

Overview & Scrutiny Committee

Tuesday 7 February 2023

An additional meeting of the above Committee will be held in the Town Hall, Royal Leamington Spa on Tuesday 7 February 2023, 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 A Dearing

Councillor M Noone

Councillor J Dearing

Councillor P Redford

Councillor O Jacques

Councillor S Syson

Councillor C King

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

To confirm the minutes of the meeting held on 6 December 2022. **(Pages 1 to 12)**

4. **Work Programme, Forward Plan & Comments from Cabinet**

To consider a report from Democratic Services.

(Pages 1 to 11)

5. **Equalities Task & Finish Group**

To consider a report from the Equalities Task & Finish Group.

(Pages 1 to 12)

6. **Revisions to Scrutiny Arrangements**

To consider a report from Democratic Services.

(Pages 1 to 8)

7. **Cabinet Agenda (Non-Confidential Items and Reports) – Thursday 9 February 2023**

To consider the non-confidential items on the Cabinet 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 morning after Group meetings.

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

9. **Cabinet Agenda (Confidential Items and Reports) – Thursday 9 February 2023**

To consider the confidential items on the Cabinet 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 morning after Group meetings.

**(Circulated separately)
(Not for publication)**

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Overview and Scrutiny Committee

Minutes of the meeting held on Tuesday 6 December 2022 in the Town Hall, Royal Leamington Spa at 6.00pm.

Present: Councillor Milton (Chair); Councillors Cullinan, J Dearing, Jacques, King, Kohler, Leigh-Hunt, Noone, Syson and Tangri.

Also Present: Councillor Day – Leader and Portfolio Holder for Strategic Leadership, Councillor Hales – Deputy Leader and Portfolio Holder for Resources, Councillor Matecki – Portfolio Holder for Housing & Assets, and Councillor Rhead – Portfolio Holder for Climate Change.

The Chair explained that subsequent to Finance & Audit Scrutiny Committee being dissolved responsibilities to scrutinise financial issues had passed to Overview & Scrutiny Committee. This meant a much-increased workload for the Committee.

Resolved that the Chair raise the issue of the increased workload faced by the Overview & Scrutiny Committee subsequent to the imposition of the additional responsibilities for scrutinising financial matters and seek approval for officers to review the situation and bring forward more effective processes for the next Council.

43. **Apologies and Substitutes**

- (a) An apology for absence was received from Councillor Redford.
- (b) Councillor Tangri substituted for Councillor A Dearing.

44. **Declarations of Interest**

There were no declarations of interest made.

45. **Minutes**

The minutes of the Overview and Scrutiny Committee meeting held on 1 November 2022 were taken as read and signed by the Chair as a correct record.

46. **Report on the reasons for cost increases in the Castle Farm Leisure Centre and Abbey Fields Swimming Pool projects**

The Committee considered a report from the Programme Manager from the Sports Programme Department which presented the reasons for the increase in costs for the two projects between the two stages of the procurement process. The body of the report gave some of the reasons for this increase. Confidential appendices attached to the report provided more detail on the amounts involved in each element of these increases. These appendices were confidential because they revealed in some detail the financial negotiations between the Council and Kier; information which

was commercially sensitive because it would give other building contractors substantial information about the costs ascribed to particular elements, and also about the negotiating processes involved in the two contracts.

Phase 2 of the Leisure Development Programme consisted of the demolition and reconstruction of the Castle Farm Leisure Centre and the Abbey Fields Swimming Pool, both in Kenilworth. The contracts for the construction of these two facilities were let separately, as part of the same two-stage procurement exercise. Kier Construction was identified as the preferred contractor of the works. In the period between Stage One and Stage Two of the two-stage procurement process, the costs of the work rose considerably. The report identified the reasons for the cost increases.

Mr Jones, a Kenilworth resident speaking on behalf of the "Restore Kenilworth Lido Group" addressed the Committee. As a resident and Council taxpayer, he also wished to raise his concerns about value for money and the process and due diligence that was conducted as part of the process for commissioning the chosen contractor.

The Deputy Chief Executive & Monitoring Officer explained that he was the project/programme sponsor and had been involved with the Leisure Development programme going back to Newbold Comyn and St Nicholas work. He would give a more detailed response to Mr Jones but would provide headline responses at the meeting.

In response to points raised by Mr Jones, the Deputy Chief Executive and Monitoring Officer explained that:

- Although due diligence was part of officers' day to day responsibility in the delivery of the new centres, Councillors had been integrally involved throughout. A Member Working Group was established from the formation of the projects. When it was time to decide whether to proceed with the bids, an established project board, made up of officers and Councillors was already in place. Prior to formal signing of the contracts, a presentation was given to the Council's Leadership Co-ordinating Group (a group chaired by the Leader of the Council and has all political group leaders in its membership).
- There was a choice on whether to use a one or two stage process in procurement. It was a Board decision to choose the two-stage approach to procurement because it was clear that the bidders would not have accepted a one-stage process. They required the closer consultation with the Council that the two-stage process offered.
- Kier was chosen because other factors than cost were relevant, despite the bid being £200k cheaper. Considerations such as quality and cost were important.
- Advice was taken from the Council's contractor about percentage ranking or ranking in order. Consultation with the Chair, Overview & Scrutiny Committee also took place, and it was agreed that ranking in order was acceptable. The Chair, O&S was keen for the percentages to be displayed but did accept the ranking in order.
- Clear advice from the Procurement Team was for two separate contracts, one for Abbey Fields and one for Castle Farm to ensure a

clear delineation between them for contract management. Kier also gave the same advice.

- The Council now had a fixed price for the contracts. The only deviation would be if the Council wanted some alterations in the finer details to the specification, if additional design work was commissioned and that altered the final appearance of the buildings, then there could be cost increases. If amendments meant some reduction in what was specified, then costs could be lowered.
- Costs had increased not just because of building cost inflation, but also because of economic, commercial betterment, correct quantification by Kier, fully understanding the scope of the sub-contractor work and design changes requested by the Council and the Council bought some risk for the project.
- He would listen to the recording of the meeting and if Mr Jones' points required more detailed answers, he would provide these.

In response to questions from Members, the Deputy Chief Executive and Monitoring Officer explained that:

- Kier considered that ranking by percentages could be commercially detrimental, rather than ranking by order. He would review this again with the Programme Manager.
- When it was realised that Kier had missed something out of their specification, the project was already in preferred contractor status with Kier. The procurement process could have been abandoned but advice from Mace was that if re-tendering took place, because of inflationary pressures at that time on building materials and labour cost, the result would not be significantly different to the situation that was currently faced with the additional cost Kier had quoted. The Project Board accepted the reasoning and the advice to proceed with Kier.
- The specification for what was to be built were clear but if there was question over what constituted a change that could alter the fixed price, then Kier had the opportunity to discuss this with officers and Mace.
- The Council had been in partnership with Mace for six to seven years because they were the preferred advisor on Newbold Comyn and St Nicholas. The relationship has at times been up and down. Not all issues faced had been connected with Mace. The Deputy Chief Executive was not of the opinion that Mace could have spotted that Kier had missed certain elements out of their specification. He would liaise with the Programme Manager to see if he felt Mace could have offered better advice and that would be made available.
- An explanation had been given for the increases in costs and why they occurred. Given the economic climate at the time and that Kier had admitted that it got some elements of the specification wrong, the Deputy Chief Executive did not feel that anything could have been done differently.
- There were lessons to be learned around the depth and effort made to ensure that the Council's climate change objectives were met, how thorough the consultation process was, even if some residents did not agree, they were not left without detail of what was being proposed, and also how political groups were kept involved.
- The administration was clear that having delivered in Warwick, Leamington and Whitnash, Kenilworth required enhanced facilities.

- There would be a “lessons learned” carried out at the end of the programme and this would be brought to O&S accordingly in the future.

47. Climate Change Action Programme Update

The Committee considered a report from the Programme Director for Climate Change which provided an update on the council’s progress towards its climate change ambitions and specifically in relation to the delivery of the Climate Change Action Programme.

