19)

5. **Carbon Emissions Data and Climate Change Measures**

To consider a report from the Programme Director for Climate Change.

(Pages 1 to 15)

6. **Cabinet Agenda (Non-Confidential Items and Reports) – Thursday 2 November 2023**

To consider the non-confidential items on the Cabinet agenda which fall within the remit of this Committee. The only items to be considered are those which Committee Services have received notice of by 9.00am on the morning after Group meetings.

(Circulated Separately)

7. **Public & Press**

To consider resolving that under Section 100A of the Local Government Act 1972 that the public and press be excluded from the meeting for the following items by reason of the likely disclosure of exempt information within the paragraphs of Schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006.

8. **Cabinet Agenda (Confidential Items and Reports) – Thursday 2 November 2023**

To consider the confidential items on the Cabinet agenda which fall within the remit of this Committee. The only items to be considered are those which Committee Services have received notice of by 9.00am on the morning after Group meetings.

**(Circulated separately)
(Not for publication)**

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Overview and Scrutiny Committee

Minutes of the meeting held on Tuesday 19 September 2023 in the Town Hall, Royal Leamington Spa at 6.00pm.

Present: Councillor Milton (Chair); Councillors Armstrong, Browne, Collins, Day, R Dickson, D Harrison, Luckhurst, Payne and Redford.

Also Present: Councillor Chilvers – Portfolio Holder for Resources and Councillor Davison – Leader of the Council.

30. **Apologies and Substitutes**

- (a) An apology for absence was received from Councillor Barton.
- (b) Councillor Dickson substituted for Councillor Russell.

31. **Declarations of Interest**

Minute number 35 – Item 10 on the Cabinet agenda – Kenilworth Wardens

The Chair asked that just a note was made of the fact that all Wards in Kenilworth would be impacted in respect of the Kenilworth Wardens report on the Cabinet agenda.

Councillor Dickson declared an interest when this report was being discussed because he was a Member of the Planning Committee, and he pointed out that the questions he had asked were not planning matters.

32. **Minutes**

The minutes of the Overview and Scrutiny Committee meeting held on 8 August 2023 were taken as read and signed by the Chair as a correct record.

33. **Planning Enforcement Update**

The Committee considered a report from Place, Arts and Economy which provided a further update on the recovery of the Council's Planning Enforcement Service and the relayed ongoing actions to maintain and improve efficiency and effectiveness.

Over recent years, the Planning Enforcement team had experienced significant issues with long term sickness, vacant posts (including the Team Manager role) and poor response levels to recruitment resulting in an under resourced team over much of that period.

At its worst, the situation contributed to an enforcement caseload of 434 cases of which 275 were awaiting investigation. This in turn led to a low level of customer satisfaction and increased numbers of service complaints.

Subsequent to the previous update to the Committee in early March 2023, the Enforcement Manager post had been filled on an agency basis and two key members of staff had returned from long term sickness.

At the time of the March update, the team were continuing to work proactively to investigate cases in the most effective manner and to move towards a position where an increasing amount of time was spent on addressing the most harmful cases rather than simply administering the backlog of work.

At that point, the overall enforcement caseload had reduced to 171 cases of which 27 were awaiting investigation, as compared to the update given in September 2022, when there were 225 cases of which 114 were awaiting investigation.

Subsequent to the March 2023 update, a new Senior Enforcement Officer post had been created and filled and a part-time Enforcement Officer post had now become full time and would shortly be filled.

At paragraph 1.14 in the report, a table showed the progress made in reducing the backlog of work from March 2022 through to September 2023. A table at paragraph 1.15 in the report showed that the number of notices issued had increased over a similar time period.

The report painted a positive picture for progress looking ahead, with the Council's Enforcement team now in a stronger position to work more effectively to investigate and where appropriate, address alleged breaches of planning control.

The Enforcement team was currently receiving in the order of 250-300 requests for enforcement investigations annually and it was anticipated that this increased capacity would offer an opportunity for officer to focus more effectively on those harmful and sometimes more complex cases requiring their attention whilst also efficiently completing those investigations which did not merit further action. It was anticipated that the timescales for completing investigations would now start to reduce because of the increased capacity within the team and the reduced workload level.

Most Council Enforcement teams operated on an entirely responsive basis, but there was now increased opportunities for the team to work more proactively in addressing issues and publicising outcomes including within the public domain where appropriate. This was intended to increase the public profile of the work of the team and also act as a deterrent in reducing instances of breaches of planning control.

Prior to the meeting, the Development Manager had circulated an email to Members of the Committee giving a short summary of the Planning Enforcement function (see Appendix 1 to these minutes). This email explained that Planning Enforcement was a discretionary function of the Local Planning Authority (LPA), and it was not compulsory for the LPA to act against a breach of planning control. The email explained in broad terms what the Council did in respect of planning enforcement. Members suggested that all District Councillors should have a broad understanding of the process because they were often the first port of call for residents

with issues. It was also suggested that this knowledge would be useful to Town and Parish Councils and that the Council should promote the good progress it had made with planning matters. The Enforcement Manager undertook to include a section in Member training on the enforceability of planning conditions; this arose from a question from a Member of Planning Committee who explained that Planning Committee Members were often advised that conditions the Committee wished to impose could not be because they were not enforceable.

In response to questions from Members, the Development Manager and the Enforcement Manager explained that:

- The Enforcement team did have an officer who dealt with enforcement issues on major sites. Major sites and complex developments had to be dealt with promptly because contraventions if not dealt with quickly would be on a much larger scale. The Enforcement Manager was confident that the team were improving response levels on these applications. Members were asked to notify the team if they became aware of problems.
- It would help the team when there were numerous complaints about the same site, if there could be a single point of contact rather than complaints coming in from numerous sources, each of which had to be acknowledged.
- The Enforcement Manager advised that when Members became aware of serious issues, they should contact him directly via email on his email address and he would then allocate it immediately to a member of his team if he had determined that it was high priority. Members would be informed if his conclusion was that the matter was not high priority.
- Section 215 maintenance notice (Town and Country Planning Act) – this could be used for untidy land. The Council would assess whether the land was untidy enough to justify a prosecution or it was not serious enough. The assessment was a judgement call of the Enforcement Officer on whether a warning letter would be sufficient; there was Government guidance on Section 215 and how the notices had to be served. After a warning letter was sent out, an officer would try to meet the individual concerned and this might give rise to extenuating circumstance such as the landowner might be elderly or infirm. These extenuating circumstances had to be considered before proceeding down the legal route. The Council was seeking solutions to dealing with 215's more efficiently.
- In respect of Enforcement notices, it became a criminal offence when the recipient of the notice was in breach of its obligations. If the Council was confident in the case to issue an Enforcement Notice, then it would be more likely to prosecute any breaches but there were times when this did not occur if the Council was content that most of the conditions of the Notice had been complied with and those left outstanding were not deemed serious enough.

The Chair thanked the officers for the report and for the progress made in improving Enforcement and requested that this be relayed to the whole team.

Officers were asked to ensure that the lessons that the Committee had learnt from the report and the progress made in enforcement matters and

from the email circulated beforehand was communicated to all District Councillors and to Town and Parish Councils.

It was agreed that a further update in six months' time was not required, and it could be removed from the Committee's Work Programme.

34. **Corporate Strategy**

The Committee considered a report from Governance which formally informed the Committee of the draft strategic goals of the Cabinet and sought its comments on them, in line with the proposed timetable set out at paragraph 1.2 in the report, with the intention for the final new Strategy to be considered by Cabinet on 2 November, and for a recommendation from Cabinet to be considered by Council on 15 November.

The draft strategic goals were set out in Appendix 2 to the report, with the partners listed at Appendix 3. Appendix 1 to the report was an excerpt from the Council's Constitution on "Budget or Policy Framework Procedure Rules".

The finalised Corporate Strategy would set out the Council's corporate aims and ambitions for the next seven years, 2023 – 2030. It would underpin every project and initiative developed and implemented by the Council's Service Areas that set out how to deliver services over the next seven years.

Under the Constitution, the Cabinet were providing the Overview & Scrutiny Committee the draft Strategic Goals (Appendix 2 to the report). These were provided, in line with the Policy & Budgetary Framework Procedure Rules. Overview & Scrutiny Committee was asked to note the separate report on the Cabinet agenda where the Cabinet was seeking an exemption to these rules in order to bring forward the Corporate Strategy at the earliest possible opportunity.

The draft strategic goals were currently out for comment from the organisations listed at Appendix 3 to the report. However, the constitution allowed for the Overview & Scrutiny Committee to undertake further consultation if it so wished, so long as this did not duplicate the consultation by the Cabinet, and it was within the timescale that had been set.

