

Overview and Scrutiny Committee

Minutes of the meeting held on Tuesday 6 July 2021 in the Town Hall, Royal Leamington Spa at 6.00 pm.

Present: Councillors Boad, Cullinan, A Dearing, J Dearing, Jacques, Kohler, Leigh-Hunt, Margrave, Morris, Redford and Russell.

Also Present: Councillors Cooke and Rhead.

6. **Apologies and Substitutes**

Councillor Boad substituted for Councillor Milton.

7. **Appointment of Chairman for the Meeting**

In the absence of Councillor Milton, the Committee's Chair, it was proposed by Councillor Russell, duly seconded by Councillor Boad and

Resolved that Councillor Kohler be appointed Chairman of the Committee for the 6 July 2021 meeting.

8. **Declarations of Interest**

Minute Number 11 – A46 Link Road – Next Steps

Councillor Cooke declared an interest during discussion of this item as he was a Warwick County Councillor, but had nothing to do with the formulation of the scheme.

9. **Minutes**

The minutes of the Overview and Scrutiny Committee meetings held on 20 April 2021 and 25 May 2021 were taken as read and signed by the Chairman as a correct record.

10. **Approach to the Scrutiny of the proposed merger of Warwick District Council and Stratford-on-Avon District Council**

The Committee welcomed SDC officer, Simon Purfield – Performance, Consultation & Insight Manager, who attended the meeting with WDC's Chief Executive to answer any questions from Committee Members.

The Committee considered a report from the Chief Executive which brought forward outline proposals for detailed scrutiny of the proposed merger of Warwick District Council (WDC) and Stratford-on-Avon District Council (SDC). The same item had been considered by the O&S Committee at SDC the previous week.

The report set out an overall approach for how both Scrutiny Committees at WDC could scrutinise the process for putting together a formal submission of the two Councils to merge. Both Scrutiny Chairs had been consulted over the report that the Chief Executive had written. The first

stage was looking at the consultation process and this was an opportunity to scrutinise this process.

A programme of implementation was being prepared and there would be an online briefing for Members on this so that they could make comment. The intention was that at each meeting of O&S up until the submission to the Government in December 2021 for permission to go ahead with the merger, a report would be presented on progress on the programme of implementation, allowing both O&S and F&A to make comment as the programme progressed. All Scrutiny Chairs at both Councils would liaise to ensure that nothing was missed, and it would also ensure that if officers needed to consult in between Scrutiny meetings, they could approach the Scrutiny Chairs.

Appendix 1 to the report was a proposed consultation plan which had been written by Mr Purfield; it set out the possible processes to be used for a consultation in the District Council areas of Stratford-on-Avon and Warwick on the creation of a South Warwickshire Council.

Mr Purfield reported that the report had been accepted by SDC's O&S Committee when it had considered it the previous week, with questions on the need for briefings by both Chief Executives to Parish Council Chairmen and the time and resource required to undertake the consultation. Appendix 1 to the report explained the principles that would be adhered to undertake the consultation, and the methods for consultation that would be used.

In response to questions from Members, the Chief Executive and Mr Purfield explained that:

- To ensure that there was no presumption that the merger going ahead was a certainty, the consultation questionnaire wording would make it apparent that it was still an "if", not a "when" because the formal decision that would allow the merger to take place by the Government was yet to be made.
- The decision Councillors would face in December 2021 would be whether the Councils would make the submission to the Government to be allowed to merge.
- Scrutiny Members would receive a report at each Scrutiny meeting until the submission for the merger to be allowed had been made. This submission was expected to be made in December 2021. The report would allow Members to scrutinise progress on the Programme of Implementation. The Scrutiny Chairs would be consulted about the form the report would take. If Members felt that additional scrutiny was required, then additional meetings could be called, or remote meetings could be held if a more informal approach was appropriate.
- Democratic representation would not be broached unless the Government had given consent for the merger to happen. If consent had been given, then elections would occur in May 2024. The Council would have asked for an extension on the current mandate Councillors had, which was currently scheduled to end in 2023. If permission for the merger to happen was given, the Boundary Commission would undertake another boundary review for both Councils being merged.