In response to questions from Members, the Programme Director for Climate Change, the Climate Change Programme Officer and the Portfolio Holder for Climate Change explained that:

- In Appendix 2, it would be possible to break the figures down further to show progress being made against specific elements. It would be difficult to provide this same detail for Ambitions 2 and 3. The Council used historic national data on carbon emissions, District specific figures were not available. Any figures that were provided would have to be estimates and it would involve a lot of work.
- The next report would show better how far along in achieving the objectives the Council was for Ambition 1.
- The Risk Register had been designed to show what could impede reaching all Ambitions. Risk Rating by Ambition and elements within these could be considered by the Climate Emergency Programme Advisory Board (PAB).
- The Climate Change Adaptation Officer would be consulted to see if a further risk should be added about whether the Council’s ambitions were matching the speed at which climate change was happening. This would go to the PAB to consider how the risk was phrased and what the Council could do to mitigate the risk.
- Risk 3 in Appendix 4 was currently a red risk – a lot of work was ongoing to see how the Council’s services could adapt to climate change.
- Risk 2 was also in red with six triggers listed. The Council had been quite successful in getting grant funding and other resources to deliver climate change ambitions. Every department in the Council had to address climate change.
- Appendix 1A, 1.2 – it had been hoped that by making carbon savings, financial savings would follow. However, the increased energy prices the country had faced had more than outweighed the savings made in cost. Implementing heat pumps at Temperate Glasshouse would not currently result in cost savings because the electricity required to run the heat pumps was more expensive than gas prices.

(Councillor Rhead left the meeting.)

48. Waste Enforcement Update

The Committee considered a report from Neighbourhood and Assets which provided an update in respect of its Waste Enforcement service subsequent to the previous update given in March.

During the months since the last update, the proposed merger with Stratford on Avon District Council (SDC) had ended. The plan had been for the Contract Services Team at Warwick District Council (WDC) to work closely with the experienced officers at SDC on waste enforcement activities. The result of the merger ending and the work the Contract Services faced during spring and summer months meant that waste enforcement could not be prioritised.

Subsequently, the Team had re-engaged with Rugby Borough Council to re-establish the previous Service Level Agreement with them providing support to waste management enforcement activities, including issuing fines. It was hoped that there would be a dedicated enforcement team back in place by January 2023.

A report on the Waste Enforcement Service had been scheduled for the meeting, but the upheaval to the service meant that following a request, the Chair had agreed that the full update could be presented in early 2023, but a brief update on a main concern on fly-tipping would be discussed at this meeting.

In response to questions from Members, the Deputy Chief Executive and Monitoring Officer explained that:

- The green columns on the graph on page 3 of the update were representing 22/23, not 21/22.
- If the green columns were 22/23, then there did appear to be a correlation between the implementation of the new 123 service and an increase in fly-tipping events, but more work was required on this. The Deputy Chief Executive would circulate a table he had on this which broke down the elements in the graph and which showed that the spike was predominantly about more black bags being found.
- Analysis was required on whether there were parts of the District that were worse affected or if it was across the District. North Warwickshire had a real-time "heat map" where fly tipping was found. The Council would use the same tool in the 2023 to target the Council's efforts to reduce the issue.
- The next update would show what had happened and what options there were to tackle it. The current update showed options to tackle the fly-tipping, one of which was the reintroduction of a service level agreement with Rugby Borough Council for enforcement action.
- It was hoped to produce information of fly-tipping in real time.
- Before deciding a plan of action, it was necessary to understand what the problem was. CCTV had not been ruled out, but this required further understanding of the regulations governing data protection. There was a resource issue and whether it was the best use of officer time which was why the Council was promoting awareness of fly-tipping. This had not been that successful which was why enforcement was now being examined. Tackling fly tipping before it occurred would form part of the next report as would identifying the perpetrators when fly tipping was discovered.

49. **Cabinet Agenda (Non-Confidential items and reports) –
Wednesday 7 December 2022**

The Committee considered the following item which would be discussed at the meeting of the Cabinet on Wednesday 7 December 2022.

Item 8 – Draft Local Transport Plan – Consultation Response

The Labour Group had called this report in for scrutiny but the Overview & Scrutiny Committee Chair decided that because it did not concern a Warwick District Council policy, but instead was for a response from this Council to a County Council consultation exercise, a better approach would be for Councillor Cullinan to consult with officers and bring forward to Overview & Scrutiny Committee proposals for comments to be made to Cabinet.

The Overview & Scrutiny Committee:

1. Requested that the report should clarify that the reference to road planning in planning applications related to safety assessments and not the planning of routes.
2. The Council should make clear in its response that it is supportive of the proposals on pedestrian active travel rather than giving no comment.

50. **Joint Cabinet Agenda (Non-Confidential items and reports) –
Wednesday 7 December 2022**

The Committee considered the following item which would be discussed at the meeting of the Joint Cabinet on Wednesday 7 December 2022.

Item 5 - South Warwickshire Local Plan Part 1 – Issues and Options Consultation

1. The way that the reports were published (as one block, rather than as separate documents) created practical problems for Members in reviewing and scrutinising the content. Whilst recognising that the report was a technical topic, it was requested that the report should be better divided and structured to make it easier to manage.
2. Concerns were raised about the robustness of the process of the Sustainability Assessment and therefore the conclusions drawn from this. The Committee looked forward to feedback from the consultants in this regard.
3. The Committee recommended that wording, process, and navigation for the consultation was tested using a broad range of people to ensure that the type of responses were what would be expected.

(The meeting was adjourned at 8.03 pm for a comfort break. It resumed at 8.14pm.)

51. **Cabinet Agenda (Non-Confidential items and reports) –
Wednesday 7 December 2022, continued**

Item 9 – HEART Shared Service Partnership

The Committee thanked officers for their work. Members noted that it was a complicated service to get right and recognised that it was heading in the right direction.

Corrections were required to reflect the reasons for the underperformance at that time at 1.3.1 in the report.

The Committee welcomed the commitment to some form of a continued Break Clause in the contract going forward.

(The Committee welcomed Mr Philip Richardson – Director, Planning & Regulation, Nuneaton, and Bedworth Borough Council, who was joined by the Head of Housing and the Portfolio Holder for Housing & Assets to answer Members' questions on the report.)

Item 13 – Asylum Seekers Dispersal Scheme

Discussions on this report started in public session but moved into confidential session when questions could not be answered without revealing confidential information in the report – see Minute 55.

52. **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 paragraphs of Schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006, as set out below:

Minute Numbers	Paragraph Numbers	Reason
53	3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)
54	5	Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings

53. **Cabinet Agenda (Confidential items and reports) – Wednesday 7 December 2022**

The Committee considered the following confidential item which would be discussed at the meeting of the Cabinet on Wednesday 7 December 2022.

Items 13 & 17 – Asylum Seekers Dispersal Scheme and the confidential appendices

The Committee thanked officers for their work and noted the report.

54. **Minutes**

The confidential minutes of the Overview and Scrutiny Committee meeting held on 1 November 2022 were taken as read and signed by the Chair as a correct record.

(The meeting resumed public session.)
(Councillor Matecki left the meeting.)

55. **Cabinet Agenda (Non-Confidential items and reports) – Wednesday 7 December 2022, continued**

Item 5 – Quarter 2 Budget Report

The Committee thanked officers for their work and noted the report. Concerns were raised about the continuing issues relating to staff recruitment. Whilst these issues meant that the Council's budget position had improved, recruitment had not.

56. **Work Programme, Forward Plan and comments from the Cabinet**

The Committee considered its work programme for 2023 as detailed at Appendix 1 to the report. Appendix 2 to the report gave responses from the Cabinet to the comments and recommendations the Committee had made to Cabinet reports it had scrutinised.

An update from the Task & Finish Group, Equality & Diversity had been given via email to Committee Members (see Appendix 1 to these minutes). The Committee asked for its appreciation of the work done by the Task & Finish Group to be recorded in the minutes of the meeting.

It was requested that the Work Programme showed when Cabinet would be considering the Quarterly Budget reports so that these would be "called in" for scrutiny as a matter of routine without a specific Councillor needing to call them in.

The Deputy Chief Executive responded to concerns raised about the arrangements for scrutinising financial matters subsequent to the dissolution of the Finance & Audit Scrutiny Committee. The Democratic Services Manager & Deputy Monitoring Officer would be reviewing the process of scrutiny on these matters and the relationship between O&S and the Audit & Standards Committee.

