

Overview and Scrutiny Committee

Minutes of the meeting held on Tuesday 26 September 2019 at the Town Hall, Royal Leamington Spa at 6.00pm.

Present: Councillor Davison (Chair); Councillors; Boad, Cullinan, A Dearing, Kohler, Margrave, Milton, Redford and Sanghera.

Also Present: Councillor Day, Leader of the Council, Councillor Falp, Portfolio Holder – Health & Community Protection, Councillor Norris, Portfolio Holder – Neighbourhood Services.

33. **Apologies and Substitutes**

An apology for absence was received from Councillor Noone.

34. **Declarations of Interest**

There were no Declarations of Interest made.

35. **Minutes**

The minutes of the meeting held on 20 August 2019 were taken as read and signed by the Chair as a correct record.

In respect of Minute 26, the Chair reminded Members that at the last meeting the Head of Health & Community Protection had advised that the Council's website was going to be updated with information for the public about how to deal with neighbours who were causing night noise problems. He had asked the Head of Health and Community Protection when this would happen but had not received a specific answer about the timescale. He therefore asked Members to decide a reasonable timescale. The Chair was asked to chase the matter in four months if the website had not been updated. A reminder for the Chair would be put on the Committee's Work Programme.

36. **Shared Environmental Enforcement with Rugby Borough Council**

The Committee considered a briefing note from Neighbourhood Services which gave an update on the shared environmental enforcement service with Rugby Borough Council.

For a number of years, Warwick District Council concentrated on the removal of fly tipped items rather than enforcement. During 2017 and 2018, work was undertaken to look at environmental enforcement options and the Council agreed to enter into a shared service with Rugby Borough Council as it already had an experienced team of enforcement officers and enforcement processes. From November 2017, Neighbourhood Services began collecting evidence from fly tips for enforcement action. There was an initial delay to the shared service because of necessary legal requirements not being completed until the end of March 2018 and then an internal restructure at Rugby Borough Council delaying its ability to start until July 2018.

In response to questions from Members, the Contract Services Manager advised that:

- The technical knowledge still needed to be taught to this Council's officers before the agreement ended and until there was sufficient staff in the Department, this was unlikely to be resolved.
- When fly tips were examined, if there was no evidence that allowed officers to trace it back to a person, then the Council could not pursue enforcement.
- Fly tippers quickly learnt not to leave evidence so this meant the number of enforcements to final stage were very few. In the figures provided in the briefing note, there were only three cases where evidence had been left.
- There was no trend on where fly tipping took place, no trend on days of the week or times of the day. Fly tipping occurred at random locations at random times.
- When other local authorities had used CCTV to catch fly tippers, these had proven ineffective because the cameras had been stolen.
- Charges being applied at refuse sites did not exacerbate fly tipping because fly tippers did not use refuse sites.
- The majority of fly tipping waste was household waste.
- The Council liaised with the student population to explain how to deal with their household waste.

Resolved that a further update be provided in 12 months' time.

(Councillor Day arrived partway through this item.)

37. **Public Convenience Review Timetable**

The Committee considered a briefing note from Neighbourhood Services following on from its previous meeting in August, when it had requested a timetable for the review of Public Convenience provision, in particular, for toilets for people living with disability.

The briefing note spelt out the provision of public conveniences around the District and gave an explanation of the system used to access conveniences for people living with disability through the RADAR key scheme.

A table giving proposed actions and timelines to improve facilities and for the tender of the new building cleaning contract was included in the briefing note, with the programme starting in September 2019, and completing in February 2020.

In response to questions from Members, the Contract Services Manager advised that:

- There was limited time to change the process already in place for the tendering on the building cleaning contract under which public convenience cleaning fell, so it was highly unlikely that there would be time to share the tender specification with the Committee ahead of it going out to tender.
- The current cleaning contract expired on 31 March 2020.
- The new contract would run for two years.

- In respect of the provision of non-gender public conveniences, Members would need to consider the costs involved of the capital costs to provide these. A review could be conducted to appraise the costs and options available to provide non-gender facilities, but Members should be mindful that there were social issues at public conveniences with occurrences of drug abuse etc taking place.
- RADAR was a national scheme for key entry to public conveniences. Simply ensuring that RADAR was used at all public conveniences would not solve the issue of drug abuse because a drug user would simply wait for a person to exit the toilet and then they would be able to enter.
- The only real solution to stopping the social issue problems at public conveniences was provided attended sites but then the Council would have to consider charging for use of the toilets. A review had been undertaken about ten years ago and the issues faced today were nothing different to what was happening ten years ago.

Resolved that a further update be provided in February 2020.

(Councillor Falp arrived partway through this item and Councillor Norris left.)

38. **Executive Agenda (Non-Confidential items and reports) – Thursday 3 October 2019**

The Committee considered the following item which would be discussed at the meeting of the Executive on Thursday 3 October 2019.

Item 5 – Draft Business Strategy 2019-2023

The Committee noted the report. It was felt that this was a positive, high level report and that more details would be required.

39. **Public and Press**

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

40. **Executive Agenda (Confidential items and reports) – Thursday 3 October 2019**

The Committee considered the following confidential item which would be discussed at the meeting of the Executive on Thursday 3 October 2019.

