

Title: End of Term Report

Lead Officer: Lesley Dury, Principal Committee Services Officer

Portfolio Holder: Not applicable

Public report

Wards of the District directly affected: Not applicable

Contrary to the policy framework: No

Contrary to the budgetary framework: No

Key Decision: No

Included within the Forward Plan: No

Equality Impact Assessment Undertaken: Not required because this report gives a synopsis of work undertaken by O&S Committee and contains no new material.

Consultation & Community Engagement: Chair of O&S, Councillor Milton and Councillor Day, Leader of the Council; Overview & Scrutiny Committee 20 April 2021

Final Decision: Yes

Accessibility checked: Yes

Officer/Councillor Approval

| Officer Approval | Date | Name |
|--|-------------|--------------|
| Chief Executive/Deputy Chief Executive | 31.3.21 | Andrew Jones |
| Head of Service | | |
| CMT | 31.3.21 | Andrew Jones |
| Section 151 Officer | | |
| Monitoring Officer | 31.3.21 | Andrew Jones |
| Finance | | |
| Portfolio Holder(s) | | |

1. Summary

- 1.1 This report is the annual end of term report to the Council on the work the Overview & Scrutiny Committee has undertaken during the municipal year 2020/21. The Committee met 10 times during the year, although its first meeting was just to appoint the Chair of the Committee. It also met jointly with the Finance & Audit Scrutiny Committee twice in July 2020.

2. Recommendation

- 2.1 It be recommended to Council that the list of matters considered by the Overview & Scrutiny Committee during the municipal year 2020/21, as detailed in Appendix A to the report, be noted.

3. Reasons for the Recommendation

- 3.1 Under Article 6 of the Council's Constitution Overview & Scrutiny Committees and Policy Committees are required to provide an end of term report to the Council on work they have undertaken during the year.
- 3.2 The matters considered during the year are attached at Appendix A to the report. This will be updated to include matters considered at this meeting, before it is submitted to Council.

4. Policy Framework

4.1. Fit for the Future (FFF)

- 4.1.1. The Council's FFF Strategy is designed to deliver the Vision for the District of making it a Great Place to Live, Work and Visit. To that end amongst other things the FFF Strategy contains several Key projects.
- 4.1.2. The FFF Strategy has 3 strands, People, Services and Money, and each has an external and internal element to it, the details of which can be found [on the Council's website](#).

4.2. FFF Strands

4.2.1 External impacts of proposal(s)

People - Health, Homes, Communities - Improved health for all; Housing needs for all met; Impressive cultural and sports activities; Cohesive and active communities.

Services - Green, Clean, Safe - Becoming a net-zero carbon organisation by 2025; Total carbon emissions within Warwick District are as close to zero as possible by 2030; Area has well looked after public spaces; All communities have access to decent open space; Improved air quality; Low levels of crime and ASB.

Money- Infrastructure, Enterprise, Employment - Dynamic and diverse local economy; Vibrant town centres; Improved performance/productivity of local economy; Increased employment and income levels.

4.2.2. **Internal impacts of the proposal(s)**

People - Effective Staff –All staff are properly trained; All staff have the appropriate tools; All staff are engaged, empowered and supported and that the right people are in the right job with the right skills and right behaviours.

Services - Maintain or Improve Services - Focusing on our customers' needs; Continuously improve our processes and Increase the digital provision of services.

Money - Firm Financial Footing over the Longer Term - Better return/use of our assets; Full Cost accounting; Continued cost management; Maximise income earning opportunities and Seek best value for money.

4.3. **Supporting Strategies**

4.3.1. Each strand of the FFF Strategy has several supporting strategies; however, this report is for governance purposes and allows an overview of the previous 12 months' work.

4.3.2. The work carried out by the Committee helps the Council to improve in line with its priority to manage services openly, efficiently and effectively.

4.3.3. The report is made annually as a matter of good practice and Council policy.

4.4. **Changes to Existing Policies**

4.4.1. There are no changes to existing policies.

4.5. **Impact Assessments**

4.5.1. There are no new policy changes in respect of Equalities.

5. Budgetary Framework

5.1. The recommendations in the report do not affect the Council's budgetary framework

6. Risks

6.1. There are no risks associated with this report which is purely provided as a matter of good practice and Council policy concerning Scrutiny committees.

7. Alternative Option(s) considered

7.1. There are no alternative options because this report complies with the requirements of Article 6 of the Council's Constitution.

