

Overview & Scrutiny Committee Tuesday 20 April 2021

A meeting of the above Committee will be held remotely on Tuesday 20 April 2021, at 6.00pm and available for the public to watch via the Warwick District Council [YouTube channel](#).

Councillor Milton (Chair)

Councillor G Cullinan

Councillor R Margrave

Councillor I Davison

Councillor M Noone

Councillor A Dearing

Councillor D Norris

Councillor O Jacques

Councillor P Redford

Councillor P Kohler

Councillor D Russell

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 meetings held on

- a. 16 March 2021
- b. 7 April 2021

(Pages 1 to 6)

(Pages 1 to 2)

4. Work Programme, Forward Plan & Comments from Executive

To consider a report from Democratic Services

(Pages 1 to 3 and Appendices 1 to 3)

5. HEART Shared Service Briefing Paper

To consider a briefing paper from Private Sector Housing.

(Pages 1 to 7 and Appendices A & B)

6. End of Term Report

To consider a report from Democratic Services.

(Pages 1 to 15)

7. Executive Agenda (Non-Confidential Items and Reports) – Thursday 22 April 2021

To consider the non-confidential items on the Executive 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 day of the meeting.

(Circulated Separately)

8. 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 item by reason of the likely disclosure of exempt information within the paragraphs 1,2 & 3 of Schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006.

9. Executive Agenda (Confidential Items and Reports) – Thursday 22 April 2021

To consider the confidential items on the Executive 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 day of the meeting.

(Circulated separately)

Published Monday 12 April 2021

General Enquiries: Please contact Warwick District Council, Riverside House, Milverton Hill, Royal Leamington Spa, Warwickshire, CV32 5HZ.

Telephone: 01926 456114

E-Mail: committee@warwickdc.gov.uk

For enquiries about specific reports, please contact the officers named in the reports.

You can e-mail the members of the Committee at

oandscommittee@warwickdc.gov.uk

Details of all the Council's committees, councillors and agenda papers are available via our website on the [Committees page](#)

We endeavour to make all of our agendas and reports fully accessible. Please see our [accessibility statement](#) for details.

The agenda is available in large print on request,
prior to the meeting, by telephoning (01926)
456114

Overview and Scrutiny Committee

Minutes of the remote meeting held on Tuesday 16 March 2021 at 6.00pm, which was broadcast live via the Council's YouTube Channel.

Present: Councillor Milton (Chair); Councillors; Cullinan, Davison, A Dearing, Jacques, Kohler, Margrave, Noone, Norris, Redford and Russell.

Also Present: Councillors Day, Hales, and Matecki.

44. **Apologies and Substitutes**

There were no apologies for absence or substitutions made.

45. **Declarations of Interest**

There were no declarations of interest made.

46. **Minutes**

The minutes of the Overview and Scrutiny Committee meeting held on 9 February 2021 were taken as read and signed by the Chair as a correct record.

47. **Executive Agenda (Non-Confidential items and reports) – Thursday 18 March 2021**

The Committee considered the following item which would be discussed at the meeting of the Executive on Thursday 18 March 2021.

Item 5 – 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.

(Councillors Day and Matecki left the meeting.)

48. **Annual update of the Destination Management Organisation – Shakespeare’s England**

The Committee considered a report from the Projects and Economic Development Team which gave an update on the activities of the District’s Destination Management Organisation (DMO), Shakespeare’s England, over the last 12 months and through the current Covid-19 pandemic in relation to the tourism sector.

In March 2019, the Council had approved funding of a total of £225,000 for the period 2019 – 2023 to this organisation, to be paid in instalments of £75,000 per annum. This was in line to the funding provided by Stratford District Council.

The report drew attention to the loss of tourism business to the area because of the impact of the Covid-19 pandemic and that business recovery would be slow progress, but opportunities to help local business that relied on tourism were being explored. It also drew attention to the terms under which the grant funding to the DMO was agreed, and how these terms had been revised in June 2020 following legal advice.

Councillor Dearing raised the point that the “big hitters” such as Stratford were the subject of much of the promotional work being done, and asked if more should be done for places such as Kenilworth. She requested better marketing for Kenilworth and help to promote the railway station there and wayfaring signage. She was advised by the Portfolio Holder for Business & Finance – Councillor Hales - that work was being undertaken in liaison with Stratford District Council and Shakespeare’s England partners to ensure a joined-up approach. He was mindful that whilst a lot of domestic tourists would head for the beach resorts, people would still wish to undertake day trips to places like Kenilworth Castle. Town and Parish Councils were being asked to suggest “hidden gems” that could be promoted. Councillor Hales recognised that there were numerous gems across the District, and he would check what was being done to support such venues, with Lunt Fort and Stoneleigh Abbey amongst others mentioned by Members. He was speaking to his opposite number at Stratford District Council to see how Warwick District could benefit from the draw of tourism to Stratford.

The Business Manager – Projects and Economic Development - informed Members that his staff, because of the pandemic, had been forced to spend most of their time on paying business grant money. This had been at the cost of other work, including improving the offer of the DMO to the district for tourism and hospitality. They would work on maximising the benefits of the service provided by the DMO to the wider District attractions such as Warwick, Leamington and Kenilworth, once staffing resource could be spared.

The Business Manager – Projects and Economic Development - informed Members that Warwick Castle had very ambitious plans to promote its outdoor facilities and he would send them details of promotional material. He was sure that Kenilworth Castle, with its outdoor space, would be doing similar.

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

The Committee considered its work programme for 2021, the Forward Plan and the response from the Executive to its comments in February.