A request was made that the Annual Governance Statement should be added to the Work Programme. The Deputy Chief Executive explained that Audit & Standards Committee considered this report. He would liaise with Committee Services over this report.

The Chair explained that an additional meeting was scheduled in February over the draft budget. He had not as yet liaised with the Chair of Audit & Standards Committee. He asked that a similar approach was adopted to

scrutinise this to the approach made for Fees and Charges. The Committee agreed to the approach and the additional meeting for this. It was agreed that Councillors King, Jacques and Kohler would be the selected Councillors to attend the working group and that Councillor Davison would be asked for a volunteer from the Green Party.

The Deputy Chief Executive and the Chair, O&S would consult with Group Leaders on how this would operate to ensure the political dimension of the budget process was not missed.

Resolved that

- (1) appendices 1 and 2 to the Work Programme report be noted;
- (2) the Work Programme be updated to show when the Quarterly Budget Report goes to Cabinet and this report be called-in as a matter of routine;
- (3) the Deputy Chief Executive to liaise with Committee Services and the S151 Officer and the Audit & Risk Manager over the scrutiny of the Annual Governance Statement and to report back;
- (4) in respect of the scrutiny of the draft budget report:
 - a. an additional meeting be held to review the draft budget along the same lines as occurred for the Fees and Charges review;
 - b. the Chair liaise with the Chair of Audit & Standards over the additional meeting for the draft budget;
 - c. Councillors King, Jacques and Kohler represent O&S at the draft budget working group and Councillor Davison be approached for a representative from the Green Group; and
 - d. the Deputy Chief Executive and the Chair liaise with the Group Leaders to discuss how the working group will operate to ensure the political dimension of the budget process is not missed; and
- (5) an update from HEART be added to the Work programme for 12 months' time.

(The meeting ended at 9.13pm)

CHAIR
7 February 2023

Appendix 1 – Report to Overview & Scrutiny Committee from the Task & Finish Group, Equality and Diversity

"As promised at the last meeting, below is a proposed plan for concluding the work of the Race Equality Task & Finish Group in good time before the District Council elections in May 2023.

The Group recognised that while the work has not progressed as anticipated this was, in no small part due to the impact of other significant projects being delivered by the Council which officers were involved in both expected (Commonwealth Games) and unexpected (the death of Her Majesty the Queen). We know how urgent business can sometimes result in the of delay important business.

The Task & Finish Group are realistic that with the need to report to Scrutiny in February 2023 (to enable reporting to Cabinet) so it is completed before the preelection period, there is only a limited amount of work that can be completed on the external review. That said some of this limited work will provide significant value for the Council.

The Group were pleased to be joined by the Council's Equality Diversity and Inclusion (EDI) Business Partner at their meeting on 2nd December. This appointment is a small but significant step in helping Equality Diversity & Inclusion become a more prominent area of work within this Council. This post was a key recommendation from phase 1 of the race equality review and is one of the small but significant steps that have occurred so far.

The Census 2021 data on ethnicity has now been published and can be compared against both the 2011 census records for the District and also the recent resident's surveys in 2021 and 2022. This will provide a broad district view on how well engagement is being achieved with all sectors of the community.

The Census data for 2022 can also be broken down into ward level and will enable any future work to consider appropriate engagement in ethnically diverse areas through detailed use of equality impact assessments.

The Task & Finish Group had previously received a proposal to review engagement with seldom heard / ethnically diverse communities in the district for their view on accessing District Council services. With the data from the Census this can now be more focussed and officers are preparing a brief, based on the view of the Group, for approval before Christmas 2022. This is with a view to seeking three external quotes for the work early in the new year and commissioning the work by no later than March 2023. While the Group is confident in its scoping, it will also be seeking the views of the Chair of Overview & Scrutiny Committee on this before it is finally posted. This report will not be concluded until after the election, however, the Group see this as a positive step as this will enable an early focus on equality for the new Council after the elections.

The Race Equality Task & Finish Group also helped to scope the briefing on Equality, Diversity & Inclusion for all Councillors, which will take place on Thursday 26 January 2023 and will be delivered by the new EDI Business Partner. It will be essential training for members and the opportunity to meet with the EDI Business Partner, as well as to help us all to think about how our actions and behaviours can contribute towards a more inclusive society.

The Group also believe their final report can draw together the positive action already taken within the Council and bring forward, with a solid evidence base, recommendations and learning to ensure that racial equality and indeed equality, diversity and inclusion in general remains a priority for the Council for the next administration."

Overview & Scrutiny Committee 7 February 2022

Title: Work Programme, Forward Plan & Comments from Cabinet

Lead Officer: Lesley Dury, Principal Committee Services Officer

Portfolio Holder: Not applicable

Public report

Wards of the District directly affected: Not applicable

Summary

This report informs Members of Overview & Scrutiny Committee:

- (1) of the Committee's work programme for 2023 (Appendix 1); and
- (2) responses that Cabinet gave to comments and recommendations made by Overview & Scrutiny Committee regarding the reports to Cabinet 7 December 2022 (Appendix 2).

Recommendations

- (1) That Members consider the work programme (Appendix 1) and agree any changes as appropriate.
 - (2) That the Committee:
 - identifies any Cabinet items on the [Forward Plan](#) on which it wishes to have an input before the Cabinet makes its decision; and
 - nominates a Member to investigate that future decision and report back to the Committee.
 - (3) That Members note the responses made by the Cabinet on the Comments from the Cabinet report (Appendix 2).
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1 Background/Information

- 1.1 The five main roles of overview and scrutiny in local government are: holding to account; performance management; policy review; policy development; and external scrutiny.
- 1.2 The pre-decision scrutiny of Cabinet decisions falls within the role of 'holding to account'. To feed into the pre-decision scrutiny of Cabinet decisions, the Committee needs to examine the Council's Forward Plan and identify items which it would like to have an impact upon.
- 1.3 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.

- 1.4 A key decision means a decision made in the exercise of an executive function by any person (including officers) or body which meets one or more of the following conditions:

- (1) The decision is likely to result in the Council incurring expenditure or the making of savings in excess of £150,000. Excluded from this are all loans to banks or other financial institutions made in accordance with the Treasury Management Strategy.

Officers' delegated powers to make The cabinet decisions are subject to the key decision/call-in regime where it is likely that the Council would incur expenditure or make savings above the threshold of £150,000.

In relation to letting contracts the key decision is the proposal to let a contract for a particular type of work. The subsequent decision to award the contract to a specific contractor will not be a key decision provided the value of the contract does not vary above the estimated amount by more than 10% for contracts with a value of up to £500,000 or 5% for contracts of over £500,000;

- (2) The decision is likely to be significant in terms of its effects on communities living or working in any two or more Wards.

In considering whether a decision is likely to be significant, a decision-maker will need to consider the strategic nature of the decision and whether the outcome will have an impact, for better or worse on the amenity of the community or quality of service provided by the Council to a significant number of people living or working in the locality affected.

- 1.5 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.
- 1.6 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.
- 1.7 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.
- 1.8 At each meeting, the Committee will consider their work programme and make amendments where necessary, and also make comments on specific Cabinet items, where notice has been given by 9am on the morning after Group meetings. The Committee will also receive a report detailing the response from the Cabinet, on the comments the Committee made on the Cabinet agenda in the previous cycle.
- 1.9 The Forward Plan is considered at each meeting and allows the Committee to look at future items and become involved in those Cabinet decisions to be taken, if members so wish.

- 1.10 As part of the new scrutiny process, the Committee is no longer considering the whole of the Cabinet agenda.
- 1.11 On the day of publication of the Cabinet 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 Cabinet items they would like the Committee to consider.
- 1.12 As a result, the Committee considered the items detailed in appendix 2. The response the Cabinet gave on each item is also shown.
- 1.13 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.

2 Conclusion/Reasons for the Recommendation

- 2.1 The work programme should be updated at each meeting to accurately reflect the workload of the Committee.
- 2.2 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.
- 2.3 Two of the five main roles of overview and scrutiny in local government are to undertake pre-decision scrutiny of Cabinet decisions and to feed into policy development.
- 2.4 If the Committee has an interest in a future decision to be made by the Cabinet, or policy to be implemented, it is within the Committee's remit to feed into this process.
- 2.5 The Forward Plan is actually the future work programme for the Cabinet. If a non-cabinet member highlighted a decision(s) which is to be taken by the Cabinet 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 Cabinet and they are passing comment on it.
- 2.6 Appendix 2, Comments from Cabinet, is produced to create a dialogue between the Cabinet and the Overview and Scrutiny Committee. It ensures that the Overview and Scrutiny Committee is formally made aware of the Cabinet's responses.
- 2.7 Where Overview and Scrutiny Committee has made a recommendation as opposed to a comment, the Cabinet is required to respond to the recommendation(s) made, including whether or not it accepts the recommendation(s).