- Both Councils were facing complex financial challenges over the next two to three years and the merger had to be considered in that context; this meant that neither Council could afford to take its time over the merger process as other Councils had. If the merger did not happen, then other ways to save money would need to be sought.
- If local support for the merger during the consultation was unfavourable, then the chances that the Government would approve it were slim.
- The consultation would start end August/early September and would be handled by an external agency that had been used for the unitary consultation the previous year. The majority of the consultation would be done over September/October. The cost/benefit work for the merger and how this would be presented to the Public was being done currently. The agency had asked for a month following the consultation period to write the results, which meant a target for the results to be delivered mid-November to feed into the December 2021 decision. It was a tight schedule but deliverable.
- The questionnaire would be shared with Scrutiny Members ahead of its implementation and use.

Resolved that

- (1) support is confirmed for the proposed scrutiny of the proposed merger between Warwick District Council and Stratford-on-Avon District Council as set out in the report;
- (2) officers are asked to arrange an online scrutiny session on the Programme of Implementation (PI) for Members of the two Committees and delegate authority to Chairs of the Scrutiny Committees to formalise the response to the Leaders & Chief Executives of both authorities;
- (3) the intention to provide a briefing for all Councillors on the PI for merger on 9 August at 6.00pm, followed by Group meetings is noted;
- (4) there will be an update, as part of the work programme, at each Scrutiny meeting on progress through the PI with the format to be agreed by the Chief Executive in consultation with the Chairs of the two Warwick Scrutiny Committees is noted; and
- (5) the Scrutiny Chairs of Warwick District are asked to meet regularly with the Scrutiny Chair of Stratford-on-Avon District Council to discuss scrutiny of merger and cross cutting themes.

11. **Cabinet Agenda (Non-Confidential items and reports) – Thursday 8 July 2021**

The Committee considered the following item which would be discussed at the meeting of the Cabinet on Thursday 8 July 2021.

Item 4 – A46 Link Road Next Steps

Councillor Cooke, the Portfolio Holder – Place & Economy informed the Overview & Scrutiny Committee that at the meeting of the Cabinet on 8 July, his intention was to move an amendment to point 3.46 in the report, to make it more neutral, along the lines that “This Council will continue to be involved in the work with WCC (and CCC) to progress the work on the A46 link road”.

The original text read “That this Council is supportive of WCC (and CCC) progressing the development of the A46 link road scheme....”.

The Committee welcomed and endorsed the amendment to point 3.46 in the report as explained by Councillor Cooke and made the following recommendations:

1. any sustainability analysis that comes to this Council as part of the OBC and subsequent FBC submissions, is presented to the Climate PAB more than 30 days prior to the FBC submission so that the PAB may inform Cabinet of its views before Cabinet decides whether to endorse the submission; and
2. that a third recommendation in the report be added (2.3) so that the wording in the letter to be sent to WCC (identified in point 3.46 in the report), be amended to reflect the suggestions made in red as follows:

That this Council *can only continue to be* supportive of WCC (and CCC) progressing the development of the A46 link road scheme *if it aligns with all our Councils’ climate emergency declarations. Consequently, support is* subject to the following:

- That WDC officers should remain actively involved and continue to have a seat on the Programme Board for delivery of this project
- Phase 2 work shall progress albeit as part of a comprehensive and wider project to deliver sustainable travel options in the area and address identified issues/capacity needs. *There must* be a clear understanding of how it fits into the wider project for meeting the transport needs and supporting sustainable travel in the area. This needs to be seen also in the context of the SWLP consideration of strategic options and that this may require a masterplan of the wider area for this part of the SWLP area (A further report may be required to the WDC Cabinet on this aspect)
- *WCC uses an alternative name to the ‘A46 Link Road’ for this project which highlights the sustainable travel options which are in keeping with our Climate Emergency declarations*
- That WCC (and CCC) do not take any decisions about applying for planning permission for the A46 Link Road phase 2 until WDC has made a strategic decision in the context on the Local Plan on the

preferred spatial strategy for the location of development to meet the needs of South Warwickshire