The Chair asked members to consider how and what it would like to scrutinise for the merger between Stratford District Council and Warwick District Council. He asked them all to do some preparation work ahead of the next meeting. He had already discussed this with the Chair of Finance & Audit Scrutiny Committee, and he would email to them the five main themes he and Councillor Nicholls had discussed that they felt would warrant work and he welcomed Members' comments on these as well as ideas from them. The five themes he had identified were:

- The impact of services to residents.
- The impact on our strategic priorities as a Council, e.g. climate emergency.
- Democratic accountability.
- Financial impacts and Council Tax harmonisation.
- The plan for consultation and communication with residents.

He asked Members to consider how we would scrutinise this; as part of the Committee's own remit, jointly with Finance & Audit Scrutiny Committee and if part would be done jointly with Stratford District Council and how this would be achieved.

The Chair read out an update from the Task & Finish Group – Race & Equality. The report that was due to be presented on the Group's findings in respect of internal staff issues had been delayed because the Head of People & Communications had been unavailable to contribute. It was hoped that the report would come to the April meeting. The consultant engaged to interview staff had conducted her survey and would be producing her findings for the Group to consider.

The Chair asked Members to consider the recurring item on the Committee's Work Programme in respect of climate change and plastics policy. He asked Members to consider how the Committee should scrutinise this area going forward and bring their ideas to the next meeting for discussion.

The Committee requested that a review on the effectiveness of the HMO Licensing and Planning Permission Policy be added to its Work Programme to be undertaken six months after the new policy had been in operation. The Democratic Services Manager & Deputy Monitoring Officer suggested that this should be done once students had returned to universities (the September 2021 meeting was agreed). It was agreed to add scrutiny of planning enforcement of HMO licenses and to the Work Programme for the September meeting as well. Members had expressed concern that the requirement that a planning licence was issued within two-years of an HMO licence being issued would be difficult to enforce with backlogs of work in planning enforcement.

The Democratic Services Manager & Deputy Monitoring Officer offered to introduce a module for all Members to be trained on the difference

between housing licensing and planning licensing in respect of HMOs. He also offered to arrange a module on looking at the data provided on the Dashboard and how to interpret it. He asked that Members sent him a note requesting these and stating what they felt was required.

The Democratic Services Manager & Deputy Monitoring Officer suggested that the Committee send a note to the Head of Development Services on the concerns it had about resourcing in the Service Area (planning enforcement in general had been discussed) and ask if these concerns were valid and if so, what was being done. The response should be circulated to Members of the Committee.

Resolved that

- (1) the following appendices to the report be noted:
 - Appendix 1 – Work Programme; and
 - Appendix 2 – Comments from the Executive;
- (2) the topic of how and what the Committee will scrutinise in respect of the merger of Stratford District Council and Warwick District Council will be discussed at the Committee’s meeting in April;
- (3) the topic of how the Committee will scrutinise climate change and plastics policy going forward will be discussed at the next meeting in April;
- (4) a request will be sent to the Democratic Services Manager & Deputy Monitoring Officer requesting Member training on:
 - a. the difference between housing and planning licenses in respect of HMOs; and
 - b. how to understand and scrutinise the data produced by the Dashboard (Members would indicate the training they felt was necessary);
- (5) a note would be sent to the officers in Development Services where there were concerns about backlogs in work. Responses should be sent to all Members of the Committee;
- (6) a review on the effectiveness of the HMO Licensing and Planning Permission Policy be added to the Work Programme for the September meeting; and

- (7) a review on HMO planning enforcement in meeting the requirement that a planning licence be in place within two years of an HMO licence being issued.

(The meeting ended at 7.40pm)

CHAIR
20 April 2021

Overview and Scrutiny Committee

Minutes of the remote meeting held on Wednesday 7 April 2021 at 6.00pm, which was broadcast live via the Council's YouTube Channel.

Present: Councillor Milton (Chair); Councillors; Cullinan, Davison, A Dearing, Jacques, Kohler, Margrave, Noone, Norris, Redford and Russell.

Also Present: Councillor Cooke.

50. **Apologies and Substitutes**

There were no apologies for absence or substitutions made.

51. **Declarations of Interest**

There were no declarations of interest made.

52. **Executive Agenda (Non-Confidential items and reports) – Wednesday 14 April 2021.**

The Committee considered the following item which would be discussed at the meeting of the Joint Cabinet /Executive Committee of Stratford-on-Avon and Warwick District Councils on Wednesday 14 April 2021.

Item 4 – South Warwickshire Local Plan – Scoping Report

The 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.

(The meeting ended at 7.48pm)

Overview & Scrutiny Committee
20 April 2021

Title: Work Programme, Forward Plan & Comments from Executive

Lead Officer: Lesley Dury, Committee Services Officer
(E. committee@warwickdc.gov.uk; T. 01926 456114)

Portfolio Holder: Not applicable

Public report

Wards of the District directly affected: Not applicable

1. Summary

- 1.1. This report informs the Committee of its work programme for 2021/2022 (Appendix 1) and the current [Forward Plan](#).
- 1.2. In addition, it provides the Committee with the response that the Executive gave to its comments regarding the reports on 18 March 2021 (Appendix 2).

2. Recommendation

- 2.1. Members consider the work programme (Appendix 1) and agree any changes as appropriate.
- 2.2. The Committee to; identify any Executive items on the Forward Plan on which it wishes to have an input before the Executive makes its decision; and to nominate a Member to investigate that future decision and report back to the Committee.
- 2.3. Members note the responses made by the Executive on the Comments from the Executive report (Appendix 2).
- 2.4. The Committee recommend to Council the addition of the protocol set out at Appendix 3, for embedding within Scrutiny Procedure Rules and asks Council to amend Scrutiny Procedure rules so that the deadline to request Executive items to be considered by Scrutiny is 9.00am on the morning after Group meetings.