Meeting Date 7 March 2023

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
Summary of the role, responsibilities and performance of the SWCSP	This is a mandatory report.	Written report	Liz Young / Marianne Rolfe.	March 2024.	This is an annual report.
Annual update from Shakespeare's England, looking back over the previous year's activity and forward to next year.	April 2022	Written report	Martin O'Neill and Councillor Bartlett	March 2024.	This is an annual report.
Development Management and Enforcement Performance Update subsequent to reports made to O&S in March 2022 and September 2022	March 2022 O&S September 2022 O&S	Written Report	HoS Development / Gary Fisher	TBA	
Environmental Enforcement Update subsequent to the report made in March '22	March 2022, O&S	Written Report	Zoë Court	Early 2023	
Call in the Q3 Budget Report from the Cabinet Agenda		Call in the Cabinet report	Andrew Rollins	Q4 Budget report June 2023	Annually: Q1 – September Q2 – December Q3 – March Q4 – June

Meeting Date 18 April 2023

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
O&S End of Term report.	Standing Annual Item.	Written report.	Committee Services Officer.	April 2023.	Annual report
Digital Strategy Update	O&S November 2021	Written report	David Elkington	August 2023	Every six months
Noise Nuisance Investigations: Review of the Policy and the service area's performance in respect of all forms of noise nuisance more generally	9 August 2022	Written report	Lorna Hudson		

Briefing Notes to All Councillors – April every year
Not for O&S Agenda, but to be emailed to all WDC Cllrs

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	Marianne Rolfe.	April 2024.	This is a briefing note to all Councillors.
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	Andrew Jones	April 2024	This is a briefing note to all Councillors.

Municipal Year 2023/2024

(* indicates Cabinet also meets that week)

4 July 2023*

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
Q4 Budget Report from the Cabinet Agenda (Not yet on Forward Plan, so this is the assumed meeting)	O&S will as a matter of routine, always call-in the quarterly Budget reports from the Cabinet agenda	Call in the Cabinet report	Andrew Rollins	Q1 Budget report September 2023	Annually: Q1 – September Q2 – December Q3 – March Q4 – June
Climate Emergency Action Plan update from previous period and giving progress against carbon emissions and what is coming forward. See O&S mins December 2022 for additional requirements.	May 2022 O&S	Written report	Dave Barber	December 2023	Every 6 months

Other O&S Committee meetings 23/24 (* indicates Cabinet also meets that week)

20 July 2023, 8 August 2023*, 19 September 2023*, 3 October 2023, 31 October 2023*, 28 November 2023
 5 December 2023* – Heart Shared Service Update since O&S December 2022
 23 January 2024, 6 February 2024*, 5 March 2024*, 9 April 2024*

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. (8 November 2022 – an email was sent to David Guilding and Philip Clarke asking for the status.)	Informal update.	Dave Guilding / Philip Clarke.	TBA	
Update - plans to improve accessibility to, and the condition / cleanliness of, toilets for people living with disabilities.	Committee meeting 26 September 2019 and briefing note 8 December 2020.	Written report	Zoë Court	To be advised if applicable.	No officer will attend the Committee meeting unless there is a request.
Minimum Energy Efficiency Standards Enforcement Process – Private Sector Housing	O&S August 2020 (31 October 2022 – Cllr Cullinan sent an email to Lisa Barker asking for a date for the report and the response was sometime spring 2023.)	Written Report	Lisa Barker		A review was requested once the scheme had been in operation for 12 months. Covid affected the process.
Park Exercise Permits – annual review of the scheme	August 2020 (Update November 2022 on status - Ann Hill has advised	Written report	Ann Hill		

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
	that the current permit scheme is not working and work needs to be undertaken to find out why that was, be it the rules of the scheme, the eligibility or enforcement. After speaking with Marianne Rolfe, she and Marianne decided to approach the relevant PAB when a revised scheme has been formalised.)				

**Response from the meetings of the Joint Cabinet and WDC's Cabinet on the
O&S Committee's Comments – 7 December 2022**

The Overview & Scrutiny Committee raised a general concern that subsequent to it becoming responsible for what was much of the remit of the former Finance & Audit Scrutiny Committee, Members had found the volume of items requiring attention had significantly increased. A consensus was that this led to less effective scrutiny and was no longer tenable.

The Chair, Overview & Scrutiny Committee was asked to inform Cabinet of these concerns and to request that officers should be asked to review the situation and provide options for improvement going forward.

The Leader agreed with the concerns raised by the Committee, and he would follow this through with the Chief Executive and Deputy Chief Executive and Monitoring Officer to see what arrangements could be done to support the scrutiny process.

Item Number 5 – South Warwickshire Local Plan Part 1 – Issues and Options
Consultation

Scrutiny Comment:

1. The way that the reports were published (as one block, rather than as separate documents) created practical problems for Members in reviewing and scrutinising the content. Whilst recognising that the report was a technical topic, it was requested that the report should be better divided and structured to make it easier to manage.
2. Concerns were raised about the robustness of the process of the Sustainability Assessment and therefore the conclusions drawn from this. The Committee looked forward to feedback from the consultants in this regard.
3. Overview & Scrutiny Committee recommended that wording, process and navigation for the consultation is tested using a broad range of people to ensure that the type of responses are what would be expected.

Joint Cabinet Response:

The recommendations in the report were approved, subject to the addition of the following recommendation from the Overview & Scrutiny Committee:

"that wording, process and navigation for the consultation is tested using a broad range of people to ensure that the type of responses are what would be expected".

The Committee noted the advice from officers that a user guide would be sent round to a selected group of Councillors in order to pilot the consultation document to check it is easy to navigate.

The Committee also resolved that an 8-week consultation period was appropriate.

Item 5 – Quarter 2 Budget Report

Scrutiny Comment:

The Overview & Scrutiny Committee thanked officers for their work and noted the report. Concerns were raised about the continuing issues relating to staff recruitment.

Whilst these issues meant that the Council's budget position had improved, recruitment had not.

Cabinet Response:

The recommendations in the report were approved.

Item 8 – Draft Local Transport Plan – Consultation Response

Scrutiny Comment:

The Labour Group had called this report in for scrutiny but the Overview & Scrutiny Committee Chair decided that because it did not concern a Warwick District Council policy, but instead was for a response from this Council to a County Council consultation exercise, a better approach would be for Councillor Cullinan to consult with officers and bring forward to Overview & Scrutiny Committee proposals for comments to be made to Cabinet.

The Overview & Scrutiny Committee:

1. Requested that the report should clarify that the reference to road planning in planning applications related to safety assessments and not the planning of routes.
2. The Council should make clear in its response that it is supportive of the proposals on pedestrian active travel rather than giving no comment.

Cabinet Response:

The recommendations in the report were approved.

Item 9 – HEART Shared Service Partnership

Scrutiny Comment:

The Overview & Scrutiny Committee thanked officers for their work. Members noted that it was a complicated service to get right and recognised that it was heading in the right direction.

Corrections were required to reflect the reasons for the underperformance at that time at 1.3.1 in the report.

The Committee welcomed the commitment to some form of a continued Break Clause in the contract going forward.

Cabinet Response:

The recommendations in the report were approved.

Items 13 – Asylum Seekers Dispersal Scheme

Scrutiny Comment:

The Overview & Scrutiny Committee thanked officers for their work and noted the report.

Cabinet Response:

The recommendations in the report were approved.