The Chair gave the Committee some context to the report with what it should be considering. The report before the Members was written specifically for the Committee but the matter would also be considered by Cabinet the following evening when it considered a report written for it "Policy & Budgetary Framework Procedure Rules". The Chair advised Members that they would need to:

- advise if there were any other partners that should be consulted in addition to those listed in Appendix 3 in the Corporate Strategy report; and
- give guidance to the Chair if there were comments or recommendations they wished raised on the Committee's behalf at Cabinet the following evening.

Councillor Davison, Leader of the Council, explained that when the two political groups agreed to work together and formed a Cabinet, the parties then worked together to form a plan of what they wished to achieve and from that, the key aims to achieve. Once the Portfolio Holders had been in post for a while, they were each asked what their top two priorities in their time were. Cabinet and Senior Officers then reviewed this to produce the draft list (Appendix 2 to the report) for the Corporate Strategy. This was then circulated via Group Leaders to all Councillors mid-August. At this stage, it was a "skeleton" strategy and was not yet in the format that the final document would take and there was still much additional content to add. Cabinet had considered that it was better to produce something now than wait until there was time to include all sections and indicators that would be included in the final document. The Chief Executive explained that the same information had been circulated to staff and feedback had been received. A Managers' Forum would take place in the following week to discuss the feedback from staff and to discuss the "Vision / Values". This would help shape the final document anticipated in November when the missing sections would be included such as how success would be measured and the attitude to risk.

Members expressed reservations about the ability to make critiqued comments in view of the fact that the document was still in such a raw format. The Leader accepted this as a fair point because the document did have the appearance of a "wish list", but he maintained that there was sufficient content to pass comment on the focus the Council was planning to take.

In response to questions from Members, Councillor Davison – Leader of the Council, Councillor Chilvers – Portfolio Holder for Resources and the Chief Executive explained that:

- The Net Carbon DPD had been voted through already by the Council but there was still several areas that could be improved but the DPD dealt with new builds; there was mention of the Local Plan and how that could be pushed through for new buildings. Retrofitting was important as was renewable energy.
- Councillors had the opportunity to review the list and say what they felt should be omitted or left on the list. It was important to know the big picture to work out all of the pieces required to achieve this, an analogy of completing a jigsaw was used where you needed to know what the final jigsaw would look like in order to know where the pieces went.

The Chair asked for the "vision" and how the District would be different under the new administration to be explained; what would need to be achieved to provide this vision? The Leader explained that the current vision was for the District to be a great place to live, work and visit and be carbon neutral by 2030. He expected that the new vision would be along similar lines. Looking at the three areas of the draft strategic goals, the first one "Delivering Valued, Sustainable Services" meant doing the job all Councils should do in delivering excellent services by looking after the finances and providing good services. The second draft strategic goal "Low cost, low carbon energy across the District" meant reducing energy bills and carbon emissions from buildings. The third draft Strategic goal

"Creating Vibrant, Safe and Healthy Communities of the Future" was more difficult to define but it was something the Peers, when they did their Peer Review, felt was something this Council was good at. He cited the Kenilworth Wardens as an example of where the Council was continually trying to improve things. This was an example of something the Council was not required to do but was choosing to do to improve the District.

The Portfolio Holder for Resources explained that if the goals described by the Leader were the priorities, it meant acceptance that other matters might not be achieved, and Members needed to consider if they were content with the priorities set or that something else should be included. Members should think about the "levers" that could be used to focus on the objectives.

The Chair opened the debate to questions from Members again. In response to questions, the Leader, Portfolio Holder for Resources and Chief Executive explained that:

- Looking at Climate Change, the priority was working on buildings and working on reducing emissions rather than other areas of this where the Council would have less control.
- The first listed draft strategic goal, "delivering valued, sustainable services" was the most important priority because this was what the Council was expected to deliver and concerned the essential services. The actions/aims listed in the report under this heading were not in order of priority. It was difficult to prioritise these because of the nature of the services the Council provided with some being statutory and others discretionary. Even within this definition, it was difficult because some statutory services could be done at a discretionary level and some discretionary services had to be carried out at a statutory level. There would be some prioritisation on an annual basis because of decisions made on the Council's budget and Service Area Plans but it was not possible to prioritise for the next seven years because events would take over. The Chief Executive advised Members to look at the aims and evaluate if they should be there or should other goals be included and then consider whether the aims that were included were achievable over the course of the next seven years because if they were not achievable in this timescale, the question should be asked if those aims should be included. Members also needed to consider that Governments changed course, and this would affect priorities. Trying to set priorities now covering the next seven years was not achievable.
- There were risks in the Corporate Strategy and there were health and wellbeing implications but the report itself did not have any risks or health and wellbeing implications. The Chief Executive agreed that officers should consider how they responded to these headings in the report template used by the Council. There would be a complete overhaul of the Council's Risk Register when the Corporate Strategy was finalised. The health and wellbeing implications of the Strategy would need fuller detail when the Strategy came back to Cabinet in November.
- The previous goal of being net zero carbon by 2025 was unachievable other than by massive offsetting, so to continue with that would require confirmation of what that offsetting would be

and that might not be the way this Council would choose to go. Focussing on the Council's housing stock was the main way the Council could affect its Climate Change goals and have greatest impact.

- The draft Corporate Strategy did not yet give targets stating by when ambitions would be achieved.
- Under each strategic goal was a list with bullet points. The black bullet points represented the things that the Council would like to achieve; the white bullet points represented how this would be done in broad brush terms. More detail was required in respect of the Medium-Term Financial Strategy.
- Cabinet would welcome more input about how the Council could provide support with the cost-of-living crisis and strengthening the position of small businesses.
- The Council needed to look at what was within its control whilst recognising that it had a wellbeing duty for the whole of the District. Leeds Council was mentioned where the Council did a lot of work retrofitting its owned housing stock but then worked on a specific geographical area and worked with private landlords and private home occupiers to show them what could be done to their own properties. This was something the Cabinet would love to do but the Council had to acknowledge that the area over which it had most influence was with its own housing stock. The last white bullet point under the goal of low cost, low carbon energy across the District, dealt with all housing in the District – “explore multiple, innovative approaches to make it easier for the District's residents to reduce their heating bills and carbon emissions”.

The Chair summarised what comments he had understood should be made to Cabinet and these were agreed by the Committee, and this would be done when the “Policy & Budgetary Framework Procedure Rules” report was considered by Cabinet (shown in minute number 35).

35. **Cabinet Agenda (Non-Confidential items and reports) – Wednesday 20 September 2023**

The Committee considered the following items which would be discussed at the meeting of the Cabinet on Wednesday 20 September 2023.

Item 4 – 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.

Item 10 – 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.

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.

Urgent Item – Earmarked Reserves 23/24

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.

36. Work Programme, Forward Plan and Comments from the Cabinet

The Committee considered its work programme for 2023/24 as detailed at Appendix 1 to the report as well as the comments Cabinet had made to reports the Committee had scrutinised at its meeting in August (Appendix 2 to the report).

The Chair explained that when he had attended Cabinet in August and had explained the Committee’s recommendation on the Resident Engagement Strategy report, the Portfolio Holder had declined this and had offered an alternative solution. The Chair suggested that this was noted by the Committee. The Committee agreed that it should consider an update report on this once it had been in action for six months to understand how it was going and if it was providing value for money as a Council and the benefits to residents.

The Final Accounts 21/22 and Q4 Budget Update reports had been delayed until the external auditors had finished their work. They would be considered once this work had been completed.

Following a request from Officers, the Committee would be considering a report on "Organisational Carbon Emissions Summary 2022/23" at the meeting 31 October.

The Chair had also agreed some changes to dates when reports from Neighbourhood Services would be delivered. The "Waste Review" report and the "No Mow May" reports would still be delivered for the 3 October meeting. The "Waste Enforcement Update" had been delayed until the 5 December meeting or 23 January meeting. The reason for this delay was to give the officer recently appointed to the role time to have something to report in respect of achievements rather than simply stating what their aims would be.

Councillor Armstrong was asked to explain a suggestion he had made to the Chair to be added to the Work Programme. Councillor Armstrong that this arose from items 12 and 13 on the Cabinet agenda "Associated Costs for the Purchase of Fifty-One s106 Dwellings at The Asps, Banbury Road, Warwick" and "Associated Costs for the Purchase of Twenty s106 Dwellings at Thickthorn, Kenilworth". He wanted to propose whether the Committee should ask for a review on whether the Council's housing stock and particularly new acquisitions were in line with the Climate Action Goals and mentioned Ambition 2 with all new housing stock being carbon net zero in operation. He asked that the review should see how close the Council was to achieving this and to have a definition of what net zero meant. He felt that whilst Grade A rating was good, it did not qualify as net zero.

