

OVERVIEW AND SCRUTINY COMMITTEE

Minutes of the meeting held on Tuesday 16 April 2013 at the Town Hall, Royal Leamington Spa at 6.00pm.

PRESENT: Councillor Gifford (Chairman); Councillors Mrs Blacklock, Boad, Brookes, Ms Dean, Dhillon, Mrs Falp, Mrs Gallagher, Gill, Mrs Higgins, Weber and Wreford-Bush.

ALSO PRESENT: Councillor Coker (Portfolio Holder for Environment and Community Protection), Councillor Doody (Leader of the Council) and Councillor Mobbs (Portfolio Holder for Finance).

Councillor Wreford-Bush substituted for Councillor Copping.

Apologies for absence were received from Councillors Davies and Edwards.

124. **DECLARATIONS OF INTEREST**

Minute 131 – Executive Agenda (Confidential Items and Reports) –
Wednesday 17 April 2013 – Item 15 Shades Judicial Review

Councillors Mrs Gallagher, Gill and Wreford-Bush all declared an interest and left the room whilst this item was debated as they were all members of the Regulatory Committee. Councillor Wreford-Bush declared the interest at the start of the meeting when the call was made for Declarations of Interest. Councillors Mrs Gallagher and Gill declared the interest during the course of the meeting when the item of Shades Judicial Review was reached.

125. **MINUTES**

The minutes of the meeting held on 12 March 2013 were agreed and signed by the Chairman as a correct record.

126. **REPORT FROM THE LEADER OF THE COUNCIL**

The Leader of the Council, Councillor Doody, gave a talk to the Overview and Scrutiny Committee on how he saw the future of the Council. He also answered questions put to him by Members of the Overview and Scrutiny Committee. He impressed upon Members his optimistic view of the future despite the difficult challenges faced through outside circumstances concerning the depressed state of the economy, and the continuing growing demand by the District's residents and businesses for improved, cheaper and quicker public services in times of austerity. He emphasised the need for change and then went through the way in which the Council was meeting the challenges. He referenced the Council's Fit for the Future programme and the way the Council was "Growing the Economy" and in particular, the local economy. Examples of this cited were the Homes Bonus Scheme and the Business Rates Retention Scheme.

OVERVIEW AND SCRUTINY COMMITTEE MINUTES (Continued)

Councillor Doody's talk gave examples of several areas the Council was currently working upon and this included:

- the Gateway Development
- City Deal
- the Planning Peer Review
- the Local Plan
- Clarendon Arcade
- the hotel development at Warwick Racecourse
- Station Approach and the Railway Station regeneration
- Spencer Yard
- Bowls England
- the Destination Management Organisation project
- Town Centre Management
- Housing projects such as the self-financing scheme and the Waterloo Housing Project
- Flood alleviation schemes
- Improving recycling schemes
- HS2 and efforts to reduce the effect on the District

Councillor Doody also spoke about how the management of the Council was being improved and spoke about the Council Peer Review, discussions on the Ward boundaries, the Council's asset management review and how work with the Public Sector Partnership would affect this, and how the Council had agreed a local scheme to reward all of its staff if financial and other aims were achieved. He also talked about the role of the Council's Chairman and his vision of what this could cover.

Finally, the Leader spoke about financial management of the Council and was pleased about the way the Council's finances had been managed. He believed that growth was the future. The Chairman of the Overview and Scrutiny Committee thanked the Leader of the Council for his talk and Councillor Doody agreed to circulate a copy of his talk to all Councillors.

(Councillor Mrs Higgins left the meeting during the course of this item.)

127. EXECUTIVE AGENDA (NON CONFIDENTIAL ITEMS AND REPORTS) – WEDNESDAY 17 APRIL 2013

Item 7 – The Way Forward for the Local Plan

The Overview and Scrutiny Committee considered a report from the Development Policy Manager which set out the proposed way forward for the development of the Local Plan following the decision of the Inspector for Coventry's Core Strategy to ask the City Council to withdraw their Plan so that they could work with other councils in the sub region on preparing a Joint Strategic Housing Market Assessment. As this decision had significant implications for Warwick District's Local Plan the way forward for the Local Plan had been reconsidered.

The Chairman of the Overview and Scrutiny Committee informed Members that he had received a request from the Chairman of Old Milverton and Blackdown Joint Parish Council, Councillor Jonathan Lander, to address them. Councillor Lander was then invited to speak.

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Councillor Lander explained that he had felt it important to speak to the Overview and Scrutiny Committee because of the importance of the Local Plan and the way it would determine the destiny of the District. He felt that the Overview and Scrutiny Committee had an important role to play in ensuring that any risks were mitigated. He also emphasised that whilst the District Council was required to co-operate with Coventry City Council, this did not mean capitulation. He pressed for the cooperation with Coventry to be as open and transparent as possible.

