

Overview & Scrutiny Committee

Monday 27 June 2022

An additional meeting of the above Committee will be held in the Town Hall, Royal Leamington Spa on Monday 27 June 2022, at 6.00pm and available for the public to watch via the Warwick District Council [YouTube channel](#).

Councillor Milton (Chair)

Councillor A Barton

Councillor P Kohler

Councillor G Cullinan

Councillor V Leigh-Hunt

Councillor I Davison

Councillor M Noone

Councillor A Dearing

Councillor P Redford

Councillor J Dearing

Councillor S Syson

Councillor O Jacques

Emergency Procedure

At the commencement of the meeting, the emergency procedure for the Town Hall will be announced

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

- (a) To confirm the minutes of the meeting held on 12 April 2022. **(Pages 1 to 6)**
- (b) To confirm the minutes of the meeting held on 10 May 2022. **(Pages 1 to 1)**
- (c) To confirm the minutes of the meeting held on 24 May 2022. **(Pages 1 to 5)**
- (d) To confirm a correction to a minute number on approved minutes of the meeting held on 8 March 2022. The last minute, "Review of the Work Programme..." has been incorrectly numbered as 50. It should be number 59.

4. Joint Cabinet Committee Agenda – Wednesday 29 June 2022

To consider the report called "South Warwickshire Local Plan – Settlement Analysis Evidence Report" on the Joint Cabinet Committee agenda of 29 June 2022.

(Circulated Separately)

Published Friday 17 June 2022

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

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Overview and Scrutiny Committee

Minutes of the meeting held on Tuesday 12 April 2022 in the Town Hall, Royal Leamington Spa at 6.00 pm.

Present: Councillor Milton (Chair); Councillors A Dearing, J Dearing, B Gifford, Illingworth, Kohler, Leigh-Hunt, Margrave, Redford and Skinner.

Also Present: Councillors Bartlett – Portfolio Holder, Culture, Tourism & Leisure, Day – Leader of the Council, Hales – Portfolio Holder, Transformation/Resources, and Matecki – Portfolio Holder, Housing.

60. **Apologies and Substitutes**

- (a) An apology for absence was received from Councillor Morris.
- (b) Councillor B Gifford substituted for Councillor Russell, Councillor Illingworth substituted for Councillor Jacques and Councillor Skinner substituted for Councillor Cullinan.

61. **Declarations of Interest**

There were no declarations of interest made.

62. **Minutes**

The minutes of the meeting 8 March 2022 were not available for approval and would be ready for consideration at the meeting in May.

63. **Update on Joint Work of WDC and SDC**

The Committee considered a report from the Chief Executive which set out the progress of the work being done to enable effective scrutiny of the proposals to achieve joint working with Stratford-on-Avon District Council.

Appendix 1 to the report set out the Programme Risk Register.

Both Warwick District Council (WDC) and Stratford-on-Avon District Council (SDC) had agreed a vision to create a single statutory South Warwickshire Council covering all of the activities currently carried out by SDC and WDC by 1 April 2024.

Overview & Scrutiny Committee and Finance & Audit Scrutiny Committee had agreed that at each of their meetings, a progress report would be submitted for consideration whilst work was ongoing to merge the service areas of both Councils and depending on the response from the Secretary of State, to enable scrutiny of the political merger also.

Councillor Day was asked to make a brief statement about the withdrawal of two reports that were scheduled to be discussed at Cabinet the following week. He explained that Item 4 – Joint Governance – Stratford-on-Avon and Warwick District Council and Item 5 – Inter-Authority

Agreement between Stratford-on-Avon and Warwick District Council on the Cabinet agenda had been withdrawn until the next meeting of the Cabinet following receipt of an email from Stratford-on-Avon District Council because they were progressing a bit slower than Warwick. To continue to work to the same timescales, it had been decided to delay consideration of the reports.