The Chief Executive informed the Committee that its housing stock was not net zero and in response to a suggestion by the Chair that the Committee might wish to set up a Task & Finish Group, he explained the pressure the Housing Department was under. The Chair therefore suggested that a what would be required should be scoped and then officers could be approached about timings when they would be able support a Task & Finish Group. The Leader suggested the scope could include whether the Council was acquiring the right sort of houses.

Three years ago, Council agreed measures in response to recommendations a Task & Finish Group had made around equality and diversity. The Council had subsequently engaged an Equalities Officer on a two-year contract; this had subsequently been made a permanent post. The original post holder had sadly passed away and the Council was in the process of filling the vacancy. The Chair suggested that the Committee request an update on the work and plans once the new post holder had been in position for a suitable period of time.

Resolved that:

- (1) appendices 1 and 2 to the Work Programme report be noted;
- (2) to add a report to the Work Programme on the Resident Engagement Strategy once it had been in action for six months providing details on progress, value for money and the benefits to residents;

- (3) The Final Accounts 21/22 and Q4 Budget Update reports be carried forward on the Work Programme until the external auditors have completed their work;
- (4) The Waste Enforcement Update report be moved back until either the 5th of December or 23rd January meeting; and
- (5) A Scoping Document should be drawn up for a potential Task & Finish Group on the Council's housing stock and achieving net zero carbon. This would then be discussed with officers in Housing to work out a suitable timescale when they could provide support.

(The meeting ended at 8.13pm)

CHAIR
31 October 2023

Email circulated by the Development Manager to Members of the Overview & Scrutiny Committee on 19 September 2023 giving a short summary of the Planning Enforcement Function

Dear Councillors,

In advance of this evening's meeting, the Chair suggested that it might be helpful for us to prepare a short summary of the Planning Enforcement function by way of context for the report that you'll be considering.

Please be aware that the below is very much a taster, which hopefully you'll find helpful.

Planning Enforcement is a discretionary function of the Local Planning Authority and it is not compulsory for the LPA to act against a breach of planning control. The role of Planning Enforcement is also not to punish individuals but rather to seek to remedy problems caused by unauthorised works. When a breach of planning control is reported the team have to assess whether the taking of formal action would be expedient. In other words, is the level of harm so significant that it warrants formal action. Where there is significant harm and it is in the public interest to do so, then action will be taken. Alternatively, if the breach of planning control is trivial in nature or raises little planning harm then no action would be taken. A further fundamental of Planning Enforcement is proportionality. In many instances it may be more appropriate to negotiate a resolution with the interested party than take formal action.

Prioritisation of cases for planning enforcement action is also crucial to make the best use of available resources. Therefore, demonstrably harmful cases will be likely to warrant further action, whilst cases where there is little or no planning harm are unlikely to be pursued. This ensures a focus on the most harmful of cases and that the appropriate action can be taken without delay.

The Local Planning Authority has different powers when formal action is required, and each case has to be assessed on its individual merits as to what power is the most relevant to resolve the matter. This can include forwarding the matter to a different department as they may have stronger powers to resolve the matter such private sector housing, environmental health or licensing. We are able to serve several types of Notice and also formally ask certain questions in a legal framework known as a Planning Contravention Notice (PCN) as well as a Section 330 Notice. This requires the owner/developer to provide us with certain details whilst the assessment of the breach is carried out. For formal action we are able to serve notices for untidy land under Section 215 of the Town and Country Planning Act, Temporary Stop Notices, Stop Notices, Breach of Condition Notices, Enforcement Notices. These are the most common, but we can also serve injunctions and prepare Article 4 Directions to remove certain permitted development rights.

When a Notice is served and not complied with, an offence is committed and we are able to prosecute those responsible and also potentially carry out works in default i.e. rectify the breach ourselves, however there is a cost implication to that approach. There is also the potential to prosecute under the Proceeds of Crime Act (POCA), if the developer has made a significant financial gain from the

breach of planning control. If successful, a proportion of any subsequent fine is given to the Local Planning Authority.

Overview & Scrutiny Committee
31 October 2023

Title: Work Programme, Forward Plan & Comments from Cabinet
Lead Officer: Lesley Dury, Principal Committee Services Officer
Portfolio Holder: Not applicable
Public report
Wards of the District directly affected: Not applicable

Summary

This report informs Members of Overview & Scrutiny Committee:

- (1) of the Committee's work programme for 2023 (Appendix 1);
- (2) responses that Cabinet gave to comments and recommendations made by Overview & Scrutiny Committee regarding the reports to Cabinet 20 September 2023 Recommendations (Appendix 2); and
- (3) responses Council 26 September 2023 gave to a recommendation made by Cabinet at its meeting 9 August 2023 in response to a recommendation made by Overview & Scrutiny Committee at its meeting in August.

Recommendations

- (1) That Members consider the work programme (Appendix 1), the themes the Committee intends to scrutinise this year and agree changes to its Work Programme appropriately.
 - (2) That the Committee:
 - identifies any Cabinet items on the [Forward Plan](#) on which it wishes to have an input before the Cabinet makes its decision; and
 - nominates a Member to investigate that future decision and report back to the Committee.
 - (3) That Members note the responses made by the Cabinet on the Comments from the Cabinet report (Appendix 2).
 - (4) That Members note the responses made by Council on the Comments from Council report (Appendix 3).
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1 Background/Information & Reasons for the Recommendation

- 1.1 The five main roles of overview and scrutiny in local government are: holding to account; performance management; policy review; policy development; and external scrutiny.
- 1.2 Two of the five main roles of overview and scrutiny in local government are to undertake pre-decision scrutiny of Cabinet decisions and to feed into policy development.

- 1.3 The pre-decision scrutiny of Cabinet decisions falls within the role of 'holding to account'. To feed into the pre-decision scrutiny of Cabinet decisions, the Committee needs to examine the Council's Forward Plan and identify items which it would like to have an impact upon.
- 1.4 The Council's Forward Plan is published 28 days before each Cabinet meeting and sets out the key decisions that are expected to be taken by the Cabinet in the next twelve months.
- 1.5 A key decision means a decision made in the exercise of an executive function by any person (including officers) or body which meets one or more of the following conditions:

- (1) The decision is likely to result in the Council incurring expenditure or the making of savings in excess of £150,000. Excluded from this are all loans to banks or other financial institutions made in accordance with the Treasury Management Strategy.

Officers' delegated powers to make the cabinet decisions are subject to the key decision/call-in regime where it is likely that the Council would incur expenditure or make savings above the threshold of £150,000.

In relation to letting contracts the key decision is the proposal to let a contract for a particular type of work. The subsequent decision to award the contract to a specific contractor will not be a key decision provided the value of the contract does not vary above the estimated amount by more than 10% for contracts with a value of up to £500,000 or 5% for contracts of over £500,000.

- (2) The decision is likely to be significant in terms of its effects on communities living or working in any two or more Wards.

In considering whether a decision is likely to be significant, a decision-maker will need to consider the strategic nature of the decision and whether the outcome will have an impact, for better or worse on the amenity of the community or quality of service provided by the Council to a significant number of people living or working in the locality affected.

- 1.6 The Forward Plan is considered at each meeting and allows the Committee to look at future items and become involved in those Cabinet decisions to be taken if members so wish.
- 1.7 The Forward Plan also identifies non-key decisions to be taken by Cabinet in the next twelve months, and the Committee, if it wishes, may also pre-scrutinise these decisions.
- 1.8 There may also be policies identified on the Forward Plan, either as key or non-key decisions, which the Committee could pre-scrutinise and have an impact upon how these are formulated.
- 1.9 The Committee should be mindful that any work it wishes to undertake would need to be undertaken without the need to change the timescales as set out within the Forward Plan.

Agenda Item 4

- 1.10 At each meeting, the Committee will consider its work programme and make amendments where necessary, and also make comments on specific Cabinet items, where notice has been given by 9am on the morning after Group meetings. The Committee will also receive a report detailing the response from the Cabinet, on the comments the Committee made on the Cabinet agenda in the previous cycle.
- 1.11 The Committee will consider issues that have due significance with reference to the following criteria:
 - The number of residents impacted and the significance of that impact.
 - The amount of spend involved.
 - It concerns a strategic priority of the Council or key project.
- 1.12 On the day of publication of the Cabinet agenda all Councillors are sent an e-mail asking them to contact Committee Services, by 09.00am on the day of the Overview and Scrutiny Committee meeting to advise which Cabinet items they would like the Committee to consider.
- 1.13 The proposed plan at Appendix 1 has been developed in order for the Committee to focus on the four agreed core themes (Covid 19, Climate Change, Medium Term Financial Strategy and Business Plan). While this Committee will not have as much focus on the Medium-Term Financial Strategy, it will have to spend significant times looking at the other areas in detail.