Members were in agreement that the worst possible outcome from all the discussions to agree the Local Plan would be to produce a Plan that was then found to be invalid. Cooperation was necessary to ensure that this did not happen but discussions had to be a two-way process and not the larger Authority being allowed to dictate terms. It was also suggested that the discussions had to cover not just housing numbers, but also where the most suitable sites to build were. It might be possible that more use of brown-field sites could be made, and that Coventry might agree to take some of the housing number requirements from the District.

It was agreed that in respect of comments to be made at the Executive meeting on 17 April 2013, the Overview and Scrutiny Committee accepted the recommendations in the report. The Committee emphasised strongly that the co-operation between the District Council and Coventry City Council must be as open and transparent as possible to help ensure a good solid Local Plan. It was important that the position regarding the shared Head of Planning between the two Authorities was understood by Members and the public. The Committee also stressed that all relevant parties should be consulted, and these would include the LEP and City Deal.

The Chairman of the Overview and Scrutiny Committee thanked Councillor Lander for attending the meeting and making the concerns of the parish council known.

(Councillor Mrs Blacklock arrived during the course of this item.)

(Councillor Doody left the meeting at the conclusion of this item.)

128. PUBLIC AND PRESS

RESOLVED that under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following items, by reason of the likely disclosure of exempt information within paragraphs 1 and 3 of Schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006, as set out below.

Minute No.	Para Nos.	Reason
129 - 131	3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)

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Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

The full text of Minutes 129 to 131 was recorded in a confidential minute which would be considered for publication following the implementation of the relevant decisions. However, a summary is as follows:

129. **MINUTES**

The confidential minutes of the meeting held on 12 March 2013 were agreed and signed by the Chairman as a correct record.

130. **COMMENTS FROM THE EXECUTIVE**

The responses the Executive had given to the comments made by the Overview and Scrutiny Committee regarding the confidential reports submitted to the Executive in March 2013 were detailed in a confidential minute.

131. **EXECUTIVE AGENDA (CONFIDENTIAL ITEMS AND REPORTS) – WEDNESDAY 17 APRIL 2013**

Item 15 – Shades Judicial Review

Councillors Mrs Gallagher and Gill declared an interest as members of the Regulatory Committee and left the room for the duration of this item. Councillor Wreford-Bush also left the room, having declared an interest at the start of the meeting.

The recommendations and comments made were detailed in a confidential minute.

(Councillor Coker left the meeting at the conclusion of this item.)

The meeting resumed its public session.

132. **COMMENTS FROM THE EXECUTIVE**

The Committee considered a report from Civic and Committee Services which detailed the response the Executive had given to Members' comments regarding the non-confidential reports submitted to the Executive in March 2013.

The report was produced to create a dialogue between the Executive and the Overview and Scrutiny Committee and it ensured that the Overview and Scrutiny Committee was formally made aware of the Executive's responses.

RESOLVED that the report be noted.

OVERVIEW AND SCRUTINY COMMITTEE MINUTES (Continued)

133. FORWARD PLAN

The Committee considered the Forward Plan which had been published for April 2013 to July 2013.

Councillor Boad informed the Committee that he was aware that some Councils were helping to arrange the logistical matters related to a move such as new service providers, post office communications, etc. The Deputy Chief Executive (AJ) was asked to check the position with regards to the Tenants' Incentive Scheme. He was also asked to find out if it was possible for the Council and Waterloo Housing to enter into its own tenant transfer scheme because of the close relationship between the organisations. Councillor Boad also raised the issue that the three month spare room subsidy (also known as the bedroom tax) progress report dealing with its impact and the discretionary payments scheme should appear on the Forward Plan. With regards to Pre Application Charging (Forward Plan reference 465), the Committee was informed that because it was hoped to have a light agenda for the May Executive meeting, it was anticipated that this item would come to the June Executive meeting. It was pointed out that the Contact Officer name shown on the Forward Plan was no longer valid.

In respect of the Forward Plan for April 2013 to July 2013 it was:

RESOLVED that the report be noted.

134. REVIEW OF THE WORK PROGRAMME

The Committee considered a report from Civic and Committee Services on the Committee's work programme from April 2013 to June 2013.

In December 2012, the Executive resolved that Health Scrutiny would be handled by a sub-committee of the Overview and Scrutiny Committee. In March 2013, the Overview and Scrutiny Committee decided that it wanted to ensure the work on Health Scrutiny was cross party, which would include members from outside the main Overview and Scrutiny Committee, and that Overview and Scrutiny retained the decision making power. This would not be possible by the establishment of a sub-committee. The Deputy Chief Executive (AJ), agreed to ensure that recommendations on how the requirements could be best handled would be brought to the Committee at its next meeting. The recommendations were set out in an appendix to the Work Programme for the April 2013 meeting (Appendix 2).