Chair's Introduction

As I look back over my first year as Chair of Overview and Scrutiny, I want to start by thanking everyone who has been involved in supporting the work of the committee over this last year. That includes officers from Committee Services, members who have contributed to our discussions and debate and in addition those officers who have prepared and presented reports that the committee has discussed. Together with Portfolio Holders I appreciate the time and effort that they have given to helping us question, understand and at times challenge reports and proposals. Some of these areas have been extremely technical (e.g. the Local Plan, HMOs) and the support of officers has been invaluable in helping us to navigate these complex subjects.

This year has of course been conducted against the background of the Covid pandemic. Whilst this has impacted how we meet, with all meetings taking place online it has not impacted the diligence with which we carry out our role.

One of my key aims as Chair has been to ensure that we as a committee focus our time on scrutinizing the right things. Whilst we have a role in scrutinizing the delivery of the council's services, we have spent more of our time this year focused on the strategic and policy making initiatives of the Executive. This has meant a shift in the nature of what we debate, and this has been further enabled by creating clear guidelines for which items we consider. This is aimed at not only ensuring that we talk about the areas that have the biggest impact on our residents but also that our discussions are focused on achieving a clear outcome and recommendation.

Alongside this we have tried to ensure a collegiate approach to how we examine items and I am grateful that members from all parties have chosen to be actively engaged and that in most cases we have taken a non-partisan approach. This has helped us to create recommendations to the Executive which enable them to make better decisions and I am pleased that some of these recommendations have been taken on board by the Executive.

I have been particularly pleased that this year we have been involved closely with two Task & Finish Groups. The first, the inquiry into Race Equality within the District will report shortly and I hope that as a Committee we have been able to provide helpful steering and constructive challenge to this group. The second Task & Finish Group examined our response to Covid-19. This was not intended as a deep critique into the actions of the Council, but it is important that we capture lessons learned and incorporate them into our future ways of working. I am pleased that the final report and recommendations, focusing on the long-term learnings for the council has been accepted and look forward to seeing progress on them over the remainder of this Council term.

As we look to the year ahead a significant amount of our time will be spent scrutinizing the proposed merger with Stratford District Council. I am pleased that in collaboration with the Chair of F&A we have begun to scope out how we might provide effective scrutiny to what will be one of the biggest and most complex changes to council operations in recent years. Members have already begun to

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engage positively in these discussions, and I look forward to working together over the next twelve months to continue effective and constructive scrutiny of the Council's activities.

Councillor Andrew Milton
11 April 2021

Items considered by Overview & Scrutiny Committee 2020/21

Overview & Scrutiny Work Programme Items

2020:

End of Term Report

Developing Scrutiny

Appointment of Children's and Adults' Safeguarding Champion

Future working of Scrutiny Committees

Task & Finish Group – Equality and Diversity

Annual Review of Plastics Policy, Sustainability Approach and Climate Emergency Action Plan

Summary of the role, responsibilities and performance of the South Warwickshire Community Safety Partnership (SWCSP)

The impact of the revised Housing Services Management structure and additional resources approved in November 2019

Shared Environmental Enforcement with Rugby Borough Council

Public Convenience Review Update

2021:

HEART Shared Service Review

Noise Complaints

Task & Finish Group – Role of the Chairman

Shared Environmental Enforcement with Rugby Borough Council

Task & Finish Group – Equality and Diversity

Step Back Review Task & Finish Group on the Council's response to Covid 19

O&S End of Term Report

HEART Shared Service Briefing Paper (following up from the HEART Shared Service Review)

Criteria for call in of Executive Reports to Scrutiny Committees

Routine Items

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

Executive Items Considered by the Committee

(This section details the comments and recommendations made by the Overview & Scrutiny Committee to the Executive on reports being considered by the Executive. The decisions made at the Executive meeting have been detailed if the decision was different to the recommendations in the report.)

7 July 2020:

The Overview & Scrutiny Committee met with the Finance & Audit Scrutiny Committee.

Warwick District Leisure Development Programme – Kenilworth Facilities

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The recommendations in the report were noted and a request was made that additional work be undertaken on: vehicle and active transport access to the leisure centres; and on their carbon neutrality.

Councillors Redford and Grey requested that their support for the recommendations in the report be noted and Councillor Milton requested his objection to the recommendations in the report should be noted.

Review of Local Government Structure in Warwickshire

Both the Overview & Scrutiny Committee and the Finance & Audit Scrutiny Committee supported the recommendations in the report.

They highlighted that the Council needed to keep focused on the overall strategic advantages of working with Stratford and from possible local government reorganisation. Therefore, it should be mindful, on this twin track approach, that the project on working with Stratford did not pre-determine the possible shape of local government reorganisation or preclude possible working with other boroughs and districts where that would be beneficial for residents and provide value for money.