Item 14 – Catering and Events Concessions Contract – Royal Pump Rooms and Jephson Gardens Glasshouse – Update Report

The Committee noted the report.

(Councillor Day left the meeting.)

(The meeting resumed public session.)

41. **Executive Agenda (Non-Confidential items and reports) – Thursday 3 October 2019**

The Committee considered the following item which would be discussed at the meeting of the Executive on Thursday 3 October 2019.

Item 3 – Fees and Charges 2020/21

The Committee did not scrutinise the report, other than the pest control charges in appendix A (page 39 in the report). The Committee asked the Portfolio Holder to confirm that the charging reductions applied for mice infestation would also apply to the new charge for rat infestation.

If this was not the case, the Committee formally recommended to the Executive that the reductions should be applied.

Resolved that if in September 2020, the Shadow Portfolio Holder indicates there are still issues with pest control charges, then it should be added to the Work Programme.

(During discussions on this item, Councillor Boad left the meeting and Councillor Norris returned. Councillor Falp left at the end of the item.)

42. **Neighbourhood Services – Service Review**

The Committee considered a report from Neighbourhood Services which provided details of the performance of Neighbourhood Services in 2018/19.

In response to questions from Members, the Head of Neighbourhood Services and Councillor Norris explained that:

- Extending the response rate from two days to five days to customer calls and emails had not resulted in negative feedback from customers. Issues such as missed bin collections were still dealt with efficiently.
- More granular, transparent data would be provided in the next annual report in respect of the figures given for parks and open spaces. Figures would be provided by town so that Members could see how their Wards were performing. Additional data would be provided on those areas that were not performing so well. The Head of Neighbourhood Services would provide a template of the information that would be provided in future reports for the Committee's approval in the next few weeks. The Committee would feed back if this was what would be required or notify him of any amendments.
- The recent appointment of an Assistant Bereavement Services Manager would mean that the Bereavement Services Manager could now focus attention on the implementation of the new IT software for the service.
- The provision of recycling bins designed to be specifically attractive to children so that they would use them had been tried but it was

found that the bins still got contaminated with other types of waste so rendering the waste unsuitable for recycling. It had also been found that the amount of waste collected in these bins had not been significant.

- The collection of food waste was costly so the Council was waiting to see if the Government would be providing any funding for this. The Council was also exploring if the County Council would provide any funding. Only 8% of green waste was food. Food accounted for 40% of the waste in the grey bins and this was sent for incineration.
- Electric vehicles were not yet a mature technology. Electric refuse trucks were still at a low level of technology but a local firm would be producing prototype vehicles at the end of next year. It was worth noting that the prototype vehicle would only have a maximum speed of 40mph and the cost would be circa £450,000 as opposed to current vehicles costing £180,000. There was an issue to charge the vehicles with them having to return to the depot for charging. An alternative to electric refuse trucks were the new Euro Generation 6 vehicles which had low emissions and the Council would be looking at those as well as the electric models.
- The Head of Neighbourhood Services would review the implications of setting a minimum standard for parks as well as an average standard.

43. **Executive Agenda (Non-Confidential items and reports) – Thursday 3 October 2019**

The Committee considered the following item which would be discussed at the meeting of the Executive on Thursday 3 October 2019.

Item 6 – Charges for Lifeline services – new tenants of designated properties

The Committee supported the recommendation in the report.

44. **Public and Press**

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

45. **Executive Agenda (Confidential items and reports) – Thursday 3 October 2019**

The Committee considered the following confidential items which would be discussed at the meeting of the Executive on Thursday 3 October 2019.

Item 12 – Affordable Housing Purchase – Spring Lane, Radford Semele

The Committee supported the recommendations in the report and recommended that the Council determined the costs involved to improve the EPC energy rating to category A.

Item 13 – Regeneration of the Leper Hospital Site, Saltisford, Birmingham Road, Warwick (St Michael's Chapel and Master's House)

The Committee supported the recommendations in the report but recommended that the Council determined if energy efficiency improvements could be made and whether there would be ways to recover the costs of this.

(The meeting resumed public session.)

46. Executive Agenda (Non-Confidential items and reports) – Thursday 3 October 2019

The Committee considered the following item which would be discussed at the meeting of the Executive on Thursday 3 October 2019.

Item 7 – Project Initiation Document for the replacement of various software

The Committee supported the recommendations in the report. The Committee recommended that the Project Manager referred to in 2.2 should review the PID and advise how the Overview & Scrutiny Committee could assist the Project Board through an oversight role.

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

The Committee considered its work programme for 2019-2020 and the Forward Plan.

The Chair asked Councillors to consider the work they did at meetings and whether they should be putting more emphasis on scrutiny work on the Work Programme rather than scrutinising Executive reports.

Resolved that

- (1) a review of the Brexit Briefing Document will be undertaken at the meeting in October; the document to be updated if there will be a "hard" Brexit. This review will be delayed to December/January if the 31 October Brexit date is extended; and
- (2) the report be noted.

(The meeting ended at 9.00 pm)

CHAIR

12 November 2019