Title: Equalities Task & Finish Group

Lead: Councillor Mini Mangat mini.mangat@warwickdc.gov.uk Chair of the Task & Finish Group

Portfolio Holder: Councillor Day

Wards of the District directly affected: None

Approvals required	Date	Name
Portfolio Holder		
Finance	30/1/23	Lorraine Henson
Legal Services		
Chief Executive	30/1/23	Chris Elliott
Programme Director Climate Change	30/1/23	Dave Barber
Head of Service(s)	30/1/23	Andrew Jones Tracy Dolphin
Section 151 Officer	30/1/23	Andrew Rollins
Monitoring Officer	30/1/23	Andrew Jones
Leadership Co-ordination Group		
Final decision by this Committee or rec to another Cttee / Council?	A recommendation to Cabinet	
Contrary to Policy / Budget framework?	No	
Does this report contain exempt info/Confidential? If so, which paragraph(s)?	No	
Does this report relate to a key decision (referred to in the Cabinet Forward Plan)?	No	
Accessibility Checked?	Yes	

Summary

The report brings forward the conclusion of the work of the Equalities Task & Finish Group for consideration by the Overview & Scrutiny Committee.

Recommendation(s)

- (1) That the Overview & Scrutiny Committee notes the outcome of the work of the Task & Finish Group including the brief for community engagement work, as set out at Appendix 3
 - (2) That O&S supports the positive outcomes that are being delivered as set out in the report.
 - (3) That Committee recommends to Cabinet that
 - (i) a budget of £5000 be approved to undertake an equalities community review and engagement work on a cyclical basis every 3 years with the next in 2026; and
 - (ii) Officers align the equalities categories used by the Council with those of the Census 2021.
 - (4) That the Overview & Scrutiny Committee thanks the Members of the Task & Finish Group and Officers involved for their work.
-

1 Reasons for the Recommendation

- 1.1 In June 2020 the Council approved a motion, as part of the international response following the death of George Floyd, and as a result of that Motion the Overview & Scrutiny Committee were asked to establish a Task and Finish Group. The Task and Finish Group (the Group) was established by the Scrutiny Committee and charged with undertaking a review of the Council's approach to equality and diversity, especially with regard to race. Its report to the Committee would include an action plan with a view to the Cabinet adopting the Committee's recommendations in the report and its action plan. The progress and outcomes of the action plan would be monitored by the Overview & Scrutiny Committee, with the expectation that measurable improvements would be made by 2023.
- 1.2 The Overview & Scrutiny Committee supported the request and appointed a Task & Finish Group at its meeting on 22 July 2020, along with its Scope as set out at Appendix 1 to the report. The Group was initially formed of Councillors Carolyn Gifford, Mangat, Noone and Tangri, with Councillor Noone being replaced by Councillor Illingworth in late November 2020.
- 1.3 The Group split the work into two phases, internal (looking at equalities issues relating to the internal practice and policies, and the experiences of employees who are from ethnic minorities, and phase two that would review service delivery, as set out within its scope, including details of community engagement and including the officer and other resources needed to support this process.
- 1.4 The second phase commenced in October 2021 but was delayed due to the impact of the integration with Stratford-on-Avon District Council and the officer commitments in delivering this. This was then followed by work to undo planned integration, the Commonwealth Games and the death of Her Majesty the Queen. In addition it took longer than expected to recruit to the role of Equalities, Diversity & Inclusion Business Partner (three rounds of recruitment),

who would be a key officer for supporting the work of the Group and the successful candidate did not start with the Council until December 2022.

- 1.5 This limited the operation of the Group who were committed to completing the work for February 2022 to enable the overall work to be completed by the end of this Council.
- 1.6 These constraints aside, a number of positive pieces of work have been able to be completed, including analysis of the public engagement with residents' surveys against base data from the Census in 2021 and 2011.
- 1.7 The Census 2021 data on ethnicity within the District was released in late 2021. This, set out at Appendix 2, allows comparison between the 2011 census, to see change within the District and also how representative the residents' surveys undertaken by the Council in 2021 and 2022 were.
- 1.8 The primary issues these results identify are that the Census in 2021 used different data categories for ethnicity than were used in the residents' surveys. This has provided some limitations for direct comparisons but still provides a strong illustration of the representativeness of the survey responses. Overall the Task & Finish Group were pleased with the representative data, noting that the surveys were undertaken with a fair process for random selection and weighting subsequently added to the results. This process will be reviewed for any future all-residents' surveys to consider the significant change in respect of decrease in proportion of people identifying as White: English, Welsh, Scottish, Northern Irish or British.
- 1.9 In addition to this all councillors have been provided with a breakdown of the District to Ward level for ethnicity for their reference. This has also been shared with senior officers across the Council to help with planning of engagement events in specific areas. Further analysis of the Census 2021 is now being undertaken by officers in respect of gender, disability and age in relation to the residents' surveys.
- 1.10 The learning from this data will be used as a reference point for work being undertaken by the Council and can also be used as part of the consideration when completing equality impact assessments for delivery of services.
- 1.11 In addition to this work the Council now has an Equalities, Diversity and Inclusion (EDI) Business Partner for an 18-hour a week post. The new EDI Business Partner started on 1 December 2022 and is an experienced professional with awareness of WDC policies and processes, and also has significant experience in EDI from both an employer's and other perspectives. This has been welcomed by the Task & Finish group as a significant step forward in recognising equalities as a key aspect of all service delivery within the Council.
- 1.12 The (EDI) Business Partner is reviewing the work of the Council to highlight immediate priorities and longer term action of the EDI agenda within the organisation. These priorities will be fed back to service areas as appropriate for them to take forward.
- 1.13 To compliment the work on equalities the Group has recognized the more inclusive approach that is being taken, more generally across the Council. For example, the Council has just supported Black History Month and has promoted a series of other awareness initiatives, such as menopause awareness, in October. The speakers, in respect of menopause awareness, were both male and female, to get a different perspective and impact from a legal point of view in term of equalities.

- 1.14 There is planned training on EDI, including for members, delivered by the new EDI officer, with a view to raising awareness and increasing councillors' confidence in challenging on equalities in respect of the work they see. This will be used as a test event with learning being taken forward into training for the new Council, to further enhance the current training provision.
- 1.15 With support from the EDI Business Partner the group have defined a scope for recruiting a partner to secure engagement to enhance and maintain communication and feedback from existing community groups. The full scope for this work, which has been agreed by the Group in consultation with Chairman of the Overview & Scrutiny Committee, is attached at Appendix 2 to the report. This brief has now been advertised for procurement with a view to competition in summer 2023, with the report being shared with members and actions brought forward as required.
- 1.16 To supplement this, equalities is now added as a standard agenda item for every Programme Advisory Board. This is not as a separate discussion point but to act as reminder when considering any paper or item to include any equalities matters. The new Committee report template also provides a reminder about the requirement for Equality Impact Assessments which the Equalities, Diversity and Inclusion Business Partner is developing further guidance and support for report authors.
- 1.17 Throughout the work of the Task & Finish Group they have been supported and worked with a number of officers across the Council and it is considered important they are thanked for their time in supporting the Group in delivering this key piece of work.

2 Alternative Options

- 2.1 The Overview & Scrutiny Committee can decide to ask the Group to undertake further work on the outcomes or could reject the proposals and establish a new Group. However this work would not commence until the election has taken place and would be a consideration by the new Overview & Scrutiny Committee.

3 Legal Implications

- 3.1 The proposals aid the Council in promoting its awareness and understanding of the Equalities Act 2010 and demonstrating its compliance with the act.

4 Financial

- 4.1 The proposed engagement work is currently funded through an existing budget underspend, however to repeat this engagement and future residents surveys will need to be built into the budget for the Council at the appropriate time.

5 Business Strategy

- 5.1 Warwick District Council has adopted a Business Strategy which sets out key areas for service delivery. This proposal responds to two of those proposals in respect of Maintain or Improve Services and Firm Financial Footing over the Longer Term.
- 5.2 In respect of both of these points these decisions are being brought forward to provide more robust scrutiny in proposals that come forward to provide assurance to the public on the approaches being taken by the Council.

6 Environmental/Climate Change Implications

- 6.1 There are no significant implications for the environment or climate change from the recommendations..

7 Analysis of the effects on Equality

- 7.1 An equality impact assessment has been completed in respect of the proposed engagement work and no issues have been raised.

8 Data Protection

- 8.1 There is no change in the handling of personal data as a result of these proposals.

9 Health and Wellbeing

- 9.1 There are no direct impacts of the report in respect of Health & Wellbeing.