3. Reasons for the Recommendation

- 3.1. The work programme should be updated at each meeting to accurately reflect the workload of the Committee.
- 3.2. 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.

- 3.3. Two of the five main roles of overview and scrutiny in local government are to undertake pre-decision scrutiny of Executive decisions and to feed into policy development.
- 3.4. If the Committee has an interest in a future decision to be made by the Executive, or policy to be implemented, it is within the Committee's remit to feed into the process.
- 3.5. The Forward Plan is actually the future work programme for the Executive. If a non-executive member highlighted a decision(s) which is to be taken by the Executive which they would like to be involved in, that member(s) could then provide useful background to the Committee when the report is submitted to the Executive and they are passing comment on it.
- 3.6. Appendix 2, Comments from Executive, is produced to create a dialogue between the Executive and the Overview and Scrutiny Committee. It ensures that the Overview and Scrutiny Committee is formally made aware of the Executive's responses.
- 3.7. Where Overview and Scrutiny Committee has made a recommendation as opposed to a comment, the Executive is required to respond to the recommendation(s) made, including whether or not it accepts the recommendation(s).
- 3.8. The proposed addition to Scrutiny Procedure rules is brought forward by Councillors Milton and Nicholls following several months of informal testing which has worked well.

4. Background

- 4.1. The five main roles of overview and scrutiny in local government are: holding to account; performance management; policy review; policy development; and external scrutiny.
- 4.2. The pre-decision scrutiny of Executive decisions falls within the role of 'holding to account'. To feed into the pre-decision scrutiny of Executive decisions, the Committee needs to examine the Council's Forward Plan and identify items which it would like to have an impact upon.
- 4.3. The Council's Forward Plan is published on a monthly basis and sets out the key decisions to be taken by the Council in the next twelve months. The Council only has a statutory duty to publish key decisions to be taken in the next four months. However, the Forward Plan was expanded to a twelve-month period to give a clearer picture of how and when the Council will be making important decisions.
- 4.4. A key decision is a decision which has a significant impact or effect on two or more wards and / or a budgetary effect of £50,000 or more.
- 4.5. The Forward Plan also identifies non-key decisions to be made by the Council in the next twelve months, and the Committee, if it wishes, may also pre-scrutinise these decisions.

- 4.6. 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.
- 4.7. 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.
- 4.8. At each meeting, the Committee will consider their work programme and make amendments where necessary, and also make comments on specific Executive items, where notice has been given by 9am on the day of the Overview and Scrutiny Committee meeting. The Committee will also receive a report detailing the response from the Executive, on the comments the Committee made on the Executive agenda in the previous cycle.
- 4.9. The Forward Plan is considered at each meeting and allows the Committee to look at future items and become involved in those Executive decisions to be taken, if members so wish.
- 4.10. As part of the new scrutiny process, the Committee is no longer considering the whole of the Executive agenda.
- 4.11. On the day of publication of the Executive 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 Executive items they would like the Committee to consider.
- 4.12. As a result, the Committee considered the items detailed in appendix 2. The response the Executive gave on each item is also shown.
- 4.13. In reviewing these responses, the Committee can identify any issues for which they would like a progress report. A future report, for example on how the decision has been implemented, would then be submitted to the Committee at an agreed date which would then be incorporated within the work programme.

Meeting Date: 20 April 2021

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
Overview & Scrutiny End of Term report	Standing Annual Item	Written report	Committee Services Officer	April 2022	This is an annual report.
Update progress report on HEART service subsequent to last report 9 February 2021		Briefing Note	Lisa Barker and Mark Lingard	August 2021 with a report to consider the options for the delivery of Disabled Facilities Grants from April 2022 onwards and to make a recommendation to Executive	
Criteria for call in of Executive Reports to Scrutiny Committees - Review	10 November 2020	Appendix 3 to Work Programme	Graham Leach and Councillors Milton and Nicholls		If agreed, then the procedure will go to Council for inclusion in the Scrutiny procedure.
How and what the Overview & Scrutiny Committee wishes to scrutinise the Council's Sustainability and Climate Change Approach going forward.	O&S March 2021	Discussion at meeting. Following the meeting, discussions will take place with Dave Barber and a plan will be drawn up.	Chair		

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
WDC/SDC alliance main themes requiring scrutiny and how this will be handled (by O&S, jointly with F&A or jointly with SDC)	O&S March 2021	Discussion at meeting. Main themes identified by Chairs of both Scrutiny Committees: Impact on services to residents; Democratic representation; Impact on strategic priorities (in particular the CEAP); Finance & Council Tax; Communications and consultation with residents.	Chair		

Briefing Notes to All Councillors – April 2021: Not for O&S Agenda

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 to all Councillors with a paragraph explaining that if they have any concerns that they feel require scrutiny, to raise these for consideration as part of the work programme.	Lisa Barker.	April 2022.	This is an briefing note to all Councillors.

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
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 to all Councillors with a paragraph explaining that if they have any concerns that they feel requires scrutiny, to raise these for consideration as part of the work programme and if any are to be considered to be ceased, the Deputy Chief Executive will discuss these with the LCG	Andrew Jones	April 2022	This is an briefing note to all Councillors.