31 October 2023
(Cabinet meeting this cycle)

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
Organisational Carbon Emissions Summary 2022/23		Written Report	Graham Folkes-Skinner/Dave Barber		
Future High Streets Fund update – the Committee asked for amendments to the Risk Register see confidential minutes 4 July 2023.	O&S February 2023	Cabinet Report	Martin O'Neill	23 January 2024	Every 3 months until further notice
Appoint Children's and Adults' Safeguarding Champion	Mandatory	Verbal report at meeting	Graham Leach		

**5 December 2023
(Cabinet meeting this cycle)**

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
Heart Shared Service Update since O&S meeting December 2022	O&S December 2022	Written report	Lisa Barker		
Q2 Budget Update 2023/24 from the Cabinet Agenda		Cabinet Report	Andrew Rollins	TBA	Part of the Committee's finance remit
Environmental Enforcement Update subsequent to the report made in March 2023 (following recruitment of the new position reported in March 2023). Figures for rural areas to be provided if possible for discussion of measures put in place and what is required. "Heat map" information for the District to be provided.	March 2022, O&S	Written report	Zoë Court	TBA	
Digital Strategy Update from the Cabinet Agenda. <i>(O&S Chair agreed that rather than a report to O&S, the Committee would call in the report to Cabinet)</i>	O&S November 2021	Cabinet report	David Elkington	June 2024	Every six months

**23 January 2024
(No Cabinet meeting this cycle)**

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
Six-month post opening update on the "Relocation of Office Accommodation and the Provision of Public Facing Access to Council Services	O&S February 2023	Written report	Steve Partner		
Update on Scrutiny Arrangements as per the recommendation made in the report to O&S 8 August 2023	O&S August 2023	Written report	Graham Leach		
A review of the waste and recycling contract, with emphasis on the financial considerations. Help in writing this report should be sought from the Head of Finance. See minutes 3 October, Work Programme item for full details, but Members would like to see if the terms and	O&S 19 April 2023	Report	Zoe Court and Steve Partner with help from Andrew Rollins		The request for financial considerations to be added to this report arose from concerns on the figures presented at the 3 October meeting.

Appendix 1 – Overview & Scrutiny Committee Work Programme

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
conditions of the contract agreed 12 months ago are still good for WDC, considerations and implications on the forthcoming budget.					
Review of the Significant Business Risk Register	Forward Plan ref 1374	Cabinet Report	Councillor Ian Davison and Chief Executive	March 2024	

**6 February 2024
(Cabinet meeting this cycle)**

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
Future High Streets Fund update – the Committee asked for amendments to the Risk Register see confidential minutes 4 July 2023.	O&S February 2023	Written report unless the timing is in proximity to a report to Cabinet, in which case the Cabinet report will be called in instead if it deals with all the projects.	Martin O’Neill	Approx. June 2024 (TBC when mtg dates for 24/25 confirmed)	Every 3 months until further notice

5 March 2024
(Cabinet meeting this cycle)

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
Annual update from Shakespeare's England, looking back over the previous year's activity and forward to next year.	March 2023	Written report	Martin O'Neill and Councillor Bartlett	March 2025.	This is an annual report.
Summary of the role, responsibilities and performance of the SWCSP. Invite Councillor Falp (non-Exec rep) and the PH Safer Communities to O&S	This is a mandatory report.	Written report	Liz Young / Marianne Rolfe.	March 2025.	This is an annual report.
Review of the Significant Business Risk Register	Forward Plan ref 1374	Cabinet Report	Councillor Ian Davison and Chief Executive		

26 March 2024

(No Cabinet meeting this cycle)

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes

9 April 2024

(Cabinet meeting this cycle)

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
O&S End of Term report.	Standing Annual Item.	Written report.	Committee Services Officer.	April 2025.	Annual report
Noise Nuisance Investigations: Review of the Policy and the service area’s performance in respect of all forms of noise nuisance more generally. Additional data was requested in the next report (see minute 93, 19 April 2023, 4 paragraphs from the end of this minute, and also see the pre-scrutiny questions on the Council’s website for 19 April with the questions posed by Councillor Milton.	9 August 2022, 19 April 2023	Written report	Lorna Hudson		

Briefing Notes to All Councillors – April every year
Not for O&S Agenda, but to be emailed to all WDC Cllrs

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
Children’s and Adults’ Safeguarding Champions: End of Term Report.	Standing Annual Item.	Briefing note	Marianne Rolfe.	April 2025.	This is a briefing note to all Councillors.
Members’ Annual Feedback on Outside Appointments / Annual review of membership/participation of Outside Bodies (Includes a short synopsis on Champions)	Standing Annual Items	Briefing note	Andrew Jones	April 2025	This is a briefing note to all Councillors.

First meeting of the Municipal Year 2024/25

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
Appoint Children's and Adults' Safeguarding Champion	Standing Annual Item.	Agenda item			On-going at the first meeting of each Municipal Year
To appoint members to the Budget Review Group (add the Group's remit which is saved to the annex in the Constitution)	Standing Annual Item.	Agenda item			On-going at the first meeting of each Municipal Year
Elect a Chair if this was not done after Annual Council	Standing Annual Item				On-going at the first meeting of each Municipal Year

Meeting Date: To Be Advised

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
Final Accounts / Q4 Budget Update 2022/23 (Forward Plan ref 1,384)	Forward Plan	Cabinet report	Andrew Rollins / Steven Leathley		Part of the Committee's finance remit
Statement of Accounts 2021/22 (Forward Plan ref 1,312)	Forward Plan	Cabinet report	Andrew Rollins / Steven Leathley		Part of the Committee's finance remit
Review on the Identification and Remediation of Damp and Mould in Council Homes to include: <ul style="list-style-type: none"> • What was happening with the policy; • Was it being put into action; • The impact it has made. 	Committee meeting 8 August 2023	Written report	Steve Partner	Six months after implementation, so December 2023, CSO to chase Steve Partner for the date of implementation and then schedule a report six months following that implementation date.	

Appendix 1 – Overview & Scrutiny Committee Work Programme

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
Review additional Licensing Scheme to include: <ul style="list-style-type: none"> • How effective it had been. • How many licenses had been issued. • Was there enough resources in place 	Committee meeting 8 August 2023	Written report	Paul Hughes	Six months after implementation, so December 2023, CSO to chase Paul Hughes for the date of implementation and then schedule a report six months following that implementation date.	
Decide if an update is required on the Catering and Events Concessions Contract – Royal Pump Rooms and Jephson Gardens Glasshouse.	Committee meeting 26 September 2019. (8 November 2022 – an email was sent to David Guilding and Philip Clarke asking for the status.)	Informal update.	Dave Guilding / Philip Clarke.	TBA	
Update - plans to improve accessibility to, and the condition / cleanliness of, toilets for people living with disabilities.	Committee meeting 26 September 2019 and briefing note 8 December 2020.	Written report	Zoë Court	To be advised if applicable.	No officer will attend the Committee meeting unless there is a request.

Appendix 1 – Overview & Scrutiny Committee Work Programme

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
Minimum Energy Efficiency Standards Enforcement Process – Private Sector Housing	O&S August 2020 (31 October 2022 – Cllr Cullinan sent an email to Lisa Barker asking for a date for the report and the response was sometime spring 2023.)	Written Report	Lisa Barker		A review was requested once the scheme had been in operation for 12 months. Covid affected the process.
Park Exercise Permits – annual review of the scheme	August 2020 (Update November 2022 on status - Ann Hill has advised that the current permit scheme is not working and work needs to be undertaken to find out why that was, be it the rules of the scheme, the eligibility or enforcement. After speaking with Marianne Rolfe, she and Marianne decided to approach the relevant PAB when a revised scheme has been formalised.)	Written report	Ann Hill		
Climate Change Action Programme Update	O&S 20 July 2023	Written report	Dave Barber		1. Offsetting and any potential for getting involved in

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
					early policy development; 2. Issue of adaptation; 3. Data tracking and how this can be most efficient.

September 2024 meeting:

At O&S 19 September 2023 the Committee requested an update on the Resident Engagement Strategy (report to Cabinet August 2023). The Committee is keen to understand a) how is it going? And b) what are we learning? (include some examples of changes that have been made as a result of the consultation.)

The question that sits behind this is as-to whether this is a good use of the Council's resources. There are benefits to us as a Council from getting resident feedback and what we'd like to get is visibility of those. This is 'value for money' in its broadest sense (No need to come with figures and a ROI.)