In response to questions from Members, Councillor Day and the Chief Executive explained that:

- SDC was coming to terms with the way that WDC did business. SDC did not have a local housing company for example and required more time to understand how that worked, the related risks and benefits; WDC had already been through due diligence, but SDC was now asking for more time.
- The changes required by both Councils had not been one-sided. SDC was beginning to hold more evening meetings for example and in the new municipal year, would be appointing an opposition Chair to the Scrutiny Committee as WDC did.
- It was important that the two councils worked in step therefore the better option had been to delay consideration of the Cabinet reports. The concern was the impact of officers and shared service plans. There would be a meeting with the SDC Chief Executive and Leader on Thursday, and it was hoped to resolve the timetable issues at the meeting. Councillor Day would circulate a full report on the situation would be given to all Councillors ahead of Cabinet the following week.
- In light of the additional time required by SDC, none of the planned major milestones in the project had been affected as yet because the response from the Secretary of State had not responded to the request for the two councils to merge. The Inter-Authority Agreement (IAA) dealt mainly with the integration of service areas and if timing was affected, it would be in relation to the delay of the IAA. Until further discussions had been held with SDC and what information it still required, it was difficult to state the impact of the delay. Service integration could continue up to the point a political decision was required.
- Using SDC's Legal Services started 1 April and would continue without any impact from the delay.
- The integration of Environment and Operations was the most advanced and therefore most affected by the delay but ICT work in this area could still progress whilst the actions were officer based and not requiring a political decision and the IAA had been concluded.

64. **Cabinet Agenda (Non-Confidential items and reports) – Wednesday 20 April 2022**

The Committee considered the following items which would be discussed at the meeting of the Cabinet on Wednesday 20 April 2022.

Item 4 – Joint Governance – Stratford-on-Avon and Warwick District Councils

The Committee noted that the report had been withdrawn, that this may impact on the planned integration of services with potentially a delay to

this. There were concerns around this and the Leader agreed to provide clarification on the impact of this to Cabinet next week for all Councillors.

Item 5 – Inter-Authority Agreement between Stratford-on-Avon and Warwick district Council

The Committee noted that the report had been withdrawn, that this may impact on the planned integration of services with potentially a delay to this. There were concerns around this and the Leader agreed to provide clarification on the impact of this to Cabinet next week for all Councillors.

Item 6 – Amendments to the Constitution

The Committee noted the recommendations and provided the following observations:

1. The Committee felt the clarification on the reasons why a report was confidential should be explained within the report itself to show how the information related back to the legal reason for it being exempt. It would also be useful if the report could provide a timescale/event for when it may be possible for the information to become public.
2. The PABs needed to improve the consistency in their minute format to facilitate Councillors' understanding,
3. Consideration should be given if the PAB minutes could be public minutes.
4. Noted that the better description of items expected to go to PAB would be those items that proposed significant change to a service.

65. **Shakespeare's England 2021 Summary**

The Committee considered a report from Development which provided a summary of Shakespeare's England activity during 2021 in respect of Warwick District Council's grant conditions.

Councillor Bartlett explained that SDC also scrutinised activity conducted by Shakespeare's England but where WDC looked back at the previous year, SDC looked forward to the future year. However, there would be an additional report coming to WDC's Cabinet in May on the future relationship Shakespeare's England had with the Council, and there was opportunity to look forward when this report was considered. He asked the Committee to consider the way it scrutinised in future, forward looking, or looking back.

In response to questions from Members, Councillor Bartlett and the Senior Economic Development Officer explained that:

- It was hoped that more Town Councils would engage with Shakespeare's England and smaller organisations in the lower tier of the membership.
- Looking back at the work that has been done over the previous year was an opportunity to capitalise and inform on what work should be done going forward. The suggestion was that future reports should look back and then make suggestions on what work should happen going forward.
- Kenilworth had made use of the "Visit Warwickshire" template to encourage tourism to its town and the aim was to get small

communities to use the same template to pull visitors in.
Shakespeare's England had developed walking and cycling trails.

- The proposed conditions and funding would need to be considered by Shakespeare's England Board with the hope that the new agreement would come to Cabinet in May or the next cycle.

66. **Cabinet Agenda (Non-Confidential items and reports) –
Wednesday 20 April 2022**

The Committee considered the following items which would be discussed at the meeting of the Cabinet on Wednesday 20 April 2022.

Item 9 – HEART Shared Service Partnership

The Committee considered the report at length and had concerns about the cyclical nature of the concerning position set out in the report.