Meeting Date: 6 July 2021

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
Task & Finish Group – Race & Equality – Report on the Group’s findings and recommendations for internal matters to the Council		Written report	Councillor Mangat		

Meeting Date: 21 September 2021

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
Park Exercise Permits – review of the scheme once it has been in operation for six months	August 2020	Written report	Rose Winship		

Meeting Date: 2 November 2021

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
Current Arrangements for the South Warwickshire Community Safety Partnership.	This is a mandatory report.	Written report	Marianne Rolfe.	Late October / Early November 2022.	This is an annual report.
A report on the Stratford Street Scene Team and on how its fly tipping enforcement service differs from the one operated currently at Warwick District Council.	February 2021	Written report	Zoe Court		The service is estimated to recommence in April 2021, so see if it has been operating for 6 month for a report October 2021. If not, move to a date when it will have.

Reminder for December 2021:

Governance Review of Warwick District Council – At Executive 29 July 2020, and action was placed on officers to liaise with both Chairs of Scrutiny Committees to bring back to Executive, an outline proposal for the independent assessment and proposed funding arrangements which would be undertaken in February 2022.

Meeting Date: 14 December 2021

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

Meeting Date: 8 February 2022

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

Meeting Date: 8 March 2022

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
Annual update from Shakespeare's England.	Committee meeting 29 August 2018	Written report.	Martin O'Neill and Councillor Hales.	March 2022.	This is an annual report.

Meeting Date: 12 April 2022

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
Overview & Scrutiny End of Term report.	Standing Annual Item.	Written report.	Committee Services Officer.	April 2023.	This is an annual report.

Briefing Notes to All Councillors – April 2022: Not for O&S Agenda

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 to all Councillors with a paragraph explaining that if they have any concerns that they feel require scrutiny, to raise these for consideration as part of the work programme.	Lisa Barker.	April 2023.	This is an briefing note to all Councillors.

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
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 to all Councillors with a paragraph explaining that if they have any concerns that they feel requires scrutiny, to raise these for consideration as part of the work programme and if any are to be considered to be ceased, the Deputy Chief Executive will discuss these with the LCG	Andrew Jones	April 2023	This is an briefing note to all Councillors.

Meeting Date: To Be Advised

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
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.	Informal update.	Dave Guilding / Philip Clarke.	TBA	D Guilding and P Clarke were asked when they can give an informal update considering the impact of Covid-19 on this service. A response from them is awaited.
Annual Review of the Council's Sustainability and Climate Change Approach, including Plastics Policy update. <i>This item may change following O&S meeting April 2021</i>	Committee meeting 9 July 2019 / 10 November 2020.	Written report	Dave Barber.	TBA	
**Update on plans to improve accessibility to, and the condition / cleanliness of, toilets for people living with	Committee meeting 26 September 2019 and briefing note 8 December 2020.	Briefing Note	Zoë Court	To be advised if applicable.	No officer will attend the Committee meeting in February unless there is a request. If there is a

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
<p>disabilities subsequent to the presentation of the plans at the September 2019 Overview & Scrutiny Committee meeting.</p> <p>**There is no new information on plans to improve accessibility to, and the condition / cleanliness of, toilets for people living with disabilities – Officers request that this update is postponed until such time as budget figures 2021/22 for improvements are known.</p>					<p>request, Members should send their questions to the report author before the meeting.</p>
<p>Minimum Energy Efficiency Standards Enforcement Process – Private Sector Housing</p>	<p>O&S August 2020</p>	<p>Written Report</p>	<p>Mark Lingard</p>		<p>A review was requested once the scheme had been operation for 12 months. Covid Lockdown has meant that the 12</p>

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
					months has not been achieved yet.

**Response from the meeting of the Executive on the
O&S Committee's Comments – 18 March 2021**

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

The Executive considered a report from the Deputy Chief Executive (BH) that brought forward the recommendations from the Overview & Scrutiny Committee as a result of the work of the Step Back Review Task & Finish Group of the Council's response to the Covid-19, undertaken by Councillors Ashford, A Dearing, Jacques, Kohler, Milton and Nicholls.

The Executive approved the recommendations set out in Appendix 1 to the report.

Item Number: 5 – HMO Licensing and Planning Permission

Requested by: Councillor Milton and the Green Group.

Reason Considered:

Councillor Milton: Because of the public and District wide focus and for answers to questions around clarity on drafting.

Green Group: This policy has a significant impact on residents where there are high concentrations of HMOs.

We would like to thank officers for bringing forwards this important policy which closes an unfortunate loophole by which some properties have operated as unauthorised HMOs leading to loss of amenity for their neighbours. Our concerns centre around the implementation of the policy referred to in recommendation 2.1 and described in Appendix A:

1. Please clarify whether H6 of the local plan requires all new HMOs in the district to obtain planning permission. If so, shouldn't this policy apply to all new HMOs with 5 or more tenants? Note that smaller HMOs (3 or 4 occupants) don't need a licence, although they do need planning permission.
2. "Landlords making an HMO license application for the first time be given two months to submit a valid planning application" seems to contradict the intention of this policy. Can this sentence be re-written to avoid possible confusion, for example "The council will refuse to process HMO licence applications until planning permission has been obtained and will refer any existing HMOs without consent to planning enforcement."
3. "landlords of properties where an HMO license needs to be renewed, must submit a valid planning application before the current license expires." suggests a lack of urgency, whereas we know from an unfortunate recent case that waiting may mean the unauthorised HMO has operated for 10 years and so the council is powerless to take enforcement action.

In addition

1. Recommendation 2.3: can 'apply' be changed to 'obtain', as surely planning permission is required, not simply the act of applying (ideally a timeframe would be included, too).

2. Recommendation 2.4: why is this required as planning enforcement already has powers to act? Is Housing going to take enforcement action independently? Or is this new policy designed to join up the dots between licensing and planning enforcement, so that licensing informs enforcement action?