Housing is one of the biggest ways that we impact residents' lives and getting a bit more visibility amongst members of some of the good things we do but also some of the challenges residents face will be valuable.

October 2024 meeting:

At O&S 3 October 2023, the Committee requested that the Corporate Strategy should be reviewed on a yearly basis, in the same way that the annual governance statement comes through scrutiny to make sure the Council is properly governed. More specifically, the Committee would like to see an annual strategy progress update, looking at the big picture and how the Council is working towards its goals and values. For more details, please see 3 October 2023 minutes.

Response from the meeting of Cabinet on the O&S Committee’s Comments – 20 September 2023

Item 4 – Policy & Budgetary Framework Procedure Rules

Scrutiny Comment:

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.

Cabinet Response:

In response to the comments from the Overview & Scrutiny Committee regarding the strategy focusing more on people, Councillor Davison stated that this was a point well made; if the vision was to stay the same as it currently was, that Warwick District be a great place to live – i.e. residents, work – including people who might commute, and visit, these were distinct groups of people which perhaps had not been considered enough. It was important that when the strategy was next considered this would be taken into account.

Councillor Davison also clarified that the Head of Governance & Monitoring Officer would email Parish/Town Councils directly as opposed to via the Warwickshire Association of Local Councils (WALC), and that Warwickshire Wildlife Trust would also be included as part of the Consultees. He then proposed the report as laid out.

Item 10 – Kenilworth Wardens

Scrutiny Comment:

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 recommendations in the report were approved, along with the recommendation from Overview & Scrutiny Committee.

Urgent Item – Earmarked Reserves

Scrutiny Comment:

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.

Cabinet Response:

The recommendations in the report were approved.

Response from the meeting of Council 26 September 2023 on a recommendation from Cabinet 9 August 2023 arising from a recommendation made by Overview & Scrutiny Committee 8 August 2023

Item 5 – Resident Engagement Strategy
(Cabinet agenda 9 August 2023)

Scrutiny Comment 8 August 2023:

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

- (1) Cabinet asks the Portfolio Holder to define key measures of success and metrics that can be used to determine the impact of the strategy and the effective use of Council resources; and
- (2) Cabinet asks 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 9 August 2023:

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".

(The above will form a recommendation to Council on 26 September 2023)
Council Response 26 September 2023:

Council Response 26 September 2023:

Council delegated to Cabinet the following:

- (1) authority be delegated to the Head of Housing in consultation with the Portfolio Holder for Housing to deliver the actions contained within the Resident Engagement Strategy [2023](#) to [2027](#); and
- (2) the Portfolio Holder and Head of Housing be asked 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.

Council approved the recommendation in the report.

Agenda Item No 5
 Overview and Scrutiny Committee
 31st October 2023

Title: Carbon Emissions Data and Climate Change Measures
 Lead Officer: Dave Barber 01926 456065
 Portfolio Holder: Councillor Ian Davison
 Wards of the District directly affected: All

Approvals required	Date	Name
Portfolio Holder	17/10	Cllr Ian Davison / Cllr James Kennedy
Finance	N/A	
Legal Services	N/A	
Chief Executive	17/10	Chris Elliott
Director of Climate Change	N/A	Dave Barber
Head of Service(s)	N/A	
Section 151 Officer	N/A	
Monitoring Officer	17/10	Graham Leach
Leadership Co-ordination Group	N/A	
Final decision by this Committee or rec to another Cttee / Council?	Yes: Overview and Scrutiny Committee	
Contrary to Policy / Budget framework?	No	
Does this report contain exempt info/Confidential? If so, which paragraph(s)?	No	
Does this report relate to a key decision (referred to in the Cabinet Forward Plan)?	No	
Accessibility Checked?	Yes	

Summary

This report provides an update on the Council's and District's carbon emissions data for 2022/23 as part of the annual update on the Climate Change Action Programme. The report also proposes a set of measures to enable in year progress to be monitored. These measures will be used by the Senior Leadership Team and Portfolio Holders to track progress and focus on priorities. They also will be included in six monthly reports to Overview and Scrutiny Committee.

Recommendation(s)

- (1) That members note and comment on the Council's carbon emissions baseline data and the updated District carbon emissions data as set out in Appendix 1.
 - (2) That members note the proposed "in year" climate change measures set out in Appendix 2 and comment on the extent to which these measures will enable the Council to be effective in tracking progress towards its wider Climate Change ambitions.
-

1 Reasons for the Recommendation

- 1.1 In July 2023, Overview and Scrutiny Committee considered an update report on the Climate Change Action Programme. At the time that report was prepared the annual carbon emissions data for the Council and the District was not available. It was therefore agreed that a further report would be brought of the Committee for consideration in the Autumn 2023. It was also agreed, that following feedback from the Committee in December 2022, proposals for other measures to allow "in year" tracking of progress of progress, would be presented to the Committee for comment.
- 1.2 Table 1 below shows the latest position with regard to WDC's organisational carbon emissions.

Table 1

WDC Carbon Emissions Summary Table					
Scope / Activity	2018/19	2019/20	2020/21	2021/22	2022/23
	(base year)				
	Kg CO2e	Kg CO2e	Kg CO2e	Kg CO2e	KGCO2e
Scope 1					
Gas	1,251,217	1,249,158	1,200,938	1,152,444	1,087,798
LPG	36,760	32,774	35,229	3,646	3,646
Lease Vehicles	21,002	14,980	13,204	30,314	9,947
Total (Scope 1)	1,308,978	1,296,912	1,249,370	1,186,405	1,101,391
Scope 2					
Electricity	1,260,865	1,280,251	874,164	910,791	873,783
Total (Scope 2)	1,260,865	1,280,251	874,164	910,791	873,783
Scope 3					
Biomass	4,248	4,426	14,050	9,987	5,563
Water	11,767	13,980	4,202	18,505	2,223
T&D Losses	107,470	108,691	75,178	80,600	15,492

Neighbourhood Services Transport (waste, grounds and cleansing)	1,703,971	1,682,688	1,651,509	1,629,662	1,516,111
Neighbourhood Services Buildings (waste contract)	37,092	34,543	32,470	30,506	63,584
Business travel from greyfleet (staff own vehicles)	53,599	54,427	33,665	43,964	44,402
Leisure Centres	805,945	1,717,232	598,506	814,093	668,471
Total (Scope 3)	2,724,091	3,615,988	2,409,580	2,627,317	2,315,845
Total Gross Emissions (kg)	5,293,934	6,193,152	4,533,115	4,724,513	4,291,019
Total Gross Emissions (t)	5,294	6,193	4,533	4,725	4,291

1.3 Appendix 1 provides further information relating to this data including some graphs and commentary setting out some assumptions, limitations and explanations.

1.4 The key points to note from Appendix 1 are:

- Organisational emissions overall have decreased by 1000 tonnes CO₂e (19%) since the 2018/19 baseline with significant reductions in both gas-related and electricity-related emissions.
- Despite the impact of Covid in 2020/21, emissions for 2022/23 are now lower than 2020/21 by around 5%.
- Scope 1 and scope 2 emissions have fallen by 23% since 2018/19.
- Following current trends, the scope 1 and 2 emissions will have reduced by around 35% by 2024/25 and by 41% by 2025/26.
- Unless there is a dramatic acceleration in the annual level of carbon reduction achieved over the next 2 to 3 years, the ambition will be missed without carbon offsetting.
- Scope 3 emissions account for more than half of all emissions and the emissions from Scope 3 transport (predominantly refuse collection vehicles) accounts for approximately a third of total emissions.
- Scope 3 emissions have reduced, but the data relating to leisure centres needs to be treated with cautions due to the rebuilding programme that has taken place over the last 5 years.
- The Scatter District-wide data update is not yet available and an alternative measure drawing on UK Government data has therefore been used.
- This shows a trend of reducing emissions, but the data needs to be treated with caution due to the impact of covid on the 2020/21 data.
- It should be noted that the time lag in the data means that the impacts of actions since the Climate Emergency was declared, have, at best, only a marginal impact on this district-wide emissions data.
- Whilst it is hard to directly relate WDC actions to any particular trends, it should be noted that:
 - The report to O&S in July 2023 set out progress that is being made on the current CCAP. The report showed significant progress in key areas and given these actions have been designed to impact on carbon emissions, it is not unreasonable to suggest that, at least in part, these actions are related to the trends.
 - Once in place, the measures set out in Appendix 2 may provide better and more responsive insights into the impact that key elements of the CCAP are having on the organisational (and potentially, District) carbon emissions data.