10 Risk Assessment

- 10.1 The Committee

11 Consultation

- 11.1 The report has been developed by the Task & Finish group in consultation with the Council's . Equalities, Diversity and Inclusion Business Partner

Background papers: None

Supporting documents: None

Appendix 1

Initial Scope as approved by Overview & Scrutiny Committee in 2020

Review Topic (Name of review)	The Council's approach to equality and diversity, especially with regard to race
Working Group Members	Councillors Gifford, Mangat, Noone and Tangri.
Key Officer Contact	Tracy Dolphin, Head of P & C, Tarandeep Mahal, HR Business Partner, Liz Young, Community Partnership Team Manager, Rose Winship, Head of Cultural Services (Chair of PSSG), Nicki Curwood Marketing and Communications Manager (others as and when required)
Scrutiny Officer Support	TBC
Rationale (key issues and/or reason for doing the review)	On 24 June 2020 Council approved a notice of Motion proposed by Councillor Mangat and seconded by Councillor Tangri. Part of the Motion requested that the Overview and Scrutiny Committee establish a Task and Finish Group. The Task and Finish Group would be charged with undertaking a review of the Council's approach to equality and diversity, especially with regard to race. Its report to the Committee would include an action plan with a view to the Executive adopting the Committee's recommendations in the report and its action plan. The progress and outcomes of the action plan would be monitored by the Overview and Scrutiny Committee, with the expectation that measurable improvements would be made by 2023.
Purpose/Objective of Review (specify exactly what the review should achieve)	<p>To review the Council's approach, both internally and externally, to racial equality in the broader context of equality and diversity, looking both for successes and areas for improvement.</p> <p>With a view to providing assurance on the current work the Council undertakes on equalities and provides a framework for enhancing this.</p> <p>Areas to consider will include:</p> <ol style="list-style-type: none"> 1. Feedback from sectors of WDC workforce, safe space to raise issues, relationships, health and wellbeing. Processes and Management Information relating to recruitment at all levels, retention and promotion. 2. WDC's engagement with residents, particularly where WDC is providing services, but also including the effectiveness of public messaging (website, press releases etc). 3. All contractors dealing with residents by exploring the procurement practices and which race equality conditions are applied into tenders if any. 4. WDC's promotion of racial equality generally e.g. addressing hate crime. 5. If the Council can do more to encourage engagement of BAME residents in democratic processes including standing for election and identifying its messages reach these Communities.

<p>Scope of the Topic (what is specifically to be included/excluded)</p>	<p>Reviewing our existing approach to racial equality and promoting diversity and considering any areas to improve that are not already within the existing action plan’).</p> <p>The Group will have three core focuses</p> <ol style="list-style-type: none"> (1) Equality within the work force of the Council (2) Equality in the services it (and its contractors deliver) (3) The promotion of racial equality generally e.g. addressing hate crime <p>While the focus will be on equality and diversity in respect of race if other areas of inequality are identified these must be reported back to the next meeting of the Overview & Scrutiny Committee.</p> <p>The review cannot consider any perceptions or allegations of failure to comply with the equality act by other organisations. If this occurs the Group will refer these to the appropriate party.</p> <p>The review cannot consider the equalities of other organisations, including the diversity of its contractors staffing. It could however share findings with its contractors (in respect of staffing for them to be aware of). If these are identified they will be shared with the appropriate organisation.</p>
<p>Indicators of Success (what factors would tell you what a good review should look like)</p>	<p>Specific, Measurable, Achievable, Realistic, and Timely (SMART) outcomes that identify the maturity of racial inclusivity within WDC, the development of anti-discriminatory positive action plans and dashboards.</p>
<p>Specify Evidence Sources (Background Information documents to look at)</p>	<p>Current WDC Policies WDC staff equality data WDC data held in respect of customer equality criteria WDC data of complaints made regarding equalities Information held by WDC contractors of equality of their customers WDC data on measuring success of marketing and advertising Best practice from other organisations including other councils. Engagement with relevant groups: see purpose, above.</p>
<p>Specify Witnesses/Experts (Who to see and when)</p>	<p>Stakeholders identified below should be considered experts in terms of their experiences. Also organisations that specialise in this work should be consulted e.g. the Equality and Inclusion Partnership. Keira Rounsley, Equality, Diversity and Inclusion Practitioner, Warwickshire County Council.</p>
<p>Specify Site Visits (where and when)</p>	<p>N/A</p>

Consultation with Stakeholders (who should we consult?)		WDC staff and councillors including those with strategic responsibility. Consultation approach must be signed off my O&S Cttee before being published Groups identified in 'Purpose' above. Both individuals and groups within the local BAME community in Warwick District, including Community Leaders. Warwick District Council recognised Trades Unions	
Level of Publicity (what level is appropriate and what method should be used)		High. There is considerable public interest in this review. The Council should welcome views, experiences and input from residents. These will be developed Consultation approach must be signed off my O&S Cttee before being published	
Barriers/dangers/risks (identify any weaknesses or potential pitfalls)		Risk that a few loud voices are unduly influential; but equally those who have been discriminated against may be reluctant to speak. Too many issues are explored, so the review fails to complete within the allotted time. Competing priorities within the Council Difficulty of engagement during COVID-19 response. Specialist support may be required, to provide understanding of requirements of the Equality Act Insufficient funds to buy in specialist support if required Insufficient resources with the HR/Payroll/HCP and other Service Areas and Committee team to provide support for the review. The review will be based on data held by the Council and it is known that a significant number of people do not declare their ethnicity on forms. There may be some aspects which require approval from the current Employment Committee and some from the Executive. Issues may be identified about other service providers which are not in our control and these need to be directed to respective authority for them to consider	
Projected Start Date	August 2020	Draft Report Deadline	January 2021
Meeting Frequency	Fortnightly	Projected Completion Date	March 2021
Key Milestones		Must report back on work to date in full to O&S on 29 September and 8 December 2020, plus verbal updates to 18 August, and 10 November 2020.	
Date to evaluate impact		Annual report in 2022 and March 2023 outlining performance against the agreed recommendations	
Methods of tracking / Evaluating		Using the annual targets and dashboards.	

Appendix 2

data set	population	Asian, Asian British or Asian Welsh: Bangladeshi	Asian, Asian British or Asian Welsh: Chinese	Asian, Asian British or Asian Welsh: Indian	Asian, Asian British or Asian Welsh: Pakistani	Asian, Asian British or Asian Welsh: Other Asian	Black, Black British, Black Welsh, Caribbean n or African: African	Black, Black British, Black Welsh, Caribbean or African: Caribbean	Black, Black British, Black Welsh, Caribbean or African: Other Black	Mixed or Multiple ethnic groups: White and Asian
2022 WDC residents survey	148,454	0.1	0.5	4.3	0.2	0.4	0.2	0.5	-	0.3
2021 census		0.1	1.0	6.8	0.6	1.2	0.7	0.3	0.1	1.2
2021 merger survey of WDC residents	137,648	-	-	4.0	-	1.0	-	-	-	1.0
2011 census		0.1	0.8	4.9	0.3	1.1	0.7	-	-	-

data set	population	Mixed or Multiple ethnic groups : White and Black African	Mixed or Multiple ethnic groups : White and Black Caribbean	Mixed or Multiple ethnic groups: Other Mixed or Multiple ethnic groups	Other ethnic group: Arab	Other ethnic group: Any other ethnic group	White: English, Welsh, Scottish, Northern Irish or British	White: Irish	White: Gypsy or Irish Traveller	White: Roma	White: Other White
2022 WDC residents survey		0.1	0.2	0.4		0.1	87.0	1.2	-	-	4.6
2021 census	148,454	0.3	0.8	0.8	0.2	1.4	75.9	1.4	-	0.1	7.1
2021 merger survey of WDC residents		-	-	-		-	88.0	1.0			3.0
2011 census	137,648			2.0		0.9	89.1	-	-	-	-

Warwick District Council - EDI Project Brief - engagement with the wider community

Background

Warwick District Council (WDC) is committed to ensuring that Equality and Diversity is embedded in the organisation's vision and values. Inclusion and representation for all within our community drives the agenda for a diverse and engaged community and builds upon the work already undertaken by WDC, supported by the Council's public sector Equality duty.

WDC wants to improve accessibility to its services for parts of our wider community specifically Ethnically Diverse communities. WDC wants to ensure that people feel able to reach out to us, and we want to hear the voices from all our communities to demonstrate our commitment to inclusivity in order to implement targeted support for those who need it.