Scrutiny Comment:

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 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 times scales:

- Landlords making an HMO licence application for the first time be given two months to submit a valid planning application.
- Landlords of properties where an HMO licence needs to be renewed, must submit a valid planning application before the current licence 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 made by Overview & Scrutiny Committee were accepted.

Appendix 3

Criteria for call in of Executive Reports to Scrutiny Committees

This process is about the pre-scrutiny of reports to be considered by the Executive and not the Call in procedure if members are dissatisfied with the Executive Decision (under Council Procedure Rule 21).

1. We encourage all members to ask questions about issues that either affect residents or in which they have an interest. Scrutiny is not the only way to do this and members should feel free to raise questions with portfolio holders at any time.
2. Scrutiny committees will consider issues that have due significance with reference to the following criteria:
 - a) The number of residents impacted and the significance of that impact.
 - b) The amount of spend involved.
 - c) It concerns a strategic priority of the Council or key project.
3. Scrutiny committees should only consider items where there is a tangible reason to do so. This should broadly fit into one of the following criteria:
 - a) Where there are concerns about the basis for a recommendation e.g. the data that had led to the recommendation is deficient, or new data or information deemed material to forming a view on the item has been provided too late for a written question and answer to be circulated before the meeting, or members are aware of contradictory evidence.
 - b) There is an alternative policy, development or direction which needs to be explored.
4. Reasons for any request for scrutiny to consider an item should be clearly stated based on the approach outlined above.
5. Where the Chair of the Scrutiny Committee considers the criteria is not met, they can either ask for clarification from the Councillor and, if they remain unsatisfied, decline the request for the item to be considered.

Title: HEART Shared Service Briefing Paper
Lead Officer: Lisa Barker, Head of Housing Services and Mark Lingard, Private Sector Housing Manager
Portfolio Holder: Jan Matecki
Public briefing note / Confidential briefing note: Public
Wards of the District directly affected: All

Contrary to the policy framework: No
 Contrary to the budgetary framework: No
 Key Decision: No
 Included within the Forward Plan: Yes
 Equality Impact Assessment Undertaken: No
 Consultation & Community Engagement: No
 Final Decision: No
 Accessibility checked: Yes

Officer/Councillor Approval

Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive	06/04/21	Bill Hunt
Head of Service	01/04/21	Lisa Barker
CMT	08/04/21	Chris Elliott
Section 151 Officer	08/04/21	Mike Snow
Monitoring Officer	06/04/21	Andrew Jones
Portfolio Holder(s)	06/04/21	Councillor Jan Matecki

1. Summary

- 1.1 The Council delivers its Disabled Facilities Grant (DFG) function through the Home Environment Assessment and Response Team (HEART) shared service.
- 1.2 This briefing note is the update requested following the report to the Overview and Scrutiny Committee on 9th February 2021, about the HEART service review and is an update on the extra-ordinary HEART Partnership Board Meeting.

2. Recommendations

It is recommended that Overview and Scrutiny:

- 2.1 Note the consensus of the HEART service partners that further work is required to assist in making a long-term decision about the future of the partnership.
- 2.2 Note the partnership consensus that a further independent review, initially scheduled for March/April 2021 should be undertaken instead in the summer to enable Key Lines of Enquiry to be established.
- 2.3 Note the updated improvement plan for the service (Appendix A).
- 2.4 Note the temporary extension of the Heart Service Agreement to enable work to be undertaken and decisions made about the longer term partnership by March 2022.

3. Reasons for the Recommendations

- 3.1 The general view of partners was that disbanding the shared service at this stage would present considerable risks and have significant implications for partner's delivery, and as such, Warwickshire customers. While a shared service remains the preferred approach, it is accepted that improvements are required and if these do not materialize to a satisfactory level, measures such as a change of host should be considered before disbanding the shared service.
- 3.2 The consensus from the partners is that the current focus needs to be on delivering the improvement plan while continuing to manage Covid response and recovery.
- 3.3 The HEART Board have agreed an improvement plan produced by the host, based on the findings of the review, to address the concerns raised (Appendix 1).
- 3.4 The HEART Partnership Board agreed to a temporary extension of the HEART shared services agreement up to 31 March 2023 through a deed of variation, which would see each partner deciding about the long-term future of the partnership by March 2022. This would allow sufficient time should any partner wish to give (at least) 12 months' notice of intention to withdraw, as required by the partnership agreement. The rationale for this decision being:
 - It is impossible for HEART to show any progress and improvement during a pandemic particularly when certain activities such as installation of level access showers was halted.
 - Following a change in lead personnel, the host should be offered an opportunity to put in place the required service improvements.
 - Further analysis is required to fully understand supply and demand issues (Appendix B).
 - Additional support is being provided by WCC to enable detailed assessment of service dynamics, demand issues and staffing levels. To attempt to redesign the service without this crucial information would be difficult and could result in a worse position.
 - Effecting a split of the service would require a 12-month lead in period. In any event future options need to be properly explored, a direction of

travel determined by elected members in each of the partner Council’s and robust arrangements put in place for any future transition.

4. Policy Framework

4.1 Fit for the Future (FFF)

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.

The FFF Strategy has 3 strands – People, Services and Money and each has an external and internal element to it. The table below illustrates the impact of this proposal if any in relation to the Council’s FFF Strategy.