1.5 Appendix 2 shows the range of proposed measures to enable progress on the Climate Change Action Programme (CCAP) to be tracked in-year. The measures identified relate directly to each section of the CCAP and have been designed to monitor in-year progress for each carbon source and to supplement the annual carbon emissions data to provide more insight in to cause and effect. These measures will be incorporated in the relevant Service Areas Plans and data will be pulled through in the quarterly performance reports to be considered by the Senior Leadership Team. The data will also be presented in the six-monthly CCAP reports to Overview and Scrutiny Committee.

1.6 It should be noted that the CCAP is currently under review with advice from the Climate Change Working Party. The revised CCAP will be considered by Cabinet in December 2023. Should this review give rise to the need to significantly change the basket of measures, these will be incorporated in to the next six-monthly update to Overview and Scrutiny Committee. It should also be noted that to ensure alignment with the emerging Corporate Strategy, the basket of measures proposed includes a number of measures that will be part of the way the Corporate Strategy is monitored.

2 Alternative Options

2.1 Comments on the proposed measures set out in Appendix 3 are welcome, including suggested alternatives.

3 Legal Implications

3.1 None

4 Financial Services

4.1 There are no financial implications associated with this report. However, it should be noted that making progress against the climate change ambitions and specifically in relation to many of the measures set out in Appendix 3, will require financial resources. The CCAP, along with the associated funding strategy, sets out how this will be addressed. The report to Committee in July 2023 provided an update on the financial strategy.

5 Corporate Strategy

5.1 Responding to the Climate Emergency is a key element of the Council's emerging Corporate Strategy. As explained in para 1.5 above, it is intended to review the CCAP in December 2023, following the approval of the new Corporate Strategy. Whilst the measures set out in Appendix 3 seek to align with the emerging Corporate Strategy priorities, they may require further refinement once the updated CCAP has been completed. Any changes to the basket of measures will therefore be included future updates to Overview and Scrutiny and will the subsequently feed in to changes to the Service Area Plans.

6 Environmental/Climate Change Implications

6.1 Given the subject matter, it is inevitable that the report has significant climate change implications.

7 Analysis of the effects on Equality

7.1 The report has not been subject to an Equalities Impact Assessment.

8 Data Protection

8.1 None of the measures set out in Appendix 2 involve personal data. There are therefore no data protection implications.

9 Health and Wellbeing

- 9.1 Many of the climate change actions in the CCAP, and particularly those associated with climate change adaptation and transport, overlap with the Council's health and wellbeing priorities.

10 Risk Assessment

- 10.1 There are no risks associated directly with this report. The CCAP risk register was reported to Overview and Scrutiny Committee in July 2023 as part of the six-monthly update. The CCAP review report to be considered by Cabinet in December 2023 will incorporate a further review of climate change risks.

11 Consultation

- 11.1 There has been no consultation relating to this report, although the CCAP has been subject to community engagement.

Background papers:

Appendix 1: Organisational Carbon Emissions Data and District Carbon Emissions Update

Appendix 2: Proposed Climate Change Measures

Part 1: Organisational Carbon Emissions Summary

1. Aims and Purpose

This report has been developed to outline Warwick District Council's carbon emissions data and is based on the Local Partnership's methodology for calculating greenhouse gas emissions, which is widely used across the local authority sector, including within and Warwickshire. The methodology draws on UK Government carbon emission conversion factors: [Government conversion factors for company reporting of greenhouse gas emissions - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/government-conversion-factors-for-company-reporting-of-greenhouse-gas-emissions).

2. Types of Emissions - Scopes

There are three types of emissions, referred to as Scopes 1, 2 and 3 - these categorise emissions into three different types as follows.

Scope 1 - Direct emissions. These emissions relate to activities that are owned or controlled by the organisation and involve the release of emissions straight into the atmosphere. Examples include combustion emissions from gas boilers in council buildings and emissions from council owned vehicles.

Scope 2 - Energy indirect emissions. These emissions are associated with the consumption of purchased electricity, heat, steam and cooling. These emissions arise as a consequence of the organisation's activities but are not owned or controlled by them as they are released at power stations where the electricity is generated.

Scope 3 - Other indirect emissions. These are emissions that are a consequence of the organisation's actions that occur at sources that are not directly owned or controlled. Examples for the council include outsourced activities, business travel by staff using their own vehicles at work and also outsourced activities.

3. Reporting Period

The reporting period is for the financial years 2018-19, 2019-20, 2020-21, 2021-22 and 2022-3. The carbon footprint baseline year is 2018-19. Updates for 2023-24 will be collated during the summer of 2024.

4. Measuring and Reporting Approach

A number of gases contribute to climate change and six main greenhouse gases (GHGs) are covered in the Kyoto Protocol: carbon dioxide (CO₂), methane (CH₄), hydrofluorocarbons (HFCs), nitrous oxide (N₂O), perfluorocarbons (PFCs) and sulphur hexafluoride (SF₆). Different activities emit different gases; for example, burning fossil fuels releases carbon dioxide, methane and nitrous oxide into the atmosphere. It is standard practice to report GHGs in tonnes of CO₂ equivalents (CO₂e). In order to achieve this, conversion factors are used that are located on the GOV website and are produced by Defra on an annual basis.

Conversion factors help organisations convert their activities into equivalent carbon emissions. The conversion factors change annually taking into account a number of influences including fuel mix, consumption from UK power generation along with imports and exports in relation to gas and electricity. It is best practice to use the conversion factors from the calendar year in which the greatest portion of your data falls, therefore for 2022-23 reporting year, the 2022 conversion factors have been used.

There are in total around 60 conversion factors covering a range of fuels and a wide range of different vehicles. However, the most significant factors for WDC’s calculations are set out below in Figure 1:

Figure 1

	Natural Gas	Purchased electricity	T&D Losses - Scope 2 Electricity	Water Supply	Liquid Petroleum Gas	Medium petrol car 1.4 - 2.0 litre	Electric Vehicle	Diesel (average biofuel blend)
Reporting Year	kgCO ₂ e/kWh (Gross CV)	kgCO ₂ e/kWh	kgCO ₂ e/kWh	kgCO ₂ e/m ³				kgCO ₂ e/litre
2014-15	0.185	0.494	0.043	0.344		0.323	0.000	2.602
2015-16	0.185	0.462	0.038	0.344		0.321	0.000	2.584
2016-17	0.184	0.412	0.037	0.344		0.322	0.000	2.612
2017-18	0.184	0.352	0.033	0.344		0.314	0.000	2.672
2018-19	0.184	0.283	0.024	0.344		0.312	0.096	2.627
2019-20	0.184	0.256	0.022	0.344	0.214	0.309	0.089	2.594
2020-21	0.184	0.233	0.020	0.344	0.214	0.300	0.085	2.546
2021-22	0.183	0.212	0.019	0.149	0.214	0.302	0.081	2.512
2022-23	0.183	0.205	0.018	0.177				

The emissions are calculated as follows: Activity Data x Emission Factor = Carbon dioxide equivalent (CO₂e)

5. Organisational Boundary

All areas of the council’s operations have been considered. However, it should be noted that energy relating to home working is excluded, not least because of the difficulty in defining and measuring this energy.

6. Operational Scopes

The Scope 1 emissions include the gas emissions from the council's buildings, council owned vehicles and all business lease vehicles such vans and pool cars. Fugitive emissions relating to air conditioning and refrigeration units have been excluded because it has been considered too complex to calculate at the current time.

The Scope 2 emissions are those associated with the mains electricity consumption from the council’s buildings.

The Scope 3 emissions include the gas and electricity consumption from outsourced activities, the business mileage from private and leaseholder vehicle use. Rail, bus and air travel where appropriate would usually be included but were not available at the time of reporting. Buildings that are managed by outsourced contracts are also included where the contractor is responsible for bill payments. Data on refuse and recycling trucks, road sweepers, grounds maintenance mowers and vans used by for the Neighbourhood Services contract are also included. Emissions from commuter travel have been excluded due to this not being available. The emissions arising from water use from supply and distribution also fall into Scope 3 along with biomass pellets used for heating some buildings.