Executive Response:

Two additional recommendations were added for approval:

"That £35,000 is provided from the Service Transformation Reserve to fund the Council's contribution to the joint study and for additional support in respect of communications"; and

"That the Cabinet of the County Council is asked to reconsider its informal decision to commission a separate business case for a single unitary Council and instead to participate in the joint study with the other Borough and District Councils to look at all options and to listen to the public's views".

Adoption of Affordable Housing and Developer Contributions SPDs

Both Committees were satisfied that the questions posed ahead of the meeting had been satisfactorily answered.

Final Accounts 2019/20

The Committees thanked the Head of Finance and his team for the work on producing the draft financial statements for 2019/20 so promptly.

Community Stadium and Associated Developments

The Committees supported the recommendations in the report.

29 July 2020

The Overview & Scrutiny Committee met with the Finance & Audit Scrutiny Committee.

Governance Review of Warwick District Council

The Committees supported the recommendations in the report but wanted to draw a number of points to the attention of the Executive that needed to be carefully monitored.

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The Committees had concerns about the large remit of each PAB and how they would cope looking at such large areas of work. This was a specific concern that the listed areas were just projects and did not cover other work the PABs would look at, such as refinements to or creating new policies.

The Committees shared concerns that with the change to scrutiny of service provision, the development of and quality of service provision might not be adequately picked up by the scrutiny of RAG and KPIs that had been developed and which would be adopted.

They noted the dates in 2.2 and 2.7 for review should be combined so they were the same, and that the remit of the review should be produced in agreement with both Scrutiny Chairs.

The Committees appreciated clarification that the presumption would be for briefings to remain in the evening, in line with the protocol for arranging meetings with Councillors, but accepted this may mean some needed to be held at the same time as other meetings.

The Committees made a general comment on the resources for Civic & Committee Services, that this proposal should be work neutral and therefore this element needed to be closely monitored and fed back on as part of the 6, 12 and 18-month review.

In addition, some Members of the Committee raised concerns about:

- the loss of Shadow Portfolio Holder meetings and highlighted this could lead to more work for officers through more frequent questions/contacts from Councillors; and
- for providing an SRA for the role of Chairman of a PAB.

Executive Response:

Councillor Day proposed the report as laid subject to recommendation 2.7 being amended. The recommendations in the report were approved, so the independent assessment of these arrangements would be undertaken in February 2022 and officers were asked to bring back an outline proposal for this, in consultation with the Chairs of Scrutiny, in December 2021 along with proposed funding arrangements.

24 August 2020:

Minimum Energy Efficiency Standards Enforcement Process – Private Sector Housing

The Committee supported the recommendations in the report and agreed it would monitor their implementation. In agreement with the Portfolio Holder for Housing & Property Services, the Committee agreed that its Chair and the Portfolio Holder would liaise with Democratic Services to review whether ongoing reporting could be done using a dashboard within the Business Intelligence Portal.

The Committee agreed to add a review of the process to its Work Programme after it had been operational for a minimum of 12 months.

Article 4(1) direction for Sherbourne Conservation Area

The Committee noted the recommendations. In discussion it welcomed officers' proposals to check and update guidance on the Council's website but expressed concerns that changes to the regulations should not impede people from fitting equipment into their property in line with the Council's Climate Emergency ambitions.

Park Exercise Permits

The Committee noted the recommendations in the report and agreed it would monitor their implementation.

The Head of Cultural Services and Portfolio Holder for Culture agreed to explore if a method to allow new licence holders to upgrade easily from monthly to annual payments would be feasible.

The Committee agreed to add a review of the permit scheme to its Work Programme after it had been operational for six months.

Executive Response:

The recommendations in the report were approved, subject to the following amendments and additional recommendations:

Amended Recommendations

2.2 That the Executive recommends to Council for approval the prices shown in Appendix A to this report for the period of time between the implementation of the policy and 1st January 2021 with a delegation to the Head of Cultural Services, in consultation with the Portfolio Holder for Culture, to apply discount prices as deemed appropriate for the purpose of launching the scheme.

2.3 That Members instruct officers to review the Park Exercise Policy after the first 6 months of operation and then on an annual basis, with charges being included as part of the annual review of fees and charges.

Additional Recommendations

2.4 That Members delegate to the Portfolio Holder for Culture and the Head of Cultural Services the decision as to the future inclusion of new areas of the Council's Parks and Open Spaces within the remit of this policy

2.5 That members ask officers to update the relevant pages on the Council website to promote the new policy and to list those organisations who have registered as part of the scheme

Amendment to Paragraph 6 – Pricing Policy (page 11 in the report)

"The following prices are for the use of all designated Warwick District Council parks. Annual permits are available and should be paid as one

payment at the beginning of the permit year. Monthly permits can be paid by direct debit”.