FFF Strands		
People	Services	Money
External		
Health, Homes, Communities	Green, Clean, Safe	Infrastructure, Enterprise, Employment
<u>Intended outcomes:</u> Improved health for all. Housing needs for all met. Impressive cultural and sports activities. Cohesive and active communities.	<u>Intended outcomes:</u> 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.	<u>Intended outcomes:</u> Dynamic and diverse local economy. Vibrant town centres. Improved performance/ productivity of local economy. Increased employment and income levels.
Impacts of Proposal		
The HEART service enables people with physical disabilities to meet their housing needs and remain in their own homes for longer.	None	None.
Internal		

Effective Staff	Maintain or Improve Services	Firm Financial Footing over the Longer Term
<u>Intended outcomes:</u> All staff are properly trained. All staff have the appropriate tools. All staff are engaged, empowered and supported. The right people are in the right job with the right skills and right behaviours.	<u>Intended outcomes:</u> Focusing on our customers’ needs. Continuously improve our processes. Increase the digital provision of services.	<u>Intended outcomes:</u> Better return/use of our assets. Full Cost accounting. Continued cost management. Maximise income earning opportunities. Seek best value for money.
Impacts of Proposal		
The improvement plan covers staffing issues	The improvement plan will be closely monitored by the Partnership Board	None

4.2 Supporting Strategies

Each strand of the FFF Strategy has several supporting strategies. Improving housing standards in residents’ homes directly and positively contributes to the Housing and Health-and-Wellbeing priorities. It also contributes to the Housing and Homelessness Strategy objective of improving the management and maintenance of existing housing.

4.3 Changes to Existing Policies

This briefing paper does not propose changes to any existing policies.

4.4 Impact Assessments

An impact assessment has not been completed because this is a briefing paper update on a shared service.

5. Budgetary Framework

5.1 The HEART project has been set up as a countywide shared service and has its own revenue budgets. The capital funding previously provided to Warwick District Council from central government to provide DFG’s is passed directly across to the HEART service for the same purpose.

5.2 Whilst HEART undertakes the assessment for adaptations in all tenures, DFG’s fund private sector adaptations with the Housing Revenue Account covering the costs of adaptations for council tenants.

6. Risks

- 6.1 That the improvement plan is not fully implemented and that performance does not improve.

7. Alternative Option(s) considered

- 7.1 Not applicable at this stage as this is a briefing paper update on the HEART shared service.

8. Background

- 8.1 In 2011 an ambitious and challenging collaborative project was proposed for Warwickshire with the aim of creating a new way of delivering grant assisted home improvements and housing adaptations for disabled and older people across Warwickshire.
- 8.2 The project was agreed following a fundamental system review which had shown that the traditional way of delivering services to provide Disabled Facility Grant adaptations was inefficient. This included delays of over 395 days from a customer enquiry to providing an adaptation. Whilst not satisfactory this level of performance was in line with the national picture. In Warwickshire there was a 35% drop out rate as teams struggled to deliver across the organisational barriers of up to 3 organisations in each district and borough locality. Until the review was undertaken there was no comprehensive information which showed how the system was performing.
- 8.3 The aim of the project was to create a new customer focused service delivery model. This would bring together different professions from the many organisations providing the services in Warwickshire, create a new job role and link together existing service within a service model that involved working together to deliver holistic housing assessment and appropriate solutions.
- 8.4 A Business Case was drafted in 2012 which set out a comprehensive proposal to improve and explore the future delivery of housing adaptations and the range of services provided by Home Improvement Agencies across Warwickshire. Stage 1 was to develop the experimental service in Nuneaton and Bedworth and North Warwickshire involving the Borough and County Councils. Stage 2 was to roll in Rugby Borough Council area which required the involvement of Orbit Housing Group. Stage 3 was to establish a similar service to south Warwickshire involving the District and Borough Councils as well as Age UK and Warwickshire County Council.
- 8.5 The proposal was ambitious and challenging because it involved many partners. Staff from all organisations were to be brought together in one service, new systems of work needed to be forged from disparate methods of service provision, it had to deal with a variety of organisational cultures and policies and provide data for two separate IT systems.
- 8.6 A report was presented to Overview and Scrutiny Committee on 9th February 2021 in respect of the HEART service review with the following recommendations:

- 2.1 Note the progress to provide one, consistent service to deliver Disabled Facilities Grants for the whole County.
- 2.2 Consider the findings of the independent review of the service.
- 2.3 Note the improvement plan for the service.
- 2.4 Note that a further independent review is to be undertaken in March/April 2021.
- 2.5 Note the necessity to consider the position of the Host in advance of the end of the five-year contractual term of the shared service partnership in March 2022.
- 2.6 Agree that a further report is presented to the Overview and Scrutiny Committee by August 2021, to consider the options for the delivery of Disabled Facilities Grants from April 2022 onwards and to make a recommendation to Executive.

- 8.7 Members requested that an interim report be brought to Overview and Scrutiny.

9. Partnership

- 9.1 The Business Case promoted the development of one organisation - HEART - the new Home Environment Assessment and Response Team. This organisation would create a streamlined, customer focused service delivery model across Warwickshire which would bring different professions together.
- 9.2 To do this, a new role of 'Housing Assessment Officer' was created to combine case work skills of an Occupational Therapy Assistant and Housing Case Worker. This role, and the necessity for its development, encapsulated the need for the service to have a holistic and tailored approach to meet the needs of customers to enable them to live independently.
- 9.3 The Business Case gave a firm basis and clear direction for the new service. It is underpinned by a legal contract. The shared service contractual agreement was signed by Warwickshire County Council, Nuneaton and Bedworth, North Warwickshire, and Rugby in October 2016. On 1 April 2017 Warwick and Stratford joined the legal partnership. The contract is for 5 years and set out the terms for the host authority (Nuneaton and Bedworth Borough Council) and for the other partners. It includes terms for financial arrangements, a combined staff structure, employment arrangements, use of IT, dealing with complaints and the role of the management board- with the Chair of the board being decided annually.
- 9.4 It makes provision for any partner to leave the partnership if they give 12 months' notice. Given its ambition and challenges it also set out a requirement for the Partnership Board to conduct a formal review when the arrangements had been in place for 2 years.