7. Carbon Emissions Data

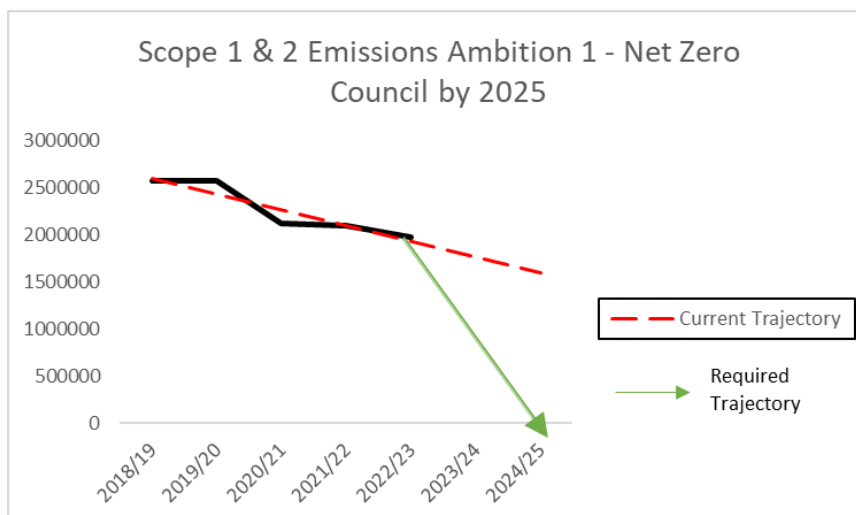
Figure 2 – Warwick District Council Top Level Data Summary

WDC Carbon Emissions Summary Table

Scope / Activity	2018/19	2019/20	2020/21	2021/22	2022/23
	(base year)				
	Kg CO2e	Kg CO2e	Kg CO2e	Kg CO2e	KgCO2e
Scope 1					
Gas	1,251,217	1,249,158	1,200,938	1,152,444	1,087,798
LPG	36,760	32,774	35,229	3,646	3,646
Lease Vehicles	21,002	14,980	13,204	30,314	9,947
Total (Scope 1)	1,308,978	1,296,912	1,249,370	1,186,405	1,101,391
Scope 2					
Electricity	1,260,865	1,280,251	874,164	910,791	873,783
Total (Scope 2)	1,260,865	1,280,251	874,164	910,791	873,783
Scope 3					
Biomass	4,248	4,426	14,050	9,987	5,563
Water	11,767	13,980	4,202	18,505	2,223
T&D Losses	107,470	108,691	75,178	80,600	15,492
Neighbourhood Services Transport (waste, grounds and cleansing)	1,703,971	1,682,688	1,651,509	1,629,662	1,516,111
Neighbourhood Services Buildings (waste contract)	37,092	34,543	32,470	30,506	63,584
Business travel from greyfleet (staff own vehicles)	53,599	54,427	33,665	43,964	44,402
Leisure Centres	805,945	1,717,232	598,506	814,093	668,471
Total (Scope 3)	2,724,091	3,615,988	2,409,580	2,627,317	2,315,845
Total Gross Emissions (kg)	5,293,934	6,193,152	4,533,115	4,724,513	4,291,019
Total Gross Emissions (t)	5,294	6,193	4,533	4,725	4,291

From the summary data in *Figure 2* for Warwick District Council, the Scope 3 emissions account for more than half of all emissions and the emissions from Scope 3 transport account for approximately a third of total emissions. Emissions overall have decreased by 1000 tonnes CO₂e (19%) since the 2018/19 baseline. The 2020/21 data was heavily impacted by covid, with many operations not running as normal (such as Leisure Centres). The table does demonstrate, however, that emissions for 2022/23 are now lower than 2020/21 by around 5%.

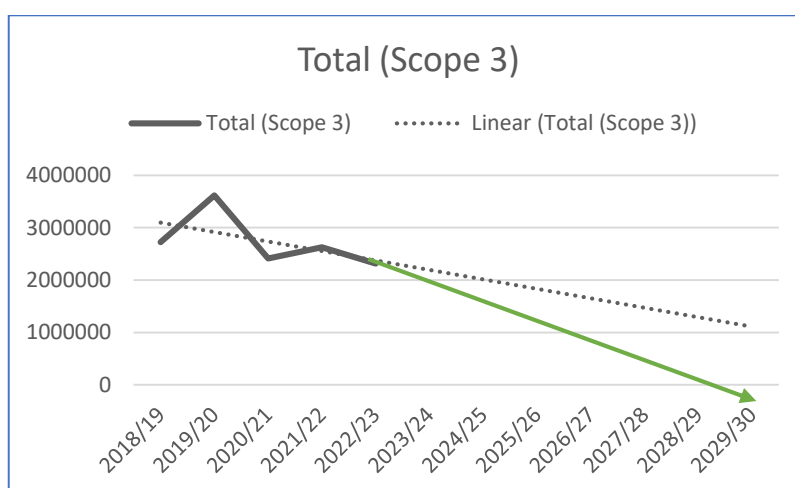
Figure 3 – Warwick District Council Scope 1 and 2 Emissions. Net Zero District 2025



The Council has set itself the ambition of reaching net zero for its organisational carbon emissions (excluding contracted services) by 2025. The scope 1 and scope 2 emissions provide a measure of progress towards this ambition. *Figure 3* Shows the Warwick District Council scope 1 and 2 emissions (KGCo2e) observed since 2018/19 base year and the current trajectory. The green arrow represents the required trajectory to meet our net zero council 2025 target. To date, scope 1 and scope 2 emissions have fallen by 23%. Following current trends, the scope 1 and 2 emissions will have reduced by around 35% by 2024/25 and by 41% by 2025/26. This shows that unless there is a dramatic increase in the annual level of carbon reduction achieved over the next 2 to 3 years, the ambition will be missed without carbon offsetting.

Figure 4 shows the progress and trends towards our ambition for our contracted services (scope 3) to be net zero by 2030.

Figure 4: Warwick District Council Scope 3 Emissions. Net Zero Contracted Services by 2030



With regard to contracted services (scope 3 emissions), the most significant sources of carbon emissions are transport (predominantly refuse collection vehicles) and leisure centres. The new contract with Biffa appears to be helping to reduce waste contract emissions to a degree, although for the reasons explained below, this data needs to be treated with some caution. Improvements in this area need to be accelerated to achieve the 2030 ambitions for contracted services. This will require the introduction of alternative fuels ahead of or at the time of the new waste contract in

2029/30. The trends relating to leisure centres are harder to identify due to current and previous rebuilding programmes.

Whilst it is hard to directly relate WDC actions to any particular trends, three things should be noted

- The report to Overview and Scrutiny Committee in July 2023 set out progress that is being made on the current CCAP. The report showed significant progress in key areas and given these actions have been designed to impact on carbon emissions, it is not unreasonable to suggest that, at least in part, these actions are related to the trends.
- Once in place, the measures set out in Appendix 2 may provide better and more responsive insights into the impact that key elements of the CCAP are having on the organisational (and potentially, District) carbon emissions data.
- The conversion factors set out in figure 1 are also having an impact, particularly in relation to transport and electricity use. These reductions are as a result of cleaner fuels at a national level.

Limitations on the data:

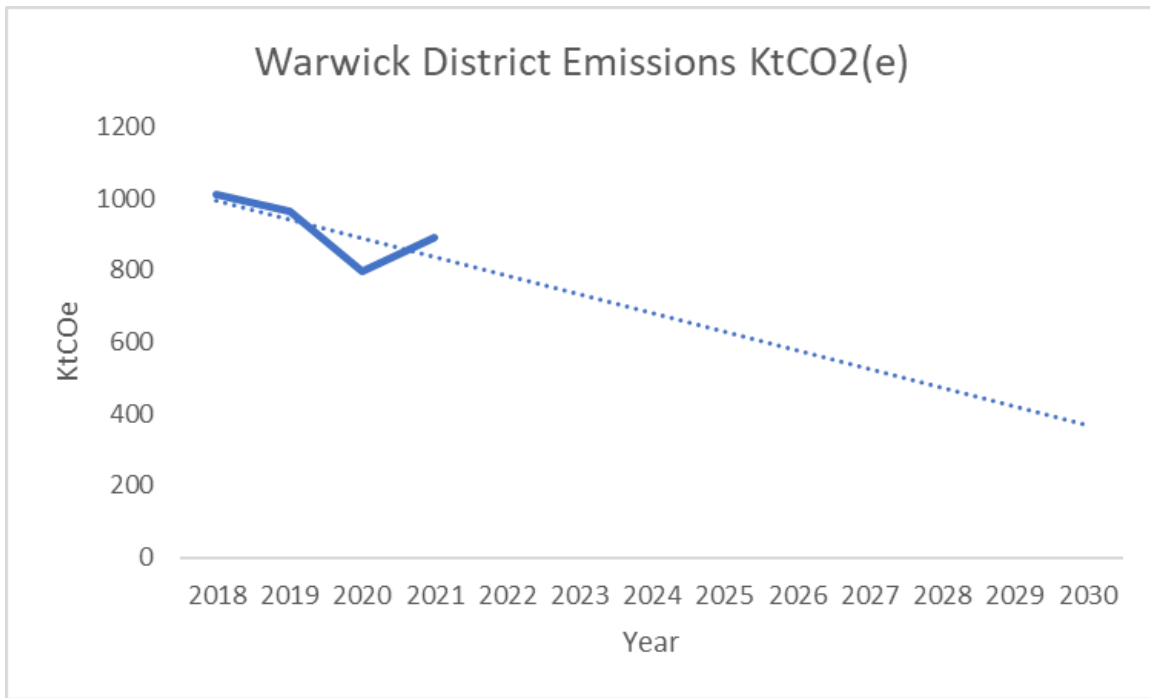
- The waste contract changed part way through the last financial year which means the first part of the year's emissions are estimated. The emissions for the latter part of the financial year represent half of the emissions on the joint South Warwickshire waste contract. For future we hope to present a more accurate breakdown of these figures for the Warwick District Area.
- The leisure centre data is limited compared to previous years owing to the closure of Abbey Fields and Castle Farm
- Greyfleet Travel data does not account that some of these vehicles may be taken in electric vehicles and assumes that all vehicles are medium petrol cars.
- LPG is a small contribution to the district's emissions however the data is an estimate based on last years data owing to a lack of available data.
- For fleet electric vehicles, it is assumed these are charged away from the district estate. Knowing that some charging is on the district estate there will inevitably be some double counting here and so this should be considered an over-estimate.
- Water, Electric and Gas meter data points occasionally read a negative figure where a previous overestimate is corrected. These occasionally cross a financial year, however the impact on the overall total is negligible.