The Committee noted the recommendations in the report and agreed that a report be brought back to Scrutiny in six months, unless a report is brought to Cabinet at that time on the progress/improvements made and if needed the options available to the Council to change the service.

The Committee thanked the Head of Housing and Portfolio Holder for their time in attending and engaging with the Committee on this report.

Item 10 – Masterplanning Framework for Land to the North and East of Kenilworth/South of Coventry

The Committee noted the report and proposals for providing the master planning framework to help recognise the constraints in the area and developing a collective vision. It welcomed the responses from officers and the reflection from this would be provided to the Cabinet.

The Committee suggested that the words Green Belt were set out within the document as this plan would have an impact on that.

The Committee welcomed the agreement to ensure that wider stakeholder groups would be involved in the consultative role. Whilst those to be involved would be agreed by the project board once it has been formed, it was expected that this would include local district councillors, local parish councils, residents' groups, Stoneleigh Park, HS2, local major landowners along with Solihull MBC and Rugby BC.

The Committee recommended that at least one PAB should be involved for discussion and involvement in this area of work.

During this item the Committee meeting reached 2 hours 30 minutes long. In line with the Constitution the Committee took a vote and more than the necessary half agreed to proceed without a break.

67. **End of Term Report**

The Committee considered its annual end of term report to the Council on the work the committee had undertaken during the municipal year 2021/22. The Committee had met nine times during the year and had also held an informal meeting to scrutinise the "Developing a Digital Strategy for South Warwickshire" report in more depth. Any further meetings the Committee held before Annual Council would be added to the report. The report had been circulated via email to Councillors following publication of the agenda and Councillors were asked to send any comments they had on the report to Committee Services and the Chair.

Resolved that the Chair be authorised to approve the final report to be considered at Council on behalf of the Overview & Scrutiny Committee.

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

The Committee considered its work programme for 2022 as detailed at Appendix 1 to the report. Appendix 2 gave responses from the Cabinet to the comments and recommendations the Committee had made to Cabinet reports it had scrutinised.

The Deputy Chief Executive was asked to chase a report that had been written by the Head of ICT on issues with the service causing downtime of systems and a root-cause analysis and ask for it to be circulated.

Councillor Kohler was informed that all Councillors had been sent written instructions for using the Dashboard and a request to contact the Performance Management Officer if they required individual training. Councillor Kohler stated that the request had been for an all-Councillor briefing on the source of the data held in the Dashboard and how to interpret it. The Democratic Services Manager & Deputy Monitoring Officer advised that this would be provided but that finding a suitable date could prove a problem because the Councillors' diaries were already quite full of appointments.

Resolved that

- (1) appendices 1 and 2 to the Work Programme report be noted; and
- (2) training on how to interpret the data held on the Dashboard and the source of the data be arranged for all Councillors by the Democratic Services Manager & Deputy Monitoring Officer.

69. **Cabinet Agenda (Confidential items and reports) – Wednesday 20 April 2022**

The Committee considered the following item which would be discussed at the meeting of the Cabinet on Wednesday 20 April 2022.

Item 14 - Creative Quarter / Future High Street

The Committee recommended a briefing update to all Councillors regarding the project.

(The meeting ended at 9.07pm)

CHAIR
27 June 2022

Overview and Scrutiny Committee

Minutes of the additional meeting held on Tuesday 10 May 2022 in the Town Hall, Royal Leamington Spa at 6.07 pm.

Present: Councillor Milton (Chair); Councillors Cullinan, A Dearing, Jacques, Kohler, Leigh-Hunt, Margrave, Redford and Russell.

Also Present: Councillor Day – Leader of the Council, Councillor Hales – Deputy Leader and Portfolio Holder, Transformation & Resources and Chris Elliott – Chief Executive.

70. **Apologies and Substitutes**

- (a) Apologies for absence were received from Councillors J Dearing and Morris.
- (b) There were no substitutions made.

71. **Declarations of Interest**

There were no declarations of interest made.

72. **Cabinet Agenda (Non-Confidential items and reports) – Thursday 11 May 2022**

The Committee considered the following item which would be discussed at the meeting of the Cabinet on Thursday 10 May 2022.