- That WCC, in conjunction with transport planners at CCC, undertakes a reassessment of traffic flows forecasted based on likely new patterns of working and commuting following the Covid-19 pandemic
- That WCC undertakes a sustainability analysis of the Link Road scheme, *which would need to demonstrate a reduction in carbon emissions relative to not going ahead with this project*
- That WCC costs the best possible active travel option that does not include new road building to determine which option is better in terms of economic growth, air quality, biodiversity and reducing carbon emissions
- That WCC progresses the University of Warwick/Coventry South railway station/transport interchange and the development of VLR s as quickly as is realistic *and briefs WDC officers in a timely manner*
- That WCC supports WDC in providing the necessary evidence to support the case for the link road through the SWLP, subject to alignment with the preferred spatial strategy
- That WCC ensures that the link road project is consistent with key themes in the emerging Local Transport Plan 4 and can justify the scheme in this context throughout scheme development
- That WCC acknowledges WDC's support, subject to the points raised in this paragraph, in their proposed report to WCC's Cabinet about next steps.

Item 6 – Climate Change Ambitions for South Warwickshire and Item 10 – Net Zero DPD

The Overview & Scrutiny Committee considered both reports together and supported the recommendations in them both.

12. **Equality & Diversity Task & Finish Group**

The Committee considered a report from the Equality & Diversity Task & Finish Group which set out the Group's recommendations in respect of equalities issues relating to the internal practice and policies, and the experiences by employees of WDC with a Black, Asian and Minority Ethnic (BAME) background.

There following appendices were attached to the report:

- (1) The Scope Document which set out the parameters for the work to be undertaken as agreed by the Overview & Scrutiny Committee when it set up the Group.
- (2) An index of evidence gathered by the Group.

- (3) Statistical information on the ethnicity of residents in the district and Warwickshire and the Council's Ethnicity Pay Gap Report 31 March 2020.
- (4) The Race Equality Code.
- (5) Race at Work Charter.

Councillor Mangat, Chair of the Task & Finish Group and the Head of People and Communications, introduced the report to the Committee, and thanked everyone who had been involved with the work undertaken by the Group and those witnesses that the Group had spoken with in gathering the evidence.

In response to questions from Members, Councillor Mangat and the Head of People & Communications explained that:

- If more people from BAME backgrounds applied for jobs, then the more likely it was that they would be successful and so increase the Council's diversity.
- Research showed that if two rather than one candidate from a BAME background applied for a job there was a 25% increase in the chance of a successful application.
- It was intended to anonymise data for staff or people applying for jobs with the Council. The question of whether to anonymise data for other areas of Council service would be considered in the next stage of the Group's work when it looked outside the Council; suggestions for this happening were made in respect of housing and other service delivery.

The question was raised about recommendation 2.2(vii) and how realistic it was that within the next three years, to increase the racial and ethnic diversity within the senior management level, with a minimal expectation equivalent to one post. Was there sufficient churn of staff at the senior level especially in the context of the changes that had just been approved for shared management roles with SDC and the focus to reduce the number of senior management roles as time progressed. Members were informed by the Deputy Chief Executive that previous experience indicated that staff changed jobs all the time so opportunities would present themselves and the key point was that the Council should aspire to increase its racial and ethnic diversity at management level.

The Group was eager to align its aspirations with SDC and the Head of People and Communications had already started discussions with SDC. It was important that both Councils aligned their employment policies.