Part 2: District-wide Carbon Emissions at 2023

Figure 5 shows the district wide emissions from the 2018 base year until the most recent emissions data published for 2021 using UK Government data. Although the trendline for this looks to be on target for a 55% reduction by 2030 in line with our targets, there is not enough data to be confident of this. 2020 sees a reduction because of the Covid lockdowns which restricted numerous institutions from operating fully. The data shows a rebound for 2021 as lockdowns ease. However, there is not enough data for the period after 2020 to be clear how the trend is continuing.

Figure 5: Districtwide Emissions (Source UK Government)

<https://www.gov.uk/government/collections/uk-local-authority-and-regional-greenhouse-gas-emissions-national-statistics>)



It should also be noted that previous data and update reports have been based on a somewhat different data set known as “Scatter Cities” and indeed the Scatter data underpinned the analysis undertaken in 2021 to set the ambition of a 55% reduction by 2030. Whilst the Scatter data is broadly based on the UK Government data set out in Figure 5 and can therefore be expected to show broadly similar trends, the Scatter data collates data from other sources as well and breaks down the data into sources of emissions. However, the annual Scatter data update has not been published in 2023 and is expected to be delayed until Spring 2024. We are not therefore able to directly compare the data provided in Figure 5 with the Scatter data that has been reported in previous years. A paper will be circulated to members as soon as the Scatter data becomes available. In the meantime, the data in Figure 5 above is intended only as a reflection on the state of play.

Proposed Climate Change Acton Programme Measures

Progress on the CCAP will be assessed through measures that will develop and evolve. The table below sets out for each theme some success measures that will help demonstrate the trends between now and 2030.

CCAP Theme	Ref	Proposed Measure	Frequency of collection / reporting	Responsible Service	Responsible Portfolio
Cross Cutting Measures					
1 Strategy and Corporate Coordination	1.1	Carbon Literacy Training - No. of members trained and certified since last election	Quarterly	HR and Comms (Training)	Transformation
	1.2	Carbon Literacy Training - No. of staff trained and certified within last four years	Quarterly	HR and Comms (Training)	Transformation
	1.3	No of visits to WDC Climate Change webpages in last quarter	Quarterly	HR and Comms (Comms)	Transformation
	1.4	WDC Carbon emissions in last financial year expressed as percentage against the 2019 baseline	Annual	Climate Change	Strategic Leadership
	1.5	Total Annual District Carbon emissions (tonnes CO ₂) – using SCATTER tool (or alternative)	Annual	Climate Change	Strategic Leadership
Net Zero Organisation					
2 Decarbonising Council buildings	2.1	Total WDC electricity consumption from assets (not including housing) – Kwh in previous 12 months	Quarterly	Climate Change	Climate Change
	2.2	WDC gas consumption from assets (not including housing) – Kwh in previous 12 months	Quarterly	Climate Change	Climate Change
	2.3	Renewable energy produced within WDC buildings or land – Kwh in previous 12 months	Quarterly	Climate Change	Climate Change
	2.4	Percentage of WDC electricity consumption from a local renewable energy source (as a percentage of total electricity consumption during the year)	Annual	Climate Change	Climate Change

	2.5	Predicted CO2 savings from WDC retrofit building projects measures implemented within last quarter	Quarterly	Climate Change	Climate Change
3 Decarbonising Council Travel	3.1	No. of staff participating within the Better Points Sustainable Travel Initiative	Quarterly	Climate Change	Transformation
	3.2	Business mileage travelled by staff in diesel or petrol vehicles – shown as a percentage from 2019 baseline	Annual	HR and Comms	Transformation
	3.3	Business miles travelled using the Council's Electric Fleet Vehicles	Quarterly	Climate Change	Transformation
4 Decarbonising Council Contracts	4.1	Quantity of diesel used by Biffa to carry out the South Warwickshire Waste Collection Service (NB: discussions taking place with Biffa to separate out WDC data)	Annual	Neighbourhood and Assets	Neighbourhood
	4.2	Miles undertaken using electric or dual-fuel hydrogen as a percentage of the total miles undertaken by vehicles servicing the South Warwickshire Refuse Collection (NB: discussions taking place with Biffa to separate out WDC data)	Quarterly	Neighbourhood and Assets	Neighbourhood
	4.3	Total carbon savings per household achieved by Biffa as part of the contract Carbon Reduction Plan (CRP)	Quarterly	Neighbourhood and Assets	Neighbourhood
	4.4	Total carbon savings achieved by Idverde as part of the contract Carbon Reduction Plan (CRP)	Quarterly	Neighbourhood and Assets	Neighbourhood
	4.5	CO2 emissions from WDC leisure centres as a result of gas and electricity consumption update on Leisure Centre Energy consumption.	Quarterly	SCLE	
Low Carbon District					
5. On Road Transport	5.1	Better Points: Estimated CO2 savings each quarter as a result of modal choices made by Better Points participants	Quarterly	Climate Change	Strategic Leadership
	5.2	Better Points: Total number of participants	Quarterly	Climate Change	Strategic Leadership
	5.3	Better Points: Number of local businesses listed on the "app" as available for using points	Quarterly	Climate Change	Strategic Leadership
	5.4	Cycle Parking: Total number of spaces publicly available	Annual	Climate Change	Climate Change

	5.5	Number of EV charge points on WDC owned land/assets	Annual	Climate Change	Climate Change
	5.6	Average number of visits per charge point	Annual	Climate Change	Climate Change
	5.7	Number of car club cars available in the District	Annual	Climate Change	Strategic Leadership
6. Domestic Energy	6.1	Total government funding received and spent on private and Council owned housing during the year	Annual	Climate Change / Housing and Communities	Housing and Assets
	6.2	Number of carbon reduction measures implemented in the last year as a result of Green Homes Grants (including as result of WDC match funding)	Annual	Climate Change / Housing and Communities	Housing and Assets
	6.3	No. of residential properties in the District receiving advice through the Act on Energy Home Energy Help Scheme	Quarterly	Climate Change / Housing and Communities	Housing and Assets
	6.4	No. of households benefitting from the Act on Energy complex case worker service	Quarterly	Climate Change / Housing and Communities	Housing and Assets
	6.5	% of WDC homes reaching EPC C; EPC B and EPC A	Annual	Housing and Communities	Housing and Assets
7. Other Energy	7.1	Amount of carbon offset funding delivered: a) Through the Net Zero Carbon DPD b) Through other WDC contributions from within the District to the Warwickshire Natural Capital Investment Scheme	Quarterly	Climate Change	Place / Strategic Leadership
8 Energy Supply	8.1	MW of solar energy production within the District a) in operation b) with planning permission	Annual	Climate Change	Place
	8.2	MW of wind energy production in operation or with planning permission within the District	Annual	Climate Change	Place
Adaptation 2050					
9. Adaptation	9.1	No. of climate related risks identified and included in risk registers with mitigation measures in place	Annual	Climate Change	Strategic Leadership

	9.2	No. of biodiversity units in Warwick District registered on the Biodiversity Net Gain system.	Annual	Climate Change	Strategic Leadership
NB: Additional Biodiversity Measures to be identified and introduced on adoption of the BAP					