Item 3 – Future Relationship with Stratford-on-Avon District Council

The Overview & Scrutiny Committee thanked officers for the report and efforts made to bring the merger forward.

The Committee requested that the report should reflect the need to rebuild our employer brand both internally and externally.

In terms of future work, the Committee requested that this should include an analysis of lessons learned, and these could be incorporated into other initiatives, including the Climate Emergency Action Plan, and the South Warwickshire Local Plan.

The Committee also requested a short summary on the ICT clean-up actions and a report on the future service provision, both for shared services and services solely delivered by WDC.

The Committee also expressed its interest in the potential for devolving powers to Town and Parish Councils and asked that a further report is brought forward in the future.

(The meeting ended at 7.30pm)

CHAIR
27 June 2022

Overview and Scrutiny Committee

Minutes of the meeting held on Tuesday 24 May 2022 in the Town Hall, Royal Leamington Spa at 6.00 pm.

Present: Councillors Barton, Cullinan, I Davison, A Dearing, J Dearing, Kohler, Leigh-Hunt, Milton, Noone, Redford and Syson.

Also Present: Councillor Grainger – Portfolio Holder, Neighbourhood & Leisure, and Councillor Matecki – Portfolio Holder, Housing & Assets.

1. **Appointment of Chairman**

It was proposed by Councillor Redford, duly seconded by Councillor Kohler and

Resolved that Councillor Milton be appointed Chair of the Committee for the ensuing municipal year.

2. **Apologies and Substitutes**

(a) An apology for absence was received from Councillor Jacques.

(b) There were no substitutes.

3. **Declarations of Interest**

There were no declarations of interest made.

4. **Minutes**

The minutes of the Overview and Scrutiny Committee meeting held on 8 March 2022 were taken as read and signed by the Chair as a correct record.

5. **Public and Press**

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

Minute Number	Paragraph Number	Reason
6	3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)

6. **Cabinet Agenda (Confidential items and reports) – Wednesday 25 May 2022**

The Committee considered two reports with confidential content which would be discussed at the meeting of the Cabinet on Wednesday 25 May 2022.

Item 6 – Milverton Homes Ltd Business Plan and Item 9 – Confidential Appendices to Item 6 – Milverton Homes Ltd Business Plan

The committee expressed its support for the report and for the aims and objectives of Milverton Homes Limited.

Members were keen that more information should be made available in the public domain.

Members asked a number of questions about the financial projections and potential risks of the organisation and were satisfied with the answers provided.

(Councillor Matecki left the meeting near the end of discussion on the Milverton Homes report because of a pre-existing appointment.)

Item 8 – Associated Costs for the Purchase of 60, section 106 dwellings, Birmingham Road, Hatton, Warwickshire

The Committee noted the report.

(The meeting resumed public session.)

7. **Cabinet Agenda (Non-confidential items and reports) – Wednesday 25 May 2022**

The Committee considered the following item which would be discussed at the meeting of the Cabinet on Wednesday 25 May 2022.

Item 4 – Programme Team (Green Spaces) – Resourcing Delivery of Live Projects

The Committee noted the report.

(Councillor Grainger left the meeting at the end of this item.)

8. **Climate Change Action Programme Update**

The Committee considered a report from the Director for Climate Change that provided an update on the Council's progress towards its climate change ambitions, specifically in relation to the delivery of the Climate Change Action Programme (CCAP).

Appendix 1 to the report detailed the progress made on the Climate Action Programme. Appendix 2 detailed the carbon baseline data, with Appendix 3 setting out the carbon emissions data. Appendix 4 was the updated risk register and Appendix 5 showed the priorities for action for 2022/23.