10. Review

- 10.1 In accordance with the HEART shared services agreement an independent review has been undertaken after two years of its implementation. Key findings from the review include:

Agenda Item 5

- A lack of staff capacity as a contributory factor in the increasing waiting times customers are experiencing for the service.
- The absence of appropriate IT systems being a factor in demand not being met more efficiently.
- A more flexible system of assessing customer needs and prioritising interventions should be introduced.
- The systems of work in HEART could be more efficient and should be reviewed to provide for better service pathways which are fully implemented by staff and meet customer needs.
- In line with the findings of the Foundations report data collection methods and performance reporting should be improved.
- The Partnership Board reflect on its own role in delivering the HEART service and to ensure that the leadership, governance, and operational management is provided in a manner which allows HEART to thrive and meet customer expectations.

Appendix A

Improvement Plan

To respond to the independent review and address matters that have come to the Board’s attention over the last 12 months, a service improvement plan has been drafted for approval. The table below summarises the main concerns raised, causes and progress taken to address those concerns.

Concern	Cause	Progress
IT system and processes	HEART IT system is old and outdated. It will not support the service in the future.	<ul style="list-style-type: none"> •A New Housing Assistance System (Civica CX) has been procured in January 2021. •The implementation project has already started with a planned system “Go-Live” date of October 2021. •The new system will incorporate a “Push-Pull” data interface between Civica CX and the WCC Mosaic system, to help improve and streamline processes and remove any duplication of tasks.
Current and future demand	Due to the rapid and significant rise in service demand, the service has failed to grow accordingly, and a backlog of cases has resulted.	<ul style="list-style-type: none"> •Dec 2020 - New triage process being piloted to improve and speed up the allocation of cases to the appropriate HEART Officer. Pilot running from December 2020 to end of February 2021. •Jan 2021 - Analysis of customer demand and service resource levels are currently underway. Due Date End of February 2021. •Feb 2021 - Output from the analysis will inform

		<p>the resource requirements for the current demand and backlog and future expansion of services.</p> <ul style="list-style-type: none"> •Feb 2021 - Additional resource secured to support a process mapping activity to identify opportunities for current process improvement, and future processes in relation to the Civica Cx and WCC Mosaic interface. This will identify process improve opportunities that will improve efficiency and reduce Lead times. Planned start February 2021.
<p>Service offer and capability</p>	<p>The review identified inconsistencies in approach given to customers and referrers, Also in relation to staff induction and training.</p>	<ul style="list-style-type: none"> •Opportunity to align the HEART service with the Social Care strengths based approach using 'good conversations' and increased partnership working with other organisations e.g. Warwickshire Fire and Rescue Service, Acute Housing Liaison Officers •New triage process being piloted to improve and speed up the allocation of cases to the appropriate HEART Officer. • HEART Processes are being remapped during Feb/Mar 2021. This will support future process improvement and the new IT system integration.

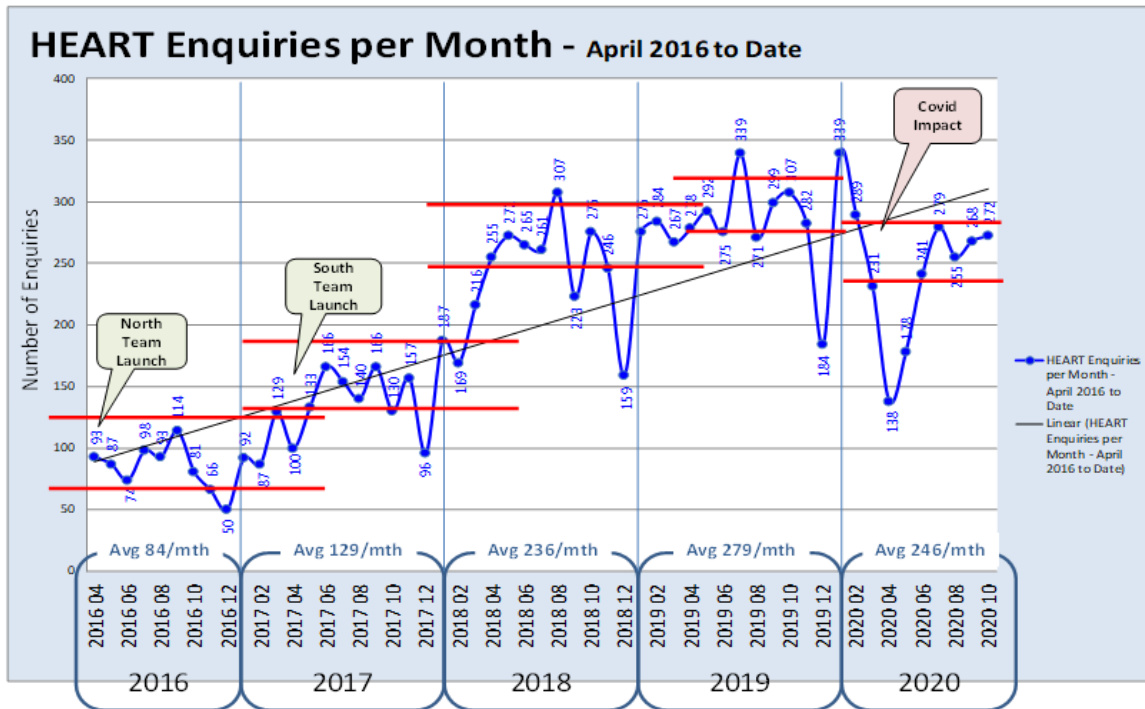
Data and information	The current IT system has some limitations for data extract and the board reporting did not clearly identify key operational metrics.	<ul style="list-style-type: none"> •Data cleansing activity conducted to clarify the data sets. •WCC's Business Intelligence Team has worked with the service to develop and launch a new HEART PowerBi Reporting Dashboard that delivers simple visual performance outputs, to support the operational reporting for the service and the HEART Board. •Current open case load now available weekly by locality. •This is an interim solution to support the service until the new Civica Cx system is launched, with it is new reporting tools. •Nov 2020 - Analysis of the historic and current data sets has allowed service performance to be more clearly understood and has resulted in additional improvement actions. •Jan 2021 - Non-WCC staff are now working directly on the WCC Mosaic system, which has improved the data flow process and removed some data input duplication.
Leadership, governance, and operational management	Infancy of the Partnership and Board. Complex relationships between the 6 Local Authorities. Differing priorities etc.	<ul style="list-style-type: none"> •2019 - New Independent Chair Appointed – WCC Assistant Director - People •June 2019 - New Senior Accountable Officer –