Recommended to Cabinet and the Employment Committee that

- (1) they note the progress WDC has made with regard to adopting positive equality and diversity policies with tangible outcomes, and commit to do more and make the District and the Council an exemplar of best practice in equality, diversity and inclusion, especially with regard to racial equality;

- (2) that owing to the proposals to bring together staff as part of the consideration of a merger proposal, Stratford-on-Avon District Council be approached to similarly endorse these recommendations;
- (3) that they endorse the use of the Race Equality Code 2020 and Race at Work Charter, as set out at Appendices 4 and 5 of the report, to underpin the equality, diversity and inclusion action plan each year. This will require the setting of agreed indicators, both quantitative and qualitative, so success can be measured against the action plan;
- (4) that the Chief Executive appoints a senior manager to be a champion for Race Equality within the organisation;
- (5) that they note that the current ethnicity data is based on the 2011 Census but will be updated following the publication of 2021 census data; and that this be used as the basis for the Council better reflecting the communities it serves;
- (6) that they welcome the publication of the first data on the ethnicity pay gap in November 2020 and the commitment from this Council to produce this information annually;
- (7) that they endorse the intention, within the next five years, to increase the diversity in senior managers across the Council so that it is more reflective of the racial and ethnic diversity of the local community in the District;
- (8) that they endorse the intention, within the next three years, to increase the racial and ethnic diversity within the posts of Chief Executive, Deputy Chief Executives, Programme Director for Climate Change and Heads of Service, with a minimal expectation equivalent to one post, so that it is at least reflective of the racial and ethnic diversity of the local community in the District; and
- (9) that they endorse the adoption of the Rooney Rule (as explained in paragraph 3.14 of the report) for all recruitment processes by Warwick District Council for vacancies at Service Manager, Head of Service, Deputy Chief Executive or Chief Executive position, and the Employment.

13. **Review of the Work Programme, Forward Plan and Comments from the Cabinet**

The Committee considered its work programme for 2021/2022 as detailed at Appendix 1 to the report. There had been no reports to Cabinet called in for scrutiny at the May meeting.

The Committee appointed Councillor Cullinan as the Council's second Children's and Adults' Safeguarding Champion. Each year the Committee was asked to appoint the second Champion (the first position automatically going to the Portfolio Holder for Community Protection).

Councillor Kohler read out Councillor Milton's update on the discussions he had held with the Programme Director for Climate Change and Councillor Rhead on the Council's sustainability and climate change going forward and its scrutiny:

"We would like to focus O&S on reviewing the performance of the Climate Emergency Action Plan against its targets for carbon reduction. As such we feel it would be good if these metrics could be added into the regular reporting that is made available to us (and other councillors) on a quarterly basis, given the nature of them rather than monthly.

We also feel that it would be good to have a six-monthly report to scrutiny on progress of the plan to form the basis for discussion."

It was hoped to be able to deliver the first six-monthly report in September and the second in January 2022 but that had yet to be confirmed.

Councillor Kohler gave Members an update on the work being undertaken on the Service Area Dashboard to ensure it provided Councillors with the information they required in an accessible format.

Councillors Cullinan, Jacques and Kohler attended a meeting with the Democratic Services Manager & Deputy Monitoring Officer and Performance Management Officer on 25 June. It was established that none of the Councillors had access to the current dashboards. It was believed that a certificate on the WDC iPads required updating, which would require Councillors to make an appointment with ICT Helpdesk at Riverside House to fix. When this was confirmed as enabling Councillors to access the dashboards, instructions would be shared with the rest of the Committee so that they could gain access too.

The group was able to review the content of the Dashboards and gave some initial feedback, but the group would meet again to verify their initial thoughts when Councillors had had consistent access to the Dashboards.

A further update would be made at the next O&S meeting.

Councillor Kohler was asked to contact the Chairman of the Joint Arrangements Steering Group about the two Scrutiny Committees' wish to

review the questions on the questionnaire as part of the consultation phase for the proposed merger of SDC and WDC and for the Steering Group to decide on a process for this to happen.

Resolved that

- (1) Appendix 1 to the Work Programme report be noted;
- (2) Councillor Cullinan be appointed a Children's and Adults' Safeguarding Champion; and
- (3) Councillor Kohler is to contact the Chairman of the Joint Arrangements Steering Group about the two Scrutiny Committees' wish to review the questions on the questionnaire as part of the consultation phase for the proposed merger of SDC and WDC and for the Steering Group to decide on a process for this to happen.

(The meeting ended at 8.56pm)

CHAIR
10 August 2021