In response to questions from Members, the Director for Climate Change explained that:

- He was willing to liaise with Finance to draw up a list of options to finance the various projects required in the CCAP over the next 10 years and this information would be provided in the next report to the Committee. The challenge with options such as Community Bonds and loans was how the money would be paid back. Some of the projects once completed would "payback" from the results but others, which were particularly costly upfront, such as retrofitting properties, did not form a source of income or payback.
- Advancements in technology had made some energy efficient methods for homes more attractive in appearance, e.g., solar panels. The Council's planning guidance required updating to incorporate these advancements so that planning applications for such technology to be installed was not automatically refused, especially in conservation areas because the heritage aspects of the properties and the area would not be under threat. The Council could also set its own rules for conservation officers to follow for assessing these applications around existing policy framework and the Director for Climate Change had already discussed aspects with both Planning and Conservation officers. This could be done ahead of the outcome of the Local Plan review but had not so far been set as a priority because of staffing resources required against the relatively small number of properties in conservation areas where these types of applications were submitted; the focus needed to be on the types of housing that accounted for the majority of these applications. Indeed, some energy efficient alterations could take place in conservation areas anyway such as windows. Over a three-year period, there had been 25 applications for solar panels to be fitted to listed buildings, of which 15 were approved following discussions on how to make them acceptable.
- The grant funding had been lost in respect of Commitment 1.2, because of issues relating to power supply, planning, and appointing contractors. The Council was working with Midlands Net Zero Hub to prepare proposals for three Council-owned buildings, with a view to a further seven later. Lessons learned from the previous attempt were to include power supply in plans from the outset. Finding consultants with the right expertise had proven a challenge but it was hoped that Midlands Net Zero Hub would help prepare the brief to a suitable level to facilitate finding consultants. The Council would also work with other partners like the County Council so that larger schemes were submitted making them more attractive for consultants to consider bidding for the business. The

Council's staff had learnt a lot from the process and had not previously appreciated the challenges and the need for good technical advice and that these skillsets needed to be developed in-house.

- The aim to reduce gas consumption in Council buildings should be achieved by 2025 and some small-scale initiatives should produce some quick wins with longer term heating projects for replacement sources of energy were in the pipeline.
- There were some big challenges for the Council to achieve net zero carbon by 2025 but certainly good progress would be made. The degree to which the aim was achieved would depend on the level the Council would be prepared to pursue local carbon offsetting.
- Staff in all service areas worked towards the Council's aim to achieve net zero carbon and the small team of staff specifically charged with climate change as their primary focus provided advice as required.
- High-level information could be provided on the Council's website for residents on the stages reached on the CCAP.
- It was hoped to provide advice to private homeowners who wanted to pay for climate efficient adaptations to their own properties. The Director for Climate Change would review the information on the website and on Social Media links and if it pointed to helpful external organisations that provided advice on energy conservation.

The Chair thanked the Director for Climate Change and summarised the actions agreed:

1. to provide finance options for the projects in the next report in six months' time;
2. at the start of the report, provide a **Red, Amber, Green (RAG)** risk status; and
3. to provide information on conservation of energy on the website and in social media.

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

The Committee considered its work programme for 2022 as detailed at Appendix 1 to the report. Appendix 2 gave responses from the Cabinet to the comments and recommendations the Committee had made to Cabinet reports it had scrutinised.

The Chair advised that as a result of the additional remit the Committee had now been given resulting from Finance & Audit Committee (F&A) being dissolved, work would be done to divide the work this Committee needed to absorb from F&A's Work Programme and which parts would fall within the new Audit & Standards Committee. The Chair had made a request that Members receive appropriate training so that they would understand the new work they faced and that this training would be provided in a timely manner in "bite-sized chunks" to coincide when the work would be scheduled on the Committee's Work Programme. The Cabinet's Forward Plan would also be reviewed to look for any reports the Committee would need to scrutinise of a financial nature and again for training to be provided in a timely manner. The suggestion was made that where possible; these be conducted remotely.

It was noted that the Digital Strategy report would be considered at the meeting in July. Members asked for this to include what the priorities had become following the decision that the merger between Warwick and Stratford District Councils would no longer proceed. A summary of ICT tidying up tasks following up the decision not to proceed with the merger and reassurance that these had occurred was also requested.

The Chief Executive would be providing a paper to the meeting in July with an updated position statement. This would be in the form of a briefing report rather than a formal report.

Resolved that appendices 1 and 2 to the Work Programme report be noted.

(The meeting ended at 8.25pm)

CHAIR
27 June 2022