WDC is looking to procure a provider who will work within set parameters with a view to reporting on:

- engagement with 'Ethnically Diverse communities'
- community needs
- data from qualitative analysis following engagement activities
- recommendations for progressive and sustainable change.

The Council recognises the importance of Public Services (Social Value) Act 2012 in delivering additional benefits through procurement. In this instance the Council considers that the wider social benefits from this low value short-term contract will be delivered through the outputs of the engagement work.

Scope of the project

Warwick District Council has established a Task & Finish Group of four Councillors who were tasked to review the Council's approach, both internally and externally, to racial equality in the broader context of equality and diversity, looking both for successes and areas for improvement. The overarching aim has been to seek assurance on the current work the Council undertakes on equalities and provide a framework for enhancing this.

Based upon data analysis of the WDC residents' survey 2021 and the national Census figures, WDC is looking to improve the way in which we engage as a Council with under-represented groups within the Community.

The scope of the project is within Warwick District and seeks to secure engagement on an ongoing basis so that the Council maintains communication and feedback from existing community groups with a view to working with any new groups identified.

Objectives

Our main objective is to secure engagement with under-represented groups within the wider Warwick District community. The Council is looking to engage effectively and to build robust communication channels with a view to supporting these communities in the District.

The successful provider may wish to integrate with newly formed or established Community Groups across the District using a variety of methods:

- Focus groups - what do the communities require from WDC?
- Faith groups - what can WDC improve when engaging with communities?

- Open sessions - bringing different communities together
- Quantitative surveys

WDC recognises that the success of the project relies on engagement with the wider community and one of the key objectives is to identify opportunities to build in progressive community forums where residents can engage proactively with the Council on a range of identified issues.

Benefits

In line with the public sector equality duty to ensure that we are engaged with all communities within Warwick District, we can all benefit from listening to the experience of our residents which may lead to changes and improvements to current service provision. Many areas within the District have been recognised as good places to live and the Council needs to ensure that our services are available and accessible to all of our community.

In line with the Equality Act 2010 WDC is looking to ensure that all residents are supported by the Council in relation to their needs and beliefs. Forming engagement groups with Ethnically Diverse communities helps us to implement what is required from the wider community in a practical and holistic sense.

Risks

The Council is aware that seldom-heard groups can be difficult to identify and engage with, hence the comparison between the response rates from different ethnic groups to the 2021 Census and the residents' survey.

The Council needs to ensure that this EDI project uses a variety of methods including face-to-face sessions, online surveys or meetings, or paper-based questionnaires, all with the same questions to ensure data capture is consistent.

Value and Length of contract

The estimated value of this contract is £5,000.

It is expected that this initial EDI engagement project will take no longer than 6 months to complete and report.

Title: Revisions to Scrutiny Arrangements

Lead Officer: Graham Leach, Democratic Services Manager & Deputy Monitoring Officer, 01926 456114 and graham.leach@warwickdc.gov.uk

Portfolio Holder: Councillor Day

Wards of the District directly affected: None

Approvals required	Date	Name
Portfolio Holder	30/1/23	Andrew Day
Finance	30/1/23	Lorraine Henson
Legal Services		
Chief Executive	30/1/23	Chris Elliott
Programme Director Climate Change	30/1/23	Dave Barber
Head of Service(s)	30/1/23	Andrew Jones
Section 151 Officer	30/1/23	Andrew Rollins
Monitoring Officer	30/1/23	Andrew Jones
Leadership Co-ordination Group		
Final decision by this Committee or rec to another Cttee / Council?	No one decision is required from Council.	
Contrary to Policy / Budget framework?	No	
Does this report contain exempt info/Confidential? If so, which paragraph(s)?	No	
Does this report relate to a key decision (referred to in the Cabinet Forward Plan)?	No	
Accessibility Checked?	Yes	

Summary

The report brings forward changes to the Scrutiny arrangements for the Council in recognition of the concerns that have been raised by the Overview & Scrutiny Committee and both the Monitoring Officer and Section 151 Officer.

Recommendations

- (1) That from municipal year 2023/2024, the Overview & Scrutiny Committee has four additional meetings (once a quarter).
 - (2) That the remit of the Budget Review Group, as set out at Appendix 2 to the report, is supported and, subject to support from the Audit & Standards Committee, is recommended to Council for Annexing to the Constitution.
-

1 Reasons for the Recommendation

- 1.1 In May 2022, the Council agreed to move to a single Scrutiny Committee. This was a change from previous years where the Council had two Scrutiny Committees (one of which also acted as the Council's Audit committee). The two Committees undertook the scrutiny function from different perspectives.
- 1.2 The remit of the Overview and Scrutiny Committee, before May 2022, was to review items to be considered by the Cabinet, to review past decisions, policy development, health and wellbeing issues, specific issues and problems within any service area. It would also be able to scrutinise any other matter not otherwise delegated to the Finance and Audit Scrutiny Committee.
- 1.3 The remit of the Finance and Audit Scrutiny Committee, before it was disbanded, was to provide independent assurance of the adequacy of the risk management framework and the associated control environment, independent scrutiny of the authority's financial and non-financial performance to the extent that it affects the authority's exposure to risk and weakens the control environment, issues of an audit nature and to oversee the financial reporting process. The Finance and Audit Scrutiny Committee would:
 - Review the robustness of business cases
 - Promote value for money and good procurement practice
 - Make recommendations on good financial management practices
 - Keep the treasury management performance under review
 - Approve the Statement of Accounts in accordance with regulation 10 of the Accounts and Audit Regulations 2003
 - Review specific Cabinet items and past decisions.
- 1.4 The remit of the Finance & Audit Scrutiny Committee covered a number of areas that are the responsibility of an Audit Committee role rather than scrutiny function. While there will always be some overlap between the work of Scrutiny Committees and the Audit Committee, it is advised against them being a single Committee. This is advised against by both the Chartered Institute of Public Finance and Accountancy (CIPFA) and Centre for Governance & Scrutiny (CfGS).
- 1.5 The approach of combining the Audit Committee with an Overview & Scrutiny Committee risks conflicts of interest, spreading resources too thinly and losing

clarity over both audit and scrutiny committees' important statutory functions. Both functions require distinct support and should be able to operate effectively independently. This aside, because the functions relate to similar areas, there will be matters of common interest where it makes sense to collaborate. Some examples are areas around mindset and culture, securing good governance risk, value for money and wider policy issues (including the impact of council strategy and financial management).

- 1.6 As a result, for the municipal year 2022/2023, Council approved a new structure around its Scrutiny function, with the Overview & Scrutiny Committee's remit being changed, to add scrutiny of finances as well, and the creation of a new Audit & Standards Committee.
- 1.7 The close working relationship between these two Committees should be delivered through regular dialogue between the Chairs, who should look at sharing information and areas the respective Committees may wish to look at. At present, there is a strong working relationship between the Chair of the Audit & Standards Committee and Overview & Scrutiny and this is an area that officers will continue to support into the next municipal year, including ensuring they are invited to the others' briefings prior to their Committee meetings.
- 1.8 In respect of capacity of the Overview & Scrutiny Committee up to December 2022, the Committee had considered the following:

Year	Meetings	Scrutiny reports	Cabinet reports considered
19/20	10	19	20
20/21	9	9	20
21/22	8	15	20
22/23	7	10*	26

*This includes three Treasury Management reports that now fall to Audit & Standards Committee

- 1.9 In addition to this, the Finance & Audit Scrutiny Committee had considered 82 Cabinet reports between May 2019 and May 2022 over 28 meetings (just under three Cabinet items per meeting). The number being considered had reduced with the introduction of the Overview & Scrutiny Committee Procedure rule 21, as set out at Appendix 1 to the report. It should also be noted that from the Cabinet items considered, 58 were simply noted or supported, 26 had comments provided and in only in six cases were recommendations made to the Cabinet.
- 1.10 Councillors will be aware of the introduction of pre-scrutiny questions, the answers to which are available via the website. These have helped to further focus and enhance debates at Committee. This has also reduced the number of Cabinet items being considered as simpler queries are answered outside of the formal Committee meeting.
- 1.11 This aside, concern has been raised by Councillors and Senior Officers that some key strategic financial reports are not receiving robust scrutiny due to lack of time and capacity at the meeting.
- 1.12 The Chair of the Overview & Scrutiny Committee has considered these points and come to the view that in order to provide additional capacity within Overview & Scrutiny Committee meetings, before Cabinet, the most sustainable approach would be to have four additional meetings a year which would solely

focus on reports to the Committee and not on Cabinet matters, therein creating more capacity at meetings of Scrutiny the night before Cabinet.