1 October 2020:

Joint Local Plan Review

The Committee felt that a clear distinction was required to make it apparent that the working party was not a scrutiny function. It also felt that the term “Programme Advisory Board” should be avoided because of the very specific meaning it had at Warwick District Council and the confusion that could arise.

It was noted that concerns raised about the potential impact of the Local Government review and on potential differing needs for affordable and other housing allocations would be addressed through the proposed officer work and Member review.

Trees for our Future – Project Framework and Start-up

The Committee thanked officers for their work and welcomed this initial plan which was felt to be a good foundation to determine the final plan details. It looked forward to information on both the final number of trees and the amount of woodland established. The community involvement was noted as a very positive aspect of the project.

17 November 2020:

Sherbourne Resource Park – Proposal to become a Partner Council; and
Waste Contract Renewal – Update Report

The Committee considered both of these reports together because they both dealt with waste management. It noted and accepted the contents of both reports.

The Committee felt that it would be important to bring residents on-board with the changes to the waste and recycling services. Effective communication and providing help to residents to manage the impact of the changes would be necessary and this would help link into the Council’s wider Climate Emergency ambitions.

The Committee did raise concerns over the potential problem that could be posed by fly-tipping and asked that an effective strategy to counter this risk was put in place. Flexibility in approach was key.

Creative Quarter: Spencer Yard

The Committee considered the report and accepted its contents.

Executive Response:

The recommendations in the report, and along with the following additional recommendation from the Finance and Audit Scrutiny Committee, were approved:

“that authority be delegated to the Deputy Chief Executive (BH) in consultation with the Chair of the Finance & Audit Scrutiny Committee, the Leader of the Council and the Portfolio Holder for Finance and Business, to further investigate and look in detail at the proposed Heads of Terms included in Confidential Appendix 2. Given the Council's unanimous support of the Climate Emergency Action Plan, Members ask that detailed terms on the environmental standards of the proposals be considered, and whether it is sensible to include environmental conditions into the lease, subject to not adversely affecting the viability of the scheme. Members feel that the efficacy of those conditions is something the Programme Advisory Board should look at and monitor”.

10 December 2020:

General Fund Financial Update

The Committee recognised the challenge of achieving financial savings whilst retaining the public facing service levels, wished to see more detail about how this balance would be achieved and agreed it would scrutinise proposals thoroughly as and when the details were available.

Climate Emergency Action Programme (CEAP) Review

The Committee supported the Climate Emergency Action Plan being an item in the Council's proposed budget for next year. It suggested that a “Plan for Good News” should be established to ensure residents could appreciate achievements. There was a general desire that the Council aimed high at the start of new projects and this should be set out as an ambition from the outset.

11 February 2021:

Working together with Stratford District Council

The Committee was pleased to note the intention to provide quarterly updates but it recommended that this should go further and that there should be a “Scrutiny Plan”. This plan should set out points in the project where there were key decisions being made and where matters requiring scrutiny at either or both O&S or F&A were embedded within the plan. Short progress updates should also be provided to each Scrutiny meeting so that the Committees were not overwhelmed with less frequent, longer reports that effectively meant there was no time to scrutinise other areas of the Council's operations at those meetings.

Members were mindful of the amount of time officers required to undertake this project and the Committee would plan its meetings to allow sufficient time to scrutinise with the aim to help the Executive. It would look at whether joint meetings of both Scrutiny Committees would be of assistance, and also joint meetings with Stratford District Council.

Executive Response:

The recommendations in the report, along with the additional recommendation from the Overview and Scrutiny Committee, were

approved, subject to the following amendment to recommendation 2.2:

Amended Recommendation 2.2

(c) subject to the approval of recommendation 2.2(a) and 2.2(b) that the Chief Executives of both Councils are asked to ~~prepare~~ draft a submission to the Government seeking approval to achieve a merger by 2024, subject to a further report for approval by both Councils.

(d) subject to the approval of 2.1(c), 2.2(a) and 2.2(b), that the Chief Executives of both Councils are authorised to prepare a Programme of Implementation (PI) to deliver the vision agreed at ~~2.4~~ 2.2(a) above for consideration by Members no later than July 2021.