		<p>NBBC Director - Democracy, Planning & Public Protection.</p> <ul style="list-style-type: none">•June - 2019 - New Board Meeting Schedule, format and governance arrangements implemented.•August 2019 - External Improvement Resources - supplied and funded by the Warwickshire Cares Better Together Team•Sept 2019 - Staff and team communications reviewed and enhanced to support improved internal service communications - staff 121's and scheduled Team meetings.•Sept 2019 - An anonymous staff survey was conducted to get the teams individual feedback on the current service environment and performance.
--	--	---

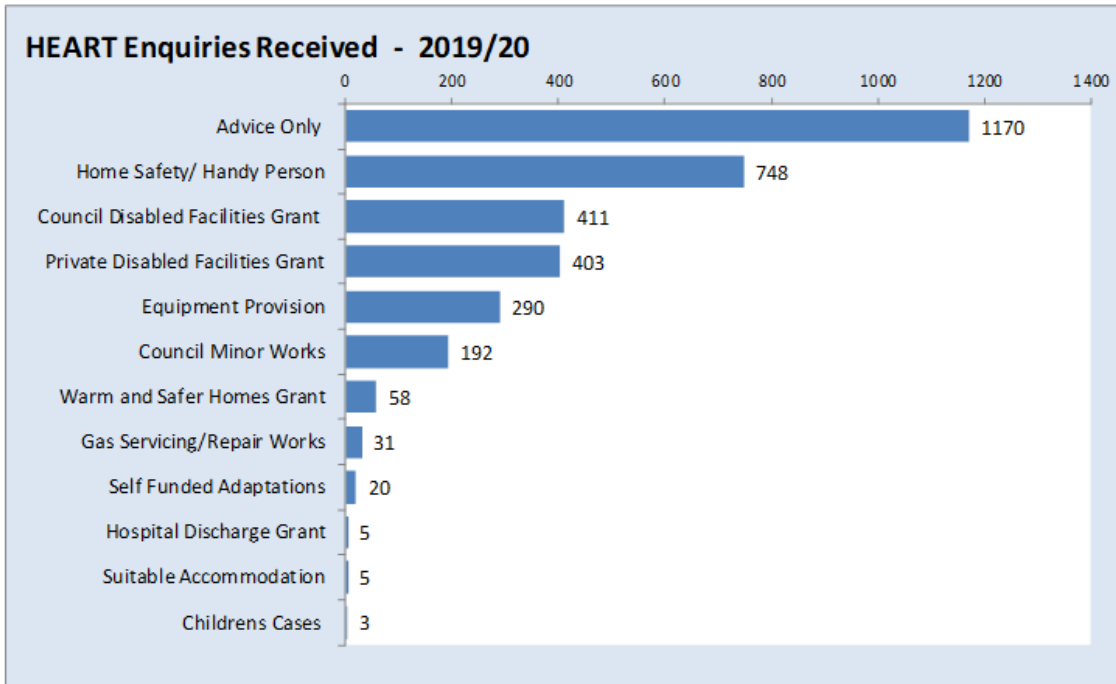
Appendix B

Activity levels

The graph below shows that the number of enquiries and therefore demand for the service, has grown significantly each year, with a slight seasonal reduction every December, until the impact of the 2020 COVID-19 pandemic, which saw demand drop to that of a similar level in 2017.



During 2019/20, HEART received over 3,300 enquiries. The graph below highlights, aside from requiring advice only, the top three enquiries were centred around; home safety, handy person service, Council Disabled Facilities Grants and Private Disabled Facilities Grants.



Of those 3,300 enquiries to HEART, this generated over 1000 customer solutions in 2019/20, the top three included key safe installation, level access showers and grab rails

Overview & Scrutiny Committee
20 April 2021

Title: End of Term Report

Lead Officer: Lesley Dury, Principal Committee Services Officer

Portfolio Holder: Not applicable

Public report / ~~Confidential 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

Final Decision: No, the report will go to Council for noting

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.
- 2.2 Prior to submission to Council, the report will be updated to include the meetings of the Overview & Scrutiny Committee and any Executive responses that took place in April 2021.

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.
- 3.3 A full account of the work undertaken by the Overview & Scrutiny Committee for the municipal year 2020/21 will be 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

Agenda Item 6

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

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

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.

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 (e) (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

To be completed.

22 April 2021:

To be completed.