- 1.13 In addition to this, the Chair supports the continuation of the Fees & Charges Review Group and the Budget Review Group (Although now a single Group called the Budget Review Group). Currently these are composed of representatives of the Audit & Standards Committee and Overview & Scrutiny Committee, with a representative of each political group from both Committees.
- 1.14 The use of this Group has a number of benefits through sharing skills and knowledge across the Committees , while allowing focus on specific topics. They were an experiment for this municipal year, but have now been built into the Calendar of meetings for 2023/24. To enhance understanding of their role and the associated responsibilities, a brief terms of reference has been produced and is appended to this report for consideration as Appendix 2 to the report.
- 1.15 Councillors have also raised concerns about the level of training received in respect of local government finance and more specifically, understanding Warwick District Council finances. This is considered a particularly important area for Councillors to understand, due to their legal responsibilities in respect of the over £100million a year that the Council is responsible for.
- 1.16 To that end, post-election on 6 June 2023, there will be a training session for all Councillors covering the basic elements of the District Council budgets, where money comes from to fund services and key terminology. This will then be built upon throughout the year with more detailed sessions at appropriate times on other areas, for example, key considerations in setting fees and charges and the art of Treasury Management. Due to the importance of this area, this will be included in a proposal for mandatory training for all Councillors to be considered by the Audit & Standards Committee in February.
- 1.17 There will also be detailed scrutiny training, focused on Overview & Scrutiny Committee Members and substitutes, but open to all Councillors. This will be delivered by the CfGS and with further sessions over the next two years.
- 1.18 In addition to these face-to-face courses, all new Councillors (indeed some will be shared with all candidates once close of nominations has passed) will be provided details of further information they can access and read, for example, the supporting documents to this report.

2 Alternative Options

- 2.1 Consideration was given to a number of alternative options, including reverting to have two Scrutiny Committees of Finance & Audit and Overview & Scrutiny Committee.
- 2.2 In respect of having two Committees as per the previous approach, there are many wider considerations and points raised by Members on this.
- 2.3 The arrangements the Council had previously were: Monday – Group, Tuesday – O&S, Wed – F&A and Thurs – Cabinet.
- 2.4 Members took the decision last year that this was no longer sustainable, with some officers and Councillors having four consecutive nights of meetings every six weeks.
- 2.5 With this in mind, officers considered the potential for this with either Cabinet dropping to the week after, or Group meetings being removed from the calendar. Moving Cabinet to the week after and retaining six-weekly Cabinet and three-weekly planning (then fitting Council and other meetings at set times) did not work. It was also considered not appropriate to remove the

Group meetings or moving them to another time slot due to the benefits these have brought through pre-meeting questions.

- 2.6 The Council could have F&A and O&S on the same night but not at the Town Hall as there is insufficient event space for two meetings and also recognising that there will be development work at the Town Hall coming forward with Future High Street Funds. Without investment in broadcast equipment, we cannot broadcast two committees at the same time, accepting the Council has committed to broadcasting its meetings.
- 2.7 The Council cannot hold Committee meetings remotely (removing the need for space at the Town Hall) as the law does not permit it. The Council could have two Committees simultaneously, with one Committee at another venue, but then the benefit of having everyone in the same space to swap between rooms (catch up etc.) would be lost and there would be a cost associated with use of another venue.

3 Legal Implications

- 3.1 There are no specific legal implications of the report and the proposals comply with the relevant aspects of legislation.

4 Financial

- 4.1 There will be minimal additional cost to the Council of the additional meetings in respect of refreshments, but this can be funded within existing budgets. This will result in lost income opportunity for Town Hall (as the room will not be available for hire for four additional evenings) but this is not expected to materially alter their planned income for the year.
- 4.2 There will also be additional cost in respect of officer time in attending additional meetings but it is anticipated this should be balanced by no overall increase in meeting time.

5 Business Strategy

- 5.1 Warwick District Council has adopted a Business Strategy which sets out key areas for service delivery. This proposal responds to two of those proposals in respect of Maintain or Improve Services and Firm Financial Footing over the Longer Term.
- 5.2 In respect of both of these points, these decisions are being brought forward to provide more robust scrutiny in proposals that come forward to provide assurance to the public on the approaches being taken by the Council.

6 Environmental/Climate Change Implications

- 6.1 There will be an adverse impact on the climate as a result of increased travel to meetings in the evening by Councillors and Officers. While this, overall will be a potentially small negative effect, there will be one. Equally, there will be more carbon emissions from energy use at the Town Hall. At this time, there are no direct mitigations for these.

7 Analysis of the effects on Equality

- 7.1 It is not considered that an equality impact assessment needs to be undertaken for these proposals.

8 Data Protection

- 8.1 There is no change in the handling of personal data as a result of these proposals.

9 Health and Wellbeing

- 9.1 There will be an impact on health and wellbeing as a result of these proposals. There is the potential for shorter meetings so officers and Councillors will not be working as late, recognising the identified impact of trying to reach significant decisions later in the day. However, there is the negative impact of more meetings, which impacts on both Councillors' and officers' private lives. It is anticipated that these will balance each other out and will need to be monitored carefully.
- 9.2 In addition, it is hoped that by having slightly more meetings, the agendas will be shorter for some meetings. Therefore, the reading time required for each meeting will be less significant, therefore reducing pressure.

10 Risk Assessment

- 10.1 The Committee needs to be mindful of the election in May and the new Council may want to change its approach to governance and Committees. This was explored post-election in 2019. The advice to the new Council will be that any proposals considered should be developed over the first 12 months in office with a view to introduction in the second municipal year of the Council.
- 10.2 Combining Audit & Standards Committee. CIPFA also advises against combining the Audit Committee with governance work associated with the Standards Committee. Officers were of the view that this risk was more acceptable based on the relatively low volume of work associated with the Standards Committee compared with the high volume of work of the Scrutiny Committee. In addition to this, by bringing the Standards Committee work with the Audit Committee has the benefit of bringing the views of the Independent Persons on audit matters, as well as the Parish/Town Council representatives, thus providing a more rounded view on matters (which is supported by CIPFA).
- 10.3 As referenced in the Health and Wellbeing section, there is a risk in respect of employees' and Councillors' time by introducing additional meetings without extra resources being available. This will need to be more closely monitored and Committee Services will undertake some comparative work on length of meetings from this municipal year as (as a base) with those in coming years as they occur.

11 Consultation

- 11.1 Discussions have taken place with the Chair of the Overview & Scrutiny Committee who is supportive of the proposal. The Internal Audit & Risk Manager has also been consulted on the report and is content with the approach proposed.

Background papers: None

Supporting documents:

[Centre for Governance & Scrutiny Practitioners Guide](#)
[Centre for Governance & Scrutiny – Audit Committees and Scrutiny: working together](#)
[LGA Councillor workbook: Scrutiny of finance](#)
[Centre for Governance & Scrutiny & CIPFA Financial Scrutiny/practice guide](#)
[LGA a Councillor workbook on scrutiny](#)
[Warwick District Council Cabinet 20 April 2022 – Item 06 Amendments to the Constitution](#)
[MHCLG – Statutory Guidance on Overview & Scrutiny in Local and Combined Authorities](#)

Overview & Scrutiny Committee 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

Terms of Reference Budget Review Group

The group will be responsible for reviewing the following papers on the evening before Cabinet considers them.

Annual Fees & Charges

Setting of the General Fund Budget

Setting of the Housing Revenue Account (HRA)

Their purpose will be to review the reports and pass comment on the strategic financial robustness of them.

The reports will be subject to pre meeting questions process as used for all Cabinet papers.

The Group will be composed of a Councillor from each Political group on the Council from each of the Audit & Standards and Overview & Scrutiny committee

The Leader of the Cabinet will permit the Chair of this meeting to represent the views of the Group inline with the rights provided to the Chair of the Overview & Scrutiny Committee