RESOLVED that a Working Party be established from across the Council of five Councillors to provide guidance to the Overview and Scrutiny Committee on the items listed within Appendix 2 to the Work Programme.

Councillor Dhillon was informed that the issue of Tourism and Strategy had been discussed by the Committee in March 2013. The Chairman informed him that the issue could come back to the Committee for discussion in the future, but that it might be prudent to wait six months before this was re-introduced.

OVERVIEW AND SCRUTINY COMMITTEE MINUTES (Continued)

It was agreed that the Chairman would speak to the Head of Housing and Property Services to ascertain when reports could be brought to the Overview and Scrutiny Committee to cover the Tenants' Incentive Scheme and a Tenant Transfer Scheme with Waterloo Housing. These two items would be added to the Committee's Work Programme once dates had been agreed.

In respect of the Work Programme for April 2013 to June 2013 it was:

RESOLVED that the report be noted.

135. SAFEGUARDING CHILDREN ACTION PLAN

The Chairman informed Members that he had spoken with the Head of Housing and Property Services who had been unable to deliver the Safeguarding Children Action Plan report for the April meeting. It had been agreed that the report would be delivered to the May meeting. It was noted that in 2011, the Chair of the Warwickshire Safeguarding Children Board (WSCB) had led an audit of partner agencies to assess their level of compliance with Section 11 of the Children Act 2004. This legislation was concerned with the infrastructure which agencies needed to have in place in order to be able to deliver their specific responsibilities in relation to safeguarding children. Following this Council's response in April 2011, the WSCB had concluded that this Council had sound arrangements in place for safeguarding children and was compliant with the requirements of Section 11.

The Chairman said he would formally invite the Head of Housing and Property Services and the Portfolio Holder to the next meeting.

136. TASK AND FINISH GROUP – STAFF VOLUNTEERING

At the previous meeting of the Overview and Scrutiny Committee in March, it had been agreed that some amendments were required to the Scoping document for the Task and Finish Group and that the document should be checked before re-submission for approval to the two Councillors who had asked for amendments, namely Councillors Illingworth and Boad. The Scoping document had been amended and sent to both of these Councillors to be checked. The Committee was asked to approve the amended version and to authorise a request for volunteers to join the Task and Finish Group to be sent out to Councillors.

Members noted that the amended Scoping document had been sent to them with very short notice and the Deputy Chief Executive (AJ) informed them that efforts were being made to get the provision of reports to Councillors ahead of meetings on time.

RESOLVED that the Scoping document for the Task and Finish Group – Staff Volunteering is approved and volunteers be sought to join the Group.

OVERVIEW AND SCRUTINY COMMITTEE MINUTES (Continued)

137. EXECUTIVE AGENDA (NON CONFIDENTIAL ITEMS AND REPORTS) – WEDNESDAY 17 APRIL 2013

Item 5 – Review of Planning Committee – Outcomes of consultation

The Overview and Scrutiny Committee considered a report from the Chief Executive that provided the outcome on the review of the Planning Committee that Council had agreed should be undertaken by the Chief Executive and presented the findings of the consultation exercise following the circulation of an Issues Paper on which Members' views were sought and the Planning Peer Review carried out by the Planning Advisory Service. A set of recommendations were to be presented to the Executive.

The Overview and Scrutiny Committee recommended to the Executive that:

- (i) in respect of recommendation 2.4 in the report, an appropriate budget was set to ensure quality training which should lead to quality decisions. Also substitute members of the Planning Committee must also receive the training;
- (ii) on recommendation 2.8, the Vice Chairman of Planning Committee should not be paid a special responsibility allowance, and if such an allowance was granted, the Committee was wholly opposed to this being back-dated;
- (iii) in respect of recommendation 2.9, it should be emphasised that Ward Councillors would still have the power to call in an Enforcement item, and that Ward Councillors must be informed of these in good time to allow this to happen; and
- (iv) the report should make it clear that the independence of the Planning Committee must be preserved.

The Chairman was asked to inform the Committee that one Member of the Overview and Scrutiny Committee had felt that the report should be withdrawn.

Item 12a – Rural/Urban Capital Improvement Application

The Overview and Scrutiny Committee considered a report for the Executive that aimed to seek the Executive approval of the revised criteria for the Rural/Urban Capital Improvement Scheme.

The Committee recommended to the Executive that the Portfolio Holder for Finance worked with the Overview and Scrutiny Committee to obtain a cross-party view to produce the scheme.

(The meeting finished at 9.30 pm)