(e) subject to the approval of 2.2(a) to 2.2 ~~(c)~~ (d) above, the sum of £100,000 pa from the Council for the period 2021/22 to 2023/24 be included within the Medium Term Financial Strategy and is funded from the Service Transformation Reserve to ensure that there is sufficient programme management resource to support the Councils through this transition process to a full merger

Warwick District Leisure Development Programme – Kenilworth Facilities

The Committee recommended that the amended recommendation 2.8 should be further amended to include consultation with both the Leadership Co-ordination Group (LCG) and all Kenilworth District Councillors over when and which facilities should be re-opened.

18 March 2021:

HMO Licensing and Planning Permission

Following suggestions made prior to the meeting by the Head of Housing Services and the Portfolio Holder, Housing and Culture, the Overview and Scrutiny Committee **recommended** that wording in Appendix A to the report and Recommendation 2.3 in the main report, be amended:

Appendix A “Warwick District Council HMO Licensing and Planning Permission Policy – Private Sector Housing”, section 3.0 – Implementation

Current wording:

When an HMO licence application is received for the first time or in advance of an HMO license being renewed the Private Sector Housing Team will check the planning status of the property with the Planning Enforcement Team.

Where planning permission is needed the landlord will be required to apply for planning permission within the following times scales:

- Landlords making an HMO license application for the first time be given two months to submit a valid planning application.
- Landlords of properties where an HMO license needs to be renewed, must submit a valid planning application before the current license expires.

Recommended wording:

When an HMO licence application is received for the first time or in advance of an HMO licence being renewed the Private Sector Housing Team will check the planning status of the property with the Planning Enforcement Team.

Where planning permission is needed the landlord will be required to apply for planning permission within the following *time* scales:

- Landlords making an HMO licence application for the first time *where there are no current residents will be advised to obtain planning permission before their licence can be issued.*
- Landlords making an HMO licence application for the first time where residents are currently in occupation to be given two months to submit a valid planning application before enforcement action is taken.
- Landlords making an HMO licence application who submit a planning application within the required time but then who fail to provide any required documentation within a two-month period will be subject to enforcement action.
- Landlords of properties where an HMO licence needs to be renewed, must submit a valid planning application *in time for this to be considered before the current licence expires. A new licence will not be issued without planning permission being in place.*

Recommendation 2.3 in the main report:

Current wording:

2.3 Note that landlords of relevant properties that require an HMO license and do not have planning permission will face enforcement action if they do not apply for permission.

Recommended wording:

2.3 Note that landlords of relevant properties that require an HMO licence, *where those properties have residents occupying and using the premises as an HMO*, and do not have planning permission will face enforcement action if they do not apply for permission *within the required timeframe.*

Recommendation 2.4 in the main report

The Head of Housing Services in liaison with the Portfolio Holder, were both asked to take appropriate advice, legal or otherwise, and re-word Recommendation 2.4 in the report which would then be presented to Executive for approval on 18 March 2021. It was felt that the current wording of the recommendation was not making clear which policy was being referred to for the requirement that planning permission be obtained.

Executive Response:

The recommendations in the report and addendum, along with the amended recommendations from the Overview and Scrutiny Committee, were approved.

Step Back Review Task & Finish Group on the Council's Response to Covid 19

The Overview & Scrutiny Committee had set up this Task & Finish Group, and its findings were presented to the Committee at its 9 February 2021 meeting for submission to Executive. The report and recommendations were approved to be presented to Executive. At the meeting of the Executive 18 March 2021, the recommendations in the report, as set out in Appendix 1 to the report, were approved.

14 April 2021:

Joint Cabinet/Executive Committee of Stratford-on-Avon and Warwick District Councils Agenda – Wednesday 14 April 2021 - Item 4 - South Warwickshire Local Plan - Scoping Report

The Overview & Scrutiny Committee thanked the report authors for their comprehensive work on the report. The Committee discussed the report and made the following recommendations:

1. The document should make it clear the plan is being developed at a strategic high level and that certain local plan policies (e.g. HMOs, student accommodation) will continue to exist unaffected.
2. That all the questions asked in the report should be reviewed to take into account the audience they were aimed at to ensure, wherever possible, plain English is used.
3. That in respect to affordable housing there was a need to look at housing needs within the district to ensure that an appropriate policy is adopted.
4. The position relating to Gypsy and Traveller sites should be addressed more clearly.
5. That the Council should aim for a plan in which all new housing should be required to be carbon zero.
6. That there is effective engagement with parish councils and that they understand any impacts on their own parish/neighbourhood plans.
7. Analysis of responses should ensure that they build an understanding of the distinct view of different interest groups e.g. developers, parish councils and members of the public.

22 April 2021:

The Overview and Scrutiny Committee did not call in any reports on the Executive agenda to be scrutinised.